

AGENDA

Tendring Local Plan Part 2

Examination in Public

Day 3 - Thursday 25th February

Matter 6 – Living Places and Design

1. Sustainable Design (SPL3)

Are the criteria in SPL3 justified and consistent with national policy? Are the requirements of the policy reasonable and clearly articulated and would the policy be effective?

Are the Council's proposed modifications necessary for soundness in relation to:

- Local Landscape Character;
- Highways Impacts;
- The provision of electric charging points and solar panels;
- The considerate contractor scheme;
- Removal of reference to Part M.

2. Housing Density and Standards (LP3) and Housing Layout (LP4)

Is the requirement to meet minimum standards of internal space clearly articulated and supported by clear evidence?

Are the criteria in LP3 and LP4 justified and consistent with national policy? Are they clearly articulated, and would the policy be effective?

Are the Council's proposed modifications to the policy and supporting text necessary for soundness? In particular:

-In relation to LP3 - the introduction of amenity space standards, can the Council explain the basis for this change, demonstrate that there is an evidential need for this amendment, and have the Council considered the impact of this change on viability ? Would the amendment as proposed be effective ?

In relation to the requirements pursuant to part M can the Council demonstrate that there is an evidential need for this amendment, and have the Council considered the impact of this change on viability ?

Do the amendments to the policy take account of factors which may make a site less suitable for the standards ?

In relation to Policy LP3 – Do the proposed amendments replicate requirements of other policies ? Are the proposed modifications reflect the guidance in paragraph 126 of the NPPF ?

3. Affordable and Council Housing (LP5) and Rural Exception Sites (LP6)

Are the criteria in LP5 and LP6 justified and consistent with national policy? Are the requirements of the policies reasonable and clearly articulated and would the policy be effective?

In particular:

- Should the requirement be changed based on evidence of need ?
- Should the requirement be changed based on evidence of viability ?
- Does the requirement that there be “no noticeable difference” offer sufficient flexibility ?
- In relation to the future use of the policy, would the policy align with the guidance in paragraphs 62 and 64 of the NPPF 2019 ?
- How is the “1 in 3” figure in LP6 derived ?

Are the Council’s proposed modifications to these policies necessary for soundness? In particular:

- Does the removal of the “gifting clause” unacceptable impact on the flexibility of the policy ?

4. Self-Build and Custom-Built Homes (LP7)

Is the policy justified and consistent with national policy? Are the requirements of the policy clear, and would they be effective?

- In particular, are the policy’s requirements justified by evidence of need? How often is the self-build register reviewed ?
- Are the Council’s proposed modifications to the policy and supporting text necessary for soundness?

5. Traveller Sites (LP9)

Does the Council’s approach in relation to traveller sites generally conform with the expectations of Planning Policy for Traveller Sites (August 2015)?

Are the Council’s proposed modifications to the policy and supporting text necessary for soundness?

6. Care, Independent Assisted Living (LP10)

Is the policy justified and consistent with national policy? Are the requirements of the policy clear, and would they be effective?

- In particular, are the policy's requirements justified by evidence of need? Is the policy otherwise effective and consistent with national policy?

Matter 5 – Healthy Places

1. Improving Health and Wellbeing (policy HP1)

- Is the policy justified and consistent with national policy?
- Are the requirements of the policy clear, reasonable and effective?
- On what basis was the threshold requirement of 50 houses set and is this reasonable?
- Is the Council's proposed amendment necessary for soundness ?

2. Community Facilities (HP2) and Green Infrastructure (HP3)

- Is the policy justified and consistent with national policy?
- Are the requirements of the policy clear, and would they be effective?
- The Council now wish to include additional facilities within the supporting text. What is the rationale for this ?

3. Safeguarded Local Greenspace (HP4)

Do the Local Green Spaces shown on the policies map meet the criteria for designation set out in paragraph 77 of the NPPF? How have they been justified?

- What evidence can the Council provide that the spaces identified in the plan as Safeguarded Local Green Space are demonstrably special to a local community and hold a particular local significance ?
- In particular, what was the reasoning behind the inclusion of incidental green spaces ?
- Is it necessary to include all protected open space, recreational open space, allotments, country parks, and cemeteries and crematoria as Local Green Space ?

4. Open Space, Sports and Recreation Facilities (HP5)

- Are the requirements of the policy clear, and would they be effective?
- Where are the "quantity standards" derived from ? Does the policy take sufficient account of the "pooling" of larger areas of open space to meet recreational needs in response to local circumstances?
- Are the Council's proposed modifications to these policies and the supporting text necessary for soundness?