

CHAPTER 5: LIVING PLACES

Policy LP1: Housing Supply

| ID | Rep ID | Name. Organisation | Legally compliant | Duty to Co-operate | Sound | Positively prepared | Justified | Effective | Consistent with national policy | Hearing/ written rep | Supporting docs | Summary of representation | Proposed change to Local Plan | Council response | Contact details |
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| Representations from Technical Stakeholders | | | | | | | | | | | | | | | |
| 1105514 | LPPuD52 | University of Essex (Nick Davey, JTS Partnership) | Y | Y | Y | | | | | W | N | Support for policy LP1 and table LP1. A new link road between the A120 and A133 should be provided in the first phases of the Tendring Colchester Borders Garden Community development to prevent overloading current infrastructure on the east side of Colchester. | No specific changes to Policy LP1 suggested. | Support is noted. The proposed link road has been awarded Housing Infrastructure Fund (HIF) funding and is expected to be delivered by 2024 to enable the construction of the Tendring Colchester Borders Garden Community. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1036980 | LPPuD125 | Historic England – Dr. Natalie Gates | Y | Y | N | | X | | | H | N | It is unclear as to whether some of the small sites already have planning consent. These sites have the potential to impact on heritage assets either directly or due to their location within the setting of heritage assets. Without further details of these sites it is impossible to confirm whether the allocations are acceptable to Historic England. | Consider the heritage impact of smaller development sites. No specific changes to Policy LP1 suggested. | At April 2020, there were planning permissions in place on small sites to deliver some 724 dwellings for which the impact of development on heritage assets would have already been taken into account as part of the development management process. It is suggested that the small sites/windfall figure is updated to reflect the latest evidence in the Council's 2020 Strategic Housing Land Availability Assessment (SHLAA). It is suggested that the figure be revised from 1,399 2017-2033 to 1,260 2020-2033 (of which around 724 already has permission). | Details only available to the local authority and the Inspector's Programme Officer. |
| 1007301 | LPPuD38 | Essex County Council | Y | Y | N | | | X | | W | N | There is an inconsistency between the total housing numbers and phasing indicated in Table LP2 and the housing numbers contained in the site specific policies in Chapter 9; in particular Hartley Garden Village, Oakwood Park, Rouses Farm and Low Road. Consistency is required as there is a direct impact on education provision and when new schools (or other infrastructure) may need to come forward. Table LP2 also indicates that none of the named allocations appear to commence prior to 2023. If a significant proportion of the permitted development and windfalls, now relied upon during the first five years, is within Clacton then a new primary school is needed. This is not deliverable if the major allocations (which provide land for new primary schools) are only bought forward from 2023. | A review of the housing numbers and phasing in Table LP2 and the housing numbers listed in Chapter 9 is required to ensure consistency between these two sections of the Draft Plan to demonstrate effective delivery, including supporting infrastructure. | The inconsistencies are acknowledged and it is proposed that modifications are made to rectify these. These modifications should be informed by the findings of the new 2020 Strategic Housing Land Availability Assessment (SHLAA). In respect of the concern over primary school provision, it should be noted that the Rouses Farm development is the subject of a current application (and a Committee resolution to grant outline permission) which includes the provision of land for a new two-form-entry primary school. | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Businesses, Landowners and Developers | | | | | | | | | | | | | | | |
| 1015065 | LPPuD9 | Paul Hales, Paul Hales Associates | Y | Y | Y | | | | | W | N | Following a favourable response to a pre-application enquiry, the landowners of site SAH 2 intend to seek planning permission shortly with a view to commencing the development of the land west of Low Road Dovercourt in the 2018/19 to 2022/23 time period and for the whole development to be completed within the timescale of the Local Plan. | Amend Table LP2 to show the development of the land west of Low Road Dovercourt site SAH 2 being commenced in the 2018/19 to 2022/23 time period and for the development of this site being fully completed within the timescale of the Local Plan. | Outline planning permission for 300 homes (17/02168/OUT) was granted in March 2019. The 2020 SHLAA includes an updated trajectory for this site which is based on advice from the North East Essex Builders. The revised trajectory estimates the first dwelling completions in 2022/23 and completion of the development in 2029/30. Amendments to Table LP2 are suggested to best reflect this latest information. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1007403 | LPPuD20 | Tim Snow Architects Ltd | N | Y | N | | | | | W | N | The entire housing delivery for the first five years are from sites with planning consent or projected windfall sites. Tendring has been subject to numerous planning applications over the last few years and consent granted on sites that are not viable financially or have significant infrastructure difficulties. Land owners' expectations of land values likely to be achieved are also well in excess of that which is realistic. It is often considered reasonable to assume that if a planning application is submitted on land then there is a good chance that it is a serious offer of the land coming forward but in my experience many of these are speculative outline planning applications and I would not rely on many to progress. The housing delivery figures show from 2013 to 2016 completions 200 and 260 units that is typical for Tendring whereas 2016/2017 indicates 658 completions at 250% increase that seems much higher than one might expect. Beyond 2023 there are assumptions made for delivery of large sites including Hartley Gardens (1000) Oakwood Park (500) Rouses Farm (850) Garden Village (500) within a ten year period. Tendring has not been able to deliver large sites like this in the past and experience has shown that detailed planning applications will need to be being prepared now if these | Viability assessments to be carried out / appraised on the large delivery sites. | The assumptions made about delivery of housing over the plan period have been reviewed since the publication of the Local Plan through the November 2020 Strategic Housing Land Availability Assessment (SHLAA). In 2019, an updated viability assessment for the larger strategic allocations in the Local Plan was also carried out, indicating that all are viable – although it is suggested that the timescales for those sites yet to obtain permission ought to be revised. Therefore the expectation for how many dwellings will be delivered within the remainder of the plan period to 2033 on Hartley Gardens and Oakwood Park and other sites of a similar scale are suggested for revision. Despite Mr. Snow's reservations about the district's ability to deliver a step-change increase in housing delivery, the period between 2017/18 and 2019/20 has seen completions of 565, 916 and 784 respectively. | Details only available to the local authority and the Inspector's Programme Officer. |

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| | | | | | | | | | | | | delivery figures are to be achieved with the ten year period. | | | |
| 1007403 | LPPuD512 | Tim Snow Architects Ltd | Y | Y | N | | | | X | W | N | The Objectively Assessed Housing Need Survey 2016 produced figures not closely linked to official projections which indicates a figure of 625 dwelling per annum. There is also a requirement to provide a 20% buffer where there has been under-performance on delivery. Tendring has underperformed on delivery and the 20% should be included | Housing provision figures need to be reassessed independently and a 20% flexibility allowance should be included. | The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes which, for the remainder of the plan period 2020-2033, represents a 21.6% level of over-provision. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1106146 | LPPuD212 | Moonlight Hollow Ltd (c/o Libby Hindle – Boyer Planning) | Y | Y | N | | X | | | H | N | Objection to the housing requirement of 11,000 homes on the basis that the objectively assessed housing need is higher. The Council has only been able to demonstrate an average completion rate of 343.5 dpa between 2013 and 2017. The Council cannot identify a five-year supply of deliverable housing sites and has a record of persistent under delivery. No housing allocations have been made for the settlement of Great Bentley even though it is recognised as a sustainable location, with a good level of services and facilities within the village centre, in addition to bus and rail services. | Increase the housing requirement to 12,000 homes and allocate land at Great Bentley for housing development. | The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. Although there are no specific housing allocations made in Great Bentley, 377 dwellings are expected to be built between 2020 and 2033 on sites that have obtained planning permission. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1022048 | LPPuD312 | Bloor Homes (c/o Paul Derry - Barton Willmore) | N | Y | N | X | X | X | | H | N | The assumption of delivering 1,250 dwellings in the plan period at the Tendring Colchester Borders Garden Community are overly ambitious given the lack of confirmed location, the infrastructure requirements and the constraints of the land. Table LP2 shows that 4,796 dwellings have planning permission within sites of 10 of more dwellings of which 4,779 are expected to be provided within the plan period, it is unrealistic to assume that all will be fully delivered for a variety of commercial and other reasons. We would recommend a minimum discount of 10% given the history of under delivery within the District. The Council already acknowledges that on sites of 9 dwellings or less, they often gain planning permission for residential development and these can remain unimplemented for many years, before applying a 20% discount rate. We have significant concerns regarding the windfall status within Tendring District Council, particularly with regards deliverability. It is proposed 864 dwellings would be delivered on small sites as windfalls between 2018/19 and 2022/23. We consider this figure is already too high given it seeks 100% implementation. However, between the period of 2018/19 and 2022/23 the projected number of dwelling completions is only 591 dwellings. | The 1,250 homes expected at Colchester Tendring Borders Community should be excluded from the figures in Policy LP1. A 10% non-implementation allowance should apply to the large sites with planning consents, reducing the figure of 4,779 dwellings to 4,300. The small sites figure (1,399) should be excluded. | The deliverability of housing at the Garden Communities has been the subject of discussion at the examination of Section 1 of the Local at which Barton Willmore were in attendance. In his post-hearing letter of May 2020, the Local Plan Inspector determined that the Tendring Colchester Borders Garden Community was viable, deliverable and sound and could deliver around 2,000 homes in the remainder of the plan period to 2033 (of which 50% could count towards Tendring's housing requirement). Adjustments to the figures in Policy LP1 and associated tables are suggested to reflect this outcome. The suggestion of a 10% discount rate on large sites with permission is not agreed as evidence in the Council's 2020 Strategic Housing Land Availability Assessment (SHLAA) demonstrates how the Council has made conservative assumptions about delivery on most sites. The evidence to justify the small sites figure is set out clearly in the SHLAA previously and has been accepted by numerous appeal Inspectors. The figures have been updated in the 2020 SHLAA following the same methodology. The updated SHLAA demonstrates 1,600 dwellings-worth of headroom or over-provision which, in itself, provides a significant degree of flexibility. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1022276 | LPPuD261 | Taylor Wimpey (c/o Steven Brown – Woolf Bond Planning) | N | N | N | X | X | X | X | H | N | Objection to the housing requirement of 11,000 homes on the basis that the objectively assessed housing need is higher. The Council's 2016 Employment Land Review identifies land at Weeley as providing a sustainable opportunity to deliver employment land with good access and prominence. The 2016 Review also confirms the pressing need for proactive intervention by the Council in order to boost employment opportunities in the District and the ability of residential development to cross-subsidise this. It follows that there is a need to increase the housing requirement to allow for a future jobs uplift in the District contrary to the position taken in the Objectively Assessed Housing Needs Study. The average annual affordable housing delivery in the District during the plan period so far comprises 9 dwellings per annum. By comparison, and as at June 2015, the Council had over 1,000 households listed on their housing register. This represents an acute problem. It follows that there is a pressing and substantive need to increase the housing requirement to respond to this level of affordable housing need and allocate additional strategic sized allocations that can deliver policy compliant levels of affordable housing accordingly. The Council is also unable to demonstrate a five year supply of deliverable housing sites. | Increase the housing requirement to assist in the delivery of jobs and affordable housing and allocate the land north of Colchester Road, Weeley for mixed-use development. | The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. The issues surrounding economic uplifts and affordable housing requirements were debated in great detail at the Section 1 examination and the Council considers that sufficient land has been identified in the Local Plan to meet objectively assessed housing need and adequately takes economic factors and affordable housing need into account. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1021196 | LPPuD122 | Hopkins Homes Ltd (c/o Geoff Armstrong – Armstrong Rigg Planning) | Y | Y | N | X | X | X | X | H | N | The housing requirement should be increased. There is no reason not to use the Sub-National Population Projections (SNPP) for calculating objectively assessed housing needs. Not using the SNPP as the OAHN starting point risks severely underestimating the housing need in the district and would lead to a significant undersupply in housing of over 4,500 dwellings. | Policy SP3 and Policy LP1 should be amended to require 15,520 new homes in Tendring District over the plan period, or 776 new homes per annum and additional sites should be found to accommodate this housing growth. | The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. The issue of demographic starting points, population | Details only available to the local authority and the Inspector's Programme Officer. |

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| | | | | | | | | | | | large range of housing sites, there must also be some prospect for non-delivery from other sources. For all of the above reasons, we consider that there is a shortfall in planned housing supply within the Plan period, and a likelihood of under-delivery from those sources of housing supply that are identified. We therefore consider that is a case for both additional residential allocations or, in the absence of specific additional allocations, either the identification of reserve sites or a policy that would have the effect of triggering the delivery of additional housing at identified locations in the event of under-delivery. Clacton-on-Sea and Harwich/Dovercourt would be the logical locations. | | the Inspector has concluded that the development is viable, deliverable and sound and will contribute towards housing growth in the remainder of the plan-period to 2033. | | |
| 1115633 | LPPuD299 | St Monica's Trust (c/o Hayley Morley - Strutt and Parker LLP) | W/H | W/H | Y | | | | | H | N | Objection to the housing requirement of 11,000 homes on the basis that the objectively assessed housing need is higher. It adopts a demographic starting point considerably lower than the official government household projections. There is substantial doubt as to whether the revised demographic starting point of 480 dwellings is the most appropriate figure to use. The figure should be 625 dwellings per annum as per the sub-national household projections. In the case of Tendring District there has been a consistent record of under-delivery over a number of years, by the Council's own admission. Tendring has experienced a 70% increase in house prices between 2002 and 2012, the joint highest increase in Essex. A market uplift should be applied to the official projections and the objectively assessed housing need for which the Local Plan should provide a strategy to deliver is greater than 625 dwellings per annum. Land west of Cherry Tree Avenue, Clacton should be considered for inclusion in the Local Plan for residential development. | Increase the housing requirement to be based on a demographic starting point of 625 dwellings per annum with an uplift for market signals, including affordability. Allocate land at Cherry Tree Avenue, Clacton for residential development. | The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1022779 | LPPuD297 | Greenwich Hospital (c/o Sam Hollingworth – Strutt and Parker LLP) | w/h | w/h | N | X | | X | X | H | N | Objection to the housing requirement of 11,000 homes on the basis that the objectively assessed housing need is higher. It adopts a demographic starting point considerably lower than the official government household projections. There is substantial doubt as to whether the revised demographic starting point of 480 dwellings is the most appropriate figure to use. The figure should be 625 dwellings per annum as per the sub-national household projections. In the case of Tendring District there has been a consistent record of under-delivery over a number of years, by the Council's own admission. Tendring has experienced a 70% increase in house prices between 2002 and 2012, the joint highest increase in Essex. A market uplift should be applied to the official projections and the objectively assessed housing need for which the Local Plan should provide a strategy to deliver is greater than 625 dwellings per annum. | Increase the housing requirement to reflect the CLG household projections and a market signals uplift. | The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1106151 | LPPuD321 | Gladman Homes – Phil Bamford | Y | Y | N | X | | | X | H | Y | Gladman have some concerns with regards to the Housing Land Supply Policy LP1. Our issues with the overall housing requirement have been set out in a report prepared by Barton Willmore on our behalf. Paragraph 5.1.3 of the Plan refers to the 550 homes a year housing requirement as a target. This is not consistent with the Framework as housing requirements should be expressed as a minimum and should be exceeded if possible. This statement should therefore be amended. The completions data from the start of the Plan period until 2016/17 shows a significant under-supply of dwellings and represents real people in need of housing now. In fact Tendring have only achieved their housing requirement in one year (2016/17) out of the first four years of the plan period. Given the fact that the Council has also not met its housing requirement in 10 of the past 19 years between 1996/97 and 2014/15, it is inevitable that the Council needs to apply a 20% buffer to its housing requirement as required by the Framework for persistent under-delivery. It is therefore essential that the Council allocates a range of housing sites in a variety of locations and of a variety of sizes to ensure that the housing needs of local people are delivered in the short term, before the large scale strategic sites come on stream and to meet the significant backlog. Gladman are also concerned with the level of windfall sites that the Council are including within the housing supply going forward. The Framework states that local planning authorities may make an allowance for windfall sites if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply going forward. Therefore, in order to include a windfall allowance in the Plan, Tendring will have to provide robust and credible evidence on this source of supply to justify the 1,399 | A 20% flexibility factor should be built into the Local Plan which is equivalent to 2,200 units above the housing requirement. | The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. This already represents 21.6% of flexibility over and above the amount of development needed in the remainder of the plan period 2020-2033. The 2020 SHLAA demonstrates how the Council has made conservative assumptions about delivery on both large and small development sites. The evidence to justify the small sites/windfall figure is set out clearly in the SHLAA and has been accepted by numerous appeal Inspectors. | Details only available to the local authority and the Inspector's Programme Officer. |

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| | | | | | | | | | | | | units which is included in the Local Plan. The table on page 115 sets out that the Council's housing requirement over the Plan period is 11,000 units whilst the sources of supply listed total 12,001, a contingency of 9.1%. This is considered to be too little flexibility to mitigate against sites not coming forward as anticipated in the Local Plan. | | | |
| 1106131 | LPPuD364 | Land and Planning Company | Y | Y | N | | X | X | X | | N | 550 homes per annum is a mid-point figure sitting within a range of 500-600 homes per annum (figures rounded). The council's own assessment, presentations, decisions and the work of external consultants, demonstrate a complex and lengthy process of consideration and determination. What presents is amid-point figure which may be well-off where it should be. It follows that the actual housing requirement cannot be met satisfactorily. Land rear of 185 Thorpe Road. Kirby Cross provides an opportunity for additional housing development to address any shortfall. | Increase the housing requirement and allocate land rear of 185 Thorpe Road, Kirby Cross for residential development. | The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1106169 | LPPuD515 | Stanfords – Peter Le Grys | | | N | | X | X | X | W | N | The allocation of site MSA1 is considered to be contrary to policy PP6 while removing a source of employment land within the centre of this village. There is no evidence that the Council has made any attempt to market the building and to seek alternative commercial uses in accord with the criteria set out within Policy PP6. As such, the allocation is premature and inconsistent with the overarching policies of sustainable development. | Delete the 24 dwellings expected from land at the Council Offices, Weeley. | The Council has explored a range of options for the re-use of the Council Offices in Weeley once all Council staff have been relocated to premises in Clacton. A residential or extra-care facility has proven, to date, to be the most viable option and further information can be provided to the Inspector on request. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1007372 | LPPuD349 | Mr W McMillan (Nick Harper, Hawkspur Ltd) | N | N | N | X | X | X | X | | N | Tendring's Objectively Assessed Housing Need (OAHN) has been incorrectly calculated as 11,000 new homes (550 per annum), but based on the 2014 Sub-National Population Projections it should be 15,520 (776 per annum), leaving an additional 4,520 new homes still to plan for in the emerging Local Plan. | Increase the housing requirement to 15,520 dwellings 2013-2033. | The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1105908 | LPPuD88 | The Burghes Estate (c/o Val Coleby – Berrys) | Y | Y | N | X | X | X | X | H | N | Whilst we have no objection to the proposed Garden Community as a concept the proposal at Colchester border is clearly to support the growth and development of Colchester. The 1,250 dwellings accounted for at the Garden Community from Tendring District housing needs should be reassigned to Colchester Borough and 1,250 dwellings should be reallocated to more sustainable locations within Tendring District to support Tendring District's communities needs. | The 1,250 dwellings in respect of the Colchester Border Garden Community should be redistributed to existing settlements in Tendring District including an additional 85 dwellings in an allocation to the west of Frinton on Sea. | The deliverability of housing at the Garden Communities has been the subject of discussion at the examination of Section 1 of the Local Plan. The Inspector has concluded that the development is viable, deliverable and sound and will contribute towards housing growth in the remainder of the plan-period to 2033. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1021851 | LPPuD269 | Scott Properties (c/o Richard Clews – Strutt and Parker LLP) | W/H | W/H | N | X | | | | H | N | The objectively assessed housing need for Tendring should be greater than the 11,000 homes provided for in the plan based on a requirement of 550 dwellings per annum. This figure is not based on a demographic starting point taken from CLG official household projections. We also have specific concerns with the Council's decision to chose a mid-point in the OAN range on the basis of Unattributable Population Change (UPC). In doing so, the Council would be basing its future housing supply on past housing delivery, which is shown to have been below annual targets for most of the past five years. | Increase the housing requirement to reflect the demographic starting point provided by the CLG household projections. | The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. The appropriate demographic starting point was a key element of the discussions at the examination. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1106144 | LPPuD302 | G & M Lord and Son (c/o Andrew Martin Planning Ltd) | Y | Y | N | | X | X | X | | N | Overly optimistic assumptions have been made about sites with planning consent (both large and small). There is a lack of evidence to inform the assumption that 6178 homes will come forward on these sites. These unreliable sources comprise 51% of the housing supply over the plan period, and cast considerable doubt about the deliverability of the spatial strategy for growth in Tendring. There is also a failure to demonstrate that the strategic allocations, which include very large developments on the periphery of Clacton, Dovercourt and Weeley, and the Garden Community proposed for the Tendring/Colchester border (3480 units and 29% of the overall supply), can be delivered in the plan period. These are complex schemes that have been the subject of considerable objection as the Local Plan has emerged. By way of example the EDME site in Mistley (Policy SAMU1) is a thriving UK malted ingredients producer. Policy LP 1 assumes that this will become vacant in the plan period and provide at least 150 homes. The site is beset with numerous obstacles to development including environmental designations such as its location in the Conservation Area and impact on nature conservation including a Special Protection Area and Ramsar site based on the Stour and Orwell Estuaries. There is also currently insufficient capacity available in Clacton for the treatment of foul water, needed to support several large sites proposed for the development of 2,350 homes on the periphery of the urban area. Major infrastructure works are required to resolve this issue. In addition the sites have other key physical and environmental constraints to delivery. | Preparation of further evidence base assessment, to confirm that the sources of supply in Policy LP 1 can genuinely be delivered in the plan period. The inclusion of a number and range of smaller sustainable sites such as land to the south of Weeley Road in Great Bentley, to improve the flexibility and viability of the plan. | The Council's 2017 Strategic Housing Land Availability Assessment (SHLAA) contained evidence to justify the assumptions about delivery from the sources of housing supply set out in Policy LP1. The updated 2020 SHLAA demonstrates that some revisions to the assumptions are necessary to ensure the plan reflects a more up to date position. Further evidence as to the deliverability of strategic allocations, including the EDME site, has also been prepared, but the updated SHLAA demonstrates that the Council would not be reliant on delivery at this particular site in order to meet the housing requirement up to 2033. Planning permission has been granted, on appeal, for up to 136 homes on Mr. Lord's site in Great Bentley and it might be that he no longer wishes to pursue his objection. | Details only available to the local authority and the Inspector's Programme Officer. |

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| 1022779 | LPPuD293 | City & Country (Sam Hollingworth – Strutt & Parker LLP) | W/H | W/H | N | X | | | X | H | N | Objection to the housing requirement of 11,000 homes on the basis that the objectively assessed housing need is higher. It adopts a demographic starting point considerably lower than the official government household projections. There is substantial doubt as to whether the revised demographic starting point of 480 dwellings is the most appropriate figure to use. The figure should be 625 dwellings per annum as per the sub-national household projections. In the case of Tendring District there has been a consistent record of under-delivery over a number of years, by the Council's own admission. Tendring has experienced a 70% increase in house prices between 2002 and 2012, the joint highest increase in Essex. A market uplift should be applied to the official projections and the objectively assessed housing need for which the Local Plan should provide a strategy to deliver is greater than 625 dwellings per annum. | Increase the housing requirement to a level between 761 and 775 dwellings per annum. | The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Strutt & Parker were key participants in the examination hearings on this topic. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1021851 | LPPuD272 | Wivenhoe Park Estates (Richard Clews, Strutt and Parker) | W/H | W/H | N | X | | X | X | H | N | It is considered that the Local Plan is currently unsound due to a failure to fully meet the objectively assessed housing needs of the District. It is our position that the Plan would be unsound unless: additional land is identified to meet the full objectively assessed housing need (OAHN); the windfall allowance is distributed to suitable sites; and smaller sites are identified that would provide for delivery over the early stage of the Plan. | Amendments are made to ensure the Plan meets the full OAHN for the District. We recommend that the Council seek to achieve around 12,300 dwellings (2013-33). The Windfall allowance (1,399 dwellings) should re-distributed in accordance with the Settlement Hierarchy, on suitable, sustainable sites. That rural service centres are supported with additional changes to the settlement boundaries, including at Elmstead Market, in order to provide a range of sites that could help meet the immediate and medium term need for dwellings across the District. | The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Strutt & Parker were key participants in the examination hearings on this topic. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. The evidence to justify the small sites figure is set out clearly in the SHLAA and has been accepted by numerous appeal Inspectors. This figure is also suggested for an update to reflect latest evidence. There is no shortage of housing land in Elmstead Market, with some 205 new homes expected in the period 2020-2033 on large sites with planning permission. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1021851 | LPPuD275 | Wivenhoe Park Estates (c/o Richard Clews – Strutt & Parker LLP) | W/H | W/H | N | X | | X | X | H | N | For Tendring, the target of delivering 11,000 dwellings should be increased to around 12,300, in accordance with the CLG household projections to 2033, or 625dpa for the period 2013-37. | For Tendring, the target of delivering 11,000 dwellings should be increased to around 12,300, in accordance with the CLG household projections to 2033, or 625dpa for the period 2013-37. | The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Strutt & Parker were key participants in the examination hearings on this topic. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1102526 | LPPuD155 | Home Builders Federation – Mark Behrendt | Y | Y | N | | X | | | H | N | Tables LP1 and A2 do not consider housing allocation for the 2017/18 period. In order to assess the housing supply, and the effectiveness of LP1 it is essential that information is clear. The evidence provided currently indicates that the Council do not currently have a sound 5 year land supply. The main concern is with the over reliance on windfall estimates in the first five year. | It is suggested that further smaller sites are allocated to improve delivery of housing. There also needs to be the widest range of products as possible to ensure the widest range of demand is covered. | The evidence to justify the small sites figure of 1,399 for the plan period and 770 within the next five years is set out clearly in the Council's 2017 Strategic Housing Land Availability Assessment (SHLAA) and has been accepted by numerous appeal Inspectors. These figures have been updated in the 2020 SHLAA and amendments are suggested to make the figure 1,260 for the period 2020-2033 and 680 for the five year period 2020/21 to 2020/25. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1021851 | LPPuD264 | Tendring Farms Ltd (c/o Richard Clews – Strutt & Parker LLP) | W/H | W/H | N | X | X | X | X | H | N | The objectively assessed housing need for Tendring should be greater than the 11,000 homes provided for in the plan based on a requirement of 550 dwellings per annum. The Council is also unable to demonstrate a five-year supply of deliverable sites. There is a clear east/west divide in Tendring, where sites in the West are more likely to be deliverable (particularly in the short term). However, this is a factor that the Local Plan has not acknowledged, with SPL1 focusing growth on Clacton and Harwich and a long-term delivery at the Colchester Borders Garden Community (CBGC). There is an over reliance on Garden Communities as opposed to established locations to meet housing growth. | For TDC The target of delivering 11,000 dwellings should be increased to a minimum of 12,278 dwellings to 2033, or 625dpa for the period 2013-37. As such, it is our view that more growth should be directed at Manningtree, Lawford and Mistley, as well as the more desirable villages. This will help ensure that the required levels of housing provision are delivered, which is of the utmost importance in a district that has consistently undersupplied over the last 15 years. | This landowner was promoting an increase in dwelling numbers for their site in Mistley from 300 (as approved) up to 500. A planning application current planning application 17/01181/OUT for 485 dwellings has since been granted permission on appeal and Tendring Farms Ltd might decide not to pursue their objection. Notwithstanding this, the housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Strutt & Parker were key participants in the examination hearings on this topic. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. The Council does not consider there to be an over-reliance on sites around Clacton, Harwich and the Tendring Colchester Borders Garden Community. The 2020 SHLAA makes sensible adjustments to the assumptions about delivery of these sites and amendments are suggested. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1105946 | LPPuD175 | Trinity College, Cambridge (c/o Sam Metson – Bidwells) | Y | Y | N | X | X | | | W | N | The Council is only aiming to deliver 550 dwellings per year, which is likely to fall short of the full OAN. The 2014 Subnational Population Projections and the 2014 Household Projections suggest that 12,000 new households will form in the Tendring District between 2013 and 2033, or 600 per annum. The capacity of Brightlingsea is being artificially and disproportionately restricted, with only 100 dwellings anticipated to come forward during the Plan period. Land South of Thorpe Road, Weeley is allocated for mixed use | Allocate land at Brightlingsea Hall for residential development to meet a higher objectively assessed housing needs. | This landowner is promoting land north west of Brightlingsea for inclusion in the Local Plan for housing. That proposal and the reason for its omission from the Local Plan is addressed in relation to Local Map B.5. The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. | Details only available to the local authority and the Inspector's Programme Officer. |

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| | | | | | | | | | | | | development including at least 280 new homes but it is unclear why this location has been allocated to accommodate approximately 2.5 times more growth than Brightlingsea, which is defined as a Smaller Urban Settlement within the local plan where there is the opportunity to deliver sustainable housing growth on a larger scale. | | | |
| 1022779 | LPPuD294 | City & Country (c/o Sam Hollingworth – Strutt & Parker LLP) | W/H | W/H | N | X | | | X | H | N | The Council's calculation of objectively assessed need as being 550 dwellings per annum is considered to understate the extent of housing need. Therefore, Policy LP1's proposal to deliver a total of 12,001 new homes in the District by 2033 will not meet the District's housing need. Regardless of the position, there is nothing within the NPPF which supports the imposition of limits on the number of new homes to be provided. The NPPF does not support housing growth being unnecessarily restricted, or the rejection of sustainable sites that have the potential to accommodate housing growth without justification. On the contrary, the NPPF calls for there to be a significant boost to housing land supply (paragraph 47); and, not only for every effort to be made to meet the housing, business and other development needs of an area, but also to respond positively to wider opportunities for growth (paragraph 17). Whilst Policy LP1 makes reference to a minimum of 11,000 homes, it limits growth to 12,001 homes. Such an approach is not considered to be consistent with national planning policy, nor does it help achieve a positively prepared Local Plan. In addition, it is noted that Basildon Borough Council has raised objections to the Local Plan on the grounds that it does not assist in meeting unmet need from elsewhere in the County. Having regard to this, it is considered particularly important that the Local Plan does not place arbitrary restrictions on growth. | Allocate land at Great Bentley for residential development to meet a higher objectively assessed housing needs. | This developer is promoting land at Great Bentley for inclusion in the Local Plan for housing. These proposals and the reason for their omission from the Local Plan are addressed in relation to Local Map B.11. Three sites were the subject of applications that were refused by the Council and subsequently dismissed on appeal. A further application of land west of Plough Road had been due to be considered on appeal, but the applicants decided to withdraw the appeal and might not wish to pursue this particular objection. The Local Plan does not seek to limit housing provision to 12,001, but it has to set reasonable parameters, through the allocation of land to ensure objectively assessed housing needs are met. The evidence in the latest 2020 SHLAA shows an increase in the over-provision to around 1,600. It would not be appropriate to allocate all sites with the potential to accommodate sustainable development without out some form of control, or management, through the plan making system. The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1021851 | LPPuD278 | Ray Chapman Associates (c/o Richard Clews - Strutt & Parker LLP) | W/H | W/H | N | X | X | X | X | H | N | The Council has consistently failed to meet the OAN set under various Plans and it is difficult conclude that market signals were not influenced by the lack of development land being made available. The council is still failing to deliver the homes required in accordance with the NPPF. The Council is relying on the delivery of 1,399 dwellings from windfall sites. The Draft Local Plan places significant reliance on windfall to meet housing need, with 12% of the total to be delivered through windfall development. By definition, there is considerable uncertainty as to how much of a contribution windfall will be able to make towards delivery housing. It is far from clear that it will be able to make the level of contribution that LP1 assumes. The scale of windfall development is presumably based on the assumption that historic levels of windfall provision will continue, but provides no evidence as to why this is the case, certainly nothing that can be considered compelling, as required by the NPPF. While the Council may be able to demonstrate a consistent historic windfall for the purposes of its five year supply, there is no rationale for concluding that this will continue to provide a reliable source of supply. Historic windfall will have been achieved during a period when the Council had an out of date Local Plan and as such sustainable sites not identified in the 2007 Local Plan will have been delivered. | Allocate land at Centenary Way for residential development to meet a higher objectively assessed housing needs. | This site promoter is seeking the inclusion of their land at Centenary Way, Clacton in the Local Plan for housing. This proposal and the reason for its omission from the Local Plan is address in relation to Local Map B.6 and Policy PPL6 in respect of Strategic Green Gaps. The proposal is also the subject of a quashed appeal decision which was subsequently re-heard, dismissed and permission for review rejected. The evidence to justify the small sites/windfall figure of 1,399 for the plan period and 770 within the next five years is set out clearly in the Council's 2017 Strategic Housing Land Availability Assessment (SHLAA) and has been accepted by numerous appeal Inspectors (including the Inspector for the quashed Centenary Way appeal). These figures have been updated in the 2020 SHLAA and some amendments to the figures in the Local Plan are suggested to reflect the latest evidence. The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Strutt & Parker were key participants in the examination hearings on this topic. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1021851 | LPPuD280 | Ray Chapman Associates (c/p Strutt & Parker – Richard Clews) | W/H | W/H | N | X | X | X | X | H | N | The Council has not confirmed how the significant up front infrastructure at Hartley Gardens will be delivered, or how the initial appraisal that development would deliver post-2031 has been brought forward sufficiently in order to anticipate its contribution towards the delivery of homes in Clacton within the Plan period. There is a lack of information on the proposed density of strategic sites in order to understand whether the current allocations are likely to be able to deliver the homes sought. It is difficult to understand or identify whether there has been an assessment of the impact of a 1,700 dwellings development at this site, as distinct from the submitted quantum. | Increase the land provision in the Local Plan for residential development in light of concerns about the deliverability of the Hartley Gardens development. | Policy SAMU2 states that 800-1,000 new homes will be delivered during the plan period to 2033. Table LP2 states 600 homes (300 in years 2023-28; 300 in years 2028-33; and 1,100 post 2033). The Council's latest SHLAA trajectory (2020) suggests that only 210 homes of the potential 1,700 are realistically likely to be delivered by 2033. Notwithstanding this, there is sufficient supply of sites demonstrated in the 2020 SHLAA that lowering the assumptions for delivery at Hartley Gardens does not prejudice the Council's ability to meet its housing requirements to 2033. A response to the specific comments raised in relation to the Hartley Gardens development is provided alongside other comments on Policy SAMU2. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1021060 | LPPuD306 | NEEB Holdings (John Mason, Carter Jonas) | Y | Y | Y | | | | | | N | Supports the Council's housing figures so long as it treated as the minimum provision and overprovision is not discouraged. | No specific changes to Policy LP1 suggested. | Support is noted. | Details only available to the local authority and the Inspector's Programme Officer. |

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| 1007356 | LPPuD14 | Thorpe Hall Leisure Ltd (c/o Tony Collins – Collins & Coward Ltd) | Y | Y | N | X | X | X | X | H | N | Table LP2 should be amended to reflect the 200 units proposed for Lifehouse Spa & Hotel site at Thorpe-I.e.-Soken. | Allocate land at Lifehouse for residential development. | This site specific proposal has been addressed in relation to Local Map B.25 and B.26. The proposal for 200 homes at the Lifehouse site has been the subject of a planning application that was refused by the Council and subsequently dismissed on appeal. The Council considers that sufficient land has been identified in the Local Plan to meet objectively assessed housing need without having to include land at Lifehouse. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1021598 | LPPuD303 | Nigel Barrington-Fuller | Y | Y | N | | X | | | H | N | I think there should be 12,000 houses built not 10,000 during the Plan period. | I think there should be 12,000 houses built not 10,000 during the Plan period. | The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Strutt & Parker were key participants in the examination hearings on this topic. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1021600 | LPPuD162 | J Barrington-Fuller | Y | Y | N | | X | | | H | N | I believe the Plan for Tendring should allow for better and more housing in the villages, especially these along the old A133 (Little Clacton, Weeley Heath and Weeley). Further I think there should be 12,000 homes built not 10,000 during the Plan period. | Increase housing provision to 12,000 during Plan period. Increase provision of housing in the villages of Tendring. Specifically Little Clacton, Weeley Heath and Weeley. | The housing requirement for Tendring has been the subject of discussion at the examination of Section 1 of the Local Plan and the Inspector has concluded, in his post hearing letter of May 2020, that 550 dwellings per annum is based on sound evidence. Strutt & Parker were key participants in the examination hearings on this topic. Furthermore, the evidence contained within the 2020 SHLAA shows significant headroom of around 1,600 homes. | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Community Representatives | | | | | | | | | | | | | | | |
| 1007336 | LPPuD183 | Alresford Parish Council | Y | N | N | | X | | | H | N | Alresford Parish Council is concerned over potential issues with the Tendring/Colchester garden community causing transport issues and reconsideration to ambitious housing numbers. | Reconsider the deliverability of housing at the Tendring Colchester Borders Garden Community. | The deliverability of housing at the Tendring Colchester Garden Community has been the subject of discussion at the examination of Section 1 of the Local Plan. The Local Plan Inspector has concluded in his May 2020 post-hearing letter that the development is viable, deliverable and sound and that around 2,000 homes could be delivered up to 2033 (of which 50% would count towards Tendring's housing requirements). | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Members of the Public | | | | | | | | | | | | | | | |
| 1007238 | LPPuD487 | Carol Bannister | Y | Y | N | X | X | X | X | H | N | The amount of home set out in policy LP1 would mean an increase of 62% of homes north of the railway line in Weeley. If the district figure has to increase to 600 dwellings per year the excess will be built in Weeley resulting to a total of 1,411, this would increase the housing stock in Weeley by 300%. In addition 16-25% of the districts employment site allocations have been proposed for Weeley, this is objected by the local residents. The number of dwellings proposed for each residential and mixed use site has not been presented within the plan. There are more suitable locations for development than Weeley and the Colchester and Tendring garden community does not appear to correspond in scale to that which is planned for Weeley. The garden community should be integrated into the 'Knowledge Gateway', incorporating Essex University. The A120 corridor as an area for future large scale development has been ignored without adequate explanation. | Delete the allocation of land south of the Council Offices (Policy SAMU5) from the Local Plan. | Mrs. Bannister is seeking the deletion of land south of Thorpe Road, Weeley from the Local Plan. Her comments and those of other residents are addressed specifically in relation to Policy SAMU5. That site has since obtained outline planning permission for a scheme including up to 280 homes. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1007178 | LPPuD341 | Dave Wendon | Y | Y | N | | X | | | W | N | Table LP2 identifies numbers of homes with planning permission but not the sites. It then goes on to list other sites with SAMU references. It makes it look as if there are no new homes allocated to Alresford, Gt Bentley and other villages where outline planning has been approved for numerous houses. Therefore making Alresford prime for growth even though the village will grow by 36% with the planning permissions already given. | The Local Plan should identify the sites with planning permission. | The large sites with planning permission, including the three large sites around Alresford that are expected to deliver some 250 homes, are listed within the Strategic Housing Land Availability Assessment (SHLAA) which is evidence in support of the Local Plan. This information has been updated for 2020. If all sites with permission were listed in the Local Plan, it would complicate the document and might lead to objections being made against sites where development has already been accepted. If however the Inspector concludes that such sites should be specifically shown on the plans, the Council would be willing to accept such a modification. | Details only available to the local authority and the Inspector's Programme Officer. |

The main objections to Policy LP1 in the Local Plan come from landowners and developers who suggest that more sites need to be allocated for housing development in order to meet objectively assessed housing needs. The topic of objectively assessed housing need and whether or not more or fewer than 11,000 new homes (550 per annum) are required in Tendring was the subject of detailed discussion at the Local Plan Examination for section 1 of the Local Plan – both in 2018 and 2020. The Local Plan Inspector for Section 1 has concluded that the figure of 550 dwellings per annum is based on sound evidence and the Council is therefore satisfied that the plan has made more than adequate provision for housing in the period 2013-2033. The Council's latest Strategic Housing Land Availability Assessment (SHLAA) demonstrates headroom, or over-supply, in the order of 1,600 homes.

Apart from comments on objectively assessed housing needs (OAN), the following points have been raised by objectors – mainly with a view to getting their land included in the Local Plan:

- There is an inconsistency between the figures in Table LP2 and the corresponding site-specific policies;
- There is an over-reliance on small sites and windfall sites which is not sufficiently evidenced;
- A 20% flexibility allowance should be applied;
- The Council is unable to demonstrate a five-year supply of deliverable housing sites;
- There is an over-reliance on sites around Clacton, Harwich and at the Colchester Tendring Borders Garden Community;
- Brightlingsea is capable of accommodating more housing than currently being allocated;
- There is not sufficient evidence to demonstrate that the EDME (Policy SAMU1) and Hartley Gardens development (Policy SAMU2) will deliver the number of homes being suggested within the plan period;
- The land south of Thorpe Road, Weeley and land at the Council Offices, Weeley should be deleted from the Local Plan; and
- The large sites with planning permission for residential development should be specifically identified in the Local Plan.

Site-specific proposals for alternative housing sites are addressed as objections to the relevant Policies Maps, Local Maps or site-specific policies as opposed to objections to Policy LP1 unless they raise particular concerns about the wording or the figures within the policy and the supporting tables/text. Some, but not all, of the promoters of these sites are suggesting that more land needs to be included in the Local Plan to meet objectively assessed housing needs. The site-specific alternative proposals for residential or mixed-use development (or requesting the inclusion of additional land within the settlement development boundaries) are listed as follows, for completeness:

Alresford (Map B.1)

- None.

Ardleigh (Map B.2)

- LPPuD337 – Land off Wick Lane, Ardleigh (Gladman Homes) - Planning application for 118 dwellings refused by the Council and dismissed on appeal.

Beaumont-cum-Moze (Map B.3)

- None.

Bradfield (Map B.4)

- LPPuD434 – Land north of Greenacres, Station Road, Bradfield (D. Mitchell Farms) - Planning application for 2 dwellings refused by the Council and dismissed on appeal.
- LPPuD436 – Land west of Station Road, Bradfield (D. McNair) - Planning application for 5 and 3 dwellings refused by the Council and the former dismissed on appeal.
- LPPuD435 – Land rear of 'The Laund', Dairy House Lane, Bradfield (Mr. Garner) - Planning application for 1 dwelling allowed on appeal.
- LPPuD348 – Land west of Windmill Road, Bradfield (Mr. McMillan) – No applications submitted to date.
- LPPuD348 – Land east of Windmill Road, Bradfield (Mr. McMillan) – No applications submitted to date.
- LPPuD346 – Land behind 'Zakros', Windmill Road, Bradfield (Glyn Graves) – No applications submitted to date.

Brightlingsea (Map B.5)

- LPPuD176 – Land at Brightlingsea Hall, Brightlingsea (Trinity College Cambridge) – No applications submitted to date.
- LPPuD227 – Land at Lower Farm, Brightlingsea (Honace Ltd) – Planning application for a major mixed-use development including 41 dwellings and 104 holiday lodges has a Planning Committee resolution to approve.
- LPPuD421 – Land east of Folkards Lane, Brightlingsea (Mr. S. Pitt) – Planning application for 2 dwellings allowed on appeal.

Clacton (Map B.6)

- LPPuD285 – Land south of Centenary Way, Clacton (Ray Chapman Associates) – Planning application for 175 dwellings refused by the Council, initially allowed on appeal, then decision quashed following legal challenge, reheard and appeal later dismissed. Legal challenge to the later appeal decision rejected by the Courts.
- LPPuD314 – Land north of Rush Green Road, Clacton (Bloor Homes) – Planning applications for up to 276 dwellings refused by the Council and dismissed on appeal.
- LPPuD236 – Land south of London Road, Clacton (Land Logic Ltd) – Subject of a current planning application for 220 self-build dwellings yet to be determined.
- LPPuD299 – Land west of Cherry Tree Avenue, Clacton (St. Monica's Trust) – No applications submitted to date.
- LPPuD83 – Land at Fooths Farm, Centenary Way, Clacton (Lorrimar Investments) – No applications submitted to date (apart from small schemes permitted on a portion of the site).
- LPPuD408 – Land off Burrs Road and Sladbury's Lane, Clacton (Mr. R. Giles) – Part of site granted planning permission, on appeal, for up to 132 dwellings.
- LPPuD338 – Land east of the Oakwood Park development, Clacton (Gladman Homes) – Subject of a current application for 200 dwellings yet to be determined.
- LPPuD300 – Land east of the Oakwood Park development, Clacton (Mifield Ltd) – Subject of a current application for 200 dwellings yet to be determined (as above).
- LPPuD424 – Land at 112-118 Oxford Road, Clacton (Silverton Aggregates) – Planning application for mixed-use development including 60 dwellings refused by the Council and dismissed on appeal.
- LPPuD425 – Land north of 782 to 828 St. John's Road, Clacton (Mr. O'Dell) – Planning application for 84 dwellings withdrawn despite Planning Committee resolution to approve.

- LPPuD426 – Land forming part of Earls Hall Farm Earls Hall Drive, Clacton (Lord & Hunt) – Planning permission granted for 62 holiday units.
- LPPuD427 – Land south of Rush Green Road, Clacton (Brown & Meek) – Planning application for 100 dwellings refused by the Council but no appeal lodged.

Tendring Colchester Borders Garden Community (Colchester Fringe) (Map B.7)

- LPPuD226 – Land at Crockleford Mill, Ardleigh (Mr. T. Parker) – No applications submitted to date but falls within the ‘broad area of search’ for the Tendring Colchester Borders Garden Community.
- LPPuD334 – Land south of Bromley Road, Parson’s Heath (Gladman Homes) – Planning permission for 145 dwellings allowed on appeal.

Elmstead Market (Map B.8)

- LPPuD255 – Land north of Clacton Road, Elmstead Market (Janet and William Scarlett) – Planning permission granted for 10 dwellings.
- LPPuD272 – Land off Holly Way and Colchester Road, Elmstead Market (Wivenhoe Park Estates) – No applications submitted to date.

Frating (Map B.9)

- LPPuD221 – Land at Frating Road, Frating (Edward Gittins & Associates) – Planning permission for 2 dwellings allowed on appeal.
- LPPuD465 – Land north of Rainbows End, west of Bromley Road, Frating (Norfolk Farms) – Planning application for 4 dwellings refused by the Council and dismissed on appeal.

Frinton and Walton (Map B.10)

- LPPuD88 – Land off Edenside and Bloomfield Avenue, Frinton/Kirby (The Burgess Estate) – Planning application for 85 dwellings refused by the Council and dismissed on appeal.
- LPPuD220 – Land adjoining Walton Mere, Walton (Silverbrook Estates) – Planning application for 16 dwellings refused by the Council.
- LPPuD364 – Land rear of 185 Thorpe Road, Kirby Cross (The Land and Planning Company) – Planning permission granted for 5 dwellings on part of the site with limited scope for further development beyond that.
- LPPuD456 – Land rear of 176-178 Thorpe Road, Kirby Cross (Mr. D. Fairley) – Planning application for 7 dwellings refused by the Council and dismissed on appeal.

Great Bentley (Map B.11)

- LPPuD213 – Land at St. Mary’s Farm, Great Bentley (Moonlight Hollow Ltd) – No applications submitted to date.
- LPPuD302 – Land at Weeley Road, Great Bentley (G & M Lord & Son) – Planning permission for 136 dwellings allowed on appeal.
- LPPuD293 – Land south of Thorrington Road, Great Bentley (City & Country) – Planning application for 40 dwellings and other uses refused by the Council and dismissed on appeal.
- LPPuD293 – Land north of Thorrington Road, Great Bentley (City & Country) – Planning application for 75 dwellings refused by the Council and dismissed on appeal.
- LPPuD293 – Land west of Plough Road, Great Bentley (City & Country) – Planning application for 75 dwellings refused by the Council and dismissed on appeal. A further application for 75 dwellings was also refused by the Council and was due to be considered on appeal in 2020 but the applicants withdrew the appeal.
- LPPuD250 – Land between Weeley Road and the Admirals Farm development (Mr. & Mrs. Strutt) – No applications submitted to date.

Great Bromley (Map B.12)

- LPPuD215 – Land west of Springhill Close and east of Brook Street, Great Bromley (Mr. R. Peperell) – Planning application for 4 dwellings refused by the Council.

Great Holland (Map B.13)

- LPPuD451 – Land north of Hollyoak, Pork Lane, Great Holland (Mr. D. Akers) – Planning permission for 5 dwellings allowed on appeal.
- LPPuD454 – Land east of Pork Lane, Great Holland (Mr. M. Reid) – Planning permission for 3 dwellings refused by the Council.
- LPPuD452 – Land west of The Veldt, Little Clacton Road, Great Holland (Mr. A. Brown) – Planning permission granted for 3 dwellings.
- LPPuD450 – Land in Little Clacton Road, Great Holland (Ms. H. Hill) – Planning permission for 2 dwellings refused by the Council.
- LPPuD453 – Land south of Larkswood, Kirby Road, Great Holland (Mr. Anson) – Planning application for 1 dwelling refused by the Council and dismissed on appeal.
- LPPuD514 – Land south of Hamilton Road, Great Holland (Mr. Sawyer) - Planning application for 1 dwelling refused by the Council and dismissed on appeal.
- LPPuD455 – Land at Great Holland Nurseries, Great Holland (Mr. S. Watscham) – Planning permission granted for 2 dwellings.

Great Oakley (Map B.14)

- LPPuD389 – Land at Sparrows Corner, Great Oakley (Mr. Peter Avery) – Planning permission granted for 8 dwellings.

Harwich and Dovercourt (Map B.15)

- LPPuD448 – Land at Church Hill, Ramsey (Mr. N. Neal) – Planning application for 71 dwellings refused by the Council and dismissed on appeal. Some small scale development has been allowed on part of the site.
- LPPuD446 – Michaelstowe Farm, Ramsey Road, Dovercourt (Geish, Mallett & Morford) – Planning permission granted for schemes of 41 and 14 dwellings on a significant portion of the site.

Kirby-le-Soken (Map B.16)

- None.

Little Bentley (Map B.17)

- None.

Little Bromley (Map B.18)

- LPPuD17 – Land west of Shop Road, Little Bromley (Anita Spall) – No applications submitted to date.

Little Clacton (Map B.19)

- LPPuD459 – Land adjoining 2 and 3 Edwards Close, Little Clacton (Mr. Palmer) – Planning permission granted for 3 dwellings.
- LPPuD458 – Land north of Batemans Road and west of Weeley Road, Little Clacton (Messrs Barrington Fuller & Lee) – Planning application for 8 dwellings on front part of the site under consideration but not determined.
- LPPuD305 – Land at Ideal Nurseries, Batemans Lane, Little Clacton (R. Cooledge) – No applications submitted to date.

Little Oakley (Map B.20)

- LPPuD429 – Land east of Seaview Avenue, Little Oakley (Mr. & Mrs. Cullen) – Planning application for 5 dwellings refused by the Council and dismissed on appeal.

Manningtree, Lawford and Mistley (Map B.21)

- LPPuD153 – Additional land south of Harwich Road, Mistley (Hopkins Homes) – Planning permission for 100 dwellings allowed on appeal.
- LPPuD263 – Land south of Long Road and west of Clacton Road, Mistley (Tendring Farms Ltd) – Planning permission to increase from 300 to 485 dwellings allowed on appeal.
- LPPuD335 – Land at Grange Road, Lawford (Gladman Homes) – Planning application for 110 dwellings refused by the Council and dismissed on appeal.
- LPPuD422 – Land west of Trinity Road, Mistley (Mr. R. Brooks) – Planning application for 75 dwellings undetermined and no appeal against non-determination.
- LPPuD423 – Land off Colchester Road, Lawford (Mr. R. Brooks) – Planning application for 15 dwellings undetermined and no appeal against non-determination.

Ramsey (Map B.22)

- LPPuD439 – Stagecoach Stud, Wix Road, Ramsey – Planning application for 9 dwellings refused by the Council and dismissed on appeal.

St. Osyth (Map B.23)

- None.

Tendring (Map B.24)

- None.

Thorpe-le-Soken (Map B.25)

- LPPuD217 – Land at the Lifehouse Spa and Hotel, Frinton Road and Station Road, Thorpe-le-Soken (Thorpe Hall Leisure) – Planning application for 200 dwellings refused by the Council and dismissed on appeal.
- LPPuD466 – Land at Parkers Nursery, Frinton Road, Thorpe-le-Soken (Parkers Nurseries) – Planning permission granted for 6 dwellings (with permission for a further 10 granted on adjoining land).
- LPPuD467 – Folly Farm, Frinton Road, Thorpe-le-Soken (Mr. & Mrs. Mowle) – Planning permission for 4 dwellings refused by the Council and dismissed on appeal.
- LPPuD468 – Land off Golden Lane, Thorpe-le-Soken (Mr. Stobbs) – Planning application for 5 dwellings refused by the Council and dismissed on appeal.
- LPPuD419 – Thorpe Horseboxes, Thorpe-le-Soken (Thorpe Horseboxes) – Planning permission for 4 dwellings allowed on appeal.
- LPPuD420 – Land off Mill Street, Thorpe-le-Soken (Mr. Curtis) – Planning application for 1 dwelling refused by the Council and dismissed on appeal.
- LPPuD290 – Land at Colchester Road, Thorpe-le-Soken (Mr. Burns) – Planning permission for 9 dwellings allowed on appeal.

Thorpe Station and Thorpe Maltings (Map B.26)

- LPPuD511 – Land adjoining Thorpe Maltings (Rosegrade Limited) – Enabling scheme involving 54 dwellings approved by the Council but permission was not implemented and has since lapsed.

Thorrington (Map B.27)

- LPPuD254 – Land off Station Road/Clacton Road, Thorrington (St. John's College) – No applications submitted to date.
- LPPuD464 – Land off Church Road, Thorrington (Phelan) – No applications submitted to date.

Weeley (Map B.28)

- LPPuD262 – Land north of Colchester Road, Weeley (Taylor Wimpey) – Planning application for mixed-use development including 380 dwellings refused by the Council but no appeal was lodged.
- LPPuD460 – Land at Homestead Caravans, Weeley (Mr. Swinscoe) – Permission for B1 commercial use granted in 2015 but expired in 2018 and site continues to operate as a Caravan Centre.
- LPPuD461 – Land at Thorpe Road, Weeley (Mrs. Hull) – Planning application for 3 dwellings refused by the Council.
- LPPuD462 – Rainbow Nursery, Weeley (Rainbow Nursery) – Planning permission granted for 9 dwellings.

Weeley Heath (Map B.29)

- LPPuD318 – Land off Rectory Road, Weeley Heath (St. Osyth Beach Estate) - No applications submitted to date.
- LPPuD318 – Land off Rectory Road and Mill Lane, Weeley Heath (St. Osyth Beach Estate) – 6 bungalows have been built on the front part of the site.
- LPPuD318 – Land off Mill Lane and Bentley Road, Weeley Heath (St. Osyth Beach Estate) – Planning application for mixed-use development including 80 dwellings refused by the Council.
- LPPuD440 – Land at Clacton Road, Weeley Heath (Barrington Fuller, White) – Planning permission for 3 dwellings on part of the site approved.
- LPPuD463 – Land west of Clacton Road, Weeley Heath (Kays) – Planning application for 120 dwellings refused by the Council and no appeal lodged.

Wix (Map B.30)

- None.

Wrabness (Map B.31)

- None.

A number of these sites have been the subject of planning applications which have either been approved, refused or allowed/dismissed on appeal. Where appropriate, the status of such sites has been updated in the Council's 2020 SHLAA and amendments to the figures in the Local Plan and the depiction of certain sites on the policies maps are suggested.

The detailed evidence for the small sites/windfall figure of 1,399 homes was contained within the Council's 2017 Strategic Housing Land Availability Assessment (SHLAA). It should be noted that at 1st April 2017, there were planning permissions in place for 974 dwellings in sites of 9 or fewer dwellings within the small sites figure. The Council's approach to calculating the small sites/windfall figure has been tested in a number of recent appeals and Inspectors and appellants have both accepted this approach as being suitably robust. In the 2020 SHLAA, the Council has updated to the figure to an April 2020 base date, but using the same methodology, and amendments to Policy LP1 and associated tables are suggested. On the updated evidence, the figure is adjusted to 1,260 for the period 2020-2033.

The Council does not consider that there is an over-reliance on sites around Clacton, Harwich and the Colchester Tendring Borders Garden Community. In the Council's Economic Strategy undertaken by consultants Regeneris, these areas were specifically recommended as being the future focus for housing growth in order to achieve maximum economic growth and job creation. Furthermore, the evidence in the SHLAA and elsewhere in the evidence base sets out the timeframes, constraints and viability matters affecting sites in these locations. The deliverability of the Garden Community has been the subject of considerable discussion at the Local Plan Examination for Part 1, with the Local Plan Inspector concluding the development is sound and deliverable, in part, within the remainder of the plan period to 2033. Further evidence on viability has been produced in respect of the Council's assumptions about growth around Clacton and Harwich, including the deliverability of the Hartley Gardens development and amendments to some of the assumptions are suggested to the figures in the Local Plan.

Since the publication of the Local Plan in 2017 and its 1st April 2017 base-date, there have been a significant number of planning decisions (including appeal decisions) that update the figures in Policy LP1 and the supporting tables. The 2020 SHLAA provides the most up to date position and demonstrates that supply can be reasonably updated to just over 12,600 homes against the requirement of 11,000 – representing a significant over-allocation. The 2020 SHLAA was considered and endorsed by the Council's Planning Policy and Local Plan Committee on 8th June 2020 and provides the evidential basis for a number of suggested amendments as follows:

Suggested modification: Amendments to the figures in paragraph 5.1.10 to reflect the most up to date information on housing delivery, as contained within the Council's 2020 Strategic Housing Land Availability Assessment (SHLAA):

5.1.10 The Council assesses annual housing completions against the annualised housing target of 550 homes each year. As of ~~March 2017~~ April 2020, ~~four~~ seven years of completions data is available. Table LP1 identifies housing completions of ~~4,374~~ 3,638 between 2013/14 and ~~2016/17~~ 2019/20. This leaves a requirement for the Local Plan to establish a supply of at least ~~9,626~~ 7,362 homes. 'At least' is an important factor because the housing strategy is more sound if it provides some flexibility for choice and range in its supply to accommodate external factors such as the market failure of a particular developer which could slower overall completion rates.

Further suggested changes overleaf.

Suggested modification: Amendments to figures in Table LP1 to include actual dwelling completion figures for the 2017/18, 2018/19 and 2019/20 financial years and to provide a more up to date position on the residual housing requirement to 2033:

Table LP1: Housing Requirement for the period 1/4/13 – 31/3/33

| A – Annual Net Dwellings Required – Reported Years from Base Date | |
|--|---------------------------|
| 2013/14 to 2032/33 | 550 x 20 |
| | |
| Total | 11,000 |
| B – Net Completions – Reported Years from Base Date | |
| 2013/14 | 204 |
| 2014/15 | 267 |
| 2015/16 | 245 |
| 2016/17 | 658 |
| <u>2017/18</u> | <u>565</u> |
| <u>2018/19</u> | <u>915</u> |
| <u>2019/20</u> | <u>784</u> |
| Total | 4,374 <u>3,638</u> |
| C – Shortfall – Reported Years from Base Date | |
| Total | 826 <u>212</u> |
| D – Net dwellings from Base Date still required | |
| Total | 9,626 <u>7,362</u> |

Table LP2 makes provision for the homes required as established through the OAN. The supply consists of large sites (10 or more homes) with planning permission or a resolution to grant planning permission, an allowance for small sites (of 9 or fewer homes) based on pas trends and sites for 10 or more homes allocated in the Local Plan. ~~Policy HP4 applies to MSA8.~~

The suggested amendments to Table LP1 show that 3,638 (net) new homes were created in the period 2013 to 2020, reducing the residual housing requirement to 7,362 for the period 2020 to 2033.

Suggested modification: Amendments to figures and information in Table LP2 to reflect the latest information and assumptions contained within the Council's 2020 SHLAA:

Table LP2 – Local Plan Housing Allocations

| Site | Total housing numbers | 2018/19 2020/20 to 2022/23 2024/25 | 2023/24 2025/26 to 2027/28 2029/30 | 2028/29 2030/31 to 2032/33 | And Beyond | Reference |
|--|--------------------------------|--|--|-------------------------------------|----------------------------|-----------|
| Sites of 10 or more Homes with Planning Permission (with/without s106) | 4,796 6,462 | 3,933 3,364 | 746 1,942 | 400 494 | 17 662 | |
| Sites of 9 or less homes/windfall | 4,399 1,260 | 864 680 | 364 419 | 174 161 | 0 | |
| EDME Maltings | 150 | 0 | 0 | 150 | 0 | SAMU1 |
| Hartley Gardens Village, Clacton | 1,700 | 0 | 300 60 | 300 150 | 1,100 1,490 | SAMU2 |
| Oakwood Park, Clacton | 750 918 | 0 | 300 195 | 300 240 | 250 483 | SAMU3 |
| Rouses Farm | 850 | 0 | 300 | 300 | 250 | SAMU4 |
| Land South of Council Offices | 280 | 0 | 200 | 80 | 0 | SAMU5 |
| Greenfield Farm | 164 | 0 | 100 | 64 | 0 | SAH1 |
| Land West of Low Road | 300 | 0 | 100 | 100 | 100 | SAH2 |
| Robinson Road | 100 | 0 | 100 | 0 | 0 | SAH3 |
| Tendring Colchester Borders Garden Community | 3,500-4,500 | 0 | 500 625 | 750 375 | 2,250-3,250 2,500-3,500 | SP7 |
| Land at Weeley Council Offices | 24 | 0 | 0 24 | 24 0 | 0 | MSA1 |
| Land off Cotswold Road | 12 | 0 | 12 | 0 | 0 | MSA2 |
| Orchard Works site rear of London Road | 20 | 0 | 20 | 0 | 0 | MSA3 |
| Land rear of 522-524 St. Johns Road | 43 | 0 | 43 | 0 | 0 | MSA4 |
| Station Gateway development | 60 | 0 | 0 | 60 | 0 | MSA5 |
| Former Tendring 100 Waterworks Site, Clacton | 90 | 0 | 90 | 0 | 0 | MSA6 |
| Mayflower Primary School | 15 | 0 | 15 | 0 | 0 | MSA7 |
| Land at adjoining Harwich and Parkeston Football club, Dovercourt | 89 48 | 0 | 0 48 | 89 0 | 0 | MSA8 |
| Old Town Hall site | 15 | 0 | 15 | 0 | 0 | MSA9 |
| Southcliffe Trailer Park | 15 | 0 | 15 | 0 | 0 | MSA10 |
| Station Yard/Avon Works, Walton | 40 | 0 | 40 | 0 | 0 | MSA11 |
| Land at the Farm, Kirby Road, Walton | 47 | 0 | 0 47 | 47 0 | 0 | MSA12 |
| Montana Roundabout | 35 | 0 | 35 | 0 | 0 | MSA14 |
| TOTALS | 14,494-15,494 14,089-15,089 | 4,797 4,044 | 3,339 3,490 | 2,491 1,420 | 3867-4,867 4885-5885 | |
| Total in Plan Period | 10,627 8,954 | | | | | |

If accepted as modifications, the original list of 22 housing or mixed-use allocations would be reduced to just 8. Of the original 22 sites, 8 have become 'commitments' either through the grant of planning permission, a Planning Committee resolution to approve or actual construction on site: Rouses Farm, Land South of Council Offices, Greenfield Farm, Land West of Low Road, Robinson Road, Orchard Works site, Land rear of 522-524 St. Johns Road and Montana Roundabout. 6 are suggested for removal from the list as there is considerable uncertainty over their deliverability: EDME Maltings, Land off Cotswold Road, Station Gateway, Mayflower Primary School, Old Town Hall site and Southcliffe Trailer Park.

Suggested modified wording for Policy LP1: Based on the latest information in the Council's 2020 SHLAA, an updated Policy LP1 would read as follows:

Policy LP 1

HOUSING SUPPLY

The Council will work with the development industry and other partners to deliver a minimum new homes increase of 11,000 (net) between 1 April 2013 and 31 March 2033 to support economic growth and meet objectively assessed requirements for future housing in the District. This supply of new homes will be delivered from the following sources:

| Supply Source to March 2033 | Totals |
|---|-----------------------------|
| <i>Net Dwelling Completions 2013-2017 <u>2013-2020</u></i> | <i>1,374 <u>3,638</u></i> |
| <i>Large Sites with Planning Consents (with/without signed S106 agreements)</i> | <i>4,779 <u>5,800</u></i> |
| <i>Small Sites with Planning Consents (with Trend Based Completions)</i> | <i>1,399 <u>1,260</u></i> |
| <i>Strategic Allocations – Mixed Use (SAMU Policies)</i> | <i>2,230 <u>645</u></i> |
| <i>Strategic Allocations – Housing (SAH Policies)</i> | <i>464</i> |
| <i>Medium Sized Allocations (MSA Policies)</i> | <i>505 <u>249</u></i> |
| <i>Tendring Colchester Borders Garden Community</i> | <i>1,250 <u>1,000</u></i> |
| Totals | 12,001 <u>12,592</u> |

This Policy contributes towards achieving Objectives 1 and 6 of this Local Plan.

Depending on the timing of the examination of the Section 2 Local Plan, there may be an opportunity or need to further update the figures to an April 2021 base date.

Policy LP2: Housing Choice

| ID | Rep ID | Name. Organisation | Legally compliant | Duty to Co-operate | Sound | Positively prepared | Justified | Effective | Consistent with national policy | Hearing/written rep | Supporting docs | Summary of representation | Proposed change to Local Plan | Council response | Contact details |
|---|----------|--|-------------------|--------------------|-------|---------------------|-----------|-----------|---------------------------------|---------------------|-----------------|---|---|--|--|
| Representations from Technical Stakeholders | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |
| Representations from Businesses, Landowners and Developers | | | | | | | | | | | | | | | |
| 1106151 | LPPuD322 | Gladman Homes – Phil Bamford | Y | Y | N | | X | | | H | Y | Gladman support Policy LP2 in that the Council will support the development of retirement complexes, extra care housing and other forms of residential accommodation aimed at meeting the future needs of older and disabled residents. | No specific changes to Policy LP2 suggested. | Support is noted. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1021851 | LPPuD286 | Ray Chapman Associates (c/o Richard Clews – Strutt & Parker LLP) | w/h | w/h | N | X | X | X | X | H | Y | There needs to be greater clarity as to how the Strategic Polices in Section 1 and Section 2 will be applied to planning applications. For example, Policy SP6 requires: all new development to meet the 'highest standards' of urban and architectural design while Policies LP2, LP3 and LP4 provide specific standards for Tendring, which could be incompatible with this high bar. | Suggested changes relate to Policy SP6 as opposed to LP2. | Policy SP6 is considered to be compatible with the mentioned policies in Section 2 of the Tendring plan including LP2. These policies are all flexibly worded to support developments that are of an appropriate mix, layout and density for their location. | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Community Representatives | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |
| Representations from Members of the Public | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |

In the absence of any specific objections to Policy LP2 (the main objection being directed towards Policy SP6 in section 1 of the Local Plan), it is considered that the policy is sound and that no modifications are required.

Policy LP3: Housing Density and Standards

| ID | Rep ID | Name. Organisation | Legally compliant | Duty to Co-operate | Sound | Positively prepared | Justified | Effective | Consistent with national policy | Hearing/written rep | Supporting docs | Summary of representation | Proposed change to Local Plan | Council response | Contact details |
|---|----------|--|-------------------|--------------------|-------|---------------------|-----------|-----------|---------------------------------|---------------------|-----------------|--|--|---|--|
| Representations from Technical Stakeholders | | | | | | | | | | | | | | | |
| 908048 | LPPuD4 | Essex Bridleways Association - Sue Dobson | Y | Y | N | X | X | X | X | H | N | Criterion (f) requires certain infrastructure to be included within new developments, but there is no reference to public rights of way or access for the full range of user groups. To make this Plan sound, therefore, we suggest that this paragraph includes a reference to PROW and access thereof. | Include a reference to public rights of way within Policy LP3. | The Council deems this to be an appropriate change. | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Businesses, Landowners and Developers | | | | | | | | | | | | | | | |
| 1102526 | LPPuD157 | Home Builders Federation – Mark Behrendt | Y | Y | N | X | | | | H | N | In policies LP3 and LP4 the Council are seeking to introduce minimum space standards. However, whilst this optional standard has been tested, as required, the NPPG also requires evidence of need to support implementation. The Local Plan, nor any of the evidence papers supporting the Plan, set out why minimum space standards are needed. No evidence has been provided on the size and type of dwelling being built in the area nor an assessment of the impacts of adopting the space standards. As such the Council are not able to justify the use of space standards in either of these policies. | Policy LP3 should be deleted due to irrelevance. No evidence is given to support either policy with there being no assessment into the space standards discussed. | It is not agreed that Policy LP3 is irrelevant. Paragraph 47 of the NPPF requires local planning authorities to set out their own approach to housing density to reflect local circumstances. As well as requiring development density to recognise the character of the local area, the need for an appropriate transition between built development and the countryside, accessibility to services and facilities and practical on-site requirements, it gives effect to the Technical housing standards published by DCLG in March 2015. Application of minimum standards, in line with government thinking and with the Council's aspirations to improve the quality of the housing stock in Tendring for socio-economic reasons. The Council's Viability Study has taken these into account and no changes to Policy HP4 in response to these comments are considered necessary. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1022640 | LPPuD243 | Persimmon Homes – David Moseley | Y | Y | Y | | | | H | N | | | | | |
| 1106162 | LPPuD398 | Persimmon Homes – Matthew Parsons | Y | Y | Y | | | | H | N | | | | | |
| 1106151 | LPPuD323 | Gladman Homes – Phil Bamford | Y | Y | N | X | | | X | H | Y | The council needs to provide sufficient evidence to justify adoption of minimum standards or delete the reference to them as the NPPG states local planning authorities should provide justification, address need, viability and impact on affordability. | No specific changes to Policy LP3 suggested. | | Details only available to the local authority and the Inspector's Programme Officer. |
| 1021851 | LPPuD267 | Tendring Farms Ltd (c/o Richard Clews – Strutt & Parker LLP) | W/H | W/H | N | X | X | X | X | H | N | The Council's 2014 SHLAA sets out the Council's general approach to calculating housing capacity on sites using density multipliers. It is not clear within the Plan how the housing densities have been applied to individual sites, or whether the land allocated for development at these densities will be sufficient to meet the needs of the district. More crucially, it is considered that the density of development should be considered in relation to the character of a settlement and the need to make full and effective use of land. | No specific changes to Policy LP3 suggested. | The Council's approach to providing an indicative dwelling figure for each allocated site is rightly informed by the SHLAA and a judgement on the densities that might be appropriate for each area. The SHLAA was updated in 2020 to reflect the most up to date available evidence. We consider that the sites identified in the plan are sufficient to meet and exceed objectively assessed housing requirements by some 1,600 homes and do not consider that any changes to Policy LP3 are required in response to this representation. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1021851 | LPPuD281 | Ray Chapman Associates (c/o Richard Clews – Strutt & Parker LLP) | W/H | W/H | N | X | X | X | X | H | Y | | | | |
| 1021851 | LPPuD287 | Ray Chapman Associates (c/o Richard Clews – Strutt & Parker LLP) | W/H | W/H | N | X | X | X | X | H | N | There needs to be greater clarity as to how the Strategic Policies in Section 1 and Section 2 will be applied to planning applications. For example, Policy SP6 requires: all new development to meet the 'highest standards' of urban and architectural design.while Policies LP2, LP3 and LP4 provide specific standards for Tendring, which could be incompatible with this high bar. | Suggested changes relate to Policy SP6 as opposed to LP3. | Policy SP6 (as now proposed for modification) is considered to be compatible with the mentioned policies in Section 2 of the Tendring plan including LP3. These policies are all flexibly worded to support developments that are of an appropriate mix, layout and density for their location. | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Community Representatives | | | | | | | | | | | | | | | |
| 1007323 | LPPuD196 | Mistley Parish Council | Y | Y | N | | | X | | H | N | Policy needs to emphasise the built density as many developers have been including their 'green spaces' in their calculations resulting in some cramped housing in the built areas of their development sites. | Policy needs to emphasise the built density as many developers have been including their 'green spaces' in their calculations resulting in some cramped housing in the built areas of their development sites. | The calculation of density can be provided in both 'gross' and 'net' form. When the Council determines planning applications, it will consider both in order to judge whether or not the density of development of appropriate for the site concerned. | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Members of the Public | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |

The main objection to Policy LP3 is from housebuilders concerned about the reference, in criterion b), to the national minimum internal floor-space standards. It is high priority of the Council to improve the quality of its housing stock for socio-economic reasons and adopting the government's March 2015 Technical housing standards is key to this. The Council considers that these minimum standards will not impact adversely upon development viability.

On 8th June 2020, the Council's Planning Policy and Local Plan Committee considered and agreed a number of potential modifications to Policy LP3, including those aimed at addressing the above representations. Given the time that has elapsed since the plan was submitted in 2017, the Chairman of the Committee asked for a review of policies relating to the design, quality and layout of development as well as renewable energy and water efficiency and for recommendations for improving and strengthening the wording of such policies, including LP3. The suggested modifications are set out below.

Suggested Modification: Amend criterion b. in Policy LP3 to make it explicitly clear that the government's nationally described space standards will apply along with the private amenity space standards proposed for inclusion:

b. national minimum internal floor-space standards the need for residential development to comply with the government's latest 'Technical housing standards - nationally described space standard' and the local minimum private amenity standards set out in this policy below;

Suggested Modification: Amend criterion d. in Policy LP3 to strengthen the wording to achieve more positive outcomes:

d. the context and character of development (and where appropriate the opportunity to enhance that character) in the immediate area;

Suggested Modification: Amend criterion f. in Policy LP3 to include a reference to public rights of way, as suggested by the Essex Bridleways Trust:

f. on-site infrastructure requirements that will need to be incorporated into the layout of the development (including green infrastructure, highways and footpaths built to adoptable standards, public rights of way and any community facilities).

Suggested Modification: Include a whole new section to the end of Policy LP3 which re-introduces minimum private amenity space standards (from the Council's 2007 adopted Local Plan), explains that special guidance will apply to Jaywick Sands and includes the wording on the Part M4 (2&3) originally included in Policy SPL3 (which is considered better located in Policy LP3).

Private amenity space shall be provided to new dwellings in accordance with the following minimum standards:

For houses:

- **three or more bedroom house – a minimum of 100 square metres;**
- **two bedroom house – a minimum of 75 square metres;**
- **one bedroom house – a minimum of 50 square metres;**

For flats, either:

- i) **a minimum of 25 square metres per flat provided communally; or**
- ii) **a minimum of 50 square metres private garden area for a ground floor flat or maisonette and a minimum balcony area of 5 square metres for units above.**

A Supplementary Planning Document (SPD) for new development in Jaywick Sands will contain separate and specific amenity space standards that will apply to that particular area.

On housing developments of 10 or more dwellings, 10% of market housing should be to Building Regulations Part M4(2) 'adaptable and accessible' standard. For affordable homes, 10% should be to Building Regulations Part M4(2) and 5% should be to Part M4(3) 'wheelchair-iser' standards (Ref. Tendring District Housing Viability Assessment 12 May 2-017).

The Council's 2007 adopted Local Plan includes a specific policy (HG9) on Private Amenity Space which is broadly in line with the current advice in the Essex Design Guide however the emerging Local Plan does not carry forward a specific policy – instead relying on the Design Guide itself. The Council's Planning Officers have indicated that the 2007 policy is still relied upon when dealing with many planning applications for residential development and that it might be beneficial to include some specific policy requirements in the new version of the Local Plan to make it explicitly clear what the Council's expectations are. There have also been occasions where Members of the

Planning Committee have expressed concern about certain developments falling short of the requirement.

The original 1973 version of the Essex Design Guide set a minimum requirement of 100 square metres for most types of housing which has remained achievable for most properties of three or more bedrooms which tend to have wider frontages, but for smaller narrow-fronted houses, the 100 square metre standard can result in much longer narrower gardens which are not as practical or useable. The latest version of the Design Guide therefore recognises that for houses of one or two bedrooms, a lower standard might be appropriate with a minimum standard of 50 square metres typically applied – but this can vary from authority to authority depending on their own local policies. For flatted or ‘unextendable’ properties, a standard of 25 square metres per unit is commonly required to be provided, either individually or communally.

The Council are currently in the process of producing a Supplementary Planning Document (SPD) in relation to the future development and regeneration of Jaywick Sands – in particular guidelines for redeveloping existing plots within the Brooklands, Grasslands and Village Area. It should be noted that the proposed standards regarding private amenity space are not likely to be achievable for all development in Jaywick Sands due to the layout of the area, the size of plots and the need to meet the nationally prescribed space standards whilst achieving flood resilient design. The SPD is therefore likely to include bespoke standards for development in that location.

Suggested modified wording for Policy LP3: With the above modifications, an amended Policy LP3 would read as follows:

Policy LP 3

HOUSING DENSITY AND STANDARDS

New residential and mixed-use development (including conversions and changes of use) must achieve an appropriate housing density that has regard to the following factors:

- a. accessibility to local services;*
- b. ~~national minimum internal floor space standards~~ the need for residential development to comply with the government’s latest ‘Technical housing standards - nationally described space standard’ and the local minimum private amenity standards set out in this policy below;*
- c. the required mix of housing;*
- d. the context and character of development (and ~~where appropriate~~ the opportunity to enhance that character) in the immediate area;*
- e. for the edge of greenfield sites, the need for an appropriate transition between built development and the open countryside; and*
- f. on-site infrastructure requirements that will need to be incorporated into the layout of the development (including green infrastructure, highways and footpaths built to adoptable standards, public rights of way and any community facilities).*

Private amenity space shall be provided to new dwellings in accordance with the following minimum standards:

For houses:

- three or more bedroom house – a minimum of 100 square metres;*
- two bedroom house – a minimum of 75 square metres;*
- one bedroom house – a minimum of 50 square metres;*

For flats, either:

- iii) a minimum of 25 square metres per flat provided communally; or*
- iv) a minimum of 50 square metres private garden area for a ground floor flat or maisonette and a minimum balcony area of 5 square metres for units above.*

A Supplementary Planning Document (SPD) for new development in Jaywick Sands will contain separate and specific amenity space standards that will apply to that particular area.

On housing developments of 10 or more dwellings, 10% of market housing should be to Building Regulations Part M4(2) 'adaptable and accessible' standard. For affordable homes, 10% should be to Building Regulations Part M4(2) and 5% should be to Part M4(3) 'wheelchair-user' standards (Ref. Tendring District Housing Viability Assessment 12 May 2-017).

This Policy contributes towards achieving Objectives 1 and 6 of this Local Plan.

Policy LP4: Housing Layout

| ID | Rep ID | Name. Organisation | Legally compliant | Duty to Co-operate | Sound | Positively prepared | Justified | Effective | Consistent with national policy | Hearing/written rep | Supporting docs | Summary of representation | Proposed change to Local Plan | Council response | Contact details |
|---|----------|--|-------------------|--------------------|-------|---------------------|-----------|-----------|---------------------------------|---------------------|-----------------|--|---|--|--|
| Representations from Technical Stakeholders | | | | | | | | | | | | | | | |
| 1036980 | LPPuD127 | Historic England – Dr. Natalie Gates | Y | Y | N | | X | | | H | N | We propose that criterion f should be amended as follows: f. respect the historical local historic character and settlement hierarchy of Tendring District by delivering housing development at densities in keeping with the character and densities of the local area and the urban nature of parts of the District including town centres. | Amend criterion f as follows: “ <i>respect the historical local historic character and settlement hierarchy of Tendring District by delivering housing development at densities in keeping with the character and densities of the local area and the urban nature of parts of the District including town centres.</i> ” | The criteria is concerned with ensuring the density of development in urban areas is appropriate to its context, having regard to its historic character and the settlement hierarchy. Although the change in wording is not considered necessary to ensure that this is considered in proposals (and is sufficiently covered in other policies), other objectors have pointed out a conflict between criteria e and f and a modification to combined and simplify them is recommended. | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Businesses, Landowners and Developers | | | | | | | | | | | | | | | |
| 1022789 | LPPuD374 | Britton Properties Ltd (c/o Martin Robeson – MRPP) | Y | Y | N | | | X | X | H | N | The criteria (e and f) are not well expressed. Indeed, there is confusion when they are read together. It would seem to be wholly unsustainable for development within the urban area of Tendring's towns to be at densities in keeping with the semi-rural nature of much of the District. Indeed, criterion (f) appears to accept that the density of new development within settlement boundaries should be in keeping with the urban nature of the District. | Criteria e and f need to be recast to make them effective and consistent with National Policy. | Agreed that criteria e and f, as currently worded, give rise to potential confusion. A modification to combine and simplify the criteria is recommended. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1021851 | LPPuD288 | Ray Chapman Associates (c/o Richard Clews – Strutt & Parker LLP) | Y | Y | N | X | X | X | X | H | Y | There needs to be greater clarity as to how the Strategic Polices in Section 1 and Section 2 will be applied to planning applications. For example, Policy SP6 requires: all new development to meet the 'highest standards' of urban and architectural design.while Policies LP2, LP3 and LP4 provide specific standards for Tendring, which could be incompatible with this high bar. | Suggested changes relate to Policy SP6 as opposed to LP3. | Policy SP6 is considered to be compatible with the mentioned policies in Section 2 of the Tendring plan including LP3. These policies are all flexibly worded to support developments that are of an appropriate mix, layout and density for their location. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1022640 | LPPuD244 | Persimmon Homes – David Moseley | Y | Y | Y | | | | | H | N | In policies LP3 and LP4 the Council are seeking to introduce minimum space standards. However, whilst this optional standard has been tested, as required, the NPPG also requires evidence of need to support implementation. The Local Plan, nor any of the evidence papers supporting the Plan, set out why minimum space standards are needed. No evidence has been provided on the size and type of dwelling being built in the area nor an assessment of the impacts of adopting the space standards. As such the Council are not able to justify the use of space standards in either of these polices. There also seems to be a conflict between criteria (e) and (f) when it comes to the approach to density. | Policy LP4 should be deleted due to irrelevance. No evidence is given to support either policy with there being no assessment into the space standards discussed. | It is not agreed that Policy LP4 is irrelevant. Along with Policy LP3 it gives effect to the Technical housing standards published by DCLG in March 2015. Application of minimum standards, in line with government thinking and with the Council's aspirations to improve the quality of the housing stock in Tendring for socio-economic reasons. The Council's Viability Study has taken these into account and no changes are considered necessary. The conflict between criteria e and f is however acknowledged and a modification is recommended. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1106162 | LPPuD399 | Persimmon Homes – Matthew Parsons | Y | Y | Y | | | | | H | N | No evidence has been provided on the size and type of dwelling being built in the area nor an assessment of the impacts of adopting the space standards. As such the Council are not able to justify the use of space standards in either of these polices. There also seems to be a conflict between criteria (e) and (f) when it comes to the approach to density. | | | Details only available to the local authority and the Inspector's Programme Officer. |
| 1007403 | LPPuD21 | Tim Snow Architects Ltd | N | Y | N | | X | X | | W | N | The policy should refer to which minimum space standards need to be complied with. The Essex Design Guide is for the most part out of date having been superseded by Essex Highways Development Manual, Manual for Streets and Tendring's own design preferences. | The policy should refer to which minimum space standards need to be complied with. | The minimum space standards referred to in criterion g) are the nationally described standards. A minor modification to clarify this is recommended. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1022801 | LPPuD524 | Jack Haynes, Natural England | Y | Y | Y | | | | | ? | N | We welcome that the policy seeks to ensure a positive contribution is made to the district's local distinctiveness and sense of place within the layout and design of development and that it seeks to ensure that green infrastructure is incorporated as per Policies HP 3, HP 4 and HP 5. | No specific changes suggested. | Support is noted. | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Community Representatives | | | | | | | | | | | | | | | |
| 1007323 | LPPuD197 | Mistley Parish Council | Y | Y | Y | | | | | H | N | Paragraph (e) on page 118 is commended. | No changes. | Support is welcomed. | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Members of the Public | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |

On 8th June 2020, the Council’s Planning Policy and Local Plan Committee considered and agreed a number of potential modifications to Policy LP4, including those aimed at addressing the above representations. Given the time that has elapsed since the plan was submitted in 2017, the Chairman of the Committee asked for a review of policies relating to the design, quality and layout of development as well as renewable energy and water efficiency and for recommendations for improving and strengthening the wording of such policies, including LP4.

Suggested modification: Inclusion of a new criteria b. and c. within Policy LP4 aimed at ensuring new housing developments incorporate usable open space and that surface water management is considered at the outset of site layout and masterplanning:

b. locate new public open space where it can be conveniently and safely accessed by all members of the community, especially children by walking and cycling; and ensuring it is directly overlooked on all sides and not located to the rear of properties;

c. consider surface water management from the outset of site layout and masterplanning. All surface water should be managed by means of Sustainable Urban Drainage System (Suds) unless there is an overwhelming case not to do so;

Suggested modification: Reword the original criterion b. (which would become d. following inclusion of new criteria b. and c. above) of Policy LP4 to integrate some fundamental urban design and planning-out-crime principles and thus strengthen the effectiveness of the policy:

d. minimise the opportunities for crime and anti-social behaviour by planning housing within perimeter blocks and avoiding wherever possible houses backing onto public roads and spaces, ensuring good natural surveillance of both public and private spaces from buildings and the streets, providing clear definition between public and private spaces and convenient access for emergency services;

Suggested modification: Inclusion of a new criterion e. within Policy LP4 aimed at ensuring the road layout within new housing developments is conducive to good urban design:

e. ensure that the overall highway network is legible, permeable, with all roads connected wherever possible and fit for purpose by all road users;

Suggested modification: Reword the original criterion d. (which would become g. following inclusion of new criteria b., c., and e.) to reflect the local preference for accommodating car parking within the design of new properties, which is on-plot parking as a preference to communal or on-street parking:

g. accommodate residential parking provision for residents on-plot, either at the front or side of dwellings. Rear parking courts should be avoided unless there is an overwhelming case for their use. In addition to on-plot parking, ensure that there is sufficient provision of on-street parking for use by visitors and delivery vehicles minimise the need for and reduce the resulting visual and safety implications of on-street parking by ensuring dwellings have sufficient off-street parking space to accommodate the likely number of vehicles;

Suggested modification: Inclusion of a new criterion h. within Policy LP4 aimed at reinforcing the need for high quality design that reflects and respects the character of its location and which avoids ubiquitous standard house types, in response to concerns about the architectural quality of some recent developments in the district:

h. deliver new dwellings that are designed to high standards of architecture, which together with a well-considered site layout, create a unique sense of place – avoiding the use of ubiquitous standard house types;

Suggested modification: Reword the original criteria e. to g. (which would become i. to k.) of Policy LP4 to read as follows, aimed at addressing the points raised in the representations:

i. aside from town centres respect the character of Tendring District by delivering housing development at densities more in keeping with the semi-rural nature of parts of the District be of a density that reflects the factors set out in Policy LP3;

- ~~j. respect the historical and settlement hierarchy character of Tendring District by delivering housing development at densities in keeping with the urban nature of parts of the District including the town centres;~~
- ~~k. ensure dwellings meet minimum standards of internal space~~ the government’s latest ‘Technical housing standards - nationally described space standard’ and the local minimum private amenity standards set out in Policy LP3;

Suggested modification: Additions to the final paragraph in Policy LP4 to include additional guidance and documents that would be a consideration in the determination of applications, including the bespoke guidance being prepared for Jaywick Sands:

In determining planning applications, the Council will also refer to the guidance provided in the Essex Design Guide for Residential & Mixed-Use Developments, ‘Building for Life’ and the ‘Manual for Streets’ and as superseded; as well as adopted Master Plans, Place Plans, Neighbourhood Plans or Village Design Statements. For new residential development in Jaywick Sands, the Council will also refer to the Supplementary Planning Document (SPD) being prepared to guide new development in that area.

Suggested modified wording for Policy LP3: With the above modifications, an amended Policy LP4 would read as follows:

Policy LP 4

HOUSING LAYOUT

To ensure a positive contribution towards the District’s ‘sense of place’, the design and layout of new residential and mixed-use developments in the Tendring District will be expected to:

- a. promote health and wellbeing by incorporating and maximising the use of green infrastructure, verges, trees and other vegetation. Proposals for residential development on sites of 1.5 hectares and above are required to provide at least 10% of the gross site area as public open space (unless there are more specific open space requirements set out in policies relating to the site in question);*
- b. locate new public open space where it can be conveniently and safely accessed by all members of the community, especially children by walking and cycling; and ensuring it is directly overlooked on all sides and not located to the rear of properties;*
- c. consider surface water management from the outset of site layout and masterplanning. All surface water should be managed by means of Sustainable Urban Drainage System (Suds) unless there is an overwhelming case not to do so;*
- d. minimise the opportunities for crime and anti-social behaviour by planning housing within perimeter blocks and avoiding wherever possible houses backing onto public roads and spaces, ensuring good natural surveillance of both public and private spaces from buildings and the streets, providing clear definition between public and private spaces and convenient access for emergency services;*
- e. ensure that the overall highway network is legible, permeable, with all roads connected wherever possible and fit for purpose by all road users;*
- f. ensure internal road layouts can safely and comfortably accommodate emergency services, waste collection services, buses (where necessary) and other large vehicles;*
- g. accommodate residential parking provision for residents on-plot, either at the front or side of dwellings. Rear parking courts should be avoided unless there is an overwhelming case for their use. In addition to on-plot parking, ensure that there is sufficient provision of on-street parking for use by visitors and delivery vehicles minimise the need for and reduce the resulting visual and safety implications of on-street parking by ensuring dwellings have sufficient off-street parking space to accommodate the*

likely number of vehicles;

- h. deliver new dwellings that are designed to high standards of architecture, which together with a well-considered site layout, create a unique sense of place – avoiding the use of ubiquitous standard house types;*
- i. ~~aside from town centres respect the character of Tendring District by delivering housing development at densities more in keeping with the semi-rural nature of parts of the District be of a density that reflects the factors set out in Policy LP3;~~*
- j. ~~respect the historical and settlement hierarchy character of Tendring District by delivering housing development at densities in keeping with the urban nature of parts of the District including the town centres;~~*
- k. ensure dwellings meet minimum standards of internal space the government’s latest ‘Technical housing standards - nationally described space standard’ and the local minimum private amenity standards set out in Policy LP3;*
- l. meet all other requirements of the Local Plan.*

To ensure new developments meet these requirements and other requirements of policies in this Local Plan, the Council will sometimes work with landowners, developers and other partners, particularly on larger schemes, to prepare master plans or development briefs prior to the submission of planning applications.

In determining planning applications, the Council will also refer to the guidance provided in the Essex Design Guide for Residential & Mixed-Use Developments, ‘Building for Life’ and the ‘Manual for Streets’ and as superseded; as well as adopted Master Plans, Place Plans, Neighbourhood Plans or Village Design Statements. For new residential development in Jaywick Sands, the Council will also refer to the Supplementary Planning Document (SPD) being prepared to guide new development in that area.

This Policy contributes towards achieving Objectives 1, 5 and 6 of this Local Plan.

Policy LP5: Affordable and Council Housing

| ID | Rep ID | Name. Organisation | Legally compliant | Duty to Co-operate | Sound | Positively prepared | Justified | Effective | Consistent with national policy | Hearing/written rep | Supporting docs | Summary of representation | Proposed change to Local Plan | Council response | Contact details |
|---|----------|--|-------------------|--------------------|-------|---------------------|-----------|-----------|---------------------------------|---------------------|-----------------|---|--|---|--|
| Representations from Technical Stakeholders | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |
| Representations from Businesses, Landowners and Developers | | | | | | | | | | | | | | | |
| 1102526 | LPPuD156 | Home Builders Federation – Mark Behrendt | Y | Y | N | | | X | | H | N | Paragraph 5.1.4 of the supporting text sets out the intention to consider a 30% affordable housing requirement yet in the policy sets this target as 25%. | To avoid confusion the Council must be clear as to its intentions and paragraph 5.1.4 must be amended to reflect the approach set out in policy LP5. | An error in the publication draft has already been corrected to ensure that the 30% affordable housing requirement referred to in paragraph 5.1.4 is reflected in Policy LP5. To be clear, the affordable housing requirement in the policy is 30%. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1106113 | LPPuD179 | Rentplus (c/o Tetlow King Planning) | Y | Y | N | | | X | | H | Y | The policy does not include thresholds other than by number of dwellings. To ensure that the maximum amount of affordable housing is captured, we recommend that area thresholds are also included. In our view the option of a partial financial contribution should be sub-ordinate to on-site provision, because of the risk that a financial contribution is not spent before it has to be returned to the developer. | Amend the second paragraph of Policy LP5 to read: <i>"For development proposals outside of the Tendring Colchester Borders Garden Community, involving the creation of 11 or more (net) homes or with a site area of 0.5ha (whichever is the smallest), the Council will expect 30% of new dwellings, (including conversions) to be made available to Tendring District Council (subject to viability testing) or its nominated partner(s) to acquire at a proportionate discounted value for use as Affordable or Council housing."</i> Amend the third paragraph of Policy LP5 to read: <i>"Where it is impractical to provide on-site accommodation, the Council will accept a minimum 10% of new dwellings, (including conversions) to be made available to Tendring District Council or its nominated partner(s) to acquire at a proportionate discounted value for use as council housing alongside a financial contribution towards the construction or acquisition of property for use as council housing equivalent to delivering the remainder of the 30% requirement."</i> | The application of an area-based threshold is understood, however most outline applications are required to indicate the number of dwellings likely to be delivered and therefore a dwelling-based threshold is normally sufficient. On a very low-density housing scheme, it might not for example be appropriate to require 30% affordable housing on what might be a very small number of dwellings. In respect of the alternative approach to affordable provision, the Council had deliberately incorporated an element of flexibility into the policy to enable the Council to take a more active role in the delivery of affordable accommodation in the district, either through new development or acquisitions of existing property – although this is suggested for removal in light of weak past delivery (See comments below). | Details only available to the local authority and the Inspector's Programme Officer. |
| 1022789 | LPPuD375 | Martin Robeson Planning Practice | Y | Y | N | X | | | | H | N | The policy needs to clarify that development providing a lesser quantum can be acceptable subject to a viability appraisal demonstrating that 30% is not economic. The alternative of providing a minimum of 10% of new dwellings to the Council or its nominated partner likewise also needs, in relevant circumstances to be subject to viability testing. In the fourth paragraph of the policy there is a reference that the design of affordable and market housing should have 'no noticeable difference'. This would appear to create an unnecessarily constraining influence on the work of relevant designers. The relevant products can quite subtly appear different and indeed meet with the objectives of Sustainable Design. The policy should encourage good design, whatever the product and refer back to the criteria (whether in policy text or delegated to Standards, the content at policy SPL3). | Ensure the alternative approach to affordable housing set out in the third paragraph of Policy LP5 also reflects the need to consider viability. Consider deleting the reference to there being 'no noticeable difference in the appearance or quality between dwellings to be sold on the open market and those to be acquired and managed by the Council or its nominated partners. | Agreed that lower requirements can be agreed if viability evidence demonstrates that 30% or the alternative approach cannot be achieved. A modification is recommended to make the third paragraph consistent with the second. The reference to there being no noticeable difference in the appearance or quality between market and Council/affordable homes is considered necessary. A number of planning applications in Tendring have needed to be refused or deferred for negotiation when the affordable elements of the scheme were of a noticeably poorer standard in terms of appearance, garden sizes and internal space. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1022640 | LPPuD245 | Persimmon Homes – David Moseley | Y | Y | Y | | | | | H | N | The draft version of the Local Plan considered by the Local Plan Committee had a 25% affordable housing requirement but the published versions says 30%. The Council's viability assessment uses benchmark levels that are too low and not representative of the market and it is considered that a 25% requirement would be more representative of what developments can viably achieve. The supporting text should make clear what is meant by 'Council Housing' and the mechanism by which such properties are transferred to the Council. Para 5.5.1 implies that there is limited control upon occupancies of Affordable Housing provided by Registered Providers. Registered Providers of social housing have a mandatory statutory and regulatory obligation to assist local authorities in the discharge of their duties. The draft Policy seeks either (i) 30% of new dwellings as affordable housing or as an alternative (ii) 10% as Council Housing plus a commuted sum. The Policy by virtue of the different percentages sought seeks to recognise the significant increase in costs to the developer associated with providing | Revise the affordable housing target from 30% to 25%. Amend the supporting text to make clear what is meant by Council Housing and the mechanism by which such properties are transferred to the Council. Paragraph 5 should be amended to read: <i>"The size and type of Affordable and / or Council Housing within a qualifying development shall be assessed on a case-by-case basis having regard to the most recent Strategic Housing Market Assessment, latest housing needs register, development viability and the nature of the scheme and will be the subject of negotiation between the Council and the developer or applicant."</i> | The 30% affordable housing target was agreed by Full Council following receipt of the final Viability Assessment after the Local Plan Committee's consideration of the plan. The wording of the supporting text in respect of Council Housing is considered to be sufficiently clear – it is affordable housing that is simply managed and maintained directly by Tendring District Council. Whilst the Council has a preference to manage the affordable stock, the policy does not preclude other nominated partners such as Registered Providers. There should be no difference in cost to a developer associated with providing Council Housing as opposed to affordable housing for a Registered Provider. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1106162 | LPPuD400 | Persimmon Homes – Matthew Parsons | Y | Y | Y | | | | | H | N | The draft Policy seeks either (i) 30% of new dwellings as affordable housing or as an alternative (ii) 10% as Council Housing plus a commuted sum. The Policy by virtue of the different percentages sought seeks to recognise the significant increase in costs to the developer associated with providing | The Housing Register is kept up to date and provides the most accurate source of information upon which to base the size and type of Council or affordable | The Housing Register is kept up to date and provides the most accurate source of information upon which to base the size and type of Council or affordable | Details only available to the local authority and the Inspector's Programme Officer. |

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|---|----------|------------------------------|---|---|---|---|---|---|---|---|---|---|--|---|--|
| | | | | | | | | | | | | “Council Housing”. The second paragraph should make it clear that the 30% referred to relates to Affordable Housing and not a (unspecified) proportion of affordable housing and a (unspecified) proportion of “Council Housing”. The fifth paragraph purely refers to the Housing Needs Register however the Strategic Housing Market Assessment (Jan 2016) includes an assessment of additional units required to meet housing need in Tendring. It is considered that in assessing the housing need purely on the Housing Needs Register would not be fully representative of need, particularly the need for intermediate housing products. The Council’s viability assessment recognises that there may be scenarios whereby the tenure mix needs to be flexed to have regard to development viability. The size of units will also be informed by the nature of the scheme. | | housing required. The SHMA assessment provides a strategic indication of what is required over the plan period. | |
| 1106151 | LPPuD324 | Gladman Homes – Phil Bamford | Y | Y | N | | | X | | H | Y | There is an inconsistency in the Local Plan between the level of affordable housing required as set out in paragraph 5.1.4 (30%) and that set out in Policy LP5 (25%). This needs to be rectified in order to ensure the policy position is clear. | Rectify the inconsistency between the levels of affordable housing mentioned in the supporting text (30%) and in the policy (25%). | An error in the publication draft has already been corrected to ensure that the 30% affordable housing requirement referred to in paragraph 5.1.4 is reflected in Policy LP5. To be clear, the affordable housing requirement in the policy is 30%. | Details only available to the local authority and the Inspector’s Programme Officer. |
| Representations from Community Representatives | | | | | | | | | | | | | | | |
| 1113845 | LPPuD205 | Tendring Parish Council | Y | Y | Y | Y | Y | Y | Y | H | N | Tendring Parish Council would like to see a lower housing cost and more affordable smaller housing that cannot be enlarged. A covenant should also be applied that the properties should not to be buy-to-let. | No specific changes to the Local Plan suggested. | Affordable housing is normally only delivered alongside open market housing. The exception to this is the delivery of rural exception sites which the council assess on a case by case basis. In either instance, it is not for the Local Plan to dictate this. | Details only available to the local authority and the Inspector’s Programme Officer. |
| Representations from Members of the Public | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |

The main objections to Policy LP5 seek to clarify whether the policy requires 30% or 25% affordable housing, ensure that lower requirements can be accepted if viability evidence demonstrates a viability problem and question the Council’s approach to seeking ‘Council Housing’ managed and maintained by Tendring District Council. There are also suggestions of a site-size threshold alongside the dwelling threshold and deletion of specific parts of the policy that require no noticeable difference in the appearance or quality between market and affordable housing or any over-reliance on the Council’s housing register over other evidence of housing need.

At the time that elected Councillors were in the process of approving the publication draft, the Council was considering whether the affordable housing target should be 25% or 30%. The latest Viability Study was received between the consideration of the plan by the Local Plan Committee and Full Council. The study confirmed that 30% was viable and that is the target agreed by Full Council, following an amendment to the recommendation. The change did result in some initial discrepancies between what was said in the policy and the supporting text, but this was quickly corrected. To clarify, the requirement is 30% and this reflects the Council’s viability evidence.

Rentplus’ suggestion of a site-size threshold is noted, but is considered unnecessary and could cause complications on very low density developments. Persimmon Homes’ concerns about the Council’s approach to securing ‘Council Housing’ are noted, but the practical operation of the policy should work just the same for transferring properties to Tendring District Council as it would do for a Registered Provider. Britton Properties Ltd’s concern over the policy requiring no noticeable differences in appearance or quality between market and affordable housing are also noted, but the Council has had experience of developers proposing a poorer quality product for affordable accommodation and this sentence is therefore justified. A single modification is recommended in response to Britton Properties Ltd suggestion that viability testing is equally relevant to the alternative approach set out in the third paragraph of the policy. The words (subject to viability testing) are to be deleted from the policy wording and some additions to the supporting text are proposed.

On 29th October 2019, the Council’s Planning Policy and Local Plan Committee considered the Council’s emerging Housing Strategy which included recommendations aimed at maximising the amount of affordable housing that can be secured through planning obligations on major housing developments – in light of weak delivery in the past. It was agreed that the ‘alternative’ approach of 10% affordable housing alongside a financial contribution should be deleted from the policy because it was resulting in very low levels of delivery.

Suggested modification: Include an addition paragraph within the supporting text to address the issue of viability testing:

...delivered as market or affordable homes as appropriate.

5.5.3 Policy LP5 below requires that for development propose outside of the Tendring Colchester Borders Garden Community, involving the creation of 11 or more (net) homes, 30% of new dwellings (including conversions) will be made available to Tendring District Council or a nominated partner (which could include a registered housing provider or a trust) to acquire for use as affordable housing. A lesser amount of affordable housing than required by Policy LP5 will only be considered where robust evidence is provided to demonstrate that the development would not be economically viable as a result of the affordable housing requirement. Such evidence will be independently tested, at the applicant’s cost, as necessary.

Suggested amendments to the wording of Policy LP5 itself include removal of the reference to ‘Council Housing’ and just refer to ‘Affordable Housing’ and the deletion of the third, sixth and seventh paragraphs.

Suggested modified wording for Policy LP5: With the above modifications, an amended Policy LP5 would read as follows:

Policy LP 5

AFFORDABLE AND COUNCIL HOUSING

To promote a mix of housing tenure in the District and address the housing needs of people and families with lower incomes who cannot afford to buy or rent housing on the open market, the Council will work with the development industry to provide new affordable ~~and council~~ housing.

For development proposals outside of the Tendring Colchester Borders Garden Community, involving the creation of 11 or more (net) homes, the Council will expect 30% of new dwellings, (including conversions) to be made available to Tendring District Council or its nominated partner(s) to acquire at a proportionate discounted value for use as affordable ~~or council~~ housing.

~~As an alternative, the Council will accept a minimum 10% of new dwellings, (including conversions) to be made available to Tendring District Council or its nominated partner(s) to acquire at a proportionate discounted value for use as council housing alongside a financial contribution towards the construction or acquisition of property for use as council housing equivalent to delivering the remainder of the 30% requirement.~~

To avoid an over-concentration of affordable ~~council~~ housing in one location, no single group of affordable housing ~~council houses~~ will exceed ten dwellings and to ensure positive integration between the residents of affordable ~~council~~ housing and market housing, there should be no noticeable difference in the appearance or quality between dwellings to be sold on the open market and those to be acquired and managed by the Council or its nominated partner(s).

The size and type of affordable ~~council~~ housing will be specified by the Council on a case-by-case basis having regard to the latest housing needs register and will be the subject of negotiation between the Council and the developer or applicant.

~~Proposals that involve the provision of alternative forms of affordable housing will be accepted as long as they offer equal or greater benefit to the community in providing affordable housing, in perpetuity, for local people.~~

~~All planning applications that include residential development of 11 or more net dwellings must include an affordable housing statement.~~

This Policy contributes towards achieving Objectives 1, 5 and 6 of this Local Plan.

Policy LP6: Rural Exception Sites

| ID | Rep ID | Name. Organisation | Legally compliant | Duty to Co-operate | Sound | Positively prepared | Justified | Effective | Consistent with national policy | Hearing/written rep | Supporting docs | Summary of representation | Proposed change to Local Plan | Council response | Contact details |
|---|----------|--------------------------------------|-------------------|--------------------|-------|---------------------|-----------|-----------|---------------------------------|---------------------|-----------------|--|---|---|--|
| Representations from Technical Stakeholders | | | | | | | | | | | | | | | |
| 1036980 | LPPuD128 | Historic England – Dr. Natalie Gates | Y | Y | N | Y | N | Y | Y | H | N | We reiterate our comments on the Preferred Options Draft Local Plan July 2016 in that, in respect of the Location and Environmental Considerations, as well as the considerations listed there should be reference to having no significant material adverse impact on the historic environment. | Policy LP 6 last paragraph should reference to having no significant material adverse impact on the historic environment. | We support the additional wording reference to the historic environment in final paragraph. Modification recommended. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1022801 | LPPuD525 | Natural England – Jack Haynes | | | N | Y | Y | Y | N | | N | We welcome that the policy stipulates that such proposals must still have regard to environmental considerations. However, in line with paragraphs 109, 113, 115, 116 and 117 of the NPPF, we advise that the final paragraph should be amended to read "The proposal shall have no significant material adverse impact on biodiversity and geodiversity (including designated sites), landscape (including designated landscapes), residential amenity, highway safety, or the form and character of the settlement to which it adjoins". | The final paragraph should be amended to read " <i>The proposal shall have no significant material adverse impact on biodiversity and geodiversity (including designated sites), landscape (including designated landscapes), residential amenity, highway safety, or the form and character of the settlement to which it adjoins</i> ". | The Council deems this change to be appropriate. | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Businesses, Landowners and Developers | | | | | | | | | | | | | | | |
| 1070002 | LPPuD410 | Scott Properties – Paul Webster | Y | Y | N | Y | N | Y | Y | N | N | By 2033 around 60% of residents in Tendring will be over the age of 65 and the Local Plan encourages the development of care, independent and assisted living homes in appropriate locations. Policy LP10 relates only to care homes and extra care housing but these do not represent the whole spectrum of housing need for older people. Sites allocated in a Local Plan and/or within a development boundary are likely to command a premium land value (relatively speaking) and higher density development is invariably necessary for it to be viable. However, a distinct area of housing need for older people in the form of age-restricted bungalows but these are 'land hungry' and operate at lower densities which are rarely viable on allocated sites. In order to address the overriding housing needs of the over 65's, Policy LP10 should be amended so as to be permissive of age-restricted, or mobility-restricted bungalow developments on edge of settlement sites. As an alternative, Policy LP6 could be widened to make an exception for such housing, not just affordable housing. | Policy LP6 could be amended so as to be permissive of age-restricted or mobility restricted bungalows on edge of settlement sites (where there is a proven local need) - in addition to the council housing and affordable housing that it already relates to. | The Rural Exception Policy is specific to assist in the provision of affordable housing in rural areas as opposed to age or mobility restricted bungalows for private sale. See response to the objector's comments on Policy LP10. | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Community Representatives | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |
| Representations from Members of the Public | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |

The suggestion from Scott Properties is that the exceptions policy should be widened to allow for age or mobility restricted housing, for private sale, to be developed outside Settlement Development Boundaries. The reasons for wanting a more flexible approach to deliver such accommodation in light of Tendring's demographic profile are understood, but Policy LP6 is specifically related to exception schemes for affordable housing on the edge of villages and simply widening the policy to incorporate a form of private housing would not be appropriate. More consideration to this concept is provided in respect of Policy LP10. The minor addition suggested by Historic England to ensure the policy recognises the historic environment and those of Natural England in respect of biodiversity, geodiversity and designated sites/landscapes are however accepted.

Suggested modification: Reword the final paragraph of Policy LP6 to incorporate the suggestions from Historic England and Natural England:

The proposal shall have no significant material adverse impact on biodiversity and geodiversity (including designated sites), landscape (including designated landscapes), the historic environment, residential amenity, highway safety, or the form and character of the settlement to which it adjoins.

With the above modification, Policy LP6 would read as follows:

Policy LP 6

RURAL EXCEPTION SITES

Council Housing and other forms of affordable housing may be permitted on sites adjoining the Settlement Development Boundaries of ‘Rural Service Centre’ or ‘Smaller Rural Settlement’, as defined by the spatial hierarchy, as an exception to normal settlement policy to meet a specific identified local need that cannot be otherwise met.

To justify this form of development, applicants must demonstrate a shortage of council/affordable housing, where provision would offer long term security of tenure to existing residents within the relevant Parish needing separate accommodation in the area and other persons with strong local connections within the Parish in terms of employment or longstanding family, or previous residence links and who require accommodation in the area.

Proposals will need the support of the relevant Parish or Town Council and be expected to meet all of the following criteria:

Evidence of Local Need

The proposal must include detailed and up-to-date evidence of local need for council/affordable housing within the Parish, proven to the satisfaction of the District Council. The detail of any planning application should show that the number of council/affordable homes will not exceed the number, size and tenure genuinely required to meet the identified local housing need.

The Content of Schemes

A proposal shall cater primarily for local needs. However, to assist with the economic viability of the overall development and provide an incentive to landowners to release their land, a maximum of one in three dwellings in the overall development can be provided for sale or rent on the open market. Secure Arrangements Secure arrangements must be in place, before the granting of planning permission, that:

- a. ensure that all the council/affordable homes within the scheme remain exclusively for local need through control of occupation during the lifetime of the development and that the low-cost benefits of the housing provision pass on to subsequent occupants meeting the criteria of local need;*
- b. ensure that the necessary long-term management of the scheme is permanently secured; and*
- c. provide that where a vacated council/affordable home in the scheme cannot be filled by persons in local need within the Parish, that the home is made available over within Tendring District on the same basis of need to secure its occupation.*

Location and Environmental Considerations

The proposal shall have no significant material adverse impact on biodiversity and geodiversity (including designated sites), landscape (including designated landscapes), the historic environment, residential amenity, highway safety, or the form and character of the settlement to which it adjoins.

This Policy contributes towards achieving Objective 1 of this Local Plan.

Policy LP7: Self-Build and Custom Homes

| ID | Rep ID | Name. Organisation | Legally compliant | Duty to Co-operate | Sound | Positively prepared | Justified | Effective | Consistent with national policy | Hearing/written rep | Supporting docs | Summary of representation | Proposed change to Local Plan | Council response | Contact details |
|---|----------|--|-------------------|--------------------|-------|---------------------|-----------|-----------|---------------------------------|---------------------|-----------------|--|---|---|--|
| Representations from Technical Stakeholders | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |
| Representations from Businesses, Landowners and Developers | | | | | | | | | | | | | | | |
| 1106169 | LPPuD443 | Stanfords (c/o Peter Le Grys – Stanfords) | | | N | Y | N | N | N | N | N | Policy LP7 is supported, although there are concerns with the subjective and ambiguous nature of the wording of the policy itself. The first paragraph suggests that the development will be supported subject to there being no conflict with other policy requirements. This 'conflict' should be clarified. Similarly, the 2nd paragraph refers to the scheme being considered 'on its merits'. Such wording is neither precise nor unambiguous, resulting in confusion and an arbitrary approach being adopted by the authority. | Clarify the applicable 'conflicts' with other policies as set out in the first paragraph of Policy LP7. Address ambiguous nature of the schemes being considered on their merits, as set out in the second paragraph of Policy LP7. | It is very important that a policy such as this includes appropriate caveats to ensure development does not bring about overriding adverse impacts. The wording in paragraph one is perfectly sensible. It supports self-build and custom-built homes on large residential developments and one-for-one replacements in the countryside. Naturally, if such developments fail to meet requirements for design quality or other standards set out in other policies of the plan, they will not be supported. For the second paragraph, it is agreed that greater clarity is required to ensure better understanding of what is meant by 'on their merits'. A modification is suggested that deletes these specific words and instead requires that the adverse impacts of the development do not significantly and demonstrably outweigh the benefits when considered against other policies in the Local Plan – similar to paragraph 14 in the NPPF. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1106169 | LPPuD441 | Barrington-Fuller, White (c/o Peter Le Grys – Stanfords) | | | N | Y | N | N | N | N | N | The Council has for a number of years supported the provision of 'aspirational' or custom built housing. However, no such developments have been achieved. Land at Weeley Heath would meet the Council's requirements for aspirational custom built housing in a location already favoured by leaders of the business community and in a setting which would have no detrimental impact upon the character of this rural area. Therefore, both Policy LP7 and the allocation of this particular site for such housing are supported. | No specific changes to Policy LP7 suggested. | This comment relates to a site specific proposal which is dealt with in relation to other such proposals and the definition of settlement development boundaries. No specific changes to the wording of Policy LP7 are suggested here. | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Community Representatives | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |
| Representations from Members of the Public | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |

A modification to the second paragraph of Policy LP7 is recommended to address the concern raised by Stanfords.

Recommended minor modification: Reword the second paragraph of Policy LP7 in response to the comments from Stanfords:

...with other policy requirements in this Local Plan.

The Council will also consider, ~~on their merits,~~ proposals for Self-Build and Custom-Built Homes on land outside of settlement development boundaries, not involving the replacement of an existing dwelling, where they will still support a sustainable pattern of growth in the District and where any adverse impacts would not significantly and demonstrably outweigh the benefits when considered against other policies in this Local Plan. Such developments must either:

- a. be located on a site.....**

With the above amendment, Policy LP7 would read as follows:

Policy LP 7

SELF-BUILD AND CUSTOM-BUILT HOMES

The Council will encourage the provision of opportunities for constructing Self-Build and Custom-Built Homes as part of the mix of housing on large residential developments and the one-for-one replacement of an existing dwelling, of any size, in the countryside outside of settlement development boundaries with a single unit of Self-Build Housing, unless the impacts of development would conflict with other policy requirements in this Local Plan.

The Council will also consider, ~~on their merits~~, proposals for Self-Build and Custom-Built Homes on land outside of settlement development boundaries, not involving the replacement of an existing dwelling, where they will still support a sustainable pattern of growth in the District and where any adverse impacts would not significantly and demonstrably outweigh the benefits when considered against other policies in this Local Plan. Such developments must either:

- a. be located on a site safely accessible on foot within 600 metres of the edge of the settlement development boundary of one of the District's 'strategic urban settlements', or 'smaller urban settlements'.*
- b. be located on a site safely accessible on foot within 400 metres of the edge of the settlement development boundary of one of the District's 'rural service centres'; or*
- c. involve the redevelopment of vacant or redundant previously developed land that can be shown, with evidence, to be unviable for employment use.*

This Policy contributes towards achieving Objective 1 of this Local Plan.

Policy LP8: Backland Residential Development

| ID | Rep ID | Name. Organisation | Legally compliant | Duty to Co-operate | Sound | Positively prepared | Justified | Effective | Consistent with national policy | Hearing/written rep | Supporting docs | Summary of representation [Summaries prepared by Council Officers but the full original representations will be available to the Inspector and for public view] | Proposed change to Local Plan | Council response | Contact details |
|---|--------|--------------------|-------------------|--------------------|-------|---------------------|-----------|-----------|---------------------------------|---------------------|-----------------|--|-------------------------------|------------------|-----------------|
| Representations from Technical Stakeholders | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |
| Representations from Businesses, Landowners and Developers | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |
| Representations from Community Representatives | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |
| Representations from Members of the Public | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |

In light of there being no objections to Policy LP8, it is considered to be sound with no modifications required.

Policy LP9: Traveller Sites

| ID | Rep ID | Name. Organisation | Legally compliant | Duty to Co-operate | Sound | Positively prepared | Justified | Effective | Consistent with national policy | Hearing/written rep | Supporting docs | Summary of representation | Proposed change to Local Plan | Council response | Contact details |
|---|----------|---|-------------------|--------------------|-------|---------------------|-----------|-----------|---------------------------------|---------------------|-----------------|---|--|---|--|
| Representations from Technical Stakeholders | | | | | | | | | | | | | | | |
| 1007301 | LPPuD22 | Essex County Council – Matthew Jericho | Y | N | N | Y | Y | N | Y | H | N | Criterion b) states that sites must have reasonable access to key facilities (normally 1.5 miles/2.4km on foot or 15 miles/24km by public transport to primary schools, doctors surgeries and convenience shops, 2 miles/3.2km on foot or 20 miles/32km by public transport to secondary schools and major employment). However there is no evidence or rationale for their inclusion. | Change Policy LP9 by removing the stated distances (foot and public transport). | These specific requirements come from a 2011 report prepared for the Council to guide the future allocation of sites for gypsies and travellers. Much of this work has been superseded and it is agreed that the criterion could be amended to remove some of these prescriptive requirements. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1104418 | LPPuD102 | Environment Agency – Andrew Hunter | Y | Y | N | X | | | | H | N | Point a) of Policy LP 9 is supported. However, a reference should be included in the supporting text, to drainage aspects for sites, which are often rural in nature. | Included the following wording within the supporting text: <i>"The provision for foul water drainage should be that the first presumption is to provide a system of foul drainage discharging into a public sewer for treatment at a public sewage treatment works. A private means of foul effluent disposal is only acceptable when foul mains drainage is not feasible (in terms of cost and/or practicality). An environmental permit may, depending on flow quantities and any adjacent sensitive area, be required from the Environment Agency."</i> | The Council deems this change to be appropriate and a modification to the supporting text is suggested. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1104418 | LPPuD91 | Basildon Borough Council – Amanda Parrot | N | N | N | | | | | H | N | Policy LP9 is not sufficiently clear in the level of need it is intending to meet, or how this will be achieved. There has been no regard to the potential for unmet need to arise within other authorities within Essex. Basildon Borough has an unmet need which it is formally requesting Tendring District Council to consider meeting, at least in part, through its Local Plan. Basildon Borough Council would expect policy LP9 to be modified to make it clear as the level of provision being made and the approach being put forward for meeting that need. There is currently no method for distributing such need across Essex, and therefore it is a matter for considering as part of the Duty to Cooperate. The need for Traveller sites within Basildon Borough, is significantly higher than the need for most other authorities in Essex, including Tendring. | Consider the need to increase gypsy and traveller provision to assist in meeting Basildon's unmet need. | The Gypsy and Traveller Accommodation Assessment (GTAA) has been prepared by consultants working, with a consistent methodology, across all authorities in Essex through the Essex Planning Officers Association (EPOA). There is no functional relationship between Tendring and Basildon in terms of gypsy and traveller movements which is reflected in the relatively limited interest from the travelling community in establishing new sites in the Tendring area. The objection raised by Basildon Borough Council on duty to cooperate grounds has been considered by the planning inspector at the Section 1 examination in public and he concluded that there were no issues. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1022801 | LPPuD526 | Natural England | | | N | Y | Y | Y | N | | N | We welcome that the policy requires that proposals must "avoid any adverse impacts on any internationally, nationally or locally designated protected areas". We also welcome that the policy requires that sites will not impact on "high grade utilised agricultural land". However, in line with paragraphs 109 and 112 of the NPPF, we advise that the system for grading agricultural land should be outlined here or reference made to this Plan's soils policy which has not yet been included (see separate comments on this). | In line with paragraphs 109 and 112 of the NPPF, we advise that the system for grading agricultural land should be outlined in Policy LP5 or reference made to a new soils policy. | The Council does not consider a soils policy to be necessary but agrees that modifications to Policy LP5 can be made to better reflect what is said in the NPPF about agricultural land. | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Businesses, Landowners and Developers | | | | | | | | | | | | | | | |
| | LPPuD252 | Mr. T. Buckley (c/o Ruth McNair, Ruston Planning Ltd) | N | N | N | | | | | H | N | Object to the evidence within the Gypsy Traveller Accommodation Assessment (GTAA) on which the pitch requirements in Policy LP9 are based. Detailed comments are provided in the representation. Paragraph 6 of Policy LP6 is not consistent with National Policy which says all applications should be assessed against criteria-based policy, regardless of whether there is any identified need. Criteria should be set to guide land supply allocations where there is identified need. Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward. Criteria b) is overly prescriptive. It is useful to note that there are no specific distances to services cited in PPTS. And further, there is no mention of the need to reduce reliance on private car use. In addition, Para. 29 of the NPPF acknowledges that opportunities to maximise sustainable transport solutions will vary from urban to rural areas* Criterion d) is overly restrictive and the size stipulations are unrealistic, unnecessary, and discriminatory. A maximum size | Re-do the GTAA for Tendring. Amend Policy LP6 to bring it in line with the Planning Policy for Traveller Sites (PPTS) and amend criteria b, d, e, f and h to ensure they are not overly restrictive or prescriptive. | Mr. Buckley's very detailed objections to the evidence base will be addressed as part of the examination process with the assistance of consultants ORS, the authors of the GTAA who have undertaken the assessment for all authorities in Essex. This response deals with the specific comments on the wording of Policy PPL9. It is agreed that a number of amendments can be made to the criteria within the policy and these are set out below. Mr. Buckley has since obtained planning permission for for a traveller pitch in Weeley Heath, his personal need has been met and he may therefore no wish to pursue his objection any further. | Details only available to the local authority and the Inspector's Programme Officer. |

- d) *Relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density*
 e) *Protect local amenity and environment"*

At the time of writing, the position in terms of gypsy and traveller pitch provision in Tendring is as follows:

| Site | Number of existing pitches | Number of additional pitches with planning permission |
|--|----------------------------|---|
| Esther Lee Stables, Crockleford Heath | 1 | 1 |
| Land adjacent to Pump Station, Elmstead Market | 1 | 0 |
| Woodfield Bungalow, Great Bentley | 5 | 5 |
| Spring Stables, Gutteridge Hall Lane, Weeley | 3 | 5 |
| Land south of Gutteridge Hall Lane | 0 | 1 |
| The Rose, The Street, Kirby le Soken | 1 | 0 |
| Land south of Gutteridge Hall Lane, Weeley | 1 | 0 |
| Total | 12 | 11 |

In summary, there are 12 established pitches of which only 1 is understood to meet the 2015 definition of a gypsy and traveller, whilst planning permissions have been obtained to deliver a further 11 pitches. The Tendring GTAA identifies a future need, to 2033, of just 1 pitch to meet the needs of travellers that do meet the 2015 definition, 2 pitches for those whose status is unknown/unclear and 3 pitches for those not meeting the 2015 definition. With a total need of 1 to 6 pitches and planning permissions in place to deliver 11, it is clear that there is no need for the Council to make any specific allocations in the Local Plan to meet the future needs of gypsies and travellers. It should be noted however that Policy SP8 in Section 1 of the Local Plan (as proposed for modification following the examination) states that the Tendring Colchester Borders Garden Community will incorporate around 2,200 dwellings within the plan period (as part of an overall total of between 7,000 -9,000 homes) and provision for Gypsy and Travellers which will be more clearly defined, in spatial terms, through the Development Plan Document (DPD) for that location. The GTAA confirms that there is no need for plots for Travelling Showpeople and that the need for any transit provision should be kept under review. In light of this position, it is considered that the first part of Policy LP5 which appears to replicate sections of the GTAA can be substantially reduced in length and simplified. A modification is suggested.

Paragraph 11 of the PPTS states: *"Criteria should be set to guide land supply allocations where there is identified need. Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward. Criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community."* So although there is no requirement for Tendring to identify any specific sites to meet the projected need identified in the GTAA, there is still a requirement to have a criteria-based policy that will be used to determine applications, such as Mr. Buckley's, as and when they come up.

Criteria a) to h) in Policy LP9 have evolved from the recommendations contained within a study prepared for the Council between 2009 and 2011 by consultants Mott MacDonald. The Gypsy Sites Accommodation Study was prepared prior to the introduction of the NPPF and the PPTS and was primarily designed to inform the Council's approach to allocating sites to meet the needs of gypsies and travellers arising from the now-abolished East of England Plan, single-issue review. At that time there were only 5 pitches in existence in Tendring and a need to deliver a further 8 pitches by 2021. The need to make specific allocations has now been superseded by the grants of planning permission, both by the Council and on appeal, for additional pitches as set out above. The study looked at a range of sites and put in place a set of criteria designed to direct pitch provision to preferred locations, with significant input from elected Members of the Council who had significant concerns about gypsy and traveller provision at the time.

The suggestion within the policy that the Council will only approve planning permission for proposals that can demonstrate, with evidence, a genuine need for the proposed level of provision.

Criterion a. states that sites must avoid any adverse impacts on any internationally, nationally or locally designated protected areas and must avoid areas prone to flooding. This criterion is supported by Natural England and the Environment Agency and is not opposed by Mr. Buckley. No modifications are required.

Criterion b. requires reasonable access to key facilities (normally 1.5 miles/2.4km on foot or 15 miles/24km by public transport to primary schools, doctors' surgeries and convenience shops, 2 miles/3.2km on foot or 20 miles/32km by public transport to secondary schools and major employment). Essex County Council questions the source of these suggested distances and Mr. Buckley suggests they are over-prescriptive. The source of these distances is the 2011 Mott MacDonald study which originally suggested reasonable access by walking or public transport to key facilities (normally 30 minutes to primary schools, doctors' surgeries and convenience shops; 40 minutes to secondary schools and major employment). These reflected Essex County Council and Department for Education guidelines which stated that these distances must be exceeded before free school transport is provided. Through public consultation on an earlier (now abandoned) iteration of the draft Local Plan, it was suggested by Essex County Council that these times were better expressed as physical distances in order to aid the practical implementation of the policy. Thus 30 minutes was translated to 1.5 miles/2.4km on foot or 15 miles/24km by public transport and 40 minutes was translated to 2 miles/3.2km on foot or 20 miles/32km by public transport. These guidelines have not been strictly adhered to in the determination of planning applications for gypsy and traveller pitches and it is noted that the equivalent policies in Braintree District Council and Colchester Borough Council's draft Local Plans simply require sites to be *"within a reasonable distance of services and amenities such as shops, schools and medical facilities"* and *"within reasonable proximity to existing sustainable settlements, and with access to shops, schools and other community facilities"* respectively. It is accepted therefore that criterion b. could be modified to make it less prescriptive.

Criterion c. requires that sites should, where possible, utilise previously developed land and recognise the scale of nearby communities. There are no objections to this criterion from Mr. Buckley or anyone else, but modifications are suggested to address Mr Buckley and Natural England's comments in respect of agricultural land at criterion f.

Criterion d. says that sites must not exceed ten pitches in size and must make a minimum allowance of 250 square metres per pitch including circulation and amenity space and a maximum of 350 square metres. Sites should normally be 3miles/4.8km apart with scope for smaller sites to be closer than this. Mr. Buckley has objected on the basis that the size stipulations are unrealistic, unnecessary and discriminatory; a maximum size of 350 square metres is unreasonably small; and a minimum distance between sites is not consistent with national policy. He suggests that the correct approach is to ensure that proposals will not dominate the nearest settled community as suggested in the PPTS. Again, the source of these figures is the 2011 Mott MacDonald Study.

The maximum site size of ten pitches was originally recommended by Mott MacDonald to be set at six pitches which reflected 1) the concerns of Councillors and members of the public about traveller sites growing to an uncontrollable level, 2) government guidance contained in 'Designing Gypsy and Traveller Sites – Good Practice Guide May 2008' which suggested that sites of 6-12 pitches are most popular with gypsies and travellers and 3) the 2007 adopted Local Plan which states that the Council would prefer sites to be in the range of 6-12 caravans on the grounds that smaller sites are easier to manage efficiently and are less likely to generate significant highway or landscape impact issues. The maximum site size in Policy LP9 is however ten pitches because it reflects the grant of planning permission on appeal at Spring Stables, Weeley for an additional 5 pitches on top of the existing 3 and also reflects the 5 pitches at Woodfield Bungalow, Great Bentley where permission for an addition 5 has been granted.

The requirement for pitches to be between 250 and 350 square metres in size comes from the Mott MacDonald. It reflects the Tendring District Council site license requirements for there to be 6m between separately occupied mobile homes, which should be not less than 2m from a road and 3m from a site boundary. It also reflects the DCLG report 'Preparing Regional Spatial Strategy Reviews on Gypsies and Travellers by Regional Planning Bodies' (March 2007) which suggested an average pitch size of 200sqm which also allows for circulation and incidental open space. The maximum size of 350sqm was included in the policy in response to local concerns about pitches being subdivided to create more pitches at a later date. The requirement for sites to be located 3 miles/4.8km apart reflects the views of elected Councillors expressed to Mott MacDonald in the preparation of their study. In reality however, Spring Stables and Woodfield Bungalow are only 3.1km apart and Esther Lee Stables and land adjoining the Pumping Station are only 2.9km apart. This stipulation has therefore not been adhered to in planning decisions and appeal decisions. It is noted that the PPTS does not specify such size requirements, that both policies in the Braintree and Colchester Local Plans do not set size parameters and that most of the pitches that already exist in Tendring exceed the 350sqm maximum. It is accepted therefore that modifications to simplify the requirements of criterion d. can be made.

Criterion e. requires that sites must comprise flat well drained ground and achieve safe access for large vehicles from the local road network and access to utilities. Mr. Buckley suggests that this criterion is broadly consistent with national policy, but the stipulation that the site must be flat is overly restrictive. To address this objection, a modification is suggested to delete the requirement for a site to be flat.

Criterion f. says that sites must be safe for children, achieve aesthetic compatibility with the surroundings with scope for visual and acoustic screening to protect the amenity of nearby residents; and not impact on high grade utilised agricultural land. Mr. Buckley questions why acoustic screening is necessary and suggest that the point on agricultural land should be made to better fit the requirements of paragraph 112 in the NPPF. Natural England also suggest better alignment with NPPF paragraph 112 but also require reference to a soils policy which it requests be included in the Local Plan. The Council does not agree that a soils policy in the Local Plan is necessary, but modifications to bring the policy in line with the NPPF and to address the acoustic screening point are recommended.

Criterion g. requires that sites must be of a high quality design and landscaping, providing a good standard of residential amenity for their occupiers. There are no objections to this requirement so no modifications are required.

Criterion h. requires that sites must be linked to mains services. Mr. Buckley objects to this on the basis that many sites inevitably have a rural or semi-rural setting and that there are many acceptable alternatives available. Braintree's policy requires that sites are capable of being provided with appropriate drainage, water supply and other necessary utility services and for sewerage, a connection to the main sewer system will be preferable except when it is impractical to achieve. A modification is suggested to bring criterion h. more in line with that of Braintree's policy and an addition to the supporting text is suggested, as requested by the Environment Agency.

Suggested modification: Amend paragraph 5.9.3 to reflect the findings of the 2018 update to the Gypsy and Traveller Accommodation Assessment and to enable the text of Policy LP5 to be simplified:

5.9.3 The new requirements are set out in the table below. The GTAA for all local planning authorities in Essex follows a consistent approach and was commissioned jointly by the Councils working in partnership in line with the legal duty to cooperate. The GTAA was updated in 2018. In 2018 there were 11 permanent gypsy and traveller pitches in Tendring and planning permissions in place to deliver a further 11 permanent pitches and 1 temporary pitch. The GTAA for Tendring identifies a future need up to 2033 for 1 additional pitch for households meeting the new definition for a gypsy or traveller, 3 pitches for households not meeting the definition and 2 pitches for households where it is unclear whether or not the definition is met. There are therefore sufficient planning permissions in place without the need to specifically allocate any land for additional gypsy and traveller pitches in this Local Plan. Longer-term provision for gypsy and travellers is however proposed as part of the Colchester Tendring Garden Community and details will be set out in the separate Development Plan Document (DPD) for that area. The GTAA identifies no There is no identified need for plots for travelling showpeople in Tendring.

Suggested modification: Replace paragraph 5.9.4 with a statement about what Planning Policy for Traveller Sites (PPTS) requires Councils to do if there is no need to allocate specific sites:

5.9.4 Of the twelve pitches identified in the 2015 GTAA, three pitches are no longer with travellers or are vacant, of the remaining nine only one interview was accepted and one unauthorised encampment which met the planning definition presented. The pitch requirement for the known need is two pitches and the requirement proxy for the unknown need (due to interviews not being accepted) is presented as also two pitches, giving a requirement of four pitches over the Plan period. Added to this is the need to provide for non-travelling gypsies and travellers that are known to not meet the planning definition of three pitches. Planning Policy for Traveller Sites (2015) says that where there is no identified need for additional gypsy and traveller pitches, Councils should have criteria-based policies in their Local Plan to provide a basis for decisions in case applications nevertheless come forward. Such policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community. Any applications for the creation of new gypsy and traveller sites or additional pitches will be judged against the criteria of Policy LP9 below and any other relevant policies in this Local Plan.

Suggested modification: Insert a new paragraph 5.9.5 into the supporting text as requested by the Environment Agency.

5.9.5 One of the requirements of Policy LP5 is for gypsy and traveller sites to have appropriate drainage, water supply and other necessary utility services. Foul water drainage should preferably be discharged into a public sewer for treatment at a public sewage treatment works. A private means of foul effluent disposal is only acceptable when foul mains drainage is not feasible (in terms of cost and/or practicality). An environmental permit may, depending on flow quantities and any adjacent sensitive area, be required from the Environment Agency.

Suggested modification: Amend and simplify Policy LP5 in light of the latest GTAA evidence, the comments raised by Mr. Buckley and Essex County Council and to make the policy read clearer:

Policy LP 9

TRAVELLER SITES

~~Evidence contained in the Essex Gypsy and Traveller Accommodation Assessment (April 2017) identifies a projected need for two additional pitches in Tendring over the GTAA period to 2033 for Gypsy and Traveller households that meet the planning definition; a need for three additional pitches for Gypsy and Traveller households who do not meet the planning definition – if the potential need from 90% of unknown households is added to this the total need for non-travelling households could rise to five additional pitches. A breakdown of where this need should be addressed is set out in the table below.~~

~~Table 5.1~~

| Additional need for Gypsy and Traveller households broken down by potential delivery method Site Status | Gypsy and Traveller Local Plan Policy | SHMA Housing Policy | Total |
|--|--|--------------------------------|------------------|
| Meet Planning Definition (+10% Unknown) | 2 | 0 | 2 |
| Not meeting Planning Definition (+90% Unknown) | 0 | 5 | 5 |
| Total | 2 | 5 | 7 |

~~Since the GTAA report was published, planning permission for five additional pitches to the south of Woodfield Bungalow, owned by a family of the households that do not meet the planning definition has been granted planning permission. The GTAA stated that if this site receives planning permission, the pitches may be used to meet the need for three additional pitches arising from households living on existing pitches adjacent to Woodfield Bungalow.~~

~~The GTAA also found that any need arising from unknown households – all of which could come from small family sites – could be met through intensification of existing sites.~~

~~Transit Provision: It is recommended that the situation relating to levels of unauthorised encampments should be continually monitored whilst any potential changes associated with Planning Policy for Traveller Sites (2015) develop.~~

~~Travelling Showpeople: There were no Travelling Showpeople identified in Tendring so there is no current or future need for additional plots.~~

~~The projected future need for five gypsy and traveller pitches in Tendring up to 2033 as identified in the Gypsy and Traveller Accommodation Assessment (GTAA) can be met in full through sites that have already obtained planning permission and therefore this Local Plan does not allocate any specific sites for this purpose. It is proposed that further longer-term provision will be met as part of the Colchester Tendring Borders Garden Community. There is no current or future need for any plots for travelling showpeople in Tendring and therefore no land is allocated for this purpose.~~

~~In terms of un-met need when considering any proposals for additional traveller sites or pitches, the Council will consult the latest evidence of need contained in the most recent Gypsy and Traveller Accommodation Assessment and will only approve planning permission for proposals that can demonstrate, with evidence, a genuine need for the proposed level of provision. The Council will consider proposals Any proposals for additional pitches to meet the needs of gypsies and travellers will be considered against criteria a) to h) below alongside other requirements in the Local Plan:~~

- ~~a. sites must avoid any adverse impacts on any internationally, nationally or locally designated protected areas and must avoid areas prone to flooding;~~

- b. sites must have reasonable access to key facilities (~~normally 1.5 miles/2.4km on foot or 15 miles/24km by public transport to including primary schools, doctors' surgeries, and convenience shops, 2 miles/3.2km on foot or 20 miles/32km by public transport to secondary schools and major employment sites~~);*
- c. sites should, ~~where possible~~, only utilise previously developed land or agricultural land of poorer quality and must recognise the scale of nearby communities;*
- d. sites must ~~not exceed ten pitches in size and must make a minimum allowance of 250 square metres per pitch including include suitable circulation and amenity space and a maximum of 350 square metres. Sites should normally be 3 miles/4.8km apart with scope for smaller sites to be closer than this~~;*
- e. sites must comprise ~~flat~~ well drained ground and achieve safe access for large vehicles from the local road network and access to utilities;*
- f. sites must be safe for children, achieve aesthetic compatibility with the surroundings, ~~with scope for visual and acoustic screening to~~ and protect the amenity of nearby residents; ~~and not impact on high grade utilised agricultural land~~;*
- g. sites must be of a high quality design and landscaping, providing a good standard or residential amenity for their occupiers; and*
- h. sites must be linked to mains services capable of being provided with appropriate drainage, water supply and other necessary utility services. For sewerage, a connection to the main sewer system will be preferable except when it is not feasible or practical to achieve.*

This Policy contributes towards achieving Objective 1 of this Local Plan.

Policy LP10: Care, Independent Assisted Living

| ID | Rep ID | Name. Organisation | Legally compliant | Duty to Co-operate | Sound | Positively prepared | Justified | Effective | Consistent with national policy | Hearing/written rep | Supporting docs | Summary of representation | Proposed change to Local Plan | Council response | Contact details |
|---|----------|---|-------------------|--------------------|-------|---------------------|-----------|-----------|---------------------------------|---------------------|-----------------|--|---|---|--|
| Representations from Technical Stakeholders | | | | | | | | | | | | | | | |
| 1019844 | LPPuD173 | NHS England and NEECCG and NHSPS – Jane Mower | Y | Y | N | Y | Y | N | Y | H | N | Policy LP10 should incorporate some wording that will ensure that due to the higher demands of these service users, additional capacity requirements need to be assessed at the time of application. In regards to the provision of additional Healthcare facility capacity, the additional infrastructure (in addition to that which is already provided), the funding and the time the infrastructure is needed should be made clear. | Policy LP10 should incorporate some wording that will ensure that due to the higher demands of these service users, additional capacity requirements need to be assessed at the time of application. In regards to the provision of additional Healthcare facility capacity, the additional infrastructure (in addition to that which is already provided), the funding and the time the infrastructure is needed should be made clear. | The Council will continue to work with NHS England and the CCG to consider the impact of new housing allocations including, as may be appropriate, when design and development briefs are prepared and related planning applications are made. New facilities may be required to be provided (where supported by the health care commissioner/provider) as part of schemes or, alternatively, funding will be required to contribute towards the provision of services off-site to meet the additional demands created. | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Businesses, Landowners and Developers | | | | | | | | | | | | | | | |
| 1106151 | LPPuD325 | Gladman Homes – Phil Bamford | Y | Y | Y | Y | Y | Y | Y | H | Y | Gladman support Policy LP10 on Care and Independent Assisted Living and in particular, the support shown for the construction of high quality care and extra-care housing in sustainable locations. Gladman also support the Council's approach to care homes located outside of Settlement Development Boundaries. | No specific changes to Policy LP10 suggested. | Support is noted. | Details only available to the local authority and the Inspector's Programme Officer. |
| 1070002 | LPPuD411 | Scott Properties – Paul Webster | Y | Y | N | Y | N | Y | Y | N | N | By 2033 around 60% of residents in Tendring will be over the age of 65 and the Local Plan encourages the development of care, independent and assisted living homes in appropriate locations. Policy LP10 relates only to care homes and extra care housing but these do not represent the whole spectrum of housing need for older people. Sites allocated in a Local Plan and/or within a development boundary are likely to command a premium land value (relatively speaking) and higher density development is invariably necessary for it to be viable. However, a distinct area of housing need for older people in the form of age-restricted bungalows but these are 'land hungry' and operate at lower densities which are rarely viable on allocated sites. In order to address the overriding housing needs of the over 65's, Policy LP10 should be amended so as to be permissive of age-restricted, or mobility-restricted bungalow developments on edge of settlement sites. As an alternative, Policy LP6 could be widened to make an exception for such housing, not just affordable housing. | Policy LP6 could be amended so as to be permissive of age-restricted or mobility restricted bungalows on edge of settlement sites (where there is a proven local need). | Policies do not restrict the provision of bungalows as part of the mix of development on residential schemes. Policy LP10 and this supporting paragraph relate to the provision of institutional care and extra-care/assisting living accommodation. The Council has granted planning permission for a number of developments that include predominantly bungalows, in recognition of their popularity in the Tendring area. Careful consideration has been given to whether Policy LP10 could be amended to support private bungalow developments outside of settlement development boundaries, but it is felt that it could lead to development in unsustainable locations. | Details only available to the local authority and the Inspector's Programme Officer. |
| Representations from Community Representatives | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |
| Representations from Members of the Public | | | | | | | | | | | | | | | |
| 1007178 | LPPuD476 | David Wendon | | | N | | | | | N | N | Nowhere in the plan is there any mention of sheltered/assisted living accommodation that will allow residents to remain in their own community and free up larger properties. | Include more mention of sheltered/assisted living accommodation in the Local Plan. | Policy LP10 is the relevant policy to which Mr. Wendon is referred. | Details only available to the local authority and the Inspector's Programme Officer. |

The main point being raised by Scott Properties and indirectly by Mr. Wendon is that the Local Plan could do more to assist in the delivery of residential property for older or mobility-restricted residents either in the form of private bungalows or sheltered/assisted living accommodation. The ageing population is a key issue for Tendring and care and assisted living is recognised as an important area for future economic growth within the Council's Economic Strategy. Policy LP10 provides general support for care homes and extra-care housing in sustainable locations and encourages its provision within the mix of accommodation for the residential and mixed-use developments across the district. The policy then supports care homes outside of settlement development boundaries so long as they are within 800 metres of the edge of a strategic urban settlement, smaller urban settlement or strategic rural service centre; or within 400 metres of the edge of a rural service centre. The criticism of the policy is that it is focussed purely on care homes and extra-care housing yet private retirement accommodation such as private age or mobility restricted bungalows or sheltered housing are not specifically included. Such accommodation can assist in bringing choice to the housing market by allowing older people to downsize thus freeing up family housing for those in need. The argument from Scott Properties is that the prospect of delivering a meaningful amount of such development within the housing and mixed-use allocations in the Local Plan and within settlement development boundaries is severely limited due to their land-take, the limitations of the development model employed by most volume housebuilders and the limited amount of available land within the defined boundaries. It is being suggested that this is a specialist form of accommodation that should be given support as an exception to normal settlement policy, much in the way that Policy LP10 allows for an exceptional approach to the delivery of care homes.

Policy LP2 on Housing Choice does state that the Council will support the development of bungalows, retirement complexes, extra care housing, independent living, starter homes, self-build and other forms of residential accommodation aimed at meeting the future needs of older and disabled residents as well as family housing. However, because the majority of Tendring's housing growth will take place on sites that already have planning permission and an ever decreasing supply of allocated sites, the prospect of delivering such accommodation in significant numbers is becoming increasingly limited and the points raised by Scott Properties are understood. However, if the policy were amended to allow such private accommodation to be developed outside of settlement boundaries there is a risk that it will be exploited as a means of establishing the principle of development thus undermining the spatial strategy of the Local Plan and the purpose of setting development boundaries around towns and villages.

The other problem is that housing aimed at the needs of older people and those with restricted mobility is best located where it has good access to services and facilities whereas locations on the edge of towns and villages do not always fulfil this requirement leading, potentially, to social isolation or reliance on private car use. Furthermore, a significant number of bungalow developments have been granted planning permission in the district and are expected to deliver such homes throughout the plan period. No changes to Policy LP10 are suggested, but the Council would be happy to explore this issue further as part of the examination.

Policy LP11: HMO and Bedsits

| ID | Rep ID | Name. Organisation | Legally compliant | Duty to Co-operate | Sound | Positively prepared | Justified | Effective | Consistent with national policy | Hearing/written rep | Supporting docs | Summary of representation | Proposed change to Local Plan | Council response | Contact details |
|---|--------|--------------------|-------------------|--------------------|-------|---------------------|-----------|-----------|---------------------------------|---------------------|-----------------|---------------------------|-------------------------------|------------------|-----------------|
| Representations from Technical Stakeholders | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |
| Representations from Businesses, Landowners and Developers | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |
| Representations from Community Representatives | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |
| Representations from Members of the Public | | | | | | | | | | | | | | | |
| None received. | | | | | | | | | | | | | | | |

In light of there being no objections to Policy LP11, it is considered to be sound with no modifications required.