EVIDENCE

PROOF OF EVIDENCE OF
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OF JACOBS UK LTD

PUBLIC INQUIRIES INTO:

THE ESSEX COUNTY COUNCIL (GILDEN WAY/SHEERING ROAD (B183) IMPROVEMENT/WIDENING/REALIGNMENT, A1025 NEW LINK ROAD FROM B183 TO M11 AND GRADE SEPARATED JUNCTION/ROUNDABOUTS AT M11 JUNCTION 7A SCHEME) (PHASE 1) COMPULSORY PURCHASE ORDER ("CPO")
and
THE ESSEX COUNTY COUNCIL (GILDEN WAY/SHEERING ROAD (B183) IMPROVEMENT/WIDENING/REALIGNMENT, A1025 NEW LINK ROAD FROM B183 TO M11) SCHEME) (CLASSIFIED ROAD) (SIDE ROADS) ORDER ("SRO")
and
THE HIGHWAYS ENGLAND COMPANY LIMITED (M11 HARLOW NORTH JUNCTION (7A) (SLIP ROADS, SPECIAL ROADS) SCHEME 2018 ("SPECIAL ROADS SCHEME")

National Transport Casework Team reference: NATTRAN/E/LAO

Essex County Council

1. Introduction of the Expert Witness

1.1. My name is Susanna Coe. I am a Divisional Director for Jacobs Engineering UK Ltd, a multidisciplinary, engineering and environmental consultancy. The opinions expressed are my own, unless I state otherwise.

1.2. I am Jacobs' UK Town Planning Head of Discipline and have worked for over 30 years in Town Planning in both the public and private sector. I am a full member of the Royal Town Planning Institute and have been a Chartered Town Planner since 1992.

1.3. I have been the Town Planning discipline lead for this project since 2015. I have a thorough understanding of the planning background to the proposals, the land subject to the compulsory purchase order (CPO) and the local area. My evidence takes into account relevant national and local planning policies and has regard to the planning processes followed to secure full planning consent for the M11 Junction 7a Scheme.

2. Scope of Evidence

2.1. The Town Planning evidence will:

- Outline the planning process followed to obtain planning permission, from pre-application work to application submission – starting with the input into option selection guided by policy and allocations, the consultation process and work undertaken to prepare the planning application and the accompanying Environmental Statement (ES) (Scoping and the full ES).

- Summarise the findings of the ES – focusing on Landscape, Biodiversity, Air Quality and Noise, particularly relating to the CPO land.

- Discuss Flood Risk and how this resulted in the movement of the Scheme and the technical reasons for this.

- Outline the objections received during the determination period for the planning application and the Applicant's responses, focussing on the objections received from the Objectors to the CPO (Mr Collins, Mr Tilley, Miller Homes).

- Summarise the planning decision-making process.

- Outline the work undertaken to discharge the pre-commencement planning conditions for both the Advance Works and forthcoming Main Works and the role of the Main Works contractor in that process.

- Explain the alternative arrangements for the southern arm of the link road – the revised design, the forthcoming planning application and the accompanying Addendum ES that we have progressed to support that application, following engagement with County Planning Authority (CPA) and that current view that the alternative arrangement has less/similar impact (worst case) to the approved M11 Junction 7a scheme.

3. Introduction

3.1. Planning permission for the M11 Junction 7a scheme, hereafter known as the 'Approved Scheme' or 'the Scheme', as appropriate to the context, (application reference: CC/EPF/08/17) was granted by Essex County Council (ECC) as the County Planning Authority on 21st July 2017. The Approved Scheme involves the introduction of a new junction (7a) on to the M11 motorway to the north-east of Harlow, with a link road joining the Scheme to the existing local road network, in addition to the widening of Gilden Way to accommodate the increase in traffic flow. The Approved Scheme was divided into three phases at the time of the planning application:

- Phase 1: Improvements to Gilden Way and Sheering Road
- Phase 2a: Link road from The Campions roundabout to a new junction 7a on the M11
- Phase 2b: Northern loop to provide a future link to a northern bypass for Harlow.

3.2. Following discussions with objectors, it was agreed to amalgamate Phase 1 and Phase 2a, into a single phase of works, with Phase 2b to be constructed at a later date, as and when a northern bypass linking to the north of Harlow is required. As such, the CPO subject to this Public Inquiry deals with only with land required to complete Phase 1 and Phase 2a.

4. The Planning Process

Need for the Approved Scheme

4.1. Harlow as a town is unusual in that the town was planned with a single access point onto the Strategic Road Network (SRN) at Junction 7 on the M11. This junction is operating at capacity and the A414 is the single route into Harlow, this road is also operating at capacity. At peak times there is significant congestion in an around Harlow, if there is an incident on the M11, the town is often approaching gridlock with significant delays in journey times.

4.2. The situation is exacerbated by the location of key industrial sites on the northern and western sides of the town, which are the furthest points from the existing single connection to the strategic road network, the M11 at Junction 7 (J7), located to the south-east of the town. This single connection, via the A414, means that network resilience is poor and significant congestion and delay experienced due to minor incidents occurs in and around J7. The A414 route is the primary means of road access to the town which serves as an important through route and also acts as an alternative route when incidents occur on the M25, creating further problems on the town's road network.

4.3. Geographically, Harlow is close to the M11 and M25, on the West Anglia Main Line and close to Stansted Airport. Harlow is ideally placed to accommodate significant housing and economic growth, but access to Harlow is constrained with only one link to the strategic road network (via M11 J7) and two railway stations located on the edge of the town.

4.4. The Harlow Transport Strategy reports that there are several factors that contribute towards the traffic conditions in Harlow, especially during weekday and weekend peak periods. As well as having limited access routes into and out of the town, the 2011 Census data indicates that 16,000 outbound and 16,500 inbound travel to work trips are made each day. In addition to the demand placed on the strategic road network from these work-related trips, adjacent towns and villages have limited access to the M11 and so tend to travel through Harlow in order to reach J7. The A414 as it passes through the town is also mainly single carriageway. Access to the M11 itself is also restricted within Epping Forest District to the south of Harlow, J5

having only south-facing slips, and J4 at the southern end of the motorway is some 12 miles distance from J7.

4.5. Furthermore, Harlow was constructed in the 1950s and 1960s as a planned New Town. Not only is much of the town's transport infrastructure now ageing, it was originally designed for a time of lower levels of car ownership and mobility. Traffic congestion is common, particularly during weekday and weekend peak periods, with impacts felt across the town's wider road network, and particularly at J7. A significant intervention is therefore required to address the capacity challenges, in conjunction with some more local road improvements.

4.6. The town has been identified as an area for significant growth and regeneration of its commercial/employment sites and town centre. Two sites have been identified for employment growth as part of Harlow's designation as an Enterprise Zone, one of 24 locations across the country designated by the UK Government to provide incentives for investment. There are proposals for a further significant increase in housing within Harlow District, Epping Forest District and East Hertfordshire District amounting to an objectively assessed need for more than 51,000 homes across the Strategic Housing Market Area, 16,000 of which could be within or directly adjoining Harlow. It is noted that existing growth in Harlow is already constrained by the lack of capacity at J7, with the 2013 Local Development Order for the Enterprise Zone capped until additional network capacity is realised.

4.7. In order for this to be realised, improved access to the SRN is seen by Highways England as a prerequisite. The provision of a second access to the M11 together with future improvements to the capacity of Junction 7 are seen as essential infrastructure to release the planned growth for the town.

<u>Planning Input into the Scheme</u>

4.8. In identifying a preferred scheme for the road link between Harlow and the M11 motorway, a range of options were considered.

4.9. A range of criteria were taken into account in the selection of the final route, including the outcome of public consultation, the need to meet highway standards, drainage considerations, geotechnical elements, structural requirements, alignment standards, environmental and ecological impacts. It was also guided by recent planning permissions in the vicinity of the Scheme and the evolving nature of the development plan context in the immediate and surrounding area of the Scheme.

4.10. The M11 Junction 7a scheme is located within the administrative boundaries of Epping Forest District Council (EFDC) and Harlow District Council (HDC) and in

close proximity to Uttlesford and East Herts Districts. The options considered for the M11 Junction 7a Scheme were assessed against the local plan context of the area.

4.11. At the time of application, the local plans of both EFDC and HDC were out of date, with both authorities progressing drafts of their new local plans. Engagement with the Local Planning Authorities ensured the Scheme was developed in parallel with the emerging local plans. The local authorities surrounding Harlow had been working in partnership to focus significant housing and economic development around Harlow, through policies in their emerging local plans, to assist with the regeneration of the town and surrounding area.

4.12. Harlow was identified as the most sustainable location within their combined Housing Market Area at which to concentrate development due to its economic status, regeneration needs, good transport links, its key location within the London Stansted Cambridge Consortium and, in particular, to help to fulfil the economic growth aspirations for the town. The conclusion of these discussions included a Memorandum of Understanding between each of the Local Authorities which confirmed the link between the need for the new junction on the M11 and planned employment and housing growth in and around Harlow.

4.13. The current adopted local plan for Harlow and recent planning permissions had already led to significant developments to the east of Harlow. These including developments within the Harlow Enterprise Zones (London Road South, London Road North and Templefields), providing new industrial and office premises. A consequence of the capacity issues at Junction 7 in the M11 and congestion on the SRN and local road network resulted in a condition imposed by Highways England on the Local Development Order that additional employment growth for Templefields cannot be implemented in full without the provision of an additional junction on the M11 at Junction 7a. In addition, planning permission had already been granted for significant housing developments at Newhall and Harlowbury, located adjacent to Gilden Way, which will add to the existing congestion in and around the town.

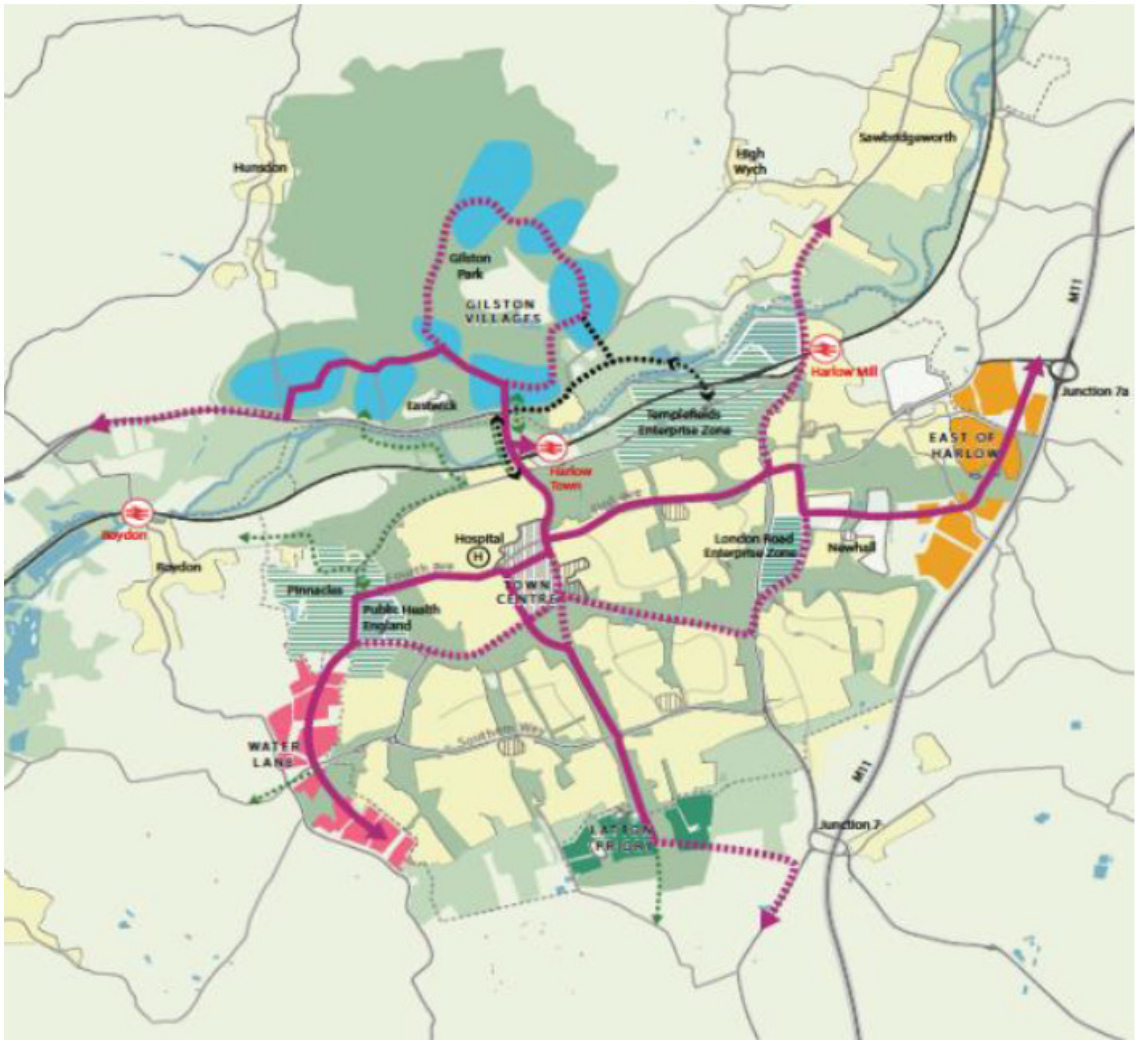
4.14. In addition to the above, significant committed housing development is taking place in Bishop's Stortford, as well as the ongoing expansion of passenger numbers at Stansted Airport. Cumulatively, these developments will increase pressure on the local and strategic transport infrastructure within the local area. Without an improved link to the motorway, the town and surrounding districts are not expected to be able to realise their full potential.

4.15. Further growth is also proposed in the emerging local plans for Harlow and the surrounding districts; current estimates for 2033 put growth in Harlow and the surrounding districts at 16,000 homes, and 15,000 jobs.

4.16. This growth comprised 4 main growth areas around Harlow:

- Gilston Park - 3000 homes by 2033, with a further 7,000 homes post 2033;
- Water Lane – 2100 homes by 2033;
- East of Harlow – 3,350 homes by 2033;
- Latton Priory – 1050 homes by 2033; and,
- Within Harlow - 7573 homes.

4.17. These are combined into a single strategic growth project 'Harlow and Gilston Garden Town as shown below.



4.18. Of particular significance to the M11 J7a and link road, are the proposed housing allocations on land between Gilden Way and the M11 motorway in the 'East of

Harlow' area, which straddles Epping Forest and Harlow Districts. Allocation ref. SP5.3, which is allocated in Policy SP5 of the Epping Forest Local Plan Submission Version, allows for the development of approximately 750 homes, other associated uses and the potential relocation of the Princess Alexandra Hospital (PAH) on the 'East of Harlow' land within Epping Forest District. Policy HS3 of the Harlow Local Plan Pre-Submission Document allocates approximately 2,600 homes and other associated uses on the 'East of Harlow' land within Harlow District. These developments are combined into the delivery of a Harlow/Gilston Park Garden Town. Master planning for this underway with significant Government funding in place to deliver the Garden Town project commencing in 2022. The provision of the Approved Scheme is essential to release this planned development and secure the benefits from this growth for the whole of the town.

4.19. The scheme selection for the M11 Junction 7a was, in part, guided by local committed development and the policy and allocations of the emerging district local plans. The Approved Scheme provides the road infrastructure required to support the development aspirations of the local districts and ensures the proper planning of the area through the implementation of the development plan allocations and policy, control through development management processes and in line with the vision and master planning for the Garden Town project. The detailed development of the allocations and their interaction with the M11Junction 7a scheme will emerge through the design and assessment of detailed planning application proposals through the current plan period (2033) and beyond to 2036.

<u>The Public Consultation Process</u>

4.20. Three options were developed for linking the new M11 junction to Harlow via Gilden Way; these were taken through a series of public information exhibitions (PIE), which were held between December 2013 and March 2014. The feedback received indicated that there was a need to consider a more strategic Scheme which also facilitated the development of the Northern Bypass. Consequently, a northern loop was added to the Scheme from Sheering Road to the M11 Motorway. Widening of Gilden Way was proposed in late 2015, following the second PIE in July 2015, to accommodate the increased traffic flow coming through the new M11 Junction 7a; this resulted in the extension of the Scheme footprint and study area and triggered the need for further environmental surveys to assess potential impacts along the Gilden Way corridor.

4.21. Further elaboration of the design was undertaken in 2016, with input from in-house specialists, including the removal of the loop between Sheering Road and the M11 and replacing it with a roundabout (Pincey Brook Roundabout) on a terrace at approximately existing ground level, to reduce visual impact. This design was taken forward to the Formal Public Consultation (May to July 2016). The alignment of the Scheme shifted southward to protect rows of mature oak trees located south of Pincey Brook and adjacent to Sheering Road. A slight realignment northward was also incorporated to avoid damage to Mores Wood. In August 2016, the M11 southbound off-slip road was extended north of the Pincey Brook; this was to mitigate the impacts of generated traffic on the junction.

4.22. All the options identified through the option development stage, including the preferred option, were considered in terms of meeting the key objectives identified for intervention, fit with existing local, regional and national programmes and strategies and with the key viability and acceptability criteria to establish the appropriateness of each option for full appraisal.

Pre-Application Process

4.23. The Applicant entered into a Planning Performance Agreement with the County Planning Authority (CPA), which enabled the applicant to engage with the CPA at regular intervals as the Scheme developed; engagement with Harlow, East Hertfordshire and Epping Forest districts also took place. A pre-application Planning Statement and Scoping Report were submitted to the CPA in January 2016. A Screening Opinion (as to whether the Scheme required an EIA) was not requested due to the accepted scale and complexity of the Scheme. A Scoping Report was produced outlining what were considered to be the main likely potential impacts. A scoping opinion was received from the CPA in June 2016 and this scoping opinion guided the EIA process.

5. Environmental Assessment

5.1. The scale and complexity of the M11 Junction 7a scheme was such that it required an Environmental Impact Assessment (EIA). The Environmental Statement (ES), which thoroughly examined the environmental and social implications of the Scheme, was submitted as part of the planning application package. Where negative environmental and social effects were predicted, extensive mitigation measures were recommended and subsequently implemented. The ES highlighted

that there are no residual significant environmental effects resulting from the Scheme.

Air Quality

5.2. The Air Quality Assessment, which forms part of the ES, considered the potential effects of the M11 Junction 7a scheme on local air quality and regional emissions as well as the impacts from dust during construction. The results indicated that the Scheme would overall on balance result in a reduction in air pollutant concentrations during operation, especially in areas where air quality is currently an issue (Sawbridgeworth and Bishop's Stortford Air Quality Management Areas). There would be some worsening of air quality on along some parts of Gilden Way; however, the levels would still be within acceptable guidance thresholds with no predicted exceedance of UK Air Quality Objectives or the EU Limit Values.

5.3. Appropriate mitigation measures, including dust control measures during the construction phase of the Approved Scheme, will ensure that there are no significant residual effects, either through dust nuisance or on local air quality. For the operational phase, no significant environmental effects are foreseen and, therefore, no mitigation is proposed and there are no residual effects envisaged. On balance, the effect of the Approved Scheme is classed as insignificant and, overall, improves air quality.

Landscape

5.4. The Landscape and Visual Impact Assessment (LVIA), which forms part of the ES, states that landscape surrounding the Approved Scheme can be divided into two parts: the mainly rural agricultural valley of the Pincey Brook situated between the Sheering Road and the M11; and the more urbanised area along Gilden Way including Conservation Areas and land designated for new housing. The land required for the new motorway junction, link roads and the realignment of Sheering Road leading to Gilden Way, is dominated by arable farmland, permeated by small patches of ancient woodland.

5.5. The LVIA identifies a number of adverse effects in the area in the vicinity of the Scheme in terms of landscape and views. However, mitigation measures, such as replacement trees and landscape planting, screen planting and appropriate lighting, would, overall, ensure that the adverse effects are reduced by Year 15 to a moderate effect.

5.6. During operation of the Approved Scheme along Gilden Way, the LVIA found that there would be a moderate adverse visual effect on 23 residential properties. However, with appropriate planting and mitigation, at Year 15, this would be reduced to 9 residential properties with a moderate adverse view. Seventy-three properties would have a slight adverse view.

Noise

5.7. The Noise Assessment, which forms part of the ES for the Approved Scheme, identified that, during the construction of the Approved Scheme there would be short term adverse effects, but these are unlikely to be significant. Once the Approved Scheme is open to traffic there would be a potential increase in noise for receptors along Gilden Way and Sheering Road caused by the increase in traffic on these roads. The installation of considerable lengths of noise barriers and the application a reduced speed limit will either mitigate the majority of these increases in noise to negligible or minor effects or cause negligible or minor decreases in noise. However, such measures would not mitigate the noise for all receptors, where a small number of perceptible noise increases are likely to remain, some of which would be classified as significant. Some areas further away from the Approved Scheme, would experience a beneficial effect in the short and long term due to the realignment of Sheering Road. As part of recent work associated with the Addendum ES an updated noise and vibration assessment has been undertaken due to the production of an updated traffic model to support the revised design. The conclusions of the assessment are similar to that presented in the original ES.

Biodiversity

5.8. An extensive ecological appraisal, based upon a range of surveys, was undertaken for the M11 Junction 7a scheme as part of the EIA process. The potential effects on protected species located within scheme boundary have been thoroughly evaluated. The proposals seek to minimise habitat loss, and thus the effects on associated species, to that absolutely necessary to enable the implementation of the Scheme. On balance the inevitable but limited impact on protected species is considered acceptable when taking account of the considerable regeneration benefits of the M11 Junction 7a proposals. The proposals also integrate significant mitigation designed to minimise negative effects on protected species and to provide enhancements wherever possible, including measures to improve connectivity between green spaces.

Flood Risk

5.9. The majority of the Approved Scheme lies within Flood Zone 1 (low probability of flooding); however, small areas of the site that are in proximity to the Pincey Brook and Harlowbury Brook floodplains are in Flood Zones 2 (medium probability of flooding) and 3 (high probability of flooding) respectively. No part of the final scheme for the link road, when constructed, impacts on Flood Zones 2 or 3. A site-specific Flood Risk Assessment formed part of the ES that was submitted as part of the planning application for the Approved Scheme. As part of the flood mitigation proposals, a drainage scheme was developed for the M11 Junction 7a scheme comprising over-sized pipes and flood detention ponds to mitigate additional surface water run-off associated with the scheme; this scheme was agreed with the Lead Local Flood Authority (LLFA). The detailed design of the surface water drainage scheme will be agreed with the LLFA through the discharge of Condition 10 of the planning permission for the Approved Scheme, which is to be undertaken by the Main Works contractor.

5.10. During optioneering and early scheme design development the aim was to avoid the Pincey Brook floodplain. Watercourse modelling of the Pincey Brook enabled floodplain extent definitions to be refined, thereby enabling a further degree of design flexibility for the highway and drainage infrastructure works, and the considerations for subsequent development.

5.11. To ensure that the link road did not impact upon the floodplain of Pincey Brook, the scheme was moved south, away from the Pincey Brook floodplain. The majority of the Approved Scheme and associated drainage is located outside of the floodplains of Harlowbury Brook and Pincey Brook (including the un-named watercourse from The Mores). The Approved Scheme crosses two watercourses: Harlowbury Brook on Gilden Way and an un-named watercourse from The Mores.

5.12. The Approved Scheme will not impact the fluvial flows to the Gilden Way Bridge structure and all proposed highway works will take place within the existing highway corridor; the Approved Scheme will, therefore, not affect fluvial flooding mechanisms or floodplain storage. The new link road, M11 junction and associated drainage are located outside of the modelled 1% AEP plus 70% climate change allowance floodplain of the Pincey Brook. The modelled hydrology is relatively unchanged as any additional runoff associated with the Approved Scheme is being attenuated and

discharged at restricted rates and, as such, there is no significant change to the baseline hydrology.

5.13. In addition, the Approved Scheme requires no changes to Pincey Brook channel structures and, with the exception of a slight increase in the embankment width at the B183 crossing, there is no development within the modelled floodplain. Consequently, there is no adverse effect from the Approved Scheme in the results of either the 1D or 2D modelling.

6. Objections Raised During the Determination Period

6.1. There were a number of objections raised during the planning application process, including from the developer **Miller Homes**.

6.2. Miller Homes controls 249.7 hectares (ha) of land, bounded by Gilden Way / Sheering Road, the M11, Church Langley and New Hall Farm, to the east of Harlow. Of this 121 ha of land falls within Epping Forest District to the north of Moor Hall Road and the remaining 128.7 ha within Harlow District to the south of Moor Hall Road. The northern part of the site (allocation ref. SP5.3) is allocated in Policy SP5 of the Epping Forest Local Plan Submission Version for approximately 750 homes, other associated uses and the potential relocation of the Princess Alexandra Hospital (PAH). The southern part of the site is allocated in Policy HS3 of the Harlow Local Plan Pre-Submission Document for approximately 2,600 homes and other associated uses.

6.3. A number of issues were raised by Miller Homes during the determination period of the planning application for the M11 Junction 7a. Miller Homes outlined their concerns with regard to:

- The need to maintain and provide safe and suitable access to the retained agricultural land, the irrigation essential borehole and Mayfield Farm;
- Minimising the loss of current agricultural land and future development land;
- The supply of the traffic forecasting report and Local Model Validation Report;

- The need for a Transport Assessment so that the transport impact of the scheme can be fully considered;

- A more robust and through Environmental Assessment which deals with the 'with and without' East Harlow development;

- An assessment of alternative, or complementary, improvements to sustainable travel modes particularly bus improvements to deliver the adopted and emerging development plan aspirations;

- An assessment of the effects of the employment aspirations of the emerging development plans and potential Princess Alexandra Hospital;

- Additional drawings showing how access to East Harlow can be achieved from the Scheme alignment, mindful of the site compounds for the Scheme;

- A land ownership plan (including clarification on the Blue land) and clear presentation of the need for 3rd party land to deliver the scheme;

- The removal of the unnecessary, costly and environmentally damaging Pincey Brook Roundabout and Eastbound Merge Link at Phase 2B; and

- Clarification on what the ES has assessed in terms of the emerging development plans, and revision of the ES if East Harlow etc. have not been assessed within the ES.

6.4. The Applicant responded to each of the planning issues raised by Miller Homes during the determination period for the M11 Junction 7a application. It was outlined to the objector that the design of the Scheme was optimised through extensive options selection, local plan consideration and consideration of the effect of the Scheme on the environment. This was to ensure that the identified need for the growth and regeneration of Harlow would be met, as well as aiding the release of land for housing and employment-based development across the Harlow area, including East Harlow but not exclusive to the ambitions of the East Harlow development. The design of the Scheme meets current and future planned growth in traffic. The submitted environmental statement did not include a 'with and without' East Harlow development as only committed developments and the cumulative effects of development that either had consent, were in the planning approval process or had an adopted planning policy/allocation were considered. The

allocation for East Harlow is identified in emerging policy; however the housing allocation was, at the time, yet to be considered or adopted through the Examination in Public process and therefore its impacts will need to be assessed in due course.

6.5. The objector also made reference to the assessments needing to be made with regard to the effects of the employment aspirations of the emerging development plans and potential Princess Alexandra Hospital. At the time of the submission of the planning application, the emerging development plan allocations were yet to be tested through Examination. It was only recently announced, through the publishing of a Statement of Common Ground, submitted by Harlow and Princess Alexandra Hospital on 18th April 2019, that the hospital board has approved as the recommended preferred way forward for the provision of a new hospital, the option to develop a state-of-the-art local acute hospital, located on approximately 12 ha of greenfield land within the Epping Forest portion of the East Harlow garden community. However, the ambition for growth and economic development has been taken into account in the design of the scheme, and the traffic modelling in terms of a range of growth scenarios. The full impact of the emerging growth aspirations will be tested through the planning policy process and by individual planning applications in due course.

6.6. In terms of the transport queries which were raised, various detailed transport assessments were submitted as part of the planning application, including Traffic Forecasting Reports and options assessment reports which led to the development of the strategy for the scheme. All were available to be viewed.

6.7. The planning officer was also confident Miller Homes comments were dealt with effectively. The case officer outlined in his report (dated 23 June 2017) that the County Planning Authority considered that as the proposed housing allocations had not yet been adopted and the emerging Epping Forest Local Plan was, at that time, in an early stage of its preparation, it was not a material planning consideration for the Proposed Scheme.

6.8. Some of the queries raised as part of this objection, have also been repeated as objections to the CPO. These include:

- Inadequate access to the land in which the objector has an interest;
- Failure of the scheme to provide for the development of the land in which the objector has an interest.

7. The Decision-Making Process

7.1. Planning permission for the Scheme was granted by ECC on 21st July 2017. Permission was granted for the following:

> *Construction of a new motorway junction (Junction 7a) on the M11 between existing junctions 7 and 8, to be located approximately 6km north of existing Junction 7, to the north of Moor Hall Road/Matching Road crossing and to the south of Sheering Village and the proposed construction of a new link road and roundabout to link the proposed Junction 7a to Gilden Way (B183) and Sheering Lower Road, to the north-east of Harlow Town in the district of Epping Forest. Proposed widening and road improvements to Sheering Road and Gilden Way (B183) from the proposed new Sheering Road roundabout to the London Road Roundabout, located within the district of Harlow.*

7.2. The officer's report concluded that the planning balance was significantly weighted in favour of approval and outlined that there is a demonstrable need for the Scheme to alleviate current and projected traffic demand in the area. While the officer's report acknowledged the environmental constraints of the scheme, he was satisfied that the mitigation measures in place would address any identified environmental impacts.

7.3. The Secretary of State for Communities and Local Government was also consulted during the planning application process, in line with statutory requirements. The application was not called in.

8. Discharge of Planning Conditions

8.1. The current planning permission for the M11 Junction 7a scheme (covering Phases 1, 2a and 2b) is subject to 23 planning conditions, some of which require pre-commencement discharge. The wording of the planning conditions on the decision notice does not take account of the contractual arrangements for the construction of the Approved Scheme, particularly the phasing of the works and the splitting of the works into the Advance Works and Main Works. Discussions were, therefore, undertaken with the CPA to agree a clear process for discharging pre-commencement conditions.

8.2. It was agreed with the CPA that the conditions should be discharged as applicable to the phase of works and the stage of the development process; the position with regard to each condition was reviewed in detail with the CPA and a way forward was agreed. As works on Phase 2b are not to be undertaken until a much later and uncertain future date, pre-commencement conditions, as related to those works, will not need to be discharged at this stage; the conditions only require partial discharge as they relate to Phases 1 and 2a. In addition, works for Phase 1 and 2a are split into two separate contracts: Advance Works and the Main Works. Pre-commencement planning conditions for the Advance Works were discharged by the Applicant and work was then begun by the Advance Works contractor. A contractor for the Main Works has yet to be appointed; the Main Works contractor will be responsible for the discharge of pre-commencement conditions as relates to their works, as is clearly set out in the tender package for the scheme.

8.3. All works required for the discharge of the conditions attached to planning permission reference CC/EPF/08/17 are accommodated within the red line of the planning application and can be accommodated either on land within the Applicant's ownership and control or within the land subject to this Compulsory Purchase process.

9. The Alternative Interim Phase 2a Scheme

9.1. The Approved Scheme comprises of the following:

- Phase 1: Improvements to Gilden Way and Sheering Road;
- Phase 2a: Link road from Campions roundabout to a new junction 7a on the M11; and
- Phase 2b: Northern loop to provide a future link to a northern bypass for Harlow.

9.2. The Approved Scheme has already been implemented, with work commencing in May 2018 on Gilden Way.

9.3. As Phase 2b is not required in the short to medium term, Phases 1 and 2a need to be constructed in isolation. It is proposed to construct Phase 1 and 2a of the current permitted scheme as approved; however, to enable the safe and efficient operation of the link road, the design for the southern arm of the link road would be replaced on an interim basis by an alternative scheme. This alternative interim scheme would

provide a dual carriageway on a wider embankment, prior to the constriction of Phase 2b of the full approved scheme under the current planning permission.

9.4. The alternative scheme also includes:

- The lengthening of the culvert under the embankment in light of the increased width of the road;
- Minor amendments to the approved drainage pond adjacent to the Sheering Road roundabout; and
- Minor amendments to the access arrangements for the fields adjacent to the link road.

9.5. These amendments are required to accommodate the new interim road layout. The proposed alternative interim alternative Phase 2a scheme has been discussed with the CPA and the current view is that the alternative arrangement has a lesser impact, or at worse, has a similar impact to the Approved Scheme. The new design will incorporate access arrangements on the Sheering Roundabout into the landowners' land and it will function in the same way as the Approved Scheme. In order to keep the original planning permission 'live' to enable the building of Phase 2b at a future date, the interim alternative scheme will form a separate, fresh application, accompanied by an Addendum to the current ES.

9.6. Work on the ES Addendum has already commenced. The topics covered as part of this EIA would remain the same as those assessed for the original scheme. It should be noted that, for the majority of the topics, no implications were found above those already stated in the original ES that accompanied the original planning application for the M11 Junction 7a scheme as a whole.

9.7. Initial discussions with the CPA have indicated that permission is likely to be granted for the interim alternative scheme, based upon the information available to date.

10. Conclusion and Summary

10.1. The Approved Scheme was submitted with an Environmental Statement following extensive public consultation and engagement with stakeholders. It was approved by Essex County Council on the 23rd June 2017 and, after referral to the Secretary of State as a departure from the adopted Local Planning Policy, was confirmed and issued in July 2017.

10.2. All pre-commencement conditions to allow for Advance Works to take place, have been discharged, and the permission has been implemented with the commencement of works. The Main Works contract has not yet been let but, subject to the acquisition of the land through this Compulsory Purchase process, construction of the full scheme is ready to commence.

10.3. Following a request from the effected landowners, the land take has been reduced and Phase 2b has been put on hold for the short to medium term. An alternative interim design for the southern link road to accommodate two-way traffic, amend access arrangements for the land either side of the link road and associated environmental mitigation is being prepared for submission with an Addendum ES, to ECC as County Planning Authority. Pre-application discussions indicate that the alternative arrangement is likely to secure planning permission.

10.4. The provision of an additional link to the SRN is essential to release land for housing and employment growth in an around Harlow. It is a prerequisite to the delivery of the Harlow and Gilston Garden Town project and is required to secure the proper planning and sustainable growth of the town in line with the adopted and emerging local development plans for each of the local authorities.