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Tendring District Council

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AGENDA

# PLANNING POLICY AND LOCAL PLAN COMMITTEE

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| **DATE:** | **Tuesday, 17 November 2026** |
| **TIME:** | **6.00 pm** |
| **VENUE:** | **Town Hall, Station Road, Clacton-on-Sea, CO15 1SE** |

**MEMBERSHIP:**

**Councillor Guglielmi (Chairman)**
**Councillor M Cossens (Vice-Chairman)**
**Councillor Bush**
**Councillor Chapman BEM**
**Councillor Everett**
**Councillor Newton**
**Councillor Scott**
**Councillor M Stephenson**
**Councillor White**

Chief Executive
**Ian Davidson**

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DATE OF PUBLICATION: Monday, 9 November 2026

**AGENDA**

**6 Report of the Corporate Director (Planning & Community) - A.1 - Tendring District Local Plan Review: Final Submission to the Secretary of State following Regulation 19 Consultation (Pages 5 - 94)**

Working links to background papers documents.

**Date of the Next Scheduled Meeting**

*The next scheduled meeting of the Planning Policy and Local Plan Committee is to be held in the  at Time Not Specified on Date Not Specified.*

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**PLANNING POLICY AND LOCAL PLAN COMMITTEE**

**17 NOVEMBER 2026**

**REPORT OF THE CORPORATE DIRECTOR (PLANNING AND COMMUNITY)**

**A.1 TENDRING DISTRICT LOCAL PLAN REVIEW: FINAL SUBMISSION TO THE SECRETARY OF STATE FOLLOWING REGULATION 19 CONSULTATION**

(Report prepared by Paul Woods and Gary Guiver)

## PART 1 – KEY INFORMATION

### PURPOSE OF THE REPORT

To report to the Planning Policy and Local Plan Committee the outcome of the final public consultation on the Local Plan: Regulation 19 Submission Version carried out in September and October 2026, including an overview of the level and nature of representations received from residents and other stakeholders, and the main issues and matters raised. To then seek the Committee's agreement to recommend to Full Council that the Local Plan be formally submitted to the Secretary of State to begin the next stage of the statutory plan-making process – the independent examination to be carried out by a Government-appointed Planning Inspector.

By summarising the principal issues raised through the Regulation 19 consultation ahead of submission to the Secretary of State, this report gives Councillors an early indication of the matters that are likely to form the focus of discussion during the examination and the key areas where objections have been made to the legal compliance and soundness of the Local Plan. Having considered the representations received, Officers remain of the view that the Local Plan is legally compliant and sound and should proceed to submission. Officers will continue to provide a robust evidence-based justification for the Plan's policies and proposals throughout the examination process. However, Members should not that, as part of the independent examination, the Planning Inspector may identify matters requiring modifications before the Local Plan can be adopted.

### EXECUTIVE SUMMARY

**Background**

The preparation and review of the Local Plan is both a legal duty for the Council and one of its corporate priorities. As the blueprint for future growth and the rulebook of policies that will apply in the determination of planning applications, planning appeals and some enforcement cases, the Local Plan will guide the direction of growth and the shape of the Tendring area not just in the coming years to address immediate pressures, but for the longer term over future decades and generations to come. With Local Government Reorganisation back on the agenda following the most recent announcement by the Government, this could well be the last Local Plan prepared by Tendring District Council before the establishment of a new unitary authority, now expected in 2029.

This Council like many others across the country has had to review its Local Plan under extremely challenging circumstances against the backdrop of ambitious government-imposed mandatory housebuilding targets that require Tendring to plan for 1,069 homes a year – nearly double the amount of housing required under its previous Plan. The Council has also been working to an extremely tight programme, aiming submit its new Local Plan to the Secretary of State before the end of 2026 to avoid having to start the whole process from the beginning under a new system, which would have significant negative consequences for Tendring and the Council's ability to control the quality and pattern of development.

The Government has recently extended the cut-off deadline by three-months to the end of March 2027, but this Council is still set to achieve the original plan of submitting the Local Plan to the Secretary of State by the end of this year having successfully completed all three necessary rounds of formal public consultation; on Issues and Options in 2025, the Regulation 18 Preferred Options Draft in February/March 2026 and the recent Regulation 19 Submission Version in September/October 2026. It now falls to the Council to confirm that it wishes to formally submit the Local Plan and other relevant documentation to the Secretary of State who will then appoint a Planning Inspector to carry out an independent examination of the Plan to determine its legal compliance and soundness. Only once the Local Plan is confirmed legally compliant and sound by a Planning Inspector can it be lawfully adopted by the Council.

Before the Council makes its final decision to submit the Local Plan to the Secretary of State, it must consider and note the outcome of the recent Regulation 19 consultation and the representations received from residents and other stakeholders. Although the Council cannot make any further changes to the Local Plan at this stage, Councillors need to be aware that the representations will be considered by the Planning Inspector who will be guided by their content in determining which main matters and issues to focus on as part of the examination. As part of the submission process, full copies of all Regulation 19 representations will be published on the Council's website and submitted to the Secretary of State and the Planning Inspector for consideration as part of the examination.

**Response to the Regulation 19 consultation**

This report provides an overview of the level and nature of the Regulation 19 consultation responses; the main matters and issues raised in those representations; and any notable similarities or differences from the responses received to the earlier version of the Local Plan at Regulation 18 stage. Having analysed the representations, Officers are satisfied that they do not raise any new or unexpected matters or concerns that cannot be rebutted or resolved or that would otherwise lead Officers to advise the Council against submitting the Local Plan to the Secretary of State. It remains Officers' view that the Council has done the best job it can, under very challenging circumstances, to produce a legally compliant and sound Local Plan and that this Plan should now proceed to examination, to be tested and scrutinised by the Planning Inspector as part of the statutory process.

The consultation on the Regulation 19 Submission Version of the Local Plan attracted representations from approximately 320 individuals and organisations, generating around 1,400 comments in total across the Plan's many policies and proposals. This is lower than the response to the Regulation 18

Preferred Options consultation earlier this year, which received representations from 628 respondents raising approximately 2,200 comments, although such a reduction is not unexpected. This reduction results mainly from the Council's decision to delete two of the most objected-to developments at Brightlingsea and Walton, which together accounted for more than a third of all responses received during the previous consultation.

Officers also believe that the lower level of response to the latest round of consultation reflects the more technical stage of the process which is less about people telling the Council what they think about the policies and proposals in the Local Plan (to persuade the Council to make changes), and more about giving specific reasons why they do not meet the specific tests of legal compliance and soundness set out in legislation and national planning policy (to persuade the Planning Inspector to either reject the Plan or require modifications).

A lower level of objection at this stage does not necessarily mean that the Local Plan is more likely to find favour with the Planning Inspector at the examination, but it does provide a good indication of which policies and proposals are likely to be the focus of the greatest level of scrutiny.

Response from residents and communities

At the previous Regulation 18 consultation stage, the majority of comments and objections from residents and communities related to the Local Plan's proposals for housing and mixed-use development, raising a variety of serious and understandable concerns about the impact of additional development; both generally across the District and in respect of certain site or location-specific proposals. Despite there being fewer objections to the revised version of the Local Plan at Regulation 19 stage, the main concerns raised by residents and communities are similar to those raised previously and generally continue to relate to matters such as:

- the capacity of highways and transport infrastructure, and traffic congestion;
- pressure on health services, schools and other community infrastructure;
- wastewater, drainage, flooding and water supply infrastructure;
- the loss of agricultural land, countryside and greenfield sites;
- impacts on landscape character, the natural environment and biodiversity;
- the effect of development on the character and identity of existing settlements;
- the scale, distribution and concentration of growth in particular locations;
- the deliverability of infrastructure alongside new development;
- the cumulative impact of development, when considered alongside existing commitments and permissions; and
- concerns regarding the suitability and sustainability of particular site allocations.

This should come as no surprise because, as stated in previous reports to the Committee, many of these concerns are already acknowledged and indeed shared by Councillors and Officers; reflecting a number of the reasons why the Council has consistently objected to the Government's approach of imposing seemingly unrealistic top-down mandatory housebuilding targets on locations like Tendring

without taking into account the sensitivity, fragility and limitations of local geography, economics, infrastructure and the natural environment.

Whilst many representations focus on broad concerns about infrastructure capacity, environmental impacts and the overall scale of growth proposed across the District, a significant proportion also relate to a relatively small number of site-specific allocations, particularly those involving greenfield land, changes to existing planning designations or development proposals affecting the character and identify of individual communities.

A notable feature of the Regulation 19 consultation has been the extent to which objections have focussed on a relatively small number of allocations in particular locations, especially Brightlingsea, Bradfield, Kirby Cross and Frinton, often raising concerns about the cumulative impact of growth on local infrastructure, services, landscape character and settlement identify. Following the Council's decision to delete the contentious Brightlingsea and Walton sites from the Local Plan, the most notable 'objected-to' location/site-specific proposals from the Regulation 19 representations are now:

1) **SAH2: Development north of Thorpe Road, Kirby Cross** – approximately 45 representations objecting to the proposed 450-home development on greenfield land north of Kirby Cross. The principal concerns relate to traffic impacts on the local road network, pressure on GP surgeries, schools and other services, loss of agricultural land and countryside, concerns about the erosion of the separation between neighbouring settlements, impacts on protected trees, wildlife and habitats, and questions around drainage, wastewater infrastructure and the cumulative impact of growth in the wider Frinton, Walton and Kirby Cross area. It should be noted however that Taylor Wimpey has also been consulting residents on proposals to submit a planning application including up to 500 homes at this site, suggesting such an application could be submitted as early as December this year.

2) **MSA34: Vicarage Field, Church Road, Brightlingsea** – despite the Council introducing this relatively modest proposal for 25 homes in Brightlingsea into the Local Plan as part of an alternative strategy for growth around the town to the much larger contentious (and now deleted) 300-home development east of Church Road, this much smaller proposal has still attracted around 26 representations of objection. An online petition objecting to the site, signed by 770 people, was also submitted to the Council. Around 50 of those signatories identified themselves as residents of Brightlingsea, with the remainder living elsewhere in the District or, in a notable number of cases, elsewhere in the UK or overseas.

   Concerns include the site's introduction at Regulation 19 stage, the proposed amendment to the Coastal Protection Belt, potential impacts on the setting of Greythorpe Farm and other heritage assets, the loss of greenfield land and wildlife habitat, and references to previous planning decisions relating to the site. It should however be noted that Trinity College, owners of the larger deleted site (and a far wider area of land both sides of Church Road) have submitted very detailed representations arguing strongly for the Inspector to include their land in the Local Plan despite the local levels of objection.

3) **MSA6: Pannell Place, Brightlingsea** – around 22 representations objecting to this allocation, which was increased from the 10 homes in the Preferred Options version of the Local Plan to 20 homes as part of the revised strategy for accommodating growth in Brightlingsea following the deletion of the larger Church Road allocation. Objections raise concerns regarding the cumulative impact of development on the town, pressure on infrastructure and services, traffic generation, loss of greenfield land, impacts on wildlife and biodiversity, drainage and flooding issues, and the effect of further development on the character of the area.

4) **MSA35: Robinson Road, Brightlingsea** – also attracting around 22 objections, this allocation was introduced as part of the same revised strategy for accommodating growth in Brightlingsea. Common concerns include traffic and highway impacts, pressure on local infrastructure, loss of countryside and open space, impacts on wildlife and biodiversity, drainage issues, and the cumulative effect of further housing development around the town. Together with the objections to Vicarage Field and Pannell Place, these representations demonstrate continuing local concern regarding both the scale and distribution of growth proposed around Brightlingsea despite the deletion of the larger Church Road allocation.

5) **MSA2: Land adjacent to Branscombe Close, Frinton** – approximately 17 objections to the proposal for 40 homes, with residents raising concerns about the suitability of accessing the site via the existing residential cul-de-sac at Branscombe Close, the impact on traffic congestion around Wittonwood Road, the railway crossing and nearby schools, pressure on local infrastructure, the loss of greenfield land, and potential impacts on protected trees, wildlife, drainage and flood risk.

6) **MSA28: Land north of Rectory Road, Wrabness** – about 14 objections to the proposal for 30 homes at the small rural settlement of Wrabness, with residents arguing that a development of this scale would be disproportionate to the size of the settlement. Concerns also relate to the limited range of services and facilities available locally, reliance on private car travel, impacts on village character, and pressure on drainage and other infrastructure.

7) **MSA8: Land adjacent Village Hall, Harwich Road, Beaumont** – although this proposal has been reduced from an estimated 20 homes to 12 homes following the previous consultation, this development has still attracted about 14 objections. Concerns primarily relate to highway safety, the limited range of local services and facilities, the absence of mains sewerage, drainage and flooding issues, the sustainability of additional growth in the village and potential impacts on wildlife and the countryside.

8) **MSA9: Land west of Windmill Road, Bradfield** – around 14 objections to this proposal which, in the Submission Version of the Local Plan, now forms part of a revised strategy for accommodating growth in Bradfield. The previous Preferred Options version of the Local Plan proposed a single larger allocation of around 100 homes on land south of

Windmill Road and east of Straight Road. Following consultation, the Council amended its approach, reducing the scale of development at this location and distributing growth between three smaller allocations intended to reflect more closely the character and form of the village. Nevertheless, residents continue to raise concerns regarding the suitability of accommodating further growth in a rural village environment, impacts on landscape character and settlement identity, traffic and highway safety issues, pressure on local infrastructure and services, and the cumulative impact of development when considered alongside other proposed growth and major infrastructure projects affecting this part of the District.

9) **MSA36: Land North of Wix Road, Bradfield** – approximately 11 objections focused on the impact of development on the rural character of the village, the loss of agricultural land and countryside, traffic generation, pressure on local infrastructure and services, and concerns regarding the scale of growth proposed in relation to the size of the settlement. A number of representations question whether additional development in this location is consistent with the character of Bradfield and raise concerns regarding cumulative impacts when considered alongside the other allocations proposed around the village.

**10)** **MSA37: Land East of the Street, Bradfield** - approximately 11 objections raising concerns regarding the loss of open land, impacts on village character, highway safety, drainage and infrastructure capacity, and the cumulative impact of development on the Bradfield area. Whilst the overall number of homes proposed in Bradfield is lower now than it was in the Preferred Options draft of the Local Plan, a number of objectors argue that the combined effect of the three allocations would still represent a significant level of growth for the village and could alter its rural character and identity.

11) **SAMU9: Horsley Cross Garden Village** – approximately 11 representations of objection (including objections from affected and surrounding Parish Councils) to the proposed broad location for a further potential long-term settlement of up to 6,000 homes. Concerns focus on the scale of growth proposed in a rural location, the loss of agricultural land, impacts on landscape character and existing communities, traffic and transport implications, pressure on services and infrastructure, questions around deliverability and viability, and the cumulative effect of other major development and infrastructure proposals affecting this part of the District.

12) **SAMU8: Hare Green Garden Village** – around 10 representations of objection (including objections from affected and surrounding Parish Councils) to the proposed broad location for a potential long-term new settlement of around 4,500 homes. Common concerns include the scale of development proposed, the loss of agricultural land, impacts on rural character and the identity of nearby villages, traffic impacts on surrounding communities and the ability of supporting infrastructure to be delivered early in order to minimise the impact on existing services and facilities.

Another matter of community interest worth highlighting is the very strong level of local support, demonstrated by a 2,600-name petition, for the Council's decision to designate land at Lawford Tye as safeguarded open space in recognition of its local community value and to not allocate that area for development. As with the Brightlingsea petition referred to above, signatories were not exclusively local residents, but a substantial number (around 500) are from the Manningtree, Lawford and Mistley area, which demonstrates the strength of feeling locally regarding the protection of this site. The petition was submitted in the context of a current but yet to be determined speculative planning application for 95 homes - an application that is likely to be determined by the Council one way or another by the time the Local Plan is examined.

Response from Town and Parish Councils

As well as a representation from the Tendring District Association of Local Councils (TDALC), which represents Town and Parish Councils across the District, 12 of Tendring's 27 Town and Parish Councils have made individual representations on the Submission Version of the Local Plan, many of which reiterate similar concerns to those raised at previous stages of consultation regarding the overall level of growth proposed for the District, the cumulative impacts of development on infrastructure and services, and the effect of development on the character and environment of local communities. Recurring themes include highways, healthcare, drainage and wastewater infrastructure, the loss of agricultural land and the cumulative impacts of development alongside Nationally Significant Infrastructure Projects (NSIPs). Many of the issues raised by Town and Parish Councils reflect the District Council's own concerns about the level of growth being forced on Tendring through the Government's mandatory housebuilding targets.

Whilst there remain some understandable concerns, particularly in those Parishes affected by some of the largest development proposals, Officers believe that the proactive engagement of Town and Parish Councils in the Local Plan review process has helped improve and strengthen the policies and proposals in the Local Plan and improve public understanding of the plan-making process. Whilst many councils continue to express concerns about the scale and impacts of growth proposed in their areas, several representations recognise the challenges faced by the District Council in planning positively for growth and meeting Government housing requirements. Officers hope that, through the examination process, Town and Parish Councils will continue to engage constructively in support of a Local Plan which seeks to balance the need for new homes with the protection of local communities, infrastructure and the environment, particularly in the face of some strong and detailed objections from certain landowners, developers and planning agents arguing for even higher levels of housing development within many of our communities.

Response from technical stakeholders

It is often the comments from technical stakeholders such as government departments, utility providers and partner authorities that reveal potential weaknesses in the technical soundness of Local Plans. The Council has generally therefore followed the advice of those bodies in both carrying out additional work to the evidence base and making revisions to the Local Plan between the

Preferred Options Draft and the Submission Version, with an expectation that most, if not all concerns could be addressed ahead of the examination.

Regulation 19 representations have been received from Natural England, Historic England, Homes England, Sports England, the Environment Agency, National Highways, the Marine Management Organisation, the Ministry of Defence, NHS Essex Integrated Care Board, NHS Property Services, Essex County Council, the Environment Agency, the NHS and public health partners, Essex County Council, Suffolk County Council, Colchester City Council, East Suffolk Council, Essex Wildlife Trust, Anglian Water, Affinity Water, National Grid, Essex Police, Essex Bridleways Association, Theatres Trust , The Woodland Trust, and the National Landscapes Office; and Officers are pleased to report that their representations remain generally supportive of the Local Plan and are constructive in nature. However, some still identify areas where further improvements are sought, either to policies in the Local Plan itself or the evidence base accompanying the Plan in order to address some outstanding legal compliance or soundness concerns.

Officers are satisfied that the majority of these outstanding issues and suggestions are minor and constructive in nature and should be relatively straightforward to resolve, potentially through the preparation and agreement of Statements of Common Ground; although the representations from National Highways and the Essex Wildlife Trust might require further discussion and work in the run up to the examination. National Highways are still reserving judgement over whether the strategic road network can accommodate the growth proposed despite them being involved in all the transport modelling for the Local Plan to date and Essex County Council as local highway authority being supportive; and the Essex Wildlife Trust is still challenging the robustness of the Habitats Regulations Assessment, despite the Council's consultants carrying out further work and Natural England raising no such concerns in its role as a statutory body.

Officers are confident that a resolution will be found through continued positive engagement with National Highways and the Essex Wildlife Trust and will endeavour to try and reach a position by which both bodies are able to support the Council by the time that examination hearings take place. Overall however, Officers consider the representations from technical stakeholders to be reassuring, supportive, positive and constructive and this ought to put the Council in a strong position to defend the legal compliance and soundness of the Local Plan at the examination, particularly in the face of opposition from certain landowners, developers and planning agents.

<u>Representations from Landowners, Developers, Businesses and Agents</u>

Regulation 19 representations from landowners, developers, businesses and land/planning agents tend to range from being supportive or constructively critical to being outrightly strong, verging on aggressive, in their objection – particularly in respect of decisions made in relation to the spatial strategy and site allocations or the viability or practicability of certain planning policies containing expectations for new development. For promoters of land or sites that have been omitted from the Local Plan as development allocations, their aim is to persuade the Planning Inspector, notwithstanding the concerns of residents and communities, that the Local Plan fails either the tests of legal compliance or soundness without the inclusion of their site(s).

With a strong financial interest in the outcome of the Local Plan review, it is often these site promoters that will invest most heavily in professional consultants, technical studies and legal representation to articulate their objections to the Local Plan and this is already evident in some of the very detailed representations that have been submitted at Regulation 19 stage. Some of the notable issues raised by landowners, developers, businesses and agents in their latest objections continue to include:

- arguments that the Local Plan does not include enough headroom/contingency over and above the government housebuilding requirement (particularly following the deletion of sites at Brightlingsea, Walton, Thorpe and elsewhere) and therefore additional sites, not fewer sites, should be included in the Plan for housing to make it sound;

- suggestions that the Council is still placing too much reliance on the proposed Garden Villages to contribute to the delivery of future housing requirement in the long term, for which due to their scale and complexity, deliverability is ambitious and uncertain – and therefore arguing that other additional smaller sites around towns and villages, more likely to deliver housing more quickly and easily, should be included in the Local Plan for development;

- objections either to the Strategic Green Gap policy overall, or the inclusion of certain areas of land in those green gaps – with the suggestion that the Council's approach to protecting these areas from development is not justified or in alignment with government policy and is preventing sites in more sustainable locations than the Garden Villages from coming forward for housing development;

- objections to the choice of sites selected for development in particular areas, arguing that the choices are not justified and that alternative sites should be included in the Local Plan either instead of, or in addition to, those currently allocated;

- objections to the protection from additional housing development being given to Elmstead Market and Ardleigh notwithstanding their proximity to the Tendring Colchester Borders Garden Community and the policies in their up to date Neighbourhood Plans, on the basis that those villages could offer sustainable locations for additional development, akin to other villages where development is being proposed; and

- objections to the policies for 20% Biodiversity Net Gain, energy efficiency/net zero and water efficiency as being economically unviable when considered alongside other requirements such as affordable housing and s106 infrastructure contributions.

Among the Regulation 19 representations from landowners, developers and planning agents, some are in support of the sites allocated in the Local Plan for development and Officers are hopeful this will demonstrate to the Inspector the soundness of the Plan and there being a reasonable prospect of deliverability across its various proposals with a willingness from landowners and the development industry to invest in bringing those developments forward.

There are however also a significant number of alternative 'omission sites' being promoted by landowners, developers and planning agents through their objections seeking to persuade the Planning Inspector that the Local Plan is unsound without their inclusion; arguing contrary to local resident and community views that more, not fewer, sites need to be allocated for development. Officers will look to rebut these arguments as strongly as possible through the examination process, but Councillors and residents should be aware that there is a risk that if the Inspector agrees with the arguments put forward by these site promoters, the Plan could be found unsound and the Council could be required to consider and accept the inclusion of additional sites.

As well as making representations on the Local Plan, some site promotes have also either already submitted early planning applications for development on their sites or are likely intending to do so in the coming months. There is a possibility therefore that some of their Local Plan objections will be rehearsed in the determination of those planning applications or through a planning appeal, potentially before the Local Plan reaches examination hearings or even while the hearings are ongoing.

Some of the notable areas being targeted by the promoters of some significate omission site proposals include around Clacton, Thorpe le Soken, Great Bentley, Brightlingsea, Elmstead Market, St. Osyth and Bromley Cross, but with many other locations also affected by one or more proposals. – locations where significant (and not necessarily popular) growth is already proposed in the Local Plan, but where certain developers, landowners and planning agents are nevertheless pushing for more. There are also third-party proposals for the expansion of the broad locations for both the Hare Green and Horsley Cross Garden Villages onto land beyond the currently defined broad locations with suggestions that the additional land could assist in bringing development forward early.

Because Officers anticipate a very strong challenge from landowners, developers and planning agents to the spatial strategy, housing delivery expectations and site selection at the examination, a series of 'Topic Papers' are being prepared in readiness for submission to the Secretary of State alongside the Local Plan. These papers will draw upon the technical evidence-base and the decisions taken by the Planning Policy and Local Plan Committee over the last three years to articulate to the Inspector the story of how the Local Plan has been developed and set out a detailed explanation for why the Plan is believed to be sound in respect of strategy and site selection. Officers will be able to refer to the Topic Papers in defending the Council's position at the examination.

<u>Representations on the Sustainability Appraisal and Habitats Regulations Assessment</u>

Although the majority of the representations received in response to the Regulation 19 consultation focus on the policies and proposals in the Submission Version of the Local Plan, the accompanying Sustainability Appraisal and Habitats Regulations Assessment were also the subject of consultation; and the Inspector's judgement on the legal compliance and soundness of the Local Plan must have regard to the robustness of those assessments and any comments raised in respect of that.

A number of respondents have commented specifically on the Sustainability Appraisal and Habitats Regulations Assessment, although many of these comments overlap with wider objections to the

spatial strategy, site selection process and development policies that are summarised elsewhere in this report. The principal issues raised include whether a sufficient range of reasonable alternatives has been assessed whether the methodology and assumptions applied in the Sustainability Appraisal are appropriately robust, and whether the conclusions reached in relation to particular sites and policies are justified by the available evidence.

In relation to the Habitats Regulations Assessment, the most detailed objections continue to come from the Essex Wildlife Trust, which maintains concerns regarding the assessment of effects on designated habitats and species despite further work having been undertaken by the Council's consultants since earlier stages of plan preparation. Similar concerns have been raised by some residents and community groups, particularly in relation to the assessment of protected species, wintering birds, functionally linked land and the potential effects of development on internationally designated habitats. However, Natural England, in its role as the Government's statutory adviser on nature conservation matters, has not raised equivalent concerns and remains generally supportive of the approach taken.

Whilst some landowners, developers and planning agents argue that the Sustainability Appraisal should have led to different choices in relation to growth distribution and the selection of development sites, a number of respondents also support the conclusions reached and consider the assessments to provide an appropriate justification for the Local Plan's strategy and allocations. Officers remain satisfied that the Sustainability Appraisal and Habitats Regulations Assessment have been prepared in accordance with the relevant legislative requirements and provide a robust evidential basis for the examination of the Local Plan.

**Main matters raised through the consultation**

When a Local Plan is examined by the Planning Inspector, they will identify the main matters for consideration as part of the examination, based on the requirements for legal compliance and the key tests of soundness set out in national policy, informed by the comments received in response to consultation on the final submission version of the Local Plan. When the Local Plan is submitted to the Secretary of State, the Council is required to also submit a statement that, amongst other things, sets out the main issues raised in representations received at both the Regulation 18 and Regulation 19 stage of consultation along with full copies of all of the representations received at Regulation 19 stage. From Officers' initial analysis of the Regulation 19 representations, the main matters appear to include the following:

1) **The overall justification and soundness of the Local Plan's spatial strategy** when considered against other reasonable alternatives – in particular the rationale for establishing major new Garden Villages at Hare Green and Horsley Cross in favour of options that might involve having more of Tendring's growth requirement focussed on alternative sites around existing towns and other villages (noting in particular some significant 'omission site' proposals for housing and mixed-use development around Clacton, Thorpe le Soken, Great Bentley, Brightlingsea, Elmstead Market, St. Osyth and Bromley Cross).

2) **The realistic deliverability and soundness of the Garden Villages** proposed for Hare Green and Horsley Cross and whether there is a reasonable prospect of them coming forward in time to contribute towards meeting the government-imposed housing requirements in the plan period up to 2043 given inherent uncertainties around planning for longer-term growth, the need for strategic infrastructure investment and the lead-in times for necessary masterplanning and decision-making processes.

3) **The realistic deliverability of the overall housebuilding requirement** up to 2043 and whether the Local Plan identifies sufficient deliverable land, with a suitable level of headroom/contingency, to meet the overall government-imposed housebuilding requirement – despite the number of issues raised about how challenging and potentially unrealistic those targets are.

4) **The level of housing growth that is appropriate and sustainable for Brightlingsea** given its unique physical, environmental and infrastructure constraints; the strong level of local objection to even the much-reduced amount of housing now proposed; and the very detailed representations from landowners Trinity College Cambridge arguing that the town actually could and should accommodate a lot more housing.

5) **The soundness of the Kirby Cross housing allocation for 450 homes** in light of issues raised in the large number of local objections, noting that Taylor Wimpey has been consulting locally on its intention to submit an early planning application for up a scheme including up to 500 homes.

6) **The sustainability of housing developments in smaller rural villages** in light of objections from residents and concerns raised about limited sewage capacity, the remoteness from jobs, shops, services and facilities and local impacts on village character – particularly for places like Little Bromley, Little Bentley, Tendring Heath, Beaumont Cum Moze and Wrabness.

7) **The justification and soundness of the District's Strategic Green Gaps** in light of objections from certain landowners and developers stating that the designation does not align with government policy and is preventing otherwise sustainable locations for housing development (for example around Clacton, Elmstead Market, Little Oakley and Mistley) being included in the Local Plan.

8) **The protection given to Ardleigh and Elmstead** over other similarly sized villages due to their up-to-date Neighbourhood Plans and proximity to the Tendring Colchester Borders Garden Community; and whether, in light of objections from developers/landowners and current planning applications, the additional protection is justified.

9) **The viability of zero carbon, water efficiency and BNG policies** in light of the concerns raised by landowners, developers and agents in their representations when considered alongside affordable housing requirements and financial contributions sought for education, health provision, police, fire and other infrastructure.

10) **The Council's approach to development outside settlement development boundaries** and whether the Local Plan is consistent or not with national planning policy in being either too restrictive or not restrictive enough.

**The process for submission**

There is a two-stage process for the submission of the Local Plan to the Secretary of State. The first stage is to submit a compliance checklist to the Planning Inspectorate who, within ten days of receipt, will aim to write back to the Council confirming whether or not the Local Plan is ready for submission. That checklist is already being prepared by Officers in readiness. The second stage is to then formally submit the following documents to the Secretary of State in accordance with Regulation 22 of the Town and Country Planning (Local Planning) Regulations 2012 (as amended):

- the Submission Version Local Plan, including all its policies and maps;
- the associated Sustainability Appraisal and Habitats Regulation Assessment;
- a statement setting out, amongst other things, details of the Regulation 18 consultation, summary of what comments were received and how they were taken into account; and details of the representations received in response to the Regulation 19 consultation and a summary of the main issues raised in those representations;
- full copies of all the representations made at Regulation 19 stage; and
- any other documents the Council believes to be relevant to the preparation of the Local Plan, for example all the evidence-base studies and assessments and any Topic Papers or Statements of Common Ground.

If Full Council approval is given for the submission of the Local Plan, Officers will look to carry out these actions as early as practical following the decision; and will aim to formally submit the Local Plan to the Secretary of State before 31 December 2026 in line with the Council's current work programme, notwithstanding the Government's recent decision to extend the deadline for submission to 31 March 2027.

Submitting the Local Plan as early as possible will give the Council the best chance of getting ahead of the queue in securing a Planning Inspector, getting hearing dates in place and having the Plan examined and adopted within the 2027/28 financial year – and well ahead of Local Government Reorganisation. Timely submission of the Local Plan will also enable some of its policies and proposals to be given more weight in the determination of planning applications and will hopefully help reduce the period of time the District might otherwise remain vulnerable to speculative planning applications for unplanned, uncoordinated and unwanted housing developments.

**RECOMMENDATION(S)**

**It is recommended that the Planning Policy and Local Plan Committee:**

a) **notes the content of this report which provides an overview of the main matters and issues raised by residents and other stakeholders in response to the recent public consultation on the Regulation 19: Tendring District Local Plan: Submission Version and the associated Sustainability Appraisal and Habitats Regulations Assessment;**

b) **notes that all of the representations will be provided to the Planning Inspector carrying out the Independent Examination of the Local Plan for their consideration in determining the legal compliance and soundness of the Plan; and**

c) **subject to the agreement of the Leader of the Council and the Portfolio Holder responsible for Planning, recommends to Full Council, having considered the matters and issues raised in the aforementioned representations, that it:**

   i. **confirms agreement for the Tendring District Local Plan – Submission Version (as was agreed by the Council on 1 September 2026 and subsequently published for consultation*) to be formally submitted to the Secretary of State for Independent Examination ideally before 31 December 2026 (and certainly no later than the Government's recently extended cut-off date of 31 March 2027) in accordance with Regulation 22 of the Town and Country Planning (Local Planning) Regulations 2012 (as amended);**

   ii. **agrees to request that the Planning Inspector appointed to carry out the Independent Examination be authorised to recommend modifications to the Tendring Local Plan as part of the Examination process, in accordance with Section 20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended), as might be required in their view to make the Local Plan sound;**

   iii. **agrees that the Corporate Director (Planning and Community) be authorised to prepare all necessary documents (as set out in this report) to support the submission of the Local Plan to the Secretary of State which will include, amongst others, the Local Plan itself, the associated Sustainability Appraisal, Habitats Regulations Assessment and other evidence-base studies and copies of all the representations received in response to the recent public consultation;**

   iv. **agrees that the Corporate Director (Planning and Community) and his team of Officers and specialist consultants be authorised to act on the Council's behalf at the Independent Examination in submitting written statements, preparing and agreeing Statements of Common Ground, making oral representations at the Hearing Sessions, and, where necessary, giving advice to the Planning Inspector on any emerging recommendations for modifications;**

v. **notes that before the Local Plan and associated documents are formally submitted to the Secretary of State, and in accordance with the Planning Inspectorate's procedural guidance, Officers will have completed and sent a 'pre-examination checklist' to the Inspectorate in anticipation of written confirmation that the Plan is considered ready for examination; and**

vi. **notes that on submission of the Local Plan to the Secretary of State, it will have progressed through another important stage of the plan-making process which allows a level of additional weight to be given to its policies in the determination of planning applications, alongside consideration of the extent of unresolved objections to relevant policies and the degree of consistency with national policy.**

* For the meeting of Full Council on 1 September 2026, all Members of the Council were provided with a hard copy of the Tendring District Local Plan: Submission Version and the associated Sustainability Appraisal and Habitats Regulations Assessment which were agreed at that meeting and subsequently published for consultation. These documents can be accessed via the Council's website from the following links:

- Tendring District Local Plan Review 2026-2043 and Beyond Submission Version September 2026

- Sustainability Appraisal and Habitats Regulations Assessment (Regulation 19)

To save paper and unnecessary cost to the taxpayer, Officers have not re-printed these documents for inclusion in the Committee or Full Council papers on the basis that they are unchanged from the versions already provided to Councillors. However a number of spare hard copies from the previous meetings have been retained by Officers and these can be provided to Members, if necessary, on request.

## PART 2 – IMPLICATIONS OF THE DECISION

| DELIVERING PRIORITIES |
| --- |
| Ensuring the District has an up-to-date Local Plan is a statutory duty and a high priority for the Council, with a requirement to review and update them every five years. The review of the Local Plan is thus identified as a Council priority within the Corporate Plan (Our Vision) 2024-2028. It is also the goal of the Government for local planning authorities to deliver sustainable development and coordinate provision of housing, jobs and infrastructure whilst best protecting and enhancing the natural and built environment.<br><br>The need to review and update the Local Plan for Tendring has become all the more important following significant changes to the National Planning Policy Framework (NPPF) made by the |

Government following the General Election in 2024 to increase housing delivery across the country through the introduction and imposition of mandatory housebuilding targets calculated using a revised standard methodology.

With the requirement for housebuilding in Tendring nearly doubling from previous levels, it is necessary to put in place an updated Local Plan that responds positively and proactively to these new targets to work towards achieving the best outcome for the District. In doing so, it avoids an extended period of time in which the area could be vulnerable to unplanned, uncoordinated and speculative housing development proposals over which the Council could have limited control – with a higher likelihood of local planning decisions being overturned on appeal. As explained later in this report, the Council has already faced a significant increase in planning applications for such proposals.

In its meetings since 20 December 2023, the Planning Policy and Local Plan Committee has already considered and agreed:

- a set of overarching guiding principles;
- the carrying out of two 'call for sites' exercises;
- a revised vision and objectives statement for consultation;
- six high-level spatial strategy options for consultation, later revised to four following the changes in government policy and the introduction of increased housebuilding targets;
- an Issues & Options Consultation Document for which public consultation was carried out in Spring 2025;
- revisions to the Local Development Scheme (LDS) setting out the overarching work programme and timetable;
- the preferred spatial strategy for growth and the specific locations and sites for housing, mixed-use development and employment land;
- the Preferred Options Draft Local Plan for which public consultation was carried out in February/March 2026;
- a report setting out the main issues and matters raised through the responses to the Preferred Options consultation;
- the revised baseline housing position at April 2026 for the purposes of the Local Plan Review going forward;
- changes to the housing and mixed-use allocations in the Draft Local Plan taking on board comments received in response to the Preferred Options consultation; and
- the revised Submission Version of the Local Plan for which public consultation was carried out in September/October 2026.

The Council has been working to ensure that the Local Plan was ready to submit to the Secretary of State before the end of 2026 which, until very recently, was a strict 'cut-off' point for Local Plans being prepared under the current plan making system. The risks and implications of missing the cut-off point are set out elsewhere in this report and have been well documented and reported throughout the Local Plan review process.

On 23 October 2026, four days after the Council completed the Regulation 19 public consultation, the Minister of State for Housing and Planning wrote to Councils informing them that the cut-off deadline would be extended by three months to 31 March 2027 for those Councils, like Tendring, that have completed their Regulation 19 consultation before 31 December 2026, allowing them more time to complete the relevant administrative and governance processes prior to formal submission. Officers' advice however is that the Council will not require the additional three-month extension and that with Full Council agreement, the Plan can still be submitted to the Secretary of State before the end of this year, as originally planned.

**RESOURCES AND RISK**

**Resourcing the plan-making process**

The overall review and update of the Local Plan has been managed by the Council's Planning Team utilising funds from the agreed Local Plan budget; however cost pressures for 2026/27 and 2027/28 have already been identified that reflect the increased costs of consultancy support and the consequences of having to condense what might usually be a four-year programme of work into two years to meet government requirements in respect of housebuilding and the (albeit recently revised) cut-off date for submitting Local Plans to the Secretary of State. Officers have worked hard, quickly and over extended hours to analyse the representations received in response to the recent consultation in order to identify the notable issues and matters set out in this report in time for necessary decisions to be taken within the tight timescales.

The examination stage of the Local Plan process introduces a new series of resource requirements and costs including the fees that have to be paid to the Planning Inspectorate for the Inspector's time and the costs for hiring the associated Programme Officer who will independently coordinate the examination process and the flow of information between the Inspector and participants in the examination. The Council may also wish to re-engage the services of its expert consultants to participate in examination hearings and/or assist in the writing of hearing statements.

Although Officers have estimated potential costs for the purpose of budgetary planning, the actual costs are going to be difficult to predict as they will be heavily dependent on when the examination hearings are scheduled to start, what main matters and issues the Inspector wishes to cover, how many days they expect the hearings to run for and how long the Inspector expects to spend writing their reports.

It is often developers, landowners and planning agents that put up a strong and well-resourced challenge to Local Plans; and Councils therefore need to be prepared to respond to that challenge by resourcing their own defence accordingly. Where appropriate, and in line with standard practice, Officers will continue to encourage those landowners, developers and agents promoting or supporting sites and proposals included in the Local Plan to carry out their own work and produce further information in support of the deliverability of their site proposals – which will support the examination process in due course.

**Risks**

In deciding whether or not to proceed to the next stage of the process to submit the Local Plan to the Secretary of State, the main risks Councillors need to be aware of are the consequences of missing the submission deadline or otherwise failing to progress the Local Plan; the risk that the examination does not, for whatever reason, deliver the outcome the Council hopes to achieve; and the potential for an escalation in costs.

Risk of delay and missing the 'cut-off' date for the current plan-making system

31 March 2027 is the recently extended cut-off point for Councils submitting Local Plans prepared under the current plan-making regulations and procedures, and which applies only to Councils, like Tendring, that have completed their Regulation 19 consultation before the end of 2026. After that cut-off date, any new Local Plans will be expected to be prepared in accordance with new procedures that require a very different standardised format of Local Plan and for which the full process would need to start from the beginning. It is very important therefore that the Council does submit its new Local Plan to the Secretary of State before 31 March 2027.

However, because the Council has been working very hard to achieve the original deadline of 31 December 2026 before it was very recently extended by three months, it has completed the necessary stages of public consultation, has analysed the Regulation 19 responses and has identified the main matters and issues in time to enable the Local Plan to still be submitted to the Secretary of State before the end of this year – as recommended.

If however either the Council decided not to submit the Local Plan to the Secretary of State at all or for whatever reason missed the extended deadline for submission, the consequence of having to switch to the new system of plan-making would be that the Council would not be able to carry forward much of the content of the existing Local Plan (which includes bespoke policies of local significance); and Tendring would be left without an up to date Plan to guide the direction of future housing, employment land and other development for a longer period, in which time the District will remain vulnerable to speculative planning applications while a new-style Local Plan is being drawn up.

The recommendations set out in this report are for the Committee to recommend to Full Council that the Local Plan is submitted to the Secretary of State before the end of 2026, well before the newly extended 31 March 2027 deadline. This will allow Officers to focus the early part of 2027 on preparing for the examination and the Council having the best chance of having the Local Plan examined and adopted at some point within the 2027/28 financial year in line with the Council's current programme.

Risk of Government intervention

The Government has powers to intervene in the Local Plan-making process if it believes a Council is failing in its legal duties to prepare a Plan and keep it up to date and it is important therefore that this Council does proceed to submit the Local Plan to the Secretary of State and avoids what has

happened to a number of Councils in recent weeks and months, including a number of fellow Councils in Essex.

For Basildon Borough Council, the Secretary of State on 21 July 2026 exercised their powers of intervention under 27 of the 2004 Planning and Compulsory Purchase Act because that Council had not managed to put an up-to-date Local Plan in place since 1998 and had consistently fallen short of its housing requirements. Concerned that Basildon had stated its opposition to the Government's standard method for calculating housing targets and progressing a Plan that would meet that housing need in full, the Council was ordered to commence consultation on the emerging plan that was in the process of being considered by its Members by and to submit that Plan to the Secretary of State – essentially forcing the Council to progress its draft Local Plan to the examination process without the endorsement of its Councillors. A similar imposition was placed upon Tonbridge and Malling District Council in Kent on 4 September 2026.

For Southend City Council, an intervention letter was sent on 4 September 2026 following a decision by the Council not to proceed to consultation on its Regulation 19 draft Local Plan as it was unlikely to receive enough support from Councillors without significant changes. Noting that the Council had not put a new Local Plan in place since 2007 and consistently under-delivered against its housing requirements, the Secretary of State requested copies of Southend's emerging Regulation 19 Local Plan and associated evidence to help them determine whether or not to intervene further and potentially force the Council to proceed to consultation and formally submit its Plan.

For Rochford Borough Council, its Members had agreed to proceed to consultation on its Regulation 19 Local Plan but on the condition that significant changes to the Plan were made to delete some of its largest housing and mixed-use development sites – leaving the Plan significantly short of land to meet the Government's mandatory housebuilding target. Before the Council managed to publish the substantially revised Plan for consultation in line with Rochford's Councillors' wishes, the Secretary of State issued a 'holding direction' on 30 September 2026 under section 21(A) of the 2004 Planning and Compulsory Purchase Act preventing the Council from taking any further steps with their Local Plan until directed otherwise. This was to allow the Secretary of State to consider whether any further intervention would be required, on the basis that the Council was risking advancing a Plan unlikely to be found sound or legally compliant at examination, potentially undermining the Council's efforts to secure an up-to-date Local Plan.

With Tendring District Council now well-placed to submit its Local Plan to the Secretary of State within the time available, the risk of government intervening in the plan-making process ought to be low – albeit the vulnerability to speculative applications for housing being granted permission by Planning Inspectors against the Council's wishes (as explained later below) remains high while the Plan is still progressing through the process and the Council remains unable to demonstrate an up to date five-year supply of deliverable housing sites.

The Planning Inspectorate's capacity to receive and examine Local Plans

The Government's changes to the planning system, both in respect of moving towards a new system of plan-making and imposing mandatory housebuilding targets, has resulted in many Councils being in the same position as Tendring. Councils in the process of carrying out their five-year Local Plan review under the current system are looking to progress quickly to submit a Local Plan to the Secretary of State before the cut-off date, which was 31 December 2026 but which has recently been extended to 31 March 2027.

The consequence is that the Planning Inspectorate (PINS) is likely to receive an extremely high number Local Plan submissions in one go in late 2026 and early 2027 (potentially more than 100) with an expectation from the Government that all of these Local Plans will be examined within a reasonable period of time to enable Councils to adopt those Plans and achieve its ambition of full coverage of up-to-date Local Plans across the country.

This will put the Planning Inspectorate under significant pressure to progress an unprecedented number of Local Plan examinations at the same time which will be challenging to resource. Whilst the Planning Inspectorate has been carrying out a recruitment campaign to get more Inspectors in place in anticipation of this increase in workload, it will likely have to prioritise the examination of Local Plans to manage workloads and might look to push back submitted Local Plans that, on receipt, exhibit soundness issues that might require further work.

Therefore, Councils are being asked to undertake a PINS checklist exercise prior to the submission of their Local Plans requiring the Councils to have carried out their own analysis of representations received in response to the Regulation 19 stage consultation and identified the main issues arising in respect of legal compliance and soundness. The checklist then has to then be sent to PINS who will aim to advise, within ten days of receipt, if the Local Plan is ready or not to be submitted. The need to carry out this work adds two additional risks to Councils that have not been present in the past. The first is that the Councils are not able to carry out the checklist exercise and receive a response from PINS in time to submit their Local Plan to the Secretary of State before the cut-off date; and the second risk is that having submitted the checklist, PINS advises that the Local Plan is not ready for examination.

To mitigate the first risk, Officers have already carried out work on the PINS checklist and have taken every opportunity available to meet with government officials and members of the PINS team to seek advice, update them on the progress of the Draft Local Plan and highlight key issues being encountered in trying to comply with government requirements. On 22 June 2026 an online advisory meeting with a PINS Inspector took place in which Officers were able to outline some of the key challenges facing the Local Plan review and seek the Inspector's advice on how such issues might be approached and what the Council might need to consider in preparing for the submission of the Plan to the Secretary of State. This was followed by a meeting with three former Planning Inspectors on 15 October 2026, arranged through the Government's Planning Advisory Service (PAS), to discuss the Council's readiness for the examination process.

Officers have also taken early action to appoint the services of an experienced and qualified Programme Officer whose job will be to independently coordinate the examination process and the

flow of information between the Inspector and participants in the examination. The appointed Programme Officer has kindly offered the benefit of their advice and considerable experience of Local Plan examinations, in assisting Officers in preparation for submitting the Local Plan – including giving advice on how representations should be organised and presented to best assist the Planning Inspector, and the Council can avoid some of the pitfalls that have befallen or hindered other authorities at a similar stage of the process.

In respect of the advice provided to Officers by an Inspector, they indicated that it will be very challenging for many Councils to demonstrate the soundness of their Local Plans against the backdrop of the Government's new housing requirements and that if Inspectors do identify soundness issues or gaps in the evidence base that could take longer than six-months to resolve, there is a higher likelihood that Councils will be advised to withdraw their Local Plans and start again under the new system. Given that the Council's strategy for growth in the Local Plan relies on the establishment of longer-term Garden Villages at Hare Green and Horsley Cross where there will be an inherent degree of uncertainty as to the timescales for delivery and funding mechanisms for early infrastructure delivery in the early years of the plan period, the Inspector emphasised the importance of telling a very clear story as to why the preferred strategy has been chosen and how and why other alternatives have been discounted. With this advice in mind, Officers have already begun producing a set of comprehensive topic papers that clearly articulate the journey the Council has taken over the last three years to reach the current position in respect of the Local Plan's spatial strategy and site choices.

Early and speculative planning applications

The Council approaches important decisions on the Local Plan at the same time as the District is seeing the predicted increase in planning applications for major housebuilding schemes that represent departures from the Council's current adopted Local Plan – some of which accord with the emerging new Local Plan, whereas others do not. The lack of a fully up to date Local Plan and a weakened housing supply position following imposition of mandatory housebuilding targets leave the District vulnerable, temporarily, to such proposals and it is important for the Council to take positive action to address these matters by progressing the new Local Plan and taking difficult decisions on planning applications for housing.

The increase in planning applications has come about following the Government's changes to the National Planning Policy Framework in 2024 and the introduction of new mandatory housebuilding targets which, from 26 January 2026 (the fifth anniversary of the Council adopting Section 1 of its current Local Plan), threw the Council into a unfair position where it could no longer meet the Government's requirement to demonstrate a five-year supply of deliverable housing sites against the new substantially increased target – an issue that will not be resolved until such time that sufficient sites have obtained planning consent or can otherwise be demonstrated to be deliverable within five-years.

The consequence is that the Council is now required to apply what has become to be known as the 'tilted balance' to the Presumption in Favour of Sustainable Development set out in the NPPF in the

determination of planning applications for housing on certain sites. The current version of the NPPF that came into force in August 2026 is applicable to decision making on planning applications and contains a specific policy (Policy S5) on the principle of development outside of settlements. It sets a very clear expectation that residential and mixed-use development schemes should be approved where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites unless the benefits of doing so would be substantially outweighed by any adverse effects, and when assessed against the national decision-making policies elsewhere in the NPPF. Such applications are expected to be approved where the development would be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure.

This means that some planning applications, even where they fall outside of the housing site allocations or settlement development boundaries in the Council's existing adopted Local Plan and the new emerging Local Plan, will still need to be determined having regard to the above NPPF guidance while the Council remains short of the five-year housing supply requirement. This means that some planning applications that one might usually expect to have been refused by the Council on principle grounds for being contrary to the Local Plan might, in the coming months, end up being approved even before the new Local Plan is examined and adopted – with increasing weight being given to the need to boost housing supply and address government targets.

Already the Council has taken positive decisions in resolving to grant planning permission for some notable housing developments applying national policy requirements, particularly where they are in line with the emerging Local Plan – notably 100 homes off Cockaynes Lane in Alresford (site SAH6), 80 homes south of Weeley Road in Great Bentley (site SAH1), 120 homes north of Weeley Road in Great Bentley (site SAH7) and 60 homes off Avocet Place in Thorrington (site MSA23). Granting planning consent for these kind of developments will assist in reducing the five-year housing land shortfall and reinforcing the soundness of the emerging Local Plan, but it is preferable to move as quickly as possible to a situation where the Council has both a new up to date adopted Local Plan and can demonstrate a five-year supply of deliverable housing land in order to restore control over the pattern.

The Council meanwhile is however in receipt of a significant and growing number of further major planning applications for housing that are yet to be decided but that will have to be determined on their merits in due course and before the Local Plan review process has fully concluded, with more applications expected in the coming months. Some of these applications do align broadly with the proposals in the emerging Local Plan, but others do not. By way of example, the following notable, current, but yet to be determined planning applications proposing 300 homes in total, do align broadly with the policies and proposals in the emerging Local Plan:

- 26/00509/OUT – 78 dwellings north of Harwich Road, Hare Green (within the broad location for the Hare Green Garden Village);
- 26/00599/OUT – 80 dwellings east of Heckfords Road, Great Bentley (which corresponds with Draft Local Plan allocation MSA21);

- 26/00819/FUL – 49 dwellings at Crisp Maltings, School Lane, Mistley (which corresponds with Draft Local Plan allocation MSA4);
- 26/00969/OUT – 75 homes on land east of Bentley Road, Weeley Heath (which corresponds with Draft Local Plan allocation MSA24, albeit proposing higher numbers); and
- 26/01175/FUL & 26/01618/FUL – 18 dwellings in total across two schemes of 9 dwellings east and west of Lifehouse Drive, Thorpe le Soken (which correspond with part of Draft Local Plan allocation SAH11).

The following other notable planning applications totalling around 800-900 homes are however more speculative in nature and do not align with policies and proposals either in the Council's existing adopted Local Plan or in the emerging Plan:

- 26/00160/OUT – 31 dwellings off Batemans Lane, Little Clacton (outside of Draft Local Plan allocations);
- 26/00528/OUT – 206 dwellings west of Heckfords Road, Great Bentley (outside of Draft Local Plan allocations);
- 26/00627/OUT – 95 homes at the Grange Road, Lawford (outside of Local Plan allocations and on land subject of a previously refused application that was dismissed on appeal);
- 26/00810/OUT – 160 homes off Bromley Road, Elmstead Market (outside of Draft Local Plan allocations);
- 26/00910/OUT & 26/00912/OUT – between 90 and 200 homes at Carringtons Road, Bromley Cross (located well outside of any Local Plan allocations and proposed as 'enabling development' to help fund further restoration at St. Osyth Priory);
- 26/01410/FUL – 35 homes east of the Lifehouse Hotel and Spa, Thorpe le Soken (adjoining site allocation SAH11); and
- 26/01450/OUT – 180 homes on land at Foots Farm, Thorpe Road, Clacton/Little Clacton (a site within the protected Strategic Green Gap between Clacton and Little Clacton, and one that was the subject of a previously refused planning application and appeal dismissal).

As well as the notable undetermined planning applications totalling 1,200 homes above, there are also a number of applications totalling more than 500 homes that are either the subject of current or expected planning appeals. Planning application 24/01803/FUL for development of 79 homes north of Beth Chatto Gardens in Elmstead Market that is the subject of an appeal scheduled to be heard at a Public Inquiry in early 2027; an application 26/00355/OUT for 350 homes in the protected Strategic Green Gap in Sladbury's Lane, Clacton that is subject of an appeal against non-determination; and a more recently refused planning application 26/00193/OUT for 85 homes in the proposed new Strategic Green Gap off Holly Way, Elmstead Market that Officers fully expect the applicants to appeal, given that they have also submitted detailed Regulation 19 objections to the Local Plan.

In total, the above planning applications/appeals total more than 1,500 potential homes, of which 300 align broadly with the emerging Local Plan and more than 1,200 would be clear departures. Some of these planning applications will, and already have, attracted significant public objection and

media publicity in their own right. When it comes to either the Planning Committee or Officers making decisions on these applications there is the likelihood that some will be approved and others will be refused, with a reasonable expectation that the refusal of permission will result in appeals to the Secretary of State. Furthermore, following a government direction implemented on 11 May 2026, any planning application for 150 or more homes that the Council is minded to refuse must be referred to the Secretary of State to enable central government to decide whether or not to call in and determine the application itself.

By submitting the Local Plan to the Secretary of State, the Council will be able to exercise a greater level of control and be in a stronger position in defending against appeals by applying increasing levels of weight to policies in the emerging Local Plan. In line with Policy DM4 of the 2026 NPPF, Councils are able to give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that can be given);

- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

- the degree of compliance of the relevant policies in the emerging plan with the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

In taking decisions on planning applications for housing in the coming months (in light of the requirements of the NPPF, the change in housebuilding targets and housing supply situation, and the weight that can be afforded to policies and proposals in the emerging Local Plan), Officers and Members of the Planning Committee will need to carefully consider the implications of refusing permission – including the likelihood of either of the applicant appealing to the Secretary of State (or for larger applications of 150 or more homes, the Government deciding to call in the application for a decision); and the likely strength of the Council's case in contesting a possible appeal and the potential for significant costs in professional and potential legal support that might be required in fighting appeals – particularly where there might be a high likelihood of an appeal being allowed and/or costs being awarded to the appellants.

In this regard, Officers will endeavour to provide the best possible advice to Members of the Planning Committee when they are faced with decisions on relevant planning applications, acknowledging that the advice might not always be followed and might not be popular amongst residents and communities affected, or the applicants in question.

<u>Risk of the Local Plan being found 'unsound'</u>

The Council has done the best job it can under extremely challenging circumstances to produce a Local Plan that Officers believe meets with the Government's requirements for legal compliance and soundness. However it will ultimately be for the government-appointed Planning Inspector to

determine whether those tests are met through the examination process and there is naturally a risk that the Inspector might, for whatever reason, find the Plan to be unsound or identify legal compliance issues. There are typically three possible outcomes from an examination:

1. that the Plan is found to be legally compliant and sound without the need for any 'main modifications' (i.e. further changes that would need to be published for consultation before the Local Plan can be formally adopted);

2. that the Plan is found to be capable of being made legally compliant and sound but only following additional work and/or main modifications; or

3. the Plan is found to be neither sound and/or legally compliant with no ability for it to be corrected through additional work and/or main modifications – in which case a Council would likely be advised by the Inspector to withdraw the Plan and start the process again.

It is desirable but unlikely that an Inspector will declare a Local Plan sound without a requirement for some additional work and/or main modifications, and some of the Regulation 19 representations from technical consultees requesting further changes would already suggest that some modifications are likely to be considered by the Inspector. It is however usually the case that soundness issues arising through the examination will be discussed openly at the hearings and Officers will be invited to consider possible wording for modifications to assist the Inspector in coming to their recommendations. For the Council to formally adopt the Local Plan it would then need to carry out further public consultation specifically on modifications recommended by the Inspector and thereafter receive a final report hopefully confirming legal compliance and soundness.

Although the Council should be prepared for the likelihood that the examination will result in the Local Plan requiring some additional work and/or modifications on the advice of the Planning Inspector, it is difficult to predict how long the examination hearings might take, how long the Inspector takes to come to a view on what additional work or modifications might be required and how significant or contentious those modifications might be. Officers would however hope that such matters would be resolved in the 2027/28 financial year to enable the Local Plan to be adopted within the current proposed work programme.

The worst of the three scenarios would be for the Inspector to find the Local Plan to be not legally compliant and/or unsound to the degree that there is no ability for it be corrected through additional work and/or modifications. In that scenario, and unless the Council has reason to believe the Inspector has come to a legally flawed decision, the Local Plan would need to be withdrawn, the Council would be left without an up to date Local Plan and the District would be left vulnerable to continued speculative development proposals for an extended period of time while another Local Plan is developed under the new system.

<u>Risk of legal challenge</u>

Although this Council is carefully following the statutory process in carrying out the Local Plan review, third parties do have a right to seek Judicial Review (JR) and lodge a legal challenge against decisions taken by Councils, which generally tend to follow the final decision to adopt the Local Plan. Third parties might however threaten legal action at different stages of the process and the Council needs to be prepared for that possibility. The examination process helpfully requires the Planning Inspector to consider the legal compliance of the Local Plan at an early stage and, in so doing, the Inspector will tend to halt the process if they have reason to believe a Council has failed to comply with relevant legislation, regulations or other statutory obligations in the preparation of their Local Plan.

Whilst it is generally landowners or developers that might consider legal challenge, it is an option available to others. For any aggrieved resident(s) however considering a potential legal challenge against the Council in respect of its decisions on the Local Plan as a means of stopping certain individual developments happening in their area, they should note that a successful legal challenge that results in the decision to adopt a Local Plan being delayed or even quashed by the courts does not stop planning applications for development being submitted and would not prevent them being approved either by the Council or by the Secretary of State on appeal. Instead, a delay caused by a legal challenge would most likely increase the likelihood of unwanted planning approvals and lead to other speculative applications being submitted and approved in our communities if a legal challenge leaves the Council in a position without an up to date adopted Local Plan and resultant housing supply issues.

Risk of a lengthy and costly examination

With the examination process very much in the hands of the government-appointed Planning Inspector, it is difficult to predict at this stage how long the examination will take, what issues will be encountered and how much additional Officer time, professional consultancy and/or legal support might be required to address those issues. If the examination of the 2021 Section 1 Local Plan for North Essex is anything to go by, which took the best part of three years to conclude, time and associated costs have the potential to escalate substantially.

However, the Council may take some comfort from a letter from the Housing and Planning Minister to the Chief Executive of the Planning Inspectorate dated 15 July 2026 in which the Minister has highlighted the overriding benefits of a plan-led system and the Government's objective of achieving universal plan coverage in impressing the need for Planning Inspectors to take an appropriately pragmatic and proportionate approach in respect of deliverability and viability when examining Local Plans.

To quote the Minister, he states that: *"the benefits of an up-to-date local plan are significant. Local plans are the best way for communities to shape decisions about how to deliver the housing and wider development their areas need. They enable local areas to set their strategy for future growth and their approach to protecting and enhancing the environment, and they provide the certainty and confidence required to bring development forward across the country. In the absence of an up-to-date plan, there is a high likelihood that development will come forward on a piecemeal and*

*speculative basis, with reduced public engagement and fewer guarantees that it will make the most of an area's potential."* He goes on to state: *"In considering the significance of any individual deliverability or viability concern, Inspectors may have regard to the wider consequences for communities and decision-making of delaying or preventing the adoption of an otherwise sound plan. In other words, Inspectors should carefully consider whether identified deliverability and viability issues are of such significance that they genuinely undermine the soundness of the plan, or whether they represent matters that could reasonably be expected to evolve over time as market conditions change."*

Officers are in the process of preparing Topic Papers to assist the Planning Inspector in understanding the key issues faced by the Council in putting together a new Local Plan under very challenging circumstances and will seek to urge that the pragmatic and proportionate approach to the examination process advocated by the Minister is employed to enable the Local Plan to progress through the examination process in as smooth and a timely a manner as possible.

**LEGAL**

Planning legislation and plan-making regulations

Planning legislation and the National Planning Policy Framework (NPPF) place Local Plans at the heart of the planning system, so it is essential that they are in place and kept up to date. The NPPF expects Local Plans to set out a vision and a framework for the future development of the area, addressing the needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for safeguarding the environment. At each stage of the plan-making process, Officers have set out the relevant legislation and regulations in reports to the Planning Policy and Local Plan Committee demonstrating how the statutory process has been followed carefully and correctly.

Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) local planning authorities must review local plans at least once every five years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 (as amended) state that applications for planning permission must be determined in accordance with the 'development plan' unless material considerations indicate otherwise. The statutory 'development plan' for Tendring currently includes the Tendring District Local Plan 2013-2033 and Beyond Sections 1 and 2, the Development Plan Document (DPD) for the Tendring Colchester Borders Garden Community as well as adopted Neighbourhood Plans for Alresford, Ardleigh and Elmstead Market and the Essex Minerals and Waste Local Plans.

The Council has progressed the Local Plan review process in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), having notably carried out relevant stages of public consultation in accordance with Regulations 18 and 19. Regulation 22 sets

out the requirements for submitting documents and information to the Secretary of State. It sets out, in sub-section (1), the following documents that must be submitted with the Local Plan:

(a) the sustainability appraisal report;
(b) a submission policies map if the adoption of the local plan would result in changes to the adopted policies map;
(c) a statement setting out—
  (i) which bodies and persons the local planning authority invited to make representations under regulation 18,
  (ii) how those bodies and persons were invited to make representations under regulation 18,
  (iii) a summary of the main issues raised by the representations made pursuant to regulation 18,
  (iv) how any representations made pursuant to regulation 18 have been taken into account;
  (v) if representations were made pursuant to regulation 20, the number of representations made and a summary of the main issues raised in those representations; and
  (vi) if no representations were made in regulation 20, that no such representations were made;
(d) copies of any representations made in accordance with regulation 20; and
(e) such supporting documents as in the opinion of the local planning authority are relevant to the preparation of the local plan.

Sub-section (3) of Regulation 22 then requires that as soon as reasonably practicable after a local planning authority submit a local plan to the Secretary of State they must-

(a) make available in accordance with regulation 35-
  (i) a copy of the local plan;
  (ii) a copy of each of the documents referred to in paragraph (1)(a), (b) and (c);
  (iii) any of the documents referred to in paragraph (1)(d) or (e) which it is practicable to so make available, and
  (iv) a statement of the fact that the documents referred to in sub-paragraphs (i) to (iii) are available for inspection and of the places and times at which they can be inspected;
(b) send to each of the general consultation bodies and each of the specific consultation bodies which were invited to make representations under regulation 18(1), notification that the documents referred to in paragraphs (a)(i) to (iii) are available for inspection and of the places and times at which they can be inspected; and
(c) give notice to those persons who requested to be notified of the submission of the local plan to the Secretary of State that it has been so submitted.

<u>The National Planning Policy Framework (NPPF) and tests of soundness</u>

The National Planning Policy Framework (NPPF) sets out the Government's policies for plan making and for making decisions on development proposals in England. It is a material consideration of

critical importance in both contexts. The current version of the NPPF was published in August 2026 and whilst the policies in this version are applicable in respect of decision making and the determination of planning applications, the earlier version from December 2024 sets out the guidance under which the Tendring Local Plan will be expected to conform with and against which the Plan will be examined.

The Local Plan is to be examined against the requirements of the December 2024 version of the NPPF because it is being progressed under transitional arrangements under what has been named the 'legacy system' rather than one of the new-style Local Plans prepared in accordance with a new system and associated regulations. The Local Plan will ultimately be tested, through the examination process, to meet both legal requirements and the 'tests of soundness' set out in the December 2024 which require a Local Plan to be:

> **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
>
> **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
>
> **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
>
> **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

<u>Strategic planning and cross-boundary cooperation</u>

There had been, from the Localism Act of 2011, a legal duty for Councils to cooperate on cross-boundary matters in the preparation of Local Plans. In respect of the test of 'effectiveness', Tendring District Council, Colchester City Council and Braintree District Council, having worked together to produce Section 1 of the current adopted Local Plan have previously demonstrated exemplary practice in effective joint working on cross-boundary strategic matters. The joint work of TDC, CCC and Essex County Council on the Tendring Colchester Borders Garden Community project, with the setting up of a dedicated joint Committee is a further demonstration of continued positive cooperation. Through the current Local Plan Review, and that of Colchester City Council (which is itself following similar timescales), Officers of both Councils have been in regular contact to discuss matters that could be of cross-boundary significance, exploring opportunities for alignment on policy and sharing resources. Representations of support have also been received from both Councils.

Whilst the Councils and other relevant partners have cooperated in line with the legal duty, that duty was abolished in March 2026, and will no longer apply to Councils in the process of preparing new Local Plans. Instead, new legislation has introduced the legal requirement for higher-level strategic plans to address and coordinate cross-boundary planning issues (Spatial Development Strategies) at combined authority level – which, for Greater Essex, will be the duty of a proposed Mayoral Combined County Authority and the future elected Mayor. The advice from Government is however for Councils in the process of preparing Local Plans to carry on with that work, as Local Plans will feed into and inform the direction of growth in the early years of the Spatial Development Strategies.

The requirement for Sustainability Appraisal/Strategic Environmental Assessment

Section 19 of the 2004 Planning and Compulsory Purchase Act requires a local planning authority to carry out a Sustainability Appraisal (SA) of each of the proposals in a Local Plan and the consequence of reasonable alternatives during its preparation and in addition prepare a report of the findings of the Sustainability Appraisal. More generally, section 39 of the Act requires that the authority preparing a Local Plan must do so "with the objective of contributing to the achievement of sustainable development". The Sustainability Appraisal incorporates a Strategic Environmental Assessment (SEA) which is necessary to ensure that potential environmental effects are given full consideration alongside social and economic issues. The requirement for SEA comes from EU Directive 2001/42/EC, which has been transferred into UK law.

A hard copy of the updated Sustainability Appraisal for the Submission Version Local Plan (incorporating SEA) was provided to Members of the Planning Policy and Local Plan Committee and all Members of Full Council in August 2026 and it is intended that this document will be submitted, unchanged, to the Secretary of State alongside the Local Plan in accordance with the relevant plan-making regulations.

The Habitats Regulations

As well as the requirement for SA/SEA, there is a legal duty under the Conservation of Habitats and Species Regulations 2017 (as amended) otherwise know as the 'Habitats Regulations' to consider the potential effect of policies and proposals in Local Plans on the integrity of internationally important wildlife sites or 'European sites' such as Special Areas of Conservation, Special Protection Areas and Ramsar sites – of which there are a number around the coast of Tendring focussed on the Stour Estuary, Hamford Water and the Colne Estuary. In carrying out a Habitat Regulations Assessment (HRA), the Council as the 'competent authority' is assessing the likelihood of plans and proposals having a significant adverse effect, following a which a more detailed 'Appropriate Assessment' might be required to consider specific effects of particular proposals.

The whole of the Tendring District is within the 'zone of influence' for the various European sites and through the Essex Recreational disturbance Avoidance Mitigation Strategy (RAMS) and associated Supplementary Planning Document (SPD) the Council, like others in Essex, secures financial contributions from most residential developments towards a programme of measures to mitigate the

potential indirect effects of growth to ensure which, for most developments, ensures compliance with the Habitat Regulations.

A hard copy of the updated assessment accompanying the Submission Draft Local Plan provided to Members of the Planning Policy and Local Plan Committee and all Members of Full Council in August 2026 and it is intended that this document will be submitted, unchanged, to the Secretary of State alongside the Local Plan in accordance with the relevant plan-making regulations.

Full Council approval to submit the Local Plan to the Secretary of State

Having completed the Regulation 19 consultation, the next stage of the plan-making process is to submit the Local Plan along with the representations received and other relevant documents to the Secretary of State who will then appoint a Planning Inspector to examine the Plan. In the past, some Councils, including Tendring District Council have sought Full Council approval ahead of Regulation 19 stage to publish the Submission Version Plan for consultation and subsequently submit the Plan to the Secretary of State in the same decision. However following a recent High Court Case, Oxford City Council was blocked from submitting its Local Plan for examination without the Council having first considering the representations received.

Therefore, Officers are explicitly reporting to the Planning Policy and Local Plan Committee the outcome of the Regulation 19 consultation including the level and nature of representations received from residents and other stakeholders, and the main issues and matters raised before then seeking the Committee's agreement to recommend to Full Council that the Local Plan be formally submitted to the Secretary of State.

Pre-examination checklist

To help ensure Local Plans are ready for examination, after considering the representations made in response to the Regulation 19 consultation and finalising the documents they intend to submit, Councils are expected to complete a 'pre-examination checklist' and send this to the Planning Inspectorate before submitting the Local Plan under Regulation 22. This will allow the Planning Inspectorate to advise the Council whether or not:

- All of the necessary practical arrangements are in place;
- Essential evidence and other documents are ready for submission; and the rationale for the Plan content is clearer.

The Planning Inspectorate will then aim to provide a written response to the Council within ten working days of receiving the pre-examination checklist. The written response will either confirm that the Plan is ready for examination or will set out specific actions that the Planning Inspectorate recommends the Council takes before submission.

If the Planning Inspectorate's written response to the completed checklist is that the Plan is ready for examination, the Council is required to submit it to the Secretary of State promptly. If however,

the response recommends specific actions before submission, they should be addressed by the Council as appropriate and when it is satisfied the Plan is ready for examination, it should then proceed to submit the Plan and other documents.

**OTHER IMPLICATIONS**

**Area or Ward affected:** All wards across the District are affected directly or indirectly either by one or more policies or proposals contained the Submission Version of the Local Plan that will be submitted to the Secretary of State. Of note in respect of the largest development proposals:

- the proposed broad location for the Hare Green Garden Village falls within both the Alresford & Elmstead Ward and the Frating & Bentleys Ward;
- the proposed broad location for the Horsley Cross Garden Village straddles three wards: Lawford, Manningtree & Mistley Ward; Stour Valley Ward; the Oakleys & Wix Ward;
- the main site proposed for the Harwich area crosses Stour Valley Ward and Dovercourt All Saints Ward;
- the proposed development for Weeley Green Garden Village falls within the Weeley & Tendring Ward; and
- the Collierswood Business Park employment site falls mainly within the Alresford & Elmstead Ward and partly in the Ardleigh & Little Bromley Ward.

As noted elsewhere in this report, landowners, developers and planning agents have submitted a significant number of 'omission site' proposals for housing or mixed-use development as part of their Regulation 19 objections, which are not part of the Council's Plan. There are site proposals put forward in most parts of the District, but Clacton, Thorpe le Soken, Great Bentley, Brightlingsea, Elmstead Market, St. Osyth and Bromley Cross are among the most notable locations affected by some of the larger proposals.

**Consultation/Public Engagement:** Formal public consultation on the Submission Version of the Local Plan was the final stage of consultation the Council was required to carry out as part of the Local Plan review process under the plan-making regulations. The details of the consultation its outcome are set out in this report.

Further formal consultation is not likely to be required until such time that the Planning Inspector comes to a view as to what, if any, main modifications will be necessary to ensure the Local Plan is legally compliant and sound, at which point the Inspector will require the Council to consult interested parties specifically and only on those recommended modifications. At present, it is not possible to predict what modifications will be recommended and when the Inspector may reach such conclusions.

**Devolution and Local Government Reorganisation:** Over the last year, the Council has progressed the Local Plan review under the understanding that if proposals for Devolution and Local Government Reorganisation (LGR) took effect, TDC would be abolished and a new unitary authority for the north or north-eastern part of Essex would be established, originally expected in 2028. Therefore this Local Plan could well be the last one prepared by Tendring District Council in its

current configuration. If LGR does go ahead as proposed, the new Local Plan will be inherited by a new unitary authority for decision making purposes.

On 7 September 2026, the Secretary of State for Housing, Communities and Local Government announced that a review of the Local Government Reorganisation programme was commencing and that the earlier decision made in March 2026 for Greater Essex (and other areas) had been withdrawn in light of new legal advice. At that point, it was uncertain if LGR would go ahead. However on 29 October 2026, the Government confirmed that Local Government Reorganisation would still go ahead albeit with new decisions on the configuration of the new unitary authorities being taken in early 2027 with the new authorities expected to be 'vested' on 1 April 2029.

This Local Plan is therefore also likely to be the last opportunity for TDC to influence the future pattern of growth in the Tendring area ahead of the formation of the Mayoral Combined County Authority (MCCA) for Greater Essex – which will have new powers in respect of strategic planning, including through the preparation of a Spatial Development Strategy (SDS) for longer-term growth across the Greater Essex area. This Local Plan will therefore influence decisions on the content of the SDS for long-term strategic growth and the proposals to establish Garden Villages at Hare Green and Horsley Cross are of particular relevance for the SDS, with the potential for growth to extend well beyond the Local Plan's 2043 timeframe and over a 20-30 period and the potential to secure support through the MCCA for future masterplanning, infrastructure delivery and funding.

**Financial sustainability of public services:** When the Government introduced the concept of mandatory housebuilding targets, the Council raised strong objections to the significant increase in housebuilding targets if not supported by necessary investment in infrastructure. When the Council published the Submission Version Local Plan for consultation, it expected that there would be understandable concerns raised by residents, communities and other stakeholders about the impact of growth on infrastructure provision, particularly in respect of transport, health and education.

Whilst the extent of additional housing growth being proposed under the Government-imposed target has been extremely challenging for the Council to plan for through the Local Plan and has raised a number of concerns, growth in housing and employment are however important both for the national and local economy and the future sustainability of providing public services including Council services, health services (including the NHS), education and associated infrastructure. Therefore, whilst growth in housing and commercial development raises concerns about impacts on infrastructure, it is also part of the solution; and at a national level, the Government has been keen to emphasise the importance of housing growth to general growth in the economy, tax revenue and the ability for both central Government and Councils in sustaining and investing in public services.

In addition to sustaining and growing public services through economic growth and increasing the tax base, the planning system provides the ability to secure infrastructure delivery through s106 legal agreements on the grant of planning permission and/or through Community Infrastructure Levy.

## PART 3 – SUPPORTING INFORMATION

### WORK ON THE LOCAL PLAN REVIEW TO DATE

Tendring's current Local Plan was adopted by decision of Full Council in two sections - Section 1 on 26 January 2021 (for North East Essex), and Section 2 (for Tendring only) on 25 January 2022. The Local Plan was designed to set out the planning framework for the period up to 2033 and, in the case of developments like the Tendring Colchester Borders Garden Community, into the longer-term beyond 2033.

However, to be effective, plans need to be kept up to date and should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Therefore, over the course of the last three years, the Council has been in the process of updating and reviewing the Tendring District Local Plan under its statutory duties and has done so clearly and transparently through its reports and meetings – following a logical sequence and an agreed set of overarching guiding principles. The various stages of this process have been extensively documented in reports to, and associated decisions from, the Planning Policy and Local Plan Committee since December 2023.

The initial anticipated timescales for reviewing the Local Plan were set out broadly in the report to the Planning Policy and Local Plan Committee in December 2023, with a more detailed timetable provided to the Committee in February 2024 as part of the Local Development Scheme. A 'call for sites' consultation was undertaken in early 2024, and around 200 site propositions were submitted to the Council for consideration as part of the Local Plan Review.

An Issues and Options Consultation Document was presented to, considered and agreed by the Committee in May 2024 including a set of key overarching principles and six spatial strategy options for how additional growth to meet needs over an extended plan-period could be accommodated in the District, however the consultation itself was delayed due to the General Election and the new Government's proposals for reforming the NPPF and imposing new (much higher) mandatory housebuilding targets.

The Council responded to the Government's consultation on its proposed changes to national policy raising strong practical objections to the proposed imposition of mandatory housebuilding targets which, for Tendring nearly double the amount of housing needing to be planned for from the figures in the previous Local Plan. However, in December 2024, the Government pressed ahead with publishing a revised version of the NPPF along with the updated standard method for calculating housing need, which despite the Council's objections, at least provided it with certainty over the requirements that the updated Local Plan will need to satisfy.

With greater certainty over the housing target the Council would be expected to address through its updated Local Plan, the Committee was able to agree an updated version of the Issues and Options Consultation document, which featured greatly limited options for accommodating the significantly increased housing target. Four new spatial strategy options were proposed, each combining

elements of urban expansion, proportionate growth in smaller settlements, and the establishment of strategically located garden villages to deliver housing at scale with supporting infrastructure.

The Issues and Options document was the subject of public consultation in spring 2025 which generated strong engagement from residents, Town and Parish Councils, technical stakeholders and the development industry. Recurring themes included concerns about infrastructure capacity, the protection of green spaces, and the deliverability of large-scale development. While there was some support for Garden Villages as a means of delivering comprehensive infrastructure alongside new homes, there were concerns about the deliverability of such large schemes and the impacts on nearby communities. Technical stakeholders emphasised climate change mitigation, sustainable transport, and water and health infrastructure as key considerations for the updated Local Plan.

In December 2025, the Committee agreed the preferred strategy and site allocations for inclusion in the Preferred Options Draft of the new Local Plan followed, in January 2026 by the Draft Plan itself containing the full suite of planning policies and maps. Following a decision of Full Council on 27 January 2026, the Preferred Options Draft was published for six-weeks consultation between 9 February and 23 March. On 8 June 2026, the Committee was presented with a report providing a broad overview of the level and nature of responses received from residents and other stakeholders to the public consultation. That report also identified what Officers considered, at the time, to be the ten main matters raised through the consultation:

1) the realistic deliverability and soundness of the Garden Villages proposed for Hare Green and Horsley Cross;
2) the realistic deliverability of the overall housebuilding requirement;
3) the soundness of the Brightlingsea allocation of 300 homes (site SAH4);
4) the soundness of the Kirby Cross and Walton allocations of 420 and 200 homes respectively (sites SAH2 and SAH3);
5) the amount of development proposed at Thorpe le Soken;
6) the sustainability of housing developments in smaller rural villages;
7) the justification and soundness of the District's Strategic Green Gaps;
8) the protection given to Ardleigh and Elmstead in the Draft Local Plan;
9) the viability of zero carbon, water efficiency and BNG policies; and
10) the robustness of the evidence base.

A second Committee report on 8 June 2026 then set out Officers' thoughts on potential next steps, including provisional recommendations for changes to the Draft Local Plan and additional work to strengthen the technical evidence base to address the above main matters. The Committee then agreed a series of changes to the housing and mixed-use site allocations including (notably) the deletion from the Plan of sites SAH3, SAH4 and SAH10 in Walton, Brightlingsea and Thorpe and other deletions, additions and revisions to sites or indicative housing numbers.

The majority of those agreed changes were incorporated into the Submission Version of the Local Plan that was considered by the Planning Policy and Local Plan Committee on 25 August 2026 along with a revised set of planning policies, amended to take into account many of the comments and

suggestions raised through the Preferred Options stage consultation and various updates to the technical evidence base.

Following a decision of Full Council on 1 September 2026, the Submission Version of the Local Plan as well as the accompanying Sustainability Appraisal, Habitats Regulation Assessment and other supporting evidence were published for six-weeks consultation in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and Regulation 13 of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended).

## THE SUBMISSION VERSION CONSULTATION EXERCISE

### Overview

Following Full Council agreement on 1 September 2026, the Tendring District Local Plan: Submission Version was published for six weeks consultation starting Monday 7 September and ending Monday 19 October 2026. During that consultation period, the Council invited residents and other stakeholders to make formal representations on the policies and proposals in the Draft Local Plan in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In carrying out the consultation, the Council was aware that there was likely to still be a significant level of objection, particularly from residents affected by proposed housing and strategic growth proposals. Whilst changes had been made following the earlier Preferred Options consultation, including the deletion of some of the most objected-to proposals, notably at Brightlingsea and Walton, the Submission Version of the Local Plan still seeks to accommodate a substantial increase in housing development across the District in response to Government-imposed mandatory housing targets.

The Council was also conscious that Regulation 19 consultation differs significantly from earlier stages of plan preparation. While previous consultations sought views on alternative options and the direction of the emerging Local Plan, the purpose of the Submission Version consultation was for respondents to comment specifically on whether the Plan is legally compliant and sound before it is submitted for independent examination. The focus therefore shifted from influencing the Plan's general direction, towards presenting evidence and arguments that might persuade the Planning Inspector (and not the Council) that modifications are required.

### Publicity

To promote the public consultation, the Council followed a very similar approach to that employed during the earlier Preferred Options consultation. A press release was issued at the start of the consultation and was subsequently reported by a number of local newspapers and online news outlets, helping to raise awareness amongst residents who rely on traditional media as their primary

source of information. The Council also promoted the consultation through its social media channels, including additional publicity for the programme of public drop-in events. Collectively, social media activity relating to the consultation reached over 20,000 individuals. A prominent banner was displayed on the Council's website homepage throughout the consultation period, directing visitors to the relevant consultation portal and supporting documents.

In accordance with the Council's Statement of Community Involvement, notification emails and letters were issued to approximately 1,120 individuals and organisations. Recipients included contacts registered on the Council's consultation database, together with individuals who had responded to previous Local Plan consultations. This ensured that statutory consultees, neighbouring authorities, infrastructure providers, developers, community organisations, Town and Parish Councils, landowners, residents and other interested parties who had previously engaged with the Local Plan review process were made aware of the consultation and given the opportunity to submit representations.

Hard copies of the consultation documents and representation forms were made available at Clacton Town Hall and provided to libraries across the District. Libraries were supplied with consultation materials, representation forms and posters, ensuring that information was readily accessible to residents without online access. Posters promoting the consultation and programme of public drop-in events were distributed by email to Town and Parish Councils and to churches and other religious organisations. Posters and accompanying letters were also sent by post to GP surgeries across the District to help raise awareness of the Local Plan review and encourage participation in the consultation process.

Officers held five public drop-in events throughout the District, four during afternoon and evening periods and one during the afternoon. Senior Officers also once again attended Town and Parish Council meetings on request, with some meetings being held in public and others arranged as briefings for councillors, depending on the Parish's arrangements. Together, these activities provided residents, businesses, community groups and elected representatives with a range of opportunities to access information about the Submission Version of the Local Plan, discuss proposals with Officers and submit formal representations during the consultation period.

**Drop-in exhibition events**

The Council held five drop-in exhibition events across the district during the six-week consultation period at Walton, Brightlingsea, Harwich, Weeley and Lawford where exhibition boards showing key information from the Draft Local Plan were on display and where a team of Officers from across the Planning Service were in attendance to speak to residents and answer questions; often joined and assisted by Ward Councillors. A brief summary of each event is provided below:

<u>Monday 21 September – Homelands Church, Walton-on-the-Naze (3-7pm)</u>

Attended by approximately 44 residents, the Walton event attracted a notably lower attendance than the equivalent event at the Preferred Options stage in March 2026, when more than 170 residents

attended the exhibition at the nearby Soken House. The reduction in attendance is likely a reflection of the removal from the Submission Version of the Local Plan of the proposed housing allocation at Walton which had generated considerable local interest and concern during the previous stage of consultation.

Discussions with residents focussed primarily on the proposed housing allocations at Kirby Cross and, to a lesser extent, Branscombe Close. Residents also raised concerns regarding the District's overall housing requirement, the loss of countryside and agricultural land, capacity within local GP surgeries, and the cumulative impacts of traffic arising from existing and proposed development to the est of Thorpe-le-Soken.

Thursday 24 September – Brightlingsea Parish Hall (3-7pm)

The Brightlingsea event was attended by approximately 60 residents, around half the attendance recorded at the equivalent event during the Preferred Options consultation. The lower turnout is likely to reflect the removal of the large, proposed housing allocation to the north of the town that had generated significant local concern at the previous stage and its replacement with a number of smaller site allocations.

Nevertheless, the event provided a valuable opportunity for residents to discuss the Submission Version of the Local Plan and the changes made since the earlier consultation. Whilst many attendees acknowledged the deletion of the larger proposal, concerns remained regarding the overall scale of housing growth proposed for the town and the impact of the individual sites that are being proposed for development in this version of the Plan.

Monday 28 September– 1912 Centre, Harwich (3-7pm)

Unlike the events at Walton and Brightlingsea, the Harwich event attracted a higher turnout than the equivalent event at Preferred Options stage, with approximately 57 residents attending compared to around 44 previously. Officers noted that a number of attendees had not participated in earlier consultation stages and had become engaged with the process because of the proposed urban extension at Dovercourt.

Discussions focussed largely on the scale and location of growth proposed in Harwich and Dovercourt, together with concerns regarding infrastructure provision and the potential impact of additional traffic on the A120. Attendees were particularly interested in the relationship between the proposed development and the other planned and potential projects in the area, including ecological mitigation and environmental enhancement proposals associated with Bathside Bay and the possible landfall of the proposed Tarchon Interconnector to the south of Dovercourt.

Wednesday 30 September – Weeley Village Hall (12-4pm)

The Weeley event was attended by approximately 79 residents, representing almost double the attendance achieved at the equivalent event during the Preferred Options consultation. The previous

event had been held on a Saturday morning and attracted comparatively low attendance. For this consultation, the event was held on a weekday between 12pm and 4pm due to venue availability. Whilst a range of factors are likely to have influenced attendance, the stronger turnout suggests that the weekday afternoon format may have been more effective in encouraging participation from local residents. The level of attendance also demonstrated the continued public interest in proposals affecting Weeley and the surrounding area.

Many residents expressed concerns regarding the proposed allocation at Weeley Heath, whilst others raised issues relating to the large strategic allocation at Weeley itself. Questions were also raised regarding the proposed provision for Gypsy and Traveller accommodation at Gutteridge Hall Lane. Given the proximity of a number of proposed allocations, residents also raised issues relating to neighbouring settlements, particularly Great Bentley, including the cumulative impacts of growth on local roads, services and infrastructure. As with previous stages of consultation, infrastructure, traffic and the capacity of local services were recurring themes throughout the discussions.

Friday 2 October – Venture Centre 2000, Lawford (3-7pm)

The final exhibition event took place in Lawford and was attended by approximately 42 residents, compared with around 137 attendees at the equivalent event during the Preferred Options consultation. Whilst attendance was lower than at the previous stage, residents continued to engage with a range of strategic issues affecting the District.

Discussion focussed on the overall scale of housing growth proposed in the Local Plan and the capacity of local infrastructure to accommodate that growth. Particular concerns were raised regarding the proposed Horsley Cross Garden Village and its potential impact on Manningtree and Lawford, including traffic movements around Manningtree railway station and ongoing congestion issues around the railway bridge in Lawford. Residents also highlighted the cumulative impact of a number of Nationally Significant Infrastructure Projects affecting this part of the District and the pressures these projects could place on local communities alongside planned growth.

Whilst the specific issues raised varied between locations, a number of common themes emerged across all five events. These included concerns about the scale of housing growth required by Government targets, the impact of development on the countryside and agricultural land, the capacity of existing infrastructure and public services, and the ability of the road network to accommodate additional traffic. The events nevertheless provided a valuable opportunity for Officers to explain the content of the Submission Version Local Plan, the evidence underpinning its proposals, and the purpose of Regulation 19 consultation in advance of submission for independent examination.

**Meetings with Town and Parish Councils/Councillors**

At the previous consultation stages for Issues and Options in 2025 and Preferred Options in early 2026, the Corporate Director – Planning and Community and the Planning Policy Manager attended many meetings with Town and Parish Councils across the district and the engagement with Town and Parish Councils has continued to be useful and constructive in the run up to, and during the

consultation on the Submission Version. The meetings have different forms depending on the arrangements put in place by the respective council, with some held as part of public meetings and others involving Town and Parish Councillors only. In each case, they have always provided a useful opportunity for more detailed discussion about the proposals affecting particular towns and parishes and allowed Officers to explain the content of the Draft Local Plan in a local context.

Although all Town and Parish Councils were contacted in the run up to the Submission Version consultation, the offer of further meetings was taken up by fewer Councils than at earlier stages of plan preparation; potentially reflecting the more advanced stage of the process, with more limited scope at Regulation 19 stage for Town and Parish Councils or residents to influence changes to the Plan and a greater emphasis on legal compliance and soundness. The Corporate Director – Planning and Community and the Planning Policy Manager did, however, attend meetings with Weeley Parish Council, Mistley Parish Council, St. Osyth Parish Council and Little Oakley Parish Council. Beaumont Parish Council and Elmstead Market Parish Council also sought to organise meetings with Officers, but these did not proceed due to availability and other practical constraints. The Corporate Director did however attend a meeting of the Tendring District Association of Local Councils (TDALC) on 23 September 2026 to provide a briefing to, and answer questions from Town and Parish Council representatives from across the District.

The issues raised at Town and Parish Council meetings generally reflected those raised through the wider consultation, although discussion tended to focus in greater detail on the implications of proposals for individual communities. At Weeley Parish Council's meeting, discussion focussed particularly on the proposed allocation at Weeley Heath, which generated greater concern than the larger strategic allocation around Weeley itself. The meeting with St Osyth Parish Council was constructive, with councillors demonstrating a good understanding of the Local Plan process and the reasons behind the Council's approach. The meeting with Mistley Parish Council provided an opportunity to discuss the implications of growth proposals affecting the wider Manningtree, Mistley and Lawford area, including at Horsley Cross. At Little Oakley Parish Council's meeting, which was open to the public but not attended by residents, discussion focussed on the settlement hierarchy, the implications of the Government's significantly increased housing requirements, the impact of the proposed urban extension at Dovercourt on nearby communities, and the anticipated trajectory for housing delivery over the Plan period.

**REPRESENTATIONS FROM RESIDENTS AND COMMUNITIES – GENERAL CONCERNS ABOUT GROWTH**

At the earlier Preferred Options stage of consultation in February and March 2026, the majority of comments and objections from residents and communities related to the Draft Local Plan’s proposals for housing and mixed-use development, raising a variety of serious concerns about the impact of additional development, both generally across the District and in respect of certain site or location-specific proposals. As anticipated, the representations received in response to the Submission Version of the Local Plan continue to raise similar concerns, albeit the overall number of responses in total is notably lower. This reduction is likely to reflect a combination of factors, including the

Council's decision to delete the contentious proposals in Brightlingsea and Walton and the greater focus at Regulation 19 on legal compliance and soundness.

Many of the concerns that have continued to be raised by residents and communities are already acknowledged and shared by Councillors and Officers and reflect a number of reasons why the Council has consistently objected to the Government's approach of imposing mandatory housebuilding targets on locations like Tendring without taking sufficient account of local geography, infrastructure constraints, environmental considerations and economic circumstances. For Tendring, changes to national policy have resulted in the District's annual housing requirement increasing from 550 homes per year (as established through the adopted Local Plan) to 1,069 per year under the Government's standard methodology, representing a near doubling of the previous requirement. In turn, this has required the Council, through the Draft Local Plan, to identify land capable of accommodating at least 18,173 new homes over the 17-year period 2026 to 2043.

Despite the significant number of local objections, the housebuilding requirement is now effectively mandatory and there is no longer a realistic mechanism to argue for a lower target on the basis of local geographical, environmental, demographic, or infrastructure considerations. The only alternative would be for unmet housing need is to be accommodated by neighbouring authorities. However, Tendring and Colchester are already jointly planning for growth through the Tendring Colchester Borders Garden Community, and neighbouring authorities face their own challenges in meeting increased housing requirements. As a result, there is no realistic scope of a neighbouring authority accommodating any significant proportion of Tendring's housing requirement.

The most notable issues and concerns raised by residents and communities are broadly consistent with those raised during the previous consultation and relate principally to transport and utilities infrastructure, pressure on health and education provision, flooding and drainage, environmental impacts, the loss of agricultural land and countryside, impacts on the character and identity of settlements, the scale and distribution of growth, the deliverability of development and infrastructure, and the suitability of particular site allocations. These issues are considered in more detail below, together with Officers' initial assessment of the matters likely to arise through the examination process.

<u>Inadequacy of transport and utilities infrastructure</u>

Many residents and communities have understandably continued to raise concerns about deficiencies in transport and utilities infrastructure, particularly highways, public transport, water supply, sewerage and drainage infrastructure, and the ability of existing systems and services to cope with the scale of proposed housing growth. Concerns frequently relate to increased traffic congestion, pressure on local road networks, blocked sewers, wastewater treatment capacity and surface water flooding. Many residents also expressed scepticism about the realistic likelihood of achieving significant levels of 'modal-shift' (i.e. more people in the future walking, cycling and using public transport as an alternative to private cars).

In respect of Tendring's transport infrastructure, Officers are very sympathetic to the concerns raised by residents because, in a semi-rural district such as Tendring with a dispersed geography, a high proportion of residents commuting out of the District for work and a high reliance in many parts of the District on private cars, there is no doubt that approximately 18,000 additional homes up to 2043, together with the continuation of the strategic growth at the Garden Community and Garden Villages beyond that date, will increase demand on the transport network and exacerbate existing capacity and safety concerns unless they are accompanied by an effective and deliverable package of mitigation measures.

Through the spatial strategy in the Draft Local Plan, the Council has attempted as best as it can under the circumstances to direct as much development as practicable to larger urban settlements with a choice and means of transport; towns and villages with access to rail; and in the case of the Garden Community and Garden Villages, comprehensively planned developments in strategic locations of a scale that are designed to incorporate the new shops, jobs, services, facilities and rapid transit connections to achieve a degree of self-sufficiency and minimise the need to travel by car.

However, while the strategy and policies in the Local Plan can try, in line with both government and County Council policy, to prioritise and encourage walking, cycling and public transport as alternatives to the private car, it is up to individuals to choose how they wish to travel and such choices can sometimes evolve over time. Achieving meaningful modal shift depends not only on policy direction but also on the availability, attractiveness and convenience of viable alternatives, and it can take time for new patterns of movement to become established. Assumptions around modal shift must therefore strike a balance, being ambitious in supporting sustainable travel, while remaining realistic and acknowledging the longer-term nature of behavioural change.

Although it may be inevitable that growth will result in an increase in car movements and traffic, the test in national policy is that development should only be prevented or refused on highway grounds if there would be an 'unacceptable impact' on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be 'severe', taking into account all reasonable future scenarios. The transport modelling work that has been carried out in support of the Local Plan in collaboration with Essex County Council and National Highways indicates the type of mitigation measures that would need to be put in place to ensure the impact of the developments proposed in the Local Plan are not unacceptable in terms of highway safety or severe in terms of the highway network.

The position of Essex County Council and National Highways on the transport evidence supporting the Local Plan will be an important factor in demonstrating whether the proposals in the Draft Local Plan are feasible and deliverable in transport terms and will be a key consideration for the Planning Inspector at examination.

Water and sewerage provision is another challenging area where, without significant investment in infrastructure, the District will not be able to accommodate the levels of growth now required under government policy. Concerns in relation to sewerage capacity, wastewater treatment, foul drainage and surface water flooding featured prominently within many of the representations received from

residents and communities. The Local Plan is however supported by an up-to-date Water Cycle Study (prepared in consultation with Anglian Water, Affinity Water and the Environment Agency) which identifies where in the District there will be capacity to accommodate growth, where there will not, and where investment in the expansion of the network or brand new infrastructure is likely to be required.

The representations submitted in response to the Submission Version by Anglian Water, Affinity Water and the Environment Agency follow on from their previous comments at Regulation 18 stage and remain generally supportive. They do not appear to raise any irresolvable issues and again emphasise the need for the Council to continue working closely with those bodies as the Local Plan progresses. This is because Developments will not be able to proceed without the necessary infrastructure being put in place and, in some cases, discharge consents being granted by the Environment Agency, all of which could have a significant bearing on the timing and phasing of development, particularly some of the larger strategic proposals.

Surface water flooding has again been identified as a concern by a number of objectors, particularly in locations that have experienced flooding issues in the past. However, it is already both national and local policy for new developments to incorporate Sustainable Drainage Systems (SuDS) to ensure that development does not result in surface water run-off rates over and above what would be expected on an undeveloped greenfield site. These SuDS schemes are assessed by Essex County Council in its role as Lead Flood Authority before planning permissions are granted and developments can take place; and whilst there have been instances where surface water flooding has occurred during periods of extremely heavy rainfall, the approach to SuDS is generally successful.

Inadequacy of community infrastructure

Many respondents to the latest consultation have understandably continued to raise concerns about the impacts of additional housing development and population growth on health, education and other community infrastructure – particularly given current challenges facing GP surgeries, NHS dentistry, hospitals and schools in meeting existing demand. Many representations questioned how further growth could be accommodated when residents already experience difficulties accessing healthcare services and, in some parts of the District, school places.

These concerns are still shared by the Council, and the impact of a growing and ageing population on health provision is a significant challenge for the Council and its NHS and public health partners. It is a complex matter that requires a strategic approach extending well beyond the planning system alone. Through the Local Plan and the development management process, the Council can seek to ensure that development promotes healthier lifestyles, encourages walking and cycling, and creates environments that support physical and mental wellbeing. The planning system can also secure land, buildings and financial contributions towards healthcare infrastructure where justified. However, whilst planning obligations can help provide the physical infrastructure needed to support growth, they cannot directly control the recruitment, retention or distribution of GPs, doctors, nurses, dentists

or other healthcare professionals, which remain critical factors in determining the capacity of health services.

Many representations, particularly from residents in Kirby Cross, Brightlingsea, Bradfield and other affected communities, expressed the view that healthcare services are already under significant pressure and questioned how additional housing growth could be accommodated before improvements are delivered. NHS and public health partners have been working with the Council on the Infrastructure Delivery Plan (IDP) that forms part of the evidence in support of the Local Plan. In its response to the latest consultation, the Integrated Care Board (ICB) welcomes the changes that were made between Regulation 18 and Regulation 19 stages, recognising that the Plan now better reflects and aligns with the ICB's 2025 Ten-Year Health Plan. This promotes a new care model based around three key shifts in the delivery of NHS services: hospital to community; analogue to digital; and sickness to prevention. Under this model, access to care will increasingly be provided as locally as possible, supported by digital technology, delivered in a person's home or place of residence where appropriate, through a Neighbourhood Health Centre (NHC) when needed; and in hospital settings only where necessary.

Although many residents highlight concerns with hospital capacity, GP provision, difficulties in obtaining appointments and the need for new developments to include healthcare facilities, the way healthcare is likely to be planned and delivered over the lifetime of the Local Plan will continue to evolve. The ICB's strategic approach places increasing emphasis on neighbourhood-based care, prevention, digital access and the more integrated delivery of services through a wider range of healthcare professionals and community facilities. This does not remove the need for investment in healthcare infrastructure and facilities but reflects a broader approach to service provision than simply providing additional GP surgery buildings in response to population growth. For example, community pharmacies and other local health services are expected to play a greater role in supporting patients, particularly those with long-term conditions, with improved access to shared digital patient records helping to ensure joined-up care. By broadening the way services are delivered and making better use of technology and local facilities, the overarching aim is to improve access to care, ease pressure on GP practices, and provide more flexible and responsive services for patients.

Whilst there are very understandable local concerns about the impact of additional housing development and population growth on NHS services, national planning policy assumes that growth and infrastructure should be planned together and that new development should make an appropriate contribution towards the infrastructure required to support it. The challenge for the Council and its partners is therefore to ensure that healthcare infrastructure planning keeps pace with growth over the lifetime of the Local Plan.

Many respondents highlighted concerns regarding existing school capacity in their local area, particularly in settlements experiencing recent housing growth. However, Essex County Council, in its role as Education Authority, has a well-established system for assessing future demand and ensuring that housing growth is matched by the necessary increase in early years, primary and secondary school places, whether through the expansion of existing schools, the delivery of new schools as part of larger developments, or financial contributions secured from developers. ECC has

worked closely with the Council on the preparation of the Local Plan and the Infrastructure Delivery Plan that sits alongside it. In its response to the latest consultation, ECC welcomes the changes that have been made to the Plan between Regulation 18 and Regulation 19 stages, including the deletion of a housing site at Thorpe le Soken which addresses the only concern it had raised about education provision and the ability to plan for sufficient additional primary school places.

Environmental impact

A number of communities have continued to express significant concerns about the impact of the additional development on rural landscapes, sensitive wildlife habitats, the character and identity of settlements, and the setting of historic buildings and structures. These concerns are particularly prevalent in relation to greenfield allocations and the larger strategic growth proposals, where the scale of development proposed would result in visible and lasting change to the environment. Concerns regarding the loss of agricultural land and countryside have also featured prominently in representations and are considered separately below.

Because of the substantial increase in housing requirements resulting from changes to Government policy, the environmental impact of development is inevitably greater than would have been the case under previous housing targets. Even following the deletion of a number of allocations between Regulation 18 and Regulation 19 stages, the scale of growth required means that significant areas of land still need to be identified for development.

With the need for housing to be located in a manner that is both sustainable and deliverable, the strategy for growth includes a range of sites in different locations. Some are located close to sensitive coastal habitats and landscapes, whilst others are larger strategic proposals affecting extensive areas of currently undeveloped land. The majority of sites identified for future housing growth are located on the edge of existing settlements, meaning that some degree of landscape and environmental impact is unavoidable.

The Local Plan is supported by an extensive evidence base, including ecological, landscape and heritage assessments, together with a range of environmental policies and legal requirements intended to avoid, minimise or mitigate harm. These include the requirements of the Habitats Regulations, Biodiversity Net Gain (BNG), Suitable Alternative Natural Greenspace (SANG) where required, financial contributions towards the Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) and support for the Essex Local Nature Recovery Strategy (LNRS).

The representations submitted by Natural England and the Essex Wildlife Trust reinforce the importance of ensuring that development is supported by appropriate ecological evidence and mitigation, whilst also highlighting a number of areas where policies and supporting evidence can be strengthened. Any planning applications that come forward for sites allocated in the Local Plan will need to be accompanied by detailed ecological assessments and, where necessary, proposals for avoidance, mitigation and enhancement measures to enable the Council to determine those applications. Such measures would typically be secured through legal agreements or planning conditions. Whilst residents' concerns about impacts on wildlife, habitats and biodiversity are

understandable, the environmental safeguards and mitigation requirements within the Local Plan have been strengthened between Regulation 18 and Regulation 19 stages, taking into account advice from Natural England, the Wildlife Trust and other stakeholders. Alongside the detailed ecological assessment and mitigation that would be required at planning application stage, these measures provide a framework for identifying, avoiding and mitigating environmental impacts.

Landscape impacts continue to be a recurring theme in many representations. Residents have highlighted concerns about development on prominent coastal sites, the loss of open countryside and the effect of development on the rural setting and identity of existing communities. An up-to-date Landscape Character Assessment forms part of the evidence base supporting the Submission Version of the Local Plan and has informed both site selection and policy development. Whilst some allocations are located in areas where impacts can be mitigated through design, masterplanning and landscaping, other locations are inevitably more sensitive.

The impact of development on heritage assets has also been raised in a number of representations, particularly where proposals affect the setting of listed buildings, conservation areas or other historic features. The District contains a rich historic environment, including Conservation Areas, Listed Buildings, Scheduled Monuments and undesignated heritage assets; but in the approach to allocating sites for development, the Council has been very mindful of the historic environment and the potential impact of development on heritage assets and their settings. Historic England's representation on the Submission Version continues to helpfully indicate that the various developments are likely to be achievable in heritage terms and welcomes the High-Level Heritage Impact Assessments that have now been carried out to help better articulate and understand the nature and significance of potential impacts on the historic environment.

Loss of agricultural greenfield land

Many residents and communities have continued to object to the significant loss of agricultural land, countryside and greenfield sites that would result from the scale of development proposed in the Local Plan. A recurring theme in representations is the permanent loss of productive farmland, and the implications this may have for food production and food security. Respondents also frequently refer to the loss of open countryside and the gradual erosion of the undeveloped land that contributes to the character and identity of communities across the District.

The Council continues to share many of these concerns. The Government's mandatory housebuilding targets do not take account of the availability, or lack of availability, of previously developed brownfield sites or lower-grade agricultural land in sustainable locations. Tendring has a very limited supply of identified brownfield land and much of the undeveloped land surrounding its settlements comprises productive agricultural land. Even under the Council's previous Local Plan, where the housing requirement was considerably lower, significant areas of greenfield land had to be identified for development, including at the Tendring Colchester Borders Garden Community and around the District's larger settlements.

In the 1990s and 2000s, the Council was able to direct much of its housing growth towards previously developed land. However, because that resource is finite and many of the most suitable brownfield opportunities have now been developed, the increase in housing requirements has necessitated the identification of additional greenfield sites. Furthermore, the scale of growth now required, combined with the District's environmental, physical and infrastructure constraints, means there are limited realistic options for accommodating development without affecting agricultural land and areas of open countryside. The introduction of additional Garden Village proposals is itself a reflection of the limited scope for continued expansion around many of the District's existing coastal settlements without giving rise to even greater planning, environmental and infrastructure challenges.

Realistic deliverability

Many objections continue to question whether the assumptions around delivery are over ambitious and if the level of development proposed in the Local Plan is realistically achievable (particularly for the larger Garden Village proposals), given the various complex factors that influence housing delivery such as the general stability of the national economy, the state of the housing market and the availability of materials and labour. The Council still shares the concerns that have been raised about the realistic deliverability of 18,000 homes over 17 years; and those concerns were raised in the Council's objections to the Government's proposed introduction of such high mandatory housebuilding targets in 2024.

Such is the scale of development now required, it will be very challenging for the Council to robustly demonstrate that all the developments proposed in the Plan will be realistically deliverable within the timescales envisaged, particularly the two Garden Villages at Hare Green and Horsley Cross which will require significant up-front investment in infrastructure. Many representations question not only whether the homes themselves can be delivered, but also whether the necessary transport, utilities, education and healthcare infrastructure can be provided in a timely manner to support growth. Officers expect the deliverability of the Garden Villages, including assumptions around infrastructure provision and delivery rates, to be among the main matters the Planning Inspector will focus on in examining the soundness of the Local Plan.

The change in government policy has also placed the Council in a position where it cannot demonstrate a 5-year supply of deliverable housing sites at present, which has left the District vulnerable to speculative planning applications for housing which need to be determined in line with the 'tilted balance' to the presumption in favour of sustainable development, the implications of which are explained elsewhere in this report.

Matching housing and jobs growth

Some residents have continued to raise concerns about a potential mismatch between housing growth and growth in local employment opportunities, acknowledging that whilst housing and employment growth go hand in hand, Tendring has long-standing challenges around unemployment, deprivation and outward commuting in some locations. Many residents questioned whether local job creation will occur quickly enough to match the scale of housing growth proposed and expressed

concerns that additional residents may need to travel outside the District for work, increasing pressure on local and strategic road networks, particularly during peak commuting periods.

Tendring is an area with higher-than-average levels of unemployment and deprivation when compared to other parts of Essex, which is partly an inherent challenge for many coastal locations where property prices are lower, where inward investment is difficult to attract and where transport connections are constrained. It is often coastal areas that are affected by downturns in the national economy earlier than other areas and which benefit from economic recovery later.

Although some residents remain concerned that these issues could be worsened as a result of housing development and population growth, housing development can also have a positive economic effect – not only in providing work in construction, trades and supply-chain industries including for local SMEs and sole traders, but also through population growth driving general demand for goods and services and the associated creation of many other jobs in the district. Also, with retirement being a notable driver of housing demand in the Tendring area, particularly in its coastal towns, not every new household formed in the District will necessarily require employment, but those households will still contribute to the economy and drive demand for goods and services.

With such a substantial increase in the housebuilding requirement and long-standing challenges around unemployment, deprivation and skills, the Council needs more than ever to create the conditions for growth in as wide a range of employment sectors as possible. The approach to establishing new Garden Villages in central parts of the District with good access to the A120 corridor and the Port of Harwich is, in part, designed to unlock land for employment use in locations where business involved in industrial, logistics and research and development are most likely to want to invest. The proposed Collierswood business park allocation north of the Tendring Colchester Borders Garden Community and the significant employment land provision that will support the Garden Villages at Hare Green and Horsley Cross are a key element of the Draft Local Plan's spatial strategy. The Plan also reinforces the Council's support for port expansion and an interim green energy hub at Bathside Bay, and the potential opportunities afforded by Freeport status.

There has, in recent years, been growth in people being able to work or run a business from home thanks to the advancements in broadband infrastructure which, in itself, has the potential to help ensure a reasonable match of homes and jobs in the District; although there is still likely to be a significant number of residents who find work outside of the District for whom an efficient transport network and connections to neighbouring Colchester will be important. The approach to the rapid transit connections from the Tendring Colchester Borders Garden Community and the potential extension of that route into Tendring to serve the additional Garden Villages planned for Hare Green and Horsley Cross are therefore designed not only to attract inward investment in jobs into Tendring itself, but to provide sustainable transport connections for commuters to job opportunities, and access to training and education outside of the District.

Through Devolution and changes to the planning system, including the introduction of strategic planning and Strategic Spatial Strategies at mayoral level, there could be more scope to develop an overarching economic strategy for the Greater Essex area that directs investment and growth to

coastal locations to tackle issues with deprivation – and the proposals in the Draft Local Plan could help influence that strategy as it develops.

Need and affordability

Some responses to the latest consultation continue to question the actual need for the additional housing and employment growth proposed in the Local Plan, with suggestions that the District is already accommodating more than enough development through the circa 10,200 homes already in the pipeline from allocations in the adopted Local Plan, existing planning permissions and developments under construction. Other respondents have questioned whether the scale of growth proposed will genuinely meet local housing needs and improve affordability for existing residents, or instead primarily attract additional in-migration from elsewhere in Essex and beyond.

The Council continues to share the view expressed by many residents and communities that the growth already in the pipeline will be challenging enough to deliver without the additional housing now required following changes to Government policy. The housebuilding targets calculated through the Government's standard methodology are designed primarily to contribute to national housing delivery objectives and are not based on a detailed assessment of local demographic circumstances, environmental constraints or infrastructure capacity.

It was demographic factors that allowed the Council to argue, successfully, for an objectively assessed housebuilding target of 550 homes for the Council's last Local Plan, but even then the Council was already taking the bold step of working with neighbouring Councils in North Essex to introduce the concept of stand-alone Garden Communities, including that proposed on the Tendring/Colchester border, because even meeting the previous lower housing requirement of 550 homes a year was not considered achievable through continued traditional expansion of existing towns and villages. The introduction of a mandatory housebuilding target of 1,069 homes a year has made this challenge around growth even more acute and has required the Council to allocate sites in and around towns and villages that have previously been excluded from the Local Plan, and introduce the concept of additional stand-alone Garden Villages to deliver homes and employment development in other locations along the A120 corridor.

Questions have also been raised about whether new housing will be affordable to local people, particularly younger residents and families, given Tendring's long-standing challenges around house prices, incomes and inward migration. Whilst the Council cannot control who purchases or occupies market housing, increasing the supply of homes and securing affordable housing through planning obligations remains one of the principal mechanisms available to improve housing opportunities for local people and those on the Council's housing waiting list.

Impact on local character and settlement identity

Communities continue to express concerns that the number and scale of developments proposed in the Local Plan will erode the character, identity and distinctiveness of towns and villages across the District, particularly in rural areas affected by the proposed Garden Villages, but also in settlements

accommodating a number of medium-scale developments on their edges. A recurring theme in representations is the fear that development could result in the gradual coalescence of communities, the erosion of settlement boundaries and the loss of the individual character and sense of place that residents value.

Again, the Council continues to share many of these concerns, particularly given the scale of growth now required means that virtually every part of the District will need to accommodate some level of development. If housebuilding targets had remained at previous levels, there would have been a greater opportunity to focus growth in a smaller number of locations and reduce the extent to which development affects the character of existing communities. As far as practicable, the Council has sought to identify sites that relate logically to the form and pattern of existing settlements and has amended the Local Plan in a number of locations, including Brightlingsea and Bradfield, in response to concerns raised during earlier stages of consultation. However, in some cases, the scale of development now required means that impacts on settlement character and identity are difficult to avoid entirely.

Distribution and proportions of development

Many representations continue to argue that certain developments are disproportionate in scale relative to the towns, villages or hamlets to which they relate. Residents frequently question both the overall distribution of growth across the District and the concentration of development in particular locations, with differing suggestions as to where housing should instead be directed.

Unfortunately, because the new housebuilding target for Tendring is so high, it is not possible to deliver 18,000 homes over a 17-year period through a traditional hierarchy-based approach in which settlements expand only in proportion to their existing size. Many of Tendring's largest settlements are located on the coast, where environmental, physical and infrastructure constraints limit opportunities for further expansion. As a result, the Council has had to consider alternative approaches to growth, including the proposed Garden Villages at Hare Green and Horsley Cross, and significant growth in locations such as Weeley, Kirby Cross and settlements where residents have questioned whether the scale of development proposed is proportionate to the role and size of those communities.

Whilst residents often have differing views on where growth should be directed, the challenge for the Council has been to identify a strategy capable of accommodating the Government's mandatory housing requirement whilst balancing environmental constraints, infrastructure capacity, deliverability considerations and the need to support economic growth.

Experiences of recent developments

Many representations refer to recent housing developments and express concerns about the quality of development, the timing of infrastructure provision and increases in traffic and congestion. In many cases, residents argue that existing communities are already experiencing the effects of recent

growth and fear that the additional development proposed through the Local Plan could exacerbate these issues.

The Council recognises these concerns. However, one of the key purposes of preparing an up-to-date Local Plan is to ensure that future growth takes place in a more coordinated manner, supported by appropriate policies, infrastructure planning and environmental safeguards. A number of policies in the Submission Version have been strengthened since Regulation 18 stage specifically in response to concerns raised through consultation and advice from consultees.

Many of the developments built in recent years were approved at a time when the Council did not have an up-to-date Local Plan and was unable to demonstrate a five-year supply of deliverable housing sites. In a number of cases, planning permissions were granted by Planning Inspectors on appeal. Securing an up-to-date Local Plan therefore provides the Council with its strongest mechanism for directing future growth to the most appropriate locations and securing the infrastructure, mitigation and design standards expected by local communities.

**SITE/LOCATION-SPECIFIC OBJECTIONS**

As was the case at the earlier Preferred Options stage, the majority of objections from residents and communities relate to specific site allocations and development proposals affecting their town, village or neighbourhood. Whilst many of the broader concerns discussed in the previous section are repeated in relation to individual sites, respondents have also raised a range of location-specific issues relating to infrastructure capacity, environmental constraints, highway safety, heritage impacts, settlement character, local service provision and the suitability of particular sites for development.

The overall number of site-specific objections is lower than at Regulation 18 stage, reflecting both the more focused nature of Regulation 19 representations and the Council's decision to remove a number of the most contentious proposals from the earlier version of the Local Plan, most notably the larger allocations at Brightlingsea and Walton. Nevertheless, a number of allocations continue to attract significant levels of objection and are likely to feature prominently in discussions during the examination process.

It is important to note that Local Plans are examined on the basis of legal compliance and soundness rather than the number of representations received in support of or in opposition to a proposal. The volume of objections to a particular site does not, in itself, determine whether it should remain in the Plan. However, where objections identify evidence gaps, significant planning constraints or issues which may affect the soundness, effectiveness or deliverability of a proposal, those matters will require careful consideration by the Council and may warrant further discussion through the examination process.

The following section summarises the principal allocations and policies that have attracted the greatest level of objection from residents and communities and Officers' initial assessment of the issues raised.

SAH2: Development north of Thorpe Road, Kirby Cross

The second most objected-to proposal in the Draft Local Plan at Regulation 18 stage has now become the single most objected-to proposal at Regulation 19 stage. The 450-home development proposed for land in Kirby Cross, which increased from 420 homes from the Preferred Options Draft has attracted around 45 representations of objection.

Whilst many of the objections reflect the wider concerns discussed elsewhere in this report, there are a number of recurring site-specific themes. These include concerns about the cumulative scale of growth proposed across Frinton, Walton, Kirby Cross and Thorpe-le-Soken; the impact on agricultural land, wildlife and nearby protected habitats associated with Hamford Water; the increase in traffic on the congested B1033 through Thorpe le Soken, local junctions and surrounding road network; pressure on local schools, GP surgeries and other community services; and concerns about drainage, wastewater infrastructure and flood risk. A significant number of representations also raise concerns regarding the proposed relationship between the development and Mumfords Lane, including the presence of mature trees protected by Tree Preservation Orders and suggestions that the lane should be designated as Local Green Space.

Despite the high level of objection to this proposal, Officers' initial assessment is that many of the issues raised are capable of being addressed through detailed design, policy requirements, mitigation measures and supporting infrastructure. The issues raised do not, in Officers' view, demonstrate an obvious justification for removing the allocation from the submitted Local Plan. However, the representations received identify a number of matters that the Planning Inspector may wish to explore further through the examination process, particularly in relation to infrastructure provision, ecological impacts, landscape treatment, sustainable transport connections and the protection of important site features. A number of respondents also raise concerns regarding the cumulative impact of growth across the wider Frinton, Walton, Kirby Cross and Thorpe area, which may warrant further consideration through the examination process.

Brightlingsea Strategy

One of the most significant changes made between the Preferred Options and Submission Version stages of the Local Plan relates to the approach to accommodating growth in Brightlingsea. Following the earlier consultation, the Council decided to remove the proposed 300-home allocation east of Church Road which had attracted a particularly high level of objection from local residents. In its place, the Submission Version introduced a revised strategy involving a number of smaller allocations around the town, including Vicarage Field (MSA34), the expansion of the allocation at Pannell Place (MSA6) from 10 homes to 20 homes, and the addition of a new allocation at Robinson Road (MSA35). The intention of this revised approach was to distribute growth more widely around the town and reduce reliance on a single larger development site.

Although considerably smaller than the former allocation east of Church Road that was removed from the Local Plan, the proposed allocation at Vicarage Field has nevertheless attracted a significant level

of objection. Around 28 objections were received alongside a petition signed by approximately 770 people, although only a proportion of signatories identified a Brightlingsea address.

Many representations object to the introduction of the allocation at Regulation 19 stage and raise concerns regarding amendments to the Coastal Protection Belt, the impact of development on greenfield land and wildlife habitats, and the potential effect on the setting of nearby heritage assets including Greythorpe Farm. A number of residents also refer to the planning history of the site and previous decisions relating to development in this location.

The revised strategy has also generated objections to the additional allocations proposed elsewhere around the town. Around 22 objections were received in relation to the enlarged Pannell Place allocation and a similar number in relation to the new Robinson Road allocation. Common concerns include the cumulative impact of further housing growth on local infrastructure and services, traffic generation, drainage and flooding issues, loss of greenfield land, impacts on wildlife and biodiversity, and the effect of additional development on the character of the town. Taken together, the representations indicate that, whilst the revised strategy has reduced dependence on a single larger allocation, there remains a significant degree of local concern regarding the overall scale and distribution of growth proposed in Brightlingsea.

The Regulation 19 consultation has also attracted substantial representations from Trinity College, which continues to support the reinstatement of the larger deleted allocation east of Church Road. As a result, the examination may need to consider not only the proposed allocations themselves but also alternative approaches to accommodating growth in Brightlingsea.

MSA2: Land adjacent to Branscombe Close, Frinton

Approximately 17 objections were received in relation to the proposal for approximately 40 homes at Branscombe Close, Frinton. Whilst many of the concerns raised reflect themes common to other allocations within the Local Plan, residents frequently object to the proposed means of access via the existing residential cul-de-sac and raise concerns regarding traffic congestion, particularly around Wittonwood Road, the railway crossing and nearby schools.

Representations also refer to pressure on local infrastructure and services, the loss of greenfield land, impacts on protected trees, wildlife and biodiversity, and concerns relating to drainage and flood risk. The relationship of the allocation to the surrounding residential area and the practical implications of accommodating development through the existing road network are recurring themes in many of the objections received.

MSA28: Land North of Rectory Road, Wrabness

Approximately 14 objections were received in relation to the proposal for around 30 homes at Wrabness. Whilst the scale of objection is lower than some of the larger strategic proposals in the Local Plan, the representations received raise a particularly consistent set of concerns regarding the suitability of the allocation.

Objectors frequently argue that development of this scale would be disproportionate to the size and role of the settlement and question whether Wrabness contains sufficient services and facilities to support additional growth. Concerns are also raised regarding reliance on private car travel, the impact on village character, drainage and wastewater infrastructure, and pressure on local services.

The principal issue likely to arise through examination is therefore whether the scale of development proposed is appropriate and proportionate for a settlement of this size and function within the wider spatial strategy of the Local Plan.

MSA8: Land adj Village Hall, Harwich Road, Beaumont

Approximately 14 objections were received in relation to this allocation. Whilst the proposed scale of development is relatively modest and has been reduced from the 20 homes proposed at the Preferred Options stage to around 12 homes in the Submission Version, the representations received raise a consistent set of concerns regarding the suitability of the site and the wider sustainability of further growth in Beaumont.

Objectors frequently refer to the limited range of services and facilities available within the village and question whether Beaumont is an appropriate location for additional development. Particular concern is raised regarding highway safety, the absence of mains sewerage, the capacity of existing drainage infrastructure and the potential for surface water flooding. Representations also raise concerns regarding impacts on wildlife, the countryside and the degree to which additional development would increase reliance on private car travel.

The principal issues likely to arise through examination are therefore whether the allocation represents a sustainable location for growth having regard to the range of services available locally and whether the evidence adequately demonstrates that wastewater, drainage and highway-related constraints can be satisfactorily addressed.

Bradfield Strategy

A notable change between the Preferred Options and Submission Version stages of the Local Plan relates to the approach taken towards growth in Bradfield. The Preferred Options version of the Local Plan proposed a single allocation of approximately 100 homes on land south of Windmill Road and east of Straight Road. Following consultation, the Council revised this approach by substantially reducing the scale of development proposed in that location and instead distributing growth across three smaller allocations: MSA9 (Land west of Windmill Road), MSA36 (Land north of Wix Road) and MSA37 (Land east of The Street). The intention of the revised strategy was to provide a pattern of growth more closely related to the character, form and existing pattern of development within the village.

Despite this change in approach, the three allocations have still attracted a combined total of approximately 36 objections. Around 14 objections were received in relation to MSA9, with

approximately 11 objections received in relation to each of MSA36 and MSA37. Whilst many of the concerns raised reflect wider issues discussed elsewhere in this report, they also raise a number of recurring themes specific to Bradfield and the revised strategy for growth in the village.

Common concerns include the loss of agricultural land and countryside, impacts on rural character and settlement identity, highway safety and traffic generation, pressure on local infrastructure and services, drainage and wastewater infrastructure, and the cumulative impact of development when considered alongside other major development and infrastructure proposals affecting this part of the District. A number of respondents argue that, whilst the revised approach represents a reduction in the scale of development previously proposed, the combined effect of the three allocations would still represent a significant level of growth for the village and could alter its rural character and identity.

The representations therefore raise questions regarding whether the revised strategy provides a more proportionate and locally responsive approach to accommodating growth in Bradfield and whether the cumulative impacts of the three allocations can be accommodated without causing unacceptable harm to the character and function of the village.

Garden Village Proposals (SAMU8 and SAMU9)

Although the proposed Garden Villages at Hare Green (SAMU8) and Horsley Cross (SAMU9) represent two of the largest and most radical proposals in the Submission Version of the Local Plan, the level of objection received in relation to them has been lower than might have been anticipated given their scale. Together, the two proposals attracted around 20 representations of objection from residents, alongside responses from affected Parish Councils.

Many of the objections reflect the wider concerns discussed elsewhere in this report, particularly in relation to highway capacity, healthcare provision, education, wastewater infrastructure, loss of agricultural land and environmental impacts. However, respondents also raise more location-specific concerns regarding the scale of change proposed in what are currently predominantly rural areas, the potential impact on the character and identity of nearby villages, the loss of open countryside and productive farmland, and whether new settlements of this scale can realistically be delivered alongside the infrastructure required to support them.

In relation to Hare Green, representations focus in particular on the impact of a new settlement on the surrounding rural landscape, affected villages and agricultural land, together with concerns regarding traffic and the timing of infrastructure delivery. In relation to Horsley Cross, recurring themes include the relationship with nearby settlements including Bradfield and Little Bromley, the capacity of the A120 and surrounding road network, the cumulative impact of other major infrastructure proposals affecting the area, and whether a settlement of the scale proposed can realistically be delivered in a co-ordinated and sustainable manner.

A recurring theme in representations is that, if development is to proceed in these location, key infrastructure should be planned, funded and delivered at an early stage in order to avoid placing unacceptable pressure on existing communities and services. Concerns have also been expressed

regarding the assumptions underpinning the estimated rate of development and the extent to which the Garden Villages can become genuinely self-sustaining communities rather than simply large-scale housing developments.

Officers recognise the strength of feeling expressed by residents and Parish Councils in relation to both proposals. However, the inclusion of strategic growth locations within the submitted Local Plan reflects the scale of the District's housing requirement and the limited opportunities for accommodating comparable levels of growth elsewhere in Tendring without giving rise to other significant planning constraints. As a result, the examination is likely to focus heavily on whether the Garden Village proposals are supported by sufficient evidence in relation to transport, infrastructure, environmental impacts, viability and deliverability, and whether the associated policy framework provides an appropriate basis for the long-term planning and delivery of new settlements in these locations.

**RESPONSES FROM TOWN AND PARISH COUNCILS, AND OTHER COMMUNITY REPRESENTATIVES**

With most parts of the District affected by one or more proposals in the Local Plan, all Town and Parish Councils have continued to be actively engaged in the plan-making process. Officers have continued to keep them updated throughout the different stages of the project, have invited their views both in the run up to, and following, key decisions and have carried on giving briefings and attending meetings on request. Through the changes the Council made to the Local Plan following the previous consultation, Officers were keen to take on board constructive suggestions from the Town and Parish Councils wherever practical and possible.

Many of the Town and Parish Councils, in representing the views of residents in their communities, have rightly continued to highlight a range of concerns in their latest representations about the overall growth proposed for Tendring and the impact of development on specific sites in their areas, but generally with an understanding of the difficult task faced by the District Council in preparing a Local Plan and having to address the Government’s mandatory housebuilding requirements.

Not all Town and Parish Councils responded formally in writing to the consultation. However, those that did provide representations raised a number of recurring themes, alongside concerns and observations specific to their individual communities.

As at previous stages of consultation, many of the representations focussed on the implications of growth for local infrastructure, particularly highway capacity, healthcare provision, drainage and wastewater infrastructure. Concerns were also frequently expressed about the loss of agricultural land, impacts on rural character and whether development could be supported by the services and facilities available within individual settlements. A number of councils also questioned the cumulative impact of growth when considered alongside Nationally Significant Infrastructure Projects and other major schemes affecting the District. Many of these issues have featured prominently throughout the

preparation of the Local Plan and have informed both the development of the strategy and the supporting evidence base.

Tendring District Association of Local Councils (TDALC)

Whilst not all Town and Parish Councils chose to submit detailed representations individually, the Tendring District Association of Local Councils (TDALC) submitted a comprehensive response (Appendix 1) raising a number of issues of wider relevance to communities across the District.

A central theme of the submission is concern regarding the cumulative impact of proposed housing growth when considered alongside major nationally significant infrastructure projects affecting the District, including energy infrastructure proposals and their associated construction impacts. The representation argues that cumulative and in-combination effects require greater consideration throughout the evidence base and highlights concerns relating to agricultural land, landscape character, biodiversity, heritage, transport, water and wastewater infrastructure, social infrastructure and the distribution of growth across rural communities.

TDALC also raises concerns regarding the potential cumulative burden placed on a number of rural communities affected by both housing growth and strategic infrastructure projects. The representation requests a range of modifications intended to strengthen the Local Plan's approach to cumulative impact assessment, infrastructure delivery, environmental protection, monitoring and implementation.

Ardleigh Parish Council

Ardleigh Parish Council's representation is submitted in support of planned and sustainable growth in principle and explicitly recognises the Tendring Colchester Borders Garden Community as the appropriate location for major strategic development. Rather than objecting to growth itself, the Parish Council's response focuses on ensuring that the adopted Ardleigh Neighbourhood Plan is fully recognised within the Local Plan Review and that the particular circumstances affecting Ardleigh are given appropriate weight.

A central theme running through the representation is concern about the cumulative effects of development and infrastructure proposals affecting the parish. The Parish Council argues that the combined impacts of the Garden Community, major energy infrastructure projects, minerals and waste operations, industrial development, transport improvements and wider housing growth have not been adequately assessed together. It therefore calls for a parish-level cumulative impact assessment to better understand the combined effects on local roads, infrastructure, landscape character, biodiversity, agricultural land and community wellbeing.

The response also places considerable emphasis on the protection of Ardleigh's rural character and landscape setting. Particular concern is raised regarding the potential erosion of Strategic Green Gaps, the effect of development on settlement separation and the loss of high-quality agricultural land. Concerns are also expressed about increasing traffic and HGV movements, pressures on local

roads and public services, and the ability of existing infrastructure, including GP provision, to accommodate further growth without appropriate investment and mitigation measures.

To address these concerns, the Parish Council requests a number of modifications to the Local Plan, including stronger recognition of the adopted Neighbourhood Plan, enhanced protection for Strategic Green Gaps around Ardleigh, additional policy safeguards relating to design and rural character, infrastructure investment commitments and a more comprehensive assessment of cumulative impacts. The representation therefore seeks a number of modifications intended to strengthen the Local Plan's approach to cumulative impacts, infrastructure delivery, Strategic Green Gaps and recognition of the adopted Neighbourhood Plan.

Beaumont Parish Council

Beaumont Parish Council has submitted a strong objection to the Local Plan in relation to the proposed allocation affecting Beaumont. The Parish Council argues that the proposal would be inconsistent with national planning policy and that the site is unsuitable for development due to a combination of environmental, infrastructure and accessibility constraints. Particular concern is expressed about the proximity of the site to the internationally important habitats associated with Hamford Water and the potential impact on biodiversity and protected species known to exist in the area. The representation highlights the presence of rare habitats and species and argues that development could adversely affect the ecological value of the locality.

The Parish Council also raises significant concerns regarding drainage and wastewater infrastructure, noting the absence of mains sewerage and arguing that existing drainage systems are already operating at capacity. Reference is made to existing flooding problems affecting nearby properties following periods of heavy rainfall and concern is expressed that additional development could exacerbate these issues. The representation further notes that the area lies within a Nitrate Vulnerable Zone and raises concerns regarding the potential impact of additional wastewater on local groundwater resources.

In addition, the Parish Council questions whether Beaumont, as a Smaller Rural Settlement, represents a sustainable location for further growth. It points to the limited range of local services and facilities, infrequent public transport provision and the need for residents to travel to larger settlements to meet many day-to-day needs. Concerns are also raised regarding highway safety on the B1414, with the Parish Council arguing that additional traffic would worsen existing issues associated with visibility, road alignment and accident history. The representation concludes by suggesting that future development should instead be directed towards locations that benefit from better access to services, public transport and the strategic road network.

Bradfield Parish Council

Bradfield Parish Council's representation focuses primarily on the proposed Horsley Cross Garden Village. The Parish Council raises concerns that the broad location approach makes it difficult to understand the precise extent and form of development proposed and therefore the full implications

for Bradfield and surrounding communities. Particular concern is expressed regarding whether sufficient land remains available to accommodate the proposed level of growth once the requirements for schools, community facilities, green infrastructure, environmental mitigation and supporting infrastructure are taken into account. The representation also highlights the potential interaction between the Garden Village proposal and other major projects affecting the area, including the proposed Tarchon Interconnector and a proposed solar farm, and questions the implications these projects may have for the long-term development of the area.

The Parish Council also questions whether there is likely to be sufficient demand to support a settlement of up to 6,000 homes in this location and raises concerns about the ability of existing infrastructure and services to accommodate growth on this scale. Particular reference is made to healthcare provision and rail services serving the wider Manningtree, Lawford and Mistley area, together with concerns about the cumulative impacts of development and infrastructure projects affecting north-west Tendring.

In relation to development proposed within Bradfield itself, the Parish Council is supportive of the revised approach taken in the Submission Version Local Plan. The representation welcomes a move away from a larger development focused on a single site and instead favours smaller-scale growth that it considers would better reflect the character of the village and integrate more effectively with the existing community. The Parish Council also highlights the importance of protecting the village's landscape setting and rural character.

Brightlingsea Town Council

Brightlingsea Town Council submitted a concise representation confirming its support for the Submission Version Local Plan. The Town Council advised that, following consideration at a Planning Committee meeting on 15 September 2026 and subsequent ratification by Full Council on 17 September 2026, it had resolved to endorse and support the latest version of the Plan.

No detailed comments, objections or requests for modification accompanied the representation. As a result, the submission represents a clear statement of support for the Submission Version Local Plan and its proposed policies and allocations.

Frating Parish Council

Frating Parish Council has objected to the proposed Hare Green Garden Village (SAMU8), expressing concern that a development of this scale would result in the urbanisation of a number of neighbouring villages and parishes. The Parish Council also raises concerns regarding the loss of prime agricultural land and the implications this could have for food security, together with the potential impact on the area's role as a gateway to the Tendring coast and the possible consequences for tourism.

The Parish Council states that it does not have the specialist expertise necessary to comment on the legal compliance or soundness of the Local Plan. However, it raises a number of concerns relating

to environmental protection and sustainability, including the impact of development on hedgerows and wildlife. Particular reference is made to the age and importance of hedgerows within and around the proposed Garden Village area, together with concerns arising from ecological assessments and the potential loss of agricultural land.

The representation also questions whether sufficient consideration has been given to brownfield development opportunities elsewhere in the District, suggesting that land in locations such as Jaywick, Harwich and Clacton-on-Sea should be taken into account before further large-scale greenfield development is pursued. In addition, the Parish Council raises concerns regarding existing traffic conditions, infrastructure capacity and commuting patterns associated with growth on the edge of Colchester, and questions whether the proposed development can be regarded as sustainable.

Whilst objecting to the Garden Village proposal, the Parish Council states that if the development is ultimately taken forward, the infrastructure requirements identified within the Local Plan should be secured and delivered before residential or commercial development commences.

Great Bromley Parish Council

Great Bromley Parish Council objects to the scale of development proposed for the parish and considers that, in relation to Great Bromley, the Local Plan does not satisfy the tests of soundness set out in national planning policy. Whilst recognising the need for new housing and accepting that all communities should contribute towards meeting housing needs, the Parish Council questions whether the level of growth proposed is proportionate to the role and function of a rural village with a dispersed settlement pattern and a limited range of services and facilities. The representation argues that insufficient evidence has been provided to explain why Great Bromley has been selected to accommodate development at the scale proposed when compared with other settlements across the District.

A significant part of the representation focuses on transport and sustainability issues. The Parish Council raises longstanding concerns regarding highway safety, the capacity of local roads and the cumulative impact of additional traffic on the rural highway network. It notes the absence of a railway station, limited public transport provision and reliance on neighbouring settlements for many day-to-day services and employment opportunities, and questions whether development at the scale proposed is consistent with the objective of directing growth towards sustainable locations.

The Parish Council also expresses concern about the potential impact of development on the character and identity of Great Bromley, arguing that the cumulative scale of growth proposed could result in a significant change to the village's relationship with the surrounding countryside. The representation further questions whether the infrastructure necessary to support growth, including improvements to transport, healthcare, education, drainage, utilities and community facilities, has been sufficiently demonstrated to be deliverable alongside development. Particular emphasis is placed on the need to properly assess the cumulative impacts of development on infrastructure, services and rural character.

The representation concludes that, whilst the Parish Council supports growth that is proportionate, sustainable and infrastructure-led, it considers the scale of development proposed for Great Bromley to be excessive and requests that the allocations affecting the parish are reconsidered or supported by additional evidence and clear infrastructure commitments.

Lawford Parish Council

Lawford Parish Council submitted comprehensive representations expressing broad support for the Submission Version of the Local Plan, its Vision and Objectives, the Settlement Hierarchy and many of the policies proposed throughout the document. Whilst the Parish Council strongly disagrees with the mandatory housing targets imposed on the District by Government, it acknowledges the need for the Council to plan positively for growth and supports the overall spatial strategy, including the use of Garden Villages and strategic developments to accommodate future housing needs. The representation nevertheless raises questions about whether infrastructure, healthcare, schools, transport networks and employment opportunities can be delivered quickly enough to support the scale of growth proposed.

A recurring theme throughout the representation is strong support for an infrastructure-led approach to development. The Parish Council welcomes policies requiring infrastructure, transport improvements, community facilities, healthcare provision and environmental mitigation to be delivered alongside growth and repeatedly stresses the importance of transparency in relation to infrastructure planning and developer contributions. It also expresses support for a wide range of policies relating to affordable housing, community facilities, open space protection, biodiversity, climate change, sustainable transport and heritage protection. Particular support is given to the proposed safeguarding of Lawford Tye Field as open space, which the Parish Council regards as an important local asset.

The Parish Council also provides comments on a number of strategic and site-specific proposals. It supports the Tendring/Colchester Borders Garden Community, Weeley Green Garden Village, Hare Green Garden Village and Horsley Cross Garden Village, whilst emphasising the need for supporting infrastructure and comprehensive master-planning. In relation to MSA3 – Affinity Water, Mill Hill, Manningtree, it seeks stronger recognition of the site's historic waterworks assets, together with the provision of a new footway and highway improvements. It also supports redevelopment of MSA4 – Crisp Maltings, Mistley and requests improvements to School Lane.

Little Bromley Parish Council

Little Bromley Parish Council has submitted a detailed objection to the Local Plan and, in particular, allocation MSA20 – Land south of Shop Road, Little Bromley. The Parish Council argues that the allocation is not legally compliant, not sound and not deliverable, and requests that it be removed from the Local Plan. A significant part of the representation focuses on concerns regarding wastewater infrastructure, noting the absence of mains sewerage within the village and questioning whether suitable infrastructure solutions exist to support additional housing development. The Parish

Council also highlights wider concerns relating to water supply, infrastructure capacity and the sustainability of directing growth to a small rural settlement.

The representation raises concerns regarding the suitability of Little Bromley as a location for additional development, citing the limited range of local services and facilities, the absence of public transport, reliance on private vehicle travel and the lack of pedestrian infrastructure within the village. The Parish Council argues that these factors are inconsistent with the principles of sustainable development and questions whether the allocation can be justified when considered against national planning policy and the settlement's rural character.

Particular emphasis is also placed on the cumulative effects of major energy infrastructure projects affecting this part of the District, including the Norwich–Tilbury pylon scheme, North Falls and Five Estuaries off-shore windfarm developments, and the proposed Tarchon Interconnector. The Parish Council argues that the combined impact of these projects, together with proposed housing growth, has not been adequately assessed and that greater consideration should be given to the cumulative effects on local communities, infrastructure and the rural environment.

The Parish Council also raises concerns regarding the process of engagement during preparation of the Local Plan and suggests that the emerging Little Bromley Neighbourhood Plan has not been sufficiently taken into account. The representation argues that the evidence and objectives contained within the Neighbourhood Plan should carry greater weight in determining the scale and form of development considered appropriate for the parish.

Little Oakley Parish Council

Little Oakley Parish Council's representation focuses on the treatment of Little Oakley within Strategic Policy SPL1 – Managing Growth, which contains the Settlement Hierarchy. The Parish Council raises concerns that the village, which was previously identified as a Smaller Rural Settlement, is now included within a Strategic Urban Settlement alongside Harwich and Dovercourt. The representation argues that Little Oakley does not share the characteristics described for this category and that the village's size, services and infrastructure are materially different from those of the adjacent urban area.

The Parish Council is concerned that grouping Little Oakley with Harwich and Dovercourt could create the impression that the village has access to a greater range of facilities and infrastructure than is actually the case. It suggests that this may, in future, support arguments for additional development that would be difficult for the village to accommodate. For this reason, the Parish Council contends that the Plan is not sound in this respect and requests that Little Oakley be returned to the Smaller Rural Settlements category.

The representation also notes that the proposed change to the settlement hierarchy has implications for how future development proposals may be considered. The Parish Council expresses concern that, because the change has emerged at the Submission Version stage, there has been limited

opportunity for the Council to help shape a proposal that it considers likely to affect the village and its residents.

Manningtree Town Council

Manningtree Town Council submitted a brief representation advising that it supports and endorses the comments submitted by Bradfield Parish Council. The Town Council's representation therefore aligns with the concerns raised in relation to the proposed Horsley Cross Garden Village and its potential implications for infrastructure, services and surrounding communities in the wider Manningtree, Lawford and Mistley area.

Tendring Parish Council

Tendring Parish Council acknowledges the requirement for the District to accommodate future housing growth but raises concerns regarding the scale and location of development proposed within and around the parish, particularly in relation to growth proposed at Weeley and Horsley Cross. The Parish Council argues that the level of development proposed is not currently supported by sufficient infrastructure, services or employment opportunities and questions whether growth of this scale can be accommodated sustainably.

A significant focus of the representation is the potential impact of development on the local highway network. Particular concern is raised regarding traffic speeds, highway safety and pedestrian accessibility on Crow Lane and Crown Lane, where the Parish Council highlights the absence of continuous pavements, limited visibility and existing road safety concerns. The representation suggests that additional development could increase traffic flows on these roads and calls for improvements to highway safety and pedestrian infrastructure.

The Parish Council also raises concerns regarding the capacity of healthcare services, pharmacy provision, schools and utilities, together with the lack of certainty over the delivery of supporting infrastructure. The representation further questions whether sufficient employment opportunities would be available to support the scale of housing growth proposed and expresses concern about impacts on rural character, settlement identity, village coalescence, flood risk and drainage. The Parish Council concludes by requesting that infrastructure requirements are secured and delivered alongside development and that further consideration is given to the potential impacts on the parish and its communities.

Wrabness Parish Council

Wrabness Parish Council's representation focuses specifically on allocation MSA28 – Land North of Rectory Road, Wrabness. The Parish Council objects to the allocation and argues that it has not been demonstrated to be sound, citing concerns regarding the deliverability of the site and, in particular, the availability of suitable foul-water infrastructure.

The representation draws attention to an Anglian Water Tier 1 Pre-Planning Assessment undertaken for the site, which identified constraints within the local foul sewer network and stated that a sustainable point of connection was not available at that time. The Parish Council argues that the published evidence supporting the Local Plan does not demonstrate that these constraints have subsequently been resolved or that a suitable foul-water solution has been secured. It also questions whether the site can realistically be delivered within the timescales identified in the August 2026 SHLAA.

The Parish Council therefore argues that allocation MSA28 has not been shown to be justified or effective and raises concern that no committed, funded or programmed infrastructure scheme has been identified to overcome the wastewater constraint. On this basis, the Parish Council objects to the allocation and maintains that the published evidence does not demonstrate that the wastewater infrastructure constraints affecting the site have been resolved.

Sir Bernard Jenkin MP

Sir Bernard Jenkin MP, as Member of Parliament for Harwich and North Essex, submitted representations on the Submission Version of the Local Plan raising concerns about the implications of the significantly increased mandatory housing targets introduced through changes to national policy. Whilst acknowledging the difficult position faced by the Council in having to plan for substantially higher levels of growth, the representation welcomes a number of changes made between the Preferred Options and Submission Version stages of the Local Plan, particularly the reduction in development proposed in locations such as Brightlingsea, Bradfield and Mistley.

A central theme of the representation is concern regarding the deliverability of the Local Plan strategy and the extent to which it relies upon the proposed Garden Villages at Hare Green and Horsley Cross. The representation argues that the margin between housing requirement and supply is relatively small and questions whether the assumptions regarding delivery are sufficiently robust. It also raises concerns regarding transport, healthcare and wider infrastructure provision, the timing of infrastructure delivery in relation to development, the loss of productive agricultural land and the cumulative impact of growth on existing communities. Particular concerns are expressed regarding healthcare provision in the Harwich area and the need for infrastructure to be delivered ahead of, or alongside, new development.

District Councillors

Two formal responses were received from District Councillors in response to the Submission Version Local Plan.

Councillor Mick Barry submitted a detailed objection relating primarily to the proposed housing allocations in Brightlingsea. Whilst welcoming the decision to remove the larger 300-home allocation east of Church Road, the representation argues that the revised development strategy for the town still fails to adequately address long-standing concerns regarding transport infrastructure and highway capacity. Particular emphasis is placed on Brightlingsea's limited transport options, reliance

on private vehicles, absence of a railway connection and constrained road network. The representation raises concerns that the cumulative transport impacts of the remaining allocations have not been sufficiently demonstrated and raises concerns regarding the absence of clearly defined and funded transport improvements to support growth. It therefore questions whether the allocations affecting Brightlingsea can be regarded as justified, effective and supported by an appropriate evidence base.

Councillor Dan Land submitted a number of representations objecting to specific elements of the Local Plan. These include objections to the proposed allocation north of Lifehouse Spa at Thorpe-le-Soken, where concerns are raised regarding potential impacts on the Registered Park and Garden at Thorpe Hall, the historic environment, wildlife and local character. Separate objections were also submitted in relation to allocation MSA8 in Beaumont and allocation SAH2 at Kirby Cross. Common themes across the representations include concerns regarding traffic generation, highway capacity, loss of agricultural land, impacts on village character, pressure on drainage and sewerage infrastructure, and the cumulative effects of development on local communities and surrounding infrastructure.

**REPRESENTATIONS FROM TECHNICAL STAKEHOLDERS**

While it was always anticipated that most representations and objections would be submitted by residents and communities, it is often the comments from technical stakeholders such as government departments, utility providers and partner authorities; and those of landowners, developers and agents promoting alternative sites that reveal potential weaknesses in the technical soundness of Local Plans. Given the important role of each of these technical bodies in overseeing statutory duties, administering government policy and delivering critical public services, employing a great deal of technical expertise, there is a general expectation that their advice is taken on board and any of their suggested changes are incorporated into the Local Plan, unless there is very good reason not to do so.

Not all of the technical stakeholders that submitted comments at the Regulation 18 stage of the process have submitted formal Regulation 19 responses which would indicate that not all bodies wish to raise any legal compliance or soundness issues nor seek to participate in the examination. Regulation 19 responses have however been received from:

- Natural England;
- Historic England;
- Homes England;
- Sport England
- Environment Agency;
- National Highways;
- Marine Management Organisation;
- Ministry of Defence;
- NHS Essex Integrated Care Board;

- NHS Property Services;
- Essex County Council;
- Suffolk County Council;
- Colchester City Council;
- East Suffolk Council
- Essex Wildlife Trust;
- Anglian Water;
- Affinity Water;
- National Grid;
- Essex Police;
- Essex Bridleways Association;
- Theatres Trust;
- The Woodland Trust; and
- National Landscapes Office.

In the Submission Version of the Local Plan, the Council made many changes to the policies and proposals in response to the advice received at Regulation 18 stage in the hope that the Council would be able to go into the examination with general support from partners and statutory consultees. Although Officers are broadly pleased with the latest round of representations received from technical consultees in response to the Regulation 19 consultation, which remain generally supportive, there are still some areas where suggestions for further improvements to the evidence base or the wording of policies have been put forward with a view to addressing potential legal compliance and soundness.

Despite there being some outstanding issues raised in the representations, Officers remain satisfied that the Local Plan is legally compliant and sound, is based on sufficient and proportionate evidence, and is ready to be submitted to the Secretary of State to be examined. None of the outstanding issues or suggestions raised by technical consultees are irresolvable and, if need be, could be addressed through the examination process. Although the Council no longer has the ability nor the time to make further changes to the Local Plan at this stage of the process before it is submitted to the Secretary of State, Officers can still work with the bodies in question to prepare and agree Statements of Common Ground to assist the Planning Inspector in determining what, if any, additional work or modifications to the Local Plan could be made to resolve the remaining issues raised. Delegated authority is sought through the recommendations in this report for Officers to prepare and enter into such Statements of Common Ground going forward.

<u>Natural England</u>

Natural England is a non-departmental public body whose statutory purpose is to ensure that the environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Natural England's Regulation 19 response to the Local Plan is attached in full to this report at Appendix 2. In summary, Natural England remains broadly supportive of the Local Plan and the approach the Council has taken in respect of

environmental matters and has welcomed the changes the Council made in the Submission Version of the Plan to strengthening the wording of different policies in response to its previous advice.

Whilst Natural England has identified some outstanding potential changes to a number of core policies, it has helpfully stated that it does not find the Plan unsound on any grounds relating to its remit and that the further suggestions could be incorporated through relatively minor modifications that would strengthen the Plan's effectiveness. Officers will look to prepare and enter into a Statement of Common Ground with Natural England to iron out the identified outstanding issues ahead of the examination.

In its previous comments at Regulation 18 stage, Natural England indicated a general preference to locate as much new development as practical away from the coast and was therefore supportive of the proposals to introduce new Garden Communities and Garden Villages in inland locations to meet long-term growth needs. In its latest comments at Regulation 19 stage, Natural England has commented on the Sustainability Appraisal accompanying the Local Plan and have indicated satisfaction that there are no reasonable alternatives to the proposed growth scenario in meeting local and district objectives. Natural England has also commented in the Habitats Regulations Assessment (HRA) and concurs with its conclusions, subject to RAMS mitigation measures being secured as part of planning consents; and whilst the Plan is not considered to be unsound, some clarification around water quality and functionally linked land are requested.

Bearing in mind Tendring's environmental sensitivities and the presence of so many internationally important wildlife sites around its coasts, the positive Regulation 19 response from Natural England with outstanding matters easily resolvable, ought to put the Council in a very strong position going into the examination.

Historic England

Historic England, as a statutory consultee, has a role in ensuring that the conservation of the historic environment is fully integrated into planning policy, and that policy documents make appropriate provision for a positive strategy for the preservation and enjoyment of the historic environment. Historic England's Regulation 19 response to the Local Plan is attached in full to this report at Appendix 3. In summary, Historic England's focus mainly on the three Garden Village proposals at Hare Green, Horsley Cross and Weeley and the developments off Deane's Lane/Oakley Road, Dovercourt and Saltings Quarter, Manningtree.

Historic England have welcomed that the Council followed its previous advice in preparing High-Level Heritage Impact Assessments (HIA) which provide a useful evidence base identifying heritage sensitivities, potential impacts and appropriate mitigation measures, but have suggested that the Local Plan itself should be strengthened by including additional wording within relevant site-specific policies to explicitly refer to the mitigation measures from the HIA and provide a stronger framework for ensuring those measures are delivered to remove or minimise harm to affected heritage assets.

Although Officers consider that the Local Plan, when read as a whole, provides suitable coverage and 'policy hooks' to ensure the heritage impacts of all developments are properly considered in the determination of planning applications, Historic England's suggestions are not unreasonable and Officers believe these matters could be resolved through the preparation and agreement of Statements of Common Ground. Given Tendring's valuable historic environment and its wealth of heritage assets, the positive Regulation 19 response from Historic England with all outstanding matters easily resolvable, ought to put the Council in a very strong position going into the examination.

Homes England

Homes England is an executive non-departmental public body, sponsored by the Ministry of Housing, Communities and Local Government. As the government's housing and regeneration agency, Homes England's remit is to provide affordable, quality homes in well-designed places and accelerate the pace of house building and regeneration across the country. Homes England's Regulation 19 response to the Local Plan is attached in full to this report at Appendix 4 and has been put forward in its capacity as majority landowner controlling circa 90% of Hartley Gardens site allocated in the Local Plan for residential and mixed used development through Policy SAMU2 and which is the subject of its own adopted Supplementary Planning Document.

Homes England is supportive of the overarching principles and messages within the Local Plan, in particular the retention of the Hartley Gardens allocation but have highlighted some inconsistencies, of a detailed nature, between the viability and infrastructure evidence and work carried out specifically in support of the Hartley Gardens and objects to a blanket increase in Biodiversity Net Gain (BNG) from 10% to 20% as indicated in Policy PPL4a, concerned over consistency with national policy and the impact this could have on the deliverability of individual sites such as Hartley Gardens. These are matters that Officers will look to address with Homes England through the preparation and agreement of Statements of Common Ground, noting that Natural England is very supportive of the 20% BNG requirement but that many landowners and developers have raised concerns about its viability.

Sport England

Sport England is a non-departmental public body responsible for growing grassroots sport and increasing activity levels across England. Its Regulation 19 representations, which were submitted via the online system, are set out in Appendix 5 to this report. The representations are generally supportive and indicate that many of the Plan's policies are legally compliant and sound. They do however identify some policies where the wording could potentially be strengthened in respect of both the protection of sport and recreation provision and requirements to deliver new outdoor playing facilities and community sports provision as part of larger developments or through s106/CIL contributions. These are matters that Sports England is keen to discuss with Officers with the potential to agree a way forward through a Statement of Common Ground. Sport England has also raised concern about the potential loss of car parking as a result of development at site MSA31 adjoining Harwich and Parkeston Football Club, albeit planning permission for development has already been granted for development at that site.

Environment Agency

The Environment Agency as a statutory body is responsible for protecting and improving the environment to support sustainable development and has a particular interest in Local Plans in respect of managing flood risk and dealing with issues around air quality, water quality (including sewage treatment capacity) and contamination. The Environment Agency's response to the consultant, as submitted via online system, is attached in full to this report at Appendix 6. Officers are pleased to report that the Environment Agency supports many of the policies in the Local Plan, identifying them as legally compliant and sound.

The Environment Agency has however commented on the Council's Strategic Flood Risk Assessment (SFRA) and have suggested further work is required to demonstrate that certain developments can be delivered safely through their lifetime. These include the Deane's Lane/Oakley Road allocation at Dovercourt, the Saltings Quarter site in Manningtree. Officers will work with our consultants at Essex Place Services to consider how these concerns can be addressed and will look to prepare and enter into a Statement of Common Ground with the Environment Agency ahead of the examination. Other suggestions for strengthening the wording of certain policies in respect of water quality and wastewater have also been made by the Environment Agency to address soundness concerns which appear relatively straightforward to resolve through the Statement of Common Ground.

Given Tendring's coastal location and the important role of the Environment Agency in our District in respect of flooding, water quality and waste water, the representations are very positive raising no issues that cannot be resolved. This ought to put the Council in a strong position going into the examination.

National Highways

National Highways is appointed by the Secretary of State for Transport as the highway authority, traffic authority and street authority for the Strategic Road Network which, for Tendring, is mainly concerned about the A12, the A120 and the Port of Harwich. National Highways' response to the Draft Local Plan is attached in full to this report at Appendix 7. Officers have worked collaboratively with National Highways and Essex County Council (as the local highway authority) throughout all phases of the transport modelling work carried out in support of the Local Plan and therefore Officers are surprised to note that the Regulation 19 response from National Highways is very similar to its representation at Regulation 18 stage in indicating that further transport evidence needs to be prepared and finalised before it can be in a position to confirm whether the proposed growth can be accommodated by the strategic road network, which appears to contradict ECC's position that sufficient work has been carried out to demonstrate the Plan's soundness.

Officers will therefore continue to engage with National Highways jointly with ECC and will look to prepare and agree a Statement of Common Ground to identify and clarify any potential outstanding matters in respect of the transport evidence base in the hope of having a clearer position in the run up to the examination. National Highways' position on the soundness of the Local Plan will be very important going forward and therefore resolving any outstanding matters will be a priority for Officers.

National Highways continues to identify the Horsley Cross Garden Village proposal as most likely to have the largest impact on the A12 but does confirm its full support for the Local Plan's approach to developing an integrated and sustainable transport network that seeks to encourage modal shift to public transport and active travel, welcoming the commitment to the bus rapid transit system as part of the Tendring Colchester Borders Garden Community. It also commits to continuing to work with the Council in a collaborative and constructive manner going forward.

Marine Management Organisation (MMO)

The MMO is an executive non-departmental public body, sponsored by the Department for Environment, Food and Rural Affairs (Defra) that regulates and plans marine activities in English seas. It is mainly concerned with development proposals that affect the coast up to the level of the mean high water spring tides mark and its roles include licensing marine works, managing fishing fleets and quotas, creating marine plans, and protecting marine habitats – looking to ensure sustainable development by balancing economic growth with environmental protection.

Being a coastal authority, the MMO has an interest in the Local Plan and has had a notable involvement in the consenting processes for the Bathside Bay Container port development. The main comment from the MMO in its response to the Draft Local Plan (see Appendix 8 to this report) relates to the Coastal Protection Belt policy PPL2, requesting that the policy could be improved by better recognising the role of marine planning in decision-making affecting the coastal and marine environment. Officers will seek to see if this request can be resolved through a Statement of Common Ground.

Ministry of Defence (MOD)

The MOD is represented by the Defence Infrastructure Organisation (DIO) Safeguarding Team which has made representations, as attached to this report at Appendix 9, in response to the Draft Local Plan. Its role as a statutory consultee is to ensure designated zones around key operation defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites are not adversely affected by development outside the MOD estate.

In line with its previous comments at Regulation 18 stage, the MOD has made no specific comments on proposals in the Local Plan but has reminded the Council that it needs to be consulted on certain types of planning proposals – particularly renewable energy systems with the potential to introduce large expanses of metal or electrical noise interference – such as solar farms or wind turbines, which could interfere with the MOD's WAM (Wide Area Multilateration) Network which contributes to aviation safety by feeding into the air traffic management systems in the eastern areas of England.

The MOD welcome's the Council's planning policy on Renewable Energy Installations which requires adverse impacts including cumulative on for aviation activities to be addressed, but suggests that the policy could be improved to include specific reference to technical assets which facilitate aviation safety such as navigational aids as well as the need to account for defence radar coverage in relation

to wind energy development. The response also suggests that the policy be amended to make it clear that where an MOD assessment indicates that a development would have a detrimental impact on the operation and capability of defence assets or sites, such an application may be refused or conditions applied which could include removal of permitted development rights.

NHS Essex Integrated Care Board (ICB)

The newly formed Essex ICB has submitted a Regulation 19 representation (attached as Appendix 10), broadly welcoming changes the Council made to the Local Plan in response to comments from the Suffolk and North East Essex ICB at Regulation 18 stage to better reflect the NHS' 2025 10-year health plan which promotes a new care model which seeks three main shifts in the models of care provided across the NHS: changing from treating sickness to preventing illness; from hospital centric care to community-based care; and digital transformation.

The structural shift from hospital centric care to community-based care requires a number of key developments:

- the establishment of community health centres which act as a hub for primary, community, mental health and social care services, this is alongside the expansion of primary care facilities;
- expansion of diagnostic, chronic disease management and mental health support in and out of hospital settings, reducing pressure on acute services and improving accessibility;
- expansion of the out of hospital workforce to deliver this extended range of services;
- care will become increasingly personalised and preventative in focus with increasingly integrated working across services that were previously siloed in primary, community, mental health and social services; and
- changes to planning and contractual approaches to allow services to invest in their workforce to deliver new approaches to care.

Officers have been working with the ICB and other NHS colleagues in the preparation of the Local Plan and developing policies relating to health provision and ill health prevention and this is reflected in the response which is generally supportive – whilst recognising the significant challenges arising from the sheer level of housing development the Council is required to plan for to comply with government policy.

The ICB does however make further constructive suggestions for how the policies can more adequately deal with healthcare infrastructure and avoid already constrained healthcare services and difficulties for residents attempting to access those services. In particular, the ICB requests changes to the wording of certain policies to make it clear that the developments must fully mitigate their impacts on health services at nil cost to the NHS. This is because the ICB is not centrally funded to build infrastructure to meet additional demand generated by growth.

The ICB asks that all residential allocation policies specify that developments are required to fully mitigate their impact on healthcare infrastructure, noting that the provision of land or a building to be leased does not mitigate impact but introduces a financial burden to the NHS; and that when it comes

to financial contributions to be effective in mitigating impacts by creating capacity for the residents resulting from growth, the ICB needs flexibility to use them on or off site, depending on individual circumstances. Officers are confident that these outstanding matters can be resolved through the preparation and agreement of a Statement of Common Ground.

NHS Property Services Ltd

NHS Property Services (NHSPS) manages, maintains and improves NHS properties and facilities, working in partnership with NHS organisations to create safe, efficient, sustainable and modern healthcare environments. Its Regulation 19 representation (attached as Appendix 11) is supportive of the Local Plan and considers the Plan to be legally compliant and sound, with just a minor wording suggestion for Policy HP2 which can easily be agreed through a Statement of Common Ground.

Essex County Council

Officers from Essex County Council and Tendring District Council have been working very closely together on the preparation of the Local Plan and the working relationship is, and has always been, very constructive, supportive and strong. This was clearly demonstrated in the very supportive and very detailed representation from ECC received at Regulation 18 stage of the process and the latest Regulation 19 representation attached at Appendix 12. The Councils' collaborative work on the transport modelling evidence-base is particularly important to the Local Plan.

ECC's representation is very comprehensive and starts by saying that ECC is supportive of the Local Plan and seeks to support a successful plan-making process, with the outcome of an up-to-date, NPPF compliant Local Plan being in place in a timely manner. It identifies some outstanding soundness issues with suggestions to ensure policies are effective and in line with national policy and reflect wider changes in legislation but suggests that these can be remedied through the preparation and agreement of a Statement of Common Ground. ECC confirms that TDC has fulfilled the NPPF cooperation and engagement requirements in all respects in the preparation of its Local Plan.

ECC recognises the difficult position that the government housebuilding targets have put the Council in coming up with a spatial strategy in the Local Plan and whilst it identifies the growth at Harwich/Dovercourt and Weeley Green Garden Village as having a particularly strong rationale, there is more caution over the two larger Garden Villages at Hare Green and Horsley Cross due to their relatively isolated locations, with limited access to key infrastructure, services and facilities – which in turn bring about known challenges around timely delivery of the necessary supporting infrastructure, services and facilities when needed. With this in mind, ECC identifies an important need for significant further work, collaboration and ongoing commitment on these Garden Village proposals with a range of partners – particular in respect of the further planning documents that will be prepared for them and the principles to be developed around stewardship.

In respect of education (including early years and childcare, primary, secondary, SEND and post 16 education/skills), ECC welcomes the changes the Council made to the Plan in response to its

previous comments at Regulation 18 stage, but makes one further suggestion that when school sites become redundant for their current educational use, there should be no restrictive policy requirement for such sites to be preferred for other/alternative community related use(s) since their disposal is likely to enable other/alternative education provision. The representation also includes a number of other further minor suggestions.

In respect of highways and transportation (including active/sustainable and passenger travel), ECC's representation raises no substantive soundness issues, subject to the comprehensive mitigations identified by through the transport modelling work being secured. Essex Highways has overseen and supported the evidence base for the Plan, working collaboratively with TDC and National Highways on an ongoing basis to assess the spatial growth strategy, identify transport network issues and impacts and the necessary interventions to provide effective mitigations in response.

In respect of minerals and waste, ECC raises no substantive soundness issues subject to some relatively minor modifications to certain policies to require Minerals Resource Assessment, Waste and Minerals Infrastructure Impact Assessment in accordance with adopted minerals and waste plans.

In respect of housing and economic growth, ECC confirms no substantive soundness issues but encourages consideration of a more proactive policy approach in relation to small (and windfall sites) given the NPPF requirement for small sites to provide no less than 10% of a Local Plans overall new homes provision; and further collaborative work going forward to develop plans and strategies for employment and economic prosperity for the new Garden Villages, alongside further related work on transport and related infrastructure measures.

On matters relating to flood and surface water management, ECC raises no substantive soundness issues, but on water efficiency and water supply it expresses a preference to adopt a standard of 85 litres (per person per day) rather that 100 litres, although recognises that the Council's choice has been informed by viability evidence. On specialist and supported housing and health and wellbeing, again ECC is supportive albeit with minor suggestions for how the relevant policies could be strengthened. ECC has considered the overall 'whole plan viability' and raises no soundness issues and considers the Council's evidence to be robust.

Officers believe ECC's very supportive representation and its various constructive suggestions, which can be addressed through the preparation and agreement of a Statement of Common Ground, puts the Council is a strong position going into the examination.

<u>Suffolk County Council</u>

Suffolk County Council, our neighbouring county authority, has kindly submitted a regulation 19 consultation response (see Appendix 13) confirming that it has no issues with the legal and compliance and soundness of the Local Plan SCC and, as the Local Highway Authority for Suffolk, acknowledges and supports the opportunity to continue exploring solutions for the A137 Manningtree underpass/level crossing area, including measures to improve accessibility for pedestrians and

cyclists. As the education authority, SCC has requested that any development proposal near the border with Suffolk should include consideration as to whether or not any resulting demand for school places will result in demand being placed upon Suffolk schools, and has suggested that the plan could be strengthened in this regard by including consideration for cross boundary impacts of education provision.

Colchester City Council

Colchester City Council's representation (see Appendix 14) states that our Councils have worked closely together over many years on strategic planning matters and CCC remains committed to maintaining this relationship and are aware of the proposals contained within the Tendring's new Local Plan, informed by regular meetings between Officers. Colchester supports the Local Plan and believes that the Submission Version meets the soundness tests having been positively prepared, justified, effective and consistent with national planning policy. Looking ahead, both authorities are committed to continue to work together on cross boundary issues to prepare a Statement of Common Ground which will support the effective progression of each Council's Local Plan towards examination and ensure continued alignment on strategic matters.

East Suffolk Council

East Suffolk Council have kindly written a regulation 19 response to the Local Plan (Appendix 15), confirming that it has no comments to make at this stage, but appreciates being consulted about the Local Plan review and would like to be kept informed of progress with the Plan.

Essex Wildlife Trust

Essex Wildlife Trust has a long-standing involvement in the planning system in Essex, including as a non-statutory consultee on proposals that may affect Local Wildlife Sites and as a key stakeholder in the development of the Essex Local Nature Recovery Strategy (LNRS).

In its Regulation 18 representations, the Wildlife Trust requested that the Council did more work on its Habitat Regulations Assessment to ensure legal compliance with the relevant legislation; that the Local Plan should consider more fully the impact of development on 'functionally linked land'; and that a stronger policy around Green Infrastructure and Nature Recovery to ensure a stronger link between the Local Plan and the Essex Local Nature Recovery Strategy (LNRS). The Wildlife Trust also make a variety of useful site-specific observations and suggestions but made a notable objection to the previous allocation of 200 homes in Walton. In response, the Council did work with its consultants to carry out further work on the Habitats Regulations Assessment and made a number of changes to the Local Plan having considered the Wildlife Trust's suggestions – including deleting the Walton allocation.

Whilst the Wildlife Trust's Regulation 19 representation and follow up addendum (attached at Appendices 16a and 16b) supports a number of policies in the Local Plan and welcomes some of the changes that were made, it identifies some areas where it remains concerned about the legal

compliance and soundness of the Plan. With regard to the updated Habitats Regulations Assessment in particular, the Wildlife Trust has suggested it does not provide a lawful basis to conclude that the Plan will not adversely affect the integrity of international wildlife sites, despite Natural England's advice to the contrary. In particular, it is concerned that some sites carried forward from the existing Local Plan have not been fully re-assessed and policy wording to address matters around functionally linked land and recreational disturbance are not sufficient to achieve the certainty the law requires. The Wildlife Trust has also commented on the Sustainability Appraisal suggesting that a full appraisal of carried-forward allocations should be undertaken, along with other comments and suggestions.

On the Garden Villages at Hare Green and Horsley Cross, the Wildlife Trust is concerned that not enough protection is being set out in the policies to protect affected ancient woodland, Local Wildlife Sites and priority habitats; and on tourism and coastal matters, it is concerned about the promotion of holiday villages in wooded, water-feature settings and the extension of holiday parks on internationally important coastal habitats. It also suggests the Council's evidence on Local Wildlife Sites is out of date and there is no strategic evidence on functionally linked land, SANGs and ecological networks.

On these issues, Officers are satisfied that the Local Plan provides suitable coverage and is supported by the necessary level of technical evidence for this stage of planning process to be legally compliant and sound, but are very keen to discuss these matters with the Wildlife Trust further and, in consultation with the specialist consultants that worked on the Habitats Regulations Assessment and Sustainability Appraisal, agree a way forward, including any necessary policy wording changes, through a Statement of Common Ground.

<u>Anglian Water</u>

Anglian Water is the statutory sewerage undertaker for the Tendring area and, as a statutory consultee, it wants to proactively engage with the Local Plan process to ensure the plan delivers benefits for residents and visitors to the area, and in doing so protect the environment and water resources. In its Regulation 19 representation (attached at Appendix 17), Anglian Water states that is generally supportive of the Local Plan and that it is well set out with policies relating to infrastructure provision, managing flood risk, surface water and wastewater that it supports. It recognises the challenges for meeting the significant uplift in the housing requirement and the infrastructure required to deliver sustainable growth and suggests some amendments to policies aimed at helping ensure an infrastructure-led approach to delivering key strategic sites.

Councillors will recall that Anglian Water previously raised concerns regarding growth at some smaller rural settlements that either have no public sewer network or on a very small water recycling centre not designed to accommodate incremental growth, such as Little Bentley, Little Bromley and Tendring and there was a discussion as to whether housing allocations would be appropriate in those areas. However, in Anglian Water's Regulation 19 representation it has clarified its position in stating that if proposals come forward that are dependent on connecting the public sewer network, it will object as there is a risk that incremental housing growth within or close to the water recycling centre catchment

could exceed capacity and potentially cause environmental harm. However, Anglian Water considers that the requirements in Policy PPL5 in the Local Plan will adequately address those concerns.

Anglian Water has suggested that certain policies be revised to ensure all development proposals, irrespective of their size, should consider the potential for Sustainable Urban Drainage Systems (SUDS) and new Green and Blue Infrastructure, not just major developments. For the Hare Green and Horsley Cross Garden Village proposals and some other site-specific policies, Anglian Water have suggested further policy wording changes, but has objected to the new 20% Biodiversity Net Gain (BNG) policy applying to any essential infrastructure projects and has requested that a higher water efficiency standard of between 85 and 95 litres per person per day be considered as opposed to the 100 litre requirement in the Local Plan.

Overall, Officers welcome the constructive and supportive comments and suggestions and will look to work with Anglian Water to prepare and agree a Statement of Common Ground ahead of the examination hearings to address any outstanding matters.

Affinity Water

Affinity Water is the main supplier or potable (drinking) water to the District and its representations, which were submitted onto the online system, are set out in Appendix 18 to this report. Affinity Water writes generally in support of the Local Plan, in particular the allocation, for residential development, of its Mill Hill site in Manningtree (MSA3) and Waterworks Drive in Clacton (MSA30) but, like Essex County Council and Anglian Water, requests a water energy efficiency target of 85 litres per person per day rather than the 100 litres currently set out in Policy PPL5.

National Grid

In its Regulation 19 representation (attached at Appendix 19), National Grid has referred to the Norwich to Tilbury powerline project that is subject of Nationally Important Infrastructure Project (NSIP) Development Consent Order (DCO) application. The representation identifies sites and premises affected by, or within proximity of the land required for the project for information but raises no specific objections to the Local Plan. It should be noted that the Council, as a consultee, has consistently objected to the Norwich to Tilbury project, but that a decision is expected from the Government in early 2027.

Essex Police

Essex Police's Designing Out Crime Office has written (see Appendix 20) to welcome and support many of the policies in the Local Plan including those relating to sustainable design, improving health and wellbeing, layout and design and delivering infrastructure.

National Landscapes Office

In its Regulation 18 representations, the National Landscapes Team raised concerns that the Local Plan did not adequately recognise or address the presence and importance of the Dedham Vale and Suffolk & Essex Coast & Heaths National Landscapes. Whilst the Council did make some changes to policies in the Local Plan, there are some outstanding wording suggestions put forward in the Regulation 19 representations (attached as Appendix 21), some of which could potentially be resolved through a Statement of Common Ground and most of which request the strengthening of existing policies with revised wording or greater emphasis being placed on the protection of National Landscapes. There are however suggestions for potential stand-alone policies on the protection of National Landscapes and the inclusion of specific policy provisions in respect of chalets at Wrabness Beach against which any proposals for change can be judged.

Essex Bridleways Association

The Bridleway Association was set up as registered charity in 1979 to preserve and develop the bridleway network in Essex. Its Regulation 19 comments on the Local Plan, set out at Appendix 22 to this report, welcome the positive approach taken throughout the Local Plan towards healthy communities, active lifestyles, countryside access, green infrastructure and Public Rights of Way. It suggests however that the Plan could be strengthened by explicitly recognising 'Multi-User Routes' as part of the District's transport, green infrastructure and placemaking framework and by providing greater certainty regarding their deliver through infrastructure planning and strategic development.

The Theatres Trust

The Theatres Trust has written in support of the Local Plan, in particular the inclusion of Policy HP2, which provides strong protection for Tendring's valued cultural facilities in line with the NPPF, see Appendix 23.

The Woodland Trust

The Woodland Trust has submitted a detailed representation (see Appendix 24) focussed on the protection and enhancement of trees, woodland, ecological networks and green infrastructure. The Trust welcomes the Council's ambition to deliver sustainable, infrastructure-led development and is supportive of the stronger emphasis placed on biodiversity, green and blue infrastructure, the Essex Local Nature Recovery Strategy and, in particular, the proposed requirement for a minimum 20% Biodiversity Net Gain (BNG).

Whilst supportive of the overall direction of the Local Plan, the Trust suggests that a number of policies could be strengthened further to provide greater protection for ancient woodland, ancient and veteran trees and other irreplaceable habitats. Particular emphasis is placed on ensuring that ecological constraints shape the location, capacity and layout of development at an early stage, rather than relying on mitigation measures once development proposals have been established. The representation also seeks stronger policy requirements relating to the retention of existing trees, the protection of woodland buffers, ecological connectivity, long-term stewardship and monitoring, and the delivery of meaningful canopy cover as part of new development.

The Woodland Trust raises specific comments in relation to Policy PPL4 and Policy PPL4a, as well as site-specific observations relating to Hartley Gardens and the Garden Community and Garden Village proposals. Whilst it identifies a number of areas where the Plan could be strengthened further, the representation does not object to the principle of sustainable development or to all site allocations and instead seeks modifications aimed at ensuring that woodland, trees and wider ecological networks are afforded stronger protection. Officers consider that the matters raised are capable of being explored further through the preparation of a Statement of Common Ground and, where necessary, through the examination process.

The Royal Society for the Protection of Birds (RSPB)

The RSPB submitted representations broadly supporting the Local Plan's approach to protecting internationally designated wildlife sites and applying a precautionary approach to development proposals with the potential to affect sensitive habitats, including the Stour and Orwell Estuaries SPA and Ramsar site, Hamford Water SPA, SAC and Ramsar site, and the Colne Estuary SPA and Ramsar site.

The representation highlights the need for development proposals close to internationally important wildlife sites to be carefully designed and supported by sufficient mitigation to avoid adverse impacts on protected bird populations. The RSPB also seeks clarification regarding the depiction of certain settlement development boundaries on the Policies Maps. Overall, the representation is supportive of the Local Plan's approach to nature conservation and the protection of designated wildlife sites.

**REPRESENTATIONS FROM LANDOWNERS, BUSINESSES, DEVELOPERS AND AGENTS**

Generally speaking, the focus of representations from landowners, developers, businesses and land/planning agents tends to be either on supporting or challenging decisions made in relation to spatial strategy and site allocations, and the viability or practicability of planning policies setting out expectations for new development. Promoters of land or sites that have been omitted from the Local Plan as development allocations will tend to put forward a strong challenge through their representations, seeking to argue that the Plan fails either the tests of legal compliance or soundness without the inclusion of their site(s). With a strong financial interest in the outcome of the Local Plan review, it is often site promoters that will invest most heavily in professional consultants, technical studies and legal representation to articulate their objections to the Local Plan and who will likely take their representations all the way through to the examination.

Representations in support of site allocations

For promoters of sites that have been included in the Local Plan for development, representations tend to be supportive in principle but might make suggestions for how the policies in the Plan should be amended to improve the viability or practical deliverability of their sites and can often assist the Council’s position at examination by producing additional evidence in support of their site allocations.

In this regard, support and/or constructive representations have been put forward by many of the site promoters of allocations in the Local Plan including, most notably:

- Latimer in respect of the Tendring Colchester Borders Garden Community (SAMU1);
- Homes England and, separately Bloor Homes, in respect of Hartley Gardens (SAMU2);
- Catesby Estates and Lampro in Deane's Lane/Oakley Road, Dovercourt (SAMU3);
- Andrew Bacon and Andrew Martin Planning Ltd for Weeley Green Garden Village (SAMU6);
- A number of land-owning interests and consultants in respect of the Hare Green Garden Village (SAMU8) – with different suggestions for how the development could potentially come forward in different phases to deliver earlier than suggested in the Council's trajectory assumptions;
- Rose Builders in respect of Horsley Cross Garden Village (SAMU9);
- Taylor Wimpey for land north of Thorpe Road, Kirby Cross (SAH2), indicating an intention to submit a planning application before the end of this year; and
- Churchmanor Estates and MRPP in respect of the Collierswood Farm A120 Strategic Business Park (SAE3).

Objections promoting 'omission site' proposals

For promoters of sites that have been omitted from the Local Plan for development, representations tend to argue that the reasons for excluding their site are not justified, that other sites that have been included in the Local Plan for development are unsound or will not deliver within envisaged timescales, that the Council has made over-optimistic assumptions about delivery or that the overall spatial strategy for growth is flawed and that the focus of growth needs to be adjusted. Many of these representations have challenged the realistic deliverability or sustainability of the Hare Green and Horsley Cross Garden Village proposals and the limited headroom/contingency in the Local Plan's housing numbers, with some suggesting the Local Plan should include 10% over-allocation, or an additional 1,800 homes, as a minimum. Others also challenge the Council's approach to projecting small site 'windfall' development and the approach to site selection in seeking to make a case for the inclusion of alternative sites.

From the representations received, there are some common themes and locations being targeted for either very large or multiple Regulation 19 omission site proposals for residential and mixed-use development – most notably around Clacton, Thorpe le Soken, Great Bentley, Brightlingsea, Elmstead Market, St. Osyth and Bromley Cross, but with many other locations also affected by one or more proposals.

The Clacton area is already expected to deliver some 4,300 homes between 2026 and 2043 including from the major urban extensions of Hartley Gardens, Rouses Farm and Oakwood Park, yet there are omission site proposals put forward through the Regulation 19 objections which, in theory, could accommodate something in the region of 2,000 further homes. One proposal for around 1,350 homes on land west of the Rouses Farm development and south of St. John's Road would extend the urban settlement further westwards towards St. Osyth, and other proposals affect land to the north and east of the town located within the protected Strategic Green Gaps around Centenary Way and Sladbury's

Lane, some of which are the already subject of current, but yet to be determined speculative planning applications.

The Council's principle position in respect of additional growth around Clacton has consistently been that a significant amount of growth is already proposed at the Hartley Gardens, Rouses Farm and Oakwood Park sites that will be challenging to deliver in itself given fluctuating economic conditions, market absorption rates and viability limitations; and that the Strategic Green Gaps that maintain the individual character of different neighbourhoods and provide separation to surrounding villages are sound and should continue to be protected.

Thorpe le Soken was considered, as part of the Local Plan review, as a potential location for a strategic Garden Village development but this option was discounted in favour of the preferred Hare Green, Horsley Cross and Weeley Green growth locations. The current single proposal for housing development in the Local Plan at Thorpe is for 70 homes (Site SAH11) off Lady Nelson Gardens and Lifehouse Drive, however the Council has received Regulation 19 omission site proposals that together could in theory accommodate in excess of 1,300 additional homes – including (but not limited to) a proposal for 525 homes and a primary school south of Colchester Road to the east of the village and two proposals for development to the north-west of the village which together could accommodate 800 homes and a primary school – but none of these proposals are likely to secure a bypass for the village to help resolve significant concerns about congestion and would undoubtedly exacerbate those concerns.

Great Bentley has once again been targeted by multiple omission site proposals and although just over 300 homes are already expected from proposals in the Local Plan and sites already under construction, there are objections promoting developments west of Heckfords Road, east of Plough Road and east of Michael Wright Way that together could accommodate close to 800 additional homes. One of the sites, that west of Heckfords Road, is the subject of a current but yet to be determined planning application for 206 homes.

At Brightlingsea, the Local Plan was revised between Regulation 18 and Regulation 19 stages in response to objections, reducing the total proposed housing growth from 325 to 175 homes and whilst even this reduced level of development is still the subject of a large number of public objections, the Regulation 19 omission site proposals submitted by landowners and developers could in theory accommodate in excess of 550 additional homes. Most notably, Trinity College Cambridge, the owners of land both sides of Church Road (including land deleted from the Local Plan following the last consultation) have submitted very detailed representations, supported by a vision document, a detailed landscape and visual study, an initial heritage appraisal, a habitats regulations assessment, a preliminary ecological appraisal and a drainage technical note – akin to those that one might expect to accompany a planning application.

Elmstead Market and Lanswood are the target of some significant omission site proposals including developments of 85 homes off Holly Way (subject of a recent planning application refusal), 79 homes fronting Beth Chatto Gardens (subject of a current planning appeal) and 160 homes off Bromley Road (subject of a current but yet to be determined planning application). Together, these proposals

affecting Elmstead Market directly represent a potential circa 320 additional homes in a location that the Council is generally seeking to protect from additional housing development through the Local Plan – beyond the 180 or so homes expected to take place on sites under construction or subject of planning approvals.

There is however also a proposal for an extension to the broad location for the Hare Green Garden Village proposal to take in land between the developments currently under construction at Lanswood and Tenpenny Brook; with the suggestion that, if included, development in that extended area could come forward with upwards of 700 homes as an early phase of a larger Garden Village development that could accommodate 5,600 homes in total, alongside 75ha of employment land.

For the Horsley Cross Garden Village, there is a proposal from a developer with an interest in land south of the Centurian Business Park to increase the broad location to include that land for an early phase of housing or mixed-use development that include up to 500 additional homes.

For St. Osyth, which is already expected to deliver more than 300 homes at Wellwick Field and land south of Clacton Road is the subject of Regulation 19 omission site proposals effectively suggesting 'second phases' of each of those developments north and south of the village that together could, in theory, accommodate in excess of 500 additional homes. Bromley Cross is the subject of current but yet to be determined planning applications proposing options for 90 or 200 homes, but a Regulation 19 omission site proposal has been submitted stating the potential to accommodate close to 450 homes.

Potential alternative spatial strategy options

From the representations received, no single landowner, developer or planning agent is putting forward a comprehensive or cohesive alternative growth strategy to that of the Local Plan that might be capable of delivering the District growth requirement in a substantially different way. However, in separately putting forward a range of individual omission site proposals questioning the deliverability of the Garden Villages and arguing for more headroom contingency, it is possible to formulate what could potentially be seen as high-level spatial strategy alternatives – none of which would be agreeable to the Council and none of which be without their own significant soundness and deliverability issues.

In theory, if developers, landowners and planning agents were successful in persuading the Inspector that the Local Plan needs to incorporate sites for a circa 1,700 additional homes, to either build in nearer to 10% contingency and/or replace one or both of Hare Green or Horsley Cross Garden Village proposals (each of which is envisaged to deliver 1,700 homes within the plan period to 2043); it could leave the Local Plan between 1,700 and 5,100 homes (worst-case scenario) short of the government requirement. Based on the Regulation 19 omission site proposals the only further alternative options that could conceivably address these requirements (thinking in a strategic rather than piecemeal manner) might be:

- directing more development to Clacton to accommodate 1,500-2,000 additional homes over and above the substantial existing allocation – accepting the loss of land within the Strategic Green Gaps, further westward expansion towards St. Osyth and the infrastructure and deliverability challenges that would arise;

- splitting 1,500-2,000 additional homes around Thorpe le Soken and Great Bentley over and above their existing allocations which, alongside the Weeley Green Garden Village proposal already proposed in the Plan would be similar in many respects to the 'metro-plan' concept considered and discounted in the past, with growth predominantly focussed on villages with railway stations – accepting that it would unlikely deliver a bypass for Thorpe and would put greater pressure on the rural road network around Great Bentley and the A133;

- including Brightlingsea, Elmstead Market, St. Osyth and Bromley Cross in the equation to between them deliver 1,500-2,000 homes – moving away from the Council's position of limiting development in those locations to reflect either their physical, environmental and infrastructure constraints and/or, in the case of both the Ardleigh and Elmstead areas, to reflect their proximity to Tendring Colchester Borders Garden Community and to respect the policy approach in each of the Parish Councils' recently adopted Neighbourhood Plans; or

- a loose combination of all of the above that sees sites in Clacton, Thorpe, Great Bentley, Brightlingsea, Elmstead Market, St. Osyth and possibly even Bromley Cross included in the Plan to make up the numbers.

A representation was also received from a landowner in Fox Street, on the Colchester border, who has consistently promoted an alternative strategic growth concept centred around the creation of a new transport hub and railway station in the Fox Street area. The representation argues that insufficient consideration has been given to the opportunity to establish a new transport-focused growth location associated with the main railway line, drawing comparisons with the development of the Beaulieu Park railway station and associated growth around Chelmsford. The representation contends that a new transport hub in the Fox Street area could support a substantial amount of future housing growth and better integrate development proposals across the wider Tendring and Colchester area.

Through the Topic Papers being prepared for the examination, Officers will set out the evidence-based narrative for why the spatial strategy in the Local Plan is the most appropriate and sound approach to addressing the District's significant government-imposed growth requirements and why the alternatives that might be constructed from the Regulation 19 omission site proposals would not be appropriate and sound in comparison.

Objections to policies

The various representations submitted by landowners, developers and planning agents comment on a variety of policies throughout the Local Plan, but there are certain policies, aside from those relating to housing numbers or site-specific proposals, that have attracted a notable level of objection and it

is likely that the Planning Inspector will wish to consider the issues raised as part of the examination hearings. The notable policies include:

- Policy SPL2: Settlement Development Boundaries – where the Council has explicitly stated that outside of the boundaries, the Council will generally look to refuse planning permission for new development unless there are specific policies elsewhere in the Local Plan or other material considerations that either allow or would justify otherwise. Objections to the wording suggest this is over-restrictive and not in line with latest national policy.

- Policy PPL4a – Biodiversity Net Gain in Tendring – where many developers and landowners object to the Council's intention to seek 20% BNG from qualifying developments rather than the 10% national minimum set out within legislation, mainly on convers over the impact on viability. It is noted that whilst Essex County Council, Natural England and the Essex Wildlife Trust support this ambition, Homes England and Anglian water have also expressed concerns.

**MAIN MATTERS AND ISSUES**

When a Local Plan is examined by a Government-appointed Planning Inspector, they will identify the main matters for consideration as part of the examination, based on the requirements for legal compliance and the key tests of soundness set out in the NPPF, but informed by the comments received in response to consultation on the final submission version of the Local Plan. In doing so, Inspectors often invite Councils to identify what they consider to be the main matters ahead of the examination hearings.

In June 2026, the Committee received a report setting out what Officers considered to be the main matters and issues raised through the representations received at the Regulation 18 stage of consultation, which led either to additional work being carried out on the technical evidence base or changes to the policies and proposals in the Submission Version of the Local Plan. From Officers' analysis of the Regulation 19 representations, the main matters remain broadly similar to those identified at the Regulation 18 stage and include the following:

1) **The overall justification and soundness of the Local Plan's spatial strategy** when considered against other reasonable alternatives – in particular the rationale for establishing major new Garden Villages at Hare Green and Horsley Cross in favour of options that might involve having more of Tendring's growth requirement focussed on alternative sites around existing towns and other villages (noting in particular some significant omission site proposals for housing and mixed-use development around Clacton, Thorpe le Soken, Great Bentley, Brightlingsea, Elmstead Market, St. Osyth and Bromley Cross).

   In response, Officers will produce Topic Papers and give evidence to the examination to demonstrate that the spatial strategy, whilst ambitious and forward looking, is sound and deliverable, reflects Tendring's unique physical, environmental and infrastructure constraints and is an appropriate strategy when compared other alternatives. Officers will also explain the

rationale and evidence-based justification for including or omitting certain sites from the Local Plan for development.

2) **The realistic deliverability and soundness of the Garden Villages** proposed for Hare Green and Horsley Cross and whether there is a reasonable prospect of them coming forward in time to contribute towards meeting the government-imposed housing requirements in the plan period up to 2043 given inherent uncertainties around planning for longer-term growth, the need for strategic infrastructure investment and the lead-in times for necessary masterplanning and decision-making processes.

   As well as providing further information through Topic Papers, Officers will liaise with the developers and promoters of the Hare Green and Horsley Cross Garden Village proposals and other larger development proposals to encourage them to prepare their own additional evidence to help demonstrate to the Planning Inspector that whilst these proposals are ambitious and carry an inherent degree of uncertainty, there is a will, and a reasonable prospect of delivery of these schemes within the timescales envisaged.

3) **The realistic deliverability of the overall housebuilding requirement** up to 2043 and whether the Local Plan identifies sufficient deliverable land, with a suitable level of headroom/contingency, to meet the overall government-imposed housebuilding requirement – despite the number of issues raised about how challenging and potentially unrealistic those targets are.

   Officers will produce a Topic Paper setting out a detailed explanation of how the proposals in the Local Plan make provision for and look to deliver upon Government's housebuilding targets are expected to be met, noting that it remains the Council's concern that the target is too high for our District, given its unique geography and other constraints and there are a wide range of factors that could impact on delivery over the course of the plan period.

4) **The level of housing growth that is appropriate and sustainable for Brightlingsea** given its unique physical, environmental and infrastructure constraints; the strong level of local objection to even the much-reduced amount of housing now proposed; and the very detailed representations from landowners Trinity College Cambridge arguing that the town actually could and should accommodate a lot more housing.

   Officers will look to defend the Council's reasons for proposing only limited growth for Brightlingsea in light of its significant physical, environmental and infrastructure constraints – drawing upon the many concerns expressed by local residents about the relatively modest level of growth currently proposed. They will defend the Council's decision to delete from the Local Plan the original proposal for 300 homes off Church Road and, in doing so, will seek to dissuade the Inspector from supporting the Trinity College proposals.

5) **The soundness of the Kirby Cross housing allocation for 450 homes** in light of issues raised in the large number of local objections, noting that Taylor Wimpey has been consulting

locally on its intention to submit an early planning application for up a scheme including up to 500 homes.

Officers will look to defend the Council's decision to allocate this site over other possible alternatives in the Frinton, Walton and Kirby Cross area to reasonably contribute toward the significant overall District housebuilding requirement – acknowledging that many of the concerns raised by residents might have also been put forward to Taylor Wimpey as part of their consultation and who should take them into account in their proposals.

6) **The sustainability of housing developments in smaller rural villages** in light of objections from residents and concerns raised about limited sewage capacity, the remoteness from jobs, shops, services and facilities and local impacts on village character – particularly for places like Little Bromley, Little Bentley, Tendring Heath, Beaumont Cum Moze and Wrabness.

   Officers will look to defend the need for smaller rural villages to accommodate a sensible proportion of Tendring's housing in the context of the overall level of development the District is required to plan for along the benefits that some housing development can bring to rural communities in terms of providing for local needs or sustaining local services.

7) **The justification and soundness of the District's Strategic Green Gaps** in light of objections from certain landowners and developers stating that the designation does not align with government policy and is preventing otherwise sustainable locations for housing development (for example around Clacton, Elmstead Market, Little Oakley and Mistley) being included in the Local Plan.

   Officers will defend the Strategic Green Gap designation with reference to the relatively recent Planning Inspector support for the soundness of the policy at the last Local Plan examination, the technical evidence-base that has reviewed and led to additions and amendments to the designation and the overarching principle that the Council wishes to uphold, of maintaining separation between settlements, preventing coalescence and maintaining their individual character.

8) **The protection given to Ardleigh and Elmstead** over other similarly sized villages due to their up-to-date Neighbourhood Plans and proximity to the Tendring Colchester Borders Garden Community; and whether, in light of objections from developers/landowners and current planning applications, the additional protection is justified.

   Officers will defend the Council's decision to limit the amount of the District's housing growth being directed to Ardleigh and Elmstead, drawing upon the hard work the two Parish Councils have carried out to put up to date Neighbourhood Plans in place and the fact that these locations will be affected by the nearby Garden Community and have already contributed significant housing growth in recent years.

9) **The viability of zero carbon, water efficiency and BNG policies** in light of the concerns raised by landowners, developers and planning agents in their representations when considered alongside affordable housing requirements and financial contributions sought for education, health provision, police, fire and other infrastructure.

   Officers will draw upon the knowledge and experience of the Council's expert advisors and employ their services to review objections made on viability grounds and, if necessary, they will be called upon to give technical evidence at the examination hearings themselves. Officers note that it is the 20% BNG policy that has attracted the strongest criticism from landowners, developers and planning agents and that if the Inspector is not persuaded that the policy is viable, there is a possibility they will require the national 10% requirement to prevail.

10) **The Council's approach to development outside settlement development boundaries** and whether the Local Plan is consistent or not with national planning policy in being either too restrictive or not restrictive enough.

   Officers will seek to defend the current wording of Policy SPL2 at the examination and will explain to the Inspector the importance of settlement development boundaries in providing both communities and the development industry a degree of certainty over where development may or may not be expected to take place in the District, noting that other policy provisions or material considerations (including national policy) will, in some cases, justify development beyond those boundaries. Officers will refer to the inconsistency in decision making between Planning Inspectors on appeal in interpreting the equivalent policy in the Council's adopted Local Plan, which led in part to the Council seeking to strengthen its wording as part of the Local Plan review.

Whilst these are the main matters and issues that Officers have identified from the Regulation 19 representations, it will be within the Inspector's gift to disagree and potentially identify other areas to explore through the examination.

**APPENDICES**

Appendix 1 - Representation from Tendring District Association of Local Councils (TDALC)
Appendix 2 - Representation from Natural England
Appendix 3 - Representation from Historic England
Appendix 4 - Representation from Homes England
Appendix 5 - Representation from Sport England
Appendix 6 - Representation from the Environment Agency
Appendix 7 - Representation from National Highways
Appendix 8 - Representation from the Marine Management Organisation
Appendix 9 - Representation from the Ministry of Defence
Appendix 10 - Representation from the NHS Essex Integrated Care Board (ICB)
Appendix 11 - Representation from NHS Property Services Ltd
Appendix 12 - Representation from Essex County Council

Appendix 13 - Representation from Suffolk County Council
Appendix 14 - Representation from Colchester City Council
Appendix 15 - Representation from East Suffolk Council
Appendix 16a - Representation from Essex Wildlife Trust
Appendix 16b - Representation addendum from Essex Wildlife Trust
Appendix 17 - Representation from Anglian Water
Appendix 18 - Representation from Affinity Water
Appendix 19 - Representation from National Grid
Appendix 20 - Representation from Essex Police
Appendix 21 - Representation from the National Landscapes Office
Appendix 22 - Representation from Essex Bridleways Association
Appendix 23 - Representation from the Theatres Trust
Appendix 24 - Representation from the Woodland Trust
Appendix 25 - Representation from the RSPB

**BACKGROUND DOCUMENTS**

Submission Documents

Local Plan Submission Version

Integrated Sustainability Appraisal Environmental Report August 2026

Integrated Sustainability Appraisal Non-Technical Summary

Integrated Sustainability Appraisal Annexes A and B (Baseline and Contextual Review)

Integrated Sustainability Appraisal Annex C (Site Assessments)

Habitats Regulations Assessment - Appropriate Assessment August 2026

Previous Committee Reports and Decisions

Tendring District Local Plan Review: Submission Version (25 August 2026)

Tendring District Local Plan Review: Overview Of Main Matters Raised Through Public Consultation On The Preferred Options Draft (8 June 2026)

Tendring District Local Plan Review: Preferred Options Draft (22 January 2026)

Evidence Base Studies

Strategic Housing Market Assessment (SHMA) March 2025

Strategic Housing Land Availability Assessment (SHLAA) August 2026

Essex Supported and Specialist Housing and Accommodation Need Assessment 2025 (SSHANA)

Gypsy and Traveller Accommodation Assessment (GTAA) December 2024

Gypsy and Traveller Pitch Delivery Assessment (PDA) August 2026

Employment Land Review Addendum (7 May 2026)

Employment Land Review October 2025

Infrastructure Delivery Plan (IDP) August 2026

ECC Education Scenario Test (and appendix)

Integrated Water Cycle Study August 2026

Regulation 19 Transport Evidence September 2026

Regulation 19 Transport Evidence September 2026 - Appendices

Preferred Options Transport Evidence January 2026 - Reference Case

Preferred Options Transport Evidence January 2026 - Assessment Case

Sustainable Travel Assessment March 2025

Local Plan Viability Assessment August 2026 Update Note

Local Plan Viability Assessment January 2026

Community Infrastructure Levy Viability Study August 2025

Essex Embodied Carbon Policy Study - technical evidence base (produced for ECC)

Essex Buildings (Net Zero) Specifications - Specification Guidance (produced for ECC)

Net Zero Carbon Viability Toolkit Study (produced for ECC)

Tendring Landscape Character Assessment 2026 - Reg 19

Appendix 1 - Field Survey Form

Appendix 2 - Tendring Policy and Guidance Context

Appendix 3 - Future Landscapes (from Natural England)

Strategic Flood Risk Assessment August 2026 - Reg 19

Annex A Level 2 Strategic Flood Risk Assessment

Annex B Sites Surface Water Flood Risk Mapping

Strategic Green Gap Study August 2026

High Level Heritage Impact Assessments August 2026

TDC Leisure Facilities Framework 2023
TDC Leisure Facilities Needs Assessment 2023

TDC Open Space Report 2023
TDC PPOSS - Full Assessment Report 2023

TDC PPOSS Framework 2023

Preferred Options Consultation Representations and Responses

Government Letters

Local Plan examinations: letter to the Chief Executive of the Planning Inspectorate (30 July 2024)

Local Plan examinations: letter to the Chief Executive of the Planning Inspectorate (9 October 2025)

Local Plan examinations: letter to the Chief Executive of the Planning Inspectorate (27 November 2025)

Local Plan examinations: letter to the Interim Chief Executive of the Planning Inspectorate (15 July 2026)

Legacy system local plan extension: letter from the Housing Minister (23 October 2026)

Basildon Borough Council: Local Plan intervention letter (21 July 2026)

Basildon Borough Council: Minister Pennycook response to Cllr Andy Barnes (26 October 2026)

Buckinghamshire Council: Local Plan intervention letter (13 February 2026)

North East Lincolnshire Council: Local Plan intervention letter (25 September 2026)

Rochford District Council: Local Plan Holding Direction letter (30 September 2026)

Southend-on-Sea City Council: Local Plan Intervention letter (4 September 2026)

Southend-on-Sea City Council: Local Plan Intervention letter (23 October 2026)

Three Rivers District Council: Local Plan Holding Direction letter (5 February 2026)

Three Rivers District Council: Local Plan Intervention letter (18 March 2026)

Tonbridge and Malling Borough Council: Local Plan Intervention letter (4 September 2026)

Torbay Council: Local Plan intervention letter (11 June 2026)

West Northamptonshire Council: Local Plan intervention letter (15 September 2026)