Tendring District Local Plan

Proposed Submission Draft

Representations of Support

on behalf of:

Harding Estates

(ref. HE1)

January 2013
Development East of Pond Hall Farm, Dovercourt

Representations of Support on behalf of Harding Estates

1. We are instructed by our Clients, Harding Estates, to register support for the proposals and policies in the Proposed Submission Draft (PSD) relating to Development East of Pond Hall Farm, namely paragraphs 7.27 – 7.28, Policy HAD4 and Policies Map Inset 2.

2. The ability to promote a mixed use scheme whilst retaining a major focus on the employment elements has made an enormous contribution to the viability of the package of proposals and has enabled the promoters to progress the scheme through to Draft Masterplan stage. There is newfound interest and confidence in the employment related elements and the alternative employment uses for retail, pub, restaurant and hotel use. The proposals now being drawn up include a food superstore for Sainsbury’s as the anchor enabling development. Negotiations are well advanced in relation to other contracts associated with the retail elements and work is about to commence on the preparation of a Retail Impact Assessment to form part of a Planning Application to be submitted later this year. This will coincide with a tandem Application relating to a new junction on the A120 to serve the non-residential elements of the development.

3. With regard to the housing allocation, proposals are being drawn up for a new neighbourhood development served via Main Road. Technical studies have now been completed which demonstrate the ability of the local road system to serve this new neighbourhood which will include a wide range of house types as well as open space and local community facilities.

4. The promoters are fully conscious of the importance attached to the early release of the land and the heightened role it will play in relation to the District’s growth arising from delays affecting the development of Bathside Bay.

5. We reaffirm the contribution that land controlled by Harding Estates north of the A120 can make towards Proposed Green Infrastructure under the auspices of
Policy PEO19. The new roundabout access on the A120 will provide the obvious point of access into the new Harwich Linear Park which will be supplemented by pedestrian and cycleway links.

6. Whilst fully supporting the promotion of land east of Pond Hall Farm as proposed in the PSD, we consider that there is a need for some greater clarity in the contents of the document and a need to remove certain discrepancies. The main point here is that the text of Policy HAD4 indicates the land east of Pond Hall Farm is allocated for a mix of residential development, community facilities, commercial development and open space. We draw attention, however, to the fact that the Policies Map Inset does not include the site within a Mixed Use notation but defines discrete allocations for housing and employment south of the A120 and Proposed Green Infrastructure (not Open Space) north of the A120. There is therefore no actual red line or policy area definition of the extent of the land East of Pond Hall Farm and it appears as a somewhat amorphous area governed by specific allocations. We take no particular issue with this depiction of the Plan’s proposals but consider that the wording of Policy HAD4 could be amended to more accurately describe the proposals.

7. Harding Estates are committed to expediting the first release phases of the scheme as soon as possible and confirmation of the proposals put forward in the PSD will provide a further boost to confidence which will assist in making further progress during a difficult economic environment.

8. The assistance already provided by the Council in its endeavours to secure the viability of the scheme is appreciated and it is envisaged that the positive stance taken by the Council will be rewarded through the early commencement and implementation of the Plan’s proposals.

Chartered Town Planner
January 2013
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**

<table>
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<th>Name of person or organisation making the representation:</th>
<th>Harding Estates</th>
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<td>If an organisation, please provide a contact name:</td>
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<td>Address:</td>
<td>c/o The Agent</td>
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If you are an agent acting on behalf of someone please provide your details here

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<tr>
<th>Name of agent:</th>
<th>Edward Gittins &amp; Associates</th>
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If an organisation, please provide a contact name: Mr. Edward Gittins

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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  [x]  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.

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<tr>
<th>What section of the plan are you commenting on?</th>
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<tr>
<td>Paragraphs 7.27-7.28</td>
<td>See attached Representations (our ref. HE1)</td>
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<tr>
<td>Policy HAD4</td>
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<td>Policies Map Inset 2</td>
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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 briefly discuss possible amendments to the wording of Policy HAD4.

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: [Signature] Date: 07 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.
Dear Mr Guiver,

We are pleased to enclose our representations in respect of the above document, on behalf of our clients, J Macaulay and Sons.

We look forward to receiving acknowledgement of their receipt.

Kind regards,

Nick Groves
MRTPI

[Logo: Boyer Planning Central and South]

Correspondence Address: Crowthorne House, Nine Mile Ride, Wokingham, Berkshire, RG40 3GZ
Boyer Planning Ltd - Registered Address: Crowthorne House, Nine Mile Ride, Wokingham, Berkshire, RG40 3GZ. Registered in England 2529151.

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Appendix One Introduction to Port-centric Logistics in the Context of the Bathside Bay Container Terminal
1. INTRODUCTION

Introduction

1.1 These representations have been prepared by Boyer Planning Ltd on behalf of J Macaulay and Sons in respect of the Tendring District Local Plan Submission Document (November 2012).

1.2 This statement draws upon various communications and as well as previous representations made to the Council in respect of Tendring District Council Core Strategy, Issues and Options Document (April 2009), and Proposed Submission Document (October 2010), in which we raised concerns over the failure of the emerging document to:

i. address in a more comprehensive way the principle of port-centric logistics in preparing the Core Strategy; and,

ii. identify strategic locations to meet these requirements.

1.3 We have, on behalf of our clients, set out the advantages of a port-centric approach to logistics. A key document which was submitted to Tendring Council with our representations in 2009 was an “Introduction to Port-centric Logistics in the Context of the Bathside Bay Container Terminal”. We attach a copy of this document at Appendix 1. This paper succinctly illustrates the fundamental differences between port-centric logistics and the more historical movement of freight in Sea Containers from port to inland warehousing.

1.4 Its conclusions clearly state that it is vital that Tendring District Council itself needs not only to embrace the logic of port-centric activity if their regeneration plans are to succeed, but also to understand that the specific location of such a facility within the district could have major implications for the economic sustainability of the port itself.

1.5 The scale of and employment from a port-centric logistics centre would be far greater than almost any other planning proposal considered by Tendring apart from the port itself. It is likely that the lead in times of the development of a port-centric logistics centre would be far longer than those required by a more usual employment site, due to the 24 hour/7 day activity of HGV freight movements and de-vanning processes associated with port-centric logistics.

1.6 We therefore consider that a key issue for this Local Plan is its employment strategy, and that the promotion of the most appropriate locations for employment, and logistics related to Harwich, are key matters that go to the soundness of the Council’s Local Plan. In this respect the change in the plan period (previously proposed to 2031 in the above documents), is a fundamental consideration bearing in mind that, from the potential date of adoption in 2013, there will only be eight years. As our representations will set out, the starting point is the plan period. If the plan period to 2021 is accepted as being sound, policies relating to Harwich and Freight Transport (policies PRO 11 and 12 respectively) could be regarded as appropriate. However if it is considered that a longer plan period is necessary, we believe that the specific policies, and generally the economic strategy, would need to be reconsidered.

1.7 Policy PRO 11: Harwich International Port, of the Submission Document, allocates Bathside Bay for major expansion of existing container port facilities, but notes that development is not
expected to take place until after 2021 (which is also the end of the plan period). However, the document does not identify the strategic sites needed for port-centric logistics. Instead, because it considers that Bathside Bay Container Port (BBCT) will not commence before 2021, it has deferred identification of such sites.

1.8 The Draft Local Plan has set out a sequential approach to the provision of new freight, distribution and logistics facilities in Policy PRO 12. However the Document would be deficient if in principle it should have a longer plan period beyond 2021, as it may be detrimental to securing the level of investment required to develop strategic ancillary port-centric facilities, which would itself assist in delivering the wider social and economic objectives of the Local Plan longer term. If a longer plan period is adopted, policies would need to be put in place to ensure the timely delivery of the port expansion project and the necessary ancillary infrastructure; and also maximise the employment potential and regenerative benefit that would derive for Harwich and the District as a whole.

1.9 Our clients are totally committed to the promotion of logistics for Bathside Bay, Harwich. Our clients control the site known as “Poplars” which is adjacent to the A120, east of Poplars Farm, Ramsey, Harwich. The site is suitable for port related logistics employment-related development – specifically port-centric logistics ancillary to port users, which it is anticipated will be in demand to support the BBCT development. It is our belief that the potential value of our client’s land, given its practical and commercial advantages, should therefore be considered by the Council in these respects.

1.10 Our representations are therefore principally set in the above context. However we also raise major concern regarding the proposed development at Horsley Cross which was introduced “at the 11th hour” by Members, contrary to officer’s recommendation. We also have comments to make in respect of the land East of Pond Hall Farm.
2. GOVERNMENT ADVICE AND THE LOCAL PLAN

Government Advice

2.1 In this section we consider the advice in the National Planning Policy Framework (the Framework) in relation to the provision of employment, freight and port-centric facilities in particular.

2.2 Under the heading, “Delivering sustainable development”, the Framework refers to “Building a strong, competitive economy”. Its growth led strategy includes amongst other matters, the following:

“20. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

21. Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing. In drawing up Local Plans, local planning authorities should:

- set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;
- set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
- support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances;
- plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries; …
- identify priority areas for economic regeneration, infrastructure provision and environmental enhancement …”

2.3 In relation to promoting sustainable transport it states that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Paragraph 30 in particular states:-

“Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.”

2.4 Paragraph 31 states:-

“Local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development,
including large scale facilities such as rail freight interchanges, roadside facilities for motorists or transport investment necessary to support strategies for the growth of ports, airports or other major generators of travel demand in their areas. The primary function of roadside facilities for motorists should be to support the safety and welfare of the road user.”

2.5 Paragraph 33 refers to planning for ports, airports and airfields that are not subject to a separate national policy statement, and states that plans should take account of their growth and role in serving business, leisure, training and emergency service needs.

2.6 Paragraph 35 states:

“Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, development should be located and designed where practical to

- accommodate the efficient delivery of goods and supplies:....”

2.7 Under the heading “Plan-making”, Local Plans should:

“....

- plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework;
- be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date;
- indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map;

...”

2.8 In respect of business, paragraph 160 states local planning authorities should have a clear understanding of business needs within the economic markets operating in and across their area. To achieve this, they should:

“...

- work closely with the business community to understand their changing needs and identify and address barriers to investment, including a lack of housing, infrastructure or viability.”

2.9 Paragraph 161 reinforces this by stating that local planning authorities should use this evidence base to assess:

- “the needs for land or floorspace for economic development, including both the quantitative and qualitative needs for all foreseeable types of economic activity over the plan period, including for retail and leisure development;
- the existing and future supply of land available for economic development and its sufficiency and suitability to meet the identified needs. Reviews of land available for economic development should be undertaken at the same time as, or combined with, Strategic Housing Land Availability Assessments and should include a reappraisal of the suitability of previously allocated land;

...”
2.10 In respect of Infrastructure, paragraph 162 requires local planning authorities to work with other authorities and providers to assess the quality and capacity of infrastructure for transport and take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.

**East of England Plan**

2.11 At the time of preparing these representations the East of England Plan remains part of the development plan, although we are aware that the Communities Secretary has made an announcement to the effect that the East of England Plan will be revoked in January 2013.

2.12 Policies set out in the East of England Plan (2008) cover the period 2001 to 2021 and are therefore relevant to this representation.

2.13 Policy E3 states that Local Development Documents should identify readily-serviceable strategic employment sites of the quality and quantity required to meet the needs of business identified through the employment land reviews referred to in Policy E2. Sites should be provided at a number of regionally strategic locations including the Haven Gateway and development associated with port expansion at Harwich and Felixstowe.

2.14 Policy T10 refers to freight movement, and encourages maximising the proportion of freight to be carried by rail or water, with high priority being given to measures to provide adequate rail freight capability and capacity on routes to the region’s major ports including Bathside Bay (Harwich). It is however recognised that whilst the aim will be to increase the amount of freight that can be transferred by rail, inevitably the road network will continue as the predominant means of providing transport to the ports. That the strategic road network will continue as the predominant means of providing transportation of freight from the ports, is of equal significance and is a key consideration within this representation.

2.15 Policy T11 advocates the management and enhancement of access to the region’s ports to support their development and enable them to contribute to national and regional objectives for economic growth and regeneration (whilst set in the context of Policy T10).
3. BACKGROUND

Background

3.1 Our representations and considerations relating to the earlier draft Core Strategy documents were based upon two key points:

i. in principle there is a need for freight related uses within the District, emanating from the Port of Harwich (and in particular arising from the proposed Bathside Bay Container Terminal (BBCT)); and,

ii. a site needs to be as close to Harwich as possible, outside of the flood plain and adjacent to the A120, but specifically not adjoining a residential area. The overriding requirement being that the 24 hour activity, associated with this use, should minimise the number of residents affected.

3.2 We believe that the Poplars site will singularly meet these requirements.

Market Demand and Need

3.3 Evidence before the (now adopted) Local Plan Inquiry, which ran from September 2006 until April 2007, included a letter from Debach, which in relation to port related freight stated:

- land should be initially inexpensive and not have complicated leasing arrangements. It should have sound structure, and no exceptional building costs;
- road access - a site would need to be adjacent to the A120;
- the siting should be away from residential areas (24/7 operation, night lighting, reversing noises and LGV movements unrestricted);
- local labour - local and suitable untapped labour pool is available in the Harwich area, but less so in the Colchester and Clacton areas. The Poplars site has benefit;
- no hidden additional development costs or unstable land structures, few residents nearby;
- good road links;
- train station nearby;
- passing bus routes to and from Harwich;
- enough space to accommodate the uses;
- do not want to be a mixed use site e.g. Horsley Cross (hotel);
- too close to causes congestion.

3.4 To meet the needs of the BBCT the freight requirements of the port need to be considered early to ensure that the inward investment that is attracted by the Port can be captured within the District.

Bathside Bay and the case for facilities

3.5 We have entered into discussions with the LPA on behalf of our clients, and specifically, in relation to freight issues, have reflected the requirement of the National Planning Policy Framework (the Framework) for local authorities, businesses and developers to work together.
3.6 In the Tendring context, we acknowledge the recognition that Planning for Port Expansion is a future challenge (page 25 of the Local Plan), and that much of Harwich’s economic future is dependent on the new Container Port at BBCT. We are fully supportive of the main Vision of the Core Strategy for Harwich, which includes the following:-

"Harwich and Dovercourt will be enjoying an economic resurgence with a number of major employers operating in the area in anticipation of imminent expansion at the container port and making the most of business opportunities arising from the on-going manufacture, assembly, transportation and maintenance of wind farm technology."

3.7 The vision for Harwich and Dovercourt itself is set at a para 7.5 and states that:-

"In 2021, Harwich will be established as a major gateway to Europe having exploited and made the most of opportunities presented by the emerging renewable energy sector and the planned container port benefiting from improvements to the A120 and rail freight infrastructure. The port and associated off-site port-centric logistics, distribution facilities and services on development sites with good access to the A120 have provided many jobs for local people including skilled and higher-paid employment opportunities."

3.8 In the light of the above, it is incumbent upon the LPA to assess the logistics requirements arising from BBCT, and to capture the economic advantages arising from that development.

3.9 Given the advice in the Framework, it is clear that Local Authorities should also not ignore an existing planning permission which results in an extra 1,880 HGV’s movements per day. The requirements of the Framework to consider the needs of freight, should be set in the context that the LPA should not second-guess the characteristics of the current economic cycle and its implications on world trading patterns.

3.10 Para. 30 of the Framework seeks to encourage solutions which support reductions in greenhouse gas emissions and reduce congestion. In this respect, approximately 10% fewer HGV’s are required to move the same payload from a port-centric facility onto the UK road network. This overcomes the inefficiencies of the mature logistics model of moving containers from ports to the midlands and storing goods before distributing to the retailer.

3.11 Examples include one client who is a major wine importer. As they have the capability to de-van & palletise near to the port, the number of HGV movements using the national road network has been reduced by 20%. In a second case, a major UK retailer has eliminated the long return of empty containers by using port-centric logistics. The result has been a saving of 700,000 road miles per 5,000 TEU’s.

3.12 The above is far more environmentally sustainable given the major reductions in carbon footprint & overall distribution fuel costs.

3.13 Para. 35 of the Framework advises that plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. This is a significant benefit of a port-centric facility. "Container to shelf" time is reduced and logistics costs minimised by:

a. removing the need for inland container movements and restitution;

b. elimination of demurrage bills and quay rent for containers;

c. reduction of inland movement by direct deliveries;

d. the reduction of stored stock levels across the supply chain;
e. enables very fast turn round of stock, which can be an increasingly important requirement of retailers;
f. enables both the port & logistics industries to satisfy the "just in time" requirement of retailers.

3.14 It increases the efficiencies and interdependence between the port, its port-centric industries and the major retailers. The Felixstowe Port Logistics Study stated that 30% of TEU’s from Felixstowe Port are handled within a port-centric model. The report also emphasises the positive impact on operating costs and economic sustainability of proximity to port.

3.15 We consider that the advice in the Framework needs to be fully embraced as BBCT is the most important economic opportunity for regeneration that Tendring District has been offered in recent history, in our opinion.

3.16 We acknowledge that the Council is recognising development at BBCT and supporting port-centric logistics activity which requires employment land allocation. Economic regeneration within Tendring, based on the advantages that BBCT will bring, will not be achieved if the potential wealth creation arising from BBCT is not captured within the District.

Implications for the Local Plan

3.17 In our view, therefore, whilst the Local Plan recognises the port-centric requirements, how the Council is dealing with these seems to be determined by the short Local Plan period. The Council attempts to justify its plan period at paragraph 3.5 in the chapter dealing with Planning for Prosperity. It states that “planning for only 10 years worth of growth rather than 15 or 20 enables the Council to carefully monitor economic conditions and job creation and compare this with housing development to ensure the plan is achieving a sustainable and balanced pattern of growth.” However of itself this does not explain why Tendring is different from any other district to which the advice in the Framework applies, namely to be drawn up over an appropriate timescale, preferably a 15 - year time horizon, and take account of longer term requirements, as well as being kept up to date.

3.18 The lead-in times for the provision of such port-centric facilities are such that it would not be sufficient to wait, for example, for commencement at BBCT, in order to provide such major facilities. Policy PRO 12, in the context of a short time period, is broadly welcomed. However, if the plan period is lengthened in line with Government advice, the matter must be addressed now, rather than trying to deal with it through inadequate employment land policies or allocations, when construction starts on BBCT.

3.19 In the case of a longer plan period, a failure to address the above points might well result in some logistics companies looking elsewhere, and clearly Tendring District is not the only Local Authority area which might be aware of the possibilities arising from BBCT.

3.20 Furthermore, if a longer plan period is proposed, we consider that the Local Plan should be site specific, due to the infrastructure implications and the scale of the proposed port-centric logistics development. Indicating broad locations for strategic development such as this on a key diagram would be consistent with the Framework. We recognise that this would require, at the very least, Main Modifications to the current, draft Local Plan.
4. REVIEW OF PROPOSED SUBMISSION DRAFT LOCAL PLAN

Policy PRO 11 - Harwich International Port

4.1 Paragraph 3.45 of the supporting text to Policy PRO11 highlights that Bathside Bay development “… will create around 700 jobs directly associated with the port with an additional 1000 jobs resulting from growth in businesses, industry, warehousing and other support services”. The supporting paragraphs and the policy itself state that the Council will work, during the period to 2021, with owners of Harwich International Port, the Highways Agency and other relevant partners to investigate ways of facilitating the early start to the development and refuse proposals for development in any part of the district that would jeopardise the development.

4.2 The development of the port at Harwich, and associated off-site port-centric logistics facilities, are an important consideration within the vision for Harwich and Dovercourt. Paragraph 7.19 of the Local Plan states that almost two-thirds of the economy in the Harwich and Dovercourt area is based on employment within the transport and communications sector, which are strongly related to the port. It is regarded to be of national importance for container and passenger transport.

4.3 A vital aspect of the port expansion will be the logistical requirements needed to support increased port activity. The Local Plan makes no detailed mention of the requirements for port logistics, therefore the potential for this development to support the regeneration aims for the Harwich area is not adequately explored. There are no allocations for port-centric proposals within the Local Plan at Harwich.

4.4 It is our view that a more port-centric logistic approach should be included within the Local Plan, to a greater degree than is currently proposed. This would identify the wider impacts and benefits of the port expansion using more realistic commentary and setting a fuller context within which the future economic growth would occur.

4.5 Notwithstanding the short life span of the plan, consideration should be given now to the policy framework required to deliver this type of development; sufficiently upstream within the planning making process. This is not the case and the opportunity to establish wider policy aims with which to promote port expansion and development ancillary to increased port activity, is not addressed in sufficient detail in our opinion.

4.6 Should it be considered that the lifespan of the Plan is too short, we recommend the inclusion of a strategic site for port-centric logistics facilities. If the timespan is accepted as sound, more specific reference to such facilities should be made in policies PRO11 and PRO12.

Policy PRO12 – Freight Transport and the Movement of Goods

4.7 As we have outlined above, if the time period for the Local Plan is accepted as being sound, we agree with the broad aims of the Policy PRO12, which, whilst recognising that the provision of effective movement of goods is necessary to promote a dynamic economy, is also seeking to
minimise the environmental impact on environmentally sensitive areas such as residential settlements.

4.8 In taking a sequential approach, it acknowledges that where allocated or safeguarded employment sites, or sites with good access onto the railway network, are not available, suitable or viable for the development proposed, sites outside of Settlement Development Boundaries with good access to the A120 will be considered. In our opinion, Tendring District does not contain an unlimited supply of suitable sites which meet the first two criteria.

4.9 This policy does not make special provision for port-centric development, which will provide the logistical needs of the port users. However, reference is made at paragraph 3.50 to interest from landowners to building major logistics facilities along the A120 to support increased freight movement that is expected following the expansion of Harwich International Port at Bathside Bay. Our clients’ land at Poplars is in our opinion the closest land to Harwich to meet the tests of being available, suitable and viable for a major port centric facility.

4.10 The land at Poplars is also the most suitable land adjacent to the A120 which is not land liable to the risk of flooding. Risk of flooding is a major factor for logistic firms. Our clients have discussed this matter with logistic firms at Felixstowe, as well as elsewhere, and they all stated that they would not invest in facilities within an area liable to flood because:

- they feared that they would not capture major logistics contracts with the retail chains if their retail customers thought that their goods (let alone lives) could be subject to a flood risk;
- any development within a floodplain is considered to be far too expensive.

4.11 The topography of the site for a major logistics facility is a further important consideration. Such facilities are substantially larger than a more standard warehouse and require a level concrete slab of at least 3 ha. for a warehouse, and the associated 400 HGV movements per day.

4.12 The concept of off-site port-centric logistics with good access to the A120 is recognised in the Vision for Harwich and Dovercourt area at paragraph 7.5 of the Local Plan. We have, on behalf of our clients, submitted representations at each stage of the Core Strategy process, and in separate correspondence, setting out the advantages of a port-centric approach to logistics. An “Introduction to Port-centric Logistics in the Context of the Bathside Bay Container Terminal” was submitted to Tendring Council by the Poplars Farm Project Team in 2009. This document set out the following Key Principles of Port-centric Logistics:

- Unload the container as closely as practicable to the port – using specialist firms that integrate this activity with clearances and the port’s container handling processes.
- Restitute the container at the port, ready for the shipping line’s next usage.
- Handle and store the goods, then deliver in the most efficient way – usually palletised on tautliners, or via a pallet or parcels network.
- If possible, deliver the goods directly to the final destination; where intermediate storage/handling is required; ensure the goods are configured as required at the final destination.
4.12 It is our view that had the Council taken a port-centric logistics approach, sites needed to provide for the logistical requirements of the port users could have been identified during the early stages of the Core Strategy/Local Plan process. In the absence of designation of such sites, should Bathside Bay proceed before 2021, assessment of a suitable site (or sites) would have to be undertaken very quickly against the criteria in Policy PRO12. Given the long lead-in times necessary to plan and deliver a port-centric facility, and all of its associated infrastructure and access arrangements to the A120, it is in our view questionable whether this could be achieved effectively, and therefore beneficially, within Tendring District. There is therefore the risk that the freight industry would make arrangements elsewhere in the country, which would lose the employment opportunities that such a facility would provide. At the very least Policy PRO12 should include reference to its need to be close to Harwich, outside of the flood plain, adjacent to the A120, not near residential, and therefore the need for a large, level site in the countryside.

Policy MLM6 - Horsley Cross

4.13 We have major concerns about this proposal and the process undertaken by the Council to introduce it into the Local Plan. In our view Policy MLM6 is not a sound policy and it runs completely counter to the frontloaded nature of the Local Plan process. It has not been subject to the rigorous testing, and comparative environmental and sustainability analysis, that is required. This is acknowledged in the final version of the Draft Local Plan (which of course was not in the Committee versions), at para 9.40. This states that an earlier planning application in 2006 was rejected following a Call-in Inquiry, by the government, as being too remote from populated areas and development with that courage and sustainable car journeys. There is no justification for the allocation by the Council, only a comment that the landowners requested that the site be considered as a potential employment site, in 2010. Para 9.40 then confirms that the Full Council on 11th September 2012 agreed to the allocation.

4.14 The Council began evidence gathering in 2007 for the then Core Strategy. Looking back through the Core Strategy/Local Plan process, our research confirms that Horsley Cross has been consistently rejected by the Council as an employment site. We summarise our research below:

<table>
<thead>
<tr>
<th>Date</th>
<th>Report Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 2009</td>
<td><strong>Core Strategy Discussion Document: Issues and Possible Options</strong></td>
</tr>
<tr>
<td></td>
<td>Horsley Cross was included as one of five potential sites for business and industrial park allocations along the A120 to create new jobs following the proposed port expansion at Bathside Bay.</td>
</tr>
<tr>
<td>April 2010</td>
<td><strong>Stage 2 Employment Land Study</strong></td>
</tr>
<tr>
<td></td>
<td>ELR 35 Land South West of Horsley Cross – Site was seen as deliverable but not closely aligned with the strategic aspirations for growth at a spatial level or to the prioritisation of development. It was recommended that the site was not allocated for employment uses.</td>
</tr>
<tr>
<td>July 2010</td>
<td><strong>Core Strategy Discussion Document: Issues and Possible Options – Regulation 25 Consultation Report</strong></td>
</tr>
<tr>
<td></td>
<td>Two responses from district councillors reported as specifically arguing against new development at Horsley Cross.</td>
</tr>
<tr>
<td>Date</td>
<td>Source</td>
</tr>
<tr>
<td>--------------</td>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>October 2010</td>
<td><em>LDF Core Strategy and Development Policies Proposed Submission Document – Sustainability Appraisal Report</em></td>
</tr>
<tr>
<td>13 August 2012</td>
<td><em>Community and Leadership and Partnership Committee – Minutes</em></td>
</tr>
<tr>
<td>22 August 2012</td>
<td><em>Cabinet Meeting – Minutes</em></td>
</tr>
<tr>
<td>11 September 2012</td>
<td><em>Council Meeting – Minutes</em></td>
</tr>
<tr>
<td>November 2012</td>
<td><em>Tendring District Local Plan Proposed Submission Draft</em></td>
</tr>
</tbody>
</table>
4.15 The above research confirms that, at no stage prior to the Full Council meeting in September 2012, was the site at Horsley Cross considered favourably. Furthermore this is confirmed in the Sustainability Appraisal (SA) Of Third Party Housing and Employment Sites which was published in November 2012 alongside the Proposed Submission Draft Local Plan. It states that Land south of Horsley Cross was only awarded a score of +4 (when assessed against the documentation of refused planning application 06/00891/OUT). The general evaluation states that the site is not considered to be sustainable.

4.16 On the basis of the above analysis of the Council’s own assessment, the proposal is unsound and should be deleted from the Local Plan.

Policy HAD 4 - Land at Pond Hall Farm, Harwich

4.17 The site at Pond Hall Farm involves land situated to the south of the A120 east of ‘Pond Hall Farm’. Policy HAD4 proposes a mix of residential development, community facilities, commercial development and public open space. 5 ha will restricted to employment-related development in Classes B1, B2 or B8, or port-related uses, and no more than 9 ha will be allowed to accommodate alternative employment uses.

4.18 With regards to delivery, the Document states “…the costs involved in achieving access to the site via a new roundabout on the A120 mean that a mixed use development incorporating high-value uses is necessary to enable the scheme to come forward”. However, the Local Plan states that the Council will attempt to plan safe access to the residential element of the scheme by the existing road network. We are not aware that this has been tested or agreed in detail. Otherwise development is dependent upon the creation of a new roundabout directly onto the A120 and the Council proposes to “work with the landowners and the Highways Agency to deliver this access, to unlock this site and secure all the inward investment needed”.

4.19 The site is bordered to the south by residential properties.

4.20 The policy does not mention that parts of the site are located close to Ramsey Creek and are within Flood Zone 3.

4.21 The site was proposed as a strategic employment site under Policy QL5 of the Tendring Local Plan (2007). The policy defines a gross area of 27 hectares, allocated for the development of a new business park for storage and distribution, along with general and light industrial uses.

4.22 The type of services and industry associated with the port are likely to be heavily transport orientated and involve the arrival, movement and departure of freight, on a twenty four hour basis. Transport activity of this type will generate significant levels of noise from engines and reverse-warning alarms, air pollution and light pollution. As a result, the primary and significant constraint for this type of development relates to the proximity to residential development that exists at Dovercourt, and that proposed for the site.

4.23 The topography of this site is such that the land rises by approximately 10m from the road to the residential areas. Dwellings situated in the north of these estates will overlook the site and will be impacted upon as a result of noise, air and light emanating from the site. As a port-related operation the site would be operational through-out the day and night time. The proximity of this site to sensitive receptors is inappropriate for port logistics activities.
4.24 Land east of Pond Hall Farm is partially located within Flood Zone 3 (High Risk) as indicated on the Environment Agency Flood Maps and the Proposals Map.

4.25 The risk is flooding from the sea for a return period of up to 1 in 200 years is given by the Environment Agency’s tide levels report for the region as 4.32m. It is assumed that this is the level of the Flood Zone 3 boundary indicated on EA Flood Maps.

4.26 The flat area to the front of the site is in Flood Zone 3, therefore, to develop and mitigate against flood risk is likely to add to overall costs. Furthermore, to develop the relatively steep slopes would require significant civil engineering works, including earthworks to provide a level building slabs accessible to vehicles. Development of this part of the site will also severely impact upon visual amenity of a wider area including residents in the vicinity.

4.27 Significant flooding was recorded in January 1953, in which Harwich was affected by severe tidal surge. Flood water rose to significant levels (approximately 4.02m ODA), equating to a present day return period of 1 in 100 years, using the Spatial Revised Joint Probability Method.

4.28 Consideration should also be given to the Call In Inquiry for Horsley Cross, which heard evidence in respect of the then allocation of the land at Pond Hall Farm. The Proof of Evidence produced by Mr Anthony Collins on behalf of Tendring District Council, outlined the case.

4.29 At that inquiry, the Council were not overly supportive of the Pond Hall Farm site, despite its allocation. In his evidence, Mr Collins said that the Council had been in touch with the representatives of the landowner of Pond Hall Farm with the aim of bringing it forward for development. However, at that time the position was that there was no imminent likelihood of the site being the subject of a planning application.

4.30 The evidence of Mr Collins stressed the high infrastructure costs associated with delivering the Pond Hall Farm site, he stating that “Pond Hall Farm is unlikely to be viable at the present time”.

4.31 There is little evidence to suggest that this is not still the case.

4.32 The Inspector’s Report concurred with the opinions of Mr Collins. The Inspector stated at Para. 15.149 of her report that “it thus appears to me that serious questions may need to be asked about some or all of the Harwich allocations. Any review of them will of course be a matter for the Core Strategy (CS). The CS should include the general location of sufficient readily developable and accessible employment land that is not subject to serious flood risk and where infrastructure is readily deliverable”.

14
5. CONCLUSIONS

5.1 We consider that a key issue for this Local Plan is its employment strategy, and that the promotion of the most appropriate locations for employment, and port-centric logistics related to Harwich, are key matters that go to the soundness of the Council’s Local Plan. In this respect the change in the plan period (previously proposed to 2031 in the above documents), is a fundamental consideration bearing in mind that, from the potential date of adoption in 2013, there will only be eight years. The starting point is the plan period. If the plan period to 2021 is accepted as being sound, policies relating to Harwich and Freight Transport (policies PRO 11 and 12 respectively) could be regarded as appropriate. However if it is considered that a longer plan period is necessary, we believe that the specific policies, and generally the economic strategy, would need to be reconsidered.

5.2 The Draft Local Plan has set out a sequential approach to the provision of new freight, distribution and logistics facilities in Policy PRO 12. However the Document would be deficient if in principle it should have a longer plan period beyond 2021, as it may be detrimental to securing the level of investment required to develop strategic ancillary port-centric facilities, which would itself assist in delivering the wider social and economic objectives of the Local Plan longer term. If a longer plan period is adopted, policies would need to be put in place to ensure the timely delivery of the port expansion project and the necessary ancillary infrastructure; and also maximise the employment potential and regenerative benefit that would derive for Harwich and the District as a whole.

5.3 Whilst the Local Plan recognises the need for port-centric requirements, how it is dealing with these seems to be determined by the short Local Plan period. The Council does not justify why Tendring is different from any other district to which the advice in the National Planning Policy Framework applies, namely to be drawn up over an appropriate timescale, preferably a 15-year time horizon, and take account of longer term requirements, as well as being kept up to date.

5.4 Furthermore, if a longer plan period is proposed, we consider that the Local Plan should be site specific, due to the infrastructure implications and the scale of the proposed port-centric logistics development. Indicating broad locations for strategic development such as this on a key diagram would be consistent with the Framework. We recognise that this would require at the very least Main Modifications to the current, draft Local Plan. In the circumstances our starting point is firstly the inclusion of a strategic site.

5.5 It is our belief that the potential value of Poplars as a strategic site, in meeting the needs of port-related ancillary businesses, given its practical and commercial advantages, should be explored by the Council. To meet the needs of the Bathside Bay Container Port (BBCT), the freight requirements of the port need to be considered early, to ensure the inward investment that is attracted by the port can be captured within the District.

5.6 Land at Poplars is the closest suitable and available site to Harwich, for freight related businesses, making it the most sustainable site for such use. It is clearly the better location which is in proximity to Harwich and distant from sensitive environmental receptors. Against other sites, it can be brought forward comparatively quickly as a form of junction on the A120 sufficient to serve an initial phase of up to 15 hectares has been agreed in principle with the Highways
Agency. Phase 2 is dependent on the delivery of higher capacity junction associated with the BBCT A120 improvements.

5.7 There is commercial interest in the site at Poplars from freight handling companies, in anticipation of Harwich port expansion, on the basis that it is the most sustainable and deliverable and available option for freight related employment.

5.8 There are specific issues with employment activities related to the BBCT port expansion, which Policy HAD4 - Land East of Pond Hall Farm, does not address. Employment development is dependent upon the creation of a new roundabout directly onto the A120 and the Council has not tested or agreed the details of this. The site is bordered to the south by residential properties, and the policy does not mention that parts of the site are located close to Ramsey Creek and are within Flood Zone 3.

5.9 We have major concerns about the proposal at Horsley Cross (Policy MLM6) and the process undertaken by the Council to introduce it into the Local Plan. In our view this is not a sound policy and runs completely counter to the frontloaded nature of the Local Plan process. It has not been subject to the rigorous testing, and comparative environmental and sustainability analysis, that is required. This is acknowledged in the final version of the Draft Local Plan (which of course was not in the Committee versions), at para 9.40. This states that an earlier planning application in 2006 was rejected following a Call-in Inquiry, by the government, as being too remote from populated areas and development with that courage and sustainable car journeys. There is no justification by the Council, only a comment that the landowners requested that the site be considered as a potential employment site, in 2010.

5.10 Our research confirms that, at no stage prior to the Full Council meeting in September 2012, was the site at Horsley Cross considered favourably. Furthermore this is confirmed in the Sustainability Appraisal (SA) Of Third Party Housing and Employment Sites which was published in November 2012 alongside the Proposed Submission Draft Local Plan. It states that Land south of Horsley Cross only awarded a score of +4 (when assessed against the documentation of refused planning application 06/00891/OUT). The general evaluation states that the site is not considered to be sustainable. The proposal is unsound and should be deleted from the Local Plan.

Boyer Planning Ltd

December 2012
APPENDIX ONE
APPENDIX ONE - INTRODUCTION TO PORT-CENTRIC LOGISTICS IN THE CONTEXT OF THE BATHSIDE BAY CONTAINER TERMINAL
An Introduction to Port-centric Logistics
in the Context of the Bathside Bay Container Terminal

Prepared for
The Tendring District Council LDF Consultation Process

By
The Poplars Farm Project Team

v1.0 July 2009
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Disclaimer
This document is provided in good faith however no responsibility can be taken for the accuracy of the information provided herein or for any consequential actions.
1 Overview
This document brings together information gathered by the Poplars Farm Project team, from a number of sources. It is provided as an input to the Tendring DC LDF consultation process.

2 The Key Principles of Port-centric Logistics:
- Unload the container as closely as practicable to the port – using specialist firms that integrate this activity with clearances and the port’s container handling processes.
- Restitute the container at the port, ready for the shipping line’s next usage.
- Handle and store the goods, then deliver in the most efficient way – usually palletised on tautliners, or via a pallet or parcels network.
- If possible, deliver the goods directly to the final destination; where intermediate storage/handling is required; ensure the goods are configured as required at the final destination.

*Please refer to figures 1 and 2*

**Figure 1 - Traditional Import Distribution**

- Container moved to inland processing point
- Deliveries made out to regional DCs
- Delivery from RDCs to Stores
- Empty container restituted to the port
Figure 2 - Port-centric Logistics – the principles

- Loaded Container processed close to the Port
- Empty Container restituted to the port
- Deliveries made to regional DCs by tautliner
- Delivery from RDCs to Stores
- Direct delivery to Store or end customer –options
- Tautliner capacity used for backloads

3 Summarising the benefits of port-centric logistics

- Carbon footprint reduction
- Reduced Handling and Hand-offs (reduced damage/shrinkage)
- Reduction or elimination of quay-rent and demurrage for containers processed at the port
- Reduction in labour costs at inland DCs/warehouses
- Maximum use of road trailer weight capacity in the UK
- Reduced container rental and restitution costs
- The facility to pick-by-store
- Reduced lead-time (port to customer)
- Reduced Stock holding
- Priority “Fast track” service for urgent product
- Pro-active Service Delivery Management
- Maximum usage of container weight capacity on the ocean leg

Please refer to figure 3
Figure 3 - PortCentric Logistics eliminates transport and inventory processes

Typical Supply Chain Model

Port

Ship@Quay→Unload to transporter→Move to stack→Hold in stack→Load to road truck

If a Manufacturer’s DC is involved......

To DC→Unload @DC→Put-away→Storage→Let-down→Pick & Pack→Marshall & despatch→DC to Store→Receipt

PortCentric logistics

Port value-added services

Ship@Quay→Unload to transporter→Move to park→Hold in park→On-road Pick & Pack→Marshall & despatch→To Store→Receipt

Service Delivery Management
4 Port-centric Logistics at Bathside Bay - in context with other UK port developments

- Several UK port-operators are planning new container terminals, each with associated warehousing, to be used for port-centric activities. This table shows the projected container throughput volumes and warehousing capacities for some of the UK’s port developments.

<table>
<thead>
<tr>
<th>Port</th>
<th>TEU*</th>
<th>Port-centric Warehousing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liverpool</td>
<td>1.5 million</td>
<td>4 million sq ft (c40 Ha)</td>
</tr>
<tr>
<td>Teesport</td>
<td>1.5 million</td>
<td>1.6 million sq ft (c16 Ha) (includes TESCO &amp; ASDA)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A further 40 Ha of development land</td>
</tr>
<tr>
<td>London Gateway</td>
<td>1.6 million</td>
<td>Multiple units of over 100,000 sq ft</td>
</tr>
<tr>
<td></td>
<td>(initially)</td>
<td>Planned capacity - 3.5million</td>
</tr>
<tr>
<td></td>
<td></td>
<td>40 Ha initially - 300 Ha of development land</td>
</tr>
<tr>
<td>Bathside Bay</td>
<td>1.7 million</td>
<td>2-3 million sq ft (c20-30 Ha)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Up to 100Ha of development land at Poplars</td>
</tr>
</tbody>
</table>

*Twenty-foot Equivalent Unit. This is the standard unit for measuring sea-container volume. Standard containers are 20 feet, 40 feet and 45 feet long.

5 Employment Considerations

- Hutchinson Ports UK have estimated that some 6000 jobs within the Felixstowe area are consequential to the port’s operation, which typically handles 2.7 million TEU per annum.
- If the indirect employment levels for Bathside Bay were to follow a similar pattern, then based on the projection of 1.7 million TEU, some 3700 jobs might be created [in addition to those within the container terminal itself] — however this figure is unlikely to materialise, as a proportion of these jobs are within the offices of shipping lines, freight forwarders and shipping agents, who would probably use their Felixstowe-based resources to cover Bathside Bay activity.
- As a working estimate, a figure of 1000 indirect jobs would not be unreasonable, when Bathside Bay is fully operational.
- The number and type of jobs created through the development of port-centric logistics facilities will depend on the scale and nature of the services provided by the logistics firms. These services will typically include a range of value-added activities which are applied to the items of cargo and will include:
  - Devanning, palletisation & temporary storage
  - Cross-docking
  - Re-working and pre-retailing tasks (labelling, tagging, kitting etc)
  - Order fulfilment at pallet-level (typically retail & commercial/industrial)
  - Order fulfilment at item/case level (typically home-shopping)
  - Customer service tasks (including tele-sales)
  - Administrative tasks
- The port-centric business model is predicated on the rapid movement of product through the facilities and not long-term warehousing. Therefore the levels of employment will be higher than those for typical warehousing activities.
- A proportion of the jobs created will require relatively high levels of skill and or qualification.
- The Annual Survey of Hours and Earnings show that gross weekly earnings [for employees in the logistics sector] are comfortably above the UK average.
  - source: NAI Fuller Peiser. 15th May 2006
6 Felixstowe Port Logistics Study

6.1 Key-points

- Instigated by Suffolk Coastal DC
- Published in December 2008
- On behalf of a partnership led by Suffolk Coastal and involving its neighbouring authorities
- Also involved EEDA and Hutchison Ports
- Produced by GHK consultancy
- Will help shape the Council's new Local Development Framework (LDF) which will set out the future of the district until 2025
- States that 30% of TEU from Felixstowe Port are handled within a port centric model
- Emphasizes the impact on operating costs and economic sustainability of proximity to port
- The FPL Study's final sentence emphasizes the trend and rationale for a port centric model:
  
  "Hence, in order for a port centric approach to be realized in the long term, large scale investment is required to demonstrate commitment to retail chains so that new logistics operations are based in Felixstowe rather than in existing logistics locations."

  "This study highlights the importance of ensuring that there is sufficient land available to meet the future demands caused by the growth of the Port. If we do not plan ahead, then it could have significant economic repercussions for the Port, but it would also be a missed opportunity to maximise the local job and income benefits of the expansion."

  — Cllr Colin Hart, Cabinet Member for the Economy, Suffolk Coastal

6.2 Glossary

- **Port-centric logistics** – An approach to logistics that sees cargo unpacked from containers and warehousing and distribution facilities housed on or near the port. It is an approach to logistics that is gaining popularity and is the focus of new port development at several sites in the UK. Port-centric logistics are a contrast to the "Golden Triangle" model of logistics where containers are shipped from the port to distribution centres in the Midlands where the cargo is unpacked and distributed nationally.

- **Shunt** – The movement of a shipping container from the on-port container yard to other storage or warehousing facilities nearby. As a general rule of logistics, handling and moving containers costs money. The farther the shunt the more expensive, therefore proximity to the port becomes a key factor in determining a potential site's viability.
7 Exploratory Meetings with Industry

The Poplars project team has met with a number of organisations to get their views about their expectations of a port-centric logistics operation, associated with Bathside Bay; these included:

- Major shipping line
- Hutchinson Ports UK
- Three large logistics companies providing port-centric services at the Port of Felixstowe. Their customers major retailers in both food & non-food sectors
- A major home shopping company, selling via the web & and catalogues. They are one of the biggest companies operating in the sector

Whilst it is not appropriate to attribute specific points to anyone that we’ve met, it is useful to draw attention to particular examples of logistic operations that illustrate why port-centric activity at almost any port is likely to increase.

7.1 Key Finding

An overarching point is that although there are a large number of empty warehouses in the Midlands and other inland locations, major retailers are currently investing in very large warehouses close to ports to benefit from the major cost savings associated with port-centric logistics.

7.2 Example Comments

- Integrated knowledge & visibility of the entire supply chain is vital in order to make the port more attractive to major retailers esp. when anticipating effects of Operation Stack
- Major Shipping Line – fully agrees that the Teesside model is very attractive to retailers and logistic companies due to lower operating costs
- Logistics Operators – The case of one client who is a major wine importer. Because they have the capability to de-van & palletise near to the port, the number of HGV movements using the national road network has been reduced by 20%.
- A major UK retailer has eliminated the long return of empty containers by using port-centric logistics. The result has been a saving of 700,000 road miles per 5,000 TEU.
- Late arrival of vessel causes maximum strain on retail promotional activity. Port-centric-logistics overcame many of those problems. A major retailer’s Bar-B-Q promotion in May 2007 was planned to influence their entire meat products offer throughout the summer. Involved distribution of thousands of Bar-B-Q sets to each of their stores over a four day period starting on the Thursday before the bank holiday week-end. Boat was delayed thus reducing the logistics company’s plans from a 2 week lead in down to 48 hours. They were told by their customer that if they failed in any one of their scheduled deliveries to any of their stores, they would not be paid. If the old distribution model had been used, they would have failed.
Major Retail Business – the old model of retail store shopping resulted in the entire supply chain knowing where they had to deliver items. On-line shopping results in identifying the point and required time of delivery only when the customer presses “CONFIRM” & then he/she wants it delivered when at home i.e. not during work or delivering children. The delivery system has to succeed if he/she is to shop with you again.

7.3 Summary of Requirements of Port-centric Logistics Firms

All the interviewees would want a site near the port which has considered:

1. Site suitability
   - River and tidal flooding are a major challenge to investment. Construction costs are higher due to the nature of the sub-strata & the risk of flood damage to goods and property is not acceptable. (Ramsey River has flooded twice in 9 years), Insurance virtually unattainable
   - The Flood Risk Vulnerability Classification (from PPS25, Appendix D, Table D2) is important in terms of storage of hazardous chemicals
   - Large enough to allow for expansion and flexibility of use. The logistics industry’s use of fixed assets has changed dramatically in 10 years due to consumer & retailer demands
   - Flat and suitable for phased development. These companies need large areas for buildings. One considered that 200,000 ft on 10 acre site was minimum
   - Need the supporting industries close to reduce delays

2. Lack of operating constraints
   - The cross docking and repacking facility must be 24 hours, 7 days a week.
   - PPG13 and industry are very concerned about proximity to residential areas.
   - Local residents do not want a port related logistics park next to them (lighting, noise & reversing sirens etc) & historically have achieved restrictions on hours of operations through environmental health departments – who can blame them?

3. Proximity to port
   - Economic sustainability
   - Must be close to reduce shunt costs.
   - Siting a park at Horsley Cross or Frating could result in the logistics industry having to consider an unnecessary extra £37.2 million each year compared to sites closer to the port.
   - Must be close to allow detailed cooperation (promotion sales & Operation Stack). At full capacity the port will be moving 990,000 TEU each year by road.
   - 2,712 containers each day – every day.
   - Retailer promotions can create a logistical challenge which only a port centric model can satisfy

4. Operation Stack - How to manage the effect of a port which has been closed due to wind on:
PortCentric LogisticsSM

Overview & background for Poplars Farm Project

- Interruption to the retail supply logistics chain is probably the most significant cost. This is mitigated by moving vast numbers of containers from the quay side to the port-centric industries giving them up to a week’s supply if possible. This emphasises the need for port-centric activity in comparison to the long container haul distribution system.
- HGV management on the highways

5. Access to main trunk roads
   - Will require a major capital investment
   - Three sites for example would obviously require three junctions – trebling highway infrastructure costs unnecessarily

6. Rail
   - Rail connection increases the potential to provide a range of multi-modal services nationally
   - A rail container-shuttle with the port could take significant HGV numbers off local roads

7.4 Proximity to the Port is Vital

We have been advised that shunting costs below £50 per box are considered far more within the expected competitive range than above £50 per box. A port-centric logistics facility is more sustainable the closer it is, to the Port.

Bathside Bay Container Port will handle 990,000 containers per year (it is hoped that the remaining 270,000 go by rail). The balance will be transhipped.

The table below shows the costs of container movement out of the Port Gates. The figures were taken from the Felixstowe Port Logistics Study of October 2008 & amended on 21st May 2009 after discussions with logistics firms based at Felixstowe.

<table>
<thead>
<tr>
<th>Destination of container</th>
<th>Total Distance (miles)</th>
<th>Journey Distance (miles)</th>
<th>Total Time (mins)</th>
<th>Handling Time (mins)</th>
<th>Shunt Cost £</th>
<th>Total Shunt Cost £</th>
<th>Annual Cost £</th>
<th>Number of Journeys/day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pond Farm</td>
<td>1.66</td>
<td>3.3</td>
<td>25</td>
<td>70</td>
<td>15</td>
<td>22</td>
<td>44</td>
<td>14,520,000</td>
</tr>
<tr>
<td>Poplars Farm</td>
<td>4</td>
<td>8</td>
<td>20</td>
<td>70</td>
<td>15</td>
<td>24</td>
<td>48</td>
<td>15,840,000</td>
</tr>
<tr>
<td>Horsley Cross</td>
<td>8</td>
<td>16</td>
<td>35</td>
<td>70</td>
<td>15</td>
<td>40</td>
<td>80</td>
<td>26,400,000</td>
</tr>
</tbody>
</table>
8 Carbon Savings through Port-centric Logistics

CALCULATING THE CARBON SAVINGS

Felixstowe to Lutterworth using 40ft standard container carrying 26 tonnes of cargo
A typical 40 tonne artic generates 17 gms of carbon per tonnes/km*

Container to Lutterworth
Outbound = 218km @ 41.5 tonnes = 154kg carbon

Using Portcentric and servicing the DC, which has the added benefit of making capacity available for return loads or triangulated deliveries

Outbound Tautliner = 218km @ 42.5 tonnes = 158kg carbon

Return assume 50% capacity is used productively = 107km @ 16.5 tonnes = 30kg carbon

In this example for every container switched to Portcentric there is a Carbon saving of 23kg into the Atmosphere

10 containers per week = 230kgs of less Carbon
Annual Carbon saving = 11,500 kgs

*Source: National Atmospheric Emissions Inventory (NAEI) www.naei.org.uk

8.1 The Impact of Shunt Distance on Carbon Footprint

Taking as an example an HGV shunting a full container (26 tonnes of cargo), the following calculation applies...

6.43 Km with 41.5 tonnes = 4.536kg carbon
6.43 Km with 15.5 tonnes = 1.694g carbon
TOTAL = 6.23 kg carbon

Poplars is 6.23 Km closer to Bathside, compared to Horsley Cross

Working on the assumption that 30% of the throughput of Bathside Bay (i.e. 330,000 TEU) is processed via a port-centric operation, a site at Poplars would generate 2,056 tonnes less carbon per annum.
9 Evaluating the Proposed Sites – Key Considerations

9.1 Iconfield (land near Superstore)
- Limited space
- Close proximity to residential & retail areas, which could result in operational restrictions.
- In a flood zone with extra construction costs

9.2 Station Road, Parkeston
- Has a HGV ban on its service road, due to residential pressure which demanded the construction of the Parkeston By-pass. (See Employment Land Review Topic Paper 3)
- Close to environmentally sensitive area.
- Close to residential area, which could result in operational restrictions (see PPG13-Heavy Freight)

9.3 Pond Farm
- In a flood zone
- Close to large residential areas, which could result in operational restrictions (see PPG13-Heavy Freight)
- High development costs for road access
- Limited space for expansion

9.4 Poplars
- Not in a flood zone
- Not near residential areas
- Unrestricted area for expansion
- Unlimited space suitable for landscaping
- Good access for road connection
- Low development costs due to flat topography
- In open countryside
18th December 2012

Ref: NJG/12.142

Mr Gary Guiver
Head of Planning Policy
Tendring District Council
Thorpe Road
Weeley
CLACTON-ON-SEA
Essex C016 9AJ

Dear Mr Guiver,

Re: Tendring District Local Plan Proposed Submission Draft - November 2012

We are pleased to enclose our representations in respect of the above document, on behalf of our clients, J Macaulay and Sons.

We look forward to receiving acknowledgement of their receipt.

If you have any questions, or wish to discuss the content of our representations, please contact the writer below.

Yours sincerely,

Nick Groves
Consultant

Boyer Planning Ltd
Dear Sir/Madam,

I attach representations prepared on behalf of my clients, Mr and Mrs P Luxford, in response to the above consultation.

I would be grateful if you would confirm safe receipt of the attached letter.

If there are any queries regarding any of the matters raised please do not hesitate to contact me.

Yours faithfully,

Sam Metson
Associate
Planning Division

The UK’s leading regional property consultancy

www.bidwells.co.uk

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Dear Sir/Madam

Proposed Submission Draft Local Plan Consultation: Representations submitted on behalf of Mr and Mrs P Luxford

I write on behalf of my client in response to Tendring District Council's consultation on the Proposed Submission Draft Local Plan. I wish to make the following comments relating to the draft policies of the Plan.

Policy SD2 – Urban Settlements

My client objects to the current wording of this policy, which fails clarify that the objective to achieve a 6% increase in housing stock in each of the Urban Settlements during the Plan period is a minimum target.

Policy SD2 states that "between 1st April 2011 and 31st March 2021, each of these settlements will accommodate a 6% increase in housing stock" (our emphasis added). This implies that the Council may not support proposals on windfall sites which could help deliver more than the 6% increase in the housing stock planned for each Urban Settlement even if they accorded with all of the other policies in the Plan. We are concerned that the current wording of policy SD2 has the potential to be interpreted as placing an artificial cap on the amount of new housing that the District's most important growth centres can deliver to help meet identified needs.

The Council has assessed the need for new market and affordable housing in the District via its Strategic Housing Market Assessment (SHMA - 2009). The SHMA has established that there is a potential need and demand for over 1000 new dwellings per annum (of all tenures). Whist it is unlikely that the District can realistically accommodate this level of growth, paragraph 47 of the National Planning Policy Framework (the Framework) requires local planning authorities to plan positively to meet the full, objectively assessed needs for market and affordable housing as far as is consistent with other policies in the Framework.

There is no need to place an artificial policy cap on the amount of new housing that can be delivered during the Plan period. As a consequence, and to take account of the pressing housing needs identified in the SHMA and the advice of the Framework, we would contend that the third paragraph of policy SD2 should be re-worded to read as follows (additions in bold):

"Between 1st April 2011 and 31st March 2021, each of these settlements will accommodate at least a 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 at least 6% growth."
This approach would be consistent with policy SD5: 'Managing Growth', which highlights a presumption in favour of development of sites within Settlement Development Boundaries subject to detailed consideration of other relevant Local Plan policies. It would also accord with the explanatory text in the second paragraph of Appendix 1, which highlights that the dwelling numbers anticipated to arise from a 6% increase in housing stock in each of the Urban Settlements are "likely to be supplemented by development on ‘windfall sites’ i.e. sites not specifically allocated for development but which could obtain planning permission for new homes during the plan period".

My client is supportive of the remainder of policy SD2 as drafted and agrees with the commentary provided at paragraph 2.8, which confirms the Council's view that urban settlements with larger populations and a range of existing infrastructure and facilities are the most sustainable locations for significant levels of growth. Directing the majority of growth to the Urban Settlements will help to address the pressing need for new housing in the most sustainable way.

My client particularly supports policy SD2's classification of Harwich and Dovercourt as an Urban Settlement. The combined settlement of Harwich and Dovercourt is one of the District's largest and most sustainable urban settlements and is well placed to accommodate the new development that will be facilitated by the Plan. As is acknowledged in paragraph 7.4, there is a high demand for new housing in the area and a pressing need for regeneration. Enabling the delivery of new housing will help to ensure that Harwich and Dovercourt are well placed to support the expansion of the container port at Bathside Bay when it comes forward as anticipated towards the end of the current Plan period or early in the next.

**Paragraph 2.13**

My client objects to the wording of this policy, which appears to be inconsistent with policy SD5: 'Managing Growth'.

Paragraph 2.13 suggests that the increase in housing stock required by the Local Plan will be achieved via the implementation of existing planning permissions and 'sites that are specifically allocated for housing or mixed-use development in this Local Plan'. This is contrary to the provisions of policy SD5 which makes clear that housing is also expected to come forward on sites within the Settlement Development Boundaries that are not specifically allocated for development. The relevant extract is copied below:

"…within the Settlement Development Boundaries there will be a general presumption in favour of new development subject to detailed consideration of against other relevant Local Plan policies and any approved Neighbourhood Plans.

For Urban Settlements (Policy SD2) and Key Rural Service Centres (Policy SD3), 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."

The Settlement Development Boundaries are to be extended in most settlements, but not all of the land is to be specifically allocated for a particular type of development.

To be consistent with Policy SD5, and to ensure that the Plan is effective and sound, we would suggest that paragraph 2.13 is reworded to include the words in bold below:

"To achieve a 6% increase in housing stock for each of Tendring’s urban settlements, a significant number of new homes have either already been built in the 2011/12 financial year or will come forward on sites that, on 1st April 2012, already had outstanding planning permission for housing development. The remaining requirement will be delivered on sites that are specifically allocated for housing or mixed-use development or are included within the Settlement Development"
**Boundaries in this Local Plan.** These sites either lie within the established built-up area of the settlement or involve undeveloped land on the edge of the settlement and, where necessary, will be subject to detailed policies in this plan aimed at achieving the appropriate mix of housing and other uses, the appropriate development density and a high quality of design and layout along with any specific infrastructure requirements. Alongside the planned developments, it is likely that a number of currently unidentified ‘windfall’ sites will obtain planning permission for housing in accordance with the policies in this Local Plan during the plan period."

**Policy SD5 – Managing Growth**

My client **supports** this policy as drafted and encourages the Council to adopt it in its present form.

My client particularly supports the proposed extension of many of the Settlement Development Boundaries to include additional sites that will help deliver new market and affordable housing, the pressing need for which is confirmed by the Council's SHMA, whilst ensuring that growth occurs in a controlled manner and at a scale which is appropriate to the existing character of each settlement.

The Council is commended for extending the boundaries of most settlements to include more land than may be necessary to provide the housing numbers being planned for. Doing so will enable a more flexible approach to be taken, helping to make sure that housing targets will be achieved during the proposed Plan period in accordance with the approach advocated by the Framework.

**Policy PEO1: Housing Supply**

My client **objects** to the current wording of this policy, which fails to clarify that the objective to deliver 'approximately 4,000 dwellings' during the proposed Plan period is a minimum target, not a cap. Policy PEO1 should make clear that the proposed housing target is a minimum of 4,000 dwellings across the Plan period.

As has been highlighted in relation to policy SD2, the Council's Strategic Housing Market Assessment (SHMA - 2009) has established that there is need and potential demand for over 1000 dwellings per annum in the District (of all tenures). Whist it is unlikely that this level of growth can realistically be accommodated, if the Plan is to comply with the requirements of paragraph 47 of the Framework it must seek to meet the full, objectively assessed needs for market and affordable housing as far as is consistent with other policies.

We are concerned that the current wording of policy PEO1 has the potential to be interpreted as placing an artificial cap on the amount of new housing that the District can deliver. At present, the policy does not make clear whether proposals which may come forward to deliver in excess of the approximate number of dwellings being planning for would be supported, even if they were in accordance with other policies in the Plan.

Whilst we understand the Council's desire to restrict the amount of development in the smaller rural settlements due to the potential impact on the existing character of those places, the Plan should be more explicit in its support for all proposals for new housing in the larger Urban Settlements which comply with Policy SD5 on Managing Growth and the other policies in the plan, even if they would result in the provision of more than 4,000 dwellings across the District or a 6% increase in the housing stock of each settlement. It is critical that the Plan responds to identified housing needs wherever possible.

To ensure that the Plan is positively prepared, justified and consistent with national policy, the first paragraph of policy PEO1 should be reworded as follows:

"The Council will work with the development industry and other partners to deliver a dwelling stock increase of **at least** 4,000 dwellings (net) between 1st April 2011 and 31st March 2021. This will be achieved through an approximate 6% increase in the district’s total housing stock..."
delivered across all urban and rural settlements in the district and delivered from the following sources:

- **Net Dwelling Stock Change between 1st April 2011 and 31st March 2012.** 233
- **New homes expected on sites with outstanding planning permission for residential development on 1st April 2012 (commitments).** 950
- **New homes expected on sites specifically allocated for residential or mixed use development in Urban Settlements (see Policy SD2).** 2,200
- **New homes expected on sites specifically allocated for residential or mixed use development in Key Rural Service Centres (see Policy SD3).** 350
- **New homes to be granted planning permission on sites within the Settlement Development Boundaries of Smaller Rural Settlements (see Policy SD4).** 280

**TOTAL Housing Stock change between 1st April 2011 and 31st March 2021.** 4,013

*This increase in housing stock is likely to be supplemented by development on ‘windfall sites’ within the Settlement Development Boundaries i.e. sites not specifically allocated for development but which could obtain planning permission for new homes during the plan period. The Council will support proposals on these sites where they accord with policy SD5: 'Managing Growth' and other policies in this Plan’*

All other references to the Plan's target for 'approximately' 4,000 new dwellings should be amended accordingly to ensure that growth is not artificially constrained in the District's larger Urban Settlements.

**Paragraphs 7.20 and 7.21 - Housing Supply in Harwich and Dovercourt**

My client objects to the wording of paragraphs 7.20 and 7.21 of the draft Plan because it does not advocate an approach to housing supply that is sufficiently flexible to ensure that the full, objectively assessed housing needs of Harwich and Dovercourt will be met as far as is consistent with other policies, and as such contrary to the requirements of paragraph 47 of the Framework.

Specifically, my client is concerned that this section of the Plan makes no reference to the potential contribution that windfall sites within the Settlement Development Boundaries can make to housing supply in Harwich and Dovercourt during the proposed Plan period. Paragraph 7.21, in particular, suggests that outstanding planning permissions and sites specifically allocated for housing will be sufficient to deliver the 6% increase in housing stock proposed for the area. There is no reference to the potential of other sites within the Settlement Development Boundaries which could come forward in accordance with the provisions of policy SD5. These sites could help to address the objectively assessed housing needs in the area identified by the SHMA and referred to at paragraph 7.4 of the draft Plan and meet or exceed the Plan's target for a 6% housing stock increase. The absence of any reference to the potential contribution of these sites is inconsistent with policy SD5.

As we have highlighted in the representations supporting policy SD5, the Council is to be commended for extending the Settlement Development Boundaries of most settlements to include more land than may be necessary to provide the housing numbers being planned for, including at Harwich and Dovercourt. Doing so will enable a more flexible approach to be taken in the Urban Settlements and Key Rural Service Centres, helping to make sure that housing targets for the District as a whole and for each settlement will be achieved during the proposed Plan period, in accordance with the approach advocated by the Framework.
There is strong evidence to suggest that this approach will be particularly important in Harwich and Dovercourt, where affordability constraints mean that the market for new housing is very weak despite acute needs for new market and affordable dwellings. Indeed, the Council’s own evidence base has recognised this as a constraint. *Dovercourt Rediscovered*, which was published by the Council in 2011 to present a vision for the regeneration of the town and underpin the approach of the Local Plan, highlighted exceptionally low average property values compared with other locations, as follows:

<table>
<thead>
<tr>
<th>Property type</th>
<th>Average asking price (source: Dovercourt Rediscovered, March 2011)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bed Flats</td>
<td>£73,892</td>
</tr>
<tr>
<td>2 Bed Flats</td>
<td>£107,666</td>
</tr>
<tr>
<td>3 Bed Flats</td>
<td>£169,996</td>
</tr>
<tr>
<td>2 Bed Houses</td>
<td>£125,761</td>
</tr>
<tr>
<td>3 Bed Houses</td>
<td>£164,131</td>
</tr>
<tr>
<td>4 Bed Houses</td>
<td>£237,619</td>
</tr>
</tbody>
</table>

This research led the authors of the report to conclude that at these values "**it is very difficult to make new build development viable**" (p16).

The need for flexibility is reaffirmed by the uncertainties surrounding the Council's assumption that 300 dwellings will come forward in Harwich and Dovercourt on sites with outstanding planning permissions, meaning that sites specifically allocated for housing in the draft Plan will only need to deliver a residual requirement of 240 dwellings to deliver the target 6% increase in housing stock (paragraph 7.21). No evidence has been published to support the deliverability of this estimate and we would contend that the Council’s approach is overly reliant on existing planning permissions due to the likelihood that not all of the permitted schemes will come forward due to viability concerns.

Whilst we cannot provide a full critique of the deliverability of the sites expected to come forward due to the lack of information published by the Council, we can highlight a number of development opportunities in Harwich and Dovercourt that have not been delivered as previously anticipated due, we believe, to a lack of developer interest. These include:

- **Former Health Clinic, 407 Main Road, Dovercourt**: This was referred to as a committed development in the current Local Plan in 2007 and was anticipated to deliver 24 dwellings. Planning permission for the demolition of the existing health clinic and the construction of 24 flats was granted but has now expired and the site is still on the market.

- **Former Harwich Hospital, Main Road, Dovercourt**: This site was allocated for development in the Local Plan in 2007 but remains undeveloped. It has been available for purchase for a period of time.

- **Former Cross site, Manor Lane, Dovercourt**: This site benefits from planning permission for the construction of six detached dwellings. It remains on the market.

- **Makins Road, Harwich**: This property benefits from planning permission for nine dwellings and is currently on the market.

- **School Site, Main Road, Harwich**: The site benefits from planning permission for the erection of 39 no. two bedroom flats. The site remains on the market.

We would also highlight that Land East of Pond Hall Farm remains undeveloped despite being allocated for employment development by the current Local Plan in 2007. This must raise doubts about the deliverability of

---

1 The Council's Annual Monitoring Report Position Statement (January 2012) does not provide a breakdown of sites with planning permission and the Strategic Housing Land Availability Assessment has not yet been published for public scrutiny.
the emerging Plan's proposed mixed-use allocation of the site, despite the Council's allowance for some housing development within this scheme to help subsidise the new roundabout required to provide access from the A120.

Given the uncertainties about the deliverability of many of the sites in Harwich and Dovercourt, we would suggest that paragraphs 7.20 and 7.21 should be reworded to ensure that the contribution of other sites within the Settlement Development Boundaries is recognised and support for the development of these sites in accordance with policy SD5 is made more explicit. In accordance with the representations made on behalf of my client in relation to SD2, the 6% housing stock increase target should also be referred to as a minimum and not a cap, to ensure that the scope to address objectively assessed housing need in Harwich and Dovercourt is not unnecessarily constrained inline with the requirements of paragraph 47 of the Framework.

The following wording is suggested to make this section of the Plan sound:

7.20 In accordance with Policy SD2 in Chapter 2 of this Local Plan, the Harwich and Dovercourt Urban Area will see at least a 6% increase in housing stock in the 10-year period between 1st April 2011 and 31st March 2021. With a total housing stock of approximately 8,900 dwellings on 1st April 2011, the 6% increase for this area equates to approximately 540 new homes.

7.21 On 1st April 2011, there were sites with outstanding planning permissions to deliver approximately 300 dwellings in total, thus leaving a residual requirement of at least 240 dwellings to be delivered on allocated sites. Following careful consideration of the Council's Strategic Housing Land Availability (SHLAA), the following sites are allocated for residential and/or mixed use development comprising sufficient suitable, available and deliverable land to deliver the housing requirements for the area:

- Land adjacent Harwich and Parkeston Football Club, Main Road, Dovercourt;
- Land adjacent 360 Main Road, Dovercourt;
- Land east of Pond Hall Farm (see Policy HAD4 below);
- Land south of Ramsey Road, Ramsey; and
- Land west of Mayes Lane, Ramsey (see Policy HAD5 below).

These sites are likely to be supplemented by development on ‘windfall sites’ within the Settlement Development Boundary i.e. sites not specifically allocated for development but which could obtain planning permission for new homes during the plan period. The Council will support proposals on these sites where they accord with policy SD5: ‘Managing Growth’ and other policies in this Plan.”

Harwich and Dovercourt Settlement Development Boundary

My client welcomes and supports the extension of Harwich and Dovercourt's Settlement Development Boundary to include land at Greenfields Farm, 664 Main Road, Dovercourt (identified as Site 79 in the Council's 'Possible Housing Sites' consultation in October 2011).

My client owns this land and can confirm that it is suitable and available for development. There are no known constraints which would prevent it coming forward to provide new housing in response to the objectively assessed needs of the area.
The site is ideally located within the existing urban area, close to the local facilities available in Dovercourt town centre and on the main public transport corridor (Main Road) connecting Harwich Town Centre and Dovercourt to other sub-regional settlements in the wider area. It is also enclosed by existing development to the south and the A120 to the north, highlighting that its development would not inappropriately extend the existing urban area into open countryside or harm the character of the area.

My client also owns and controls land outside of the Proposed Settlement Development Boundary on the northern side of the A120 which could come forward for recreational use at the same time as the development of the land within the boundary to help achieve Tendring District Council and the Haven Gateway Partnership’s vision for the proposed Harwich Linear Park.

Conclusion

I trust that the above representations will be taken into account by the Council and reported to the Inspector who will independently examine the Proposed Submission Draft Local Plan.

I would like to reserve the opportunity to speak on behalf of my client at the public hearings that will form part of the examination process due to the importance of the housing delivery objectives of the Plan and the critical role that my clients’ site could have in ensuring that housing delivery targets for Harwich and Dovercourt are achieved.

I would be grateful if you could confirm receipt of this letter.

Yours faithfully,

Sam Metson
Associate

Copy: Mr and Mrs P Luxford
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: MRS E. VERHOEFF-WITTE

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 Gryss

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
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.

<table>
<thead>
<tr>
<th>What section of the plan are you commenting on?</th>
<th>Comment(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>See attached statement</td>
<td></td>
</tr>
</tbody>
</table>

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:

(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, Weele, Clacton-on-Sea, Essex, CO16 9AJ.
Objection to Proposed Submission Draft
Tendring District Local Plan
By Mrs E Verhoef-Witte
Land off Church Hill, Ramsey

Representation Reference No. 14/42000

Peter Le Grys MA Dip.TP MRTPI December 2012
Robinson & Hall LLP
Objection to Housing Policies and Policy SD6

Mrs E Verhoef-Witte
Land off Church Hill, (Former Winnie Groves Cottages), Ramsey

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 recognise that only 20% of such housing will be capable of being developed on ‘brownfield’ sites.

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 therefore proposed, equating to 6,300 dwellings, with each town, village and hamlet now expected to accommodate a 6% increase. In the absence of ‘brownfield’ sites within most villages, the majority of new housing will need to be accommodated on greenfield land. Policy SD4 of the ‘Proposed Submission Draft’ considers that each of the Smaller Rural Settlements will see a 6% increase in housing stock. Ramsey is included within this category, although the land off Church Hill should more properly be regarded as falling within the Key Settlement of Dovercourt having regard to its location and the level of services and facilities available.

The site is a largely rectangular plot of land located to the south of Church Hill and is identified in the Tendring District Local Plan: Proposed Submission Draft (2012) as part of the ‘Strategic Green Gap’. There are residential properties to the east and west of the site. The site has a road frontage onto Church Hill to the north and backs onto a small woodland area ‘Whinny Grove’ which is identified in the Local Plan as a Local Wildlife Site.

In the Proposed Draft Submission, the settlement development boundary is drawn up to ‘Stone View’, but includes the extensive field shown as ‘HAD5’ on the inset plan as being suitable for further residential development. This allocation adjoins the entire eastern boundary of the objector’s site. It is considered that the development boundary should be extended to accommodate this site. The site is on a steep gradient and is therefore unsuitable for agricultural purposes. The width and depth of the site is considered inappropriate for a ‘Strategic Green Gap’ and residential development should continue between the allocated site and the neighbouring woodland. Appropriate vehicular and pedestrian access and egress points can be formed on this site without impacting on existing highway users. The site can accommodate semi-detached or detached dwelling houses in a manner consistent with that proposed for allocated site HAD5 without compromising the established small woodland to the south.

As recognised by the Council in respect of allocation HAD5, the site is in a sustainable location with bus stops within walking distance. The local primary school is close by together with other community and recreational facilities. 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.
Alistair Forbes

From: Alistair Forbes
Sent: 03 January 2013 13:12
To: Gary Ashby
Cc: STEVE IVELL
Subject: Land at Lawford.
Importance: High

Dear Mr Ashby

Attached is a submission for inclusion of development land in the emerging Local Plan.

The address is: Land between Harwich Road and Hungerdown Lane. Lawford. CO11 2JS

A hard copy will be posted today, and if any further information is required at this stage please advise.

Yours sincerely

A Forbes
OBJECTION TO LOCAL PLAN ALLOCATION

IN RELATION TO LAND ADJACENT TO 10 THE SHELTON, THROPE ROAD, KIRBY CROSS

Our Reference: 11-6255

Raymond Stemp Associates
Planning and Development Consultants
Introduction

This statement has been prepared to support the objection to Policies PEO1 and PEO2 and Chapter 8 in relation to the Settlement Development Boundary (Policy SD2) and the Housing Allocation Land within Kirby Cross (Policy SD2).

The site under consideration is located in the north east portion of The Shelton’s, a residential cul-de-sac located off the northern side of Thorpe Road, Kirby Cross. Figure 1 contains a location plan of the site (outlined in red) and the surrounding area.

Figure 1: Location Plan [Not to Scale]

The above plan indicates the broad location of the site and its relationship to the development within the settlement. The site is in close proximity to a mainline railway station, in a village which has a wide range of facilities and substantial residential
development. It is clear from this that the site, although located outside of the settlement but immediately adjoining the settlement, benefits from the same accessibility to local shops, services, facilities and public transport, as the residential properties within the settlement limits.

The site is accessed directly off The Shelton’s. This is a relatively new development comprising of a combination of detached, semi detached and terraced dwellings of various designs and incorporating various materials. A public footpath runs along the side of no.10 The Shelton’s towards land at the rear of the application site.

The site itself comprises an area of 0.48 hectares and contains 2 outbuildings and a small manège in the southern portion of the site. The remainder of the land is grass. Figure 2 contains photographs of the application site and the outbuildings.

Figure 2: Images of the site under consideration

It is worth noting that this particular site was part of the Strategic Green Gap in the former plans, but is shown to have no specific site allocations in the draft plan, please see Figure 3. Given the site’s sustainable location the land owner has sought planning permission for two alternative schemes, including a scheme for some 15 dwellings [reference 12/00243/OUT] which was refused and a scheme for a single dwelling which is under consideration. One of the main reasons for refusal was due to the site’s location in the Kirby Cross Local Green Gap the Council considered that the development would be detrimental to the open character of the countryside and village setting of the Kirby Cross Local Green Gap due to the significant built up appearance of
the proposal. With the Green Gap no longer posing an issue, it is recommended that
the council reassess this sites potential in relation to it being put forward as housing
allocation.

**Figure 3: Draft Kirby Cross Proposals map**

![Draft Kirby Cross Proposals map](image)

### Housing Supply

The Council have suggested that it will be able to achieve an increase to the dwelling
stock of approximately 4,000 dwellings between 1\textsuperscript{st} April 2011 and 31\textsuperscript{st} March 2021. Policy PEO1 outlines the numerous measures taken to secure this increase over the
next 10 years. The Council include provisions for housing already complete before
March 2012; planning permissions granted; and the site allocations for new
development. Taken into consideration the measures in place the Council estimate a
total housing stock change between 1\textsuperscript{st} April 2011 and 31\textsuperscript{st} March 2021 of 4,013.
This shows no flexibility in the Local Plan for the delivery of the housing stock required
by the Council.

Policy PEO2 outlines the Councils housing trajectory which state the Council’s
anticipated dwelling stock increase for the proceeding years. Whilst discussing these
figures it is important to consider the Councils past Annual Monitoring Reports, from
which it is evident that the Council has failed to meet their housing targets for the last
four years, having only secured an average of 300 new dwellings a year during that period.

Given the current economic situation, which has been suggested by the Bank Of England to continue for at least another 3 years, it is unlikely that the Council will be able to substantially improve their current achievements. The figures for the 2011/2012 and 2012/2013 appear to have taken this situation into account by ensuring their housing targets remain feasible, however in the years that follow they have estimated an increase to 645 new homes during 2015/2016. Given that in the last ten years the Council have failed to achieve a housing target of more than 560 homes in one year it seems unrealistic that they would be able to achieve such high figures over the next 3 years especially given the inflexibility in the measures taken to achieving these new homes.

By allowing for a 20% increase over the housing stock targets, additional sites could be allocated that would make the targets more achievable and allow both the Council and possible developers more flexibility in delivering the housing stock required and meeting the housing trajectories.

**Objection**

It is thought that the plans policies PEO1 and PEO2 fails to meet the government’s ‘test of soundness’ in accordance to them being ‘Effective’ in that the plan should be deliverable over its plan period. The Councils continued performance over the last ten years has failed to provide evidence that the high housing trajectories suggested can be met, given the Councils failure to meet current trajectories for the past four years and having never achieved the figures suggested over the next three years.

**Site Allocations**

In regards to the objection raised it is suggested that the site allocations for Ramsey are reviewed for the inclusion of the above site.

Policy SD2 states that Frinton, Walton and Kirby Cross are 'Urban Settlements' which are the focus for the majority of the districts economic growth. The plan states that between 1st April 2011 and 31st March these settlements will accommodate a 6%
increase in housing stock, though the development on sites with outstanding planning permission and the allocation of sites within and where necessary on the periphery of the built up area.

Kirby Cross forms the western part of the urban area and is predominantly residential with a number of smaller shops and services. The plan suggests that these areas will face difficult challenges in the coming years. There is a high demand for new housing in the area which results from its population as a place to retire and the impact this demand will have on future generations of local people and their ability to afford their own homes unless some new housing, of the right type is provide. Given that the plan has highlighted the above as a concern, it is surprising that they have failed to identify any housing allocation sites within Kirby Cross. Whilst it is understood that the Council intend to preserve and enhance the character of the area, the site in consideration is adjacent to a relatively new housing development with existing access and could comfortably accommodate a modest sized mixed housing development.

The site in question is could comfortably site 15 dwellings, some of which would be affordable, and the land owner is interested in delivered housing on the site in the near future. This would help the Council with achieving their housing targets, within a sustainable location on the periphery of the built up area, located adjacent to numerous existing dwellings.

**Objection**

The Council set out Tendring’s description of Sustainable Development in the plan where it is suggested that they will

- meet the housing needs of future generations who will aspire to live, work and support the economy in our district whilst managing the pressures of people moving to our area to enjoy the quality of life offered by our attractive coast and countryside;

This statement has argued, given the Councils past performance and current projections and the lack of flexibility in the measures to secure the housing trajectories, that the council will be unable to meet the housing needs for future generations and have overlooked valuable, sustainable sites ripe for development.
Conclusions

The objections raised refer to the Policies PEO1 and PEO2 and Chapter 8 in relation to the Settlement Development Boundary (Policy SD2) and the Housing Allocation land within Harwich and Dovercourt (Policy SD2).

It has been demonstrated that the figures suggested in both the housing supply and trajectories are unlikely to be met due to the Council lack of flexibility in the plan and the expectations for delivery over the next three years, given both the economic situation and the Councils past performance. This suggests that the plan fails to meet government’s test of soundness in relation to ‘Effective’ where the plan cannot realistically be delivered over the plan period.

The plans fail to meet the government’s test of soundness in relation to being ‘consistent with national policy’, when highly sustainable, ripe for development, sites, in existing built up areas are being situated outside the settlement boundary, not included in the housing allocation making planning permission hard to achieve.

Recommendations

It is with respect to the above that the proposals below, figure 6, are put forward. The settlement boundary is altered to include the site adjacent to 10 The Shelton and for the site to be allocated for housing allocation under policy SD2.

Figure 6: Recommendations for site and settlement boundary
OBJECTION TO LOCAL PLAN ALLOCATION

IN RELATION TO LAND ADJACENT HALESBURY, CHURCH HILL, RAMSEY, HARWICH

Our Reference: 12-6309

Raymond Stemp Associates
Planning and Development Consultants
Introduction

This statement has been prepared in support of the objection to Policies PEO1 and PEO2 and Chapter 7 in relation to the Settlement Development Boundary (Policy SD2), the Housing Allocation Land within Harwich and Dovercourt (Policy SD2) and the Strategic Green Gaps (Policy SD6).

The site under consideration is a formers Nursery located between a group of residential dwellings to the east and a church to the west, as shown in figure 1. It is separated from the main village by the A120 bypass into Harwich. It is a convenient out of town location close to the Ramsey roundabout and about three miles from Dovercourt town centre.

Figure 1: Location Plan [Not to Scale]
The site is irregular in shape, with a frontage of approximately 22.7 metres to Church Hill. It is important to consider the site's location adjacent to a church and in a row of four bungalows. On the opposite side of the road there is an additional 8 dwellings. The site is partly currently situated in a Strategic Green Gap (Policy SD6) as shown in figure 2, this allocation will be discussed later in this document.

**Figure 2**: Draft Harwich and Dovercourt Proposals map

**Housing Supply**

The Council have suggested that they will be able to achieve an increase to the dwelling stock of approximately 4,000 dwellings between 1st April 2011 and 31st March 2021. Policy PEO1 outlines the numerous measures taken to secure this increase over the next 10 years. The Council include provisions for housing already complete before March 2012; planning permissions granted; and the site allocations for new development. Taken into consideration the measures in place the Council estimate a total housing stock change between 1st April 2011 and 31st March 2021 of 4,013.
This shows no flexibility in the Local Plan for the delivery of the housing stock required by the Council.

Policy PEO2 outlines the Council's housing trajectory which state the Council’s anticipated dwelling stock increase for the proceeding years. Whilst discussing these figures it is important to consider the Council's past Annual Monitoring Reports, from which it is evident that the Council has failed to meet their housing targets for the last four years, having only secured an average of 300 new dwellings a year during that period.

Given the current economic situation, which has been suggested by the Bank Of England to continue for at least another 3 years, it is unlikely that the Council will be able to substantially improve their current achievements. The figures for the 2011/2012 and 2012/2013 appear to have taken this situation into account by ensuring their housing targets remain feasible, however in the years that follow they have estimated an increase to 645 new homes during 2015/2016. Given that in the last ten years the Council have failed to achieve a housing target of more than 560 homes in one year it seems unrealistic that they would be able to achieve such high figures over the next 3 years especially given the inflexibility in the measures taken to achieving these new homes.

By allowing for a 20% increase over the housing stock targets, additional sites could be allocated that would make the targets more achievable and allow both the Council and possible developers more flexibility in delivering the housing stock required and meeting the housing trajectories.

**Objection**

It is thought that the plans policies PEO1 and PEO2 fails to meet the government’s ‘test of soundness’ in accordance to them being ‘Effective’ in that the plan should be deliverable over its plan period. The Council's continued performance over the last ten years has failed to provide evidence that the high housing trajectories suggested can be met, given the Council's failure to meet current trajectories for the past four years and having never achieved the figures suggested over the next three years.
Site Allocations

In regards to the objection raised it is suggested that the site allocations for Ramsey are reviewed for the inclusion of the above site.

Policy SD2 states that Harwich and Dovercourt (including Parkeston and part of Ramsey) are an ‘Urban Settlement’ which are the focus for the majority of the districts economic growth. The plan states that between 1st April 2011 and 31st March these settlements will accommodate a 6% increase in housing stock, though the development on sites with outstanding planning permission and the allocation of sites within and where necessary on the periphery of the built up area.

The site in question is appropriate for approximately 5 dwellings and the land owner is interested in delivered housing on the site in the near future. This would help the Council with achieving their housing targets, within a sustainable location on the periphery of the built up area, located adjacent to numerous existing dwellings.

The site is partly within a Strategic Green Gap (Policy SD6), with the primary purpose and function of maintaining a physical separation between different settlements or neighbourhoods and avoiding developments that would result in them merging together and losing their individual identities. It is thought that this area of green gap is shown to protect Ramsey, which given its location to the A120 is already somewhat protected from the emergence of Dovercourt and Harwich.

When discussing the relevance of the Strategic Green Gap, it is important to consider the current state of the site in question. It is visually unattractive and unkempt, with numerous derelict buildings, as shown in Figures 3, 4 and 5. This site must be put to an alternative use as it currently adds nothing to the Green Gap. Its only viable use, given the residential character of the area is that of additional residential development. In this respect the site should have been seen as a viable housing allocation site (policy SD2) and included on the proposals map as such.
**Figure 3**: Derelict buildings along access drive

![Derelict buildings along access drive](image3.jpg)

**Figure 4**: Derelict buildings along access drive

![Derelict buildings along access drive](image4.jpg)
Policy SD6 does not seek to object to all development in these areas, providing it does not impact on the open nature of the gap. Given this site’s location between both housing and a church and the sustainable location of the site is it thought that this policy fails to meet the government’s ‘test of soundness’ in accordance to it being ‘Consistent with national policy’ from which there is a presumption in favour of sustainable development and given that the site is not within an open area.

**Objection**

The Council set out Tendring’s description of Sustainable Development in the plan where it is suggested that they will

- meet the housing needs of future generations who will aspire to live, work and support the economy in our district whilst managing the pressures of people moving to our area to enjoy the quality of life offered by our attractive coast and countryside;
This statement has argued, given the Councils past performance and current projections and the lack of flexibility in the measures to secure their housing trajectories that the council will be unable to meet the housing needs for future generations. Furthermore Tendring’s description of Sustainable Development includes

- securing the ongoing protection and enhancement of our district’s natural, historic and built environment and promoting these as assets to the local economy and the quality of life for our residents;

This objection argues that the Council have failed in the application of the Green Gap policies due to the use of it; in already built up areas which actively extend the settlement boundary in this case towards Ramsey. Additional small scale development would not adversely affect the area or aid in merging the areas closer together. It has however affectively reduced the likelihood of securing planning permission on a sustainable site adjacent to the A120 on the periphery of an urban settlement in an area currently built up.

Furthermore the Council have failed to pay proper regards to the policies set out in the NPPF, where paragraph 17 states that Councils should be encouraging the effective use of land by reusing land that has been previously developed (Brownfield Land), providing it is not high environmental value. This statement has already discussed the environmental merits of the land in regards to the Green Gap, it is important to consider the past use of the site as both a former builder’s yard and a nursery.

Conclusions

The objections raised refer to the Policies PEO1 and PEO2 and Chapter 7 in relation to the Settlement Development Boundary (Policy SD2) and the Housing Allocation land within Harwich and Dovercourt (Policy SD2) and the Strategic Green Gaps (Policy SD6).

It has been demonstrated that the figures suggested in both the housing supply and trajectories are unlikely to be met due to the Council lack of flexibility in the plan and the expectations for delivery over the next three years, given both the economic situation and the Councils past performance. This suggests that the plan fails to meet
government’s test of soundness in relation to ‘Effective’ where the plan cannot realistically be delivered over the plan period.

The plans fails to meet the government’s test of soundness in relation to being ‘consistent with national policy’, when highly sustainable, ripe for development, sites, in existing built up areas are being situated outside the settlement boundary, not included in the housing allocation and located within green gaps making planning permission hard to achieve.

**Recommendations**

It is with respect to the above that the proposals below, figure 6, are put forward. The extension of the settlement boundary to include the existing dwellings along Church Hill and the site mentioned throughout this document be allocated for housing under policy SD2.

*Figure 6: Recommendations for site and settlement boundary*