

Tendring *District Council*



TENDRING DISTRICT COUNCIL LOCAL DEVELOPMENT FRAMEWORK

Planning Services

Core Strategy and Development Policies Document

Technical Paper 1 – Introduction

October 2010

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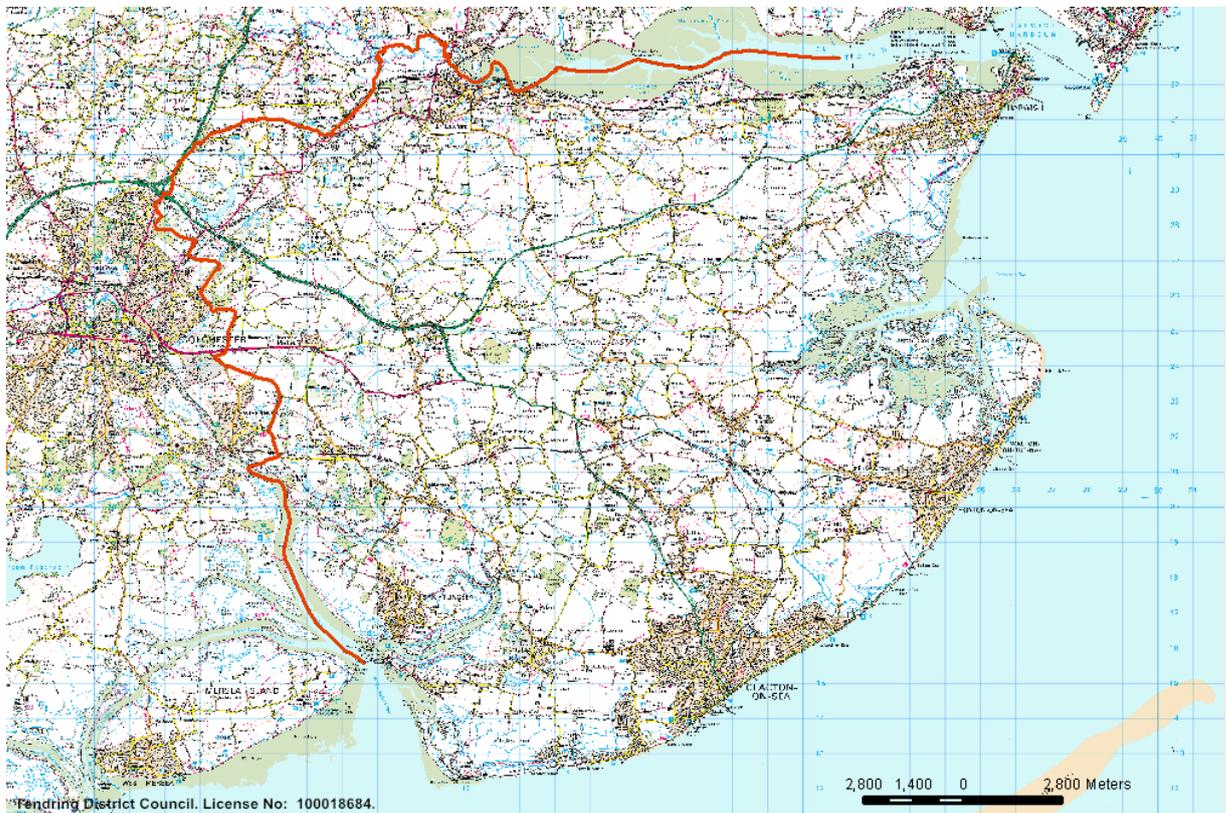
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1. Introduction

- 1.1 This document is the first in a series of ten ‘technical documents’ that have been prepared by officers of Tendring District Council to explain the background to the Council’s ‘Core Strategy and Development Policies Document’, an important element of the wider ‘Local Development Framework’ (LDF) for the Tendring district. The series of technical documents comprise:
- **1 – Introduction;**
 - 2 – Structure of this Document;
 - 3 – Strategic Context;
 - 4 – Spatial Portrait;
 - 5 – Key Issues;
 - 6 – Spatial Vision and Objectives;
 - 7 – Spatial Strategy;
 - 8 – Core Policies;
 - 9 – Development Policies; and
 - 10 – Implementation and Monitoring.
- 1.2 These technical documents correspond directly with each of the ten chapters in the Core Strategy and Development Policies Document (hereafter ‘the Core Strategy’) and provide the ‘audit trail’ explaining how different factors, pieces of evidence, events, discussions and decisions have affected its content.
- 1.3 In accordance with best practice, we have attempted to keep the Core Strategy itself as slim and succinct as possible. However, given the complexity and the importance of the Core Strategy, particularly in a district like Tendring, we anticipated that a lot of questions would be asked, from a variety of stakeholders, about the rationale behind certain policies and/or proposals. Rather than explaining everything in the text of the Core Strategy which would have increased its length to an unacceptable and potentially unreadable level, we hope that many of the questions raised by different parties are answered somewhere in the text of these technical documents.
- 1.4 This particular technical document provides a broad account of the purpose of the Core Strategy; the ways in which the Council has involved other agencies, services and members of the public in its preparation; and the various stages of preparation and consultation that have been carried out to get to this stage.

2. The Tendring District

- 2.1 The Tendring district lies on the north-east coast of Essex in the eastern region of England. It lies immediately east of the historic town of Colchester and forms a peninsula bounded by the Colne Estuary to the south, the North Sea to the east and the Stour Estuary to the north. Tendring, as an administrative area, was formed in 1974 as part of local Government reorganisation which involved merging a number of Urban and Rural District Councils into one. Tendring takes its name from the rural parish located in the very centre of the district.
- 2.2 The district is predominantly rural but contains a number of substantial built-up urban settlements, all of which are located on the coast or the estuaries. The most prominent and well-known settlements are Clacton-on-Sea with a population in excess of 60,000 which is most famous as a seaside holiday resort with its golden beaches and its pleasure pier; and Harwich, the historic port town with a population of approximately 20,000 best known for its international port which handles passenger and freight journeys to and from continental Europe.
- 2.3 The district also contains the smaller seaside towns of Frinton-on-Sea, Walton-on-the-Naze, Manningtree and Brightlingsea, each of which has an entirely unique character and its own story to tell; and a large number of villages of varying size and character set within an attractive 'rural heartland'.
- 2.4 The district is served by 13 railway stations providing access to Colchester and London Liverpool Street and the main roads are the A120 trunk road between Colchester and Harwich; and the A133 between Colchester and Clacton-on-Sea.
- 2.5 The district has a variety of socio-economic issues which are investigated in more detail as part of Technical Papers 4 – 'Spatial Portrait' and 5 – 'Key Issues' but is blessed with some attractive landscapes and areas of international importance to wildlife conservation.



3. The Tendring District Local Plan (The Old Plan)

- 3.1 Before we explain the scope and purpose of the Core Strategy, we felt it would be useful to provide some background on the series of proposals and policies currently in place to guide development in the Tendring District which themselves were adopted fairly recently and which will ultimately be superseded by the planning documents comprising the LDF.
- 3.2 The Tendring District Local Plan was adopted by the Council in December 2007 and was intended to guide development in the district until 2011, which corresponded with the time-scale of the now superseded Essex and Southend-on-Sea Replacement Structure Plan (2001).
- 3.3 The Local Plan was prepared under the 'transitional arrangements' provided by the Planning and Compulsory Purchase Act (2004) (hereafter the '2004 Act') which enabled the Council to continue preparing an 'old-style' Local Plan under the previous legislation but with some of the requirements of the new act, including a the need for Sustainability Appraisal and a 'binding' Inspector's decision.
- 3.4 The Council decided to progress the Local Plan under the transitional arrangements as, at the time of the new act coming into operation in 2004, the Council was already at an advanced stage in preparing a draft Local Plan; the previous Local Plan adopted in 1998 expired in 2001 and its replacement was long overdue; and a great deal of technical background work had already been undertaken. Public consultation on a 'First Deposit Draft' was undertaken in 2004 followed by consultation on a 'Re-Deposit Draft' (showing recommended alterations) in 2005. Consultation was followed by a Local Plan Inquiry which began in the Summer of 2006 and ended in early 2007.
- 3.5 At the Inquiry, officers of the Council explained that, on adoption of the Local Plan, the Council would begin work immediately on a Local Development Framework (LDF) in full accordance with the new requirements of the 2004 Act, the full range of new national planning policy and the new regional policies of the then emerging East of England Plan (RSS14) to deal with the period beyond 2011 when the Local Plan would expire. This approach was agreed by the Planning Inspector and the Government Office for the East of England (Go-East).
- 3.6 Following receipt of the Inspector's binding report, which required a limited number of changes, the Council adopted the Local Plan and the following principles (amongst others) were established:
 - Major growth in employment and housing ought to be concentrated in Clacton and Harwich, the district's two largest urban settlements with the greatest range of job opportunities, shops, services and facilities;
 - Major container port expansion at Bathside Bay, Harwich will be supported as a major job-creating opportunity;
 - A strategic employment land allocation on the A120 at Harwich will be promoted to attract inward investment in the business and industrial sectors;
 - Regeneration programmes in Clacton Town centre, Jaywick, Harwich Old Town, Dovercourt Town Centre and Walton-on-the-Naze will be supported in order to deal with some of the issues of unemployment, ill health and general deprivation;

- Environmental enhancements and mixed-use developments on Brightlingsea and Mistley waterfronts will be promoted to protect and enhance those areas' unique maritime character;
- Tighter controls on development in rural areas and the open countryside imposed to protect the countryside for its own sake; and
- Higher targets and robust mechanisms for the delivery of affordable housing and open space were introduced.

3.7 Under the provisions of the transitional arrangements, the Local Plan was intended to only have a 3 year 'shelf life' following its adoption in December 2007 to encourage the Council to move forward expediently with the preparation of a more forward-looking LDF to replace it. However it was clear from the experience of many authorities across the country that the preparation of an LDF in line with the new regulations was a complex and time consuming exercise, far slower than the Government had envisaged.

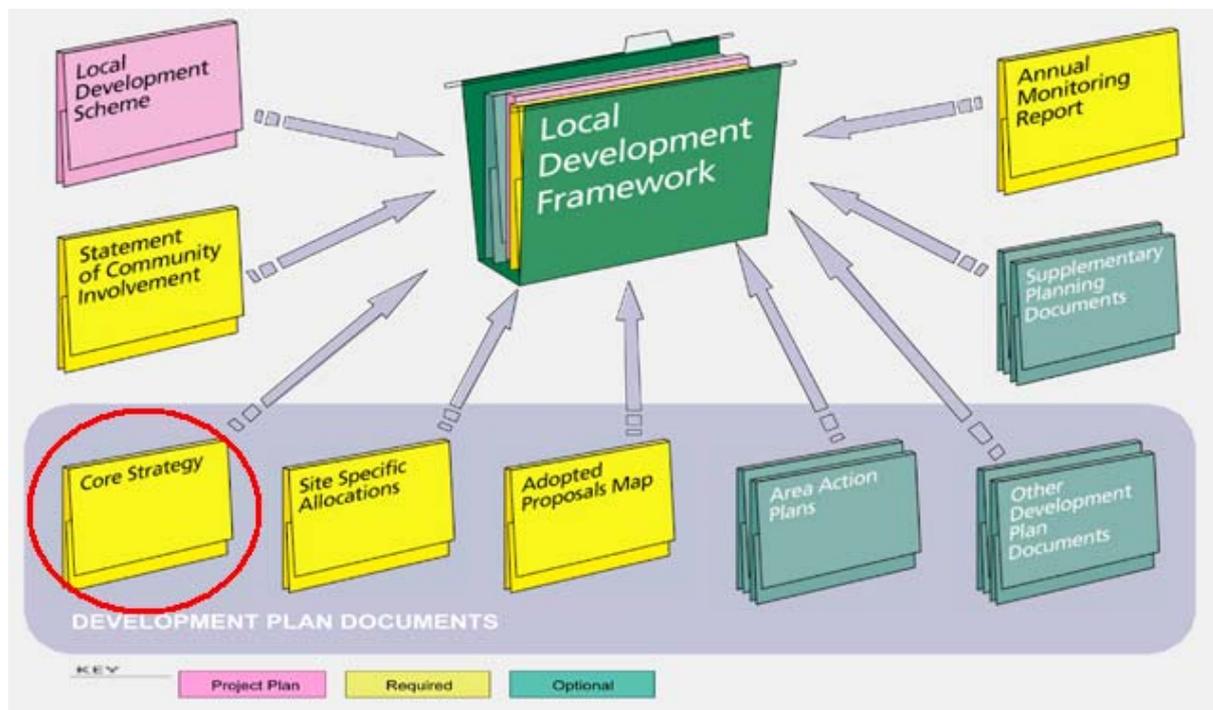
3.8 In recognition that the Tendring LDF was unlikely to be in place before the expire of the Local Plan in December 2010, the Council approached the Secretary of State to allow the policies in the Local Plan to be 'saved' for an extended period. This extended period of time will be required to ensure the Local Plan is replaced in full by new policies and proposals in the LDF with a seamless transition and to thus avoid a potential 'policy vacuum' by which the Council would have no local planning policies in place, for a limited period of time, for use in determining planning applications.

3.9 In September 2010, the Secretary of State accordingly issued a direction to 'save' the Adopted Local Plan for an extended period of time to enable it to be replaced by the LDF as appropriate.

4. The Local Development Framework (LDF) (The New Plan)

- 4.1 The Planning and Compulsory Purchase Act (2004) introduced the statutory requirement for Local Planning Authorities to prepare a 'Local Development Framework' (LDF) for an area which provides a local interpretation of strategic policies and growth requirements set out at the regional level in 'Regional Spatial Strategies' (RSS).
- 4.2 This change in legislation was primarily designed to streamline the planning system and encourage more active community involvement in the plan making process. Old-style Local Plans (explained in Chapter 3 above) that were bulky and complex documents that took years to review under the previous legislation would be replaced by a portfolio of documents which could be consulted upon and reviewed separately (if need be), and over a much shorter period of time, in theory.
- 4.3 Figure 1 below demonstrates how an LDF can be formed by a number of planning documents from the very broad and strategic (like the Core Strategy) to the detailed and specific (like Area Action Plans).

Figure 1 – Elements of the LDF



- 4.4 The following passage provides a brief description of the various planning documents and the progress that the Council has made on each one.

Local Development Scheme (LDS)

- 4.5 The LDS effectively provides the timetable for preparing each of the documents within the LDF and is very important for the effective delivery of the process, the Council's management of resources, informing stakeholders as to when consultation will take place and enabling the Planning Inspectorate to plan for when Inspectors may be required to hold public examinations.

- 4.6 The Council produced its first LDS in 2004 but reviewed it 2006 to take account of amendments to the Planning and Compulsory Purchase Act (which removed one stage of public consultation) and again in 2008.
- 4.7 For a variety of reasons, the Council has deviated from the 2008 LDS timetable and is considering a further review which will more accurately reflect the actual timetable that is being implemented.

Statement of Community Involvement (SCI)

- 4.8 The SCI sets out the protocol that a local authority will adopt in carrying out consultation on the various documents in order to achieve effective community involvement in the planning process. The Council adopted its SCI in 2008 following its own public consultation and consideration by a Planning Inspector and has carried out its community involvement exercises broadly in accordance with that protocol.

Annual Monitoring Report (AMR)

- 4.9 The Council is required to prepare a report each year (and has done since 2005) to highlight progress on LDF preparation and to measure performance against a series of national and local indicators. This includes measuring how much housing or commercial development has taken place and whereabouts. To date, the AMRs have been prepared to measure the performance of the Tendring District Local Plan but as its replacement, the LDF, becomes more relevant, future AMRs will measure its performance. The Core Strategy, in Chapter 10 contains a series of indicators that the Council will measure performance against in the future.

Core Strategy and Development Policies Document

- 4.10 This document is the subject of this series of technical papers and represents the most important planning document that the Council is required to produce as part of the LDF. Some authorities choose to keep their Core Strategy and any detailed 'development' or 'development control/management' policies as separate documents and others publish them together in one document. Our neighbouring authority Colchester Borough Council produced two separate documents but our other near-neighbours Chelmsford Borough Council produced just one document. Both authorities' documents have been approved as 'sound'.
- 4.11 One good reason for publishing the Core Strategy and Development Policies as one document is because of the recent nature of the Council's Local Plan (see Chapter 3 above). That Local Plan contains large number of policies, many of which fulfil the role of 'Development Policies' (see Technical Paper 9 for more detail), that were consulted upon in 2004 as part of the 'First Deposit Draft' and again in 2005 as part of the 'Re-Deposit' draft and subsequently scrutinised by a Planning Inspector as part of the Local Plan Inquiry before being approved. Many of the Development Policies contained in the Core Strategy Document follow the thrust of existing adopted policies in the Local Plan and we do not therefore consider them to be highly controversial.
- 4.12 Therefore, rather than producing a separate document of policies for consultation and examination (at considerable expense to the Local Authority), a combined document has been prepared.
- 4.13 The Core Strategy is important because it sets out the vision for change in a district; the strategic for distributing growth; and the broad strategic principles that other more detailed

planning documents (such as Site Allocations or Area Action Plans) will be required to follow (see Chapter 5 below).

Site Allocations Document

- 4.14 Once the broad planning principles have been established in the Core Strategy, it is followed by a more detailed interpretation into specific 'Site Allocations'. Similar to the Local Plan, it is intended that the Site Allocations Document for Tendring is accompanied by the 'Proposals Map' for the district showing, very clearly, which sites are to be developed, protected, altered, enhanced etc.
- 4.15 It is also envisaged that the Tendring Site Allocations Document will contain very 'area specific' planning policies containing a greater level of detail than in the Core Strategy and which will provide further clarity for how certain areas will change and how planning applications should be dealt with. For major development proposals, it is intended that the Site Allocations Document will set out some 'Master Planning' principles to guide the layout, design and set out, in more detail, some of the planning obligations that will be required.

Planning Obligations Document

- 4.16 It is also the Council's intention to produce a Development Plan Document on Planning Obligations to provide greater detail on how the Council will secure developer contributions towards a range of infrastructure requirements, affordable housing and other incentives including public realm improvements.

Clacton Town Centre and Seafront Area Action Plan (CAAP)

- 4.17 Area Action Plans are designed to bring about change in a very specific area where there are issues that need to be addressed in a more focussed and coordinated way. Clacton Town Centre (along with the Seafront) is the only part of the district where a specific Area Action Plan is proposed. This area is seen as a key driver of the district's economy and has the potential to expand and improve its retail and tourism offer to bring about wider regeneration and employment growth.
- 4.18 The emerging Area Action Plan has been the subject of two rounds of public consultation.

Supplementary Planning Documents (SPD)

- 4.19 The Council will also produce a number of Supplementary Planning Documents (SPD) to support the implementation of certain key policies in the LDF.

5. Core Strategy and Development Policies Document

- 5.1 The Core Strategy is probably the most important element of the LDF and is required by the Planning and Compulsory Purchase Act 2004 (as amended). It is important because it contains the overarching vision, objectives and policies for the Tendring district in the future and sets out the parameters within which all lower-order, more area/subject specific planning documents (such as the Site Allocations Document or the Area Action Plan) will need to operate.
- 5.2 Importantly, the Core Strategy sets out the vision and main objectives for change in the district, the broad distribution of growth in jobs and housing and, with the inclusion of 'Development Policies' in the case of Tendring, the planning policies against which future development proposals will be considered.
- 5.3 It is very important to understand that the Core Strategy is about the "big picture". It does not contain detailed information on very local or site-specific issues but it does make the big decisions that will influence the way that more local and detailed issues will be addressed.
- 5.4 The key elements of the Core Strategy are explained in more detail in Technical Paper 2 entitled "Structure of this Document" but are summarised below:

Strategic Context:

An explanation of how the content of the Core Strategy and Development Policies Document has been influenced by other policies, plans and strategies including planning legislation, national planning policy, local strategies and technical documents produced by the Council and other partners.

Spatial Portrait:

A profile of the Tendring district that draws upon knowledge of its key geographical features, socio-economic make-up and other characteristics and how these vary across the district.

Key Issues:

Drawing upon the strategic context and the profile of the district contained in the Spatial Portrait, the Core Strategy identifies the key development issues facing our district; issues that the development strategy and planning policies address.

Spatial Vision and Objectives:

Taking into account the vision and objectives that the Local Strategic Partnership sets out in the Sustainable Community Strategy, the Core Strategy establishes the Council's vision for change in the district and the key planning objectives for turning that vision into reality.

Spatial Strategy:

This part of the Core Strategy explains how the growth targets for new jobs, and housing, and infrastructure to support that growth will be achieved and identifies the key projects that the Council, working in partnership with other organisations, will deliver.

Core Policies:

These policies set out how the Council, working in partnership with other organisations, will deliver its objectives and what kinds of development the Council will support.

Development Policies:

These policies set out the more detailed criteria against which planning applications for new development will be judged when submitted to the Council as the planning authority.

Implementation and Monitoring:

A strategy must provide a clear understanding of how projects are to be delivered, who will be involved, how funding will be secured and what the timescales will be. Therefore the Core Strategy explains how the strategy will be delivered and sets out the arrangements for monitoring progress over the LDF plan period. The 'Plan, Monitor and Manage' approach will ensure that, if circumstances change, the Council can take appropriate action by reviewing policies and proposals quickly and efficiently.

6. Working in Partnership

- 6.1 Whilst the Council's Planning Department has overseen the preparation of the Core Strategy, it is far more than just a planning document. It is of high importance to all services within the Council and many of the partners that we work with. The Core Strategy attempts to integrate the strategies of different organisations because working in partnership will ultimately produce the best results on the ground. This includes working with the NHS to ensure there are enough doctors surgeries to serve new development, working with the Environment Agency to ensure that our areas are kept safe from the risk of flooding and working with the education authority to understand which schools need more children and which ones have too many.

The LSP and Sustainable Community Strategy

- 6.2 The Core Strategy is affectively seen as the 'land-use planning framework' that will ultimately deliver the priorities set out in the 'Sustainable Community Strategy'. The Tendring Local Strategic Partnership (LSP), comprising a number of key partners working together, produced that strategy in December 2009 which sets out a number of key aspirations to bring about positive changes in our district through to 2016. The linkages between the Sustainable Community Strategy and the Core Strategy are explained in more detail as part of Technical Paper 6 entitled "Spatial Vision and Objectives".

LDF Theme Groups

- 6.3 To ensure relevant organisations and partners were involved in the preparation of the Core Strategy from an early stage (with a view to avoiding any major problems arising in later stages of consultation and examination), officers of the Council set up a series of LDF 'Theme Groups' in 2007 containing representatives of different services within the Council and other organisations with an interest in the LDF and covering different disciplines. The Theme Groups initially covered the following topics:

- Housing;
- Employment & Regeneration;
- Infrastructure;
- Environment; and
- Transport.

- 6.4 The purpose of the Theme Groups, which have tended to meet every 6-8 weeks or less frequent (depending on workloads), was to:

- Scope the issues facing the district from different perspectives;
- Ensure understanding and accordance with the various national/(then) regional planning policies and legislation;
- Identify areas of technical evidence required to inform the content of the LDF;
- Manage the preparation of the technical evidence and discuss and interpret any draft findings; and
- Comment on and influence any draft proposals or policies suggested by officers in preparing the LDF.

- 6.5 The theme groups will continue to play an important role in the next stages the Core Strategy including the examination and will be heavily involved in the preparation of future Site Allocations Document and other planning documents.

Housing Theme Group

- 6.6 The Housing Theme Group was mainly concerned with the levels of housing development required, the distribution of that housing, its size, type and tenure and economic viability. The group also considered issues surrounding the provision of sites for Gypsies and Travellers and any cross-boundary issues with our colleagues in neighbouring Colchester.

- 6.7 The group typically comprised representatives of the following services/organisations:

- Tendring District Council Planning Services;
- Tendring District Council Housing Services;
- Tendring District Council Environmental Services;
- Tendring District Council Corporate Performance;
- Essex County Council Spatial Planning; and
- Colchester Borough Council Spatial Planning.

- 6.8 The main outputs from the Housing Theme Group to date have been:

- The commission and preparation of the Strategic Housing Market Assessments (SHMA) (which also involved the Home Builders Federation);
- The preparation of the Strategic Housing Land Availability Assessment (SHLAA) (which also included representatives from the house building industry);
- The commission of a Gypsy and Traveller Accommodation Sites Assessment;
- The commission and preparation of an Affordable Housing Viability Study;
- Overall consideration of housing targets and the distribution of new housing throughout the district; and
- Commenting on draft policies relating to housing issues.

Employment and Regeneration Theme Group

- 6.9 The Employment and Regeneration Theme Group was mainly concerned with delivering economic growth to the district through attracting inward investment and tackling deprivation in certain areas.

- 6.10 The group typically comprised representatives of the following services/organisations:

- Tendring District Council Planning Services;
- The Council's Regeneration Company INTend;
- Federation of Small Businesses;
- East of England Development Agency (EEDA);
- Essex County Council Spatial Planning; and
- Essex County Council Regeneration.

6.11 The main outputs from the Employment and Regeneration Group to date have been:

- Working with Regeneration Company INTend to prepare regeneration studies for Walton-on-the-Naze, Harwich and Clacton seafront;
- Undertaking a business survey in the district;
- The commission and preparation of the Employment Study (parts 1 and 2);
- The commission and preparation of an update to the Retail Study;
- The commission and preparation of studies looking at the caravan park and hotel industries;
- Consideration of issues facing the rural economy; and
- Commenting on draft policies relating to employment and regeneration issues.

Infrastructure Theme Group

6.12 The Infrastructure Theme Group was mainly concerned with the provision of public services such as health, education and emergency services and ensuring any proposals for growth were supported by the necessary infrastructure. It also considered the various mechanisms for securing developer contributions towards infrastructure.

6.13 The group typically comprised representatives of the following services/organisations:

- Tendring District Council Planning Services;
- Tendring District Corporate Performance;
- North East Essex Primary Care Trust (formerly Tendring PCT);
- Essex County Council Schools Service;
- Essex Fire Authority;
- Essex Police;
- Essex County Council Spatial Planning;
- Veolia Water (formerly Tendring Hundred Water);
- Anglian Water;
- Essex County Council Spatial Planning; and
- Essex County Council Transport and Infrastructure.

6.14 The main outputs from the Infrastructure Theme Group to date have been:

- The commission and preparation of the Infrastructure Study;
- Consideration of the likely impacts of different growth options in the district;
- Understanding the land-use requirements of the NHS, the education authority and other partners for new facilities where needed;
- Consideration of the possible ways to deliver infrastructure either on-site or through financial contributions; and
- Commenting on draft policies relating to infrastructure issues.

Environment Theme Group

- 6.15 The Environment Theme Group was mainly concerned with the strategy for green infrastructure, the conservation of wildlife and heritage, important landscapes, flooding and coastal issues and sustainability issues such as renewable energy and energy efficient construction.
- 6.16 The group typically comprised representatives of the following services/organisations:
- Tendring District Council Planning Services;
 - Tendring District Council Trees and Landscaping;
 - Tendring District Council Heritage and Conservation;
 - Tendring District Council Leisure Services;
 - Environment Agency;
 - Natural England;
 - Essex Wildlife Trust;
 - Babergh District Council Spatial Planning;
 - Suffolk Coast and Heaths Project;
 - Essex County Council Historic Environment; and
 - Essex County Council Wildlife.
- 6.17 The main outputs from the Environment Theme Group to date have been:
- The commission and preparation of the Open Spaces Strategy;
 - The preparation of the Wildlife Habitats Survey;
 - The commission and preparation of the Strategic Flood Risk Assessment (jointly with Babergh District Council);
 - The preparation of the Historic Environment Characterisation Project and Geodiversity Characterisation Report;
 - The commission and preparation of the Landscape Impact Assessment;
 - Consideration of cross boundary issues with our colleagues at Babergh and Suffolk Coastal District Councils regarding Areas of Outstanding Natural Beauty (AONBs);
 - Understanding the land-use requirements of the NHS, the education authority and other partners for new facilities where needed;
 - Understanding the implications of the emerging Essex and South Suffolk Shoreline Management Plan;
 - Consideration of the possible ways to deliver infrastructure either on-site or through financial contributions;
 - Considering the scope of the Sustainability Assessment and determining whether an Appropriate Assessment will be required; and
 - Commenting on draft policies relating to environmental issues.

Transport Theme Group

- 6.18 The Transport Theme Group was mainly concerned with the strategy for improving transport provision and considering how the transport network could sustain different options for growth in the district. The group also considered accessibility and sustainability issues including the promotion of walking, cycling and public transport use.
- 6.19 The group typically comprised representatives of the following services/organisations:
- Tendring District Council Planning Services;
 - Tendring District Council Corporate Performance;
 - Essex County Council Transport;
 - Essex County Council Highways; and
 - Essex County Council Passenger Transport.
- 6.20 The main outputs from the Transport Theme Group to date have been:
- The setting up of an Integrated Transport Model for Colchester and Tendring using Haven Gateway funding;
 - Scoping the information that will be required to test the Core Strategy by running the transport model;
 - The consideration and identification of the main transport issues facing the district (namely issues around the A133 and A120);
 - Considering the 'Settlement Hierarchy' and ensuring that the most sustainable settlements are promoted for growth;
 - Considering potential highway issues relating to a range of possible development sites;
 - Considering emerging ECC parking standards and transport policies; and
 - Commenting on draft policies relating to transport issues.

Future of the Theme Group Approach

- 6.21 In moving into the next, more detailed stages of the LDF including the Site Allocations Document, Obligations Document and Area Action Plan, the theme groups will continue to play an important role. It is the intention to create a new 'Flooding and Coastal Change Theme Group' focussing on detailed discussions with the Environment Agency and also a Theme Group devoted to the preparation of a Master Plan for the major developments proposed for North West Clacton.

Critical Friend Analysis

- 6.22 In early 2008, the Planning Advisory Service were providing a service of Local Authorities in the early stages of LDF preparation to receive advice from a fellow planning officer from a similar authority that had experience in progressing an LDF document under the new system. The Council's officers put in a successfully bid and were paired with Ian Grundy from Ashford Borough Council who visiting the district in March 2008 provided very useful

advice on ensuring that the Core Strategy can be shown to meet the tests of soundness and provide the much needed link with the Sustainable Community Strategy.

Thank you to our Partners and Consultants

- 6.23 We would like to take this opportunity to thank all of our partners involved in the LDF Theme Group work to date for their valuable contribution towards the preparation of the Core Strategy along with the various consultants that have undertaken important technical work and our critical friend Ian Grundy.

7. Evidence Gathering

7.1 A key output of the Theme Group approach has been the preparation of a number of technical documents that form the evidence base that has informed the Core Strategy. LDFs must be based on robust evidence and, to date, the following studies have been prepared by officers of the Council, key partners and specialist consultants:

- Affordable Housing Viability Study (2010) – Tribal
- Defining District Sub Areas (2008) – TDC Officers
- Employment Study (Part 1) (2008) – Roger Tym & Partners
- Employment Study (Part 2) (2010) – GVA Grimley
- Essex Seaside Heritage Characterisation Study (2009) – Essex County Council
- Establishing a Settlement Hierarchy (2008) – TDC Officers
- Geodiversity Study (2009) – Essex County Council
- Harwich Flood Risk Assessment (2008) – Scott Wilson
- Historic Characterisation Project (2008) – Essex County Council
- Infrastructure Study Part 1 (2009) – Roger Tym & Partners
- Infrastructure Study Part 2 (2010) – Roger Tym & Partners
- Jaywick Flood Risk Study (2008) – JBA Consulting
- Landscape Character Assessment (2001) – Land Use Consultants (LUC)
- Landscape Impact Assessment (Part 1) (2009) – AMEC
- Landscape Impact Assessment (Part 2) (2009) – AMEC
- North Essex Authorities Retail Study (2006) – GVA Grimley
- Open Spaces Strategy (2009) – The Landscape Partnership
- Retail Study Update (2010) – GVA Grimley
- Strategic Flood Risk Assessment (Part 1) (SFRA) (2008) – JBA Consulting
- Strategic Flood Risk Assessment (Part 2) (SFRA) (2009) – JBA Consulting
- Strategic Housing Market Assessment (SHMA) (2008) – Fordham Research
- Strategic Housing Market Assessment Update (SHMA) (2009) – Fordham Research
- Wildlife Habitat Survey (2009) – EECOS

- 7.2 Technical Paper 3 entitled 'Strategic Context' goes into a little more detail as to how these studies, along with other strategies and plans, have influenced the content of the Core Strategy.
- 7.3 These documents are available to view at Council Offices and can be purchased. See www.tendringdc.gov.uk for more details.

8. Public Consultation on Issues and Options (Reg 25)

- 8.1 In the Spring of 2009, the Council undertook the first round of public consultation for the Core Strategy in accordance with Regulation 25 of the Town and Country Planning (Local Development) (England) Regulations 2008.
- 8.2 To encourage communities, individual members of the public and other stakeholders to get involved in strategic planning and give them an opportunity to have their say early on in the process, Officers of the Council produced a 'Discussion Document' presenting a variety of 'issues and possible options' for them to consider.
- 8.3 The Discussion Document was presented in a format that reflected the broad areas that LDF Core Strategy documents are required to cover and was deliberately presented in chapters to accord with those in the emerging Core Strategy and Development Policies Document (to enable people to clearly see how their comments may have influenced the later document).
- 8.4 It contained a series of questions for readers to consider along with some suggestions as to how certain issues could be addressed, rather than any specific proposals. Therefore it gave readers the best possible opportunity to put forward their views on a wide range of issues rather than focus on any specific proposal. There were 74 questions in all ranging from inviting readers to put forward ideas for the vision of their area, consider a range of possible growth options (informed by some evidenced observations) and put forward suggestions for policy wording to cover a variety of topics.
- 8.5 The consultation period took place between 23rd March 2009 and 1st May 2009 between which we held 25 exhibitions and 7 special workshops. We received 783 responses which raised nearly 4,000 individual issues.
- 8.6 The document entitled 'Core Strategy Discussion Document on Issues and Possible Options: Regulation 25 Consultation Report' explains in more detail what events were held, what comments were made and how they have influenced the content of the Core Strategy going forward to the next stage.
- 8.7 Alongside the general consultation exercise, we also invited District, Parish and Town Councillors to highlight any specific issues facing their particular area of the district which need to be taken into consideration.
- 8.8 We also undertook a 'Call for Sites' exercise which invited landowners, developers and other businesses to put forward suggestions for new development areas. The suggestions put forward have informed the preparation of the Core Strategy, this is explained in more detail in Technical Paper 7 – "Spatial Strategy".

9. Progress between May 2009 and May 2010

9.1 In the period of time between the public consultation events of Spring 2009 and the time of writing officers of the Council have undertaken a lengthy process of analysing public responses, continuing to liaise with key partners, further evidence gathering, consultation with District Councillors and updating to reflect new strategies and changes in national and regional planning policy to prepare the Core Strategy proposed submission draft.

9.2 The following passage highlights some of the key milestones in getting the Core Strategy ready for publication.

May to August 2009 - Consideration of consultation responses

9.3 Immediately following the close of public consultation on the Core Strategy Issues and Options Document on 1st May 2010, officers began to consider the various comments submitted in response. By August 2009, officers had fully scoped and understood the comments made and had prepared a first rough draft Core Strategy for discussion with our LDF Theme Groups (see Chapter 6 of this document).

7 September 2009 – Informal consultation with LDF Theme Group Partners

9.4 Having made some refinements to the first draft, on 7 September 2009, officers launched an informal 3-week consultation exercise with the Council's LDF Theme Group partners to identify any outstanding issues or make suggestions for improvement. Most partners responded with constructive advice as to how to further improve the document.

28 September 2009 – First consideration by Management Board

9.5 As the Council's Constitution requires the approval of the Cabinet to publish a draft Development Plan Document for public consultation, it was considered by the Council's Management Board on 28 September 2009 and approved for discussion to take place with Cabinet members. Cabinet members at that time were however anxious to ensure that the content of the Core Strategy had been informed by an up-to-date Regeneration Strategy and Tourism Strategy which better reflected the aspirations of the new administration which took power in the May of that year.

9.6 It was therefore agreed that the Core Strategy would need to be updated to reflect the new Regeneration and Tourism Strategies before it could be published for public consultation. Officers took the opportunity to further refine the emerging draft Core Strategy to reflect new information coming forward (including new technical studies) and further advice from key partners.

December 2009 – Informal advice from the Planning Inspectorate

9.7 In late 2009, having experienced various problems in examining Core Strategies across the country, the Planning Inspectorate ran a pilot programme offering the services of an experienced Planning Inspector to visit officers dealing with LDFs and provide general advice, mainly focussed on preparing a robust evidence base, demonstrating strategies are appropriate and deliverable and the examination process.

9.8 In December 2010, Council officers took up the Inspectorate's offer and held discussions with an experienced Inspector that had been dealing with Core Strategy examinations recently. The purpose of these discussions were not to test the Council's emerging Core Strategy but allow the Inspector to provide some helpful advice as to how the evidence

base should be organised, how the different projects of the Core Strategy could be better presented to demonstrate their soundness and how the authority ought to prepare for an examination.

- 9.9 Officers took the opportunity to undertake further fine tuning to the emerging draft Core Strategy following the Inspector's advice, including a substantial reduction in the size of the document to make it more succinct and the preparation of technical documents (such as this one) within which detail can be provided to those who may wish to read it.

3 March 2010 – Core Strategy considered by Cabinet

- 9.10 By early March 2010, the Council's Regeneration Company INTend had made sufficient progress in the preparation of the Regeneration and Tourism Strategies having held highly successful events with key stakeholders. It was clear that the emerging outputs from those strategies and the content of the emerging draft Core Strategy were consistent therefore placing the Cabinet in a better position to be able to approve the Core Strategy for consultation.
- 9.11 On 3 March 2010, the Council's Cabinet approved the draft Core Strategy for consultation firstly with the Council's Community Leadership and Partnership Committee (CL&P) before returning to Cabinet for a final decision to approve the document for public consultation.

15 April 2010 – CABE workshop on 'Planning for Places'

- 9.12 Following the publication of the Commission for Architecture and the Built Environment (CABE)'s guidance document entitled 'Planning for Places – Delivering good design through core strategies', officers of the Council were invited to attend a workshop on 15 April 2010. This workshop enabled officers to present the emerging Core Strategy to a panel of experts (planning, architecture and urban design) who would provide feedback as to whether the document reflects the spirit of the CABE guidance.
- 9.13 The panel's feedback from the panel was very positive, even suggesting that the Council had produced a Core Strategy that, with a few improvements, could be regarded as "best practice". A number of changes were suggested primarily aimed at improving the document's presentation and explaining, in more detail, how Tendring fits in with its wider context, including its relationship with Colchester. See technical paper 2 – "Structure of this document, for more details.

11 May 2010 – Formation of a new Government

- 9.14 Following the General Election, a new Coalition Government was formed. From manifesto material produced by these parties in the run up to the election, it was clear that the new Government was likely to make changes to the planning system that could affect the Tendring Core Strategy.

17 May 2010 – Core Strategy considered by CL&P Committee

- 9.15 On 17 May 2010, the Community Leadership and Partnership Committee considered the draft Core Strategy and made a number of minor suggestions for changes which were duly accepted by officers. The Core Strategy had been programmed to return to the Cabinet for final approval on 16th June.

27 May 2010 – Eric Pickles MP writes to all Local Authorities

- 9.16 On 27 May 2010, the Right Honourable Eric Pickles MP – the new Secretary of State for Communities and Local Government wrote to all chief planning officers in the country to reinforce the new Coalition Government’s commitment to abolishing Regional Strategies. This letter had fundamental implications for the preparation of LDFs (which derived their housing and job targets from Regional Spatial Strategies) and it was decided that these implications needed to be fully understood and reflected in the Core Strategy before it could be approved by the Cabinet for public consultation.
- 9.17 The next Chapter explains in more detail what affect the abolition of Regional Plans and other Government proposals had on the content of the Tendring Core Strategy, and the consequential delay to bringing the document forward, by affording Cabinet Members and officers to reappraise and shape the Core Strategy to better reflect the new localism agenda.

10. A New Government, a New System

- 10.1 Since 11 May 2010, the new Coalition has introduced a number of changes to the way that Local Authorities are expected to deal with planning issues and the first change came about almost straight away with the announcement to revoke Regional Spatial Strategies.

Revoking Regional Spatial Strategies

- 10.2 On 27 May 2010, the Right Honourable Eric Pickles MP – Secretary of State for Communities and Local Government wrote to all chief planning officers in the country regarding the new Coalition Government's position on the abolition of regional strategies. The letter read as follows:

“I am writing to you today to highlight our commitment in the coalition agreements where we very clearly set out our intention to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Consequently, decisions on housing supply (including the provision of traveller sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

I will make a formal announcement on this matter soon. However, I expect Local Planning Authorities and the Planning Inspectorate to have regard to this letter as a material planning consideration in any decisions they are currently taking.”

- 10.3 This letter had profound implications for Local Planning Authorities across the country, particularly where there are emerging development plans or current planning applications that relate to the requirements of Regional Spatial Strategies (RSS). For Tendring, the RSS affectively comprised:

- The East of England Plan (adopted May 2008);
- East of England Single Issue Review on Gypsy and Traveller Accommodation (adopted in July 2009); and
- Revised draft East of England Plan (2031) (approved as a draft in May 2010)

- 10.4 Up until the date of this letter, the preparation of the Core Strategy had taken place in full accordance with these documents along with their targets for homes, jobs and gypsy pitches. Rather than publish the version of the Core Strategy considered by the Community Leadership and Partnership Committee on 17th May 2010 and run the risk of it being considered unsound and based on targets that had been abolished, we decided that we needed to reconsider a number of issues mainly relating to the job creation target, housing target and gypsy and traveller policies. Regional Spatial Strategies were formally revoked on 6th July 2010.

- 10.5 In response to the removal of Regional Spatial Strategies, officers have recommended the following significant changes to the Core Strategy:
- The LDF plan period is altered from a 15-year period (2011-2026) to a 20-year period (2011-2031);
 - The housing target is altered from 6,550 over 15 years (average 437 dwellings per annum) to 6,300 over 20 years (average 315 dwellings per annum);

- The gypsy and traveller requirement for 25 pitches up to 2021 is amended to just 8 pitches.
- 10.6 The main reason for the change of plan period from 15 to 20 years reflects our concerns about the current weak state of the economy and an anticipation that it could be a number of years before it recovers to the extent for major housing and commercial developments to be viable and therefore deliverable. A 20 year period provides more flexibility to ensure the full package of development proposals, particularly major housing growth in Clacton and the expansion of the port in Harwich, can be delivered within that period.
- 10.7 Changes to the housing figures are explained in more detail in Technical Paper 7 – “Spatial Strategy” and changes to the gypsy and traveller pitch requirements are explained in Technical Paper 8 – “Core Policies”.

Garden Grabbing and Housing Density

- 10.8 On 9th June 2010, the Coalition Government reissued the Planning Policy Statement on Housing (PPS3) with some revisions relating to the status of private residential gardens and housing density requirements. These changes in policy were well publicised through the media, at the time, as the Government’s attempt to tackle the issue of ‘garden grabbing’ which has caused much public concern throughout the country.
- 10.9 PPS3 was re-issued with two fundamental alterations:
- the definition of previously developed land in Annex B now excludes private residential gardens; and
 - the national indicative minimum density of 30 dwellings per hectare is deleted from paragraph 47.
- 10.10 Decisions on appropriate dwelling densities have now been devolved to local authorities and we have included an new Core Policy in Chapter 8 of the Core Strategy to cover this issue.

Localism

- 10.11 The removal of Regional Spatial Strategies is one element of the new Government’s drive to promote local decision making and effective community involvement. Various announcements are expected in the coming months along with the introduction of a new ‘Localism Bill’ which will have fundamental implications for the planning system.
- 10.12 In undertaking formal public consultation in line with Reg 27 (see Chapter 11 below) we are looking to embrace the concept of localism by concentration exhibition events on the areas affected by future growth and inviting constructive contributions from members of the public and community representatives to help shape the Core Strategy.

11. Consideration by the Cabinet September 2010

- 11.1 Having updated the Core Strategy to reflect the objectives of the new Regeneration and Tourism Strategies, the advice of CABE and changes introduced by the new Coalition Government along with other minor technical and consequential alterations (including the introduction of new Development Policies on 'Aspirational Housing' and 'Institutional Care', it returned to the Cabinet on 29 September for a decision to publish for consultation (in accordance with the Council's constitution).
- 11.2 The document was duly approved as a draft for public consultation.

12. Public Consultation on ‘Proposed Submission Draft’ (Reg 27)

12.1 This is the formal consultation that, in October 2010, the Core Strategy is the subject of. This technical paper will be updated following the consultation events to highlight the main outputs.

12.2 When making formal comments in response to the proposed submission draft, respondents will be encouraged to do so with the ‘tests of soundness’ in mind. To be considered ‘sound’ the content of the LDF Core Strategy must be shown to be “justified”, “effective” and “consistent with national policy”.

- **“Justified”** means the document must be based on a robust and credible evidence base (which includes technical research and public participation) and must be the most appropriate strategy for the area when considered against reasonable alternatives.
- **“Effective”** means the document must be deliverable, flexible and able to be monitored i.e. the policies and proposals contained within it must be realistic and able to happen in reality, cope with changing local and global circumstances and able to be monitored to identify things that are working well and things that need to be changed for the future.
- **“Consistent with National Policy”** means that the document must not conflict with any planning policies set out at the national level.

13. Necessary Assessments

- 13.1 To be considered sound, there are a number of regulatory requirements that the Core Strategy is subject to including Sustainability Appraisal, Strategy Environmental Assessment, Appropriate Assessment and Equality Impact Assessment.

Sustainability Appraisal

- 13.2 In parallel with the Core Strategy, a Sustainability Appraisal (SA) has been prepared. The SA helps to ensure that plans contribute to sustainable development by asking the question 'how sustainable is the plan' throughout the plan preparation process. The SA Scoping Report appraised the sustainability of each option for growth suggested in the Discussion Document on Issues and Possible Options and was thereafter updated to assess the Core Strategy Proposed Submission Draft.
- 13.3 The first stage of SA involved the preparation of a 'Scoping Report', which included the Habitat Regulations screening opinion (see 'Appropriate Assessment' below). The SA Scoping Report was the subject of consultation alongside the 'Discussion Document on Issues and Possible Options' in March 2009 and the full report is the subject of consultation alongside the Core Strategy Proposed Submission Draft.
- 13.4 We believe that the Sustainability Appraisal demonstrates that the Core Strategy, on the whole, includes the best options for achieving sustainable development. This document is available to view on the Council's website www.tendringdc.gov.uk

Strategic Environmental Assessment

- 13.5 Strategic Environmental Assessment (SEA) is required to assess the environmental effects of policies and proposals in Local Development Frameworks. The SEA process is very similar to that for SA and so the requirements of the SEA Directive will be incorporated into the SA.

Appropriate Assessment

- 13.6 An 'Appropriate Assessment' is a requirement from the European Habitats Directive and for Tendring is required to consider the impact of the policies and proposals in Local Development Frameworks on our three sites of international importance for wildlife – Hamford Water, the Colne Estuary and the Stour Estuary. The Sustainability Appraisal Scoping Report identified the need for an appropriate Assessment.
- 13.7 Appropriate Assessment was carried out on the Council's Local Plan (see Chapter 3 above) and is being undertaken, by specialist consultants, for the Core Strategy. It is not anticipated that the Appropriate Assessment will highlight any major problems in the Core Strategy and will be made available for consultation with key stakeholders including the Environment Agency and Natural England before the final Core Strategy 'submission draft' is prepared. If the Appropriate Assessment does require changes to the Core Strategy, a further consultation exercise on those changes will be carried out.

Equality Impact Assessment

- 13.8 An Equality Impact Assessment is required to ensure that the likely impacts of plans on different groups in society have been carefully considered and that certain groups are not being discriminated against. An Equality Impact Assessment has been carried out and the outcomes are contained in the SA report.

14. Core Strategy Timetable

- 14.1 As highlighted in the chapters of this technical document, the Core Strategy has already been through one stage of consultation:

**Evidence Gathering for the Tending LDF
Core Strategy Discussion Document - Issues and Possible Options Consultation
(Regulation 25)
Undertaken 23rd March to 30th May 2009**

This was the first stage of the process where the Council produced a discussion document and held a series of exhibitions and workshops throughout the district to gauge the views of local residents and other stakeholders on a series of issues and different suggestions for distributing growth around the district. The comments received and the views expressed during that period have heavily influenced the content of this document.

- 14.2 In the coming months, it is our intention to progress the Core Strategy through the following necessary stages:

**Core Strategy and Development Policies – Proposed Submission Document (Regulation 27)
21st October 2010 – 6th December 2010**

Taking the comments received in response to this Issues and Options Consultation Document into account, the Council has prepared the Core Strategy and Development Policies Document for formal public consultation. This document contains the Council's spatial strategy for development up to 2031 along with a set of planning policies. Stakeholders will be expected to comment on whether, in their view, the document is 'sound'. Where stakeholders do not consider the document to be sound they should outline what changes are required to make it sound prior to its submission to the Secretary of State. This should be the last opportunity for people to comment prior to formal examination.

**Further Consultation on Major Changes (Optional)
Early 2011**

Taking into account the Regulation 27 consultation responses the Council will finalise the Core Strategy and Development Policies Document incorporating any changes as deemed necessary to make it sound. If any major changes are required, the Council may hold a further round of public consultation to allow people to comment on those changes.

**Submission
Early 2011**

The Council will formally submit the document to the Secretary of State. At this point, the process of 'examination' begins.

**Independent Examination
Spring/Summer 2011**

The Secretary of State will appoint an independent planning inspector to oversee a series of debates involving different stakeholders and covering issues of particular relevance or contention. The Inspector will decide who to invite to the examination and what issues to discuss. The Inspector will want to be satisfied (or convinced otherwise) that the Council's Core Strategy and Development Policies Document is 'sound' i.e. justified by robust evidence, effective in delivering the desired outcomes and in accordance with national planning policy.

**Adoption of the document
Autumn 2011**

Following the Independent Examination, the Inspector will produce a binding report containing decisions as to whether the Core Strategy and Development Policies Document is judged to be 'sound'. After taking on any changes required by the Inspector, the Council adopt the Core Strategy and Development Policies Document which will then become a statutory document.