

Tendring District Council

Alesford
Neighbourhood Development
Plan 2018-2033

Independent Examiner's Report

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28 May 2021

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Summary

I have been appointed as the independent examiner of the Alresford Neighbourhood Development Plan (the Plan).

Alresford lies some 9km southeast of Colchester. It has a population of some 2010 according to the 2011 Census. The village lies above Alresford Creek. It boasts a train station, a surgery, schools and other facilities including a variety of shops, takeaways and other services.

Unfortunately it was necessary to ask for some further work to be carried out before the Plan could progress. In essence, the latest available Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report had not been consulted upon; I asked for the Consultation Statement to include some further detail and just after the examination had started, the District Council adopted a new Local Plan Section 1 which changed the development plan against which the Plan would be examined. These three matters required a further focused period of consultation.

The Plan is presented well with a vision which is underpinned by a set of objectives. There are no site allocations, but ten policies cover a variety of topics ranging from the designation of Local Green Spaces to more unique and locally based policies on housing for older people and public realm improvements.

It has been necessary to recommend some modifications. In the main these are intended to ensure the Plan is clear and precise and provides a practical framework for decision-making as required by national policy and guidance. These do not significantly or substantially alter the overall nature of the Plan.

Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore pleased to recommend to Tendring District Council that the Alresford Neighbourhood Development Plan can go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

Ann Skippers MRTPI
Ann Skippers Planning
28 May 2021



1.0 Introduction

This is the report of the independent examiner into the Alresford Neighbourhood Development Plan (the Plan).

The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.

I have been appointed by Tendring District Council (TDC), with the agreement of the Parish Council, to undertake this independent examination.

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over thirty years experience in planning and have worked in the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and experience to carry out this independent examination.

2.0 The role of the independent examiner

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions¹ are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, retained European Union (EU) obligations²
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

¹ Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

² Substituted by the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018/1232 which came into force on 31 December 2020

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to in the paragraph above. Only one is applicable to neighbourhood plans and was brought into effect on 28 December 2018.³ It states that:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

The examiner is also required to check⁴ whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

I must also consider whether the draft neighbourhood plan is compatible with Convention rights.⁵

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case TDC. The plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

³ Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

⁴ Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act

⁵ The combined effect of the Town and Country Planning Act Schedule 4B para 8(6) and para 10 (3)(b) and the Human Rights Act 1998

3.0 The examination process

I have set out my remit in the previous section. It is useful to bear in mind that the examiner's role is limited to testing whether or not the submitted neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).⁶

Planning Practice Guidance (PPG) confirms that the examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.⁷ Where I find that policies do meet the basic conditions, it is not necessary for me to consider if further amendments or additions are required. There is also no obligation for a neighbourhood plan to cover all or every aspect of planning through its policies or to make site allocations.

PPG⁸ explains that it is expected that the examination will not include a public hearing. Rather the examiner should reach a view by considering written representations. Where an examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, then a hearing must be held.⁹

During the course of the examination, I identified a number of matters on which I considered further work was needed before the Plan could progress. I set these findings out in a Note of Interim Findings dated 20 January 2021 and asked the Parish Council and TDC how they wished to proceed. This Note is attached to this report as Appendix 2. At the same time I asked some questions of clarification.

It was decided that the examination should be suspended on 4 February 2021 to allow for further work to be carried out and a focused consultation on the specific matters to be undertaken. The matters are:

- the latest version of the Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) Screening Report prepared by Place Services⁹ was consulted upon, and
- changes to the Consultation Statement would be made to ensure it meets the relevant requirements with consultation on the amended version, and
- as the Local Plan Section 1 was to be imminently adopted, comments would be invited on that as this would change the development plan against which the Plan would be examined. The Local Plan was formally adopted on 26 January 2021.
- Additionally, further information on the non-designated heritage assets was submitted by the Parish Council, as invited to do so by me, and also available for comment.

⁶ PPG para 055 ref id 41-055-20180222

⁷ Ibid

⁸ Ibid para 056 ref id 41-056-20180222

⁹ Ibid

The consultation took place between 19 February – 9 April 2021. This stage resulted in five further representations being made.

I am grateful to both Councils who have provided me with comprehensive answers to my questions. The responses received (all publicly available) have enabled me to examine the Plan without the need for a hearing.

In 2018, the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) published guidance to service users and examiners. Amongst other matters, the guidance indicates that the qualifying body will normally be given an opportunity to comment upon any representations made by other parties at the Regulation 16 consultation stage should they wish to do so. There is no obligation for a qualifying body to make any comments; it is only if they wish to do so. The Parish Council made comments at the original Regulation 16 stage and I have taken these into account.

I am very grateful to everyone for ensuring that the examination has run smoothly and particularly Paul Woods and William Fuller of TDC.

I made an unaccompanied site visit to familiarise myself with the Plan area on 9 May 2021.

Where modifications are recommended they appear in **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in ***bold italics***.

As a result of some modifications consequential amendments may be required. These can include changing section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on.

I regard these as primarily matters of final presentation and do not specifically refer to such modifications, but have an expectation that a common sense approach will be taken and any such necessary editing will be carried out and the Plan's presentation made consistent.

4.0 Neighbourhood plan preparation

A Consultation Statement has been submitted. It offered a brief summary of the issues raised by those responding to the pre-submission stage. I was concerned that it only barely met the requirements of Regulation 15(2) of the Neighbourhood Planning (General) Regulations 2012. As explained above, this then was one of the matters on which I asked for further work to be done.

The Parish Council chose to update the Consultation Statement by providing a new Appendix B detailing all the responses to the pre-submission stage. It was also found

that, inadvertently, separate appendices, 1 – 5, referred to in the original Consultation Statement had not be included. These have now been included.

The application to designate the Plan area was made in 2016. A launch event was held in January 2017. A Working Group was established to take the Plan forward; this comprised residents and Parish Councillors. Smaller groups focusing on key areas were periodically established.

A survey to each household and business as well as to all students at the Primary School was carried out in June 2017. A Housing Needs Survey was also undertaken later that year. A further, more detailed household survey was conducted in March 2018. Progress was reported at an annual Parish event in Summer 2018. Policy formulation and drafting took place with display and consultation at the Summer fete in July 2019.

Regular reports and updates were made through local newspapers and newsletters to every household, posters, emails and leaflets. A website was established. Regular updates were made at Parish Council meetings.

Pre-submission (Regulation 14) consultation took place between 15 October – 3 December 2019. This was extended to 17 December 2019. Copies of the draft Plan were available online and at various locations. The consultation was publicised in various ways including information placed in the local newspaper and leaflet drops. Representations could be made online or in writing.

I consider that the consultation and engagement carried out is satisfactory.

Submission (Regulation 16) consultation was carried out between 24 August – 12 October 2020. This resulted in nine representations.

The focused consultation took place between 19 February – 9 April 2021. This resulted in five representations.

I have considered all of the representations received at all consultation stages and taken them into account in preparing my report.

5.0 Compliance with matters other than the basic conditions

I now check the various matters set out in section 2.0 of this report.

Qualifying body

Alresford Parish Council is the qualifying body able to lead preparation of a neighbourhood plan. This requirement is satisfactorily met.

Plan area

The Plan area is coterminous with the administrative boundary for the Parish. TDC approved the designation of the area on 3 November 2016. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. The Plan area is shown on page 2 of the Plan.

Plan period

The Plan period is 2018 – 2033. This is clearly stated on the front cover of the Plan itself. This requirement is therefore satisfactorily met.

Excluded development

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement.

Development and use of land

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. If I consider a policy or proposal to fall within this category, I will recommend it be clearly differentiated. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable.¹⁰

In this case, these matters have been clearly identifiable; the Plan explains how these will be dealt with¹¹ and Section 9 of the Plan forms the "Non-policy Actions".¹²

6.0 The basic conditions

Regard to national policy and advice

The Government published a National Planning Policy Framework (NPPF) in 2012. A revised NPPF was first published on 24 July 2018. This revised NPPF was further updated on 19 February 2019. When published, it replaced both the 2012 and 2018 documents.

The NPPF is the main document that sets out national planning policy. In particular it explains that the application of the presumption in favour of sustainable development

¹⁰ PPG para 004 ref id 41-004-20190509

¹¹ The Plan page 1

¹² Ibid page 53

will mean that neighbourhood plans should support the delivery of strategic policies and should shape and direct development outside of these strategic policies.¹³

Non-strategic policies are more detailed for specific areas, neighbourhoods or types of development.¹⁴ They can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment as well as set out other development management policies.¹⁵

The NPPF also makes it clear that neighbourhood plans should not promote less development than that set out in strategic policies or undermine those strategic policies.¹⁶

The NPPF states that all policies should be underpinned by relevant and up to date evidence; evidence should be adequate and proportionate, focused tightly on supporting and justifying policies and take into account relevant market signals.¹⁷

Policies should also be clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area including those in the NPPF.¹⁸

On 6 March 2014, the Government published a suite of planning guidance referred to as Planning Practice Guidance (PPG). This is an online resource available at www.gov.uk/government/collections/planning-practice-guidance which is regularly updated. The planning guidance contains a wealth of information relating to neighbourhood planning. I have also had regard to PPG in preparing this report.

PPG indicates that a policy should be clear and unambiguous¹⁹ to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the planning context and the characteristics of the area.²⁰

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.²¹ It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.²²

¹³ NPPF para 13

¹⁴ Ibid para 28

¹⁵ Ibid

¹⁶ Ibid para 29

¹⁷ Ibid para 31

¹⁸ Ibid para 16

¹⁹ PPG para 041 ref id 41-041-20140306

²⁰ Ibid

²¹ Ibid para 040 ref id 41-040-20160211

²² Ibid

Whilst this has formed part of my own assessment, the Basic Conditions Statement sets out how the Plan's policies align with the NPPF.²³

Contribute to the achievement of sustainable development

A qualifying body must demonstrate how the making of a neighbourhood plan would contribute to the achievement of sustainable development.

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.²⁴ This means that the planning system has three overarching and interdependent objectives which should be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.²⁵ The objectives are economic, social and environmental.²⁶

The NPPF confirms that planning policies should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account to reflect the character, needs and opportunities of each area.²⁷

Whilst this has formed part of my own assessment, the Basic Conditions Statement explains how the Plan aligns with each of the three components of sustainable development outlined in the NPPF.²⁸

General conformity with the strategic policies in the development plan

When I started the examination, the development plan consisted of the Tendring District Local Plan 2001 – 2011 (LP), adopted in 2007, the Essex Minerals Local Plan, adopted in 2014 and the Essex and Southend-on-Sea Waste Local Plan, adopted in 2017.

On 26 January 2021, TDC adopted the Tendring District Local Plan 2013 – 2033 and Beyond: North Essex Authorities' Shared Strategic Section 1 Plan (LP 1).

Whilst LP 1 has been adopted, Local Plan Section 2 (ELP 2) is currently at examination. This means certain policies in the Tendring Local Plan 2007 have been saved. TDC advise me that despite this, the saved policies are considered to be out of date. Whilst they remain part of the development plan and are used for development management purposes, they do not provide an up to date spatial framework for the Plan. The reasoning and evidence informing the policies in the emerging Section 2 Plan are therefore important.

As part of the additional work I requested, consultation was held on any implications arising from this change to the development plan.

²³ Basic Conditions Statement Table 2.2

²⁴ NPPF para 7

²⁵ Ibid para 8

²⁶ Ibid

²⁷ Ibid para 9

²⁸ Basic Conditions Statement Table 3.1

I have based my report on the policies that apply at the time my report is issued.

TDC has helpfully provided a list of strategic policies that relate to neighbourhood planning.

Whilst this has formed part of my own assessment, the Basic Conditions Statement gives an assessment of how each Plan policy generally conforms to the relevant LP policies and the emerging policies as they were at that time.²⁹

Emerging policy

The Publication Draft Local Plan (2017) was submitted to the Planning Inspectorate on 9 October 2017. The document is in two parts: Section 1 the Strategic Plan for North Essex which has now been adopted, and Section 2 Policies, maps and sites for development, housing, employment, regeneration and so on within Tendring District.

Section 2 is currently subject to an examination. I have discussed the implications above.

Retained European Union Obligations

A neighbourhood plan must be compatible with retained European Union (EU) obligations. A number of retained EU obligations may be of relevance for these purposes including those obligations in respect of Strategic Environmental Assessment, Environmental Impact Assessment, Habitats, Wild Birds, Waste, Air Quality and Water matters.

With reference to Strategic Environmental Assessment (SEA) requirements, PPG³⁰ confirms that it is the responsibility of the local planning authority, in this case TDC, to ensure that all the regulations appropriate to the nature and scope of the draft neighbourhood plan have been met. It states that it is TDC who must decide whether the draft plan is compatible with relevant retained EU obligations when it takes the decision on whether the plan should proceed to referendum and when it takes the decision on whether or not to make the plan.

Strategic Environmental Assessment and Habitats Regulations Assessment

The provisions of the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') concerning the assessment of the effects of certain plans and programmes on the environment are relevant. The purpose of the SEA Regulations, which transposed into domestic law Directive 2001/42/EC ('SEA Directive'), are to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes.

²⁹ Basic Conditions Statement Table 4.1

³⁰ PPG para 031 ref id 11-031-20150209

The provisions of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), which transposed into domestic law Directive 92/43/EEC (the 'Habitats Directive'), are also of relevance to this examination. Regulation 63 of the Habitats Regulations requires a Habitats Regulations Assessment (HRA) to be undertaken to determine whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects.

The HRA assessment determines whether the Plan is likely to have significant effects on a European site considering the potential effects both of the Plan itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the Plan for that European Site, in view of the Site's conservation objectives, must be carried out.

A SEA and HRA Screening Report was prepared by Place Services. Dated November 2019, this version was the version available during the submission stage consultation. However, in the suite of documents sent to me by TDC, I was sent a later version of the Screening Report dated September 2020. This updated the earlier version and also assessed two policies which had been added after the pre-submission stage. As part of the further work I requested be undertaken, this latter version of the Screening Report has been made available and consulted upon in the focused consultation.

The Screening Report indicates that the Plan area lies wholly within the Impact Risk Zones (IRZ) of what the Screening Report refers to as "numerous Sites of Special Scientific Interest (SSSI) and the Zones of Impact (ZOI) of the Essex Estuaries Special Area of Conservation (SAC) and the Colne Estuary Special Protection Area (SPA) and Ramsar site. Some parts of the Plan area also fall within the Blackwater, Crouch, Roach and Colne Estuaries Marine Conservation Zone (MCZ). The Screening Report also identifies 16 habitats sites within 20km of the Parish. It explains that the Plan area lies within the ZOI for all 16 sites. The Screening Report concluded that no likely significant effects, alone or in combination with other plans and projects would occur.

The Screening Report concludes that SEA and HRA are not required. The requisite consultation was undertaken with the statutory bodies. The Environment Agency and Natural England concur with the conclusions and no reply has been received from Historic England.

I have treated the Screening Report to be the statement of reasons that PPG advises must be prepared and submitted with the neighbourhood plan proposal and made available to the independent examiner where it is determined that the plan is unlikely to have significant environmental effects.³¹

Taking account of the characteristics of the Plan and the characteristics of the areas likely to be affected, I am of the view that EU obligations in respect of SEA have been satisfied.

³¹ PPG para 028 ref id 11-028-20150209

On 28 December 2018, the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) was substituted by a new basic condition brought into force by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 which provides that the making of the plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

Given the distance, nature and characteristics of the nearest European sites and the nature and contents of this Plan, I agree with the conclusion of the Screening Report that an appropriate assessment is not required and accordingly consider that the prescribed basic condition is complied with, namely that the making of the Plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

Conclusion on retained EU obligations

National guidance establishes that the ultimate responsibility for determining whether a plan meets EU obligations lies with the local planning authority.³² TDC has considered the compatibility of the Plan in regard to retained EU obligations and does not raise any concerns in this regard.

European Convention on Human Rights (ECHR)

The Basic Conditions Statement contains a short statement in relation to human rights.³³ Having regard to the Basic Conditions Statement, there is nothing in the Plan that leads me to conclude there is any breach or incompatibility with Convention rights.

7.0 Detailed comments on the Plan and its policies

In this section I consider the Plan and its policies against the basic conditions. As a reminder, where modifications are recommended they appear in **bold text** and where I suggest specific changes to the wording of the policies or new wording these appear in **bold italics**.

The Plan is presented to a high standard and contains ten policies. There are numerous photographs throughout the Plan which give it a distinctive and local flavour. There is a helpful contents page at the start of the Plan.

³² PPG para 031 ref id 11-031-20150209

³³ Basic Conditions Statement para 5.4

1 Introduction

This section usefully introduces the Plan setting out how it will be used, how it has been developed and the planning policy context for it.

It also confirms that the Parish Council will monitor the Plan which, although not a requirement for neighbourhood plans at the present time, I consider to be good practice and welcome this.

Essex County Council in their representation has suggested new wording is added to paragraph 1.12 on page 4 of the Plan. I asked the Parish Council to consider this and helpfully a suggestion has been put forward. A modification is accordingly made in the interests of completeness and clarity.

Some natural updating of this section and others will be needed as the Plan progresses towards its final version. I regard this wording as something that can be agreed between the two Councils as the Plan progresses.

- **Add at the end of paragraph 1.12 on page 4 of the Plan a new sentence that reads: *“In particular, Policy 2 seeks to safeguard waste management sites and infrastructure and provides criteria where adverse impacts of development proposals are unlikely to be opposed.”***

2 Local Context

As well as setting out the history of the Parish, this well-presented and well-written section contains a wealth of information about the Plan area.

The text draws out the key issues arising from engagement and is interspersed with photographs giving a locally distinctive flavour to this Plan.

3 Vision and Objectives

The Plan relies on the broad vision in the Local Plan Publication Draft 2017, but develops that by building on that vision and specifying four objectives. The four objectives are articulated well and cover housing, movement, community infrastructure and public realm and environment and heritage. All relate to the development and use of land.

This section will also need some natural updating in relation to the adoption of LP 1 as, with the passage of time, things have moved on. It is suggested that the Parish Council works with TDC to find an agreed wording for the updates as the Plan progresses

towards referendum. This applies throughout the Plan document and I do not repeat this modification elsewhere as this issue can be dealt with in the final edit of the document.

- **Update this section as necessary**

4 Spatial Strategy

Policy ALRES1: Alresford Spatial Strategy

LP Policy QL1 identifies Alresford as a 'principal defined village' where development will be concentrated within the settlement boundary. Outside the settlement boundaries only development consistent with countryside policies will be permitted.

LP Policy HG3 permits appropriate residential development within settlement boundaries.

LP Policy HG3a states that new residential development should achieve mixed communities through the provision of a mix of house types, sizes and tenures.

The supporting text to the policy explains that the emerging Local Plan Section 1 (now adopted) provides for housing growth.

The emerging Local Plan Section 2 (ELP 2) identifies Alresford as a 'rural service centre'; this means that it will accommodate a modest increase in housing stock to play a role in addressing local housing needs, supporting the village economy and assisting with the wider growth needed in the District with opportunities for smaller scale growth in emerging Policy SPL 1. Emerging Policy SPL 2 indicates that development outside the settlement boundaries will be considered in relation to the settlement hierarchy.

Some 314 dwellings have been granted planning permission in the Plan area between 2017 and 2019, but the Plan recognises that development will still come forward.

This policy therefore seeks to focus development within the settlement development boundary of Alresford village with some limited exceptions. Sites with extant planning permission have been sensibly included within the boundary. It is shown clearly on the Policies Map and its Inset Map. The settlement boundary which has been defined is the same as in the ELP 2.

I can see no reason why the approach of defining a settlement boundary should not be taken here. This is a commonly used mechanism for indicating where development might, in principle, be acceptable. This approach aligns with that taken at District level in relation to the identified settlement hierarchy and the ELP 2.

Criterion B. of the policy refers to the other policies of the neighbourhood plan. The Plan forms part of a group of policy documents collectively known as the development plan. In the interests of practicality and clarity, the reference should be changed to development plan.

Criterion C. refers to housing needs of the Plan area and the need for development to contribute as necessary to infrastructure. This reflects the District level approach to meeting local housing needs and achieving a mix of housing. There is flexibility in the way the policy is worded with respect to the infrastructure contributions sought.

Criterion D. indicates that housing and care facilities meeting the needs of older people will be “permitted” immediately adjacent to the settlement boundary. The wording used should be amended to allow the determination of planning applications process to take effect. It cross-references Policy ALRES2 which sets out further criteria for such proposals. This part of the policy takes its lead from the approach taken to rural exception sites, but particularly recognises the need in the District which has a higher than average proportion of older people. I discuss this further in relation to the detail contained in Policy ALRES2.

With these modifications, I consider that the policy will take account of national policy in that it provides for the supply of housing, is in line with District level policies and the approach taken to the settlement hierarchy, is flexible and recognises the particular need in the District for housing that meets the needs of older people. With this, it is a positive and flexible policy which will also contribute to the achievement of sustainable development. It will therefore meet the basic conditions.

- **Change the word “neighbourhood” to “*development*” in criterion B. of the policy**
- **Change the word “permitted” to “*supported*” in criterion D.**

5 Housing

Policy ALRES2: Provision for the Ageing Population

The needs of older people are recognised by this policy. Explaining that District-wide figures show a need for more housing and care provision for an ageing population, this issue was also a key concern amongst the local community.

Policy ALRES2 works alongside Policy ALRES1 to support the provision of housing and care facilities which specifically cater for older people and that it is suitably located where care is not provided close to local amenities.

The NPPF³⁴ is clear that the supply of housing should be boosted and that the needs of different groups in the community be reflected in planning policies. PPG explains the need to provide housing for older people is critical.³⁵ The District level data and results of a Housing Needs Survey conducted in late 2017 show a need for accommodation for this group.

The LP 1 recognises that the ageing profile of residents requires a proactive response to the provision of suitable housing and this forms one of a number of strategic objectives. LP 1 Policy SP 3 explains that existing settlements will be the principal focus for growth and development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role. The emerging LP 2 Policy LP 2 also supports housing aimed at meeting the needs of older people.

The policy is clearly worded. It meets the basic conditions as it has regard to national policy and guidance as explained above, is in general conformity with the development plan, especially LP 1 Policy SP 3 and will contribute to the achievement of sustainable development. Therefore no modifications are recommended.

6 Movement

Policy ALRES3: Enhancing Walking and Cycling In and Around Alresford

The preamble to this policy sets out some of the issues associated with safe walking and cycling routes; both for work and school purposes as well as leisure. It highlights some of the possibilities that could improve the existing provision and situation.

The first element of Policy ALRES3 requires major development to provide and improve safe walking routes within the village and wider links and provide cycle routes.

The second element of the policy seeks to protect and improve existing networks. It refers to the 'Key Movement Routes'. I raised a query over this phrase and the Parish Council has helpfully suggested a substitute which I consider to be clearer.

Sitting alongside the policy is a list of priorities for such enhancement.

The NPPF³⁶ confirms that planning policies should aim to achieve healthy, inclusive and safe places and enable and support healthy lifestyles including through the encouragement of walking and cycling. It encourages opportunities to promote walking and cycling³⁷ and confirms that planning policies should provide for high quality walking

³⁴ NPPF paras 59, 60 and 61

³⁵ PPG para 001 ref id 63-001-20190626

³⁶ NPPF para 91

³⁷ Ibid para 102

and cycling networks.³⁸ PPG is clear that public rights of way form an important component of sustainable transport links and should be protected or enhanced.³⁹

Policy ALRES3 has regard to national policy and guidance, will help to contribute to the achievement of sustainable development and is in general conformity with the development plan, particularly LP 1 Policy SP 6 which recognises the importance of alternative forms of transport to the car. It is clearly and flexibly written encouraging the provision of and improvement of walking and cycling to promote sustainable transport and safer, healthier lifestyles. With the modification to enhance clarity, it will meet the basic conditions.

- **Delete the phrase “Key Movement Routes” in element B. of the policy and replace with “new or existing safe routes for walking”**

7 Community Infrastructure and Public Realm

Policy ALRES4: Local Green Spaces

Four areas of Local Green Space (LGS) are proposed.

The NPPF explains that LGSs are green areas of particular importance to local communities.⁴⁰ The identification of LGSs should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. They should only be designated when a plan is prepared or updated and should be capable of enduring beyond the end of the plan period. The NPPF sets out three criteria for their designation. It explains that policies for managing development within a LGS should be consistent with those for Green Belts. Guidance about LGSs is also given in PPG.

The Plan describes each of the proposed LGSs and their attributes and how the criteria in the NPPF is met. Photographs of each area are included. Each proposed LGS is clearly shown on Maps. Taking each one in turn:

Alresford Playing Field is valued for sport and leisure including football, cricket, tennis and informal recreation as well as a venue for local events such as the village fete. It is approximately 3.2 hectares in size and located in the heart of the village close to the Parish Hall and Church.

Millennium Garden is a smaller area of around 0.04 hectares and is to be found at the junction of Ford Lane and Wivenhoe Road next to the bus stop. It is valued for its

³⁸ NPPF para 104

³⁹ PPG para 004 ref id 37-004-20140306

⁴⁰ NPPF paras 99, 100, 101

beauty, history (as it has a time capsule under a stone) and is a pleasant garden and waiting area near the bus stop.

Community garden is to be found close to the station. The area of about 0.1 hectares is now a garden converted from derelict land and enjoyed primarily for its recreational value. It has a number of planting schemes and seating.

Wivenhoe Road Rose Garden consists of two small areas of land found at the junction of the B1027 and Wivenhoe Road. This area of about 0.03 hectares provides an attractive entrance/exit to the village and has a seat commemorating the local Horticultural Society; the garden was created when one of its members won the rose bushes in a competition. The village sign is also here.

I saw all the areas on my site visit. In my view, all the proposed LGSs meet the criteria in the NPPF satisfactorily.

Turning now to the wording of the policy, it states that proposals for built development will only be permitted in very special circumstances. The NPPF indicates that policies for managing development in LGSs should be consistent with those for Green Belts.⁴¹

The policy as currently worded does not reflect this and no explanation has been given for any departure from the NPPF. A modification is therefore recommended to ensure that the policy has regard to the NPPF.

There is also a change to the supporting text on page 31 of the Plan in the interests of consistency and accuracy with the NPPF.

With these modifications, the policy will meet the basic conditions.

- **Change criterion B. of the policy to read: “Proposals for *any* development on the Local Green Spaces will *be assessed against national Green Belt policy.*”**
- **Change the second sentence of paragraph 7.1 on page 31 of the Plan to read: “This will afford protection from development other than *in line with national policies for managing development in Green Belts.*”**

Policy ALRES5: Improving the Public Realm

Public realm is recognised as an important element of the locally distinctive environment. A number of areas, valued locally as meeting points such as the village centre and the area around the Village Hall and St Andrews Church have been identified as areas which could be enhanced.

⁴¹ NPPF para 101

This policy encourages the enhancement of the public realm. It identifies areas regarded as high priority for such improvement. The Plan includes some artist impressions of the possibilities which serve to illustrate the potential very well.

The NPPF states that policies should aim to achieve healthy, inclusive and safe places including high quality public spaces.⁴² Achieving well-designed places is regarded as fundamental to what planning should achieve.⁴³ The NPPF considers that neighbourhood plans play an important role in identifying the special qualities of an area and can provide a framework for creating distinctive places.⁴⁴

The LP 1 requires high design standards and recognises that enhancements to the public realm are important. LP 1 Policy SP 7 which sets out place shaping principles specifically refers to the enhancement of public realm through additional landscaping, street furniture and other distinctive features that help to create a sense of place.

This policy sets out the aspirations for improving and enhancing these key parts of the village and the important routes running through the centre of the village. It has regard to national policy and guidance and will help to achieve sustainable development. It generally conforms to the development plan and LP 1 policy SP 7 in particular. It therefore meets the basic conditions and no modifications are recommended.

Policy ALRES6: Health and Social Care

The local community identified health as a key concern. Currently, there is a satellite surgery, but there is concern about the increase in the local population and the ageing demographic in particular.

This policy supports the expansion of healthcare services at the existing surgery site and relocation of medical facilities if needed to other sites within the settlement boundary or adjacent to it.

The NPPF promotes healthy and safe communities through the provision of facilities and services the community needs.⁴⁵

This policy has regard to the NPPF and will contribute to the achievement of sustainable development by particularly taking account of the social objective of the planning system outlined in the NPPF⁴⁶ which is “to support strong, vibrant and healthy communities...with accessible services...that reflect current and future needs and support communities’ health, social and cultural well-being.”.

⁴² NPPF para 91

⁴³ Ibid para 124

⁴⁴ Ibid paras 125, 126

⁴⁵ Ibid para 92

⁴⁶ Ibid para 8

The LP 1 recognises that health needs of a growing and ageing population must be addressed. Healthcare is specifically mentioned in the LP 1's vision and as one of the Plan's strategic objectives. This is reflected in LP 1 Policy SP 6.

In my view, this is a positive policy promoting healthcare and sending a clear signal of its importance by permitting such facilities adjacent to the village.

The policy is clearly worded and for the reasons explained above, meets the basic conditions. No modifications are therefore suggested.

8 Environment and Heritage

Policy ALRES7: Provision for Wildlife in New Development

Focusing on the role that the Parish can play in promoting biodiversity, Policy ALRES7 expects all new development to deliver a net gain in biodiversity as well as protecting existing species and their habitats.

The NPPF states that planning policies should contribute to and enhance the natural and local environment.⁴⁷ One of the ways to achieve this is to minimise impacts on and provide net gains for biodiversity.⁴⁸

LP Policy EN6 seeks to protect biodiversity. One of the place shaping principles in LP 1 Policy SP 7 is to incorporate biodiversity creation and enhancement measures.

I consider this short and clearly worded policy has regard to national policy, will help to achieve sustainable development, particularly the environmental objective outlined in the NPPF and is in general conformity with the development plan and LP 1 Policy SP 7 in particular. It therefore meets the basic conditions and no modifications are recommended.

Policy ALRES8: Non-designated Heritage Assets

This policy seeks to identify nine buildings or structures as non-designated heritage assets to add to TDC's 'local list' in the future.

PPG explains that non-designated heritage assets are those buildings, structures, places etc. as having a degree of heritage significance meriting consideration in planning decisions, but not meeting the criteria for designated heritage assets.⁴⁹ It continues

⁴⁷ NPPF paras 170, 174

⁴⁸ Ibid

⁴⁹ PPG para 039 ref id 18a-039-20190723

that such assets can be identified through a neighbourhood plan-making process, but should be based on sound evidence which includes information on the criteria used to select the assets.⁵⁰

Each of the proposed nine assets are shown on Figure 8.1 on page 47 of the Plan. A photograph of each and a short description is also contained in the Plan.

Firstly, criterion A. of the policy identifies the nine proposed assets. Criterion B. of the policy supports the reuse of an asset if it is compatible with the setting of the asset and appropriate materials and designs are used, but new uses ‘must not cause harm to its physical structure or setting’. Criterion C. details how proposals will be considered if they involve the alteration or loss of the asset, namely whether the asset is structurally unsound and beyond feasible repair or how other measures and uses to sustain the asset have been investigated.

A number of issues arise with this policy. The first consideration is whether there is sufficient evidence to support the identification of the assets. I raised a query about this. In response I have been sent information on how the assets have been identified. Additionally, I saw the assets at my site visit. They are all of merit and readily recognisable standing out from the more modern development in the locality.

The second issue is the wording of the policy itself. It does not have sufficient regard to the NPPF. The NPPF states that the effect of a proposal on the significance of the asset should be taken into account in determining an application.⁵¹ A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset.⁵²

I consider that it is therefore necessary to modify the policy wording to ensure it has regard to national policy and guidance.

With these modifications, the policy will have regard to national policy and guidance, contribute to the achievement of sustainable development and be in general conformity with the development plan and LP 1 in particular which recognises the rich heritage of the area in the LP 1’s vision thereby meeting the basic conditions.

- **Add a new sentence to the end of criterion C. of the policy that reads:**

“Where a development proposal would result in the loss of, or harm to a non-designated heritage asset, a balanced judgement will be made as to the acceptability of the proposal having regard to the scale of any harm or loss and the significance of the heritage asset.”

⁵⁰ PPG para 040 ref id 18a-040-20190723

⁵¹ NPPF para 197

⁵² Ibid

Policy ALRES9: Recreational Disturbance and Mitigation

The Plan explains that the whole of the Parish falls within the zone of influence of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS).

The RAMS has been undertaken by local planning authorities in the Greater Essex area to address the impact of increased recreational disturbance arising from new housing on Habitats sites.

TDC adopted the RAMS Supplementary Planning Document (SPD) on 13th November 2020. Given this, I asked whether the policy was still relevant and necessary.

I am informed that with the adoption of the RAMS SPD and the LP 1's adoption in January 2021 (which includes Policy SP2 that requires contributions towards mitigation measures), it is considered that Policy ALRES9 is no longer necessary and could be deleted from the Plan. The Parish Council has informed me it is keen to retain this section of the Plan to ensure the issue is properly explained and addressed through the LP 1 and the RAMS SPD.

I agree this is a sensible course of action and make modifications accordingly.

- **Delete Policy ALRES9**
- **Update the supporting text to refer to the adoption of the RAMS and LP 1 and Policy SP 2 and to reflect deletion of the policy**

Policy ALRES10: Surface Water Management

Meeting the challenge of climate change and flooding are key elements within the NPPF which states that the planning system should support the transition to a low carbon future taking account of flood risk amongst other matters.⁵³

The NPPF⁵⁴ is clear that, if determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and that development should only be permitted in areas which are at risk of flooding if, amongst other things, sustainable drainage systems (SuDs) are incorporated where appropriate.

Major developments should incorporate SuDs unless there is clear evidence that this would be inappropriate.⁵⁵

LP Policy QL3 deals with minimising and managing flood risk. LP Policy EN13 refers to

⁵³ NPPF para 148

⁵⁴ Ibid para 163

⁵⁵ Ibid para 165

SuD. LP 1 Policy SP 7 includes a criterion which seeks to improve water efficiency and the provision of appropriate water and wastewater and flood mitigation measures including the use of open space to provide flora and fauna rich sustainable drainage Solutions.

Firstly, Policy ALRES10 requires new development to include measures to mitigate against flood risk and be located away from areas prone to flooding. This is broadly in line with national policy.

Secondly, the policy expects SuDs to be incorporated on all sites based on assessment. In this respect, the policy does not have sufficient regard to the NPPF which only requires major development to incorporate SuDs and no explanation has been given for its departure from national policy in seeking a broader application of SuDs. A modification is therefore recommended to ensure the policy takes account of the NPPF.

With this modification, the policy will have regard to the NPPF, be in general conformity with LP 1 and particularly Policy SP 7 and help to achieve sustainable development thereby meeting the basic conditions.

- **Add the words “for major developments” at the end of the first sentence of criterion B. of the policy**

9 Non-policy Actions

This section of the Plan identifies various actions identified through the neighbourhood planning process, but which are not development and use of land related. This is a clear way of capturing these aspirations, but clearly distinguishing them from the planning policies.

10 Policies Map

This section contains the clear Policies Map and its Inset. The inset refers to the village centre which is referred to in various places throughout the Plan. It would be useful to cross reference the Policies Map in appropriate places in the Plan to help with clarity.

- **Insert a reference to the Policies/Inset Map which shows the village centre in paragraphs 2.6 on page 6, paragraph 7.13 on page 37 and Policy ALRES5**

Appendix A

Appendix A is a list of sites with unimplemented planning permission as of July 2019.

8.0 Conclusions and recommendations

I am satisfied that the Alresford Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am therefore pleased to recommend to Tendring District Council that, subject to the modifications proposed in this report, the Alresford Neighbourhood Development Plan can proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. I see no reason to alter or extend the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion.

I therefore consider that the Alresford Neighbourhood Development Plan should proceed to a referendum based on the Alresford Neighbourhood Plan area as approved by Tendring District Council on 3 November 2016.

Ann Skippers MRTPI
Ann Skippers Planning
28 May 2021

Appendix 1 List of key documents specific to this examination

Alresford Neighbourhood Development Plan 2018 – 2033 Regulation 16 Consultation
Version March 2020

Basic Conditions Statement March 2020 (Navigus Planning)

Consultation Statement May 2020

Consultation Statement – updated February 2021 and Appendices 1 – 5 (Early
Engagement Survey Summarised category Analysis (September 2017); Housing Needs
Survey (February 2018, RCCE); Detailed Survey; SEA and HRA Screening Report
(November 2019, Place Services); SEA and HRA Screening Report (September 2020,
Place Services)

Strategic Environmental Assessment & Habitats Regulations Assessment Screening
Report November 2019 (Place Services)

Strategic Environmental Assessment & Habitats Regulations Assessment Screening
Report September 2020 (Place Services)

Tendring District Local Plan 2013 – 2033 and Beyond Section 1 North Essex Authorities'
Shared Strategic Section 1 Plan adopted January 2021

Tendring District Local Plan 2007 adopted December 2007

Tendring District Local Plan 2013-2033 and Beyond Publication Draft June 2017

List ends

Appendix 2 Interim note and questions of clarification from the examiner

Alresford Neighbourhood Plan Examination

Note of Interim Findings from the Examiner to the Parish Council and Tendring District Council

Having completed my initial assessment of the Neighbourhood Plan (ANP), I am writing to the Parish Council (PC) and Tendring District Council (TDC) to set out my interim findings.

Unfortunately I have identified a number of issues on which I consider further work is needed before the Plan can progress. This note sets out those matters and I would value your thoughts once you have had a chance to digest this note so we can together agree a way forward for this Plan.

The main matters

1. Strategic Environment Assessment and Habitats Regulations Assessment

A Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) Screening Report has been prepared by Place Services. It looks as though the version of the SEA and HRA Screening Report that was made available as part of the suite of documents at Regulation 16 stage and consulted on is dated November 2019.

However, I have been sent (by TDC) a later version of the Screening Report dated September 2020. Obviously it is this latter version which is needed at submission stage because it updates the earlier version and also assesses two new policies that have been included after the pre-submission stage.

Therefore please could the date/version of the SEA and HRA Screening Report which has been made available as part of the suite of documents at Regulation 16 stage and therefore consulted upon be confirmed?

If it is the earlier version, in my view the updated version should be made available and there should be further public consultation on it.

2. Consultation Statement

The Consultation Statement offers a very brief summary of the issues raised by those responding to the pre-submission stage. In my view it can barely be considered to meet the requirements of the relevant regulation. I would therefore ask that a summary is provided as an addendum to the Consultation Statement or that the Consultation Statement is redone to ensure it meets the regulatory requirements. This would then require further public consultation.

3. Adoption of the new Local Plan Section 1

I am aware that the Inspector's Report on the emerging Local Plan Section 1 was received on 10 December 2020. I expect that TDC will soon move to adopting this plan. Unless my final report is issued before any adoption (which seems unlikely given the need for further consultation potentially on the two matters outlined above), the adoption of the new Section 1 will mean that the development plan against which the ANP is assessed will change.

In these circumstances, I would usually request a further period of consultation is undertaken on this specific matter to give an opportunity for any comments.

Conclusions on the main matters

You will therefore see there are two issues on which potentially further work is needed. In themselves both these issues would require a further period of consultation.

In addition, a new Local Plan Section 1 is likely to be adopted shortly. In itself, this would also require a further period of consultation.

My suggestion is that the examination is 'paused' to allow confirmation of the Screening Report issue and further work on the Consultation Statement issue to be carried out.

I understand this will be disappointing news to those involved in the production of the ANP. However, I consider that ensuring these matters are resolved now and for the sake of a few more weeks delay, that the ANP over the longer term will be a robust document.

I also wanted to take this opportunity to highlight some more minor matters of clarification. It is quite usual for me to have some questions of clarification. These are usually queries of a fairly factual nature which can be readily dealt with by an exchange of correspondence. I want to ensure I present a rounded picture of these other matters at the same time so that these can be resolved as we move through the more major matters. Please note the issue in relation to Policy ALRES8. If documentation is submitted in support this policy, this could also be potentially consulted on at the same time as the other main matters.

Other issues/questions of clarification

1. The Basic Conditions Statement (paragraph 6.5) indicates that the Screening Report includes the responses from the statutory bodies, but unfortunately this does not seem to be the case. Please forward these responses to me.
2. Please could the date of the Plan area designation be confirmed? The Basic Conditions Statement indicates 2015, but other information on TDC website indicates a different date.
3. The Basic Conditions Statement refers to a Sustainability Report in paragraph 3.2. Please could a copy be forwarded to me?
4. The Consultation Statement confirms that the pre-submission stage took place between 15 October – 3 December 2019, but Appendix A indicates the period was extended. Please confirm the dates.
5. It would be helpful, if TDC could please indicate which policies in the Tendring District Local Plan 2007 are regarded as strategic and of relevance to this examination.
6. As the Inspector's Report on the emerging Local Plan Section 1 has now been received and it is likely that the plan will soon be adopted, do any of the references in the Plan need to be changed as a result of this? If so, please send a list of those changes.
7. Please could TDC indicate whether in their view any implications arise for the Plan from the publication of the Inspector's Report on the emerging Local Plan.
8. Policy ALRES1, Alresford Spatial Strategy, defines a settlement boundary for Alresford. Please confirm whether sites with extant planning permissions are included within the boundary line.

9. Policy ALRES3, Enhancing Walking and Cycling In and Around Alresford, refers to “Key Movement Routes”; I am not sure what this refers to?
10. Policy ALRES8, Non-designated Heritage Assets, seeks to identify nine such assets. PPG is clear that such assets can be identified through a neighbourhood plan-making process, but should be based on sound evidence which includes information on the criteria used to select the assets.¹ Please could information about how the assets have been identified be forwarded to me? This might include identification and assessment sheets, meeting notes or minutes and so on.
11. In relation to Policy ALRES9, Recreational disturbance and Mitigation, I am aware that TDC adopted the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) on 13th November 2020. With the passage of time, is this policy therefore still relevant and necessary? Are any changes to it needed?
12. With regard to Policy ALRES10, Surface Water Management, please point me in the direction of any context or evidence for this policy.
13. Is the “village centre” notation shown on the Policies Map and Inset Map the same as in the emerging Local Plan?
14. The representation from Network Rail seeks confirmation that the Plan reflects the “latest developments” in the area and refers to around 150 dwellings nearing completion on the northern side of the railway. Please could you comment on this as I am unsure of its context?
15. A representation from Essex County Council suggests that paragraph 1.12 of the Plan is amended to include some new wording. Would the Parish Council like to suggest wording for any such inclusion please?

Overall conclusion

Unfortunately, as things stand, I consider further work needs to be carried out and that further work will, together with the timescales on the emerging Local Plan Section 1, require additional consultation.

There are therefore **possible courses of action** to consider:

- A. I carry on with the examination. This is likely to result in a report that recommends the Plan does not proceed to referendum. This is not a scenario which I would welcome and is unnecessary given my view that all main issues can be resolved through further work and further consultation.
- B. The examination is suspended to a) allow further work to be undertaken on the Consultation Statement and requisite consultation, b) a check to be made on the SEA and HRA Screening Report and any issues to be remedied on this through a period of further consultation and c) ensure that if the Local Plan Section 1 is adopted before my final report is to be issued, consultation is carried out on that. It would make sense that all three issues (if this is found to be necessary) are consulted upon at the same time.

¹ PPG para 040 ref id 18a-040-20190723

In the light of the above, I would like to give the PC and TDC the opportunity to consider the main matters and let me know how you might wish to proceed. Please can I ask you to respond by Wednesday 3 February 2021. If a little further time is required, please let me know.

The questions of clarification can be dealt with alongside the work and consultation on the main matters; I am not expecting a response to questions 1 – 15 by 3 February.

I have considered whether to hold an exploratory meeting or hearing to consider these issues. I have set out the issues as I see them in detail above. I therefore see no immediate benefit to any party in holding a meeting or hearing at the present time.

I am also not seeking, and will not accept, any representations from other parties regarding these matters at this stage.

This note will be a matter of public record and should be placed on the relevant websites.

With many thanks,

Ann Skippers MRTPI
Independent Examiner
20 January 2021