Tendring District Council

For official use only
Respondent number:
Date received:
Date acknowledged:

North Essex Strategic Plan

and

Tendring District Local Plan

Preferred Options Consultation

REPRESENTATION FORM

IMPORTANT NOTICE

Please use this form for sending comments to the Council on the Tendring District and North Essex Strategic Plan consultation documents, preferably using the on-line form on our website: **tendring-consult.objective.co.uk** or send by e-mail to **planning.policy@tendringdc.gov.uk**.

Please send your representation form to arrive by **5 pm** on **Thursday 8 September 2016** to:

Planning Policy Manager,
Tendring District Council,
Council Offices,
Thorpe Road,
Weeley
Essex
CO16 9AJ

For further information, please see our web page at www.tendringdc.gov.uk or email: planning.policy@tendringdc.gov.uk alternatively telephone: 01255 686177, 01255 686188 or 01255 686151 to talk to one of the Planning Policy Team.

*Please note that any information supplied to the Council on this form **cannot be kept confidential**. Copies of all responses will be available for inspection at the Council Offices and may be included in a summary schedule of responses to be made available at public libraries and on the Council's website. The Council will enter responses on a computer database, to be used by the Council for the purpose of recording and collating comments and for contacting people and organisations about their responses. Your name, town and comments will be published.*

Please complete your details and those of your agent, if applicable.

Alex Davidson

From: Richard Clews <Richard.Clews@struttandparker.com>
Sent: 08 September 2016 12:27
To: Planning.policy
Cc: Hayley Morley
Subject: Local Plan Representations - St. Monica Trust, Clacton
Attachments: St Monica Trust Clacton (08-09-16) TDC LP reps and Map.pdf

Dear Planning Policy,

Please find attached our completed representation form for our client, the St. Monica Trust, with regards to their interests at Clacton.

Should you have any questions, please contact me directly via the details on the submission form or via reply.

Yours sincerely,

Richard

Richard Clews
Associate Planner
Strutt & Parker LLP
Coval Hall
Chelmsford
Essex
CM1 2QF

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Please complete your details and those of your agent, if applicable.

Name: * St. Monica's Trust **Address:*** C/O Agent **Postcode:** **Organisation:** (if applicable) **Telephone:** **Email:** **Required information*	**Agent's Name:** (if applicable) Richard Clews **Agent's address:** Coval Hall Rainsford Road Chelmsford Essex **Postcode:** **CM1 2QF** **Telephone:** **01245254646** **Email:** Richard.clews@struttandparker.com

Section 1 – Do you Support, Object or wish to Vary any policies or parts?

Please tick the boxes below to indicate whether you support, object to, or would like to vary, any part(s) of the **North Essex Strategic Plan (Part 1 Plan) and Tendring District's Local Plan Preferred Options (Part 2 Local Plan)** consultation documents. You may tick as many or as few boxes as you wish.

If you object to, or would like to vary, any part of the document please give your reasons in the boxes provided after each chapter and make clear which part/s of the plan the comments relate to.

You may continue on a separate sheet of paper if necessary.

You may comment on any other issues in Section 2 below.

Part(s) / Policy Reference of the document			
PART 1 PLAN: NORTH ESSEX STRATEGIC PLAN	**Support**	**Object**	**Vary**
Vision for the Strategic Area			
Policy SP1: Presumption in Favour of Sustainable Development			
Policy SP2 : Meeting Housing Needs		✓	
Policy SP3 : Providing for Employment			
Policy SP4: Infrastructure and Connectivity			
Policy SP5: Place Shaping Principles			
Policy SP6: Spatial Strategic for North Essex			
Policy SP7: Development and Delivery of New Garden Communities in North Essex			
Policy SP8: East Colchester/West Tendring New Garden Community			
Policy SP9: West of Colchester/East Braintree New Garden Community			
Policy SP10: West of Braintree New Garden Community			
Delivery Arrangements			

Part of document	**Reasons for Objection or proposed Variation**
Policy SP2 and LP1	In the context of Government policy, as expressed in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG), we are concerned that the Preferred Options document fails to meet the necessary tests of soundness to enable a Local Plan to be recommended by a Planning Inspector for adoption. Accordingly, we recommend that the spatial distribution and housing allocations should be amended to reflect the proposed spatial strategy, the deliverability of development, and objectively assessed housing needs (OAHN) of the District. In its current form we do not consider the Preferred Options document to be **effective or consistent with national policy** with regards to its approach to meeting the OAN. It is therefore of concern that the plan has not been Positively Prepared on the basis of a strategy "which seeks to meet objectively assessed development and infrastructure requirements ….consistent with achieving sustainable development" (NPPF para. 182).

We are also concerned that the Preferred Options document does not demonstrate the necessary levels of certainty that it will be 'deliverable over its period' (NPPF paragraph 182). There are a number of large scale allocations that will be reliant on significant infrastructure in order to be delivered. As a single example, the 2014 SHLAA that informs the spatial distribution of development indicates that Land North of Cann Hall could deliver 2,205 dwellings and that Land West of Little Clacton Road could deliver 1,912 dwellings, however, the SHLAA notes a *'potential for development post 2031 but significant upfront infrastructure investment would be required'*. The council has allocated these sites for development in the Local Plan but has not confirmed how the significant up front infrastructure will be delivered, or how the initial appraisal that development would be delivered post-2031 has been brought forward sufficiently in order to anticipate its contribution towards the 2,780 dwellings to be delivered in Clacton within the Plan period. The Plan must be capable of delivering the homes and infrastructure required. It is concerning that the Council may have allocated a site that has significant infrastructure requirements in favour of sustainable sites that could deliver homes in the short and medium term, such as Land to the West of Clacton.

Draft Policy SP6 states that "new development will be focused on the principal settlements in each district. Below this level, each local authority will identify a hierarchy of settlements where new development will be accommodated according to the role of the settlement, sustainability, its physical capacity and local needs".

Accordingly, the Spatial Strategy, as set out in the Preferred Options document (at pages 64-71, and LP1) runs directly counter to those principles in two specific cases: Firstly, Weeley is allocated for 1,100 additional homes in the '600dpa' category, and 1,000 dwellings are to be achieved through Windfall, and not distributed according to the Spatial Strategy, which would be more logical.

If the Plan is to represent the Spatial Strategy, under the 600dpa situation the Plan should consider additional development distributed throughout the hierarchy and not into a single settlement. Accordingly, Clacton is ideally positioned to accept additional development. Land West of Clacton would be suitable to provide for an element of the additional housing.

Alternatively, the Council could consider allocating land to be 'reserved' for future growth, to be released after the current Plan or in the situation where the Plan is unable to provide the identified needs, whether due to delay, changing circumstances, unexpected increases in demand, or other reasons. Reserved Land is a standard Planning technique that is able to provide flexibility within a Plan. Land West of Tendring would be well positioned to be allocated as reserved land.

	Furthermore, household projections from DCLG, Table 406, indicate a household growth of 12,280 dwellings will be needed in Tendring between 2013-2033, equal to 613dpa for 20yrs. We are concerned that the Council's proposed development strategy as set out in SP2 will not be sufficient to deliver the OAN for the District. Accordingly, the proposed housing development should be increased to meet the OAHN and additional sites should be identified in sustainable locations to meet the full OAHN as required by the NPPF paragraph 47. Our concerns regarding Windfall are set out elsewhere in this submission.

PART 2 PLAN: TENDRING DISTRICT LOCAL PLAN PREFERRED OPTIONS

SUSTAINABLE PLACES	Support	Object	Vary
Policy SPL1: Managing Growth			
Policy SPL2: Settlement Development Boundaries			
Policy SPL3: Sustainable Design			

Part of document	Reasons for Objection or proposed Variation

VISION & OBJECTIVES	Support	Object	Vary
Part 2 Local Plan: Vision for Tendring			
Part 2 Local Plan: Objectives For the Local Plan			

Part of document	Reasons for Objection or proposed Variation

HEALTHY PLACES	Support	Object	Vary
Policy HP1: Improving Health and Wellbeing			
Policy HP2: Community Facilities			
Policy HP3: Green Infrastructure			

Policy HP4: Open Space, Sports and Recreation Facilities			

Part of document	Reasons for Objection or proposed Variation

LIVING PLACES	Support	Object	Vary
Policy LP1: Housing Supply		✓	
Policy LP2: Housing Choice			
Policy LP3: Housing Density and Standards			
Policy LP4: Housing Layout			
Policy LP5: Affordable Housing			
Policy LP6: Rural Exception Sites			
Policy LP7: Self-Build Homes			
Policy LP8: Backland Residential Development			
Policy LP9: Traveller Sites			
Policy LP10: Care and Assisted Living			
Policy LP11: Houses in Multiple Occupation (HMOs) & Bedsits			

Part of document	Reasons for Objection or proposed Variation
LP1	As set out under SP2 above, we recommend that the spatial distribution and housing allocations should be amended to reflect the proposed spatial strategy, the deliverability of development, and objectively assessed housing needs (OAHN) of the District. In its current form we do not consider the Preferred Options document to be **effective or consistent with national policy** with regards to its approach to meeting the OAN. It is therefore of concern that the plan has not been Positively Prepared on the basis of a strategy "which seeks to meet objectively assessed development and infrastructure requirements ....consistent with achieving sustainable development" (NPPF para. 182). We are also concerned that the Preferred Options document does not demonstrate the necessary levels of certainty that it will be 'deliverable over its period' (NPPF paragraph 182). There are a number of large scale allocations that will be reliant on significant infrastructure in order to be delivered. As a single example, the 2014 SHLAA that informs the spatial distribution of development indicates that Land North of Cann Hall could deliver 2,205 dwellings and that Land West of Little Clacton Road could deliver 1,912 dwellings, however, the SHLAA notes a *'potential for*

development post 2031 but significant upfront infrastructure investment would be required'. The council has allocated these sites for development in the Local Plan but has not confirmed how the significant up front infrastructure will be delivered, or how the initial appraisal that development would be delivered post-2031 has been brought forward sufficiently in order to anticipate its contribution towards the 2,780 dwellings to be delivered in Clacton within the Plan period. The Plan must be capable of delivering the homes and infrastructure required. It is concerning that the Council may have allocated a site that has significant infrastructure requirements in favour of sustainable sites that could deliver homes in the short and medium term, such as Land to the West of Clacton.

Draft Policy SP6 states that "new development will be focused on the principal settlements in each district. Below this level, each local authority will identify a hierarchy of settlements where new development will be accommodated according to the role of the settlement, sustainability, its physical capacity and local needs".

Accordingly, the Spatial Strategy, as set out in the Preferred Options document at pages 64-71 and LP1, runs directly counter to those principles by proposing 1,000 dwellings to be achieved through Windfall, and not distributed according to the Spatial Strategy, which would be more logical. We have further concerns regarding windfall that are set out below. In principle, if the Preferred Option is to represent the Spatial Strategy, under the 600dpa situation it should consider additional development distributed throughout the hierarchy. Accordingly, Clacton is ideally positioned at the top of the hierarchy to accept additional development. Land West of Clacton would be suitable to provide for an element of the additional housing.

Alternatively, the Council could consider allocating land to be 'reserved' for future growth, to be released after the current Plan or in the situation where the Plan is unable to provide the identified needs, whether due to delay, changing circumstances, unexpected increases in demand, or other reasons. Reserved Land is a standard Planning technique that is able to provide flexibility within a Plan. Land West of Tendring would be well positioned to be allocated as reserved land.

Furthermore, household projections from DCLG, Table 406, indicate a household growth of 12,280 dwellings will be needed in Tendring between 2013-2033, equal to 613dpa for 20yrs. We are concerned that the Council's proposed development strategy as set out in SP2 will not be sufficient to deliver the OAN for the District. Accordingly, the proposed housing need set out in Policies SP2 and LP1 should be increased to meet the OAHN and additional sites should be identified in sustainable locations to meet the full OAHN as required by the NPPF paragraph 47.

The Council is relying on the delivery of 1,000 dwellings from windfall sites to meet

its housing need (Policy LP1). Paragraph 48 of the NPPF states that:

> *"Local planning authorities **may** make an allowance for windfall sites in the five-year supply **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. Any allowance should be **realistic** having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and **expected future trends**, and should not include residential gardens"* (emphasis added).

The Draft Local Plan places significant reliance on windfall to meet housing need, with 9-10% of the total proposed housing allocation (depending on 550 or 600dpa) 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.

The Local Plan 2013-33 should seek to meet the full OAHN by allocating sufficient land for housing. If the council rely on a significant windfall allowance to meet the OAHN, without clear justification in accordance with Paragraph 48 of the NPPF, the Plan will be unsound.

The glossary to the NPPF confirms that Windfall Sites are those that: '*have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available*'. Relying on a high level of windfall is contrary to the definition of windfall and should be avoided, so that these sites provide a genuine boost above the identified need.

Further, the Council's evidence base indicates that it is able to identify a sufficient number of available, suitable and achievable sites in sustainable locations to meet the full OAHN. To rely on windfall sites, which are by definition those not identified in a local plan, may result in the Plan being unjustified and unsound

Accordingly, it is recommended that the Plan seek to allocate additional sites in order to meet the full OAHN and that Land West of Cherry Tree Avenue would be capable

	of providing a suitable location for an element of the housing requirement.

PROSPEROUS PLACES	Support	Object	Vary
Policy PP1: New Retail Development			
Policy PP2: Retail Hierarchy			
Policy PP3: Village and Neighbourhood Centres			
Policy PP4: Local Impact Threshold			
Policy PP5: Town Centre Uses			
Policy PP6: Employment Sites			
Policy PP7: Employment Allocations			
Policy PP8: Tourism			
Policy PP9: Hotels and Guesthouses			
Policy PP10: Holiday Parks			
Policy PP11: Camping and Caravanning			
Policy PP12: Improving Education and Skills			
Policy PP13: The Rural Economy			
Policy PP14: Priority Areas for Regeneration			

Part of document	Reasons for Objection or proposed Variation

PROTECTED PLACES	Support	Object	Vary
Policy PPL1: Development and Flood Risk			
Policy PPL2: Coastal Protection Belt			
Policy PPL3: The Rural Landscape			
Policy PPL4: Biodiversity and Geodiversity			
Policy PPL5: Water Conservation, Drainage and Sewerage			
Policy PPL6: Strategic Gaps		✓	
Policy PPL7: Archaeology			
Policy PPL8: Conservation Areas			
Policy PPL9: Listed Buildings			
Policy PPL10: Enabling Development			

Policy PPL11: Renewable Energy Generation			
Policy PPL12: The Avenues Area of Special Character, Frinton-On-Sea			
Policy PPL13: The Gardens Area of Special Character, Clacton-On-Sea			
Policy PPL14: Ardleigh Reservoir Catchment Area			
Policy PPL15: Safeguarding of Civil Technical Site, North East of Little Clacton/South of Thorpe-Le-Soken			

Part of document	Reasons for Objection or proposed Variation
PPL6	The principle of Strategic Green Gaps is generally supported as a policy carried forward from the 2007 Local Plan. However, the Council have chosen to remove significant areas of Green Gap for the Preferred Options Consultation but has not indicated why the proposed areas are preferable for release compared to other, potentially more sustainable and more deliverable, locations that are also within the Green Gap. We are therefore concerned that the preferred option is not demonstrated to be the most appropriate strategy compared to the reasonable alternatives, where those alternatives would include other, more appropriate sites, either within or outside of a Green Gap. Furthermore, alternative allocations to the Council's preferred option should have formed part of the Consultation in order to provide the public and stakeholders with genuine alternatives for consideration, in accordance with paragraph 155 of the NPPF, which states that: *A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area...'*.

CONNECTED PLACES	**Support**	**Object**	**Vary**
Policy CP1: Sustainable Transport and Accessibility			
Policy CP2: Improving The Transport Network			
Policy CP3: Improving The Telecommunications Network			
POLICIES MAPS			✓

Part of document	Reasons for Objection or proposed Variation
Map 10A	In accordance with our comments relating to the need for the Plan to identify sufficient sites to meet the full OAHN for the District, and the benefits of building flexibility into the Local Plan, the Plan should identify additional sustainable locations to provide housing throughout the Plan period around Clacton. To provide a more robust approach to housing delivery around Clacton, which is the highest tier of settlement in the Local Plan and the focus of growth, additional sites should be identified for housing and other development around the settlement. Map 10A should be amended to include sites identified as sustainable in the SA/SEA and as available in the Council's SHLAA. This approach would assist with meeting the

	housing need annually. Given the infrastructure required to deliver the Council's Preferred Option around Clacton, sites could be identified as Reserved Land in order to build flexibility into the Plan. Land West of Cherry Tree Avenue (site UE1.2 in the Council's 2014 SHLAA), would be well located to meet a portion of any additional need, or be set aside to provide Reserved Land for future development.

Part(s) / Policy Reference of the document	Support	Object	Vary
Delivery Infrastructure			
Monitoring and Review			
Appendix A – Glossary			
Appendix B – Consultation Undertaken			
Appendix C – Local Maps			
Appendix D – Local Wildlife Sites and Ancient Woodland			
Appendix E – Heritage Assets			

Part of document	Reasons for Objection or proposed Variation

Section 2 – Any other comments

If you have any other comments, please give further details below, indicating which part of the document you are commenting on.

Date: 6th September 2016

Signature:

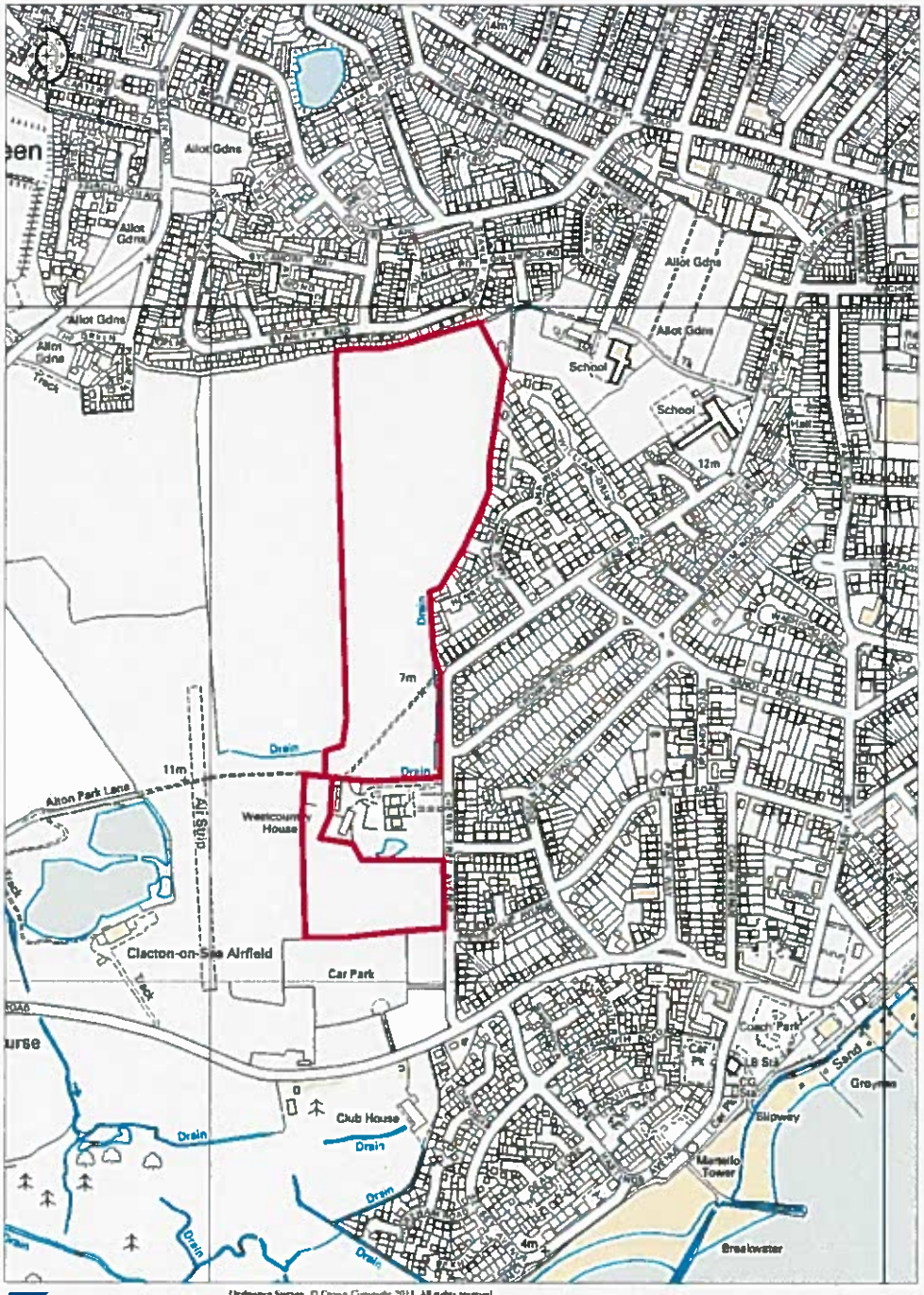
[redacted]

Thank you for your comments.

The Council will consider all responses before preparing its Submission Development Plan Document.

Land to the west of Clacton

STRUTT & PARKER



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Please complete your details and those of your agent, if applicable.

Name: Stephen Williams **Address:** 13 Regency Close Chelmsford Essex **Postcode:** CM2 6DU **Organisation:** **Telephone:** 07743438184 **Email:** stephen.williams@hillsgroup.com **Required information*	**Agent's Name:** **Agent's address:** **Postcode:** **Telephone:** **Email:**

Section 1 – Do you Support, Object or wish to Vary any policies or parts?

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Part(s) / Policy Reference of the document			
PART 1 PLAN: NORTH ESSEX STRATEGIC PLAN	**Support**	**Object**	**Vary**
Vision for the Strategic Area			
Policy SP1: Presumption in Favour of Sustainable Development			
Policy SP2 : Meeting Housing Needs			
Policy SP3 : Providing for Employment			
Policy SP4: Infrastructure and Connectivity			
Policy SP5: Place Shaping Principles			
Policy SP6: Spatial Strategic for North Essex			
Policy SP7: Development and Delivery of New Garden Communities in North Essex			
Policy SP8: East Colchester/West Tendring New Garden Community			✓
Policy SP9: West of Colchester/East Braintree New Garden Community			
Policy SP10: West of Braintree New Garden Community			
Delivery Arrangements			

Part of document	**Reasons for Objection or proposed Variation**
Policy SP8 **(East Colchester** **/West Tendring)**	**Please see attached**

PART 2 PLAN: TENDRING DISTRICT LOCAL PLAN PREFERRED OPTIONS

SUSTAINABLE PLACES	Support	Object	Vary
Policy SPL1: Managing Growth			✓
Policy SPL2: Settlement Development Boundaries			
Policy SPL3: Sustainable Design			

Part of document	Reasons for Objection or proposed Variation
Policy SPL1	**Please see attached**

VISION & OBJECTIVES	Support	Object	Vary
Part 2 Local Plan: Vision for Tendring			
Part 2 Local Plan: Objectives For the Local Plan			

Part of document	Reasons for Objection or proposed Variation

HEALTHY PLACES	Support	Object	Vary
Policy HP1: Improving Health and Wellbeing			
Policy HP2: Community Facilities			
Policy HP3: Green Infrastructure			
Policy HP4: Open Space, Sports and Recreation Facilities			

Part of document	Reasons for Objection or proposed Variation

LIVING PLACES	Support	Object	Vary
Policy LP1: Housing Supply			✓
Policy LP2: Housing Choice			
Policy LP3: Housing Density and Standards			
Policy LP4: Housing Layout			
Policy LP5: Affordable Housing			
Policy LP6: Rural Exception Sites			
Policy LP7: Self-Build Homes			
Policy LP8: Backland Residential Development			
Policy LP9: Traveller Sites			
Policy LP10: Care and Assisted Living			
Policy LP11: Houses in Multiple Occupation (HMOs) & Bedsits			

Part of document	Reasons for Objection or proposed Variation
Policy LP1	**Please see attached**

PROSPEROUS PLACES	Support	Object	Vary
Policy PP1: New Retail Development			
Policy PP2: Retail Hierarchy			
Policy PP3: Village and Neighbourhood Centres			
Policy PP4: Local Impact Threshold			
Policy PP5: Town Centre Uses			
Policy PP6: Employment Sites			
Policy PP7: Employment Allocations			
Policy PP8: Tourism			
Policy PP9: Hotels and Guesthouses			
Policy PP10: Holiday Parks			
Policy PP11: Camping and Caravanning			
Policy PP12: Improving Education and Skills			
Policy PP13: The Rural Economy			
Policy PP14: Priority Areas for Regeneration			

Part of document	Reasons for Objection or proposed Variation

PROTECTED PLACES	Support	Object	Vary
Policy PPL1: Development and Flood Risk			
Policy PPL2: Coastal Protection Belt			
Policy PPL3: The Rural Landscape			
Policy PPL4: Biodiversity and Geodiversity			
Policy PPL5: Water Conservation, Drainage and Sewerage			
Policy PPL6: Strategic Gaps			
Policy PPL7: Archaeology			
Policy PPL8: Conservation Areas			
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Policy PPL10: Enabling Development			
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Policy PPL15: Safeguarding of Civil Technical Site, North East of Little Clacton/South of Thorpe-Le-Soken			

Part of document	Reasons for Objection or proposed Variation

CONNECTED PLACES	Support	Object	Vary
Policy CP1: Sustainable Transport and Accessibility			
Policy CP2: Improving The Transport Network			
Policy CP3: Improving The Telecommunications Network			
POLICIES MAPS			

Part of document	Reasons for Objection or proposed Variation

Part(s) / Policy Reference of the document	Support	Object	Vary
Delivery Infrastructure			
Monitoring and Review			
Appendix A – Glossary			
Appendix B – Consultation Undertaken			
Appendix C – Local Maps			✓
Appendix D – Local Wildlife Sites and Ancient Woodland			
Appendix E – Heritage Assets			

Part of document	Reasons for Objection or proposed Variation
Appendix C (Local Maps)	Please see attached

Section 2 – Any other comments

If you have any other comments, please give further details below, indicating which part of the document you are commenting on.

Date: 08/09/16

Signature: S.Williams

Thank you for your comments.

The Council will consider all responses before preparing its Submission Development Plan Document.

Tendring District Local Plan – Preferred Options Draft
Representations on behalf of Mr Stephen Williams

Date: September 2016

Policy SP8 (East Colchester/West Tendring new garden community)

We have no objection to the principle of a new garden community on the borders of Colchester and Tendring, or the assumption that this new garden community will expand beyond the Plan period as a major location for growth in North Essex.

Our concerns relate principally to the need to ensure that assumptions regarding deliverability in the Plan period are realistic for this location.

The draft Policy notes that the details for the proposed development would be the subject of a joint Masterplan Framework to be prepared by Colchester and Tendring districts Councils, and it is reasonable to assume that the majority of the Masterplan Framework preparation will not occur until after the Local Plan has been Examined and found sound (though we accept that an element of 'twin tracking' of the LPD and Masterplan processes could occur). It might therefore be reasonably expected that the Masterplan Framework will not be in place until circa 2018/19, after which an initial planning application(s) would need to come forward, coupled with the appropriate s106 agreement in respect of infrastructure delivery, before any development could commence. We note from the background documentation produced that there is an expectation of significant community involvement in the design of the garden communities, which is important, but which needs to be factored in to the lead in time for delivery.

At this stage, therefore, and in the absence of a more specific project programme for this location, the earliest that it might be expected that housing construction could start on site would be circa 2021, and even that would be a challenging target, given that it is only 5 years away, and the Local Plan is still only at Preferred Options stage. In reality, it is highly likely that commencement on site would take longer to achieve than that.

Tendring district tends to be a relatively slower housing market compared to other parts of North Essex, and in this location, it might be expected that a strategic development, once output reaches full production, could deliver in the order of 100 - 150 dwellings per annum, depending upon the affordable housing element (we note that Section 8.4 of the Options and Evaluation Report suggests 120 units, or 160 units with 25% affordable). Assuming a reasonable average of, say, 125 units per annum, this would delivery only 1500 units within the Plan period, not 2,500.

We appreciate from the background documentation that it is intended to set up innovative Local Delivery Vehicles to help deliver the new garden communities, and there may be mechanisms by which such LDVs might be able to support consistent delivery, but the establishment of these LDVs themselves represents a further potential hurdle to the early commencement of the new garden communities, as the new legal and procedural arrangements for delivery will need to be in place in advance of commencement of construction. The assumption in section 8.4 of the Options and Evaluation Report that a combination of an LDV and marketing of the concept of garden communities can add 50% to delivery rates is wholly without any evidence or foundation.

It is also relevant to note that this particular development option straddles two local authority boundaries, and notwithstanding the co-operation being shown on the strategic development principles, this factor creates additional complexities for delivery.

The above (albeit at this stage rough) estimates of delivery suggest that the relevant Local Plans need to find sites for in the region of an additional 1000 units, to overcome the shortfall in likely delivery in the Plan period.

In the absence of an agreed phasing plan for the new garden community, it is difficult at this stage to be precise about the extent to which any delivery shortfall would affect the Tendring Local Plan, but assuming a likely phased delivery from the west (fringes of Colchester) towards the east, it is possible that none of the 1,164 units assumed to be delivered within Tendring district will in fact come forward in the Plan period.

Policy SPL1 (Managing Growth)

We broadly support the settlement hierarchy set out in Policy SPL1, and the distinction between the different categories of settlements. We support the identification of the 6 Rural Service Centres, which are of a large scale and support a wide range of services and also a relatively good level of public transport accessibility.

We note that the draft Local Plan identifies Weeley as an 'expanded settlement', on the basis that this former Rural Service Centre has been identified in the Plan for a larger scale of growth than the other Rural Service Centres.

In the light of the likely shortfall in delivery from the new garden suburb (as per our representations to Policy SP8), we consider that it may be necessary/desirable to identify one or more additional Rural Services Centres capable of delivering a planned increased in the level of new homes (coupled obviously with the provision of appropriate social and community infrastructure).

Brightlingsea is regarded as a 'smaller urban settlement' which along with the other settlements with this status in the District will deliver between 1,500 to 2,500 in the plan period. As mentioned within 2.5 of the consultation document Brightlingsea is a sustainable location that is capable of delivering sustainable housing growth.

Through the Local Plan process, the co-ordination of additional development in Brightlingsea would help to meet the need district-wide for additional short term deliverable housing sites.

Policy LP1 (Housing Supply)

For the reasons set out in our representations to Policy SP8, we do not consider that the 1,164 units identified under Policy LP1 for East Colchester can be relied upon for delivery within Tendring District within the Plan period.

Accordingly, we consider that there is a likely shortfall in planned housing supply within the Plan period.

We consider that part at least of this shortfall could be addressed through additional allocations at the Rural Service Centres, where scope exists to provide appropriately scaled new housing allocations, alongside the co-ordination and delivery of appropriate local community infrastructure.

Appendix C (Local Map)

In the light of our representations to SP8, SPL1, and LP1, we consider that the additional land shown on the attached plan should be considered for inclusion within the respective settlement boundary/allocated

for housing. As indicated on Map 9 (Page 193) of the Consultation Document this site is partially within the proposed development boundary already.

As noted in our representations to SPL1, through the Local Plan process, the co-ordination of additional development in Brightlingsea would help to meet the need district-wide for additional short term deliverable housing sites.

Land Off Samsons Road, Brightlingsea

Naomi Hart 1022792

From: Stephen Williams <Stephen.Williams@hillsgroup.com>
Sent: 08 September 2016 12:36
To: Planning.policy
Subject: Tendring Local Plan Preferred Options - Representations on behalf of Mr George Wright
Attachments: Representation Form - Mr George Wright.pdf; TDC Local Plan - Preferred Options Draft Respresentations.pdf; Great Bentley - Green Hatching..pdf

Please find attached representations on behalf of Mr George Wright regarding the Preferred Options draft Local Plan.

I would appreciate acknowledgement of receipt in due course.

Thanks,

Steve

Stephen Williams
Senior Developments Manager

Hills Building Group

Residential Construction Grange Marsh

Bridge Mill House, Brook Street Business Centre, Brook Street, Colchester CO1 2UZ
T: 01206 226064
www.hillsgroup.co.uk

Tendring District Council

For official use only
Respondent number:
Date received:
Date acknowledged:

North Essex Strategic Plan

and

Tendring District Local Plan

Preferred Options Consultation

REPRESENTATION FORM

IMPORTANT NOTICE

Please use this form for sending comments to the Council on the Tendring District and North Essex Strategic Plan consultation documents, preferably using the on-line form on our website: **tendring-consult.objective.co.uk** or send by e-mail to **planning.policy@tendringdc.gov.uk**.

Please send your representation form to arrive by **5 pm** on **Thursday 8 September 2016** to:

Planning Policy Manager,
Tendring District Council,
Council Offices,
Thorpe Road,
Weeley
Essex
CO16 9AJ

For further information, please see our web page at www.tendringdc.gov.uk or email: planning.policy@tendringdc.gov.uk alternatively telephone: 01255 686177, 01255 686188 or 01255 686151 to talk to one of the Planning Policy Team.

*Please note that any information supplied to the Council on this form **cannot be kept confidential**. Copies of all responses will be available for inspection at the Council Offices and may be included in a summary schedule of responses to be made available at public libraries and on the Council's website. The Council will enter responses on a computer database, to be used by the Council for the purpose of recording and collating comments and for contacting people and organisations about their responses. Your name, town and comments will be published.*

Please complete your details and those of your agent, if applicable.

Name: Mr George Wright **Address: c/o Agent** [redacted] Great Bentley Essex **Postcode:** [redacted] **Organisation:** (if applicable) **Telephone:** **Email:** **Required information*	**Agent's Name:** **Agent's address:** **Postcode:** **Telephone:** **Email:**

Section 1 – Do you Support, Object or wish to Vary any policies or parts?

Please tick the boxes below to indicate whether you support, object to, or would like to vary, any part(s) of the **North Essex Strategic Plan (Part 1 Plan) and Tendring District's Local Plan Preferred Options (Part 2 Local Plan)** consultation documents. You may tick as many or as few boxes as you wish.

If you object to, or would like to vary, any part of the document please give your reasons in the boxes provided after each chapter and make clear which part/s of the plan the comments relate to.

You may continue on a separate sheet of paper if necessary.

You may comment on any other issues in Section 2 below.

Part(s) / Policy Reference of the document			
PART 1 PLAN: NORTH ESSEX STRATEGIC PLAN	**Support**	**Object**	**Vary**
Vision for the Strategic Area			
Policy SP1: Presumption in Favour of Sustainable Development			
Policy SP2 : Meeting Housing Needs			
Policy SP3 : Providing for Employment			
Policy SP4: Infrastructure and Connectivity			
Policy SP5: Place Shaping Principles			
Policy SP6: Spatial Strategic for North Essex			
Policy SP7: Development and Delivery of New Garden Communities in North Essex			
Policy SP8: East Colchester/West Tendring New Garden Community			✓
Policy SP9: West of Colchester/East Braintree New Garden Community			
Policy SP10: West of Braintree New Garden Community			
Delivery Arrangements			

Part of document	**Reasons for Objection or proposed Variation**
Policy SP8 (East Colchester /West Tendring)	**Please see attached**

PART 2 PLAN: TENDRING DISTRICT LOCAL PLAN PREFERRED OPTIONS			
SUSTAINABLE PLACES	**Support**	**Object**	**Vary**
Policy SPL1: Managing Growth			✓
Policy SPL2: Settlement Development Boundaries			
Policy SPL3: Sustainable Design			

Part of document	**Reasons for Objection or proposed Variation**
Policy SPL1	**Please see attached**

VISION & OBJECTIVES	**Support**	**Object**	**Vary**
Part 2 Local Plan: Vision for Tendring			
Part 2 Local Plan: Objectives For the Local Plan			

Part of document	**Reasons for Objection or proposed Variation**

HEALTHY PLACES	**Support**	**Object**	**Vary**
Policy HP1: Improving Health and Wellbeing			
Policy HP2: Community Facilities			
Policy HP3: Green Infrastructure			
Policy HP4: Open Space, Sports and Recreation Facilities			

Part of document	**Reasons for Objection or proposed Variation**

LIVING PLACES	Support	Object	Vary
Policy LP1: Housing Supply			✓
Policy LP2: Housing Choice			
Policy LP3: Housing Density and Standards			
Policy LP4: Housing Layout			
Policy LP5: Affordable Housing			
Policy LP6: Rural Exception Sites			
Policy LP7: Self-Build Homes			
Policy LP8: Backland Residential Development			
Policy LP9: Traveller Sites			
Policy LP10: Care and Assisted Living			
Policy LP11: Houses in Multiple Occupation (HMOs) & Bedsits			

Part of document	Reasons for Objection or proposed Variation
Policy LP1	**Please see attached**

PROSPEROUS PLACES	Support	Object	Vary
Policy PP1: New Retail Development			
Policy PP2: Retail Hierarchy			
Policy PP3: Village and Neighbourhood Centres			
Policy PP4: Local Impact Threshold			
Policy PP5: Town Centre Uses			
Policy PP6: Employment Sites			
Policy PP7: Employment Allocations			
Policy PP8: Tourism			
Policy PP9: Hotels and Guesthouses			
Policy PP10: Holiday Parks			
Policy PP11: Camping and Caravanning			
Policy PP12: Improving Education and Skills			
Policy PP13: The Rural Economy			
Policy PP14: Priority Areas for Regeneration			

Part of document	Reasons for Objection or proposed Variation

PROTECTED PLACES	Support	Object	Vary
Policy PPL1: Development and Flood Risk			
Policy PPL2: Coastal Protection Belt			
Policy PPL3: The Rural Landscape			
Policy PPL4: Biodiversity and Geodiversity			
Policy PPL5: Water Conservation, Drainage and Sewerage			
Policy PPL6: Strategic Gaps			
Policy PPL7: Archaeology			
Policy PPL8: Conservation Areas			
Policy PPL9: Listed Buildings			
Policy PPL10: Enabling Development			
Policy PPL11: Renewable Energy Generation			
Policy PPL12: The Avenues Area of Special Character, Frinton-On-Sea			
Policy PPL13: The Gardens Area of Special Character, Clacton-On-Sea			
Policy PPL14: Ardleigh Reservoir Catchment Area			
Policy PPL15: Safeguarding of Civil Technical Site, North East of Little Clacton/South of Thorpe-Le-Soken			

Part of document	Reasons for Objection or proposed Variation

CONNECTED PLACES	Support	Object	Vary
Policy CP1: Sustainable Transport and Accessibility			
Policy CP2: Improving The Transport Network			
Policy CP3: Improving The Telecommunications Network			
POLICIES MAPS			

Part of document	Reasons for Objection or proposed Variation

Part(s) / Policy Reference of the document	Support	Object	Vary
Delivery Infrastructure			
Monitoring and Review			
Appendix A – Glossary			
Appendix B – Consultation Undertaken			
Appendix C – Local Maps			✓
Appendix D – Local Wildlife Sites and Ancient Woodland			
Appendix E – Heritage Assets			

Part of document	Reasons for Objection or proposed Variation
Appendix C (Local Maps)	Please see attached

Section 2 – Any other comments

If you have any other comments, please give further details below, indicating which part of the document you are commenting on.

Date: 08/09/16

Signature: G.Wright

Thank you for your comments.

The Council will consider all responses before preparing its Submission Development Plan Document.

Tendring District Local Plan – Preferred Options Draft
Representations on behalf of Mr George Wright

Date: September 2016

Policy SP8 (East Colchester/West Tendring new garden community)

We have no objection to the principle of a new garden community on the borders of Colchester and Tendring, or the assumption that this new garden community will expand beyond the Plan period as a major location for growth in North Essex.

Our concerns relate principally to the need to ensure that assumptions regarding deliverability in the Plan period are realistic for this location.

The draft Policy notes that the details for the proposed development would be the subject of a joint Masterplan Framework to be prepared by Colchester and Tendring districts Councils, and it is reasonable to assume that the majority of the Masterplan Framework preparation will not occur until after the Local Plan has been Examined and found sound (though we accept that an element of 'twin tracking' of the LPD and Masterplan processes could occur). It might therefore be reasonably expected that the Masterplan Framework will not be in place until circa 2018/19, after which an initial planning application(s) would need to come forward, coupled with the appropriate s106 agreement in respect of infrastructure delivery, before any development could commence. We note from the background documentation produced that there is an expectation of significant community involvement in the design of the garden communities, which is important, but which needs to be factored in to the lead in time for delivery.

At this stage, therefore, and in the absence of a more specific project programme for this location, the earliest that it might be expected that housing construction could start on site would be circa 2021, and even that would be a challenging target, given that it is only 5 years away, and the Local Plan is still only at Preferred Options stage. In reality, it is highly likely that commencement on site would take longer to achieve than that.

Tendring district tends to be a relatively slower housing market compared to other parts of North Essex, and in this location, it might be expected that a strategic development, once output reaches full production, could deliver in the order of 100 - 150 dwellings per annum, depending upon the affordable housing element (we note that Section 8.4 of the Options and Evaluation Report suggests 120 units, or 160 units with 25% affordable). Assuming a reasonable average of, say, 125 units per annum, this would delivery only 1500 units within the Plan period, not 2,500.

We appreciate from the background documentation that it is intended to set up innovative Local Delivery Vehicles to help deliver the new garden communities, and there may be mechanisms by which such LDVs might be able to support consistent delivery, but the establishment of these LDVs themselves represents a further potential hurdle to the early commencement of the new garden communities, as the new legal and procedural arrangements for delivery will need to be in place in advance of commencement of construction. The assumption in section 8.4 of the Options and Evaluation Report that a combination of an LDV and marketing of the concept of garden communities can add 50% to delivery rates is wholly without any evidence or foundation.

It is also relevant to note that this particular development option straddles two local authority boundaries, and notwithstanding the co-operation being shown on the strategic development principles, this factor creates additional complexities for delivery.

The above (albeit at this stage rough) estimates of delivery suggest that the relevant Local Plans need to find sites for in the region of an additional 1000 units, to overcome the shortfall in likely delivery in the Plan period.

In the absence of an agreed phasing plan for the new garden community, it is difficult at this stage to be precise about the extent to which any delivery shortfall would affect the Tendring Local Plan, but assuming a likely phased delivery from the west (fringes of Colchester) towards the east, it is possible that none of the 1,164 units assumed to be delivered within Tendring district will in fact come forward in the Plan period.

Policy SPL1 (Managing Growth)

We broadly support the settlement hierarchy set out in Policy SPL1, and the distinction between the different categories of settlements. We support the identification of the 6 Rural Service Centres, which are of a large scale and support a wide range of services and also a relatively good level of public transport accessibility.

We note that the draft Local Plan identifies Weeley as an 'expanded settlement', on the basis that this former Rural Service Centre has been identified in the Plan for a larger scale of growth than the other Rural Service Centres.

In the light of the likely shortfall in delivery from the new garden suburb (as per our representations to Policy SP8), we consider that it may be necessary/desirable to identify one or more additional Rural Services Centres capable of delivering a planned increased in the level of new homes (coupled obviously with the provision of appropriate social and community infrastructure).

Great Bentley occupies a strategic location, central within the district and serving a wide rural hinterland, and is a Rural Service Centre capable of accommodating additional development, as an expansion to the allocation already proposed within the draft Local Plan.

Through the Local Plan process, the co-ordination of additional development at Great Bentley could not only help to meet the need district-wide for additional short term deliverable housing sites, but could also serve to secure the delivery of additional local community infrastructure.

Policy LP1 (Housing Supply)

For the reasons set out in our representations to Policy SP8, we do not consider that the 1,164 units identified under Policy LP1 for East Colchester can be relied upon for delivery within Tendring District within the Plan period.

Accordingly, we consider that there is a likely shortfall in planned housing supply within the Plan period.

We consider that part at least of this shortfall could be addressed through additional allocations at the Rural Service Centres, where scope exists to provide appropriately scaled new housing allocations, alongside the co-ordination and delivery of appropriate local community infrastructure.

Appendix C (Local Map)

In the light of our representations to SP8, SPL1, and LP1, we consider that the additional land shown on the attached plan should be considered for inclusion within the respective settlement boundary/allocated for housing.

As noted in our representations to SPL1, through the Local Plan process, the co-ordination of additional development at Great Bentley would help to meet the need district-wide for additional short term deliverable housing sites.

SITE

Area = 14.81 Hectares

North

Additional Land Option - Site Location

1 : 2500

NO DIMENSIONS TO BE SCALED FROM THIS DRAWING

Revisions	Date	Drawn	Chkd
P01 First Issue	23/06/14	SW	SW

Project

Additional Land Housing Development, Great Barney

Title

Additional Land Option - Site Location Plan

Project No	Drawing No	Revision
3522 - 0100		P01

1 : 2500 @ A2 INFORMATION

HBG-KLH-XX-00-DR-A-0100 02

KLH Architects

The Old Stockyard, Prairie Lane
Springfield Ipswich, IP6 3HL

1022779

Alex Davidson

From: Sam Hollingworth <Sam.Hollingworth@struttandparker.com>
Sent: 08 September 2016 15:50
To: Planning.policy
Subject: Tendring Local Plan Preferred Options - Land West of Plough Road - City & Country
Attachments: Land W of Plough Road - Appendix 1 - Site plan.pdf; Land W of Plough Road - Appendix 2 - Transport Feasability Assessment.pdf; Land W of Plough Road - Appendix 3 - Landscape Note.pdf; Preferred Options reps - Great Bentley - W of Plough Road.pdf

Dear Sir or Madam,

Please find attached representations on the Tendring Local Plan Preferred Options submitted on behalf of City & Country, and in respect of Land West of Plough Road, Great Bentley.

I would be grateful if you could confirm safe receipt.

Kind regards,

Sam

Sam Hollingworth
BA(Hons) MA MRTPI
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Strutt & Parker LLP
Coval Hall
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CM1 2QF

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Tendring District Council Draft Local Plan

Land West of Plough Road, Great Bentley

September 2016

Strutt & Parker LLP

1.0 Introduction

1.1 These representations to the Tendring District Council (TDC) Preferred Options (Regulation 18) Consultation are submitted by Strutt and Parker LLP on behalf of City & Country, who are actively seeking to promote the residential development of Land West of Plough Road, Great Bentley, which is outlined in red on the plan provided as **Appendix 1** to this submission.

1.2 In addition to this representation, and separately, representations are also being made on the Preferred Options by Strutt and Parker LLP on behalf of City & Country in relation to two additional sites with the potential to accommodate residential development for Great Bentley (Land North of Thorrington Road, and Land South of Thorrington Road). All three sites are considered sustainable and deliverable and have the potential to come forward for housing.

1.3 Map 16 of the Preferred Options sets out the proposed settlement boundary for Great Bentley, including land allocations proposed to be included therein. Land South of Thorrington Road, whilst being situated immediately adjacent to the settlement boundary, is not proposed for inclusion within the defined limits.

1.4 In brief, our concerns as set out in these representations and by reference to policies and the supporting paragraphs, are that the Preferred Options will not enable delivery of sufficient housing to meet the needs of the District and, critically, does not consider the role and importance of enhancing and maintaining the vitality of rural settlements in the District, contrary to the National Planning Policy Framework (NPPF). It is considered that suitable sites in suitable settlements, such as the Land South of Thorrington Road, Great Bentley, should be allocated to help meet that objective for Great Bentley.

1.5 Land South of Thorrington Road represents a deliverable and sustainable site for development. Its rejection is unjustified, and renders the plan ineffective and contrary to the NPPF, as set out in detail within this representation.

2.0 Approach to meeting housing need

2.1 The NPPF is clear on the importance of housing delivery. The core planning principles set out in the NPPF includes the following:

> "Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities".

2.2 The NPPF calls for a significant boost to the supply of housing and for the delivery of a wide choice of high quality homes. In order to significantly boost the supply of housing, the NPPF states (paragraph 47) that Local Planning Authorities should prepare Local Plans that meet the full, objectively assessed needs for housing market and affordable housing in the housing market area, as far as is consistent with policies in the NPPF.

2.3 Further to the above, the NPPF makes clear that in order for Local Plans to be sound they must be based on a strategy which seeks to meet objectively assessed development needs in full (including unmet needs requirements from neighbouring authorities); and they should be deliverable over the plan period.

2.4 Having regard to the above, it is imperative that the Local Plan has a deliverable housing strategy in place to significantly boost housing supply and meet objectively assessed housing needs in full. It is therefore disconcerting that the Local Plan seeks to place a significant reliance on windfall development in order to meet housing need, with 1,000 dwellings projected to be delivered through such form of housing development.

2.5 Paragraph 48 of the NPPF states that:

> *"Local planning authorities **may** make an allowance for windfall sites in the five-year supply **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. Any allowance should be **realistic** having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and **expected future trends**, and should not include residential gardens"* (emphasis added).

2.6 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.

2.7 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 specific period in time, under particularly planning circumstances (including an out-of-date Local Plan).

2.8 Accordingly, if the Local Plan is ultimately to be found sound, it will be necessary to reduce reliance on windfall to meet housing need. Instead, additional sites should be allocated for housing development.

2.9 The Preferred Options also proposes that housing development through large, strategic growth locations make a significant contribution towards meeting housing need in the District.

2.10 The District has a clear housing need now.

2.11 Whilst we do not object to the principle of a proportion of housing need being met through strategic growth locations, it is important that the Local Plan recognises the complexity and challenges in respect of their delivery, accounts for the fact they are unlikely to come forward in the early part of the plan period, and ensures sufficient flexibility to account for them experiencing difficulties in being

delivered. It is important that strategic growth locations are supplemented by a range of smaller sites that can be delivered relatively quickly, and whose delivery is less complex and more certain.

3.0 Housing distribution strategy

Proposed approach

3.1 Policy LP1 of the Preferred Options performs two functions: it set out the proposed total number of homes to be delivered between 2015 and 2032 (minimum of 10,149); and it also sets out the proposed distribution of housing growth by settlement / area.

3.2 Also of relevance to the distribution of housing growth is Policy (Part 2) SP1 – Managing Growth. This sets out the settlement hierarchy in the District and proposes new development within the District will follow what is said to be the established settlement hierarchy.

3.3 Policy LP1 proposes housing growth is heavily weighted towards Clacton-on-Sea (27% of total minimum District total allocation), one of three strategic urban settlement in the settlement hierarchy. Smaller but still relatively high proportions of housing growth are proposed to be directed to the other identified strategic urban settlements of Colchester Fringe and Harwich & Dovercourt (11% and 8%, respectively of minimum District total allocation).

3.4 The proposed settlement hierarchy set out in SPL 1 of the Preferred Options identifies Great Bentley as one of six Rural Service Centres in the District. The Preferred Options states that some of these villages will accommodate a modest increase in housing stock, where appropriate, within the plan period; and that such growth will make a meaningful contribution toward addressing local housing needs, supporting the village economy and assisting with the overall housing growth proposed for the District.

3.5 Notwithstanding the aforementioned description of Rural Service Centres in the Preferred Options, it is noted that such settlements are only proposed to accommodate a total of 333 dwellings between them over the entire plan period.

3.6 Further, it must be recognised that the NPPF notes the important role planning has to play in ensuring village communities are sustained. It states at paragraph 55 that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

3.7 Further to the requirements of the NPPF, the National Planning Practice Guidance (NPPG) explains how Local Planning Authorities should support sustainable rural communities. This states (at paragraph: 001 Reference ID: 50-001-20160519) the following:

> *"It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements."*

And

"A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. ***Rural housing is essential to ensure viable use of these local facilities"*** *(emphasis added).*

3.8 Having regard to the above, the Preferred Options' stated aim of directing a proportion of housing growth to rural settlements to help support the village economy and contribute towards local housing need is supported. However, the Preferred Options' approach to achieving this – the delivery of a mere 333 dwellings between all six Rural Service Centres – is not supported. Such a quantum of development between these settlements is considered unlikely to support their respective rural communities.

3.9 Looking specifically at Great Bentley, the village has a population of 2,381 (2011 Census) and is centrally located within the District and approximately 7 miles east of the large centre of Colchester.

3.10 The village benefits from access to pubs, restaurants and takeaways, a convenience store, a primary school, a doctors' surgery and pharmacy, a sports club and grounds, a village hall and scout hut, Plough Road Business Centre, and accessible public open space, including allotments.

3.11 Great Bentley benefits from a railway station that is situated on the Sunshine Coast Line; a branch of the Great Eastern Main Line. This railway line provides regular connections between the village, Clacton and Colchester. In addition, London Liverpool Street is readily accessible from Colchester, thereby providing commutable access to London. Bus links are also provided within the village that afford opportunities for sustainable travel to the towns of Colchester, Clacton and various settlements in between.

3.12 Great Bentley provides a relatively large amount of employment for a settlement of its size, with the Parish Council reporting that businesses within the village collectively provide approximately 200 jobs.

3.13 The village is a vibrant rural community, home to a large number of community groups and events, including carnival and village show.

3.14 When combining the level of local service provision with the available public transport, it is clear that the settlement is a sustainable location to accommodate additional growth. Further, it will be critical that the Local Plan supports this thriving community and enables it to continue to grow.

3.15 In addition to the above, the adopted 2007 Local Plan identifies Great Bentley as being within the same category of settlement as Weeley in respect of the spatial strategy (Policy QL1). SPL1 of the Preferred Options proposes Weeley be identified as 'Expanded Settlement', and Great Bentley 'Rural Service Centre'.

3.16 At paragraph 2.8 the Preferred Options explains that Weeley has been selected for major development because of its strategic location at the heart of the District, good transport connections and relatively unconstrained land. All of these factors equally apply to Great Bentley, and it is submitted that Great Bentley is equally well-placed to be able to accommodate additional residential growth. Given the need to significantly boost housing land-supply, the need to meet objectively

assessed housing need, and the current over reliance on windfall, there is clear justification to direct a greater quantum of housing to Great Bentley.

3.17 Accordingly, we question the justification for the low number of additional new homes proposed for Rural Service Centres and Great Bentley in particular. As set out within Section 2 of this submission, we have concerns with regard to the reliance placed on windfall to meet housing need. It is considered that it would far more effective and justified to direct a greater quantum of development to Rural Service Centres, and reduce reliance on windfall.

Consideration of alternatives and identification of the most appropriate strategy

3.18 The NPPF (paragraph 182) requires the Local Plan to be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

3.19 Further, the Environmental Assessment of Plans and Programmes Regulations (2004) (the SEA Regulations) impose a number of requirements on Local Authorities in the preparation of Local Plans. These include the requirement that all reasonable alternatives be considered and assessed to the same level of detail as the preferred approach; and that the reasons for the selection of preferred alternative, and the rejection of others, be set out. The NPPF states (paragraph 165) that a sustainability appraisal which meets the requirements of the European Directive on strategic environmental assessment should be an integral part of the plan preparation process.

3.20 Having regard to the above, the SA/SEA which accompanies the Preferred Options should consider and appraise reasonable alternatives in respect of both the total quantum of dwellings, and its spatial distribution.

3.21 However, in relation to its assessment of Policy LP1 it only considers alternatives in respect of the total number of housing to be delivered within the District; and not in relation to its spatial distribution.

3.22 It is not clear from the SA/SEA, for example, why the alternative of directing a greater quantum of housing to Rural Service Centres, such as Great Bentley, has been rejected in favour of the preferred approach. The SEA/SA does not appear to include a comparative assessment of potential housing distribution strategies.

3.23 In relation to Policy (Part 2) SPL1, the SA/SEA states at paragraph 6.1.2.:

> *"It is felt that the general hierarchy beyond those elements representing the Garden Community and the Expanded Settlement currently reflects existing settlement size and proportionate growth across them. For this reason,* ***no other alternatives have been considered reasonable****" (emphasis added).*

3.24 However, even if there are indeed no reasonable alternatives in respect of the settlement hierarchy, there are clearly alternatives to the preferred option which states that new development within the District will following the established settlement hierarchy.

3.25 This issue is particularly pertinent given that Local Plans should not adopt an overly prescriptive approach to the distribution of housing based on the proposed settlement hierarchy. This would result in an overly simplistic approach, which would fail to direct development to the most sustainable locations, and could result in more suitable and sustainable opportunities being overlooked. In respect of this, we draw the Council's attention to the comments of the examining Planning Inspector of the 2014 Uttlesford Local Plan Submission document, who stated the following:

> *"Where it can be justified by relevant economic, social and environmental factors a case can sometimes be made to direct a greater or lesser amount of development to a settlement than would reflect its strict place in the settlement hierarchy. Some of the factors discussed during the hearing (eg locally identified demographic and other needs, local constraints and opportunities, patterns of bus services, and inter-relationships between particular settlements) can be relevant to such decisions and can be considered in taking the plan forward".*

4.0 Land to the West of Plough Road

4.1 As set out in Section 3, Great Bentley is an appropriate settlement to accommodate a proportion of housing growth. Further, Land West of Plough Road, Great Bentley is a sustainable and deliverable site to help accommodate this growth.

4.2 Land West of Plough Road comprises approximately 3 hectares of arable agricultural land, and forms part of a wider field to the south and west. To the north, the site is bounded by a residential property and to the east, the site is bounded by Plough Road. The site adjoins the public highway, where access is possible from Plough Road, which is subject to a 30mph speed limit.

4.3 A Transport Feasibility Assessment has been prepared by Vectos and accompanies this DLP representation (**Appendix 2**). Within this report, it is concluded that suitable vehicular and pedestrian access can be provided to the site, where the residential development of the land would have a minimum impact on the local highway network.

4.4 The site is particularly well-located in relation to the railway station, located well within potential walking distance to the south of it. Further, the site is also located in close proximity to Plough Road Business Centre, which provide employment opportunities.

4.5 The site is situated within Flood Zone 1 and is not at risk of flooding from rivers or the sea. A residential use of the site would therefore considered to be appropriate, due to the low risk of flooding. On this basis, it also considered that the site would be sequentially appropriate for residential development.

4.6 The site is not constrained by any natural, historic or built designations: it is not subject to any heritage, environmental or ecological designations that could restrict its development for homes.

4.7 The site was assessed as part of the Council's 2014 Strategic Housing Land Availability Assessment (SHLAA) as site RS 2.2. Through this, the Council considered the site to be unavailable for development, and questioned its achievability within the plan period. However, it should be recognised that this assessment was predicated on there being no developer interest. Clearly this situation has now changed, as the site is being actively promoted by an established house-builder. Consequently, in

addition to being a suitable site it should also be considered achievable and available, i.e. it is deliverable.

4.8 The SHLAA also questions the capacity of the Primary School to accommodate additional pupils resulting from development in Great Bentley. This issue is clearly as relevant for any potential site in Great Bentley. Indeed, the Preferred Options Sustainability Appraisal Environmental Report notes the following:

> *"The two sites [proposed to be] allocated in Great Bentley are also likely to have cumulative impacts on local primary school capacity; however this will need consultation and discussion with Essex County Council as the school commissioning authority."*

4.9 Additional development in Great Bentley has the potential to assist in the provision of educational facilities for the community; and the provision of requisite educational facilities should be seen as a matter to be addressed through the Local Plan, rather than as a barrier to growth.

4.10 It is considered that a residential development could be provided on the site that would be in keeping with its edge of settlement location, and the form and layout of nearby residential areas. Plough Road is already characterised by residential development to the north and east of the site. The Council's assessment of site RS 2.2 within the SHLAA, it has been considered that the site represents a sensible and logical location for the peripheral expansion of Great Bentley. Furthermore, within the Landscape and Visual Technical Note, the following conclusion is made:

> *"The appropriate development of the site that includes the principles as set-out above will ensure that development of the site reflects the character of Great Bentley, whilst also respecting the landscape and visual context within which the settlement sits within the wider landscape... This includes the provision of a development that relates well to the existing settlement pattern, reflects local character and reinforces the landscape structure, including the enhancement of boundaries through additional tree planting and sustainable urban drainage features incorporated within an area of public open space, providing a soft edge to the settlement".*

4.11 Against this background the settlement boundary for Great Bentley should be amended to include the land to the west of Plough Road as a site that would be suitable for development to respond to the issues set out in this representation, in particular the need to meet objectively assessed housing need, significantly boost the supply of housing, and to support thriving rural communities.

4.12 Within the SHLAA, the Council has considered that the site is neither available nor achievable. This is not correct. The site is available to be developed and with developer interest, the site is also achievable within the short term, to make a demonstrable contribution to the Council's supply of housing land, including affordable housing. The development, adjacent to the settlement boundary of the village of Great Bentley, would assist in providing a more even distribution of housing growth across the Borough and it would also assist in reducing the reliance on large strategic sites or more environmentally constrained sites, which may not be developable, especially in the short term. The site is sustainable and there are no significant constraints to delivery.

4.13 It is noted that the adjacent site to the east of Plough Road is the subject of a current planning appeal (reference APP/P1560/W/15/3141016), in respect of the development of the land to comprise 150 dwellings and a B1 employment area (outline application). The Inspector's decision will be a relevant material planning consideration when considering whether the land to the west of Plough Road should be allocated within the new Local Plan, as many of the factors pertaining to its suitability for housing will be shared with this site. The progress of this appeal should be monitored as the Local Plan process continues.

Reasons for rejection

4.14 As noted within Section 3 of this representation, the NPPF and SEA Regulations require plans prepared to be the most appropriate strategy when compared with reasonable alternatives, for the reason for the rejection and selection of alternatives to be made clear, and for reasonable alternatives to be assessed to the same level of detail as preferred option.

4.15 For the reasons set out in this representation, it is clear that Land Wet of Plough Road, Great Bentley is – at the very least – a potential site for residential allocation that merits due consideration. Nevertheless, the site does not appear to have been appraised as part of the SA/SEA that accompanies the Preferred Options.

4.16 As such the reasons for its rejection, and the preference for alternative sites in Great Bentley and other Rural Service Centres is far from clear.

4.17 The lack of justification for the rejection of the site is particularly pertinent as 1) Land to the West of Plough Road, Great Bentley is considered a sustainable and deliverable for residential development; and 2) there is a clear housing need, and one which the Preferred Options as currently will not – with the requisite certainty – meet (see for example our comments on the reliance on windfall). In these circumstances it is particularly concerning that reasonable alternatives have been rejected without due consideration.

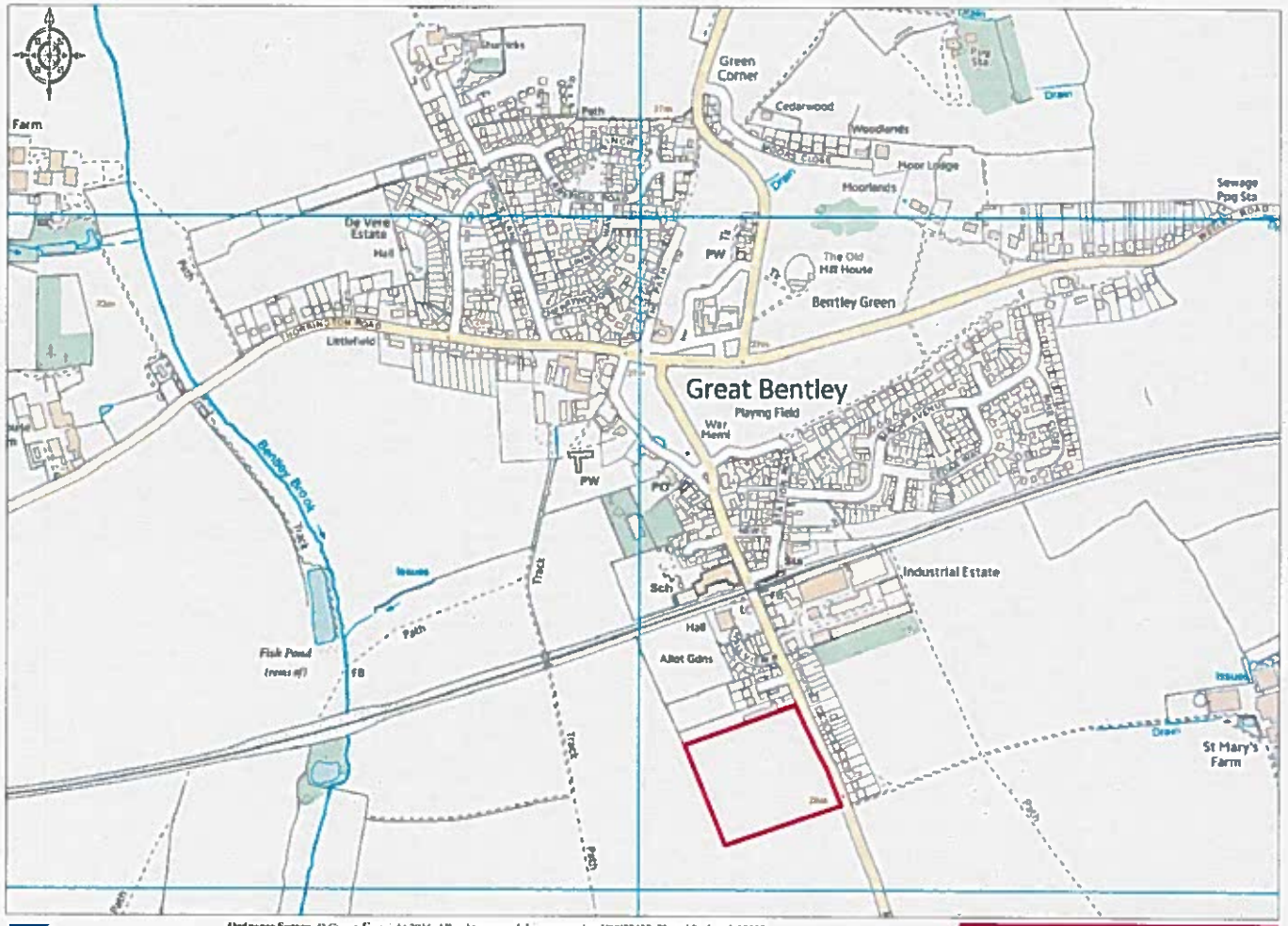
5.0 Overview

5.1 It is critical that the Local Plan includes policies that will meet objectively assessed housing need, ensure a continuous adequate and deliverable supply of housing over the plan-period (providing sufficient certainty in this respect), and help support existing rural communities such as Great Bentley.

5.2 Land West of Plough Road, Great Bentley represents a sustainable and deliverable site for housing which could contribute towards a sound and sustainable strategy for growth in the District, either alone or in combination with other Great Bentley sites.

5.3 There is no justification for the rejection of Land West of Plough Road, Great Bentley and the next iteration of the Local Plan should propose its residential allocation if it is to be a sound plan.

Land West of Plough Road, Great Bentley



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STRUTT & PARKER

Transport Feasibility Assessment

Great Bentley

N01-162394 Rev 2

6th September 2016

Introduction

1. Vectos has been commissioned by City & Country to provide initial feasibility advice for three potential development sites in Great Bentley. The sites are:

   - Land north of Thorrington Road (GB1);
   - Land south of Thorrington Road (GB2); and
   - Land west of Plough Road (GB3).

Site Location & Accessibility

Site Location

2. The locations of the proposed sites are illustrated below in **Figure 1**.

3. In terms of site accessibility, the sites are well located and within easy walking distance to a number of local amenities. Within walking distance of the sites there are a number of local shops (including convenience food shopping) as well as services such as a doctor's surgery.

4. There is one primary school within the vicinity of the sites, Great Bentley Primary School. This is located on Plough Road, approximately 880m south-east of GB1 and GB2 and 290m north of GB3. The nearest secondary school is the Colne Community School and College in Brightlingsea, which is approximately 6km to the south-west of Great Bentley and can be accessed via the B1029.

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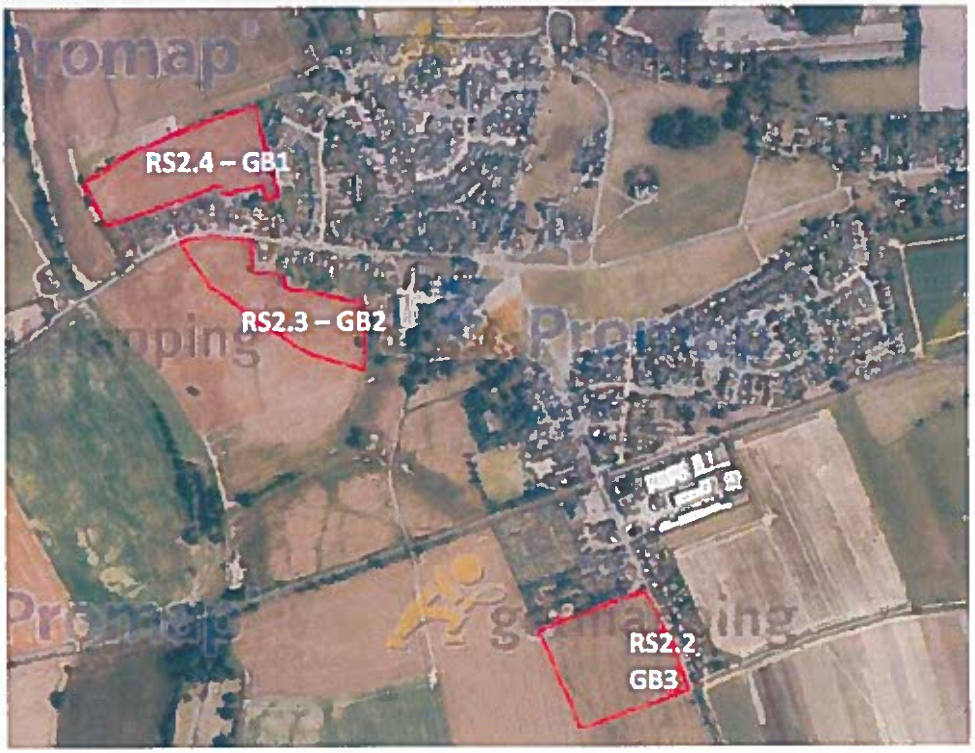
Tel: 020 7580 7373 www.vectos.co.uk

Company no. 7591661
Registered address: Vectos (South) Limited, Hardwick House, Prospect Place, Swindon SN1 3LJ

Figure 1 – GB3 Site Location

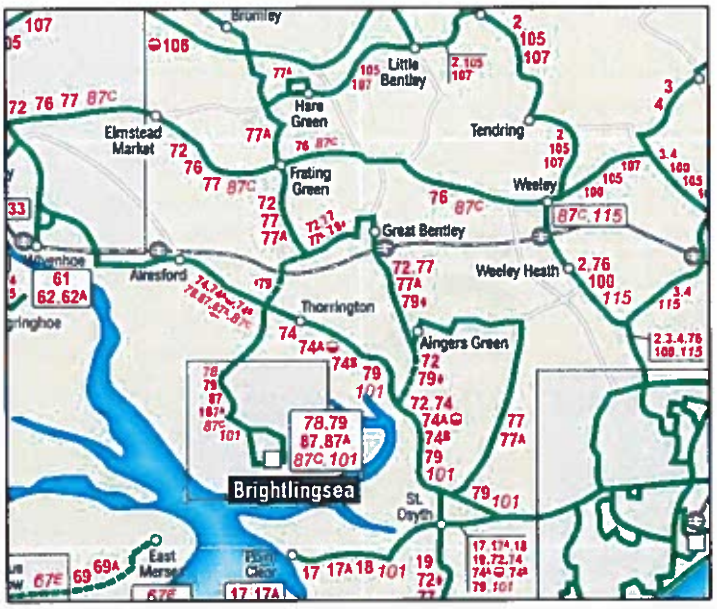


Public Transport Accessibility

Bus Services

5. There are bus stops on both Thorrington Road and Plough Road, which are served by Routes 72, 77, 77A and 79. An extract from the Essex bus map is included as **Figure 2** below.

Figure 2 – Great Bentley Bus Routes



6. **Table 1** below summarises the frequency of the bus services.

Table 1: Existing Bus Services

No.	Destinations	Weekdays	Saturday	Sunday
72	Colchester – St Osyth – Clacton	1/week in each direction (Wed)	None	None
77	Colchester – Elmstead - Great Bentley – St Osyth	5/day in each direction	None	None
77A	Aingers Green – Great Bentley - Colchester	1/day in each direction	None	None
79	Brightlingsea – Great Bentley - Clacton	2/week in each direction (Tues & Thurs)	None	None

7. **Table 2** summarises the walking distances to bus stops from each of the sites, measured from the site access point proposed in this note. It can be seen that the sites are within easy walking distance to bus stops.

Table 2: Walking Distances to Bus Stops

Site Ref	Site Description	Walking Distance to nearest Bus Stop
GB1	North of Thorrington Road	270m
GB2	South of Thorrington Road	270m
GB3	West of Plough Road	320m

Rail

8. Great Bentley railway station is located approximately 850m walking distance from sites GB1 and GB2, and 260m walking distance from site GB3. The station is located on the line between Colchester and Walton-on-the-Naze. From Colchester services run to destinations including London Liverpool Street, Chelmsford, Ipswich and Norwich. The journey time to Colchester is 28 minutes.

9. From Monday to Saturday there is one train per hour in each direction and on Sundays there is one train per hour to London Liverpool Street and one per hour to Clacton-on-Sea.

Summary

10. The sites are located in an accessible location which is within walking and cycling distance of a range of facilities and amenities typically used by residents, such as a primary school, GP surgery, pharmacy, food retail and convenience store facilities.

11. The sites are also accessible by bus and rail, and these services provide access to destinations including Colchester and Clacton-on-Sea and London.

12. The sites are well connected to the existing built form of Great Bentley. They have good access to rail and are served by a number of bus services. The sites are compliant with NPPF in terms of location and accessibility.

Site Access Arrangements

13. According to the Essex Design Guide, access roads serving up to 100 dwellings in the form of a cul-de-sac, or up to 200 via a link or loop road are classed as Type 4 Minor Access Roads. These accesses are required to provide a minimum carriageway width of 4.8m, allowing two vehicles to pass, and provide a footway on either side, one of which should provide a minimum width of 2.0m. The access should be designed for speeds of 20mph, reflecting their residential nature and a minimum kerb radius of 6m is required at junctions.

14. The proposed access arrangements for each of the sites are discussed below in the context of the requirements set out in the Essex Design Guide and Manual for Streets (MfS) as appropriate.

Site GB1

15. It is envisaged that Site GB1 could provide circa 75-90 residential units.

16. In order to access Site GB1 it is proposed to demolish an existing residential property on Thorrington Road, which is located at the west of the site. This would allow for an access to be constructed which accords with the Essex Design Guide requirements for minor access roads, as shown in **Drawing 162394/A/06.** It should be noted that the access would fall within the 30mph zone, which begins approximately 40m west of the proposed access location.

17. A carriageway width of 4.8m could be provided to allow two way vehicle movements, and footways of 2.0m in width could be provided along both sides of the access. Kerb radii of 6m can also be provided.

18. At the junction with Thorrington Road, a visibility splay of 2.4m x 43m to the left can be achieved, which accords with MfS guidance for roads with speeds of 30mph. It should be noted that speed surveys would be required to confirm that current vehicle speeds do not exceed 30mph.

19. To the right, a visibility splay of 2.4m x 120m can be achieved. This satisfies Design Manual for Roads and Bridges (DMRB) guidance for roads with speeds of 40mph. Although the site access is within the 30mph zone, this visibility splay has been provided to account for vehicles changing speeds upon entering the 30mph limit whilst previously travelling at the national speed limit (60mph). Speed surveys would be required to determine actual vehicle speeds at the location of the proposed site access.

20. It should be noted that to achieve the visibility splays to the right; this would require vegetation clearance within the verge. This would also ensure that sufficient forward visibility is provided for vehicles approaching the site access from the west. As the access is located prior to the crest of the hill when approaching from the west, the provision of adequate forward visibility is not considered to be an issue, providing that vegetation in the verge is cleared.

Site GB2

21. It is envisaged that Site GB2 could provide circa 50-60 residential units. Access to site GB2 can be provided directly from Thorrington Road, in the form of a new, simple priority junction. Sufficient space is available to design the access in accordance with the requirements for minor access roads provided in the Essex Design Guide, as shown in **Drawing 162394/A/07.**

22. A carriageway width of 4.8m could be provided, with footways of 2.0m in width provided along both sides of the access. The access is within a 30mph zone, and as such it has been demonstrated that visibility splays of 2.4m x 43m can be provided, which accord with MfS guidance, subject to the visibility envelope being kept clear of all vegetation higher than 0.6m. Kerb radii of 6m can also be provided, in line with Essex Design Guide requirements.

Site GB3

23. It is envisaged that Site GB3 could provide circa 75-90 residential units. Access to Site GB3 can be provided via Plough Road, in the form of a simple priority junction, as shown in **Drawing 162394/A/08.**

24. It should be noted that the proposed location for the access is within the 30mph zone for Great Bentley, approximately 110m north of the change in speed restrictions to the national speed limit (60mph). It has been demonstrated that visibility splays of 2.4m x 43m can be provided to the left and right at the proposed site access, in accordance with MfS guidance for 30mph roads, however as described previously, speed surveys would be required to confirm average vehicle speeds.

25. The proposed design of the site access provides a carriageway width of 4.8m, with 2.0m wide footways along both sides of the carriageway, thus satisfying the requirements for minor access roads provided in the Essex Design Guide. Kerb radii of 6m can also be provided.

26. The footways along the site access extend to the junction with Plough Road, and continue north and south respectively to uncontrolled crossing points. The crossing points would provide dropped kerbs and tactile paving, allowing residents to cross from the site to the existing footways along the east side of Plough Road.

Development Quantum

27. Information provided by City & Country estimates that the sites could provide the following quantum of development, as summarised in **Table 3** below.

Table 3: Development Quantum per Site

Site Reference	Site Area	Development Quantum
GB1	Circa 3ha	75 – 90 units
GB2	Circa 2ha	50 – 60 units
GB3	Circa 3ha	75 – 90 units

28. Based on a preliminary trip generation exercise for 60 units (Site GB2) and 90 units (Site GB1 and GB3), in the AM peak hour (0800-0900) the developments are estimated to generate approximately 27 two way vehicle trips and 41 two way vehicle trips respectively. In the PM peak hour (1700-1800) Site GB2 is estimated to generate approximately 29 two way vehicle trips, and Sites GB1 and GB3 approximately 44 two way vehicle trips each. For all three sites this is less than one additional vehicle per minute.

29. A summary of the preliminary trip generation exercise for Site GB2 is presented in **Table 4** and for Sites GB1 and GB3 in **Table 5** below.

Table 4: Site GB2 Vehicle Trip Generation (60 units)

	AM Peak (0800-0900)			PM Peak (1700-1800)			12 Hour (0700-1900)		
	Arr	Dep	Tot	Arr	Dep	Tot	Arr	Dep	Tot
Trip Rate	0.102	0.356	0.458	0.318	0.169	0.487	1.986	2.081	4.067
Vehicle Trips	6	21	27	19	10	29	119	125	244

Table 5: Site GB1 & GB3 Vehicle Trip Generation (90 units)

	AM Peak (0800-0900)			PM Peak (1700-1800)			12 Hour (0700-1900)		
	Arr	Dep	Tot	Arr	Dep	Tot	Arr	Dep	Tot
Trip Rate	0.102	0.356	0.458	0.318	0.169	0.487	1.986	2.081	4.067
Vehicle Trips	9	32	41	29	15	44	179	187	366

30. It is considered that in the context of existing traffic present within Great Bentley, the additional traffic generated by each of the three sites would represent a small proportional increase and would be unlikely to result in any detrimental impacts on the operation of the local highway network.

Conclusions

31. In terms of accessibility, the sites are well located within easy walking distance to a number of local amenities. Within walking distance of the sites there are a number of local shops (including convenience food shopping) a doctor's surgery and a primary school.

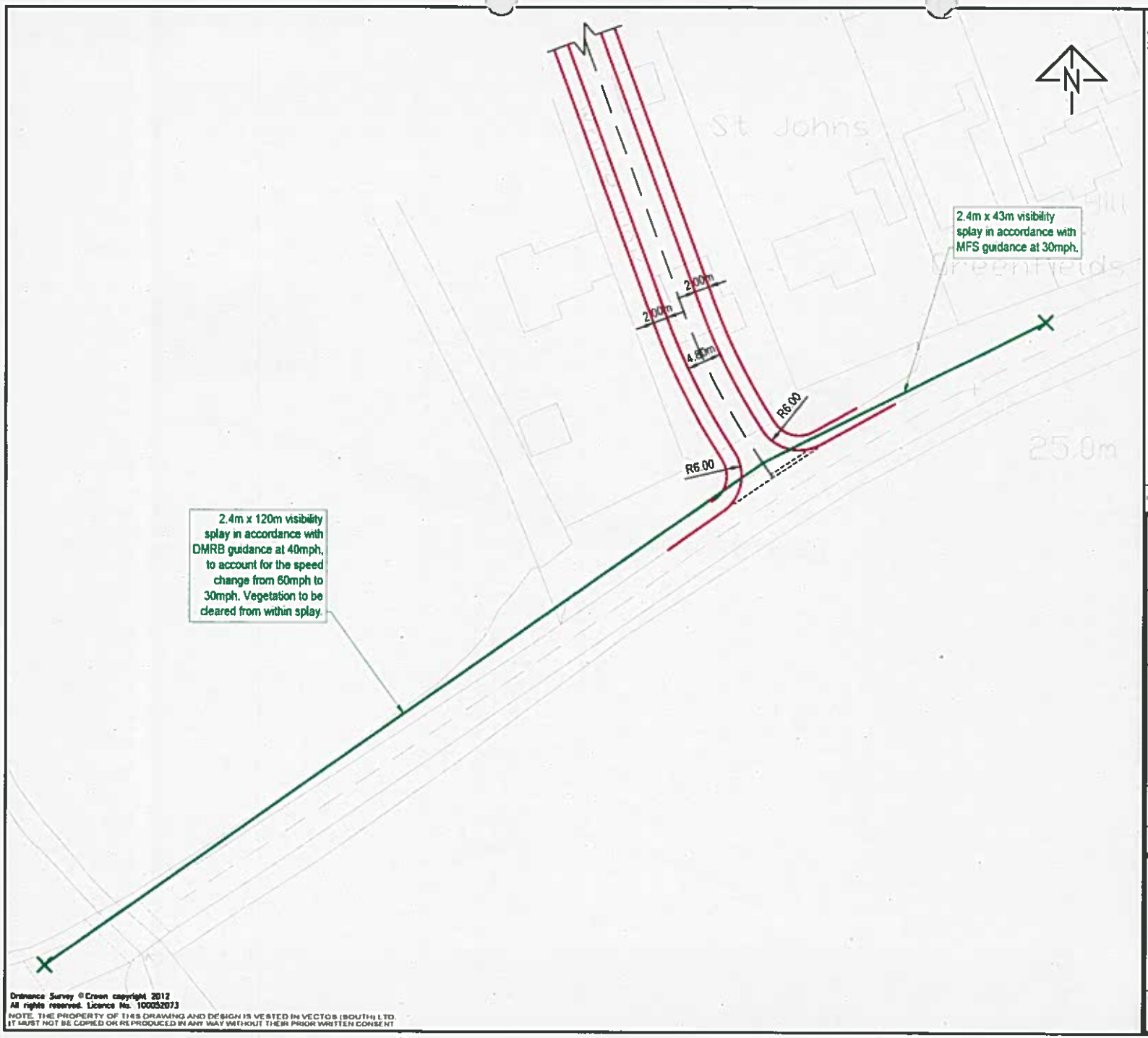
32. Bus stops are available on both Thorrington Road and Plough Road, which are served by Routes 72, 77, 77A and 79. Great Bentley railway station is located approximately 850m walking distance from sites GB1 and GB2, and 260m walking distance from site GB3. The station is located on the line between Colchester and Walton-on-the-Naze. From Colchester services run to destinations including London Liverpool Street, Chelmsford, Ipswich and Norwich. Regular services are provided from Monday to Saturday in both directions, with more limited services on Sundays.

33. Suitable vehicle and pedestrian access can be provided to all three sites. It has been demonstrated that access to Sites GB1, GB2 and GB3 could be designed to accord with the requirements for minor access roads included within the Essex Design Guide.

34. The preliminary trip generation assessments shows that each of the developments would generate less than one additional vehicle trip per minute in the AM and PM peak hours. This is expected to have a minimum impact on the local highway network.

35. Provided that the masterplan proposals are developed to ensure that safe and convenient access at the site boundaries and within the sites, a satisfactory level of parking and well developed pedestrian and cycle links, the Transport Assessments prepared for each site would be able to demonstrate the suitability of each site from a transport and highways perspective.

DRAWINGS



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REV	DETAILS	DRAWN	CHECKED	DATE

CLIENT

City & County Residential

PROJECT

Great Bentley, St Osyth & Ongar

DRAWING TITLE

Proposed Access
RS2.4 - GB1
Option 2

SCALES

1:500 at A3

DRAWN	CHECKED	DATE
TF	KM	25.08.2016

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162394/A/06

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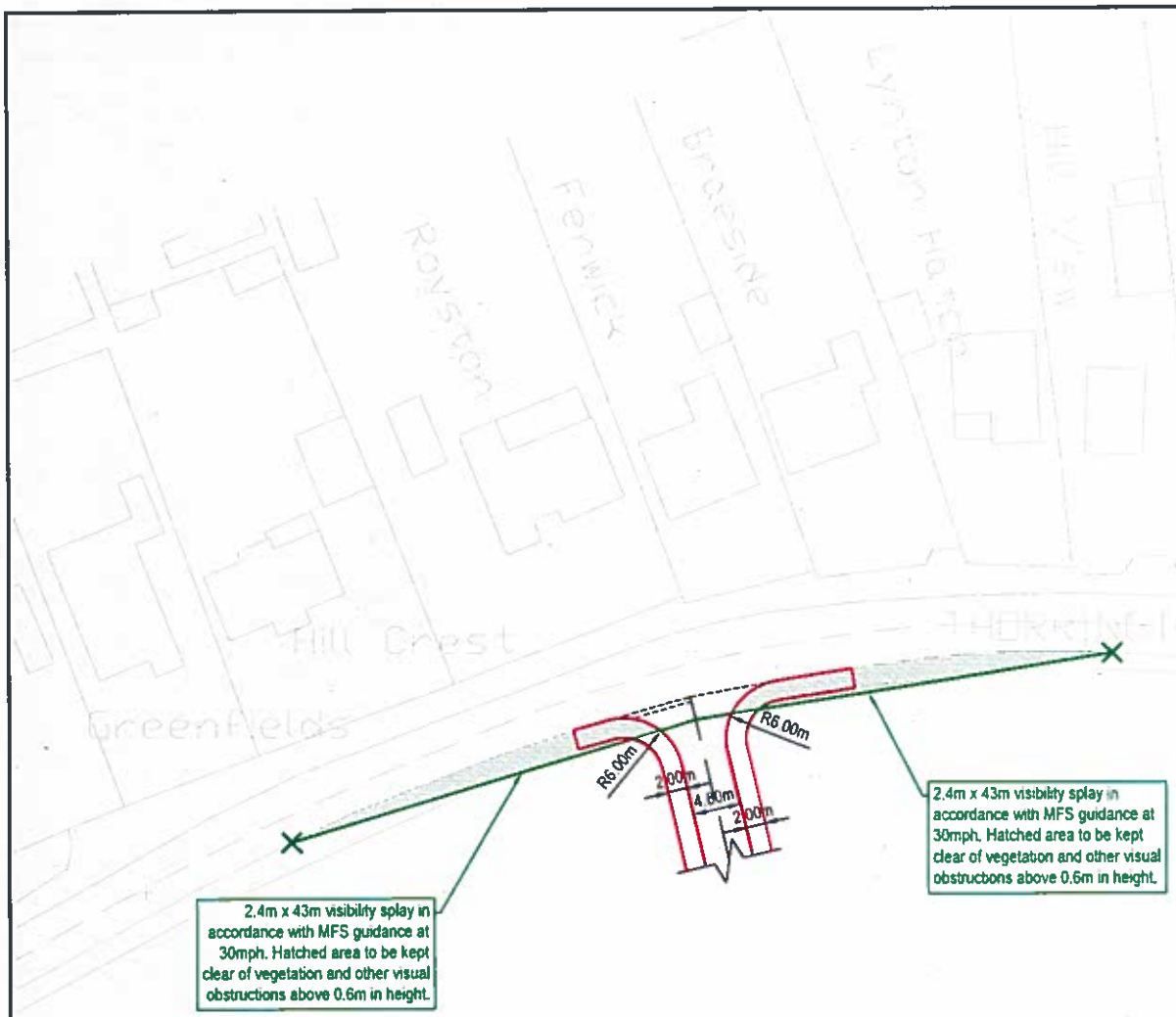

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A	Updated to suit.	TF	KM	07.09.2016

CLIENT

City & County Residential

PROJECT

Great Bentley, St Osyth & Ongar

DRAWING TITLE

Proposed Access
RS2.3 - GB2

SCALES

1:500 at A3

DRAWN	CHECKED	DATE
TF	KM	25.08.2016

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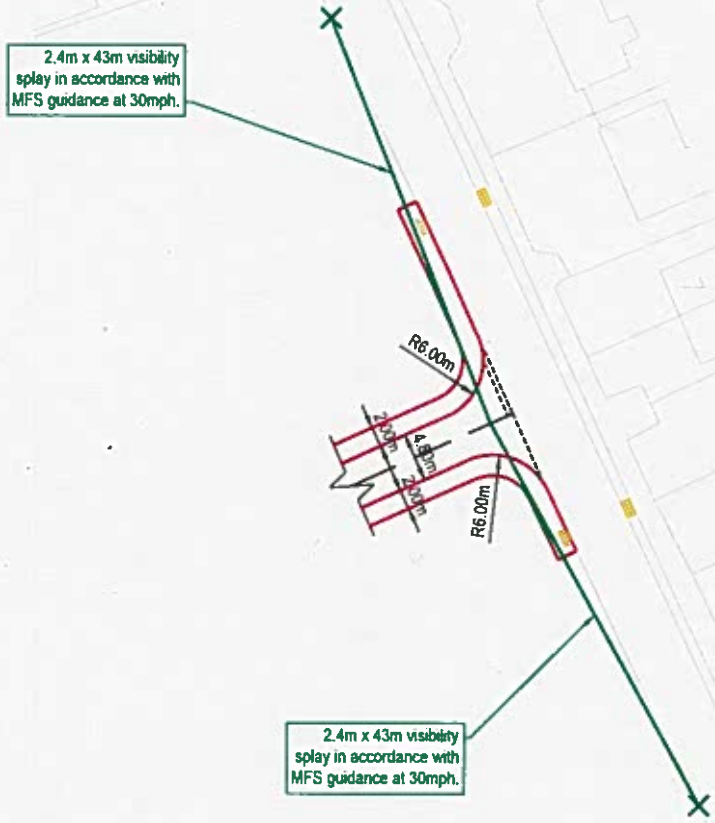

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CLIENT: City & County Residential

PROJECT: Great Bentley, St Osyth & Ongar

DRAWING TITLE: Proposed Access RS2.2 - GB3

SCALES: 1:500 at A3

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Site GB3 at Great Bentley, Colchester, Essex

10526_R03_Landscape & Visual Technical Note

1.0 Introduction

1.1 This technical note has been prepared by Tyler Grange LLP (TG) on behalf of City and County, in response to desktop analysis and preliminary fieldwork undertaken in August 2016. The note provides advice on the feasibility of the future development to land located on the southern edge of the settlement of Great Bentley, North Essex, in terms of landscape character and visual context. It is to be read alongside the **Preliminary Landscape Strategy (Ref: 10526_P03)**.

1.2 The site, known as GB3, is located on land to the west of Plough Road, at the southern extents of the village.

1.3 It is intended that this work will support representations to the Preferred Options Consultation Draft of the Tendring District Local Plan for the promotion of the site as a housing allocation. The work does not constitute a full Landscape and Visual Appraisal (LVA) or a full Landscape and Visual Impact Assessment (LVIA).

2.0 Site Context

2.1. The site is situated within the Tendring district of North Essex, and is located on the southern periphery of Great Bentley. The site is approximately 10.7km (6.66 miles) to the east of Colchester Town Centre, 8.92km (5.54 miles) to the north-west of Clacton-on-Sea town centre, and 42.41km (26.35 miles) north-east of Chelmsford town centre and is centred on OS grid reference 611194, 221165.

2.2. The site adjoins the existing southern edge of Great Bentley bounding properties to the west of Plough Road to the north and Plough Road to the east, beyond which lies further residential development. The site currently comprises approximately 2.89 hectares (7.14 acres) of arable farmland, with an unmarked western and southern boundary, and the residential edge of Great Bentley to the north and east of the site. The landform of the site is flat with the topography across the site approximately 25m . The site is managed as arable farmland, bounding the countryside to the south and west with unmarked boundaries. Dense, mature planting and hedgerow species to the front and rear gardens of property located oto the west of Plough Road bounds the site to the north, while the roadside verge marks the eastern boundary.

2.3. The site boundaries and immediate surroundings comprise:

- To the north – the site is defined by the existing 20th century housing at the settlement edge to the west of Plough Road. Vegetation along this northern boundary comprise hedgerows and scattered tree planting, and provide structure and enclosure to this part of the site;

- To the east – the site is defined by Plough Road with existing 20th century housing adjacent to the east. A line of telecommunication cables follows the eastern boundary running parallel to Plough Road **[Photoview 1]**;
- To the south – the site is unbound and continues into a large arable field. Further south lies large arable fields defined by drainage ditches with native hedgerows, small wooded copse and Angers Green village; and
- To the west – the site is unbound and continues into a large arable field. Further west lies large arable fields bounded by mature native hedgerows and mature hedgerow trees, Bentley Brook defined by riparian vegetation with the landscape beyond interspersed with small wooded copse and occasional farm buildings and Thorrington village.

3.0 Planning Context & SPD

Local Planning Policy

3.1. The site lies within the administrative area of Tendring District Council. The current adopted development plan for the site is the Tendring and District Local Plan (adopted 11th December 2007).

Adopted Tendring Local Plan (2007) Policy

3.2. Policies within the Adopted Local Plan of relevance in terms of the consideration of design, environmental impact, landscape character and visual amenity include

Policy QL9 – Design of New Development

3.3. This policy recognises that new development should make a positive contribution to the quality of the local environment and protect or enhance local character. It confirms that any development should relate well to its site and surroundings, and respect or enhance views. In addition, development should incorporate important existing site features, and ensure boundary treatments and hard and soft landscaping are designed as an integral part of the development.

Policy QL11 – Environmental Impacts and Compatibility of Uses

3.4. This policy sets out key principles relating to the impact of new development on existing surrounding land use. The policy states that development must be of a scale appropriate to its locality; must not have a materially damaging impact on occupiers of nearby properties, and; must not lead to material loss or damage to areas of landscape value.

Policy EN1 – Landscape Character

3.5. This policy outlines the importance of the quality of the district's landscape and local character, and states it should be 'protected and, where possible, enhanced'. It identifies the need to conserve features which contribute to local character including prominent views; the setting and character of settlements; important woodland, hedgerows and trees; native species of landscape planting, and; the traditional character of bridleways and footpaths.

Policy EN17 – Conservation Areas

3.6. This policy sets out key principles relating to design in or adjacent to a Conservation Area. It states that development must preserve of enhance the character or appearance of the Conservation Area, and that views inward or outward should not be compromised.

Tendring District Local Plan – Preferred Options Consultation, 2016

3.7. At the time of writing (August 2016), the emerging Local Plan is out for consultation, with the closing date on 8th September 2016. Given the status of the plan, policies within it are of a limited weight, but remain as a material consideration when considering planning applications. The following draft polices are of relevance to landscape issues relating to the potential development of the site:

- ***Policy PPL3 – The Rural Landscape***
- ***Policy PPL8 – Conservation Areas***

3.8. These policies are similar to the polices considered above from the Adopted Local Plan, including the same restrictions and aspirations relating to development and landscape character and setting of conservation areas.

Evidence Base

3.9. The following Local Plan Evidence Base documents are of particular relevance to landscape and visual matters:

- Landscape Character Assessment of Tendring – Parts 1 & 2, 2001

3.10. These are considered further below in relation to the site specific context (**Section 4**).

Tendring District Council Strategic Housing Land Availability Assessment (SHLAA) (October 2014)

3.11. Within the SHLAA, Great Bentley is identified as a Rural Service Centre (See Appendix 6, p73).

3.12. The site is located within land that has been identified within the SHLAA (reference Site RS 2.2) and is considered for potential development. The document provides a summary of the site and development implications; commenting on the site the report states:

3.13. Environmental Constraints

"No irresolvable issues."

3.14. Housing Potential

"56 (based on 90% of the site area being developed at a density of 20dph)."

3.15. Other comments

"Whilst site represents a sensible and logical location for an extension of the existing built up area there is major concern about the primary school not being capable of expansion to accommodate additional development. There has been no interest from the landowner or developer and so development within the plan period is unlikely. However, there may be potential for this land to be considered in the longer-term for housing but only if the issues identified above are addressed and additional growth is required at Great Bentley at the time.

Site could come forward as a windfall but this is unlikely to be within the first 5 years of the plan period."

Supplementary Planning Documents (SPD)

Tendring Open Spaces Strategy (October 2009)

3.16. The purpose of the document is to guide future change in the District to achieve a vision for open spaces that form 'a dynamic network at the heart of the community that is safe and well-maintained, accessible to all, good for wildlife and fun for all ages, whilst conserving peace and quiet wherever possible.'

Green Infrastructure Study for the Haven Gateway (April 2008)

3.17. The purpose of the Green Infrastructure Study is to establish a framework for the delivery of high quality green infrastructure over the next 20 years, complementing and supporting planned housing and development growth, and; to contribute to quality of life through ensuring that everyone living and working in the Haven Gateway has access to a high quality natural and historic environment.

Tendring District Council Conservation Area Review: Great Bentley Conservation Area (March 2006)

3.18. The purpose of the document is to identify and define the Conservation Area of Great Bentley to ensure the long-term protection of the buildings, the village green and the other intrinsic features that define the character and appearance of the village.

3.19. The site is located approximately 145m from the Great Bentley Conservation Area, separated by intervening built form of modern residential development, including that along Plough Road and the Plough Road Business Centre. Considering the above, residential development on the site would not have a detrimental effect on its character or setting. Furthermore, the site does not facilitate or contribute to any identified views to or from the Conservation Area.

4.0 Landscape Character

4.1. At the national level the site is located within the 'Northern Thames Basin' Character Area (National Character Area 111).

4.2. The Tendring District Landscape Character Assessment identifies the site as lying within the 'St. Osyth/Great Bentley Heaths' Landscape Character Area (Area 7B).

4.3. The key characteristics for the St Osyths/Great Bentley Heaths (Area 7B) are summarised below:

- *"Highly productive open plateau of arable fields divided by low, gappy hedgerows with occasional hedgerow oaks;*
- *Ancient woodlands form backdrop to views and are typically sweet chestnut coppice with oak standards;*

- *Sandy nature of the soil is visible in the hedgerows and roadside verges which often contain gorse and bracken;*
- *Traditional rural settlement pattern of scattered farmsteads, hamlets and villages, the villages traditionally focussed around a village green, heath or common, but including more recent linear development; and,*
- *Network of narrow lanes connects the scattered farms and villages, some with important roadside trees or verges; and,*
- *Church towers are important landmark features."*

4.4. The landscape is described as being "flat, open plateau" of "large scale, geometric fields" divided by "low, gappy hedgerows". It is comprised of "low density, rural settlement pattern", and is located on a plateau where "the sky dominates in any view" and "church towers are an important landscape feature".

Evaluation

4.5. The **Character** of the area is considered by the LCA to be *Moderate* due to the loss of landscape features as a result of agricultural intensification and development.

4.6. The **Condition** of the area is considered by the LCA to be *Decline* due to the loss of and lack of management of hedgerows and woodland.

Change

4.7. Infilling leading to loss of settlement structure identified as a force for change within the LCA.

Sensitivity

4.8. The plateau landscape is visually sensitive as a result of its open and rural character and long views. Roadside verges and hedgerow oaks are among its particularly sensitive landscape features.

Landscape Management Strategy

4.9. The strategy for the area is to conserve the rural character of the landscape and to enhance hedgerow condition.

Guidance

- The large scale open landscape means that particular care must be taken in the siting and design;
- The plateau edges frequently form a skyline. Any built development in these locations could be highly visible;
- Church towers frequently form prominent landmark features within this open landscape and views to these features should be conserved;
- New buildings should be constructed in such a way that they blend with the landscape in scale, colour and design;
- Areas of new residential development should generally be closely related to existing settlements; and,
- Opportunities for contemporary architecture in appropriate locations, so long as it respects the scale of existing buildings and makes use of local materials.

Local References

- Roofs are typically steeply pitched and finished in clay effect tiles.

4.10. It is evident from the fieldwork that the site is clearly influenced by the proximity to the residential edge of Great Bentley where properties overlook the site. On-site features within the site that are characteristic of the wider LCAs include an open plateau of arable fields. The immediate and wider landscape to the west and south contains further low, gappy hedgerows and the traditional rural settlement pattern that is typical of the LCTs.

5.0 Visual Circumstances

5.1. Visually, the site is well contained to the north by the established residential edge of Great Bentley. To the east the site is bound by Plough Road and existing built development to the east. To the west and south, the site is unbounded and forms the north-eastern corner of a larger agricultural field.

5.2. Mid to long distance views of the site restricted by the existing built form to the north and this, in addition to vegetation found in the residential plots, creates a layered screening which heavily restricts visibility from the surrounding roads and public rights of way. To the east, mid to long distance views are largely restricted by the existing built form to the east of Plough Road, with oblique views available from bridleway 165_20 leading west from Plough Road to St. Mary's Farm and from PRoW of 165_8 which runs from the southern edge of Great Bentley south across arable fields to the north of Angers Green. To the south, the topography and large arable fields allow for views towards the site, these are limited to transient views to users of Plough Road. There are no permissible rights of way within the visual envelope to the west of the site.

5.3. Having undertaken fieldwork, the approximate verified extent of visibility of the site is summarised below:

- To the north – views are limited to the existing residential development to the west of Plough Road;
- To the east – views are generally limited to vehicle users of Plough Road, the existing residential properties to the east of Plough Road **[Photoview 2]**. Oblique views to the south-eastern corner of the site are available from public rights of way around St. Mary's Farm (PROW 165_20 and PROW 165_8), and occasional views across and between buildings from PROW 165_8) **[Photoview 3]**;
- To the south – the flat landscape means views are possible, but these are limited to those available from vehicles or pedestrians travelling north along Plough Road; and,
- To the west – the flat landscape means views are possible, but these are limited to those available from the nearest public footpath, approximately 1km from the site boundary [Photoview 4].

5.4. Visual receptors are limited and localised, associated with the existing residential built form along Plough Road and to the transient users travelling north along Plough Road.

6.0 Conclusion and Recommendations

6.1 In response to the desktop and fieldwork undertaken, a landscape strategy response has been set out as guidance for the appropriate development of the site **(10526_P03)**.

6.2 The landscape principles to be used to shape emerging masterplan proposals include:

- Proposed development to be of a scale, height, massing and design that reflects the character of properties within Great Bentley, using appropriate materials and finishes. This may include the use of clay effect tiles and brick, rendering and weatherboarding to properties to reflect the local vernacular and provide visual interest. New properties should be limited to two storeys to limit visual intrusion and provide a contextual fit with the existing houses along Plough Road and within the village;
- The development of the site offers the opportunity to create a varied edge to Great Bentley, with lower density development to the site boundaries and a looser grain fronting the countryside to the south and west;
- The provision of new native tree planting within the area of open space and to the southern and western site boundaries to enhance and strengthen the existing vegetation and create a more naturalistic gateway to the village;
- Opportunity for development to be orientated to overlook the wider landscape to the west and south, and to affront public open space to the southwest corner of the site;
- Opportunity for properties to front onto Plough Road, matching density, character and vernacular of existing properties found adjacent;
- Opportunity for key characteristic properties to form a village entrance from the south;
- Provide a buffer to the west and south, adjacent to the new residential edge, incorporating native hedge and native tree planting;
- Retain and enhance boundary hedgerows and supplement with additional native tree planting; and,
- Opportunity to connect the site with the wider public rights of way network and.

6.3 A Landscape and Visual Impact Assessment (LVIA) will be required to accompany a planning application for the proposed development. This will follow preparation of the masterplan and detailed proposals. An LVIA will include a full assessment of the impacts of the proposed development from all landscape and visual receptors.

6.4 The strategy for the site demonstrates that there is the opportunity to provide a residential development that would fit within the existing residential edge of Great Bentley, whilst also offering the potential to fulfil Local Policy aspirations as set-out within SPD and the evidence base, including the Council's Landscape Character Assessment.

6.5 The appropriate development of the site that includes the principles as set-out above will ensure that development of the site reflects the character of Great Bentley, whilst also respecting the landscape and visual context within which the settlement sits within the wider landscape.

6.6 This includes the provision of a development that relates well to the existing settlement pattern, reflects local character and reinforces the landscape structure, including the enhancement of boundaries through additional tree planting and sustainable urban drainage features incorporated within an area of public open space, providing a soft edge to the settlement.

7.0 Appendices

Appendix 1: Assessment sheets for SHLAA sites.

Site Photoviews

Photoview 1 – Taken from the junction of PROW 165_20 and Plough Road, looking north-east across the site from the southeastern corner of the site. The roadside verge marks the eastern boundary of the site area, with property Field End to the west of Plough Roadand associated vegetation is visible in the right-centre of the view defining the northern boundary.

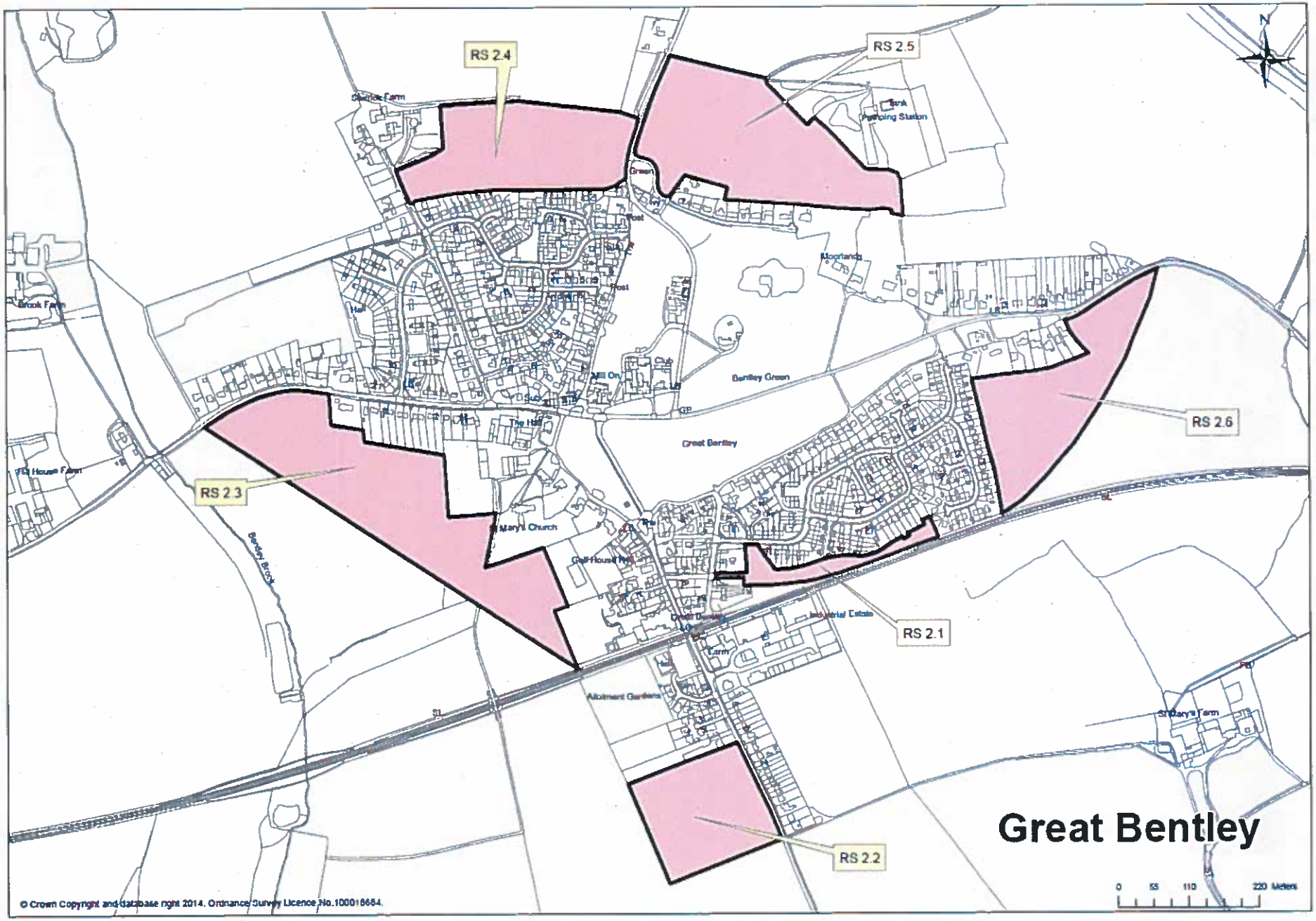
Photoview 2 – Taken approximately 200m from the site, from PROW 165_8 which runs south-easterly from Great Bentley green, across the railway line, and on to St. Mary's Lane. The view looks southwest towards the development location (as indicated), and shows the screening provided by the existing properties and associated vegetation found along Plough Road.

Photoview 3 – Taken approximately 400m from the site, from PROW 165_8 which runs south-easterly from Great Bentley green, across the railway line, and on to St. Mary's Lane. The view looks northwest towards the south-eastern corner of the development (as indicated). The view shows the existing single-storey properties located on the eastern side of Plough Road. The telegraph cables that run along the western verge of Plough Road can be seen adjacent to, and above, the properties.

Photoview 4 – Taken from PROW 165_5, which runs south-westerly between Great Bentley church and Frating Abbey, approximately 1km from the site. The view looks northeast towards Great Bentley and demonstrates the flat topography typical of the area. To the right of the view, Great Bentley Village Hall (located 150m to the north of the site boundary) and the properties along Plough Road can just be seen between the trees.

8.0 Plans

10526_P03: Preliminary Landscape Strategy


RS 2.4
RS 2.5
RS 2.6
RS 2.3
RS 2.1
RS 2.2
N
Great Bentley
0 55 110 220 Metres
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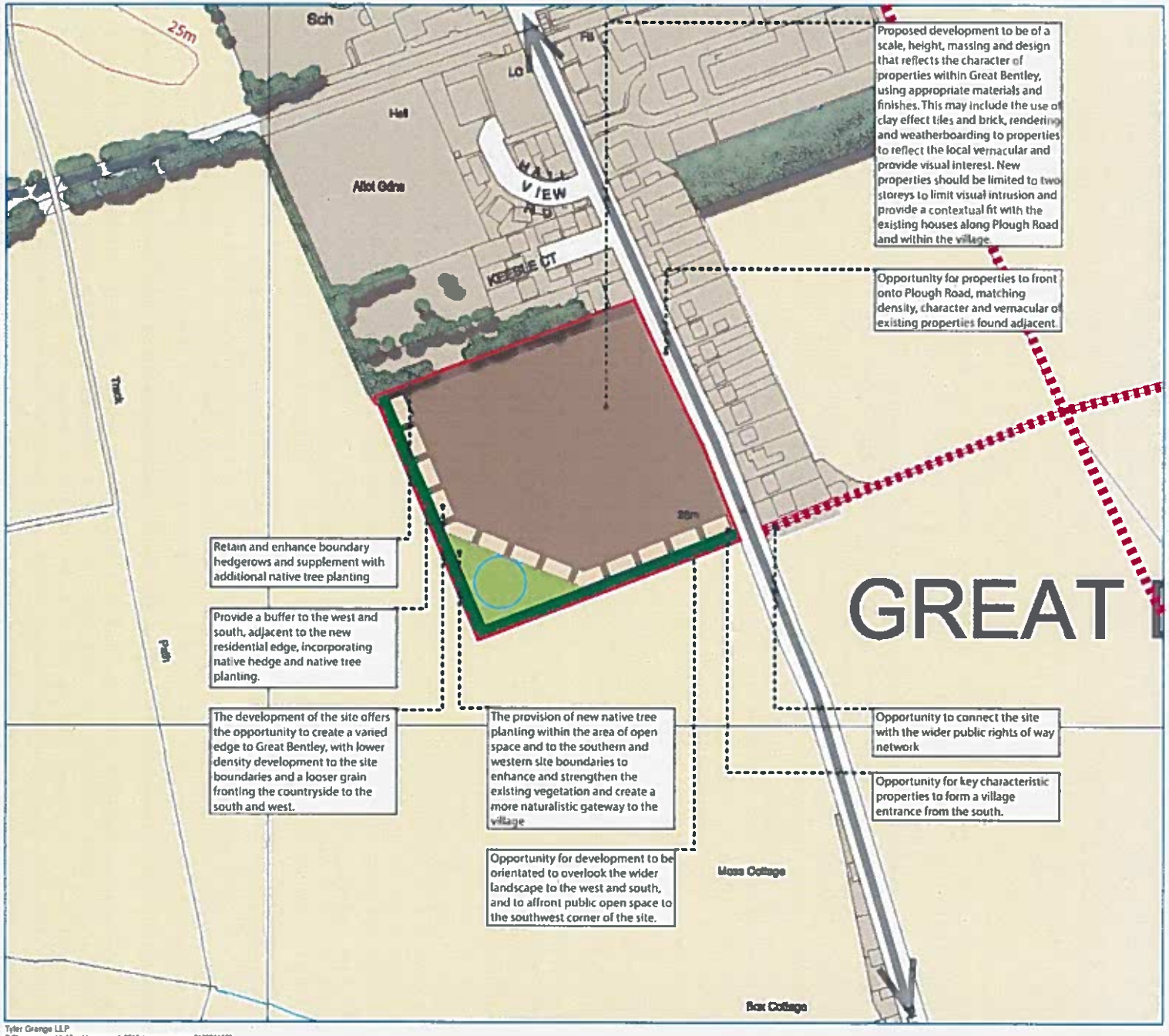

Site Boundary
Existing Development
Existing Agricultural Fields
Existing Vegetation
Existing Roads Network
Existing Contours
Existing Rights of Way Network
Existing Primary Roads
Proposed Developable Area (Higher Density)
Proposed Landscape Buffer
Potential SUDS
Potential Green Space

N

0m 20m 40m 60m 80m 100m

Scale@1:2500

Project	Land North of Thorrington Road (GB3), Great Bentley
Drawing Title	**Landscape Strategy**
Scale	1:2500@A3
Drawing No.	10526/P03
Date	September 2016
Checked	AM/CP/MF

Tyler Grange

Tyler Grange LLP
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Alex Davidson 1022762

From: Mat Evans <M.Evans@gladman.co.uk>
Sent: 08 September 2016 15:04
To: Planning.policy
Subject: Tendring District Local Plan: Preferred Options Consultation Document
Attachments: Tendring Local Plan Preferred Option FINAL.pdf

Dear Sir/Madam,

Please find attached a copy of the representation into the Local Plan Preferred Option consultation on behalf of Gladman.

I would appreciate if you could confirm receipt.

Kind Regards

Mat Evans - Planning Policy Manager | m.evans@gladman.co.uk | DDI: 01260 288 930

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Gladman Developments Ltd

Representations on the Tendring District Local Plan 2013-2033

Preferred Options Consultation Document

August 2016

GLADMAN

August 2016

CONTENTS

1	**Executive Summary**	**1**
2	**Introduction**	**4**
2.1	*Context*	*4*
3	**National Planning Policy**	**5**
3.1	*National Planning Policy Framework and Planning Practice Guidance*	*5*
4	**Legal Compliance**	**7**
4.1	*Duty to Cooperate*	*7*
4.2	*Sustainability Appraisal*	*8*
5	**Objectively Assessed Housing Need**	**9**
5.1	*Background*	*9*
5.2	*Meeting Housing Needs - Tendring District (Policy SP2)*	*13*
6	**North Essex Authorities – Part 1**	**16**
6.1	*Vision for the Strategic Area*	*16*
6.2	*Policy SP3 – Providing for Employment*	*16*
6.3	*Policy SP4 – Infrastructure and Connectivity*	*17*
6.4	*Policy SP6 – Spatial Strategy for North Essex*	*17*
6.5	*Policy SP7 – Development and delivery of new garden communities in North Essex*	*18*
6.6	*Policy SP9 – East Colchester / West Tendring new garden community*	*19*
7	**Tendring District Local Plan 2013-2033 – Part 2**	**21**
7.1	*Context*	*21*
7.2	*Sustainable Places*	*21*
7.3	*Vision and Objectives*	*23*
7.4	*Healthy Places*	*24*
7.5	*Living Places*	*24*
7.6	*Prosperous Places*	*29*
7.7	*Protected Places*	*29*
8	**Conclusions**	**32**

APPENDICES

1. Land North of Wick Lane, Ardleigh
2. Amerells Road, Little Clacton

1 EXECUTIVE SUMMARY

i. This submission provides Gladman Development's written representations on the Tendring District Local Plan 2013-2033 Preferred Options Consultation (TDLP).

ii. Gladman specialises in the promotion of strategic land for residential development with associated community infrastructure and has previously been involved in the preparation of the TDLP as well as with site delivery in Tendring.

iii. These representations concern the following matters:

- Duty to Cooperate
- Sustainability Appraisal
- Objectively Assessed Housing Need
- North Essex Authorities Plan – Part One
- Sustainable Places
- Vision and Objectives
- Healthy Places
- Living Places
- Prosperous Places
- Protected Places

iv. To establish the needs within the HMA, the combined authorities (Tendring, Colchester and Braintree) commissioned PBA to undertake an update to the SHMA in January 2016. Since the update was published, the Government has released the 2014 Subnational Population Projections (SNPPs) and the 2014 Household Projections. The Framework states that Local Plans should be based on up-to-date evidence and therefore, the Council will need to update the SHMA again to take account of this new data, before the production of the Pre-Submission Plan.

v. The latest 2014 Household Projections state that between 2013 and 2033, 12,000 new households are forecast to form in Tendring which equates to 600 households per annum. This base demographic housing need is in excess of the level of housing that is included within the Tendring Plan and is at the top end of the range suggested by PBA in the 2016 SHMA. This is without the other stages of the OAN calculation being considered including revising the demographic starting point to take account of suppressed household formation rates, taking account of economic growth and responding to market signals. It is therefore considered to be unsound for the Council to be pursuing a housing requirement which is below the most recent 2014 household projections.

vi. The creation of new garden communities is supported although it must be recognised that there can be long lead in times associated with this type of development as they are often complex and require significant levels of upfront investment in infrastructure to deliver. The

Councils must be realistic when considering the delivery trajectories that are associated with the garden communities and should allocate a range of smaller and medium sized sites that will deliver early in the plan periods to ensure that a rolling 5-year housing land supply can be maintained.

vii. The Local Plan identifies that there is a strong level of movement from Tendring to Colchester for work. This is inevitable given the employment opportunities that are available in Colchester. It is therefore essential, that the Tendring Local Plan allocates sufficient land on the edge of the urban settlement to allow Colchester's economy to grow and to reduce commuting distances as much as possible.

viii. Gladman considers that Policy SP7 is fundamentally flawed and is entirely in conflict with the guidance set out in the Framework in relation to its approach to unallocated proposals. Whilst it is understandable that the Councils wish to ensure the delivery of the new garden communities, this must not be at the expense of providing much needed housing across the entirety of the North Essex area.

ix. The Policy states that proposals on unallocated sites will not be permitted if it will prejudice the development of the garden communities, regardless of the status of the 5-year housing land supply position. This is diametrically opposed to the fundamental premise of the Framework to boost significantly the supply of housing and to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements.

x. Whilst it is supported that the main urban areas continue to play a key role in the accommodation of future development within the district, this should not be at the expense of ensuring that the housing and employment needs of other settlements are met. Paragraph 55 of the Framework seeks to promote sustainable development in rural areas to maintain and enhance rural vitality and viability. It is essential therefore, that the needs of the sustainable rural settlements across the district, including Little Clacton and Ardleigh are assessed and meaningful growth apportioned to them to ensure their ongoing vitality and viability.

xi. Policy SPL2 on the Settlement Development Boundaries is unsound. It represents a blanket approach to development outside of the defined settlement policy boundaries which does not accord with the presumption in favour of sustainable development set out in the Framework or the guidance in the PPG.

xii. Gladman Developments is promoting a site at Wick Lane, Ardleigh, as shown on the location plan in Appendix 1, for up to 118 dwellings. The development of this site would provide an opportunity to deliver housing to meet local needs in a settlement which should be expected to take some additional residential development within the rural area of Tendring, in line with the emerging Local Plan. The site is available, an outline planning application for residential development has been submitted and the landowners and Gladman are committed to delivering a high-quality residential scheme on the site. Gladman has demonstrated that there

are no technical constraints preventing this site from being developed and consider that this site should be allocated for residential development through the Local Plan process as it is sustainably located, available and deliverable. Gladman considers that the site is capable of the delivery of up to 118 dwellings within the next five years.

xiii. Gladman are also promoting a site at Amerells Road, Little Clacton, as shown on the location plan in Appendix 2 for circa 110-115 dwellings. The development of the site, in a Rural Service Centre, would provide much needed market and affordable housing to meet the needs of the settlement. The site is available and deliverable, it is sustainably located in close proximity to a range of services and benefits from public transport connections to major nearby settlements, including Clacton-on-Sea and Colchester. Gladman are currently preparing a range of studies to guide the development of the site, which it is contented could contribute to the housing needs of Tendring in the short term.

2 INTRODUCTION

2.1 Context

2.1.1 Gladman Developments specialises in the promotion of strategic land for residential development with associated community infrastructure. This submission provides Gladman Development's representations on the TDLP.

2.1.2 The National Planning Policy Framework sets out four tests that must be met for Local Plans to be considered sound. In this regard we submit that in order to prepare a sound plan it is fundamental that it is:

- **Positively Prepared –** the plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on a proportionate evidence base;
- **Effective –** the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with National Policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

3 NATIONAL PLANNING POLICY

3.1 National Planning Policy Framework and Planning Practice Guidance

3.1.1 The National Planning Policy Framework has been with us now for over four years and the development industry has experience with its application and the fundamental changes it has brought about in relation to the way the planning system functions. The Framework sets out the Government's goal to *'significantly boost the supply of housing'* and how this should be reflected through the preparation of Local Plans. In this regard, it sets out specific guidance that local planning authorities must take into account when identifying and meeting their objectively assessed housing needs:

> ***"To boost significantly the supply of housing, local planning authorities should:***
>
> - ***Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area;***
> - ***Identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements..."*; and**
> - ***Identify a supply of specific, developable sites or broad locations for growth, for years 6-10, and where possible for years 11-15"* (Paragraph 47)".**

3.1.2 The starting point of identifying objectively assessed housing needs is set out in paragraph 159 of the NPPF, which requires local planning authorities to prepare a Strategic Housing Market Assessment (SHMA), working with neighbouring authorities where housing market areas cross administrative boundaries. It is clear from the Framework, that the objective assessment of housing needs should take full account of up-to-date and relevant evidence about the economic and social characteristics and prospects of the area, with local planning authorities ensuring that their assessment of and strategies for housing and employment are integrated and take full account of relevant market and economic signals (paragraph 158).

3.1.3 Once a local authority has identified its objectively assessed needs for housing these needs should be met in full, unless any adverse impacts would significantly and demonstrably outweigh the benefits of doing so (paragraph 14). Local planning authorities should seek to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Adverse impacts on any of these dimensions should be avoided. Where adverse impacts are unavoidable, mitigation or compensatory measures may be appropriate (paragraph 152).

3.1.4 As the Council will be aware, the Government published its final suite of Planning Practice Guidance (PPG) on the 6th March 2014, clarifying how specific elements of the Framework should

be interpreted by local authorities when preparing their Local Plans. The PPG on the Housing and Economic Development Needs in particular provides a clear indication of how the Government expects the Framework to be taken into account when Councils are identifying their objectively assessed housing needs. Key points from this document include:

- Household projections published by the Department for Communities and Local Government should provide the starting point estimate of overall housing need;
- Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic underperformance, infrastructure or environmental constraints;
- Household projection based estimates of housing need may need adjusting to reflect factors affecting local demography and household formation rates which are not captured by past trends, for example historic suppression by under supply and worsening affordability of housing. The assessment will need to reflect the consequences of past under delivery and the extent to which household formation rates have been constrained by supply;
- Plan makers need to consider increasing their housing numbers where the supply of working age population is less than projected job growth, to prevent unsustainable commuting patterns and reduced local business resilience;
- Housing needs indicated by household projections should be adjusted to reflect appropriate market signals, as well as other market indicators of the balance between the demand for and supply of dwellings;
- The more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (e.g. the differential between land prices), the larger the improvement in affordability needed and the larger the additional supply response should be; and
- The total affordable housing need should be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. An increase in the total housing figures included in the local plan should be considered where it could help to deliver the required number of affordable homes.

4 LEGAL COMPLIANCE

4.1 Duty to Cooperate

4.1.1 The Duty to Cooperate is a legal requirement established through Section 33(A) of the Planning and Compulsory Purchase Act 2004, as amended by Section 110 of the Localism Act. It requires local authorities to engage constructively, actively and on an ongoing basis with neighbouring authorities on cross-boundary strategic issues throughout the process of plan preparation. As demonstrated through the outcome of the 2012 Coventry Core Strategy Examination and the 2013 Mid Sussex Core Strategy Examination, if a Council fails to satisfactorily discharge its Duty to Cooperate, this cannot be rectified through modifications and an Inspector must recommend non-adoption of the Plan.

4.1.2 Whilst Gladman recognises that the Duty to Cooperate is a process of ongoing engagement and collaboration[1] as set out in the PPG, it is clear that it is intended to produce effective policies on cross-boundary strategic matters. In this regard, Tendring must be able to demonstrate that it has engaged and worked with neighbouring authorities, alongside their existing joint working arrangements, to satisfactorily address cross-boundary strategic issues and the requirement to meet any unmet housing needs. This is not simply an issue of consultation but a question of effective cooperation.

4.1.3 Tendring is working alongside the other North Essex Authorities (Colchester and Braintree) to prepare a strategic plan which sets the overall strategic framework for planning in the area upon which, the local plans can be based. This approach is to be welcomed as it allows the authorities to address cross-boundary strategic issues, such as the delivery of new settlements, in a coordinated manner. It is considered that Maldon is also part of the same Housing Market Area as Tendring, Colchester and Braintree but it is recognised that their Local Plan preparation is ahead of the other authorities and for practical purposes, it may not be possible to align key evidence. However, it is important to recognise that the North Essex authorities have a number of key links with other LPAs outside of North Essex including Maldon, Chelmsford and Uttlesford and they need to work cooperatively with these authorities, through the Duty to Cooperate, to address cross-boundary issues.

4.1.4 Further, the PPG reflects on the public bodies which are subject to the duty to cooperate. It contains a list of the prescribed bodies. The PPG then goes on to state that:

> **"These bodies play a key role in delivering local aspirations, and cooperation between them and local planning authorities is vital to make Local Plans as effective as possible on strategic cross boundary matters."**

[1] PPG Reference ID. 9-011-2014036

4.2 Sustainability Appraisal

4.2.1 In accordance with Section 19 of the 2004 Planning and Compulsory Purchase Act, policies set out in Local Plans must be subject to Sustainability Appraisal (SA). Incorporating the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004, SA is a systematic process that should be undertaken at each stage of the Plan's preparation, assessing the effects of the Local Plan's proposals on sustainable development when judged against reasonable alternatives.

4.2.2 The TDLP should ensure that the results of the SA process clearly justify its policy choices. In meeting the development needs of the area, it should be clear from the results of the assessment why some policy options have been progressed and others have been rejected. Undertaking a comparative and equal assessment of each reasonable alternative, the TDLP's decision making and scoring should be robust, justified and transparent.

5 OBJECTIVELY ASSESSED HOUSING NEED

5.1 Background

5.1.1 The process of undertaking an OAN is clearly set out in the Framework, principally in §14, §47, §152 and §159 and should be undertaken in a systematic and transparent way to ensure that the plan is based on a robust evidence base.

5.1.2 The starting point for this assessment requires local planning authorities to have a clear understanding of housing needs in their area. This involves the preparation of a SHMA working with neighbouring authorities where housing market areas cross administrative areas as detailed in §159 of the Framework. The Framework goes on to set out the factors that should be included in a SHMA including identifying:

> ***"the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:***
>
> - ***Meets household and population projections taking account of migration and demographic change;***
> - ***Addresses the need for all types of housing including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and***
> - ***Caters for housing demand and the scale of housing supply necessary to meet this demand."***

5.1.3 A key point that is worth noting from the above is that the objective assessment should identify the full need for housing **before** the Council considers undertaking any process of assessing the ability to deliver this figure. In addition, §159 specifically relates to catering for both housing need and housing demand within the authority area. It is worth pointing out that any assessment of housing need and demand within a SHMA must also consider the following factors: falling household formation rates, net inward migration, the need to address the under provision of housing from the previous local plan period, the results of the Census 2011, housing vacancy rates including the need to factor in a housing vacancy rate for churn in the housing market, economic factors to ensure that the economic forecasts for an area are supported by sufficient housing to deliver economic growth, off-setting a falling working age population by providing enough housing to ensure retiring workers can be replaced by incoming residents, addressing affordability and delivering the full need for affordable housing in an area.

5.1.4 Of particular importance is the need to consider market signals. The consideration of market signals is one of the core planning principles considered in §17 of the Framework, which states:

'..Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.'

5.1.5 Of critical importance is what the Framework goes onto say in §158 in the section discussing Plan Making. It states here:

'Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals.'

5.1.6 Market signals are therefore at the very core of what the Framework is trying to achieve in promoting sustainable development and boosting the supply of housing land.

5.1.7 The formal publication of the PPG in March 2014 gives further explanation to what the Framework means with regard to market signals, and sets out, in a range of paragraphs, the way in which local planning authorities should go about factoring in relevant market signals in arriving at their OAN. §19 and §20 of the PPG gives guidance on what market signals should be taken into account and how plan makers should respond to these market signals. The below extracts identify some particularly pertinent points:

'The housing need number suggested by household projections (the starting point) should be adjusted to reflect appropriate market signals, as well as other market indicators of the balance between the demand for and supply of dwellings. Prices of rents rising faster than the national/local average may well indicate particular market undersupply relative to demand.'

5.1.8 The paragraph goes on to indicate that these factors would include, but should not be limited to, land prices, house prices, rents, affordability, rates of development and overcrowding. However, given what the Framework says at §17, quoted above, it seems clear that particular consideration should be given to affordability.

5.1.9 In order to consider how market signals should be taken forward §20 identifies some key concepts:

'Appropriate comparisons of indicators should be made. This includes comparison with longer term trends (both in absolute levels and rates of change) in the: housing market area; similar demographic and economic areas; and nationally. A worsening trend in any of these indicators will require upward adjustment to planned housing numbers compared to ones based solely on household projections.'

5.1.10 It is therefore clear, that where market signals are apparent (in any of the indicators assessed) there is an absolute and clear direction that an upward adjustment to housing numbers is

required. It is also clear, that both the absolute level of change and the rates of change are considerations and that local planning authorities need to carefully benchmark themselves against other areas. This should not simply be a case of considering neighbouring authorities but should look at, as well as these, local authorities on a national basis, if the demographic and economic indicators are relevant. Gladman is firmly of the view that considering comparisons purely against neighbouring authorities is not sufficiently robust and does not address the underlying issues which both the Framework and PPG are trying to tackle with regard to housing.

5.1.11 What is of further importance when considering these issues is the period of time analysed when considering both relative and absolute change. It has become apparent, in our consideration of a number of plans, that many local authorities choose to look at periods of time which are not fully representative of the depth of the housing crisis which we are currently within.

5.1.12 The problems are noted in Fixing the Foundations: Creating a more prosperous nation published by HM Treasury in July 2015. In paragraph 9.7 the report states:

> ***'There remains more to do. As the London School of Economics (LSE) Growth Commission found, 'under supply of housing, especially in high-growth areas of the country has pushed up house prices. The UK has been incapable of building enough homes to keep up with growing demand.'***

5.1.13 Gladman is therefore of the view, that local planning authorities must take a long term view when considering affordability and consider the relative and absolute change over a long term 15-20 year period, which coincides with the normal time span of a Local Plan. Authorities should assess, as a constituent part of their OAN, how they can improve affordability over the life time of a plan to a point where affordability is more in line with average earnings and affordable mortgage lending rates. They should assess a level of housing over the 15-20 year plan period which would enable this step change and consider its deliverability in the plan. Only through planning for significant housing growth can local authorities realistically tackle market signals in the way advocated by the PPG and tackle the affordability and housing crisis.

5.1.14 The need to identify the full OAN before considering any issues with the ability of a Local Planning Authority to accommodate that level of development has been confirmed in the High Court. Most notably in *Solihull Metropolitan Borough Council v (1) Gallagher Homes Limited (2) Lioncourt Homes Limited* where it was considered that arriving at a housing requirement was a two stage process and that first the unconstrained OAN must be arrived at. In the judgement it was stated:

> ***"The NPPF indeed effected a radical change. It consisted in the two-step approach which paragraph 47 enjoined. The previous policy's methodology was essentially the striking of a balance. By contrast paragraph 47 required the OAN [objectively assessed need] to be made first, and to be given effect in the Local Plan save only to the extent that that would be inconsistent with other NPPF policies. [...] The two-step approach is by no means barren or technical. It means that housing need is clearly and cleanly ascertained. And as the judge said at paragraph 94, "[h]ere,***

numbers matter; because the larger the need, the more pressure will or might be applied to [impinge] on other inconsistent policies".

5.1.15 Therefore, following the exercise to identify the full OAN for housing in an area:

> **"Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where adverse impacts are unavoidable, measures to mitigate the impact should be considered. Where adequate mitigation measures are not possible, compensatory measures may be appropriate." (NPPF §152)**

5.1.16 This statement clearly sets out that local planning authorities should seek to deliver the full OAN and that this should be tested through the evidence base. Only where the evidence shows that this is not achievable, should they then test other options to see if any significant adverse impacts could be reduced or eliminated by pursuing these options. If this is not possible then they should test if the significant adverse impacts could be mitigated and where this is not possible, where compensatory measures may be appropriate.

5.1.17 The final stage of the process is outlined in §14 and involves a planning judgement as to whether, following all of the stages of the process outlined above:

> **"Local Plans should meet OAN, with sufficient flexibility to adapt to rapid change, unless:**
>
> - **any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or**
> - **specific policies in this Framework indicate development should be restricted."**

5.1.18 It is also worth noting that the final part of this sentence refers to footnote 9 of the Framework which sets out the types of policies that the Government consider to be restrictive. These include:

> **"sites protected under the Birds and Habitat Directive (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion".**

5.1.19 Although this list is not exhaustive it is clear that local landscape designations, intrinsic value of the countryside, the character of areas, green gaps etc. are not specifically mentioned as constraints by the Framework.

5.1.20 The PPG contains guidance to support local authorities in objectively assessing and evidencing development needs for housing (both market and affordable) and economic development. This document supports and provides further guidance on the process of undertaking such assessments, in addition to what is set out in the Framework.

5.2 Meeting Housing Needs - Tendring District (Policy SP2)

5.2.1 Gladman welcomes the recognition set out in the North Essex Authorities Part 1 Plan, that they are committed to plan positively for new homes and significantly boost the supply of housing in line with the Government's agenda.

5.2.2 To establish the needs within the HMA, the combined authorities (Tendring, Colchester and Braintree) commissioned PBA to undertake an update to the SHMA in January 2016. This established a need for housing within Tendring of between 500 and 600 units per annum, with a suggestion that 550 units per annum be taken forward with the caveat that this should be kept under review. This mid-point figure was considered to be a reasonable response to the issue of Unattributable Population Change (UPC) in the district.

5.2.3 Since the update was published, the Government has released the 2014 Subnational Population Projections (SNPPs) and the 2014 Household Projections. The Framework states that Local Plans should be based on up-to-date evidence and therefore, the Council will need to update the SHMA again to take account of this new data, before the production of the Pre-Submission Plan.

5.2.4 The latest 2014 Household Projections state that between 2013 and 2033, 12,000 new households are forecast to form in Tendring which equates to 600 households per annum. This base demographic housing need is in excess of the level of housing that is included within the Tendring Plan and is at the top end of the range suggested by PBA in the 2016 SHMA. This is without the other stages of the OAN calculation being considered including revising the demographic starting point to take account of suppressed household formation rates, taking account of economic growth and responding to market signals.

5.2.5 The PPG sets out that in assessing demographic-led housing needs, CLG Household Projections form the overall starting point for the estimate of housing needs, but caveats that these may require adjustments to reflect future change and local demographic factors which are not captured in the projections (ID 2a-015). However, such adjustments should be sufficiently evidenced and robustly justified (ID 2a-017). In addition, the PPG states that account should also be taken of the latest ONS population estimates (ID 2a-017).

5.2.6 It is therefore considered to be unsound for the Council to be pursuing a housing requirement which is below the most recent 2014 Household Projections.

5.2.7 In addition, the current 2016 SHMA uplifts the base demographic start point for OAN by 15% to account for future economic growth, but suggests that this will also cover any market signals adjustment as well as making an allowance for any additional London related migration.

5.2.8 However, applying an increase in household formation to account for employment growth and making an upward adjustment for market signals are two distinct elements of the OAN calculation. The PPG is clear that to make adjustments to account for employment growth is a demand side response, whilst market signals should be a supply-side adjustment to help improve affordability (ID 2a-020). To consider both adjustments as part of a single step would be clear conflation of the two factors.

5.2.9 The 2016 SHMA update also considers that there is some uncertainty over the accuracy of the population projections because of the impact of UPC. UPC relates to the level of difference between the rolled forward 2011 Mid-Year Population Estimates (MYPE) and the 2011 Census based MYPE that cannot be attributed to any particular component.

5.2.10 When calculating the 2012 and 2014-based SNPPs, the ONS has not made any adjustment for UPC because it could not be demonstrated to measure a bias in the trend data that would continue into the future. The ONS has stated:

> **"It was proposed not to make an adjustment for UPC in the 2012- based (or, subsequently, the 2014-based) subnational population projections or in the series of population estimates based on the 2011 Census since the UPC is unlikely to be seen in continuing subnational trends as:**
>
> - **it is unclear what proportion of the UPC is due to sampling error in the 2001 Census, adjustments made to population estimates following the 2001 Census, sampling error in the 2011 Census and/or error in the intercensal components (mainly migration);**
>
> **if it is caused by either the 2001 Census or 2011 Census, then the components of population change will be unaffected;**
>
> - **if it is caused by international migration, it is likely that the biggest impacts will be seen earlier in the decade between 2001 and 2011 and will have less of an impact in the later years when improvements were introduced to migration estimates."**

5.2.11 Following the approach of ONS, the suggested approach is to exclude UPC from the assessment of alternative migration trends whether UPC is positive or negative. UPC, by the nature of its name, is not attributable to any particular component of population change and therefore to include UPC along with migration trends is not considered appropriate.

5.2.12 This approach has been supported by a number of recent Local Plan Examination findings including the following:

- West Oxfordshire Local Plan Examination (December 2015);
- Sefton Local Plan Examination (February 2016);
- Arun Local Plan Examination (February 2016).

5.2.13 Furthermore, it is clear from the ONS statement accompanying the 2014-based SNPPs that the effect of UPC is likely to have been greater towards the start of the decade. As the ONS states:

> **"The effect of UPC would have less of an effect on the 2014-based subnational population projections since three years of the trend data are not affected by UPC."**

5.2.14 Therefore, as account is taken of more recent migration trends, the issue of UPC becomes less relevant as fewer years within the trend are likely to have been affected by UPC.

5.2.15 It is therefore considered, that the issue of UPC should not be taken into account when the 2016 SHMA is updated to reflect the latest 2014 Household Projections.

5.2.16 For all of the reasons set out above, it is therefore considered that the current 2016 SHMA update is not robust and should not be used as the basis for the North Essex Authorities Local Plans going forward. The SHMA should be updated to take account of the 2014 SNPPs and 2014 Household Projections to provide the evidence required for the next iteration of the constituent Local Plans.

6 NORTH ESSEX AUTHORITIES – PART 1

6.1 Vision for the Strategic Area

6.1.1 Gladman supports the Vision for the Strategic Area and in particular, the statement that North Essex Authorities will embrace positively the need to build new homes and create jobs to meet the needs of their communities.

6.1.2 The creation of new garden communities is also supported, although it must be recognised that there can be long lead in times associated with this type of development as they are often complex and require significant levels of upfront investment in infrastructure to deliver. The Councils must be realistic when considering the delivery trajectories that are associated with the garden communities and should allocate a range of smaller and medium sized sites that will deliver early in the plan periods to ensure that a rolling 5-year housing land supply can be maintained.

6.1.3 In allocating sites, the Councils should therefore be mindful that to maximize housing supply the widest possible range of sites, by size and market location are required, so that house builders of all types and sizes have access to suitable land in order to offer the widest possible range of products. The key to increased housing supply is the number of sales outlets. For any given time period, all else being equal, overall sales and build out rates are faster from 20 sites of 50 units than 10 sites of 100 units or 1 site of 1,000 units. The maximum delivery is achieved not just because there are more sales outlets but because the widest possible range of products and locations are available to meet the widest possible range of demand. In summary, a wider variety of sites in the widest possible range of locations ensures all types of house builder have access to suitable land which in turn increases housing delivery.

6.2 Policy SP3 – Providing for Employment

6.2.1 Tendring has a strong and diverse economy with a propensity to build upon its success but there needs to be sufficient land and labour force available in order to ensure it meets the Council's aspirations. Harwich International Port is a major local employer with the propensity to grow and although not located within the district, London Stanstead Airport has massive expansion plans that will have an impact on Tendring in terms of housing some of its employees.

6.2.2 The Local Plan therefore needs to provide sufficient housing to ensure that the available labour force does not act as a constraint to the area's economic growth potential. Often, a lack of suitable and available housing is a critical factor influencing businesses decisions to invest in an area. Tendring needs to consider this issue through the preparation of its OAN and its overall Local Plan.

6.2.3 Gladman however, objects to criterion (b) of Policy SP3 as it is contrary to the guidance contained in the Framework. Paragraphs 17 and 111 of the Framework state that development on brownfield land should be encouraged. To prioritise the reuse of brownfield land is not supported

by national policy and can lead to a reliance being placed on land for new development which is unviable to bring forward.

6.2.4 The Local Plan identifies that there is a strong level of movement from Tendring to Colchester for work. This is inevitable given the employment opportunities that are available in Colchester. It is therefore essential, that the Tendring Local Plan allocates sufficient land on the edge of the urban settlement to allow Colchester's economy to grow and to reduce commuting distances as much as possible.

6.3 Policy SP4 – Infrastructure and Connectivity

6.3.1 Gladman recognises that there is a need for new development to provide the new infrastructure and facilities necessary to serve the needs of the area. However, any policy including specific requirements for infrastructure should be tested, alongside other policies in the Plan, through the whole plan viability assessment to ensure that the cumulative impacts of all proposed local standards and policy requirements do not put the implementation of the Plan as a whole at risk (paragraph 174 of the Framework). To date, it does not appear that this assessment has been undertaken.

6.4 Policy SP6 – Spatial Strategy for North Essex

6.4.1 Policy SP6 sets out the proposed spatial strategy for North Essex and states that existing settlements will be the principal focus for additional growth. This is supported. However, whilst it is recognised that there is a need to concentrate a majority of development in areas that are considered to be the most sustainable with the greatest access to services and facilities, it must be acknowledged that rural settlements are not inherently unsustainable. In fact, they can be extremely sustainable as people are able to access everyday services and facilities within a short walk, whereas within a larger urban area this may not be possible due to the scale of the settlement.

6.4.2 Paragraph 55 of the Framework seeks to promote sustainable development in rural areas to maintain and enhance rural vitality and viability. It is essential therefore, that the needs of the sustainable rural settlements across the district are assessed and a meaningful level of growth apportioned to them to ensure their ongoing vitality and viability. This will help to preserve and enhance rural services and facilities and allow local rural communities to meet their own needs for housing whilst providing much needed affordable housing in the parts of the district that suffer with the greatest affordable housing need.

6.4.3 The Tendring Settlement Hierarchy Assessment therefore needs to carefully consider the guidance set out in paragraph 55 of the Framework and be detailed enough to fully understand the needs of the smaller settlements so that growth can be apportioned to them to ensure their on-going vitality and viability.

6.4.4 It is also supported that Policy SP6 specifically refers to development being accommodated both within or adjoining settlements. Policies that represent a blanket approach to development outside of the defined settlement policy boundaries do not accord with the presumption in favour of sustainable development set out in the Framework. The policy therefore needs to be flexible enough to be able to accommodate new development, outside of existing development boundaries, to allow the Councils to quickly address any issues in a shortfall in housing land supply against the plan requirement through the development plan.

6.4.5 Gladman supports the development of three new garden communities within North Essex. However, it must be recognised that there will be long lead in times associated with this type of development as they are often complex and require significant levels of upfront investment in infrastructure to deliver. The Councils must be realistic when considering the delivery trajectories that are associated with the garden communities and should allocate a range of smaller and medium sized sites that will deliver early in the plan periods to ensure that a rolling 5-year housing land supply can be maintained.

6.5 Policy SP7 – Development and delivery of new garden communities in North Essex

6.5.1 As stated previously, Gladman supports the inclusion of the three new garden communities (providing a strategic location for 7,500 additional homes over the Plan period) within Part 1 of the North Essex Authorities Plan, particularly those that border with Colchester. The town generates a significant amount of housing need within the surrounding authority areas and provision of significant levels of new housing on the edge of Colchester will ensure that the town can meet its economic growth potential and commuting levels can be kept to a minimum.

6.5.2 However, it must be recognised that there will be long lead in times associated with this type of development as they are often complex and require significant levels of upfront investment in infrastructure to deliver. The Councils must be realistic when considering the delivery trajectories that are associated with the garden communities and allocated a range of smaller and medium sized sites that will deliver early in the plan periods to ensure that a rolling 5-year housing land supply can be maintained.

6.5.3 In allocating sites, the Councils should therefore be mindful that to maximize housing supply the widest possible range of sites, by size and market location are required so that house builders of all types and sizes have access to suitable land in order to offer the widest possible range of products. The key to increased housing supply is the number of sales outlets. For any given time period, all else being equal, overall sales and build out rates are faster from 20 sites of 50 units than 10 sites of 100 units or 1 site of 1,000 units. The maximum delivery is achieved not just because there are more sales outlets but because the widest possible range of products and locations are available to meet the widest possible range of demand. In summary, a wider variety of sites in the widest possible range of locations ensures all types of house builder have access to suitable land which in turn increases housing delivery.

6.5.4 Gladman considers however, that Policy SP7 is fundamentally flawed and is entirely in conflict with the guidance set out in the Framework in relation to its approach to unallocated proposals. Whilst it is understandable that the Councils wish to ensure the delivery of the new garden communities, this must not be at the expense of providing much needed housing across the entirety of the North Essex area.

6.5.5 The Policy states that proposals on unallocated sites will not be permitted if they will prejudice the development of the garden communities, regardless of the status of the 5-year housing land supply position. This is diametrically opposed to the fundamental premise of the Framework to boost significantly the supply of housing and to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements.

6.5.6 The policy, as it is currently written, would circumvent Government Policy on this issue and would raise the status of the Local Plans above the level of legislation set out in Section 38(6) of the Planning and Compulsory Purchase Order Act 2004.

6.5.7 This element of Policy SP7 therefore needs to be deleted, otherwise the entire Local Plan would be unsound.

6.5.8 It is widely recognised that the delivery of large scale development proposals such as Sustainable Urban Extensions or large scale new communities is complex and takes a considerable amount of time. Gladman commissioned consultants Hourigan Connolly to undertake a report looking into the factors associated with bringing forward major urban extensions (sites greater than 500 dwellings), the timescales for their delivery and the rates of delivery once development gets underway. The study emphasises that the delivery of urban extensions can be problematic and the timescales associated with the delivery of houses on such sites are significant. Using a number of schemes as case studies it finds that an eight-year period should be allowed for from the preparation of an outline/in principle planning application to the delivery of homes.

6.5.9 In the meantime, whilst the delivery on the large scale sites is being established, the Councils need to ensure that the housing needs of their communities do not go unmet. It is therefore essential, that the respective Local Plans allocate a wide range of sites, of varying sizes, in a variety of locations that can be delivered in the short to medium term to ensure that they can all maintain a rolling 5-year housing land supply in line with Government guidance.

6.6 Policy SP9 – East Colchester / West Tendring new garden community

6.6.1 Gladman supports the inclusion of a new community for between 7,000 and 9,000 homes to the east of Colchester within West Tendring which has the potential to deliver up to 2,500 homes in the Plan period. However, Gladman has already pointed out that the Council must be realistic when considering the delivery trajectory that is associated with this garden community and should allocate a range of smaller and medium sized sites that will deliver early in the plan period to ensure that a rolling 5-year housing land supply can be maintained.

6.6.2 In addition, the Policy requirements that are included within Policy SP9 should be tested, alongside other policies in the Plan, through the whole plan viability assessment to ensure that the cumulative impacts of all proposed local standards and policy requirements do not put the implementation of the garden community or the Plan as a whole at risk (paragraph 174 of the Framework). To date, it does not appear that this assessment has been undertaken.

7 TENDRING DISTRICT LOCAL PLAN 2013-2033 – PART 2

7.1 Context

7.1.1 Gladman has already commented upon such strategic issues as the Duty to Cooperate, the Sustainability Appraisal, the housing and employment requirement and the overall spatial strategy in section 6 above. It is not considered necessary to repeat these comments here although they all apply equally to this part of the Local Plan. This section will therefore concentrate on the detailed policies within the Tendring Local Plan.

7.2 Sustainable Places

Policy SPL1 – Managing Growth

7.2.1 Whilst it is supported that the main urban areas continue to play a key role in the accommodation of future development within the district, this should not be at the expense of ensuring that the housing and employment needs of other settlements are met. Paragraph 55 of the Framework seeks to promote sustainable development in rural areas to maintain and enhance rural vitality and viability. It is essential therefore, that the needs of the sustainable rural settlements across the district, including, Little Clacton and Ardleigh are assessed and meaningful growth apportioned to them to ensure their ongoing vitality and viability.

7.2.2 It is important to consider existing services and facilities in a settlement when assessing their suitability for accommodating new growth. Daily needs are particularly important with a primary school, shop and access to public transport being the key considerations. It must be recognised that there may be an ability, through new development, to improve some of these services and facilities, particularly access to public transport, that should be considered in any settlement hierarchy exercise as well as the role that new development can play in ensuring these facilities are maintained and are not lost because of a lack of support.

7.2.3 In distributing the growth, the Council should be mindful that to maximize housing supply the widest possible range of sites, by size and market location, are required so that house builders of all types and sizes have access to suitable land in order to offer the widest possible range of products. The key to increased housing supply is the number of sales outlets. A wider variety of sites in the widest possible range of locations ensures all types of house builder have access to suitable land which in turn increases housing delivery.

7.2.4 The other key issue which must be grappled with is the fact that Colchester has a major influence on the western part of Tendring and generates a significant need for housing both on the edge of Colchester and within the villages which are closely related to the town such as Ardleigh. This should be a key consideration for the Council when determining the distribution of housing growth.

7.2.5 It is also considered that Ardleigh should be included in the Plan as a Rural Service Centre rather than as a Smaller Rural Settlement. Ardleigh lies in close proximity to Colchester (approximately 5 miles away) and is within easy commuting distance of the town by sustainable modes of transport including regular bus services.

7.2.6 Ardleigh is served by a number of core services including a primary school, pre-school, a nursery, a G.P. Surgery, a Post Office, a convenience store and public houses. It also has a village hall, playing fields and various sports clubs. There is a good level of employment within a 20-minute travel time of the settlement and fast broadband speeds are available that are sufficient to support home working, leisure and business activities.

7.2.7 Ardleigh is considered to be a sustainable settlement with good access to services and facilities to meet the daily needs of its residents. It is located in close proximity to Colchester with regular bus services from early morning until the evening allowing easy access to the town for employment, education and leisure purposes. It is therefore considered that Ardleigh should be categorised as a Rural Service Centre.

7.2.8 Gladman is unclear as to the categorisation of Weeley within its own tier of the settlement hierarchy. The current settlement does not presently have the services and facilities necessary to consider it as anything other than a Smaller Rural Settlement and it will be some considerable time before the expansion of the settlement, if it goes ahead, will justify the elevation of the settlement above the Smaller Rural Settlement Category. It is therefore considered, that Weeley should remain in the Smaller Rural Settlement Category until such a time that its facilities justify its position in a higher category.

Policy SPL2 – Settlement Development Boundaries

7.2.9 Policy SPL2 on Settlement Development Boundaries is unsound. It represents a blanket approach to development outside of the defined settlement policy boundaries which does not accord with the presumption in favour of sustainable development set out in the Framework.

7.2.10 The Framework is clear that development which is sustainable should go ahead without delay. The use of settlement limits to arbitrarily restrict suitable development from coming forward on the edge of settlements would not accord with the positive approach to growth required by the Framework. In addition, loss of the countryside should be a matter that should be weighed in the planning balance against the need to significantly boost the supply of housing and the other benefits of a particular scheme.

7.2.11 The Policy is also negatively worded in that planning permission will be refused unless the site is specifically allocated for a particular form of development or the applicant can meet a number of stringent criteria. The Framework is clear that LPAs should positively seek opportunities to meet the development needs of their area (para 14) and Policy SPL2 should follow this guidance.

7.2.12 Criterion (b) also seeks to introduce a sequential test for new development whereby a site outside of the Settlement Development Boundary would not be allowed unless it can be demonstrated

that it cannot be delivered within the settlement itself. This is clearly contrary to the Framework and unsound as the Framework is clear that there is a presumption in favour of sustainable development and that sustainable development should be approved without delay. The location of a development is only one consideration that may be taken into account in the planning balance exercise to determine if the harm of a proposal significantly and demonstrably outweighs the benefits. It certainly should not be the determining factor as set out in criterion (b) of Policy SPL2.

7.2.13 Policy SPL2 as written is therefore contrary to the Framework and should be substantially reviewed to reflect the guidance contained above.

7.2.14 Policy SPL3 – Sustainable Design

7.2.15 Policy SPL3 introduces a large number of criteria which proposals **must** meet in order to be considered to be acceptable. Gladman would point out that the Framework is based on a planning balance exercise being undertaken by the decision maker and it is only where the harm of a proposal significantly and demonstrably outweighs the benefits that planning permission should be refused. Policy SPL3 should therefore be worded to allow the decision maker to undertake such a balancing exercise and so that failure to meet any one of the criteria listed would not automatically mean a failure to conform with the policy overall. At present, Policy SPL3 is not worded in this positive fashion and should be redrafted.

7.2.16 Criterion (a) under Part B of the Policy states that proposals should not lead to an unacceptable increase in congestion. This is contrary to the Framework as para 32 states that development should only be refused on transport grounds where the residual cumulative impacts of development are severe. Criterion (b) should be reworded to reflect this guidance.

7.2.17 In addition, criterion (b) under Part C states development should not have a materially damaging impact on air, land, water and other forms of pollution or amenity. This is again contrary to the Framework as Paragraph 109 states that the planning system should prevent development causing unacceptable levels of pollution and Criterion (b) should therefore be drafted in this manner.

7.3 Vision and Objectives

7.3.1 Gladman supports the Vision for Tendring and particularly the clear indication that the Local Plan will seek to offer a range of high quality new housing which meets local needs and provides for the specialist needs of people.

7.3.2 Gladman also supports the recognition of the role that the Colchester Fringe will play in delivering the housing and employment needs of the town within the boundaries of Tendring District. It should also be recognised that the smaller settlements that are in close proximity to Colchester and have good public transport accessibility to the town also have a role to play in meeting the needs of the town.

7.3.3 Gladman also supports the role that development will have in supporting the vitality and viability of the rural communities within Tendring, addressing local issues and providing for local housing needs.

7.3.4 Gladman considers that Objective 6 should clearly recognise the role that the rural area can play in delivering new housing and should not just be focussed simply upon providing new development within the urban areas which have the greatest access to services and facilities.

7.4 Healthy Places

Policy HP1 – Improving Health and Wellbeing

7.4.1 In terms of Policy HP1 seeking contributions towards new or enhanced health facilities, it must be recognised that this should be in the context of ensuring that the viability of the site is not materially affected.

7.4.2 It is important for the evidence base to properly assess the viability of the requirements for affordable housing and infrastructure set out in the Local Plan and Infrastructure Development Plan to ensure consistency with paragraphs 173 and 174 of the Framework. To date, it does not appear that this assessment has been undertaken.

7.4.3 Plans should be deliverable and sites should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. Therefore, the Council should assess the likely cumulative impacts on development in their area of all existing and proposed local standards and policies through a comprehensive and robust whole plan viability assessment to ensure that the cumulative impact of these standards and policies do not put the implementation of the Plan at serious risk.

7.5 Living Places

Context

7.5.1 Gladman has already set out their comments on the housing requirement that is contained in the Plan in Section 5 above. The Council clearly recognise that one of the Government's main objectives is to significantly increase the delivery of new housing and to ensure that everyone has the opportunity to live in high-quality, well-designed homes, in a community where they want to live. This is supported.

7.5.2 However, Gladman has significant concerns that the Tendring Local Plan does not currently achieve this objective as the Objectively Assessed Need for Housing is not reflective of the true need within the district.

7.5.3 The Plan states at paragraph 5.4 that the total OAN for Tendring is between 500 and 600 dwellings per annum (dpa). It is unclear however, why the Council has chosen a mid-point between these two figures (550 dpa) as the housing requirement for the Plan. The Framework states that the Local Plan should meet the **full** needs for both market and affordable housing across the plan

period and as set out in para 5.4 of the plan, the **full** need, based on the current evidence would be 600 dpa.

7.5.4 Gladman considers that the Council is correct in stating that the 20% buffer should apply when considering the 5-year housing land supply situation as it is clear from the Council's evidence that they cannot currently demonstrate a 5-year supply.

Policy LP1 – Housing Supply

7.5.5 Gladman also has significant concerns that if the Council were to deliver 600dpa then the increase in housing requirement from 550dpa will all be directed towards Weeley. As stated previously, new settlements and large scale proposals are complex and take a considerable amount of time to be delivered. Gladman commissioned consultants Hourigan Connolly to undertake a report looking into the factors associated with bringing forward major urban extensions (sites greater than 500 dwellings), the timescales for their delivery and the rates of delivery once development gets underway. The study emphasises that the delivery of urban extensions can be problematic and the timescales associated with the delivery of houses on such sites are significant. Using a number of schemes as case studies it finds that an eight-year period should be allowed for from the preparation of an outline/in principle planning application to the delivery of homes.

7.5.6 In the meantime, whilst the delivery on the large scale sites is being established, the Council needs to ensure that the housing needs of their communities do not go unmet. It is therefore essential, that the Local Plan allocates a wide range of sites, of varying sizes, in a variety of locations that can be delivered in the short to medium term to ensure that they can maintain a rolling 5-year housing land supply in line with Government guidance.

7.5.7 In addition, there needs to be flexibility built into the allocations within the Plan to ensure that the housing requirement is both attained and is exceeded as all housing targets are expressed as a minimum. Allowing for a non-delivery factor to account for allocated sites not coming forward or coming forward with lower than anticipated housing numbers, it is essential that the TDLP over-allocates housing sites when set against the housing requirement.

7.5.8 At present, Policy LP1 states that the projected delivery will be 19 homes short of the requirement at 550dpa. This is considered to be unsound as the Government's aim is to ensure that the housing requirement is met and surpassed.

7.5.9 The Inspector at the recent Stratford-Upon-Avon Examination concluded, in his report, that the 10% reserve sites that were included in the Plan be increased to 20% to ensure that the Plan is positively prepared in line with the Framework (para 71). The TDLP should therefore allocate additional sites, equivalent to 20% above the housing requirement, to increase the flexibility in the Plan.

7.5.10 The Council has also stated that they intend to include a windfall allowance in the Local Plan. 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. Any allowance should be realistic having full regard to the Strategic Housing Land Availability Assessment (SHLAA). 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.

7.5.11 Gladman is promoting a number of sites in Tendring which are available, achievable and deliverable in the short term and should therefore be allocated under Policy LP1 to meet the necessary increase in the overall housing requirement or to provide flexibility in the housing supply to ensure the housing requirement is met and exceeded.

Ardleigh – Land north of Wick Lane, Ardleigh

7.5.12 Gladman Developments is promoting a site at Wick Lane, Ardleigh, as shown on the location plan in Appendix 1, for up to 118 dwellings.

7.5.13 The proposal was subject to an outline planning application (16/00632/OUT), which was validated by Tendring District Council ('the Council') on 27 April 2016 and refused under delegated powers on 20 July 2016.

7.5.14 The application was refused for two reasons, summarised as:

1. The proposed development is outside the settlement development boundary for Ardleigh in both the adopted and emerging Local Plans and of an inappropriate scale; and

2. The lack of a completed Section 106 obligation to secure affordable housing and CIL-compliant financial contributions towards education and health.

7.5.15 The indicative Development Framework Plan (DFP), also included in Appendix 1, demonstrates how Gladman has considered the potential constraints of the site. Significant areas of open space (around 45% of the site area) have been incorporated into the design of the site, including a substantial buffer to the northern and western edges to mitigate against any potential impact on longer-distance views, a hedgerow to act as a buffer along the western boundary where there is currently no defensible boundary, and a children's play area. The DFP also demonstrates how the development of the site could maintain, enhance and increase connectivity between existing public rights of way around the site which could encourage walking and would improve the local footpath network. Further, the majority of the existing trees and hedgerows would be retained where possible and, should any of these need to be removed, mitigation measures such as additional tree planting would be incorporated. With regard to the identified surface water flood risk, the Flood Risk Assessment submitted alongside the planning application recommends a number of measures to ensure the safe development of the site. Such measures concern the detailed design of the site, can be addressed and would be dealt with at reserved matters application stage.

7.5.16 Ardleigh is a sustainable rural settlement with a good range of services and facilities within easy walking and cycling distance of the site, including a primary school, local shops, a GP surgery,

places of worship and public houses. All of these facilities are easily accessible from the development site via safe walking routes along footpaths adjoining well-lit highways.

7.5.17 The development site has good access to public transport links, with a bus stop located within 550m walking distance from the centre of the site. Four bus services (numbers 102, 103, 104 and 803) run past the site and offer good connections to nearby settlements, including Harwich, Manningtree and Colchester. These services offer a good frequency throughout the day and at weekends and are suitable for commuters and connect to a number of train stations.

7.5.18 Colchester is approximately 5 miles from Ardleigh and can be reached by public transport. It hosts a wide range of services and facilities. Colchester also has a main line railway station, with twice-hourly services to London Liverpool Street on week days. Trains also serve Chelmsford, Clacton-on-Sea, Ipswich and Norwich.

7.5.19 The development of this site would provide an opportunity to deliver housing to meet local needs in a settlement which should be expected to take some additional residential development within the rural area of Tendring, in line with the emerging Local Plan. The site is available, an outline planning application for residential development has been submitted and the landowners and Gladman are committed to delivering a high-quality residential scheme on the site.

7.5.20 Gladman has demonstrated that there are no technical constraints preventing this site from being developed and submits that this site should be allocated for residential development through the Local Plan process as it is sustainably located, available and deliverable. Gladman considers that the site is capable of the delivery of up to 118 dwellings within the next five years.

Land east of Amerells Road, Little Clacton

7.5.21 Gladman are also promoting a site at Amerells Road, Little Clacton, as shown on the location plan in Appendix 2, for circa 110-115 dwellings. Final capacity to be concluded following further detailed technical assessments.

7.5.22 Little Clacton is considered to be a highly sustainable settlement, and a Rural Service Centre within the emerging plan, benefiting from local employment opportunities, a shop, post office, pharmacy, garage, pub, primary school and village hall. There is also a range of bus routes servicing the village with routes to Colchester, the University of Essex and Clacton-On-Sea. The bus routes also service Weeley where regular trains depart to Colchester, Chelmsford and London Liverpool Street. In addition Clacton-on-Sea is a major centre for Tendring and a strategic urban settlement with the corresponding level of employment opportunities, retail and services. Clacton-on-Sea is within easy travelling distance by public transport from the promoted site. In order for Little Clacton to retain and enhance its role as a Rural Service Centre, and to maintain and increase the vitality and viability of its services, it is essential that the settlement is allowed to grow.

7.5.23 Gladman are currently further assessing the site in order to bring forward a planning application for a high quality sustainable, residential development. The site is considered to be well

contained, and well related to the existing built form of Little Clacton, development on the parcel of land in question would round of the built form development already in place along Harwich Road, Amerells Road and Feverills Road. The site is bounded by existing residential development to the north, south and west with a thick existing belt of trees and mature vegetation to the north east and east. Grove Road also runs along the eastern boundary of the site. The existing elements therefore present the opportunity for the residential development of the site to be well contained by the existing built and natural elements which border the site.

7.5.24 Given the site considerations Gladman submit that the site should be allocated for residential development through the Local Plan process as it is sustainably located, available and deliverable. The site can also contribute a significant number of dwellings within 5 years, and make an important contribution to the 5 year land supply position for Tendring as well as making an important contribution to overall plan targets.

7.5.25 Gladman will be preparing further technical assessments to support the redevelopment of the site and would be keen to further discuss such documents, to support the development and allocation of the site, with the Council at the appropriate time.

Policy LP2 – Housing Choice

7.5.26 The housing mix to be included on a site should be dealt with on a site-by-site basis to ensure that flexibility is maintained in order to deliver the right mix of unit size and tenure to suit the prevailing local circumstances at the time. The needs highlighted in the SHMA are a snapshot in time and do not necessarily represent the correct housing mix that is required at the time of any application. Considering housing mix on a site-by-site basis, with reference to the SHMA, will also allow viability issues to be considered on a similar basis as housing mix often has a considerable impact on a site's ability to be developed viably. In this context, it is supported that the policy refers to development viability as a key consideration.

Policy LP4 – Housing Layout

7.5.27 Any policy including specific requirements for design should be tested, alongside other policies in the Plan, through the whole plan viability assessment to ensure that the cumulative impacts of all proposed local standards and policy requirements do not put the implementation of the Plan as a whole at risk (paragraph 174 of the Framework).

7.5.28 The Written Ministerial Statement (WMS) dated 25th March 2015 confirms that "the optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the NPPG". Furthermore, with particular reference to the nationally described space standard, the NPPG (ID: 56-020-20150327) confirms "where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies". If the Council wishes to adopt this standard it should be justified by meeting the

criteria set out in the NPPG including need, viability and impact on affordability. The Council therefore needs to provide sufficient evidence to justify adoption of either of these standards.

Policy LP5 – Affordable and Council Housing

7.5.29 Policy LP5 on affordable housing should be tested, alongside other policies in the Plan, through the whole plan viability assessment to ensure that the cumulative impacts of all proposed local standards and policy requirements do not put the implementation of the Plan as a whole at risk (paragraph 174 of the Framework). To date, it does not appear that this assessment has been undertaken.

Policy LP10 – Care and Assisted Living

7.5.30 Gladman supports Policy LP10 on the provision of care homes and extra care facilities both within and potentially outside Settlement Development Boundaries. Tendring is experiencing an ageing population and it is important that this sector of the community is properly catered for in terms of their housing needs.

7.6 Prosperous Places

Policy PP12 – Improving Education and Skills

7.6.1 The requirement to provide educational facilities is a key part of the Framework. Paragraph 72 states that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement. This should involve working closely with developers over schemes to assess the best possible solution to educational provision taking account of the capacity of all schools in the area that serve the development, the distance pupils travel to access schools and the most efficient and sustainable use of existing educational resources before requiring the provision of new facilities. Viability should also be a key consideration to ensure schemes are not prevented from being brought forward because of the need for significant infrastructure contributions. Gladman remind the Council that the lack of educational provision should not be used a reason for refusal as local planning authorities should work positively with the development industry to identify suitable and deliverable solutions to these issues.

7.7 Protected Places

Policy PPL3 – The Rural Landscape

7.7.1 Policy PPL3 on the Rural Landscape is unsound. It represents a blanket approach to development outside of the defined settlement policy boundaries which does not accord with the presumption in favour of sustainable development set out in the Framework. Paragraph 17 of the Framework, bullet point 5, states that plan-making and decision-taking should recognise the intrinsic character and beauty of the countryside not, as suggested by the policy, for it to be protected for its own sake.

7.7.2 In addition, any policy for the protection and enhancement of the environment should be established in light of the national policies contained in the Framework, particularly paragraphs 109 to125.

7.7.3 Para 109 sets out that the planning system should contribute to and enhance valued landscapes with advice in Para 113 stating that Local Planning Authorities should set criteria based policies against which proposals for any development on or affecting such sites should be judged. In addition, Para 113 highlights that distinctions should be made between the hierarchy of international, national and locally designated sites so that protection is commensurate with their status.

7.7.4 It is important to note that this advice does not suggest a ban on all development in or adjacent to designated areas and that the weight that can be attached to any conflict with such designations should be aligned with their importance based on the hierarchy detailed above.

7.7.5 The Framework is clear that development which is sustainable should go ahead without delay. The use of settlement limits to arbitrarily restrict suitable development from coming forward on the edge of settlements would not accord with the positive approach to growth required by the Framework. In addition, loss of the countryside should be a matter that should be weighed in the planning balance against the need to significantly boost the supply of housing and the other benefits of a particular scheme.

7.7.6 Policy PPL3 as written is therefore contrary to the Framework and should be substantially reviewed to reflect the guidance contained above. In particular, the policy should be flexible enough to be able to accommodate new development, outside of existing development boundaries, to allow the Council to quickly address any issues of a shortfall in housing land supply against the plan requirement.

Policy PPL6 – Strategic Green Gaps

7.7.7 In terms of the natural environment, the identification of any local environmental designations, including Strategic Green Gaps and separation policies, must be predicated on a robust and comprehensive evidence base that can be used in the planning balance advocated by the Framework, allowing the Council to assess whether the adverse impacts of the loss of such areas significantly and demonstrably outweigh the benefits of delivering the full need for housing.

7.7.8 Green Gap policies have been questioned by Inspectors in recent appeal decisions as to whether they are compliant with the Framework and the Presumption in Favour of Sustainable Development. It is unlikely that any Green Gap policy will meet the tests of the Framework. Inspectors have dismissed similar policies as being inconsistent with the Framework in the determination of a number of recent Appeals. Gladman do not support the Green Gap policy approach due to its inconsistency with the Framework as it may prevent the Council from granting planning permissions in sustainable locations to meet its full objectively assessed need. The Council should therefore not continue to promote this policy designation.

PPL8 – Conservation Areas and PPL9 – Listed Buildings

7.7.9 Paragraphs 132 to 134 of the Framework relate specifically to designated heritage assets and highlight that the more important the asset the greater the weight that should be attached to it. The policies in the TDLP therefore need to make such a distinction so as to ensure they are consistent with the Framework.

7.7.10 The Framework states that if the harm to a heritage asset is deemed to be substantial then the proposal needs to achieve substantial public benefits to outweigh that harm. If the harm is less than substantial, then the harm should be weighed against the public benefits of the proposal including securing its optimum viable use. The policies in the TDLP should therefore make a distinction between the two tests included in the Framework for designated heritage assets to ensure they are sound.

7.7.11 Paragraph 135 of the Framework relates specifically to non-designated heritage assets and the policy test that should be applied in these cases is that a balanced judgment should be reached having regard to the scale of any harm and the significance of the heritage asset. Once again, policies in the TDLP need to reflect this guidance.

7.7.12 In addition, in light of the judgement in FODC v. SSCLG and Gladman Developments Ltd. [2016] EWHC 421 Admin, Gladman consider it is necessary for the TDLP to carry out an assessment of the potential impact of proposed development on heritage assets, as set out in paragraph 129 of the Framework. The Judgement concerns the interaction between paragraph 14 and paragraph 134 of the Framework and the issues of the balancing exercise to be undertaken to assess the harm of any proposals against the benefits of the identified proposed development in accordance with paragraphs 133, 134 and 135 of the Framework. Gladman consider that the implications of the Judgement apply equally to both the decision making process and the plan making process. Paragraph 134 is clear in talking about 'development proposals', a phrase which can apply equally to planning applications and proposed allocations. Furthermore, footnote 29 of the Framework clearly states that "The principles and policies set out in this section apply to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-taking". It is therefore essential, that the implications of the above Judgment are fully considered in the context of both decision-taking and plan-making.

8 CONCLUSIONS

8.1.1 Having considered the TDLP, Gladman is concerned about a range of matters including the housing and employment needs, spatial strategy, housing and natural and historic environment.

8.1.2 The plan must be positively prepared, effective, justified and consistent with national policy to be found sound at examination. In the first instance, the Council must start with clearly defining an NPPF and PPG compliant OAN by developing an unconstrained requirement which properly follows the guidelines set out at the national level. The Council should then develop a robust housing requirement using this OAN as a starting point.

8.1.3 To establish the needs within the HMA, the combined authorities (Tendring, Colchester and Braintree) commissioned PBA to undertake an update to the SHMA in January 2016. Since the update was published, the Government has released the 2014 Subnational Population Projections (SNPPs) and the 2014 Household Projections. The Framework states that Local Plans should be based on up-to-date evidence and therefore the Council will need to update the SHMA again to take account of this new data before the production of the Pre-Submission Plan.

8.1.4 Careful consideration needs to be given to the spatial strategy that forms the basis of the spatial distribution of growth across the district. All sustainable settlements should be allowed to play their part in meeting their own housing and employment needs as well as contributing to the wider district's requirements. A flexible approach to delivering the development needs of the district will ensure the plan's ultimate deliverability and success.

8.1.5 The Local Plan identifies that there is a strong level of movement from Tendring to Colchester for work. This is inevitable given the employment opportunities that are available in Colchester and it is therefore essential, that the Tendring Local Plan allocates sufficient land on the edge of the urban settlement to allow Colchester's economy to grow and to reduce commuting distances as much as possible.

8.1.6 Whilst it is supported that the main urban areas continue to play a key role in the accommodation of future development within the district, this should not be at the expense of ensuring that the housing and employment needs of other settlements are met. Paragraph 55 of the Framework seeks to promote sustainable development in rural areas to maintain and enhance rural vitality and viability. It is essential therefore, that the needs of the sustainable rural settlements across the district, including Little Clacton and Ardleigh are assessed and meaningful growth apportioned to them to ensure their ongoing vitality and viability.

Appendix 1

Land North of Wick Lane
Ardleigh

LAND NORTH OF WICK LANE, ARDLEIGH

1 INTRODUCTION

1.1 Background

1.1.1 Gladman Developments is promoting a site at Wick Lane, Ardleigh, as shown on the location plan below, for up to 118 dwellings, including a proportion of affordable housing.

1.1.2 The proposal was subject to an outline planning application (16/00632/OUT), which was validated by Tendring District Council ('the Council') on 27 April 2016 and refused under delegated powers on 20 July 2016, with two reasons for refusal neither of which concerns any technical constraint to the development of the site. Gladman engaged in pre-application discussions with the Council prior to the submission of the application, with a formal pre-application meeting held on 15 March 2016.

1.1.3 The proposed scheme would deliver up to 30% affordable housing on site, or a suitable off-site alternative to be agreed with the Council's housing officers in accordance with emerging Local Plan Policy LP5. This approach has been agreed with the Council. This provision represents a significant benefit which would help Tendring to address its substantial backlog in, under-delivery of, and acute need for, affordable housing.

1.2 Site Context

1.2.1 The 7.58ha site is located to the west of Ardleigh and comprises part of a larger agricultural field. Two public rights of way run along the site boundaries; one to the north and one to the east. The site's boundaries are partially contained by existing features: twelve properties lie along part of the site's southern boundary, while an established hedgerow runs along the rest of that boundary. A reservoir adjoins part of the site's northern boundary, which is surrounded by a row of established trees. To the west and north-east, the site adjoins agricultural land.

1.2.2 A suite of technical reports were commissioned in support of the planning application for this site. The assessments demonstrate that:

- The landscape has the capacity to accommodate development of the modest scale and nature proposed;
- Access could be facilitated off Wick Lane;
- There are no heritage assets on or adjacent to the site and it is not within or adjacent to a conservation area;
- The site has negligible conservation value;
- The majority of the site is located within Flood Zone 1 and therefore at low risk of flooding (and although a small section of the western side of the site is shown by Environment Agency maps as at high risk of flooding from surface water, this part of the site would not be subject to development); and
- The use of infiltration-based sustainable urban drainage systems is feasible.

1.2.3 The Council has no outstanding technical objections to the development of the site.

1.3 Development Framework Plan

1.3.1 The attached indicative Development Framework Plan (DFP) demonstrates how Gladman has considered the potential constraints to the site, as set out in section 1.2 of this submission.

1.3.2 The DFP shows that significant areas of open space (around 45% of the site area) have been incorporated into the design of the site, including a substantial landscape buffer to the northern and western edges, hedgerow to act as a buffer along the western boundary, and a children's play area.

1.3.3 The DFP also demonstrates how the development of the site could maintain, enhance and increase connectivity between existing public rights of way around the site, which could encourage walking and would improve the local footpath network. Further, the majority of the existing trees and hedgerows would be retained wherever possible.

1.4 Settlement Context

1.4.1 To the south and east of the site lies the existing residential edge of Ardleigh. To the south, this includes properties along the A137 Colchester Road, which adjoin the site's southern boundary. Beyond the site to the east lies Ardleigh St. Mary's Church of England Primary School and an industrial estate situated off Dedham Road. Agricultural land lies to the north and west of the site. To the north of the site runs Dedham Road. To the west of the site runs Dead Lane, along which existing development comprises a small number of properties, Oakview Nurseries and Ardleigh Caravan and Camping Park. Further west is Ardleigh Reservoir.

1.4.2 Ardleigh is a sustainable rural settlement with a good range of services and facilities within easy walking and cycling distance of the site, including a primary school, local shops, a GP surgery, places of worship and public houses. All of these facilities are easily accessible from the development site via safe walking routes along footpaths adjoining well-lit highways.

1.4.3 Ardleigh has a number of local employment sites and there are a number of readily accessible clusters of employment available locally, particularly in Colchester and its environs. Within Ardleigh, employment is hosted in the village shop, Post Office, pub, school, pre-school and nursery. In the immediate hinterland of the village there are further employment hosting sites and businesses, which include the Ardleigh Service Station, Ardleigh Boarding Cattery and Ardleigh Caravan and Camping Park. The Martells Industrial Estate is located on Slough Lane in Ardleigh.

1.4.4 Ardleigh is defined as a 'Smaller Rural Settlement' within the emerging Tendring District Local Plan. Smaller Rural Settlements are expected to absorb a small increase in housing stock over the plan period, although the emerging Plan states that developments exceeding ten dwellings will not be permitted. Notwithstanding this, paragraph 2.53 of the emerging Local Plan asserts that there is still a need for these settlements to grow. Additional residential growth in Ardleigh would help to sustain and enhance the existing services and facilities in the village, in accordance with paragraph 55 of the Framework, and could help younger people to continue to live in the area and balance an ageing population.

1.4.5 The development site has good access to public transport links, with a bus stop located within 550m walking distance from the centre of the site. Four bus services (numbers 102, 103, 104 and 803) run past the site and offer good connections to nearby settlements, including Harwich, Manningtree and Colchester. These services offer a good frequency throughout the day and at weekends and are suitable for commuters and connect to a number of train stations. In addition, Tendring Community Transport operates a 'dial a ride' service.

1.4.6 Colchester is approximately 10km from Ardleigh and can be reached by public transport. It hosts a wide range of services and facilities. Colchester also has a main line railway station, with twice-hourly services to London Liverpool Street on week days. Trains also serve Chelmsford, Clacton-on-Sea, Ipswich and Norwich.

1.4.7 Manningtree's railway station is 7.2km from the site and can be easily accessed by cycle. It has good car parking facilities and offers a large quantity of undercover storage for bicycles. Trains

from this station are also on the London Liverpool Street to Ipswich line and operate two to three times per hour, with a journey time of approximately one hour into London.

1.4.8 The site has not been assessed as part of the Sustainability Appraisal into the emerging Local Plan.

1.5 BENEFITS

1.5.1 The development of up to 118 dwellings on this site would provide significant demonstrable economic, social and environmental benefits, including:

- Up to 118 market dwellings, with the majority capable of being delivered within the next five years, at a time when the Council has a substantial backlog and cannot demonstrate a five-year housing land supply;
- The provision of up to 30% affordable housing, delivered without subsidy intervention, to help address the substantial backlog, under-delivery and acute need within the district;
- A landscape-led design approach providing a considerable amount of public open space (2.77 hectares), providing opportunities for both recreation and biodiversity enhancement;
- A children's play area, which could be used by both new and existing residents;
- An opportunity for land to be gifted to the local primary school;
- Space for allotments, which could be used by both new and existing residents;
- An extensive green infrastructure network;
- Significant additional expenditure in the local economy;
- An investment in construction of circa £12 million;
- Around 107 full-time equivalent construction jobs per annum throughout the construction period, and an additional 117 full-time equivalent indirect jobs in associated industries;
- A New Homes Bonus payment to the Council of around £1.1 million over a six-year period; and
- Council Tax payments of around £1.4 million over ten years.

2 CONCLUSION

2.1.1 The development of this site would provide an opportunity to deliver housing to meet local needs in a settlement which should be expected to take some additional residential development within the rural area of Tendring, in line with the emerging Local Plan. The site is available, an outline planning application for residential development has been submitted and the landowners and Gladman are committed to delivering a high-quality residential scheme on the site.

2.1.2 Gladman has demonstrated that there are no technical constraints preventing this site from development and submits that this site should be allocated for residential development through the Local Plan process as it is sustainably located, available and deliverable. Gladman considers that the site is capable of the delivery of up to 118 dwellings within the next five years.

Appendix 2

Amerells Road, Little Clacton

Amerells Rd
Feverills Rd
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Naomi Hart 1022640

From: Davies, Anna <anna.davies@persimmonhomes.com>
Sent: 08 September 2016 16:54
To: Planning.policy
Subject: Tendring District Local Plan: Preferred Options Consultation Document
Attachments: Rouses Farm - Deliverability Statement Sept 16.pdf; Persimmon Homes Essex - Representations September 2016.pdf

Dear Sir/Madam,

Please find attached written representations on behalf of Persimmon Homes for the Tendring District Local Plan: Preferred Options Consultation Document.

Kind regards,

Anna

Anna Davies
Strategic Planner
Land Department

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8th September 2016

Tendring District Local Plan: Preferred Options July 2016

Persimmon Homes welcomes the further progression of the Local Plan and the opportunity to comment on the Preferred Options.

Persimmon Homes agrees with the priority to concentrate new development within 'Strategic Urban settlements' which have larger populations and a wide range of existing infrastructure and facilities, making them the most sustainable locations for growth. In this regard, the emerging allocation to the west of Clacton is supported. Persimmon Homes have supported their representations with a Site Delivery Statement.

Part 1: North Essex Strategic Plan

1. Housing Market Area

1.1 Braintree District Council, Colchester Borough Council and Tendring District Council have agreed to work together too address strategic planning matters across their areas. Collectively they are known as the North Essex authorities and are considered to form a single Housing Market Area (HMA) along with Chelmsford City Council.

1.2 Persimmon Homes would tend to agree with the HMA but urges Tendring to be mindful of the wider HMA. I make particular reference to the Greater London Authority HMA.

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1.3 London might not be able to meet its own housing needs as recognised by the Inspector considering Further Alterations to the London Plan (FALP). The Inspector was satisfied with the evidence base and methodology used by the GLA in identifying a need for around 49,000 dpa over 20 years, and up to 62,000 dpa in the initial years of the plan in order to address historical failure to meet targets. However, the Inspector noted that the draft further alterations only allocated targets totalling 42,389 dpa to the individual London boroughs. The Inspector expressed doubts that the resulting shortfall could be met by relying on co-operation between boroughs or by increasing housing densities. The inspector said that "*it is not easy to see where London boroughs would find additional sources of supply*" and warned that, in finding solutions to meeting the pressing need for housing, "*care must be taken not to damage [London's] environment such that it becomes an unpleasant place to visit, live and work*". The Inspector recommended that the alterations be adopted despite his reservations, noting that non adoption would "*result in the retention of the existing housing targets*" of 32,210 dpa, which he said were "*woefully short of what is needed*". The Inspector recommended that the mayor of London may need to explore the possibility of "*engaging local authorities beyond the GLA's boundaries in discussions*" to ensure that the capital's housing needs could be met.

1.4 The FALP does not seek to deliver the full objectively assessed housing needs as set out in the Strategic Housing Market Assessment as required by the National Planning Policy Framework (NPPF). It also requires a step change in housing delivery if London Boroughs' are to meet their new minimum housing targets. This will put pressure on areas outside London to help accommodate the shortfall in the capital's forecast housing need. Local Authorities in the wider south east need to both individually and jointly consider providing for unmet need in London through their Local Plan preparation.

1.5 Tendring has not considered the wider impacts of London and its projected growth and the predicated outward migration to the wider areas of the South East. It has to bear in mind that those LPAs immediately adjoining London have extensive areas outside of main settlements covered by the Metropolitan Green Belt and as such may be constrained in their ability to meet their Objectively Assessed Needs which will include assisting in addressing the capital's shortfall. Under the Duty to Cooperate, neighbouring authorities who are constrained by Green Belt can seek to accommodate a shortfall in their ability to meet housing needs by way of a neighbouring authority. Tendring is not constrained by Green Belt and has good transport links to London, which is highlighted on Page 15 of the Preferred Options Local Plan, so is well placed to assist in meeting housing demand.

2. Housing Needs

2.2 Policy *SP2 Meeting Housing Needs* identifies a collective need for 2,315 dwellings per annum (dpa) up until 2033 for the three LPAs. Tendring needs to deliver a minimum 550 dpa between

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2013 and 2033 to meet their needs. As previously discussed in section 1 of these representations, Persimmon Homes would suggest that Tendring need to have regard to the wider needs and the planned shortfall in London to ensure it properly meets it housing needs up until 2033.

2.3 Policy SP6 *Spatial Strategy for North Essex* sets the strategy for details the spatial strategy for housing delivery across North Essex. Existing settlements will be the principal focus for additional growth across North Essex. Persimmon Homes is supportive of focusing growth within and surrounding the main settlements as these represent the most sustainable locations to accommodate new development which can in turn support future employment and leisure growth in these locations. Furthermore, they benefit from established infrastructure which can assist early delivery.

2.4 Three new Garden Communities are proposed to be developed and delivered to meet part of the housing needs of Braintree, Colchester and Tendring. The new Garden Communities will provide strategic locations for 7,500 additional homes within the Plan period as well as delivering new homes beyond the plan period (post 2033). Tendring District Council are progressing a new Garden Community with Colchester Borough Council on land covering The Colchester Fringe. I will discuss this proposal in further detail later in these representations.

2.5 It is not clear from the Preferred Options Local Plan as to the exact boundaries for the three new Garden Communities. Page 40 of the Local Plan states that a *"number of sites of sufficient scale to accommodate a garden community were identified through the Call for Sites"*. This would indicate to us that there remains significant uncertainty as to the exact location and extent of these sites. It is noted that the evidence base supporting the Preferred Options Local Plan provides greater detail on the proposed new Garden Communities.

- Garden Communities – Charter
- Garden Communities – Baseline Compendium (Part1)
- Garden Communities – Baseline Compendium (Part2)
- Garden Communities – Opportunities and Constraints
- Garden Communities – Options and Evaluations

2.6 Persimmon Homes objects to Policy SP6 on the basis that it is not considered that the evidence base available is sufficiently robust to support the Local Plans assumption that the proposed new Garden Community will deliver 2,500 within the Plan period (1,164 for Tendring in the Plan period). Furthermore, Policy SP4 details, inter alia, that '*development must be supported by provision of infrastructure, services and facilities that are identified to serve the needs arising from new development*'. It is unclear that the infrastructure, services and facilities will be in place in a sufficiently timely manner to support the anticipated delivery of the Garden

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Communities. It is considered that the assumptions within the viability assessments are questionable, particularly in relation to land values and costs.

2.7 Policy SP7 *Development and delivery of new garden communities in North Essex* states that:

> *".....Unallocated proposals in the Borough and Districts will not be permitted if it would prejudice the development of these garden communities, regardless of the eventual capacity and phasing of the developments or the status of the 5 year supply in each local authority".*

2.8 Persimmon Homes objects to the wording of Policy SP7. As detailed above, there is at present too much uncertainty regarding the quantum of development, location and deliverability of the Garden Communities proposed within Braintree, Colchester and Tendring. Furthermore, there is a lack of spatial alternatives to Garden Communities. The extract from Policy SP7 detailed above appears whole at odds with para 14 and 49 of the NPPF and the objective of maintaining an adequate land supply.

2.9 The wording of Policy SP7 would allow; (a) the housing needs of the LPA not to be met either in the short or long-term, (b) for under delivery both in the short and long term to go unchecked and (c) for the Council to take no corrective action in the event that:

- The houses anticipated from the Garden Communities are not delivered. Either not at the anticipated rate or in the Plan period as a whole (i.e. to 2033).
- That housing allocated sites out of the Garden Communities are not delivered either in a timely manner (in accordance with the housing delivery trajectory) leading to a shortfall in 5 year supply.
- That allocated sites out of the Garden Communities are not delivered within the Plan period to 2033

2.10 The proposed wording of this policy goes beyond seeking to safeguard the creation of Garden Communities. The potential effect would be to allow housing land supply to be strangled and to devolve the Council of any responsibility for taking corrective action (e.g. seeking to bring sites forward early, by way of granting planning permission for sustainable development on non-allocated sites). The effect of the above would mean that the development plan can legitimately fail to meet OAN with the consequential constraint on delivery of much needed private and social housing.

2.11 One way in which Tendring can plan for this potential growth and ensure that the Council do not have to undertake an early review of their Local Plan is to allocate reserved sites. Reserved sites offer the flexibility for Council's to bring forward land quickly should the District's

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OANs increase and/or if sites allocated for residential development do not come forward within the Plan period or in accordance with the housing trajectory. Persimmon Homes would strongly suggest the inclusion of reserved sites to ensure that the Local Plan is future proof.

2.12 Para ii of Policy SP7 mentions 'deploying new models of delivery', but does not expand upon what that means. Persimmon Homes are concerned that insufficient consideration has been given to what the Garden Communities will comprise and how they are proposed to be delivered. The Local Plan unacceptably seeks to defer such critical matters.

2.13 The criteria advises that the developments will 'share risk and reward' between the public and private sector but does not expand upon what that means. Furthermore, the draft policy outlines that the cost of various matters including (unspecified) infrastructure will be met by those promoting the developments. The Policy contains a significant degree of prescription of what the Garden Community should deliver. There is a distinct lack of evidence in relation to the infrastructure necessary, cost, deliverability and development viability.

East Colchester/West Tendring new Garden Community

2.14 Policy SP8 *East Colchester/West Tendring new Garden Community* sets the strategy for a new Garden Community to the east of Colchester and West of Tendring. The development is expected to deliver between 7,000 and 9,000 new homes, along with new employment and social facilities. Policy LP1 of the Preferred Options Local Plan identifies that Tendring are reliant on the delivery of the new Garden Community to deliver 1,164 new homes within the Plan period and further post 2033.

2.15 The policy states that "*the Masterplan Framework will set out the nature, form and boundary of the new community*". Appendix C of the Preferred Options Local Plan details the broad location for the new Garden Community over the Colchester Fringe. However, this is a broad location and it is considered that the Local Plan should more clearly define the boundaries of the Garden Communities and not defer consideration to a non-statutory Masterplan.

2.16 The Preferred Options Local Plan does not offer any detail on when development from the new Garden Community is envisaged within the plan period and it contribution towards maintaining land supply. Tendring District should produce a housing trajectory and demonstrate that the trajectory is realistic and that housing needs can be met throughout the Plan period.

2.17 The *North Essex Garden Communities Concept Feasibility: Volume 3 – Garden Communities Concept Options and Evaluation* details 3 Options to accommodate the proposed new Garden Community:

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- Option 1 – Southern Land Focus
- Option 2 – A133 to Colchester/Ipswich Railway Line
- Option 3 – North to South Wrap

2.18 Persimmon Homes supports the allocation of Option 3 to accommodate the new Garden Community. The A12 provides a natural and defensible boundary to accommodate development. The proximity to Colchester Town represents a sustainable location which can benefit from the existing services and facilities and in turn support economic growth and job opportunities in the area.

Part 2: Tendring District

3. Introduction

3.1 Tendring District Council is preparing a new Local Plan which will guide development in the district between 2013 and 2033.

3.2 Tendring District Council consulted on their Issues and Options Local Plan in September 2015. This document sought to allocate land for a further 800 dwellings due to an increase in their Objectively Assessed Need (OAN).

4. Settlement Hierarchy

4.1 Policy SP1 *Managing Growth* details the proposed settlement hierarchy for Tendring District Council over the Plan period. The settlement hierarchy "prioritises locations with access to the strategic road network, public transport and have potential to offer the widest range of services" (page 63).

4.2 The policy seeks to designate and maintain Clacton on Sea, Harwich and Dovercourt and The Colchester Fringe as the main settlements termed "Strategic Urban Settlements". These areas are considered to have the *"larger populations and a wide range of existing infrastructure and facilities making them the most sustainable locations for growth"*.

4.3 The remaining main towns as designated in the adopted Local Plan (2007) will be renamed "Smaller Urban Settlements". These are considered to have *"large populations relative to rural settlements and benefit from a range of existing infrastructure and facilities"*

4.4 The most significant change to the proposed settlement hierarchy is the designation of Weeley from a 'village' to an 'Expanded Settlement'. The Preferred Options Local Plan details that:

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"Growth around the district's towns and to the east of Colchester will not be sufficient to deliver new homes needed to meet Tendring District's projected housing need. Major development at Weeley is therefore recommended because of its strategic location at the heart of the district, good transport connection and relatively unconstrained land" (Page 87).

4.5 The policy seeks to categorise the settlements designated as 'villages' in the adopted Local Plan 2007 as either 'Rural Service Centres' or 'Smaller Rural Settlements'. The emerging Local Plan categorises Alresford, Elmstead Market, Great Bentley, Little Clacton, St Osyth and Thorpe-le-Soken as Rural Service Centres which are considered appropriate for smaller scale growth.

4.6 The remaining settlements in the District are either categorised as Smaller Rural Settlements or if they do not have a defined settlement boundary are considered to fall within the countryside and therefore development is not encouraged.

4.7 Persimmon Homes agrees with the priority to concentrate new development within 'Strategic Urban settlements' which have larger populations and a wide range of existing infrastructure and facilities, making them the most sustainable locations for growth. Persimmon Homes agree that these settlements provide better opportunities for the use of public transport, walking and cycling to get from place to place and, because they have established town centres, employment areas and infrastructure, they provide locations where, with the right action, it is possible to create a significant number of additional new jobs and deliver sustainable housing growth on a larger scale.

in locations which have good access to the strategic road network, public transport and offer the widest range of services as they offer the most sustainable locations to accommodate new homes.

4.8 Paragraph 2.59 states *'Within the plan period new residential development in these settlements will be limited to small infill sites within Settlement Development Boundaries which will support the overall housing growth for the District'.* This paragraph does not define which settlements it is referring to and appears to be without context.

5. Sustainable Design

5.1 Policy SPL3 (p70) contains the design criteria against which every planning application for development will be considered. The policy is split in to three sections:

- Part A: Design
- Part B: Practical Requirements

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- Part C: Impacts and Compatibility

5.2 The criterion includes relatively standard requirements for new development. Part B (a) should recognise that the impact upon the highway should be assessed post mitigation. It should also recognise para 32 of the NPPF in that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

5.3 Part B(d) requires *'the applicant/developer can demonstrate how the proposal will minimise the production of greenhouse gasses and impact on climate change'*. Whilst recognising the necessity to meet the challenge of climate change and deliver sustainable development, it is considered that this policy is too vague and puts the onus on the developer to demonstrate 'minimisation' rather than adherence to a recognised standard, target or detailed criteria.
For Housing development the revised Building Regulations set national standards for water efficiency, security, accessibility and energy.

5.4 Specific policies will provide the necessary detail to the applicant/developer when preparing a planning application for new development and therefore Persimmon Homes does not object to the inclusion of Policy SP3 subject to amendment.

6. Improving Health and Wellbeing

6.1 Policy HP1 – Policy HP4 sets the requirements for improving health and wellbeing in the District through proposed new development.

6.2 With regard to the emerging allocation at Rouses Farm, Clacton, Persimmon Homes have engaged with NHS England. The NHS have identified the needs arising from the proposed development and the lack of scope to expand existing facilities. Both the needs arising from the development together with facilities to serve the existing community can be accommodated within Rouses Farm development. The needs arising from the development and existing demands for the area have been considered in the formation of the masterplan for the site which seeks to safeguard land for the delivery of a new medical centre within the southern part of the site.

6.3 Policy HP2 (Community Facilities) criteria © states that development should *'providing accessible greenspace in accordance with Natural England's Accessible Natural Greenspace Standards unless updated local standards have been adopted'*. The ANGSt standards recommend distances from houses to various types of accessible greenspace both existing and proposed. The ability to comply with criteria will therefore be in part dependent upon a matter location. For instance, in the event that a development is not within 5km of a 100ha accessible

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natural greenspace, it would be unreasonable and disproportionate to expect the development to provide such an accessible natural greenspace.

6.4 Policy HP 4 (Open space, sports and recreation facilities) – With regards to the criteria for major development (of 11 of more dwellings), it is unclear as the quantum of open space sought. The Policy also seeks '*proposals for residential development on sites of 1.5 hectares and above are required to provide on-site open spaces based on local needs or deficiencies*'. The Tendring Open Spaces Strategy (2009) identifies various deficiencies in provision, albeit based upon settlements. It is not clear from the Policy or the Strategy as to the nature and extent of contribution that will be sought from new development in addressing these deficiencies. No consideration appears to be given to whether on-site provision to address existing deficiencies would be suitable, desirable, proportionate, viable or feasible.

7. Housing Supply

7.1 The Strategic Housing Market Assessment (SHMA) was prepared in 2015 to support the preparation of the new Local Plan. The SHMA advises that the OAN for Tendring stands between 597 and 705 dwellings per annum (dpa). In January 2016, following further advice on the OAN, the Council resolved to use 550 dpa as the OAN requirement, with the option to increase this up to 600 dpa to be considered through the Local Plan process.

7.2 Policy LP1 *Housing Supply* includes these two housing requirement across the District. The figure for the majority of the settlements is the same irrespective of the OAN. The only increase is seen in Weeley with 304 dwellings to be delivered at the 550 dpa rate and 1,411 dwellings to be delivered at the 600 dpa rate. The policy is clear that the intention is to provide a minimum net dwelling increase of the Plan period of 10,149, which equates to 597 homes per year.

7.3 Persimmon Homes supports the flexible approach to Policy LP1 and the provision to increase supply to 600 dpa should an increase in need arise over the Plan period. This approach future proofs the emerging Local Plan and minimises the need to undertake a Local Plan review if housing needs increase in the District.

Rouses Farm, Clacton

7.4 Persimmon Homes is actively promoting land to the west of Clacton-on-Sea (Rouses Farm, Clacton) for residential development. The site has being identified in the emerging Local Plan for residential development since 2012.

7.5 In November 2012, the proposed submission Local Plan was published for consultation. Draft Policy COS12 allocated part of Rouses Farm for a mix of residential development, community facilities and public open space.

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7.6 In January 2014 focussed changes were consulted upon to address new technical evidence which demonstrated a need to plan for more housing than previously consulted upon. Draft Policy COS 12 continued to identify land at Rouses Farm, Jaywick Lane for allocation to deliver a mix of residential development and community facilities. The amount of land allocated at the site was amended to better accommodate the community facilities sought through draft Policy COS12.

7.7 After the publication of the 2014 Focussed Changes the Council formed a Local Plan Committee to further progress the preparation of the Local Plan. The Committee subsequently resolved to revisit the strategic policies of the plan, including housing sites and requirements. At the Local Plan Committee meeting held on the 15th July 2014 the Committee considered 'Vision and Spatial Strategy' for future growth in the District which identified a number of locations including Clacton for the most significant developments which would take the form of major housing-led 'green suburbs' or job-led 'strategic employment sites'.

7.8 At the Local Plan Committee meeting held on the 21st October Officers presented a series of suggested policies for Committee consideration including draft Policy SD6: 'Rouses Farm Garden Suburb, West Clacton'.

7.9 The 'Rouses Farm Garden Suburb' expanded the earlier proposed allocations to incorporate a greater proportion of the site and three other sites to the west of Clacton. Draft Policy SD6 sought to deliver the following:

- Approximately 1,145 new homes;
- A new primary school with early years and childcare facilities;
- A new GP surgery/medical centre;
- A new neighbourhood centre including shops, services and community uses; and
- 13 hectares of new public open space.

7.10 A new Issues and Options consultation was carried out in September 2015 which sought general views on housing issues and noted that "*The greatest need for housing in Tendring is expected to be in and around Clacton due to its existing large population and the long-standing popularity of the area for retirement*". On the 14th April 2016 a Housing Supply and Requirement Paper was presented to the Council's Local Plan Committee for consideration. The paper recommended that the Local Plan is prepared on the basis of an annualised requirement of 550 dpa with the option of uplift to 600 dpa to be considered in addition. The paper also identifies a number of strategic locations for housing growth; land at Rouses Farm is identified as one such site with a proposed capacity of 875 dwellings, 800 of which to come forward in the plan period to 2033.

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7.11 Other parts of the previous draft allocation (including land at Rush Green Road) have not been carried forward in the Local Plan. The Local Plan Committee accepted the paper and Officers' recommendations and both the emerging requirement and identified sites were carried through into the current Preferred Options consultation which incorporates the Rouses Farm site as a draft allocation as a new garden suburb for mixed uses.

7.12 The content of the new Rouses Farm garden suburb is not specified in the Preferred Options Local Plan. However, supporting text within the plan refers to the potential for it to include a new surgery and a neighbourhood centre.

7.13 Persimmon Homes has actively promoted the site since the publication of the Focussed Changes in 2014. In parallel with this, Persimmon Homes have engaged with Tendring Council regarding the emerging allocation and the technical assessments needed to support the delivery of the quantum of development supported by the emerging Local Plan, namely;

a) up to 875 homes
b) provision of a site for a Neighbourhood Centre comprising;
    - local medical facility
    - local centre
c) provision of site for a new Primary School
d) Principle means of vehicular, pedestrian and cycle access of St John's Road and Jaywick Lane
e) Formation new roads, footpaths within the site,
f) Provision of open space, drainage and associated infrastructure.

7.14 In this regard, Tendring Council have provided Environmental Impact Assessment Screening and Scoping Opinion, clarifying what it considers the main effects of the proposed development are likely to be and therefore the aspects on which an Environmental Statement should focus.

7.15 Persimmon Homes have commissioned a specialist consultant team to produce various technical assessments as part of the ES including:

- Transport Assessment
- Ecological Assessment
- Flood Frisk Assessment and Drainage Strategy
- Socio-Economics
- Landscape and Visual
- Archaeology and Cultural Heritage
- Air Quality

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- Noise and Vibration
- Soil and Agriculture
- Ground conditions

7.16 The Delivery Statement reviews the sites previous policy designations to date; assess the key considerations relevant to the site and demonstrates its deliverability through the technical reports undertaken to support an application. This technical work is at an advanced stage and a summary of the findings to date have informed the Delivery Statement accompanying these representations. The final reports will be shared with the Council following its conclusion.

7.17 A public consultation event was held on the 17th June 2015 to seek views about the proposals. The feedback from this event, along with the work undertaken with Officers and Members to date has informed the Masterplan for the site presented within the Delivery Statement. The Masterplan has been subject to extensive engagement with Officers, Members and Local Residents and it is felt that the evolved scheme meets both the emerging policy and the aspirations of the local area.

7.18 Persimmon Homes supports the allocation of the Rouses Farm within the Preferred Options Local Plan for a mixed used development. The evidence demonstrates that there are no technical reasons why the site cannot be brought forward within the plan period in accordance with the emerging Local Plan allocation.

7.19 The Housing Supply and Requirement Paper presented to the Local Plan Committee on the 14th April 2016 detailed that the site should contribute 875 of the 2780 homes proposed for Clacton . The supporting assessments and draft Masterplan detail how this quantum of development can be satisfactorily accommodated on site. The evidence demonstrates that there are no technical reasons why the site cannot be brought forward within the plan period in accordance with the emerging Local Plan allocation.

8. Housing Choice

8.1 Policy LP2 *Housing Choice* seeks to *"deliver a mix of dwelling types, sizes and tenure within the housing growth proposed for the district which reflects the Council's overarching vision for growth in Tendring and the evidence of housing need contained in its latest SHMA which will be the subject of periodic review"* on developments of 10 or more (net) dwellings).

8.2 The SHMA was prepared in 2015 and provides the most up to date report for informing housing needs in the District which requires the following:

	Private	Affordable	All tenures

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1 bedroom	9%	10.4%	9%
2 bedroom	27%	46.1%	33%
3 bedroom	41%	29.4%	38%
4+ bedroom	23%	14.1%	20%
Total	**100%**	**100%**	**100%**

8.3 Persimmon Homes supports the approach to update the SHMA annually to ensure that housing needs for the District represent the most up tb date information. However, the Council must be flexible in their approach to meet this mix and have regard to sites specifics such as location and size.

9. Housing Density

9.1 Policy LP3 *Housing Density and Standards* sets a criterion that new development must comply with in order to achieve an appropriate housing density. This includes:

a) Accessibility to local services;
b) National minimum internal floor-space;
c) The required mix of housing
d) The character of development 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 any community facilities).

9.2 Persimmon Homes note that Tendring District Council is seeking to adopt the National Described Space Standard for new residential and mix-use development. Under Paragraph 020 of the National Planning Practice Guidance (NPPG) states:

"Where a need for internal space standards is identified local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- *Need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure them impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- *Viability – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*

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- *Timing – there may need to be a reasonable transitional period following adoption of a new policy or space standards to enable developers to factor the cost of spaces standards into future land acquisitions."*

9.3 There does not appear to be evidence to support the inclusion of this standard within Policy LP3 which assesses the need, viability and timing of this part of the policy. It is not clear as to the rationale for the inclusion and requirement on new development to meet the National Describe Space Standards. Consideration needs to be given to the impact upon development viability alongside the cumulative impact of other policies that place a financial burden on the development. In terms of timing, the policy is silent and does not afford a transitional period. In light of the above, the policy is considered unsound.

10. Housing Layout

10.1 Policy LP4 Housing Layout sets a criterion that new development will be expected to comply with to ensure that it positively contributes towards the District's sense of place.

10.2 Persimmon Homes questions the need for this policy as it would appear that it repeats many of the Council's aspirations for new development already set out in Policy SPL3 (p70) and the Housing Policies. It is suggested that this policy either be deleted or re-worded to detail what standards should be met.

10.3 In relation to criteria (f) 'minimum standards of internal space, the same objects apply to those expressed in relation to draft Policy LP3.

11. Affordable Housing

11.1 Policy LP5 *Affordable and Council Housing* stipulates that:

"Proposals involving the creation of 11 or more (net) homes to make 30% of new dwellings available to Tendring District Council or its nominated partner(s) to acquire at a proportionate discounted value for uses as affordable housing or council housing.

Alternatively, the Council will accept a minimum of 10% of new dwellings 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 (either on site or elsewhere in the district) equivalent to delivering the remainder of the 30% requirement)."

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11.2 Persimmon Homes supports this flexible approach and believes that the adoption of Policy LP5 will result in more affordable homes being delivered in the District to meet housing needs. Notwithstanding this, the policy should recognise that the delivery of 30% affordable housing may not be achievable on all sites due to development viability. Para 173-177 of the NPPF relates to 'Ensuring viability and deliverability' and in summary states that *'Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking'*. With regards plan making, Tendring should support their plan with an assessment of the impact of emerging policies on the development viability (including affordable housing, adherence to Policies within the draft plan including SPL3 and other infrastructure asks), having regard to the variations in the local housing market and the comparative costs of developing different types of sites.

11.3 The NPPG clarifies that 'current costs and values' should be taken into consideration during viability assessment for both Plan making and decision taking purposes (ID 10-008-20140306). It also confirms that obligations in respect of affordable housing 'should not prevent development from going forward' (ID 23b-004-20140306) and local authorities should be flexible in their approach to affordable housing obligations (ID 23b-006-20140306).

11.4 The emphasis on viable affordable housing contributions is similarly evident within the Growth and Infrastructure Act 2013 which enabled affordable housing obligations to be reviewed on viability grounds.

11.5 In light of the above, the Council should recognise that it is not always possible to deliver 30% of new dwellings as affordable housing. Therefore the policy should be amended to recognise that in certain circumstances the quantum of affordable housing sought should be flexed;

> *'The Council will seek X% Affordable Housing to meet local needs on qualifying sites subject to:*
> *i. its suitability for on-site provision;*
> *ii. the economics of providing affordable housing;*
> *iii. the extent to which the provision of affordable housing would prejudice other planning objectives to be met from the development of the site; and*
> *iv. the mix of units necessary to meet local needs and achieve a successful sustainable socially inclusive development'.*

11.6 The policy also prevents council housing clustering and stipulates that "*no single group of council housing will exceed ten dwellings*". It is assumed that this only relates to Council housing and development which seeks to deliver affordable housing will not be required to meet this criterion. Large scale development, which seeks to deliver a high proportion and quantum of

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affordable housing, would be unable to maintain such smaller clusters of affordable housing so Persimmon Homes supports the policy only seeking to achieve this where it relates to Council housing.

12. Village and Neighbourhood Centres

12.1 Policy PP3 refers to the delivery of a new neighbourhood centre for Rouses Farm Garden Suburb. Persimmon Homes have been preparing an application which seeks to deliver a new Neighbourhood Centre. The proposed location for the Neighbourhood Centre at the Jaywick Lane entrance to the site has been determined through discussions with Tendring District Council, Tendring Council Members together with Public Consultation. It is considered to be the most appropriate location to serve both new and existing residents and be located in close proximity to the services at the former Tendring Enterprise Studio School, Jaywick Lane.

13. Sustainable Transport and Accessibility

13.1 Policy CP1 requires new development to accord with vehicular and cycle parking in accordance with the Essex County Council's adopted Vehicle Parking Standards which seeks to provide 1 space for 1 bedroom dwellings and 2 spaces for 2 or more bedroom dwellings.

13.2 The Preferred Options Local Plan seeks to promote sustainable modes of transport including cycling; walking and public transport but acknowledges that "*as Tendring District is mainly rural, reliance upon private cars will be inevitable to some extent within its remoter parts*". Persimmon Homes would tend to agree with this statement and therefore support the requirement for new development to meet the Essex Parking Standards. However, the Council must ensure that they adopt a flexible approach to applications and the layout of parking to ensure that development area efficient and deliverable to the applicant.

14. Renewable Energy Generation

14.1 Policy PPL11 (p154) requires "*new development to consider the potential for renewable energy generation, appropriate to the site and its location, and should include energy installations where appropriate, or be designed to facilitate the retro-fitting of renewable energy installations*".

14.2 Applications should be encouraged to incorporate renewable energy features in to new developments. However, new homes are required to meet new Building Regulation standards which achieve a high efficiency build through the use of certain material and build methods.

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14.3 Tendring is required to deliver a minimum of 597 dpa to meet the district's OANs. The Council should be mindful to the viability of sites. Consideration needs to be given to the impact upon development viability alongside the cumulative impact of other policies that place a financial burden on the development.

15. Improving the Transport Network

15.1 Policy CP2 states that *'Major growth areas at the Colchester Fringe (East Colchester/West Tendring) and at Clacton will require provision of new road infrastructure in order to fully serve the new growth areas and to avoid causing traffic congestion in the existing adjacent settlements. Strategic link roads will be required between the A120 and A133 and between the A133 and B1027, respectively in addition to improvements for non-motorised travel'.*

15.2 The Rouses Farm Deliverability Statement provides a summary of the improvements to the local transport network that would be necessary to deliver the development. The growth envisaged on this site is not dependent upon the delivery of new strategic link roads.

16. Conclusion

Persimmon Homes welcomes the inclusion of land at Rouses Farm for a mixed use development. Tendring District Council must be minded that they do not impose policies on residential development which could deem them unviable and result in their non-delivery. Persimmon Homes note the absence of up to date evidence base to inform some of the policies included in the Preferred Options Local Plan, notably Policy LP3 which seeks to adopt the National Described Space Standard.

Persimmon Homes have engaged with Tendring District Council, members, local residents and statutory bodies to evolve a scheme for Rouses Farm, which seeks to deliver 875 dwellings, land for a new primary school and land for a new neighbourhood centre, including GP facilities. A Deliverability Statement accompanies these representations which details the outcomes of the technical work to date and includes a draft Masterplan which has been informed by the engagement and work undertaken to date.

Whilst Persimmon Homes have some concerns over the justification of some policies as detailed in these representations, we support the flexible approach to meet housing needs in the District and are confident that the allocation of Rouses Farm can help in assisting to meet this need over the Plan period.

Yours sincerely
Persimmon Homes Essex

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Site Deliverability Statement

land at

Rouses Farm, Clacton-on-Sea

Persimmon Homes

September 2016

Contents

1. INTRODUCTION

1.1 Introduction

1.2 Purpose

2. SITE CONTEXT

2.1 Site Description

2.2 Site Surroundings

2.3 Planning Policy and Progression

2.4 Alternative Town Capacity

2.5 National Policy Context

3. SITE ASSESSMENT AND DELIVERY

3.1 Existing Key features

3.2 Surrounding Land Uses

3.3 Landscape Principles, Green Infrastructure

3.4 Drainage and SUDs

3.5 Highways and Transport and Sustainability

3.6 Ecology

3.7 Deliverability Assessment Conclusions

3.8 Sustainability Assessment Conclusions

4. MASTERPLAN

4.1 Opportunities and Constraints

4.2 Movement and Site Access

4.3 Draft Masterplan and Key Principles

5. CONCLUSIONS AND ENDORSEMENTS

1. INTRODUCTION

1.1 Introduction

This statement forms a key part of the Tendring proposed development sites evidence base, showing the sites deliverability in practical terms as well as highlighting the key considerations which surround the site.

Persimmon Homes have fully engaged with the preparation of the Local Plan to date and have actively supported the emerging allocation at Rouses Farm, Clacton. In parallel with this, Persimmon Homes have engaged with Tendring Council regarding the emerging allocation and the technical assessments needed to support the delivery of the quantum of development supported by the emerging Local Plan, namely;

a) up to 875 homes
b) Neighbourhood Centre comprising;
- local medical facility
- local centre

c) provision of site for a new Primary School
d) Principle means of vehicular, pedestrian and cycle access of St John's Road and Jaywick Lane
e) Formation new roads, footpaths within the site,
f) Provision of open space, drainage and associated infrastructure.

In this regard, Tendring Council have provided Environmental Impact Assessment Screening and Scoping Opinion, clarifying what it considers the main effects of the proposed development are likely to be and therefore the aspects on which an Environmental Statement should focus.

Persimmon Homes have commissioned a specialist consultant team to produce various technical assessments as part of the ES including:

- Transport Assessment
- Ecological Assessment
- Flood Frisk Assessment and Drainage Strategy

This technical work is at an advanced stage and final reports will be shared with the Council following its conclusion. The findings of this technical work have informed this statement.

1.2 Purpose

This document demonstrates that the Tendring Development site is not only deliverable but can be delivered in the plan period (2013-2033), providing much needed market and affordable housing within Tendring District Council. Furthermore, a proportion of the planned development can be delivered within the first 5 years of the adoption of the development plan and will therefore contribute to boosting the supply of housing.

This document appraises the existing surrounding housing design and styles to inform developments design principles.

This document details the masterplan formulation process undertaken to date and how it has been informed by public consultation, the Council's aspirations expressed within the emerging plan and taken into account detailed technical studies.

2. SITE CONTEXT

2.1 Site Description

The site comprises approximately 41.7 hectares of open agricultural land to the west of Clacton on Sea. The site is located to the south of the B1027 St Johns Road, to the west of Jaywick Lane and to the east of Rouses Lane. Access to the land is currently obtained from Rouses Lane.

The site itself comprises of a network of flat agricultural field. Individual boundaries are generally defined by hedgerows and drainage ditches.

Beyond the site to the south-east and west lies open agricultural land. A complex of utilitarian agricultural buildings is situated adjacent to the western boundary of the site. To the east of the site is residential suburban of Bockings Elm which contains a number of services. To the north of the site is residential development which lines St Johns Road. Part of the southern boundary of the site abuts the Sacketto Grove Caravan Park and the associated expansion area permitted under ref: 14/01815/FUL.

Fig 1 – aerial view of the site

Fig 2 – OS view of the site

2.2 Site Surroundings

Clacton-on-Sea is a coastal town with a population of approximately 50,000 located on the east coast of Essex. Other nearby settlement includes Walton-on-the-Naze (12km to the north east of Clacton and Harwich (20km to the north east of Clacton). The major town of Colchester is 18km to the north west of Clacton. The site lies within the ward of Bockings Elm, a suburb which principally developed during the mid-to-late twentieth century.

Bocking Elm benefits from a range of existing local services which include a post office, hairdresser, public house, fish and chip shop and grocery stores. The nearest food superstores can be found in Clacton town centre. Nearby community facilities include the West Clacton Library and the Copping Hall community centre.

Nearby schools include early year's playgroup, the Raven Academy primary school, and Clacton Coastal Academy which provides secondary and sixth form education. The Tendring Enterprise Studio School provides a specialised vocational curriculum but closed at the end of the 2015/2016 academic year; it is understood Essex County Council is investigating alternative provision at that site.

Healthcare services near the site include Green Elms Medical Centre at Crossways which is a general practitioners' surgery, dentists' surgery and pharmacy together with the Nayland Surgery which is a satellite to Green Elms, both of which are accessible by bus, the doctors' surgery also being within walking distance. The nearest hospital is in the centre of Clacton, lying approximately 3km to the south east of the site and accessible by bus (with a short walk at each end of the journey).

Clacton Leisure Centre can be found in the centre of Clacton, providing a wide range of leisure and fitness facilities including a gym and swimming pool, along with a programme of classes. There are two theatres and a cinema in Clacton, as well as traditional seaside amusements. A broader range of recreational and cultural facilities can be found in Clacton and Colchester. All of these are readily accessible by bus and in the case of Colchester, also by rail.

Local employment sites include industrial estates at Ford Road, Kennedy Way and Stephenson Road. Various other employment opportunities exist throughout Clacton including in the town centre.

The site is served by several buses which run via St Johns Road. These include route 17 between Clacton and Point Clear, route 19 between Clacton and St Osyth and route 74 between Clacton and Colchester. The nearest railway station is Clacton-on-Sea which is served by hourly Greater Anglia electric services to Colchester and onwards to London Liverpool Street (with additional services to at peak times). Clacton is comparatively well-connected to the local road network and benefits from ready access to the A120 and A12 trunk roads.

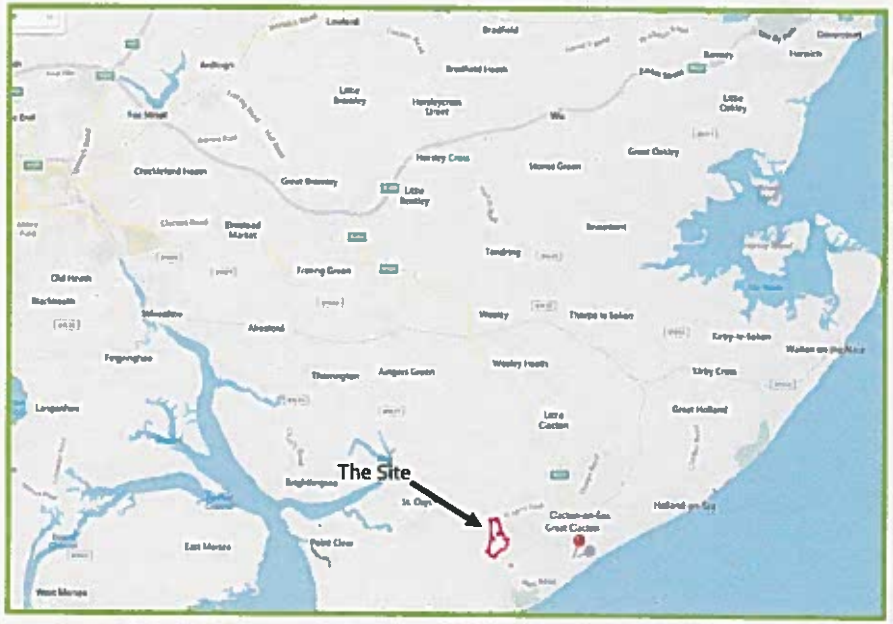


Fig 3 – Site Context

2.3 Planning Policy and Progression

Adopted Development Plan

The adopted Development Plan comprises:

- Local Plan 2007
- Essex Minerals Local Plan 2014
- Essex Waste Local Plan 2001

Local Plan 2007

The Local Plan 2007 covered the period to 2011 only and is therefore time expired. The Local Plans development management policies remain of relevance in so far that they are consistent with the National Planning Policy Framework (NPPF) 2012. There is clearly a need to produce a new plan and in doing so identify the areas necessary to accommodate the planned housing and employment growth.

Emerging Local Plan

Tendring District Council is in the process of preparing a new Local Plan. The preparation of the Local Plan has been protracted, with the plan going through several iterations.

Proposed Submission Local Plan, November 2012

In November 2012, the proposed submission Local Plan was published for consultation. Draft Policy COS12 allocated part of the site at Rouses Farm for a mix residential development, community facilities and public open space.

Focussed changes to the Local Plan, January 2014

In January 2014 focussed changes were consulted upon to address new technical evidence which demonstrated a need to plan for more housing than previously consulted upon. Draft Policy COS12 continued to identify land at Rouses Farm, Jaywick Lane for allocation to deliver mix residential development and community facilities. The amount of land allocated at the site was revised to better accommodate the community facilities sought through the draft Policy Cos12.

Subsequent changes, 2014 onwards

After the publication of the 2014 Focussed Changes the Council formed a Local Plan Committee to further progress the preparation of the Local Plan. The Committee subsequently resolved to revisit the strategic policies of the plan, including housing sites and requirements. At the Local Plan Committee meeting held on the 15th July 2014 the Committee considered 'Vision and Spatial Strategy' for future growth in the District which identified a number of locations including Clacton for the most significant development which would take the form of major housing led 'garden suburbs; or jobs led 'strategic. employment sites'.

At the Local Plan Committee meeting on the 21st October 2014 Officers presented a series of suggested policies for Committee consideration including draft Policy SD6: 'Rouses Farm Garden Suburb, West Clacton'.

The 'Rouses Farm Garden Suburb' expanded the earlier proposed allocation to incorporate a larger proportion of the site and three other sites to the west of Clacton. Draft policy SD6 sought to deliver the following:

- Approximately 1,145 new homes in total
- A new primary school with early years and childcare facilities within the site
- A new GP surgery/medical centre within the site
- A new neighbourhood centre including shops, services and community uses within the site
- 13 hectares of new public open space in total

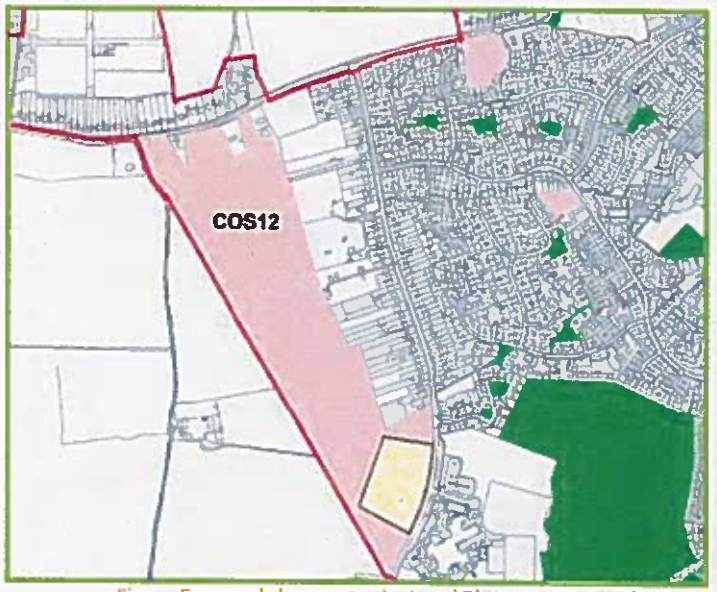


Fig 4 – Focussed changes to the Local Plan 2014 Proposals Map

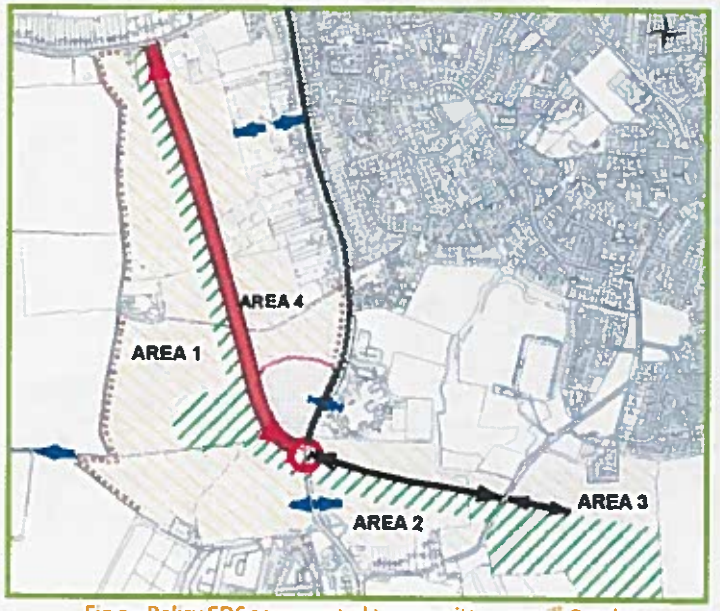


Fig 5 – Policy SD6 as presented to committee on 21st October 2014

Current Position

A new Issues and Option consultation was carried out in September 2015 which sought general views on housing issues and noted that "*The greatest need for housing in Tendring is expected to be in and around Clacton due to its existing large population and the long standing popularity of the area for retirement*".

On the 14th April 2016 a Housing Supply and Requirement Paper was presented to the Local Plan Committee for consideration. The paper recommended that the Local Plan is prepared on the basis of an annualised requirement (based upon the Strategic Housing Market Assessment 2015 figure) of 550 dwellings per annum with the option of an uplift to 600 dwellings per annum to be considered in addition. The paper also identifies a number of strategic locations for housing growth; land at Rouses Farm is identified as one such site with a proposed capacity of 875 dwellings, 800 of which are to come forward in the Plan period.

The Local Plan Committee accepted the paper and officers' recommendations and both the emerging requirement and the identified sites were carried through into the Preferred Options consultation.

The Preferred Options version of the Local Plan was approved by Full Council on the 5th July 2016.

Preferred Options Local Plan, July 2016

The preferred options Local Plan seeks to allocate the site at Rouses Farm for a new garden suburb for mixed uses (Fig 6).

The content of this new garden suburb is not specified although supporting text within the plan (para 4.8) refers to the potential for it to include a new doctor's surgery and a neighbourhood centre.

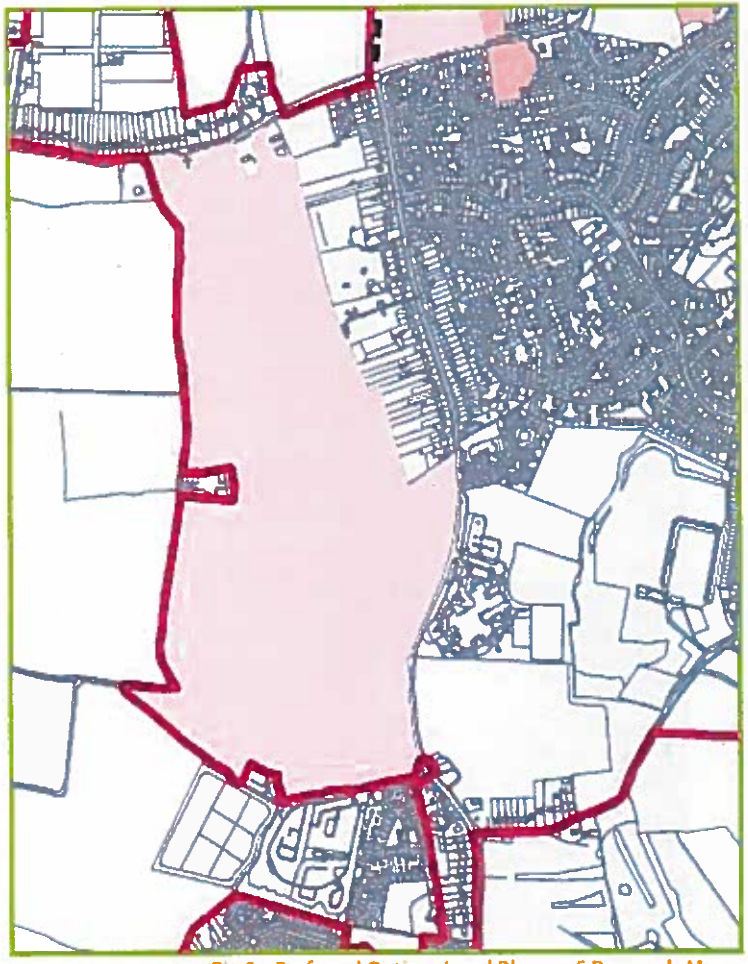


Fig 6 – Preferred Options Local Plan 2016 Proposals Map

Strategic Housing Market Assessment

A Strategic Housing Market Assessment (SHMA) was prepared in 2015 to support the preparation of the Local Plan.

The SHMA advises the objectively assessed housing need (OAN) in Tendring stands between 597 and 705 dwellings per annum.

In January 2016, following further advice on the OAN, the Council resolved to use 550 dwellings per annum as the OAN requirement for the housing figure, with the option to increase this to up to 600 dwellings per annum to be considered through the Local Plan process.

Emerging Policy LP1 includes these two housing requirements across the district. The figure for Clacton is the same irrespective of the OAN and sits at 2,780 across the plan period (2015-2032). The policy is clear that the intention is to provide a minimum net dwelling increase over the plan period of 10,149, which equates to 597 homes per year.

Fig 7 – North Essex Strategic Housing Market Assessment 2015

2.4 Alternative Town Capacity

Due to Clacton-on-Seas coastal location, new development can only be accommodated to the north, east and west of the settlement. The eastern areas of the settlement of Clacton are physically constrained by the railway line and flood risk. Therefore development can be more sustainably accommodated to the north and west of the settlement.

The Strategic Housing Land Availability Assessment (SHLAA) was most recently updated in October 2014.The site (reference UE1.3) was assessed and found to be suitable, available and achievable for residential development.

The SHLAA found that there are "*no irresolvable physical constraints [nor] irresolvable environmental constraints*". The SHLAA advises that "*design and appropriate landscaping is required to minimise impacts on surrounding countryside*". Furthermore it is noted that "*Rouses Lane would form a logical and defensible barrier to prevent further encroachment into the gap of countryside between Clacton and St Osyth*".

Fig 8 – Preferred Options Proposals Map

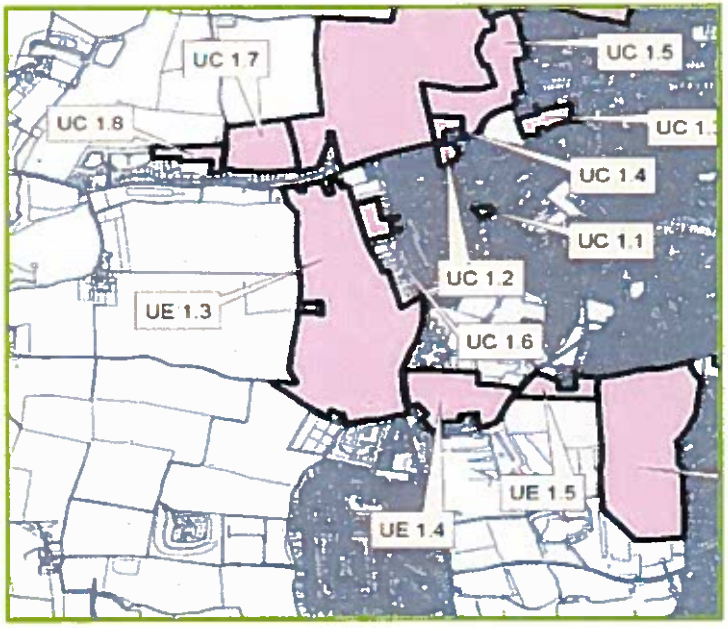


Fig 9 – SHLAA 2014 extract for west Clacton

2.5 National Policy Context

The National Planning Policy Framework (NPPF) was adopted in March 2012. This document replaced all previous national policy documents, including all Planning Policy Statements and Planning Policy Guidance Notes, as well as selected Circulars.

The NPPF is an overarching document which established a new national planning policy agenda focused specifically upon the delivery of sustainable development. It must be taken into account in the preparation of Local and Neighbourhood Plans and is a material consideration in planning decisions.

Paragraph 7 of the NPPF specifically sets out the basis for the achievement of sustainable development in planning terms and defines three key roles in the planning system:

- An economic role
- A social role
- An environmental role

Paragraph 9 of the NPPF sets out the following points for consideration when assessing whether development is sustainable:

- Making it easier for jobs to be created in cities, towns and villages
- Moving from a net loss of bio-diversity to achieving net gains for nature
- Replacing poor design with better design
- Improving the conditions in which people live, work, travel and take leisure

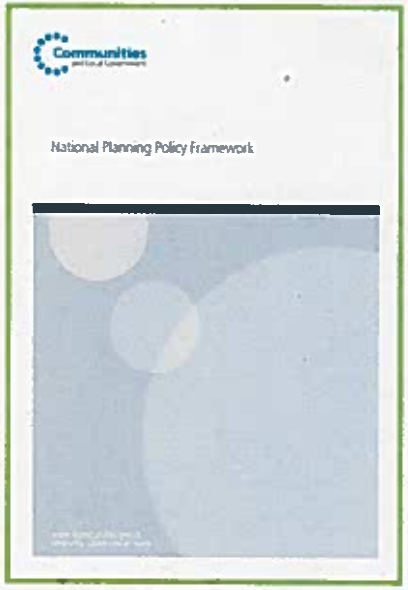
Furthermore, with regards to sustainable development, NPPF Paragraph 14 states:

"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking".

Core planning principles are set out in Paragraph 17 of the NPPF and include reference to plan-led planning, high quality design, countryside character, climate change, brownfield land, mixed use, heritage assets amongst a wide ranging set of principles.

The NPPF then sets out its approach to various intertwined topics that underpin sustainable development. Key components include the need to secure economic growth to create jobs (Paragraph 18), optimising sustainable transport (Paragraph 32), significantly boosting the supply of housing (Paragraph 47), good design (Paragraph 58), creating healthy and inclusive communities (Paragraph 69), avoiding flood risk (Paragraph 100) and protecting and enhancing valued landscapes (Paragraph 109).

The online National Planning Practice Guidance (NPPG) supports and informs existing policies within the NPPF. It is to be considered in line with the NPPF as a material consideration in the determination of planning applications.



National Planning Policy Framework
2012

3. SITE ASSESSMENT AND DELIVERY

3.1 Existing Key features

This section looks at the existing physical features and indicates which features will be retained and what will be removed through development of the site.

The proposed draft Masterplan seeks to retain and enhance as many existing features are reasonably possible. Development of the site will be sensitive to the surrounding uses were needed by ensuring that sufficient distances are incorporated and development is sensitively designed to minimise any impact development of the site will have on existing residents.

Where the site abuts St Johns Road and Jaywick Lane, gateway features will be incorporated in to the design of the scheme to create an inviting development. Social Infrastructure will be located close to these Gateways to ensure easy access for existing residents.

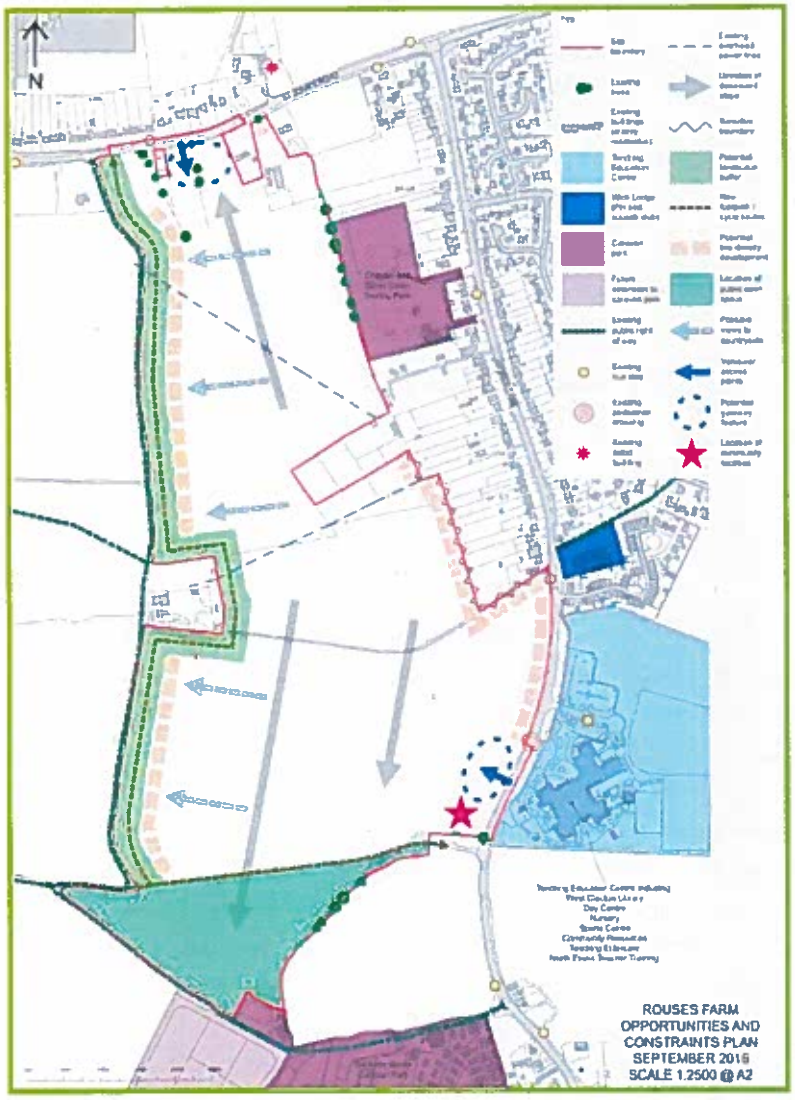


Fig 10 – Existing Site Features

3.2 Surrounding Land Uses

The site is adjacent to the existing settlement boundary of Clacton-on-Sea. Residential development is the predominant land use within this area of Clacton. The northern boundary of the site abuts St. Johns Road. This part of St Johns Road is characterised by linear development. The existing homes incorporate a wide variety of architectural styles, ranging from 1920 bungalows to contemporary housing.

The majority of the eastern part of the site abuts the existing residential area, which includes the Chester and Silver Dawn Touring and Caravan Park and houses fronting Jaywick Lane. The houses fronting Jaywick Lane benefit from extensive rear gardens.

The southern boundary abuts Sacketts Grove Caravan Park and the area for its permitted expansion.

The Tendring Enterprise Studio School is located to the south eastern of the site, on the opposite side of Jaywick Lane. The school is now closed but there are still a number of facilities which occupy the site including a library, day centre, nursery and sports centre. There is a signal controlled crossing on Jaywick Lane, located outside of the School and immediately opposite the site's south-eastern boundary.

The western boundary abuts Rouses Lane and beyond that large swathes of agricultural land which is used for arable farming and growing turf.

Pictures of the surrounding area and site context, including existing built form are shown on the page opposite which have been considered in the development of the masterplan.

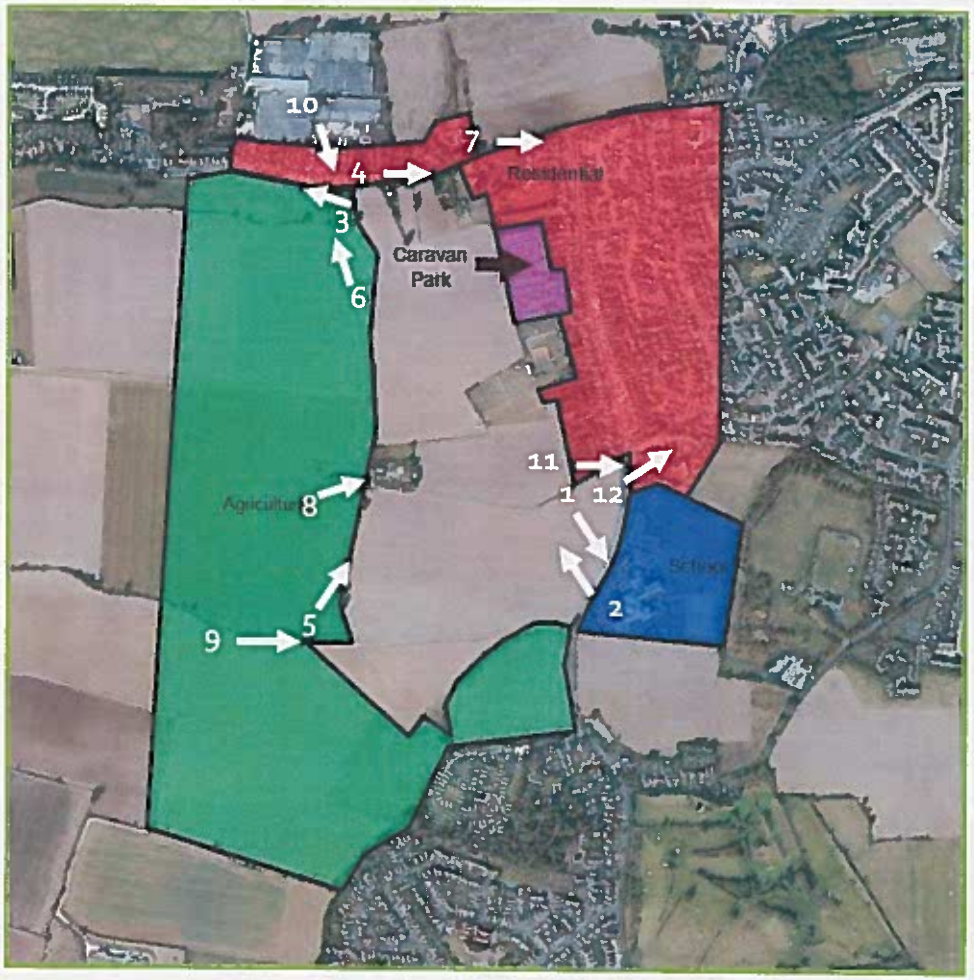


Fig 11 – Surrounding Land Uses

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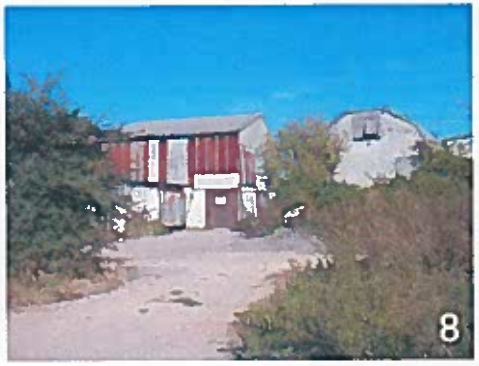
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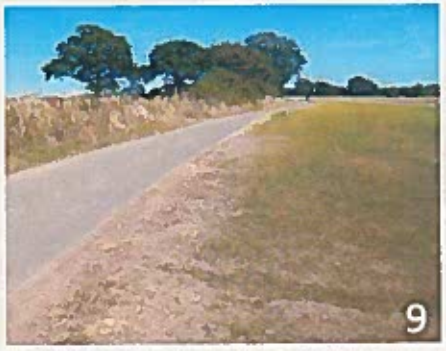
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3.3 Landscape Principles, Green Infrastructure

Landscape

Adopted Policy EN1 seeks to protect landscape character, including the setting and character of settlements. Emerging policy PPL3 requires that development should not cause overriding harm to the character and appearance of the rural landscape, including the settings of settlements and features such as hedgerows, trees and woodlands, and rural lanes.

The site is surrounded by open flat agricultural land and is afforded limited screening from existing trees or hedgerows. The adopted Plan identified a 'green gap' within the southern part of the site

The draft Masterplan has incorporated a landscape buffer along the western boundary of the site; this would include hedge and tree planting together with the creation of an accessible green corridor connecting St Johns Road with Jaywick Lane. This area has been designed to create a suitable edge to the development which respects the local landscape character and achieves an appropriate transition between the settlement edge and surrounding countryside. It would also provide a traffic free green corridor which can be used as traffic free Green Grid Link. It would also afford the opportunity for houses to have a positive outward facing relationship with the settlement edge.

The draft Masterplan proposes a sizable area of landscaped open space within the southern part of the site, defined to the north by the existing east/west track that is proposed to be maintained. This area of open space would assist in maintaining the openness of the Green Gap that presently exists between Tendering Enterprise Studio School and the Sacketts Grove Caravan Park. It is envisaged that this would be a multi-functional landscaped area of open space, incorporating both formal and informal opportunities for play and recreation.

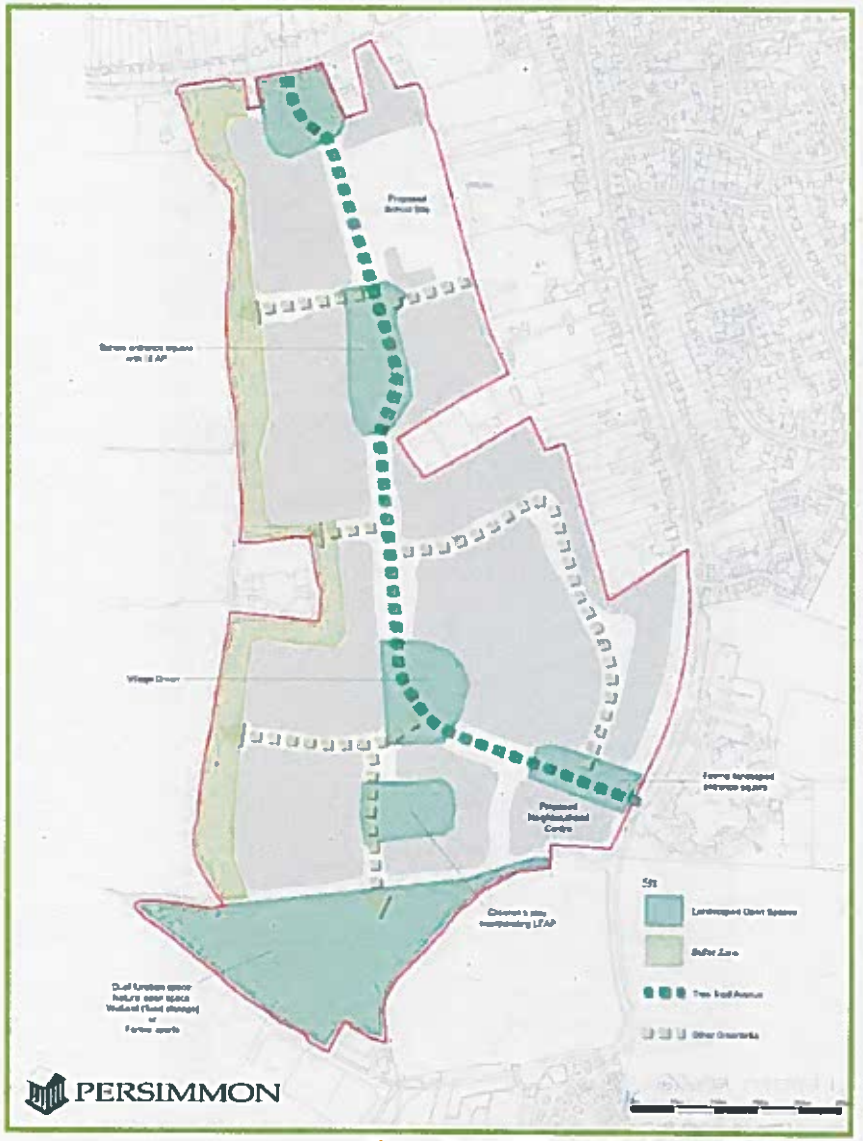

Fig 12 – Proposed Green infrastructure Masterplan

Open Space and Play Provision

Policy COM6 of the adopted Local Plan requires at least 10% of the site area of large development sites to be set aside as open space. Emerging policy HP4 does not set a specific requirement for the provision on open space but advises that it should be provided based on local needs and deficiencies.

As detailed in Fig 12, the draft Masterplan incorporates extensive areas of public open space in a variety of configurations; including amenity open spaces, Local Areas of Play, Local Equipped Areas of Play, and playing fields. The open space has been distributed in a manner to ensure that it is accessible both by proposed residents and existing residents.

Examples of Open Spaces

3.4 Drainage and SUDs

Adopted policy QL3 seeks to direct development to locations at lower risk of flooding in preference to higher risk areas. Adopted Policy EN13 expects that most development proposals will incorporate a Sustainable Drainage System (SuDS) to manage surface water run-off. The Planning Practice Guidance sets out the current requirements for flood risk assessments.

The proposed development lies within Flood Zone 1, meaning it is within the area at lowest risk of flooding (1 flood event in 1000 years or greater) from the sea or rivers.

The Site is not located within a groundwater source protection zone and is not located upon a major aquifer. No evidence of groundwater contamination issues were found during site investigation works carried out on site.

The Flood Risk Assessment and Drainage Strategy has been prepared by Parmarbrook. This explains how SuDS may be utilised. The SUDs systems will incorporate attenuation ponds and swales to capture water and create new habitats for wildlife.

The SUD's systems will ensure that discharge rates will be limited to Greenfield run-off rates. Existing watercourses around the site will continue to be utilised as the outfall for the site's limited surface water run-off.

The foul water flows generated from the Application Site cannot be accommodated within the existing foul water pipe network which serves the Jaywick area as confirmed by Anglian Water. However, an alternative connection point has been proposed by Anglian Water for the Proposed Development. The Foul Water Drainage Strategy for the Application Site will be developed with Anglian Water and will involve pumping foul water from the site to a proposed connection point near the Jaywick Water Recycling Centre, where Anglian Water have confirmed that capacity is available. The proposed adoptable foul water pump will be constructed on site to provide 24 hour storage and reduction to peak rates to the public sewers.

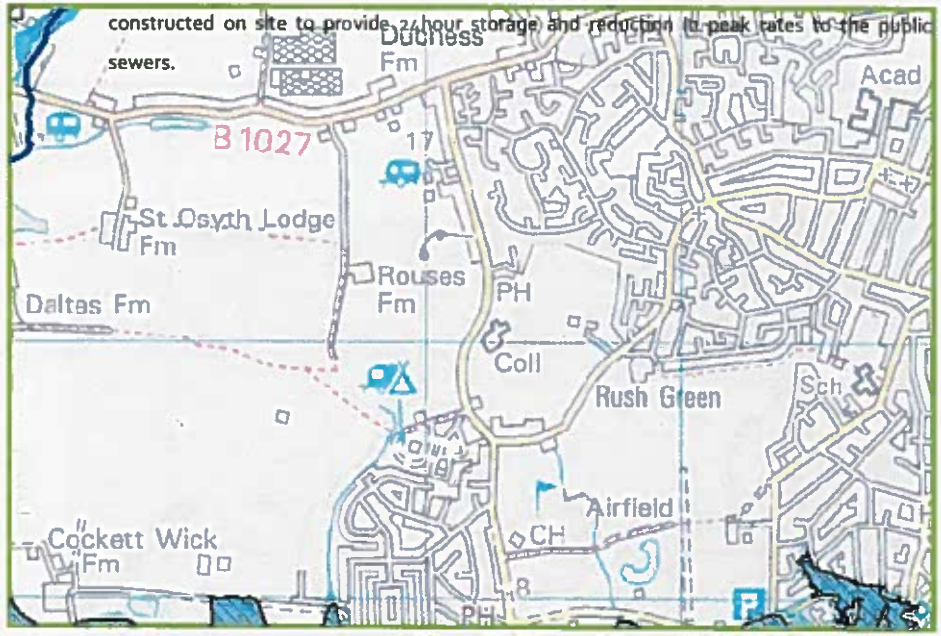

Fig 13 - Environment Agency flood risk map for the site

Examples of SUDs

3.5 Highways and Transport and Sustainability

The development will be served by 2 new vehicular access points; one from St Johns Road and one from Jaywick Lane. The access points will be connected by a spine road which will be constructed to the required standards to accommodate bus movements.

A Transport Assessment has been undertaken by Conisbee. This includes a full audit of the highway network surrounding the Site. The assessment was based on traffic count data including: for the morning and evening peak period turning movements at junctions and week-long automatic traffic and speed data at St John's Road, Jaywick Lane and Little Clacton Road. This, together with traffic growth and traffic from committed developments, formed the base scenario against which the development has been assessed.

A number of mitigation measures have been identified to address any potentially significant traffic related effects resulting from the increased traffic flow associated with the Development. These mitigation measures include:

- Provision of new traffic signals junctions at the site access, incorporating pedestrian crossing facilities on St John's Road;
- Provision of high quality pedestrian and cycling links throughout the site and connecting to the surrounding highway network;
- Site layout designed to accommodate buses;
- Implementation of a Construction Traffic Management Plan;
- Improvements to St John's Road/Jaywick Lane junction;
- Redesign of St John's Road/Cloes Lane junction as a traffic signals junction with pedestrian crossing facilities on all approaches;
- Modifications to St John's Road/Peter Bruff Avenue junction;
- Improvements to St John's Road/A133 roundabout;
- Implementation of a Travel Plan

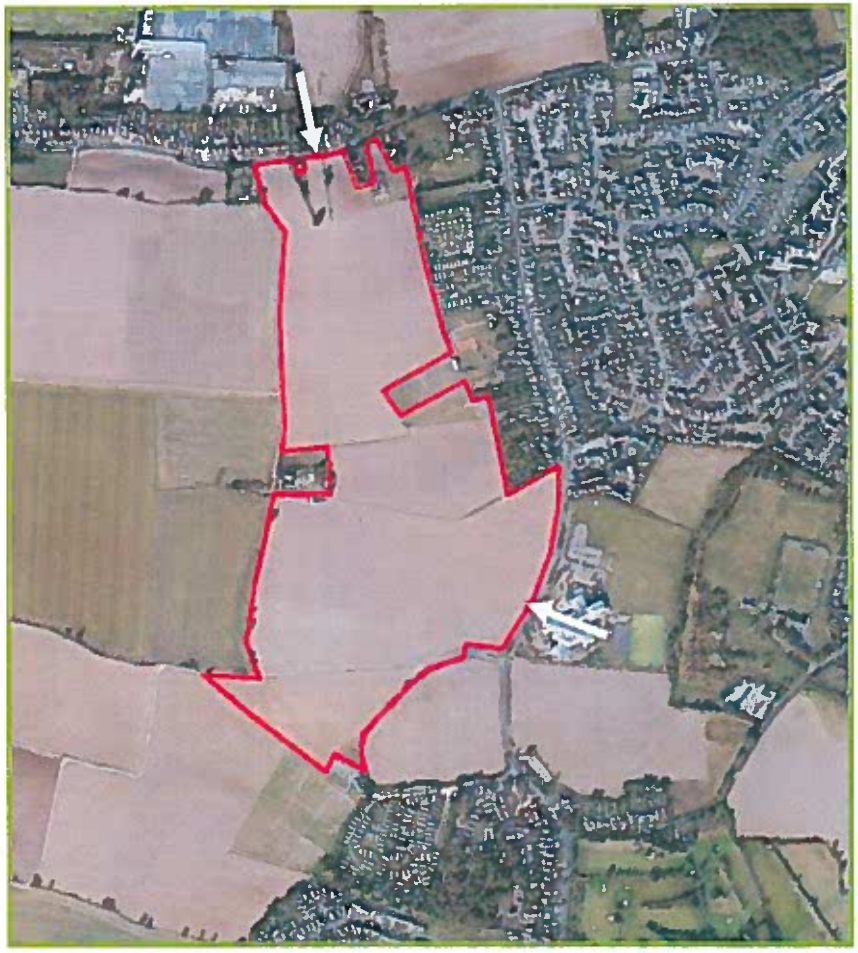

Fig 14 – Proposed access points

The Transport Assessment assessed the capacity of nearby junctions and four were found to require improvement:

St John's Road/Jaywick Lane mini-roundabout (Fig 15)

This junction operates over capacity when growth added to 2021. When traffic from the un-consented schemes is added this junction operates over capacity. In order to provide sufficient capacity at this junction, there is the potential to increase the size of the mini-roundabout, thereby increasing the entry width of both St John's Road approaches to the junction.

St John's Road/Cloes Lane mini-roundabout (Fig 16)

This junction is predicted to operate above capacity evening in the base (2016) scenario. The replacement of the present mini roundabout with a traffic signals junction would increase capacity and be practical within the highway land available.

St John's Road/Peter Bruff Avenue mini-roundabout (Fig 17)

There is scope to increase the size of the mini-roundabout, thereby increasing the entry width on both the St John's Road approaches to the junction. This would provide capacity to accommodate the proposed development.

St John's Road/A133 Roundabout (Fig 18)

As part of the Clacton Gateway scheme, it is proposed to modify the existing roundabout to include partial signalisation (of the London Road (south) approach to the junction). The modified junction will not have sufficient capacity for both un-consented developments and the Rouses Lane development. There is scope for improvement to both the London Road (south) and St John's Road approaches to the junction (increasing the entry widths to three lanes, and increasing the flare length); which would provide sufficient capacity to accommodate the proposed development.

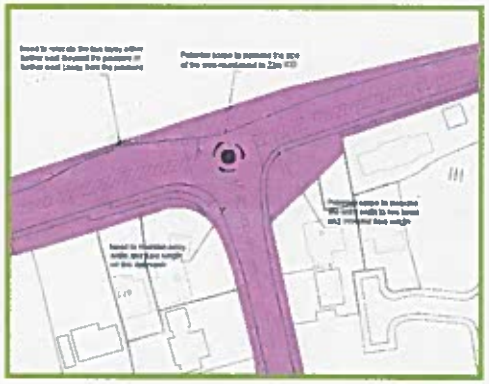

Fig 15

St John's Road/Jaywick Lane mini-roundabout

Fig 16

St John's Road/Cloes Lane mini-roundabout

Fig 17

St John's Road/Peter Bruff Avenue mini-roundabout

Fig 18

St John's Road/A133 Roundabout

3.6 Ecology

Adopted policy EN6 requires that existing biodiversity of a site must be protected and enhanced if planning permission is to be granted. Emerging policy PPL4 notes that proposals for new major development should consider potential to achieve enhanced biodiversity, including through the provision of green infrastructure. This is consistent with the NPPF which, at paragraph 109, seeks to achieve net gains in biodiversity. The NPPF also requires at paragraph 118 that opportunities are taken to encourage biodiversity in and around developments.

In May 2015 an Extended Phase 1 Habitat Survey was conducted by Southern Ecological Solutions. Whilst much of the site is of low biodiversity value, the surrounding boundary habitats (such as the hedgerows bordering the site) had the potential to be of value to protected species. The survey also noted the need to provide sufficient green space to avoid increasing recreational pressure on nearby designated sites.

A series of Phase 2 surveys were carried out and reported in October 2015. These surveys included:

- Bat surveys, which identified a low level of bat activity at the site (primarily along boundary habitats which are to be retained) and the presence of three species of pipistrelle bat. The survey recommends that lighting on the site is directed away from boundary habitats.
- Small mammal surveys, which examined the presence of hedgehogs, brown hares and harvest mice. The survey recommends retention of suitable habitats, sensitive management to create more favourable habitats, and the provision of hedgehog homes.
- Reptile surveys, which identified common lizards and a slow worm in one of seven visits. The survey recommends retention of existing hedgerows and measures to be taken to prevent killing or injury of reptiles during the construction phase.
- A great crested newt survey, which identified no great crested newts on the site and has established the site is largely unsuitable as a habitat for great crested newts. The

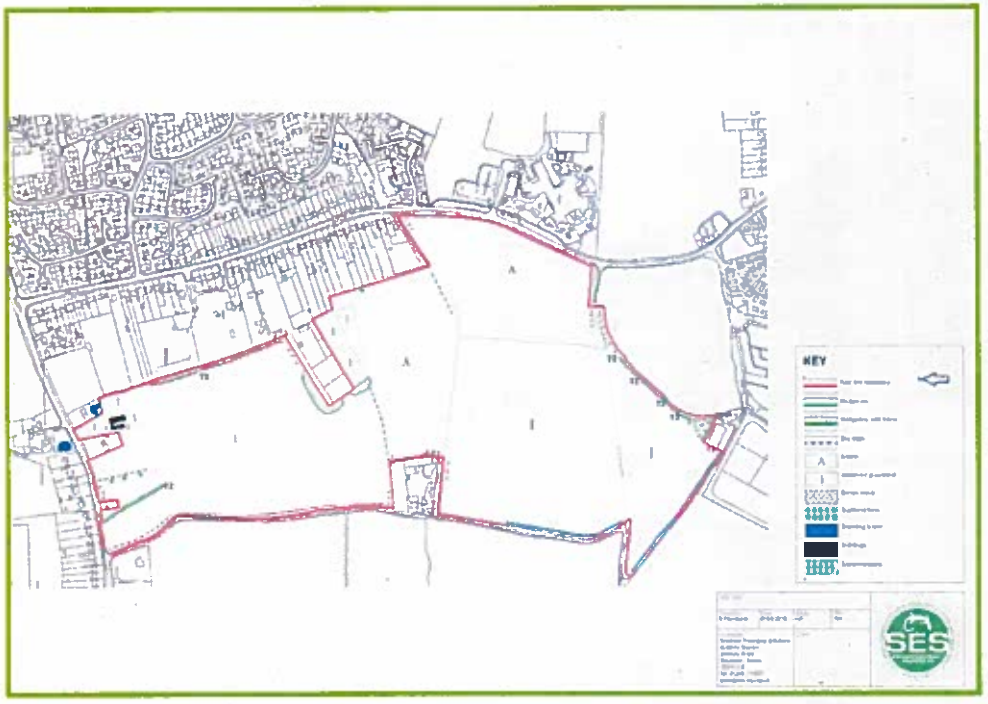

Fig 19 – Phase 1 Habitat Survey Plan

survey concludes that great crested newts do not pose a constraint to development at the site.

- A breeding bird survey which identified on the site nine species of notable conservation status with a further twenty-one species of favourable conservation status. The survey recommends provision of suitable planting and management of open space to support breeding birds at the site.
- A wintering bird survey which identified on the site fourteen species of notable conservation status with a further twenty-two species of favourable conservation status. The survey recommends provision of suitable planting and management of open space to support wintering birds at the site.
- An invertebrate survey which found the site to be of generally low quality and suitability for noteworthy invertebrates. The survey recommends provision of suitable landscaping to support invertebrates at the site.

The site at present is of limited biodiversity value and as the ecological surveys demonstrate there are opportunities to enhance biodiversity on the site by retaining existing features, provision of new features and landscaping, and suitable management arrangements for open space. The Masterplan has evolved to have regard to the findings of the various surveys undertaken; this includes retaining principle hedgerows and providing new habitats.

Further details of landscaping and ecological measures will be confirmed through the application stage and may be secured by an appropriately worded condition. As such the proposed development can achieve net gains in biodiversity and therefore meet the expectations of adopted policy EN6, emerging policy PPL4 and the NPPF.

Plate 1: Improved grassland field

Plate 3: Semi-improved grassland adjacent site

Plate 2: Hedgerow with thin improved grassland margin

Plate 4: Pond to the north of site

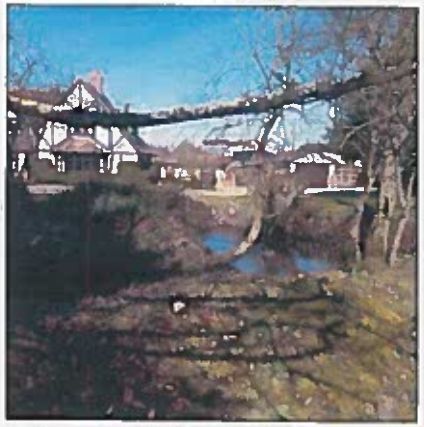

Fig 20 – Habitats present on site

3.7 Consultation and Engagement

A public consultation event was held on 17 June 2015 to seek public views about the proposals. The event was well attended with 107 residents and stakeholders in attendance on the day. A website, rousesfarmclacton.co.uk has been set up to provide information on the scheme and an opportunity to submit comments electronically.

The feedback from pre-application discussions has helped to shape the proposed development.

Engagement with key stakeholders has taken place to evolve the draft Masterplan including:

- Anglian Water
- ECC Education
- ECC Highways
- NHS England and Property

Fig 21 – Consultation Boards

3.7 Deliverability Assessment Conclusions

In line with the national planning policy guidance on assessment of sites for suitability, achievability and deliverability the following comments are made:

Suitability

- The site is not covered by any current designations to prevent it from being developed.
- There are no major technical constraints that would prevent the site from being developed for the quantum of development envisaged.
- The impacts of the development from all technical disciplines has been assessed and found to be suitable with no significant or demonstrable harm.

Availability

- Persimmon Homes have an Option to Purchase the site, and as one of the largest house builders in the UK we can ensure that the site is delivered and all necessary infrastructure and other elements of the mitigation package procured through the development process.

Achievability

- The market area which the site falls is both attractive and strong; no issues are foreseen in this regard.
- The cost of delivery in this area is not a barrier to deliverability of the site.
- Persimmon Homes are willing to work with the LPA in order to appropriately phase the development to accord with the needs of the housing market in the District.

3.8 Sustainability Assessment Conclusions

The site at Rouses Farm has been tested against the Sustainability criteria found within Paragraph 7 of the NPPF and is considered to provide the following benefits:

Economic

The proposed development will secure significant economic benefits during its construction and occupation. Development of this scale will support jobs in the construction industry for a number of years while the site is built out. Once occupied, the residents of the proposed development will increase spending in the local area and expand the local workforce. The proposed retail, school and medical centre elements of the scheme will directly support job creation within the site.

Social

The delivery of much-needed housing – both open market and affordable – is a recognised social benefit. That benefit is significant in a district such as Tendring that has a chronic shortfall in housing provision. Furthermore, the provision of a medical centre, primary school and community centre represent additional and significant social benefits in an area currently experiencing deficiencies in local service provision. The new facilities will serve not only residents of the proposed development but will play a role in serving existing residents in the vicinity, helping to ease pressure on current facilities. Open space forms a key part of the proposals and will provide opportunities for recreation and exercise in a part of Clacton with limited access to open space at present.

Environmental

The proposed development includes measures to mitigate its effects on the landscape through its design, the provision of open space and landscaping. Ecological enhancement measures will help to achieve net gains in biodiversity. The site is also well-located for residents to take advantage of public transport services and many local facilities are within walking distance thus assisting in minimising the need for car-borne trips.

7. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Fig 22 – Paragraph 7 of the NPPF

4. DRAFT MASTERPLAN

4.1 Opportunities and Constraints

Opportunities:

- The site capable of accommodating residential development and has suitable round frontage on to St Johns Road and Jaywick Lane
- Development of the site can provide a new spine road through the site which can accommodate bus movements and reduce the need for vehicles to use Jaywick Lane
- The site adjoins the existing settlement of Clacton on Sea to the north, east and south
- The scale of development proposed for the site will enable the provision of new social facilities to serve both new and existing residents
- The site is served by existing public transport which provides direct links in to Clacton on Sea, which offers a wide range of services and facilities
- Development of the site has potential to deliver a more defensible boundary to the west to prevent coalescence between Clacton and St Osyth
- Existing public rights of way can be incorporated in to the site to encourage healthy wellbeing and fitness.

Constraints:

- The eastern boundary of the site abuts existing residential development
- The site can be viewed from the north, west and south
- There is a listed building to the north of the site

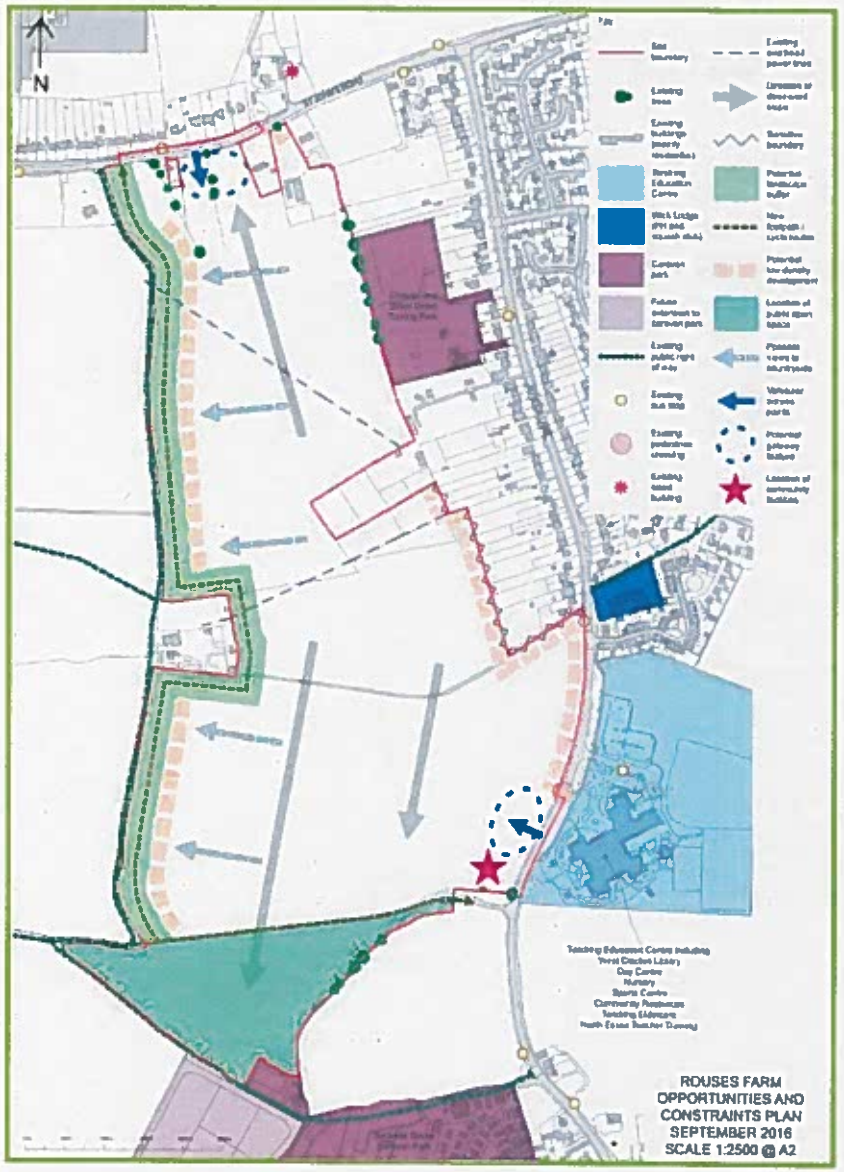

Fig 23 – Opportunities and Constraints Plan

4.2 Movement and Site Access

It is proposed to create a central spine road connecting with St.Johns Road in the north and Jaywick Lane in the south. This would provide the principle vehicular route through the site and would be capable of accommodating bus traffic. It would also include a pedestrian and cycle route.

Figure 24 details the indicative movement network, including points of site access, road hierarchy and key cycle and pedestrian routes.

Development of the site will secure a new road from St Johns Road to Jaywick Lane. This will reduce the need for traffic to use Jaywick Lane and be built to accommodate bus movements.

The spine road will serve the secondary roads which serve the residential areas of the site and the new school and neighbourhood centre. Shared surfaces and private drives will also be incorporated, particularly around the periphery of the site to have regard to the edge of settlement location of the site.

New cycle and pedestrian links will be incorporated in to the site to encourage the use of sustainable modes of transport and promote a healthy lifestyle for new residents. New public footpaths will link in to the existing public footpath to the west of the site and provide new routes to both St Johns Road and Jaywick Lane.

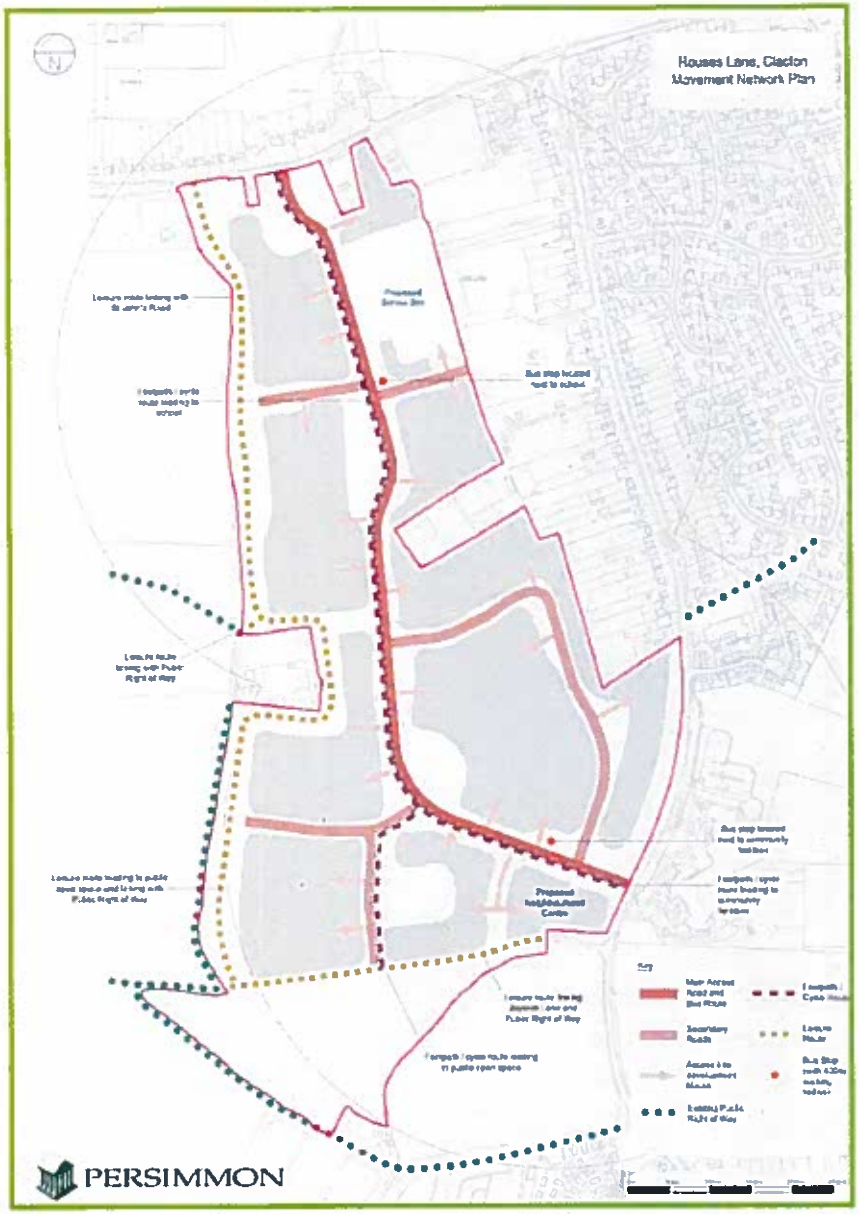

Fig 24 – Movement and Site Access Draft Masterplan

4.3 Draft Masterplan and Key Principles

This statement has shown the progression and influences that have informed the draft Masterplan. The draft Masterplan seeks to protect and enhance important landscape features of the sites and deliver a mixed use scheme which follows the Garden Suburb Principles.

The draft Masterplan seeks to follow the key principles:

- To create a high quality environment set within significant landscaped areas
- A new logical, defensible and attractive landscaped boundary through the creation of a sizable green buffer along the western edge of the site
- Creation of new public open spaces for both formal and informal recreation
- Provide for ecological enhancement of the site
- Protection of existing residents amenity through well established planting and spacious separation distances
- Promotion of sustainable transport through the creation of new, well integrated pedestrian and cycle links both within and through the site which provide access to bus routes and local services
- Integration of SUDs
- The delivery of a new spine road to reduce the need for vehicles to use Jaywick Lane
- Incorporate new community facilities including primary school, GP surgery and local centre accessible for existing and proposed residents
- Provision of much needed affordable and market housing, including bungalows.

Fig 25 – Final Masterplan

5. CONCLUSIONS AND ENDORSEMENTS

Persimmon Homes supports the proposed allocation of land at Rouses Farm for a mix use development. Persimmon Homes have worked with Officers, Members and local residents through the progression of the emerging Local Plan.

This statement has highlighted the progression of the site through the Local Plan process to date and the detailed technical assessments that have been undertaken in support of the quantum of development envisaged within the emerging plan. The evidence demonstrates that there are no technical reasons why the site cannot be brought forward within the plan period in accordance with the emerging Local Plan allocation.

The Preferred Options Local Plan seeks to deliver a minimum of 597 dwellings per annum in Tendring District. 2,780 of these are to be delivered in and around Clacton, with Rouses Farm identified as being capable of deliver 875 dwellings in the Housing Supply and Requirement Paper presented to the Local Plan Committee on the 14th April 2016. The supporting assessments and draft Masterplan detail how this quantum of development can be satisfactorily accommodated on site.

Examples of Persimmon Homes schemes

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1022276

Received On

- 9 SEP 2016

By Planning Services

Woolf Bond Planning
Chartered Town Planning Consultants

Our ref: SB/7500

Email: s.brown@woolfbond.co.uk

8th September 2016

Planning Policy Manager,
Tendring District Council,
Thorpe Road,
Weeley,
Essex,
CO16 9AJ

Dear Sirs,

Tendring District Local Plan Preferred Options Consultation (July 2016)
Representations Submitted on Behalf of Taylor Wimpey UK Ltd

Introduction

We refer to the above consultation Document and write on behalf of our client's, Taylor Wimpey UK Ltd., setting out a number of comments upon certain of the issues and options contained therein.

Our representations relate to the following key policies:

- Policy SP2: Meeting Housing Needs
- Policy SP3: Providing for Employment
- Policy LP1: Housing Supply
- Appendix C: Map 30 – Weeley

Plans and particulars are enclosed in support of our representations as follows:

i. Duly completed Response Form
ii. Illustrative Masterplan No. CSa/2632.103A (CSa Environmental)
iii. Accessibility Technical Note (i-Transport)

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Policy SP2: Meeting Housing Needs
and
Policy LP1: Housing Supply

National Policy Context

The NPPF requires LPAs to *'use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework* (para 47)*'*.

The NPPF makes it clear at paragraph 47 that in significantly increasing the supply of housing Local Planning Authority (LPAs) should meet the full requirements for market and affordable housing. The NPPF states that when determining the local level of housing provision LPAs are required to take into account evidence of current and future levels of need and demand for housing and affordability levels. Further the NPPF requires LPA's to *'prepare a Strategic Housing Market Assessment (SHMA) to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries'* (para 159).

Paragraph 47 thus requires LPAs to *'boost significantly the supply of housing'* and identify a five year supply of deliverable housing land. Finally the NPPF requires LPA's to *'identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should* ***increase the buffer to 20%*** *(moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land'*.

The delivery of housing is seen as a matter of national priority and there have been various recent statements both by the Chancellor of the Exchequer and other Ministers of DCLG indicating the importance of housing delivery and the benefits of the same to both the National and Local economies.

This objective is clearly reflected in the Government's aim of kick-starting the economy and a commitment to investing £10 Billion in new housing to boost the national economy. This is acknowledged in the Secretary of State's Written Statement on 'Housing and Growth' (dated 6th September 2012) that states:

> **"The need for new homes is acute, and supply remains constrained. There are many large housing schemes in areas of high housing demand that could provide real benefit to local communities once delivered. But, large schemes are complicated and raise a wide range of complex issues that can be difficult to resolve."**

More recently, the Government has referred to the existence of a nationally identified housing crisis[1].

[1] In the House of Commons Debate on 24 October 2013, the Planning Minister, Nick Boles, reaffirmed that there is a national housing crisis.

The appropriate guidance to the derivation of a "Sound" evidence underpinning the assessment of an objectively assessed housing requirement is set out at paragraphs 47, 50, 154, 156, 157, 158 and 159 of the NPPF and requires as follows:

- Ensure that the Local Plan meets the full objectively assessed needs for market and affordable housing in the HMA (Para 47).
- Plan for a mix of housing based on current and future demographic trends, market trends and needs as well as identifying the range of housing that is required (Para 50).
- Local Plans should address the spatial implications of economic and social change (Para 154).
- The Local Plan should set out the strategic priorities and policies for the area, including in relation to the homes and jobs needed (Para 156).
- Crucially Local Plans should plan positively for the development required in the area to meet the objectives, principles and policies of this Framework (Para 157).
- Each LPA should ensure that the Local Plan is based on adequate, up to date and relevant evidence about economic matters (Para 158).
- LPAs should have a clear understanding of housing needs in their area and should prepare a SHMA to assess their full housing needs. The SHMA should, inter alia, meet household and population projections taking account of migration and demographic change and address the need for all types of housing (Para 159).

The guidance set out in the NPPF in so far as it relates to the identification of an objectively assessed housing requirement is supplemented by that set out in the more recent advice contained in the National Planning Policy Guidance (NPPG) (March 2014).

The Local Plan section of the NPPG confirms that:

> **'The Local Plan should make clear what is intended to happen in the area over the life of the plan, where and when this will occur and how it will be delivered'.**

In all of the circumstances the need to provide for and address housing delivery is an issue which must be viewed both positively and urgently by LPAs.

The above is clear in setting out that a Local Plan should:

- Provide a delivery strategy that is clear in terms of where, when and how housing needs will be delivered over the full plan period;
- Meet full, objectively assessed housing needs for market and affordable housing; and
- Boost significantly the supply of housing and ensure a deliverable five year housing land supply with an appropriate buffer can be maintained at all times.

District-level Context and Plan Requirement

As set out in the Planning Practice Guide (PPG), the household projections published by the Department for Communities and Local Government represent the starting point when undertaking an assessment of housing need (Paragraph: 014 Reference ID: 2a-014-20140306 refers).

Thereafter, appropriate adjustments in order to reflect market signals, household formation rates and employment trends.

As set out in the PPG, which position is representative of the prevailing pattern of stagnation in Tendring is that household formation rates may have been suppressed historically by under-supply and worsening affordability of housing – in so far as household projections do not reflect unmet housing need.

Informed by the content of the PPG, the assessment work undertaken as part of the Objectively Assessed Housing Needs Study Update (PBA) (Jan 2016) and the working papers presented to various local Plan Committees throughout 2016, we are of the view that the Local Plan should plan for growth at a minimum of 600 dwellings per annum.

It is essential that the Plan seeks to meet the objectively assessed housing need in full. This will be critical to ensuring a "sound" Plan.

Five Year Housing Land Supply

Paragraph 5.6 of the Consultation Document confirms that the Council is a 20% Authority and that they are unable to demonstrate a five year supply of deliverable housing land. Accordingly, the Plan should seek to assist in meeting the requirements of the NPPF in boosting significantly the supply of housing land by allocating sustainably located and deliverable sites.

Given the accrued shortfall that has accumulated over past monitoring years, including the substantial under provision in the delivery of affordable housing (an average of only 6%[2]) the Council should seek to meet this shortfall in the immediate five year period consistent with the 'Sedgefield' methodology which accords with the approach to boosting significantly the supply of housing land in accordance with the content of the NPPG which states "Local Planning Authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible. Where this cannot be met in the first five years, local planning authorities will need to work with neighbouring authorities under the 'Duty to Co-operate'." (Paragraph: 035 Reference ID: 3-035-20140306) and SoS appeal decisions.

The consequence of failing to demonstrate a five year supply of deliverable housing land means that the Plan would be out of date at the point of intended adoptions and could not be found sound.

Taylor Wimpey UK Ltd has a controlling interest in land to the north of Colchester Rd, Weeley (forming the major part of SHLAA Site Ref: WE1.2) that is suitable for development in helping to meet the need for employment and housing growth in a sustainable location within the current five year period.

[2] Report to the Local Plan Committee in April 2016 refers.

Summary

The Local Plan should identify sufficient deliverable and developable sites to help meet the 600dpa requirement during the plan period (12,000 dwellings in the period 2013 to 2033) whilst facilitating the early release of sites in helping to demonstrate a five year supply of deliverable housing land. The NPPF is clear in requiring local planning authorities to identify sites which are deliverable (paragraph 47). The site can be considered deliverable in that development would be in line with Footnote 11 i.e. the site is available, able to offer a suitable location for development and ultimately is achievable.

Policy SP3: Providing for Employment

General

Including for the reasons set out in the Employment Land Review prepared as part of the supporting evidence base to the emerging Local Plan (Aspinall Verdi) (May 2016), we support the need for additional employment land allocations in helping to achieve a strong economy to accompany the planned levels of growth in the period to 2033. Moreover, providing for employment opportunities and housing choice in sustainable locations can help secure a sustainable pattern of growth.

Taylor Wimpey UK Ltd has a controlling interest in land proposed to be allocated for employment use to the north of Colchester Road at Weeley (Figure 6.6 of the Employment Land Review and Local Plan Map C30 refers). The Employment Land Review identifies the site as providing a sustainable opportunity to deliver employment land with good access and prominence (Para 7.34 refers). However, and self-evident from the limited amount of employment land that has been developed in the recent past, there are viability factors that limit the "speculative" provision of new employment sites. This is acknowledged at paragraph ES23 of the Employment Land Review and the site's SHLAA assessment which acknowledges viability as an issue.

Summary

We support the allocation of the land to the north of Colchester Road, Weeley for new employment opportunities. However, we are of the view that this should be as part of a mixed use scheme to include additional housing development alongside community facilities including a local centre, land for a potential a 1FE primary school as well as additional public open space provision.

Additional and related representations are set out in response to Proposals Map C30 (Weeley) below.

Appendix C: Map 30 – Weeley

General

We support the need to plan for growth at the sustainable rural settlements, including Weeley.

Land to the North of Colchester Road (SHLAA Site Ref: WE1.2)

Land controlled by Taylor Wimpey UK Ltd forms the majority of SHLAA Site WE1.2 located to the north of Colchester Road, Weeley. It extends to approximately 20ha.

As shown on the accompanying Accessibility Technical Note, the site is located within walking and cycling distance from local services and facilities including the train station. It is also accessible by bus.

The site is currently in agricultural use and is also used for car boot fayres.

In terms of topography, the site is generally flat.

The site is not located within or adjoining a Conservation Area. In addition, there are no listed buildings in or directly adjoining the site.

The wider area (to the east) is characterised by residential development, although there is no one dominant form of dwelling type or design.

The SHLAA concludes in relation to the extended site (including land to the north east not controlled by Taylor Wimpey and not forming part of this Local Plan submission) as follows:

Estimated dwelling capacity:	*450 dwellings.*
Physical constraints:	*No irresolvable issues. Development would require a suitable access from the B1033 that would not reduce the flow of traffic on this busy road.*
Environmental constraints:	*no irresolvable issues.*
Infrastructure constraints:	*In conjunction with other large sites in Weeley, development would require a range of new transport, health, utilities and education infrastructure. A new primary school would need to be delivered as an integral part of the development.*
Other comments:	*There are doubts over the suitability of this land for housing as it would introduce housing on the opposite side of a busy rod and would protrude the settlement northwards into a relatively uncontained area of countryside that is poorly connected with the existing built up area.*

The accompanying Illustrative Masterplan and Accessibility Technical Note address the suitability concerns in relation to, inter alia, connectivity. The content of these supporting documents is summarised below.

The Illustrative Masterplan

The Illustrative Masterplan (No. CSa/2362/103/A) provides for the following form and layout of development:

- Approximately 380 dwellings
- A 3ha site for employment (to include a 0.5ha local centre)
- Access from Colchester Road as a pedestrian/cycle link from Crown Lane and Hawk Lane
- Land for a 1FE primary school (to accommodate 210 pupils in seven classes)
- Formal sports pitch provision
- Pedestrian links to the remainder of Weeley
- Pedestrian access across Colchester Road
- A form of development that is contained from wider views into and from the site by virtue of the existing boundary planting and the proposed landscape strategy.
- A layout of development that can be assimilated into the character of the area, providing for a sustainable extension to Weeley.

In landscape terms, the site benefits from screening from the adjacent woodland and the tree belts to the site boundaries which enclose the site.

The site lies on the north western side of the existing built up area of Weeley, immediately to the north of Colchester Road and consists of three fields which are bound by a mix of mature vegetation and existing woodland. The eastern boundary is formed by Hawk Lane which is flanked by mature tree planting to either side. The western field and middle field are separated by a shelter belt comprising a single row of trees.

The Concept Masterplan shows how new areas of landscaping in the form of tree planting and amenity landscaping could be incorporated into the design to ensure that development is integrated into the local context.

The Concept Masterplan provides for approximately 380 dwellings on a total developable area of circa 10ha at approximately 38dph.

The draft scheme layout also demonstrates how a new primary school could be accommodated on the site. The primary school site measures 1.09ha and guidance contained within Essex County Council's 'Education Contribution Guidelines Supplement' sets out that a 1.09ha site would be able to accommodate 210 pupils within seven class bases. The Concept Masterplan shows how the primary school site could be located on one of the principal routes through the new development in order to maximise its accessibility for both new and existing residents.

The proposed local centre and medical centre are shown to be accommodated on a combined site of 0.5ha, located adjacent to the vehicular site access point from Colchester Road an forming part of the wider 3ha site for employment generating uses (including B1 and B2). Its location fronting Colchester Road would help to maximise the viability of a new retail use where it would be benefit from passing trade along Colchester Road. Equally, its location adjacent to Colchester Road would maximise the accessibility of the employment area from the existing bus stops that are located nearby to either side of Colchester Road. The combined site would allow for the shared use of car parking and the creation of a vibrant space that would benefit from activity during both the daytime and evening.

Overall, the Concept Masterplan puts forward a vibrant form of development that will deliver a range of community benefits for both existing and new residents of the village. All of these new community facilities would be readily accessible from within the development and would be connected by a network of proposed recreational routes.

Accessibility Technical Note

The accompanying Accessibility Technical Note demonstrates the sustainability merits of providing for development of the site in the manner proposed, which includes accessible pedestrian, cycle and bus connections to the remainder of the settlement.

Summary

Land to the north of Colchester Road should be allocated for a mix use scheme to include an element of employment land and approximately 380 dwellings in helping to meet identified needs during the plan period.

Summary

We trust the above comments are of assistance in producing a revised version of the Local Plan for a subsequent Regulation 19 consultation and await confirmation of receipt of our representations in due course. In addition, we welcome the opportunity to discuss the emerging proposals for the site with the Council.

Please do not hesitate to contact the writer should you wish to discuss any matter(s) arising.

Yours faithfully,

[redacted]

Steven Brown BSc Hons DipTP MRTPI

Enc

Site Boundary: **20.15ha**

Proposed Residential Development Area: **10.08ha**
Approx. 380 dwellings @ 37.5dph

Proposed 1 Form Entry Primary School: **1.09ha**

Potential Employment Area: **3.0ha**
To include:
- 0.5ha Local Centre
- 2.5ha Business Development Area (Approx. 6,250sqm business floorspace)

Circulation:

Potential vehicular access point

Potential future vehicular access point to SMART's Land

Emergency access route only (carriageway wide enough to accommodate emergency vehicles)

Primary vehicular route through the proposed development

Potential secondary routes through the proposed development

Existing Public Rights of Way

Potential pedestrian links

Potential pedestrian and cycle route along Colchester and Hawk Lane

Existing Trees and Drainage:

Existing trees and hedgerows

Existing ditches

Extent of surface water flooding (Source: EIA)

Proposed attenuation basins and swales

Public Open Space Provision: 5.98ha

Formal and informal public open space (POS). (To include SuDs features, play provision, existing green infrastructure and playing field provision)

Equipped/designated play area (To include 1No. LEAP, 2No. Natural Play Areas)

Playing Pitch Provision: 0.5ha

The above POS provision meets Policy COM6 minimum requirement of 10% of the gross site area. The nature of the POS is in accordance with the hierarchy of provision outlined by the Fields in Trust.

Rev	Date	By	Description
A	05.07.16	SE	Amended to reflect client's comments

CSA environmental

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Project	Land to the north of Colchester Road, Weeley
Title	Development Framework Plan
Client	Taylor Wimpey UK Ltd
Scale	1:2000 @ A2
Drawn	SE
Date	June 2015
Checked	RR
Drawing No	CSA/2632/103
Rev	A

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LAND NORTH OF COLCHESTER ROAD, WEELEY

ACCESSIBILITY NOTE

Client: Taylor Wimpey UK Ltd

i-Transport

ACCESSIBILITY NOTE

LAND NORTH OF COLCHESTER ROAD, WEELEY

Client: Taylor Wimpey UK Ltd

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i-Transport Ref: NM/JN/ITL11228-002B

Date: 7 September 2016

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QUALITY MANAGEMENT

Report No.	Comments	Date	Author	Authorised
ITL11228-002A	FINAL	05/09/2016	JN	NM
ITL11288-002B	ISSUE	07/09/2016	JN	NM

File ref: L:\PROJECTS\11000 SERIES\11228 - Land North of Colchester Road, Weeley\Admin\Report and Tech Notes\ITL11228-002B R Accessibility Note.docx

CONTENTS

SECTION 1	INTRODUCTION	1
SECTION 2	EXISTING TRANSPORT CONDITIONS	2
SECTION 3	MASTERPLAN PROPOSAL	7
SECTION 4	TRANSPORT ASSESSMENT	10
SECTION 5	SUMMARY AND CONCLUSIONS	12

FIGURES

FIGURE 1	LOCAL FACILITIES PLAN

APPENDIX

APPENDIX A	INDICATIVE MASTERPLAN
APPENDIX B	PROPOSED ACCESS DRAWING - ITL11228-SK-006 RA

SECTION 1 INTRODUCTION

1.1 Introduction

1.1.1 This Accessibility Note has been prepared on behalf of Taylor Wimpey UK Ltd by i-Transport LLP to support local plan representations in relation to the land north of Colchester Road, Weeley for a residentially-led mixed use development. The site lies to the north of the B1033 Colchester Road, west of Hawk Lane, and east of Crown Lane.

1.1.2 The Site represents a sustainable location in helping to meet identified housing needs. As set out in the accompanying Masterplan prepared by CSa (provided at **Appendix A**), the site can provide for 380 dwellings and some 6,250sqm of commercial business space and includes a means of vehicular access from the B1033 Colchester Road, together with sustainable connections to the remainder of the settlement.

1.1.3 Whilst the masterplan is illustrative at this stage, it demonstrates how the site can provide for a range of house types together with supporting infrastructure, including land for a primary school and local centre as well as sport/recreation facilities. The provision of housing and employment land and accompanying infrastructure provides an opportunity to make the settlement more sustainable and prosperous.

1.1.4 The site currently has a draft allocation in the emerging Tendring Local Plan for employment use (see Policy PP7 and Map 33 – Weeley). However, it is considered a residential element will be necessary to act as an enabling provision.

1.1.5 Therefore, this Technical Note has been prepared to demonstrate that the site is suitable for a residentially-led mixed use development, given its location can be made more sustainable in transport terms with only minor interventions, whilst also having existing, suitable links to a variety of services and facilities.

SECTION 2 EXISTING TRANSPORT CONDITIONS

2.1 Overview

2.1.1 The site is located to the north of, and abutting, the A133/B1033 Colchester Road. Its boundary to the north is with agricultural land, to the east with Hawk Lane and an existing employment building, to the south by the Colchester Road and a single dwelling, and to the west by Crown Lane. The site is largely in pastoral use, although car boot sales are held on the site every Saturday and Bank Holiday Monday (7am to 2pm) with many hundreds of vehicles on site, accessed from the gated access on the site's southern frontage to the B1033 Colchester Road.

2.2 Pedestrian and Cycle Connectivity

2.2.1 The site's eastern boundary is to Hawk Lane, with an existing access between the site and the northern end of the lane in the form of a Public Right of Way (PROW). Hawk Lane is effectively a long cul-de-sac serving a small number of private dwellings/agricultural premises and, as such, is lightly trafficked and therefore conducive to pedestrian and cycle usage.

2.2.2 Crown Lane on the site's western boundary is of a similar nature to Hawk Lane, in that it has no footway or cycle provision, although it is slightly wider, and forms a through route towards the village of Tendring to the north. Its current level of usage and alignment is conducive to cycles, but not so pedestrians.

2.2.3 Both Hawk Lane and Crown Lane are presently unlit and subject to the national speed limit, although their alignment naturally reduces vehicular speeds to significantly below the maximum legal limit. However, in their present form, and based on site observations, it is considered that only Hawk Lane would be suitable for pedestrian use, due to its very low vehicular flows.

2.2.4 Along the site's southwestern boundary with the A133 Colchester Road there is a dedicated pedestrian/cycle track which effectively provides an east-west by-pass for pedestrians and cycles from the A133/B1033 roundabout. Its eastern terminus is with a formal uncontrolled crossing, demarcated for both pedestrian and cyclists, of the eastern arm of the A133/B1033 roundabout, linking to Tendring Service Station to the south of the B1033, thus providing more than adequate crossing provision in this location for the level of existing usage.

2.2.5 There is currently no footway on the remainder of the site's southern boundary (that is, on the northern side of the B1033 Colchester Road) although provision is provided on the southern side of the B1033 Colchester Road. The site's northern boundary is to an east-west public right of way footpath between Crown Lane and Hawk Lane.

2.2.6 Onward connections to and from the site are provided to the east, via the B1033 Colchester Road and B1441 Weeley Bypass, both of which have footways on either side of the carriageway (east of Hawk Lane). A dropped kerb pedestrian crossing with central refuge island is provided across the B1441 Weeley Bypass arm of the B1033/B1441 roundabout to enable safe passage of pedestrians between the existing residential area of Weeley to the east and areas to the west including the site and the facilities available at Tendring Service Station.

2.2.7 Wide and street lit footways are provided on both sides of the B1441 Weeley Bypass, with the western side of the road providing direct access to Weeley's railway station, Village Hall, and St Andrew's Church of England Primary School. Footways are also provided along both sides of the B1033 Colchester Road towards The Street for access to the local convenience store and for the those residing in the main settlement area of Weeley to route towards the site.

2.3 Public Transport Accessibility

2.3.1 Three bus routes serve the "Colchester Interchange" bus stops on the B1033 Colchester Road on the site's southern boundary. The primary service is the 76 which provides one service per hour in each direction. It provides direct access to Clacton, the University of Essex campus and the centre of Colchester. The journey time to Clacton is circa 20 minutes and to Colchester circa 30 minutes.

2.3.2 The first service towards Clacton is at 0735 hours and the last return service from Clacton is at 1910 hours. Towards Colchester the first service is at 0710 hours and the last return is at 2005 hours.

2.3.3 The other two bus services are school buses from "Colchester Interchange" are the 87C and the 702. These provide one bus to and from Weeley per day; the 87C to and from Wivenhoe and Brightlingsea, and the 702 to Colchester and Clacton. These enable pupils being educated in the main secondary education facilities in the area to travel outside of Weeley without relying on being escorted by parents.

2.3.4 The bus stops are indicated by a simple flag; on the footway in the westbound direction but with no hard surface in the east bound direction. There is therefore scope to enhance the stops with road markings, shelters, passenger information, and boarding facilities. An increase in population in the area will also increase the potential bus patronage, therefore enabling the possibility for an increase in bus service frequency.

2.3.5 Additional bus services are available from The Street, circa 750m east of the site boundary, served by routes 2, 100, and 115 all providing routes to Clacton in the southbound direction, and additionally Colchester, Frating, and Manningtree. Route 2 provides one service every other hour with the other services operating irregularly. As a result, the site is within walking distance of bus stops providing 1-2 bus services per hour.

2.3.6 In addition, Weeley has a national rail station, located on the B1441 Weeley Bypass, some 1.2km to the southeast of the centre of the site, and thus an easy walk or cycle from the site. The station is served by Abelio Greater Anglia, on the Walton-on-the-Naze to Colchester Town line. It is served by an hourly service in each direction during off peak periods, and one additional service during peak periods. During peak periods services continue from Colchester Town to provide direct links through to London Liverpool Street. A number of trains also pass through the station without stopping. There is limited car and cycle parking provision at the station.

2.3.7 The station is within a 15-minute walk or five-minute cycle[1] from the centre of the site, and is therefore a viable form of transport for future residents of the site.

2.3.8 Whilst the existing frequency of services is relatively limited (noting that this is a function of all development in Weeley, not just the land north of Colchester Road), the fact that a number of services are already on the line passing through the station but not stopping means that there is the propensity for additional stopping services to be added once an increase in passenger loading is facilitated. An increase in the local population may assist in demonstrating such a demand.

[1] Walk journey time assume a walk speed of 1.4m/s (Guidelines for Providing for Journeys on Foot, IHT). Cycle journey time assumes an average cycling speed of 4m/s (16kph) (MfS2).

2.4 Local Services and Facilities

2.4.1 It is generally accepted that 2km and 5km represent reasonable distances to replace short car trips by walking and cycling respectively, whilst 800m (or a 10-minute walk) is a walkable neighbourhood for local facilities[2]. The location of local retail, education and leisure facilities surrounding the site are identified in **Figure 1**, whilst Table 2.1 overleaf summarises the main facilities as well as their distance and travel time from the site.

[2] The 2km walking distance is referenced in the Manual for Streets which states that: 'Walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes' (up to about 800m) walking distance of residential areas which residents may access comfortably on foot. However, this is not an upper limit and PPG13 states that walking offers the greatest potential to replace short car trips, particularly those under 2km.' (Ref: MfS paragraph 4.4.1)

Table 2.1.: Local Facilities Summary

Destination	Approx. distance (m)	Walking journey time	Cycling journey time
Retail			
Tendring Park Services (Spar)	200	3 mins	1 min
Weeley Convenience Store & post office (Nisa)	1,100	13 mins	4 mins
Education			
Weeley St Andrew's CofE Primary School	1,400	17 mins	5 mins
Health			
Great Bentley Surgery	3,900	-	16 mins
Pharmacy	3,900	-	16 mins
Leisure			
Weeley Angling and Fishing Lakes	500	6 mins	2 mins
Public House	900	11 mins	4 mins
Weeley Park and Playground	1200	14 mins	5 mins
Weeley Village Hall	1300	15 mins	5 mins

Source: Consultant's Estimates, School Guide, NHS.
Note: Walk journey time assume a walk speed of 1.4m/s (Guidelines for Providing for Journeys on Foot, IHT)

2.4.2 It is clear from this information that Weeley does provide some everyday services and facilities, with top-up convenience retail, education, leisure, and community facilities all within a circa 15-minute walk or five-minute cycle from the site.

2.5 Highways

2.5.1 The site's primary southern frontage is to the B1033; a wide, street lit two-way single carriageway road linking Weeley to the east with the A133 to the west. It originally formed part of the Weeley bypass, but was downgraded to a B road classification as part of the construction of a second bypass (the A133). It has large roundabouts at each end, one to the east with a kerbed central island diameter of 45m and one to the west with a kerbed central island of 60m diameter.

2.5.2 The site is also bordered to the east by Hawk Lane, a single track, very lightly trafficked public highway to the land north of Colchester Road. This is unlit and subject to the national speed limit, although the horizontal and vertical alignment of the road reduces maximum speeds. Hawk Lane meets Colchester Road in a simple priority junction.

2.5.3 To the west, the site is bordered by Crown Lane, a two-way single lane road, subject to the national speed limit and is unlit. Crown Lane routes to Tendring to the north, and joins the A133 at its southern end in a restricted movements junction permitting left turn out only movements from Crown Lane (and both left and right turn in movements from Colchester Road).

SECTION 3 MASTERPLAN PROPOSAL

3.1 Overview

3.1.1 The site is considered suitable for accommodating a development of 380 dwellings, 6,250sqm of B1/B2 business park/units, a circa 1,500sqm local centre (within an area of 5,000sqm) and land for a one form of entry primary school as well as associated play/recreation facilities.

3.2 Access

3.2.1 Vehicular access is proposed to be taken from the B1033 Colchester Road generally at the location of the existing site access. A secondary pedestrian/cycle/emergency access with Crown Lane is also proposed.

3.2.2 The proposed junction proposes the following (based on a detailed topographical survey of the area) as shown in Drawing No. ITL11228-SK-006 RA, available at **Appendix B**:

- A new 'ghost island' right turn lane priority junction to the B1033 Colchester Road approximately equidistance from the existing roundabout to the B1441 Weeley by-Pass to the east and A133 Colchester Road to the west;
- Access road to be 6.0m wide with a shared footway/cycleway of 3.0m wide on both sides;
- Alterations to the B1033 Colchester Road to provide 3.5m wide running lanes in each direction and a 3.5m wide ghost island right turn lane;
- A new pedestrian refuge island crossing of the B1033 Colchester Road to the west of the B1441 roundabout junction; and
- Visibility splays of 2.4m by 160m in accordance with observed 85th percentile speed of less than 50mph.

3.2.3 Whilst it is considered that the footway and crossing provision is suitable to accommodate existing demand, it is recognised that improvements and enhancements will be required as part of the proposal. Other improvements as shown on Drawing No. ITL11228-SK-006 RA include:

- Providing a continuation of the footway/cycleway along the northern side of B1033 Colchester Road from the A133 Colchester Road, including enhancements to the bus stop provision;
- Upgrading the footway on the southern side of the B1033 Colchester Road (from the new crossing point close to the B1441 roundabout) and western side of the B1441 Weeley Bypass (as far south as St Andrew's School) to allow a footway/cycleway to be provided; and
- The introduction of circulatory lane markings at both roundabouts to give clarity to the likely direction of travel of vehicles from the roundabout, particularly benefitting pedestrians making use of the new pedestrian crossing point.

3.2.4 To note, the proposed access arrangement has been subject to a Stage 1 Road Safety Audit. Minor amendments were deemed necessary and the respective alterations have been made. These have already been incorporated within the drawing available at **Appendix B.**

3.2.5 The B1033 Colchester Road is classed as a "Main Distributor" within the adopted Essex Development Management Policies and as a "Priority Route 1" in the emerging Development Management Policies document (recently subject to consultation). On the basis that the site is allocated and included within the defined settlement boundary, Policy DM2 is of relevance as follows:

- the number of access points is kept to a minimum;
- where safe access is available to a lower category of road in the Development Management Route Hierarchy, this is used;
- new access points will be designed and constructed in accordance with the current standards; and
- requiring improvements to existing substandard accesses.

3.2.6 It is considered that the proposal is compliant with the policy in that it will provide a single access point to the B1033 Colchester Road (secondary emergency access is proposed from Crown Lane), the access is designed in accordance with DMRB standards, and provides an improvement to the existing substandard access at this location. Furthermore, whilst the site fronts on to Crown Lane and Hawk Lane which are both lower categories of road in the route hierarchy, Hawk Lane is discounted as there is insufficient width available within the highway / site ownership to provide a road of 6m (plus 2 x 2m footways) as the total width available within the adopted highway is some 3.3m.

3.2.7 Crown Lane is also considered unsuitable to provide the main vehicular access to the site as this would intensify vehicular movements (including large HGVs associated with an employment use) at the restricted movements junction of the A133 Colchester Road / Crown Lane whereby right turn exit movements from Crown Lane to the A133 Colchester Road westbound are prohibited. The restricted movements would necessitate an increase in U-turn movements at the A133 Colchester Road / B1033 Colchester Road roundabout.

3.2.8 The proposed access and suggested improvements would meet the needs for future residents of the site to walk and cycle to the existing facilities and services available in Weeley, including to/from Weeley Station, whilst also significantly enhancing the sustainable routes available for the existing residents of Weeley to access the key local services and facilities to be provided within the site.

3.3 Future Local Facilities

3.3.1 It is prudent to note that as part of the development, the site will provide new retail and educational facilities which will cater not only for the needs of the new occupiers of the residential properties, but will also provide new, key services and facilities, resulting in enhanced choice for the existing residents of Weeley, reducing the propensity for them to need to travel beyond the settlement.

3.3.2 The centre of the site is a maximum 1.5km walking distance from all of the existing dwellings which make up Weeley. It is therefore considered that the additional facilities proposed would significantly increase the choice available to the existing residents of Weeley, and be within a maximum 18-minute walk or six-minute cycle via enhanced pedestrian and cycle links as proposed as part of the development.

3.3.3 In summary, the development proposal will provide additional amenities including a school and retail opportunities such that walking and cycling will represent realistic alternatives to car use for many journeys, including those made by existing residents within the existing Weeley settlement or just beyond to access comparable facilities.

3.3.4 In addition to the existing and proposed facilities within Weeley, the existing bus and rail routes which are available within a short distance from the site provide direct links to the large settlements of Clacton, Walton, and Colchester, which provide an array of employment, retail, education, and leisure opportunities as well as onward links to other parts of the county.

3.3.5 The use of these sustainable transport options to access employment, services and other key facilities will be supported through the implementation of a site Travel Plan.

SECTION 4 TRANSPORT ASSESSMENT

4.1.1 A planning application will be supported by a Transport Assessment and Travel Plan. The scope of these documents will be agreed with ECC as the LHA, but will include the following as a minimum:

- Review of existing pedestrian, cycle, and public transport facilities and services;
- Analysis of existing vehicular flows and speeds on the adjacent highway network;
- Review of most recently available five-year PIA data from the local highway network;
- Calculation of multi-modal trip rates for all proposed land uses;
- Calculation of distribution and assignment of trips to and from the site based on local Census 2011 data;
- Assessment of overall vehicular flows on the local highway network accounting for internalisation of trips;
- Preliminary designs of all vehicular/pedestrian/cycle accesses for determination including Stage 1 RSA;

- Assessments of access junction and all off site junctions where additional flows are anticipated to have an impact;
- Preliminary designs of all off-site highway mitigations as may be required; and
- Travel Plan objectives, targets, and measures to encourage sustainable travel.

4.1.2 Note, preliminary surveys have been undertaken to measure the peak hour traffic flows at the junctions of Colchester Road / Hawk Lane and Colchester Road / Crown Lane on Tuesday 14th June 2016, avoiding school and public holidays, as well as planned roadworks in the local area. In addition, speed surveys have been undertaken over a course of a week on Crown Lane and the B1033 Colchester Road, with both surveys used to understand in more detail the existing volume and speeds on the links and assist with the preparation of the access proposal.

SECTION 5 SUMMARY AND CONCLUSIONS

5.1.1 This Accessibility Note has been prepared on behalf of Taylor Wimpey UK Ltd by i-Transport LLP to support local plan representations in relation to the land north of Colchester Road, Weeley for a residentially-led mixed use development.

5.1.2 It demonstrates that, with a number of relatively minor enhancements to the local pedestrian and cycle network, the site is within a reasonable walk and cycle distance from a range of everyday services and facilities, as well as bus and rail services.

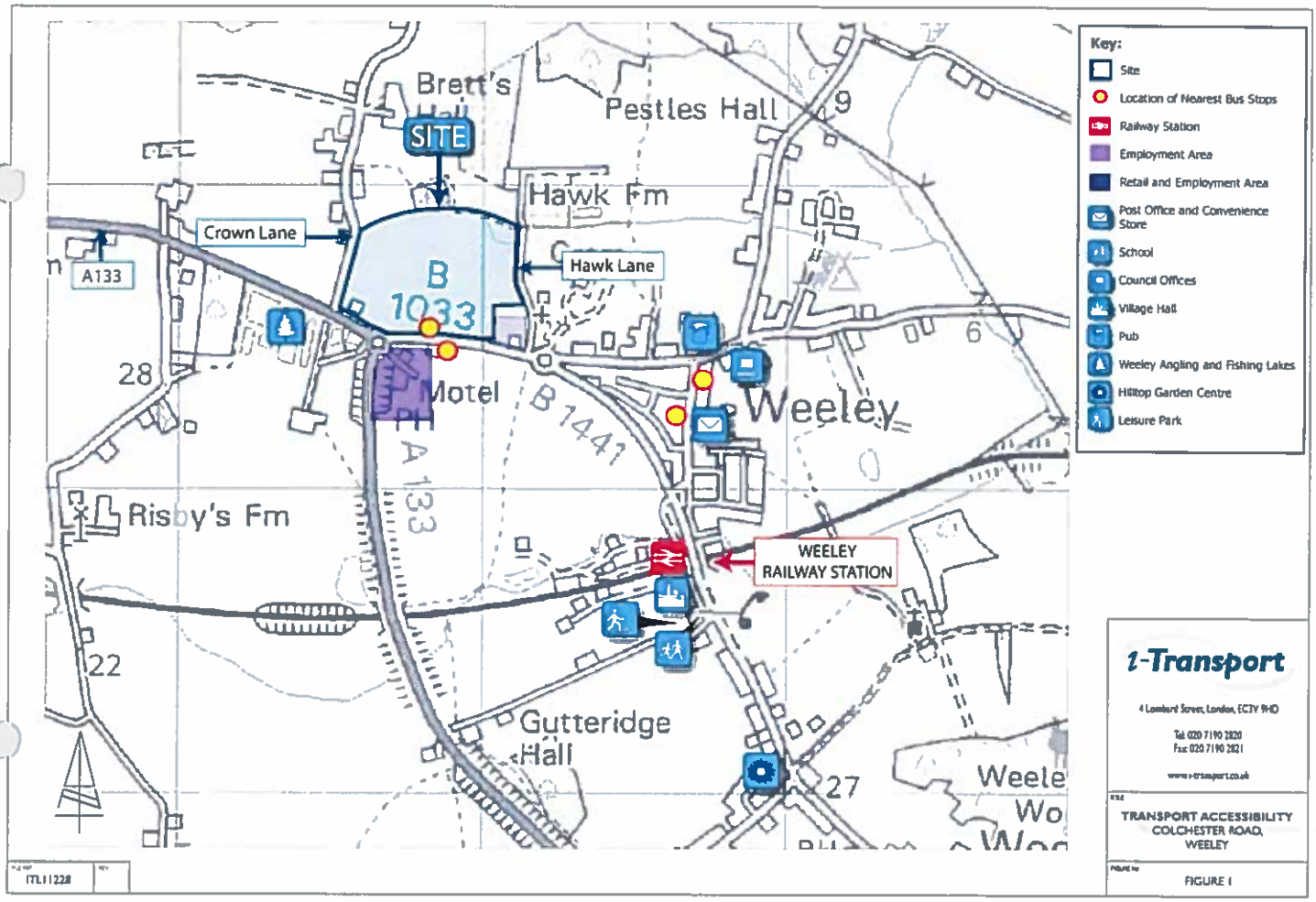
5.1.3 In addition, the site will provide its own range of retail and education facilities to both meet the needs of the new residents of the proposed dwellings, but also to the benefit of the existing residents of Weeley. A safe and suitable access is proposed along with improvements to the pedestrian and cycle networks.

5.1.4 These improvements would meet the needs for future residents of the site to walk and cycle to the existing facilities and services available in Weeley, including to/from Weeley Station, whilst also enhancing the sustainable routes available for the existing residents of Weeley to access the services and facilities to be provided within the site.

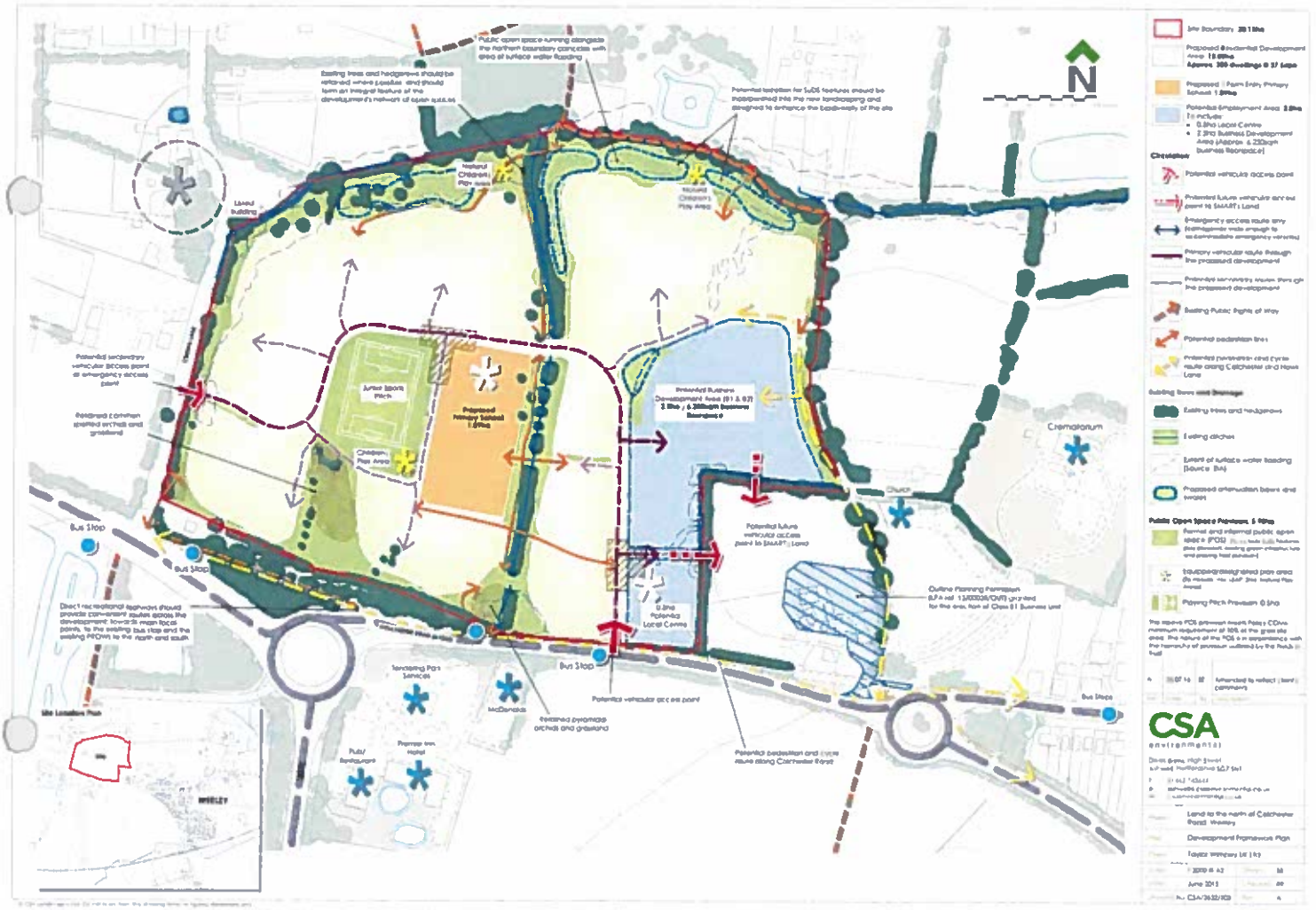
5.1.5 Bus routes and a railway station are already provided in Weeley with links to key destinations including Clacton, Walton-on-the-Naze, and Colchester. With the increase in population that this development would create, there is the possibility that improvements to the frequency of both bus and rail services could be made due to the additional patronage generated, as well as improvements to the stops and station.

5.1.6 A planning application will be supported by a Transport Assessment and Travel Plan, for agreement with ECC, and preliminary designs for all accesses to the public highway for determination.

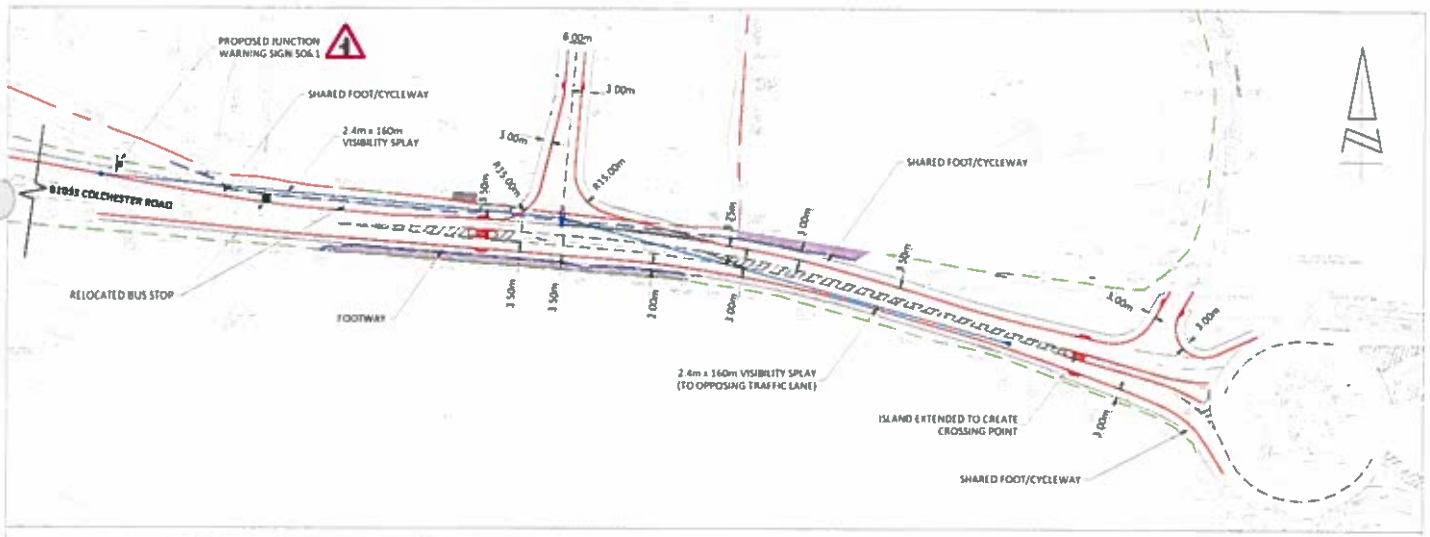
FIGURE

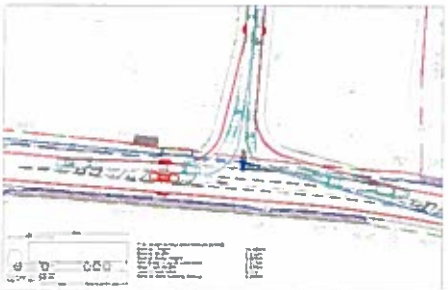

Brett's
Pestles Hall
SITE
Hawk Fm
Crown Lane
A133
B 1033
Hawk Lane
28
Motel
B 1441
Weeley
A 133
Risby's Fm
WEELEY RAILWAY STATION
22
Gutteridge Hall
27
Key:
Site
Location of Nearest Bus Stops
Railway Station
Employment Area
Retail and Employment Area
Post Office and Convenience Store
School
Council Offices
Village Hall
Pub
Weeley Angling and Fishing Lakes
Hilltop Garden Centre
Leisure Park
i-Transport
4 Lombard Street, London, EC3V 9HD
Tel: 020 7190 2820
Fax: 020 7190 2821
www.i-transport.co.uk
TRANSPORT ACCESSIBILITY
COLCHESTER ROAD,
WEELEY
FIGURE 1

APPENDIX A INDICATIVE MASTERPLAN


N
Bus Stop
Bus Stop
Bus Stop
Bus Stop
Crematorium
Church
Tendering Pan Services
McDonalds
Pub/ Restaurant
Premier Inn Hotel
Retained pyramidal orchids and grassland
Potential vehicular access point
Potential pedestrian and cycle route along Colchester Road
Potential future vehicular access point to SMART Land
Potential Business Development Area (01 & 07)
Potential secondary vehicular access point or emergency access point
Retained common spotted orchids and grassland
Public open space running alongside the northern boundary coincides with area of surface water flooding
Existing trees and hedgerows should be retained where possible and should form an integral feature of the development's network of open spaces
Potential location for SuDS features should be incorporated into the new landscaping and designed to enhance the biodiversity of the site
Site Boundary
Proposed Residential Development Area
Proposed 1 Form Entry Primary School
Potential Employment Area
Circulation
Potential vehicular access point
Potential future vehicular access point to SMART Land
Emergency access route only
Primary vehicular route through the proposed development
Potential secondary route through the proposed development
Existing Public Rights of Way
Potential pedestrian lines
Potential pedestrian and cycle route along Colchester and Hawk Lane
Existing trees and hedgerows
Existing ditches
Extent of surface water flooding (Source: EA)
Proposed attenuation basins and swales
Public Open Space Provision
Formal and informal public open space (POS)
Equipped/designated play area
Playing Pitch Provision
CSA
environmental
Land to the north of Colchester Road, Wheeley
Development Framework Plan
Taylor Wimpey Ltd
June 2013
CSA/3632/109
WHEELEY

APPENDIX B **PROPOSED ACCESS DRAWING - ITL11228-SK-006 RA**





SITE BOUNDARY
HIGHWAY BOUNDARY
BROW OF DITCH
DITCH NOT INCLUDED AS HIGHWAY

SCALE BAR @ 1:1250
0 10 25 50 100 125

REPRODUCED FROM THE ORDNANCE SURVEY MAP WITH THE PERMISSION OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE. LICENCE No. 100044248 © CROWN COPYRIGHT RESERVED

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REV	DATE	BY	DESCRIPTION	CHK	APD
A	19.08.16	RN	AMENDMENTS FOLLOWING STAGE 1 RSA	NM	NM

STATUS: FOR INFORMATION

TITLE: PROPOSED ACCESS ON B1033 (50mph - 160m VISIBILITY) RIGHT TURN LANE (ALL MOVEMENTS)

PROJECT: LAND AT COLCHESTER ROAD WEELEY

CLIENT: TAYLOR WIMPEY

SCALE @ A3	CHECKED	APPROVED
1:1250	NM	NM
FILE REF: ITL11228 SK-006	DRAWN: RN	DATE: 04.07.16

DRAWING No: ITL11228-SK-006

PROJECT No: ITL11228 REV: A

Tendring District Council

For official use only
Respondent number:
Date received:
Date acknowledged:

North Essex Strategic Plan

and

Tendring District Local Plan

Preferred Options Consultation

REPRESENTATION FORM

IMPORTANT NOTICE

Please use this form for sending comments to the Council on the Tendring District and North Essex Strategic Plan consultation documents, preferably using the on-line form on our website: **tendring-consult.objective.co.uk** or send by e-mail to **planning.policy@tendringdc.gov.uk.**

Please send your representation form to arrive by **5 pm** on **Thursday 8 September 2016** to:

Planning Policy Manager,
Tendring District Council,
Council Offices,
Thorpe Road,
Weeley
Essex
CO16 9AJ

For further information, please see our web page at www.tendringdc.gov.uk or email: planning.policy@tendringdc.gov.uk alternatively telephone: 01255 686177, 01255 686188 or 01255 686151 to talk to one of the Planning Policy Team.

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Please complete your details and those of your agent, if applicable.

Name: * Taylor Wimpey UK Ltd. **Address:*** C/O Agent **Postcode:** **Organisation:** (if applicable) **Telephone:** **Email:** **Required information*	**Agent's Name:** Mr S Brown **Agent's address:** Woolf Bond Planning, The Mitfords, Basingstoke Road, Three Mile Cross, Reading **Postcode:** RG7 1AT **Telephone:** 01189 884923 **Email:** s.brown@woolfbond.co.uk

Section 1 – Do you Support, Object or wish to Vary any policies or parts?

Please tick the boxes below to indicate whether you support, object to, or would like to vary, any part(s) of the **North Essex Strategic Plan (Part 1 Plan) and Tendring District's Local Plan Preferred Options (Part 2 Local Plan)** consultation documents. You may tick as many or as few boxes as you wish.

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You may continue on a separate sheet of paper if necessary.

You may comment on any other issues in Section 2 below.

Part(s) / Policy Reference of the document			
PART 1 PLAN: NORTH ESSEX STRATEGIC PLAN	**Support**	**Object**	**Vary**
Vision for the Strategic Area			
Policy SP1: Presumption in Favour of Sustainable Development			
Policy SP2 : Meeting Housing Needs		✓	
olicy SP3 : Providing for Employment		✓	
Policy SP4: Infrastructure and Connectivity			
Policy SP5: Place Shaping Principles			
Policy SP6: Spatial Strategic for North Essex			
Policy SP7: Development and Delivery of New Garden Communities in North Essex			
Policy SP8: East Colchester/West Tendring New Garden Community			
Policy SP9: West of Colchester/East Braintree New Garden Community			
Policy SP10: West of Braintree New Garden Community			
Delivery Arrangements			

Part of document	**Reasons for Objection or proposed Variation**
Policy SP2 and supporting text	**See attached submission – letter dated 8 September 2016**
Policy SP3 and supporting text	**See attached submission – letter dated 8 September 2016**

PART 2 PLAN: TENDRING DISTRICT LOCAL PLAN PREFERRED OPTIONS

SUSTAINABLE PLACES	Support	Object	Vary
Policy SPL1: Managing Growth			
Policy SPL2: Settlement Development Boundaries			
Policy SPL3: Sustainable Design			

Part of document	Reasons for Objection or proposed Variation

VISION & OBJECTIVES	Support	Object	Vary
Part 2 Local Plan: Vision for Tendring			
Part 2 Local Plan: Objectives For the Local Plan			

Part of document	Reasons for Objection or proposed Variation

EALTHY PLACES	Support	Object	Vary
Policy HP1: Improving Health and Wellbeing			
Policy HP2: Community Facilities			
Policy HP3: Green Infrastructure			
Policy HP4: Open Space, Sports and Recreation Facilities			

Part of document	Reasons for Objection or proposed Variation

LIVING PLACES	Support	Object	Vary
Policy LP1: Housing Supply		✓	
Policy LP2: Housing Choice			
Policy LP3: Housing Density and Standards			
Policy LP4: Housing Layout			
Policy LP5: Affordable Housing			
Policy LP6: Rural Exception Sites			
Policy LP7: Self-Build Homes			
Policy LP8: Backland Residential Development			
olicy LP9: Traveller Sites			
Policy LP10: Care and Assisted Living			
Policy LP11: Houses in Multiple Occupation (HMOs) & Bedsits			

Part of document	Reasons for Objection or proposed Variation
Policy LP1 and supporting text	**See attached submission – letter dated 8 September 2016**

PROSPEROUS PLACES	Support	Object	Vary
Policy PP1: New Retail Development			
Policy PP2: Retail Hierarchy			
Policy PP3: Village and Neighbourhood Centres			
Policy PP4: Local Impact Threshold			
Policy PP5: Town Centre Uses			
Policy PP6: Employment Sites			
Policy PP7: Employment Allocations			
Policy PP8: Tourism			
Policy PP9: Hotels and Guesthouses			

Policy PP10: Holiday Parks			
Policy PP11: Camping and Caravanning			
Policy PP12: Improving Education and Skills			
Policy PP13: The Rural Economy			
Policy PP14: Priority Areas for Regeneration			

Part of document	Reasons for Objection or proposed Variation

ROTECTED PLACES	Support	Object	Vary
Policy PPL1: Development and Flood Risk			
Policy PPL2: Coastal Protection Belt			
Policy PPL3: The Rural Landscape			
Policy PPL4: Biodiversity and Geodiversity			
Policy PPL5: Water Conservation, Drainage and Sewerage			
Policy PPL6: Strategic Gaps			
Policy PPL7: Archaeology			
Policy PPL8: Conservation Areas			
Policy PPL9: Listed Buildings			
Policy PPL10: Enabling Development			
Policy PPL11: Renewable Energy Generation			
olicy PPL12: The Avenues Area of Special Character, Frinton-On-Sea			
Policy PPL13: The Gardens Area of Special Character, Clacton-On-Sea			
Policy PPL14: Ardleigh Reservoir Catchment Area			
Policy PPL15: Safeguarding of Civil Technical Site, North East of Little Clacton/South of Thorpe-Le-Soken			

Part of document	Reasons for Objection or proposed Variation

CONNECTED PLACES	Support	Object	Vary
Policy CP1: Sustainable Transport and Accessibility			
Policy CP2: Improving The Transport Network			
Policy CP3: Improving The Telecommunications Network			
POLICIES MAPS			

Part of document	Reasons for Objection or proposed Variation

Part(s) / Policy Reference of the document	Support	Object	Vary
Delivery Infrastructure			
Monitoring and Review			
Appendix A – Glossary			
Appendix B – Consultation Undertaken			
Appendix C – Local Maps		✓	
Appendix D – Local Wildlife Sites and Ancient Woodland			
Appendix E – Heritage Assets			

Part of document	Reasons for Objection or proposed Variation
Appendix C: Map 30 - Weeley	**See attached submission – letter dated 8 September 2016**

Section 2 – Any other comments

If you have any other comments, please give further details below, indicating which part of the document you are commenting on.

Date: 08/09/2016

Signature: Woolf Bond Planning

Thank you for your comments.

The Council will consider all responses before preparing its Submission Development Plan Document.

Alex Davidson 1022175

From: Michael Harman <mjh@holmes-hills.co.uk>
Sent: 08 September 2016 11:55
To: Planning.policy
Subject: RE: Preferred Options Consultation - Respresentations on behalf of Rosegrade Limited Ref Holmes & Hills LLP:MA:005201.0001
Attachments: 1309345 Rosegrade_TDC Preferred Options Consultation_representations with enclosures.pdf

Dear Sirs,

We act on behalf of Rosegrade Limited.

We enclose representations, on the prescribed form and the supporting documents, on behalf of our client.

We thank you for your attention in this matter.

Yours faithfully

HOLMES & HILLS LLP

Atts

Michael Harman
Associate
Planning & Development Team
DDI: 01376 529233

Holmes & Hills LLP
Bocking End
Braintree
Essex
CM7 9AJ

Tel: 01376 320456
Fax: 01376 342156
Email: mjh@holmes-hills.co.uk
www: Holmes & Hills

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This communication is from Holmes & Hills LLP, a limited liability partnership registered in England & Wales under Registration Number OC352397, registered Office Dale Chambers, Bocking End, Braintree, Essex CM7 9AJ, United Kingdom. A list of partners' names is available at this address. All our partners are solicitors of England & Wales. We use "partner" or "partners" to mean a member of Holmes & Hills LLP.

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Tendring
District Council

For official use only
Respondent number:
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Date acknowledged:

North Essex Strategic Plan

and

Tendring District Local Plan

Preferred Options Consultation

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Please complete your details and those of your agent, if applicable.

Name: * ROSEGRADE LIMITED **Address:*** [redacted] Hadleigh Suffolk **Postcode:** IP7 6RH **Organisation:** (if applicable) **Telephone:** [redacted] **Email:** **Required information*	**Agent's Name:** (if applicable) HOLMES & HILLS LLP **Agent's address:** Dale Chambers Bocking End Braintree Essex **Postcode:** CM7 9AJ **Telephone:** 01376 320456 **Email:** mjh@holmes-hills.co.uk

Section 1 – Do you Support, Object or wish to Vary any policies or parts?

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Part(s) / Policy Reference of the document			
PART 1 PLAN: NORTH ESSEX STRATEGIC PLAN	**Support**	**Object**	**Vary**
Vision for the Strategic Area		X	
Policy SP1: Presumption in Favour of Sustainable Development			
Policy SP2 : Meeting Housing Needs		X	
Policy SP3 : Providing for Employment			
Policy SP4: Infrastructure and Connectivity			
Policy SP5: Place Shaping Principles			
Policy SP6: Spatial Strategic for North Essex		X	
Policy SP7: Development and Delivery of New Garden Communities in North Essex			
Policy SP8: East Colchester/West Tendring New Garden Community			
Policy SP9: West of Colchester/East Braintree New Garden Community			
Policy SP10: West of Braintree New Garden Community			
Delivery Arrangements			

Part of document	**Reasons for Objection or proposed Variation**
	(see enclosed Document – "Objection")

PART 2 PLAN: TENDRING DISTRICT LOCAL PLAN PREFERRED OPTIONS

SUSTAINABLE PLACES	Support	Object	Vary
Policy SPL1: Managing Growth			
Policy SPL2: Settlement Development Boundaries		X	X
Policy SPL3: Sustainable Design			

Part of document	Reasons for Objection or proposed Variation
	(see enclosed Document – "Objection")

VISION & OBJECTIVES	Support	Object	Vary
Part 2 Local Plan: Vision for Tendring			
Part 2 Local Plan: Objectives For the Local Plan			

Part of document	Reasons for Objection or proposed Variation

HEALTHY PLACES	Support	Object	Vary
Policy HP1: Improving Health and Wellbeing			
Policy HP2: Community Facilities			
Policy HP3: Green Infrastructure			
Policy HP4: Open Space, Sports and Recreation Facilities			

Part of document	Reasons for Objection or proposed Variation

LIVING PLACES	Support	Object	Vary
Policy LP1: Housing Supply		X	
Policy LP2: Housing Choice		X	
Policy LP3: Housing Density and Standards			
Policy LP4: Housing Layout			
Policy LP5: Affordable Housing			
Policy LP6: Rural Exception Sites			
Policy LP7: Self-Build Homes			
Policy LP8: Backland Residential Development			
Policy LP9: Traveller Sites			
Policy LP10: Care and Assisted Living			
Policy LP11: Houses in Multiple Occupation (HMOs) & Bedsits			

Part of document	Reasons for Objection or proposed Variation
	(see enclosed Document – "Objection")

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Policy PP1: New Retail Development			
Policy PP2: Retail Hierarchy			
Policy PP3: Village and Neighbourhood Centres			
Policy PP4: Local Impact Threshold			
Policy PP5: Town Centre Uses			
Policy PP6: Employment Sites			
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Policy PP8: Tourism			
Policy PP9: Hotels and Guesthouses			

Policy PP10: Holiday Parks			
Policy PP11: Camping and Caravanning			
Policy PP12: Improving Education and Skills			
Policy PP13: The Rural Economy			
Policy PP14: Priority Areas for Regeneration			

Part of document	Reasons for Objection or proposed Variation

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Policy PPL2: Coastal Protection Belt			
Policy PPL3: The Rural Landscape			
Policy PPL4: Biodiversity and Geodiversity			
Policy PPL5: Water Conservation, Drainage and Sewerage			
Policy PPL6: Strategic Gaps			
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Policy PPL12: The Avenues Area of Special Character, Frinton-On-Sea			
Policy PPL13: The Gardens Area of Special Character, Clacton-On-Sea			
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Policy PPL15: Safeguarding of Civil Technical Site, North East of Little Clacton/South of Thorpe-Le-Soken			

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Policy CP1: Sustainable Transport and Accessibility			
Policy CP2: Improving The Transport Network			
Policy CP3: Improving The Telecommunications Network			
POLICIES MAPS			

Part of document	Reasons for Objection or proposed Variation

Part(s) / Policy Reference of the document	Support	Object	Vary
Delivery Infrastructure			
Monitoring and Review			
Appendix A – Glossary			
Appendix B – Consultation Undertaken			
Appendix C – Local Maps			
Appendix D – Local Wildlife Sites and Ancient Woodland			
Appendix E – Heritage Assets			

Part of document	Reasons for Objection or proposed Variation

Section 2 – Any other comments

If you have any other comments, please give further details below, indicating which part of the document you are commenting on.

Date: 8th September 2016

Signature: [redacted]

Thank you for your comments.

The Council will consider all responses before preparing its Submission Development Plan Document.

ROSEGRADE LIMITED

OBJECTION

---

1. Tendring District Council (the Council) is obliged and, indeed, should meet its objectively assessed housing need. This is the only way to ensure that sufficient and appropriate housing is available for people within the district.

2. Policy LP1 proposes an annual build rate of 550 or 600 dwellings per annum. Development at the rate of 500 dwellings per annum fails to meet the objectively assessed housing need. Furthermore, the objectively assessed housing need is not a maximum. Indeed, it is a minimum. The Council must, therefore, adopt the annual requirement of 600 dwellings or 11,062 over the planned period.

3. The Council's Strategic Housing Land Availability Assessment (October 2014) indicates a total supply during the planned period of 12,946 dwellings. Whilst this exceeds the objectively assessed housing need by some 1,884 dwellings a number of the sites which are shown within this capacity study are not, in practice or reality, available for residential development. The figure of 12,946 dwellings includes sites which are currently in use for other purposes, e.g., garden centre, sites where planning permission has expired, and also sites where the landowner has shown no interest in development. The SHLAA is not, therefore, a robust document identifying available capacity. Indeed, it is suggested that on closer examination there is almost certainly insufficient capacity.

4. In any event, it is abundantly clear that for many years the Council has under-performed in terms of housing delivery. The Annual Monitoring Report to March 2015 shows that for the past 7 years it has under-performed against both Regional Spatial Strategy targets and/or the objectively assessed need. This has resulted in a backlog or shortfall to 30 March 2015 of 624 dwellings. It is also highly likely that there will be a further shortfall when the housing figures are released for 2015/16.

5. In addition to meeting its objectively assessed need for housing, the Council must also demonstrate it has a 5-year supply of deliverable housing sites against its

annual requirement plus backlog and a buffer. The 5-year requirement as at 30 March 2016 is 4,348 dwellings (5 x 600 + 624 + 20%). The Council's Housing Trajectory predicts that in this 5-year period only 2,279 dwellings will be delivered. This is not sufficient to meet even the annual requirement, let alone meet any of the existing backlog or shortfall. There is a deficit of 2,069 dwellings.

6. The Council must, therefore, allocate additional sites for residential development which can be brought forward in the next 5 years. In this regard, the Council should allocated land to the north of Thorpe Maltings as shown on the attached plan. It has the capacity of approximately 25 dwellings and could complement the existing permitted development at Thorpe Maltings.

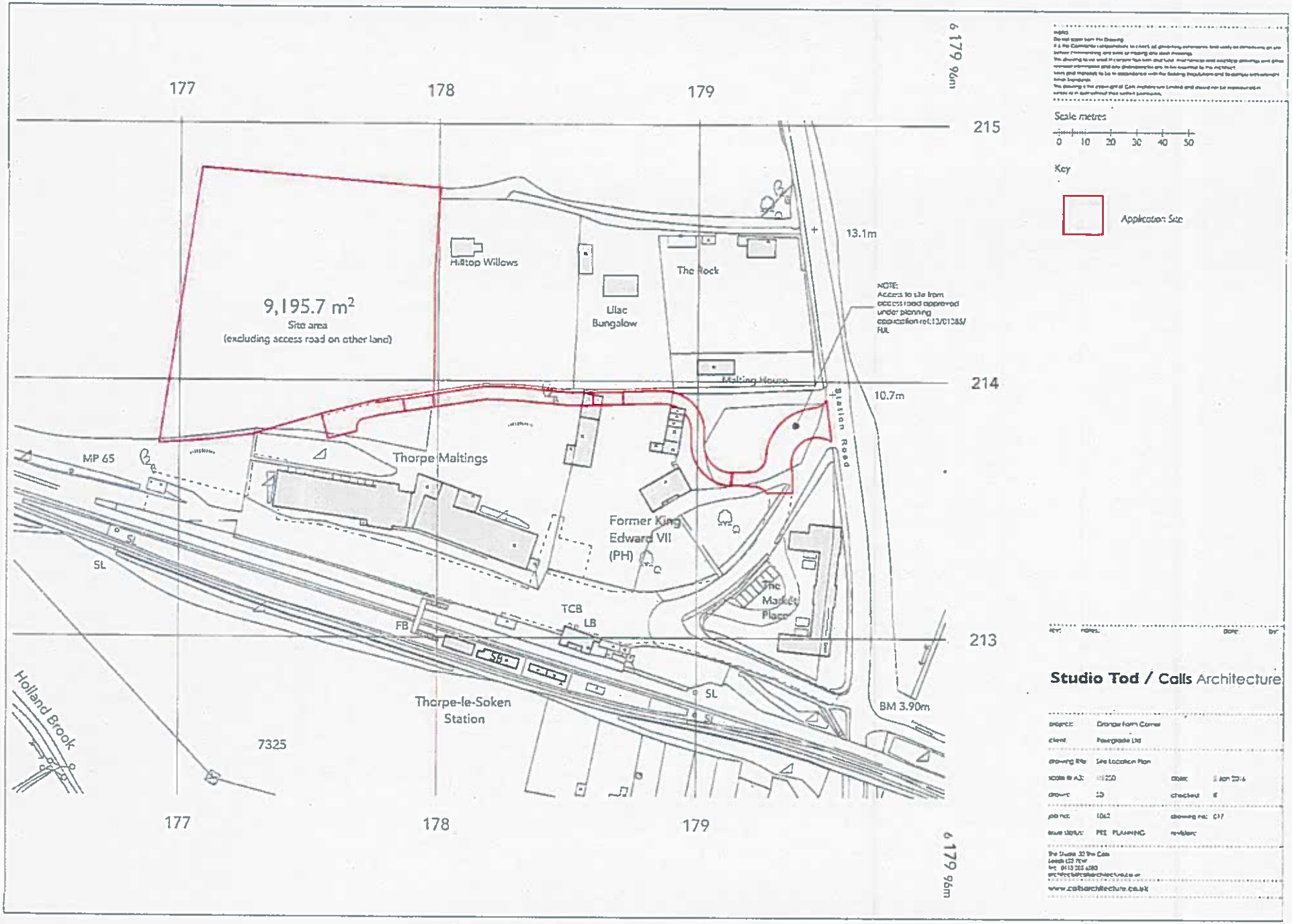
7. Thorpe Station and Thorpe Maltings is recognised by the Council as a Rural Service Centre capable of accepting some development. The site is within a sustainable location. There can, therefore, be no in-principle objection to residential development. Further, the site is well screened. Indeed, apart from the need to allocate additional sites to make up required numbers, it is also suggested that the Council have failed to allocate sufficient land within the Rural Service Centres.

8. The Council has only allocated 535 dwellings within the Rural Centres. This represents 4.13% of the total capacity shown by the Council in their SHLAA. It appears to have been overlooked that, in addition to the Policy requirement to meet the objectively assessed housing need, the Council should also provide a choice of site and location. The Council are wrong, therefore, to rely to a very large extent on urban extensions to existing settlements and/or Weeley. It appears that over 90% of the proposed development is within the existing urban areas.

9. In summary, therefore, the Council has failed to identify sufficient capacity, needs to release additional sites now for housing and to increase the allocations within the Rural Service Centres. The Council should, in particular, continue to include Hilltop Willows, Lilac Bungalow, The Rock and Malting House as falling within the settlement boundary for Thorpe Station and should add to it the area of land shown edged red on the plan enclosed with this Objection.

10. The plan proposed by the Council is not sound without the recommended amendments and accordingly it fails to meet the provisions of the National Planning Policy Framework.

[redacted]


177
178
179
6 179 96m
215
214
213
9,195.7 m²
Site area
(excluding access road on other land)
Hilltop Willows
Lilac Bungalow
The Rock
13.1m
NOTE:
Access to site from access road approved under planning application ref: 13/0108/FUL
Malting House
10.7m
Station Road
MP 65
Thorpe Maltings
Former King Edward VII (PH)
The Market Place
SL
TCB
LB
FB
BM 3.90m
Holland Brook
Thorpe-le-Soken Station
7325
Scale metres
0 10 20 30 40 50
Key
Application Site
Studio Tod / Calls Architecture

1022136

Alex Davidson

From:	Matthew Utting <mat@matplan.co.uk>
Sent:	05 September 2016 20:47
To:	Planning.policy
Cc:	'Tim Martin'; Simon Meecham; Mary Foster; Naomi Hart
Subject:	North Essex Strategic Plan & Tendring District Local Plan, Preferred Options Consultation, July 2016 - Land South of London Road, Clacton-on-Sea, for Land Logic Ltd
Attachments:	TDLP Preferred Options - Reps Form (05-09-16).pdf; TDLP Preferred Options - Reps (Final) (Sept 2016) (Complete).pdf
Importance:	High

Dear Sirs,

Please find attached a completed Representation Form and associated Report of Representations in respect of the above for your kind attention. I'd be grateful if you could confirm safe receipt, as hard copies of the attached will not follow in the post.

Please contact me if you have any queries with the attached, if you require further information, or need to discuss the attached in more detail. Otherwise, I will look forward to receiving further updates concerning the Local Plan in due course.

Yours faithfully,

Matthew Utting BSc (Hons) DipTP MRTPI
Director

MATPLAN
Chartered Town Planning & Development Consultants

7 Siskin Gate
Bracknell
Berkshire
RG12 8BF

T: 01344-481204
M: 07900-278483
E: mat@matplan.co.uk
W: www.matplan.co.uk

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Registered Office: Lexham House Forest Road Binfield Berkshire RG42 4HP

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Tendring District Council

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North Essex Strategic Plan

and

Tendring District Local Plan

Preferred Options Consultation

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Please complete your details and those of your agent, if applicable.

Name: Mr Tim Martin	**Agent's Name:** (if applicable) Mr Matthew Utting
Address: C/O Agent	**Agent's address:** MatPlan Limited 7 Siskin Gate Bracknell Berkshire
Postcode:	**Postcode:** RG12 8BF
Organisation: (if applicable) Land Logic Ltd	**Telephone:** 01344-481204 & 07900-278483
Telephone:	
Email: **Required information*	**Email:** mat@matplan.co.uk

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Policy SP1: Presumption in Favour of Sustainable Development			
Policy SP2 : Meeting Housing Needs		✓	✓
Policy SP3 : Providing for Employment			
Policy SP4: Infrastructure and Connectivity			
Policy SP5: Place Shaping Principles			
Policy SP6: Spatial Strategy for North Essex			
Policy SP7: Development and Delivery of New Garden Communities in North Essex		✓	✓
Policy SP8: East Colchester/West Tendring New Garden Community		✓	✓
Policy SP9: West of Colchester/East Braintree New Garden Community			
Policy SP10: West of Braintree New Garden Community			
Delivery Arrangements		✓	✓

Part of document	**Reasons for Objection or proposed Variation**
Policies SP2, SP7, SP8 and Delivery Arrangements	Please see attached Report of Representations

PART 2 PLAN: TENDRING DISTRICT LOCAL PLAN PREFERRED OPTIONS			
SUSTAINABLE PLACES	**Support**	**Object**	**Vary**
Policy SPL1: Managing Growth			
Policy SPL2: Settlement Development Boundaries		✓	✓
Policy SPL3: Sustainable Design			

Part of document	**Reasons for Objection or proposed Variation**
Policy SPL2	Please see attached Report of Representations

VISION & OBJECTIVES	**Support**	**Object**	**Vary**
Part 2 Local Plan: Vision for Tendring			
Part 2 Local Plan: Objectives For the Local Plan			

Part of document	**Reasons for Objection or proposed Variation**

HEALTHY PLACES	**Support**	**Object**	**Vary**
Policy HP1: Improving Health and Wellbeing			
Policy HP2: Community Facilities			
Policy HP3: Green Infrastructure			
Policy HP4: Open Space, Sports and Recreation Facilities			

Part of document	**Reasons for Objection or proposed Variation**

LIVING PLACES	Support	Object	Vary
Policy LP1: Housing Supply		✓	✓
Policy LP2: Housing Choice			
Policy LP3: Housing Density and Standards			
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Policy LP9: Traveller Sites			
Policy LP10: Care and Assisted Living			
Policy LP11: Houses in Multiple Occupation (HMOs) & Bedsits			

Part of document	Reasons for Objection or proposed Variation
Policy LP1	Please see attached Report of Representations

PROSPEROUS PLACES	Support	Object	Vary
Policy PP1: New Retail Development			
Policy PP2: Retail Hierarchy			
Policy PP3: Village and Neighbourhood Centres			
Policy PP4: Local Impact Threshold			
Policy PP5: Town Centre Uses			
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Policy PP7: Employment Allocations			
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Policy PP11: Camping and Caravanning			
Policy PP12: Improving Education and Skills			
Policy PP13: The Rural Economy			
Policy PP14: Priority Areas for Regeneration			

Part of document	Reasons for Objection or proposed Variation

PROTECTED PLACES	Support	Object	Vary
Policy PPL1: Development and Flood Risk			
Policy PPL2: Coastal Protection Belt			
Policy PPL3: The Rural Landscape			
Policy PPL4: Biodiversity and Geodiversity			
Policy PPL5: Water Conservation, Drainage and Sewerage			
Policy PPL6: Strategic Gaps		✓	✓
Policy PPL7: Archaeology			
Policy PPL8: Conservation Areas			
Policy PPL9: Listed Buildings			
Policy PPL10: Enabling Development			
Policy PPL11: Renewable Energy Generation			
Policy PPL12: The Avenues Area of Special Character, Frinton-On-Sea			
Policy PPL13: The Gardens Area of Special Character, Clacton-On-Sea			
Policy PPL14: Ardleigh Reservoir Catchment Area			
Policy PPL15: Safeguarding of Civil Technical Site, North East of Little Clacton/South of Thorpe-Le-Soken			

Part of document	Reasons for Objection or proposed Variation
Policy PPL6	Please see attached Report of Representations

CONNECTED PLACES	Support	Object	Vary
Policy CP1: Sustainable Transport and Accessibility			
Policy CP2: Improving The Transport Network			
Policy CP3: Improving The Telecommunications Network			
POLICIES MAPS			

Part of document	Reasons for Objection or proposed Variation

Part(s) / Policy Reference of the document	Support	Object	Vary
Delivery Infrastructure			
Monitoring and Review			
Appendix A – Glossary			
Appendix B – Consultation Undertaken			
Appendix C – Local Maps		✓	✓
Appendix D – Local Wildlife Sites and Ancient Woodland			
Appendix E – Heritage Assets			

Part of document	Reasons for Objection or proposed Variation
Local Maps 10 and 11: Clacton-on-Sea and Jaywick Parts A and B; and Local Map 24: Little Clacton	Please see attached Report of Representations

Section 2 – Any other comments

If you have any other comments, please give further details below, indicating which part of the document you are commenting on.

Date: 5 September 2016

Signature: [redacted]

Thank you for your comments.

The Council will consider all responses before preparing its Submission Development Plan Document.

North Essex Strategic Plan and
Tendring District Local Plan,
Preferred Options Consultation,
July 2016

REPORT OF REPRESENTATIONS

Prepared for Land Logic Ltd

in respect of

Land South of London Road,
Clacton-on-Sea

MATPLAN
Chartered Town Planning & Development Consultants

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Berkshire
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September 2016

CONTENTS

1.0 INTRODUCTION AND TERMS OF REFERENCE.....1

2.0 STRATEGIC REPRESENTATIONS.....2

A Strategic Representations to Policies SP2 and LP1.....2

B Strategic Representations to Policies SP7, SP8 and Delivery Arrangements for the Garden Communities.....3

3.0 SITE-SPECIFIC REPRESENTATIONS.....4

A Site-specific Representations to Policy SPL2 and Local Maps 10, 11 and 24, in respect of Mixed-Use and Housing Allocations proposed at Clacton-on-Sea and Little Clacton.....4

B Site-specific Representations to Policies SPL2 and PPL6 and Local Maps 10 and 11, in respect of Land South of London Road, Clacton-on-Sea.....5

4.0 CONCLUSIONS.....7

1.0 INTRODUCTION AND TERMS OF REFERENCE

1.1 The Tendring District Local Plan, Preferred Options Document July 2016 has been published for public consultation between 14 July 2016 and 8 September 2016. This Report sets out our client's representations to various Policies contained in Parts 1 and 2 of the Local Plan, with regard to promoting land south of London Road, Clacton-on-Sea, as a housing allocation for circa 230 dwellings.

1.2 Our client's representations to the Draft Local Plan comprise the following:

- **Strategic representations** to Policies SP2 and LP1;
- **Strategic representations** to Policies SP7, SP8 and the Delivery Arrangements for proposed Garden Communities, in particular the East Colchester/West Tendring Garden Community;
- **Site-specific representations** to Policy SPL2 and Local Maps 10, 11 and 24, in respect of mixed-use and housing allocations proposed at Clacton-on-Sea and Little Clacton; and
- **Site-specific representations** to Policies SPL2 and PPL6 and Local Maps 10 and 11, promoting land in our client's control south of London Road, Clacton-on-Sea, as a housing allocation for circa 230 dwellings.

2.0 STRATEGIC REPRESENTATIONS

A Strategic Representations to Policies SP2 and LP1

2.1 Paragraph 9.16 of the Objectively Assessed Housing Need Study (January 2016 Update) prepared for Braintree District, Chelmsford City, Colchester Borough and Tendring District Councils, concludes that Tendring District Council should provide for an Objectively Assessed Need for housing equivalent to 550 dwellings per annum. Policy SP2 of the Local Plan takes forward this figure, in committing to deliver a minimum of 11,000 net additional dwellings over the plan period 2013 to 2033.

2.2 Policy LP1 of the Local Plan then commits to deliver a minimum of 10,149 net additional dwellings between 2015 and 2032. The Policy includes a table showing how this dwelling requirement will be met from a variety of sources. It is clear from this Table and the Policy's last paragraph that in order for this requirement to be met comfortably, with a modest surplus of around 138 dwellings, it will be necessary to deliver 600 dwellings per year, to total 11,062 dwellings over the plan period – roughly the figure contained within Local Plan Policy SP2.

2.3 In order to provide clarity, and consistency with Local Plan Policy SP2, our client therefore requests that the table included within Local Plan Policy LP1 is revised to omit the column based on delivering 550 dwellings per year. However, in committing to deliver 11,062 dwellings over the plan period, at a rate of 600 dwellings per year, our client considers that Policy LP1 currently assumes an unrealistic contribution from the proposed expansion of Weeley. A contribution similar to that anticipated from the proposed 'Garden Community' on the Colchester Fringe would be more realistic, such that 300 or so dwellings should be re-allocated to Clacton-on-Sea – currently the District's largest and most sustainable settlement with more than enough capacity to accommodate a total of around 3,000 net additional dwellings over the plan period.

2.4 Whilst Local Plan Policy LP1 sets out the various sources of housing supply for the plan period, it does not disaggregate these into specific dwelling allocations. Indeed, save for the Local Plan's 'Local Maps' identifying the locations proposed for housing allocations, nowhere in the Local Plan are these allocations described and explained in detail, let alone a dwelling figure assigned to each and justified with reference to background evidence or studies. This is a fundamental failing of the Local Plan – Policy LP1 must be evidenced and supported by other specific Policies that do likewise with individual housing allocations – in much the same way as Local Plan Policy PP7 deals with new employment allocations in the District.

B Strategic Representations to Policies SP7, SP8 and Delivery Arrangements for the Garden Communities

2.5 Local Plan Policy SP7 commits to delivering three new 'Garden Communities' in North Essex; and Policy SP8 deals specifically with the 'Garden Community' proposed to the east of Colchester and in the western part of Tendring District, with reference to a 'broad area of search' shown on the Local Plan's Policies Map 1 and Local Map 12. Policy SP8 commits to delivering 2,500 dwellings from the Garden Community within the plan period (as part of a total of between 7,000 to 9,000 dwellings); and Local Plan Policy LP1 commits to delivering 1,164 dwellings out of the 2,500 within Tendring District.

2.6 Local Plan Policiy SP7 and, so far as Tendring District is concerned, Local Plan Policy SP8 are both necessarily comprehensive, insofar as what is expected of the Garden Community to the east of Colchester and in the western part of Tendring District in terms of design quality; community, employment, transport and utilities infrastructure; and general environmental, ecological and landscape considerations. However, it is clear from Policy SP8 that the proposed Garden Community to the east of Colchester and in the western part of Tendring District is currently little more than a 'broad area of search' – specific boundaries for the Garden Community have yet to be determined, let alone a Masterplan Framework devised, consulted upon and adopted to guide the proposal's delivery. As such, the submission and approval of a planning application for the Garden Community must be some years away.

2.7 Although our client accepts that Local Plan Policy LP1 commits to deliver a relatively modest 1,164 dwellings from the proposed Garden Community to the east of Colchester and in the western part of Tendring District by the end of the plan period, the Local Plan and its evidence base are currently significantly short on the detail required to justify and support this figure – Part 2 of the Local Plan contains no detail whatsoever on the timetable and arrangements for delivering the Garden Community to the east of Colchester and in the western part of Tendring District; and just two paragraphs (nos. 1.25.1 and 1.25.2) in Part 1 of the Local Plan are nowhere near sufficient in terms of giving any clarity or certainty or detail relating to the 'Delivery Arrangements' for the Garden Community concept in North Essex as a whole.

2.8 Until comprehensive information for the three Garden Communities proposed in North Essex and the Delivery Arrangements for the same is forthcoming, our client objects to the Local Plan's provisions for Garden Communities as currently drafted. The same applies to the proposed expansion of Weeley, which also seems to comprise a fundamental part of the local plan's housing supply to 2033.

3.0 SITE-SPECIFIC REPRESENTATIONS

A Site-specific Representations to Policy SPL2 and Local Maps 10, 11 and 24 in respect of Mixed-Use and Housing Allocations proposed at Clacton-on-Sea and Little Clacton

3.1 The Local Plan's Local Maps 10 and 11 show the location of housing allocations (coloured brown) and large mixed-use allocations (coloured pink) in Clacton. Local Map 24 shows the location of a housing allocation on the southern edge of Little Clacton, between the village's existing built up area and the B1442 Centenary Way. The allocations are set within a Settlement Development Boundary for Clacton and Little Clacton, shown by a red line on Local Maps 10, 11 and 24 and with reference back to Local Plan Policy SPL2.

3.2 Whilst our client does not have any particular reservations with the wording of Local Plan Policy SPL2 as currently drafted, our client does have significant reservations with how the Policy has been used to propose, evidence and justify the large mixed-use allocations on the north western, western and north eastern edges of Clacton; and significant concerns as to the proposed allocations' suitability and sustainability and ability to be delivered in a timely manner. Our client also has significant reservations with the housing allocation proposed on the southern edge of Little Clacton and shown on the Local Plan's Local Map 24.

3.3 Save for the allocations' notations on Local Maps 10, 11 and 24, they are not named and are certainly not given a dwelling yield as part of the total amount of housing which Local Plan Policy LP1 commits to Clacton. Furthermore, neither the Local Plan nor its evidence base provide any further description, explanation or support for any of the allocations. For example, the mixed-use allocations' significant implications for Clacton's landscape setting are not explained or justified in a Landscape Assessment; and the delivery of at least one of the mixed-use allocations proposed on the north western/western edges of Clacton seems also to require the delivery of a 'Strategic Road Link', without any further explanation of the same appearing anywhere within the Local Plan, let alone any assessment of the Strategic Road Link's implications for the allocation(s)' deliverability and viability.

3.4 The housing allocation proposed on the southern edge of Little Clacton is also likely to have significant implications for the village's physical and visual separation from Clacton, along the Prospect Way/Centenary Way road corridor between the two settlements; and is not explained or justified anywhere in the Local Plan or its Evidence Base.

3.5 The Local Plan and its Evidence Base are therefore completely lacking in any description, explanation, justification or support for the mixed-use allocations proposed on the north western, western and north eastern edges of Clacton. The same applies to the housing allocation proposed on the southern edge of Little Clacton. As such, the Local Plan lacks any clarity, certainty, credibility or soundness and our client's objections as set out above are fully justified.

B Site-specific Representations to Policies SPL2 and PPL6 and Local Maps 10 and 11, in respect of Land South of London Road, Clacton-on-Sea

3.6 Our client's site-specific representations set out above express significant reservations with the large-scale mixed-use allocations proposed on the edges of Clacton and the housing allocation proposed on the edge of Little Clacton. These allocations represent poor and as yet unproven choices for Clacton and Little Clacton - better opportunities exist elsewhere on Clacton's edges and without any need for Little Clacton to accommodate development on its southern boundaries. One such opportunity comprises land in our client's control south of London Road, Clacton, as outlined in red on the plan contained in **Appendix 1** of this Report.

3.7 The site in question extends to around 12.4 hectares and is comprised of five separate ownerships, as per the aerial photographs of the site also contained in **Appendix 1** of this Report. All five constituent parts of the site are in the control of our client, by way of Promotion Agreements. Land Parcels 1 and 2 are partly developed with dwellings and their immediate curtilages (with associated outbuildings); Land Parcel 3 comprises a long disused plant nursery; and the remainder of the site is mostly comprised of open pastureland.

3.8 Open farmland and safeguarded open space lie to the south of the site, in plain view of the A133 to the west of Clacton; and more open land lies to the north of the site and London Road, in plain view of the B1442 Centenary Way and the southern edge of Little Clacton. In contrast, the site's boundaries are well demarcated by a mix of mature trees and hedges, which serve to screen the site from surrounding land and in views from London Road.

3.9 The site lies very close to the Morrisons superstore off the B1442 Centenary Way, a short distance to the north east; and equally as close to the Tesco and B&Q superstores at the Brook Retail Park off London Road, a short distance to the south. Regular bus services run along London Road; and the site also has easy access to Clacton's major distributor road infrastructure.

3.10 As such, the site is very well contained in the landscape on the edge of Clacton and does not contribute to its landscape setting. The site also lies in a sustainable position relative to facilities, services and public transport infrastructure in and around Clacton; and within easy reach of facilities and services in the centre of Clacton, a little further to the south. It represents a suitable and sustainable choice for a housing allocation, whose development would not breach Clacton's landscape setting or the limits set by the open countryside alongside the A133 to the west/south and the B1442 Centenary Way to the north.

3.11 Existing accesses to the site from London Road can be adapated to serve housing development on the site, without breaching the site's boundary screening or landscape containment. Furthermore, the site can be developed whilst retaining its internal landscape structure, in the form of 'green links', 'green lanes' and 'open green spaces', together with existing boundary vegetation and 'woodland edges', particularly that along the course of a stream known as the Picker's Ditch which runs along the majority of the site's southern boundary. As such, the site's development can take place within a well-defined and well-contained mature landscape structure, which will help the site's development to be 'ecologically robust' and to integrate with surrounding built development.

3.12 **Appendix 2** of this Report contains a copy of an Illustrative Masterplan ref. 1691-SK-07, showing how the site could be developed with around 230 dwellings, comprising a mix of houses and apartments, including affordable housing and self-build plots; open space and children's play space; retained woodland; and ecological areas, accesses from London Road. At the time of writing, this Illustrative Masterplan is still be revised and refined to take account of ecological and other surveys that have been carried out on site and in due course, will form the basis of an outline planning application for the site's development.

3.13 In summary, the site is an excellent candidate for allocation and development with housing. It will not harm Clacton's landscape setting, nor will it interfere with Clacton's and Little Clacton's landscape separation. The site should therefore be brought within Clacton's Settlement Development Boundary and excluded from the Strategic Green Gap between Clacton and Little Clacton – the revised boundaries for these designations are shown in this context on the marked-up copy of the Local Plan's Local Map 10 contained in **Appendix 3** of this Report.

4.0 CONCLUSIONS

4.1 This Report concludes as follows:

- In order for something approaching the Borough's Objectively Assessed Need for housing to be met comfortably, with a modest surplus of around 138 dwellings, it will be necessary to deliver 600 dwellings per year within the District, to total 11,062 dwellings over the plan period – roughly the figure contained within Local Plan Policy SP2. In order to provide clarity, and consistency with Local Plan Policy SP2, our client therefore requests that the table included within Local Plan Policy LP1 is revised to omit the column based on delivering 550 dwellings per year.
- Whilst Local Plan Policy LP1 sets out the various sources of housing supply for the plan period, it does not disaggregate these into specific dwelling allocations. Indeed, save for the Local Plan's Local Maps identifying the locations proposed for housing allocations, nowhere in the Local Plan are these allocations described and explained in detail, let alone a dwelling figure assigned to each and justified with reference to background evidence or studies. This is a fundamental failing of the Local Plan – Policy LP1 must be evidenced and supported by other specific Policies that do likewise with individual housing allocations – in much the same way as Local Plan Policy PP7 deals with new employment allocations.
- It is clear from Policy SP8 that the proposed Garden Community on the Colchester Fringe is currently little more than a 'broad area of search' – specific boundaries for the Garden Community have yet to be determined, let alone a Masterplan Framework devised, consulted upon and adopted to guide the proposal's delivery. As such, the submission and approval of a planning application for the Garden Community must be some years away; and whilst our client accepts that Local Plan Policy LP1 commits to deliver a relatively modest 1,164 dwellings from the proposed Garden Community by the end of the plan period, the Local Plan and its evidence base are significantly short on the detail required to justify and support this figure.
- The Local Plan and its evidence base are also significantly short on the detail required to justify and support the proposed expansion of Weeley. Until such evidence is forthcoming and properly tested, our client considers that Policy LP1 should commit to a dwelling figure from Weeley similar to that anticipated from the proposed 'Garden Community' on the Colchester Fringe. As such, around 300 dwellings should be re-allocated to Clacton-on-Sea: the District's largest and most sustainable settlement with more than enough capacity to accommodate a total of around 3,000 net additional dwellings over the plan period.

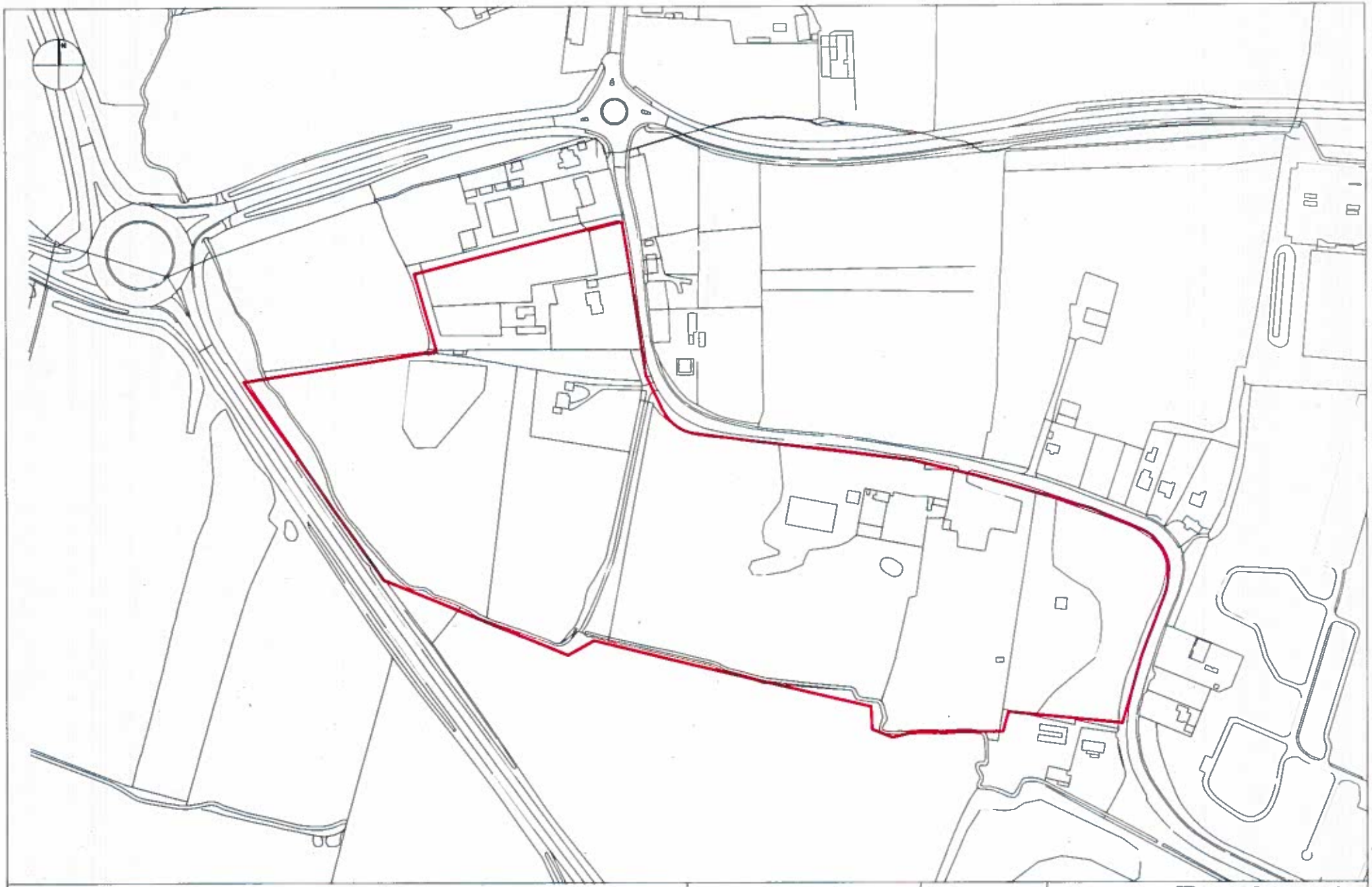
- Save for notations on Local Maps 10, 11 and 24, large mixed-use allocations on the edges of Clacton and a housing allocation on the southern edge of Little Clacton, adjacent to the B1442 Centenary Way, are not named and are certainly not given a dwelling yield as part of the total amount of housing which Local Plan Policy LP1 commits to Clacton. Indeed, nowhere within the Local Plan or its Evidence Base is any description, explanation or support given for any of the allocations. For example, the mixed-use allocations' significant implications for Clacton's landscape setting are not explained or justified in a Landscape Assessment; and the delivery of at least one seems to require the delivery of a 'Strategic Road Link' around the north western/western edges of Clacton, without any explanation set out within the Local Plan, let alone any assessment of the Strategic Road Link's implications for the allocation(s)' deliverability and viability. The housing allocation proposed on the southern edge of Little Clacton is likely to have significant implications for the village's physical and visual separation from Clacton, along the Prospect Way/Centenary Way road corridor; and is not explained or justified anywhere in the Local Plan or its Evidence Base.
- The Local Plan and its Evidence Base are therefore completely lacking in any description, explanation, justification or support for the mixed-use allocations proposed on the north western, western and north eastern edges of Clacton, or the housing allocation proposed on the southern edge of Little Clacton. These allocations represent poor and as yet unproven choices for Clacton and Little Clacton - better opportunities exist elsewhere on Clacton's edges and without any need for Little Clacton to accommodate development on its southern boundaries.
- One such opportunity comprises land in our client's control south of London Road, Clacton. Existing accesses to the site from London Road can be adapted to serve housing development, without breaching the site's boundary screening or landscape containment; and the site can be developed whilst retaining its internal landscape structure and existing boundary vegetation and 'woodland edges'. As such, the site's development can take place within a well-defined and well-contained, mature and 'ecologically robust' landscape structure, which will also help the site's development to integrate with surrounding built development.
- In summary, the site is a suitable and sustainable choice for a housing allocation, whose development would not breach Clacton's landscape limits set by the open countryside alongside the A133 to the west/south, or Clacton's landscape separation from Little Clacton along the B1442 Centenary Way to the north. As per the Illustrative Masterplan ref. 1691-SK-07 contained in **Appendix 2** of this Report and the marked-up copy of the Local Plan's Local Map 10 contained in **Appendix 3** of this Report, the site should therefore be brought within Clacton's Settlement Development Boundary; excluded from the Strategic Green Gap between Clacton and Little Clacton; and allocated for around 230 dwellings.

4.2 Further information regarding these representations can be provided, together with clarification of any points raised in this Report. Otherwise, we hope these representations are of assistance and will be taken account of in the process leading to the submission of the Local Plan to the Secretary of State for examination.

4.3 We would also be grateful to be kept informed of the progress of the Local Plan and the publication of related documents.

APPENDICES

APPENDIX 1



Revisions

Client Land Logic

Project London Road, Clacton

Scale 1:1250 @ A1

Date February 2016

Drawn GT

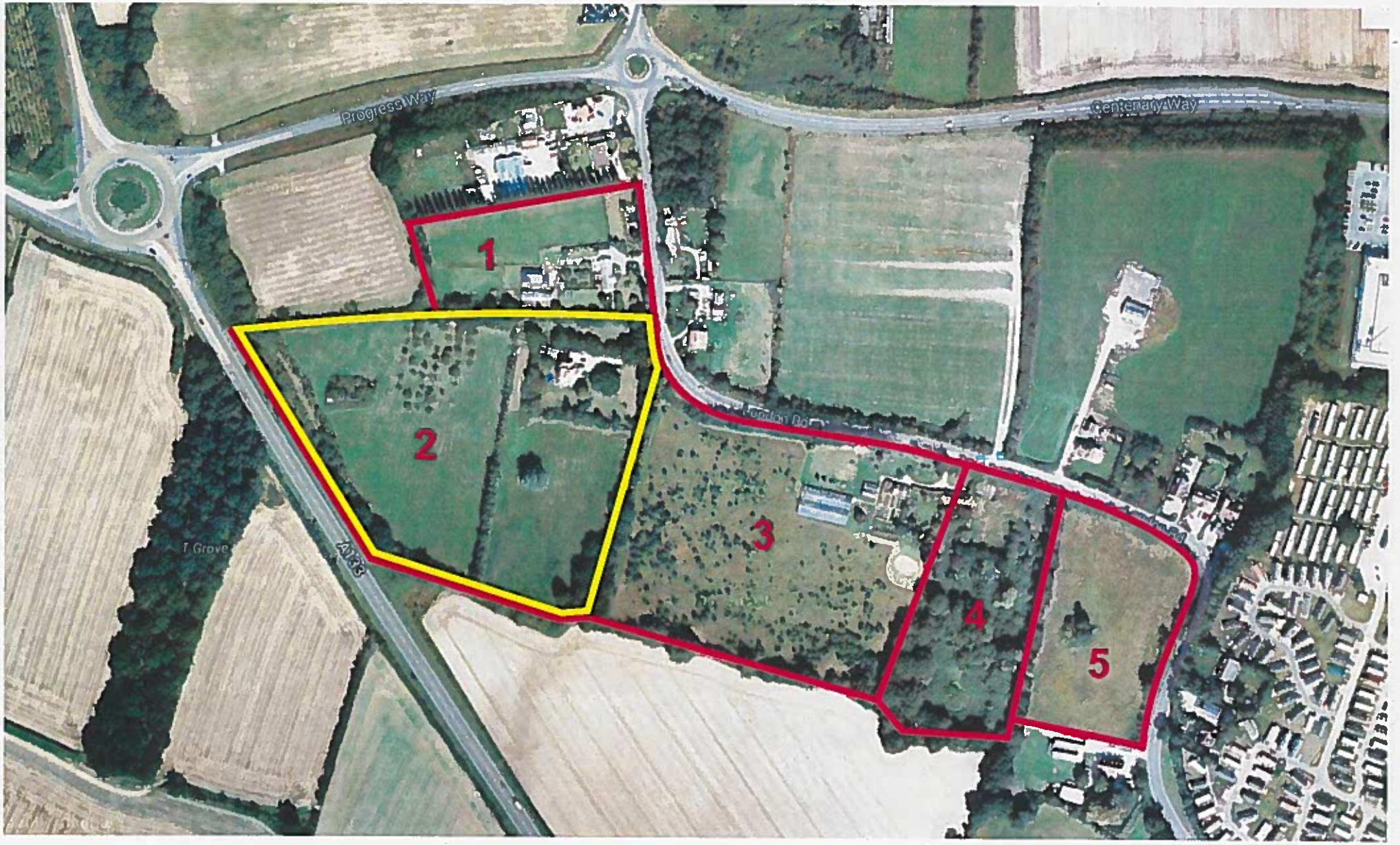
Checked PR

1691-SK-06

Drawing Site Location Plan

CMS Architects

London Road, Clacton, Essex, C016



Land Logic Ltd
0845 625 2655

London Road, Clacton, Essex, C016

Land Logic Ltd
0845 625 2655

APPENDIX 2

Revisions

Client	Land Logic
Project	London Road, Clacton

Scale 1:1250 @ A1
Date May 2016
Drawn GT
Checked PP

1691-SK-07

Drawing Illustrative Masterplan

51 - 53 High Street
Cornham Middlesex
SN13 8EZ

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Fax 01249 701444
mail@cms-group.co

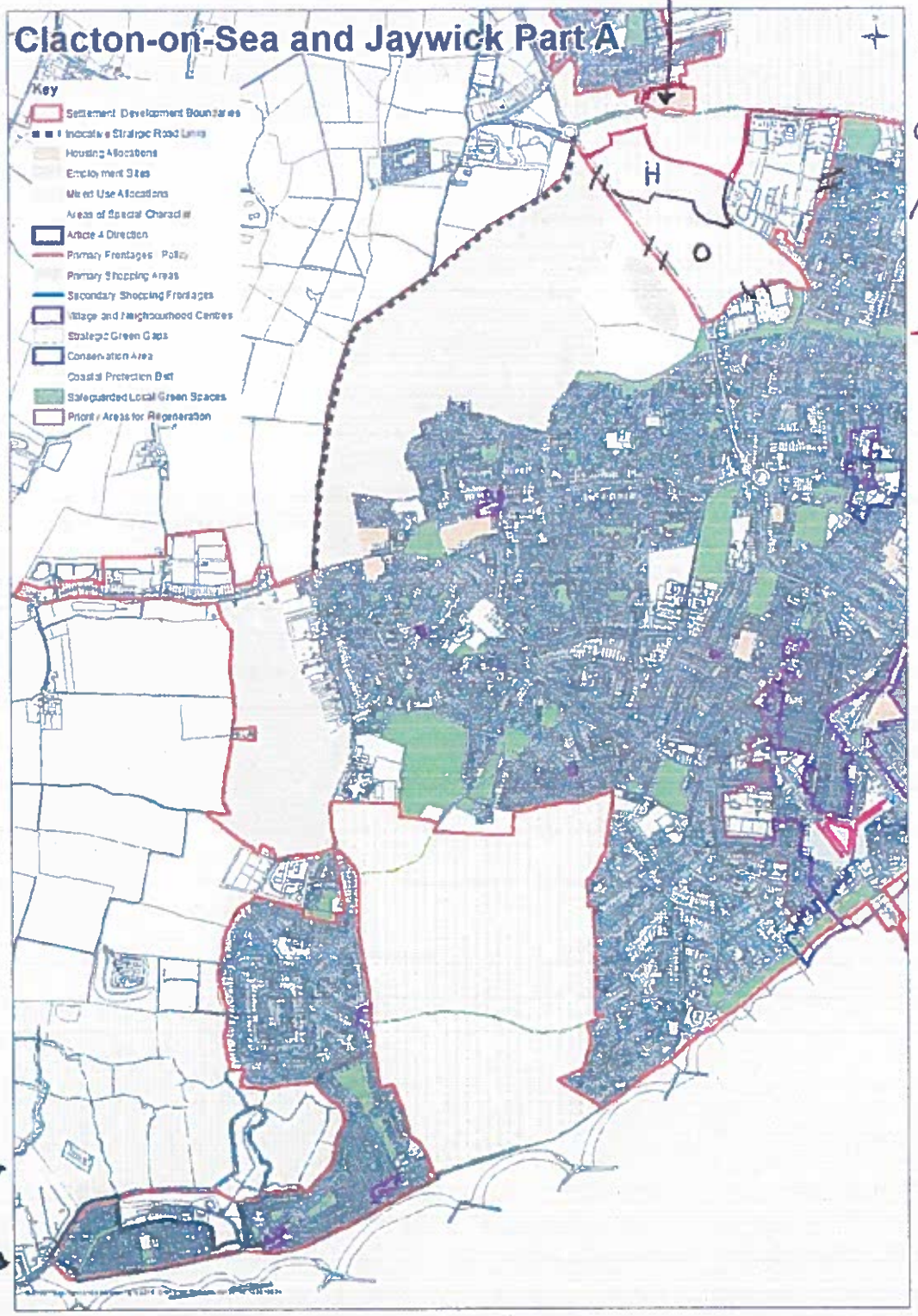
CMS Architects

APPENDIX 3

1. DELETE HOUSING ALLOCATION
2. EXCLUDE LAND FROM SETTLEMENT DEVELOPMENT BOUNDARY
3. INCLUDE LAND WITHIN STRATEGIC GREEN GAP

C.6 Clacton Part A

Map 10 Clacton Part A



H = HOUSING ALLOCATION
O = PROTECTED OPEN SPACE
// = DELETE SETTLEMENT DEVELOPMENT BOUNDARY
— = NEW SETTLEMENT DEVELOPMENT BOUNDARY AND SOUTH BOUNDARY TO STRATEGIC GREEN GAP

Alex Davidson

From:	Matthew Utting <mat@matplan.co.uk>
Sent:	05 September 2016 20:47
To:	Planning.policy
Cc:	'Tim Martin'; Simon Meecham; Mary Foster; Naomi Hart
Subject:	North Essex Strategic Plan & Tendring District Local Plan, Preferred Options Consultation, July 2016 - Land South of London Road, Clacton-on-Sea, for Land Logic Ltd
Attachments:	TDLP Preferred Options - Reps Form (05-09-16).pdf; TDLP Preferred Options - Reps (Final) (Sept 2016) (Complete).pdf
Importance:	High

Dear Sirs,

Please find attached a completed Representation Form and associated Report of Representations in respect of the above for your kind attention. I'd be grateful if you could confirm safe receipt, as hard copies of the attached will not follow in the post.

Please contact me if you have any queries with the attached, if you require further information, or need to discuss the attached in more detail. Otherwise, I will look forward to receiving further updates concerning the Local Plan in due course.

Yours faithfully,

Matthew Utting BSc (Hons) DipTP MRTPI
Director

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1021851

Naomi Hart

From: Richard Clews <Richard.Clews@struttandparker.com>
Sent: 08 September 2016 12:59
To: Planning.policy
Subject: Local Plan Preferred Options Consultation Submission - Messrs Allwright and Mr.Bray.
Attachments: REPRESENTATION FORM - PREFERRED OPTIONS 2016 (Allrwight and Bray)2.pdf

Dear Planning Policy,

Please find attached our completed representation form for our clients, Messrs Allwright and Mr. Bray, with regards to their concerns for the soundness of the Plan, the consistency with the SA/SEA and their interests at land south of Centenary Way, Clacton.

We trust these submissions will be taken fully into account when considering the next stage of the Local Plan and the sustainable distribution of development throughout the District. Should you have any questions or require further information, please contact me directly via the details on the submission form or via reply to this email.

Yours sincerely,

Richard

Richard Clews
Associate Planner
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Tendring District Council

For official use only
Respondent number:
Date received:
Date acknowledged:

North Essex Strategic Plan

and

Tendring District Local Plan

Preferred Options Consultation

REPRESENTATION FORM

IMPORTANT NOTICE

Please use this form for sending comments to the Council on the Tendring District and North Essex Strategic Plan consultation documents, preferably using the on-line form on our website: **tendring-consult.objective.co.uk** or send by e-mail to **planning.policy@tendringdc.gov.uk.**

Please send your representation form to arrive by **5 pm** on **Thursday 8 September 2016** to:

Planning Policy Manager,
Tendring District Council,
Council Offices,
Thorpe Road,
Weeley
Essex
CO16 9AJ

For further information, please see our web page at www.tendringdc.gov.uk or email: planning.policy@tendringdc.gov.uk alternatively telephone: 01255 686177, 01255 686188 or 01255 686151 to talk to one of the Planning Policy Team.

Please note that any information supplied to the Council on this form ***cannot be kept confidential.*** *Copies of all responses will be available for inspection at the Council Offices and may be included in a summary schedule of responses to be made available at public libraries and on the Council's website. The Council will enter responses on a computer database, to be used by the Council for the purpose of recording and collating comments and for contacting people and organisations about their responses. Your name, town and comments will be published.*

Please complete your details and those of your agent, if applicable.

Name: * Richard & Ronald Allwright and Peter Bray **Address:*** C/O Agent **Postcode:** **Organisation:** (if applicable) **Telephone:** **Email:** **Required information*	**Agent's Name:** (if applicable) Richard Clews **Agent's address:** Coval Hall Rainsford Road Chelmsford **Postcode:** **CM1 2QF** **Telephone:** **01245254646** **Email:** Richard.clews@struttandparker.com

Section 1 – Do you Support, Object or wish to Vary any policies or parts?

Please tick the boxes below to indicate whether you support, object to, or would like to vary, any part(s) of the **North Essex Strategic Plan (Part 1 Plan) and Tendring District's Local Plan Preferred Options (Part 2 Local Plan)** consultation documents. You may tick as many or as few boxes as you wish.

If you object to, or would like to vary, any part of the document please give your reasons in the boxes provided after each chapter and make clear which part/s of the plan the comments relate to.

You may continue on a separate sheet of paper if necessary.

You may comment on any other issues in Section 2 below.

Part(s) / Policy Reference of the document			
PART 1 PLAN: NORTH ESSEX STRATEGIC PLAN	**Support**	**Object**	**Vary**
Vision for the Strategic Area			
Policy SP1: Presumption in Favour of Sustainable Development	✓		
Policy SP2 : Meeting Housing Needs		✓	
Policy SP3 : Providing for Employment			
Policy SP4: Infrastructure and Connectivity			
Policy SP5: Place Shaping Principles			
Policy SP6: Spatial Strategic for North Essex			
Policy SP7: Development and Delivery of New Garden Communities in North Essex			
Policy SP8: East Colchester/West Tendring New Garden Community			
Policy SP9: West of Colchester/East Braintree New Garden Community			
Policy SP10: West of Braintree New Garden Community			
Delivery Arrangements			

Part of document	**Reasons for Objection or proposed Variation**
SP1	We support the presumption in favour of sustainable development as set out in Policy SP1. The approach is consistent with national policy and is an appropriate strategy to deliver development that meets the needs of a growing population over the long term. Given the presumption, which is the first policy articulated in the Plan and sets the tone of the document, the absence of a number of demonstrably sustainable sites from the draft consultation is particularly problematic. As one example, our client's site, Ref.UE1.8 (Assessment Area 4: North Clacton) of the 2014 TDC SHLAA, was assessed as part of a larger site for 675 dwellings and an area that can accommodate 175 dwellings is considered to be suitable, available and achievable for 175 dwelling. The Assessment concludes that: *'development in this wider location would impact upon the strategic green gap but there could be an opportunity to provide a smaller scale development with formal open space that would serve as an green buffer between the northern edge of Clacton and nearby Little Clacton'* and that *'not all the land between the A133 and Centenary Way is considered to be suitable or available for development and so in reality this could only yield around 175 new homes on a small portion of the wider area.'* The SHLAA also provides an indicative phasing for 35dpa from 2021. Following the SHLAA publication, our client was encouraged to prepare technical assessments to support an application. The technical assessments for the site confirm that residential development of the

site would provide a socially sustainable location for new dwellings, an economically beneficial development close to employment destinations, and improvements to ecology, not least of all to the Local Wildlife Site (LOWS) that is present on the site but degraded due to the car boot sale activity.

The Site has also been assessed through the SA process as CL9 – Land between London Road and Centenary Way for 175 dwellings as a 'Preferred Site Allocation' (Table 62; p.173 TDC SA Part 2 (August 2016)). Table 63 of the SA provides an appraisal of each of the Preferred and non-preferred sites, in which CL9 scores well. The fact that CL9 is a Preferred Site belies the unjustified removal of the site from the Consultation at a late stage and the failure of a corresponding re-assessment of the SA to establish whether the Plan still reflects the evidence prepared and the most sustainable option.

The SA Objectives are considered in section 16, based on the Draft LP proposals. SA1 *To provide decent and affordable homes for all* concludes that:

> *'the Plan's housing allocations can be seen to be suitably distributed, in accordance with Policy LP1: Housing Supply, to deliver housing needs to both existing and also future communities. Housing growth is focused on the District's main settlements in the short term, with the highest existing populations, offering significant positive benefits in these areas particularly regarding affordable housing delivery.*

CL9 is part of the preferred housing distribution, contribution to the above conclusion and the overall sustainability of the Plan.

The removal of a site from the Consultation process, which has been demonstrated to be sustainable in both the Council's evidence and the supporting reports of a planning application, is problematic for the justification of the Plan. Paragraph 182 of the NPPF states that to be justified the Plan *'should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence'.* The Draft Local Plan is not justified as it is not the most appropriate strategy. Sustainable sites have not been allocated in the plan while sites that are dependent on significant infrastructure investment, including new settlements, have been identified to meet housing needs throughout the Plan period. The removal of sites appears to be solely due to the refusal of specific planning applications, which is not considered to be an appropriate approach for Local Plan decision making, which is an evidence based process.

Accordingly, while the aim of achieving sustainable development is supported, we have concerns that the Council has not followed its evidence base in order to identify a sustainable strategy for the District. The Sustainability Appraisal Part 2 does not assist with understanding whether the Council's approach is the most appropriate as there are concerns with some of the conclusions within the scoring. For example, Table 5 outlines the scoring for Expanded Settlements and Garden Villages but there are significant concerns that Questions 2 and 6 do not appropriately consider the impact of new settlements and are artificially marked as 'N/A' for Garden Suburbs.

Section 1.16 identifies the strategic significance of the Council's plan with its neighbours, Braintree and Colchester. It is considered that some of the failings of the Braintree Local Plan with regards to meeting its full OAN (as identified by TDC in its representations to the BDC LP) will need to be resolved in order for the TDC LP to be Sound, as Part 1 is common to each.

SP2 – Meeting Housing needs	Household projections from CLG, Table 406, indicate a household growth of 12,280 dwellings will be needed in Tendring between 2013-2033, equal to 613dpa for 20yrs. We are concerned that the Council's proposed development as set out in SP2 will not be sufficient to deliver the OAN for the District. Accordingly, the proposed housing development should be increased to meet the OAHN and additional sites should be identified in sustainable locations to meet the full OAHN as required by the NPPF paragraph 47.

PART 2 PLAN: TENDRING DISTRICT LOCAL PLAN PREFERRED OPTIONS

SUSTAINABLE PLACES	Support	Object	Vary
Policy SPL1: Managing Growth		✓	
Policy SPL2: Settlement Development Boundaries		✓	
Policy SPL3: Sustainable Design			

Part of document	Reasons for Objection or proposed Variation
SPL1	We would support aspects of the Council's Settlement Hierarchy relating to the Strategic Urban Settlements (SUS). The SUS are considered to accurately recognise the main Settlements of the District, and the proposed growth area of the Colchester Fringe. However, it is acknowledged that The Colchester Fringe does not, at this time, exist and may therefore be better represented as an alternative category of settlement, subject to its ongoing delivery. In particular the Colchester Fringe does not meet the description in paragraph 2.40 that *'Strategic Urban settlements' have the larger populations and a wide range of existing infrastructure and facilities, making them the most sustainable locations for growth'*. Accordingly, it would be appropriate to separate the established settlements of Clacton, Harwich and Dovercourt from the *proposed* settlement of Colchester Fringe, which does not currently meet the description set out for SUS's in the Plan, except as an extension to Colchester. It is considered that the Area of Search for the Colchester Fringe is too wide to establish it as an urban extension at this stage, further emphasising the need for a separate category. We have concerns with other aspects of how the hierarchy has been determined in relation to the consistency of scoring services and facilities available in individual settlements. However, these concerns do not relate directly to this representation. The 2014 SHLAA that informs the spatial distribution of development in the Local Plan indicates that Land North of Cann Hall could deliver 2,205 dwellings and that Land West of Little Clacton Road could deliver 1,912 dwellings. However, the SHLAA notes a *'potential for development post 2031 but significant upfront infrastructure investment would be required'*. The council has not confirmed how the significant up front infrastructure 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 2,780 dwellings to be delivered in Clacton within the Plan period. The Plan must be capable of delivering the homes and infrastructure required. It is concerning that the Council may have allocated a site that has significant infrastructure requirements in favour of sustainable sites that could deliver homes in the short and medium term, such as Land South of Centenary Way, Clacton (UE1.8). Similarly, it is not clear how the Plan aims to deliver the required homes on the

	identified sites. Reports to the Local Plan Committee during the preparation stages identified sites for the development of 2,700 dwellings around Clacton (June 2016; Policy LP1, p.89 and Maps pp.205-206). Following the removal of a number of sites identified at that stage but removed by Full Council, the number of dwellings to be delivered in Clacton remained the same. It is not clear how the Plan will deliver the same number of dwellings on fewer sites, without further assessment of density or delivery rates. We are therefore not convinced that the Plan is effective in regards to paragraph 182 of the NPPF.
SPL2 & **Map 10 Part A.**	Objection. Policy SPL2 is implicitly connected with the Policies Map and Local Maps set out in a later section of the Local Plan. Our objection relates to the boundaries proposed around Clacton and the rejection of demonstrably sustainable locations at a late stage in the Plan without justification in relation to the LP evidence base or National Planning Policy. The development boundaries have been created without full regard to the sustainability appraisal, which considered an earlier form of the Plan to represent a Sustainable approach to development and not the current version being consulted upon. The details relating to the removal of an otherwise sustainable site from the LP process are well recorded. The site is UE1.8 in the SHLAA and CL9 in the August 2016 Sustainability Appraisal (SA). The site was removed as a result of a Planning Committee decision to refuse planning permission for a specific scheme of 175 dwellings. The planning committee decision was taken in-between two Local Plan decisions: the first being the Local Plan Committee which approved the contents of the LP Consultation, to include the above site; and the second being a Full Council meeting that removed the site from the Consultation. It is considered that the proper process of establishing the most suitable and sustainable approach to delivering growth in Tendring has not therefore been undertaken. In this single example, the Council made a decision to remove an otherwise sustainable site from the Local Plan process in conflict with its own evidence to date, that the site is a suitable location for development and required to make up the housing delivery sought. We are uncertain how many other sites may have been removed for the same, or other, reasons at a late stage and without justification. The local plan is an evidence based process. Paragraph 158 of the NPPF sets out that each LPA should ensure the Local Plan is based on adequate, up-to-date and relevant evidence and that Local Plans are justified, that is, the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence (paragraph 182). Paragraph 14 of the PPG (ID:12-014-20140306) expands on this, stating that *'The evidence needs to inform what is in the plan and shape its development rather than being collected retrospectively'.* Paragraph 155 states that: *Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made'.* Paragraph 157 expects Local Plans to: *be based on co-operation with neighbouring authorities, public, voluntary and private sector organisations.* Accordingly, our client's site had been considered by the Council over a number of stages to represent a site that, on the basis of its evidence, is a sustainable location for residential growth. The merits of the site are set out elsewhere in this

	representation. With regards to the evidence, the site was supported by the Local Plan Committee in its final consideration of sites on Thursday 9th June 2016, which followed from continual assessment from July 2014 (see report - Identifying Broad Locations). The inclusion of the Site was based on relevant evidence and was justified in accordance with paragraph 182. The removal of the site from the spatial strategy, on the basis of a specific application, is considered to be incompatible with the objective and democratic plan making process outlined within the NPPF. Further, the removal of the site at a late stage is unlikely to be justified in relation to the evidence base, which up to that point supported the delivery of our client's site. While the site is a single example of the Council's failure to fully consider its evidence when finalising the LP, we are concerned that its approach will have been replicated elsewhere, undermining the plan-making and democratic process. This could represent a critical failure of the Local Plan if explored in detail at examination. To resolve this objection, the Council should consider the inclusion of Land South of Centenary Way and north of London Road for residential development and amend the boundaries of the Local Map accordingly. This would reflect the preparation stages of the local plan and be justified in relation to the evidence. At the least, the Council should repeat the consultation process and include all sites identified in the evidence base as sustainable in order to enable the public and stakeholders to determine a collective vision and set of agreed priorities for the sustainable development of the area.

VISION & OBJECTIVES	**Support**	**Object**	**Vary**
Part 2 Local Plan: Vision for Tendring			
Part 2 Local Plan: Objectives For the Local Plan			

Part of document	**Reasons for Objection or proposed Variation**

HEALTHY PLACES	**Support**	**Object**	**Vary**
Policy HP1: Improving Health and Wellbeing			
Policy HP2: Community Facilities			
Policy HP3: Green Infrastructure			
Policy HP4: Open Space, Sports and Recreation Facilities			

Part of document	**Reasons for Objection or proposed Variation**

LIVING PLACES	Support	Object	Vary
Policy LP1: Housing Supply		✓	
Policy LP2: Housing Choice			
Policy LP3: Housing Density and Standards			
Policy LP4: Housing Layout			
Policy LP5: Affordable Housing			
Policy LP6: Rural Exception Sites			
Policy LP7: Self-Build Homes	✓		
Policy LP8: Backland Residential Development			
Policy LP9: Traveller Sites			
Policy LP10: Care and Assisted Living			
Policy LP11: Houses in Multiple Occupation (HMOs) & Bedsits			

Part of document	Reasons for Objection or proposed Variation
LP1	Table 406 of the Household Projections by CLG indicate a growth of 12,280 dwellings between 2013-2033, the Plan Period. The Local Plan aims to deliver 10,924 dwellings over the Plan at its upper-range of 600dpa (paragraph 5.5). It is considered that the Local Plan will therefore fail to meet its objectively assessed need for housing, in conflict with the NPPF. The local plan and Policy LP1 should therefore increase the housing supply accordingly. Our client's site would provide a sustainable site (see TDC 2016 SA), that is suitable and available (see TDC SHLAA) to accommodate a portion of the additional need. In addition to the above, we are concerned that the Council's site allocations will not be able to deliver the housing proposed in Policy LP1. The Council's Draft Local Plan, as presented to Members of the Local Plan Committee on 9th June 2016 stated that 2,780 dwellings would be delivered in Clacton On Sea. Although sites have been removed from the Local Plan Proposals Maps, the number of dwellings to be provided has remained the same. There is therefore some doubt and a lack of clarity as to how the Council intend to deliver the numbers of dwellings indicated within the sites allocated. In addition, the Council is relying on the delivery of 1,000 dwellings from windfall sites (Policy LP1). Paragraph 48 of the NPPF states that: *"Local planning authorities **may** make an allowance for windfall sites in the five-year supply **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. Any allowance should be **realistic** having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and **expected future trends**, and should not include residential gardens"* (emphasis added). The Draft Local Plan places significant reliance on windfall to meet housing need, with 9-10% of the total proposed housing allocation (depending on 550 or 600dpa) 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. The Local Plan 2013-33 should seek to meet the full OAHN by allocating sufficient land for housing. If the council rely on a significant windfall allowance to meet the OAHN, without clear justification in accordance with Paragraph 48 of the NPPF, the Plan will be unsound. The glossary to the NPPF confirms that Windfall Sites are those that: '*have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available'.* Relying on a high level of windfall is contrary to the definition of windfall and should be avoided, so that these sites provide a genuine boost above the identified need. Further, the Council's evidence base indicates that it is able to identify a sufficient number of available, suitable and achievable sites in sustainable locations to meet the full OAHN. To rely on windfall sites, which are by definition those not identified in a local plan, may result in the Plan being unjustified and unsound. Additional sites should be identified to deliver the 1,000 dwellings indicated to be achieved through Windfall, such as site CL9/UE1.8.
LP7	The delivery of self-build homes within large developments is supported. Site CL9 would be capable of providing a sustainable location for a proportion of self-build and custom build homes close to facilities, services, and transport routes.

PROSPEROUS PLACES	**Support**	**Object**	**Vary**
Policy PP1: New Retail Development			
Policy PP2: Retail Hierarchy			
Policy PP3: Village and Neighbourhood Centres			
Policy PP4: Local Impact Threshold			
Policy PP5: Town Centre Uses			
Policy PP6: Employment Sites			
Policy PP7: Employment Allocations			
Policy PP8: Tourism			
Policy PP9: Hotels and Guesthouses			
Policy PP10: Holiday Parks			
Policy PP11: Camping and Caravanning			
Policy PP12: Improving Education and Skills			
Policy PP13: The Rural Economy			
Policy PP14: Priority Areas for Regeneration			

Part of document	Reasons for Objection or proposed Variation

PROTECTED PLACES	Support	Object	Vary
Policy PPL1: Development and Flood Risk			
Policy PPL2: Coastal Protection Belt			
Policy PPL3: The Rural Landscape			
Policy PPL4: Biodiversity and Geodiversity			
Policy PPL5: Water Conservation, Drainage and Sewerage			
Policy PPL6: Strategic Gaps		✓	
Policy PPL7: Archaeology			
Policy PPL8: Conservation Areas			
Policy PPL9: Listed Buildings			
Policy PPL10: Enabling Development			
Policy PPL11: Renewable Energy Generation			
Policy PPL12: The Avenues Area of Special Character, Frinton-On-Sea			
Policy PPL13: The Gardens Area of Special Character, Clacton-On-Sea			
Policy PPL14: Ardleigh Reservoir Catchment Area			
Policy PPL15: Safeguarding of Civil Technical Site, North East of Little Clacton/South of Thorpe-Le-Soken			

Part of document	Reasons for Objection or proposed Variation
PPL6 and **Map 10A**	Policy PPL6 directly references Proposals Map 10, Clacton On Sea and Jaywick Part A. It is considered that the Proposals Map, in regards to the Green Gap, should be amended to allow development on site CL9 (SA) to deliver a sustainable development. It is considered that a development can be arranged to meet the objectives of Policy PPL6 while delivering a sustainable residential development. Given that the Local Plan consultation includes the release of a significant area of Green Gap as identified in the 2007 Local Plan, the decision not to include Site CL9, which requires little infrastructure, is well located and provides for most daily needs nearby, scoring highly in the 2016 SA, is troubling. The site has been the subject of a full range of technical work to support a planning application that was recommended for approval by officers. We are therefore able to demonstrate a full range of benefits of the site, include to meet the objectives of the Green Gap and enhance the site's biodiversity. As identified by the LPA in its Local Plan preparation and evidence base, the site provides a catalogue of benefits that accord with PPL6 including: • A publically accessible Green Gap with enhanced landscaping along Centenary Way; • An improved gateway to northern Clacton;

- Greater protection and enhancement of ecology features and wildlife including LOWS;
- Improved surface water drainage management;
- Improvements to the highway network, including the removal of the car boot sale, which can frustrate traffic movement in the area;
- Contribute good quality housing in a suitable location that can deliver homes quickly.

If the site is not allocated for development, the car boot sale will continue and likely intensify. The current use is popular but is not beneficial to the sites' condition and can cause local traffic problems. The car boot sale has a harmful impact on the protected flowers by inhibiting growth through regular use of the site by vehicles. The boot sale has also caused traffic queues on London Road and Centenary Way and results in parking on Centenary Way, including along the grass verge. In addition, the site is one of the first visual entrances to Greater Clacton from the strategic network. It does not currently provide an attractive entrance to the area, being a large empty field. With the boot sale operating it becomes a large, busy car park. There is an opportunity to provide strategic leadership through the Local Plan to improve this entrance to Clacton with attractive housing and landscaping in a sustainable location. The development would also resolve the traffic problems from the boot sale and secure habitat for protected flowers.

Officers and Members of the Local Plan Committee considered the site to be sustainable and suitable for development, to the extent that a consultation was undertaken, which included our clients' land. I note from the report of 21st October 2014 that the operation of the car boot sale was generating a high volume of traffic, causing local concerns about unsafe and unauthorised parking. The report notes that comprehensive development would resolve the problem. The report also emphasised the need for a green buffer and landscaping along the northern edge.

The Local Plan Issues and Options 2015 sought to deliver the majority of homes around Clacton and Harwich. The plan accompanying the consultation proposed dwellings around Clacton and Harwich on greenfield sites, including land off Centenary Way. The recent plan is at an early stage and the Council is under pressure to deliver a supply of homes through approval of permissions. It is noted that delivery of homes since 2013 has been around a third to half the required number (Live Table 253 – Housing Completions).

Site CL9 would be perfectly located to provide a sustainable residential development with minimal impact on existing residents.

During the consideration of the planning application, Little Clacton Parish Council highlighted concerning regarding the separation from Great Clacton. This is one of the purposes of the Green Gap Policy and Proposed Policy PPL6. The site is substantial and is perfectly capable of delivering sustainable development while maintaining a separation between Great Clacton and Little Clacton. The Green Gap is currently in private ownership and generally barren. Development would secure a permanent, publically usable Green Gap that would enhance the area between the two settlements.

Within the proposed planning application, 5 acres of the site were secured as a permanent open space along the northern boundary, providing a substantial buffer between Great Clacton and Little Clacton. This 'Gap' ensures that all buildings are a considerable distance from the nearest homes in Little Clacton with minimal visual impact and no sense of coalescence between the two areas. Landscaping would be in the control of the Council through Reserved Matters and can include re-contouring to provide visual relief and the introduction of new trees.

The Open Space Strategy 2009 identifies that the area is not well provided with access to urban parks. The allocation of this site would introduce new open space of

at least five acres, in addition to landscaping and drainage basins within the developed area.

The SA indicated a negative result for surface water drainage. We are uncertain how this was arrived at. The site is in FZ1. As part of a planning application it is required to demonstrate the development will have no greater impact on drainage than the existing situation, with additional allowance for climate change by increasing flow calculations by 35%, and account for any potential increase in impermeable areas that may result from new residents extending homes or paving surfaces. Our application therefore provides a high degree of precaution and resilience for the drainage proposals. The site is in Flood Zone 1 where all development is acceptable in flood risk terms and in practice the additional drainage capacities mean the site will provide a substantial improvement in the drainage conditions of the site in the first instance. Water will be managed, draining to a detention basin within the site before draining to Picker's ditch. This controls the flow of water to the ditch to ensure it does not exceed current flow rates, even during high rainfall events.

The local lead flood authority reviewed the proposals and confirmed the approach would be suitable. We are therefore uncertain what information the SA has based its conclusions upon.

There were a small number of objections due to a part of the site, where the car boot sale takes place, being a grassland meadow and a local wildlife site (LWS). As would be expected, the car boot sale activity is harmful to the LWS designation. The boot sale operates 3 times a week and the site cannot be both a car boot sale and a LWS. Allocation of the site for development is an opportunity to reconcile the two requirements and secure a future for the species of principal importance within the Wildlife Site.

The site is designated due to the presence of two flowers, the corky-fruited water drop-wort and the adders tongue fern, although the fern was not seen in recent surveys. The drop-wort is not thriving on the site due to the car boot sale. A Phase 1 Habitat Survey was supported by detailed investigations for foliage, Great Crested Newts, Reptiles and Bats. The overall conclusions of our reports are that the site has the potential to be enhanced for wildlife through deliberate management, retention of specific trees and hedgerows, and the creation of new habitat within the northern portion of the site. This is therefore an opportunity to improve the overall condition of the site and make the green gap permanently public.

Our reports confirm that boundary trees provide suitable habitat for birds and bats and should be retained where possible. Development can provide a large number of new trees along the northern edge of the car boot sale area, which is currently lacking in trees. This would be a substantial investment. This new habitat gives excellent opportunities for wildlife to flourish.

Essex education services responded to the consultation on 23rd December 2015. They requested funding for Early Years and Childcare and Primary Education places. The NHS responded on 13th January 2016 and requested a contribution towards GP services at both the Great Clacton Medical Practice and the Epping Close Surgery. The Highway Authority have no objections to the application and suggest conditions to ensure it is accessed successfully.

The site is well located for access to convenience goods and services, particularly via the neighbouring Morrison's superstore but also for access to services within Clacton and onto the A133 for travel further afield. It is expected that the majority of peak-hour traffic will go towards the A133. By developing in this location, on the northwest edge of Great Clacton, the majority of peak hour traffic can directly join the A133 without travelling through any of the existing streets, some of which are congested. This would be a benefit for a large number of existing residents that can be achieved by our client's site. Few sites in Clacton are as well located as CL9, or

	in the right condition, to immediately deliver a reasonable number of dwellings to meet the council's aims as set out in the Draft Local Plan. To resolve the failings of the Plan to identify sustainable sites, CL9, or a proportion of it, should be allocated for development in accordance with the August 2016 SA.

CONNECTED PLACES	Support	Object	Vary
Policy CP1: Sustainable Transport and Accessibility			
Policy CP2: Improving The Transport Network			
Policy CP3: Improving The Telecommunications Network			
POLICIES MAPS			

Part of document	Reasons for Objection or proposed Variation

Part(s) / Policy Reference of the document	Support	Object	Vary
Delivery Infrastructure			
Monitoring and Review			
Appendix A – Glossary			
Appendix B – Consultation Undertaken			
Appendix C – Local Maps		✓	
Appendix D – Local Wildlife Sites and Ancient Woodland		✓	
Appendix E – Heritage Assets			

Part of document	Reasons for Objection or proposed Variation

Map 10A	The Proposals Map should be amended to include a housing allocation on Land South of Centenary Way, North of London Road, Clacton (site ref.UE1.8 of the 2014 SHLAA, site Ref. CL9 of the TDC 2016 SA). The council's evidence base confirms the suitability of the site for development and the Sustainability Appraisal (SA) was prepared with this site included as a non-strategic site. The removal of the site, and other sites included in the SA, therefore places questions over whether the Plan represents the most appropriate strategy, and whether the Plan represents its evidence base. It is considered that inclusion of the site, as outlined above, would rectify the objection.
Appendix D – Local Wildlife sites	The correct name for Te92 is 'White Lodge Meadow' and not 'Burcarts Meadow' as stated in the Appendix. We expect this name has become common usage due to the car boot sale. The 2008 Tendring Local Wildlife Site Review by EECOS confirmed that the site was important for its population of Corky-Fruited Water Dropwort and Adders Tongue Fern. The Report confirmed that: *'The current commercial use of the main field is likely to be to the detriment of the interesting flora, although this will depend on the frequency and intensity of use'.* The Use of the site for car boot sales has increased. The use is not restricted by planning controls and can be undertaken 7 days a week. It has increased since the 2008 Survey by EECOS. The Glossary confirms that a LOWS is: *Non-statutory designation for a site of county-wide significance for wildlife or geology that is afforded special protection through the Local Plan.* A botanical assessments carried out by JBA in 2015 confirmed that the Corky-Fruited Water Dropwort was not thriving and the Adders Tongue Fern was not present during the assessment. We consider that, on the basis of the detailed botanical assessment submitted to the LPA, and its own evidence, the site will not be considered to be of County Wide significance unless the existing Flora can be preserved and its conditions improved. Before the dropwort is lost completely from the site, part of the site should be allocated for development, with part retained for open space and enhancement of the condition for the important flora so it can be protected over the Plan period to 2033. This would deliver the objectives of PPL4 and PPL6. Without investment to allow for the enhancement of the site, the Plan in its current form may cause, or at least allow, the complete loss of the Dropwort and the Adders Tongue Fern from this LOWS. In addition to setting aside land within the site for the flora to flourish, the refused planning application proposed a financial contribution towards biodiversity offsetting. It is considered that offsetting is an effective way to provide secure sites for flora and fauna where it will not come into conflict with other activities, as has happened with this site. A policy could be drafted to require a portion of the site to be set aside for on-site enhancement and biodiversity offset to achieve a net gain for the environment, the economy and delivery much needed homes in a sustainable form of development.

Section 2 – Any other comments

If you have any other comments, please give further details below, indicating which part of the document you are commenting on.

Date: 5th September 2016

Signature:

Thank you for your comments.

The Council will consider all responses before preparing its Submission Development Plan Document.

1021851

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8th September 2016

Dear Mr. Meecham,

Re: North Essex Strategic Plan and Tendring District Local Plan Preferred Options Consultation – Tendring Farms Ltd - Mistley

I write with regards to the Council's Local Plan Preferred Options Consultation, with specific reference to proposed allocations within the settlement area of Mistley, Lawford and Manningtree (the Settlement). These representations to the Preferred Options are prepared on behalf of Tendring Farms Ltd, who have interests in the settlement area with regards to their land south of Long Road, Mistley, and the investment into the area that would result from its development.

We welcome the current consultation and its inclusion of development allocations around the Settlement, in recognition of its sustainable location, infrastructure and available services. The allocation also recognises the recent decision to grant permission for 300 dwellings and 2ha of employment land. The extension of the settlement boundary to include Land South of Long Road is supported, and reflects the principles of the approved application.

We would generally support the Preferred Options Consultation as a significant step towards the adoption of a sound local plan by Tendring District Council (TDC). We are confident that the proposed changes to the Settlement boundary to include our client's site at Mistley is an appropriate adjustment to the boundary that reflects the proposed special strategy set out in SP6 and SPL1. We therefore support the Plan in regards to its approach to identifying Mistley, Manningtree and Lawford as a sustainable settlement suitable for growth.

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In relation to other aspects of the Preferred Option Consultation, we would raise concerns regarding the soundness of the plan and matters that should be considered in further detail to ensure the Plan as a whole can be supported.

Our principle concern with the soundness of the Plan relates to its ability to meet the full objectively assessed housing needs (OAHN) of the District and the proposed distribution set out in Policy LP1 - Housing Supply. We would firstly encourage the Council to consider meeting a housing need of at least 600dpa, which we consider reflects the evidence available, including national household projections taking account of undersupply between 2013-2015. We would also encourage the Council to allocate sites to meet the full housing requirement and not rely on Windfall sites to meet any of the identified need, as currently set out in LP1. We are not aware of any compelling reasons to consider that a consistent supply of windfall sites is likely to be available and suggest that LP1 is amended, ideally with a redistribution of Windfall sites to be met in appropriate settlements, in accordance with the Settlement Hierarchy where suitable sites are available.

With respect to the Settlement Hierarchy, we are concerned that the Council's allocations may not follow the proposed strategy identified in Policy SPL1. Paragraph 2.39 of the Preferred Options states that: *The settlement hierarchy prioritises locations with access to the strategic road network, public transport and which have the potential to offer the widest range of services'.* Paragraph 2.8.1.2 – Smaller Urban Settlements - then describes the approach to distribution for these settlements, including that they will provide *'a sustainable, fair and proportionate approach to the distribution of housing growth ... will accommodate the second largest proportion of the District's increase in housing stock over the plan'.*

However, Policy LP1 – Housing Supply – indicates that the Council will seek to deliver around 4.7% of its housing at *Manningtree, Lawford & Mistley*. The entire component of housing supply delivered from Smaller Urban Settlements is around 8.9% of the total supply (at 600dpa). This is not considered to reflect the approach set out in SPL1. For comparison, this is less than the Windfall allowance (9%) and the Weeley Expanded Settlement (12.7%). The parameters set out in paragraph 2.39 regarding connectivity and availability of services, and paragraph 2.47 that Smaller Urban Settlements will accommodate the second largest proportion of the District's housing growth, appear not to have been followed. We would recommend that the distribution of housing to each settlement more closely represents the Settlement Hierarchy, with a greater allocation to Smaller Urban Settlements, particularly through a redistribution of the Windfall allowance. Accordingly, *Manningtree, Lawford & Mistley* should accommodate a higher level of housing.

The NPPF (paragraph 182) requires the Local Plan to be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence. Further, the Environmental Assessment of Plans and Programmes Regulations (2004) (the SEA Regulations) impose a number of requirements on Local Authorities in the preparation of Local Plans. These include the requirement that all reasonable alternatives be considered and assessed to the same level of detail as the preferred approach; and that the reasons for the selection of preferred alternative, and the rejection of others, be set out. The NPPF states (paragraph 165) that a sustainability appraisal which meets the requirements of the European Directive on strategic environmental assessment should be an integral part of the plan preparation process.

Having regard to the above, the SA/SEA which accompanies the Preferred Options should consider and appraise reasonable alternatives in respect of both the total quantum of dwellings, and its spatial distribution. However, in relation to its assessment of Policy LP1 it only considers alternatives in respect of the total number of housing to be delivered within the District and not in relation to its spatial distribution. It is not clear from the SA/SEA, for example, why the alternative of directing a greater quantum of housing to Smaller Urban Settlements, has been rejected in favour of the preferred approach. The SEA/SA does not appear to include a comparative assessment of potential housing distribution strategies. In relation to Policy SPL1, the SA/SEA states at paragraph 6.1.2: *'It is felt that the general hierarchy beyond those elements representing the Garden Community and the Expanded Settlement currently reflects existing settlement size and proportionate growth across them. For this reason, no other alternatives have been considered reasonable'* (emphasis added).

Even if there are indeed no reasonable alternatives in respect of the settlement hierarchy, there are clearly alternatives to the preferred option which states that new development within the District will follow the established settlement hierarchy. Indeed, the expansion of Weeley is evidence that the Council will look beyond the established settlement hierarchy. We would recommend that the Council appraise alternative distributions of development through its SA/SEA, including additional development to the Smaller Urban Settlements.

We are also concerned that the Plan relies on a significant number of dwellings to be delivered through strategic allocations and the impact this will have on the short-term delivery of homes and employment space throughout the District. Given the Council's historic under-delivery of sites to meet its OAHN, and the expectation that a five-year supply will not be achieved for a number of years into the Plan period, the Preferred Option should allow for additional development to be delivered in suitable locations in existing

settlement areas. We therefore recommend that the next stage of the Local Pan identifies an increased allocation of development in order to meet the OAHN and to better meet the annual requirement throughout the plan period.

We would also highlight concerns with Policy LP3 part (e). The Policy expects that 'edge of greenfield sites' should provide an appropriate transition between built development and the open countryside. Our concerns are that the policy does not provide a clear indication of what would be acceptable to the Council, and may frustrate the proper planning of a site to reflect its context. It is considered that Policy SPL3 – *Sustainable Design* - provides sufficient control for the LPA and that the additional ambiguous expectations of LP3(e) are not required and are not helpful to a developer in understanding what would be acceptable. Paragraph 154 of the NPPF states that *'Local Plans should set out ... clear policies on what will or will not be permitted and where. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan.'* Accordingly, it is recommended that LP3(e) is removed from the Policy.

To summarise, we would encourage the Council to consider meeting a housing need of at least 600dpa, which we consider reflects the evidence available. We recommend that the distribution of housing to each settlement should more closely represent the Settlement Hierarchy, with a greater allocation of development to the Smaller Urban Settlements, particularly through a redistribution of the Windfall allowance. Accordingly, *Manningtree, Lawford & Mistley* is a highly sustainable location that would be suitable for a greater allocation of housing. This could potentially be met within the settlement boundary as presented in the Preferred Options document. We recommend that the next stage of the Local Pan also identifies how the immediate shortfall in housing supply may be met. Finally, policy LP3 part (e) regarding an appropriate transition for edge of greenfield sites should be removed in favour of the Sustainable Design Policy.

We trust these comments are useful and will be taken into consideration when preparing the next stage of the Local Plan. Should you have any questions or comments, please contact me directly via the details heading this letter.

Yours sincerely,

Richard Clews
Associate Planner

go planning

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Scale :	1:2000 @ A3
Date :	May 2015
Status :	Preliminary
Dwg No :	2014-426-001
Rev :	-

Client : City and Country

Project : Land to South of Long Road

Mistley

Drawing : Location Plan

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Alex Davidson 1021851

From: Richard Clews <Richard.Clews@struttandparker.com>
Sent: 08 September 2016 16:54
To: Planning.policy
Subject: FW: Local Plan Preferred Options Consultation Submission - Smaller Rural Settlements
Attachments: REPRESENTATION FORM - PREFERRED OPTIONS (Tendring Green & Great Oakley) RC.pdf; Tendring Green Planning Rep.pdf; Great Oakley Tendring Rep.pdf

Dear Planning Policy,

Please find attached our comments in relation to the current Local Plan Preferred Options Consultation on behalf of our clients. A location plan is attached to confirm the site referenced in the Submission.

We trust these submissions will be useful and taken fully into account when preparing the next stage of the Local Plan.

Should you have any questions or require further information, please contact me directly via the details heading the submission or via reply to this email.

Yours sincerely,

Richard

Richard Clews
Associate Planner
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Tendring District Council

For official use only
Respondent number:
Date received:
Date acknowledged:

North Essex Strategic Plan

and

Tendring District Local Plan

Preferred Options Consultation

REPRESENTATION FORM

IMPORTANT NOTICE

Please use this form for sending comments to the Council on the Tendring District and North Essex Strategic Plan consultation documents, preferably using the on-line form on our website: **tendring-consult.objective.co.uk** or send by e-mail to **planning.policy@tendringdc.gov.uk.**

Please send your representation form to arrive by **5 pm** on **Thursday 8 September 2016** to:

Planning Policy Manager,
Tendring District Council,
Council Offices,
Thorpe Road,
Weeley
Essex
CO16 9AJ

For further information, please see our web page at www.tendringdc.gov.uk or email: planning.policy@tendringdc.gov.uk alternatively telephone: 01255 686177, 01255 686188 or 01255 686151 to talk to one of the Planning Policy Team.

*Please note that any information supplied to the Council on this form **cannot be kept confidential.** Copies of all responses will be available for inspection at the Council Offices and may be included in a summary schedule of responses to be made available at public libraries and on the Council's website. The Council will enter responses on a computer database, to be used by the Council for the purpose of recording and collating comments and for contacting people and organisations about their responses. Your name, town and comments will be published.*

Please complete your details and those of your agent, if applicable.

Name: * Chelmsford Diocese Board of Finance **Address:*** The Diocesan Office 53 New Street Chelmsford **Postcode:** CM1 1AT **Organisation:** (if applicable) **Telephone:** **Email:** **Required information*	**Agent's Name:** Richard Clews **Agent's address:** Coval Hall Rainsford Road Chelmsford Essex **Postcode:** CM4 0AL **Telephone:** 01245 254643 **Email:** richard.clews@struttandparker.com

Section 1 – Do you Support, Object or wish to Vary any policies or parts?

Please tick the boxes below to indicate whether you support, object to, or would like to vary, any part(s) of the **North Essex Strategic Plan (Part 1 Plan) and Tendring District's Local Plan Preferred Options (Part 2 Local Plan)** consultation documents. You may tick as many or as few boxes as you wish.

If you object to, or would like to vary, any part of the document please give your reasons in the boxes provided after each chapter and make clear which part/s of the plan the comments relate to.

You may continue on a separate sheet of paper if necessary.

You may comment on any other issues in Section 2 below.

Part(s) / Policy Reference of the document			
PART 1 PLAN: NORTH ESSEX STRATEGIC PLAN	**Support**	**Object**	**Vary**
Vision for the Strategic Area			
Policy SP1: Presumption in Favour of Sustainable Development			
Policy SP2 : Meeting Housing Needs		X	
Policy SP3 : Providing for Employment			
Policy SP4: Infrastructure and Connectivity			
Policy SP5: Place Shaping Principles			
Policy SP6: Spatial Strategic for North Essex			
Policy SP7: Development and Delivery of New Garden Communities in North Essex			
Policy SP8: East Colchester/West Tendring New Garden Community			
Policy SP9: West of Colchester/East Braintree New Garden Community			
Policy SP10: West of Braintree New Garden Community			
Delivery Arrangements			

Part of document	**Reasons for Objection or proposed Variation**
Policy SP2	As stated in other representations from Strutt & Parker, we have serious concerns that the Preferred Options document fails to meet the necessary tests of soundness to enable a Local Plan to be recommended by a Planning Inspector for adoption. Accordingly, we recommend that the spatial distribution and housing allocations should be amended to reflect the proposed spatial strategy, the deliverability of development, and objectively assessed housing needs (OAHN) of the District. In its current form we do not consider the Preferred Options document to be **effective or consistent with national policy** with regards to its approach to meeting the OAN. It is therefore of concern that the plan has not been Positively Prepared on the basis of a strategy "which seeks to meet objectively assessed development and infrastructure requirements ....consistent with achieving sustainable development" (NPPF para. 182). We feel that the Preferred Options document does not demonstrate the necessary levels of certainty that it will be 'deliverable over its period' (NPPF paragraph 182) and that it has not adequately allocated sites in smaller rural settlements to support those communities. It is proposed that the allocation of small sites would lead to a more robust delivery of housing during the plan period, and particularly in the short term, where the larger strategic developments are overly relied upon. There are a number of large scale allocations that will be reliant on significant infrastructure in order to be delivered. As an example, the 2014 SHLAA that informs

	the spatial distribution of development indicates that Land North of Cann Hall could deliver 2,205 dwellings and that Land West of Little Clacton Road could deliver 1,912 dwellings, however, the SHLAA notes a *'potential for development post 2031 but significant upfront infrastructure investment would be required'*. The council has allocated these sites for development in the Local Plan but has not confirmed how the significant up front infrastructure will be delivered, or how the initial appraisal that development would be delivered post-2031 has been brought forward sufficiently in order to anticipate its contribution towards the 2,780 dwellings to be delivered in Clacton within the Plan period. This site, along with the Clacton Fringe, does little to provide homes to meet the immediate shortfall and underdelivery identified by the Council. The Plan must be capable of delivering the homes and infrastructure required. It is concerning that the Council have not identified sustainable sites that could deliver homes in the short term, such as land in smaller rural settlements such as Tendring Green and Great Oakley. In particular, while the text supporting rural areas implies a flexible approach to the delivery of housing, the policies do not formally reflect the positive position. We would encourage the Council to more explicitly support small scale development in rural areas. Draft Policy SP6 states that "new development will be focused on the principal settlements in each district. Below this level, each local authority will identify a hierarchy of settlements where new development will be accommodated according to the role of the settlement, sustainability, its physical capacity and local needs". However, 1,000 dwellings are to be delivered through Windfall and not distributed according to the Spatial Strategy. If the Plan is to represent the Spatial Strategy, under the 600dpa scenario the Plan should consider additional development distributed throughout the hierarchy. Accordingly, smaller rural settlements are ideally positioned to accept additional development. Settlements such as Great Oakley and Tendring Green would be suitable to provide for a small element of the additional housing and should be identified in the Plan and not be left to determination as a windfall site.

PART 2 PLAN: TENDRING DISTRICT LOCAL PLAN PREFERRED OPTIONS

SUSTAINABLE PLACES	Support	Object	Vary
Policy SPL1: Managing Growth		X	
Policy SPL2: Settlement Development Boundaries			
Policy SPL3: Sustainable Design			

Part of document	Reasons for Objection or proposed Variation
2.1.8.5 & Policy SPL1	Policy SPL1 of the Preferred Options Plan sets out the proposed settlement hierarchy for the district, and this is also set out in Appendix C. The settlement Hierarchy states that Great Oakley is considered to be a smaller rural settlement. While Tendring Green is not mentioned, we consider it to fall under the same category of smaller rural settlement, on the basis of its remote setting and similar scale to Great Oakley. We have concern that the plan has not adequately planned for growth in the smaller rural settlement. Paragraph 2.8.1.5 states that Smaller Rural Settlements *'are still under pressure to grow and some small-scale development which is sympathetic to the rural and often historic character of the settlement might help younger people to continue to live in the area, keep local shops and services viable and help bring*

	balance to any ageing population.' However, Policy SPL2 – Settlement Development Boundaries seeks to protect land outside of Development Boundaries and does not provide the ability for small scale growth. Equally, the development boundaries as indicated on the Local Plan proposal map are drawn tightly around existing settlements. Collectively, it is considered that to be consistent with the approach mentioned in the supporting text, the Policy should clearly express how the Council will determine applications for small scale developments in Smaller Rural Settlements outside the development boundaries, or allocate sites for development. Without addressing this issue it is considered that the Local Plan may be unsound.

VISION & OBJECTIVES	**Support**	**Object**	**Vary**
Part 2 Local Plan: Vision for Tendring			
Part 2 Local Plan: Objectives For the Local Plan			

Part of document	**Reasons for Objection or proposed Variation**

HEALTHY PLACES	**Support**	**Object**	**Vary**
Policy HP1: Improving Health and Wellbeing			
Policy HP2: Community Facilities			
Policy HP3: Green Infrastructure			
Policy HP4: Open Space, Sports and Recreation Facilities			

Part of document	**Reasons for Objection or proposed Variation**

LIVING PLACES	**Support**	**Object**	**Vary**
Policy LP1: Housing Supply		X	
Policy LP2: Housing Choice			
Policy LP3: Housing Density and Standards			
Policy LP4: Housing Layout			
Policy LP5: Affordable Housing			

Policy LP6: Rural Exception Sites			
Policy LP7: Self-Build Homes			
Policy LP8: Backland Residential Development			
Policy LP9: Traveller Sites			
Policy LP10: Care and Assisted Living			
Policy LP11: Houses in Multiple Occupation (HMOs) & Bedsits			

Part of document	Reasons for Objection or proposed Variation
LP1	We are concerned that the Council is relying on the delivery of 1,000 dwellings from windfall sites (Policy LP1) when there are suitable sites available to meet this need. Paragraph 48 of the NPPF states that: *"Local planning authorities **may** make an allowance for windfall sites in the five-year supply **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. Any allowance should be **realistic** having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and **expected future trends**, and should not include residential gardens"* (emphasis added). The Draft Local Plan places significant reliance on windfall to meet housing need, with 9-10% of the total proposed housing allocation (depending on 550 or 600dpa) 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. The Local Plan 2013-33 should seek to meet the full OAHN by allocating sufficient land for housing. If the council rely on a significant windfall allowance to meet the OAHN, without clear justification in accordance with Paragraph 48 of the NPPF, the Plan will be unsound. The glossary to the NPPF confirms that Windfall Sites are those that: '*have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available*'. Relying on a high level of windfall is contrary to the definition of windfall and should be avoided, so that these sites provide a genuine boost above the identified need. Further, the Council's evidence base indicates that it is able to identify a sufficient number of available, suitable and achievable sites in sustainable locations to meet the full OAHN. To rely on windfall sites, which are by definition those not identified in a local plan, may result in the Plan being unjustified and unsound Accordingly, it is recommended that the Plan seek to allocate additional sites in order to meet the full OAHN and that the allocation of smaller rural sites such as Great Oakley and Tendring Green would provide suitable locations for an element of the housing requirement for the district. The allocation of such sites would engender

	further confidence that plan has sought to bring forward development in sustainable locations in all classes of the settlement hierarchy and does not overly rely on windfall development, which is an issue with the preferred options plan as it currently stands. Further, it must be recognised that the NPPF notes the important role planning has to play in ensuring village communities are sustained. It states at paragraph 55 that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Further to the requirements of the NPPF, the National Planning Practice Guidance (NPPG) explains how Local Planning Authorities should support sustainable rural communities. This states (at paragraph: 001 Reference ID: 50-001-20160519) the following: *"It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements."* And *"A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship.* ***Rural housing is essential to ensure viable use of these local facilities****" (emphasis added).* Having regard to the above, the Preferred Options' stated aim of directing a proportion of housing growth to rural settlements to help support the village economy and contribute towards local housing need is supported. However, the Preferred Options' approach to achieving this – the delivery of a mere 333 dwellings between all six Rural Service Centres is not supported. Such a quantum of development between these settlements is considered unlikely to support their respective rural communities.

PROSPEROUS PLACES	**Support**	**Object**	**Vary**
Policy PP1: New Retail Development			
Policy PP2: Retail Hierarchy			
Policy PP3: Village and Neighbourhood Centres			
Policy PP4: Local Impact Threshold			
Policy PP5: Town Centre Uses			
Policy PP6: Employment Sites			
Policy PP7: Employment Allocations			
Policy PP8: Tourism			
Policy PP9: Hotels and Guesthouses			
Policy PP10: Holiday Parks			
Policy PP11: Camping and Caravanning			
Policy PP12: Improving Education and Skills			
Policy PP13: The Rural Economy			
Policy PP14: Priority Areas for Regeneration			

Part of document	Reasons for Objection or proposed Variation

PROTECTED PLACES	Support	Object	Vary
Policy PPL1: Development and Flood Risk			
Policy PPL2: Coastal Protection Belt			
Policy PPL3: The Rural Landscape			
Policy PPL4: Biodiversity and Geodiversity			
Policy PPL5: Water Conservation, Drainage and Sewerage			
Policy PPL6: Strategic Gaps			
Policy PPL7: Archaeology			
Policy PPL8: Conservation Areas			
Policy PPL9: Listed Buildings			
Policy PPL10: Enabling Development			
Policy PPL11: Renewable Energy Generation			
Policy PPL12: The Avenues Area of Special Character, Frinton-On-Sea			
Policy PPL13: The Gardens Area of Special Character, Clacton-On-Sea			
Policy PPL14: Ardleigh Reservoir Catchment Area			
Policy PPL15: Safeguarding of Civil Technical Site, North East of Little Clacton/South of Thorpe-Le-Soken			

Part of document	Reasons for Objection or proposed Variation

CONNECTED PLACES	Support	Object	Vary
Policy CP1: Sustainable Transport and Accessibility			
Policy CP2: Improving The Transport Network			
Policy CP3: Improving The Telecommunications Network			
POLICIES MAPS		X	

Part of document	Reasons for Objection or proposed Variation
Map 19 Gt. Oakley	We object to the Map 19 as it does not show the allocation of suitable sites within the settlement of Great Oakley. We believe land and sites in smaller rural settlements such as Great Oakley should be allocated, for the reasons as outlined above. Furthermore, the land within the settlement of Great Oakley that has been allocated has been allocated as safeguarded green space. We are concerned that that this is not founded on a robust evidence base. Alternatively, the Policies concerning smaller rural settlements can be drafted to be more positive and flexible with regards to the delivery of homes and development in these locations.

Part(s) / Policy Reference of the document	Support	Object	Vary
Delivery Infrastructure			
Monitoring and Review			
Appendix A – Glossary			
Appendix B – Consultation Undertaken			
Appendix C – Local Maps			
Appendix D – Local Wildlife Sites and Ancient Woodland			
Appendix E – Heritage Assets			

Part of document	Reasons for Objection or proposed Variation

Section 2 – Any other comments

If you have any other comments, please give further details below, indicating which part of the document you are commenting on.

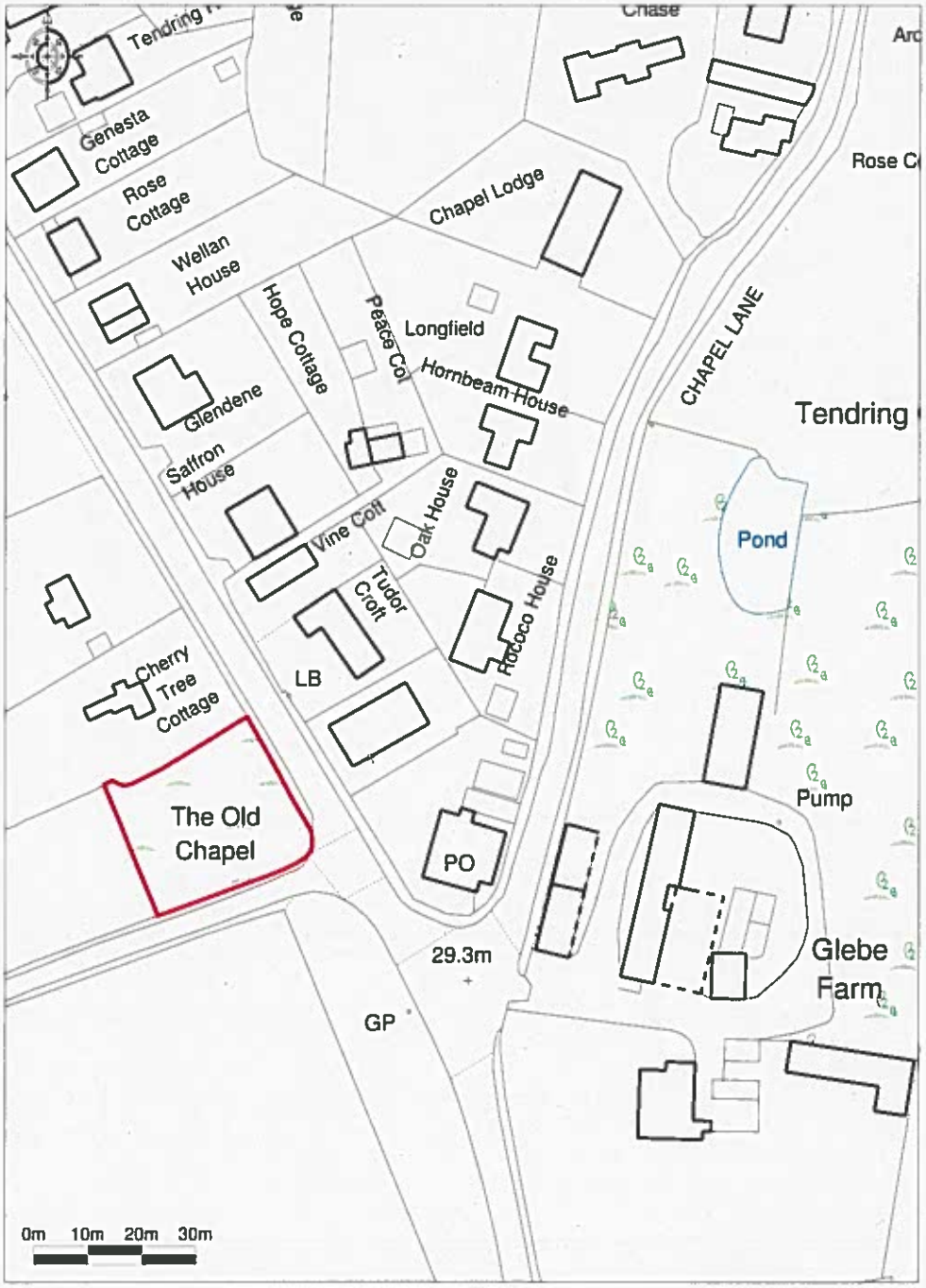
Date: 8th September 2016

Signature:

Thank you for your comments.

The Council will consider all responses before preparing its Submission Development Plan Document.

Tendring Green



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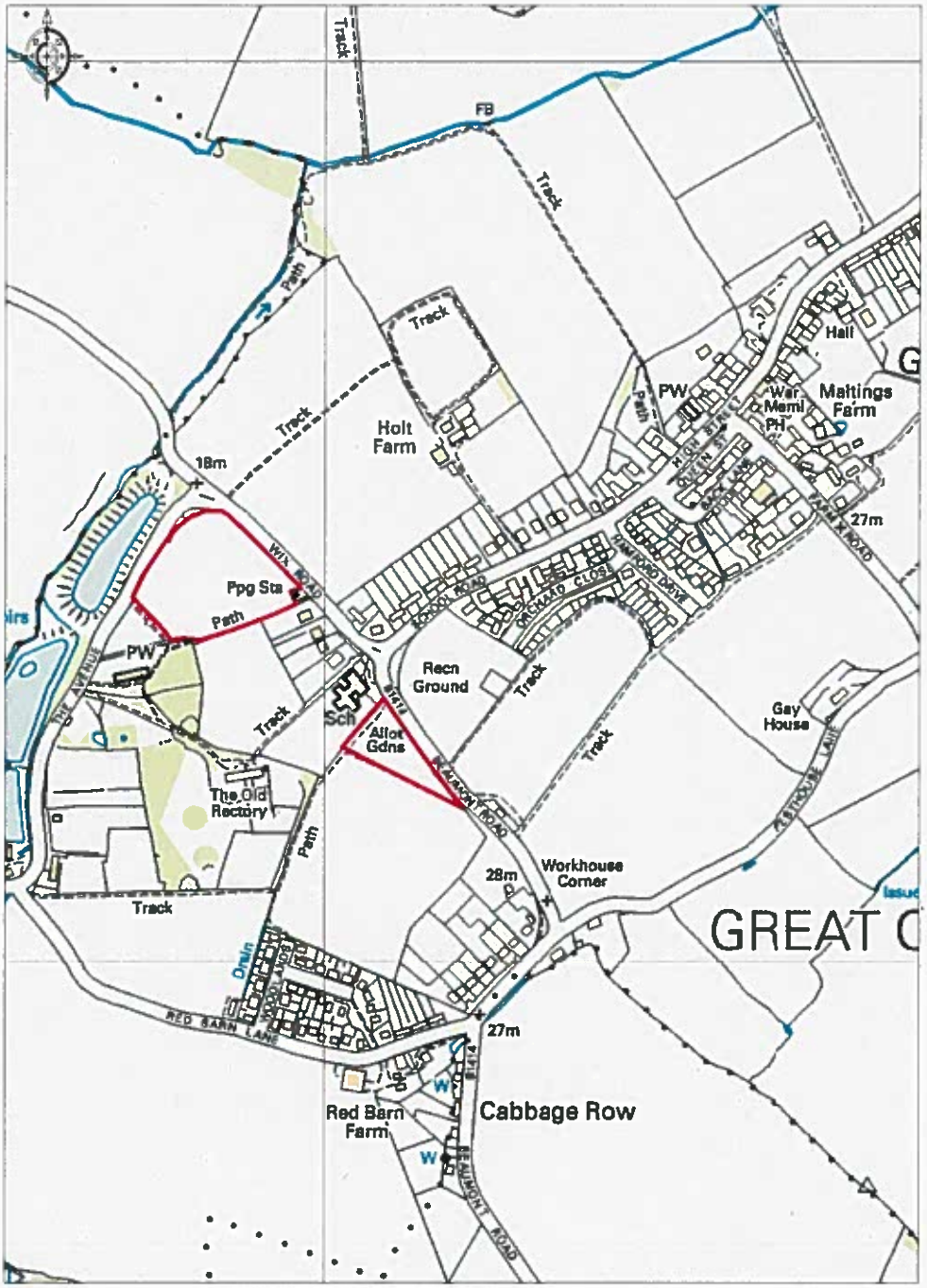
Great Oakley



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Tendring District Council

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North Essex Strategic Plan

and

Tendring District Local Plan

Preferred Options Consultation

REPRESENTATION FORM

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Please send your representation form to arrive by **5 pm** on **Thursday 8 September 2016** to:

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Tendring District Council,
Council Offices,
Thorpe Road,
Weeley
Essex
CO16 9AJ

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Please complete your details and those of your agent, if applicable.

Name: Hills Building Group **Address: c/o Agent** **Postcode:** **Organisation:** (if applicable) **Telephone:** **Email:** **Required information*	**Agent's Name:** Phase 2 Planning & Development Ltd **Agent's address:** 250 Avenue West, Skyline 120 Great Notley Braintree Essex **Postcode:** CM77 7AA **Telephone:** **01376 329059** **Email:** kcoleman@phase2planning.co.uk

Section 1 – Do you Support, Object or wish to Vary any policies or parts?

Please tick the boxes below to indicate whether you support, object to, or would like to vary, any part(s) of the **North Essex Strategic Plan (Part 1 Plan) and Tendring District's Local Plan Preferred Options (Part 2 Local Plan)** consultation documents. You may tick as many or as few boxes as you wish.

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Part(s) / Policy Reference of the document			
PART 1 PLAN: NORTH ESSEX STRATEGIC PLAN	**Support**	**Object**	**Vary**
Vision for the Strategic Area			
Policy SP1: Presumption in Favour of Sustainable Development			
Policy SP2 : Meeting Housing Needs			
Policy SP3 : Providing for Employment			
Policy SP4: Infrastructure and Connectivity			
Policy SP5: Place Shaping Principles			
Policy SP6: Spatial Strategic for North Essex			
Policy SP7: Development and Delivery of New Garden Communities in North Essex			
Policy SP8: East Colchester/West Tendring New Garden Community			✓
Policy SP9: West of Colchester/East Braintree New Garden Community			
Policy SP10: West of Braintree New Garden Community			
Delivery Arrangements			

Part of document	**Reasons for Objection or proposed Variation**
Policy SP8 **(East Colchester** **/West Tendring)**	**Please see attached**

PART 2 PLAN: TENDRING DISTRICT LOCAL PLAN PREFERRED OPTIONS

SUSTAINABLE PLACES	Support	Object	Vary
Policy SPL1: Managing Growth			✓
Policy SPL2: Settlement Development Boundaries			
Policy SPL3: Sustainable Design			

Part of document	Reasons for Objection or proposed Variation
Policy SPL1	Please see attached

VISION & OBJECTIVES	Support	Object	Vary
Part 2 Local Plan: Vision for Tendring			
Part 2 Local Plan: Objectives For the Local Plan			

Part of document	Reasons for Objection or proposed Variation

HEALTHY PLACES	Support	Object	Vary
Policy HP1: Improving Health and Wellbeing			
Policy HP2: Community Facilities			
Policy HP3: Green Infrastructure			
Policy HP4: Open Space, Sports and Recreation Facilities			

Part of document	Reasons for Objection or proposed Variation

LIVING PLACES	Support	Object	Vary
Policy LP1: Housing Supply			✓
Policy LP2: Housing Choice			
Policy LP3: Housing Density and Standards			
Policy LP4: Housing Layout			
Policy LP5: Affordable Housing			
Policy LP6: Rural Exception Sites			
Policy LP7: Self-Build Homes			
Policy LP8: Backland Residential Development			
Policy LP9: Traveller Sites			
Policy LP10: Care and Assisted Living			
Policy LP11: Houses in Multiple Occupation (HMOs) & Bedsits			

Part of document	Reasons for Objection or proposed Variation
Policy LP1	**Please see attached**

PROSPEROUS PLACES	Support	Object	Vary
Policy PP1: New Retail Development			
Policy PP2: Retail Hierarchy			
Policy PP3: Village and Neighbourhood Centres			
Policy PP4: Local Impact Threshold			
Policy PP5: Town Centre Uses			
Policy PP6: Employment Sites			
Policy PP7: Employment Allocations			
Policy PP8: Tourism			
Policy PP9: Hotels and Guesthouses			
Policy PP10: Holiday Parks			
Policy PP11: Camping and Caravanning			
Policy PP12: Improving Education and Skills			
Policy PP13: The Rural Economy			
Policy PP14: Priority Areas for Regeneration			

Part of document	Reasons for Objection or proposed Variation

PROTECTED PLACES	Support	Object	Vary
Policy PPL1: Development and Flood Risk			
Policy PPL2: Coastal Protection Belt			
Policy PPL3: The Rural Landscape			
Policy PPL4: Biodiversity and Geodiversity			
Policy PPL5: Water Conservation, Drainage and Sewerage			
Policy PPL6: Strategic Gaps			
Policy PPL7: Archaeology			
Policy PPL8: Conservation Areas			
Policy PPL9: Listed Buildings			
Policy PPL10: Enabling Development			
Policy PPL11: Renewable Energy Generation			
Policy PPL12: The Avenues Area of Special Character, Frinton-On-Sea			
Policy PPL13: The Gardens Area of Special Character, Clacton-On-Sea			
Policy PPL14: Ardleigh Reservoir Catchment Area			
Policy PPL15: Safeguarding of Civil Technical Site, North East of Little Clacton/South of Thorpe-Le-Soken			

Part of document	Reasons for Objection or proposed Variation

CONNECTED PLACES	Support	Object	Vary
Policy CP1: Sustainable Transport and Accessibility			
Policy CP2: Improving The Transport Network			
Policy CP3: Improving The Telecommunications Network			
POLICIES MAPS			

Part of document	Reasons for Objection or proposed Variation

Part(s) / Policy Reference of the document	Support	Object	Vary
Delivery Infrastructure			
Monitoring and Review			
Appendix A – Glossary			
Appendix B – Consultation Undertaken			
Appendix C – Local Maps			✓
Appendix D – Local Wildlife Sites and Ancient Woodland			
Appendix E – Heritage Assets			

Part of document	Reasons for Objection or proposed Variation
Appendix C (Local Maps)	Please see attached

Section 2 – Any other comments

If you have any other comments, please give further details below, indicating which part of the document you are commenting on.

Date: 07/09/16

Signature: K. Coleman

Thank you for your comments.

The Council will consider all responses before preparing its Submission Development Plan Document.

Phase 2
PLANNING & DEVELOPMENT LIMITED

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Tendring District Local Plan – Preferred Options Draft Representations on behalf of Hills Building Group

Date: September 2016

Policy SP8 (East Colchester/West Tendring new garden community)

We have no objection to the principle of a new garden community on the borders of Colchester and Tendring, or the assumption that this new garden community will expand beyond the Plan period as a major location for growth in North Essex.

Our concerns relate principally to the need to ensure that assumptions regarding deliverability in the Plan period are realistic for this location.

The draft Policy notes that the details for the proposed development would be the subject of a joint Masterplan Framework to be prepared by Colchester and Tendring districts Councils, and it is reasonable to assume that the majority of the Masterplan Framework preparation will not occur until after the Local Plan has been Examined and found sound (though we accept that an element of 'twin tracking' of the LPD and Masterplan processes could occur). It might therefore be reasonably expected that the Masterplan Framework will not be in place until circa 2018/19, after which an initial planning application(s) would need to come forward, coupled with the appropriate s106 agreement in respect of infrastructure delivery, before any development could commence. We note from the background documentation produced that there is an expectation of significant community involvement in the design of the garden communities, which is important, but which needs to be factored in to the lead in time for delivery.

At this stage, therefore, and in the absence of a more specific project programme for this location, the earliest that it might be expected that housing construction could start on site would be circa 2021, and even that would be a challenging target, given that it is only 5 years away, and the Local Plan is still only at Preferred Options stage. In reality, it is highly likely that commencement on site would take longer to achieve than that.

Tendring district tends to be a relatively slower housing market compared to other parts of North Essex, and in this location, it might be expected that a strategic development, once output reaches full production, could deliver in the order of 100 - 150 dwellings per annum, depending upon the affordable housing element (we note that Section 8.4 of the Options and Evaluation Report suggests 120 units, or 160 units with 25% affordable). Assuming a reasonable average of, say, 125 units per annum, this would delivery only 1500 units within the Plan period, not 2,500.

We appreciate from the background documentation that it is intended to set up innovative Local Delivery Vehicles to help deliver the new garden communities, and there may be mechanisms by which such LDVs might be able to support consistent delivery, but the establishment of these LDVs themselves represents a further potential hurdle to the early commencement of the new garden communities, as the new legal and procedural arrangements for delivery will need to be in place in advance of commencement of construction. The assumption in section 8.4 of the Options and Evaluation Report that a combination of an LDV and marketing of the concept of garden communities can add 50% to delivery rates is wholly without any evidence or foundation.

It is also relevant to note that this particular development option straddles two local authority boundaries, and notwithstanding the co-operation being shown on the strategic development principles, this factor creates additional complexities for delivery.

The above (albeit at this stage rough) estimates of delivery suggest that the relevant Local Plans need to find sites for in the region of an additional 1000 units, to overcome the shortfall in likely delivery in the Plan period.

In the absence of an agreed phasing plan for the new garden community, it is difficult at this stage to be precise about the extent to which any delivery shortfall would affect the Tendring Local Plan, but assuming a likely phased delivery from the west (fringes of Colchester) towards the east, it is possible that none of the 1,164 units assumed to be delivered within Tendring district will in fact come forward in the Plan period.

Policy SPL1 (Managing Growth)

We broadly support the settlement hierarchy set out in Policy SPL1, and the distinction between the different categories of settlements. We support the identification of the 6 Rural Service Centres, which are of a large scale and support a wide range of services and also a relatively good level of public transport accessibility.

We note that the draft Local Plan identifies Weeley as an 'expanded settlement', on the basis that this former Rural Service Centre has been identified in the Plan for a larger scale of growth than the other Rural Service Centres.

In the light of the likely shortfall in delivery from the new garden suburb (as per our representations to Policy SP8), we consider that it may be necessary/desirable to identify one or more additional Rural Services Centres capable of delivering a planned increased in the level of new homes (coupled obviously with the provision of appropriate social and community infrastructure).

Elmstead Market occupies a strategic location on the A133 corridor, and represents a highly sustainable location for growth, both as a result of the existing facilities available and in the light of its proximity to the eastern fringes of Colchester and the ability to access Colchester by non-car modes. The village has been the subject of three permissions/resolutions to grant for 'major' residential development in the past two years, and although these sites have come forward outside of the new Local Plan framework, they are nonetheless to some degree facilitating the provision of new infrastructure (e.g. improvements to bus services and a crossing to Colchester Road in respect of the Maypole Road development and a new community hall in the case of the Church Road development).

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Through the Local Plan process, the co-ordination of additional development at Elmstead Market could not only help to meet the need district-wide for additional short term deliverable housing sites, but could also serve to secure the delivery of additional local community infrastructure (for example, it is understood that there is a desire locally for an enhanced medical facility at Elmstead Market).

Policy LP1 (Housing Supply)

For the reasons set out in our representations to Policy SP8, we do not consider that the 1,164 units identified under Policy LP1 for East Colchester can be relied upon for delivery within Tendring District within the Plan period.

Accordingly, we consider that there is a likely shortfall in planned housing supply within the Plan period.

We consider that part at least of this shortfall could be addressed through additional allocations at the Rural Service Centres, where scope exists to provide appropriately scaled new housing allocations, alongside the co-ordination and delivery of appropriate local community infrastructure.

Appendix C (Local Maps)

In the light of our representations to SP8, SPL1, and LP1, we consider that the additional land shown on the attached plans should be considered for inclusion within the Elmstead Market settlement boundary, or otherwise allocated for residential development.

As noted in our representations to SPL1, through the Local Plan process, the co-ordination of additional development at Elmstead Market could not only help to meet the need district-wide for additional short term deliverable housing sites, but could also serve to secure the delivery of additional local community infrastructure (for example, it is understood that there is a desire locally for an enhanced medical facility).

LOCATION PLAN
Scale 1:1250
SCALE - METRES

Do not scale from this drawing. All information shown is to be checked on site for accuracy and fit. Any discrepancies or omissions to be reported to Arcady Architects immediately

PROJECT	LAND ADJACENT TO SCHOOL ROAD, ELMSTEAD MARKET, ESSEX		
TITLE	LOCATION PLAN		
SCALE	1:1250 @A3	DATE	MAY 16
DRAWN	MR	CHKD	-
No.	16/08/01	Rev	-

The Old Bakery, The Street
Purleigh, Chelmsford, Essex, CM3 6QL
Tel 01621 828266 Fax 01621 828880
ARCADY ARCHITECTS

Land to the North and South of Clacton Road, Elmstead Market

Do not scale from this drawing. All information shown is to be checked on site for accuracy and fit. Any discrepancies or omissions to be reported to Arcady Architects immediately

LOCATION PLAN

SCALE - METRES @ (1:1250)

0 10 20 30 40 50 60 70

PROJECT
LAND TO THE EAST OF TYE ROAD, ELMSTEAD MARKET, COLCHESTER.

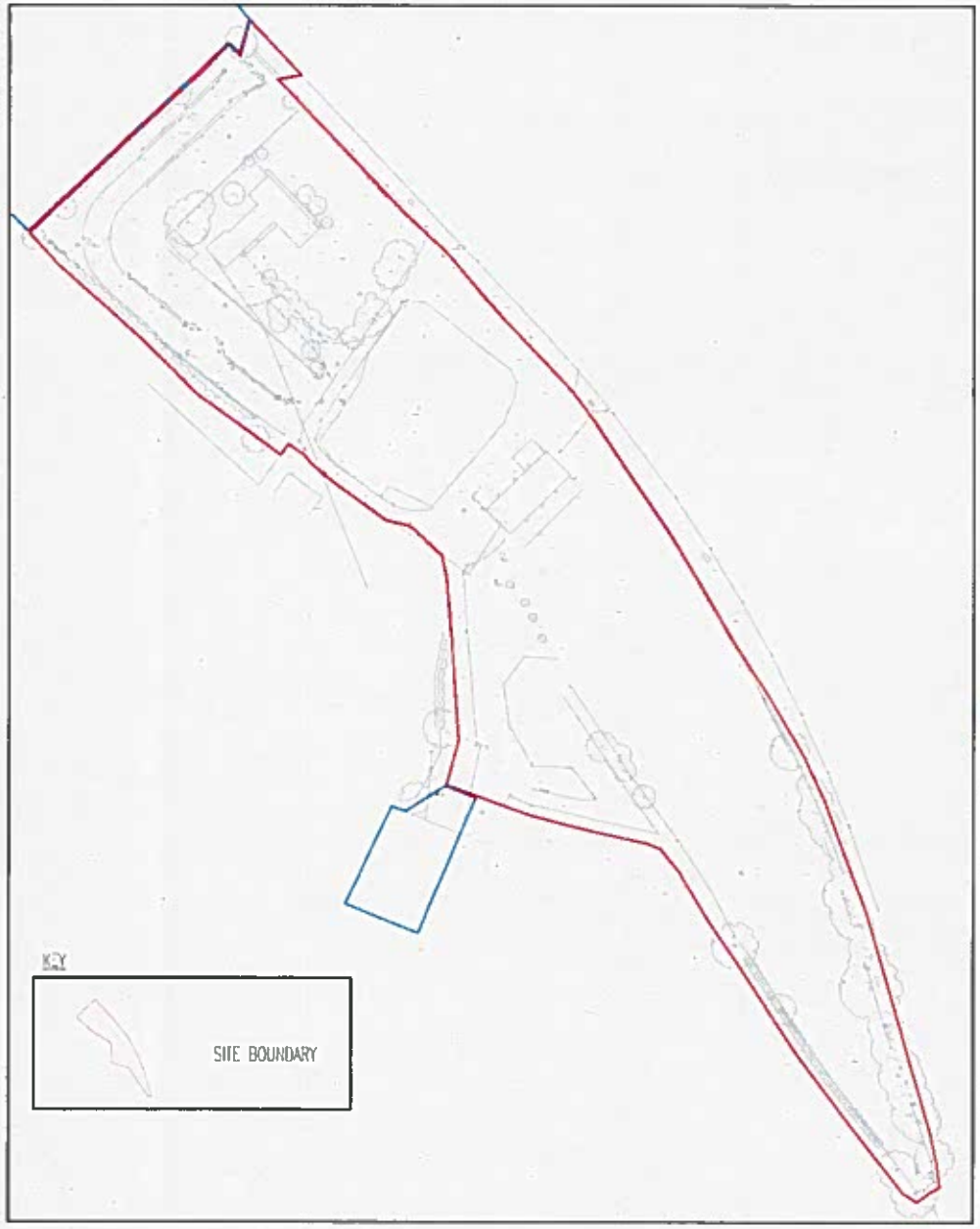
TITLE
LOCATION PLAN
-

SCALE	DATE	DRAWN	CHKD
1:1250@A3	SEPT 15	MR	-

15/26/01 | REV -

The Old Bakery, The Street,
Purleigh, Chelmsford, Essex, CM3 6QL
Tel: 01621 828288 Fax: 01621 828890

ARCADY ARCHITECTS



SITE TOPOGRAPHICAL SURVEY
Scale 1:1250

SITE LOCATION PLAN
NTS

SITE PROPOSAL PLAN
Scale 1:2500

jms

Project
BLUE BARN FARM,
ELMSTEAD MARKET, ESSEX

Drawing Title
SITE LOCATION PLAN

Client
HILLS BUILDING GROUP

Drawn by	Designed by
MJ	MJ
Approved by	Checked by
RGW	RGW
Scale	Date
As Shown	DEC '15

Drawing No. P15/121/11/100 | Rev.

ORIGINAL SHEET SIZE A3

Naomi Hart

From: Kevin Coleman <kcoleman@phase2planning.co.uk>
Sent: 08 September 2016 12:33
To: Planning.policy
Subject: Tendring Local Plan Preferred Options - Representations on behalf of Knight Developments Ltd
Attachments: REPRESENTATION FORM - PREFERRED OPTIONS - KNIGHTS.pdf; Knights - Tendring Representations 07-09-16.pdf

Please find attached representations on behalf of Knight Developments Ltd in respect of the Preferred Options draft Local Plan.

I would be grateful for acknowledgement of receipt in due course.

Regards

Kevin Coleman BSc(Hons) DipTP MRTPI
Director
kcoleman@phase2planning.co.uk
www.phase2planning.co.uk
Tel: 01376 329059

Phase 2
PLANNING & DEVELOPMENT LIMITED

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The company's registered office address is: Winghams House, 9 Freeport Office Village, Century Drive, Braintree, Essex, CM77 8YG

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Tendring District Local Plan – Preferred Options Draft Representations on behalf of Knight Developments Ltd

Date: September 2016

Policy SP8 (East Colchester/West Tendring new garden community)

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Through the Local Plan process, the co-ordination of additional development at Elmstead Market could not only help to meet the need district-wide for additional short term deliverable housing sites, but could

also serve to secure the delivery of additional local community infrastructure (for example, it is understood that there is a desire locally for an enhanced medical facility).

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Appendix C (Local Maps)

In the light of our representations to SP8, SPL1, and LP1, we consider that the additional land shown on the plan overleaf should be considered for inclusion within the respective settlement boundary/allocated for housing.

The Council will be aware that the land in question is already the subject of a resolution to grant planning permission, and is set to deliver significant new community infrastructure as a result of that development, including a new community hall, open space and allotments. The increased site area could assist in funding that new community infrastructure and/or enabling an element of affordable housing delivery.

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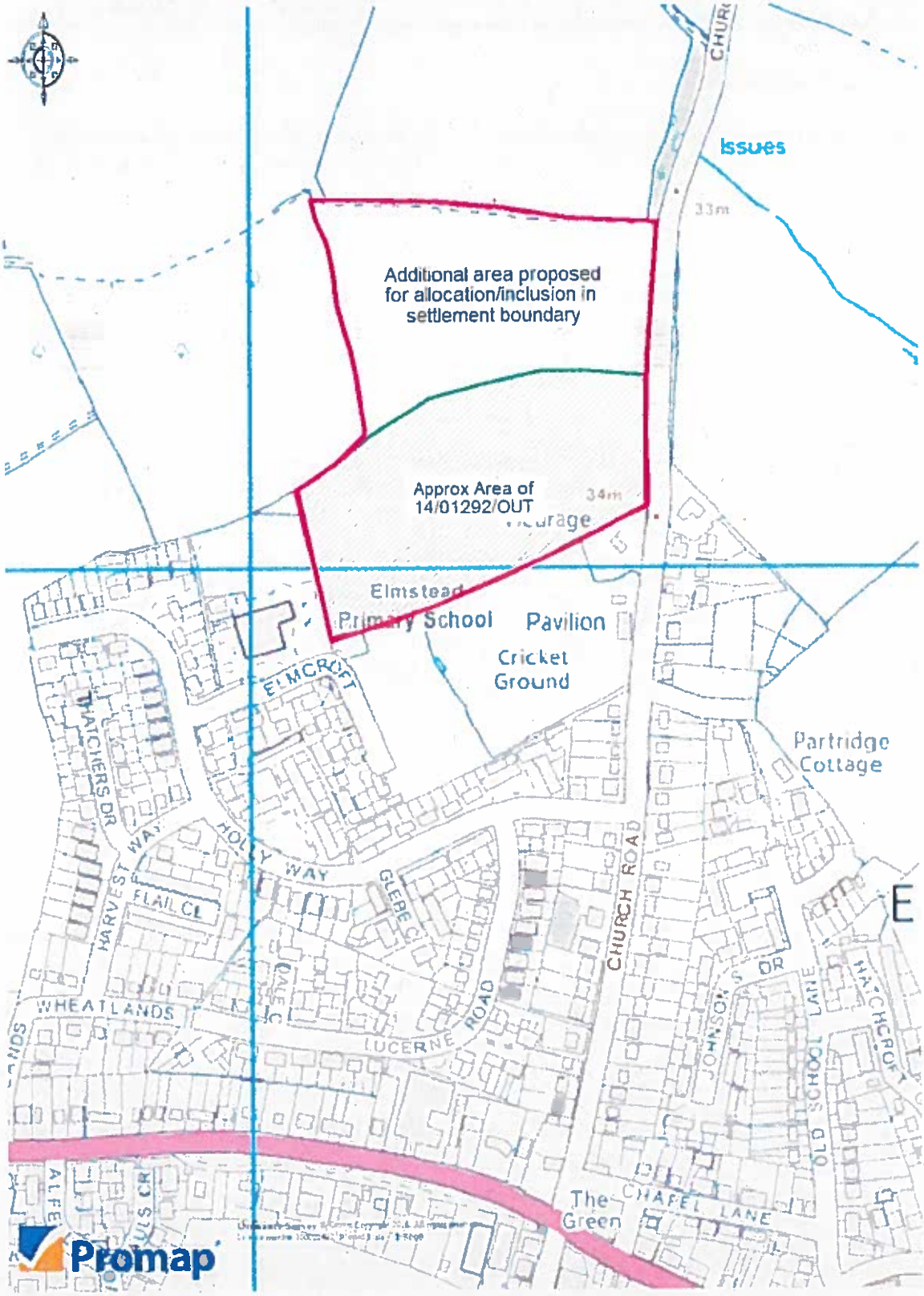

Figure 1: Additional land proposed for allocation/inclusion in settlement boundary

Tendring District Council

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Respondent number:
Date received:
Date acknowledged:

North Essex Strategic Plan

and

Tendring District Local Plan

Preferred Options Consultation

REPRESENTATION FORM

IMPORTANT NOTICE

Please use this form for sending comments to the Council on the Tendring District and North Essex Strategic Plan consultation documents, preferably using the on-line form on our website: **tendring-consult.objective.co.uk** or send by e-mail to **planning.policy@tendringdc.gov.uk**.

Please send your representation form to arrive by **5 pm** on **Thursday 8 September 2016** to:

Planning Policy Manager,
Tendring District Council,
Council Offices,
Thorpe Road,
Weeley
Essex
CO16 9AJ

For further information, please see our web page at www.tendringdc.gov.uk or email: planning.policy@tendringdc.gov.uk alternatively telephone: 01255 686177, 01255 686188 or 01255 686151 to talk to one of the Planning Policy Team.

*Please note that any information supplied to the Council on this form **cannot be kept confidential**. Copies of all responses will be available for inspection at the Council Offices and may be included in a summary schedule of responses to be made available at public libraries and on the Council's website. The Council will enter responses on a computer database, to be used by the Council for the purpose of recording and collating comments and for contacting people and organisations about their responses. Your name, town and comments will be published.*

Please complete your details and those of your agent; if applicable.

Name: Knight Developments Ltd **Address: c/o Agent** **Postcode:** **Organisation:** (if applicable) **Telephone:** **Email:** **Required information*	**Agent's Name:** Phase 2 Planning & Development Ltd **Agent's address:** 250 Avenue West, Skyline 120 Great Notley Braintree Essex **Postcode:** CM77 7AA **Telephone:** **01376 329059** **Email:** kcoleman@phase2planning.co.uk

Section 1 – Do you Support, Object or wish to Vary any policies or parts?

Please tick the boxes below to indicate whether you support, object to, or would like to vary, any part(s) of the **North Essex Strategic Plan (Part 1 Plan) and Tendring District's Local Plan Preferred Options (Part 2 Local Plan)** consultation documents. You may tick as many or as few boxes as you wish.

If you object to, or would like to vary, any part of the document please give your reasons in the boxes provided after each chapter and make clear which part/s of the plan the comments relate to.

You may continue on a separate sheet of paper if necessary.

You may comment on any other issues in Section 2 below.

Part(s) / Policy Reference of the document			
PART 1 PLAN: NORTH ESSEX STRATEGIC PLAN	**Support**	**Object**	**Vary**
Vision for the Strategic Area			
Policy SP1: Presumption in Favour of Sustainable Development			
Policy SP2 : Meeting Housing Needs			
Policy SP3 : Providing for Employment			
Policy SP4: Infrastructure and Connectivity			
Policy SP5: Place Shaping Principles			
Policy SP6: Spatial Strategic for North Essex			
Policy SP7: Development and Delivery of New Garden Communities in North Essex			
Policy SP8: East Colchester/West Tendring New Garden Community			✓
Policy SP9: West of Colchester/East Braintree New Garden Community			
Policy SP10: West of Braintree New Garden Community			
Delivery Arrangements			

Part of document	**Reasons for Objection or proposed Variation**
Policy SP8 (East Colchester /West Tendring)	**Please see attached**

PART 2 PLAN: TENDRING DISTRICT LOCAL PLAN PREFERRED OPTIONS

SUSTAINABLE PLACES	Support	Object	Vary
Policy SPL1: Managing Growth			✓
Policy SPL2: Settlement Development Boundaries			
Policy SPL3: Sustainable Design			

Part of document	Reasons for Objection or proposed Variation
Policy SPL1	**Please see attached**

VISION & OBJECTIVES	Support	Object	Vary
Part 2 Local Plan: Vision for Tendring			
Part 2 Local Plan: Objectives For the Local Plan			

Part of document	Reasons for Objection or proposed Variation

HEALTHY PLACES	Support	Object	Vary
Policy HP1: Improving Health and Wellbeing			
Policy HP2: Community Facilities			
Policy HP3: Green Infrastructure			
Policy HP4: Open Space, Sports and Recreation Facilities			

Part of document	Reasons for Objection or proposed Variation

LIVING PLACES	Support	Object	Vary
Policy LP1: Housing Supply			✓
Policy LP2: Housing Choice			
Policy LP3: Housing Density and Standards			
Policy LP4: Housing Layout			
Policy LP5: Affordable Housing			
Policy LP6: Rural Exception Sites			
Policy LP7: Self-Build Homes			
Policy LP8: Backland Residential Development			
Policy LP9: Traveller Sites			
Policy LP10: Care and Assisted Living			
Policy LP11: Houses in Multiple Occupation (HMOs) & Bedsits			

Part of document	Reasons for Objection or proposed Variation
Policy LP1	**Please see attached**

PROSPEROUS PLACES	Support	Object	Vary
Policy PP1: New Retail Development			
Policy PP2: Retail Hierarchy			
Policy PP3: Village and Neighbourhood Centres			
Policy PP4: Local Impact Threshold			
Policy PP5: Town Centre Uses			
Policy PP6: Employment Sites			
Policy PP7: Employment Allocations			
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Policy PP12: Improving Education and Skills			
Policy PP13: The Rural Economy			
Policy PP14: Priority Areas for Regeneration			

Part of document	Reasons for Objection or proposed Variation

PROTECTED PLACES	Support	Object	Vary
Policy PPL1: Development and Flood Risk			
Policy PPL2: Coastal Protection Belt			
Policy PPL3: The Rural Landscape			
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Policy PPL7: Archaeology			
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Policy PPL9: Listed Buildings			
Policy PPL10: Enabling Development			
Policy PPL11: Renewable Energy Generation			
Policy PPL12: The Avenues Area of Special Character, Frinton-On-Sea			
Policy PPL13: The Gardens Area of Special Character, Clacton-On-Sea			
Policy PPL14: Ardleigh Reservoir Catchment Area			
Policy PPL15: Safeguarding of Civil Technical Site, North East of Little Clacton/South of Thorpe-Le-Soken			

Part of document	Reasons for Objection or proposed Variation

CONNECTED PLACES	Support	Object	Vary
Policy CP1: Sustainable Transport and Accessibility			
Policy CP2: Improving The Transport Network			
Policy CP3: Improving The Telecommunications Network			
POLICIES MAPS			

Part of document	Reasons for Objection or proposed Variation

Part(s) / Policy Reference of the document	Support	Object	Vary
Delivery Infrastructure			
Monitoring and Review			
Appendix A – Glossary			
Appendix B – Consultation Undertaken			
Appendix C – Local Maps			✓
Appendix D – Local Wildlife Sites and Ancient Woodland			
Appendix E – Heritage Assets			

Part of document	Reasons for Objection or proposed Variation
Appendix C (Local Maps)	Please see attached

Section 2 – Any other comments

If you have any other comments, please give further details below, indicating which part of the document you are commenting on.

Date: 08/09/16

Signature: K. Coleman

Thank you for your comments.

The Council will consider all responses before preparing its Submission Development Plan Document.

Naomi Hart 10 21494

From: Kevin Coleman <kcoleman@phase2planning.co.uk>
Sent: 08 September 2016 12:41
To: Planning.policy
Subject: Tendring Local Plan Preferred Options - Representations on behalf of Sammi Developments Ltd
Attachments: REPRESENTATION FORM - PREFERRED OPTIONS - SAMMI.pdf; Sammi - Tendring Representations 07-09-16.pdf; Dpa_256_Area Allocation Plan_100_C_12500_A1.pdf

Please find attached representations on behalf of Sammi Developments Ltd in respect of the Preferred Options draft Local Plan.

I would be grateful for acknowledgement of receipt in due course.

Regards

Kevin Coleman BSc(Hons) DipTP MRTPI
Director
kcoleman@phase2planning.co.uk
www.phase2planning.co.uk
Tel: 01376 329059

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PLANNING & DEVELOPMENT LIMITED

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The company's registered office address is: Winghams House, 9 Freeport Office Village, Century Drive, Braintree, Essex, CM77 8YG

Tendring District Council

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North Essex Strategic Plan

and

Tendring District Local Plan

Preferred Options Consultation

REPRESENTATION FORM

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*Please note that any information supplied to the Council on this form **cannot be kept confidential**. Copies of all responses will be available for inspection at the Council Offices and may be included in a summary schedule of responses to be made available at public libraries and on the Council's website. The Council will enter responses on a computer database, to be used by the Council for the purpose of recording and collating comments and for contacting people and organisations about their responses. Your name, town and comments will be published.*

Please complete your details and those of your agent, if applicable.

Name: Sammi Developments Ltd **Address: c/o Agent** **Postcode:** **Organisation:** (if applicable) **Telephone:** **Email:** **Required information*	**Agent's Name:** Phase 2 Planning & Development Ltd **Agent's address:** 250 Avenue West, Skyline 120 Great Notley Braintree Essex **Postcode:** CM77 7AA **Telephone:** **01376 329059** **Email:** kcoleman@phase2planning.co.uk

Section 1 – Do you Support, Object or wish to Vary any policies or parts?

Please tick the boxes below to indicate whether you support, object to, or would like to vary, any part(s) of the **North Essex Strategic Plan (Part 1 Plan) and Tendring District's Local Plan Preferred Options (Part 2 Local Plan)** consultation documents. You may tick as many or as few boxes as you wish.

If you object to, or would like to vary, any part of the document please give your reasons in the boxes provided after each chapter and make clear which part/s of the plan the comments relate to.

You may continue on a separate sheet of paper if necessary.

You may comment on any other issues in Section 2 below.

Part(s) / Policy Reference of the document			
PART 1 PLAN: NORTH ESSEX STRATEGIC PLAN	**Support**	**Object**	**Vary**
Vision for the Strategic Area			
Policy SP1: Presumption in Favour of Sustainable Development			
Policy SP2 : Meeting Housing Needs			
Policy SP3 : Providing for Employment			
Policy SP4: Infrastructure and Connectivity			
Policy SP5: Place Shaping Principles			
Policy SP6: Spatial Strategic for North Essex			
Policy SP7: Development and Delivery of New Garden Communities in North Essex			
Policy SP8: East Colchester/West Tendring New Garden Community			✓
Policy SP9: West of Colchester/East Braintree New Garden Community			
Policy SP10: West of Braintree New Garden Community			
Delivery Arrangements			

Part of document	**Reasons for Objection or proposed Variation**
Policy SP8 (East Colchester /West Tendring)	**Please see attached**

PART 2 PLAN: TENDRING DISTRICT LOCAL PLAN PREFERRED OPTIONS

SUSTAINABLE PLACES	Support	Object	Vary
Policy SPL1: Managing Growth			✓
Policy SPL2: Settlement Development Boundaries			
Policy SPL3: Sustainable Design			

Part of document	Reasons for Objection or proposed Variation
Policy SPL1	Please see attached

VISION & OBJECTIVES	Support	Object	Vary
Part 2 Local Plan: Vision for Tendring			
Part 2 Local Plan: Objectives For the Local Plan			

Part of document	Reasons for Objection or proposed Variation

HEALTHY PLACES	Support	Object	Vary
Policy HP1: Improving Health and Wellbeing			
Policy HP2: Community Facilities			
Policy HP3: Green Infrastructure			
Policy HP4: Open Space, Sports and Recreation Facilities			

Part of document	Reasons for Objection or proposed Variation

LIVING PLACES	Support	Object	Vary
Policy LP1: Housing Supply			✓
Policy LP2: Housing Choice			
Policy LP3: Housing Density and Standards			
Policy LP4: Housing Layout			
Policy LP5: Affordable Housing			
Policy LP6: Rural Exception Sites			
Policy LP7: Self-Build Homes			
Policy LP8: Backland Residential Development			
Policy LP9: Traveller Sites			
Policy LP10: Care and Assisted Living			
Policy LP11: Houses in Multiple Occupation (HMOs) & Bedsits			

Part of document	Reasons for Objection or proposed Variation
Policy LP1	**Please see attached**

PROSPEROUS PLACES	Support	Object	Vary
Policy PP1: New Retail Development			
Policy PP2: Retail Hierarchy			
Policy PP3: Village and Neighbourhood Centres			
Policy PP4: Local Impact Threshold			
Policy PP5: Town Centre Uses			
Policy PP6: Employment Sites			
Policy PP7: Employment Allocations			
Policy PP8: Tourism			
Policy PP9: Hotels and Guesthouses			
Policy PP10: Holiday Parks			
Policy PP11: Camping and Caravanning			
Policy PP12: Improving Education and Skills			
Policy PP13: The Rural Economy			
Policy PP14: Priority Areas for Regeneration			

Part of document	Reasons for Objection or proposed Variation

PROTECTED PLACES	Support	Object	Vary
Policy PPL1: Development and Flood Risk			
Policy PPL2: Coastal Protection Belt			
Policy PPL3: The Rural Landscape			
Policy PPL4: Biodiversity and Geodiversity			
Policy PPL5: Water Conservation, Drainage and Sewerage			
Policy PPL6: Strategic Gaps			
Policy PPL7: Archaeology			
Policy PPL8: Conservation Areas			
Policy PPL9: Listed Buildings			
Policy PPL10: Enabling Development			
Policy PPL11: Renewable Energy Generation			
Policy PPL12: The Avenues Area of Special Character, Frinton-On-Sea			
Policy PPL13: The Gardens Area of Special Character, Clacton-On-Sea			
Policy PPL14: Ardleigh Reservoir Catchment Area			
Policy PPL15: Safeguarding of Civil Technical Site, North East of Little Clacton/South of Thorpe-Le-Soken			

Part of document	Reasons for Objection or proposed Variation

CONNECTED PLACES	Support	Object	Vary
Policy CP1: Sustainable Transport and Accessibility			
Policy CP2: Improving The Transport Network			
Policy CP3: Improving The Telecommunications Network			
POLICIES MAPS			

Part of document	Reasons for Objection or proposed Variation

Part(s) / Policy Reference of the document	Support	Object	Vary
Delivery Infrastructure			
Monitoring and Review			
Appendix A – Glossary			
Appendix B – Consultation Undertaken			
Appendix C – Local Maps			✓
Appendix D – Local Wildlife Sites and Ancient Woodland			
Appendix E – Heritage Assets			

Part of document	Reasons for Objection or proposed Variation
Appendix C (Local Maps)	Please see attached

Section 2 – Any other comments

If you have any other comments, please give further details below, indicating which part of the document you are commenting on.

Date: 08/09/16

Signature: K. Coleman

Thank you for your comments.

The Council will consider all responses before preparing its Submission Development Plan Document.

Phase 2
PLANNING & DEVELOPMENT LIMITED

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Tendring District Local Plan – Preferred Options Draft
Representations on behalf of Sammi Developments Ltd

Date: September 2016

Policy SP8 (East Colchester/West Tendring new garden community)

We have no objection to the principle of a new garden community on the borders of Colchester and Tendring, or the assumption that this new garden community will expand beyond the Plan period as a major location for growth in North Essex.

Our concerns relate principally to the need to ensure that assumptions regarding deliverability in the Plan period are realistic for this location.

The draft Policy notes that the details for the proposed development would be the subject of a joint Masterplan Framework to be prepared by Colchester and Tendring districts Councils, and it is reasonable to assume that the majority of the Masterplan Framework preparation will not occur until after the Local Plan has been Examined and found sound (though we accept that an element of 'twin tracking' of the LPD and Masterplan processes could occur). It might therefore be reasonably expected that the Masterplan Framework will not be in place until circa 2018/19, after which an initial planning application(s) would need to come forward, coupled with the appropriate s106 agreement in respect of infrastructure delivery, before any development could commence. We note from the background documentation produced that there is an expectation of significant community involvement in the design of the garden communities, which is important, but which needs to be factored in to the lead in time for delivery.

At this stage, therefore, and in the absence of a more specific project programme for this location, the earliest that it might be expected that housing construction could start on site would be circa 2021, and even that would be a challenging target, given that it is only 5 years away, and the Local Plan is still only at Preferred Options stage. In reality, it is highly likely that commencement on site would take longer to achieve than that.

Tendring district tends to be a relatively slower housing market compared to other parts of North Essex, and in this location, it might be expected that a strategic development, once output reaches full production, could deliver in the order of 100 - 150 dwellings per annum, depending upon the affordable housing element (we note that Section 8.4 of the Options and Evaluation Report suggests 120 units, or 160 units with 25% affordable). Assuming a reasonable average of, say, 125 units per annum, this would delivery only 1500 units within the Plan period, not 2,500.

We appreciate from the background documentation that it is intended to set up innovative Local Delivery Vehicles to help deliver the new garden communities, and there may be mechanisms by which such LDVs might be able to support consistent delivery, but the establishment of these LDVs themselves represents a further potential hurdle to the early commencement of the new garden communities, as the new legal and procedural arrangements for delivery will need to be in place in advance of commencement of construction. The assumption in section 8.4 of the Options and Evaluation Report that a combination of an LDV and marketing of the concept of garden communities can add 50% to delivery rates is wholly without any evidence or foundation.

It is also relevant to note that this particular development option straddles two local authority boundaries, and notwithstanding the co-operation being shown on the strategic development principles, this factor creates additional complexities for delivery.

The above (albeit at this stage rough) estimates of delivery suggest that the relevant Local Plans need to find sites for in the region of an additional 1000 units, to overcome the shortfall in likely delivery in the Plan period.

In the absence of an agreed phasing plan for the new garden community, it is difficult at this stage to be precise about the extent to which any delivery shortfall would affect the Tendring Local Plan, but assuming a likely phased delivery from the west (fringes of Colchester) towards the east, it is possible that none of the 1,164 units assumed to be delivered within Tendring district will in fact come forward in the Plan period.

Policy SPL1 (Managing Growth)

We broadly support the settlement hierarchy set out in Policy SPL1, and the distinction between the different categories of settlements. In particular, we support the inclusion of Clacton-on-Sea as a strategic urban settlement, and the recognition in paragraph 2.43 that the strategic urban settlements will accommodate the largest proportion of the District's housing stock over the Plan period.

We note that paragraph 2.44 states that both Clacton and the Colchester Fringe are to be identified as 'broad areas' for longer term growth beyond the current Plan period. In respect of the Colchester Fringe, we note that Map 12 does indeed identify a 'broad location' within which future development could occur, rather than a specific site allocation.

However, for Clacton, Maps 10 and 11 show specific site allocation, and there is no similar notation of a 'broad location' for future growth. It is not evident therefore how the concept of Clacton as a 'broad location' for future growth is translated in to a practical policy or Proposals Map annotation, as there appears to be no other reference other than the statement referred to above at paragraph 2.44.

We consider it right that Clacton is identified as a broad location for future growth (and for additional growth in the Plan period, in the event of under-delivery elsewhere). This could include one of a number of practical measures, such as:

1. Identifying reserve allocations at Clacton (see also our representations to LP1), which if unused would provide possible longer term locations for growth;
2. Identifying the urban fringes of Clacton not otherwise allocated as specific development sites as a 'broad location' in similar vein to the notation used on Map 12;
3. Identifying broad directions for future growth at Clacton/indicative locations on the Key Diagram.

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Policy LP1 (Housing Supply)

As currently drafted, there is a lack of consistency/clarity between the housing provisions of Policy LP1 and the strategic housing provisions of SP2. The strategic policies of the Plan cover a 20 year plan period from 2013 to 2033, and, at 550 dwellings per annum, require the provision of 11,000 homes in the plan period.

Policy LP1 refers to a shorter plan period of 2032, and the document is therefore internally inconsistent in this respect.

The 9,955 homes referred to in Policy LP1 as being deliverable from the allocations/sources referred to therefore represents a shortfall of 1,045 against the strategic housing target of SP2, not the 19 units referred to in Policy LP1.

Furthermore, for the reasons set out in our representations to Policy SP8, we do not consider that the 1,164 units identified under Policy LP1 for East Colchester can be relied upon for delivery within Tendring District within the Plan period.

In addition, given the size of Weeley and the current market demand for property in that area, we would also question whether or not there is evidence to support the contention that the village will be able to deliver over 1000 properties in the Plan period.

Given the large scale of the overall housing allocation, and the need for delivery from a 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.

In accordance with the settlement hierarchy set out in Policy SPL1, the logical locations for any additional allocations/reserve locations would be the Strategic Urban Settlements. However, as the Colchester western fringe is one of the prime candidates for under-delivery in the Plan period, this would not be an appropriate location for identifying additional deliverable land. Clacton-on-Sea and Harwich/Dovercourt would therefore be the logical locations.

In accordance with our representations to Appendix C (Local Maps), we consider that land on the east side of Clacton at Burrs Road/Sladbury's Lane should be identified for residential development, either as:

(a) An allocation for immediate development in the light of the shortfall identified above;
(b) As a reserve site in the event of under-delivery from other locations;
(c) As part of the 'broad location' for future growth referred to in paragraph 2.44 (see our representations to Policy SPL1).

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Appendix C (Local Maps)

In the light of our representations to SP8, SPL1, and LP1, we consider that the additional land shown on the attached plan should identified for residential development, either as:

(a) An allocation for immediate development in the light of the shortfall in housing land supply (as identified in our representations to LP1);
(b) As a reserve site in the event of under-delivery from other locations (as per our representations to LP1);
(c) As part of the 'broad location' for future growth referred to in paragraph 2.44 (see our representations to Policy SPL1).

This location has previously been identified as suitable and available in the Council's Strategic Housing Land Availability Assessment, and indeed was proposed for development in the 2010 Draft Local Plan. It remains a highly sustainable location, close to the town centre and local facilities, and close to local employment opportunities. The SHLAA has identified no unresolvable environmental objections, and therefore subject to appropriate highway mitigation and educational provision (a primary school can be provided on site), the evidence still supports the allocation of this site for development.

BURRS ROAD, CLACTON-ON-SEA.

S

1021139

Alex Davidson

From: Mark Pickrell <MarkPickrell@boyerplanning.co.uk>
Sent: 07 September 2016 08:58
To: Planning.policy
Subject: Preferred options consultation - Representation form
Attachments: 160906 Preferred Options Consultation - Representation form.pdf

Dear Planning,

Please find attached a completed representation form in response to the recent preferred options consultation.

Please could you acknowledge receipt of this representation?

Please feel free to contact me if there are any issues with the submission.

Kind regards,

Mark Pickrell
Senior Planner
T 01206 769 018 M 07795601326 E MarkPickrell@boyerplanning.co.uk

Boyer 15 De Grey Square, De Grey Road, Colchester, CO4 5YQ.

W boyerplanning.co.uk

Registered Address: Crowthorne House, Nine Mile Ride, Wokingham, Berkshire, RG40 3GZ.
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To see full disclaimer that applies to this email please click here.
To see our Standard Terms and Conditions of Contract please click here.

Boyer Colchester is proud to support Colchester Night Shelter

Tendring District Council

For official use only
Respondent number:
Date received:
Date acknowledged:

North Essex Strategic Plan

and

Tendring District Local Plan

Preferred Options Consultation

REPRESENTATION FORM

IMPORTANT NOTICE

Please use this form for sending comments to the Council on the Tendring District and North Essex Strategic Plan consultation documents, preferably using the on-line form on our website: **tendring-consult.objective.co.uk** or send by e-mail to **planning.policy@tendringdc.gov.uk**.

Please send your representation form to arrive by **5 pm** on **Thursday 8 September 2016** to:

Planning Policy Manager,
Tendring District Council,
Council Offices,
Thorpe Road,
Weeley
Essex
CO16 9AJ

For further information, please see our web page at www.tendringdc.gov.uk or email: planning.policy@tendringdc.gov.uk alternatively telephone: 01255 686177, 01255 686188 or 01255 686151 to talk to one of the Planning Policy Team.

*Please note that any information supplied to the Council on this form **cannot be kept confidential**. Copies of all responses will be available for inspection at the Council Offices and may be included in a summary schedule of responses to be made available at public libraries and on the Council's website. The Council will enter responses on a computer database, to be used by the Council for the purpose of recording and collating comments and for contacting people and organisations about their responses. Your name, town and comments will be published.*

Please complete your details and those of your agent, if applicable.

Name: David Foster **Address:** C/O The Agent **Postcode:** **Organisation:** (if applicable) **Telephone:** **Email:** **Required information*	**Agent's Name:** (if applicable) Mark Pickrell **Agent's address:** Boyer 15 De Grey Square De Grey Road Colchester **Postcode:** CO4 5YQ **Telephone:** 01206 769018 **Email:** markpickrell@boyerplanning.co.uk

Section 1 – Do you Support, Object or wish to Vary any policies or parts?

Please tick the boxes below to indicate whether you support, object to, or would like to vary, any part(s) of the **North Essex Strategic Plan (Part 1 Plan) and Tendring District's Local Plan Preferred Options (Part 2 Local Plan)** consultation documents. You may tick as many or as few boxes as you wish.

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You may continue on a separate sheet of paper if necessary.

You may comment on any other issues in Section 2 below.

Part(s) / Policy Reference of the document			
PART 1 PLAN: NORTH ESSEX STRATEGIC PLAN	**Support**	**Object**	**Vary**
Vision for the Strategic Area			
Policy SP1: Presumption in Favour of Sustainable Development			
Policy SP2 : Meeting Housing Needs			
Policy SP3 : Providing for Employment			X
Policy SP4: Infrastructure and Connectivity			
Policy SP5: Place Shaping Principles			X
Policy SP6: Spatial Strategic for North Essex			
Policy SP7: Development and Delivery of New Garden Communities in North Essex			
Policy SP8: East Colchester/West Tendring New Garden Community			
Policy SP9: West of Colchester/East Braintree New Garden Community			
Policy SP10: West of Braintree New Garden Community			
Delivery Arrangements			

Part of document	**Reasons for Objection or proposed Variation**
SP3 c)	An appropriate assessment should be undertaken of each proposed employment site prior to allocation. Where the site has been allocated in previous local plans but has not been delivered careful consideration should be given before allocating the land again in the latest version of the Local Plan to ensure compliance with NPPF paragraph 22, as referred to in greater detail below (see PP7).
SP5	NPPF paragraph 55 and paragraph 63 sets out support for high quality and innovative design. In order to be in accordance with the NPPF it is recommended that Policy SP5 is amended to give support to development proposals that provide an innovative, unique and sustainable solution to housing in the District.

PART 2 PLAN: TENDRING DISTRICT LOCAL PLAN PREFERRED OPTIONS

SUSTAINABLE PLACES	Support	Object	Vary
Policy SPL1: Managing Growth			
Policy SPL2: Settlement Development Boundaries			
Policy SPL3: Sustainable Design			X

Part of document	Reasons for Objection or proposed Variation
SPL3	NPPF paragraph 55 and paragraph 63 sets out support for high quality and innovative design. In order to be in accordance with the NPPF it is recommended that Policy SPL3 is amended to give support to development proposals that provide an innovative, unique and sustainable solution to housing supply in the District.

VISION & OBJECTIVES	Support	Object	Vary
Part 2 Local Plan: Vision for Tendring			
Part 2 Local Plan: Objectives For the Local Plan			

Part of document	Reasons for Objection or proposed Variation

HEALTHY PLACES	Support	Object	Vary
Policy HP1: Improving Health and Wellbeing			
Policy HP2: Community Facilities			
Policy HP3: Green Infrastructure			
Policy HP4: Open Space, Sports and Recreation Facilities			

Part of document	Reasons for Objection or proposed Variation

LIVING PLACES	Support	Object	Vary
Policy LP1: Housing Supply			

Policy LP2: Housing Choice			X
Policy LP3: Housing Density and Standards			
Policy LP4: Housing Layout			
Policy LP5: Affordable Housing			
Policy LP6: Rural Exception Sites			
Policy LP7: Self-Build Homes			
Policy LP8: Backland Residential Development			
Policy LP9: Traveller Sites			
Policy LP10: Care and Assisted Living			
Policy LP11: Houses in Multiple Occupation (HMOs) & Bedsits			

Part of document	Reasons for Objection or proposed Variation
LP2	The provision of housing in the District has a history of undersupply. Innovative design has the potential to increase housing supply alongside traditional housing developments. The NPPF paragraph 55 and 63 support high quality and innovative design. If proposals for innovative developments were to be encouraged then the supply of housing in the District could be maximised, subject to any design being in accordance with other policies in the Local Plan. In order to help ensure the future provision of a suitable range of housing, Policy LP2 should be amended to provide greater support for innovative development proposals.

PROSPEROUS PLACES	Support	Object	Vary
Policy PP1: New Retail Development			
Policy PP2: Retail Hierarchy			
Policy PP3: Village and Neighbourhood Centres			
Policy PP4: Local Impact Threshold			
Policy PP5: Town Centre Uses			
Policy PP6: Employment Sites			
Policy PP7: Employment Allocations		X	
Policy PP8: Tourism			X
Policy PP9: Hotels and Guesthouses			
Policy PP10: Holiday Parks			
Policy PP11: Camping and Caravanning			
Policy PP12: Improving Education and Skills			
Policy PP13: The Rural Economy			
Policy PP14: Priority Areas for Regeneration			

Part of document	Reasons for Objection or proposed Variation

PP7	Policy PP7: Employment allocations set out intended areas for employment use in the District. One of the allocated sites is 3.1ha of land alloated for an expansion of Mistley Port (as shown on the proposals map Manningtree, Lawford and Mistley). PP7 states that 'Sites allocated for employment use will be protected against future loss to alternative uses'. It is understood that the allocation of this land is based on 'Assessment of Mistley Port for Tendring District Council' by Adams Hendry Consulting Ltd and MDS Transmodal Ltd (2009). We object to the allocation of the land to the east of Mistley Port as an employment site for the following reasons: • The allocation is contrary to NPPF paragraph 22; • The land is not under the control of Mistley Port and there is no reasonable prospect of it being so; • There are alternative options for the expansion of Mistley Port available; • Alternative uses of the land would have a lesser impact on the surrounding area; • There is no evidence that the expansion of Mistley Port is viable; and • The evidence to support the allocation does not take into account current material considerations. <u>*Contrary to NPPF paragraph 22*</u> The land was originally allocated in 1980 for the expansion of Mistley Port. The allocation has been renewed in subsequent versions of the Local Plan since that time. Despite the repeated allocation over the last 36 years, no progress has been made to implement an employment use of the land. A background study was undertaken in 2009 entitled Assessment of Mistley Port (2009). This sets out an analysis of the existing port and its viability. The assessment relates to the functioning of the existing port and whilst alternative options for expansion are discussed, the financial viability of such expansion is not considered in detail (as set out in paragraph 5.9.9) The NPPF paragraph 22 states '*planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose*'. As the site has been allocated for 36 years without any progress having been made in the implementation of an

	employment use on the land then it is considered to be unreasonable to pursue the allocation further. The continued allocation is therefore contrary to the NPPF. NPPF para. 22 states: *'Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.'* No evidence is available to demonstrate that the expansion of Mistley Port as set out in the Proposals Map would be viable. The site has been allocated for 36 years with no progress having been made. Taking these points into account it is considered that there is no reasonable prospect of the allocation being delivered. This opinion is supported by the comments of the Appeal Inspector in appeal ref. APP/P1560/A/14/2224769 relating to the construction of 2 new dwellings on land to the east of Mistley Port. In his decision the Inspector states that where there is no evidence to indicate any real prospect of the allocation site coming forward that the long.term protection of the land for employment uses is contrary to para. 22 of the NPPF. In appeal ref. (APP/P1560/A/14/2224769 para 26, 28 and 29) the Inspector also refers to the likely harm to the landscape character from an expansion of the port. The Inspector's conclusions were that the expansion of the port is likely to have an adverse impact on the landscape character of the area which includes a nearby conservation area, a proposed coastal protection belt, a proposed extension of an AONB, a Ramsar site, an SPA and a SSSI. Should the allocated port expansion be implemented, the scale and nature of the development are likely to result in a significant adverse impact on these areas. Where there is no reasonable prospect of the allocated use coming forward, alternative uses that would have a lesser impact on the area than the port expansion should be considered. <u>*The land is not under the control of Mistley Port*</u> The land is owned by Mr David Foster and is currently used for the operation of Mistley Marine and Leisure, providing marine plant hire, consulting services and a private boatyard for leisure craft. Land to the south of the allocation site has recently been granted permission for residential development for 2 dwellings. The land at Mistley Marine and the new residential land is not currently for sale and it is not intended to be. Therefore, there is no prospect of the land becoming available for the port expansion. Whilst the land is not controlled by Mistley Port any potential expansion would be

subject to an agreement with the current landowner. Agreement has not been reached in the last 36 years and there is no evidence to suggest that this is likely to change. It is therefore considered to be unjustified to retain the allocation in the latest version of the Local Plan.

There are alternative options for the expansion of Mistley Port available

Assessment of Mistley Port for Tendring District Council' by Adams Hendry Consulting Ltd and MDS Transmodal Ltd (2009) discusses alternative options for the expansion of Mistley Port. These include retaining the status quo and expanding the use of off-site storage at Wrabness.

Taking the above points into account it is considered unreasonable to continue to allocate the land to the east of Mistley Port for an employment use, particularly whilst other achievable options are available and would result in less impact on nearby nature designations.

There is no evidence that the expansion of Mistley Port is viable

Whilst an assessment of the viability of the operations at the current port has been undertaken in 'Assessment of Mistley Port for Tendring District Council' by Adams Hendry Consulting Ltd and MDS Transmodal Ltd (2009), it does not assess the financial viability of a potential expansion. Para 5.9.9 of the assessment states that *'our terms of reference do not extend to undertaking … detailed viability assessment of the port expansion land'*.

The fact that the land has been allocated for the port expansion for the last 36 years without any development being implemented shows that the expansion has not been economically viable. There is also no evidence to show that an expansion of the port, as set out in the allocation, would be financially viable. Without evidence to show that the expansion of the port is a financially viable prospect, it is considered unreasonable to continue to allocate the land when alternative uses of the site could help to meet the objectives of the Local Plan.

The evidence to support the allocation does not take into account recent appeal decision

Although the Assessment of Mistley Port for Tendring District Council' by Adams Hendry Consulting Ltd and MDS Transmodal Ltd (2009) refers to a planning application in the vicinity of the allocated land, it pre-dates the appeal Inspector's decision. Application ref. 14/00081/FUL was granted permission at appeal

	(APP/P1560/A/14/2224769) for the development of 2 dwellings at land off Anchor Lane. In the appeal decision (para 26, 28 and 29) the Inspector sets out the likely harm to the landscape character and states that where there is no evidence to indicate any real prospect of the appeal site coming forward that the long term protection of the land for employment uses would be contrary to para. 22 of the NPPF. Notwithstanding the issues set out above, it is considered that the allocation of land to the east of Mistley Port for potential expansion is not founded on a viable proposal, there is no clear prospect of the land becoming available and as the land has been allocated for a port expansion for the last 36 years, the continued long term protection of the land is considered to be contrary to NPPF para. 22.
PP8	It is agreed that tourism plays an important role in the local economy. A policy that supports tourism in the District is therefore supported in principle, particularly with regards to marinas, boat harbours, yacht havens and other facilities associated with boating and sailing. In order to ensure the on-going viability of existing marinas in the District it would be beneficial for support to be given to enabling development at existing marinas to help ensure their long term viability and allow investment in upgrading existing facilities, where necessary and where any new development would comply with the Local Plan.

PROTECTED PLACES	**Support**	**Object**	**Vary**
Policy PPL1: Development and Flood Risk			
Policy PPL2: Coastal Protection Belt			
Policy PPL3: The Rural Landscape			
Policy PPL4: Biodiversity and Geodiversity			
Policy PPL5: Water Conservation, Drainage and Sewerage			
Policy PPL6: Strategic Gaps			
Policy PPL7: Archaeology			
Policy PPL8: Conservation Areas			
Policy PPL9: Listed Buildings			
Policy PPL10: Enabling Development			
Policy PPL11: Renewable Energy Generation			
Policy PPL12: The Avenues Area of Special Character, Frinton-On-Sea			
Policy PPL13: The Gardens Area of Special Character, Clacton-On-Sea			
Policy PPL14: Ardleigh Reservoir Catchment Area			
Policy PPL15: Safeguarding of Civil Technical Site, North East of Little Clacton/South of Thorpe-Le-Soken			

Part of document	Reasons for Objection or proposed Variation

CONNECTED PLACES	Support	Object	Vary
Policy CP1: Sustainable Transport and Accessibility			
Policy CP2: Improving The Transport Network			
Policy CP3: Improving The Telecommunications Network			
POLICIES MAPS			

Part of document	Reasons for Objection or proposed Variation

Part(s) / Policy Reference of the document	Support	Object	Vary
Delivery Infrastructure			
Monitoring and Review			
Appendix A – Glossary			
Appendix B – Consultation Undertaken			
Appendix C – Local Maps			
Appendix D – Local Wildlife Sites and Ancient Woodland			
Appendix E – Heritage Assets			

Part of document	Reasons for Objection or proposed Variation

Section 2 – Any other comments

If you have any other comments, please give further details below, indicating which part of the document you are commenting on.

Background evidence

Technical and evidence studies lists Assessment of Mistley Port (2009) as a background paper. This informed PP7 Allocation of Employment Sites. However, the document was produced in 2009. Since 2009 an appeal for 2 new dwellings on land to the east of Mistley Port was granted (APP/P1560/A/14/2224769) but the Assessment of Mistley Port (2009) does not take this into account. Also, the document states that the viability of the port expansion has not been fully assessed (Assessment of Mistley Port (2009) para. 5.9.9).

Without clear evidence that an expansion of the Port is likely and viable it is not possible to justify inclusion of the land at Mistley as an employment allocation. Before the land is allocated for employment purposes, it is recommended that further investigation is undertaken to ensure that the delivery of the site is viable and likely. It is therefore considered that an up to date assessment of the viability of a port expansion at Mistley is undertaken before the land is allocated for employment purposes with limited alternative uses.

Consultation events

The consultation event held at the Venture Centre 2000, Bromley Road, Manningtree on Monday 22nd August had limited resources that hindered the public making an effective comment. The consultation event had limited A4 copies of the proposed Local Plan document and long queues formed while people attempted to digest all of the information contained therein. More copies of the local plan would have allowed more effective engagement. Larger copies of plans and key issues would have made viewing the plan more efficient.

Failure to successfully engage with the local community is contrary to the Statement of Community Involvement and the core principles of the NPPF. It is recommended that any future consultation events include a wider range of consultation material to help the general public understand the proposed document and facilitate effective comments.

Date: 06/09/2016

Signature: Mark Pickrell

Thank you for your comments.

The Council will consider all responses before preparing its Submission Development Plan Document.

Name: * The Burghes Estate **Address:*** C/O Berrys **Postcode:** **Organisation:** (if applicable) **Telephone:** **Email:** **Required information*	**Agent's Name:** (if applicable) Val Coleby **Agent's address:** Berrys 42 Headlands Kettering **Postcode: NNi15 7HR** **Telephone: 01536 432388** **Email:val.coleby@berrys.uk.com**

Section 1 – Do you Support, Object or wish to Vary any policies or parts?

Please tick the boxes below to indicate whether you support, object to, or would like to vary, any part(s) of the **North Essex Strategic Plan (Part 1 Plan) and Tendring District's Local Plan Preferred Options (Part 2 Local Plan)** consultation documents. You may tick as many or as few boxes as you wish.

If you object to, or would like to vary, any part of the document please give your reasons in the boxes provided after each chapter and make clear which part/s of the plan the comments relate to.

You may continue on a separate sheet of paper if necessary.

You may comment on any other issues in Section 2 below.

Part(s) / Policy Reference of the document			
PART 1 PLAN: NORTH ESSEX STRATEGIC PLAN	**Support**	**Object**	**Vary**
Vision for the Strategic Area			
Policy SP1: Presumption in Favour of Sustainable Development			
Policy SP2 : Meeting Housing Needs	X		
Policy SP3 : Providing for Employment			
Policy SP4: Infrastructure and Connectivity			
Policy SP5: Place Shaping Principles			
Policy SP6: Spatial Strategic for North Essex			
Policy SP7: Development and Delivery of New Garden Communities in North Essex			
Policy SP8: East Colchester/West Tendring New Garden Community			
Policy SP9: West of Colchester/East Braintree New Garden Community			
Policy SP10: West of Braintree New Garden Community			
Delivery Arrangements			

Part of document	**Reasons for Objection or proposed Variation**
	Policy SP 2 We support Policy SP 2 which provides the Council's commitment to identify deliverable sites to provide for the areas housing needs in full. We further support the commitment for authorities to work proactively with applicants to bring forward sites to meet the housing needs requirements. As regards the suggested housing requirements Policy SP 2 indicates a need for 11,000 new homes in Tendring District to 2033 averaging a build rate of approximately 550 per annum. Historically Tendring District has delivered well below this figure with delivery of housing in the last 5 years averaging about 250 per annum. If Tendring is to achieve a step change in its housing delivery it needs to offer to the market a range of housing sites and in particular to target areas where people want to live and where development is likely to be delivered. Sites that are

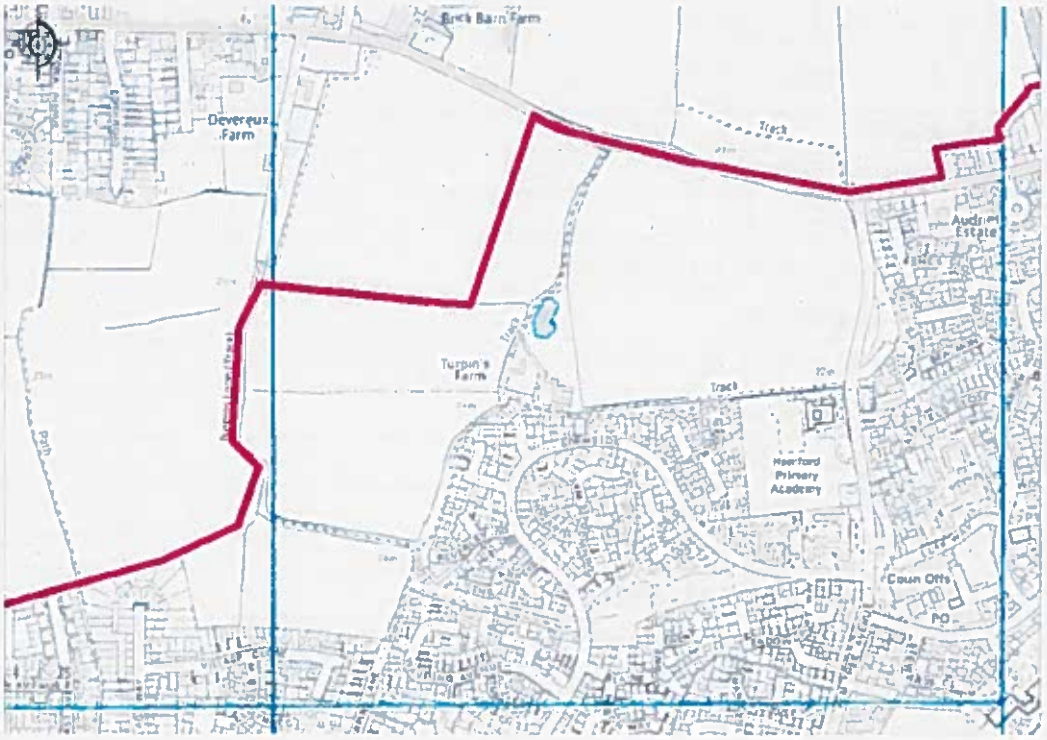
	early to deliver should be identified. Overall the plan should identify sites in excess of 11,000 homes to ensure delivery can be achieved. This could be achieved by identifying reserved sites or applying a trigger policy against which new housing sites would be identified and allocated if delivery rates were not being achieved over a specified period. The Council needs to provide for specific and clear policies for the delivery of development particularly in the early years of the plan. It needs to provide for the step change in housing delivery and be encouraging to new development. Site specific allocations should be accompanied by their own supportive policies and the policy should be developed with the collaboration of the site promoters who will have a good understanding of the site's unique characteristics and site viability.

PART 2 PLAN: TENDRING DISTRICT LOCAL PLAN PREFERRED OPTIONS

SUSTAINABLE PLACES	Support	Object	Vary
Policy SPL1: Managing Growth	X		
Policy SPL2: Settlement Development Boundaries		X	
Policy SPL3: Sustainable Design			

Part of document	Reasons for Objection or proposed Variation
	Policy SPL 1 We support the identification of Frinton Walton and Kirby as second tier settlements in the settlement hierarchy. As noted these smaller urban settlements have large populations and provide for a range of opportunities for the use of public transport, walking and cycling and well as established town centres, employment areas and infrastructure. They are therefore sustainable locations to deliver housing and job growth on a large scale. **Policy SPL2** We agree with the concept of settlement boundaries as a means of controlling urban sprawl. However we consider that with regard to Frinton the settlement boundary has been drawn too tightly. Particularly when it is recognised with regard to our responses at policy SP2 and SPL1 that there is a considerable unmet housing need in the District which has persisted for a number of years and that the plan identifies Frinton and its nearby settlements as sustainable places for large scale growth to be directed to.

We consider that the settlement boundary with regard to Frinton and Walton map 15 should be amended as attached.



VISION & OBJECTIVES	Support	Object	Vary
Part 2 Local Plan: Vision for Tendring			
Part 2 Local Plan: Objectives For the Local Plan			

Part of document	Reasons for Objection or proposed Variation

HEALTHY PLACES	Support	Object	Vary
Policy HP1: Improving Health and Wellbeing			
Policy HP2: Community Facilities			
Policy HP3: Green Infrastructure			
Policy HP4: Open Space, Sports and Recreation Facilities			

Part of document	Reasons for Objection or proposed Variation

LIVING PLACES	Support	Object	Vary
Policy LP1: Housing Supply			x
Policy LP2: Housing Choice			
Policy LP3: Housing Density and Standards			
Policy LP4: Housing Layout			
Policy LP5: Affordable Housing			
Policy LP6: Rural Exception Sites			
Policy LP7: Self-Build Homes			
Policy LP8: Backland Residential Development			
Policy LP9: Traveller Sites			
Policy LP10: Care and Assisted Living			
Policy LP11: Houses in Multiple Occupation (HMOs) & Bedsits			

Part of document	Reasons for Objection or proposed Variation
	Policy LP1 Whilst Policy SP2 identifies a minimum net additional homes of 11,000 to be provided in the period 2013 to 2033 equating to 550 per annum, Policy LP1 looks to a different period 2015 to 2032 to deliver a minimum of 10,149 dwellings. The resulting table in Policy LP1 gives two annualised targets either 550 resulting in a total of 9,955 dwellings for the period to 2023 or 600 pre annum resulting in 11,062 dwellings for the period. This policy merely confuses the clarity of Policy SP2 and is unnecessary. It is in contravention of paragraph 154 of the NPPF which requires plan policies to have clarity for decision-makers. In addition it confuses the ability to accurately determine if the Council is achieving a deliverable 5 year supply of housing. The only alteration between the annualised housing delivery relates to the provision of dwellings at Weeley, which is given as either 304 dwellings or 1,411. Clearly if the delivery of dwellings at Weeley is uncertain this should not be included in the plan. If the policy were to truly contribute to Objective 1 policy LP1 would align with the plan period to 2033 (not 2032) as Objective 1 does and clearly demonstrate where the delivery of dwellings was to be achieved. In addition to accord with paragraph 47 of the NPPF the plan should seek to boost significantly the supply of housing and meet the District's needs in full, and not as policy LP1 does at its annualised rate of

	550, to fall short of meeting its needs. In this respect the plan is unsound. The annualised housing requirement sees Frinton Walton and Kirby Cross providing 367 dwellings over the LP identified period to 2032 which equates to an annual provision of 21 dwellings. In our view the capacity of these settlements to contribute to the overall housing requirement has been significantly underplayed. As sustainable settlements, with the Council's acknowledgement that they can support large scale growth, a higher dwelling contribution can be achieved. For example, the site at Turpins Farm will accommodate 210 dwellings leaving an 'allocation' for only 166 dwellings for these settlements over the remainder of the plan period to 2033. In addition a current appeal at Halstead Road, Kirby if successful on appeal would accommodate a further 240 dwellings resulting in an 'over-supply' against policy LP1 of 74 dwellings for these settlements. Clearly demonstrating that the settlements can yield more dwellings than the plan is constraining them to. The contribution to housing growth from Frinton, Walton and Kirby should be increased by at least a further 350 dwellings. The housing supply is also heavily weighted to large scale developments at Clacton, Colchester Fringe and Weeley contributing over half of the predicted provision. These types of developments inevitably take longer to deliver and often much longer than predicted due to initial infrastructure requirements. Hence a range of smaller and deliverable sites are required in order to ensure the 5 year land supply is met.

PROSPEROUS PLACES	Support	Object	Vary
Policy PP1: New Retail Development			
Policy PP2: Retail Hierarchy			
Policy PP3: Village and Neighbourhood Centres			
Policy PP4: Local Impact Threshold			
Policy PP5: Town Centre Uses			
Policy PP6: Employment Sites			
Policy PP7: Employment Allocations			
Policy PP8: Tourism			
Policy PP9: Hotels and Guesthouses			
Policy PP10: Holiday Parks			
Policy PP11: Camping and Caravanning			
Policy PP12: Improving Education and Skills			
Policy PP13: The Rural Economy			
Policy PP14: Priority Areas for Regeneration			

Part of document	Reasons for Objection or proposed Variation

PROTECTED PLACES	Support	Object	Vary
Policy PPL1: Development and Flood Risk			
Policy PPL2: Coastal Protection Belt			
Policy PPL3: The Rural Landscape			
Policy PPL4: Biodiversity and Geodiversity			
Policy PPL5: Water Conservation, Drainage and Sewerage			
Policy PPL6: Strategic Gaps			x
Policy PPL7: Archaeology			
Policy PPL8: Conservation Areas			
Policy PPL9: Listed Buildings			
Policy PPL10: Enabling Development			
Policy PPL11: Renewable Energy Generation			
Policy PPL12: The Avenues Area of Special Character, Frinton-On-Sea			
Policy PPL13: The Gardens Area of Special Character, Clacton-On-Sea			
Policy PPL14: Ardleigh Reservoir Catchment Area			
Policy PPL15: Safeguarding of Civil Technical Site, North East of Little Clacton/South of Thorpe-Le-Soken			

Part of document	Reasons for Objection or proposed Variation
	Policy PPL 6 With respect to our commentary for Policy SP2 we concur that the green gap policy is relevant to ensure the continued the separation of settlements. However this should only be applied where necessary and not as a blanket approach to prevent much needed housing in areas that can satisfactorily and sustainably accommodate it. Areas should only be protected by Policy PPL6 where their development would genuinely erode the separate identity of settlements. In our view the green gap designation should be rolled back to the north west of Frinton as shown on the attached plan. This area of land due to topography and existing natural screening in the form of a tree belt makes no contribution to the separation of the settlements and its development would not compromise the separate identity of settlements.

	The development site at the Turpins Farm site is wholly included within the settlement boundary. However, the development of the site has been approached as including an area of strategic open green space at its northern edge to provide a green setting for the development. It is noted that in the current consultation document the Turpins Farm site is wholly excluded from the Green Gap Policy and we support this approach. Similarly the land to the west as shown on the attached plan should also be excluded which could equally include a green setting for the development to complement the Green Gap policy.

CONNECTED PLACES	**Support**	**Object**	**Vary**
Policy CP1: Sustainable Transport and Accessibility			
Policy CP2: Improving The Transport Network			
Policy CP3: Improving The Telecommunications Network			
POLICIES MAPS			

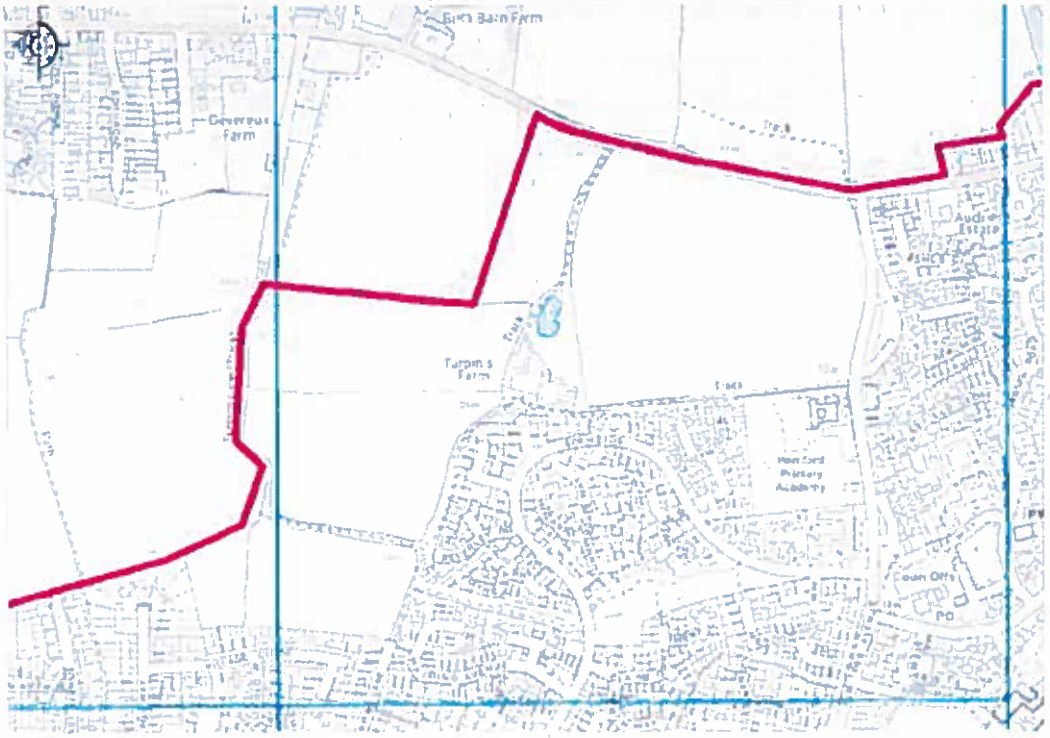
Part of document	**Reasons for Objection or proposed Variation**

Part(s) / Policy Reference of the document	**Support**	**Object**	**Vary**
Delivery Infrastructure			
Monitoring and Review			
Appendix A – Glossary			
Appendix B – Consultation Undertaken			
Appendix C – Local Maps			x
Appendix D – Local Wildlife Sites and Ancient Woodland			
Appendix E – Heritage Assets			

Part of document	**Reasons for Objection or proposed Variation**

Map 15 Frinton and Walton

Settlement Boundary amendment



Section 2 – Any other comments

If you have any other comments, please give further details below, indicating which part of the document you are commenting on.

Date: 8 September 2016

Signature: [redacted]

Thank you for your comments.

The Council will consider all responses before preparing its Submission Development Plan Document.