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7th January 2012

The Planning Policy Manager
Planning Department
Tendring Council
Council Offices
Thorpe Road
Weeley
Clacton-on-Sea
CO16 9AJ

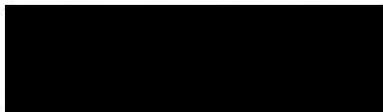
Dear Sirs

Tendring District Local Plan
Proposed Submission Draft (2012)
Representation Forms on behalf of Blagrove Properties Ltd

Please find attached completed representation forms in response to the Proposed Submission Draft (2012), submitted on behalf of our clients, Blagrove Properties Ltd.

Copies of these forms have also been sent by email.

Yours faithfully



Jon Jennings
Director





**Tendring District Local Plan:
Proposed Submission Draft (2012)**

REPRESENTATION FORM

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Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:
Blgrave Properties Limited

If an organisation, please provide a contact name:

E-mail: **Tel No:**

Address (put the organisation address if relevant):

..... **Post Code:**

If you are an agent acting on behalf of someone please provide your details here

Name of agent: Pegasus Group

If an organisation, please provide a contact name: Jon Jennings

E-mail: [REDACTED] **Tel No:** [REDACTED]

Address (put the organisation address if relevant): [REDACTED]

[REDACTED] **Post Code:** [REDACTED]

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support

Object

(Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following ‘tests of soundness’. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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;
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What section of the plan are you commenting on?	Comment(s)
Sustainability Appraisal (SA) Of Third Party Housing and Employment Sites	<p>Representation:</p> <p>Whilst this document has looked at a multitude of sites within or on the edge of Clacton for completeness the sites within the Clacton urban area should also have been addressed for completeness. This omission is surprising especially as this site is in close proximity to a railway station, services and facilities and represents the redevelopment of a brownfield site, and clearly accords with the requirements of Policy PE012 by virtue of the site being within 100m of a railway station. The failure to appropriately appraise this site has further compounded the lack of evidence to justify why this site is now not considered appropriate for an element of residential development.</p> <p>Suggested Remedy:</p> <p>Ensure that the sites within the Clacton Urban Area are also assessed and included within one comprehensive and cohesive document</p>

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

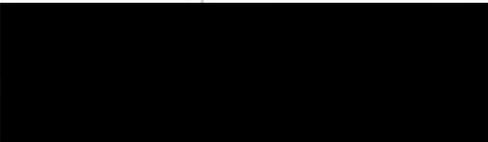
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Please sign and date this form: Signed 	Date: 07.01.13
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<p>Policy COS7: Rejuvenating the Station Gateway</p>	<p>Representation: Although my client acknowledges and supports the need to identify this site for redevelopment there is concern about the mix of uses suggested in the allocation. It is noted that the 2008 and 2009 versions of the Clacton Town Centre Vision and the Clacton Town Centre Area Action Plan 2010 (AAP) all identified this site as suitable for a mix of both commercial and residential development, with Skelmersdale Road being identified as a suitable vehicle access point. In fact, Option 2 of the 2008 vision proposed that 110 residential units could be provided on my client’s land interest, whilst still ensuring that the redevelopment of the station and the provision of large office or public buildings to the north west of the station. My client therefore OBJECTS to the identification of this entire site for a mixed use development incorporating only A1, A2, and A3 uses, whereas previously the site has been identified as eminently suitable for residential use.</p> <p>The site allocation and the preamble recognises the need to regenerate this important gateway location and the policy subsequently suggests 4-5 storey development in key locations (criterion l) as well as improvements to the station (criterion a), enhanced and additional access routes (criteria c, d, e, f and g) and improvements to the pedestrian/public space environment (criteria b, n and o).</p> <p>My client considers that the policy is unrealistic in its aspirations by restricting the mix of uses to uses A1, A2 and A3. The regeneration of this site and the provision of the public realm improvements required by the policy represent a significant investment by any developer that requires high value uses to deliver. My client considers that the current mix of uses is unlikely to deliver the values necessary to finance the requirements of the policy. In addition, these uses do</p> <p>Continued ...</p>

not occupy buildings up to 4 and 5 storeys meaning that the landmark building potential of the policy will not be realised. It is important to note that the AAP advised that "Complementary uses can be mixed horizontally (side by side) or vertically (on different floors of the same building)" and that "Large development proposals should provide a mix of housing type, form and tenure".

The provision of an element of residential development will also allow the early redevelopment of the area, not only improving the environment but also investor confidence. Subject to the CIL or S106 contributions being both reasonable and related to the development, many of the public realm improvements could be commenced. In addition, residential development will help to provide an element of natural surveillance. The policy as worded has failed to recognise one of the main benefits which will arise from residential development. This was identified in the Clacton Town Centre Vision January 2008 which stated that "The quality of environment and housing is perhaps one of the Clacton Town Centre's most positive features. Enhancing this offer will play a positive role in attracting investment into the town in the future".

Furthermore, without any evidence as to potential occupiers of both the retail and office buildings it is questionable in the current climate that even the A1 uses will be realised. In fact with low initial rents etc such uses could compete unfairly and impact on the vitality and viability of the existing town centre.

In the current economic climate most A1 retailers have announced that expansion plans are currently on hold thereby demonstrating the fragility of this use class. My client considers that a regeneration scheme that is focused on A1, A2 or A3 uses is unrealistic - at least in the short term - and fails to capitalise on the real potential of this site.

It is clear that no justification or evidence has been provided to justify why this site is now unsuitable for an element of residential development, whereas the previous visions/documents, in particular the 2010 AAP recognised the suitability of the site for such use. It is considered that the policy as worded and the limited range of acceptable uses will fail to deliver the redevelopment of this area and lead to its further deterioration, eroding this important gateway to Clacton. It should also be recognised that the Housing Development Consultation February 2012 identified a strong preference for housing to be provided on brownfield as opposed to greenfield sites.

Whilst the Clacton Town Centre Visions are identified as being relevant in informing the content of the new Local Plan, interestingly the support for residential development has inexplicably been ignored in the current consultation, specifically in relation to Policy CS07. This lack of justification is particularly alarming when all the previous documents strongly supported residential development, with the NPPF promoting the delivery of such development in a clearly sustainable location.

Finally, the site is in fragmented/multiple ownership and evidence should be provided to demonstrate as to how this issue will be addressed and the delivery of this site will be realised, especially as residential development is now not considered to be appropriate.

My client therefore considers that this policy is ineffective as it is undeliverable in its current form and as such is unsound.

Suggested Remedy:

To overcome my client's concern I suggest that the policy be amended to include reference to residential uses. Residential development in this location would be entirely appropriate taking into account the accessibility of this site, its proximity to other residential development and its suitability to tall buildings. Such an approach would also accord with Policy PE012 of the emerging Local Plan which encourages flats to be within both defined town centres and 100m of a railway station. The site complies with requirements of this policy. In addition, this site would provide an important element of affordable housing which is in a town centre location close to areas of employment, with good access to public transport, services and facilities.

It offers the potential to secure the landmark building function intended by this policy allocation as well as provide a more realistic financial return for any developer interested in this site. It is also entirely consistent with the objective of achieving sustainable development as set out in the National Planning Policy Framework by virtue of its location, brownfield characteristics and accessibility.

Continued ...

	<p>My client's site is particularly suited to residential development as it occupies a discreet element of the site and is close to surrounding residential uses. It also has the benefit of an additional vehicular access point from Skelmersdale Road, which is not currently shown in the site allocation. This would allow the requirement for an independent access for this use as well as a dedicated access from Skelmersdale Road to serve the car parking area as required by criterion h, as recognised by the April 2009 Clacton Town Centre Vision. In addition, the redevelopment of the site will remove a potentially bad neighbour use away from the existing dwellings located to the south and east of the site.</p> <p>To avoid conflict with other policies in the plan and to ensure that a viable residential scheme can be created my client suggests that the wording of the policy allow for a quantum of residential development and the nature of the residential development to be a matter to be resolved through the design process/development brief subject to the achievement of the detailed requirements currently included in the policy.</p>
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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

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If you wish to speak at the examination, please outline why you consider this to be necessary:

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<p>Please sign and date this form: Signed: </p>	<p>Date: 07.01.12</p>
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If an organisation, please provide a contact name:

E-mail: **Tel No:**

Address (put the organisation address if relevant):

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PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support

Object

(Please tick one box)

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<p>Policy PE02: Housing Trajectory</p>	<p>Representation;</p> <p>My client OBJECTS to this policy as it refers to a requirement for a 5% buffer to the housing supply figures despite the reported evidence that housing delivery has not met the housing target for two years. Previous Annual Monitoring Reports also reveal that the Council has been unable to meet its five year housing land supply requirements. The NPPF is clear that the relevant buffer in situation such as this is 20% (paragraph 47).</p> <p>The policy also fails to explain where the supply of housing is coming from to fulfil the trajectory. Although the remainder of the plan identifies future housing sites it does not confirm the yield anticipated from each site or the timescales for delivery. This demonstrates that the deliverability of the Council’s housing supply has not been fully tested as required by paragraph 47 of the NPPF. As currently drafted this policy is inconsistent with national policy and is therefore unsound.</p> <p>Suggested Remedy:</p> <p>To overcome my client’s objection I suggest that the policy be amended to refer to the application of the 20% buffer. It should also include reference to the source of the housing supply including anticipated delivery dates, likely housing yield and evidence of deliverability. In doing so, it should include an allowance for residential development at site COS7.</p>

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Policy PE04: Standards for new housing	<p>Representation:</p> <p>My client OBJECTS to this policy because the private amenity area and parking requirements are excessive and unjustified, particularly in a town centre location with very good access to public transport and local services and facilities. The wording of the policy also fails to allow the specifics of the development or the location to be taken into account when assessing the suitability of a scheme. My client considers that this will adversely affect the viability of some schemes in direct conflict with the requirements paragraph 173 of the NPPF. As such the policy is inconsistent with national policy and is therefore unsound.</p> <p>Suggested Remedy:</p> <p>My client suggests two alternative remedies:</p> <ol style="list-style-type: none"> 1. Delete the policy in its entirety and instead refer to the standards in the supporting text as aspirational targets, or; 2. Identify in policy COS7 that these standards will not apply to residential development in this location.

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<p>Policy PE05: Housing Layout in Tendring</p>	<p>Representation: This policy sets out detailed requirements for the form and layout of housing developments on sites of 50 units or more in order to deliver developments that follow the principles of Garden Cities. My client OBJECTS to the blanket application of these requirements as it will inhibit the ability for innovative design solutions and also fails to allow the individual circumstances of a scheme or a location to be taken into account.</p> <p>My client’s site at the Station Gateway is a relevant example of where this aspiration for Garden City development would be inappropriate. The location and existing nature of this site lends itself to high density development as acknowledged by the fact that the existing policy anticipates 4-5 storey development. In such cases a residential development based on Garden City principles would be inconsistent with the potential of this site.</p> <p>The application of this policy across the District will therefore inhibit the deliverability of the Plan rendering it ineffective and therefore unsound.</p> <p>Suggested remedy: The requirements of this policy are more appropriate for a supporting supplementary planning document that sets out the design aspirations that the Council will favour when considering the appropriateness of greenfield or suburban development. My client therefore suggests that this policy be deleted and replaced with a policy that indicates the preferences of the authority and refers the reader to a supplementary planning document for more detail. Alternatively, the wording of policy COS7 should specifically identify that any residential development at this site will not be subject to policy PE05.</p>

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What section of the plan are you commenting on?	Comment(s)
Policy PE012: Flats, apartments and maisonettes	<p>Representation:</p> <p>My client OBJECTS to the blanket restriction on flatted development provided by this policy. The supporting text suggests that the justification for this approach comes from public opinion that such accommodation causes social and economic problems. This does not represent an appropriate or effective justification for the restriction of this important element of the housing supply chain. Furthermore, the SHMA Update 2009 (Tables 6.4 - 6.9) reveals clear evidence of a demand for 1 and 2 bed properties across all tenures across the entire District in the region of 45-50% (see Figure 6.1 for the requirements in the Clacton area). This size of property is typically provided in flatted developments. The Council’s own evidence demonstrates that this policy directly conflicts with the needs and demands identified for the District and the Clacton Area. The absence of satisfactory justification and the failure to fully address the identified housing needs of the area calls into question the effectiveness of this policy as well as its consistency with national policy. It is therefore considered unsound.</p> <p>Suggested remedy:</p> <p>This policy and its supporting text should be either deleted or be significantly amended to identify that such town centre sites, such as the Station Gateway are suitable for this form of development.</p>

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

--

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

Please note that any comments submitted cannot be treated as private and confidential and may be made available for public inspection. Respondents' details will be held on a database in accordance with the terms of Tendring District Council's registration with the UK Information Commissioner pursuant to the Data Protection Act 1998.

Please sign and date this form: Signed: 	Date: 07.01.13
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All representations must be received by the Council no later than 16:00 on Monday 7th January 2013. Any submissions received after this deadline cannot be considered.

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.



**Tendring District Local Plan:
Proposed Submission Draft (2012)
REPRESENTATION FORM**

This is the representation form to use for giving us your comments on the Proposed Submission Draft of the new Tendring District Local Plan. The document itself is available to view on the Council's website (www.tendringdc.gov.uk) and hard copies are available at the District Council offices at Weeley, the Town Hall at Clacton and at all the libraries in the district.

Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:
Blgrave Properties Limited
.....

If an organisation, please provide a contact name:

E-mail: **Tel No:**

Address (put the organisation address if relevant):

..... **Post Code:**

If you are an agent acting on behalf of someone please provide your details here

Name of agent: Pegasus Group
.....

If an organisation, please provide a contact name: Jon Jennings
.....

E-mail: [REDACTED] **Tel No:** [REDACTED]

Address (put the organisation address if relevant): [REDACTED]

[REDACTED] **Post Code:** [REDACTED]

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support

Object

(Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following ‘tests of soundness’. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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 proportionate evidence;
- **“Effective”** – the plan should be deliverable over its plan 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 National Planning Policy Framework

In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
Policy PE010: Council Housing	<p>Representation:</p> <p>My client OBJECTS to the current wording of this policy as there is no clarification of the level of discount that the Council will seek on the value of the housing to be provided. This makes it impossible for a developer to identify the value of a site and prepare a viable development. As the NPPF requires the viability of policy-making to be taken into account the policy in its current form is inconsistent with national policy and is therefore unsound.</p> <p>Suggested remedy:</p> <p>The policy needs to be amended to identify the discount levels that the Council intends to apply to the value of the housing that is required.</p>

--	--

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes No (Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

Please see above representations and also to allow an Inspector to fully examine the issues and concerns raised.

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

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Please sign and date this form: Signed:

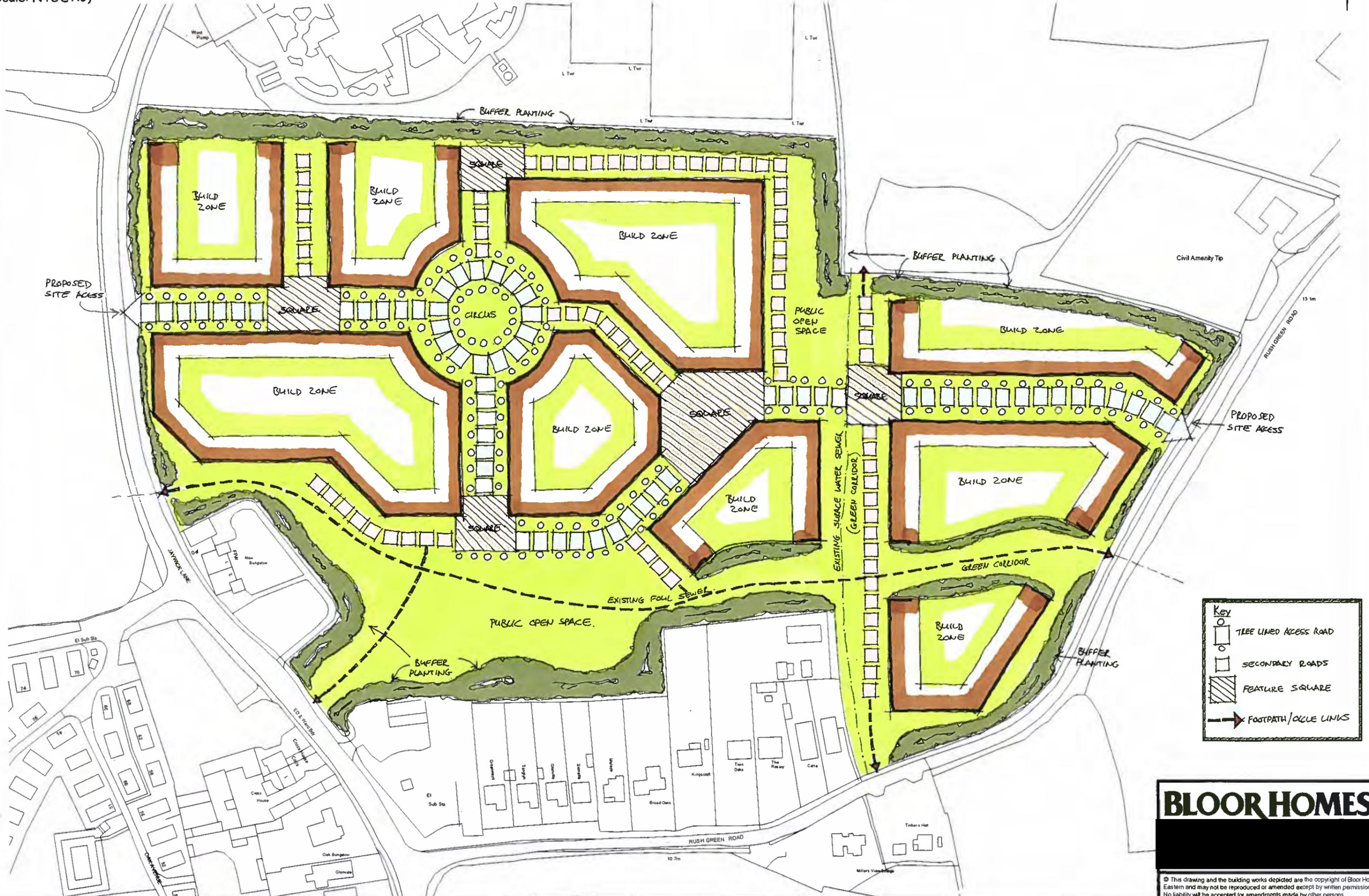
Date: 07.01.13

All representations must be received by the Council no later than 16:00 on Monday 7th January 2013. Any submissions received after this deadline cannot be considered.

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.

Rush Green Road, Clacton-on-Sea Concept Master Plan

(Scale: NTS@A3)



KEY	
	TREE LINED ACCESS ROAD
	SECONDARY ROADS
	FEATURE SQUARE
	FOOTPATH / CYCLE LINKS



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Ref: NLP002158

Date Added: 12/21/2012 9:27:29 AM

Chapter: 6. Clacton-on-Sea Section: Development South of Clacton Coastal Academy, Jaywick Lane/Rush Green Road

Handled by Agent: N

Consultee: Mr Trevor Faulkner

Consultee Job Title: Strategic Land And Planning Director

Consultee Organisation: Bloor Homes Eastern

Consultee Address: [REDACTED]

Consultee Email: [REDACTED]

Consultee Phone: [REDACTED]

Agent:

Agent Job Title:

Agent Organisation:

Agent Address:

Agent Email:

Agent Phone:

Support or Objection: Support

Justification:

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 12/28/2012 11:45:48 PM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002209

Date Added: 1/2/2013 4:00:52 PM

Chapter: 6. Clacton-on-Sea Section: Development South of Clacton Coastal Academy, Jaywick Lane/Rush Green Road

Handled by Agent: N

Consultee: Mr Trevor Faulkner

Consultee Job Title: Strategic Land And Planning Director

Consultee Organisation: Bloor Homes Eastern

Consultee Address: [REDACTED]

Consultee Email: [REDACTED]

Consultee Phone: [REDACTED]

Agent:

Agent Job Title:

Agent Organisation:

Agent Address:

Agent Email:

Agent Phone:

Support or Objection: Support

Justification: As a developer working in conjunction with the landowner, we support the allocation of this site for residential development as it is a logical, sustainable and deliverable extension to the south-western built edge of the District's largest settlement. It will go some way to help contribute towards the Council's future housing land supply requirements set out in the emerging Local Plan. We note the various specific requirements set out in proposed Policy COS13 and would raise concerns to the introduction of infrastructure requirements that are dependent on the delivery of new facilities on other proposed site allocations outside the control of the landowner/developer of the Jaywick Lane/Rush Green Road site or quite prescriptive and restrictive requirements for providing an appropriate level of facilities elsewhere within 1600 metres (under 1 mile) of the site. The National Planning Policy Framework (NPPF) provides guidance on 'ensuring viability and deliverability' at paragraph 173. It states: "Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened..." We consider the proposed requirements to be too restrictive and could stifle the ability to bring the site forward for development, and as such would be contrary to NPPF guidance. We would refer to the Community Infrastructure Levy (CIL) regulations which allow for more generic contributions towards infrastructure and facilities, and we believe education and medical needs are better met through development contributions through this mechanism. This is less likely to create policy burdens which could potentially be a barrier to the delivery of the site. To add substance to the above, we would point out that there would appear to be only one existing primary school (Frobisher Drive, Jaywick) and medical centre (Nayland Drive Surgery) that lie within 1600 metres of the development site and the ability of these facilities to be enlarged to take additional pupil/patient capacity is unknown. It may be the case that the Coastal Academy site has some potential to be expanded to include a primary school facility, especially as it already hosts pre-school provision and given the doubts over this site's future given its collapse as a secondary school last year. There appears to be plenty of space on the northern end of this site that could be given over for this purpose. However, this is clearly a subjective view and again should not over-ride our view that CIL contributions are the correct mechanism to obtain the appropriate infrastructure requirements from the development, so as not to prejudice the early delivery of the site. In addition, with parental/patient choice and the likely wish for at least some children/residents to attend alternative primary schools/medical centres within the Clacton area - be it in the state or independent/private sector - it would seem to be unreasonable to look to tie the site's educational and medical requirements to a prescribed distance criteria.

Want to Speak at Public Examination: N
Justification:

Approved: Y

Approved Date: 1/3/2013 10:03:21 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002210

Date Added: 1/2/2013 4:15:47 PM

Chapter: Appendix 3: Estimated Dwelling Numbers for Allocated Sites **Section:**

Handled by Agent: N

Consultee: Mr Trevor Faulkner

Consultee Job Title: Strategic Land And Planning Director

Consultee Organisation: Bloor Homes Eastern

Consultee Address: [REDACTED]

Consultee Email: [REDACTED]

Consultee Phone: [REDACTED]

Agent:

Agent Job Title:

Agent Organisation:

Agent Address:

Agent Email:

Agent Phone:

Support or Objection: Support

Justification: We note that the Site Capacity Schedule indicates that the site is suitable for an estimated 100 dwellings. Whilst we note that this figure is not to be treated as a 'minimum', we would put on record our view that the site could and should accommodate significantly more dwellings. The site equates to circa 10 hectares and even taking on-board requirements for open space provision and design standards is capable of delivering a scheme that makes better use of the site; including providing a commensurately higher number of affordable dwellings. We attach a Concept Masterplan to illustrate how the site could be laid out to make best use of the site in a sustainable, inclusive and permeable manner. We would look to balance the built zones with high quality green corridors which provide clearly defined north-south and east-west informal open spaces and permeable linkages across the site for pedestrians and cyclists. Careful consideration would be made to surrounding land uses and any site constraints (i.e. existing foul sewer).

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/3/2013 10:03:52 AM

Attachment: Y

Added by Council: N

Reply: N

Notes:

Development Plan Manager
Planning and Regeneration Services
Council Offices
Thorpe Road
Weeley
Essex
Co16 9AJ.



January 8th 2013

Dear Sir/Madam,

I am writing to tell you how very disappointed I am to see that the council have not included my application for building in the proposed local plan. I therefore object to this decision and ask that my application be reconsidered.

I have recently seen the proposed local plan for the future development of building in relation to Rouse Farm and of the surrounding area, which includes plans to build a new medical centre and primary school.

Chester Holiday Park is in a prime location and with the necessary planning permission has the potential to provide a small development of new housing. Such a development would support the demand for much needed homes in the area.

I believe the development of Chester Holiday Park would be an asset and could be included to compliment the plans at Rouses Farm.

Chester Holiday Park already has an in out access leading onto Jaywick Lane which could be very beneficial to the proposed local plan.

I look forward to your response.

Yours faithfully,

Mr Bartlett.

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Chester Chalets
(Caravan Camp)

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B.M. 5813

Charles B...

LOCAL REGISTRAR
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Mary Foster

From: Jenny Moor [REDACTED]
Sent: 07 January 2013 13:06
To: Planning.policy
Subject: Representation for Tendring District Draft Local Plan
Attachments: 130107 Representation Form (Colchester Institute Corporation).pdf; 130104 Colchester Institute Corporation Representation.pdf

Dear Sir/Madam,

Please find attached representations made on behalf of Colchester Institute Corporation to the Tendring District Council draft new local plan.

I would be grateful if you could confirm receipt of the representation and please contact me should you require any further information.

Kind regards,

**Jenny Moor BA
(Hons) MSc
Graduate Planner**

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

 cid:in	 cid:image004.jpg@01CDEC Boyer Planning East
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Correspondence Address: , , ,
The Romans Group (UK) Limited - Registered Address: Crowthorne House, Nine Mile Ride, Wokingham, Berkshire, RG40 3GZ. Registered in England 2161874. | To see full disclaimer that applies to this email please [click here](#).

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Tendring District Local Plan: Proposed Submission Draft (2012)

REPRESENTATION FORM

This is the representation form to use for giving us your comments on the Proposed Submission Draft of the new Tendring District Local Plan. The document itself is available to view on the Council's website (www.tendringdc.gov.uk) and hard copies are available at the District Council offices at Weeley, the Town Hall at Clacton and at all the libraries in the district.

Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:
.....

If an organisation, please provide a contact name: Colchester Institute Corporation c/o Agent

E-mail: Tel No:.....

Address (put the organisation address if relevant):.....

.....Post Code:.....

If you are an agent acting on behalf of someone please provide your details here

Name of agent: Boyer Planning Ltd.....

If an organisation, please provide a contact name: Ray Ricks.....

E-mail: [REDACTED] Tel No: [REDACTED]

Address (put the organisation address if relevant): [REDACTED]

[REDACTED]Post Code: [REDACTED]

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support Object (Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following 'tests of soundness'. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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 proportionate evidence;
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- **“Consistent with national policy”** – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework

In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
Policy COS 17	Please see representation made in the attached document.

Please turn over 

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

The site is surplus to education requirements and it is of significant importance that a balanced form of development comes forward to assist the local football club together with ensuring realistic funding of future educational facilities.

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

Please note that any comments submitted cannot be treated as private and confidential and may be made available for public inspection. Respondents' details will be held on a database in accordance with the terms of Tendring District Council's registration with the UK Information Commissioner pursuant to the Data Protection Act 1998.

Please sign and date this form: Signed:  pp. Boyer Planning **Date:** 07/01/2013

**All representations must be received by the Council no later than 16:00 on Monday 7th January 2013.
Any submissions received after this deadline cannot be considered.**

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.

TENDRING DISTRICT LOCAL PLAN PROPOSED SUBMISSION DRAFT

Representation from Boyer Planning on behalf of Colchester Institute Corporation

1. INTRODUCTION

- 1.1 We act on behalf of Colchester Institute Corporation who are the owners of land at Gainsford Avenue, Clacton-on-Sea (Site plan attached). The site measures a total of 5.4 hectares and its current status is that of land surplus to educational requirements.
- 1.2 The land has not been used by the College for the provision of sport and recreation for a period of at least ten years. The land remained vacant until 2009 when Holland FC were granted an annual licence to use part of the land as a playing pitch. That remains a continuing arrangement under a Tenancy at Will agreement.
- 1.3 The College is the leading provider of vocational education and training in the area. It currently provides educational facilities within campuses across North Essex with three training locations in Clacton and one in Harwich. Further investment in the District is evidenced by the new Energy Skills Centre in Harwich development, which is expected to come on stream at the end of January 2013. They are committed to maintaining and improving the opportunities for educational attainment within the community and as such are a key contributor to improving skill levels within the areas they serve to the benefit of the local economy.
- 1.4 As well as providing opportunities for education they are also a major local employer currently employing in excess of 1000 people, including teaching staff, administration and management.
- 1.5 The College has a capital programme of investment in existing campuses and part of the funding for the programme is achieved by the disposal of surplus land and buildings. They however remain aware of their responsibilities within the wider community but the principal focus must remain on providing the best possible educational opportunities for its students.
- 1.6 The future of the Gainsford Avenue site must be viewed in that context.

2. PROPOSALS FOR THE SITE

- 2.1 The College has been working with Holland FC to identify appropriate playing pitch provision on part of the site with the remainder being proposed for housing development.

- 2.2 The Indicative Masterplan attached to this representation has been prepared in conjunction with the football club and provides for a main adult football pitch, two junior pitches and an all-weather pitch, which will be available for multi-sport use.
- 2.3 The plan shows 2.4 hectares for playing pitch space and 3 hectares for housing.
- 2.4 The housing area will be accessed from the existing access from Gainsford Avenue with the potential for pedestrian links to the surrounding residential areas. Access to the playing pitch site will continue from the existing access from Dulwich Road.
- 2.5 The College has indicated that they would consider transferring the playing pitch land to Holland FC at nil cost on the following basis:
- a) That Holland FC provide the laying out of the pitches, the all-weather pitch and any replacement club house that might be desired;
 - b) The land may be retained solely for football club use but the all-weather pitch shall be made available for general community use;
 - c) The quality of the playing pitches shall be maintained at a level required by the Essex and Suffolk Border League;
 - d) That Holland FC shall provide and maintain protective fencing where necessary on the boundary of both existing and proposed housing.
- 2.6 The site area shown for housing will achieve about 90 dwellings at a density of 30 dwellings per hectare. Provision will be made for affordable housing which will seek to deliver in accordance with Policy PE010 as set out in the Draft Local Plan, though that will be subject to any viability testing that might be required at the time of submission of the planning application.

3. REPRESENTATIONS ON POLICY COS17

- 3.1 We consider the Policy as currently worded to be unsound on the basis that it is neither justified nor effective in delivering an appropriate form of development for the site.
- 3.2 It is unclear as to the evidence base that has informed the Policy since no new playing pitch assessment has been undertaken by the District Council to assess the level of playing pitch provision that might be required.
- 3.3 In any event, the proposals set out by the College and Holland FC will provide an increase in the provision of playing pitch space within the Clacton area through the one adult pitch and two junior pitches that are proposed, together with the all-weather pitch which will be available for multi-use sports purposes.

- 3.4 In addition, the Policy has had no regard to the status of the site as comprising surplus educational land and the receipts from the future development of the site will be directed entirely to provision of educational facilities.
- 3.5 The policy requirements as currently set out would not provide for a viable scheme of development and as such are unsound.
- 3.6 Equally the requirement that land be transferred to the District Council with a financial contribution for management and maintenance is equally unsound. Holland FC are currently in discussions with the District Council concerning the future management and maintenance of the Eastcliff playing fields adjacent and owned by the District Council. We understand that Holland FC are to submit a bid to manage and maintain the Eastcliff site whilst retaining full public access. The proposals by the College and Holland FC provide for effective future management of the land to be dedicated as playing pitch and the Policy should therefore be amended to reflect those proposals.
- 3.7 It is also unclear as to why development of the Gainsford Avenue site should make a contribution to new sports pavilion and changing facilities. Such facilities would not be related to housing provision on Gainsford Avenue. The housing development on that part of the site comprises currently unused land. The proposal does not result in a reduction of playing pitch space. Indeed the joint proposals with Holland FC provide for new playing pitch space that is currently not available.
- 3.8 In respect of criteria (c) and (d) these are matters that are agreed and can be achieved at the planning application stage.
- 3.9 Having regard to our objections above we would propose that the Policy be amended to read as follows:

Policy COS17: Development at Gainsford Avenue.

Land off Gainsford Avenue, south of Deanhill Road, Clacton-on-Sea (as defined on the Policies Map Inset) is allocated for residential development and new playing pitches.

Colchester Institute Corporation as land owners will prepare a planning application in conjunction with Holland FC to ensure delivery of the additional playing pitch space. Development will provide for the following requirements:

- (a) Provision of 2.4 hectares of playing pitch space which will be made available to Holland FC to provide and maintain as playing pitches;**
- (b) The principal point of vehicle access will be from Gainsford Avenue;**

(c) Development shall deliver safe, secure and direct route through the development to existing public open space and adjoining residential areas.

Boyer Planning

January 2013



- Key:**
- Proposed Housing
 - Public Open Space
 - Pedestrian/Cycle Access
 - Existing Green Link
 - Proposed Landscaping
 - Proposed Holland FC playing pitches

Client
Colchester Institute

Project Title
Gainsford Avenue, Clacton

Drawing Title
Indicative Masterplan

Date	Drawn	Checked	Authorised
02 NOV 2012	CP	RR	RR
Number	Rev.	Scale	
08.658/161		1:2500 @ A3	

ENVIRONMENTAL PLANNERS & DEVELOPMENT CONSULTANTS



wales & west | east | london | south east | central & south

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**Tendring District Local Plan:
Proposed Submission Draft (2012)**

REPRESENTATION FORM

This is the representation form to use for giving us your comments on the Proposed Submission Draft of the new Tendring District Local Plan. The document itself is available to view on the Council's website (www.tendringdc.gov.uk) and hard copies are available at the District Council offices at Weeley, the Town Hall at Clacton and at all the libraries in the district.

Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

GOLD PHOENIX LIMITED

If an organisation, please provide a contact name:

MR. KEITH VERTIGEN

E-mail:

Tel No:

Address (put the organisation address if relevant):

Post Code:

If you are an agent acting on behalf of someone please provide your details here

Name of agent:

JOHN ROBERTS

If an organisation, please provide a contact name:

E-mail:

Tel No:

Address (put the organisation address if relevant):

Post Code:

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support Object (Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following 'tests of soundness'. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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 proportionate evidence;
- **“Effective”** – the plan should be deliverable over its plan 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 National Planning Policy Framework

In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
HOUSING SUPPLY SECTION 6.46 - WEST CLACTON	'POSITIVELY PREPARED' - STRATEGY HAS NOT INCLUDED SUFFICIENT HOUSING PROVISION FOR WEST CLACTON. 'JUSTIFIED' - STRATEGY HAS NOT FULLY CONSIDERED ALTERNATIVE SMALL SCALE DEVELOPMENTS IN WEST CLACTON. 'EFFECTIVE' - PLAN IS NOT FULLY DELIVERABLE AS INSUFFICIENT PROVISION HAS BEEN MADE FOR 'BROWNFIELD' DEVELOPMENT IN WEST CLACTON 'CONSISTENT WITH NATIONAL POLICY' - PLAN IS NOT CONSISTENT WITH NATIONAL POLICY AS IT IS NOT ENCOURAGING THE USE OF 'BROWNFIELD' SMALL SCALE SITES IN WEST CLACTON. THE 'GREEN GAP' POLICY IS BEING IMPOSED ON EXISTING RESIDENTIAL PROPERTY AND PREVENTS REASONABLE SUSTAINABLE DEVELOPMENT BEING UNDERTAKEN. * PLEASE SEE ATTACHED STATEMENT REGARDING WEST COUNTRY HOUSE *

REPRESENTATION REGARDING THE PROPOSED TENDRING DISTRICT LOCAL PLAN (2012)

HOUSING SUPPLY – SECTION 6.46

Insufficient allowance has been made for housing along the western edge of Clacton on Sea and it is considered that a site at West Country House, Cherry Tree Avenue, Clacton on Sea, Essex. CO15 1AR should have been included within the 2012 District Plan for potential housing.

The reasons are as follows:-

Spatial Strategy – A housing development would fulfil the criteria of spatial strategy for the following reasons:

- 1) It would make efficient reuse of 'Brownfield' land within the existing area, as there is already a large two storey house and substantial outbuildings on the site with a footprint area totalling nearly 9,000 square feet – it also helps meet the recycling target of 80% of developments being proposed on previously developed land.
- 2) Site location is easily accessible by a choice of means of transport, including walking, and would reduce the need to travel by car.
- 3) It would stimulate social and economic regeneration in Clacton.
- 4) It would create a high quality environment that would be safe and attractive for residents and visitors.
- 5) It would meet the needs of the community and environmental and infrastructure needs generated by new development.

Housing Provision – A housing development would fulfil the criteria of housing provision for the following reasons:

- 1) It would assist the District in meeting its Replacement Structure Plan Provision to ensure that a five year supply is always available.
- 2) If the development consisted of single storey homes they would meet the needs of elderly persons and people with disabilities.
- 3) It would provide new housing in Clacton where access to jobs, choice of means of transport, shops and other facilities can be maximised.
- 4) Over two thirds of the demand is for 2 and 3 Bedroom properties and these could be provided.
- 5) It would address the Housing Technical Paper Update 2005, the Urban Capacity Study which identified considerably greater potential capacity on 'small sites' (those with a net capacity of 11 dwellings or less)

Local Green Gaps

With regard to the Local Green Gap between West Clacton and Jaywick it is important to remember that the site is located on previously developed land that is not a Greenfield site, but has a two storey house, substantial outbuildings and cultivated gardens – there are also three bungalows adjacent to West Country House on the West side of Cherry Tree Avenue.

The site is surrounded by tall trees and dense hedges and any development within it would not be visible from adjacent fields or roads – indeed a single storey development would be less intrusive than the existing two storey house, the first floor of which can be seen over the trees and hedges.

Visually a low key single storey housing development would not harm, individually or collectively, the purposes of the Local Green Gap or to its open character – the clear separation between West Clacton and Jaywick would be maintained and their separate identities and character retained.

The views into the open countryside would be unaltered by a housing development and the amenity of the area for various formal and informal leisure and other recreational uses, including Clacton Airstrip and Clacton Golf Club are unaffected and unchanged by the proposals.

West Country House is unique in its location within the Local Green Gap and therefore any development would not set a precedent for other residential or commercial development to take place on any of the surrounding fields within the Green Gap.

Coastal Protection Belt

With regard to the Coastal Protection Belt it is again important to remember that any development would be located on previously developed land that is not a Greenfield site.

Any development at West Country House would have no impact whatsoever on the Tendring coastline - in reality the site is not in a coastal location but is located well inland and would not cause any visual intrusion on the foreshore, skyline or vistas along the stretch of undeveloped coast.

The East side of Cherry Tree Avenue is a long established, fully developed, residential area known as 'The Royals' that stretches right down to West Road and beyond this is the Martello Bay housing estate – both of which have far more visual impact on the coastline than any small scale, single storey development could have at West Country House.

Containing Urban Growth – Any development would meet the criteria of containing Urban Growth for the following reasons:

- 1) It would be sustainable.
- 2) Well served by existing infrastructure, services and facilities.
- 3) Would maximise opportunities for walking, cycling and use of public transport instead of cars.

- 4) Reuses previously developed land.
- 5) Would have no impact on the open countryside, Coastal Protection Area and Local Green Gap.
- 6) Would encourage inward investment.
- 7) Improves image, vitality and viability of Clacton.
- 8) Could provide 2 and 3 Bedroom houses to meet local demands and needs.

Development in the Countryside

The site is not a Greenfield site in the countryside but is immediately adjacent to the developed urban area of Clacton and any development would have no detrimental effect – either physically or visually – on the adjacent countryside or coastline.

Transport and Accessibility – Any development would fulfil the criteria of transport and accessibility for the following reasons:

- 1) It is accessible by a variety of different transport modes to reduce the dependence on the private car.
- 2) A good design would promote social inclusion and minimise the opportunities for crime and anti-social behaviour.
- 3) Accessibility and a good design would reduce both the incidence and fear of crime and anti-social behaviour and prevent social exclusion.

Design of New Development

Practical Requirements – The proposed development would fulfil the practical requirements for the following reasons:

- i) Access to the site is practicable and the highway network would be able to safely accommodate the additional traffic the proposal would generate.
- ii) The design and layout of any development would maintain and provide safe and convenient access for people with mobility impairments.
- iii) It would incorporate and provide measures to minimise opportunities for crime and anti-social behaviour.
- iv) It would be designed and orientated to ensure adequate daylight, outlook and privacy for future and existing residents.

v) It would provide private amenity space, waste storage, separation and recycling facilities, servicing, vehicle and cycle parking.

Impacts and Compatibility – Any proposed development would fulfil the impacts and compatibility for the following reasons:

i) It would not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

ii) It, including any additional road traffic arising, would not have a materially damaging impact on air, land, water, amenity, health or safety through noise, smell, dust, light, heat, vibration, fumes or other forms of pollution or nuisance.

iii) The health, safety, and amenity of any occupants or users of any development would not be materially harmed by any pollution from an existing or committed use.

National Planning Policy

Delivering sustainable development – Criteria would be met by the reuse of previously developed land and allowance for the replacement or rebuilding of existing residential properties.

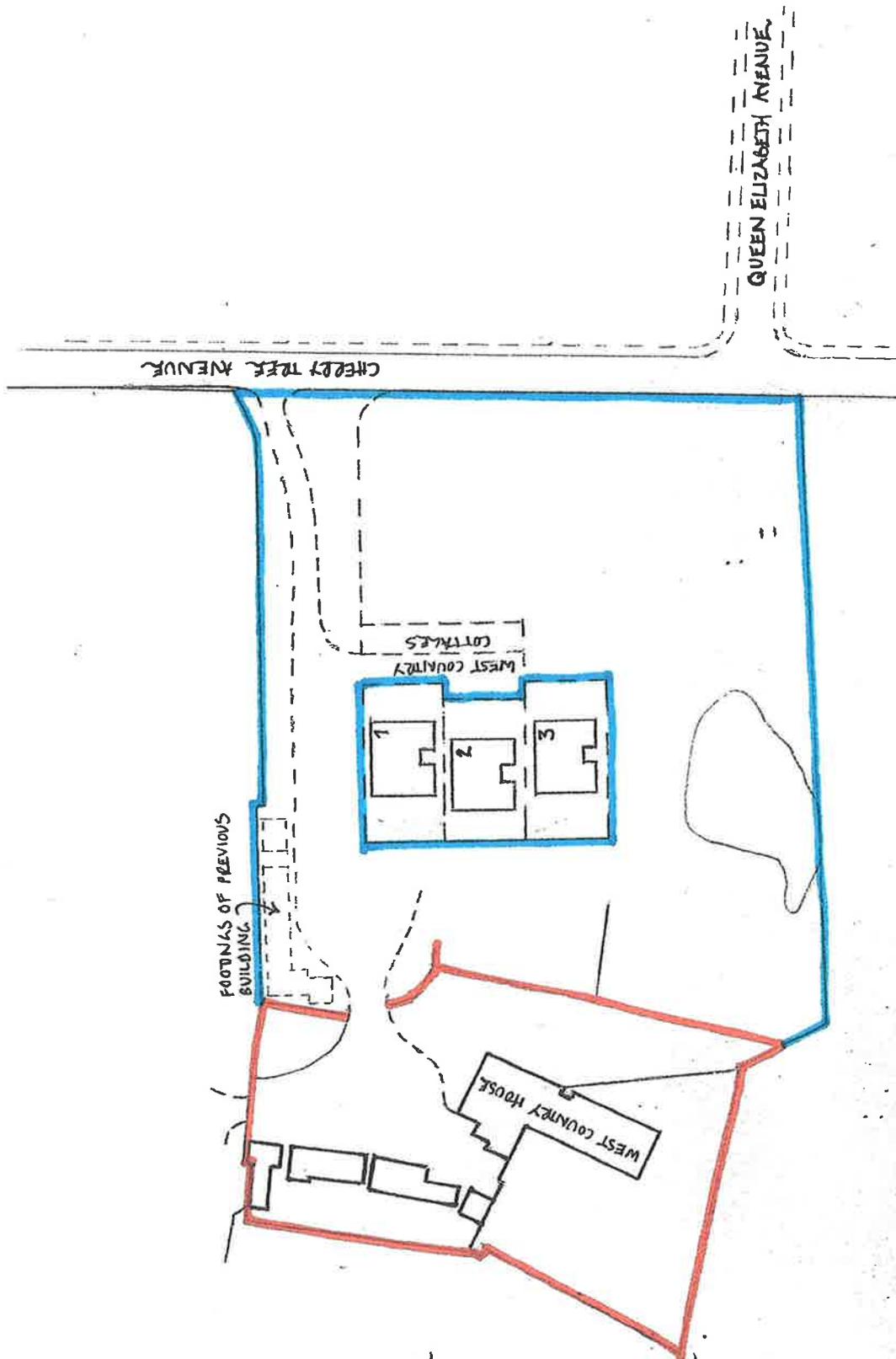
Housing – Criteria would be met by sustainable location, efficient use of land and use of previously developed land within settlements.

Sustainable development in Rural Areas – This site is adjacent to Clacton and is not located in a rural area, however it is a sustainable development.

CONCLUSION

As is clearly evident from the information provided, any development at West Country House would not be in conflict with any of the proposed policies of Tendring District Council.

The site is ideally located for a development and as can be seen from the points raised the site fulfils the criteria for being considered for small scale housing development and therefore it is requested that the site is included in the Housing Supply 6.46 section of the Tendring District Local Plan (2012)



— DEVELOPMENT SITE

— AREA OWNED BY APPLICANT

N.B.:- 1 TO 3 WEST COUNTRY COTTAGES ARE NOT OWNED BY THE APPLICANT.

WEST COUNTRY HOUSE
 CHELSEY TREE AVENUE,
 CHACTON - ON - SEA, ESSEX. CO15.1AR

LOCATION PLAN. 1.1250
 NCH / 11 / 01

*

SEE ATTACHED STATEMENT
FOR DETAILS OF WEST COUNTRY
HOUSE .

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

--

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

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Please sign and date this form: Sign 	Date: 21ST DECEMBER 2012
--	--------------------------

All representations must be received by the Council no later than 16:00 on Monday 7th January 2013. Any submissions received after this deadline cannot be considered.

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.

Mary Foster

From: Viktoria Oakley [REDACTED]
Sent: 07 January 2013 15:22
To: Planning.policy
Subject: Tendring Draft Local Plan Representation submission - Land to the north of Clacton
Attachments: Land at Little Clacton Greenwich Hospital.pdf; Greenwich Hospital - Land at Little Clacton.pdf; ATT00001.txt

Dear Sirs,

Tendring Draft Local Plan Representation submission – Land to the north of Clacton

Please find attached the submission documentation for the above named representation in relation to the Greenwich Hospital's landholdings north of Clacton.

I look forward to confirmation that you have received these representations.

Please do not hesitate to contact me with any questions.

Kind regards,

Viktoria

Viktoria Oakley

MSc MRTPI
Planner
Strutt & Parker LLP

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]



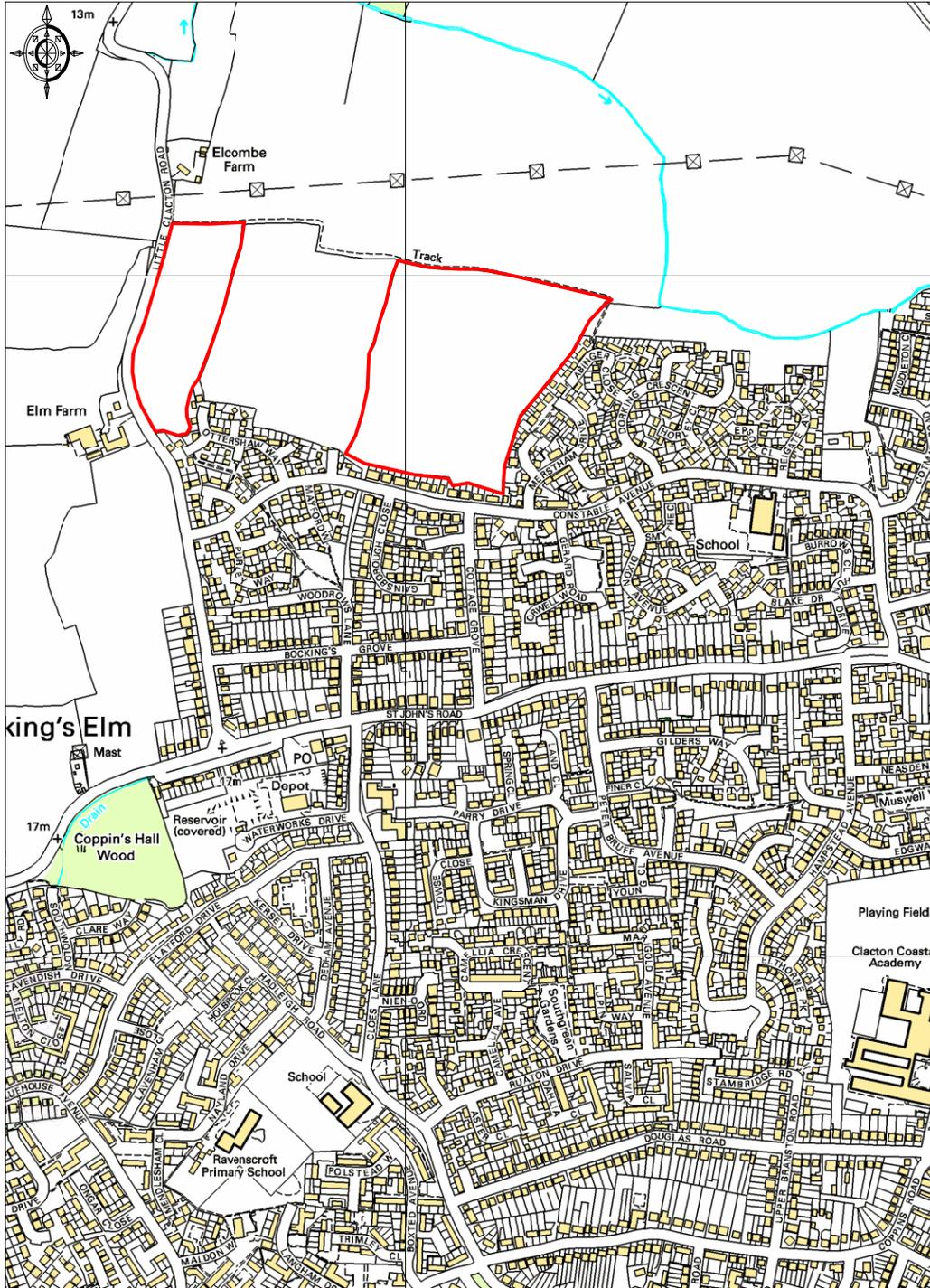
This Email is confidential and may contain legally privileged information. If you are not the intended recipient it may be unlawful for you to read, copy, distribute, disclose or otherwise make use of the information herein. If you have received this Email in error please contact us immediately. Strutt and Parker will accept no liability for the mis-transmission, interference, or interception of any Email and you are reminded that Email is not a secure method of communication.

Strutt & Parker LLP is a limited liability partnership and is registered in England and Wales with registered number OC334522. A List of members' names is open to inspection at our registered office.

For further details of Strutt & Parker LLP please visit our web site [REDACTED]

04/02/2013

Land at Little Clacton



Ordnance Survey © Crown Copyright 2013 All rights reserved
Licence number 100020449 Plotted Scale - 1:10000





**Tendring District Local Plan:
Proposed Submission Draft (2012)**

REPRESENTATION FORM

This is the representation form to use for giving us your comments on the Proposed Submission Draft of the new Tendring District Local Plan. The document itself is available to view on the Council's website (www.tendringdc.gov.uk) and hard copies are available at the District Council offices at Weeley, the Town Hall at Clacton and at all the libraries in the district.

Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

.....Greenwich Hospital.....

If an organisation, please provide a contact name:Please see agent details.....

E-mail: Tel No.....

Address

..... Post Code:

If you are an agent acting on behalf of someone please provide your details here

.....Strutt and Parker LLP.....

If an organisation, please provide a contact name:Viktoria Oakley.....

E-mail: [REDACTED] Tel No [REDACTED]

Address [REDACTED] . [REDACTED]
[REDACTED]

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support

Object



(Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following ‘tests of soundness’. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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;
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In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
Policies SD2, SD5, COS12, COS13 and COS14.	<p>Strutt and Parker LLP have been instructed on behalf of Greenwich Hospital to submit representations to the Tendring District Local Plan (2012) consultation specifically relating to their land interests at land to the north of Clacton. The land in question is outlined in red on the plan accompanying this representation.</p> <p>Having reviewed the document Strutt and Parker are objecting to three key aspects of the Plan; specifically in relation to policies SD2, SD5, COS12, COS13 and COS14. These objections can be summarised as follows:</p> <ul style="list-style-type: none"> a) SD2 – Concern regarding the deliverability, sustainability and viability of small sites sparsely located across the Clacton-on-Sea urban settlement. b) SD5 – The settlement boundary for Clacton-on-Sea should be altered to include the land as outlined on the accompanying plan. c) COS12, COS13 and COS14 – Objection to the allocation of sites in these locations on suitability and viability grounds.

Background

The site to which this representation relates is located to the west of Clacton-on-Sea, adjoining its development boundary to the south.

Strutt and Parker LLP submitted representations to Tendring District Council's 2007 Local Plan process and the Call for Sites (2009) highlighting the impacts of development in this location and demonstrating the sites suitability to accommodate housing.

Reasons for objection

The sites are proposed principally for housing, to link in with the adjacent established residential areas. Our client owns 2 areas of land which extend to 13.8 and 2.8 Ha; however there is a key opportunity to link to adjacent land to create a comprehensive redevelopment to the north of Clacton. This development can link from the roundabout at the Brook Retail Park, along the northern edge of Clacton to the site off Little Clacton Road and include land which was allocated in the 2007 Local Plan.

It is recognised in the Core Strategy Issues & Options document that the supply of previously developed 'brownfield' land in sustainable locations is fairly limited and that Greenfield land will be needed to deliver a large part of the growth between now and 2026. The area forming the basis of this representation is in a sustainable location on the northern edge of Clacton which can deliver opportunities for development in a planned and integrated way as the proposals are being developed from a greenfield site which has fewer constraints than a previously developed site.

The proposals are flexible at this stage and our client is willing to work with adjacent landowners on a growth option to the north west of Clacton.

Policy SD2 of the draft Plan (2012) has classified Clacton-on-Sea as an Urban Settlement, which will be the focus for a majority of the District's economic growth. There are a significant number of sites which have been put forward for allocation within the area, seven of which have specific policies that have been drafted to guide development. Policies COS12, COS13 and COS14 are of particular relevance. The content of these policies is very prescriptive and does not allow for any flexibility as development proposals evolve. For example, it is financially unviable to expect a medical centre and the required infrastructure to be provided on site prior to residential development being allowed to commence. By linking all of the sites in this way there is a danger that frontloading the infrastructure will stall housing delivery across all of the sites.

If the land to the north of Clacton was allocated, this would provide for the possibility of a comprehensive approach to development, with the greater prospect of delivery of community benefits which could make provision for the required infrastructure such as the school and the medical centre, minimising the number of landowners/developers involved and de-risking the process in terms of delivery.

We would therefore **recommend** that the sites are allocated for housing and the policy wording used for COS12, COS13 and COS14 is reworded to allow for more flexibility and applied to the land in question.

	<p>As mentioned above in relation to Policy SD2 and the settlement boundary, even if the representations are not accepted to provide a better prospect for delivery, we consider at the very least that the Council should identify reserve housing sites that are suitable and deliverable to provide the necessary flexibility in housing supply and deal with the current shortfalls and those that may occur over the plan period on the basis of a plan monitor and manage approach. Therefore if the Council are minded not to allocate the site within the current Local Plan, it should be put forward as a reserve site to meet any potential shortfall in delivery over the plan period.</p>
--	--

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No



(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

N/A

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

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Please sign and date this form:

██████████


██████████ 1/2013

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Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.

Mary Foster

From: Joanna Jones [REDACTED]
Sent: 07 January 2013 10:03
To: Planning.policy
Subject: REPRESENTATIONS TO TENDRING LOCAL PLAN PROPOSED SUBMISSION DRAFT (EMAIL 1 OF 2)
Attachments: Signed Representation forms part 1.pdf

Dear Sir/Madam,

Please find attached our representations on behalf of Kevin Britton to the Tendring Local Plan Proposed Submission Draft. Due to the size of the files I have split this into two emails.

The representations were sent in hard copy last week and the second email attaches the representations in word format to assist your inputting.

If you require the representations in any other format or wish any clarifications do not hesitate to contact me.

Yours sincerely,

Joanna Jones

Joanna Jones
Associate Director
Martin Robeson Planning Practice

[REDACTED]

[REDACTED]

Martin Robeson Planning Practice is a trading division of Martin Robeson & Partners Ltd (Registration No. 05329525). Visit our website at [REDACTED]

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04/02/2013



**Tendring District Local Plan:
Proposed Submission Draft (2012)**

REPRESENTATION FORM

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Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

KEVIN BRITTON

If an organisation, please provide a contact name:

E-mail: Tel No:

Address (put the organisation address if relevant):

..... Post Code:

If you are an agent acting on behalf of someone please provide your details here

Name of agent: MRPP

If an organisation, please provide a contact name: JOANNA JONES

E-mail: [REDACTED] Tel No: [REDACTED]

Address (put the organisation address if relevant): [REDACTED]

..... Post Code: [REDACTED]

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support Object (Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following ‘tests of soundness’. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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;
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In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
Future Challenges, paragraph 1.11	<p>The significant shortage of housing across the District will be a key challenge during the plan period, particularly in Clacton.</p> <p>As a coastal resort, there are naturally physical constraints to growth within Clacton. This together with a previously tightly defined settlement has reduced the availability of brownfield land for housing development in Clacton.</p> <p>The identification of some greenfield land for development and the prioritisation of committed development sites makes the Local Plan both justified and positively prepared.</p>

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

Given our extensive knowledge of the area and this particular issue, and our client's interests here, we would be able to contribute effectively to any debate on this matter at the Examination, to the assistance of the Inspector.

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Please sign and date this form: Signed

Date: 07/01/2013

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PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

KEVIN BRITTON

If an organisation, please provide a contact name:

E-mail: Tel No:

Address (put the organisation address if relevant):

Post Code:

If you are an agent acting on behalf of someone please provide your details here

Name of agent: MRPP

If an organisation, please provide a contact name: JOANNA JONES

E-mail: [REDACTED] Tel No [REDACTED]

Address (put the organisation address if relevant) [REDACTED]

Post Code [REDACTED]

Please remember to notify us if your contact details change.

Please turn over 

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support Object (Please tick one box)

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What section of the plan are you commenting on?	Comment(s)
North Essex Authorities Retail Study 2006 and Retail Study Update 2010.	<p>The Council’s Retail Studies identify additional retail need on the basis of a constant market share. This is recognised within both Retail Studies (see for example page 54 of the 2006 Stage 1 Report).</p> <p>As a result the Retail Studies only identify sufficient floorspace to maintain existing market shares. To meet the full identified needs of the local community, reduce the leakage of trade to more distant towns, thereby enhancing the viability and vitality of these towns and reducing the need for residents to travel further afield for their services, every effort should be made to increase individual market share to a more sustainable level.</p> <p>The Local Plan fails therefore in its role to “meet objectively assessed needs” (paragraph 14, NPPF) and for the needs of retail to be met in full (paragraph 23, NPPF).</p> <p>To ensure the soundness of the Local Plan we would recommend that the floorspace figures referred to are clarified as minimum requirements. A proposed amendment is promoted in relation in paragraph 6.12 to address this issue.</p>

--	--

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Tel No:

Address (put the organisation address if relevant):

Post Code:

If you are an agent acting on behalf of someone please provide your details here

Name of agent: MRPP

If an organisation, please provide a contact name: JOANNA JONES

E-mail:

Tel No:

Address (put the organisation address if relevant):

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What section of the plan are you commenting on?	Comment(s)
Paragraph 1.12; Vision	<p>The vision for Tendring is well identified. However, to secure a justified Plan, we recommend the following minor amendments to encourage the delivery of landmark developments across Clacton to assist place making.</p> <p>“...As the largest urban area, the town will have seen its fair share of the <u>district's</u> growth in new housing and commercial activity and a number of landmark developments in the town centre. There will be...”</p> <p>(Additional text underlined, deleted text struck through).</p>

--	--

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

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Name of agent: MRPP

If an organisation, please provide a contact name: JOANNA JONES

E-mail: [REDACTED] Tel No: [REDACTED]

Address (put the organisation address if relevant): [REDACTED]

Post Code: [REDACTED]

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support

Object

(Please tick one box)

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What section of the plan are you commenting on?	Comment(s)
Paragraph 1.13	<p>Further clarification of the need for education provision, as appropriate, is necessary as it is not a community facility (see paragraph 70, NPPF). This will enable the Local Plan to be effective and positively prepared.</p> <ul style="list-style-type: none"> • “the provision of health, <u>education</u>, security, community and cultural infrastructure and other local facilities“ <p>(Additional text underlined)</p>

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

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KEVIN BRITTON

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Paragraph 2.38	<p>Mandatory requirements of the latest building requirements must be met at the very least and as appropriate exceeded.</p> <p>We would recommend the following revisions to the wording to secure a justified and effective policy basis:</p> <p>“...and how the mandatory requirements of the latest building regulations have <u>met or as appropriate</u>, been exceeded in order to achieve this”</p> <p>(Additional text underlined)</p>

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What section of the plan are you commenting on?	Comment(s)
Paragraph 3.4	Support is given to the proactive approach to securing economic growth across a variety of sectors.

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Paragraph 3.28	<p>The Local Plan does not truly reflect the approach of the NPPF to retailing. The policy requires the following amendments to ensure its consistency with national policy:</p> <p><u>“The thrust of national planning policy is to promote competitive town centre environments and meet the needs for main town centre uses in full, only allowing edge of centre and out of centre developments where it can be demonstrated that they will satisfy the sequential approach and will not have a significant adverse impact on town centre vitality and viability and in centre investment avoid developments of this nature in the future unless it can be demonstrated that they will bring positive economic growth and not impact negatively on the vitality and viability of nearby centres”</u></p> <p>(Additional text underlined, deleted text struck through)</p>

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Yes

No

(Please tick one box)

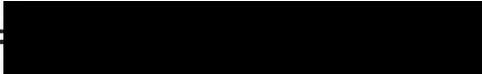
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Paragraph 4.37	Support is given to the proactive approach to exceptional cases for some aspirational homes to be delivered in the countryside if of architectural innovation/exceptional quality.

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Paragraph 4.84	<p>This approach is inconsistent with national policy</p> <p>Community facilities do not include schools (see paragraph 70, NPPF).</p> <p>In addition education facilities are the subject of separate policy provisions at PRO3 which includes for their provision as part of new development.</p> <p>We therefore recommend the following amendment:</p> <p>“... community facilities include:</p> <p>- Schools;</p> <p>- Doctors Surgeries and other Primary Health Care provision (dentists etc);...””</p> <p>(Deleted text struck through)</p>

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No

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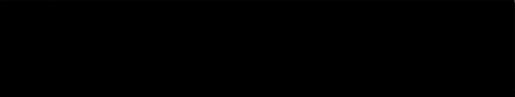
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Paragraph 5.7	<p>This approach is not consistent with national guidance on the sequential test for flood risk. The scope of the sequential test should be limited to the catchment area of the proposal.</p> <p>The following wording will assist in making the Local Plan sound:</p> <p>“For development proposals on sites outside of Settlement Development Boundaries, the sequential test will apply to all land <u>within the scheme’s catchment area</u> in the Tendring District”</p> <p>(Additional text underlined, deleted text struck through)</p>

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Paragraph 6.12	<p>The Council’s Retail Studies identify additional retail need on the basis of a constant market share. This is recognised within both Retail Studies (see for example page 54 of the 2006 Stage 1 Report).</p> <p>As a result the Retail Studies only identify sufficient floorspace to maintain existing market shares. To meet the full identified needs of the local community, reduce the leakage of trade to more distant towns, thereby enhancing the viability and vitality of these towns and reducing the need for residents to travel further afield for their services, every effort should be made to increase individual market share to a more sustainable level.</p> <p>The Local Plan fails therefore in its role to “meet objectively assessed needs” (paragraph 14, NPPF) and for the needs of retail to be met in full (paragraph 23, NPPF).</p> <p>To ensure the soundness of the Local Plan we would recommend that the floorspace figures referred to are clarified as minimum requirements.</p> <p>Our recommended revised wording is as follows:</p> <p>“The forecasts in the retail study suggest that over the plan period, the demand for additional convenience goods floor space in Clacton is unlikely to grow significantly in the short term, <u>based on constant market shares</u>, even taking population growth into account. It suggests a future need for an additional 100m² by 2015, increasing to around 800m² by 2020 and around 1,500m² by 2025. <u>Increasing local market shares would increase the need for local provision</u>. Clacton, as an urban area, is relatively well served by s upermarkets with a number of town centre and out of town stores, this accounting for the limited need for further provision of convenience goods floor space <u>based on constant market shares</u>”</p> <p>(Additional text underlined)</p>

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Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

KEVIN BRITTON

If an organisation, please provide a contact name:

E-mail: Tel No:

Address (put the organisation address if relevant):

..... Post Code:

If you are an agent acting on behalf of someone please provide your details here

Name of agent: MRPP

If an organisation, please provide a contact name: JOANNA JONES

E-mail: [REDACTED] Tel No: [REDACTED]

Address (put the organisation address if relevant) [REDACTED]

..... Post Code: [REDACTED]

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support Object (Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following 'tests of soundness'. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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;
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What section of the plan are you commenting on?	Comment(s)
Paragraph 11.10	Support is given to the vision for rural service centres

--	--

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

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Please sign and date this form: Signed

Date: 07/01/2013

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What section of the plan are you commenting on?	Comment(s)
Paragraph 3.17	Support is given to the role aspirational homes can play in improving the educational and employment prospects of future generations.

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

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What section of the plan are you commenting on?	Comment(s)
Policy PEO1	<p>Support is given to the policy as a whole. However no evidence is provided as to whether the requirement for an additional buffer of a minimum of 5% has been incorporated. If it has, this needs to be clarified, with the break down provided. If this has not, the figures need to be revised to at least 4,200 dwellings.</p> <p>If the total dwellings is increased to 4,200 the Council may identify the additional 187 dwellings within windfall sites, if the Council has compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply.</p> <p>We therefore request that clarification is provided over the additional buffer provided.</p>

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

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What section of the plan are you commenting on?	Comment(s)
Policy PEO2: Housing Trajectory	Minor discrepancy in figures between table in PEO1 (totalling 4,013 dwellings) and PEO2 (4,003 dwellings) should be corrected.

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

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Do you wish to support or object to the Local Plan?

Support

Object

(Please tick one box)

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What section of the plan are you commenting on?	Comment(s)
Policy PEO8: Aspirational Housing	Support is given to this proactive policy.

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes No (Please tick one box)

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What section of the plan are you commenting on?	Comment(s)
Policy PEO10: Council Housing	Support is given to the flexible approach to the delivery of Council Housing which will secure the delivery of such needs more effectively.

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

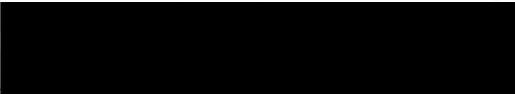
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Policy PEO22: Green Infrastructure in New Residential Development	<p>The levels of public green infrastructure required by a development should take into account the level of private green infrastructure provided by a development. For instance those developments which deliver a significant proportion of aspirational housing with large gardens should not be expected to deliver the same quantum of public green infrastructure as other housing developments.</p> <p>To ensure a justified approach within the policy the following wording should be added:</p> <p><u>“For residential development below 1.5 hectares in size, where existing open space facilities are inadequate to meet the projected needs of the future occupiers of the development, a financial contribution will be made towards the provision of new or improved off-site facilities to meet these needs. For schemes which deliver high levels of private green space e.g. through aspirational housing developments, lower levels of public green infrastructure will be required”</u></p> <p>(Additional text underlined)</p>

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Mary Foster

From: Joanna Jones [REDACTED]
Sent: 07 January 2013 10:11
To: Planning.policy
Subject: REPRESENTATIONS TO TENDRING LOCAL PLAN PROPOSED SUBMISSION DRAFT (EMAIL 2 OF 2)
Attachments: Signed Representation forms part 2.pdf; NT20121221 JJ Reps.doc

Dear Sir/Madam,

Please find attached the second part of our representations to the above document, together with the representations in word format to assist your inputting.

Yours sincerely,

Joanna Jones

Joanna Jones
Martin Robeson Planning Practice

From: Joanna Jones
Sent: 07 January 2013 10:02
To: 'planning.policy@tendringdc.gov.uk'
Subject: REPRESENTATIONS TO TENDRING LOCAL PLAN PROPOSED SUBMISSION DRAFT (EMAIL 1 OF 2)

Dear Sir/Madam,

Please find attached our representations on behalf of Kevin Britton to the Tendring Local Plan Proposed Submission Draft. Due to the size of the files I have split this into two emails.

The representations were sent in hard copy last week and the second email attaches the representations in word format to assist your inputting.

If you require the representations in any other format or wish any clarifications do not hesitate to contact me.

Yours sincerely,

Joanna Jones

Joanna Jones
Associate Director
Martin Robeson Planning Practice

[REDACTED]

[REDACTED]

Martin Robeson Planning Practice is a trading division of Martin Robeson & Partners Ltd (Registration No. 05329525). Visit our website at [REDACTED]

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For more information please visit <http://www.symanteccloud.com>

04/02/2013



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Policy PLA1: Development and Flood Risk	<p>This approach is not consistent with national guidance on the sequential test for flood risk. The scope of the sequential test should be limited to the catchment area of the proposal.</p> <p>The following wording will assist in making the Local Plan sound:</p> <p>“For development proposals on sites outside of Settlement Development Boundaries, the sequential test will apply to all land <u>within the scheme’s catchment area</u> in the Tendring District”</p> <p>(Additional text underlined, deleted text struck through)</p>

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes No (Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

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PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

KEVIN BRITTON

If an organisation, please provide a contact name:

E-mail:

Tel No:

Address (put the organisation address if relevant):

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If you are an agent acting on behalf of someone please provide your details here

Name of agent: MRPP

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Do you wish to support or object to the Local Plan?

Support Object (Please tick one box)

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- **“Positively Prepared”** – the plan should be prepared based 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;
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Policy PRO2 Improving the Telecommunications Network	<p>An absolute requirement for all new properties to be served by super fast broadband is neither justified nor effective. An inability to secure such provision would prevent the delivery of essential new housing and jobs for the District.</p> <p>We recommend the following wording:</p> <p>“On sites specifically allocated for development in this Local Plan, <u>schemes which secure all new properties (residential and non-residential) are must be served by super fast broadband (fibre optic) connection which must be installed on an open access basis and which will need to be directly accessed from the nearest British Telecom exchange and threaded through resistant tubing to enable easy access to the fibre optic cable for future repair, replacement or upgrading, <u>will be considered favourably</u>”</u></p> <p>(Additional wording underlined, deleted text struck through)</p>

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Yes No (Please tick one box)

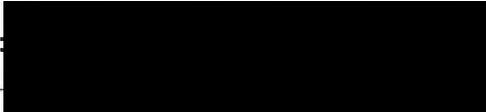
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Policy PRO3	<p>To ensure the delivery of new homes and new jobs which are critical to the District's economic growth, the flexibility applied to education provision, through either on-site provision or offsite contributions to facilities and infrastructure is supported.</p> <p>The delivery of new infrastructure and facilities should not fall disproportionately on the largest developments. All new development should contribute to the delivery of such infrastructure and facilities on a pro-rata basis.</p>

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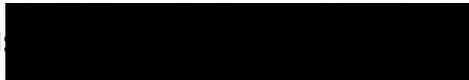
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Please turn over 

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Policy PRO4	Support is given to the policy approach of refusing applications which would have an adverse impact on the revitalisation of the area. Given the importance of securing regeneration in these areas, this approach is critical.

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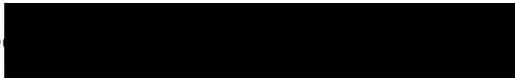
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Policy PRO6	<p>Clarification is needed within the wording of this policy to ensure the policy is sound in terms of being effective, consistent with national policy and justified.</p> <p>- The policy has been worded to consider proposals either against criteria a) to e) or f). We consider that criteria a) to e) should be considered separately. For instance e) should not apply in the context of b) or c). An applicant should not have to demonstrate the appropriateness of a site if it has already been allocated for such use. The site will have been assessed on such matters during the allocation process. Clarification is therefore needed that permission will be granted if any of the criteria are met.</p> <p>- A sequential assessment should be undertaken throughout the catchment area of a scheme rather than the settlement alone. This will ensure a robust assessment and is consistent with national policy. Amendments are therefore recommended.</p> <p>- A candidate site is only sequentially preferable if it is both suitable <u>and</u> available, fulfilling only one of these criteria does not make it sequentially preferable (as per paragraph 24, NPPF). Amendments are therefore recommended.</p> <p>- Flexibility is expected from both applicants and the LPA on format and scale issues. Criteria f) i) does not reflect this. Amendments are therefore recommended.</p> <p>- Impact Statements should assess impact on <u>both</u> investment (existing, committed and planned) in defined centres <u>and</u> their vitality and viability. It would not be sufficient for such Statements to assess either impact on investment or impact on vitality and viability.</p>

The following amendments are therefore recommended:

~~“will only~~ be permitted in the following circumstances

“a) the development has an internal floor area less than 250 square metres; or

b) the site is specifically allocated for that use in this Local Plan; or

c) the site is allocated for mixed-use development in this Local Plan where retail, leisure or offices of the scale proposed are part of the expected mix; or

d) the proposed retail, leisure or office use is ancillary to an established or proposed business that is predominantly within use classes B1, B2 or B8 and would be physically attached to, or incorporated within, the existing business premises; or

e) the applicant can demonstrate that there are practical or operational reasons why the development cannot take place within a defined centre and that the proposed location is the only viable option; or

f) the applicant can demonstrate that, for the catchment settlement in question, there are no suitable and or available sites or premises within any of its defined centres to accommodate the proposed development. In applying criterion f):

i. both the applicant and Council will demonstrate flexibility on issues such as format and scale;

~~i. the Council will firstly expect the applicant to demonstrate that the floor area of the proposed development cannot be reduced in size and therefore able to be accommodated on or in any suitable and available sites or premises within a defined centre;~~

~~ii. if the Council accepts that a reduction in floor area is either not practical or appropriate, or would still not result in there are no suitable and or available sites or premises being identified within a defined centre, the Council will consider development utilising a site or premises in an ‘edge of centre’ location;~~

~~iii. if the applicant is able to demonstrate that neither no suitable and or available sites or premises within a defined centre or edge of centre location can be identified for the retail, leisure or office use proposed (always looking to reduce floor areas where practical to use such sites or premises), the Council will consider an out-of-centre location.~~

Any application for retail, leisure and office development that meets the requirements of criteria d), e) and f) above with an internal floor area of 2,500 square metres or more must be accompanied by an ‘impact statement’ containing information that will enable the Council to assess the potential impact of the development on investment either under way or proposed for defined centres within the catchment of the proposal, and or their vitality and viability. Where an application fails to satisfy i. to iii. above, or is likely to have a significant adverse impact on such investments or vitality or viability, planning permission will be refused”.

(Additional text underlined, deleted text struck through).

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

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Policy PRO7: Tourism	Tourism has an important role to play in Tendring and therefore support is given to this proactive policy.

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Policy SD1: Presumption in favour of sustainable development	<p>To ensure consistency with national policy, (paragraph 187, NPPF), the following changes may assist:</p> <p>It <u>The Council will always work proactively with applicants jointly to find solutions, which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. The Council will seek to approve applications for sustainable development where possible.</u></p> <p>(Additional text underlined, deleted text struck through).</p>

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- **“Justified”** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
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What section of the plan are you commenting on?	Comment(s)
Policy SD2: Urban Settlements	<p>Support is given to directing the majority of growth within Tendring to the urban settlements. This will secure more sustainable growth.</p> <p>To help ensure the Local Plan “meets the full, objectively assessed needs for market and affordable housing” (paragraph 47, NPPF) and provides the additional buffer required by the NPPF at a minimum of 5%, the housing targets identified should be clarified to be minimum targets. Additional buffers are necessary to ensure choice and competition in the market for land.</p> <p>We would recommend the following revised wording:</p> <p>“Between 1st April 2011 and 31st March 2021, each of these settlements will accommodate a <u>minimum 6%</u> increase in housing stock”</p> <p>(Additional text underlined).</p>

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Please turn over 

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

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What section of the plan are you commenting on?	Comment(s)
Policy SD3: Key rural service centres	<p>Support is given to the co-joining of Weeley and Weeley Heath as a Key Rural Service Centre.</p> <p>To help ensure the Local Plan “meets the full, objectively assessed needs for market and affordable housing” (paragraph 47, NPPF) and provides the additional buffer required by the NPPF at a minimum of 5%, the housing targets identified should be clarified to be minimum targets. Additional buffers are necessary to ensure choice and competition in the market for land.</p> <p>We would recommend the following revised wording:</p> <p>“Between 1st April 2011 and 31st March 2021, each of these settlements will accommodate a <u>minimum 6%</u> increase in housing stock. This will be achieved through development on sites with outstanding planning permission for new housing and through the identification of other sites within and where necessary on the periphery of the built-up area which together are sufficient to achieve a <u>minimum 6%</u> growth”.</p> <p>(Additional text underlined)</p>

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Policy SD5: Managing Growth	The proposed policy is consistent with national policy, encouraging development to come forward.

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Policy SD6: Strategic Green Gaps	Support is given to the rationale for Strategic Green Gaps and the designation of the identified land for such a role.

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Please turn over 

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Policy SD7: Securing Facilities and Infrastructure	<p>To ensure the delivery of new homes and new jobs which are critical to the District’s economic growth, the flexibility applied to the delivery of facilities and infrastructure, through either on-site provision or offsite contributions is supported.</p> <p>The delivery of new infrastructure and facilities should not fall disproportionately on the largest developments. All new development should contribute to the delivery of such infrastructure and facilities on a pro-rata basis.</p> <p>Clarification should be given to the CIL Regulations to ensure the Local Plan is justified.</p> <p>The additional wording should be added as a penultimate paragraph to the policy:</p> <p><u>“Planning obligations will only be sought where they meet all of the following tests:</u></p> <ul style="list-style-type: none"> - <u>necessary to make the development acceptable in planning terms;</u> - <u>directly related to the development; and</u> - <u>fairly and reasonably related in scale and kind to the development”</u> <p>(Additional text underlined)</p>

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Policies Map Inset 13: Weeley and Weeley Heath	<p>The Local Plan is not sound as the Settlement Boundary for Weeley and Weeley Heath is neither justified nor effective.</p> <p>The proposed settlement boundary around Weeley and Weeley Heath should be extended southeast along the B141 Clacton Road, Botany Road and Victoria Road to ensure consistency with policy approach of the draft Local Plan.</p> <p>The draft Local Plan clarifies that “Settlement Development Boundaries have been drawn flexibly to accommodate a range of sites” (paragraph 2.21) and that “for Urban Settlements and Key Rural Service Centres, the Settlement Development Boundaries are defined beyond the extent of existing built development in specific locations to allow planned settlement expansion where necessary to deliver the required levels of growth” (Policy SD5).</p> <p>In Weeley/Weeley Heath the Settlement Boundary fails to reflect the extent of the existing built development, let alone beyond the built up area.</p> <p>The draft Local Plan identifies 45 new dwellings and associated infrastructure to be delivered within Weeley and Weeley Heath and therefore every opportunity should be given to support the delivery of this growth within previously developed land.</p> <p>Adjusting the boundary as shown in the attached plan would be more consistent with the policy approach outlined in the draft Local Plan. It would also secure a more coherent settlement pattern (of previously developed land) which is better able to meet the growth targets identified in the draft Local Plan and thus ensure the strategy is deliverable. This amendment would address these soundness objections.</p>

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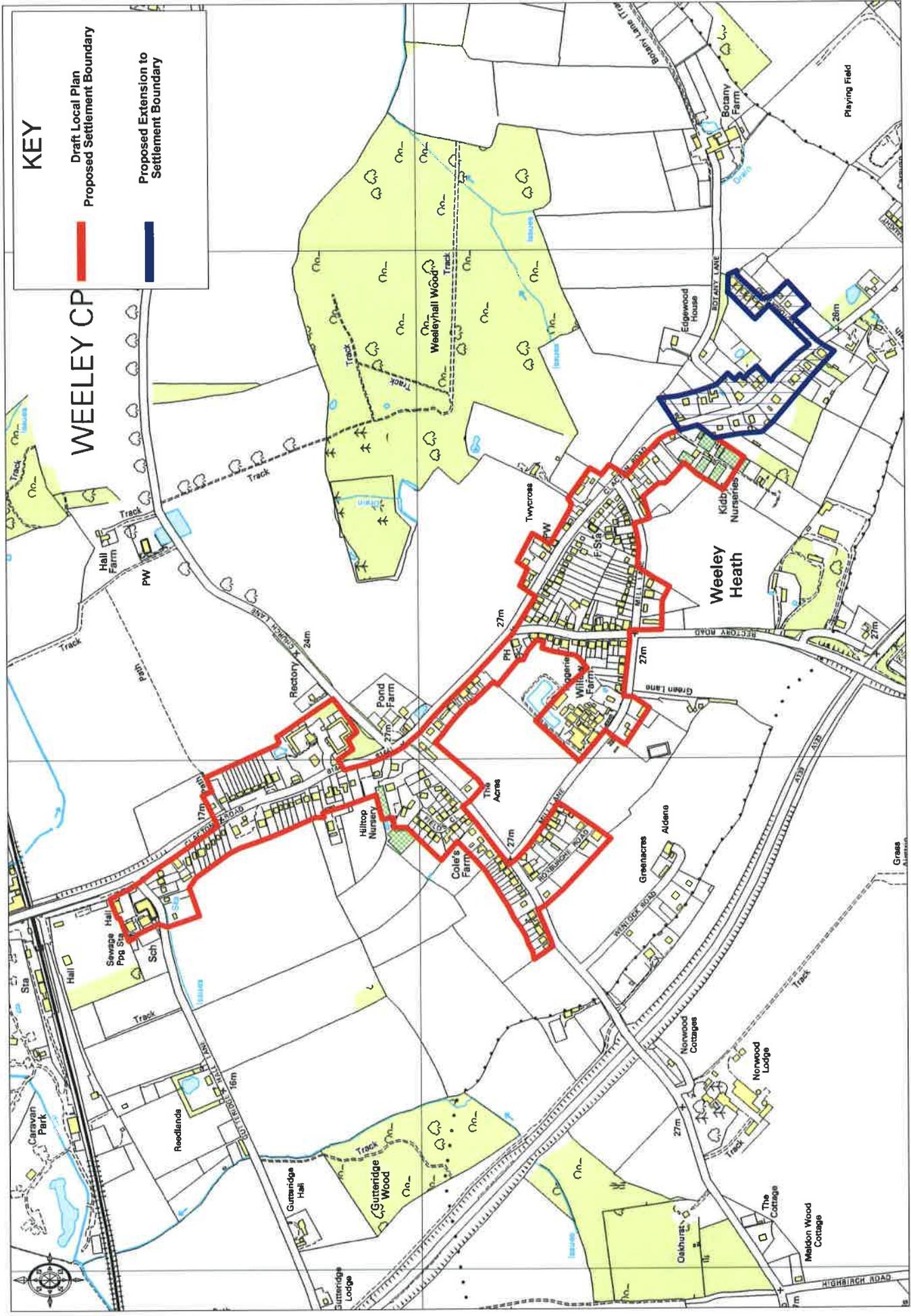
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PROPOSED EXTENSION TO WEELEY HEATH SETTLEMENT BOUNDARY





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What section of the plan are you commenting on?	Comment(s)
Policy PEO4: Standards for New Housing	<p>Whilst support is given to providing space standards and criteria for new housing, as recommended by CABE, many of the standards are overly onerous and lack flexibility which may hinder the delivery of housing within the District. This may make the Plan ineffective and thus unsound.</p> <p><u>Space Standards</u></p> <p>The “Dwelling Types” identified as “Family Housing” and “Houses/ Bungalows” are generally in line with the ‘affordable’ space standards already experienced in the affordable market, however the proposed floor areas in this policy are quoted as minimum areas. To encourage the delivery of new housing within the District and provide flexibility to developers as they address what will be a variety of sites/area within the District, a range of floor areas within each category should be provided.</p> <p>With regard to the Aspirational Housing, 4 bedroom properties range from c. 106m² to much larger than 200m². To define a minimum size of 200m² for Aspirational Housing is unrealistic, and could result in a net reduction in the variety of house sizes a site could provide.</p> <p>Recommendations are provided below to ensure the policy is justified and effective.</p> <p><u>Parking Standards</u></p> <p>The parking space requirements for Aspirational Housing, Family Housing and Houses may be overly onerous and lead to unsustainable development.</p> <p>Accommodating all parking spaces within driveways for these types of housing may be unsustainable, taking up land which could more appropriately be given over to green space. This would provide a more attractive setting to these aspirational houses and would support local wildlife. Equally some “aspirational”</p>

families may prefer to park their cars in a garage to protect valued possessions.

We would recommend that a minimum of 2 car parking spaces is provided for Aspirational Housing, Family Housing and Houses. Flexibility should be applied to these parking space requirements to allow their provision within either a driveway or garage subject to the garage being of a sufficient size.

We recommend the following amendments:

“All proposals for new residential development across all housing types and tenures (including conversions and changes of use) will be expected to meet the mandatory Lifetime Homes design criteria, the energy efficiency requirements of Policy SD10 and the following ~~minimum~~ space standards for internal floor areas, provide amenity space and parking provision:

Dwelling Type	Total Internal Floor Area	Private Amenity Space	Parking Spaces (no. of spaces)
Aspirational Housing (Policy PE08)	<u>107sqm - 200sqm+</u>	Private amenity space to be at least equal to the total internal floor area of the dwelling	<u>A minimum of 2 parking spaces per dwelling to be provided either within garages or driveways (off road).</u> Driveway area equivalent to 1 parking space per bedroom in addition to any space provided in garages
Family Housing (Policy PE09)	<u>82sqm - 96sqm</u>		
Houses and Bungalows: <ul style="list-style-type: none"> • 2 bed (3 person) • 2 bed (4 person) • 3 bed • 4 bed 	<u>57sqm - 66sqm</u> <u>67sqm - 77sqm</u> <u>78sqm - 96sqm</u> <u>97sqm - 106sqm</u>		

(Additional text underlined, deleted text struck through).

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Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

KEVIN BRITTON

If an organisation, please provide a contact name:

E-mail: Tel No:

Address (put the organisation address if relevant):

..... Post Code:

If you are an agent acting on behalf of someone please provide your details here

Name of agent: MRPP

If an organisation, please provide a contact name: JOANNA JONES

E-mail: [REDACTED] Tel No: [REDACTED]

Address (put the organisation address if relevant) [REDACTED]

..... Post Code: [REDACTED]

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support Object (Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following ‘tests of soundness’. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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;
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What section of the plan are you commenting on?	Comment(s)
Policy PRO14: Employment Sites	Support is given to the proactive approach to delivering employment opportunities across the District.

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

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What section of the plan are you commenting on?	Comment(s)
<p>Policy COS15: Development Land East of Thorpe Road</p>	<p>Support is given to the allocation of Land East of Thorpe Road. The allocation is positively prepared, justified (with minor amendments recommended below), effective and consistent with national policy.</p> <p><u>1. Positively prepared</u> In the context of a critical housing need and limited availability of land which can deliver sustainable development, this allocation, which can deliver the second largest new development in Clacton-on-Sea, is crucial to successfully meeting local needs for the District.</p> <p>Securing a meaningful supply of local housing is essential to meet the needs of present and future generations and widening the choice of high quality homes is a key element of sustainable development. In Tendring local residents are particularly supportive of the provision of good quality, spacious and attractive homes that people can aspire to live in (paragraph 4.2, draft Local Plan) which this site can deliver (see below).</p> <p>As the largest town within the District with a good range of facilities, Clacton will continue to be the principal focus for housing and employment development in the future. Clacton is therefore an appropriate location for type and scale of growth proposed in the allocation.</p> <p>This allocation is therefore positively prepared as it helps to secure the delivery of objectively assessed development and infrastructure requirements.</p> <p><u>2. Justified</u> The allocation of this land is the most appropriate strategy to assist in delivering growth for Clacton-on-Sea, given local market signals and the relative need for different land uses to support sustainable local communities.</p>

a) Relative Need for Different Land Uses

A large proportion of the site is land subject to an implemented permission for a business park (Class B1, B2 and B8). The principle and acceptability of developing the majority of the site for some form of development has therefore already been assessed and agreed. The grant of planning permission for the business park has also established scale and massing parameters and the principle means of access from Thorpe Road and Fowler Road.

A mixed use development on this site is most appropriate in light of local market signals and the relative need for different land uses to support sustainable communities. The market for industrial and warehousing floorspace in Clacton is weak, with limited take up and good availability of premises. This is demonstrated by the lack of take up for the employment units permitted on part of this site, which is a result of the site's locational constraints (including lack of visibility from the main highway network).

The Council's own Employment Land Study confirms "the lack of demand for new industrial space in Clacton-on-sea at present" (paragraph 2.28) and "Industrial and warehousing employment is forecast to decline in Clacton" (paragraph 2.6).

Given the significant housing need and local market signals, the delivery of mixed-use development on this site will deliver greater benefits than protecting the implemented employment permission on part of the site which, as a whole, has no reasonable prospect of being used for that purpose.

b) Delivering Sustainable Development

The delivery of mixed use development on this site will secure a sustainable, inclusive and mixed community and a significant boost to local housing supply.

The site is not physically constrained and is not affected by any local ecological or landscape designations, for example Local Green Gaps, Conservation Areas or Areas of Outstanding Natural Beauty. Land East of Thorpe Road is largely flat, sloping gently south-westwards. Although hedgerows with trees and scrub border the site, they are of varying quality. The hedgerow on the eastern boundary has some, albeit limited, botanical interest, forming a feature of the local landscape and character of the area. This hedgerow can be retained and reinforced through development proposals on the land. No trees need to be removed to secure development of the site. Trees which are either dead or in poor condition should be removed as part of any development scheme. The Council has confirmed this in respect of the Oakwood Park application (correspondence dated 18th December 2012). Although there are no long distance views of the site, it falls on the edge of the built up area and therefore suitable landscaping can be provided as part of the scheme.

A redundant overhead powerline crosses the site from south west to east. Underground cabling was laid in early 2010 to replace these overhead lines. The overhead powerlines can be dismantled, when appropriate, and easement rights to the electricity provider have been provided for maintenance of the underground cabling. The redundant overhead powerlines do not therefore affect the development of the site, its suitability or layout.

The site is not subject to any statutory or non-statutory nature conservation designations, and is well separated from the nearest such designations by existing development. In terms of habitats, the site is of low/negligible ecological value and provides limited opportunities for protected species. Natural England has confirmed in their response to the Oakwood Park application that they have no objection to its development (correspondence dated 11th December 2012).

The surrounding highway network has capacity to accommodate the scheme, with the traffic generation from this allocation being substantially less than the permitted business park.

The site falls outside the floodplain and appropriate surface water drainage systems can be designed to discharge at a rate no greater than the existing Greenfield runoff rate and an appropriate quantity of storage can be secured. The Environment Agency and Anglian Water have assessed this in relation to the Oakwood Park application and have confirmed the development to be acceptable (correspondence dated 18th December 2012 and 17th December 2012 respectively).

The site has the opportunity to widen the choice of high quality homes with a significant proportion of aspirational housing and family housing (i.e. 3 bed and 4 bed detached properties) promoting prosperity and family life. An appropriate level of affordable housing can be secured to help meet local demand and reduce homelessness, addressing social exclusion issues.

The site can secure new, accessible employment opportunities through the delivery of employment units and construction jobs. High quality design and high standards of amenity will add to the local distinctiveness, improving the character and quality of the area and the way it functions, raising the standard of design in the area.

3. Effective

As demonstrated above, with good design and landscaping, there are no constraints to the development of this site. It represents an important opportunity site which can help deliver local development needs.

The site is now prime for some form of development, with replacement cabling laid and access principles agreed. An outline planning application was submitted in November 2012 for up to 250 dwellings, employment development and associated infrastructure for Oakwood Park (the largest landholding within the allocation) (Ref: 12/01262/OUT). This demonstrates the benefits of allocating sites to bringing forward development.

4. Consistent with national policy

In delivering sustainable development (as demonstrated above) the allocation is consistent with national planning policy's presumption in favour of sustainable development.

The significant benefits of the allocation include:

- The most effective use of a largely committed development site in light of local market signals and the relative local needs for land uses
- A sustainable, inclusive and mixed community
- A significant boost to local housing supply
 - o Widening the choice of high quality homes
 - o Delivering a range of housing types which current and future generations of Tendring residents will aspire to live in, promoting prosperity and family life
 - o Affordable housing to help meet local demand and reduce homelessness, addressing social exclusion issues
- New, accessible employment opportunities through the delivery of employment units and construction jobs
- High quality design and high standards of amenity
- Local distinctiveness, an improvement to the character and quality of the area and the way it functions, raising the standard of design in the area
- No impact on the intrinsic character and beauty of the countryside
- New cycle and pedestrian links
- Highways infrastructure with sufficient capacity for the scheme.

There are no adverse impacts of the allocation which would outweigh these significant benefits and there are no specific policies in the NPPF that indicate that this development should be restricted. The allocation is therefore consistent with national policy.

Minor Recommendations

It might assist the compliance of the policy with the "justified" test to make a number of minor amendments. These recommendations are made in light of the precedent set by the extant planning permission and the detailed work undertaken to support the November 2012 planning application for Oakwood Park.

Vehicular access to the site would be best delivered via Thorpe Road (for residential) and Fowler Road (for employment). The principle and design of these access arrangements have been agreed with the local authority and highway authority under the extant planning permission. Segregating the uses of these accesses brings benefits to the successful operation of both residential development and employment development and utilising the Fowler Road access would make effective use of existing infrastructure. The Fowler Road access can also deliver emergency access to the residential development (with collapsible lockable bollards) and pedestrian and cycle links to the employment and residential development, being the most direct link to facilities and services in the local area.

The following revised wording might assist the soundness of the policy:

"a) the principle point of vehicular access will be via a new spine road off Thorpe Road which will provide access to residential development ~~to the north~~ and a secondary access via Fowler Road to new employment land to the south;

b) the development must deliver improvements to Thorpe Road and the provision of a pedestrian footpath

	<p>connection <u>via Fowler Road</u> to the established built up area at Centenary Way;</p> <p>c) the development shall deliver safe, secure and direct routes through the development; and</p> <p>d) a minimum 20m landscaping buffer will be created around the northern and western periphery of the site to minimise visual impacts”</p> <p>(Additional wording underlined, deleted text struck through).</p>
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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

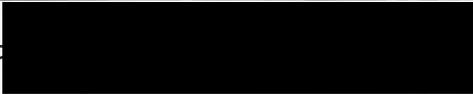
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What section of the plan are you commenting on?	Comment(s)
Paragraph 6.55	<p>Support is given to the allocation of this site.</p> <p>However it might assist the compliance of this text with the “justified” test to clarify access arrangements. Vehicular access to the site would be best delivered via Thorpe Road (for residential) and Fowler Road (for employment). The principle and design of these access arrangements have been agreed with the local authority and highway authority under the extant planning permission. Segregating the uses of these accesses brings benefits to the successful operation of both residential development and employment development and utilising the Fowler Road access would make effective use of existing infrastructure. The Fowler Road access can also deliver emergency access to the residential development (with collapsible, lockable bollards) and pedestrian and cycle links to the employment and residential development, being the most direct link to facilities and services in the local area.</p> <p>The following revised wording might assist the soundness of the policy:</p> <p>“The development will provide a mix of residential and employment development accessed via a new spine road off of Thorpe Road and <u>a secondary access via Fowler Road</u>”.</p> <p>(Additional text underlined, deleted text struck through).</p>

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What section of the plan are you commenting on?	Comment(s)
Policy PEO7: Housing Choice	<p>Support is given to the proactive approach to delivering housing choice.</p> <p>The policy states that it allows “a degree of flexibility for developers to respond to demand within the free market economy”. However the requirements sought by the local authority are overly prescriptive and may as a result make the Plan ineffective and thus unsound.</p> <p>The following amendments would address our concerns:</p> <p>“Unless there are specific housing mix requirements for a particular site, as out in policies within the ‘Area Chapters’ of this Local Plan, the Council will seek to achieve the following board mix of housing on most residential and mixed-use development sites of 10 or more dwellings:</p> <ul style="list-style-type: none"> • <u>20%</u>- 30% ‘Aspirational Housing’ (see Policy PEO8); • <u>30%</u> - 40% Family Housing (see Policy PEO9) • <u>10-25%</u> Council Housing (see Policy PEO10); • 5-20%40% to be determined by developers in responding to local market demand.” <p>(Additional text underlined, deleted text struck through).</p>

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REPRESENTATIONS TO LOCAL PLAN

Support /Object	What section of plan are you commenting on	Comment
Object	Policies Map Inset 13: Weeley and Weeley Heath	<p>The Local Plan is not sound as the Settlement Boundary for Weeley and Weeley Heath is neither justified nor effective.</p> <p>The proposed settlement boundary around Weeley and Weeley Heath should be extended southeast along the B141 Clacton Road, Botany Road and Victoria Road to ensure consistency with policy approach of the draft Local Plan.</p> <p>The draft Local Plan clarifies that <i>“Settlement Development Boundaries have been drawn flexibly to accommodate a range of sites”</i> (paragraph 2.21) and that <i>“for Urban Settlements and Key Rural Service Centres, the Settlement Development Boundaries are defined beyond the extent of existing built development in specific locations to allow planned settlement expansion where necessary to deliver the required levels of growth”</i> (Policy SD5).</p> <p>In Weeley/Weeley Heath the Settlement Boundary fails to reflect the extent of the existing built development, let alone beyond the built up area.</p> <p>The draft Local Plan identifies 45 new dwellings and associated infrastructure to be delivered within Weeley and Weeley Heath and therefore every opportunity should be given to support the delivery of this growth within previously developed land.</p> <p>Adjusting the boundary as shown in the attached plan would be more consistent with the policy approach outlined in the draft Local Plan. It would also secure a more coherent settlement pattern (of previously developed land) which is better able to meet the growth targets identified in the draft Local Plan and thus ensure the strategy is deliverable. This amendment would address these soundness objections.</p>

Support	Future Challenges, paragraph 1.11	<p>The significant shortage of housing across the District will be a key challenge during the plan period, particularly in Clacton.</p> <p>As a coastal resort, there are naturally physical constraints to growth within Clacton. This together with a previously tightly defined settlement has reduced the availability of brownfield land for housing development in Clacton.</p> <p>The identification of some greenfield land for development and the prioritisation of committed development sites makes the Local Plan both justified and positively prepared.</p>
Object	North Essex Authorities Retail Study 2006 and Retail Study Update 2010.	<p>The Council's Retail Studies identify additional retail need on the basis of a constant market share. This is recognised within both Retail Studies (see for example page 54 of the 2006 Stage 1 Report).</p> <p>As a result the Retail Studies only identify sufficient floorspace to maintain existing market shares. To meet the full identified needs of the local community, reduce the leakage of trade to more distant towns, thereby enhancing the viability and vitality of these towns and reducing the need for residents to travel further afield for their services, every effort should be made to increase individual market share to a more sustainable level.</p> <p>The Local Plan fails therefore in its role to "<i>meet objectively assessed needs</i>" (paragraph 14, NPPF) and for the needs of retail to be met in full (paragraph 23, NPPF).</p> <p>To ensure the soundness of the Local Plan we would recommend that the floorspace figures referred to are clarified as minimum requirements. A proposed amendment is promoted in relation in paragraph 6.12 to address this issue.</p>
Object	Paragraph 1.12; Vision	<p>The vision for Tendring is well identified. However, to secure a justified Plan, we recommend the following minor amendments to encourage the delivery of landmark developments across Clacton and to assist place making.</p>

		<p>“...As the largest urban area, the town will have seen its fair share of <u>the</u> district’s growth in new housing and commercial activity and a number of landmark developments in the town centre. There will be...”</p> <p>(Additional text underlined, deleted text struck through).</p>
Object	Paragraph 1.13	<p>Further clarification of the need for education provision, as appropriate, is necessary as it is not a community facility (see paragraph 70, NPPF). This will enable the Local Plan to be effective and positively prepared.</p> <ul style="list-style-type: none"> • “the provision of health, <u>education</u>, security, community and cultural infrastructure and other local facilities“ <p>(Additional text underlined)</p>
Object	Policy SD1: Presumption in favour of sustainable development	<p>To ensure consistency with national policy, (paragraph 187, NPPF), the following changes are necessary:</p> <p>“# The Council will always work proactively with applicants jointly to find solutions, which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. The Council will seek to approve applications for sustainable development where possible.”</p> <p>(Additional text underlined, deleted text struck through).</p>
Object	Policy SD2: Urban Settlements	<p>Support is given to directing the majority of growth within Tendring to the urban settlements. This will secure more sustainable growth.</p> <p>To help ensure the Local Plan “meets the full, objectively assessed needs for market and affordable housing” (paragraph 47, NPPF) and provides the additional buffer required by the NPPF at a minimum of 5%, the housing targets identified should be clarified to be minimum targets. Additional buffers are necessary to ensure choice and competition in the market for land.</p> <p>We would recommend the following revised wording:</p>

		<p><i>“Between 1st April 2011 and 31st March 2021, each of these settlements will accommodate a <u>minimum</u> 6% increase in housing stock”</i></p> <p>(Additional text underlined).</p>
Object	Policy SD3: Key rural service centres	<p>Support is given to the co-joining of Weeley and Weeley Heath as a Key Rural Service Centre.</p> <p>To help ensure the Local Plan “<i>meets the full, objectively assessed needs for market and affordable housing</i>” (paragraph 47, NPPF) and provides the additional buffer required by the NPPF at a minimum of 5%, the housing targets identified should be clarified to be minimum targets. Additional buffers are necessary to ensure choice and competition in the market for land.</p> <p>We would recommend the following revised wording:</p> <p><i>“Between 1st April 2011 and 31st March 2021, each of these settlements will accommodate a <u>minimum</u> 6% increase in housing stock. This will be achieved through development on sites with outstanding planning permission for new housing and through the identification of other sites within and where necessary on the periphery of the built-up area which together are sufficient to achieve <u>a minimum</u> 6% growth”.</i></p> <p>(Additional text underlined)</p>
Support	Policy SD5: Managing Growth	The proposed policy is consistent with national policy, encouraging development to come forward.
Support	Policy SD6: Strategic Green Gaps	Support is given to the rationale for Strategic Green Gaps and the designation of the identified land for such a role.
Support	Policy SD7: Securing Facilities and Infrastructure	<p>To ensure the delivery of new homes and new jobs which are critical to the District’s economic growth, the flexibility applied to the delivery of facilities and infrastructure, through either on-site provision or offsite contributions is supported.</p> <p>The delivery of new infrastructure and facilities should not fall disproportionately on the largest developments. All new development should contribute to the delivery of such infrastructure and facilities on a pro-rata basis.</p>

		<p>Clarification should be given to the CIL Regulations to ensure the Local Plan is justified.</p> <p>The additional wording should be added as a penultimate paragraph to the policy:</p> <p><u>“Planning obligations will only be sought where they meet all of the following tests:</u></p> <ul style="list-style-type: none"> - <u>necessary to make the development acceptable in planning terms;</u> - <u>directly related to the development; and</u> - <u>fairly and reasonably related in scale and kind to the development”</u> <p>(Additional text underlined)</p>
Object	Paragraph 2.38	<p>Mandatory requirements of the latest building requirements must be met at the very least and as appropriate exceeded.</p> <p>We would recommend the following revisions to the wording to secure a justified and effective policy basis:</p> <p><u>“...and how the mandatory requirements of the latest building regulations have met or as appropriate, been exceeded in order to achieve this”</u></p> <p>(Additional text underlined)</p>
Support	Paragraph 3.4	<p>Support is given to the proactive approach to securing economic growth across a variety of sectors.</p>
Object	Policy PRO2 Improving the Telecommunications Network	<p>An absolute requirement for all new properties to be served by super fast broadband is neither justified nor effective. An inability to secure such provision would prevent the delivery of essential new housing and jobs for the District.</p> <p>We recommend the following wording:</p> <p><u>“On sites specifically allocated for development in this Local Plan, schemes which secure all new properties (residential and non-residential) are must be served by super fast broadband (fibre optic) connection which must be installed on an open access basis and which will need to be directly accessed from the nearest British Telecom exchange and threaded through</u></p>

		<p><i>resistant tubing to enable easy access to the fibre optic cable for future repair, replacement or upgrading, <u>will be considered favourably</u></i></p> <p>(Additional wording underlined, deleted text struck through)</p>
Support	Paragraph 3.17	Support is given to the role aspirational homes can play in improving the educational and employment prospects of future generations.
Support	Policy PRO3	<p>To ensure the delivery of new homes and new jobs which are critical to the District's economic growth, the flexibility applied to education provision, through either on-site provision or offsite contributions to facilities and infrastructure is supported.</p> <p>The delivery of new infrastructure and facilities should not fall disproportionately on the largest developments. All new development should contribute to the delivery of such infrastructure and facilities on a pro-rata basis.</p>
Support	Policy PRO4	Support is given to the policy approach of refusing applications which would have an adverse impact on the revitalisation of the area. Given the importance of securing regeneration in these areas, this approach is critical.
Object	Paragraph 3.28	<p>The Local Plan does not truly reflect the approach of the NPPF to retailing. The policy requires the following amendments to ensure its consistency with national policy:</p> <p><i><u>"The thrust of national planning policy is to promote competitive town centre environments and meet the needs for main town centre uses in full, only allowing edge of centre and out of centre developments where it can be demonstrated that they will satisfy the sequential approach and will not have a significant adverse impact on town centre vitality and viability and in centre investment avoid developments of this nature in the future unless it can be demonstrated that they will bring positive economic growth and not impact negatively on the vitality and viability of nearby centres"</u></i></p> <p>(Additional text underlined, deleted text struck through)</p>
Object	Policy PRO6	Clarification is needed within the wording of this policy to ensure the policy is sound in terms of being effective, consistent with national policy and justified.

		<ul style="list-style-type: none"> - The policy has been worded to consider proposals either against criteria a) to e) or f). We consider that criteria a) to e) should be considered separately. For instance e) should not apply in the context of b) or c). An applicant should not have to demonstrate the appropriateness of a site if it has already been allocated for such use. The site will have been assessed on such matters during the allocation process. Clarification is therefore needed that permission will be granted if any of the criteria are met. - A sequential assessment should be undertaken throughout the catchment area of a scheme rather than the settlement alone. This will ensure a robust assessment and is consistent with national policy. Amendments are therefore recommended. - A candidate site is only sequentially preferable if it is both suitable <u>and</u> available, fulfilling only one of these criteria does not make it sequentially preferable (as per paragraph 24, NPPF). Amendments are therefore recommended. - Flexibility is expected from both applicants and the LPA on format and scale issues. Criteria f) i) does not reflect this. Amendments are therefore recommended. - Impact Statements should assess impact on <u>both</u> investment (existing, committed and planned) in defined centres <u>and</u> their vitality and viability. It would not be sufficient for such Statements to assess either impact on investment or impact on vitality and viability. <p>The following amendments are therefore recommended:</p> <p><i>“will only be permitted in the following circumstances</i></p> <p><i>“a) the development has an internal floor area less</i></p>
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	<p>than 250 square metres; <u>or</u></p> <p>b) the site is specifically allocated for that use in this Local Plan; <u>or</u></p> <p>c) the site is allocated for mixed-use development in this Local Plan where retail, leisure or offices of the scale proposed are part of the expected mix; <u>or</u></p> <p>d) the proposed retail, leisure or office use is ancillary to an established or proposed business that is predominantly within use classes B1, B2 or B8 and would be physically attached to, or incorporated within, the existing business premises; <u>or</u></p> <p>e) the applicant can demonstrate that there are practical or operational reasons why the development cannot take place within a defined centre and that the proposed location is the only viable option; <u>or</u></p> <p>f) the applicant can demonstrate that, for the <u>catchment settlement</u> in question, there are no suitable <u>and</u> or available sites or premises within any of its defined centres to accommodate the proposed development. In applying criterion f):</p> <p>i. <u>both the applicant and Council will demonstrate flexibility on issues such as format and scale;</u></p> <p>i. the Council will firstly expect the applicant to demonstrate that the floor area of the proposed development cannot be reduced in size and therefore able to be accommodated on or in any suitable and available sites or premises within a defined centre;</p> <p>ii. if the Council accepts that a reduction in floor area is either not practical or appropriate, or would still not result in there are no suitable <u>and</u> or available sites or premises being identified within a defined centre, the Council will consider development utilising a site or premises in an 'edge of centre' location;</p> <p>iii. if the applicant is able to demonstrate that neither <u>no</u> suitable <u>and</u> or available sites or premises within a defined centre or edge of centre location can be identified for the retail, leisure or office use proposed (always looking to reduce floor areas where practical to</p>
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		<p><i>use such sites or premises), the Council will consider an out-of-centre location.</i></p> <p><i>Any application for retail, leisure and office development that meets the requirements of criteria <u>d), e) and f)</u> above with an internal floor area of 2,500 square metres or more must be accompanied by an 'impact statement' containing information that will enable the Council to assess the potential impact of the development on investment either under way or proposed for defined centres <u>within the catchment of the proposal</u>, and or their vitality and viability. Where an application fails to satisfy i. to iii. above, or is likely to have a significant adverse impact on such investments or vitality or viability, planning permission will be refused".</i></p> <p>(Additional text underlined, deleted text struck through).</p>
Support	Policy PRO7: Tourism	Tourism has an important role to play in Tendring and therefore support is given to this proactive policy.
Object	Policy PEO1	<p>Support is given to the policy as a whole. However no evidence is provided as to whether the requirement for an additional buffer of a minimum of 5% has been incorporated. If it has, this needs to be clarified, with the break down provided. If this has not, the figures need to be revised to at least 4,200 dwellings.</p> <p>If the total dwellings is increased to 4,200 the Council may identify the additional 187 dwellings within windfall sites, if the Council has compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply.</p> <p>We therefore request that clarification is provided over the additional buffer provided.</p>
Object	Policy PEO2: Housing Trajectory	Minor discrepancy in figures between table in PEO1 (totalling 4,013 dwellings) and PEO2 (4,003 dwellings) should be corrected.
Support	Paragraph 4.37	Support is given to the proactive approach to exceptional cases for some aspirational homes to be delivered in the countryside if of architectural

		innovation/exceptional quality.
Support	Policy PEO8: Aspirational Housing	Support is given to this proactive policy.
Support	Policy PEO10: Council Housing	Support is given to the flexible approach to the delivery of Council Housing which will secure the delivery of such needs more effectively.
Object	Paragraph 4.84	<p>This approach is inconsistent with national policy</p> <p>Community facilities do not include schools (see paragraph 70, NPPF).</p> <p>In addition education facilities are the subject of separate policy provisions at PRO3 which includes for their provision as part of new development.</p> <p>We therefore recommend the following amendment:</p> <p><i>“... community facilities include:</i></p> <ul style="list-style-type: none"> - Schools; - <i>Doctors Surgeries and other Primary Health Care provision (dentists etc);...”</i> <p>(Deleted text struck through)</p>
Object	Policy PEO22: Green Infrastructure in New Residential Development	<p>The levels of public green infrastructure required by a development should take into account the level of private green infrastructure provided by a development. For instance those developments which deliver a significant proportion of aspirational housing with large gardens should not be expected to deliver the same quantum of public green infrastructure as other housing developments.</p> <p>To ensure a justified approach within the policy the following wording should be added:</p> <p><i>“For residential development below 1.5 hectares in size, where existing open space facilities are inadequate to meet the projected needs of the future occupiers of the development, a financial contribution will be made towards the provision of new or improved off-site facilities to meet these needs. <u>For schemes which deliver high levels of private green space e.g. through aspirational housing developments, lower</u></i></p>

		<p><u>levels of public green infrastructure will be required</u></p> <p>(Additional text underlined)</p>
Object	Paragraph 5.7	<p>This approach is not consistent with national guidance on the sequential test for flood risk. The scope of the sequential test should be limited to the catchment area of the proposal.</p> <p>The following wording will assist in making the Local Plan sound:</p> <p><i>“For development proposals on sites outside of Settlement Development Boundaries, the sequential test will apply to all land <u>within the scheme’s catchment area in the Tendring District</u>”</i></p> <p>(Additional text underlined, deleted text struck through)</p>
Object	Policy PLA1: Development and Flood Risk	<p>This approach is not consistent with national guidance on the sequential test for flood risk. The scope of the sequential test should be limited to the catchment area of the proposal.</p> <p>The following wording will assist in making the Local Plan sound:</p> <p><i>“For development proposals on sites outside of Settlement Development Boundaries, the sequential test will apply to all land <u>within the scheme’s catchment area in the Tendring District</u>”</i></p> <p>(Additional text underlined, deleted text struck through)</p>
Object	Paragraph 6.12	<p>The Council’s Retail Studies identify additional retail need on the basis of a constant market share. This is recognised within both Retail Studies (see for example page 54 of the 2006 Stage 1 Report).</p> <p>As a result the Retail Studies only identify sufficient floorspace to maintain existing market shares. To meet the full identified needs of the local community, reduce the leakage of trade to more distant towns, thereby enhancing the viability and vitality of these towns and reducing the need for residents to travel further afield for their services, every effort should be made to increase individual market share to a more sustainable level.</p>

		<p>The Local Plan fails therefore in its role to “<i>meet objectively assessed needs</i>” (paragraph 14, NPPF) and for the needs of retail to be met in full (paragraph 23, NPPF).</p> <p>To ensure the soundness of the Local Plan we would recommend that the floorspace figures referred to are clarified as minimum requirements.</p> <p>Our recommended revised wording is as follows:</p> <p><i>“The forecasts in the retail study suggest that over the plan period, the demand for additional convenience goods floor space in Clacton is unlikely to grow significantly in the short term, <u>based on constant market shares</u>, even taking population growth into account. It suggests a future need for an additional 100m² by 2015, increasing to around 800m² by 2020 and around 1,500m² by 2025. <u>Increasing local market shares would increase the need for local provision.</u> Clacton, as an urban area, is relatively well served by supermarkets with a number of town centre and out of town stores, this accounting for the limited need for further provision of convenience goods floor space <u>based on constant market shares</u>”</i></p> <p>(Additional text underlined)</p>
Support	Paragraph 11.10	Support is given to the vision for rural service centres

Object	Policy PEO4: Standards for New Housing	<p>Whilst support is given to providing space standards and criteria for new housing, as recommended by CABE, many of the standards are overly onerous and lack flexibility which may hinder the delivery of housing within the District. This may make the Plan ineffective and thus unsound.</p> <p><u>Space Standards</u></p> <p>The “Dwelling Types” identified as “Family Housing” and “Houses/ Bungalows” are generally in line with the ‘affordable’ space standards already experienced in the affordable market, however the proposed floor areas in this policy are quoted as minimum areas. To encourage the delivery of new housing within the District and provide flexibility to developers as they address what will be a variety of sites/area within the District, a range of floor areas within each category should be provided.</p> <p>With regard to the Aspirational Housing, 4 bedroom properties range from c. 106m² to much larger than 200m². To define a minimum size of 200m² for Aspirational Housing is unrealistic, and could result in a net reduction in the variety of house sizes a site could provide.</p> <p>Recommendations are provided below to ensure the policy is justified and effective.</p> <p><u>Parking Standards</u></p> <p>The parking space requirements for Aspirational Housing, Family Housing and Houses may be overly onerous and lead to unsustainable development.</p> <p>Accommodating all parking spaces within driveways for these types of housing may be unsustainable, taking up land which could more appropriately be given over to green space. This would provide a more attractive setting to these aspirational houses and would support local wildlife. Equally some “aspirational” families may prefer to park their cars in a garage to protect valued possessions.</p> <p>We would recommend that a minimum of 2 car parking spaces is provided for Aspirational Housing, Family Housing and Houses. Flexibility should be applied to these parking space requirements to</p>
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allow their provision within either a driveway or garage subject to the garage being of a sufficient size.

We recommend the following amendments:

“All proposals for new residential development across all housing types and tenures (including conversions and changes of use) will be expected to meet the mandatory Lifetime Homes design criteria, the energy efficiency requirements of Policy SD10 and the following ~~minimum~~ space standards for internal floor areas, provide amenity space and parking provision:

<i>Dwelling Type</i>	<i>Total Internal Floor Area</i>	<i>Private Amenity Space</i>	<i>Parking Spaces (no. of spaces)</i>
<i>Aspirational Housing (Policy PE08)</i>	<u>107sqm - 200sqm±</u>		

					<i>per bedroom in addition to any space provided in garages</i>
		(Additional text underlined, deleted text struck through).			
Support	Policy PRO14: Employment Sites	Support is given to the proactive approach to delivering employment opportunities across the District.			
Object	Policy COS15: Development Land East of Thorpe Road	<p>Support is given to the allocation of Land East of Thorpe Road. The allocation is positively prepared, justified (with minor amendments recommended below), effective and consistent with national policy.</p> <p><u>1. Positively prepared</u></p> <p>In the context of a critical housing need and limited availability of land which can deliver sustainable development, this allocation, which can deliver the second largest new development in Clacton-on-Sea, is crucial to successfully meeting local needs for the District.</p> <p>Securing a meaningful supply of local housing is essential to meet the needs of present and future generations and widening the choice of high quality homes is a key element of sustainable development. In Tendring local residents are particularly supportive of the provision of good quality, spacious and attractive homes that people can aspire to live in (paragraph 4.2, draft Local Plan) which this site can deliver (see below).</p> <p>As the largest town within the District with a good range of facilities, Clacton will continue to be the principal focus for housing and employment development in the future. Clacton is therefore an appropriate location for type and scale of growth proposed in the allocation.</p>			

		<p>This allocation is therefore positively prepared as it helps to secure the delivery of objectively assessed development and infrastructure requirements.</p> <p><u>2. Justified</u></p> <p>The allocation of this land is the most appropriate strategy to assist in delivering growth for Clacton-on-Sea, given local market signals and the relative need for different land uses to support sustainable local communities.</p> <p><u>a) Relative Need for Different Land Uses</u></p> <p>A large proportion of the site is land subject to an implemented permission for a business park (Class B1, B2 and B8). The principle and acceptability of developing the majority of the site for some form of development has therefore already been assessed and agreed. The grant of planning permission for the business park has also established scale and massing parameters and the principle means of access from Thorpe Road and Fowler Road.</p> <p>A mixed use development on this site is most appropriate in light of local market signals and the relative need for different land uses to support sustainable communities. The market for industrial and warehousing floorspace in Clacton is weak, with limited take up and good availability of premises. This is demonstrated by the lack of take up for the employment units permitted on part of this site, which is a result of the site's locational constraints (including lack of visibility from the main highway network).</p> <p>The Council's own Employment Land Study confirms "<i>the lack of demand for new industrial space in Clacton-on-sea at present</i>" (paragraph 2.28) and "<i>Industrial and warehousing employment is forecast to decline in Clacton</i>" (paragraph 2.6).</p> <p>Given the significant housing need and local market signals, the delivery of mixed-use development on this site will deliver greater benefits than protecting the implemented employment permission on part of the site which, as a whole, has no reasonable prospect of being used for that purpose.</p>
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b) Delivering Sustainable Development

The delivery of mixed use development on this site will secure a sustainable, inclusive and mixed community and a significant boost to local housing supply.

The site is not physically constrained and is not affected by any local ecological or landscape designations, for example Local Green Gaps, Conservation Areas or Areas of Outstanding Natural Beauty. Land East of Thorpe Road is largely flat, sloping gently south-westwards. Although hedgerows with trees and scrub border the site, they are of varying quality. The hedgerow on the eastern boundary has some, albeit limited, botanical interest, forming a feature of the local landscape and character of the area. This hedgerow can be retained and reinforced through development proposals on the land. No trees need to be removed to secure development of the site. Trees which are either dead or in poor condition should be removed as part of any development scheme. The Council has confirmed this in respect of the Oakwood Park application (correspondence dated 18th December 2012). Although there are no long distance views of the site, it falls on the edge of the built up area and therefore suitable landscaping can be provided as part of the scheme.

A redundant overhead powerline crosses the site from south west to east. Underground cabling was laid in early 2010 to replace these overhead lines. The overhead powerlines can be dismantled, when appropriate, and easement rights to the electricity provider have been provided for maintenance of the underground cabling. The redundant overhead powerlines do not therefore affect the development of the site, its suitability or layout.

The site is not subject to any statutory or non-statutory nature conservation designations, and is well separated from the nearest such designations by existing development. In terms of habitats, the site is of low/negligible ecological value and provides limited opportunities for protected species. Natural England has confirmed in their response to the Oakwood Park application that they have no objection to its development (correspondence dated 11th December 2012).

The surrounding highway network has capacity to accommodate the scheme, with the traffic

		<p>generation from this allocation being substantially less than the permitted business park.</p> <p>The site falls outside the floodplain and appropriate surface water drainage systems can be designed to discharge at a rate no greater than the existing Greenfield runoff rate and an appropriate quantity of storage can be secured. The Environment Agency and Anglian Water have assessed this in relation to the Oakwood Park application and have confirmed the development to be acceptable (correspondence dated 18th December 2012 and 17th December 2012 respectively).</p> <p>The site has the opportunity to widen the choice of high quality homes with a significant proportion of aspirational housing and family housing (i.e. 3 bed and 4 bed detached properties) promoting prosperity and family life. An appropriate level of affordable housing can be secured to help meet local demand and reduce homelessness, addressing social exclusion issues.</p> <p>The site can secure new, accessible employment opportunities through the delivery of employment units and construction jobs. High quality design and high standards of amenity will add to the local distinctiveness, improving the character and quality of the area and the way it functions, raising the standard of design in the area.</p> <p><u>3. Effective</u></p> <p>As demonstrated above, with good design and landscaping, there are no constraints to the development of this site. It represents an important opportunity site which can help deliver local development needs.</p> <p>The site is now prime for some form of development, with replacement cabling laid and access principles agreed. An outline planning application was submitted in November 2012 for up to 250 dwellings, employment development and associated infrastructure for Oakwood Park (the largest landholding within the allocation) (Ref: 12/01262/OUT). This demonstrates the benefits of allocating sites to bringing forward development.</p> <p><u>4. Consistent with national policy</u></p>
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		<p>In delivering sustainable development (as demonstrated above) the allocation is consistent with national planning policy's presumption in favour of sustainable development.</p> <p>The significant benefits of the allocation include:</p> <ul style="list-style-type: none"> • The most effective use of a largely committed development site in light of local market signals and the relative local needs for land uses • A sustainable, inclusive and mixed community • A significant boost to local housing supply <ul style="list-style-type: none"> ○ Widening the choice of high quality homes ○ Delivering a range of housing types which current and future generations of Tendring residents will aspire to live in, promoting prosperity and family life ○ Affordable housing to help meet local demand and reduce homelessness, addressing social exclusion issues • New, accessible employment opportunities through the delivery of employment units and construction jobs • High quality design and high standards of amenity • Local distinctiveness, an improvement to the character and quality of the area and the way it functions, raising the standard of design in the area • No impact on the intrinsic character and beauty of the countryside • New cycle and pedestrian links • Highways infrastructure with sufficient capacity for the scheme. <p>There are no adverse impacts of the allocation which would outweigh these significant benefits and there are no specific policies in the NPPF that indicate that this development should be restricted. The allocation is therefore consistent with national policy.</p> <p><u>Minor Recommendations</u></p> <p>It might assist the compliance of the policy with the "justified" test to make a number of minor</p>
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		<p>amendments. These recommendations are made in light of the precedent set by the extant planning permission and the detailed work undertaken to support the November 2012 planning application for Oakwood Park.</p> <p>Vehicular access to the site would be best delivered via Thorpe Road (for residential) and Fowler Road (for employment). The principle and design of these access arrangements have been agreed with the local authority and highway authority under the extant planning permission. Segregating the uses of these accesses brings benefits to the successful operation of both residential development and employment development and utilising the Fowler Road access would make effective use of existing infrastructure. The Fowler Road access can also deliver emergency access to the residential development (with collapsible, lockable bollards) and pedestrian and cycle links to the employment and residential development, being the most direct link to facilities and services in the local area.</p> <p>The following revised wording might assist the soundness of the policy:</p> <p><i>“a) the principle point of vehicular access will be via a new spine road off Thorpe Road which will provide access to residential development to the north and <u>a secondary access via Fowler Road to new employment land to the south</u>;</i></p> <p><i>b) the development must deliver improvements to Thorpe Road and the provision of a pedestrian footpath connection <u>via Fowler Road</u> to the established built up area at Centenary Way;</i></p> <p><i>c) the development shall deliver safe, secure and direct routes through the development; and</i></p> <p><i>d) a minimum 20m landscaping buffer will be created around the northern and western periphery of the site to minimise visual impacts”</i></p> <p>(Additional wording underlined, deleted text struck through).</p>
Object	Paragraph	Support is given to the allocation of this site.

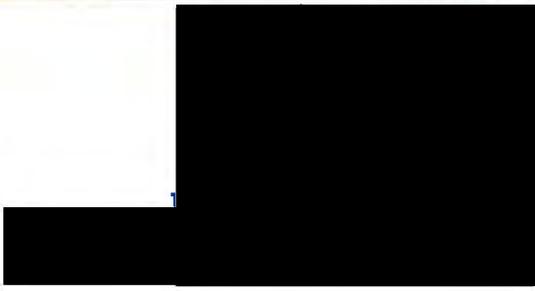
	6.55	<p>However it might assist the compliance of this text with the “justified” test to clarify access arrangements. Vehicular access to the site would be best delivered via Thorpe Road (for residential) and Fowler Road (for employment). The principle and design of these access arrangements have been agreed with the local authority and highway authority under the extant planning permission. Segregating the uses of these accesses brings benefits to the successful operation of both residential development and employment development and utilising the Fowler Road access would make effective use of existing infrastructure. The Fowler Road access can also deliver emergency access to the residential development (with collapsible, lockable bollards) and pedestrian and cycle links to the employment and residential development, being the most direct link to facilities and services in the local area.</p> <p>The following revised wording might assist the soundness of the policy:</p> <p><i>“The development will provide a mix of residential and employment development accessed via a new spine road off of Thorpe Road <u>and a secondary access via Fowler Road</u>”.</i></p> <p>(Additional text underlined, deleted text struck through).</p>
Object	Policy PEO7: Housing Choice	<p>Support is given to the proactive approach to delivering housing choice.</p> <p>The policy states that it allows “a degree of flexibility for developers to respond to demand within the free market economy”. However the requirements sought by the local authority are overly prescriptive and may as a result make the Plan ineffective and thus unsound.</p> <p>The following amendments would address our concerns:</p> <p><i>“Unless there are specific housing mix requirements for a particular site, as out in policies within the ‘Area Chapters’ of this Local Plan, the Council will seek to achieve the following board mix of housing on most residential and mixed-use development sites of 10 or more dwellings:</i></p>

		<ul style="list-style-type: none">• <u>20%-</u> 30% 'Aspirational Housing' (see Policy PEO8);• <u>30% -</u> 40% Family Housing (see Policy PEO9)• 10-25% Council Housing (see Policy PEO10);• 5-20%<u>40%</u> to be determined by developers in responding to local market demand." <p>(Additional text underlined, deleted text struck through).</p>
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LORRIMAR Investments Limited



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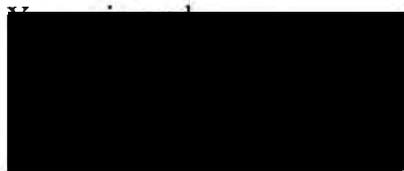
4 January 2013

Tendring District Council
Council Offices
Weeley
CLACTON-ON-SEA
CO16 9AJ

Dear Sirs

**Tendring District Local Plan: Proposed Submission Draft (2012)
Representation Form**

With reference to the above, I enclose a completed Representation Form for your attention.



MARTIN G. BLAKE
Director – Lorrimar Investments Ltd



**Tendring District Local Plan:
Proposed Submission Draft (2012)
REPRESENTATION FORM**

This is the representation form to use for giving us your comments on the Proposed Submission Draft of the new Tendring District Local Plan. The document itself is available to view on the Council's website (www.tendringdc.gov.uk) and hard copies are available at the District Council offices at Weeley, the Town Hall at Clacton and at all the libraries in the district.

Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

Lorrimar Investments Ltd

If an organisation, please provide a contact name:

Martin G. Blake

E-mail:

Tel No:

Address (put the organisation address if relevant):

Post Code

If you are an agent acting on behalf of someone please provide your details here

Name of agent: Artisan Planning & Property Services Ltd

If an organisation, please provide a contact name:

Leslie Short

E-mail:

Tel No:

Address (put the organisation address if relevant):

Post Code:

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support Object (Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following 'tests of soundness'. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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 proportionate evidence;
- **“Effective”** – the plan should be deliverable over its plan 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 National Planning Policy Framework

In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
Housing Allocation	<p>We support the allocation of the land south of Centenary Way, Clacton, because:-</p> <ol style="list-style-type: none"> 1. It is a suitable site, rounding off the residential urban edge. 2. There has been an undersupply of dwellings in the last few years which is in need of correction and this Greenfield site is easily deliverable 3. It is a small site that can be brought forward in the short term to fill the gap of housing undersupply in the district without significant infrastructure requirements. 4. Anglian Water Authority have agreed to accept foul and surface water discharge to public sewers and it is proposed to use sustainable drainage system on site as part of the drainage strategy. 5. An alternative site has been acquired to relocate the existing use in compliance with the allocation and the site can be brought forward in the short term.

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

--

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

Please note that any comments submitted cannot be treated as private and confidential and may be made available for public inspection. Respondents' details will be held on a database in accordance with the terms of Tendring District Council's registration with the UK Information Commissioner pursuant to the Data Protection Act 1998.

Please sign and date this form: Signed:		Date: 4/1/13
--	--	---------------------

**All representations must be received by the Council no later than 16:00 on Monday 7th January 2013.
Any submissions received after this deadline cannot be considered.**

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.

Macepark (Oldbury) Limited – Representations

Chapter 6 Clacton-on-Sea

Policy COS15: Development East of Thorpe Road

Macepark (Oldbury) Limited (MOL) broadly SUPPORTS the allocation of land proposed within this policy *subject to* the representations and suggested amendments set out below, which it believes will help to deliver the optimal development mix for the proposed allocation by providing greater flexibility in advance of the drafting of the development brief for the site:

- Given that this allocation (COS15) is to be the subject of a development brief prior to the submission of a planning application there is no logical or policy reason for excluding any of the land contained within MOL's landholding (defined, for this purpose, as land within its ownership or control) as described in its earlier submissions to the Tendring Core Strategy (October 2010) Chapter 7 Spatial Portrait – Clacton Key Projects (further copy attached for reference). Indeed to do so at this stage is, in the opinion of MOL, overly prescriptive and is a potential obstruction to the delivery of a comprehensive scheme of development that is intended to provide a blended mix of residential, community facilities and public open space.
- **Therefore, MOL proposes that the entirety of its landholding, as shown on the plan attached herewith, should be included in the current allocation comprised within policy COS15.**
- Further, whilst acknowledging the principle of creating a principal point of vehicular access into the larger allocation (comprising, inter alia, both residential and employment-related development), from the Thorpe Road (COS15 – a), the particular features of the MOL land and its orientation; lend themselves to providing an alternative, additional or secondary vehicular access to the northern part of the site. There is an existing access (having previously served a significant commercial operation – the Thorpe Road Chicken Farm) onto Thorpe Road with excellent visibility in both directions, together with a further access serving this land from Holland Road (to the north). At this stage the question of access (particularly additional and/or secondary accesses) should left open to be considered as part of the development brief discussions at which point highway studies and junction/capacity assessments can be undertaken to inform any detailed access proposals.
- Again, whilst supporting the principle of minimising the visual impacts of the proposed allocation (see COS15-d), to insist upon *“a minimum 20 metre landscaping buffer...around the northern and western periphery of the site...”* in order to achieve this is not only overly prescriptive but premature given that at present no Landscape and Visual Impact Assessment (LVIA) has, to the knowledge of MOL, been undertaken. Therefore it is entirely possible that a more robust solution to secure a scheme that minimises any visual impacts of any future development of the site can be found. This can easily be secured by a requirement for an LVIA to inform the development brief for the site, rather than the current “blanket” approach.

- Therefore, MOL proposes that the wording of policy COS15 be redrafted to include reference to the commissioning (at subsection a) of a highway study to inform the access and egress arrangements to the residential development to the north; and, (at subsection d) reference to the commissioning of a Landscape and Visual Impact Assessment to inform the extent to which further landscaping works may be reasonably required to minimise the visual impacts of the development as a whole.
- Otherwise MOL fully supports and endorses the findings of Tendring District Council (in consultation with local people) at paragraph 6.55 of the Local Plan (headed “Development East of Thorpe Road”) that this site can be developed with minimal impact on the environment and the amenities of the existing community. The site is sustainably located within a short walk of both the significant employment areas around Gorse Lane Industrial Estate and the Oakwood Business Park (just to the south of the site) and comprehensive shopping facilities (at both the Factory Shopping Village and the nearby food Supermarket on Centenary Way).
- Moreover, the site is on local bus routes that provide regular services into Clacton and surrounding villages. From Clacton additional public/mass transport connections are available via National rail and coach services giving the site excellent multi-modal transport links.

Additional Notes:

Appearance at Examination in Public yes/no? YES

Enclosures? YES

Respondents address and details:

Macepark (Oldbury) Limited, [REDACTED]
[REDACTED]

Email: [REDACTED]

Tendring Core Strategy (October 2010)

Macepark (Oldbury) Ltd Representations

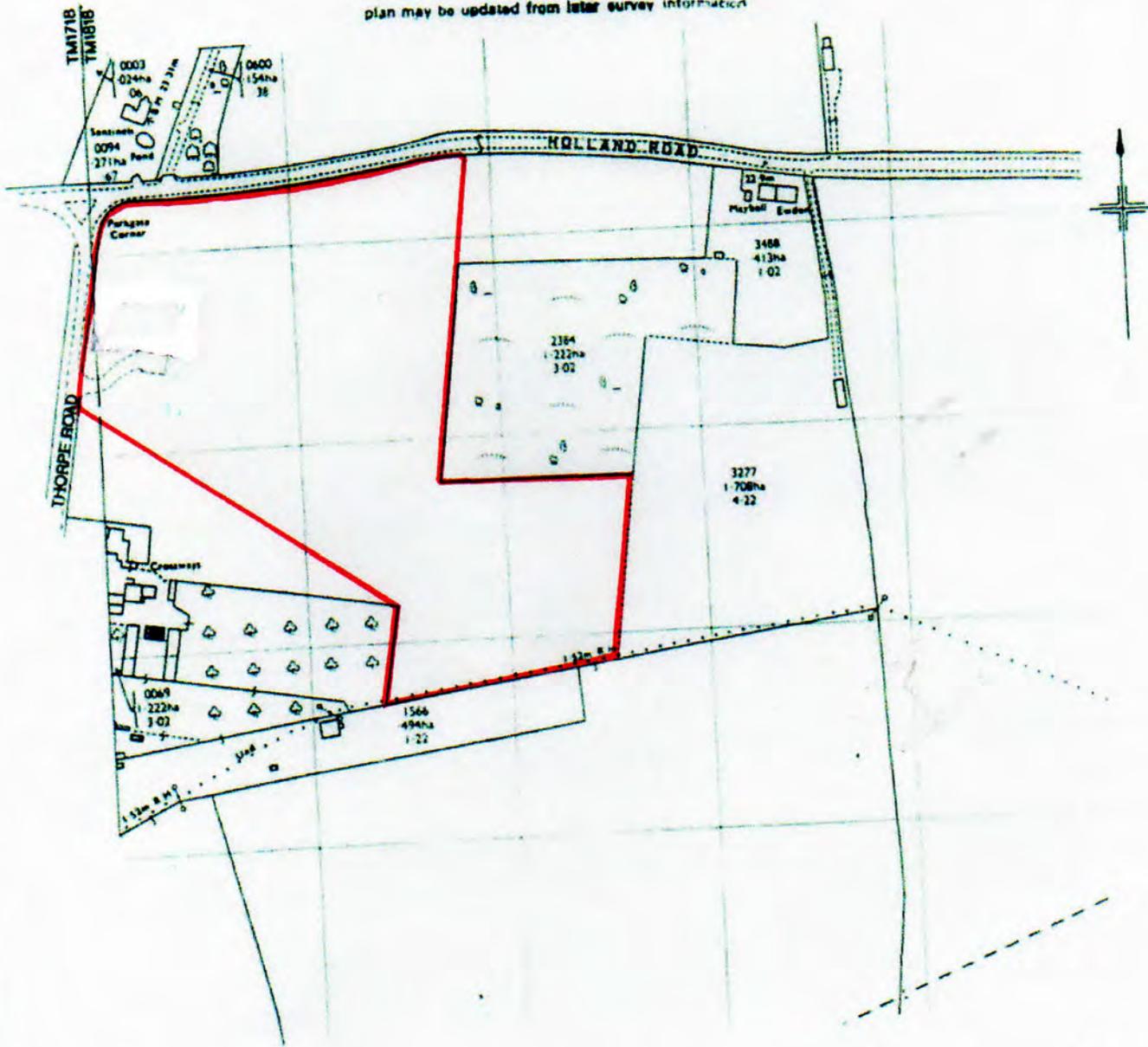
Chapter 7 Spatial Portrait Clacton Key Projects

The Plan states that Clacton will deliver the largest proportion of the District's growth between 2011 and 2031 including some 4,000 new homes and up to 3,500 new dwellings. The plan indicates that the preferred direction for growth of this development is the land to the west and north-west of the existing urban area. Macepark considers that the land to the north of the Oakwood Business Park has the potential to become an urban extension offering a comprehensive mixed use development proposal that makes good use of existing retail and employment facilities and is well-located relative to the strategic highway network. This land should therefore be considered as an area of strategic growth within the Plan.

Development on this site could make a substantial contribution to the Council's need for affordable housing and could cross-subsidise other essential infrastructure and regeneration projects within the district.

		TITLE NUMBER
ORDNANCE SURVEY PLAN REFERENCE	TM1718 TM1818	Scale 1/2500
COUNTY ESSEX	DISTRICT TENDRING	© Crown copyright

The boundaries shown by dotted lines have been plotted from the plans on the deeds. The title plan may be updated from later survey information



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Macepark (Oldbury) Limited – Representations

Chapter 6 Clacton-on-Sea – Policy COS15: Development East of Thorpe Road

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- **Therefore, MOL proposes that the entirety of its land holding, as shown on the plan attached herewith, should be included in the current allocation comprised within policy COS15.**
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Otherwise MOL fully supports and endorses the findings of Tendring District Council (in Consultation with local people) at paragraph 6.55 of the Local Plan (headed "Development East of Thorpe Road") that this site can be developed with minimal impact on the environment and the amenities of the existing community. The site is sustainably located with a short walk of both the significant employment areas of a long established industrial estate and areas at Oakwood Business Park (just to the south of the site) and comprehensive shopping facilities (both the Factory Shopping Village and the nearby supermarket).

Moreover, the site is located on local bus routes that provide regular services into Clacton and surrounding villages. From Clacton additional public/mass transport connections are available via National rail and coach services giving the site excellent multi-modal transport links.

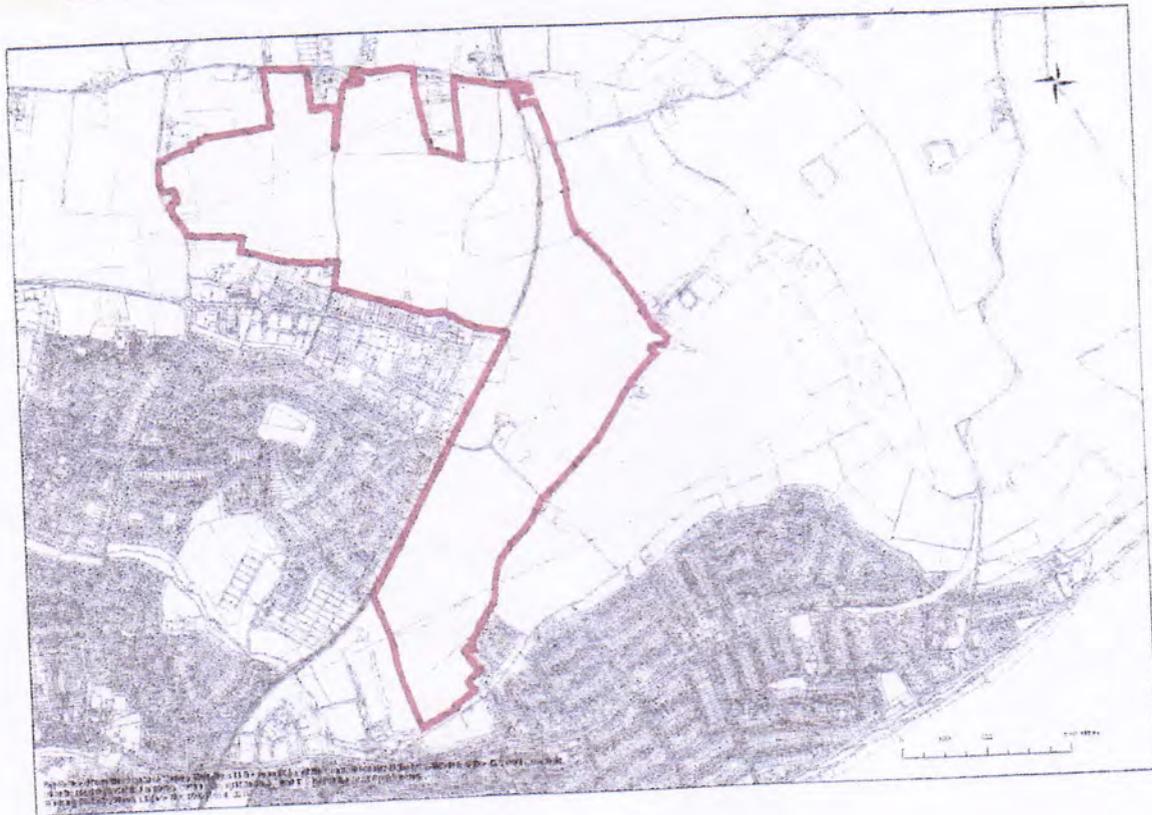
Area of Land North of Oakwood Business Park, Clacton-on-Sea.



SITE DETAILS			
Site Postcode	CO16 9RZ	Site Area	4.01ha. approx.
Grid Reference	618107(E) 218824(N)	Site Status	Site being promoted for residential development by a third party.
Site Description	Open vacant land currently open grassland. South-eastern corner currently occupied by a number of mature trees. Western part of site currently occupied by Thorpe Road Chicken Farm. A number of isolated dwellings lie around the site but it is mostly surrounded by open agricultural land. The site is bounded to the west by Thorpe Road and to the north by Holland Road.		
Indicative Capacity	73 dwellings assuming 90% of the whole site area – excluding the area of woodland – is developed for housing at a density of 30 dwellings per hectare.		

IMPORTANT NOTE: TENDRING DISTRICT COUNCIL WILL BE UNDERTAKING A DETAILED ASSESSMENT OF THIS SITE. THE COUNCIL HAS NOT, AT THIS TIME, MADE ANY FINAL DECISIONS ABOUT WHETHER THIS SITE SHOULD OR SHOULD NOT BE EARMARKED FOR DEVELOPMENT IN THE NEW LOCAL PLAN. THEREFORE ANY COMMENTS YOU HAVE WILL BE GRATEFULLY RECEIVED.

Land between Sladbury's Lane and Thorpe Road, Clacton-on-Sea.



SITE DETAILS			
Site Postcode	CO15 4SS	Site Area	147.53 ha. approx.
Grid Reference	619357 (E) 218066 (N)	Site Status	Site being promoted for residential development by a third party (as a long-term project).
Site Description	Large area of land surrounding the north-eastern corner of Clacton. Mostly open agricultural land. Area is bisected by the railway line and a public footpath runs through the site.		
Indicative Capacity	2600 dwellings assuming 90% of the whole site area is developed for housing at a density of approx. 20 dwellings per hectare. However, this could be less if the development included other uses.		

IMPORTANT NOTE: TENDRING DISTRICT COUNCIL WILL BE UNDERTAKING A DETAILED ASSESSMENT OF THIS SITE. THE COUNCIL HAS NOT, AT THIS TIME, MADE ANY FINAL DECISIONS ABOUT WHETHER THIS SITE SHOULD OR SHOULD NOT BE EARMARKED FOR DEVELOPMENT IN THE NEW LOCAL PLAN. THEREFORE ANY COMMENTS YOU HAVE WILL BE GRATEFULLY RECEIVED.

Mary Foster

From: Gary Ashby
Sent: 03 January 2013 09:36
To: Keely Grothier
Subject: FW: Comments on COS14 of The Tendring District Local Plan, Proposed Submission Draft

Gary Ashby BSc(Hons) PGDip
Planning Officer
Planning Department
Tendring District Council
Council Offices, Thorpe Road, Weeley, Essex, CO16 9AJ
e-mail: gashby@tendringdc.gov.uk
tel: 01255 686137
web: www.tendringdc.gov.uk

[Planning Public Access](#)

From: Graham Lawrence [REDACTED]
Sent: 02 January 2013 13:25
To: Gary Ashby
Cc: Barbara Carter
Subject: Comments on COS14 of The Tendring District Local Plan, Proposed Submission Draft

Gary

As you know I am acting on behalf of the landowners of the COS14 proposed development site east of Rush Green Road, Clacton-on-Sea. Further to our telephone conversation before Christmas I can confirm that the landowners are very supportive of the inclusion of the land within the Local Plan and will gladly work with Tendring DC to prepare a development brief with the aim of delivering the development as soon as possible within the Plan period.

I would like to make comments on some of the content in the Policy COS14 based on the paragraphs as set out:-

- a) and b) My clients accept the need for a contribution to this infrastructure improvement if it is needed to deliver the development.
- c) and d) We are concerned that these requirements are restrictive in that they link delivery of the development to the actions of others. This could lead to unnecessary delay and as the Policy identifies the Rush Green Road site as suitable for only 60 dwellings we query the need for this restrictive connection to the Rouses Farm Development. As the NPPF aims to minimise barriers to sustainable development proposals we ask that these requirements be removed.
- e) f) and h) All accepted.
- g) My clients would like to explore the recreational and leisure opportunities for the green space land as set out in our initial development brief proposal. We will be happy for this to form part of the overall Development Brief to be prepared with TDC.

We do not consider it necessary to speak at the Public Examination if our concerns relating to para's c and d are given fair consideration. If, however, you consider it would be beneficial for us to make representation to the Inspector or be available to aid informed discussion we will arrange to be present.

Do let me know if you have any queries or if I can assist you in any way.

Best Regards

Graham

05/02/2013

Graham Lawrence BSc, DipTP, IHBC

conservation - planning - design



On 8 Nov 2012, at 11:52, Gary Ashby wrote: _

Dear Sir or Madam,

The Tendring District Local Plan: Proposed Submission Draft – Public consultation

On Friday 9th November 2012, Tendring District Council will publish a new Local Plan for consultation in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) regulations 2012.

Under the government's new National Planning Policy Framework, Councils have a duty to plan positively for new development by ensuring they have an up-to-date Local Plan showing the areas of land where development can and cannot go and including policies that the Council will use when considering planning applications. It is vitally important that the Council is able to proceed with this document because, under the new rules, any Council without an up-to-date Local Plan after 27th March 2013 will be expected to approve planning applications for new housing or commercial development in accordance with national policy - with very limited scope to take local factors into account.

Over the last couple of years, thousands of Tendring residents and organisations expressed their concerns over the Council's previous proposals for new housing development – particularly in the Clacton area. Concerns were also raised about the impacts of high density housing and social housing on communities and it was suggested that development ought to be spread, more fairly, across the different parts of the Tendring District.

The Council has listened and acted upon these concerns and this new Local Plan promotes a fair distribution of new development in every town and village and a significantly reduced amount of development in the Clacton area. The Local Plan also includes policies aimed at achieving lower-density housing development, more in keeping with the character of our towns and villages, and the majority of new housing will be larger homes with decent sized gardens. To meet the housing needs of low-income families, most affordable housing will be run by Tendring District Council as 'Council Housing' to ensure that local people are given priority over people wanting to move into the area from elsewhere.

You are receiving this email because at some stage in the last couple of years you have promoted a site for development or requested a change to one of the district's settlement development boundaries.

I am pleased to inform you that we will be publishing the Local Plan for just over eight weeks consultation (a full two weeks more than the minimum statutory requirement) starting on Friday 9th November 2012 and ending at **4.00pm on Monday 7th January 2013**. During that time, any interested party will be welcome to put forward representations expressing their views on the Local Plan. Any representations received after that time will not be taken into account.

The Local Plan and supporting documentation will be available to view at the public exhibitions listed below, in libraries throughout the district and during normal opening hours at the Weeley Council Offices and Clacton Town Hall. It will also be available to download from the Council's website www.tendringdc.gov.uk where, if you wish, you will be able to submit comments on-line.

The following public exhibitions will be held during the consultation period:

- **Tuesday 13th November 2012** 10:00 to 13:00 – Brightlingsea Community Centre;
- **Wednesday 21st November 2012** 14:00 to 17:00 – Venture Centre, Lawford;
- **Monday 26th November 2012** 10:00 to 13:00 – Clacton Town Hall, Station Road, Clacton-on-Sea;
- **Tuesday 27th November 2012** 13:30 to 16:30 – Central Church Hall, Main Road, Dovercourt;
- **Wednesday 28th November 2012** 10:00 to 13:00 – Wix Village Hall, Harwich Road, Wix;
- **Friday 7th December 2012** 10:00 to 13:00 – The Columbine Centre, Walton-on-the-Naze;
- **Saturday 15th December 2012** 11:30 to 14:30 – Clacton Coastal Academy (formerly Bishops Park

05/02/2013

School), Jaywick Lane, Clacton-on-Sea; and

- **Wednesday 19th December 2012** 10:00 to 22:00 – Council Chamber, Council Offices, Thorpe Road, Weeley.

If you have any questions, please feel free to speak with one of my team on 01255 686177 or e-mail planning.policy@tendringdc.gov.uk.

Yours faithfully,

Gary Ashby, on behalf of

Gary Guiver BSc(Hons) PGDipTP MRTPI
Planning Policy Manager
Tendring District Council
Planning Services,
Council Offices,
Weeley, CO16 9AJ

[Planning Public Access](#)

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CONSULTATION

On

TENDRING DISTRICT COUNCIL DRAFT LOCAL PLAN

Consultation prepared by

Guy French MRICS FAAV MBIAC

Whirledge and Nott



ON BEHALF OF

Mr Michael Hughes
c/o Whirledge and Nott



**WHIRLEDGE
& NOTT**

Chartered Surveyors, Auctioneers & Valuers

PREPARED
JANUARY 2013

Introduction

This consultation has been prepared on behalf of Mr M Hughes, the joint freehold owner of Unit 1 Telford Road, Clacton on Sea. The site lies within an allocated employment zone as part of the draft Tendring District Council Local Plan (“the Local Plan”) and is subject to policy PRO14 – Employment Sites.

This consultation therefore addresses policy PRO14 and its interpretation of National Planning Policy under the National Planning Policy Framework (“the NPPF”).

Consultation

Paragraph 14 of the NPPF states that during the plan making process, the Local Planning Authority (“the LPA”) should take the presumption of sustainable development into account.

The NPPF states:

“For plan-making this means that:

- ***Local Planning Authorities should positively seek opportunities to meet the development needs of their area;***
- ***Local Plans should meet objectively assessed needs, 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.”***

It is considered that the LPA have adequately prepared policy PRO14 to take into account the needs of the local area with the exception of the points raised below.

However, in addition to the use classes identified within policy PRO14, it is considered that in addition to the use classes identified, the LPA should actively encourage the change of use classes to incorporate B1(a) and A1. This would therefore not limit the economic prosperity and external factors which may further promote business development within an employment site. It is important that additional economic use classes are encouraged to create a wider marketplace for businesses who may occupy areas within these employment zones and subsequently create jobs. It is vital as part of the plan making process that new jobs are actively encouraged and promoted.

Limitations on the flexibility of businesses that can operate within these employment zones may discourage economic prosperity in an area that requires a wide range of business investment and economic development. The consultee considers that the drafting of PRO14 does not adequately acknowledge that these additional uses classes would enable these employment sites to remain in a commercial use. Limiting this flexibility as identified within the NPPF could discourage economic investment and sustainability within these areas.

It is considered that by explicitly stating a wider range of appropriate use classes with the District’s employment sites will not detract smaller business and retail businesses away from the town but provide a wider and more flexible approach to the prosperity of the employment sites. These additional use classes will generate employment and should be actively encouraged throughout the District’s employment sites and not just contained within town centres as this can detract economic investment and growth within a District.

Paragraph 17 of the NPPF identifies the core planning principles for plan making and states that policies should “**proactively drive and support sustainable development**”. The paragraph also goes on to state that “**every effort should be made to create the requirement for employment and industrial development based on the needs of the local area**”.

Paragraph 22 of the NPPF states that “**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. Land allocations should be regularly reviewed. 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.**”

It is considered that policy PRO14 does not apply sufficient weight to Paragraphs 17 and 22 of the NPPF and that a more flexible approach should be incorporated within this policy not to restrict economic growth, prosperity and opportunities within the employment land designations.

The overarching policies of the NPPF should be incorporated within the plan making process.

It is the consultee’s opinion that although PRO14 will consider alternative uses, it is considered that these are too restrictive and do not actively incorporate or encourage sustainable development of employment sites. The consultee considers that a flexible approach to a wider range of use classes should be incorporated to include A1 and B1(a) uses.

Ref: NLP002349

Date Added: 1/7/2013 3:22:11 PM

Chapter: 3. Planning for Prosperity Section: Employment Sites

Handled by Agent: Y

Consultee: Mr Michael Hughes

Consultee Job Title: Commercial Property Owner

Consultee Organisation:

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Guy French

Agent Job Title: Chartered Surveyor

Agent Organisation: Whirledge and Nott

Agent Address: [REDACTED]

Agent Email: [REDACTED]

Agent Phone: [REDACTED]

Support or Objection: Object

Justification: Introduction This consultation has been prepared on behalf of Mr M Hughes, the joint freehold owner of Unit 1 Telford Road, Clacton on Sea. The site lies within an allocated employment zone as part of the draft Tendring District Council Local Plan ("the Local Plan") and is subject to policy PRO14 – Employment Sites. This consultation therefore addresses policy PRO14 and its interpretation of National Planning Policy under the National Planning Policy Framework ("the NPPF"). Consultation Paragraph 14 of the NPPF states that during the plan making process, the Local Planning Authority ("the LPA") should take the presumption of sustainable development into account. The NPPF states: "For plan-making this means that: • Local Planning Authorities should positively seek opportunities to meet the development needs of their area; • Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless: o 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 o specific policies in this Framework indicate development should be restricted." It is considered that the LPA have adequately prepared policy PRO14 to take into account the needs of the local area with the exception of the points raised below. However, in addition to the use classes identified within policy PRO14, it is considered that in addition to the use classes identified, the LPA should actively encourage the change of use classes to incorporate B1(a) and A1. This would therefore not limit the economic prosperity and external factors which may further promote business development within an employment site. It is important that additional economic use classes are encouraged to create a wider marketplace for businesses who may occupy areas within these employment zones and subsequently create jobs. It is vital as part of the plan making process that new jobs are actively encouraged and promoted. Limitations on the flexibility of businesses that can operate within these employment zones may discourage economic prosperity in an area that requires a wide range of business investment and economic development. The consultee considers that the drafting of PRO14 does not adequately acknowledge that these additional uses classes would enable these employment sites to remain in a commercial use. Limiting this flexibility as identified within the NPPF could discourage economic investment and sustainability within these areas. It is considered that by explicitly stating a wider range of appropriate use classes with the District's employment sites will not detract smaller business and retail businesses away from the town but provide a wider and more flexible approach to the prosperity of the employment sites. These additional use classes will generate employment and should be actively encouraged throughout the District's employment sites and not just contained within town centres as this can detract economic investment and growth within a District. Paragraph 17 of the NPPF identifies the core planning principles for plan making and states that policies should "proactively drive and support sustainable development". The paragraph also goes on to state that "every effort should be made

to create the requirement for employment and industrial development based on the needs of the local area". Paragraph 22 of the NPPF states that "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. Land allocations should be regularly reviewed. 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." It is considered that policy PRO14 does not apply sufficient weight to Paragraphs 17 and 22 of the NPPF and that a more flexible approach should be incorporated within this policy not to restrict economic growth, prosperity and opportunities within the employment land designations. The overarching policies of the NPPF should be incorporated within the plan making process. It is the consultee's opinion that although PRO14 will consider alternative uses, it is considered that these are too restrictive and do not actively incorporate or encourage sustainable development of employment sites. The consultee considers that a flexible approach to a wider range of use classes should be incorporated to include A1 and B1(a) uses.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 3:51:55 PM

Attachment: Y

Added by Council: N

Reply: N

Notes:

Ref: NLP002350

Date Added: 1/7/2013 3:24:58 PM

Chapter: 3. Planning for Prosperity Section: Employment Sites

Handled by Agent: Y

Consultee: Mr Michael Hughes

Consultee Job Title: Commercial Property Owner

Consultee Organisation:

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Guy French

Agent Job Title: Chartered Surveyor

Agent Organisation: Whirledge and Nott

Agent Address: [REDACTED]

Support or Objection: Object

Justification: Introduction This consultation has been prepared on behalf of Mr M Hughes, the joint freehold owner of Unit 1 Telford Road, Clacton on Sea. The site lies within an allocated employment zone as part of the draft Tendring District Council Local Plan ("the Local Plan") and is subject to policy PRO14 – Employment Sites. This consultation therefore addresses policy PRO14 and its interpretation of National Planning Policy under the National Planning Policy Framework ("the NPPF"). Consultation Paragraph 14 of the NPPF states that during the plan making process, the Local Planning Authority ("the LPA") should take the presumption of sustainable development into account. The NPPF states: "For plan-making this means that: • Local Planning Authorities should positively seek opportunities to meet the development needs of their area; • Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless: o 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 o specific policies in this Framework indicate development should be restricted." It is considered that the LPA have adequately prepared policy PRO14 to take into account the needs of the local area with the exception of the points raised below. However, in addition to the use classes identified within policy PRO14, it is considered that in addition to the use classes identified, the LPA should actively encourage the change of use classes to incorporate B1(a) and A1. This would therefore not limit the economic prosperity and external factors which may further promote business development within an employment site. It is important that additional economic use classes are encouraged to create a wider marketplace for businesses who may occupy areas within these employment zones and subsequently create jobs. It is vital as part of the plan making process that new jobs are actively encouraged and promoted. Limitations on the flexibility of businesses that can operate within these employment zones may discourage economic prosperity in an area that requires a wide range of business investment and economic development. The consultee considers that the drafting of PRO14 does not adequately acknowledge that these additional uses classes would enable these employment sites to remain in a commercial use. Limiting this flexibility as identified within the NPPF could discourage economic investment and sustainability within these areas. It is considered that by explicitly stating a wider range of appropriate use classes with the District's employment sites will not detract smaller business and retail businesses away from the town but provide a wider and more flexible approach to the prosperity of the employment sites. These additional use classes will generate employment and should be actively encouraged throughout the District's employment sites and not just contained within town centres as this can detract economic investment and growth within a District. Paragraph 17 of the NPPF identifies the core planning principles for plan making and states that policies should "proactively drive and support sustainable development". The paragraph also goes on to state that "every effort should be made

to create the requirement for employment and industrial development based on the needs of the local area". Paragraph 22 of the NPPF states that "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. Land allocations should be regularly reviewed. 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." It is considered that policy PRO14 does not apply sufficient weight to Paragraphs 17 and 22 of the NPPF and that a more flexible approach should be incorporated within this policy not to restrict economic growth, prosperity and opportunities within the employment land designations. The overarching policies of the NPPF should be incorporated within the plan making process. It is the consultee's opinion that although PRO14 will consider alternative uses, it is considered that these are too restrictive and do not actively incorporate or encourage sustainable development of employment sites. The consultee considers that a flexible approach to a wider range of use classes should be incorporated to include A1 and B1(a) uses.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 3:45:31 PM

Attachment: Y

Added by Council: N

Reply: N

Notes:



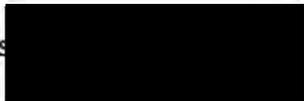
02/12/12

Dear Mr. Matthews,

RE: Land at The Willows.....Site 204

With reference to the draft Local Plan currently out for public consultation allocated at COS 15, I would like to propose that land at The Willows (refer to site 204) is included as part of the Thorpe Road residential allocation as discussed at our meeting with you on 30/11/12.

Regards



Russell Oldham



**Tendring District Local Plan:
Proposed Submission Draft (2012)**

REPRESENTATION FORM

This is the representation form to use for giving us your comments on the Proposed Submission Draft of the new Tendring District Local Plan. The document itself is available to view on the Council's website (www.tendringdc.gov.uk) and hard copies are available at the District Council offices at Weeley, the Town Hall at Clacton and at all the libraries in the district.

Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:

MR R. O'DELL

If an organisation, please provide a contact name:

E-mail: Tel No:

C/O Agent

Address (put the organisation address if relevant):

Post Code:

If you are an agent acting on behalf of someone please provide your details here

Name of agent: Robinson & Hall LLP

If an organisation, please provide a contact name: Peter Le Grys

E-mail: Tel No:

Address (put the organisation address if relevant):

Post Code:

Please remember to notify us if your contact details change.

Please turn over ↶

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support Object (Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following 'tests of soundness'. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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 proportionate evidence;
- **“Effective”** – the plan should be deliverable over its plan 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 National Planning Policy Framework

In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
	See attached statement

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

To provide further case to justify proposal

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

Please note that any comments submitted cannot be treated as private and confidential and may be made available for public inspection. Respondents' details will be held on a database in accordance with the terms of Tendring District Council's registration with the UK Information Commissioner pursuant to the Data Protection Act 1998.

Please sign and date this form: Signed 	Date: 31/12/2012
--	------------------

All representations must be received by the Council no later than 16:00 on Monday 7th January 2013. Any submissions received after this deadline cannot be considered.

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.

Support to Proposed Submission Draft

Tendring District Local Plan

By Mr R. O'Dell

**Land to the East of Amber Leisure Holiday Park,
St John's Road, Clacton-on-Sea**

Representation Reference No. 15/41494

**Peter Le Grys MA Dip.TP MRTPI
Robinson & Hall LLP**

December 2012

Support to Housing Policies

Mr R O'Dell - Land to the east of Amber Leisure Holiday Park St John's Road, Clacton-on-Sea

Policy SD2 of the 'Proposed Submission Draft' recognises that Clacton-on-Sea is the primary urban settlement within the District.

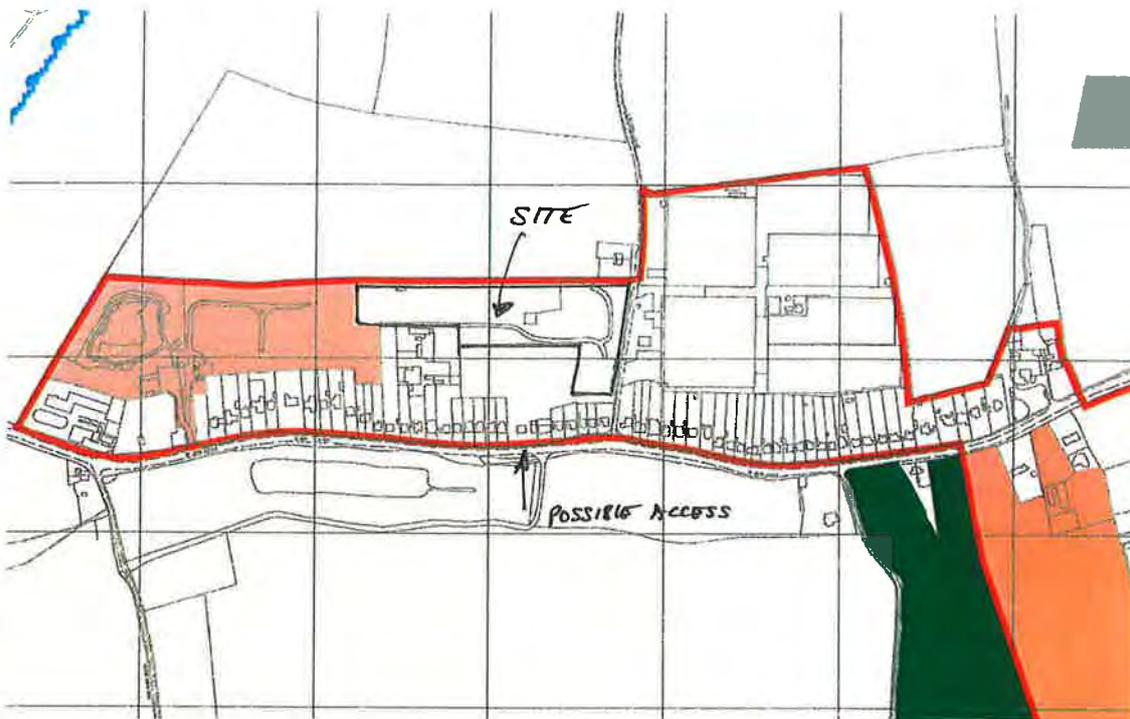
Paragraph 1.7 of the 'Proposed Submission Draft' recounts the process and extent of technical evidence that the Council has undertaken between 2007 and 2011 necessary to form a plan for the area. Page 19 of the document continues by listing all those documents and studies to which account has apparently been given. The Council's various Strategic Housing Market Assessments identified the need to deliver around 6,300 new dwellings within the period 2011 and 2031. They further recognised that only 20% of such housing will be capable of being developed on 'brownfield' sites. Furthermore, the previously published Spatial Strategy Policy No.4 demonstrated that the focus of new growth in both jobs and housing needed to be within the urban settlements of the district, with Clacton-on-Sea being the key settlement. As such, it was anticipated that 4,100 homes and 3,500 new jobs need to be created within the town.

The site is a rectangular piece of land located to the east of Amber Leisure Holiday Park which itself is safeguarded for holiday park use (Policy PRO9) as identified in the Proposed Submission Draft (2012). The site also falls within the proposed settlement development boundary of Clacton-on-Sea and should be considered for residential development as it adjoins existing residential properties fronting St. Johns Road. This site is considered to be far more suitable for residential development than the suggested allocation site (COS12) adjacent to Rouses Farm put forward by the Council which is likely to face considerable difficulties in respect of access, design and layout due to the narrow and elongated nature of the land. This will mean that the policy requirements as set out in Policy PEO5 would be difficult to achieve. The reality of this site being brought forward, particularly with the infrastructure and social facilities required by the Council, must raise considerable doubt that this scheme will be forthcoming. If this or any other site fails, the targets set by the Council will also fail.

Although access may be obtained off Earls Hall Drive, due to ownership difficulties this may prove impracticable. It is therefore suggested that the provision of a new central access could involve the development of one of the adjoining larger residential properties, and to which discussions have already taken place development. This would ensure that the new access met all highway requirements while also enabling the most efficient use of surrounding land. The layout and orientation of new properties could be designed to ensure that views to the north will be maximised as well as meeting the 'back to back' distances between new and existing properties and ensuring that existing amenities are not compromised.

The site can accommodate semi-detached or detached dwellings, meeting the Council's 6% distribution of housing growth for Clacton-on-Sea. The pattern of development, scale, design, layout and appearance can reflect existing residential properties along St. Johns Road but ensure a more efficient use of land. There are no issues that would affect the development of the site. As a consequence, it is

considered that the proposal will meet the requirements of the NPPF, particularly those comments within paragraph 14 in respect of a positive opportunity to meet the development needs of an area. Furthermore, the allocation of this site will accord with the core planning principles as set out within paragraph 17 by ensuring that a scheme enhances and improves the place in which people live their lives. The proposal will not only be sustainable, it is achievable and deliverable as required by paragraphs 47 and 49 of the NPPF.





Tendring District Local Plan: Proposed Submission Draft (2012) REPRESENTATION FORM

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Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:
 MR R. SHAH

If an organisation, please provide a contact name:

E-mail: Tel No:

Address (put the organisation address if relevant): C/O Agent

Post Code:

If you are an agent acting on behalf of someone please provide your details here

Name of agent: Robinson & Hall LLP

If an organisation, please provide a contact name: Peter Le Grys

E-mail: [REDACTED] Tel No: [REDACTED]

Address (put the organisation address if relevant) [REDACTED]
 [REDACTED] Post Code: [REDACTED]

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support Object (Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following 'tests of soundness'. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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 proportionate evidence;
- **“Effective”** – the plan should be deliverable over its plan 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 National Planning Policy Framework

In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
	See attached statement

--	--

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

To provide further case to justify proposal

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Please sign and date this form: Signed: 	Date: 31/12/2012
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Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.

Objection to Proposed Submission Draft

Tendring District Local Plan

By Mr R. Shah

**Land at West Country House, Cherry Tree Avenue,
Clacton-on-Sea**

Representation Reference No. 24/41654

**Peter Le Grys MA Dip.TP MRTPI
Robinson & Hall LLP**

December 2012

Objection to Housing Policies and SD6

Mr R. Shah - Land at Westy Country House, Cherry Tree Avenue, Clacton-on-Sea

Policy SD2 of the 'Proposed Submission Draft' recognises that Clacton-on-Sea is the primary urban settlement within the District.

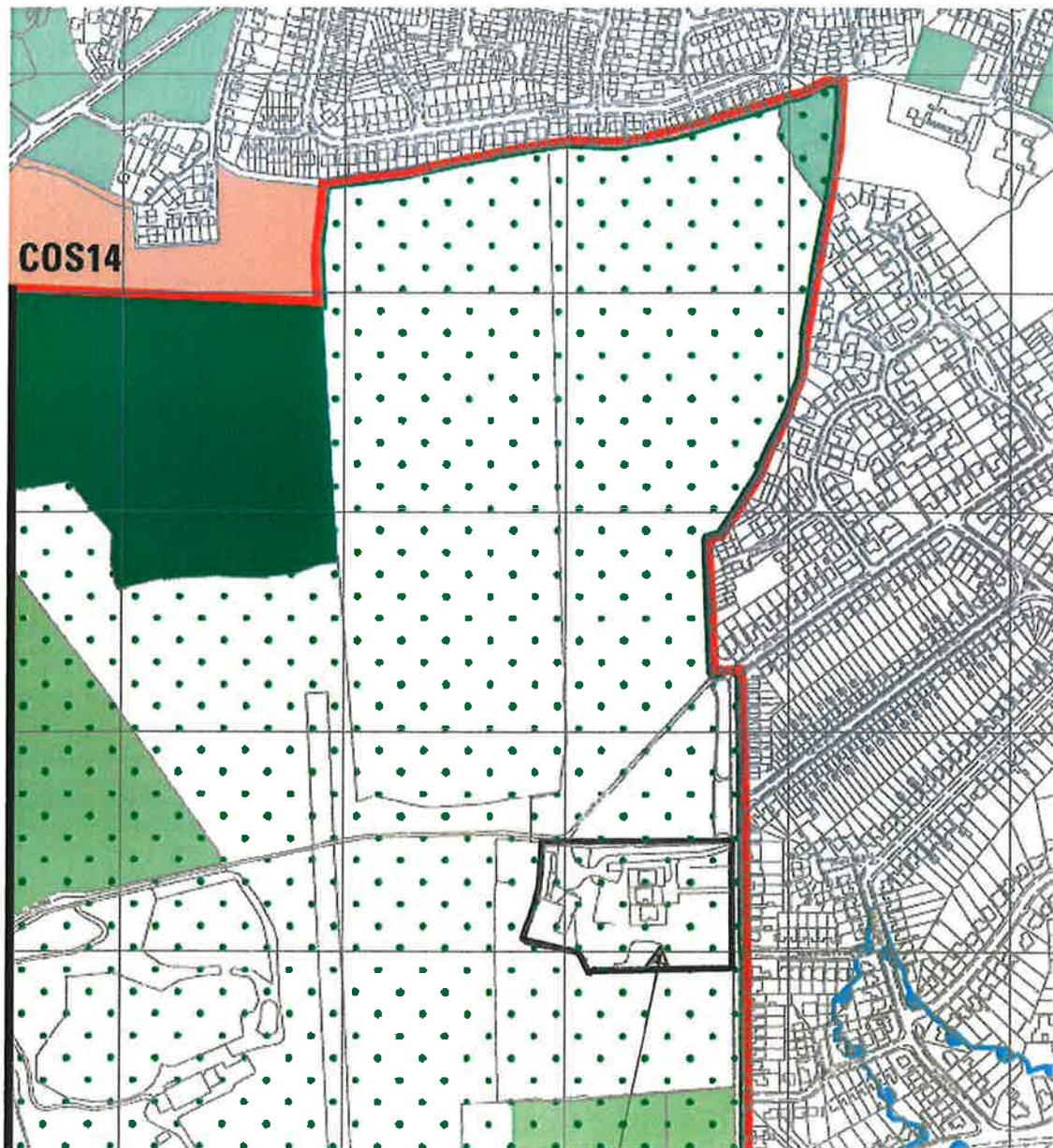
Paragraph 1.7 of the 'Proposed Submission Draft' recounts the process and extent of technical evidence that the Council has undertaken between 2007 and 2011 necessary to form a plan for the area. Page 19 of the document continues by listing all those documents and studies to which account has apparently been given. The Council's various Strategic Housing Market Assessments identified the need to deliver around 6,300 new dwellings within the period 2011 and 2031. They further recognised that only 20% of such housing will be capable of being developed on 'brownfield' sites. Furthermore, the previously published Spatial Strategy Policy No.4 demonstrated that the focus of new growth in both jobs and housing needed to be within the urban settlements of the district, with Clacton-on-Sea being the key settlement. As such, it was anticipated that 4,100 homes and 3,500 new jobs need to be created within the town.

The site is a rectangular piece of land to the west of Cherry Tree Avenue which includes a large house to be demolished and three bungalows to be retained. It extends to approximately 1.0 hectare and is therefore capable of accommodating approximately 20 dwellings. The site together with land indicated as COS13 and COS14 are beyond the settlement limits shown upon the existing adopted Local Plan. It is now suggested that the aforementioned sites, which comprise open land and recreational uses, should now be included for housing purposes notwithstanding their significant contribution to the local 'green wedge' between Clacton-on-Sea and Jaywick. This in contrast to the site at West Country House which is clearly a brownfield site enclosed within an extensive screen of long established planting. It is therefore argued that the representation site should not be included within the proposed strategic Green Gap as advocated by policy SD6 as the site makes no contribution to the openness between the two settlements. However consideration should be given to excluding the two sites identified as COS13 & COS14 for housing purposes having regard to their value to the open character of the area.

This site is considered to be far more suitable for residential development than the suggested allocation sites mentioned above together with the suggested site COS12 adjacent to Rouses Farm put forward by the Council which is likely to face considerable difficulties in respect of access, design and layout due to the narrow and elongated nature of the land. This will mean that the policy requirements as set out in Policy PEO5 would be difficult to achieve. The reality of these sites being brought forward, particularly with the infrastructure and social facilities required by the Council, must raise considerable doubt that these schemes will be forthcoming. If these or any other site fails, the targets set by the Council will also fail.

The site can accommodate semi-detached or detached dwellings, meeting the Council's 6% distribution of housing growth for Clacton-on-Sea. The pattern of development, scale, design, layout and appearance can reflect existing residential properties along Cherry Tree Avenue and Lees Road. There are no issues that would affect the development of the site. As a consequence, it is considered that the proposal

will meet the requirements of the NPPF, particularly those comments within paragraph 14 in respect of a positive opportunity to meet the development needs of an area. Furthermore, the allocation of this site will accord with the core planning principles as set out within paragraph 17 by ensuring that a scheme enhances and improves the place in which people live their lives. The proposal will not only be sustainable, it is also achievable and deliverable as required by paragraphs 47 and 49 of the NPPF.



SITE



STANFORDS

Chartered Surveyors
Auctioneers
Land and Estate Agents

Our Ref: GE/JM

28 December 2012



The Planning Policy Manager
Department of Planning
Tendring District Council
Council Offices
Thorpe Road, Weeley
Clacton on Sea CO16 9AG

RECEIVED
07 JAN 2013

Dear Sir

RE: Tendring District Local Plan Submission

On behalf of Mr T Wild and Mrs M Wild we enclose herewith our clients representation regarding the above plan.

We look forward to confirmation of receipt.



Enc.



Partners
G E V Ellis FRICS FAAV
S S Knight BSc FRICS FAAV ACIArb

Tendring District Local Plan
Representations in Accordance with Regulation 20 of
the
Town and Country Planning Local Plan (England)
Regulations 2012

On Behalf

Of

MR T WILD AND MRS M WILD

Landowner

Mr T Wild and Mrs M Wild c/o G E V Ellis, Stanfords, Wyncolls Road, Colchester, Essex CO4 9HU.

RE: Settlement Development Boundaries, Bocking Elms, Great Clacton, Clacton on Sea, Essex.

We write to object to the current planning proposals for Residential Development in the Bocking Elms Area of Great Clacton, Clacton on Sea as shown within the Draft Tendring District Local Plan 2012.

Although supporting the principal of average growth throughout the Tendring District the current proposal for the area do not follow good planning principal with regard to access or general settlement growth.

The land shown outlined in bold on Plan 1 and cross hatched in orange on Plan 2 attached to this representation is owned by the above landowner and if developed for residential development would be a natural extension of the recently developed residential area of Bocking Elm which is shown cross hatched in blue on Plan 2 attached.

The area cross hatched blue has as stated only recently been developed providing a modern residential estate and the extension to the north of this site to include the land cross hatch orange gives as stated a natural extension of the area without the need to provide extensive new infrastructure for the area and not increasing traffic flow on the road to the south leading to Jaywick and other areas.

This proposal development would replace 450 residential units proposed allocated under Policy Numbers COS 12 and COS 13 together with the associated community facilities and an area of public open space.

We would wish to be represented at any Public Examination of the Proposed Local Plan to support the proposal to include the land shown outlined in bold on Plan 1 as a mixture of Residential, Community facilities and open space within the Tendring D

Signed.....

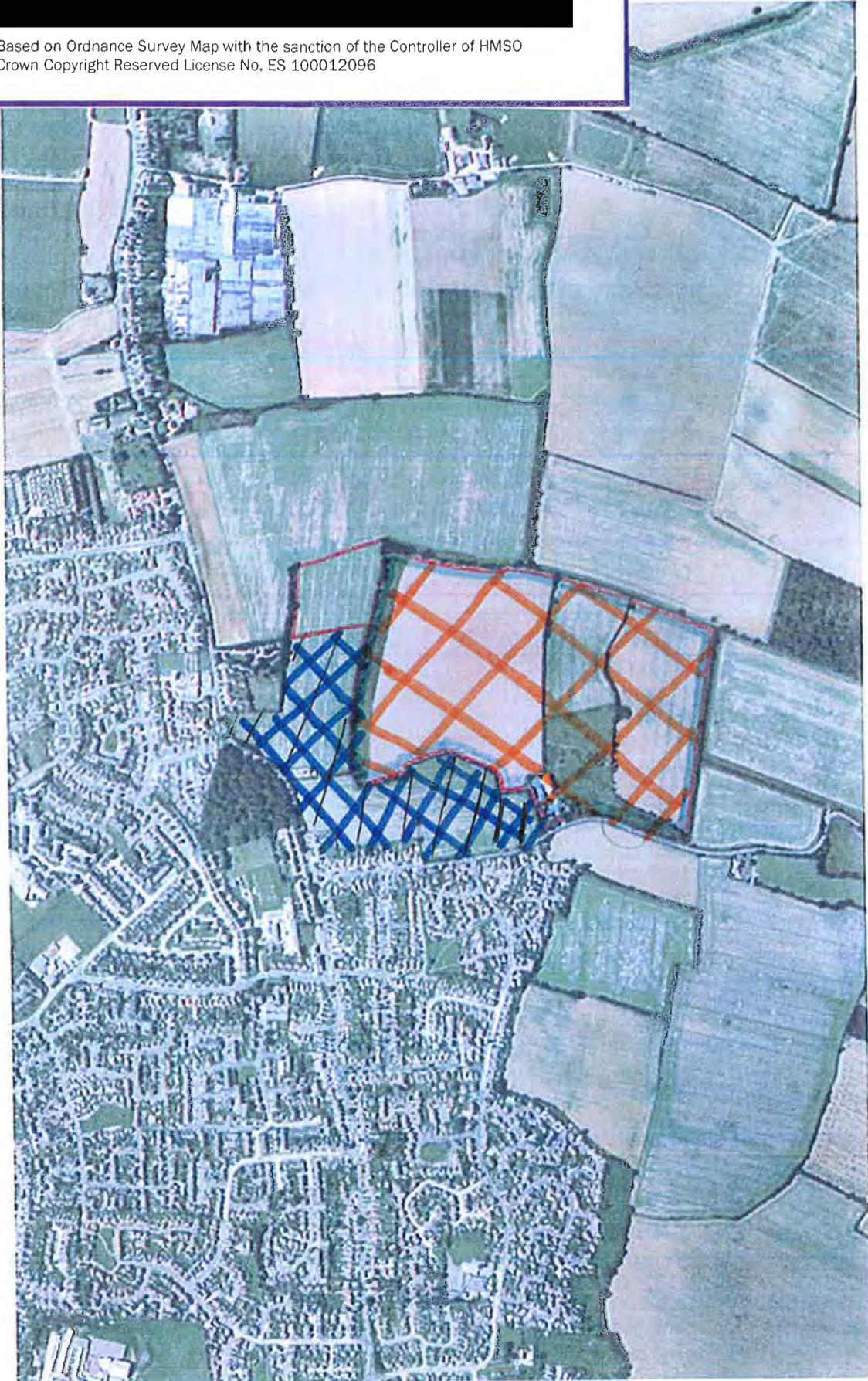
G E V Ellis

Dated.....3.1.2013

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Based on Ordnance Survey Map with the sanction of the Controller of HMSO
Crown Copyright Reserved License No. ES 100012096



Ref: NLP002208

Date Added: 1/2/2013 3:45:19 PM

Chapter: 6. Clacton-on-Sea Section: Development East of Rush Green Road

Handled by Agent: N

Consultee: Mrs Barbara Carter

Consultee Job Title: Partner, Landowner

Consultee Organisation: Brown And Meek Partners

Consultee Address: [REDACTED]

Consultee Email: [REDACTED]

Consultee Phone: [REDACTED]

Agent:

Agent Job Title:

Agent Organisation:

Agent Address:

Agent Email:

Agent Phone:

Support or Objection: Object

Justification: I am referring to Clacton, section 6 of the document online, COS14; development east of Rush Green Road; I am happy to accept points a and b, but feel c and d like development with provisions we (as landowners) have no control over. Points e and f are fine, I'd be happy to explore point g within the development brief with the planners, and I am happy with point h.

Want to Speak at Public Examination: N

Justification:

Approved: Y

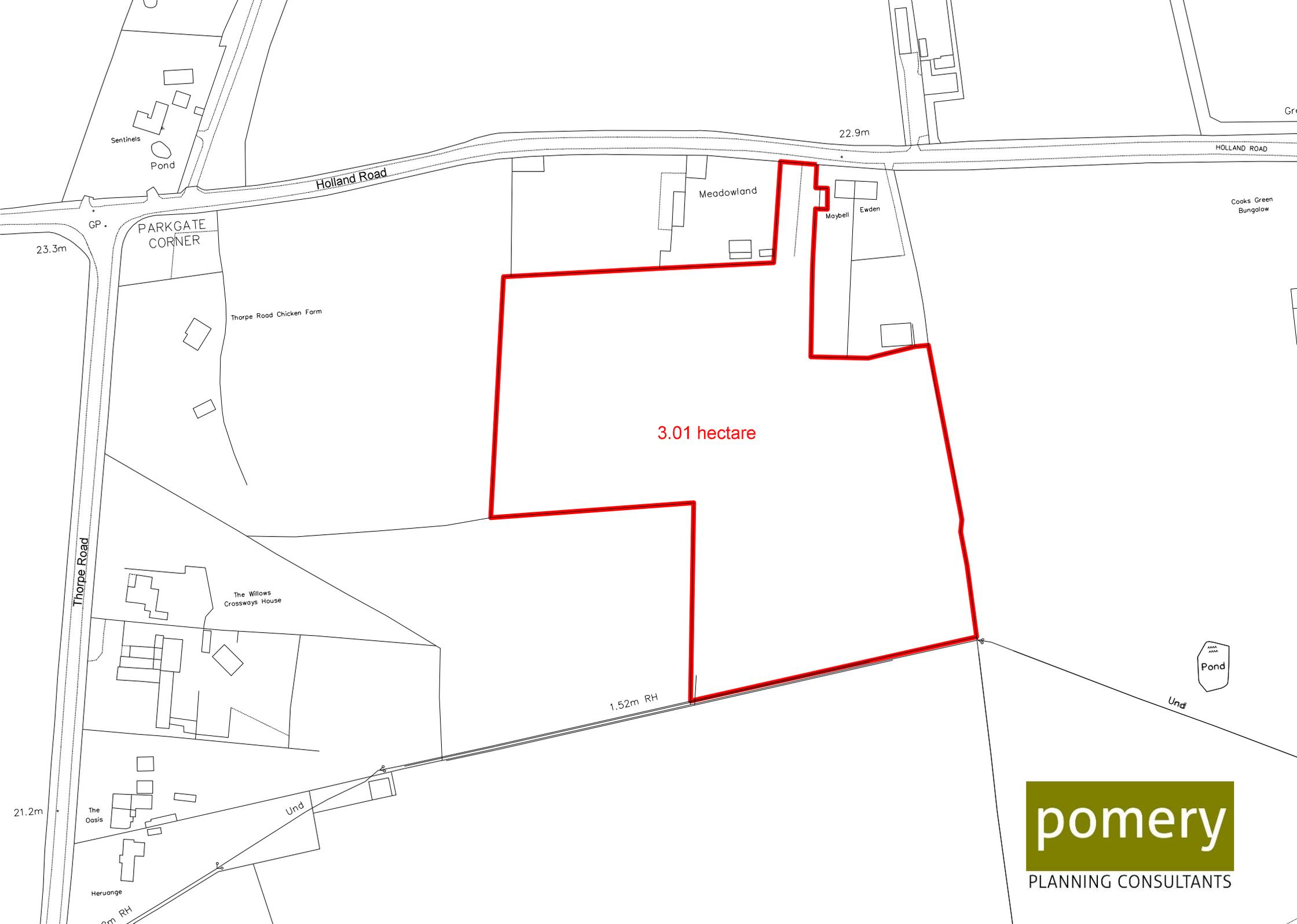
Approved Date: 1/3/2013 10:03:13 AM

Attachment: N

Added by Council: N

Reply: N

Notes:



3.01 hectare



Sentinels Pond

Holland Road

22.9m

HOLLAND ROAD

Cooks Green Bungalow

CP.

PARKGATE CORNER

23.3m

Meadowland

Maybell

Ewden

Thorpe Road Chicken Farm

The Willows Crossways House

Pond

1.52m RH

Und

21.2m

The Oasis

Und

Heruonage

2m RH

Ref: NLP002309

Date Added: 1/7/2013 12:06:26 PM

Chapter: 6. Clacton-on-Sea Section: Development East of Thorpe Road

Handled by Agent: Y

Consultee: Mrs Beryl Crees

Consultee Job Title:

Consultee Organisation:

Consultee Address:

Consultee Email:

Consultee Phone:

Agent: Mr Robert Pomery

Agent Job Title: Director

Agent Organisation: Pomery Planning Consultants

Agent Address: [REDACTED]

Agent Email: [REDACTED]

Agent Phone: [REDACTED]

Support or Objection: Support

Justification: The respondent generally supports the plan in principle and specifically supports Policy COS 15 Development East of Thorpe Road. COS 15 Development East of Thorpe Road Whilst the respondent supports this policy, these representations include observations in relation to housing numbers for allocated sites and the need to ensure comprehensive development on each parcel of land that makes up the allocation, to ensure that the site is deliverable and compliant with other local plan policy and the principles of sustainable development. The respondent agrees that the development of the wider allocation will have a minimal impact on the environment and on the amenities of existing communities. The allocation is reflective of the fact that the Councils SHLAA acknowledges that in Tendering District, there will be a need to provide at least 80% of the growth required on greenfield land. In allocating this site for mixed use development of new housing and employment uses, close to the largest settlement in the district will allow opportunities to live and work in the shape location, reducing the need to travel by car. It will also add to the prosperity of existing town centre uses. For these reasons the site scores well in the Draft Local Plan Sustainability appraisal meeting all applicable objectives. Need for Comprehensive Development The respondent owns approximately 3.01 hectares of the allocation identified in Policy COS 15. The precise area of the respondent's ownership is indicated on the enclosed plan, relative to the wider allocation. The allocation overall is in multiple ownership, but appears to fall into 4 main land parcels. It is noted that the Policy advises that the Council intends to work with the landowner to prepare a development brief for the allocation. Firstly, this wording should be amended to recognise that there are landowners, rather than a single landowner. The Council will be no doubt be aware that a planning application has already been submitted in relation to the largest area within the allocation known as Oakwood Park (reference 12/01262/OUT). The application proposes up to 250 residential units and 2,273 m² of B1c employment development. It is noted however that the indicative layout submitted with the application appears to show 225 residential units. This application has been submitted in anticipation of the allocation of COS 15 and to address the Council's failure to currently demonstrate that it has a 5 year supply of deliverable housing land. The respondent has no objections in principle to this proposed development coming forward early, but does see the need for the Council to safeguard the comprehensive delivery of all of the allocation of COS15. The Council's lack of supply of deliverable housing sites has lead to a development proposal coming forward on the allocation land, ahead of the preparation of a comprehensive master plan, as envisaged by the policy. Whilst this does not in principle cause difficulties, the Council should safeguard the future comprehensive development of the wider allocation via the use of planning conditions, attached to any approval of the early application. Those conditions should ensure that the land immediately north of the application site is accessed directly from the Oakwood Park land and that the access is secured directly to the Title boundary

of the respondent's land and is unfettered by ransom strips. Such conditions will ensure the allocation can be comprehensively delivered as envisaged by the emerging Local Plan. The applicant for Oakwood Park has provided an indicative layout to support his proposal that illustrates a possible link to the land to the north; this link is also acknowledged in the accompanying Design and Access Statement as a means by which vehicular access to the north can be provided. This indicative access arrangement is also consistent with the policy test criteria of COS 15. Density and Housing Numbers At Appendix 3: Estimated Dwelling Numbers for Allocated Sites of the Draft Local plan an estimated 300 units is anticipated from the COS 15 allocation. It is acknowledged that Appendix 3 stresses that the figures are a guide to residents, as to what they might expect from each allocation site and that they are not to be taken as minimum or maximum numbers; as final density will be considered on a site by site basis in accordance with other policies. That said the residential element of the Oakwood Park proposal illustrates a density of approximately 18 dwellings per hectare (DPH), which is relatively low and would appear to meet the Council's aspirational development criteria. Whilst this proposal is yet to be determined, it would appear to be based on a reasonable in its approach in the light of the emerging policy. The wider allocation of the housing land of COS 15 amounts to approximately 19.0 hectares, which if developed at a modest density of 18 dph would amount to development of up to 342 dwellings. Whilst this is a broad brush density calculation that does not have regard to the sensitivities of all parts of the allocation land, it would appear that more than slightly more than the 300 units estimated in Appendix 3 can be delivered. The allocation also includes a need to provide additional employment land, however the amount of land that is required for additional employment uses does not appear to be specifically identified in the Plan for each areas of the growth areas, where employment uses are to form part of the allocation. In the interests of clarity and completeness, the Council should express the extent of employment land expected from each allocation where appropriate, as well as the amount of land specifically required for any additional uses, such as schools.

Want to Speak at Public Examination: Y

Justification:

Approved: Y

Approved Date: 1/7/2013 1:58:11 PM

Attachment: Y

Added by Council: N

Reply: N

Notes:

Ref: NLP002214

Date Added: 1/3/2013 12:52:49 PM

Chapter: 6. Clacton-on-Sea Section: Development East of Rush Green Road

Handled by Agent: N

Consultee: Mrs Jean Richardson

Consultee Job Title: Partner ,Land Owner

Consultee Organisation: Brown And Meek

Consultee Address: 3 [REDACTED]

Consultee Email: [REDACTED]

Consultee Phone: [REDACTED]

Agent:

Agent Job Title:

Agent Organisation:

Agent Address:

Agent Email:

Agent Phone:

Support or Objection: Object

Justification: I am referring to Clacton, section 6 of the document online, COS14; development east of Rush Green Road; I am happy to accept points a and b, but feel c and d link development with provisions we (as landowners) have no control over. This may render the plan ineffective . I am happy with points e and f. I would be happy to explore point g within the development brief with the planners, and I am happy with point h.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/3/2013 2:03:01 PM

Attachment: N

Added by Council: N

Reply: N

Notes:

Ref: NLP002221

Date Added: 1/4/2013 12:20:21 AM

Chapter: 6. Clacton-on-Sea Section: Development East of Rush Green Road

Handled by Agent: N

Consultee: Mrs Ruth Davey

Consultee Job Title: Partner

Consultee Organisation: Brown And Meek Partners

Consultee Address: [REDACTED]

Consultee Email: [REDACTED]

Consultee Phone: [REDACTED]

Agent:

Agent Job Title:

Agent Organisation:

Agent Address:

Agent Email:

Agent Phone:

Support or Objection: Support

Justification: Brown and Meek Partners own some or all of the land to which this proposal relates. Points made in the Policy COS14 at (b), (e), (f) and (h) are accepted without reservation. It is probably also appropriate for the landowners to contribute to the additional sewerage work that might be required (as at (a) in COS14). However, the proposed requirement for the commencement of the residential development to be dependent on the completion of the building of a new school - albeit a single-form only school - and a new medical centre seems excessively onerous in relation to a development of merely 60 dwellings, with the composition of the occupancy of those dwellings obviously being unknown. It will only be as the housing units are developed and occupied that the additional needs of the new community for schooling or medical support will be known. It seems inappropriate for the developers of the COS14 site to have to wait until building, outside their control, has been completed and this is likely to defer, far beyond the time of the completion of these other buildings, the commencement of much-needed new dwellings on the COS14 site - simply through uncertainty. Finally, the suggested obligation to transfer the undeveloped portion of the land to TDC together "with a financial contribution towards future maintenance" is clearly something on which clear discussion with the Council will be required.

Want to Speak at Public Examination: N

Justification:

Approved: Y

Approved Date: 1/7/2013 9:31:06 AM

Attachment: N

Added by Council: N

Reply: N

Notes:

RECEIVED
08 JAN 2013



NP/CAM.0874

7th January 2012

The Planning Policy Manager
Planning Department
Tendring Council
Council Offices
Thorpe Road
Weeley
Clacton-on-Sea
CO16 9AJ

Dear Sirs

Tendring District Local Plan
Proposed Submission Draft (2012)
Representation Forms on behalf of Persimmon Homes Essex, Mr and Mrs I. Low,
and Mr and Mrs A. Duncan

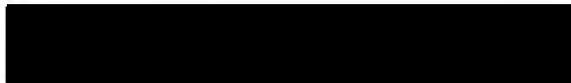
I write on behalf of Persimmon Homes Essex (my client) to register representations to the above document. These representations relate to the fact that my client has an interest in the site known as Rouses Farm, Jaywick Lane. Each representation is set out under a separate heading that relates to the part of the Plan that it comments on. It includes details of the representation and any relevant remedy being sought. For completeness I have enclosed a completed form for each representation.

Copies of these forms have also been sent by email.

Yours faithfully



Nicky Parsons
Director





**Tendring District Local Plan:
Proposed Submission Draft (2012)**

REPRESENTATION FORM

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Name of person or organisation making the representation:
PERSIMMON HOMES (ESSEX), MR AND MRS I. LOW, and MR AND MRS A. DUNCAN, c/o Agent

If an organisation, please provide a contact name:

E-mail: Tel No:

Address (put the organisation address if relevant):
..... Post Code:

If you are an agent acting on behalf of someone please provide your details here

Name of agent: **PEGASUS PLANNING GROUP**

If an organisation, please provide a contact name: **NICKY PARSONS**

E-mail: [REDACTED] Tel No: [REDACTED]

Address (put the organisation address if relevant):
[REDACTED] Post Code: [REDACTED]

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support

Object

(Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following ‘tests of soundness’. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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;
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- **“Effective”** – the plan should be deliverable over its plan 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 National Planning Policy Framework

In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
<p>Policy COS12: Development at Rouses Farm, Jaywick Lane</p>	<p>My client SUPPORTS the allocation of this specific site for housing in conjunction with Policy SD2 but wishes to raise the following OBJECTIONS to elements of the policy:</p> <ol style="list-style-type: none"> 1. The site allocation should include reference to the intended housing levels anticipated from this site. Appendix 3 of the Plan identifies the potential yield of all of the allocated sites and suggests that this site could deliver 300 units. It is understood from previous discussions with officers that this is expected to be in the region of 350-400 units with the final figure being the subject of the detailed design work required for any planning application – all referred to in Appendix 3. The absence of this figure from the policy and the reliance on an Appendix means that the policy lacks clarity and provides no certainty for developers. It also prevents the Council for identifying its deliverable supply of housing as required by the National Planning Policy Framework (paragraph 47). <i>My client therefore suggests that the policy be amended to refer to the anticipated yield.</i> 2. The policy requires the submission of a development brief prior to the submission of a planning application. This will have the effect of lengthening the pre-application process and as such delaying the delivery of this site. Whilst my client accepts that close working the Council at pre-application stage is essential this need not be in the form of a development brief. As the National Planning Policy Framework expects plan-led development the failure to comply with this element of the policy would mean a departure irrespective of whether the eventual scheme was appropriate. As such the wording of the policy offers no flexibility to the Council in the means by

which the proposal should be drafted at pre-application stage. *My client would therefore prefer to see this requirement deleted from the policy.*

3. The policy includes a set of criteria identifying the additional elements that the proposal is expected to deliver and the timing for the delivery of these items. There is no reference in the policy, its supporting text, or Appendix 3 to evidence to justify the facilities identified (as required by paragraph 182 of the NPPF) or the viability of these being delivered as part of this site. The National Planning Policy Framework is clear that site allocations must be viable in order that they can be deliverable. It advises at paragraph 173 that *'the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened'*.

The supporting technical evidence for the Local Plan (listed on the Council's website) includes a document called Infrastructure Study Part 2 dated January 2010 and prepared by Roger Tym & Partners and Peter Brett Associates. This document identifies the infrastructure needs of the District based on a housing target of 7,150 between 2009 – 2026, which is no longer a strategy for this Local Plan. It also relates to a previous policy of housing dispersal that focused heavily on Clacton with 4,351 identified for this settlement (by 2026).

The approach of the latest Local Plan is to disperse housing growth more evenly across the District with a corresponding reduction in housing levels in Clacton to 1,106 by 2021 (as indicated in Appendix 3 of the Plan). Although the timescales of the Plan and the Study are different it is clear that a substantial reduction in housing delivery is now being planned for Clacton. In crude terms (and disregarding any delivery assumptions) the annual housing delivery rate for Clacton has been reduced from 256¹ to 111². This inevitably has an impact on infrastructure needs, which does not appear to have been factored in to this latest version of the Plan and therefore calls into question the legitimacy of the requirements listed in this policy.

As well as being based on increased housing numbers, the infrastructure needs identified in this document clearly identify facilities that will benefit both the wider area and will serve the needs of other development sites. There is no recognition of this fact on this policy and no suggestion that the cost of the facilities will be fairly split across all development sites. My client therefore considers that the requirement of this site to fund these facilities fails all three test set out at paragraph 204 of the NPPF.

The Infrastructure Study referred to earlier acknowledges that lower land values in the Clacton area and the potential of this to influence the level of contributions that could be achieved (paragraph 2.5). It is clear that the issue of viability is not a new one for the Council although this does not seem to have prevented an optimistic list of requirements in the policy for this site. My client considers it necessary to review the cumulative viability of the contributions being sought at the site as no reference is made to the cost implications associated with their delivery, this is particularly crucial in order to achieve prompt delivery of sustainable residential development.

Paragraph 6.50 of the supporting text makes it clear that it expects this development to deliver a new primary school, a primary healthcare centre, a significant area of open space (later defined as 20ha) and new athletics facilities at a nearby site. My client contends that these obligations are self-evidently unviable both in terms of the cost of provision and the land-take involved. They also rely on third parties in some

¹ 4,351 target/17 year plan period.

² 1,106 target/10 year plan period.

cases for the delivery of the facilities and in the case of the medical centre prevent the redevelopment of the housing until it is provided. My client considers this to be unreasonable and prejudicial to the delivery of this important element of the Council's housing land supply. Such obligations would also fail the legal tests set out in paragraph 204 of the NPPF.

As the facilities will address needs in the wider area as well as this development my client requests that the policy be amended to allow for a proportional payment to be made and the removal of any requirement for delivery prior to implementation of the housing element of the scheme. The relevant proportion should be defined in this policy so that appropriate land deals can be made in advance of bringing a scheme forward for planning.

Finally in view of the excessive land take involved in the provision of the facilities listed in the policy the site area will need to be expanded to include land to the west. This additional land can be identified as open space.

As currently drafted this policy is unjustified, likely to be ineffective (as unviable sites will not be implemented) and inconsistent with national policy. It is therefore unsound.

Suggested Remedy

To overcome my client's concern I suggest that the policy be amended as follows:

- Include reference the anticipated development yield of this site, i.e. 350 – 400 homes;
- Delete reference to the need for a development brief and instead refer to suitable pre-application discussions having taken place with the Council prior to the submission of an application;
- Remove the requirement for the delivery of the medical centre prior to commencement and instead require the provision of a site for a medical centre prior to commencement and the provision of adequate funding of an appropriate level to be agreed with the developer to be provided;
- Identify the relevant proportions of funding for the facilities identified in the criteria justifiable for this site taking into account the nature of the facility and the extent to which it will fulfil both existing needs and the needs generated by other schemes;
- Include the justification for the facilities listed including evidence that they will be delivered by the third parties responsible for them;
- Specify the minimum site areas required for each of the facilities identified as being delivered on this site so that the land available for housing can be identified and valued accordingly;
- Where the relevant proportions or site areas are unknown include flexibility in the wording of the policy to allow for such matters to be a matter of agreement between the applicant and the Council with reference to the need for viability to be a material consideration in the decision-taking process;
- Amend the supporting text to reflect the changes to the policy

Please turn over 

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

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Date: 7.01.13

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PART B – DETAILS OF REPRESENTATION

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Support Object (Please tick one box)

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What section of the plan are you commenting on?	Comment(s)
<p>Policy PEO12: Flats, apartments and maisonettes</p>	<p>My client OBJECTS to the blanket restriction on flatted development provided by this policy. The supporting text suggests that the justification for this approach comes from public opinion that such accommodation causes social and economic problems. This does not represent effective justification for the restriction of this important element of the housing supply chain. Furthermore, the SHMA Update 2009 (Tables 6.4 – 6.9) reveals clear evidence of a demand for 1 and 2 bed properties across all tenures across the entire District in the region of 45-50% (see Figure 6.1 for the requirements in the Clacton area). This size of property is typically provided in flatted developments. The Council's own evidence demonstrates that this policy directly conflicts with the needs and demands identified for the District and the Clacton Area. The absence of satisfactory justification and the failure to fully address the identified housing needs of the area calls into question the effectiveness of this policy as well as its consistency with national policy. It is therefore considered unsound.</p> <p><u>Suggested remedy</u></p> <p>This policy and its supporting text should be deleted.</p>

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E-mail: [REDACTED]

Tel No [REDACTED]

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What section of the plan are you commenting on?	Comment(s)
<p>Policy PE02: Housing Trajectory</p>	<p>My client OBJECTS to this policy for the follow reasons:</p> <ol style="list-style-type: none"> 1. The policy advises of a requirement for a 5% buffer to the housing supply figures yet in the table it clearly shows that delivery has not met the housing target for two years. Previous Annual Monitoring Reports also reveal that the Council has been unable to meet its five year housing land supply requirements. The Sustainability Appraisal accompanying the Proposed Submission Draft of the Tendring Local Plan states at page 3 that housing completions for the period 2008/09-2011/12 were ‘<i>significantly lower than the target</i>’. The NPPF is clear that the relevant buffer in situation such as this is 20% (paragraph 47). <p>It also identifies at footnote 11 to this paragraph that for a supply to be considered deliverable it must be available now, in a sustainable location for development now, achievable within 5 years and be viable. The issue of viability is of relevance for unfulfilled sites in the current Local Plan that have not come forward during the economic boom suggesting an increased likelihood of continued failure to deliver in the current economic climate. The footnote also clarifies sites with planning permission should be considered as deliverable suggesting that those without planning permission cannot be considered as deliverable. This further diminishes the supply identified in the last AMR (2010 – 2011) as follows:</p>

Supply as at April 2011

A. Sites with planning permission	1,299 (assume all deliverable)
B. Outstanding site allocations (discount as no planning permission)	690
C. Total supply (as amended to reflect footnote 11)	1,299
D. Emerging annual target	400
E. Deliverable supply	3.25 years (C/D)

2. The policy also fails to explain where the supply of housing is coming from to fulfil the trajectory. Although the remainder of the plan identifies future housing sites it does not confirm the yield anticipated from each site (there is no reference to the information contained in Appendix 3) or the timescales for delivery. This demonstrates that the deliverability of the Council's housing supply has not been fully tested as required by paragraph 47 of the NPPF.

As currently drafted this policy is inconsistent with national policy and is therefore unsound.

My client has already raised justifiable concerns about the viability of one site of interest. It is unlikely that these concerns are unique to this one site and as such are likely to extend to other large housing allocations in the District. My client therefore believes that, in the absence of evidence to the contrary, the Council's housing supply is very fragile exacerbated by relatively low land levels, the economic downturn and high infrastructure costs. As such, to avoid a situation whereby housing numbers drop below identified targets the Council's housing policies must be sufficiently flexible to allow for new sources of housing supply to be delivered in appropriate circumstances.

Suggested Remedy

My client requests that the following changes to the policy:

- Amend the text to refer to the application of the 20% buffer;
- Include reference to the source of the housing supply including anticipated delivery dates, likely housing yield and evidence of deliverability;
- Allow for housing targets on identified sites to be treated flexibly with increases permitted where justified by individual circumstances;
- Allow for new sources of housing supply on appropriate sites to come forward where justified by developers subject to the principles of sustainable development set out in the NPPF.

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What section of the plan are you commenting on?	Comment(s)
<p>Policy PEO4: Standards for new housing</p>	<p>My client OBJECTS to this policy because the internal space standards, private amenity area and parking requirements are excessive and unjustified. The wording of the policy also fails to allow the specifics of the development or the location to be taken into account when assessing the suitability of a scheme. For example, aspirational housing can be delivered on schemes with benefits other than larger internal space standards such as reduced/no affordable housing, parkland settings and high standards of design. My client considers that this will adversely affect the viability of some schemes in direct conflict with the requirements paragraph 173 of the NPPF. As such the policy is inconsistent with national policy and is therefore unsound.</p> <p><u>Suggested Remedy</u></p> <p>My client suggests two alternative remedies:</p> <ol style="list-style-type: none"> 1. Delete the policy in its entirety and instead refer to the standards in the supporting text as aspirational targets, or; 2. Amend the wording of the policy to describe the standards as target requirements unless specific circumstances suggest that alternative standards are appropriate AND reduce the standards to more appropriate levels.

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<p>Policy PE05: Housing Layout in Tendring</p>	<p>This policy sets out detailed requirements for the form and layout of housing developments on sites of 50 units or more in order to deliver developments that follow the principles of Garden Cities. My client OBJECTS to the blanket application of these requirements as it will inhibit the ability for innovative design solutions and also fails to allow the individual circumstances of a scheme or a location to be taken into account.</p> <p><u>Suggested remedy</u></p> <p>The requirements of this policy are more appropriate for a supporting supplementary planning document that sets out the design aspirations that the Council will favour when considering the appropriateness of a development. My client therefore suggests that this policy be deleted and replaced with a policy that indicates the preferences of the authority and refers the reader to a supplementary planning document for more detail.</p>

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

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Due to the strategic significance of our site, we consider it is important that we are included in all relevant hearing sessions in order to contribute to the debate.

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Mary Foster

From: Clare Fairweather [REDACTED]
Sent: 07 January 2013 15:54
To: Planning.policy
Subject: CAM.0874 - Proposed Submission Draft (2012) - on behalf of Persimmon Homes Essex
Attachments: Policy COS12.doc; Policy PE012.doc; Policy PE02.doc; Policy PE04.doc; Policy PE05.doc; Policy PE010.doc

Dear Sirs,

Please find attached representations forms in response to the Proposed Submission Draft (2012), submitted on behalf of Persimmon Homes Essex & Others.

Hard copies have also been sent by post.

Yours faithfully,

Nicky Parsons

Director

Clare Fairweather

Office Manager/PA to John Holden

Pegasus Group

Planning | Environmental | Retail | Urban Design | Renewables | Landscape Design | Graphic Design | Consultation
| Sustainability

3 Pioneer Court | Chivers Way | Histon | Cambridge | CB24 9PT

T 01223 202100 | **F** 01223 237202 | **E** [REDACTED]

[REDACTED] Manchester

[REDACTED] registered in England and Wales.

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05/02/2013

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support Object (Please tick one box)

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- **“Positively Prepared”** – the plan should be prepared based 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 proportionate evidence;
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- **“Consistent with national policy”** – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework

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What section of the plan are you commenting on?	Comment(s)
<p>Policy COS12: Development at Rouses Farm, Jaywick Lane</p>	<p>My client SUPPORTS the allocation of this specific site for housing in conjunction with Policy SD2 but wishes to raise the following OBJECTIONS to elements of the policy:</p> <ol style="list-style-type: none"> 1. The site allocation should include reference to the intended housing levels anticipated from this site. Appendix 3 of the Plan identifies the potential yield of all of the allocated sites and suggests that this site could deliver 300 units. It is understood from previous discussions with officers that this is expected to be in the region of 350-400 units with the final figure being the subject of the detailed design work required for any planning application – all referred to in Appendix 3. The absence of this figure from the policy and the reliance on an Appendix means that the policy lacks clarity and provides no certainty for developers. It also prevents the Council for identifying its deliverable supply of housing as required by the National Planning Policy Framework (paragraph 47). <i>My client therefore suggests that the policy be amended to refer to the anticipated yield.</i> 2. The policy requires the submission of a development brief prior to the submission of a planning application. This will have the effect of lengthening the pre-application process and as such delaying the delivery of this site. Whilst my client accepts that close working the Council at pre-application stage is essential this need not be in the form of a development brief. As the National Planning Policy Framework expects plan-led development the failure to comply with this element of the policy would mean a departure irrespective of whether the eventual scheme was appropriate. As such the wording of the policy offers no flexibility to the Council in the means by

which the proposal should be drafted at pre-application stage. *My client would therefore prefer to see this requirement deleted from the policy.*

3. The policy includes a set of criteria identifying the additional elements that the proposal is expected to deliver and the timing for the delivery of these items. There is no reference in the policy, its supporting text, or Appendix 3 to evidence to justify the facilities identified (as required by paragraph 182 of the NPPF) or the viability of these being delivered as part of this site. The National Planning Policy Framework is clear that site allocations must be viable in order that they can be deliverable. It advises at paragraph 173 that *'the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened'*.

The supporting technical evidence for the Local Plan (listed on the Council's website) includes a document called Infrastructure Study Part 2 dated January 2010 and prepared by Roger Tym & Partners and Peter Brett Associates. This document identifies the infrastructure needs of the District based on a housing target of 7,150 between 2009 – 2026, which is no longer a strategy for this Local Plan. It also relates to a previous policy of housing dispersal that focused heavily on Clacton with 4,351 identified for this settlement (by 2026).

The approach of the latest Local Plan is to disperse housing growth more evenly across the District with a corresponding reduction in housing levels in Clacton to 1,106 by 2021 (as indicated in Appendix 3 of the Plan). Although the timescales of the Plan and the Study are different it is clear that a substantial reduction in housing delivery is now being planned for Clacton. In crude terms (and disregarding any delivery assumptions) the annual housing delivery rate for Clacton has been reduced from 256¹ to 111². This inevitably has an impact on infrastructure needs, which does not appear to have been factored in to this latest version of the Plan and therefore calls into question the legitimacy of the requirements listed in this policy.

As well as being based on increased housing numbers, the infrastructure needs identified in this document clearly identify facilities that will benefit both the wider area and will serve the needs of other development sites. There is no recognition of this fact on this policy and no suggestion that the cost of the facilities will be fairly split across all development sites. My client therefore considers that the requirement of this site to fund these facilities fails all three test set out at paragraph 204 of the NPPF.

The Infrastructure Study referred to earlier acknowledges that lower land values in the Clacton area and the potential of this to influence the level of contributions that could be achieved (paragraph 2.5). It is clear that the issue of viability is not a new one for the Council although this does not seem to have prevented an optimistic list of requirements in the policy for this site. My client considers it necessary to review the cumulative viability of the contributions being sought at the site as no reference is made to the cost implications associated with their delivery, this is particularly crucial in order to achieve prompt delivery of sustainable residential development.

Paragraph 6.50 of the supporting text makes it clear that it expects this development to deliver a new primary school, a primary healthcare centre, a significant area of open space (later defined as 20ha) and new athletics facilities at a nearby site. My client contends that these obligations are self-evidently unviable both in terms of the cost of provision and the land-take involved. They also rely on third parties in some

¹ 4,351 target/17 year plan period.

² 1,106 target/10 year plan period.

cases for the delivery of the facilities and in the case of the medical centre prevent the redevelopment of the housing until it is provided. My client considers this to be unreasonable and prejudicial to the delivery of this important element of the Council's housing land supply. Such obligations would also fail the legal tests set out in paragraph 204 of the NPPF.

As the facilities will address needs in the wider area as well as this development my client requests that the policy be amended to allow for a proportional payment to be made and the removal of any requirement for delivery prior to implementation of the housing element of the scheme. The relevant proportion should be defined in this policy so that appropriate land deals can be made in advance of bringing a scheme forward for planning.

Finally in view of the excessive land take involved in the provision of the facilities listed in the policy the site area will need to be expanded to include land to the west. This additional land can be identified as open space.

As currently drafted this policy is unjustified, likely to be ineffective (as unviable sites will not be implemented) and inconsistent with national policy. It is therefore unsound.

Suggested Remedy

To overcome my client's concern I suggest that the policy be amended as follows:

- Include reference the anticipated development yield of this site, i.e. 350 – 400 homes;
- Delete reference to the need for a development brief and instead refer to suitable pre-application discussions having taken place with the Council prior to the submission of an application;
- Remove the requirement for the delivery of the medical centre prior to commencement and instead require the provision of a site for a medical centre prior to commencement and the provision of adequate funding of an appropriate level to be agreed with the developer to be provided;
- Identify the relevant proportions of funding for the facilities identified in the criteria justifiable for this site taking into account the nature of the facility and the extent to which it will fulfil both existing needs and the needs generated by other schemes;
- Include the justification for the facilities listed including evidence that they will be delivered by the third parties responsible for them;
- Specify the minimum site areas required for each of the facilities identified as being delivered on this site so that the land available for housing can be identified and valued accordingly;
- Where the relevant proportions or site areas are unknown include flexibility in the wording of the policy to allow for such matters to be a matter of agreement between the applicant and the Council with reference to the need for viability to be a material consideration in the decision-taking process;
- Amend the supporting text to reflect the changes to the policy

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Please turn over 

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

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Address (put the organisation address if relevant):

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If you are an agent acting on behalf of someone please provide your details here

Name of agent: **PEGASUS PLANNING GROUP**

If an organisation, please provide a contact name: **NICKY PARSONS**

E-mail: [REDACTED] Tel No: [REDACTED]

Address (put the organisation address if relevant):
[REDACTED] Post Code: [REDACTED]

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support

Object

(Please tick one box)

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What section of the plan are you commenting on?	Comment(s)
<p>Policy PEO12: Flats, apartments and maisonettes</p>	<p>My client OBJECTS to the blanket restriction on flatted development provided by this policy. The supporting text suggests that the justification for this approach comes from public opinion that such accommodation causes social and economic problems. This does not represent effective justification for the restriction of this important element of the housing supply chain. Furthermore, the SHMA Update 2009 (Tables 6.4 – 6.9) reveals clear evidence of a demand for 1 and 2 bed properties across all tenures across the entire District in the region of 45-50% (see Figure 6.1 for the requirements in the Clacton area). This size of property is typically provided in flatted developments. The Council's own evidence demonstrates that this policy directly conflicts with the needs and demands identified for the District and the Clacton Area. The absence of satisfactory justification and the failure to fully address the identified housing needs of the area calls into question the effectiveness of this policy as well as its consistency with national policy. It is therefore considered unsound.</p> <p><u>Suggested remedy</u></p> <p>This policy and its supporting text should be deleted.</p>

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What section of the plan are you commenting on?	Comment(s)
<p>Policy PE02: Housing Trajectory</p>	<p>My client OBJECTS to this policy for the follow reasons:</p> <ol style="list-style-type: none"> 1. The policy advises of a requirement for a 5% buffer to the housing supply figures yet in the table it clearly shows that delivery has not met the housing target for two years. Previous Annual Monitoring Reports also reveal that the Council has been unable to meet its five year housing land supply requirements. The Sustainability Appraisal accompanying the Proposed Submission Draft of the Tendring Local Plan states at page 3 that housing completions for the period 2008/09-2011/12 were <i>‘significantly lower than the target’</i>. The NPPF is clear that the relevant buffer in situation such as this is 20% (paragraph 47). <p>It also identifies at footnote 11 to this paragraph that for a supply to be considered deliverable it must be available now, in a sustainable location for development now, achievable within 5 years and be viable. The issue of viability is of relevance for unfulfilled sites in the current Local Plan that have not come forward during the economic boom suggesting an increased likelihood of continued failure to deliver in the current economic climate. The footnote also clarifies sites with planning permission should be considered as deliverable suggesting that those without planning permission cannot be considered as deliverable. This further diminishes the supply identified in the last AMR (2010 – 2011) as follows:</p>

Supply as at April 2011

A. Sites with planning permission	1,299 (assume all deliverable)
B. Outstanding site allocations (discount as no planning permission)	690
C. Total supply (as amended to reflect footnote 11)	1,299
D. Emerging annual target	400
E. Deliverable supply	3.25 years (C/D)

2. The policy also fails to explain where the supply of housing is coming from to fulfil the trajectory. Although the remainder of the plan identifies future housing sites it does not confirm the yield anticipated from each site (there is no reference to the information contained in Appendix 3) or the timescales for delivery. This demonstrates that the deliverability of the Council's housing supply has not been fully tested as required by paragraph 47 of the NPPF.

As currently drafted this policy is inconsistent with national policy and is therefore unsound.

My client has already raised justifiable concerns about the viability of one site of interest. It is unlikely that these concerns are unique to this one site and as such are likely to extend to other large housing allocations in the District. My client therefore believes that, in the absence of evidence to the contrary, the Council's housing supply is very fragile exacerbated by relatively low land levels, the economic downturn and high infrastructure costs. As such, to avoid a situation whereby housing numbers drop below identified targets the Council's housing policies must be sufficiently flexible to allow for new sources of housing supply to be delivered in appropriate circumstances.

Suggested Remedy

My client requests that the following changes to the policy:

- Amend the text to refer to the application of the 20% buffer;
- Include reference to the source of the housing supply including anticipated delivery dates, likely housing yield and evidence of deliverability;
- Allow for housing targets on identified sites to be treated flexibly with increases permitted where justified by individual circumstances;
- Allow for new sources of housing supply on appropriate sites to come forward where justified by developers subject to the principles of sustainable development set out in the NPPF.

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What section of the plan are you commenting on?	Comment(s)
<p>Policy PEO4: Standards for new housing</p>	<p>My client OBJECTS to this policy because the internal space standards, private amenity area and parking requirements are excessive and unjustified. The wording of the policy also fails to allow the specifics of the development or the location to be taken into account when assessing the suitability of a scheme. For example, aspirational housing can be delivered on schemes with benefits other than larger internal space standards such as reduced/no affordable housing, parkland settings and high standards of design. My client considers that this will adversely affect the viability of some schemes in direct conflict with the requirements paragraph 173 of the NPPF. As such the policy is inconsistent with national policy and is therefore unsound.</p> <p><u>Suggested Remedy</u></p> <p>My client suggests two alternative remedies:</p> <ol style="list-style-type: none"> 1. Delete the policy in its entirety and instead refer to the standards in the supporting text as aspirational targets, or; 2. Amend the wording of the policy to describe the standards as target requirements unless specific circumstances suggest that alternative standards are appropriate AND reduce the standards to more appropriate levels.

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In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
Policy PE010: Council Housing	<p>My client objects to the current wording of this policy as there is no clarification of the level of discount that the Council will seek on the value of the housing to be provided. This makes it impossible for a developer to identify the value of a site and prepare a viable development. As the NPPF requires the viability of policy-making to be taken into account the policy in its current form is inconsistent with national policy and is therefore unsound.</p> <p><u>Suggested remedy</u></p> <p>The policy needs to be amended to identify the discount levels that the Council intends to apply to the value of the housing that is required.</p>

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

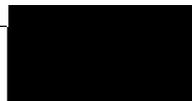
(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

Due to the strategic significance of our site, we consider it is important that we are included in all relevant hearing sessions in order to contribute to the debate.

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

Please note that any comments submitted cannot be treated as private and confidential and may be made available for public inspection. Respondents' details will be held on a database in accordance with the terms of Tendring District Council's registration with the UK Information Commissioner pursuant to the Data Protection Act 1998.

Please sign and date this form: Signed:



Date: 7.01.13

**All representations must be received by the Council no later than 16:00 on Monday 7th January 2013.
Any submissions received after this deadline cannot be considered.**

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.



Access Feasibility Study

Land Adjacent to Burrs Road, Clacton-on-Sea

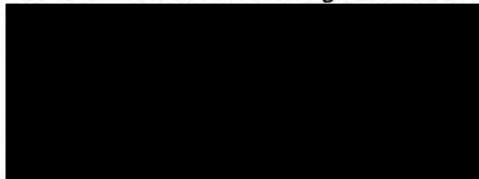
R E Giles & Sons

Document Ref: 614696
2012.508A
Date: 27 September 2012

– **Prepared:** Les BROWN BSc MSc MCIHT CMILT
Technical Director



Checked: Jonathan Rodger MCIHT MILT FdEng



Project Revision Sheet

Revision No	Date	Status	Changes	Author	Approved
0	Sep 2012	Final	n/a	Les Brown	Jonathan Rodger
A	Oct 2012	Final	Minor changes	Les Brown	Jonathan Rodger

Contents

	Page
1 Introduction	5
2 The Site and Surrounding Area	5
3 Development Proposal – Traffic Generation	11
4 Access To site	11
5 Conclusions	13

Appendices

Appendix 1:	Location Plan (figure 1)
Appendix 2:	Existing Highway Network (SK01), (SK02), (SK03)
Appendix 3:	Traffic Model - Data
Appendix 4	September Traffic Data - Graph
Appendix 5	Proposed Site Access Layout (SK04)

1 Introduction

- 1.1 MLM Consulting Engineers have been instructed to provide an Access Feasibility Study (AFS) to investigate the feasibility of accessing land fronting onto Burrs Road in Clacton-on-Sea in Essex. The site is approximately 7.6 hectares in area and a review of the potential to provide housing has been considered.

The Scope of the AFS

- 1.2 This report assesses the potential to access the land from Burrs Road from a single and is based on a development of up to approximately 80 houses. It is anticipated that any access road would require to be adopted by the highway authority and sight lines and internal geometry would have to accord with the county councils standards.

2 The Site and Surrounding Area

Existing Site

- 2.1 The site comprises of agricultural land that extends for a distance of approximately 250 metres along the frontage of Burrs Road and extends along the railway line for a distance of approximately 350 metres. (The extent of the land concerned will have to be confirmed with the client before publishing the report in the public domain).
- 2.2 The location plan is included in **Appendix 1** which is to a scale of 1-10,000 and provides information on the local highway network in conjunction with the various classified roads in the area.
- 2.3 The site frontage onto Burrs Road has hedgerows and a small ditch come drain that follows along the edge of the southern side of the road.

Photo 2.1. Picture of Site frontage (on the right hand side).



- 2.4 The north western side of the site abuts the railway crossing's new automatic barrier control system (which is a Manually Controlled Crossing using Obstacle Detector technology MCB-OD). The land was sold by the

landowner and transferred to Network Rail approximately 3 years ago.

Highway Network

- 2.5 Burrs Road is an unclassified road that links the south eastern side of Clacton-on-Sea with the business park to the north west. Sladbury's Lane, to the eastern side of Burrs Lane, is an unclassified road that is approximately 5.5 metres in width as it extends from Keswick Avenue to the south up to Smythies Farm at its junction with Burrs Road. The section of highway from Burrs Road junction with Sladbury's Lane up to the railway crossing is generally 4.2 metres in width with informal passing opportunities where the road has been narrowed down due to shrubbery and vegetation close to the roadside edge nearby.
- 2.6 Within 40 metres of the eastern side of the railway crossing the highway extends to a width of approximately 5.5 metres and is supplemented by white lines, signs and lines associated with the railway crossing in conjunction with street lighting.
- 2.7 The street lighting extends from the western side of Burrs Road railway crossing to the business park off Telford Road, Gorse Lane Industrial Estate, the estate roads to the west. Photographs of the local road network are included below and the drawing in **Appendix 2** also highlights the local road network in more detail, in conjunction with providing an aerial photograph of the surrounding network.

Photo 2.2 – Burrs Road – Railway Crossing



- 2.8 Traffic data within the public domain has been reviewed in order to provide traffic flows to accompany this report. In 2011 a transport assessment was prepared for an extension of the Telford Road Industrial Estate in which a traffic model was prepared and concluded that additional development in the area would not compromise local junctions in the area.

2.9 The assessment was undertaken by MLM Consulting Engineers and the relevant data is shown in the tables below. In conjunction with the above the traffic model is included in **Appendix 3**.

Figure 2.3- Traffic Counts undertaken – Close to Site



2.10 The flows are set out below: -

Table 2.4 – Telford Road/Burrs Road Existing Peak Hour Vehicle Turning Flows

AM Peak Hour (0815-0915 Hours)				
Origin/Destination	A	B	C	Total
A	0	164	52	216
B	92	0	22	114
Burrs East	59	61	0	120
Total	151	225	74	450
PM Peak Hour (1630-1730 Hours)				
Origin/Destination	A	B	C	Total
A	0	93	28	121
B	164	0	71	235
Burrs East	43	16	0	59
Total	207	109	99	415

A = Burrs Road West, B=Telford Road East, C=Burrs Road East

- 2.11 Additional surveys were undertaken and are included in **Appendix 4**. The two way flows on Burrs Road are low. The surveys also included monitoring how long the barriers were in position whilst a train was due.
- 2.12 The local speed limit in the area is 30mph along Burrs Road, on the western side of the railway line. On the eastern side it is derestricted. Based on the nature of this stretch of road between Sladbury's Lane and the railway line the road, width, hedgerows, geometrical alignment and based on the site visit is akin to less than 30mph.
- 2.13 Although on the eastern side of the railway crossing there are no street lights nor repeater plates the national speed limit is in force. Based on a speed limit of 30mph as recommended in Manual for Streets 1, in table 7.1 a sight line of 43m is recommended servicing any access nearby. Any future development along Burrs Road would entail extending her speed limit over this stretch.

Table 7.1 Derived SSDs for streets (figures rounded).

Speed	Kilometres per hour	16	20	24	25	30	32	40	45	48	50	60
	Miles per hour	10	12	15	16	19	20	25	28	30	31	37
SSD (metres)		9	12	15	16	20	22	31	36	40	43	56
SSD adjusted for bonnet length. See 7.6.4		11	14	17	18	23	25	33	39	43	45	59

Additional features will be needed to achieve low speeds.

- 2.14 Burrs Road is a typical rural road serving only a few properties in the locality. The traffic flows monitored at the railway crossing are consequently relatively low and any increase in traffic along Burrs Road is liable to have a large increase in impact but in relative terms is likely to be relatively low.

Sustainable Multi-Modal Travel

- 2.15 The local network has been reviewed and there are footways are provided on both sides of Burrs Road on the western side of the rail crossing and over a short length on the eastern side only.

Bus Services

- 2.16 Bus services have been investigated and on Telford Road the data is shown below:

Table 2.5 – Bus Service Summary

No.	Route	Day	First Bus	Last Bus	Peak Freq	Off-Peak Freq
2	Mistley-Weeley-	Mon-Fri	0827	1905	1 bus	Every 2

	Clacton-on-Sea					hours
		Sat	0827	1905	1 bus	Every 2 hours
	Clacton-on-Sea-Weeley-Mistley	Mon-Fri	0647	1717	1 bus	Every 2 hours
		Sat	0647	1717	1 bus	Every 2 hours
4	Harwich-Thorpe Le Soken – Clacton-on-Sea	Mon-Fri	1024	1624	N/A	Every 2 hours
		Sat	1024	1624	N/A	Every 2 hours
	Clacton-on-Sea – Thorpe Le Soken - Harwich	Mon-Fri	0849	1614	1 bus	Every 2 hours
		Sat	0849	1614	1 bus	Every 2 hours
10/11	Clacton-on-Sea – Pier Avenue – Three Jays – Tower Camp	Mon-Fri	0648	2229	2 per hour	2 per hour
		Sat	0720	2229	2 per hour	2 per hour
	Tower Camp – Three Jays – Pier Avenue – Clacton-on-Sea	Mon-Fri	0739	2323	2 per hour	2 per hour
		Sat	0816	2323	2 per hour	2 per hour
137	Pier Avenue-Cemetery-Telford Road-Retail Park (Circular)	Mon-Fri	0811	1812	2 per hour	2 per hour
		Sat	0912	1812	2 per hour	2 per hour
		Sun	0911	1712	2 per hour	2 per hour

2.17 The above table summarises the main bus services routing on the local highway network. It provides confirmation that there are local services nearby.

Rail Services

2.18 The Clacton-on-Sea rail station is located approximately 3 km southwest of the proposed development. The rail station is located on Skelmersdale Road, close to Clacton-on-Sea town centre. The rail station is therefore within reasonable cycling distance (15 minutes) from the proposed development and can also be accessed via the existing bus routes from Telford Road.

- 2.19 The rail station is served by trains to London Liverpool Street. The main stations along the route include Colchester and Chelmsford. A summary of the rail services are provided in Table 2.6 with the full timetable provided in Appendix D.

Table 2.6 – Rail Service Summary

Route	Day	First Train	Last Train	Peak Freq	Off-Peak Freq
Clacton-on-Sea – London Liverpool Street	Mon-Fri	0520	2305	1 train	1 per hour between 0520-1005 hours and 1505-2305 hours
	Sat	0530	2305	1 train	1 per hour between 0530-0805 hours and 1705-2305 hours
	Sun	0736	2222	1 train	1 per hour between 0736-0936 hours and 1636-2222 hours
London Liverpool Street – Clacton-on-Sea	Mon-Fri	0659	0051	1-2 trains	1 per hour between 0659-1044 hours 1-2 per hour between 1544-1846 hours 5 trains per hour 1902-1952 hours 1-2 trains per hour 2015-0051 hours
	Sat	0744	0051	1 train	1 per hour between 0744-0944 hours and 2244-0051 hours
	Sum	0907	0007	none	1 per hour between 0907-1107 hours and 1907-0007 hours

- 2.20 The new technology utilized by Network Rail has reduced the time at which vehicles are stopped at the barrier. The time taken for a barrier to be lowered, then raised before a vehicle can continue on its way was monitored over 3 “stops” and on average it was only closed to traffic for 2 minutes and 40 seconds. The maximum queue was monitored as 10 vehicles. This again is relatively short as the flows are low and the new technology reduces delays.

Community and Employment Opportunities/Facilities

- 2.22 The neighbourhood facilities include local shops and Gorse Lane Industrial estate. Planning consent has been granted to extend the industrial estate. Hence there are therefore good local opportunities.

Summary

- 2.23 Based on a review of the local road network, public transport services including bus and rail links to London, the site is well served. Local community facilities exist that may be used by any new residents that may move to the area.

3 Development Proposal – Traffic Generation

- 3.1 The options available in this location are for up to 80 to 100 residential units. Typical traffic generation numbers are set out below to provide guidance on a development mix that may be suitable on the site.
- 3.2 The Trip rate Information Computer System (TRICS) database has been reviewed and the trip rates are now set out in the following tables.

Table 3.1 – Trip Rates Per Unit - Residential.

Peak	In	Out	Total
AM	0.19	0.27	0.50
PM	0.23	0.16	0.40

Note Calculations are not attached, in this report.

- 3.3 The development proposal for between 80 to 100 units, using the above trip rates will produce vehicle flows are set out in the tables below.

Table 3.2 – Vehicle Flows – Based on 80 Units.

Peak	In	Out	Total
AM	15	22	37
PM	18	13	31

Note Rounding due to calculations shown.

Table 3.3 – Vehicle Flows – Based on 100 Units.

Peak	In	Out	Total
AM	19	27	46
PM	23	16	40

Note Rounding due to calculations shown.

- 3.4 The above traffic generation will result in traffic being assigned westwards from the site, which will then cross the railway crossing towards Telford Road. The current geometrical properties of Burrs Road on the eastern side and Sladbury's Lane is considered below standard hence the development will provide mitigation accordingly.
- 3.5 The above vehicles are unlikely to join any queues on the road network approaching the rail crossing, whilst a train is due, based on the fact that local residents would be aware of the timetable, the times at which the crossing is closed.

4 Access To site

- 4.1 The proposed new access serving the site has been considered in detail while reviewing the existing geometry of the local road network. In order to determine the constraints that this may have on traffic to site, vehicle types and widths were reviewed. Typical geometrical widths are shown below, they are taken from Manual for Streets, extracted in pdf format:

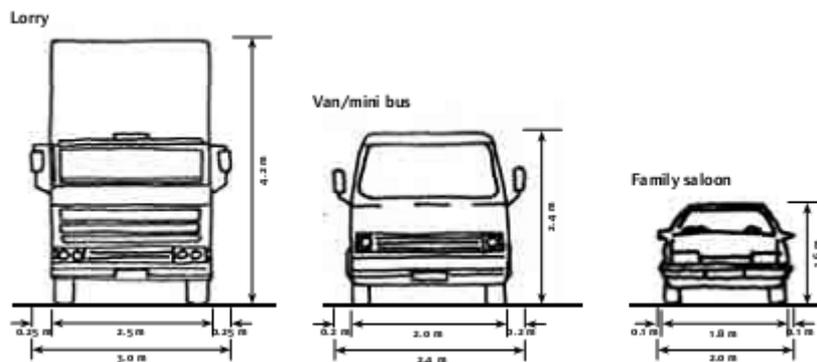
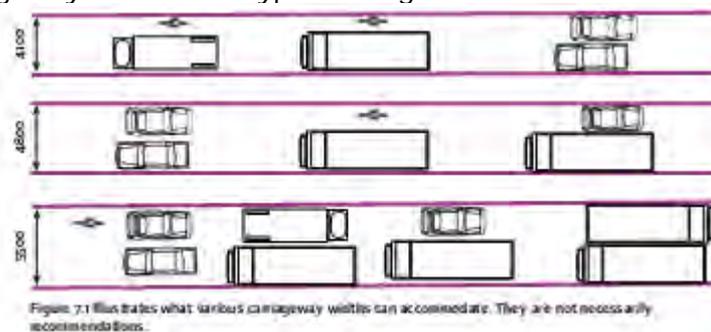


Figure 6.18 Private and commercial motor-vehicles – typical dimensions.

4.2 Carriageway widths and typical design standards are also shown below.



4.3 However based on the above assessment and reviewing Essex County Councils recommended standards for new highway links a junction layout has been prepared in **Appendix 5** which is shown on SK04.

4.4 This drawing confirms that sight lines on a 30mph road would accord with standards, would accord with Manual for Streets recommendations on 30mph roads plus utilising the Department for Transport's Design Manual for Road and Bridges again sight lines can accord with standards. A distance of up to 70 can be provided. This is at a bend in the road at which traffic speeds will be below 30mph, due to the geometry of the road.

4.5 The proposed new junction shown to be located approximately 75 metres from the railway crossing would permit up to 13 vehicles queuing to cross the railway level crossing, before the junction itself is obstructed. Notwithstanding the above the exit blocking on to Burrs Road is unlikely to increase any traffic accidents in the locality as traffic would be moving extremely slowly or stopped for a few minutes.

4.6 Alternative means of access have been considered by moving the access further eastwards. This includes access onto Sladbury's Lane. However on balance there is no likely demand, either capacity or travel time requirements to provide such a link on to Sladbury's Lane.

Summary

4.7 In summary a satisfactory junction that can serve up to 100 houses can readily be provided. This would entail providing an access onto Burrs Road to the northern side, hence providing sight lines in accordance with

recommended standards. The works would include widening the existing 4.2 metre wide carriageway up to 5.5 metres overall. The extent of the widening to be agreed with the highway authority.

- 4.8 Mitigation measures to encourage drivers to turn westwards rather than eastwards from the site can be introduced by supplementing a road narrows signs in the locality in conjunction with physical features that would not have a detrimental impact on agricultural machinery and vehicles in the area. Access by emergency services along the local routes would also be maintained ensuring road safety is maintained.

5 Conclusions

- 5.1 This report has considered the development potential of land to accommodate up to 100 houses off Burrs Road in Clacton. The proposed site is in a sustainable location with good transport and road links with ready access to local employment opportunities and with local shopping facilities to provide for day to day needs.
- 5.2 A number of access options have been considered and reviewed and the most appropriate solution would be to provide an access onto Burrs Road approximately 75 metres from the recently upgraded controlled level crossing on the western side.
- 5.3 The short length of carriageway from the access road to the railway line would require to be widened to approximately 5.5 metres in width, a pedestrian link provided either roadside or within the new estate to link across the level crossing in conjunction with landscaping the road frontage.
- 5.4 An alternative access on to Sladbury's Lane is not considered necessary or appropriate as links to the station, local employment, the industrial estate on the western side of the railway line, access to the A routes linking to Colchester etc does not require an alternative route strategy to be provided.
- 5.5 Mitigation measures to encourage people/drivers to use the western side of the access road linking to Burrs Road can be implemented in consultation with the county council highway authority, emergency services and road safety representatives.
- 5.6 The assessment concludes that the access proposed in this report can provide capacity, road safety mitigation measures and improvements in the locality.

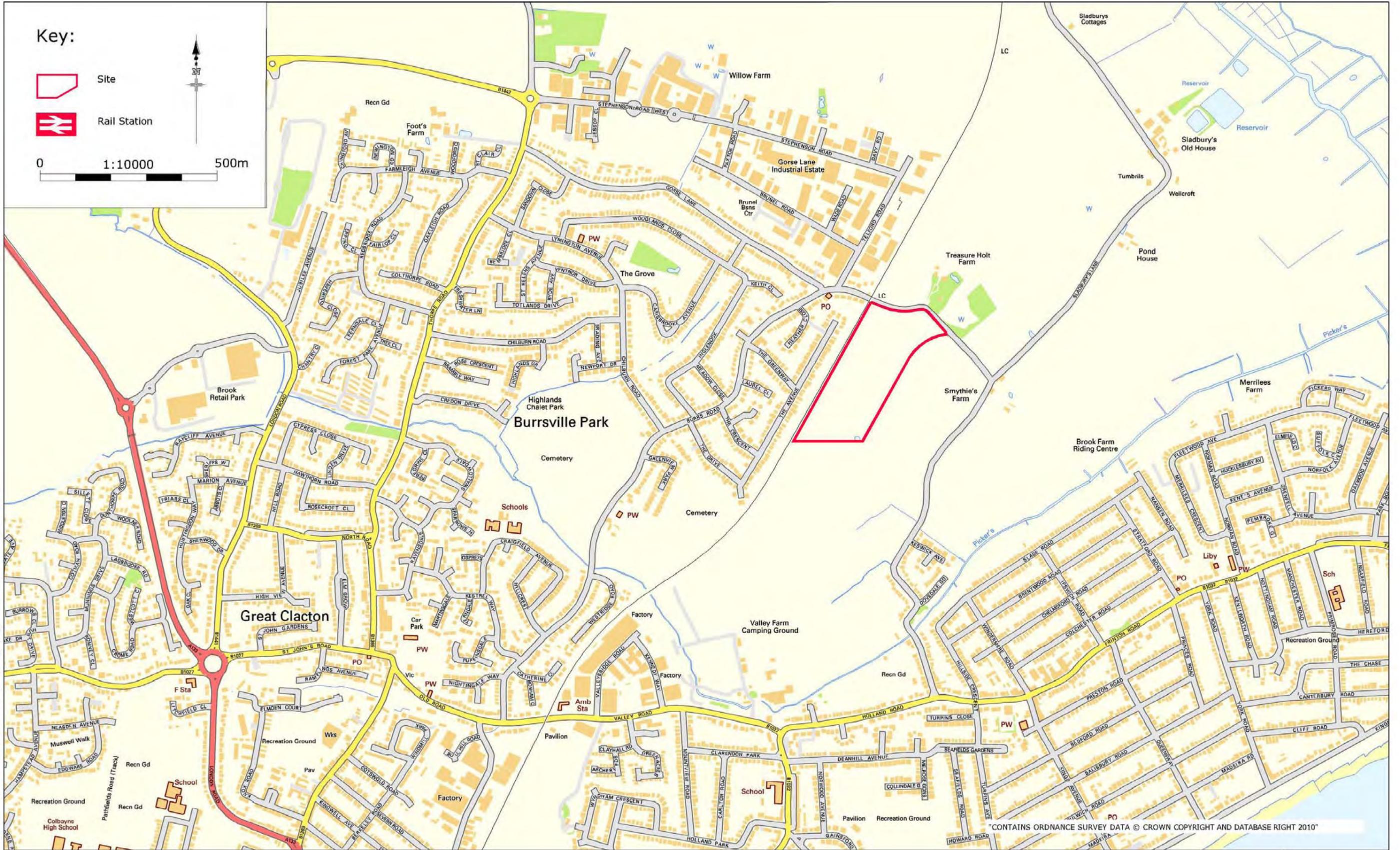
Appendix 1

Location Plan (Figure 1)

Key:

-  Site
-  Rail Station

0 1:10000 500m



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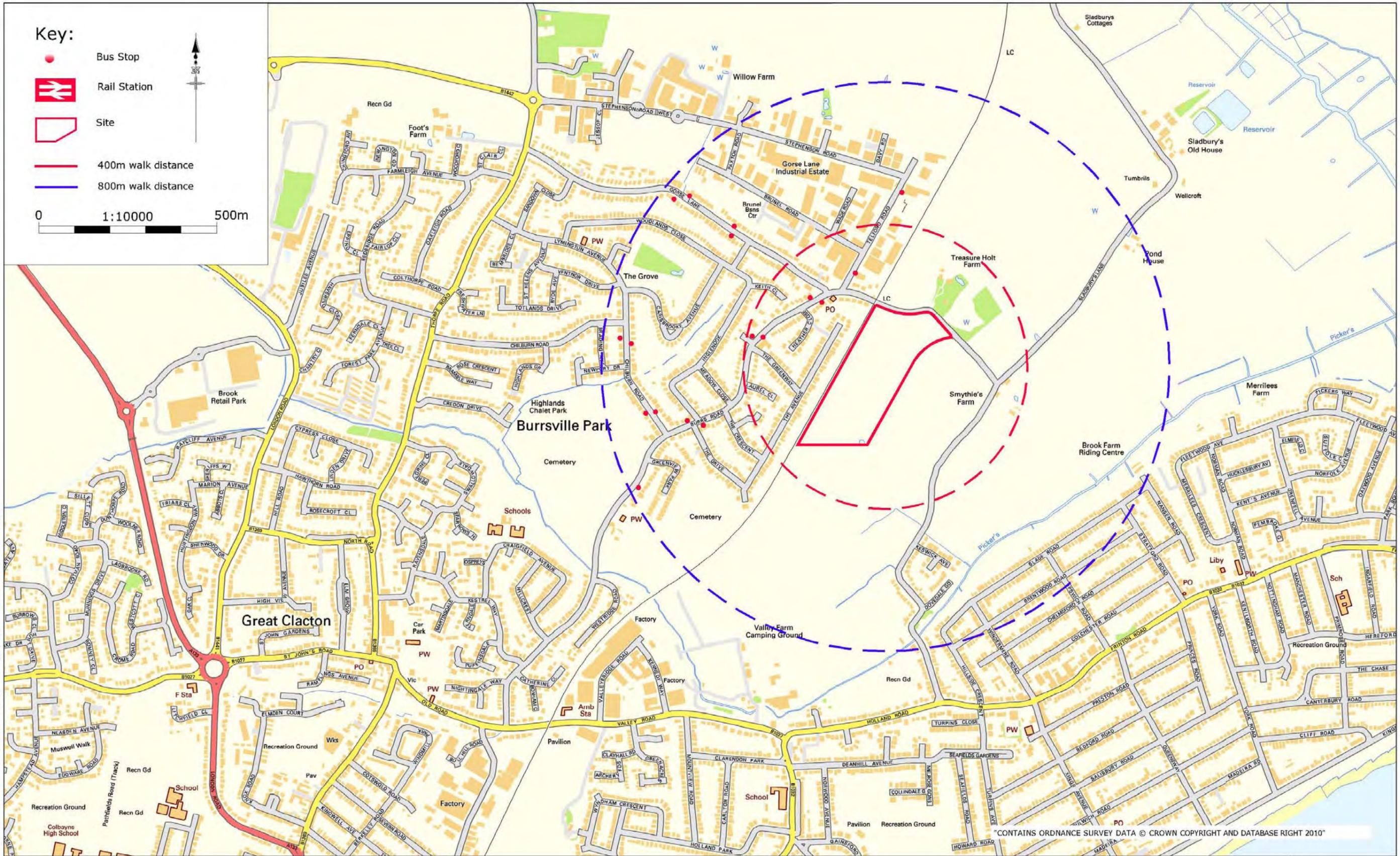


Burrs Road, Clacton-on-sea
Essex
Location Plan

Fig

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X:\MLM Ashford\614696_Burrs Road Clacton\AutoCad\drawings\Fig 2 Accessibility Plan.dwg



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614696



Burrs Road, Clacton-on-sea Essex Accessibility Plan

Fig

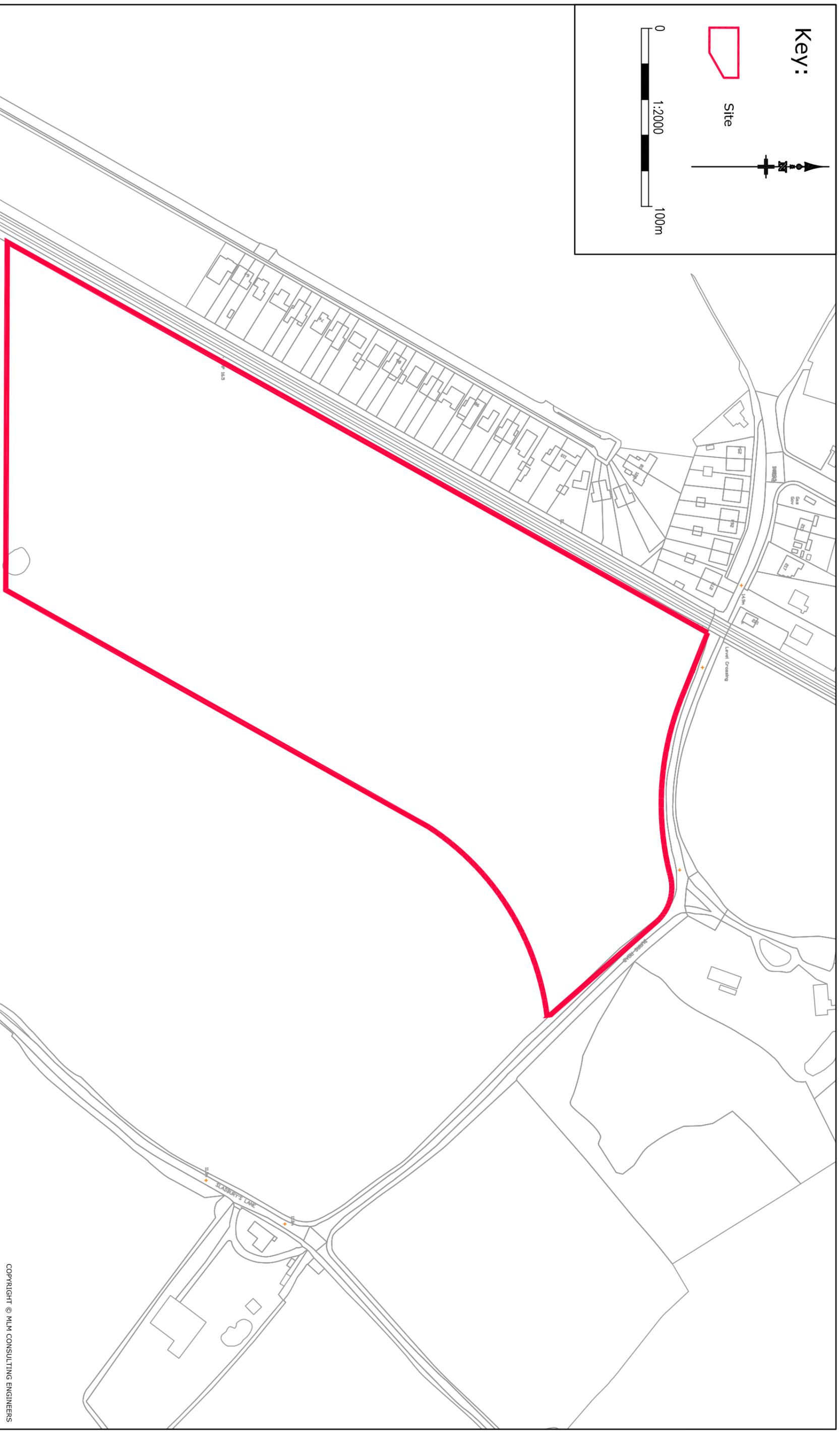
Appendix 2

Existing Highway Network (SK01, SK02, SK03)

Key:



Site



Rev	Date	Description	Made	Ckd

MLM

Multidisciplinary Consulting

INFORMATION

Drawing Status:

Client

RE GILES & SONS

Project

BURRS ROAD, CLACTON ON SEA

SITE LAYOUT

Drg Title

Drawn/Design
AFJF

Checked
LAB

Approved
LAB

Date
30.08.12

Scales
1:2000 @ A3

Drg No.

614696/SK01

Rev

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Rev	Date	Description	Made	Ckd


MLM
 Multidisciplinary Consulting

Drawing Status: **INFORMATION**

Client: **RE GILES & SONS**

Project: **BURRS ROAD, CLACTON ON SEA**

Drg Title: **LOCATION PLAN SHOWING AERIAL PHOTOGRAPH OF SITE**

Drawn/Design AFJF	Checked LAB	Approved LAB	Date 30.08.12
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Scales: 1:2000 @ A3

Drg No. **614696/SK02**

Rev: .



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Rev	Date	Description	Made	Ckd

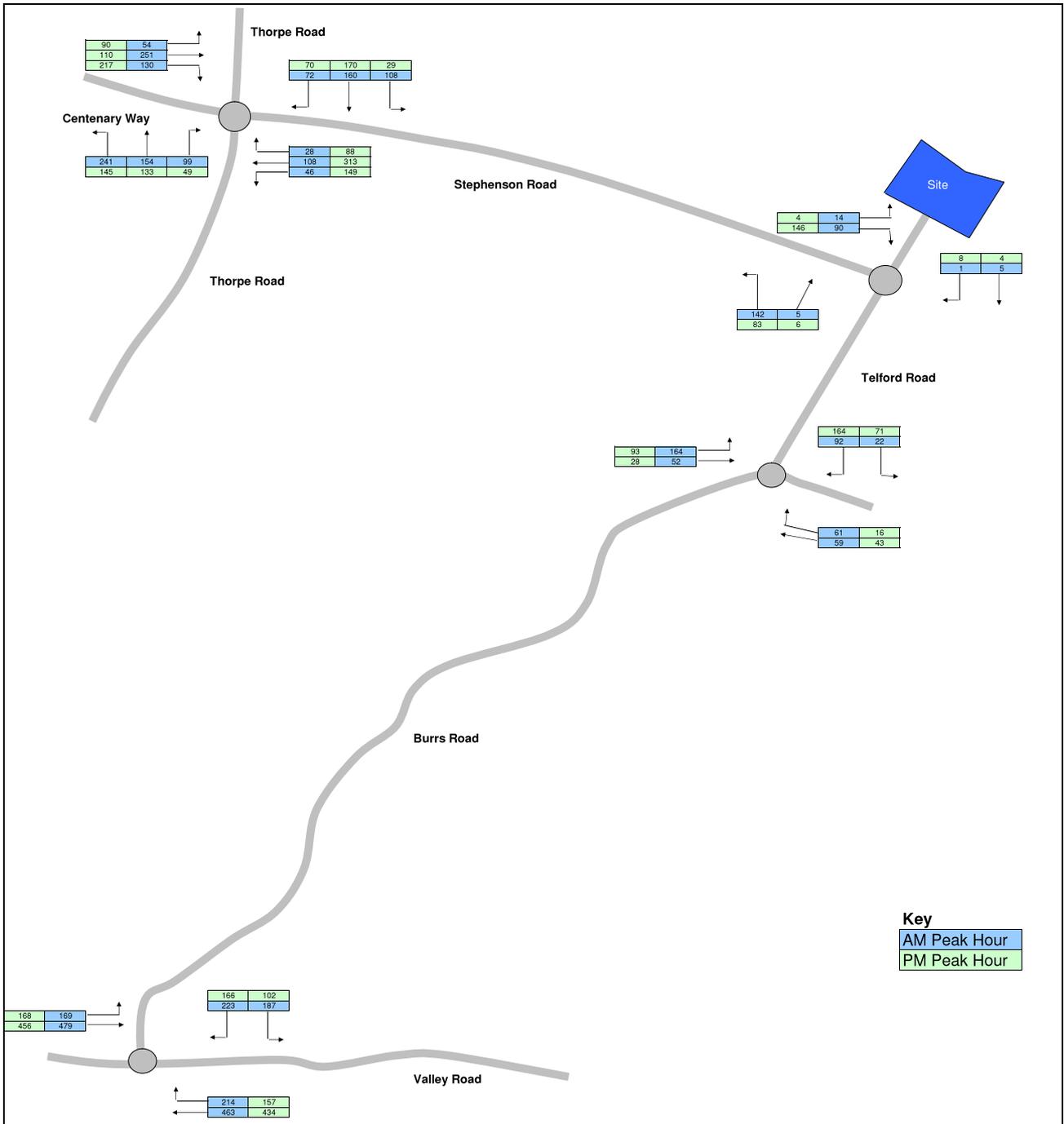

MLM
 Multidisciplinary Consulting

Drawing Status:	INFORMATION
Client	RE GILES & SONS
Project	BURRS ROAD, CLACTON ON SEA

Drg Title				LOCATION OF PROPOSED ACCESS			
Drawn/Design	Checked	Approved	Date				
AFJF	LAB	LAB	30.08.12				
Scales		Drg No.		Rev			
1:2000 @ A3		614696/SK03					

Appendix 3

Traffic Model



Key
 AM Peak Hour
 PM Peak Hour



2011 Base Flows

Appendix G1

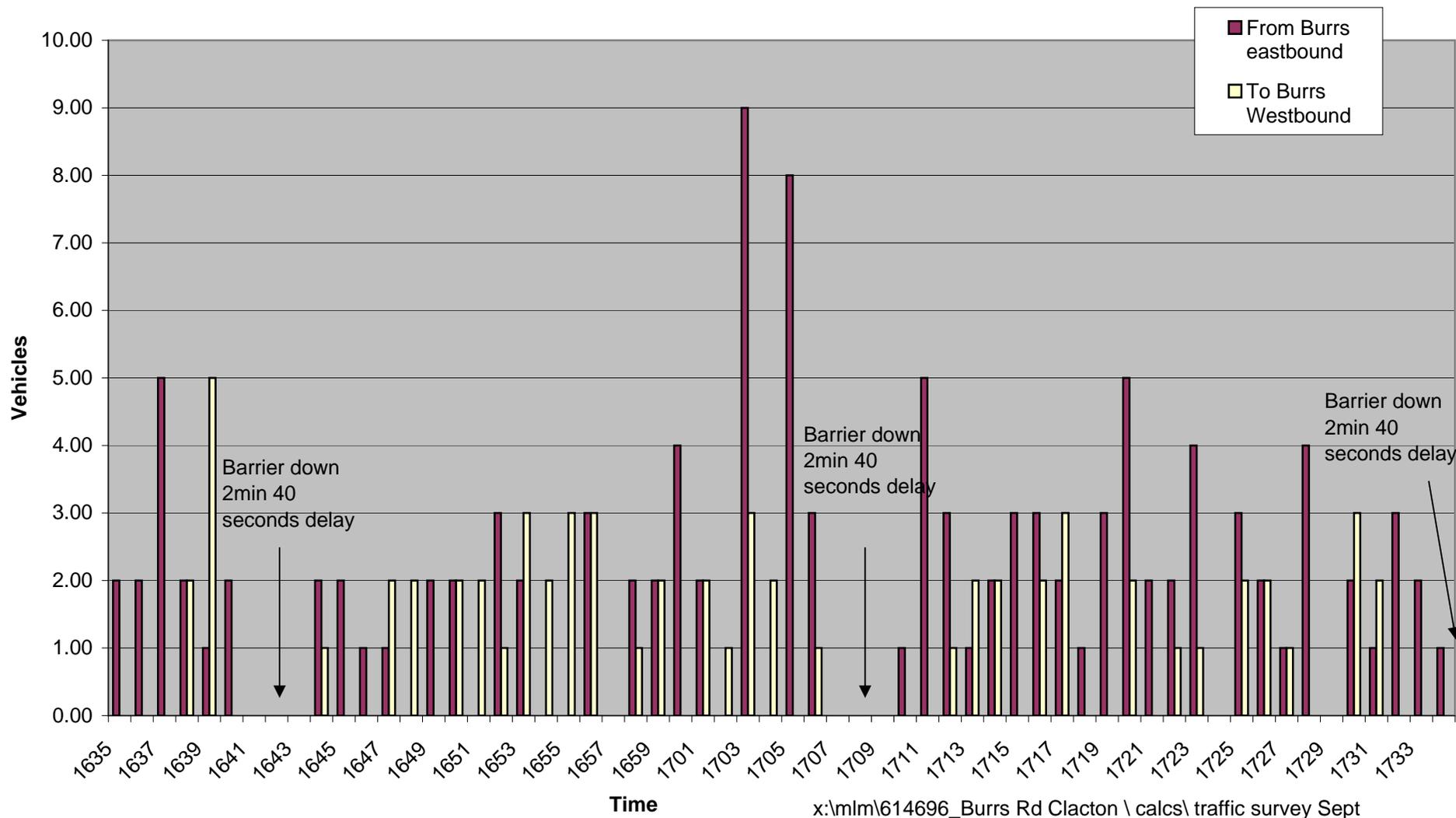
Appendix 4

September Traffic Data Graph

Traffic Survey conducted on the Burrs Road Level Crossing in Clacton.
11th September 2012.

Time BST	Eastbound		Westbound		Two-way
	Vehicle movements From Burrs	Other	Vehicle movements To Burrs	Other	
1635	2		0		2
1636	2		0	1 Bicycle	2
1637	5		0		5
1638	2		2		4
1639	1		5		6
1640	2		0		2
1641	Train to Clacton: Lights then Barrier down at 16:41				
1642	2 mins 40 Secs the time the traffic was halted.				
1643	6 vehicles held from Burrs & 3 vehicles held to Burrs.				
1644	2		1		3
1645	2		0		2
1646	1		0		1
1647	1		2		3
1648	0		2		2
1649	2		0		2
1650	2		2		4
1651	0		2		2
1652	3		1		4
1653	2		3		5
1654	0		2		2
1655	0		3		3
1656	3		3		6
1657	0		0		0
1658	2		1		3
1659	2		2		4
1700	4		0		4
1701	2		2		4
1702	0		1		1
1703	9	1 Scooter	3		12
1704	0	2 Bicycles	2		2
1705	8		0		8
1706	3		1		4
1707	Train from Clacton: Lights then Barrier down at 17:07				
1708	2 mins 40 Secs the time the traffic was halted.				
1709	9 vehicles held from Burrs & 4 vehicles held to Burrs.				
1710	1		0		1
1711	5		0		5
1712	3		1		4
1713	1		2		3
1714	2		2		4
1715	3		0		3
1716	3		2		5
1717	2		3		5
1718	1		0		1
1719	3		0		3
1720	5		2		7
1721	2		0		2
1722	2		1		3
1723	4		1		5
1724	0		0		0
1725	3		2		5
1726	2		2		4
1727	1		1		2
1728	4		0		4
1729	0		0		0
1730	2		3		5
1731	1		2		3
1732	3	1 Motorcycle	0		3
1733	2		0		2
1734	1		0		1
1735	4		0		4
1736	1		3		4
1737	Train to Clacton: Lights then Barrier down at 17:37				
1738	2 mins 40 Secs the time the traffic was halted.				
1739	10 vehicles held from Burrs & 4 vehicles held to Burrs.				

Survey at Level Crossing 11 th September 2012

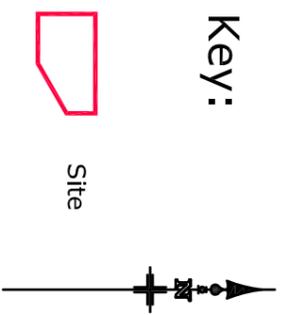


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Appendix 5

Proposed Site Access (SK04)

Key:



Highway Code Stopping Distances

30 MPH
9 metres

14 metres

23 metres (75 feet) or 6 car lengths

Table 21 Derived SDDs for street (figures rounded)

Speed limit	16	20	24	25	30	32	40	45	49	50	60
Stopping per hour	10	12	15	16	19	20	25	28	30	31	37
SDD (metres)	9	12	15	16	20	22	31	36	40	41	56
SDD adjusted for 60km/h limit (km/h)	11	14	17	18	23	25	33	39	43	45	63

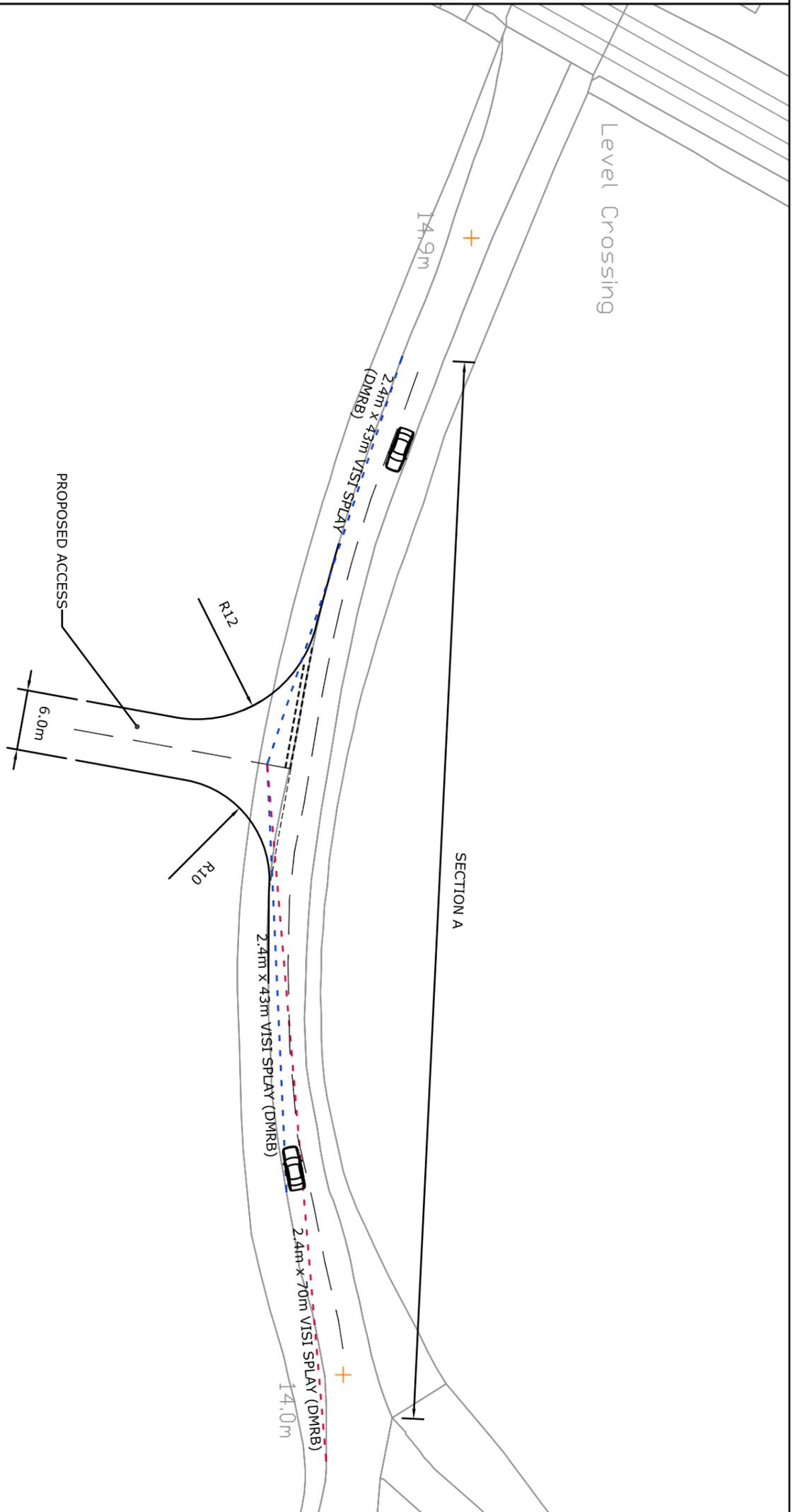
Additional factors will affect the SDD. See notes.

Obstacles to visibility

7.8.5 Parking in visibility splays in built-up areas is quite common, yet it does not appear to create significant problems. In practice, ideally, defined parking bays should be provided outside the visibility splay. However, in some circumstances, where speeds are low, some encroachment may be acceptable.

NOTE:

- 1) ALL SIGNS AND LINES TO COMPLY WITH "THE TRAFFIC SIGNS REGULATIONS AND GENERAL DIRECTIONS 2002"
- 2) CURRENT DESIGN FOR COMMENT ONLY AND SUBJECT TO FULL REVIEW INCLUDING AUTOTRACK EXERCISE
- 3) 90m SIGHT LINE SHOWN STOPPING TANGENTIAL TO THE NEARSIDE CARRIAGEWAY EDGE
- 4) SECTION A TO BE WIDENED FROM 4.2m TO 5.5m
- 5) ACCESS ROAD TO SERVE UP TO 80 HOUSES



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Rev	Date	Description	Made	Ckd

MLM
Multidisciplinary Consulting

Drawing Status: **INFORMATION**

Client: **RE GILES & SONS**
Project: **BURRS ROAD, CLACTON ON SEA**

Dwg Title: **LOCATION OF PROPOSED ACCESS**

Drawn/Design	Checked	Approved	Date
AFJF	LAB	LAB	30.08.12
Drawn/Design	Checked	Approved	Date
AFJF	LAB	LAB	30.08.12
Project	Dwg No.	Rev	
BURRS ROAD, CLACTON ON SEA	6146996/SK04	.	

Objection to Proposed Submission Draft

Tendring District Local Plan

By R.E. Giles & Sons

Land off Burrs Road, Clacton-on-Sea

Representation Reference No. 27/39226

**Peter Le Grys MA Dip.TP MRTPI
Robinson & Hall LLP**

December 2012

1.0 Introduction

1.1 This objection to the Proposed Submission Draft of the Tendring District Local Plan is made on behalf of R.E. Giles & Sons and concerns the Council's approach to its housing policy and the failure to identify land in the north east of Clacton-on-Sea as suitable for future housing purposes. This objection includes details of a scheme for approximately 100 houses to be constructed off Burrs Road, alongside the main railway line, close to its junction with the Burrs Road level crossing. The submissions also include a Feasibility Study demonstrating the suitability and capacity of the proposed access.

2.0 Context of Site

2.1 The site has been shown notionally as covering an area of approximately 11 hectares as identified edged red on the plan attached as appendix PLG1. It extends across the frontage of Burrs Road from the railway crossing junction for a distance of approximately 200m and with an overall depth of approximately 560m. The western boundary is demarcated by the main Clacton – London, Liverpool Street railway line and to the north by Burrs Road. The southern boundary has been defined through the presence of a small existing natural pond. The entire site is currently in arable production by the objector, who also owns further substantial areas of farmland to the east and north. There are no physical constraints that would otherwise affect the development of the site.

3.0 Relevant Planning History

3.1 In April 2010 the objector was approached by Tendring District Council's Planning Policy Section following the Council's Cabinet meeting on 5th March 2010, which had endorsed the provision of some 4,100 homes to be constructed within the Clacton-on-Sea area as part of its ongoing Core Strategy Document and to meet the required housing strategy forecasts. It was suggested that some 3000 new homes were to be provided to the west of

the town, but a significant shortfall required the Council to examine other parts of the conurbation. Their preference was for the area to the west of Sladbury's Lane, which together with proposals being submitted for the improvement of the neighbouring holiday park, could enable approximately 700 dwellings to be constructed in the locality.

3.2 As a consequence, the objector undertook a comprehensive examination of the opportunity to release part of its farm holdings including detailed reports of the highway implications, the provision of major social infrastructure including a new school, community and medical centre and the provision of a significant area of public open space to assist with the Council's Picker's Ditch Walkway project. Extensive discussions and meetings took place with Essex County Council Highways and Education departments, Humberts Leisure (and Park Resorts, the owners of the adjoining holiday park) and various departments of the District Council.

3.3 The Council's proposals were subsequently shown as 'Project 11' within its Core Strategy and Development Policies Core Strategy Document published in October 2010. Unfortunately this document was subject to considerable controversy, particularly from residents of Clacton-on-Sea and Holland-on-Sea towards the extent of housing being planned within the two conjoined settlements. The result led to the Council abandoning the Core Strategy Document following the introduction of the Town & Country Local Planning Regulations 2012. In view of the considerable opposition to 'Project 11' and the withdrawal of support by the Council to the allocation of land for 700 houses, the objector decided to submit a modified version of this proposal at the public consultation period of the revised Local Plan process.

3.4 The revised scheme as set out within this objection has been submitted having regard to the Council's current approach to seek high quality 'aspirational' housing upon a site that is immediately adjacent to the existing housing settlement limits and within 200m from the entrance to the District's principal industrial estate. It is located close to local facilities and bus transport

links and in all respects must be considered as an entirely sustainable and eminently sensible approach to meet the housing needs of the town.

4.0 Objection to Housing Strategy Policies

4.1 Paragraph 1.7 of the 'Proposed Submission Draft' recounts the process and extent of technical evidence that the Council has undertaken between 2007 and 2011 necessary to form a plan for the area. Page 19 of the document continues by listing all those documents and studies to which account has apparently been given. The Council's various Strategic Housing Market Assessments identified the need to deliver around 6,300 new dwellings within the period 2011 and 2031. They further recognised that only 20% of such housing will be capable of being developed on 'brownfield' sites. Furthermore, the previously published Spatial Strategy Policy No.4 demonstrated that the focus of new growth in both jobs and housing needed to be within the urban settlements of the district, with Clacton-on-Sea being the key settlement. As such, it was anticipated that 4,100 homes and 3,500 new jobs need to be created within the town.

4.2 In direct contrast to the identified and evidenced need, the Council's approach has been completely reversed based on a targeted campaign from existing residents' groups who oppose further housing and accompanying economic development within the town. Following a considerable number of individual responses from the public, the Council has retained the overall commitment to housing numbers but chosen to spread these throughout the entire district. A 6% increase in the overall housing stock is proposed, equating to 6,300 dwellings. However, each town, village and hamlet is now expected to accommodate a 6% increase, regardless of whether such housing is necessary or required in that settlement. From a political perspective such a policy can be seen as being even handed in that no town or village is made to bear the brunt of increased (and unwanted) housing numbers. Yet this approach is extremely arbitrary and fails any reasoned planning justification in placing houses (and related jobs) where they are actually required. Such

political expediency is neither appropriate nor justified notwithstanding that support may be forthcoming from the wider public.

- 4.3 This stance clearly runs counter to the requirements of the NPPF to delivering sustainable development. The argument to place 6% additional housing within settlements that benefit from little or no facilities is extraordinary to say the least. Paragraph 151 of the NPPF establishes the key principal of sustainable local plan making, while paragraph 154 requires such plans to address the spatial implications of economic, social and environmental change. The proposed plan merely attempts to spread the load and fails to take into account the technical evidence available.
- 4.4 In terms of specific housing allocations made for the Clacton-on-Sea area, it is noted that no increase in housing numbers have been proposed for Holland-on-Sea. Although this community falls within the greater Clacton-on-Sea conurbation, the political decision to spread the housing burden appears to have omitted entirely those wards to which the site in Sladbury's Lane has a direct relationship.
- 4.5 Concern is also raised towards the Council's support for the development of the site east of Thorpe Road, Clacton-on-Sea for housing purposes as identified within Policy COS15. This site is currently allocated for industrial development within the extant Local Plan and for which planning permission has also previously been granted. The use of this site for housing purposes, adjoining the existing principal industrial estate of Gorse Lane/Oakwood Park is considered to be inappropriate and entirely unsustainable having regard to its isolation from any surrounding residential development, the absence of any community or other facilities appropriate for meeting the needs of such a housing development and its poor relationship to the rural areas beyond. As a comparison with the site now proposed by the objector, the development of this land would ensure a sustainable residential environment well related to existing facilities.

4.6 It is also noted that a large number of the suggested housing allocation sites are situated within locations far less sustainable than the proposed site. Equally, some of these sites have significant issues that question their capability of being successfully developed. A particularly good example relates to the development of Rouses Lane situated to the far west of the town, constrained by its linear nature and poor access, with public or community facilities located some considerable distance. The reality of this site being brought forward, particularly with the extensive infrastructure and social facilities required by the Council, must raise considerable doubt that this scheme will be forthcoming. If this or any other site fails, the targets set by the Council will also fail and inadequate land will be available to meet the identified needs.

4.7 Other sites to which considerable doubt must be conveyed include the suggested developments at Walton Mere (policy FWK7), Bromley Road, Lawford (policy MLM5) and Willow's Farm, Weeley Heath (policy KEY4). The site at Walton Mere is not only heavily dependent upon un-specified enabling development but is beset by flooding issues and being adjacent to a site of international importance for wildlife. The reality of this site being developed for housing (or for any development) is extremely doubtful, and certainly will not be achieved within the first 5 years of the plan period. With regard to the site in Lawford, notwithstanding access and impact issues for local residents, this site bears little if any consideration to the character of surrounding development; merely creating a housing bulge within the surrounding rural countryside. Finally, the extent and form of aspirational housing suggested at Weeley Heath defies all established planning principles with the development of a free-standing housing site within the countryside on a totally unsustainable site with almost non-existent access to public transport and virtually no access to any community or other necessary facilities. This scheme will merely result in a private gated community in the middle of nowhere. The likelihood of this site being accepted by the Local Plan Inspector is minimal. On this basis, serious doubts must be raised in respect of all the above mentioned developments, compounding the Council's recent

poor record in delivering sustainable sites for development and in meeting the requirements for a 5 year housing supply to be available.

5.0 Constraints affecting Sladbury's Lane Site

5.1 With the proposed site at Sladbury's Lane clearly defined by the railway line to the west, Burrs Road itself to the north and a pond to the south, the development of this open field is subject to no physical constraints or limitations. The land is not within a flood zone or subject to any ecological issues likely to affect the development or any protected species. However, concern has previously been raised by the Council towards the nature of sections of Sladbury's Lane to the south with regard to highway capacity and safety. Consequently, the approach has been to examine the provision of a new access off Burrs Road, close to the railway level crossing. The location of a new access in this location would also have a direct relationship to Telford Road and the Gorse Lane Industrial Estate together with the ability to use Burrs Road both for vehicular and public transport needs.

5.2 Having regard to the relationship of the access to the Burrs Road railway crossing and the capacity of the surrounding road infrastructure, the objector has commissioned an 'Access Feasibility Study' which is included within this representation. Traffic counts together with data concerning likely vehicle movements and other modes of transport available have been documented, together with an evaluation of the potential impact upon the railway crossing. The report concludes that a development of up to 100 houses can be safely accommodated with a new access located 75m from the railway crossing. With limited improvements to the immediate carriageway, the proposed development would not prejudice local road capacity or safety conditions.

6.0 Proposed Development

6.1 Following the establishment of a safe and convenient position for an access road to serve the proposed development of up to 100 dwellings, a feasibility

plan has been prepared to illustrate the extent and nature of the proposed scheme. This plan is entirely indicative at this stage, but establishes the clear principle that the development would provide for quality family homes within an excellent setting, both in terms of location and outlook. With the exception of the seafront and the Gardens Area of Special Character, there are few locations within the Clacton-on-Sea/Holland-on-Sea area where either inspirational or aspirational housing has been developed. Generally the flat nature of the conurbation and the absence of any specific or iconic features have resulted in limited choices for quality housing in an interesting setting. However, with the sloping nature of the site, a rare opportunity exists within the town to enable a development that can benefit from extensive views while having extremely good access to the employment areas, town centre and routes beyond.

6.2 The suggested layout indicates a development comprising 33 five bed dwellings, of which 20 would be designed as a crescent overlooking an existing pond and facing south towards the sea. A further 13 larger houses would occupy the most prestigious location with unrivalled views. The remainder of the development would comprise 33 detached four bed dwellings and a further 33 detached three bed units. The scheme therefore shows a total of 99 units, in accordance with the highway feasibility suggestion. A relatively low density development would in turn enable significant planting within and surrounding the development while ensuring that properties with suitable gardens can be achieved.

6.3 The provision of an appropriate provision of affordable housing to meet local needs would be the subject of further discussion with the Council.

7.0 Relationship to Proposed Local Plan Policies

7.1 **Policies SD1 & SD2:** It is considered that the suggested development scheme would not only be located directly alongside the settlement area of Clacton-on-Sea, it would relate extremely well to all local facilities and be within walking distance of the district's principal employment area. Local

facilities are good together with the ability to use alternative modes of transport for work, shopping and leisure purposes. It is therefore a highly sustainable site and capable of appropriate residential development as envisaged within the NPPF. The site is also available to be developed immediately. This is particularly relevant given the Council's reliance for housing supply purposes upon a number of other sites that are unlikely to be delivered or become available within the first 5 years of the plan period.

7.2 **Policies PE01 and PE04:** The provision of up to 100 homes of the highest standard with generous plots and of an appropriate size to meet modern housing expectations will assist in the provision of housing supply requirements elsewhere in the district while providing for standards far in excess of those suggested.

7.3 **Policy PE08:** The Council's desire to provide for a development that can provide homes to meet the aspirational needs of residents is recognised, particularly as few opportunities currently exist to achieve such quality, not only in terms of dwelling size but also in relation to the scale of the plot. The most important consideration when purchasing a dwelling remains its location. A fine dwelling is not appropriate if the setting is mundane or ordinary. The nature of this scheme, which would be limited to no more than 100 units, would achieve properties appropriate in both scale and quality but also with a unique setting. The sloping nature of the site, its proximity to the rural area but within walking distance of the main employment area and its relative ease to the town centre would enable the term 'aspirational' to be truly met.

8.0 Relationship to National Planning Policy Framework

8.1 In addition to those policies contained within the NPPF as mentioned above, regard must be given to the presumption in favour of sustainable development as advocated within Paragraph 14 of the document. The proposed site is considered to be highly appropriate for housing purposes with its obvious links to the existing and newly extended Gorse Lane Industrial Estate, public transport facilities and connections to the town centre. It will also provide a

positive opportunity to meet the development needs of an area. The allocation of this site will also accord with the core planning principles as set out within Paragraph 17 by ensuring that a scheme can be shaped to its surroundings, with a high quality design and excellent standard of amenity, thereby enhancing and improving the place in which people live their lives.

8.2 This scheme will also ensure that a wide choice of high quality homes can be achieved on a deliverable site, to immediately offset the difficulties currently being faced by the Council with their current inability to provide the required five years supply of land for housing. This issue is of particular concern given the Council's difficulties over recent years, with an extremely limited number of sites coming forward. Even the number of 'windfall sites' has during the past 5 years been virtually non-existent. This situation is in stark contrast to the requirements set out by the government within the NPPF. Paragraph 47 of the framework seeks to boost the supply of housing, and for the council to annually identify and update a supply of specifically deliverable sites. In this instance, the Council should not only be ensuring that all the sites mentioned are deliverable, and to which there must be some considerable doubt, they should also be providing a buffer of 20% additional provision to ensure that there is a realistic prospect of achieving the required supply and to enable appropriate choice and competition. The Proposed Draft Submissions document must therefore be comprehensively reviewed to clearly demonstrate the achievability and suitability of all suggested sites together with consideration of additional sites to make up for the inevitable shortfall and necessary buffer as required by the NPPF.

9.0 Conclusions

9.1 The proposed site is clearly suitable for housing purposes with no physical constraints or other restrictions being applicable. It would enable a sustainable development by virtue of its location close to employment, other transport options and the necessary community facilities. Yet it would also offer the opportunity to achieve the Council's objective for aspirational housing where location, location, location is as important as the scale, design and

quality of the proposed housing. When compared with other suggested allocations and the Council's broad brush policy to place housing in areas where it is not specifically required, this proposal site should be seen as a positive development for the town and district as a whole.



NORTH

KEY PLAN :

-  33 THREE BEDROOM HOUSES
-  33 FOUR BEDROOM HOUSES
-  13 FIVE BEDROOM HOUSES
-  20 FIVE BEDROOM TERRACE HOUSES



M A S T E R P L A N

Title

B U R R S R O A D , C L A C T O N

Project/Client

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Audley House
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Colchester
Essex
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**Tendring District Local Plan:
Proposed Submission Draft (2012)**

REPRESENTATION FORM

This is the representation form to use for giving us your comments on the Proposed Submission Draft of the new Tendring District Local Plan. The document itself is available to view on the Council's website (www.tendringdc.gov.uk) and hard copies are available at the District Council offices at Weeley, the Town Hall at Clacton and at all the libraries in the district.

Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:
..... R. E. GILES + SONS

If an organisation, please provide a contact name:

E-mail: Tel No:

Address (put the organisation address if relevant): C/O Agent

..... Post Code:

If you are an agent acting on behalf of someone please provide your details here

Name of agent: .. Robinson & Hall LLP

If an organisation, please provide a contact name: ... Peter Le Grys

E-mail: [REDACTED] Tel No: [REDACTED]

Address (put the organisation address if relevant): [REDACTED]

[REDACTED] Post Code:

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support

Object

(Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following 'tests of soundness'. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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 proportionate evidence;
- **“Effective”** – the plan should be deliverable over its plan 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 National Planning Policy Framework

In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
	See attached statement

Please turn over 

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

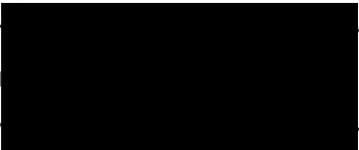
If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

To provide further case to justify proposal

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

Please note that any comments submitted cannot be treated as private and confidential and may be made available for public inspection. Respondents' details will be held on a database in accordance with the terms of Tendring District Council's registration with the UK Information Commissioner pursuant to the Data Protection Act 1998.

Please sign and date this form: Signed 	Date: 31/12/2012
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All representations must be received by the Council no later than 16:00 on Monday 7th January 2013. Any submissions received after this deadline cannot be considered.

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.

Objection to Proposed Submission Draft

Tendring District Local Plan

By R.E. Giles & Sons

Land off Burrs Road, Clacton-on-Sea

Representation Reference No. 27/39226

**Peter Le Grys MA Dip.TP MRTPI
Robinson & Hall LLP**

December 2012

1.0 Introduction

1.1 This objection to the Proposed Submission Draft of the Tendring District Local Plan is made on behalf of R.E. Giles & Sons and concerns the Council's approach to its housing policy and the failure to identify land in the north east of Clacton-on-Sea as suitable for future housing purposes. This objection includes details of a scheme for approximately 100 houses to be constructed off Burrs Road, alongside the main railway line, close to its junction with the Burrs Road level crossing. The submissions also include a Feasibility Study demonstrating the suitability and capacity of the proposed access.

2.0 Context of Site

2.1 The site has been shown notionally as covering an area of approximately 11 hectares as identified edged red on the plan attached as appendix PLG1. It extends across the frontage of Burrs Road from the railway crossing junction for a distance of approximately 200m and with an overall depth of approximately 560m. The western boundary is demarcated by the main Clacton – London, Liverpool Street railway line and to the north by Burrs Road. The southern boundary has been defined through the presence of a small existing natural pond. The entire site is currently in arable production by the objector, who also owns further substantial areas of farmland to the east and north. There are no physical constraints that would otherwise affect the development of the site.

3.0 Relevant Planning History

3.1 In April 2010 the objector was approached by Tendring District Council's Planning Policy Section following the Council's Cabinet meeting on 5th March 2010, which had endorsed the provision of some 4,100 homes to be constructed within the Clacton-on-Sea area as part of its ongoing Core Strategy Document and to meet the required housing strategy forecasts. It was suggested that some 3000 new homes were to be provided to the west of the town, but a significant shortfall required the Council to examine other parts

of the conurbation. Their preference was for the area to the west of Sladbury's Lane, which together with proposals being submitted for the improvement of the neighbouring holiday park, could enable approximately 700 dwellings to be constructed in the locality.

- 3.2 As a consequence, the objector undertook a comprehensive examination of the opportunity to release part of its farm holdings including detailed reports of the highway implications, the provision of major social infrastructure including a new school, community and medical centre and the provision of a significant area of public open space to assist with the Council's Picker's Ditch Walkway project. Extensive discussions and meetings took place with Essex County Council Highways and Education departments, Humberts Leisure (and Park Resorts, the owners of the adjoining holiday park) and various departments of the District Council.
- 3.3 The Council's proposals were subsequently shown as 'Project 11' within its Core Strategy and Development Policies Core Strategy Document published in October 2010. Unfortunately this document was subject to considerable controversy, particularly from residents of Clacton-on-Sea and Holland-on-Sea towards the extent of housing being planned within the two conjoined settlements. The result led to the Council abandoning the Core Strategy Document following the introduction of the Town & Country Local Planning Regulations 2012. In view of the considerable opposition to 'Project 11' and the withdrawal of support by the Council to the allocation of land for 700 houses, the objector decided to submit a modified version of this proposal at the public consultation period of the revised Local Plan process.
- 3.4 The revised scheme as set out within this objection has been submitted having regard to the Council's current approach to seek high quality 'aspirational' housing upon a site that is immediately adjacent to the existing housing settlement limits and within 200m from the entrance to the District's principal industrial estate. It is located close to local facilities and bus transport links and in all respects must be considered as an entirely sustainable and eminently sensible approach to meet the housing needs of the town.

4.0 Objection to Housing Strategy Policies

- 4.1 Paragraph 1.7 of the 'Proposed Submission Draft' recounts the process and extent of technical evidence that the Council has undertaken between 2007 and 2011 necessary to form a plan for the area. Page 19 of the document continues by listing all those documents and studies to which account has apparently been given. The Council's various Strategic Housing Market Assessments identified the need to deliver around 6,300 new dwellings within the period 2011 and 2031. They further recognised that only 20% of such housing will be capable of being developed on 'brownfield' sites. Furthermore, the previously published Spatial Strategy Policy No.4 demonstrated that the focus of new growth in both jobs and housing needed to be within the urban settlements of the district, with Clacton-on-Sea being the key settlement. As such, it was anticipated that 4,100 homes and 3,500 new jobs need to be created within the town.
- 4.2 In direct contrast to the identified and evidenced need, the Council's approach has been completely reversed based on a targeted campaign from existing residents' groups who oppose further housing and accompanying economic development within the town. Following a considerable number of individual responses from the public, the Council has retained the overall commitment to housing numbers but chosen to spread these throughout the entire district. A 6% increase in the overall housing stock is proposed, equating to 6,300 dwellings. However, each town, village and hamlet is now expected to accommodate a 6% increase, regardless of whether such housing is necessary or required in that settlement. From a political perspective such a policy can be seen as being even handed in that no town or village is made to bear the brunt of increased (and unwanted) housing numbers. Yet this approach is extremely arbitrary and fails any reasoned planning justification in placing houses (and related jobs) where they are actually required. Such political expediency is neither appropriate nor justified notwithstanding that support may be forthcoming from the wider public.

- 4.3 This stance clearly runs counter to the requirements of the NPPF to delivering sustainable development. The argument to place 6% additional housing within settlements that benefit from little or no facilities is extraordinary to say the least. Paragraph 151 of the NPPF establishes the key principal of sustainable local plan making, while paragraph 154 requires such plans to address the spatial implications of economic, social and environmental change. The proposed plan merely attempts to spread the load and fails to take into account the technical evidence available.
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8.1 In addition to those policies contained within the NPPF as mentioned above, regard must be given to the presumption in favour of sustainable development as advocated within Paragraph 14 of the document. The proposed site is considered to be highly appropriate for housing purposes with its obvious links to the existing and newly extended Gorse Lane Industrial Estate, public transport facilities and connections to the town centre. It will also provide a positive opportunity to meet the development needs of an area. The allocation of this site will also accord with the core planning principles as set out within Paragraph 17 by ensuring that a scheme can be shaped to its surroundings,

with a high quality design and excellent standard of amenity, thereby enhancing and improving the place in which people live their lives.

8.2 This scheme will also ensure that a wide choice of high quality homes can be achieved on a deliverable site, to immediately offset the difficulties currently being faced by the Council with their current inability to provide the required five years supply of land for housing. This issue is of particular concern given the Council's difficulties over recent years, with an extremely limited number of sites coming forward. Even the number of 'windfall sites' has during the past 5 years been virtually non-existent. This situation is in stark contrast to the requirements set out by the government within the NPPF. Paragraph 47 of the framework seeks to boost the supply of housing, and for the council to annually identify and update a supply of specifically deliverable sites. In this instance, the Council should not only be ensuring that all the sites mentioned are deliverable, and to which there must be some considerable doubt, they should also be providing a buffer of 20% additional provision to ensure that there is a realistic prospect of achieving the required supply and to enable appropriate choice and competition. The Proposed Draft Submissions document must therefore be comprehensively reviewed to clearly demonstrate the achievability and suitability of all suggested sites together with consideration of additional sites to make up for the inevitable shortfall and necessary buffer as required by the NPPF.

9.0 Conclusions

9.1 The proposed site is clearly suitable for housing purposes with no physical constraints or other restrictions being applicable. It would enable a sustainable development by virtue of its location close to employment, other transport options and the necessary community facilities. Yet it would also offer the opportunity to achieve the Council's objective for aspirational housing where location, location, location is as important as the scale, design and quality of the proposed housing. When compared with other suggested allocations and the Council's broad brush policy to place housing in areas

where it is not specifically required, this proposal site should be seen as a positive development for the town and district as a whole.

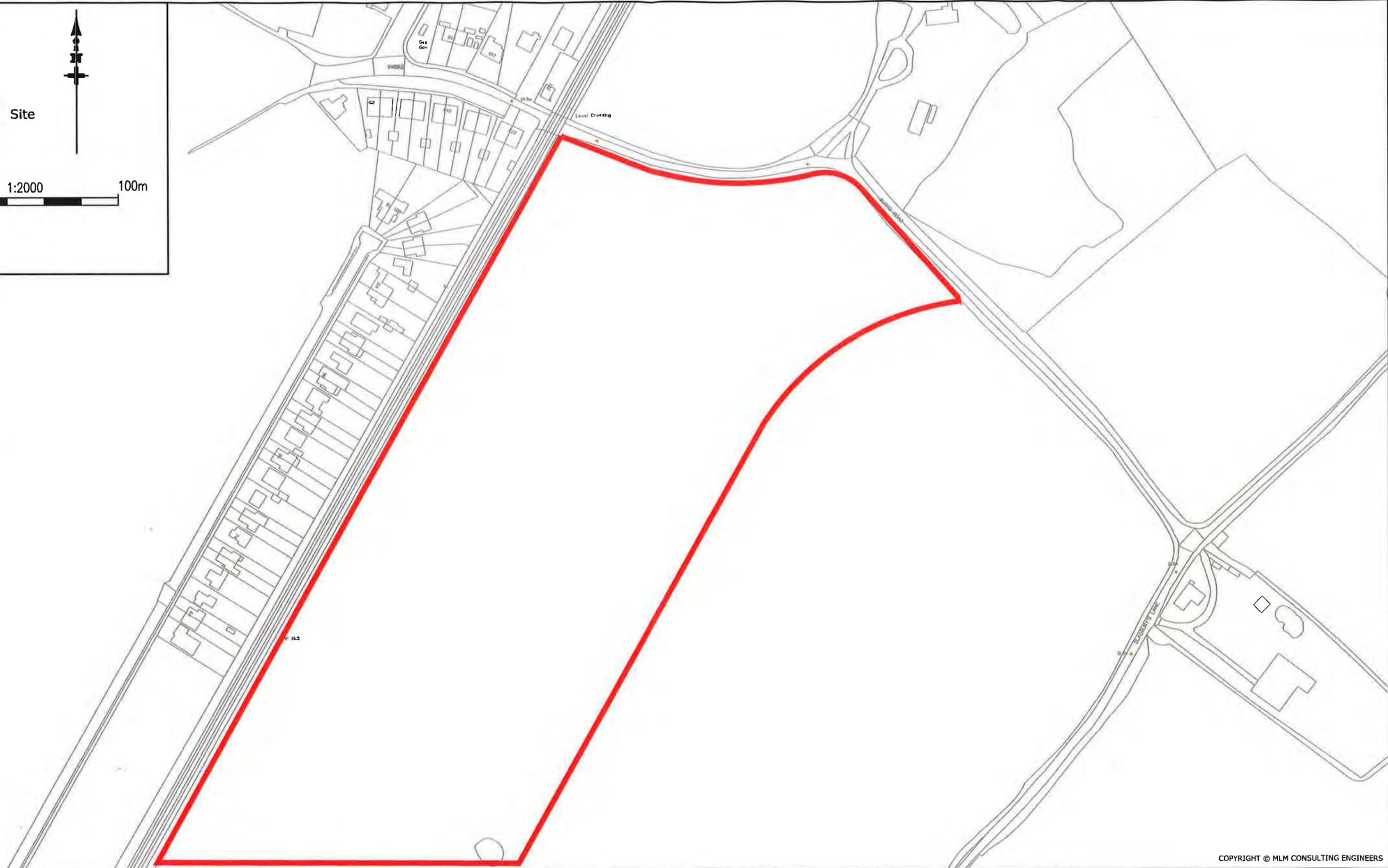
Key:



Site



0 1:2000 100m



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MLM

Multidisciplinary Consulting

Drawing Status:

INFORMATION

Client

RE GILES & SONS

Project

BURRS ROAD, CLACTON ON SEA

Drg Title

SITE LAYOUT

Drawn/Design
AFJF

Checked
LAB

Approved
LAB

Date
30.08.12

Scales
1:2000 @ A3

Drg No.
614696/SK01

Rev

Rev	Date	Description	Made	Ckd

Mary Foster

From: Roger Sargent [REDACTED]
Sent: 07 January 2013 11:04
To: Planning.policy
Subject: Representations to Draft Local Plan
Attachments: Draft Local Plan Reps (7-01-13).doc; Site location Plan (Reps).pdf

Dear Sir/ Madam

Please find attached a completed representations form and site plan submitted on behalf of Kelsworth Ltd.

Would you please confirm receipt and registration of this submission

Can I also be notified, at this e-mail address , of further stages / relevant updates on the Local Plan

Thank you

Roger Sargent



**Tendring District Local Plan:
Proposed Submission Draft (2012)**

REPRESENTATION FORM

This is the representation form to use for giving us your comments on the Proposed Submission Draft of the new Tendring District Local Plan. The document itself is available to view on the Council's website (www.tendringdc.gov.uk) and hard copies are available at the District Council offices at Weeley, the Town Hall at Clacton and at all the libraries in the district.

Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation: Kelsworth Ltd
If an organisation, please provide a contact name: Keith Alder - Barber

E-mail: [REDACTED]

Tel No: [REDACTED]

Address (put the organisation address if relevant): [REDACTED]

Post Code: [REDACTED]

If you are an agent acting on behalf of someone please provide your details here

Name of agent:

If an organisation, please provide a contact name:

E-mail: Tel No:

Address (put the organisation address if relevant):

..... Post Code:

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support Object (Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following ‘tests of soundness’. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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 proportionate evidence;
- **“Effective”** – the plan should be deliverable over its plan 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 National Planning Policy Framework

In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
Chapter 1	<p>History of Representations</p> <p>Representations on behalf of GMR Enfield LLP (now Kelsworth Ltd) were made to Tendring District Councils Consultation on LDF “Issues and Possible Options” (March-May 2009) and the Councils “Call for Sites” in April 2009. With the publication of the “Consultation on LDF Core Strategy and Development Policies” (October-December 2010) further representations were made to that draft document. Kelsworth Ltd believe their landholding can play an important role in making the latest plan effective through the provision of land for development to support and deliver some of the “key components” identified in the draft Local Plan. As our proposals constitute sustainable development they would contribute to achieving the most appropriate strategy for the area. These proposals would also be consistent with the guidance in the National Planning Policy Framework (NPPF), thus assisting the Council’s Local Plan to be a “sound” development plan document.</p> <p>“Soundness”</p> <p>In order for the Local plan to be considered “sound”, it must be positively prepared, justified, effective and consistent with national policy. It should consider whether the strategy put forward is sufficiently flexible; are the proposals realistic and can they be delivered as expected. Whilst there are signs that the housing market is beginning to recover, the strategy must allow for a range of development opportunities in the event that the pace of development is insufficient to deliver the Council’s aspirations.</p>

<p>Chapter 2</p>	<p>Delivering Sustainable Development</p> <p>As a key component of the Local Plan, Kelsworth Ltd welcomes and supports the presumption in favour of sustainable development and in particular how this is set out in Policies SD1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT, SD2: URBAN SETTLEMENTS and SD5: MANAGING GROWTH.</p>
<p>Policy SD2</p>	<p>Urban Settlements</p> <p>Although Kelsworth Ltd are in support of the Councils 6% increase in housing stock for the urban settlements, which includes the sub-areas of Clacton, they would propose that further site allocations are required for residential development within the "Settlement Development Boundaries". This amendment would provide more certainty that sufficient land has been identified on appropriate sites to deliver the Councils aspirations, rather than relying on unidentified "windfall" sites coming forward within the plan period.</p>
<p>Policy SD5</p>	<p>Managing Growth</p> <p>Whilst the identification of a Settlement Development Boundary for Clacton is supported, in that it does clearly define the area within which "<i>...there will be a general presumption in favour of new development...</i>" there is still uncertainty as to how this is to be applied, taking into account previous consultations.</p> <p>In response to a previous "Call for Sites", Tendring District Council produced a "Possible Housing Sites" document in October 2011, in which a number of possible development sites were given a brief assessment, but no decision on their suitability for inclusion in the new Local Plan.</p> <p>Further guidance is therefore needed to identify those sites which are expected to come forward to deliver the required levels of growth.</p> <p>The NPPF sets out three areas the planning system must address in order to achieve sustainable development. These are an economic role; a social role and an environmental role. Kelsworth Ltd's consider the residential redevelopment of their St. John's Nursery site, located to the northwest of Clacton, would achieve and satisfy these criteria.</p> <p>St. John's Nursery, Clacton</p> <p>This existing horticultural nursery (see attached site location plan) covers approx. 7.34 hectares and is currently served via an access off Earls Hall Drive onto St. John's Road (B1027). The site which is relatively flat contains a number of large greenhouses and operates as a horticultural distribution centre. As St. John's Nursery has suffered on a number of occasions with viability issues, the site is not operating as a viable commercial business and is therefore becoming redundant and available for a more appropriate sustainable use.</p> <p>Economic Role</p> <p>Policy PEO1: Housing Supply - in the draft Local plan, sets out the targets for growth in the District, with a requirement to build an additional 4,013 dwellings between 2011 and 2021, of which 2,200 new homes are expected on sites allocated for residential or mixed use development in Urban Settlements defined under Policy SD2. The redevelopment of St. John's Nursery would help to meet</p>

this target of house building which needs to take place. Given that the current operation of the site as a nursery is not viable together with the current economic climate, its residential redevelopment would make better use of this existing resource.

Clacton-on-Sea is identified in the draft Local Plan as an Urban Settlement (Policy SD2) and as such is a major focus for growth. As the largest urban area in Tendring District, Clacton will be required to take the largest proportion of the districts growth. With St. John's Nursery being located within the Settlement Development Boundary for Clacton, adjacent to the existing built-up framework and opposite the development allocation at Rouses Farm, Jaywick Lane (Policy COS12), the site is ideally placed to be an integral part of the sustainable development growth planned for this sub-area of Clacton.

From an initial assessment the site is equipped with service provision and a means of access from Earls Hall Drive, which may not be considered suitable for any future comprehensive housing scheme. As other/additional potential accesses do exist to serve this site, these are currently being investigated with a view to incorporating new and satisfactory vehicular arrangements onto St. John's Road in future proposals for the residential redevelopment of this site.

Social Role

With regards to any potential housing redevelopment scheme it is considered that the site could accommodate up to 165 dwellings (using Tendring District Councils previous indicative capacity assessment), in a range of mixed and affordable units.

The site would also be suitable for "Aspirational Housing" as described in Policy PEO 8 and "Family Housing" referred to in Policy PEO 9.

With regards to any potential impact resulting from the redevelopment of the site, all of the existing glasshouses and buildings would be removed, improving the outlook and environment for all the existing residential properties along this part of St. John's Road.

The redevelopment of the existing nursery would therefore produce a number of benefits for the local area and nearby community which would include:

- The residential redevelopment of underutilised commercial premises, situated close to existing residential properties, would enhance the quality of life and residential amenity of adjacent occupiers.
- The removal of large and incongruous structures which are detrimental to the visual amenity of the local environment.
- The creation of a more appropriate use with new facilities and accommodation for local people.
- The removal of noise and nuisance from commercial vehicles and operational practices of a business close to residential properties.

Environmental Role

In terms of any physical or environmental constraints there none apparent in relation to this site. The land is not included within an area at risk of flooding and there are no known contamination issues concerning this site.

There is already significant landscaping to the north and east of the site within the surrounding countryside, which could be improved as part of any residential scheme.

The adjacent agricultural land, as is so much of the area surrounding the built up parts of Clacton, is grade 2/3. Being previously developed and therefore a “brownfield” site, these premises are an ideal site for redevelopment as it will help limit the need to develop on “greenfield” land elsewhere in the immediate locality.

Summary

St. John’s Nursery is in a sustainable location, within the Settle Development Boundary of Clacton, being close to existing bus stops and public transport routes.

The site is only 2 miles from Clacton town centre, which has a significant number of existing services and facilities that can be easily accessed.

The existing business use on the site is not viable and a more efficient and effective residential use is required, which would more appropriately utilise this developed land.

As this brownfield site available for residential redevelopment, this will mean that the growth planned for Clacton–on-Sea can take place on less Greenfield land, thereby preserving more undeveloped greenfields in the immediate area.

Whilst the existing vehicular access into the site is via Earls Hall Drive, there are other alternative access arrangements available, if the site is brought forward for residential development.

The removal of the existing large glasshouses will improve the residential amenity and quality of life for adjoining occupiers, particularly those dwellings that front onto St. John’s Road.

The visual impact on the surrounding landscape will be reduced through the removal of the large glasshouses, with the immediate environment enhanced by further planting as part of a more appropriate residential development of the site.

Planning for People

With regards to Policies PEO1: Housing Supply, PEO2: Housing Trajectory, PEO3: Housing Density and PEO4: Standards For New Housing proposed in “Planning for People”, these are generally supported in principle.

However, with regards to policies PEO5: Housing Layout in Tendring, PEO 6: Backland Residential Development, PEO7: Housing Choices, PEO8: Aspirational Housing and PEO9: Family Housing, these are only supported if they are not prescriptive to all housing sites or a rigid format for every residential scheme.

Guidance on how policies should be interpreted and applied is referred to in paragraph 154 of the NPPF, where local planning authorities are advised

“...Local Plans should be aspirational but realistic...”

In this respect “sound” policies must allow each site and residential scheme to be assessed not just on sustainable and desirability criteria, but equally on viability and deliverability.

If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

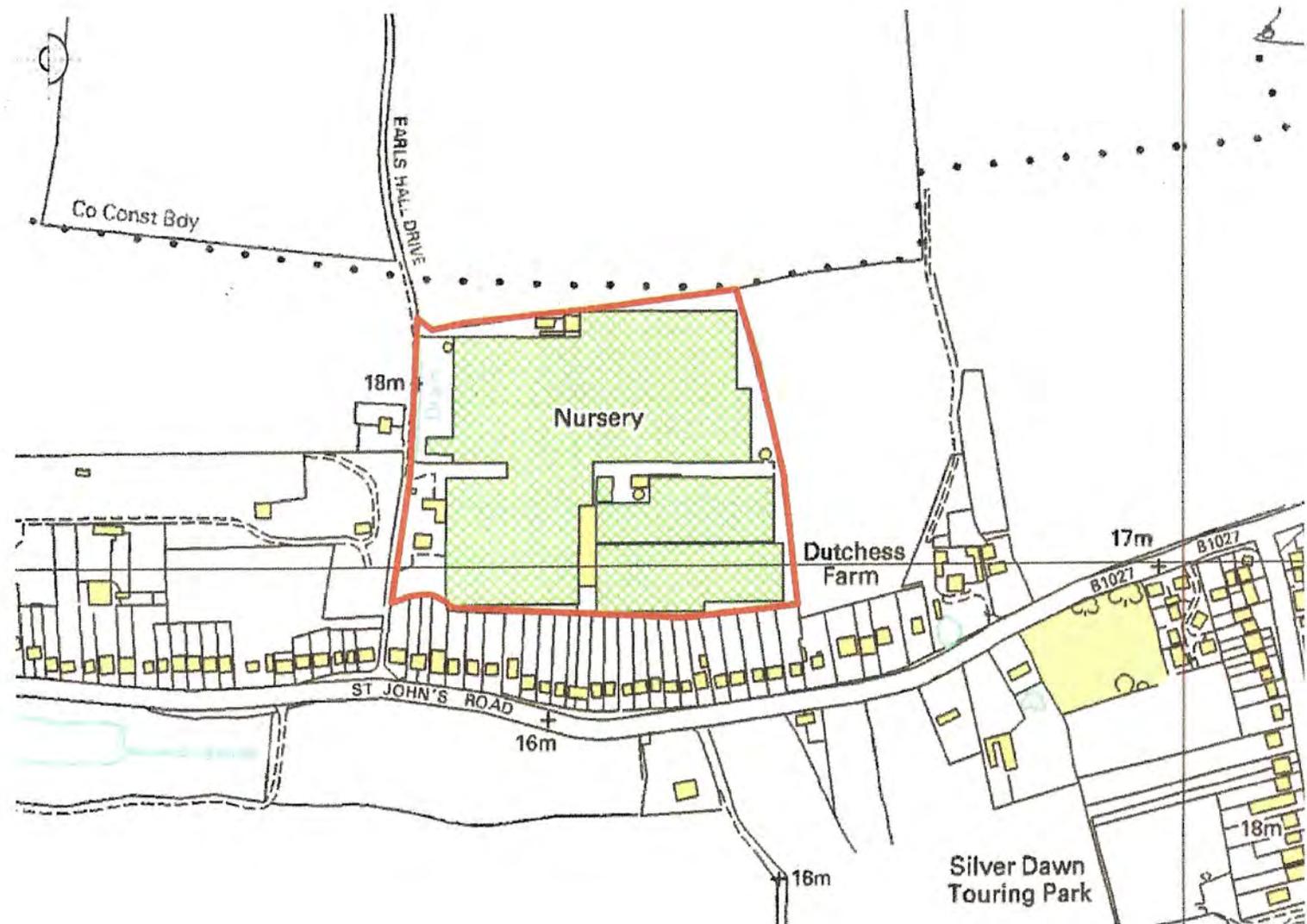
Please note that any comments submitted cannot be treated as private and confidential and may be made available for public inspection. Respondents' details will be held on a database in accordance with the terms of Tendring District Council's registration with the UK Information Commissioner pursuant to the Data Protection Act 1998.

Please sign and date this form: Signed: Keith Alder-Barber

Date: 6th. January 2013

All representations must be received by the Council no later than 16:00 on Monday 7th January 2013. Any submissions received after this deadline cannot be considered.

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.



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**Tendring District Local Plan:
Proposed Submission Draft (2012)**

REPRESENTATION FORM

This is the representation form to use for giving us your comments on the Proposed Submission Draft of the new Tendring District Local Plan. The document itself is available to view on the Council's website (www.tendringdc.gov.uk) and hard copies are available at the District Council offices at Weeley, the Town Hall at Clacton and at all the libraries in the district.

Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:
 SILVERTON AGGREGATES

If an organisation, please provide a contact name:

E-mail: Tel No:

Address (put the organisation address if relevant): C/O Agent

..... Post Code:

If you are an agent acting on behalf of someone please provide your details here

Name of agent: ..Robinson & Hall LLP.....

If an organisation, please provide a contact name: Peter Le Grys

E-mail: [REDACTED] Tel No: [REDACTED]

Address (put the organisation address if relevant): [REDACTED]

[REDACTED] Post Code: [REDACTED]

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support Object (Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following 'tests of soundness'. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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 proportionate evidence;
- **“Effective”** – the plan should be deliverable over its plan period and based on effective joint working on cross-boundary strategic priorities; and
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In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
	See attached statement

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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No

(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

To provide further case to justify proposal

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

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Please sign and date this form: Signed 	Date: 31/12/2012
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All representations must be received by the Council no later than 16:00 on Monday 7th January 2013. Any submissions received after this deadline cannot be considered.

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.

Objection to Proposed Submission Draft

Tendring District Local Plan

By Silverton Aggregates

**Land at 112-118 Oxford Road,
Clacton-on-Sea**

Representation Reference No. 4/40962

**Peter Le Grys MA Dip.TP MRTPI
Robinson & Hall LLP**

December 2012

Objection to Employment Sites Policy PRO14

Silverton Aggregates – Land at 112-118 Oxford Road, Clacton-on-Sea

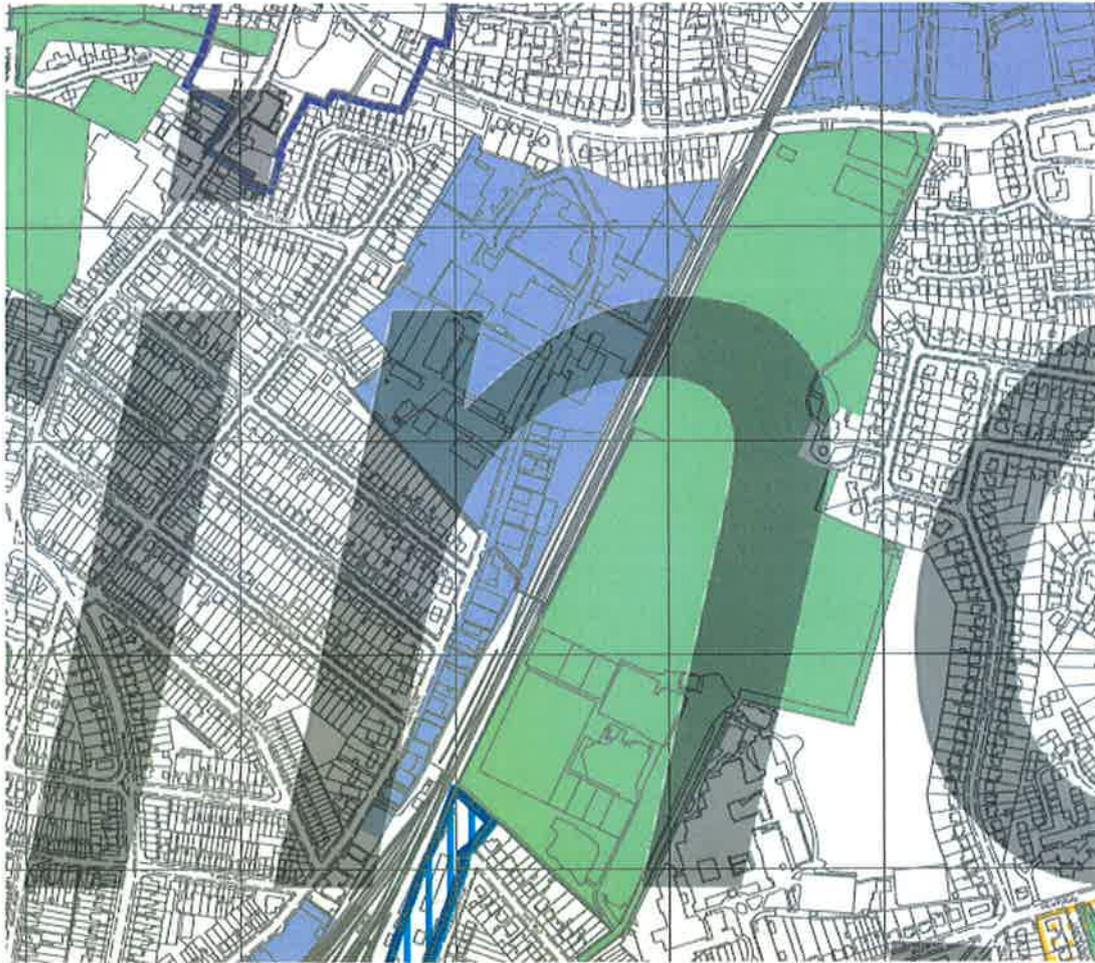
The Council's policy on employment sites is considered to be out of date and inaccurate, failing to make a reasonable assessment of the land available for such purposes and by safeguarding other land which should be considered for other more appropriate uses.

Reference is made to the Employment Study which fails to take into account the grant of planning permission for the development of 6.9 hectares of land to the north of Telford Road for such purposes. In addition, the Council's approach to safeguard all other employment sites is in direct conflict with its support for the development of the site east of Thorpe Road, Clacton-on-Sea for housing purposes as identified within Policy COS15. This site is currently allocated for industrial development within the extant Local Plan and for which planning permission has also previously been granted. The use of this site for housing purposes, adjoining the existing principal industrial estate of Gorse Lane/Oakwood Park is considered to be inappropriate and entirely unsustainable having regard to its isolation from any surrounding residential development, the absence of any community or other facilities appropriate for meeting the needs of such a housing development and its poor relationship to the rural areas beyond.

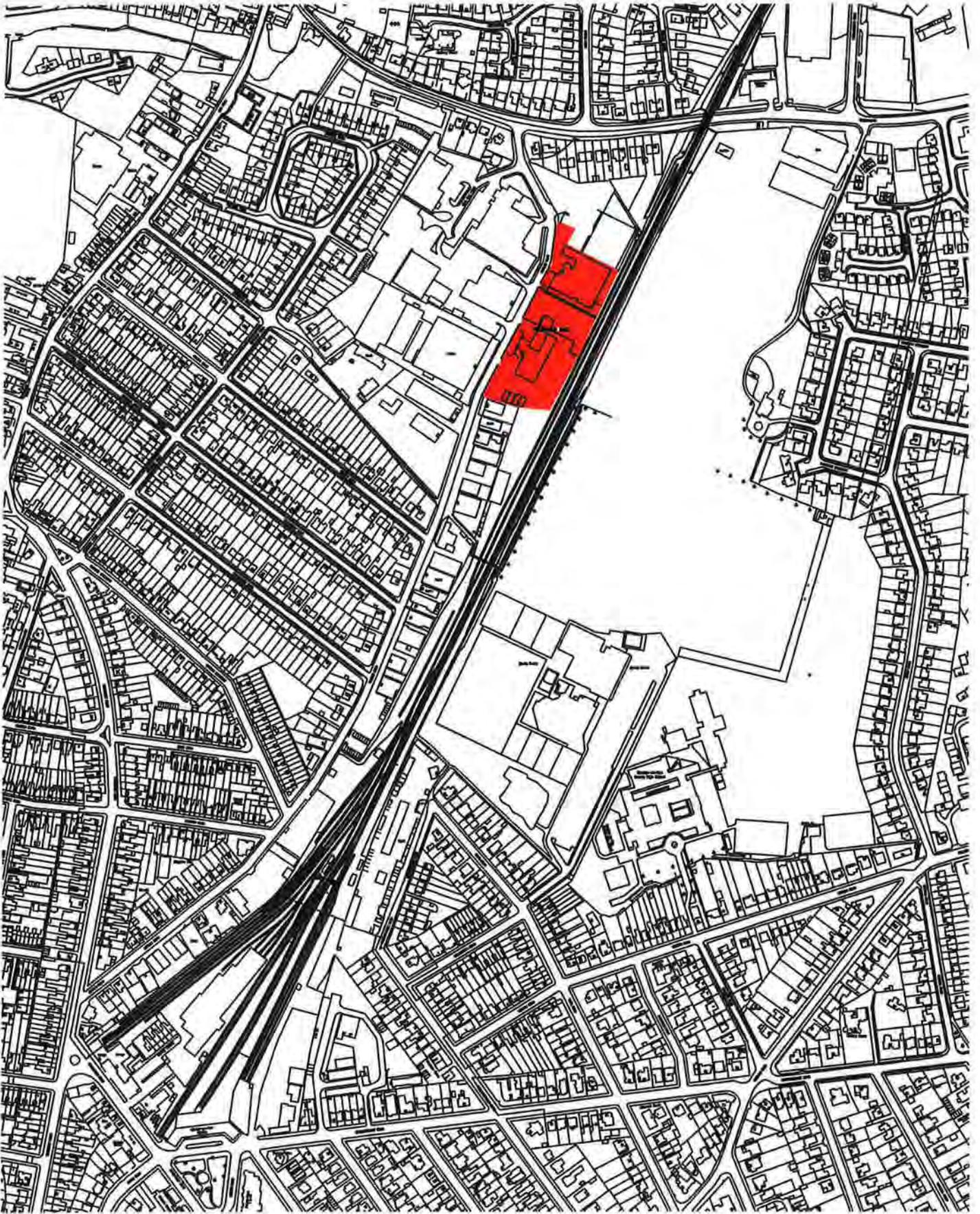
In contrast, the land to the east side of Oxford Road is shown to be retained for employment purposes. This land comprises a number of dated and outworn premises that are largely only fit for B2 open storage and distribution purposes. Oxford Road is a linear route from the town centre, and comprises a mixture of residential, industrial and retail activities. The extent of traffic difficulties along this principal route together with the condition of many of the buildings, which date from the 1950's and 60's, result in an unsuitable mix of commercial and residential use. No. 112 Oxford Road has also been the subject of considerable outcry from local residents when planning permission was granted for a waste transfer station to be established on the land.

Paragraph 1.7 of the 'Proposed Submission Draft' recounts the process and extent of technical evidence that the Council has undertaken between 2007 and 2011 necessary to form a plan for the area. Page 19 of the document continues by listing all those documents and studies to which account has apparently been given. The Council's various Strategic Housing Market Assessments identified the need to deliver around 6,300 new dwellings within the period 2011 and 2031. They further recognised that only 20% of such housing will be capable of being developed on 'brownfield' sites.

Having regard to the entirely sustainable location of this area for residential purposes, particularly for smaller households, with the close proximity to the railway station, town centre and frequency of bus services, the allocation of this land for residential use will significantly assist with the Council's difficulties in finding suitable 'brownfield' sites for residential purposes. In comparison, the location of employment uses on land east of Thorpe Road together with the imminent development of the land north of Telford Road, will ensure that there is sufficient and suitable land available for employment purposes in the most optimum location.



As a consequence, it is considered that the proposal will meet the requirements of the NPPF, particularly those comments within paragraph 14 in respect of a positive opportunity to meet the development needs of an area. Furthermore, the allocation of this site will accord with the core planning principles as set out within paragraph 17 by ensuring that a scheme enhances and improves the place in which people live their lives. The proposal will not only be sustainable, it is achievable and deliverable as required by paragraphs 47 and 49 of the NPPF.



Do not scale from this drawing. All dimensions to be checked on site prior to commencement of works. Check that this drawing is to the latest revision. If in doubt ask. This drawing is copyright, unless any dimensions to site. THIS PLAN AND THIS DRAWING ARE REPRESENTATIONS OF THE AS SHOWN AND YOUR CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMISSIONS AND CONSENTS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES. Client is responsible for obtaining the correct boundaries and site ownership to the (Easement) Ltd, (Easement) Ltd cannot be held responsible for any subsequent land ownership disputes.

Party Wall Act 1992: If the project is intended to carry out any work which involves work on an existing wall shared with another property, buildings on the boundary with a neighbouring property or excavating near a neighbouring building it is the Client's duty to nominate a Party Wall Surveyor within the Act and if an independently appointed a qualified Party Wall Surveyor to undertake the required actions prior to commencement of works.



Drawn by
Site Location Plan
Land 112 - 118
Oxford Road,
Clacton on Sea, Essex
DL Paper size **Scale**
Print at A4 1:5000

Job No **Drawing No** **Date**
SK1 02 Dec 12

Project
Local Plan Representation

Client
Silverton Aggregates



Architectural Services
Essex
(Easement) Ltd

Neil Jay Barton
Qualifies as a
Therapist-Independent
Essex
0918 885

t - 01206 881727
f - 01206 881707

abs@absessex.com
w - www.absessex.com

Mary Foster

From: Viktoria Oakley [REDACTED]
Sent: 07 January 2013 15:18
To: Planning.policy
Subject: Tendring Draft Local Plan Representation submissions - Land to the west of Clacton
Attachments: St Monica Trust.pdf; St Monica Trust Clacton.pdf; ATT00001.txt

Dear Sirs,

Tendring Draft Local Plan Representation submission – Land to the west of Clacton

Please find attached the submission documentation for the above named representations in relation to the St Monica's Trust landholdings to the west of Clacton.

I look forward to confirmation that you have received these representations.

Please do not hesitate to contact me with any questions.

Kind regards,

Viktoria

Viktoria Oakley

MSc MRTPI
Planner
Strutt & Parker LLP
Coval Hall
Chelmsford
Essex
CM1 2QF

Direct Line +44 (0) 1245 254629

Direct Fax +44 (0) 1245 254685



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Strutt & Parker LLP is a limited liability partnership and is registered in England and Wales with registered number OC334522. A List of members' names is open to inspection at our registered office.

For further details of Strutt & Parker LLP please visit our web site <http://www.struttandparker.com>

05/02/2013



**Tendring District Local Plan:
Proposed Submission Draft (2012)**

REPRESENTATION FORM

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Please fill in the form carefully and clearly as illegible forms may not be considered.

PART A – DETAILS OF PERSON OR ORGANISATION MAKING THE REPRESENTATION

PLEASE PRINT ALL DETAILS

Name of person or organisation making the representation:
.....St Monica's Trust.....

If an organisation, please provide a contact name:Please see agent details.....

E-mail: Tel No.....

Address

..... Post Code:

If you are an agent acting on behalf of someone please provide your details here
.....Strutt and Parker LLP.....

If an organisation, please provide a contact name:Viktoria Oakley.....

E-mail: Tel No

Address

Please remember to notify us if your contact details change.

PART B – DETAILS OF REPRESENTATION

Do you wish to support or object to the Local Plan?

Support

Object



(Please tick one box)

Please tell us why. If you are objecting, you will need to explain how the plan fails to meet one or more of the following ‘tests of soundness’. The tests of soundness say that Local Plans must be:

- **“Positively Prepared”** – the plan should be prepared based 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;
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In making your comments, please be sure to indicate which policy or proposal it is you are supporting or objecting to and if objecting, what changes you think should be made to the plan.

What section of the plan are you commenting on?	Comment(s)
Policies SD2, SD5, SD6, COS12, COS13 and COS14.	<p>Strutt and Parker LLP have been instructed by the St Monica Trust to submit representations to the Tendring District Local Plan (2012) proposed submission draft consultation specifically relating to their land interests at land to the west of Clacton. The land in question is outlined in red on the plan accompanying this representation.</p> <p>Having reviewed the document Strutt and Parker are objecting to four key aspects of the Plan; specifically in relation to policies SD2, SD5, SD6, COS12, COS13 and COS14 as they affect my client’s land interests.</p> <p>These objections can be summarised as follows:</p> <ol style="list-style-type: none"> a) SD2 – Concern regarding the deliverability, sustainability and viability of a range of sites sparsely located across the Clacton-on-Sea urban settlement to meet strategic objections. b) SD5 – The settlement boundary for Clacton-on-Sea should be altered to include the land as outlined on the accompanying plan. c) SD6 – Objection to identification of the land as a strategic green gap. d) COS12, COS13 and COS14 – Objection to the allocation of sites in these locations on suitability and viability grounds.

Background

The site to which this representation relates is located to the west of Clacton-on-Sea, adjoining but beyond the development boundary to the north and east. The site is currently classified within the existing Local Plan (2007) within the countryside and as a Local Green Gap.

Strutt and Parker LLP submitted representations to Tendring District Council's 2007 Local Plan and the Call for Sites (2009) as part of the current process highlighting the opportunities presented by development in this location and demonstrating the site's suitability to accommodate housing.

Reasons for objection

The draft proposals map for this area proposes that my client's landholding would now be classified as falling within SD6 providing part of a Strategic Green Gap rather than the previous Local Green Gap.

We object to this and recommend that the land in question is removed from this proposed designation for the following reasons:

- a) There is inconsistency in the Council's approach to this area. Sites for development COS13 and COS14 have both been removed from the Green Gap allocation. The reasons for the difference in approach is entirely unjustified having regard to the Landscape Impact Assessments dated 2009 and 2010 which analysed these landholdings and the St Monica Trust land. The assessments concluded that development of the Trust land *'would not be widely visible or greatly out of character'* and would have only slight adverse landscape effects. In these assessments, the Trust land in fact performs better in landscape impact terms than the land west of Jaywick Lane.
- b) The land in question is bounded on two sides by the existing settlement boundary, it would provide a natural extension to the settlement and could be appropriately landscaped to mitigate against the minimal impacts of development as described above.

It is therefore **recommended** that the proposals map is altered to remove the land from its classification as a strategic green gap and to allocate it for residential and other development as provided for within policies COS13 and COS14.

Policy SD2 of the draft Plan has classified Clacton-on-Sea as an Urban Settlement, which will be the focus for a majority of the District's economic growth. There are, however, a significant number of sites which have been put forward for allocation within the area, seven of which have specific policies that have been drafted to guide development. Policies COS12, COS13 and COS14 are of particular relevance. The content of these policies is very prescriptive and does not allow for any flexibility as development proposals evolve. For example, it may be financially unviable to expect a medical centre and the required infrastructure to be provided on site prior to residential development being allowed to commence. By linking all of the sites in this way there is a real danger that frontloading the infrastructure will

	<p>stall housing delivery across all of the sites.</p> <p>If all the land to the south west of Clacton, including the site the subject of these representations, was allocated, this would provide for the possibility of a comprehensive approach to development. This would enable a greater prospect of delivery of community benefits which could make provision for the required infrastructure including the school and the medical centre, minimising the number of landowners/developers involved and de-risking the process in terms of delivery.</p> <p>Having reviewed Tendring's Site Assessment Appraisal (2012) of Third Party Housing sites, when compared to the landholdings which relate to policies COS13 and COS14 it is important to note that our client's performs to the same standard in terms of overall score.</p> <p>We would therefore recommend that the site is allocated for housing.</p> <p>Notwithstanding our representations it is in relation to Policy SD2 and the Settlement Boundary, even if these representations are not accepted to provide a better prospect for delivery, considered that, at the very least, the Council should identify reserve housing sites that are suitable and deliverable to provide the necessary flexibility in housing supply. Safeguarded sites would have the ability to deal with the current shortfalls and those that may occur over the plan period on the basis of a plan monitor and manage approach.</p>
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If you are objecting to the plan, do you consider it necessary to speak at the public examination?

Yes

No



(Please tick one box)

If you wish to speak at the examination, please outline why you consider this to be necessary:

(Please note that the Inspector will determine what issue will be debated and who will be invited to speak at the examination)

N/A

FAIR PROCESSING NOTICE – DATA PROTECTION ACT 1998

Please note that any comments submitted cannot be treated as private and confidential and may be made available for public inspection. Respondents' details will be held on a database in accordance with the terms of Tendring District Council's registration with the UK Information Commissioner pursuant to the Data Protection Act 1998.

Please sign and date this form:

Signed:

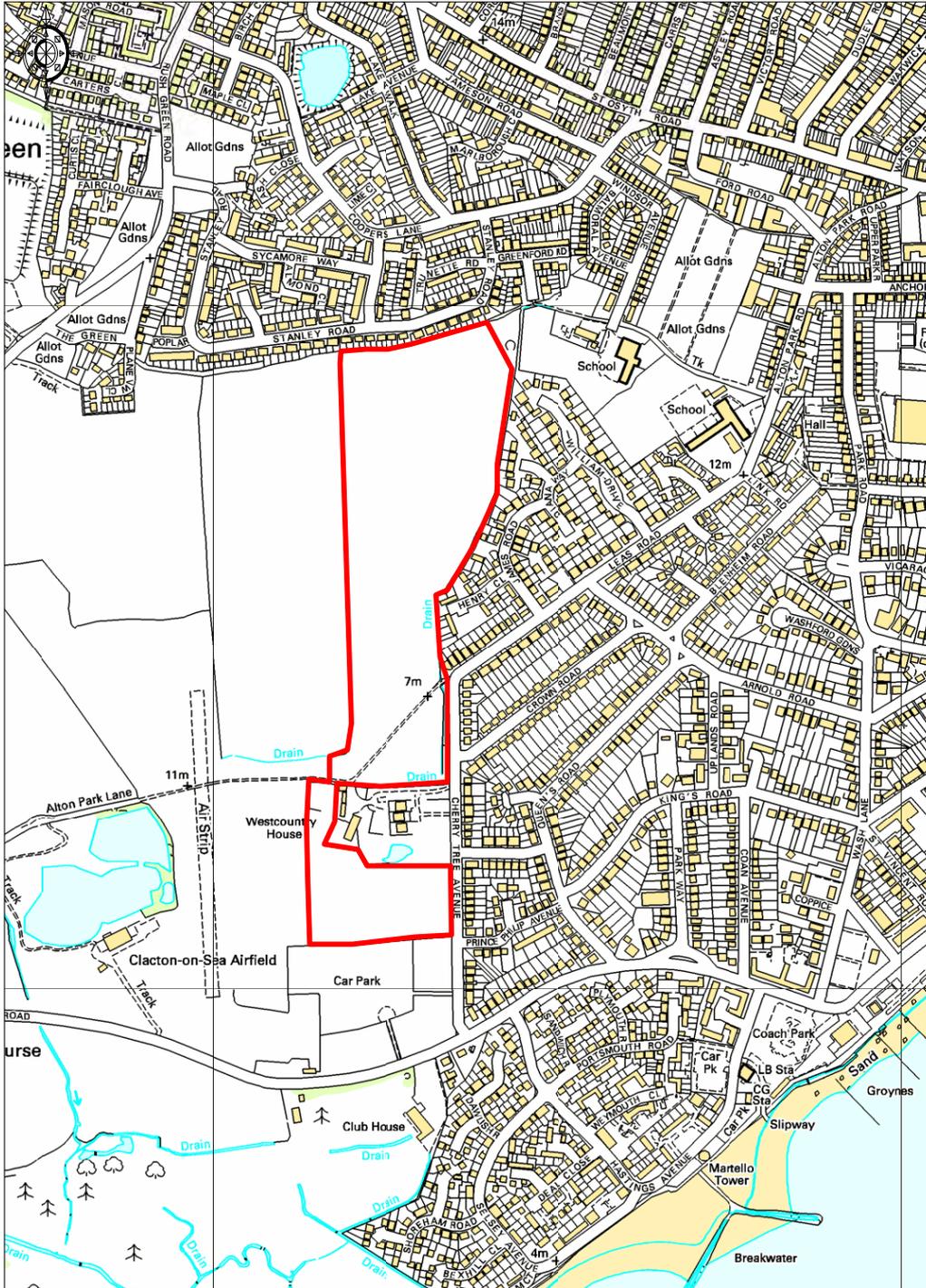
A black rectangular redaction box covers the signature area. A faint, illegible signature is visible through the redaction.

Date: 7/1/2013

**All representations must be received by the Council no later than 16:00 on Monday 7th January 2013.
Any submissions received after this deadline cannot be considered.**

Please return completed forms to: The Planning Policy Manager, Planning Department, Tendring District Council, Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex, CO16 9AJ.

Land to the west of Clacton



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