



PLANNING POLICY AND LOCAL PLAN COMMITTEE

DATE: Tuesday, 29 June 2021
TIME: 6.00 pm
VENUE: Princes Theatre - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

MEMBERSHIP:

Councillor Turner (Chairman)
Councillor Fairley (Vice-Chairman)
Councillor Allen
Councillor Bush
Councillor Chapman
Councillor C Guglielmi

Councillor I Henderson
Councillor S Honeywood
Councillor Newton
Councillor Scott
Councillor Winfield

Most Council meetings are open to the public and press.

Agendas and Minutes are published on the Council's website www.tendringdc.gov.uk. Agendas are available to view five working days prior to the meeting date and the Council aims to publish Minutes within five working days of the meeting.

Meeting papers can be provided, on request, in large print, in Braille, or on disc, tape, or in other languages.

For further details and general enquiries about this meeting, contact Ian Ford on 01255 686584.

DATE OF PUBLICATION: Wednesday, 16 June 2021

AGENDA

1 Apologies for Absence and Substitutions

The Committee is asked to note any apologies for absence and substitutions received from Members.

2 Minutes of the Last Meeting (Pages 1 - 8)

To confirm and sign as a correct record, the minutes of the meeting of the Committee, held on Monday 11 January 2021.

3 Declarations of Interest

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

4 Questions on Notice pursuant to Council Procedure Rule 38

Subject to providing two working days' notice, a Member of the Committee may ask the Chairman of the Committee a question on any matter in relation to which the Council has powers or duties which affect the Tendring District **and** which falls within the terms of reference of the Committee.

5 Public Speaking (Pages 9 - 12)

The Council's Public Speaking Scheme for the Planning Policy & Local Plan Committee gives the opportunity for members of the public and other interested parties/stakeholders to speak to the Council's elected members on the Planning Policy & Local Plan Committee on any specific agenda item to be considered at that public meeting.

6 Report of Assistant Director (Strategic Planning & Place) - A.1 - Section 2 Local Plan: Modifications Stage (Pages 13 - 278)

- a) To report to the Planning Policy and Local Plan Committee the recommendations of the Planning Inspectors as to the 'modifications' required for Section 2 of the Council's new Local Plan to meet the requirement for legal compliance and 'soundness'; and
- b) To seek the Committee's agreement to proceed to the next stage of the plan-making process which is to publish the modifications for six weeks public consultation.

7 Report of Assistant Director (Strategic Planning & Place) - A.2 - Local Development Scheme 2021 - 2024 (Pages 279 - 302)

To seek the Planning Policy & Local Plan Committee's agreement to publish a new 'Local Development Scheme' in order to update the proposed timetable for preparing planning documents including the Local Plan and the Development Plan Document for the Tendring Colchester Borders Garden Community.

Date of the Next Scheduled Meeting

The next scheduled meeting of the Planning Policy and Local Plan Committee will be arranged as and when required.

INFORMATION FOR VISITORS

PRINCES THEATRE FIRE EVACUATION PROCEDURE

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the four fire exits in the auditorium and follow the exit signs out of the building.

Please follow the instructions given by any member of staff and they will assist in leaving the building.

Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff.

The assembly point for the Princes Theatre is in the car park to the left of the front of the building as you are facing it. Your calmness and assistance is greatly appreciated.

PUBLIC ATTENDANCE AT PLANNING POLICY & LOCAL PLAN COMMITTEE MEETINGS

Welcome to this evening's meeting of Tendring District Council's Planning Policy & Local Plan Committee.

This is an open meeting which members of the public can attend to see Councillors debating and transacting the business of the Council. However, please be aware that, unless you have registered to speak under the Public Speaking Scheme, members of the public are not entitled to make any comment or take part in the meeting. You are also asked to behave in a respectful manner at all times during these meetings.

Members of the public do have the right to film or record Committee meetings subject to the provisions set out below:-

Rights of members of the public to film and record meetings

Under The Openness of Local Government Bodies Regulations 2014, which came into effect on 6 August 2014, any person is permitted to film or record any meeting of the Council, a Committee, Sub-Committee or the Cabinet, unless the public have been excluded from the meeting for the consideration of exempt or confidential business.

Members of the public also have the right to report meetings using social media (including blogging or tweeting).

The Council will provide reasonable facilities to facilitate reporting.

Public Behaviour

Any person exercising the rights set out above must not disrupt proceedings. Examples of

what will be regarded as disruptive, include, but are not limited to:

- (1) Moving outside the area designated for the public;
- (2) Making excessive noise;
- (3) Intrusive lighting/flash; or
- (4) Asking a Councillor to repeat a statement.

In addition, members of the public or the public gallery should **not** be filmed as this could infringe on an individual's right to privacy, if their prior permission has not been obtained.

Any person considered being disruptive or filming the public will be requested to cease doing so by the Chairman of the meeting and may be asked to leave the meeting. A refusal by the member of the public concerned will lead to the Police being called to intervene.

**MINUTES OF THE MEETING OF THE PLANNING POLICY AND LOCAL PLAN
COMMITTEE,
HELD ON MONDAY, 11TH JANUARY, 2021 AT 6.00 PM
THE MEETING WAS HELD IN ACCORDANCE WITH STATUTORY INSTRUMENT
2020/392.**

Present:	Councillors Turner (Chairman), Fairley (Vice-Chairman), Allen, Bush, Chapman (except item 42), Codling, I Henderson, S Honeywood, Newton, Scott and Winfield
Also Present:	Councillors Bray (items 41 (part) and 42 only), Harris, Placey and White
In Attendance:	Paul Price (Deputy Chief Executive & Corporate Director (Place and Economy)), Lisa Hastings (Assistant Director (Governance) & Monitoring Officer), Gary Guiver (Assistant Director (Strategic Planning and Place)), Ian Ford (Committee Services Manager), Will Fuller (Planning Officer), Karen Hardes (IT Training Officer), Matt Cattermole (Communications Assistant), Paul Woods (Development Technician) and Hattie Dawson-Dragisic (Apprentice (Democratic Services & Elections))

35. CHAIRMAN'S OPENING REMARKS

The Chairman of the Committee (Councillor Turner) made the following opening remarks:-

“Good Evening Fellow Members, Officers and the Public. May I wish you and yours a Healthy, Happy and Prosperous New Year?”

It is a good New Year for this Committee. I have pleasure in offering for our 7th meet since being Chairman, the last Agenda for Part 1 of our Local Plan. In this we agree or not agree the Garden Community for west of Elmstead Market, a joint venture with CBC and ECC. More importantly if we agree this agenda and the recommendations as written on page 11 we will have set in stone, subject to the agreement of Full Council on the 26th of January our housing numbers at 550 dpa and our 5 year land supply figure at 6.5 years. That means that we can refuse applications outside of the development locations as suggested in Part 2.

More good news we have been given provisional dates for the Public Examination of Part 2. That will be over a 2 week period starting on the week beginning the 22nd February.

We will be first of the three North Essex Authorities at the trough, out of the trap, first in line for Public Examination of Section 2. Meaning, I hope we will be able to offer Part 2 to Full Council, after due consideration by this Committee, any further Public Consultation as required and more recommendations from the Inspector, in the latter part of 2021.

This can only have been achieved by us. We have had to read and inwardly digest some 2250 pages of reports over 7 meetings in 17 months. We represent a cross section of our Council that is made up of 8 differing political Groups and Parties. We have been unanimous. We have been given and shown a successful path forward by

our Officers, lead at every step by Gary Guiver the Assistant Director for Strategic Planning and Place. He and his team have been only one word for it, wonderful. A pleasure to work with and an inspiration to all of us and his cross border colleagues.

I have invited the Chairman of the Planning Committee Cllr. John White, his Deputy Cllr. Jeff Bray and any members of that Committee to join us. After our deliberations and before we go to the vote I will invite Cllr White to raise any questions he and his Committee would like to ask. If the Planning Committee Members have any questions please inform Cllr. White to ask them. I will only take comments from Cllr. White and only before we go to the vote.

Finally on a very sad note I would like to offer our condolences to Joy Broderick's Family on their sad loss. Whilst she could she was a stalwart of this Committee from its inception in 2015. Joy brought Holland-on-Sea's views to our attention. I miss her. Joy has been replaced by Cllr. Colin Winfield, who ably substituted for her. Now on with the business of the Committee."

36. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence or substitutions on this occasion.

37. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the Minutes of the last meeting of the Committee held on 14 October 2020 be approved as a correct record.

38. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this time.

39. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

On this occasion no Councillor had submitted notice of a question.

40. PUBLIC SPEAKING

Pursuant to the provisions of the Council's public speaking scheme for the Planning Policy & Local Plan Committee, Bill Marshall, a resident of the District, asked the Chairman of the Committee (Councillor Turner) in relation to item A.1 of the Report of the Corporate Director (Place & Economy) the following question:-

"What facilities are in place in the new development plan to take into account any new developments that may arise from the COVID and Brexit outcomes?"

Councillor Turner replied as follows:-

"The facilities available to the Council or any other Local Planning Authority to respond to any changes in economic or other circumstances, Brexit, Covid or otherwise are:

- 1) the ability to review the policies and proposals in the Local Plan; and*
- 2) the ability to depart from policies in the Local Plan when determining planning applications - if and when other material considerations require it.*

In other words, if the plan turns out to be wrong, we fix it through a future review; or if there are good reasons to do so, we can make planning decisions that depart from its policies. It is however very important that these choices are within the Council's control and adopting this Local Plan will ensure it is us in the driving seat.

Whilst no Local Plan is perfect and no Local Plan can possibly cover every possible scenario, eventuality or permutation of circumstances, it is nonetheless essential to have a plan to provide a direction for future growth and protection against unwanted, unplanned and potentially harmful development.

Both Section 1 and Section 2 of our Local Plan strike the right balance in being detailed enough to give direction and certainty and flexible enough to be able to respond to future 'unknowns'."

41. REPORT OF CORPORATE DIRECTOR (PLACE & ECONOMY) - A.1 - SECTION 1 LOCAL PLAN: PLANNING INSPECTOR'S FINAL REPORT AND PROCESS FOR ADOPTION

The Committee had before it a comprehensive report (and appendices) of the Corporate Director (Place & Economy) (A.1) which:-

- a) reported the Local Plan Inspector's final conclusions on the legal compliance and 'soundness' of the Section 1 Local Plan for North Essex following consultation on his recommended 'Main Modifications' and the subsequent receipt of his final report on 10th December 2020;
- b) reported that, by incorporating the Inspector's recommended Main Modifications, the Section 1 Local Plan met the tests for legal compliance and soundness - as required for a plan to proceed to formal adoption; and
- c) sought the Committee's agreement that the modified Section 1 Local Plan be recommended to Full Council for formal adoption.

Key Points

It was reported that Planning Inspector Roger Clews had issued his final report in December 2020 on the soundness and legal compliance of Section 1 of the Local Plan for North Essex, having considered the consultation responses on his recommended Main Modifications and the latest Government household projections.

Officers were pleased to report that, with the incorporation of the Inspector's final, slightly adjusted, set of recommended Main Modifications (which included the removal of the Colchester Braintree Borders and West of Braintree Garden Communities), the Section 1 Local Plan was sound and legally compliant. The modified version of the Section 1 Local Plan therefore met the requirements to proceed to formal adoption and the Committee was requested to recommend this to Full Council.

The Committee was aware that for the District of Tendring, the formal adoption of the Section 1 Local Plan would mark a significant milestone in the plan-making process as it would:-

- 1) formalise the housing requirement of 550 dwellings per annum and thus confirm this Council's ability to demonstrate a five-year supply of housing sites thereby – strengthening the Council's defence against unwanted and speculative housing development proposals;
- 2) set the policy framework for progressing work in partnership with Colchester Borough Council, on a more detailed 'Development Plan Document' for the Tendring Colchester Borders Garden Community; and
- 3) provide a strong foundation for the Council to proceed to the Examination-in-Public of Section 2 of the Local Plan in the knowledge that sufficient sites could be identified to meet both the District's housing and employment land requirements up to 2033 without the need for additional sites.

Background

Members were reminded that Section 1 of the submitted Local Plan ('the Section 1 Plan') set out an overarching strategy for future growth across Braintree, Colchester and Tendring – the 'North Essex Authorities' ('NEAs'). As well as including policies setting the overall housing and employment requirements for North Essex up to 2033, the Section 1 Plan had originally proposed three new cross-boundary 'Garden Communities' along the A120 corridor with the potential for longer-term and comprehensively-planned growth. In contrast, 'the Section 2 Plan' for each of the three authorities contained more specific local policies and proposals relevant only to their individual area. Before a Local Plan could be formally adopted by a Council, it had to be examined by a Government-appointed Inspector whose job it was to check that: 1) the plan had been prepared in line with various legal requirements; and 2) that the policies and proposals in the plan complied with the 'tests of soundness' contained within the National Planning Policy Framework (NPPF).

Following examination hearings in 2018 and 2020 the Inspector had concluded that, in its original form, the Section 1 Local Plan did not meet the Government's tests of soundness. In particular, two of the three proposed Garden Communities had not been demonstrated to be economically viable or deliverable – thus making the overall plan unsound. Whilst the Inspector had found the plan to be unsound in its original form, he had advised that it had the potential to be 'made sound' and that it could still progress to adoption if the three Councils agreed to remove the Colchester Braintree Borders and West of Braintree Garden Communities and to consult the public and other interested parties on this and other 'Main Modifications'. The alternative would have been to withdraw the Local Plan from the examination – which would have effectively required all three Council's to start their plans again from scratch.

The Committee recalled that the three NEAs had subsequently agreed to proceed with a consultation on the Main Modifications. This had taken place between 28th August and 9th October 2020 and had resulted in 382 responses from 117 individuals or groups. The Inspector had also invited participants in the examination to comment on the very latest 2018-based household projections that had been published by the Office for National Statistics in 2020 in order to help determine whether they represented a meaningful change that might justify alterations to the housing targets in Policy SP3 of the Local Plan (including the Tendring figure of 550 dwellings per annum). 59 responses had been received on this aspect.

Inspector's final report

The Committee was informed that, having considered the comments received both in relation to the Main Modifications and the latest household projections, the Inspector had issued his report to the three Councils which contained his final assessment and conclusions on the legal compliance and soundness of the Section 1 Plan. Officers were delighted to report that the Inspector had concluded that, subject to the incorporation of his final set of Main Modifications, the Section 1 Plan would meet the required tests which would enable it to proceed to formal adoption. The Inspector's report was attached in full as Appendix 1 to item A.1 of the Report of the Corporate Director (Place & Economy).

Members were made aware that the final Main Modifications were mostly unchanged from those published for consultation with just a small number of fairly minor 'adjustments' that responded to certain comments that had been received and also to recent changes to Government policy and legislation (namely changes in the Use Classes Order) which affected policies on employment land. The final set of Main Modifications was attached as Appendix 2 to the Corporate Director's report.

Next steps

It was reported that now that the three Councils had received a final report on the legal compliance and soundness of the Section 1 Plan, Officers were requesting that the Planning Policy and Local Plan Committee endorsed the Inspector's final Main Modifications and their incorporation into the Section 1 Local Plan, and that the modified version of the plan be forwarded to Full Council and recommended for formal adoption.

Members were advised that the document contained within Appendix 3 to the Corporate Director's report was a 'tracked change' version of the modified Section 1 Local Plan which highlighted the various modifications. A 'clean' version of the modified Section 1 Local Plan (showing how the final adopted plan would appear on publication) had been forwarded on to the Committee prior to the commencement of the meeting.

The Assistant Director (Strategic Planning & Place) made the Committee aware of the way forward for the Tendring Colchester Borders Garden Community in the light of the Planning Inspector's final report. He also reported that Colchester Borough Council intended to submit the Shared Strategic Section 1 Plan to a Full Council meeting on 1st February 2021 and that Braintree District Council intended to do likewise towards the end of that month.

During the consideration of this item Councillors Allen, Chapman and I J Henderson indicated that they would be voting in favour of the recommendations contained in the Officer report.

Having duly considered and discussed the contents of the report and its appendices:-

It was moved by Councillor Turner, seconded by Councillor Fairley and:-

RESOLVED that the Planning Policy and Local Plan Committee -

- (a) notes the findings of the Planning Inspector's 'Report on the Examination of the North Essex Authorities' Shared Strategic Section 1 Plan received on 10th

December 2020 (attached as Appendix 1 to item A.1 of the Report of the Corporate Director (Place & Economy) and his final 'Schedule of Recommended Main Modifications' (attached as Appendix 2 to the aforementioned report); and

- (b) authorises the Assistant Director (Strategic Planning & Place) to correct any minor administrative/typographical errors remaining within the 'clean version' of Appendix 3 prior to its submission to Full Council.

RECOMMENDED TO COUNCIL that the 'Modified North Essex Authorities' Shared Strategic Section 1 Plan' (attached as Appendix 3 to item A.1 of the Report of the Corporate Director (Place & Economy) as a 'tracked change' version but to be followed by a 'clean version' that will be submitted to Full Council) that is the new Section 1 Local Plan incorporating the Inspector's recommended main modifications be formally adopted by Tendring District Council in accordance with Section 23(3) of the Planning and Compulsory Purchase Act 2004.

42. UPDATE - SECTION 2 OF THE LOCAL PLAN - PUBLIC INQUIRY

The Committee received from the Assistant Director (Strategic Planning & Place) an oral update on the progress made on the preparations for the Public Inquiry due to be held in relation to Section 2 of the Local Plan.

He informed Members that Tendring District Council (TDC) would be the first of the three North Essex Authorities (NEAs) to have their Section 2 Local Plan examined in public. The Inquiry would commence on 22 February 2021 with the first evidence hearing session taking place the next day. All of the evidence sessions would be undertaken virtually via Microsoft Teams and would be live streamed to the public.

Anne Jordan would be the Examining Inspector for all three NEAs, assisted by James Bridgwater. There were five days allocated for evidence hearing with an additional two days held in reserve. On each day there would be three 1.5 hour sessions to debate the key issues identified by the Examining Inspector which would include:-

- (i) the Housing Supply Land identified by TDC; and
- (ii) TDC's already identified proposed changes to Section 2 Policies.

The Committee was advised that the Programme Officer had notified all interested parties who had previously made representations to ascertain if they would wish to speak at the hearings.

Members were made aware that there was a special section on TDC's website for the Inquiry which contained:-

- (1) the timetable for the Inquiry;
- (2) TDC's topic papers and evidence based documents; and
- (3) all previously submitted public representations together with the TDC Officer responses thereto.

The Committee noted the foregoing.

The meeting was declared closed at 7.32 pm

Chairman

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Tendring **District Council**



PUBLIC SPEAKING SCHEME – PLANNING POLICY & LOCAL PLAN COMMITTEE

JANUARY 2016

GENERAL

The Public Speaking Scheme (“the Scheme”) is made pursuant to Council Procedure Rule 40 and gives the opportunity for a member of the public and other interested parties/stakeholders to speak to the Council’s elected members on the Planning Policy & Local Plan Committee on any specific agenda item to be considered at that public meeting.

The Scheme covers both questions and statements to the Committee on a particular agenda item. Any individual wishing to speak must contact Committee Services (see details below).

NOTICE OF QUESTION

If an individual wishes to ask a question, at the Planning Policy & Local Plan Committee meeting, prior notification of that question must be received. The principle is to provide the Chairman (or an Officer, if the Chairman decides appropriate) the ability to fully answer questions, which have been received in advance.

Notice of a question is received by delivering it in writing or by email to Committee Services on democraticservices@tendringdc.gov.uk, by midday on Thursday 24 June 2021.

At the meeting, you will be given an opportunity to read out your question to the Committee and an answer will be provided. Supplementary questions are not permitted and there is no debate by the Committee at this stage.

STATEMENTS

Advance notification of the content of a statement on specific agenda items is not required, but to assist the running of the agenda, notification of wishing to speak should

be given prior to the meeting. Please contact Committee Services (email democraticservices@tendringdc.gov.uk or telephone 01255 686584).

NUMBER AND TIMING OF QUESTIONS

At any Planning Policy & Local Plan Committee meeting an individual is limited to asking one question **or** making a statement per agenda item. On each agenda item, no public speaker may speak for longer than three minutes.

Consistent with the Council Procedure Rules, the time allocated for receiving and disposing of questions shall be a maximum 45 minutes. Any question not disposed of at the end of this time shall be the subject of a written response, and published with the minutes of the meeting.

SCOPE OF STATEMENTS OR QUESTIONS

Please be straightforward and concise and keep your comments to the content of the agenda item. Please be courteous and do not make personal remarks. You may wish to come to the meeting with a written statement of exactly what you wish to say or read out, having checked beforehand that it will not overrun the three minutes allowed.

Any question or statement which is not directly related to an agenda item for that meeting of the Committee will be rejected. For questions, any rejection will be communicated in advance of the meeting by Officers, and for statements made at the meeting, this will be confirmed by the Chairman.

The Council also reserves its right to reject questions or statements if in its opinion the content is defamatory, frivolous or offensive or requires the disclosure of confidential or exempt information.

PLANNING POLICY & LOCAL PLAN COMMITTEE MEMBERS & POINTS OF CLARIFICATION

No public speaker can be questioned by the Committee however, through the Chairman, relevant points of clarification arising out of the public speaking can be requested at the specific agenda item, before the debate commences. Points of clarification can be given by Officers, with the Chairman's permission.

WHO DO I CONTACT FOR MORE INFORMATION

The Council's website will help you access documents (web: www.tendringdc.gov.uk)

If you have a query with regard to public speaking, or wish to register to speak, please email democraticservices@tendringdc.gov.uk or telephone 01255 686584.

If your query is in relation to the Local Plan, please contact:

Tendring District Council, Planning Services, Council Offices Thorpe Road, Weeley,
Essex CO16 9AJ Tel: 01255 686177 email: planning.policy@tendringdc.gov.uk

**Monitoring Officer, Tendring District Council, in consultation with Head of
Planning and Chairman of the Planning Policy & Local Plan Committee**

(Council Procedure Rule 40)

(January 2016)

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PLANNING POLICY AND LOCAL PLAN COMMITTEE

29 JUNE 2021

REPORT OF THE ASSISTANT DIRECTOR (STRATEGIC PLANNING AND PLACE)

A.1 – SECTION 2 LOCAL PLAN: MODIFICATIONS STAGE

(Report prepared by Paul Woods and Gary Guiver)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

- a) To report to the Planning Policy and Local Plan Committee the recommendations of the Planning Inspectors as to the ‘modifications’ required for Section 2 of the Council’s new Local Plan to meet the requirement for legal compliance and ‘soundness’; and
- b) To seek the Committee’s agreement to proceed to the next stage of the plan-making process which is to publish the modifications for six weeks public consultation.

EXECUTIVE SUMMARY

Key Points

- The Council has reached another key milestone towards the adoption of a new Local Plan.
- Following virtual examination hearings in February and March 2021, the government-appointed Planning Inspectors for Section 2 of the Local Plan have issued a letter confirming the recommended ‘main modifications’ required to make the plan legally compliant and sound.
- The majority of these modifications reflect, broadly, those already put forward by the Council itself in the run up to the examination hearings and those discussed during the hearing sessions themselves. All are aimed at improving the soundness of the plan, responding to representations received during the previous consultation and ensuring the plan is kept up to date, reflecting the latest evidence.
- There are no radical or unexpected changes of approach being introduced through the proposed modifications and, importantly, the Inspectors are not asking for any additional land to be allocated in the plan for housing.

- The ‘main modifications’ recommended by the Inspectors must be published for consultation before the Inspectors can write their final report and the Plan can be adopted. It is proposed that consequential changes to the Local Plan maps and ‘additional modifications’ of a minor/factual nature are also published for consultation.
- Progressing to this next stage of the process makes it possible that the Council could be in a position to formally adopt the new Local Plan, in full, by the end of this year.

Background

In January 2021, the Council formally adopted Section 1 of Local Plan which sets out the overarching strategy for North Essex including policies setting the overall housing and employment requirements and the policies relating to the Tendring Colchester Borders Garden Community.

Section 2 of the Local Plan contains more specific local policies and proposals relevant and applicable only to Tendring. Like Section 1, before Section 2 of the Local Plan can be formally adopted, it must be examined by a government-appointed Inspector whose job it is to check that 1) the plan has been prepared in line with various legal requirements and 2) that the policies and proposals in the plan comply with the ‘tests of soundness’ contained within the National Planning Policy Framework (NPPF).

Examination hearings for the Section 2 Plan took place in February and March 2021, virtually using Microsoft Teams and the two appointed Inspectors have now written to the Council recommending a series of ‘main modifications’ that that are considered necessary to ensure Section 2 of the Plan is made ‘sound’ and for it to thereafter proceed towards formal adoption. The majority of the modifications reflect (broadly) those put forward by the Council as suggestions – many of which were considered and endorsed by Members of the Planning Policy and Local Plan Committee over the last couple of years. Some of the modifications also arose out of the discussions at the examination hearings themselves. None of the modifications are considered by Officers to be radical nor unexpected. Some of the notable modifications being proposed include a full update of the housing figures and protected employment sites, consequential adjustments to the settlement development boundaries to reflect grants of planning permission, deletion of any unnecessary or redundant policies and the simplification of certain policies.

Critically, the Inspectors are not asking for any additional sites to be included in the Local Plan for housing and are agreeing to improvements to the Council’s design and climate change policies, broadly in line with the suggestions previously agreed by the Committee.

As part of the statutory process, the ‘main modifications’ (which the Inspectors consider necessary to make the Local Plan sound) have to be published for six weeks consultation alongside an updated ‘Sustainability Appraisal’ and ‘Habitats Regulation Assessment’ for the Section 2 Local Plan (which have been prepared by consultants and are available as background papers to this report).

Modifications to the Local Plan Maps (most of which come as a consequence of main modifications or are otherwise consequential changes resulting from the grant of planning permission or physical changes on the ground) and a series of 'additional modifications' which are minor and factual in nature are also recommended, by your Officers, for consultation alongside the Main Modifications, in the interest of transparency and completeness.

Next steps

The next step is to publish the modifications, updated Sustainability Appraisal, and updated Habitats Regulation Assessment for the Section 2 Plan for 6 weeks public consultation. It is suggested that this consultation runs from mid-July, which will allow the Inspector time to see, and if necessary comment, on the updated Sustainability Appraisal and Habitats Regulation Assessment that have been prepared.

Following the consultation, all the responses go to the Inspectors who will then consider the need for any further changes before producing a final report confirming whether or not the Council can proceed to adopt Section 2 of the Local Plan. It is hoped that the Council could be in a position to adopt the Section 2 Plan by the end of this year, possibly as early as the Autumn.

RECOMMENDATION

That the Planning Policy and Local Plan Committee:

- a) notes the Planning Inspectors' letter dated 19 May 2021 (attached as Appendix 1 to this report), the recommended 'Main Modifications' (Appendix 2), the 'Additional Modifications (Appendix 3), and the associated 'Modifications to the Local Plan Maps' (Appendix 4);**
- b) following agreement with the Leader of the Council, agrees that Officers proceed to publish the Main Modifications, Additional Modifications and Modifications to the Local Plan Maps for six-weeks public consultation, alongside an updated Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA) in accordance with Regulation 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and for any responses to be forwarded to the Planning Inspectors to enable them to reach final conclusions on the legal compliance and soundness of Section 2 of the Local Plan; and**
- c) for the Assistant Director for Strategic Planning and Place to agree the dates of consultation with the Chairman of the Planning Policy and Local Plan Committee and the Planning Inspectors.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The preparation and adoption of a new Local Plan is a high priority for the Council. It is also the goal of government for local planning authorities to deliver sustainable development and coordinated provision of housing, jobs and infrastructure whilst best protecting and enhancing the natural and built environment. As we move closer to the adoption of Section 2 of the Local Plan (following adoption of Section 1 earlier this year), the Council has greater power to resist speculative development, exercise greater control over the way development is delivered within the district and push towards achieving higher standards of quality.

RESOURCES AND RISK

There is a risk of legal challenge following the adoption of the Section 2 Local Plan if any party believes that the Inspector or the Councils have made any legal or procedural errors. This risk has however been minimised with the Inspector taking particular care to thoroughly examine legal and procedural matters as part of the examination process. There are no obvious grounds that would justify such a challenge. For information, there was no legal challenge to the adoption of the Section 1 Local Plan earlier this year

The Inspectors have now given clear advice on the how the Section 2 Plan ought to be modified in order to meet the government's tests of soundness and for the Council to proceed to the next stage of the plan-making process.

The consultation, which will simply involve publishing the modifications and associated documents on the Council's website and inviting comments, can be carried out within existing budgets and staff resources. If the consultation responses raise new matters that the Inspectors wishes to explore further, they can request additional information or hold further hearing sessions to resolve those matters before issuing their final report.

LEGAL

The planning legislation and the National Planning Policy Framework (NPPF) (both the 2012 version applicable to this Local Plan and the new 2019 version) 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.

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, as it stands is the 2007 Adopted Local Plan alongside Section 1 of the 2013-2033 and Beyond Local plan (adopted earlier this year). However, the policies and proposals in the Adopted Local Plan are increasingly out of date and Section 1 of the Local Plan only deals with higher-level strategic matters. The NPPF states that where the development plan is out of date permission should be granted for sustainable development unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits or other policies indicate otherwise. It is therefore important to progress the Section 2 Local Plan through the remaining stages of the plan making process and ensure it meets the requirements of national planning policy so that, together with Section 1, it can become the new statutory development plan and be relied upon by the Council acting as the Local Planning Authority.

Section 33A of the Planning and Compulsory Purchase Act 2004, as amended ("2004 Act") places a legal duty upon local authorities and other public bodies to engage constructively, actively and on an on-going basis to maximise the effectiveness of Local Plan preparation, this is known as the 'Duty to Cooperate' on strategic matters of cross-boundary significance, which includes housing supply. Before a Planning Inspector can begin the process of examining a Local Plan, they need to be satisfied that the local authority has demonstrated it has done everything it can to ensure effective cooperation with neighbouring authorities and other partner organisations and has sought to resolve, as far as is possible, any cross-boundary planning issues. Through the examination of Section 1 of the Local Plan, it has already been determined that the Council has complied with the Duty to Cooperate.

The Town and Country Planning (Local Planning)(England) Regulations 2012 make provision for the operation of the local development planning system including, for the purposes of this report, regulations relating to the preparation, publication and representations relating to a local plan and the independent examination.

Section 19 of the 2004 Act requires a local planning authority to carry out a Sustainability Appraisal 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 purpose of a Sustainability Appraisal is to ensure that potential environmental effects are given full consideration alongside social and economic issues.

Section 20(7C) of the 2004 Act provides that the Inspectors must, if asked to do so by the local planning authority, recommend modifications to the local plan that would satisfy the requirements mentioned in subsection 20(5)(a) to make it sound. A updated Sustainability Appraisal will be published for consultation alongside the modifications. Essex Place Services have carried out this update, and consultants LUC have produced an update to the Habitat Regulations Assessment (HRA) which will consider the impact of the modifications on international wildlife sites. These

documents are available as background papers to this report and have been sent to the Inspectors for any comment ahead of consultation.

The NPPF requires a local planning authority to submit a plan for examination which it considers to be “sound” meaning that it is: positively prepared, justified and effective. The job of the Planning Inspector is to test that the Local Plan meets legal and procedural requirements and the above tests of soundness. The Inspectors have already confirmed that legal and procedural requirements have been met but that the Section 2 Local Plan will require modifications to ensure that it is sound. These modifications need be published for consultation in their own right before the Council can proceed to the adoption of Section 2.

The terms of reference of the Planning Policy and Local Plan Committee includes the exercise of the Council’s functions, powers and duties in relation to the preparation of the District Council’s Local Plan, including ensuring that it meets the “tests of soundness” set out in the NPPF. This report does not require any recommendations to Full Council, which will be required at the next stage of the process once the Planning Inspector’s report is received for final adoption of Section 2.

The confirmation from the Inspectors that the Section 2 Local Plan can progress to the next stage of the process is a positive step in the plan-making process that allows the Council to increase further the weight that can be given to the emerging Local Plan when determining planning applications – particularly those policies where either no changes are being recommended or where the changes are relatively subtle. However, where policies are the subject of main modifications that represent a material change in approach, it will be necessary for decision makers, whether Officers or Planning Committee members, to carefully consider how much weight can sensibly be applied to both those policies and the modifications given that they are recommendations that are still subject to consultation and potential further changes ahead of the Council’s final decision to adopt.

OTHER IMPLICATIONS

Area or Ward affected: All wards.

Consultation/Public Engagement: The modifications would need to be the subject of six weeks public consultation to invite any final comments before the Inspectors can come to a final decision on the soundness of Section 2 of the Local Plan.

The consultation will be confined to the recommended modifications and comments on other elements of the plan not recommended for modification (and which are therefore presumed to be sound) will not be invited. The updates to the Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA) will however be published alongside the modifications and comments on those documents will be invited. It is proposed that the consultation exercise will run between July and August 2021 with the relevant documents being published on the Council’s website. Hard copies will be made available to view at Council Offices and public libraries subject to their opening hours.

Consultees on the Council's database will be notified and there will be publicity via a number of media channels. The nature of the consultation exercise will not necessitate any public meetings, exhibitions or other face to face events.

Following the consultation the Council would process all representations received and submit them (alongside the documents subject to the consultation) to the Inspector's Programme Officer.

PART 3 – SUPPORTING INFORMATION

Background

Section 1 of the emerging Local Plan ('the Section 1 Plan') sets out an overarching strategy for future growth across Braintree, Colchester and Tendring – the 'North Essex Authorities' ('NEAs'). As well as including policies setting the overall housing and employment requirements for North Essex up to 2033, the plan includes a proposal for a new cross-boundary 'Garden Community' at the border between Tendring District and Colchester Borough.

In contrast, 'the Section 2 Plan' for each of the three authorities contains more specific local policies and proposals relevant only to their individual area. Following the necessary stages of consultation, the Local Plans were submitted to the Secretary of State in 2017 to begin the process of independent examination.

Following examination hearings between 2018 and 2020, the Section 1 Plan was found to be sound – providing a number of main modifications were made. The modified Section 1 Plan was formally adopted following a meeting of the Full Council on 26th January 2021.

Preparations for the Section 2 Examination began in autumn 2020, when the Council was notified that the examination would be conducted jointly by two Inspectors, Anne Jordan BA (Hons) MRTPI and Jameson Bridgwater PGDipTP MRTPI

In order to assist the Inspectors with their preliminary work examining the Section 2 Plan, the Council (at the Inspectors' request) prepared a series of Topic Papers covering the following areas:

- Consequential Changes (arising from the modifications to Section 1 and changes in National Legislation/Policy)
- Housing
- Retail and Town Centre Policy
- Employment Land
- Strategic green Gaps
- Hartley Gardens
- Oakwood Park

- Mapping Changes

Following receipt of these Topic Papers (which were submitted between September and December 2020), the Inspectors and their colleagues at the Planning Inspectorate began making arrangements with Officers for the Hearings themselves.

Examination Hearings

In January 2021 the Council received, from the Inspectors, a draft time table for the Section 2 Hearing Sessions, and a set of 'Matters, Issues and Questions' (MIQs) identifying the main topics or 'matters' that the Inspector wished to discuss, with a series of questions under each matter. The Council and other participants in the examination (i.e. those who made representations during the 2017 consultation) were invited to prepare and submit 'hearing statements' that responded, in writing, to the Inspector's questions. Officers produced, with expert consultants where necessary, the hearing statements that respond to all of the Inspector's questions.

Due to the COVID-19 pandemic, and the unpredictability of lockdowns when arrangements were being made in the autumn, the Planning Inspectorate decided to hold entirely Virtual Hearings using Microsoft Teams. The hearing sessions began at the end of February 2021 and covered the following matters:

Day 1: Tuesday 23th February 2021

- Matter 1a & 1b: Duty to Co-operate and Overarching Issues
- Matter 2: Spatial Strategy

Day 2: Wednesday 24th February 2021

- Matter 3: Housing Allocations
- Matter 4: Supply of Housing Land

Day 3: Thursday 25th February 2021

- Matter 5: Healthy Places
- Matter 6: Living Places and Design

Day 4: Tuesday 2nd March 2021

- Matter 8: Protected Places
- Matter 9: Connected Places

Day 5: Wednesday 3rd March 2021

- Matter 7: Prosperous Places and SAE Allocated
- Matter 10: Delivering Places

At each session the Council was represented by Officers, who at some sessions were supported by consultants who had previously been commissioned to complete certain technical studies and evidence documents. Third parties, such as land owners and members of the public, were given the opportunity to speak if they had requested to do so during the public consultation in 2017. They were

allowed to present their views to the Inspector, and the Council was given the opportunity to respond to points raised and refer the Inspector to any relevant evidence to enable her to reach her conclusions.

As the sessions were held remotely, they were live streamed to the Council's YouTube channel – in a similar manner to the Council's own virtual committee meetings over the past year. Recordings of these streams were made, and are available for the public to view.

Following the hearing sessions, written communication was exchanged between the Council and the Inspectors, which provided confirmation and clarification of any points discussed during the Hearings. Throughout the hearings, the Inspector considered the soundness of the Section 2 Local Plan but also gave consideration to the modifications that had been put forward by the Council with the aim of improving the Plan and keeping it up to date. The Inspector provided indications throughout the hearings as to issues that might require further changes or further work and, because of this, none of the modifications that have been recommended have come as a surprise to Officers.

The Inspector's Letter

The Inspectors letter dated 19th May 2021 indicates that the Section 2 Local Plan can be found sound if a number of 'Main Modifications' are made. A schedule of these modifications was included with the letter as an Annex, along with an additional schedule of 'Additional Modifications' which can be made at the Council's discretion.

The letter also sets out the requirement for the Council to produce addenda to the Sustainability Appraisal and Habitats Regulations Assessment – both of which have been prepared ready to be published for consultation alongside the modifications.

Modifications

Annex 1 of the Inspectors' letter sets out schedule of all 'Main Modifications' the Inspectors consider are required in order to make the Plan sound. There is also an Annex 2 schedule of 'Additional Modifications' that are minor and more factual in nature and Officers have compiled a further document that shows the proposed changes to the Local Plan Maps.

In summary, the modifications include:

- **Full update of the housing figures** (see reference MM9.1-MM9.4) and the list of allocated housing sites in the Local Plan to reflect an April 2020 position. It includes updating the number of homes that have been built or obtained planning permission and the deletion of certain site allocations from the Local Plan where they have either already been built, are under construction, have obtained full planning permission or have been determined to be unlikely to deliver before 2033. These changes are broadly based on those presented to and agreed by the Planning Policy and Local Plan Committee. The only housing site being deleted from the Local Plan, that the Council hadn't already suggested itself, is a small site for 47

homes in Walton to the west of the recent Hamford Park development where the Inspector is concerned about historic buildings and trees on the site. No additional housing sites are being added in to the Local Plan, our 5-year supply is sound and there are no changes to the target of 550 homes a year.

- **Various adjustments to the settlement development boundaries** (as set out within the separate document showing ‘before and after’ versions of the Local Plan Maps) mainly to reflect development that has already happened, is under construction or has obtained planning permission or to ensure consistency of approach or adjustments that come as a logical consequence of changes on the ground.
- **Changes to the 1,700 home Hartley Gardens Development site** (see references MM43.1-MM43.4) north of Clacton to widen its boundary (to make more space for biodiversity offsetting), strengthen its policy requirements and require the preparation of a separate Supplementary Planning Document (SPD) as a masterplan to guide the scheme. **The specific requirement for a link road around the outside edge of the site has been removed** to allow the transport requirements of the scheme to be revisited and confirmed through more technical assessment. Officers are in discussions with Homes England and ECC about funding infrastructure and potential acquisition of the site. Only 200 of the 1,700 homes are required to be built before 2033, but the rate of development could potentially be accelerated, with the right assistance, to help meet Clacton’s high level of need.
- **Deletion of unnecessary and/or redundant policies** from the Local Plan (see references MM41.7-MM47.2, and MM49.2-MM49.7) – particularly site-specific policies relating to housing developments that have either already been built or are under construction, the policies for Mistley port (which do not add anything to policies found elsewhere in the Plan) and policies for specific employment sites (that again do not add anything to other general policies in the Local Plan).
- **Simplification of the retail and town centre policies** (see references MM18.1-MM22.7) to reflect latest evidence and changes in national policy and planning law and to allow a more flexible approach to the use of property in town centres, with the deletion of designated primary and secondary shopping frontages and an alteration to the boundary for Clacton Town Centre – as already considered and agreed by the Committee.
- **All protected employment sites to be shown on the Local Plan maps** and the policy for protecting those sites is being simplified (see references MM23.1-MM24.1) with non-employment development only being allowed where it has become inherently unsuitable or unviable for employment use, its loss will facilitate wider economic regeneration benefits or its loss would ease or resolve long-standing and otherwise irresolvable conflicts between land uses.

- **The employment land allocation policy and maps to be updated** (see reference MM24.1) to include more sites that have already obtained planning permission including land off Telford Road in Clacton, the Harwich Valley site, land at Horsley Cross and land at the Crown Business Centre in Old Ipswich Road, Ardleigh. This helps to present the district's availability of employment land in a more positive light.
- Confirmation that the government's **nationally described space standards for new homes will be applicable** in Tendring (i.e. the 'Parker Morris plus' standards) (see reference MM11.1) – as previously requested by the Committee.
- Inclusion of a **'hooks' within the policy wording enabling progress on the Jaywick Sands Place Plan and Design Guide** Supplementary Planning Document (SPD) (see references MM12.2 and MM30.3).
- **Simplification of the affordable housing policy** (see references MM13.1-MM13.3) to maximise the Council's ability to secure 30% affordable housing on larger residential developments – in line with the new Housing Strategy.
- **Modifications to the Council's policies on self-build homes** (see reference MM15.1) **and care homes** (see reference MM17.1) to ensure that any developments that are exceptionally allowed outside of settlement boundaries are appropriate in scale and impact for their location.
- **Simplification of the Gypsy and Traveller policy** (see reference MM16.1-MM16.3) to reflect the latest position in terms of number of pitches already in existence or with planning permission and to remove certain prescriptive requirements that the Inspector has found to be discriminatory and not in accordance with national policy. No additional Gypsy and Traveller sites are being included in the Local Plan.
- **Strengthening of the Holiday Parks policy** (see references MM27.1-MM27.5) to reflect latest evidence, including the Tourism Strategy, the requirements of the habitat regulations and provide clearer guidance for dealing with proposals for conversion to residential.
- **More commentary on Priority Areas for Regeneration** (see references MM30.1-MM30.6) setting out the Council's aims for regeneration in Clacton Town Centre and Seafront, Jaywick Sands, Harwich Old Town, Dovercourt Town Centre, Walton on the Naze.
- **Improvements to the Flood Risk policy** (see references MM31.1-MM31.3) to reflect Environment Agency advice and to provide clearer guidance in respect of evacuation and refuge in the event of a flood.
- **Update to reflect the expansion of the Suffolk Coast and Heaths AONB** (see references MM32.1, MM32.3 and MM49.1) across to the southern shore of the Stour.

- **Inclusion of the requirements of the Habitats Regulations** within the biodiversity policy (see references MM33.1-MM33.2) to be consistent with Natural England guidance and the 'RAMS' approach to mitigation.
- **Simplification of the Strategic Green Gaps Policy** (see references MM35.1-MM35.3) but no changes to the Green Gap boundaries despite objections by some developers and landowners. This will be welcomed by Little Clacton Parish Council who have been fighting hard to maintain the gap to Clacton.
- **Strengthening the policies on listed buildings, Conservation Areas and other heritage assets** (see references MM36.1-MM36.5) in line with Historic England advice and improving their alignment with national policy – including better protection for non-designated heritage assets.
- **Strengthening the Renewable Energy and Energy Efficiency policy** (see references MM37.1-MM37.5) – broadly in line with the changes requested by the Planning Policy and Local Plan Committee and Climate Change Working party, albeit with slightly different wording and some of the prescription moved into the supporting text rather than included in the policy. The Inspector was very careful to ensure we did not conflict with ministerial advice and therefore recommended some changes to the wording we had suggested.
- **Strengthening the policy for the Avenues Area of Special Character in Frinton** (see reference MM38.1).
- **A new section of text on Neighbourhood Plans** (see reference MM2.1) which specifically identifies the Local Plan policies with which Neighbourhood Plans should conform.
- **A new requirement for developers to comply with a 'considerate constructors scheme'** (as requested by the Committee) (see reference MM5.8).
- **A new section of text that explains the NHS' move towards the provision of digital services** (see reference MM6.1) and the importance of high speed broad band access and a new requirement within Policy HP1 for applications for residential institutions or 1,000sqm or more of commercial floor space to be accompanied by a 'Health Impact Assessment' (HIA).
- **A new simpler version of the Open Space, Sports and Recreational Facilities policy** (see reference MM8.3) that gives the Council more flexibility to either seek new open space on-site as a part of large housing developments or to pool financial contributions towards the creation of larger open spaces off-site.

Next Steps

The Inspectors have asked us to provide an indication of when we will be publishing the modifications for consultation and will need to see the updated Sustainability Appraisal and Habitats Regulation Assessments which have already been completed and sent over for comment. We believe that we will be in a position to publish the modifications and other documents for a 6-week consultation in July with a specific date to be confirmed in consultation with the Inspector and the Chairman of the Planning Policy and Local Plan Committee.

Following the consultation, all the responses will be sent to the Inspectors who will then produce a final report confirming whether or not the Council can proceed to adopt Section 2 of the Local Plan. As with Section 1, the decision to formally adopt the Section 2 Plan at the end of the process will be made by a meeting of the Full Council.

APPENDICES

Appendix 1 – Letter from Planning Inspectors Anne Jordan and Jameson Bridgewater dated 19th May 2021

Appendix 2 – Inspector’s schedule of recommended ‘Main Modifications’ to the Section 2 Local Plan

Appendix 3 - Schedule of ‘Additional Modifications’ to the Section 2 Local Plan

Appendix 4 – Schedule of ‘Modifications to the Local Plan Maps’

BACKGROUND PAPERS

Update to the Sustainability Appraisal – available online

Update to the Habitat Regulations Assessment – available online

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19th May 2021

Tendring District Council
Council Offices,
Thorpe Road,
Weeley,
CO16 9AJ

Dear Mr Guiver,

Examination of the Tendring Local Plan Part 2 Post Hearing Advice – Main Modifications and Related Matters

Introduction

1. Further to the recent examination of the Tendring Part 2 we are writing to confirm the necessary modifications to make the Plan sound. During the hearing sessions a number of main modifications were discussed. This letter confirms the modifications that were agreed during the hearings and sets out those modifications which were discussed but not confirmed. It also sets out the administrative arrangements for progressing the plan.
2. At this stage we are not inviting any comments about the contents of this letter or the Annex to it as we will consider all responses through the formal consultation process in due course.

Process

3. We can confirm our agreement with the amendments set out in the consolidated schedule of proposed modifications which is attached to this letter
5. The main modifications should be expressed as changes to the publication version of the plan and not the Council's suggested amendments (SM1) which contains changes suggested by the Council which have not been subject to public consultation.
6. The Council should satisfy itself that it has met the requirements for sustainability appraisal by producing addenda to the Sustainability Appraisal and Habitats Regulations Assessment of the submitted plan in relation to the potential main modifications, as appropriate. We will need to see a draft of the addenda and may have comments on them. The addenda should be published as part of the public consultation. The Council should also consider whether the potential main modifications necessitate any further Habitat Regulations Assessment.
7. Some of the modifications proposed by the Council to the submission plan are not considered necessary for soundness but were discussed at the hearing as Additional Modifications which the Council may wish to make to the plan. These are identified in the attached Annex 2. Additional modifications are a matter solely for the Council. If the Council intends to make any additional modifications these should be set out in a separate document from the main modifications. If the Council intends to publicise or consult on any additional modifications it should be made clear that such changes are not a matter for the Inspectors.

8. Advice on main modifications and sustainability appraisal, including on consultation is provided in 2019 Procedure Guide for Local Plan Examinations. Amongst other things this states that the scope and length of the consultation should reflect the consultation at the Regulation 19 stage (usually at least 6 weeks). It should be made clear that the consultation is only about the proposed main modifications and not about other aspects of the plan and that the main modifications are put forward without prejudice to the Inspectors' final conclusions.

Consideration of Potential Main Modifications

9. The views expressed in the hearing sessions and in this letter on potential main modifications and related policies map changes are based on the evidence before us, including the discussion that took place at the hearing sessions. However, final conclusions on soundness and legal compliance will be provided in the report which we will produce after the consultation on the potential main modifications has been completed. In reaching our conclusions, we will take into account any representations made in response to the consultation. Consequently, the views expressed during the hearing sessions and in this letter about soundness and the potential main modifications which may be necessary to achieve a sound plan could alter following the consultation process.

10. We trust that the Council would be content to adopt the plan on the basis of these modifications but if it is not the case we would be grateful if you would advise us as a matter of urgency in order that we can consider how best to progress the Examination.

Timetable

11. We would be grateful if the Council could now confirm a timetable through to the publication of the main modifications for consultation. Thank you for your cooperation on this. If you need any clarification, please contact us through the Programme Officer.

Yours sincerely,

Anne Jordan and Jameson Bridgwater

INSPECTORS

Main Modifications – Chapter 1: Introduction

No 'Main Modifications' to Chapter 1: Introduction proposed. See separate schedule of 'Additional Modifications'.

See next page for Main Modifications to Chapter 2: Vision and Objectives.

Main Modifications – Chapter 2: Vision and Objectives

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM1.1	75	2.1: Vision for Tendring District	<p><i>Insertion of a new third paragraph into the vision for Tendring District.</i></p> <p>....opportunity for a good start in life.</p> <p><u>Tendring District's coastal area places economic, social and environmental considerations at the forefront of climate change and therefore there will be a need to place adaptation and mitigation against climate change at the centre of sustainable development.</u></p>	To strengthen the overarching vision statement in the Local Plan in regard to the coastal location of the district and the need for climate change adaption in line with advice from the Environment Agency.
MM1.2	75	2.1: Vision for Tendring District	<p><i>Insertion of additional wording into the first sentence of the second paragraph of the 'Seaside Towns' section of the vision for Tendring District.</i></p> <p>Clacton will have <u>preserved and enhanced its heritage features and</u> still maintained its tourism roots, building a thriving local tourism industry but as well as attracting holiday maters, the town will provide a range of activities and attractions that our older residents</p>	To strengthen the overarching vision in the Local Plan in respect of the preservation and enhancement of heritage features in seaside towns, in line with the advice of Historic England.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			can enjoy with their children and grandchildren at the weekends and during the school holidays, and a strong evening economy where people from the town and surrounding areas will come for fun and relaxing evenings and colleagues in some of the town's new and trendy restaurants, nightclubs and entertainment venues. In Jaywick Sands.....	

Chapter 3: Sustainable Places – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM2.1	88	New paragraphs 3.2, 3.2.1, 3.2.2 and 3.2.3	<p><i>Insertion of new section of supporting text in relation to Neighbourhood Planning and Strategic Policies.</i></p> <p><u>3.2 Neighbourhood Planning</u></p> <p><u>3.2.1 The 2011 Localism Act introduced the concept of 'Neighbourhood Planning'. Under this Act, Town or Parish Councils or other 'qualifying bodies' can prepare Neighbourhood Plans to supplement the policies and proposals in this Local Plan to influence future growth in their local area. Neighbourhood Plans can be used to allow additional development that meets locally identified requirements. The basic conditions for any Neighbourhood Plans are that they must:</u></p> <ul style="list-style-type: none"> • <u>have appropriate regard to national policy;</u> • <u>contribute to the achievement of sustainable development;</u> • <u>be in general conformity with strategic policies in the Local Plan; and</u> • <u>be compatible with legal obligations, including habitats and human rights requirements.</u> 	To ensure the Local Plan provides appropriate guidance for bodies looking to prepare a Neighbourhood Plan, including by setting out the 'Strategic Policies' with which any Neighbourhood Plan would need to accord.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>3.2.2 In addition to the Strategic Policies within Section 1 of the Plan, the main ‘Strategic Policies’ within Section 2 of this Local Plan that Neighbourhood Plans must be in accordance with are:</u></p> <ul style="list-style-type: none"> • <u>Policy SPL 1 MANAGING GROWTH</u> • <u>Policy SPL 2 SETTLEMENT DEVELOPMENT BOUNDARIES</u> • <u>Policy LP 1 HOUSING SUPPLY</u> • <u>Policy LP 2 HOUSING CHOICE</u> • <u>Policy LP 5 AFFORDABLE AND COUNCIL HOUSING</u> • <u>Policy LP 6 RURAL EXCEPTION SITES</u> • <u>Policy PP 5 TOWN CENTRE USES</u> • <u>Policy PP 6 EMPLOYMENT SITES</u> • <u>Policy PP 13 THE RURAL ECONOMY</u> • <u>Policy PPL 1 DEVELOPMENT AND FLOOD RISK</u> • <u>Policy PPL 2 COASTAL PROTECTION BELT</u> • <u>Policy PPL4 BIODIVERSITY AND GEODIVERSITY</u> • <u>Policy PPL 5 WATER CONSERVATION, DRAINAGE AND SEWERAGE</u> <p><u>3.2.3 Upon adoption, neighbourhood plans will become a statutory plan, sitting alongside the Local Plan as part of the suite of documents that will guide development. The Council will advise and assist Town or Parish Councils and other qualifying bodies</u></p>	

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>in the preparation of Neighbourhood Plans as and when appropriate.</u></p> <p><i>As a consequence of this insertion, current section 3.2 and relevant paragraphs would be renumbered 3.3, 3.3.1 etc, in the final version of the Local Plan.</i></p>	
MM3.1	88	3.2.1.1	<p><i>Modification to the supporting text to reflect the main modification to Policy SPL1.</i></p> <p>3.2.1.1 Strategic Urban Settlements <u>and Garden Communities:</u></p>	To reflect the proposed change in the name of the settlement category in the highest tier of the Policy SPL1 settlement hierarchy.
MM3.2	89	3.2.1.2.3	<p><i>Insertion of additional wording at the end of paragraph 3.2.1.2.3.</i></p> <p>3.2.1.2.3 In applying a sustainable, fair and proportionate approach to the distribution of housing growth, the Smaller Urban Settlements will accommodate the second largest proportion of the District's increase in housing stock over the plan period. <u>Development will be of scale that is proportionate having regard to the existing size and character of each settlement; their range of jobs, shops, services and facilities; and any physical, environmental or infrastructure constraints.</u></p>	To provide clarity on the scale of developments that are envisaged in and around 'Smaller Urban Settlements'.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM3.3	89 90	3.2.1.3.1	<p><i>Insertion of additional wording into paragraph 3.2.1.3.1.</i></p> <p>3.2.1.3.1 For Tendring District, seven villages are classed as 'Rural Service Centres': Alresford, Elmstead Market, Great Bentley, Little Clacton, St. Osyth, Thorpe-le-Soken and Weeley. For these settlements, the Local Plan identifies opportunities for smaller-scale growth. Some of these villages will accommodate a modest increase in housing stock, where appropriate, within the plan period. Proposed housing allocations are a level <u>Developments will be of scale</u> that is proportionate fair, achievable and sustainable for each of the settlements concerned <u>having regard to the existing size and character of each settlement; their more limited range of jobs, shops, services and facilities; and any physical, environmental or infrastructure constraints.</u> These <u>developments</u> will make a meaningful contribution toward addressing local housing needs, supporting the village economy and assisting with the overall housing growth proposed for the District.</p>	To provide clarity on the scale of developments that are envisaged in and around 'Rural Service Centres'.
MM3.4	90	3.2.2		To reflect the proposed insertion of a new section

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><i>Deletion of the reference to Neighbourhood Development Plans in heading 3.2.2 to reflect the proposed insertion of a new section 3.2 above.</i></p> <p>3.2.2 Existing Permissions and Neighbourhood Development Plans</p>	3.2 which specifically addresses requirements around Neighbourhood Planning.
MM3.5	91	<p>Policy SPL1: Managing Growth</p> <p>Tier 1 'Strategic Urban Settlements'</p>	<p><i>A change in the name of the tier 1 category of settlements in the Policies SPL1 settlement hierarchy.</i></p> <p>Strategic Urban Settlements <u>and Garden Communities</u>:</p> <ul style="list-style-type: none"> • Clacton-on-Sea (comprising, Central Clacton, Jaywick Sands, West Clacton, Great Clacton (North), East Clacton and Holland-on-Sea) • Harwich and Dovercourt (including Parkeston and part of Ramsey) • The Tendring Colchester Borders Garden Community 	To provide clarity over the status of the Tendring Colchester Borders Garden Community which, at the time of writing, has not yet been built or even commenced and therefore cannot be classed as a 'Strategic Urban Settlement' in the same way as Clacton and Harwich.
MM3.6	91	3.2.2.2	<p>Deletion of paragraph 3.2.2.2 to reflect the proposed insertion of a new section 3.2 above.</p> <p>3.2.2.2 If Town or Parish Councils wish to supplement the policies and proposals in this Local Plan to identify specific sites in their villages that could be developed they have the option of preparing their own Neighbourhood Plan. Neighbourhood Plans can also</p>	To reflect the proposed insertion of a new section 3.2 which specifically addresses requirements around Neighbourhood Planning.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			be used to allow additional development and ensure that any new development meets additional locally specific requirements.	
MM4.1	92 93	Policy SPL2: Settlement Development Boundaries	<p><i>Insertion of additional text into the wording of Policy SPL2.</i></p> <p>To encourage sustainable patterns of growth and carefully control urban sprawl, each settlement listed below <u>in Policy SPL1 (with the exception of the Tendring Colchester Borders Garden Community) [MOD A]</u> is defined within a ‘Settlement Development Boundary’ as shown on the relevant Policies Map and Local Map. Within the Settlement Development Boundaries, there will be a general presumption in favour of new development subject to detailed consideration against other relevant Local Plan policies and any approved Neighbourhood Plans.</p> <p>Outside of Settlement Development Boundaries, the Council will consider any planning application in relation to the <u>pattern and scales of growth promoted through the Settlement Hierarchy in Policy SPL1 [MOD B]</u> and any other relevant policies in this plan.</p> <p>An exemption to this policy is provided through the Rural Exception Site Policy LP6.</p> <p><u>The Tendring Colchester Borders Garden Community will be the subject a separate Development Plan Document (DPD) containing its own policies designed to guide the location of development in the broad location identified on Diagram 10.2 in Section 1 of the Local Plan and Map B.7. [MOD C]</u></p>	<p>MOD A: To ensure clarity in light of the fact that the Tendring Colchester Borders Garden Community (unlike other settlements listed in Policy SPL1) is not shown with a Settlement Development Boundary in the Local Plan.</p> <p>MOD B: To provide better clarity for decision making purposes as to the relevance of the settlement hierarchy when considering planning applications outside of Settlement Development Boundaries.</p> <p>MOD C: To explain that parameters for development at the Tendring Colchester</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
				Borders Garden Community will be set out in a separate document.
MM4.2	93	3.2.3.2	<p><i>Deletion from the Local Plan of paragraph 3.2.3.2.</i></p> <p>3.2.3.2 Within the plan period new residential development in these settlements identified in Policy SPL1 will be limited to small infill sites within Settlement Development Boundaries which will support the overall housing growth for the District.</p>	To delete an erroneous statement from the Local Plan which does not correctly reflect the intention of Policy SPL2 and to reflect guidance in the National Planning Policy Framework.
MM5.1	93	<p>Policy SPL3: Sustainable Design</p> <p>Part A: Design, Criterion c.</p>	<p><i>Insertion of additional wording into Part A, criterion c. of Policy SPL3 in relation to local landscape character.</i></p> <p>c. the development respects or enhances <u>local landscape character</u>, views, skylines, landmarks, existing street patterns, open spaces and other locally important features;</p>	To ensure that the importance local landscape character is properly reflected in Policy SPL3.
MM5.2	93	Policy SPL3: Sustainable Design	<i>Modified wording in Part A, criterion d. of Policy SPL3 in relation to boundary treatments.</i>	To refer more specifically to the encouraged use of locally occurring and

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
		Part A: Design, Criterion d.	d. boundary treatments and hard and soft landscaping are designed as an integral part of the development reflecting the function and character of the development and its surroundings. The Council will encourage the use of locally distinctive materials <u>and/or locally occurring and characteristic hedge species</u> in boundary treatments.	characteristic hedge species in landscaping schemes associated with new development.
MM5.3	94	Policy SPL3: Sustainable Design Part B: Design, Criterion a.	<i>Modified wording in Part B, criterion a. of Policy SPL3 in relation to highways and traffic impacts.</i> a. access to the site is practicable and the highway network will, <u>following any required mitigation,</u> be able to safely accommodate the additional traffic the proposal will generate and not lead to an unacceptable increase in congestion <u>severe traffic impact</u> ;	To both properly reflect the scope for highway impacts to be resolved through mitigation measures and to better reflect the guidance in the National Planning Policy Framework.
MM5.4	94	Policy SPL3: Sustainable Design Part B: Practical Requirements, Criterion d.	<i>Modified wording in Part B, criterion d. of Policy SPL3 in relation to greenhouse gases and climate change.</i> d. the applicant/developer can demonstrate how the proposal will minimise the production of greenhouse gases and impact on climate change as per the current <u>Building Regulations prevailing at the time</u> and policies <u>and requirements</u> in this plan;	To remove the unnecessary use of the word 'current' and to refer to the other 'requirements' of the plan in regard to tackling climate change.
MM5.5	94			

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
		Policy SPL3: Sustainable Design Part B: Practical Requirements, Criterion f.	<i>Deletion of wording from Part B, criterion f. of Policy SPL3 in relation waste separation.</i> f. provision is made for <u>adequate</u> private amenity space, waste storage, separation and recycling facilities, vehicles and cycle parking; and	To clarify that the level of private amenity space provided with new development must be 'adequate' and to reflect the nature of Tendring's waste collection service which does not require specific waste separation facilities to be provided at each home.
MM5.6	94	Policy SPL3: Sustainable Design Part B: Practical Requirements, Criterion g.	<i>Deletion of wording from Part B, criterion g. of Policy SPL3 in relation to sustainable drainage.</i> g. the development reduces flood risk and opportunities are taken to integrates sustainable drainage within the development, creating amenity and enhancing biodiversity.	To strengthen the policy wording to require that sustainable drainage is integrated within new development.
MM5.7	94		<i>Deletion from Policy SPL3 the section about compliance with Part M of the Building Regulations for equivalent wording to be</i>	To reflect the proposed insertion of guidance on Part

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
		Policy SPL3: Sustainable Design Part B: Practical Requirements, *	<i>inserted instead into Policy LP3: Housing Design and Standards (Chapter 5).</i> * On housing developments of 10 or more dwellings, 10% of market housing should be to Building Regulations Part M(4) 2 'adaptable and accessible' standard. For affordable homes, 10% should be to Building Regulations Part M (4) 2 and 5% should be to Part M (4) 3 'wheelchair-user' standards (Ref. Tendring District Housing Viability Assessment 12 May 2-017).	M of the Building regulations into Policy LP3 which is considered to be a more logical place for it than Policy SPL3.
MM5.8	95	Policy SPL3: Sustainable Design Part C: Impacts and Compatibility, New criterion e.	<i>Insertion of a new criterion e. into Policy SPL3 requiring compliance with a considerate constructors' scheme.</i> a. <u>during the construction phase, developers must comply with a 'considerate constructors' scheme' which employs reasonable measures and techniques to minimise impacts and disturbance to neighbours and the existing wider community and, following construction and before final completion of a development, any damage to the public highway or other public or private property resulting from the development must be repaired and made good to an equal or better state to what it was prior to construction.</u>	To introduce a requirement for a 'considerate constructors scheme' to ensure developers minimise disturbance to neighbours and repair any damage to the public realm resulting from construction activities.
MM5.9	95	Policy SPL3: Sustainable Design	<i>Modifications to the wording of the third paragraph from the end of the policy in respect of climate change adaption measures.</i>	To strengthen the policy's response to climate change by requiring measures and

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
		Third paragraph from the end of the policy.	The <u>All new development (including changes of use), should incorporate</u> has considered climate change adaptation measures and technology from the outset including reduction of emissions, renewable and low carbon <u>energy production</u> , passive design, and through green infrastructure techniques, where appropriate.	technologies to be incorporated into development – rather than simply asking for them to be considered.

Main Modifications – Chapter 4: Healthy Places

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM6.1	98	New paragraph 4.1.10	<p><i>Insertion of a new paragraph of supporting text to ensure the Local Plan better reflects the NHS' current objectives around primary health provision.</i></p> <p><u>4.1.10 Primary care is adopting a Digital First approach to primary care investment. An agreed Integrated Care System Road map for Suffolk and North East Essex was introduced in 2019, many of the initiatives were brought forward as a result of the response to Covid 19 and have already proven successful. GP practices, care homes and community service providers have been using telephone/video consultations, smartphone applications to enable patients to request prescriptions and appointments. Practices within Primary Care networks will enable digital first options to improve fast access to primary care, reducing waiting and travelling time for patients, services will include outpatient follow up appointments and medication reviews. Consequently, the need for high speed broadband access and flexibility in terms of the provision of digital health infrastructure to any new housing development is crucial in order to ensure the success of the Digital First approach.</u></p> <p><i>Subsequent paragraphs of supporting text (4.1.10 to 4.1.12) will be re-numbered as appropriate as a consequence of this inclusion.</i></p>	<p>To ensure the Local Plan properly reflects the latest strategy and objectives of the NHS to make maximum use of digital channels to provide primary care services in the future.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM6.2	98	4.1.10	<p><i>Re-numbering of paragraph 4.1.10 as a consequence of the above insertion of new supporting text and additional wording to reflect the Main Modification to Policy HP1 in respect of the requirement for Health Impact Assessments (HIA).</i></p> <p><u>4.1.11 Most development has a potential impact upon the health services and facilities in the District but good design can help to promote healthy living. These impacts and opportunities need to be assessed to ensure that adequate health and services are provided for the community as a whole. Local authorities across Essex are in agreement that applications for residential developments over 50 dwellings, all development in Use Class C2 (Residential Institutions) and non-residential developments involving the creation of 1,000 square metres or more floor space should be accompanied by a 'Health Impact Assessment'. A screening process will take place to determine the extent and detail/complexity of HIA required based on the type of development proposed and whether evidence demonstrates the development impacts can be expected to be significant on sensitive receptors.</u></p>	<p>To ensure the requirement for Health Impact Assessment (HIA) applies not only to residential developments of 50 or more dwellings, but also non-residential developments of 1,000 square metres or more (in line with current Essex Planning Officers' Association (EPOA) guidance) and also proposals for C2 Residential Institutional Use – given their particular implications for health. To also provide some flexibility for the extent, detail and complexity of information that would be required in an HIA.</p>
MM6.3	98	Policy HP1: Improving Health and Wellbeing.	<p><i>Insertion of wording into criterion e. of Policy HP1 requiring Health Impact Assessments to accompany applications for all development in Use Class C2 and larger non-residential developments.</i></p>	<p>To ensure the requirement for Health Impact Assessment (HIA) applies not only to residential</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
		Criterion e	e. requiring a Health Impact Assessment on all residential developments delivering 50 or more dwellings, <u>all development in Use Class C2 (Residential Institutions) and all non-residential developments delivering 1,000 square metres or more gross internal floor space</u> . The HIA should be carried out in accordance with the advice and best practice published by Public Health England and locally through the Essex Planning Officers Association;	developments of 50 or more dwellings, but also non-residential developments of 1,000 square metres or more (in line with current Essex Planning Officers' Association (EPOA) guidance) and also proposals for C2 Residential Institutional Use – given their particular implications for health.
MM7.1	99	4.2.1	<p><i>Insertion of additional wording into paragraph 4.2.1 in respect of community facilities.</i></p> <p>4.2.1 Community facilities (sometimes referred to as Community assets) provide for health and wellbeing, recreational and leisure and education and culture. They <u>can include, for example,</u> community halls, libraries, museums, arts venues, post offices, public houses, places of worship, sports halls, health and fitness facilities, and <u>swimming pools and other facilities of community value</u>. They are a key part of sustainable communities and contribute to their self-reliance.</p>	To ensure that 'community facilities' are not unnecessarily limited to the examples set out in paragraph 4.2.1 in the application of Policy HP2.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM8.1	104	4.4.4	<p><i>Insertion of additional wording to paragraph 4.4.4.</i></p> <p>4.4.4 The above typologies are protected by Policy HP4 and are shown on the Policies <u>and Local Maps</u> collectively as Safeguarded Local Green <u>Open Space</u>. <u>The Neighbourhood Planning process allows Town and Parish Councils or other nominated bodies to identify open spaces of particular local value as 'Local Green Space' which are afforded an additional level of protection, ruling out new development other than in very special circumstances. In line with the requirements of the National Planning Policy Framework, this additional level of protection can only be applied to green spaces where they are in reasonably close proximity to the community they serve, are demonstrably special to the local community and hold a particular significance and are local in character, rather than an extensive tract of land.</u></p>	To explain how Neighbourhood Plans can provide the means by which communities can designate 'Local Green Space' to give additional protection to spaces of particular local importance in line with paragraphs 76 to 78 of the 2012 National Planning Policy Framework.
MM8.2	105	<p>Policy HP4: Safeguarded Local Greenspace</p> <p>Policy title and first paragraph.</p>	<p><i>Changing the title of Policy HP4 from 'Safeguarded Local Greenspace' to 'Safeguarded Open Space' and amending the reference within the first paragraph of the policy and on the key to the Policies Maps and Local Maps accordingly.</i></p> <p>Policy HP 4</p> <p>Safeguarded <u>Open Space</u> Local Greenspace</p>	To remove any potential confusion between the term 'Safeguarded Local Greenspace' (which was intended to encapsulate the various forms of open space listed in supporting paragraphs 4.42 and 4.4.3) and 'Local Green Space' as defined in the National Planning Policy Framework

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			Development that would result in the loss of the whole or part of areas designated as Safeguarded <u>Open Space Local Greenspaces</u> , as defined on the Policies Map and Local Maps will not be permitted unless the following criteria are met:	(which is a higher level of protection reserved for spaces of particular local importance to the community).
MM8.3	106	Policy HP5: Open Space, Sports and Recreational Facilities	<p><i>Deletion of the current Policy HP5 in its entirety and replacement with a simplified version to be worded as follows.</i></p> <p><u>Policy HP5</u></p> <p><u>Open Space, Sports and Recreational Facilities</u></p> <p><u>The Council will work with partners and sports providers across the district to maintain, expand and improve the quality and accessibility of public open space, sports and recreational facilities of different types and will aim to achieve and exceed standards set out in the Council's 2017 Open Spaces Strategy or any future update.</u></p> <p><u>In line with policy HP3, new development must be designed to include, protect and enhance the green infrastructure network and the Council will prepare and adopt a new Supplementary Planning Document (SPD) which will update and replace previous guidance on how this will be achieved and how the following requirements will be implemented.</u></p>	Policy HP5 in the form submitted in the Local Plan is considered to be overly complex and unclear as to its requirements. This proposed wording is clearer and more simple, explains that the Council will prepare a new Supplementary Planning Document (SPD) in support of the policy and provides greater flexibility for circumstances where the provision of open space might be better achieved through the use of developer contributions rather than on-site.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>All new residential developments of 11 or more dwellings on sites of 1.5 hectares and above will be expected to provide a minimum 10% of the gross site area as open space laid out to meet the Council's specifications having regard to the Council's Open Spaces Strategy and the requirements of any SPD. No single area of useable open space will be less than 0.15 hectares in size. Financial contributions will also be sought through s106 legal agreements (or an appropriate alternative mechanism) towards ongoing maintenance.</u></p> <p><u>If new development would be better served by existing or proposed open spaces within an accessible distance (having regard to the standards set out in the Open Spaces Strategy or any future update), a financial contribution in lieu of on-site provision may be sought through a s106 legal agreement or an appropriate alternative mechanism towards any necessary improvement or expansion of existing, or the delivery of new, open spaces and/or sports facilities.</u></p> <p><u>Where residential developments have the potential to give rise to adverse impacts on internationally important habitat sites (Ramsar, SPA and SAC) through increased recreational disturbance, the Council may require, as part of any mitigation programme, the provision of larger areas of high quality natural and semi-natural open space to absorb day-to-day recreational activities such as routine dog walking to reduce the frequency of visits made to nearby designated sites. In order to serve this function, such an open space must be of a suitable size and include circular walks of sufficient length for daily dog walking, dogs-off-lead areas and waste bins.</u></p>	

Main Modifications – Chapter 5: Living Places

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM9.1	113	5.1.10		

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification														
			<p><i>Modifications to update housing figures to reflect a rolled forward April 2020 base date.</i></p> <p>5.1.10 The Council assesses annual housing completions against the annualised housing target of 550 homes each year. As of March 2017 <u>April 2020</u>, four <u>seven</u> years of completions data is available. Table LP1 identifies housing completions of 4,374 <u>3,638</u> between 2013/14 and 2016/17 <u>2019/20</u>. This leaves a requirement for the Local Plan to establish a supply of at least 9,626 <u>7,362</u> homes. ‘At least’ is an important factor because the housing strategy is more sound if it provides some flexibility for choice and range in its supply to accommodate external factors such as the market failure of a particular developer which could slower overall completion rates.</p>	<p>Factual update to reflect the additional homes that have actually been built between 2017 and 2020.</p>														
MM9.2	113 114	Table LP1: Housing Requirement for the period 1/4/13 – 31/3/33	<p><i>Updates to the figures in Table LP1 to reflect net housing completions from 2017/18, 2018/19 and 2019/20.</i></p> <p>See overleaf.</p> <table border="1" data-bbox="683 999 1624 1351"> <tr> <td colspan="2">A – Annual Net Dwellings Required – Reported Years from Base Date</td> </tr> <tr> <td>2013/14 to 2032/33</td> <td>550 x 20</td> </tr> <tr> <td colspan="2"> </td> </tr> <tr> <td>Total</td> <td>11,000</td> </tr> <tr> <td colspan="2"> </td> </tr> <tr> <td colspan="2">B – Net Completions – Reported Years from Base Date</td> </tr> <tr> <td>2013/14</td> <td>204</td> </tr> </table>	A – Annual Net Dwellings Required – Reported Years from Base Date		2013/14 to 2032/33	550 x 20			Total	11,000			B – Net Completions – Reported Years from Base Date		2013/14	204	<p>Factual update to reflect the additional homes that have actually been built between 2017 and 2020.</p>
A – Annual Net Dwellings Required – Reported Years from Base Date																		
2013/14 to 2032/33	550 x 20																	
Total	11,000																	
B – Net Completions – Reported Years from Base Date																		
2013/14	204																	

Ref	Page	Policy/ Paragraph	Main Modification		Reason for Modification	
			2014/15	267		
			2015/16	245		
			2016/17	658		
			<u>2017/18</u>	<u>565</u>		
			<u>2018/19</u>	<u>915</u>		
			<u>2019/20</u>	<u>784</u>		
			Total	1,374 <u>3,638</u>		
			C – Shortfall – Reported Years from Base Date			
			Total	826 <u>212</u>		
			D – Net dwellings from Base Date still required			
			Total	9,626 <u>7,362</u>		
			<p>Table LP2 makes provision for the homes required as established through the OAN. The supply consists of large sites (10 or more homes) with planning permission or a resolution to grant planning permission, an allowance for small sites (of 9 or fewer homes) based on past trends and sites for 10 or more homes allocated in the Local Plan. Policy HP4 applies to MSA8.</p>			
MM9.3	114 115 116	Table LP2: Local Plan Housing Allocations	<p><i>Updates to the information in Table LP2 to reflect the changes in the housing land supply position between April 2017 and April 2020, updates to the Council's housing trajectory and the proposed deletion of certain site allocations from the Local Plan.</i></p>			Comprehensive update of the information in Table LP2 to reflect both the April 2020 base date, the latest housing

Ref	Page	Policy/ Paragraph	Main Modification				Reason for Modification
							trajectory contained within the Council's 2020 Strategic Housing Land Availability Assessment and the proposed deletion of certain site allocations or the housing numbers associated with them.
Site	Total housing numbers	<u>2018/19</u> <u>2020/20</u> to <u>2022/23</u> <u>2024/25</u>	<u>2023/24</u> <u>2025/26</u> to <u>2027/28</u> <u>2029/30</u>	<u>2028/29</u> <u>2030/31</u> to 2032/33	And Beyond	Reference	
<u>Non-allocated Sites of 10 or more Homes with Planning Permission (with/without s106)</u>	4,796 <u>4,932</u>	3,933 <u>3,124</u>	746 <u>1,312</u>	100 244	17 <u>252</u>		
Sites of 9 or less homes/windfall	1,399 <u>1,260</u>	864 <u>680</u>	361 <u>419</u>	174 <u>161</u>	0		
<u>EDME Maltings</u>	150	0	0	150	0	SAMU1	
<u>Hartley Gardens Village, Clacton</u>	1,700	0	300 <u>60</u>	300 <u>150</u>	1,100 <u>1,490</u>	SAMU2	
<u>Oakwood Park, Clacton</u>	750 <u>900</u>	0	300 <u>195</u>	300 <u>240</u>	250 <u>465</u>	SAMU3	
<u>Rouses Farm, Clacton</u>	850 <u>950</u>	0 <u>90</u>	300 <u>270</u>	300 <u>180</u>	250 <u>410</u>	SAMU4	
<u>Land South of Council Offices, Weeley</u>	280	0 <u>60</u>	200 <u>150</u>	80 <u>70</u>	0	SAMU5	
<u>Greenfield Farm</u>	164	0	100	64	0	SAH1	
<u>Land West of Low Road, Dovercourt</u>	300	0 <u>90</u>	100 <u>210</u>	100 <u>0</u>	100 <u>0</u>	SAH2	
<u>Robinson Road</u>	100	0	100	0	0	SAH3	
<u>Tendring Colchester Borders Garden Community</u>	3,500- 4,500	0	500 <u>625</u>	750 <u>375</u>	2,250- 3,250 <u>2,500-</u> <u>3,500</u>	SP7	

trajectory contained within the Council's 2020 Strategic Housing Land Availability Assessment and the proposed deletion of certain site allocations or the housing numbers associated with them.

A number of the sites identified in the table have either already been built, are under construction or have obtained planning permission and others are proposed to be deleted from the Local Plan as they are no longer considered to be developable in the plan period to 2033.

Ref	Page	Policy/ Paragraph	Main Modification					Reason for Modification
Land at Weeley Council Offices	24		0	0 <u>24</u>	<u>24</u> 0	0	MSA1	
Land off Cotswold Road	12		0	12	0	0	MSA2	
Orchard Works site rear of London Road	20		0	20	0	0	MSA3	
Land rear of 522-524 St. Johns Road	43		0	43	0	0	MSA4	
Station Gateway development	60		0	0	60	0	MSA5	
Former Tendring 100 Waterworks Site, Clacton	90		0	90	0	0	MSA6	
Mayflower Primary School	15		0	15	0	0	MSA7	
Land at <u>adjoining</u> Harwich and Parkeston Football club, <u>Dovercourt</u>	89 <u>48</u>		0	0 <u>48</u>	89 <u>0</u>	0	MSA8	
Old Town Hall site	15		0	15	0	0	MSA9	
Southcliffe Trailer Park	15		0	15	0	0	MSA10	
Station Yard/ <u>Avon Works, Walton</u>	40		0	40	0	0	MSA11	
Land at the Farm, Kirby Road	47		0	0	47	0	MSA12	
Montana Roundabout	35		0	35	0	0	MSA14	
TOTALS	14,494- 15,494 <u>14,024-</u> 15,024	4,797 <u>4,044</u>	3,339 <u>3,443</u>	2,491 <u>1,420</u>	3867- 4,867 <u>5117-</u> <u>6117</u>			
Total in Plan Period	10,627 8,907							

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification																		
MM9.4	117	Policy LP1: Housing Supply	<p><i>Updates to the figures in Policy LP1 to reflect the modified data in Tables LP1 and LP2.</i></p> <p>The Council will work with the development industry and other partners to deliver a minimum new homes increase of 11,000 (net) between 1 April 2013 and 31 March 2033 to support economic growth and meet objectively assessed requirements for future housing in the District. This supply of new homes will be delivered from the following sources:</p> <table border="1"> <thead> <tr> <th>Supply Source to March 2033</th> <th>Totals</th> </tr> </thead> <tbody> <tr> <td>Net Dwelling Completions 2013-2017 <u>2013-2020</u></td> <td>1,374 <u>3,638</u></td> </tr> <tr> <td><u>Non-allocated</u> Large Sites with Planning Consents (with/without signed S106 agreements)</td> <td>4,779 <u>4680</u></td> </tr> <tr> <td>Small Sites with Planning Consents (with Trend Based Completions)</td> <td>1,399 <u>1,260</u></td> </tr> <tr> <td>Strategic Allocations – Mixed Use (SAMU Policies)</td> <td>2,230 <u>1,465</u></td> </tr> <tr> <td>Strategic Allocations – Housing (SAH Policies)</td> <td>464 <u>300</u></td> </tr> <tr> <td>Medium Sized Allocations (MSA Policies)</td> <td>505 <u>202</u></td> </tr> <tr> <td>Tending Colchester Borders Garden Community</td> <td>1,250 <u>1,000</u></td> </tr> <tr> <td>Totals</td> <td>12,001 <u>12,545</u></td> </tr> </tbody> </table>	Supply Source to March 2033	Totals	Net Dwelling Completions 2013-2017 <u>2013-2020</u>	1,374 <u>3,638</u>	<u>Non-allocated</u> Large Sites with Planning Consents (with/without signed S106 agreements)	4,779 <u>4680</u>	Small Sites with Planning Consents (with Trend Based Completions)	1,399 <u>1,260</u>	Strategic Allocations – Mixed Use (SAMU Policies)	2,230 <u>1,465</u>	Strategic Allocations – Housing (SAH Policies)	464 <u>300</u>	Medium Sized Allocations (MSA Policies)	505 <u>202</u>	Tending Colchester Borders Garden Community	1,250 <u>1,000</u>	Totals	12,001 <u>12,545</u>	To update the figures in Policy LP1 to reflect the updated figures in both Tables LP1 and LP2 (above).
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MM10.1	119																					

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
		Policy LP2: Housing Choice	<p><i>Deletion of the reference to Council Housing from the second paragraph of Policy LP2 to reflect the proposed modifications to Policy LP5.</i></p> <p>On developments of 11 or more dwellings, the Council will expect to see a mix of dwelling size, type and tenure that broadly reflects the housing need identified in the latest Strategic Housing Market Assessment unless there are specific housing mix requirements for a particular site, as set out in site-specific policies in this Local Plan, or genuine physical or economic viability reasons why this mix cannot be achieved. The Council will also require a proportion of the new properties to be provided in the form of Council Housing or affordable housing in line with the requirements in Policy LP5.</p>	To ensure a consistent approach in the Local Plan to the use of the term 'affordable housing' by removing references to 'council housing' which, in itself, is a category of affordable housing.
MM11.1	119	Policy LP3: Housing Density and Standards Criterion b.	<p>New wording for criterion b. of Policy LP3 to refer specifically to the government's technical housing standards.</p> <p>b. national minimum internal floor space standards <u>the need for residential development to comply with the government's latest 'Technical housing standards - nationally described space standard'</u>;</p>	To make it clear that it is the government's latest 'Technical housing standards – nationally described space standard' that will apply to new residential development in Tendring.
MM11.2	119	Policy LP3: Housing Density and Standards	<p><i>Revised wording to criterion d. of Policy LP3 in respect of reflecting and enhancing local character.</i></p>	To improve the clarity and effectiveness of criterion d. and ensure it considers both

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
		Criterion d.	d. the <u>context and</u> character of development (and where appropriate <u>the opportunity to enhance that character</u>) in the immediate area;	context and the opportunity to enhance character.
MM11.3	119	Policy LP3: Housing Density and Standards Criterion f.	<i>Inclusion of additional wording in criterion f. of Policy LP3 to refer to public rights of way.</i> f. on-site infrastructure requirements that will need to be incorporated into the layout of the development (including green infrastructure, highways and footpaths built to adoptable standards, <u>public rights of way</u> and any community facilities).	To ensure that the importance of incorporating public rights into new development of way is properly reflected in Policy LP3.
MM11.4	119	Policy LP3: Housing Density and Standards New paragraph on Part M of the Building Regulations.	<i>Inclusion of an additional paragraph at the end of Policy LP3 on the requirements to meet Part M of the Building Regulations in respect of adaptable and accessible housing – moved to Policy LP3 from Policy SPL3.</i> <u>On housing developments of 10 or more dwellings, 10% of market housing should be to Building Regulations Part M4(2) 'adaptable and accessible' standard. For affordable homes, 10% should be to Building Regulations Part M4(2) and 5% should be to Part M4(3) 'wheelchair-user' standards (Ref. Tendring District Housing Viability Assessment 12 May 2-017).</u>	To set out the Council's expectations in respect of compliance with Part M of the Building Regulations and the provision of adaptable and accessible homes. These requirements are moved from Policy SPL3 to Policy LP3 where they are considered to be better placed.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM12.1	121	Policy LP4: Housing Layout Criteria a. to h.	<p><i>Modifications to the first section of Policy LP4 and criteria a. to h. which include deletions, new inclusions and revised wording.</i></p> <p>To ensure a positive contribution towards the District's 'sense of place', the design and layout of new residential and mixed-use developments in the Tendring District will be expected to:</p> <ol style="list-style-type: none"> a. promote health and wellbeing by incorporating and maximising the use of green infrastructure, verges, trees and other vegetation. Proposals for residential development on sites of 1.5 hectares and above are required to provide at least 10% of the gross site area as public open space (unless there are more specific open space requirements set out in policies relating to the site in question); b. <u>locate new public open space where it can be conveniently and safely accessed by all members of the community, especially children by walking and cycling; and ensuring it is directly overlooked on all sides and not located to the rear of properties; [MOD A]</u> c. <u>consider surface water management from the outset of site layout and masterplanning. All surface water should be managed by means of Sustainable Urban Drainage System (Suds) unless there is an exceptional case not to do so; [MOD B]</u> 	<p>MOD A: To set out clearer expectations about the safety and surveillance of open space in residential developments.</p> <p>MOD B: To strengthen the requirement for sustainable drainage measures to be incorporated into new development.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>d. minimise the opportunities for crime and anti-social behaviour by ensuring good <u>natural surveillance of both public and private spaces from buildings and the streets, providing</u> clear definition between public and private spaces and convenient access for emergency services; [MOD C]</p> <p>e. <u>ensure that the overall highway network is legible, permeable, with all roads connected wherever possible and fit for purpose by all road users;</u> [MOD D]</p> <p>f. ensure internal road layouts can safely and comfortably accommodate emergency services, waste collection services, buses (where necessary) and other large vehicles;</p> <p>g. <u>accommodate residential parking provision for residents on-plot, either at the front or side of dwellings with sufficient provision of on-street parking for use by visitors and delivery vehicles;</u> minimise the need for and reduce the resulting visual and safety implications of on-street parking by ensuring dwellings have sufficient off-street parking space to accommodate the likely number of vehicles; [MOD E]</p> <p>h. <u>deliver new dwellings that are designed to high standards of architecture, which respect local character and which together with a well-considered site layout, create a unique sense of place;</u> [MOD F]</p>	<p>MOD C: To set out clearer expectations for how the opportunities for crime and anti-social behaviour can be minimised through layout.</p> <p>MOD D: To provide better guidance within the policy about the legibility and permeability of highway within new development.</p> <p>MOD D: To provide clearer guidance on the expectations for how residential parking is to be provided as part of new residential development.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>i. aside from town centres respect the character of Tendring District by delivering housing development at densities more in keeping with the semi-rural nature of parts of the District <u>be of a density that reflects the factors set out in Policy LP3;</u> [MOD G]</p> <p>j. respect the historical and settlement hierarchy character of Tendring District by delivering housing development at densities in keeping with the urban nature of parts of the District including the town centres; [MOD H]</p> <p>k. ensure dwellings meet minimum standards of internal space [MOD I]</p> <p>j. <u>provide for private amenity space of a size and configuration that meets the needs and expectations of residents and which is commensurate to the size of dwelling and the character of the area; and</u> [MOD J]</p> <p>k. meet all other requirements of the Local Plan.</p>	<p>MOD E: To strengthen the policy in respect of the Council's expectations for high standards of architecture.</p> <p>MOD G: To avoid duplication of and inconsistently with the guidance on density contained within Policy LP3.</p> <p>MOD H: To avoid duplication of and inconsistently with the guidance on density contained within Policy LP3.</p> <p>MOD J: To set out some guidance on the need for private amenity space which was previously absent from the Local Plan.</p>
MM12.2	121		<i>Addition of wording to the final paragraph of Policy LP4 to include reference to master plans, neighbourhood plans, the proposed</i>	To ensure the policy is clear that Master Plans, Place

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
		<p>Policy LP4: Housing Layout</p> <p>Final paragraph.</p>	<p><i>supplementary planning document of Jaywick Sands and other relevant documents that would be material to the layout of new development.</i></p> <p>In determining planning applications, the Council will also refer to the guidance provided in the Essex Design Guide for Residential & Mixed-Use Developments, 'Building for Life' and the 'Manual for Streets' and as superseded; <u>as well as adopted Master Plans, Place Plans, Neighbourhood Plans or Village Design Statements.</u> <u>For new residential development in Jaywick Sands, the Council will also have regard to the Supplementary Planning Document (SPD) being prepared to guide new development in that area.</u></p>	<p>Plans, Neighbourhood Plans, Village Design Statements and the proposed Supplementary Planning Document (SPD) are also considered in the determination of planning applications.</p>
MM13.1	122	New paragraph 5.5.3	<p><i>Inclusion of an additional paragraph 5.5.3 in the supporting text in relation to cases where 30% affordable housing required through LP5 is not considered economically viable.</i></p> <p><u>5.5.3 Policy LP5 below requires that for development proposed outside of the Tendring Colchester Borders Garden Community, involving the creation of 11 or more (net) homes, 30% of new dwellings (including conversions) will be made available to Tendring District Council or a nominated partner (which could include a registered housing provider or a trust) to acquire for use as affordable housing. A lesser amount of affordable housing than required by Policy LP5 will only be considered where robust evidence is provided to demonstrate that the development would not be economically viable as a result of the affordable housing</u></p>	<p>To provide more guidance within the supporting text of the Local Plan to explain what happens in the event that the 30% affordable housing requirement set out in Policy LP5 is not considered to be economically viable.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<u>requirement. Such evidence will be independently tested, at the applicant's cost, as necessary.</u>	
MM13.2	122	New paragraph 5.5.4	<p><i>Inclusion of an additional paragraph 5.5.4 in the supporting text to reflect new requirements of national planning policy around affordable home ownership.</i></p> <p><u>5.5.4 Changes to the National Planning Policy Framework (NPPF) in 2019 introduced a requirement for at least 10% of dwellings on major developments involving housing to be made available for 'affordable home ownership' (a specific category of affordable housing which allows people to purchase property at a discounted price) unless it would exceed the level of affordable housing required in the area or would significantly prejudice a Council's ability to meet the identified affordable housing needs of specific groups. In determining planning applications and in negotiating the right mix of affordable housing the Council will consider, on a case-by-case basis, the applicability and impact of the 10% affordable home ownership requirement, having regard to the latest information on affordable housing need contained within its Strategic Housing Market Assessment (SHMA) and its housing needs register.</u></p>	To reflect in the supporting text that the 2019 National Planning Policy Framework has a requirement for at least 10% of dwellings on major housing developments to be provided for 'affordable home ownership' and to explain the circumstances in which this might prejudice the Council's ability to meet the identified need for affordable housing in Tendring and an exemption might apply.
MM13.3	122	Policy LP5: Affordable and Council Housing	<i>Modifications to Policy LP5 to remove specific references to 'Council Housing', to delete the third, penultimate and final paragraph in respect of alternative approaches to affordable housing delivery and affordable housing statements and to include reference to the Strategic Housing Market Assessment (SHMA).</i>	MODS A, B & C: To ensure a consistent approach in the Local Plan to the use of the term 'affordable housing' by removing references to

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>AFFORDABLE AND COUNCIL HOUSING [MOD A]</p> <p>To promote a mix of housing tenure in the District and address the housing needs of people and families with lower incomes who cannot afford to buy or rent housing on the open market, the Council will work with the development industry to provide new affordable and council housing. [MOD B]</p> <p>For development proposals outside of the Tendring Colchester Borders Garden Community, involving the creation of 11 or more (net) homes, the Council will expect 30% of new dwellings, (including conversions) to be made available to Tendring District Council or its nominated partner(s) to acquire at a proportionate discounted value for use as affordable or council housing. [MOD C]</p> <p>As an alternative, the Council will accept a minimum 10% of new dwellings, (including conversions) to be made available to Tendring District Council or its nominated partner(s) to acquire at a proportionate discounted value for use as council housing alongside a financial contribution towards the construction or acquisition of property for use as council housing equivalent to delivering the remainder of the 30% requirement. [MOD D]</p> <p>To avoid an over-concentration of <u>affordable</u> council housing in one location, no single group of <u>affordable housing</u> council houses will exceed ten dwellings and to ensure positive integration between the residents of <u>affordable</u> council housing and market</p>	<p>'council housing' which, in itself, is a category of affordable housing.</p> <p>MOD D: To ensure the policy better maximises the amount of affordable housing delivered in Tendring to meet the high level of need in line with the Council's latest Housing Strategy, particularly in light of weak delivery in the past.</p> <p>MOD E: To ensure a consistent approach in the Local Plan to the use of the term 'affordable housing' by removing references to 'council housing'. Also replacement of the word 'noticeable' with 'material' in respect of the appearance or quality of affordable and market housing to minimise the risk of ambiguity.</p> <p>MOD F: To refer to the Strategic Housing Market</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>housing, there should be no noticeable <u>material</u> difference in the appearance or quality between dwellings to be sold on the open market and those to be acquired and managed by the Council or its nominated partner(s). [MOD E]</p> <p>The size and type of <u>affordable council</u> housing will be specified by the Council on a case-by-case basis having regard to the latest <u>Strategic Housing Market Assessment (SHMA)</u> and housing needs register and will be the subject of negotiation between the Council and the developer or applicant. [MOD F]</p> <p>Proposals that involve the provision of alternative forms of affordable housing will be accepted as long as they offer equal or greater benefit to the community in providing affordable housing, in perpetuity, for local people. [MOD G]</p> <p>All planning applications that include residential development of 11 or more net dwellings must include an affordable housing statement. [MOD H]</p>	<p>Assessment (SHMA) as well as the housing needs register as evidence to inform the size and type of affordable housing required.</p> <p>MOD G: Same reasons for MOD D above.</p> <p>MOD H: To remove the need for an 'affordable housing statement' which is considered unnecessary for the policy to operate effectively.</p>
MM14.1	124	<p>Policy LP6: Rural Exception Sites</p> <p>First paragraph.</p>	<p><i>Removal of the reference to 'Council Housing' from first paragraph of Policy LP6 to be consistent with the approach in Policy LP5 and correction of the term 'spatial hierarchy' to 'settlement hierarchy'.</i></p> <p>Council Housing and other forms of aAffordable housing may be permitted on sites adjoining the Settlement Development Boundaries of a 'Rural Service Centres, or 'Smaller Rural Settlement', as defined by the <u>spatial settlement</u> hierarchy, as an</p>	<p>To ensure a consistent approach in the Local Plan to the use of the term 'affordable housing' by removing references to 'council housing' which, in itself, is a category of affordable housing.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			exception to normal settlement policy to meet a specific identified local need that cannot be otherwise met.	
MM14.2	124	Policy LP6: Rural Exception Sites Fourth paragraph.	<i>Removal of the reference to 'Council Housing' from the fourth paragraph of Policy LP6 to be consistent with the approach in Policy LP5.</i> The proposal must include detailed and up-to-date evidence of local need for council /affordable housing within the Parish, proven to the satisfaction of the District Council. The detail of any planning application should show that the number of council /affordable homes will not exceed the number, size and tenure genuinely required to meet the identified local housing need.	To ensure a consistent approach in the Local Plan to the use of the term 'affordable housing' by removing references to 'council housing' which, in itself, is a category of affordable housing.
MM14.3	124	Policy LP6: Rural Exception Sites Criteria a. and c.	<i>Removal of the reference to 'Council Housing' from criteria a. and c. of Policy LP6 to be consistent with the approach in Policy LP5.</i> a. ensure that all the council /affordable homes within the scheme remain exclusively for local need through control of occupation during the lifetime of the development and that the low-cost benefits of the housing provision pass on to subsequent occupants meeting the criteria of local need; c. provide that where a vacated council /affordable home in the scheme cannot be filled by persons in local need within the Parish, that the home is made available over within Tendring District on the same basis of need to secure its occupation.	To ensure a consistent approach in the Local Plan to the use of the term 'affordable housing' by removing references to 'council housing' which, in itself, is a category of affordable housing.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM14.4	124	Policy LP6: Rural Exception Sites Final paragraph.	<p><i>Additional wording included within the final paragraph of Policy LP6 to include reference to biodiversity, geodiversity and the historic environment.</i></p> <p>The proposal shall have no significant material adverse impact on <u>biodiversity and geodiversity (including designated sites)</u>, <u>landscape (including designated landscapes)</u>, <u>the historic environment</u>, residential amenity, highway safety, or the form and character of the settlement to which it adjoins.</p>	To strengthen the policy in respect of biodiversity and heritage impacts in line with both Natural England and Historic England advice.
MM15.1	126	Policy LP7: Self-Build and Custom Built Homes Second paragraph criteria a. to c. and new final paragraph.	<p><i>Additions and deletions from the second paragraph and criteria a. to c. of Policy LP7 and inclusion of a new final paragraph in relation to proposals for Self-Build and Custom Built Homes outside of settlement development boundaries.</i></p> <p>The Council will also consider, on their merits, proposals for <u>small developments of new</u> Self-Build and Custom-Built Homes on land outside of, <u>but within a reasonable proximity to</u>, settlement development boundaries, not involving the replacement of an existing dwelling, where they will still support a sustainable pattern of growth in the District <u>and are brought forward by individuals or associates of individuals who will occupy those homes.</u> <u>Such All new dwellings on such</u> developments must either:</p>	To improve the clarity and effectiveness of the policy; making it clear that it is small developments of self-build and custom-built homes that are envisaged, to be occupied by those people wishing to build; and to more clearly set out some of the material planning considerations that would be taking into account when determining planning applications.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>a. be located on a site safely accessible on foot within 600 metres of the edge of the settlement development boundary of one <u>of</u> the District's 'strategic urban settlements', or 'smaller urban settlements';</p> <p>b. be located on a site safely accessible on foot within 400 metres of the edge of the settlement development boundary of one of the District's 'rural service centres'; or</p> <p>c. involve the redevelopment of vacant or redundant previously developed land that can be shown, with evidence, to be unviable for employment use.</p> <p><u>The proposal shall have no significant material adverse impact on the landscape, residential amenity, highway safety, or the form and character of nearby settlements and shall be otherwise appropriate in scale and design for their location, having regard to other policies in this Local Plan.</u></p>	
MM16.1	129	5.9.3	<p><i>Updates to paragraph 5.9.3 to reflect the latest evidence of need and supply of gypsy and traveller pitches.</i></p> <p><u>5.9.3 The new requirements are set out in the table below. The GTAA for all local planning authorities in Essex follows a consistent approach and was commissioned jointly by the Councils working in partnership in line with the legal duty to cooperate. The GTAA was updated in 2018. In 2018 there were 11 permanent gypsy and</u></p>	To update the Local Plan in respect of more recent evidence on the need for pitches for gypsies and travellers.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>traveller pitches in Tendring and planning permissions in place to deliver a further 11 permanent pitches and 1 temporary pitch. The GTAA for Tendring identifies a future need up to 2033 for 1 additional pitch for households meeting the new definition for a gypsy or traveller, 3 pitches for households not meeting the definition and 2 pitches for households where it is unclear whether or not the definition is met. There are therefore sufficient planning permissions in place without the need to specifically allocate any land for additional gypsy and traveller pitches in this Local Plan. Longer-term provision for gypsy and travellers is however proposed as part of the Colchester Tendring Garden Community and details will be set out in the separate Development Plan Document (DPD) for that area. The GTAA identifies no</u> There is no identified need for plots for travelling showpeople in Tendring.</p>	
MM16.2	129	5.9.4	<p><i>Replacement of the wording in paragraph 5.9.4 with new wording that reflects the requirements of national planning policy for gypsies and travellers.</i></p> <p>5.9.4 Of the twelve pitches identified in the 2015 GTAA, three pitches are no longer with travellers or are vacant, of the remaining nine only one interview was accepted and one unauthorised encampment which met the planning definition presented. The pitch requirement for the known need is two pitches and the requirement proxy for the unknown need (due to interviews not being accepted) is presented as also two pitches, giving a requirement of four pitches over the Plan period. Added to this is the need to provide for non-travelling gypsies and travellers that are known to not meet the planning definition of three pitches. Planning Policy for Traveller</p>	To more clearly set out the requirements of the national planning policy for gypsies and travellers.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>Sites (2015) says that where there is no identified need for additional gypsy and traveller pitches, Councils should have criteria-based policies in their Local Plan to provide a basis for decisions in case applications nevertheless come forward. Such policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community. Any applications for the creation of new gypsy and traveller sites or additional pitches will be judged against the criteria of Policy LP9 below and any other relevant policies in this Local Plan.</u></p>	
MM16.3	129	Policy LP9: Traveller Sites	<p><i>Modifications to Policy LP9 to revise the policy title, delete the first five paragraphs and Table 5.1, include a new introductory paragraph and amend criteria a. to h.</i></p> <p><u>GYPSY AND TRAVELLER SITES</u></p> <p><u>The projected future need for five gypsy and traveller pitches in Tendring up to 2033 as identified in the Gypsy and Traveller Accommodation Assessment (GTAA) can be met in full through sites that have already obtained planning permission and therefore this Local Plan does not allocate any specific sites for this purpose. It is proposed that further longer-term provision will be met as part of the Colchester Tendring Borders Garden Community. There is no current or future need for any plots for travelling showpeople in Tendring and therefore no land is allocated for this purpose.</u></p>	MOD A: To revise the policy title and ensure the policy reflects more up-to-date evidence on both the projected need for gypsy and traveller pitches and the

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification																
			<p>Evidence contained in the Essex Gypsy and Traveller Accommodation Assessment (April 2017) identifies a projected need for two additional pitches in Tendring over the GTAA period to 2033 for Gypsy and Traveller households that meet the planning definition; a need for three additional pitches for Gypsy and Traveller households who do not meet the planning definition — if the potential need from 90% of unknown households is added to this the total need for non-travelling households could rise to five additional pitches. A breakdown of where this need should be addressed is set out in the table below.</p> <p>Table 5.1</p> <table border="1" data-bbox="683 775 1624 1374"> <thead> <tr> <th data-bbox="683 775 958 1074">Additional need for Gypsy and Traveller households broken down by potential delivery method Site Status</th> <th data-bbox="958 775 1196 1074">Gypsy and Traveller Local Plan Policy</th> <th data-bbox="1196 775 1431 1074">SHMA Housing Policy</th> <th data-bbox="1431 775 1624 1074">Total</th> </tr> </thead> <tbody> <tr> <td data-bbox="683 1074 958 1187">Meet Planning Definition (+10% Unknown)</td> <td data-bbox="958 1074 1196 1187">2</td> <td data-bbox="1196 1074 1431 1187">0</td> <td data-bbox="1431 1074 1624 1187">2</td> </tr> <tr> <td data-bbox="683 1187 958 1337">Not meeting Planning Definition (+90% Unknown)</td> <td data-bbox="958 1187 1196 1337">0</td> <td data-bbox="1196 1187 1431 1337">5</td> <td data-bbox="1431 1187 1624 1337">5</td> </tr> <tr> <td data-bbox="683 1337 958 1374">Total</td> <td data-bbox="958 1337 1196 1374">2</td> <td data-bbox="1196 1337 1431 1374">5</td> <td data-bbox="1431 1337 1624 1374">7</td> </tr> </tbody> </table>	Additional need for Gypsy and Traveller households broken down by potential delivery method Site Status	Gypsy and Traveller Local Plan Policy	SHMA Housing Policy	Total	Meet Planning Definition (+10% Unknown)	2	0	2	Not meeting Planning Definition (+90% Unknown)	0	5	5	Total	2	5	7	supply of sites that meet that exceed that need.
Additional need for Gypsy and Traveller households broken down by potential delivery method Site Status	Gypsy and Traveller Local Plan Policy	SHMA Housing Policy	Total																	
Meet Planning Definition (+10% Unknown)	2	0	2																	
Not meeting Planning Definition (+90% Unknown)	0	5	5																	
Total	2	5	7																	

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			<p>Since the GTAA report was published, planning permission for five additional pitches to the south of Woodfield Bungalow, owned by a family of the households that do not meet the planning definition has been granted planning permission. The GTAA stated that if this site receives planning permission, the pitches may be used to meet the need for three additional pitches arising from households living on existing pitches adjacent to Woodfield Bungalow.</p> <p>The GTAA also found that any need arising from unknown households—all of which could come from small family sites—could be met through intensification of existing sites.</p> <p>Transit Provision: It is recommended that the situation relating to levels of unauthorised encampments should be continually monitored whilst any potential changes associated with Planning Policy for Traveller Sites (2015) develop.</p> <p>Travelling Showpeople: There were no Travelling Showpeople identified in Tendring so there is no current or future need for additional plots.</p> <p>In terms of un-met need when considering any proposals for additional traveller sites or pitches, the Council will consult the latest evidence of need contained in the most recent Gypsy and Traveller Accommodation Assessment and will only approve planning permission for proposals that can demonstrate, with evidence, a genuine need for the proposed level of provision. The Council will consider proposals [MOD A]</p>	

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>Any proposals for additional pitches to meet the needs of gypsies and travellers will be considered</u> against criteria a) to h) below alongside other requirements in the Local Plan:</p> <ul style="list-style-type: none"> a. sites must avoid any adverse impacts on any internationally, nationally or locally designated protected areas and must avoid areas prone to flooding; b. sites must have reasonable access to key facilities (normally 1.5 miles/2.4km on foot or 15 miles/24km by public transport to <u>including</u> primary schools, doctors' surgeries, and convenience shops, 2 miles/3.2km on foot or 20 miles/32km by public transport to secondary schools and major employment sites); [MOD B] c. sites should, where possible, utilise previously developed land and recognise the scale of nearby communities; [MOD C] d. sites must not exceed ten pitches in size and must make a minimum allowance of 250 square metres per pitch including <u>include suitable</u> circulation and amenity space and a maximum of 350 square metres. Sites should normally be 3 miles/4.8km apart with scope for smaller sites to be closer than this; [MOD D] 	<p>MODS B to F: To remove an unnecessary level of prescription and constraint and to ensure consistency with the approach taken in policies for other forms of development.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>e. sites must comprise flat well drained ground and achieve safe access for large vehicles from the local road network and access to utilities; <u>and</u></p> <p>f. sites must be safe for children, achieve aesthetic compatibility with the surroundings, with scope for visual and acoustic screening to protect the amenity of nearby residents; and not impact on high grade utilised agricultural land; [MOD E]</p> <p>g. sites must be of a high quality design and landscaping, providing a good standard of residential amenity for their occupiers.; and</p> <p>h. sites must be linked to mains services. [MOD F]</p>	
MM17.1	132 133	Policy LP10: Care, Independent Assisted Living Fourth paragraph	<p><i>Modifications to the fourth paragraph of Policy LP10 in relation to proposals for care homes and extra care housing outside of settlement development boundaries.</i></p> <p>All new care homes and extra care housing must <u>pay particular attention to landscape character if located outside of settlement development boundaries and</u> offer a high quality, safe, secure and attractive environment for their residents and provide sufficient external space to accommodate the normal recreation and other needs of residents, visitors or employees. <u>Proposals shall have no significant material adverse impact on the landscape, residential amenity, highway safety, or the form and character of nearby</u></p>	To more clearly set out some of the material planning considerations that would be taken into account when dealing with planning applications outside of settlement development boundaries.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<u>settlements and shall be otherwise appropriate in scale and design for their location, having regard to other policies in this Local Plan.</u>	

Main Modifications – Chapter 6: Prosperous Places

The modifications below are expressed either in the conventional form of ~~striketrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM18.1	139	6.1.2.1	<p><i>Replacement wording for paragraph 6.1.2.1 to reflect the findings of the latest and more and up to date Retail and Town Centre Uses Study in respect of convenience goods shopping.</i></p> <p>6.1.2.1 The WYG Retail Study (2017) estimates that within Tendring District, the available convenience goods expenditure at 2015 was £276m, which is forecast to increase by £306.6m by 2032. The study assessed the retail capacity of the area and concluded that, with Brook Park West gaining consent, there is no demonstrable requirement to proactively plan for new convenience floorspace in the District (beyond that already consented) up to 2032. However, this position should be regularly monitored. In terms of capacity the report advises that no additional convenience need exist for Clacton, Frinton-on-Sea, Brightlingsea and Walton-on-the-Naze. For Harwich and Dovercourt 750-1,420 sq.m exists for a small convenience store. For Manningtree capacity exists for 40-70 sq.m of convenience space, suitable for a small convenience store. The quantitative assessment in LSH Retail and Town Centre Uses Study (2020) estimates that turnover for convenience goods sales in the district could increase from around £348.5million in 2020 to around £390.6million by 2033, potentially generating capacity for around 2,347 sq.m of additional convenience goods in the plan period – the equivalent of an additional foodstore. However, these findings need to be assessed against market demand and, in 2020, there was limited commercial appetite amongst mainstream grocers to establish new stores, with demand for</p>	To update the Local Plan to reflect the findings of the latest evidence of projected needs for convenience goods shopping floorspace.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>new store openings mostly confined to the discount food market. However, most of the major foodstore operators are already represented in the district. The assessment notes that opportunities to enhance Clacton's convenience retail offer are likely to be limited to improving existing foodstore provision but that, if market conditions support it, any new provision should be directed to Clacton Town Centre as a priority, in line with the sequential approach and to support the Council's objectives for rejuvenation of that centre.</u></p>	
MM18.2	139	6.1.3.1	<p><i>Replacement wording for paragraph 6.1.3.1 to reflect the findings of the latest and more and up to date Retail and Town Centre Uses Study in respect of comparison goods shopping.</i></p> <p>6.1.3.1 The WYG Retail Study Update (2017) sets out the need for additional comparison retail floorspace for Tendring District. The quantitative potential capacity for new comparison goods floorspace in the District is between 4110 sq.m net and 6850 sq.m net by 2032. The LSH Retail and Town Centre Uses Study (2020) estimates that turnover for comparison goods sales in the district could increase from around £291.6million to around 441.3million by 2033, however taking into account the emergence and success of on-line retailers in meeting comparison goods demands, the capacity for increasing physical comparison goods floorspace is likely to be much lower than for convenience goods. With a predicted increase in capacity of around 54sq.m by 2033, the need for additional comparison</p>	To update the Local Plan to reflect the findings of the latest evidence of projected needs for comparison goods shopping floorspace.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<u>goods floorspace in the district is likely to be negligible and easily accommodated within either existing vacant town centre units or retail schemes that already benefit from planning permission.</u>	
MM18.3	139	6.1.3.2	<p><i>Deletion of paragraph 6.1.3.2.</i></p> <p>.</p> <p>6.1.3.2 In accordance with the ‘town centre first’ principles in the NPPF, Tendring District’s defined town centres (Clacton, Frinton, Harwich and Dovercourt, Brightlingsea, Manningtree and Walton) should be the preferred locations (subject to any sequential sites being available and suitable) for any further comparison goods floorspace. This will ensure the enhancement of the town centres and promotes their vitality and viability.</p>	Paragraph considered unnecessarily in light of the updated evidence which shows a negligible requirement for additional comparison goods floorspace.
MM18.4	140	6.1.3.3	<p><i>Replacement wording for paragraph 6.1.3.3 to reflect the findings of the latest and more and up to date Retail and Town Centre Uses Study in respect of the health of Clacton Town Centre.</i></p> <p>6.1.3.3 The WYG retail study highlights that Clacton town centre is a generally healthy centre, which performs a vital role for the residents of the District and wider sub-region. Retailer representation in the town centre is strong, with 14 out of 30 major multiple national retailers being represented in the centre. The LSH Retail Study highlights that Clacton is a vital and viable</p>	Update to reflect the most recent evidence on the health of Clacton Town Centre and the Council’s initiatives to rejuvenate the area.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>centre, but could become vulnerable as a result of the economic impact of Covid-19. Nonetheless, the Study identified Clacton as an important shopping and service centre for the district. Goad's survey data from March 2019 shows that there were 88 national multiples in the town centre, of which 51 were retailers. Council initiatives, alongside private investment in recent years, have seen considerable improvements to the built environment, which is beneficial to the town centre's visitor experience. The Council is also working with partners on a programme of measures to rejuvenate Clacton Town Centre.</u></p>	
MM18.5	140	6.1.3.4	<p><i>Deletion of paragraph 6.1.3.4.</i></p> <p>A town-by-town analysis indicates that there is not a quantitative need for additional comparison floorspace in Clacton (assuming Brook Park West is delivered) or Walton-on-the-Naze (if Aldi is delivered). For Harwich and Dovercourt capacity exists for between 1,770 sq.m and 2,950 sq.m. For Manningtree and Brightlingsea there is limited capacity for growth. For Frinton-on-Sea there is capacity for between 850 sq.m and 1,410 sq.m net comparison goods floorspace.</p>	To remove data that has since been superseded through new evidence.
MM18.6	140	Policy PP1: New Retail Development	<p><i>Deletion of the second and third paragraphs of Policy PP1 and leaving commentary on updated convenience and comparison</i></p>	To remove data that has since been superseded through new evidence and which is better set out in the

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
		Second and third paragraphs.	<p><i>floorspace requirement in the supporting text (see paragraphs 6.1.2.1 and 6.1.3.1).</i></p> <p>The Council's Retail and Town Centre Uses Study Update (2017) indicates that there is no quantitative need for additional convenience floorspace in Clacton, Frinton-on-Sea, Brightlingsea or Walton-on-the-Naze. With limited capacity for Manningtree (40 sq.m - 70 sq.m) and Harwich and Dovercourt (750sq.m - 1,420 sq.m)</p> <p>For comparison retail, the update study indicates that there is no quantitative need for additional retail capacity for Clacton or Walton-on-the-Naze. For Harwich and Dovercourt the update indicates capacity of between 1,770 sq.m and 2,950 sq.m and for Frinton-on-Sea capacity of between 850 sq.m and 1,410 sq.m. For Manningtree and Brightlingsea the update indicates there is limited capacity for growth.</p>	supporting text (see above) than in the main body of the policy.
MM19.1	141	6.2.5	<p><i>Addition of wording to the end of paragraph 6.2.5.</i></p> <p>6.2.5 'Area defined on the local authority's policy map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, District centres and local centres but exclude small parades of shops of purely neighbourhood significance. <u>Unless they are identified as centres in the development plan, existing out-of-centre developments,</u></p>	To clarify that out of town retail parks are not classified as 'town centres' for the purposes of policies in the Local Plan.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<u>comprising or including main town centre uses, do not constitute town centres’.</u>	
MM19.2	142	6.2.16	<p><i>Replacement of text at the end of paragraph 6.2.16 to better reflect current national planning policy.</i></p> <p>6.2.16 As well as the defined centres listed in Policy PP2, the District also contains a number of large modern retail parks or stand-alone supermarkets/retail outlets that located in out-of-town centre (or edge-of-town centre) locations that often fulfil a need for bulky-goods retail that cannot be accommodated in town centres. The national planning policy is <u>for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.</u> to avoid developments of this nature in the future unless it can be demonstrated that they will bring positive economic growth and not impact negatively on the vitality or viability of nearby centres. However, these existing retail parks will be shown as ‘employment land’ on the Policies Map and protected against redevelopment for non-employment uses (particularly housing) in recognition of the local employment they provide.</p>	To more accurately reflect national planning policy on retail and town centre planning and to delete the sentence that erroneously says that out of town retail parks are protected as employment land.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM20.1	144	<p>Policy PP3: Village and Neighbourhood Centres</p> <p>Section listing existing and proposed neighbourhood centres.</p>	<p><i>Modifications to the list of existing and proposed neighbourhood centres in Policy PP3 to include Hartley Gardens and to correct references to 'Garden Suburbs'.</i></p> <p>Existing and Proposed Neighbourhood Centres</p> <ul style="list-style-type: none"> • Bluehouse Avenue, Clacton • Bockings Elm, Clacton • Broadway, Jaywick Sands • Burrs Road, Clacton • Cambridge Road, Clacton • Coopers Lane, Clacton • Coppins Road, Clacton • Gravel Hill Way, Harwich • Junction of Tamarisk Way/Broadway, Jaywick • Thorpe Road, Kirby Cross • Tudor Parade, Marlowe Road, Jaywick Sands • Woodlands Close, Clacton • Upper Dovercourt • Frinton Road, Holland-on-Sea • Waterside, Brightlingsea • Neighbourhood centre at St Johns Road, Clacton • New neighbourhood centre proposed for Oakwood Park Development, <u>Clacton Garden Suburb</u> • New neighbourhood centre proposed for Rouses Farm Development, <u>Clacton Garden Suburb</u> • <u>New neighbourhood centre proposed for Hartley Gardens Development, Clacton</u> 	<p>To ensure the policy properly reflects the proposed development of new neighbourhood centres at the Oakwood Park, Rouses Farm and Hartley Gardens developments around Clacton.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM21.1	145	6.3.4 & 6.3.5	<p><i>Amendments to supporting text to better reflect current national planning policy.</i></p> <p>6.3.4 Paragraph 26 of the NPPF states that:</p> <p>6.3.5 <i>When assessing applications for retail, leisure and office retail and leisure development outside of town centres, which are not in accordance with an up-to-date Local plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq.m of gross floorspace)'. This should include assessment of:</i></p> <ul style="list-style-type: none"> • the impact of the proposal of existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and • the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider <u>retail catchment (as applicable to the scale and nature of the scheme)</u>. area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the 	To better reflect national planning policy on retail and town centre planning.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>impact should also be assessed up to ten years from the time the application is made.</p>	
MM21.2	145	Policy PP4: Local Impact Threshold	<p><i>Inclusion of the word 'nearest' within the first paragraph of Policy PP4 and inclusion of a new paragraph at the end of the policy.</i></p> <p>Applications for retail, leisure and office development outside of a centre as defined on the Policies Map, which are not in accordance with the Local Plan, will require an impact assessment if the development is over the following floorspace thresholds in the <u>nearest</u> defined Town Centre:</p> <ul style="list-style-type: none"> a. Clacton - 929 sq.m gross floorspace b. Frinton-on-Sea - 929 sq.m gross floorspace c. Dovercourt - 250 sq.m gross floorspace d. Walton-on-the-Naze - 250 sq.m gross floorspace e. Brightlingsea - 250 sq.m gross floorspace f. Manningtree - 250 sq.m gross floorspace g. Harwich - 250 sq.m gross floorspace <p><u>In determining planning applications, the Council will consider quantitative and qualitative impacts of the development on town centre vitality and viability, measures aimed at mitigating and minimising impacts and opportunities to claw back trade lost to other town centres both within and outside of the district.</u></p>	<p>To ensure the policy is clear that the impact thresholds are applicable to the 'nearest' town centre to a proposed out of centre development proposal; and to better set out some of the factors that will be taken into account when determining planning applications – including 'claw back'.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM22.1	146	6.4.3	<p><i>Amendments to supporting text to better reflect current national planning policy.</i></p> <p>6.4.3 The NPPF states that local authorities should define areas within their town centres as primary shopping areas. These areas comprise the parts of the town centre where retail development is concentrated. It is the primary shopping areas of the town centres which are the preferred location for new retail development. According to the NPPF, the primary shopping area should contain the primary shopping frontages and secondary shopping frontages which are adjacent, and closely related to, the primary shopping frontages.</p>	To reflect current national planning policy and the proposed deletion from the Local Plan of primary and secondary shopping frontages.
MM22.2	146	6.4.4	<p><i>Amendments to supporting text to better reflect current national planning policy.</i></p> <p>6.4.4 Paragraph 23 of The NPPF states that the planning authorities should define the extent of the town centres and primary shopping areas, based on clear definition of primary and secondary frontages, and set policies that make clear which uses will be permitted in such locations.</p>	To reflect current national planning policy and the proposed deletion from the Local Plan of primary and secondary shopping frontages.
MM22.3	146	New paragraph 6.4.5	<p><i>Insertion of a new paragraph of supporting text that reflects changes to the Use Classes Order in 2020.</i></p>	

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<u>6.4.5 Use Class E, which came into effect in September 2020, incorporates not only those uses which the NPPF defines as 'Main town centre uses', but also certain other uses such as medical services and some industrial. Changes between uses within this class will not be subject to a planning application, which will promote further diversification of town centres.</u>	To reflect the introduction in 2020 of the new Use Class E.
MM22.4	146	6.4.1.1	<p><i>Modification to supporting text to reflect the proposed removal of primary and secondary shopping frontages from the Local Plan to better reflect current national planning policy.</i></p> <p><u>6.4.1.1 The Primary Shopping Areas shown on the Policies Maps and Local Maps are the defined areas where retail development is concentrated (generally comprising the primary and those secondary frontages which are adjoining and closely related to the primary shopping frontages).</u></p>	To reflect current national planning policy and the proposed deletion from the Local Plan of primary and secondary shopping frontages.
MM22.5	147	6.4.2 6.4.2.1 6.4.3 6.4.3.1 6.4.3.2	<p><i>Deletion of supporting text to reflect the proposed removal of primary and secondary shopping frontages from the Local Plan to better reflect current national planning policy.</i></p> <p>6.4.2 Primary Shopping Frontage:</p> <p>6.4.2.1 Primary frontages are likely to include a high proportion of retail uses which may include food, drinks, clothing and household goods. To promote a busy and attractive town centre</p>	To reflect current national planning policy and the proposed deletion from the Local Plan of primary and secondary shopping frontages.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>new retail opportunities will be concentrated within the Primary frontage, providing a focus for activity and preventing key uses from being dispersed throughout the centre.</p> <p>6.4.3 Secondary Shopping Frontage:</p> <p>6.4.3.1 Secondary frontages provide greater opportunities for a diverse use such as restaurants and cafés, cinemas and offices. This supports independent and convenience retailers and non-retail uses. These uses form an important complementary function and by allowing a higher proportion of non-retail uses and promotes diverse uses.</p> <p>6.4.3.2 The WYG Retail Study (2016) reviewed the uses in the town centres and recommended the shopping frontages. The Primary Shopping Area (PSA) and the town centre boundary are identified on the Policies Map.</p>	
MM22.6	147	6.4.3.4	<p><i>Modifications to paragraph 6.4.3.4 in respect of impact assessments.</i></p> <p>6.4.3.4 In exceptional cases where the Council agrees that retail, leisure or office development outside of a defined centre could be justified, applications may need to be accompanied by an ‘<u>impact statement assessment</u>’, which, in accordance with the National Planning Policy Framework, must include an assessment of:</p>	To better reflect current national planning policy on retail and town centre planning.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<ul style="list-style-type: none"> • the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and • the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the defined centres and wider <u>retail catchment (as applicable to the scale and nature of the scheme)</u>. area, up to five years from the time the application is made. For major schemes where the full impact will not be realised within five years, the impact should also be assessed up to ten years from the time the application is made. 	
MM22.7	148	Policy PP 5: Town Centre Uses.	<p><i>Replacement of Policy PP5 wording with new wording to better reflect current national planning policy, changes to the Use Classes Order and a more flexible approach to town centre uses.</i></p> <p>The Town centre Boundary and the Primary and Secondary Shopping Frontages are defined on the Policy Maps.</p> <p>Within the Primary Shopping Area, proposals for development will be permitted where they:</p> <p style="margin-left: 20px;">a. are for main town centre uses, as defined in the NPPF; or</p>	To reflect current national planning policy, the proposed deletion from the Local Plan of primary and secondary shopping frontages and the introduction of the new Use Class E in 2020.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>b. will promote the vitality and viability of the centre, including proposals for residential development; or c. will involve the conversion or re-use of upper floors; and/or d. deliver high quality active ground floor frontages; and e. within the Primary Shopping Frontages A1 uses (shops) comprise at least 70% of the shopping frontages; and f. within the Secondary Shopping Frontages main town centre uses remain dominant; and g. any change of use will be considered against the aims of this policy.</p> <p><u>Within Town Centre boundaries (as shown on the Policies Maps and Local Maps), proposals for development or change of use for 'main town centre uses' (as defined in Policy PP2 and the National Planning Policy Framework) as well as residential development will be permitted where they comply with other relevant policies in this Local Plan and support the vitality and viability of the town centre.</u></p> <p><u>Within the 'Primary Shopping Area', the use of ground floor shop units will be restricted to uses within Use Class E (Commercial, business and service uses). Applications for residential development will be supported on upper floors above shop units where they provide an adequate level of parking and amenity space that takes into account access to shops, services and facilities, public transport provision and proximity to public open space.</u></p>	

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM23.1	151 152	Policy PP6: Employment Sites First paragraph and proposed new second paragraph.	<p><i>Modifications to the first paragraph of Policy PP6 and insertion of a new second paragraph to better reflect changes in the use Classes Order and to indicate that protected employment sites will be shown on the Policies and Local Maps.</i></p> <p>The Council will seek to protect existing employment sites, as set out in the Council's current Employment Land Review shown on the relevant Policies Maps and Local Maps. These Sites within use classes will be safeguarded for B1 (Business), B2 (General Industry) and B8 (Storage or Distribution) will be safeguarded for these purposes and uses that are classified as sui generis if they are akin to employment type uses and also where appropriate A1 (Retail). Employment sites falling within Use Class E(g) will be retained and will continue to provide for the employment needs of the district. [MOD A]</p> <p><u>Proposals for employment uses falling outside of use classes B2, B8 or other established activities (such as retail, offices, other town centre uses or other 'sui generis' uses) on protected employment sites will be considered on their merits and against other relevant policies within the Local Plan. [MOD B]</u></p>	<p>MOD A: To clarify that protected employment sites are to be shown on the Policies and Local Maps in the Local Plan and to reflect the introduction of Use Class E in 2020,</p> <p>MOD B: To set out how proposals for development proposals on safeguarded employment sites outside of Use Classes B2 and B8 will be treated.</p>
MM23.2	151			

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
	152	<p>Policy PP6: Employment Sites</p> <p>Middle section dealing with proposals for non- employment uses.</p>	<p><i>Simplification of the criteria that would apply when determining planning applications for non-employment uses on protected employment sites.</i></p> <p>Proposals for non-employment uses on these sites will only be considered acceptable <u>permitted if they clearly demonstrate that the alternative use(s):</u></p> <ul style="list-style-type: none"> <u>a. it can be demonstrated that the land or premises have become inherently unsuitable for any form of employment use and there is clear and robust evidence of appropriate marketing with registered commercial agents at a reasonable price to demonstrate no realistic prospect for continued employment use; or</u> <u>b. the alternative use will either facilitate or result in wider economic regeneration benefits that outweigh the loss of employment land or premises on the protected site for existing or potential employment use; or</u> <u>c. The alternative use will ease or resolve demonstrable longstanding and otherwise irresolvable harmful conflicts between land uses.</u> <p><u>If criteria a) b) or c) are met, the proposal must not have an adverse impact on the operation of any remaining businesses on the protected site and must not give rise to any incompatibility between land uses.</u></p>	<p>To simplify the policy criteria that would apply when determining applications for non-employment uses on protected employment sites.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>a. Will not have an adverse impact on the primary employment use(s) in the locality;</p> <p>b. Will not reduce the overall supply and quality of employment land and premises within the locality;</p> <p>c. Will deliver economic regeneration benefits to the site and/or area;</p> <p>d. Will resolve existing conflicts between land uses;</p> <p>e. Involve a vacant building for which there is clear and robust evidence of prolonged marketing, with registered commercial agents at a reasonable price, to demonstrate that there is no realistic prospect for continued employment use.</p> <p>Proposals for retail and town centre uses on these sites will also be subject to the requirements of Policies PP1 – PP5 (inclusive) of this Local Plan.</p>	
MM23.3	151 152	Policy PP6: Employment Sites Final section dealing with	<p><i>Deletion of this section from Policy PP6 and instead including such requirements in a modified version of Policy PP13: The Rural Economy.</i></p> <p>The Council will permit sustainable development proposals for farm and other land based diversification schemes that benefit</p>	To move this section of the policy into Policy PP13 where they would be better placed in respect of employment development in rural areas.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
		proposals for farm and other land based diversification schemes.	<p>the rural area. Proposals for re-use or redevelopment of rural buildings for employment purposes will be considered against the following criteria unless the economic benefits outweigh these criteria:</p> <ul style="list-style-type: none"> <li data-bbox="779 491 1637 608">a. the building is structurally sound and capable of accommodating the proposed use without the need for significant extension or alteration or reconstruction; <li data-bbox="779 655 1637 900">b. the proposed use (including any proposed alteration or extensions to the building), its associated operational area, the provision of any services, and/or any amenity space or outbuildings, would not harm its appearance as a rural building or adversely affect the rural setting of the building in the locality; <li data-bbox="779 948 1637 1192">c. the proposed use would not create significant levels of traffic, particularly lorries, on rural roads (proposals for employment uses will be required to provide a sustainability assessment which may include a Travel Plan designed to maximise the opportunities to reduce the need to travel by private car); <li data-bbox="779 1240 1637 1324">d. proposals which would create a significant number of jobs should be readily accessible by public transport; 	

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification				
			<p>e. it will not lead to unacceptable levels or types of traffic or problems of road safety or amenity and will not require highway improvements which will harm the character of rural roads in the area; and</p> <p>f. early years and childcare provision.</p>					
MM24.1	153 154	Policy PP7: Employment Allocations	<p><i>Deletion of the current Policy PP7 in its entirety and replacement with a version that better reflects the updated position in respect of available employment land and the proposed changes to Policy PP6.</i></p> <p><u>Policy PP7</u></p> <p><u>EMPLOYMENT ALLOCATIONS</u></p> <p><u>32ha of land is allocated for new development in use classes B2 (General Industry) and B8 (storage and Distribution) to support a diversity of employment opportunities, the majority of which has already obtained planning permission. The allocated sites are listed in Table 6.1 below and are identified on the Policies Maps and relevant Local Maps.</u></p> <p style="text-align: center;"><u>Table 6.1</u></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th data-bbox="779 1273 1151 1315"><u>Name of Site</u></th> <th data-bbox="1151 1273 1509 1315"><u>Local Plan Allocation</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="779 1315 1151 1347"></td> <td data-bbox="1151 1315 1509 1347"><u>(ha)</u></td> </tr> </tbody> </table>	<u>Name of Site</u>	<u>Local Plan Allocation</u>		<u>(ha)</u>	To better reflect the available employment land in the district and the proposed changes to Policy PP6 set out above.
<u>Name of Site</u>	<u>Local Plan Allocation</u>							
	<u>(ha)</u>							

Ref	Page	Policy/ Paragraph	Main Modification		Reason for Modification
			<u>Extension to Gorse Lane Industrial Estate, Telford Road, Clacton</u>	<u>6.8ha</u>	
			<u>Land at Stanton Europark, Parkeston</u>	<u>3.3ha</u>	
			<u>Land at Harwich Valley, East of Pond Hall Farm, Dovercourt</u>	<u>6.3ha (as part of a wider mixed use development)</u>	
			<u>Land off Clacton Road/Dead Lane, Mistley</u>	<u>2ha</u>	
			<u>Crown Business Centre, Old Ipswich Road, Ardleigh/Colchester</u>	<u>2.3ha</u>	
			<u>Land south west of Horsley Cross</u>	<u>11.2ha</u>	
			<u>Total Employment Land Area</u>	<u>31.9ha</u>	
			<p><u>N.B Some sites have permission in part for B1 use, now Class E(g).</u></p>		
			<p><u>On these sites, proposals for development in use classes B2 and B8 will be supported. Proposals for employment uses falling outside of use classes B2 or B8 (such as retail, offices, other town centre uses or other 'sui generis' uses) will be considered against other relevant policies within the Local Plan.</u></p>		

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>Applications for alternative non-employment uses will only be considered if it can be demonstrated that there is no reasonable prospect of a site being used for the allocated employment use. Such applications will be treated having regard to market signals and the relative need for different land uses to support sustainable local communities.</u></p> <p><u>Proposals for new employment-related development on land outside of these allocations will be considered having regard to their potential to support economic growth in the district and the requirements of other policies in this Local Plan.</u></p> <p><u>Additional employment land will also be identified as part of the mix of uses proposed at the Colchester Tendring Borders Garden Community within the separate Development Plan Document (DPD) for that area.</u></p>	
MM25.1	157	<p>Policy PP9: Hotels and Guesthouses</p> <p>Final paragraph.</p>	<p><i>Modifications to the text in the final paragraph of Policy PP9 to adopt more positive wording.</i></p> <p>Within defined centres and along the seafront within the District's coastal towns, the Council will <u>seek to retain the accommodation provided within</u> refuse proposals for the change of use or redevelopment of existing hotels and guesthouses to alternative uses, either in part or in whole. Outside of these areas, the change of use or redevelopment of</p>	<p>To ensure Policy PP9 is more positively worded to better reflect the thrust of national planning policy.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			existing hotels and guesthouses to alternative uses will only be permitted if the applicant can demonstrate that the current use is no longer economically viable.	
MM26.1	158	Policy PP10: Camping and Touring Caravan Sites First paragraph.	<p><i>Modifications to the first section of Policy PP10 to correct the reference to Policy PP11 and re-casting the third bullet-point as a freestanding paragraph with modifications to the wording.</i></p> <p>Outside of holiday parks (considered under Policy PP10 <u>PP11</u> in this Local Plan) and subject to consideration against other Local Plan policies, if the necessary tests are met in regard to any known flood risk, the Council will support proposals for:</p> <ul style="list-style-type: none"> • new camping and/or touring caravan/ motorhome sites; <u>and</u> • extensions to existing camping and/or touring caravan/motorhome sites; <u>and</u> <p>aApplications will only be permitted where they are in accordance with <u>the</u> Biodiversity Policy <u>PPL4</u> in this Local Plan. <u>Prior to submission of proposals for new or extended sites in the vicinity of designated sites (which should be taken to mean holiday parks within 2km of such sites), applicants should seek the advice of</u> have the potential to impact on them and should therefore be subject to consultation with Natural England, on a</p>	To correct the incorrect reference to Policy PP10, make clearer reference to the Habitat Regulations as being a material factor in the determination of applications and improve the wording of the policy.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>site-by-site basis and as to the likely requirements for aAppropriate aAssessed against and the tests of the Habitats Regulations.</p>	
MM27.1	159	6.7.5	<p><i>Insertion of additional wording at the end of paragraph 6.7.5 in relation to flood risk, impacts on wildlife and provision of park homes.</i></p> <p>.....the Council will restrict the holiday occupancy period and; where sites are located in an area vulnerable to flooding, the period of restricted occupancy will be expected to take place during the winter months when there is a greater likelihood of higher tides and severe weather. <u>The length of occupancy period set will take 'into account the site's location and the character and merits of the proposal such as the degree of flood risk, its relationship to an existing site (e.g. if it is a proposed extension), proposals for flood risk mitigation, design, the quality of accommodation provided and emergency planning. Change of use to permanent residential and extended periods of holiday occupation can also impact on protected wildlife sites, which are often located close to existing holiday parks. Where parks are proposed to be expanded to increase their level of provision, an element of park home provision to support the overall viability of the park might be considered so long as an appropriate mix is maintained which ensures the focus is firmly on tourism uses, rather than residential uses,</u></p>	<p>To strengthen the guidance contained within the supporting text to Policy PP11 in respect of flood risk and ecology, given the position of many holiday parks in sensitive coastal locations.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<u>and other policy requirements around flood risk, quality, infrastructure provision and sustainability are met.</u>	
MM27.2	160	Policy PP11: Holiday Parks Second paragraph.	<p><i>Addition of criteria within Policy PP11 that would apply in the consideration of planning applications for redevelopment or change of use to residential on non-safeguarded holiday parks.</i></p> <p>On ‘other sites’ that are operating as holiday parks but are not specifically shown as safeguarded sites or allocated for an alternative use, proposals for redevelopment, <u>including the change of use of caravans and chalets to permanent residential dwellings</u>, will only be considered favourably if the applicant can demonstrate <u>all of the following</u>:</p> <ul style="list-style-type: none"> • that the current use is no longer economically viable or that the economic benefits of the proposed development would outweigh the loss of the existing operation, having regard to other policies in this Local Plan.; • <u>the proposals will not materially harm the provision of tourist accommodation in the district;</u> • <u>for residential proposals, the new development will provide acceptable living conditions; and</u> • <u>the development will not cause material harm (including cumulatively) to local services and facilities, flooding, and wildlife.</u> 	To strengthen and make clearer the criteria that would apply to applications for redevelopment or change of use to residential on non-safeguarded holiday parks, given the latest evidence contained within the Council’s Holiday and Residential park Impact Assessment which demonstrates their importance to the tourism economy.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM27.3	160	<p>Policy PP11: Holiday Parks</p> <p>Third paragraph and associated bullet-points.</p>	<p><i>Deletion of the third bullet-point in respect of proposals for new holiday parks and modification to the first paragraph to refer to the mix of renting and touring capacity.</i></p> <p>Subject to consideration against other relevant Local Plan policies, if necessary tests are met in regard to any known flood risk, the Council will support proposals for:</p> <ul style="list-style-type: none"> • the extension of safeguarded sites or other existing sites onto adjoining land provided that the development would result in improvement to the overall layout, amenity, appearance, <u>mix of renting and touring capacity</u> and quality of the accommodation over the whole site; <u>and</u> • improvements to the range and quality of attractions and facilities at safeguarded sites and other sites; <u>and</u> • proposals for new holiday parks that comprise well designed timber chalets set on plinths with pitched roofs, ideally located within a wooded or undulating landscape setting that incorporates water features and indoor and outdoor leisure facilities that would be appropriate in a countryside location. 	<p>To include improvement to the mix of renting and touring capacity as a requirement of the expansion of existing holiday parks; reflecting the latest evidence in the Council's Holiday and Residential park Impact Assessment which recommends increasing capacity for renting and touring to support the tourism economy. Also deletion from the policy of overly-prescriptive requirements in respect of proposals for new holiday parks.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM27.4	160	Policy PP11: Holiday Parks Fifth paragraph.	<p><i>Deletion of current fifth paragraph of Policy PP11 in respect of loss of holiday accommodation to residential and insertion of new paragraph that deals with the potential impacts of development on biodiversity and the requirements of the Habitat Regulations.</i></p> <p>....away from flood risk areas.</p> <p><u>Applications will only be permitted where they are in accordance with the Biodiversity Policy PPL4 in this Local Plan. Prior to submission of proposals for new or extended sites in the vicinity of designated sites (which should be taken to mean holiday parks within 2km of such sites), applicants should seek the advice of Natural England as to the likely requirements for Appropriate Assessment and the tests of the Habitats Regulations. The change of use of caravans and chalets from holiday accommodation to permanent residential dwellings will not be permitted as this could lead to a loss of valuable tourist accommodation, poor living conditions, unmanageable impact on the provision of local services and facilities and/or, in some areas, increase the risk of flooding to people or property or disturbance to internationally important wildlife sites at certain times of the year.</u></p>	To reflect the proposed modification to the second paragraph of Policy PP11 in respect of changes from holiday accommodation to residential and to ensure the policy better reflects requirements around ecology and the Habitat Regulations, given the position of many holiday parks in sensitive coastal locations.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM27.5	160	Policy PP11: Holiday Parks Final paragraph.	<i>Modification to the wording of the final paragraph of Policy PP11.</i> To avoid such consequences by ensuring <u>ensure</u> that new caravan and chalet developments are not used for permanent residential dwellings, the Council will impose holiday occupancy conditions and limit use to certain periods of the year.	Consequential change to the wording to reflect the proposed modifications to the earlier parts of the policy.
MM28.1	162	Policy PP12: Improving Education and Skills First paragraph.	<i>Insertion of wording about the proposed expansion at the University of Essex.</i> To improve education and employment prospects for Tendring District's residents, the Council will work with its partners including the University of Essex, Colchester Institute, local schools and academies, and Essex County Council as the education authority and other educational establishments, to deliver new and improved facilities for early years, primary, secondary, further and higher education. The Council will support proposals that will result in new, expanded or improved education facilities and facilities for vocational training, particularly in the growing care and assisted living and renewable energy sectors. <u>This will include expansion of the University as part of the Garden Community development.</u>	To ensure Policy refers specifically to the proposed expansion of the University of Essex as part of the Garden Community development which could benefit residents of both Colchester and Tendring in terms of education provision and employment opportunities.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM29.1	163	<p>Policy PP13: The Rural Economy</p> <p>New second section.</p>	<p><i>Insertion of a new section at the end of Policy PP13 which incorporates wording proposed to be deleted and moved from Policy PP6.</i></p> <p>d. buildings that are essential to support agriculture, aquaculture, horticulture and forestry; and farm diversification schemes.</p> <p><u>The Council will permit sustainable development proposals for farm and other land based diversification schemes that benefit the rural area. Proposals for re-use or redevelopment of rural buildings for employment purposes will be considered against the following criteria unless the economic benefits outweigh these criteria:</u></p> <p>e. <u>the building is structurally sound and capable of accommodating the proposed use without the need for significant extension or alteration or reconstruction;</u></p> <p>f. <u>the proposed use (including any proposed alteration or extensions to the building), its associated operational area, the provision of any services, and/or any amenity space or outbuildings, would not harm its appearance as a rural building or adversely affect the rural setting of the building in the locality;</u></p> <p>g. <u>the proposed use would not create significant levels of traffic, particularly lorries, on rural roads (proposals for employment uses will be required to provide a</u></p>	<p>To move from Policy PP6, policy criteria that more closely relate to employment-related development in rural areas and are therefore better placed in Policy PP13.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>sustainability assessment which may include a Travel Plan designed to maximise the opportunities to reduce the need to travel by private car);</u></p> <p>h. <u>proposals which would create a significant number of jobs should be readily accessible by public transport; and</u></p> <p>i. <u>it will not lead to unacceptable levels or types of traffic or problems of road safety or amenity and will not require highway improvements which will harm the character of rural roads in the area.</u></p>	
MM30.1	164	Policy PP14: Priority Areas for Regeneration Third paragraph.	<p><i>Modifications to third paragraph of Policy PP14.</i></p> <p>As well as this this, the Council will seek to: preserve or enhance the <u>heritage</u> historic assets of these areas, including the at risk conservation areas. The at risk conservation areas are: Clacton Seafront, Dovercourt, St Osyth, <u>Thorpe-le-Soken</u> and Thorpe-le-Soken Station and Maltings.</p>	To refer to heritage assets (as opposed to historic assets) and to include Thorpe-le-Soken in the list of conservation areas at risk.
MM30.2	164	New paragraphs 6.10.2 and 6.10.3 (to follow Policy PP14)	<p><i>Insertion of new sections of supporting text outlining the aims for regeneration in the five priority areas, starting with Clacton Town Centre and Seafront.</i></p> <p><u>6.10.2 The Current progress of the Priority Areas for Regeneration are as follows:-</u></p>	To ensure that the provision of Policy PP14 that “the Council will support proposals for new development which are consistent with achieving its

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>6.10.3 Clacton Town Centre and Seafront: <u>The Council has been working with local businesses and other stakeholders to develop a vision and action plan for rejuvenating Clacton Town Centre and Seafront in the face of declining footfall, shop closures and issues with social-economic deprivation. The positive vision for Clacton in 2030 (the 'Love Clacton' vision) is for it to become a well-loved, year-round destination positively promoting the town's seaside heritage, the beaches and famous attractions. The Council and its partners are seeking to deliver short-term improvements in the town centre around transport and the public realm to support local businesses and improve footfall whilst developing a longer-term spatial plan for development of new homes, more modern business space, community facilities, improved transport access and space for arts and entertainment which will guide planning decisions to attract private investment and government funding. The Council's objectives for Clacton Town Centre and the Seafront are to:</u></p> <ul style="list-style-type: none"> • <u>Make the town centre a destination associated with fun and enjoyment where people are just as likely to go to meet socially and be entertained, as for shopping;</u> • <u>Turn the town centre into an all-weather shopping and leisure destination where, come rain or shine, there are things to enjoy and reasons to visit, and to stay longer;</u> 	<p>regeneration aims" is supporting by a broad indication, within the supporting text, as to what those aims are.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<ul style="list-style-type: none"> • <u>Make the town centre vibrant - concentrating activity in its central core and increasing the resident population through quality housing above shops and in side streets;</u> • <u>Make sure the town centre works in seamless harmony with the town's beaches and seaside attractions with activity and trade in both areas extending into the evenings;</u> • <u>Actively promote the 'Love Clacton' brand both physically throughout the town centre and through a variety of digital and other communication channels;</u> • <u>Positively promote the town's unique history and seaside heritage through its branding, public realm, architecture, events and activities – to set it apart from other places;</u> • <u>Make the town centre a place that people can get to easily and conveniently by all forms of transport and prepare it for the predicted rise in the ownership of electric cars;</u> • <u>Make the town centre safe, easy and convenient to navigate for pedestrians of all ages and physical abilities and improve connectivity to surrounding assets;</u> • <u>Make the town centre a place that is tidy, welcoming and safe and a place with excellent customer service that residents and businesses are proud of;</u> 	

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<ul style="list-style-type: none"> • <u>Bring the town centre into the digital age to enable people to work remotely and access online and app-based services and information; and</u> • <u>Make the town centre a hub for education, public services, community activities and clubs and manage the transition from a retail destination to a more varied and mixed offer.</u> 	
MM30.3	164	New paragraphs 6.10.4, 6.10.5, 6.10.6 & 6.10.7	<p><i>Insertion of supporting text in respect of the Jaywick Sands Priority Area for Regeneration.</i></p> <p><u>6.10.4 Jaywick Sands: Jaywick Sands was originally built as a seaside resort for Londoners in the 1930's with small chalets built on private un-adopted roads; this being a classic example of plot land development. Over time, many of the holiday homes were converted to permanent dwellings, partly as a result of people moving from bombed out homes in the Second World War. As they were never intended as permanent homes, many being of wooden construction, the housing does not meet building regulation requirements and the infrastructure is substandard. While Jaywick Sands suffers from considerable social and economic problems, it also has a core of longstanding residents with a strong sense of community who are extremely keen to see improvements to the area. The Council's objectives are to:</u></p> <ul style="list-style-type: none"> • <u>Transform housing quality and the built environment;</u> 	To ensure that the provision of Policy PP14 that “the Council will support proposals for new development which are consistent with achieving its regeneration aims” is supporting by a broad indication, within the supporting text, as to what those aims are.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<ul style="list-style-type: none"> • <u>Ensure long term flood resilience;</u> • <u>Create greater connectivity to neighbouring areas;</u> • <u>Attract commerce & new economic opportunities; and</u> • <u>Improve people’s life chances, access to public services & health & wellbeing.</u> <p><u>6.10.5 In order to achieve this, the Council in collaboration with the Coastal Communities Team, is producing the Jaywick Sands Place Plan. This will provide a development framework for the physical regeneration of Jaywick Sands facilitating the provision of new flood resilient homes built to modern building standards which will provide a high standard of accommodation for existing residents as well as providing land for employment opportunities and recreation and amenity areas. Public consultation will be key to its production and the Council recognise that only with the support of the local community will the proposals be deliverable. The Council will also produce a design SPD to guide replacement dwellings and small infill development.</u></p> <p><u>6.10.6 As part of the work for the Place Plan and additional work undertaken by Essex County Council, a requirement was identified for employment opportunities and retail to meet the needs of local residents. This resulted in a £2.12 million project to create a 9,500 square-foot covered market, commercial space and new public realm improvements. Plans for the</u></p>	

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>market, 13 affordable business units, community garden and hard landscaping on the seafront at Jaywick Sands received £1.972m from the South East Local Enterprise Partnership (SELEP) from the Getting Building Fund (GBF) in November 2020.</u></p> <p><u>6.10.7 A second scheme involves improved cycling links between Jaywick Sands and Clacton. This will also involve the launch of a community bike scheme to loan bicycles to residents providing an affordable means of travel to work or college. This project received £2.3m from the GBF, and will be supported with £100,000 from the Sport England Local Delivery Pilot.</u></p>	
MM30.4	164	New paragraphs 6.10.8, 6.10.9 and 6.10.10.	<p><i>Insertion of supporting text in respect of the Harwich Old Town Priority Area for Regeneration.</i></p> <p><u>6.10.8 Harwich Old Town: The Economic Development Strategy seeks to balance the evolution of Harwich as a port with the ongoing evolution of the visitor economy in the town and surrounding area. Aims for regeneration of Old Harwich include:</u></p> <ul style="list-style-type: none"> • <u>Maximising the opportunity offered by ‘Freeport’ status and the proposals for expansion at Harwich International Port and Bathside Bay;</u> 	To ensure that the provision of Policy PP14 that “the Council will support proposals for new development which are consistent with achieving its regeneration aims” is supporting by a broad indication, within the supporting text, as to what those aims are.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<ul style="list-style-type: none"> • <u>Preserve and enhance the Conservation Area and heritage assets within it with public realm improvements and appropriate redevelopments of under-utilised and unsympathetic sites and premises close to the waterfront;</u> • <u>Promote the town's history and association with the Mayflower voyages as a means of increasing tourist activity, footfall and economic activity;</u> • <u>Deliver residential and commercial opportunities to support economic growth in the old town area; and</u> • <u>Support opportunities to improve water-based recreation facilities in the area;</u> <p>6.10.9 <u>Freeport East was announced on the 3 March 2021 by the Chancellor of the Exchequer, in his budget speech. Freeport East offers a unique opportunity to build a truly global trade hub at the same time as accelerating opportunities in green energy and helping level-up the economy.</u></p> <p>6.10.10 <u>The Old Town within Harwich was the subject of a master planning approach which sought to provide a long term plan for the regeneration of Harwich. In line with this, a grant scheme has also been introduced by the Council offering funds to independent businesses in Harwich and Dovercourt to refurbish. Match-funding is available to businesses in the two town centres looking to enhance or improve their premises under</u></p>	

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>the Harwich and Dovercourt Bay Business Grant Scheme. The grants can be used, for example, to redecorate the exterior of the building, new signage, lighting and window repairs. The scheme is targeted at Harwich and Dovercourt, improving the visitor attraction as part of the 400th anniversary of the sailing of The Mayflower, the Harwich ship which carried the Pilgrims to America in 1620.</u></p>	
MM30.5	164	New paragraphs 6.10.11 & 6.10.12	<p><i>Insertion of supporting text in respect of Dovercourt Town Centre and adjoining areas Area for Regeneration.</i></p> <p><u>6.10.11 Dovercourt Town Centre and adjoining areas: The Dovercourt Town Centre Masterplan seeks to improve the economic performance and vitality of the town by creating a more appealing environment, with the focus on vacant, derelict and rundown sites. The vision for Dovercourt is that it will be a thriving town with an attractive High Street, a range of shops and cafes and regular street markets: a town which is proud of its heritage but also able to respond to new opportunities. A town with a high quality public realm and open spaces, stunning beaches and good connections - an attractive place to live, work, shop and visit.</u></p> <p><u>6.10.12 The masterplan sets out a town centre strategy that identifies a number proposals and initiatives for the regeneration of Dovercourt Town Centre. An example of such is the redevelopment of the Starlings site located on Dovercourt</u></p>	To ensure that the provision of Policy PP14 that “the Council will support proposals for new development which are consistent with achieving its regeneration aims” is supporting by a broad indication, within the supporting text, as to what those aims are.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>High Street. The project will provide new public space, public toilets and a surface car park with 51 car parking spaces, including four for disabled use and four for electric vehicle charging.</u></p>	
MM30.6	164	New paragraphs 6.10.13 & 6.10.14	<p><i>Insertion of supporting text in respect of Walton on the Naze Area for Regeneration.</i></p> <p><u>6.10.13 Walton-on-the Naze: Walton-on-the Naze, like many seaside towns has suffered from social and economic decline; issues which the Council will continue to address through the following objectives for its regeneration which seeks to:</u></p> <ul style="list-style-type: none"> • <u>Build a strong all year round economy - diversifying and extending the local economy to create new business and employment opportunities;</u> • <u>Create a unique destination which maximises its environmental and heritage assets - realising the largely untapped potential of Walton, presented by its natural environment and heritage, to create a destination unlike any other in the region;</u> • <u>Make Walton a place where people will choose to live and realise their potential - a town with a good range of</u> 	<p>To ensure that the provision of Policy PP14 that “the Council will support proposals for new development which are consistent with achieving its regeneration aims” is supporting by a broad indication, within the supporting text, as to what those aims are.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>housing, retail, community and leisure facilities which will attract people of all ages and encourage them to stay; and</u></p> <ul style="list-style-type: none"> • <u>Ensure a sustainable future for Walton - maintaining a balance between economic growth and environmental management.</u> <p><u>6.10.14 The Walton-on-the-Naze Regeneration Framework proposes a series of key projects that will help to deliver these objectives in Walton including proposals for tourist attractions, new housing, new commercial development, new leisure facilities, improvements to sea defences, new parking and opportunities for environmental enhancements and better pedestrian and cycle networks. Some of the projects, including the redevelopment of the former Martello Caravan Park and the creation of Crag Walk have already been implemented.</u></p>	

Main Modifications – Chapter 7: Protected Places

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM31.1	166	New paragraph 7.1.4	<p><i>Insertion of new paragraph of supporting text in relation to emergency flood plans and refuge.</i></p> <p><u>7.1.4 Where safe access cannot be achieved, or if the development would be at residual risk of flooding in a breach, an emergency flood plan that deals with matters of evacuation and refuge should demonstrate that people will not be exposed to flood hazards. The emergency flood plan should be submitted as part of a FRA and will need to be agreed with TDC. Refuge should ideally be located 300mm above the 0.1% (1 in 1000) annual probability event flood level including allowances for climate change. This supporting text gives an opportunity to set out your requirements for evacuation and refuge.</u></p>	To ensure the text in support of Policy PP1 better reflects the requirements to consider evacuation and refuge in line with Environment Agency advice, given the coastal location of Tendring with many sites within the flood zone.
MM31.2	166	New paragraph 7.1.5	<p><i>Insertion of new paragraph of supporting text in relation to fluvial flooding and watercourses.</i></p> <p><u>7.1.5 New development proposals should: - retain at least an 8m wide undeveloped buffer strip alongside Main Rivers and explore opportunities for riverside restoration. Any proposed development within 8m of a main river will require an environmental permit from the Environment Agency. - retain at least a 3m buffer strip on at least one side of an Ordinary watercourse. Any development that could impact the flow within and ordinary watercourse will require consent from Essex County Council (as LLFA).</u></p>	To ensure the text in support of Policy PP1 better reflects the requirements to maintain buffers strips along rivers to minimise the risk posed by fluvial flooding, in line with Environment Agency advice.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM31.3	166	Policy PPL1: Development and Flood Risk	<p><i>Modifications to policy wording of Policy PPL1 to better reflect the requirements of national planning policy and Environment Agency advice.</i></p> <p>All development proposals should include appropriate measures to respond to the risk of flooding on and/or off site, and wwithin the Flood Zone (which includes Flood Zones 2 and 3, as defined by the Environment Agency) shown on the Policies Map and Local Maps, or elsewhere involving sites of 1ha or more, <u>development proposals must be accompanied by a Flood Risk Assessment. New development in areas of high flood risk must be designed to be resilient in the event of a flood and ensure that, in the case of new residential development, that there are no bedrooms at ground floor level and that a means of escape is possible from first floor level. Where development is classified as “more vulnerable” the Flood Risk Assessment (FRA) should demonstrate that there will be no internal flooding in the event of a “design event flood”. The FRA should demonstrate that in the event of a breach or failure of flood defence infrastructure, refuge will be available above flood levels and that a means of escape is possible from first floor level. [MOD A]</u></p> <p><u>All development classified as “More Vulnerable” or “Highly Vulnerable” within Flood Zone 2 and 3 should set finished floor levels 300mm above the known or modelled 1 in 100 annual</u></p>	<p>To better reflect national planning policy and Environment Agency advice in respect of the approach to development and flooding.</p> <p>MOD A: To provide clearer policy in respect of evacuation and refuge in the event of a flood.</p> <p>MOD B: To set a minimum floor level in line with Environment Agency advice that will apply to</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>probability (1% AEP) flood level including an allowance for climate change. [MOD B]</u></p> <p><u>All new development within Flood Zones 2 and 3 must not result in a net loss of flood storage capacity, unless there is compensation on site or, if not possible, adjacent off site capacity. Where possible opportunities should be sought to achieve an increase in floodplain storage. [MOD C]</u></p> <p>All major development proposals should consider the potential for new <u>Blue and Green</u> Infrastructure to help mitigate potential flood risk and include such Infrastructure, where appropriate. [MOD D]</p> <p>Proposals must have regard, as necessary, to the following tests:</p> <p>The Sequential Test</p> <p>All development proposals will be considered against the National Planning Policy Framework’s ‘Sequential Test’, to direct development towards sites at the lowest risk of flooding, unless they involve land specifically allocated for development on the Policies Maps or Local Maps.</p> <p>The Exception Test</p> <p>Where new development cannot be located in an area of lower flood risk and is otherwise sustainable, the Exception Test will be applied in accordance with the National Planning Policy</p>	<p>development classed as vulnerable to flood risk.</p> <p>MOD C: To ensure development does not result in a net loss of flood storage capacity.</p> <p>MOD D: To include a reference to blue as well as green infrastructure.</p> <p>MOD E: To better reflect national policy in respect of the ‘exceptions tests’ and the particular need for any development that is</p>

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			<p>Framework <u>so that it is safe and meets wider sustainability needs.</u> [MOD E]</p>	<p>exceptionally allowed in flood risk areas to be safe and to meet wider sustainability needs.</p>
MM32.1	168	7.3.4	<p><i>Modification to paragraph 7.3.4 to reflect the confirmation of the Suffolk Coast and Heaths AONB extension.</i></p> <p>7.3.4 Despite its attractive character, only a small part <u>Parts of the District to the north is currently a</u> are <u>are</u> designated as Areas of Outstanding Natural Beauty (AONB) – The Dedham Vale and the recently extended Suffolk Coast and Heaths – and which are <u>and which are</u> therefore subject to special landscape protection. The southern shore of the Stour Estuary is recognised locally for its landscape qualities and the Council supports its inclusion within the proposed extension to the Suffolk Coast and Heaths AONB. Until such time as that AONB is extended, development proposals in the area defined on the Policies Maps will be subject to particular scrutiny <u>On 7th July 2020 the Secretary of State confirmed the designation of three extensions to the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (SC&H AONB). The three new boundary extensions will increase the size of the existing AONB by approximately 38 sq. km or 9.5%. The areas now confirmed as forming part of the SC&H AONB are:</u></p> <ul style="list-style-type: none"> <u>the Stour Estuary including the estuary itself, northern estuary valley slopes at Brantham and the majority of the southern estuary valley slopes in Essex;</u> 	<p>To reflect confirmation that that the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) has been formally extending to cover part of the south side of the Stour which falls within Tendring.</p>

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			<ul style="list-style-type: none"> • <u>the Freston Brook Valley, a tributary of the Orwell Estuary which extends inland from the existing AONB boundary westwards and includes surrounding plateau woodlands; and,</u> • <u>the Samford Valley, a tributary of the Stour Estuary, which extends further inland from the existing AONB boundary at Stutton Bridge and includes some areas of neighbouring Shotley Peninsula Plateau.</u> <p><u>The newly extended AONB can be seen as a single designation on the proposals maps within this Local Plan.</u></p>	
MM32.2	169	Policy PPL3: The Rural Landscape Criterion f.	<p><i>Inclusion of reference to designated and non-designated heritage assets and historic landscapes in criterion f. of Policy PPL3.</i></p> <p>f. <u>designated and non-designated heritage assets and historic landscapes including registered parks and gardens.</u></p>	To better reflect the importance to the landscape of designated and non-designated heritage assets and historic landscapes in line with Historic England advice.
MM32.3	169	Policy PPL3: The Rural Landscape	<p><i>Modification of policy wording to reflect the confirmation of the Suffolk Coast and Heaths AONB extension.</i></p> <p>Development proposals affecting protected landscapes must pay particular regard to the conservation and enhancement of the</p>	To reflect confirmation that that the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) has been formally extending to

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
		Second paragraph.	special character and appearance of the Dedham Vale <u>and Suffolk Coast and Heaths AONBs</u> , and <u>its their settings</u> , and the setting of the Suffolk Coast and Heaths AONB , including any relevant AONB Management Plan objectives. New development which would impact upon the proposed extension to the Suffolk Coast and Heaths AONB, or its setting, should have specific regard to any special landscape qualities of the area affected. Elsewhere, development proposals should have regard to the Natural England Character Area profiles for the Greater Thames Estuary (No.81) and the Northern Thames Basin (No.111) and the Council's Landscape Character Assessments, as relevant, and should protect and reinforce identified positive landscape qualities.	cover part of the south side of the Stour which falls within Tendring.
MM33.1	170	7.4.3	<p><i>Modification of paragraph 7.4.3 to provide more detail on the need for Habitats Regulation Assessment and the role of the Essex Coast RAMS.</i></p> <p>It is necessary to apply the 'precautionary principle' to new development, as a matter of law, and assess new projects or plans for any impacts upon any of the above sites – both alone and in combination. <u>Proposals and plans with the potential to have a significant impact upon such sites will need to be supported by a Habitats Regulation Assessment (HRA) to provide the information necessary for the decision makers to establish the likelihood and nature of impacts before a decision is taken. If significant impacts are identified, An an 'Appropriate Assessment' may will be necessary to assess whether the proposals would adversely affect</u></p>	To provide more detail on the need for Habitats Regulation Assessment and the role of the Essex Coast Recreational disturbance Avoidance Mitigation Strategy which has been formally adopted by the Council.

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			<p>the integrity of a site, having regard to its conservation objectives. The Council will only grant planning permission where there would be no adverse effects on biodiversity (including any mitigation), unless there is consider to be an overriding public interest (such as the port expansion at Bathside Bay, Harwich) – in which case a compensatory habitat must be provided. <u>The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Strategy Document was adopted in 2019. The Essex Coast RAMS aims to deliver the mitigation necessary to avoid adverse effects on integrity from the in-combination impacts of residential development in Essex. The Essex Coast RAMS identifies a detailed programme of strategic avoidance and mitigation measures which are to be funded by developer contributions from all residential development within the Zones of Influence.</u></p>	
MM33.2	171	<p>Policy PPL4: Biodiversity and Geodiversity</p> <p>First paragraph.</p>	<p><i>Splitting the first paragraph of Policy PPL4 and insertion of a new paragraph which deals with the need for Habitats Regulation Assessment and refers to the Essex Coast RAMS.</i></p> <p>Sites designated for their international, European and national importance to nature conservation: including Ramsar sites; Special Protection Areas (SPAs); Special Areas of Conservation (SACs); Marine Conservation Zones (MCZs); Natural Nature Reserves (NNRs); and Sites of Special Scientific Interest (SSSIs) will be protected from development likely to have an adverse effect on their integrity.</p>	<p>To provide more detail on the need for Habitats Regulation Assessment and the role of the Essex Coast Recreational disturbance Avoidance Mitigation Strategy which has been formally adopted by the Council.</p>

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			<p><u>Where proposals for development are likely to significant impact upon International and European sites, applications must be supported by a Habitats Regulation Assessment (HRA) to provide sufficient information to the Council to establish the likelihood and nature of impacts before a decision can be made. If necessary, this may need to be followed by a more detailed 'Appropriate Assessment' of the impacts. An Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) has been completed in compliance with the habitats Directive and Habitats Regulations. Contributions will be secured from residential development, within the Zones of Influence, towards mitigation measures identified in RAMS.</u></p> <p>As minimum, there should be no significant impact upon any protected species, including European Protected Species and schemes should consider (and include provision, as may be relevant for) the preservation, restoration or re-creation of priority habitats, ecological networks and the protection and recovery of protected <u>priority</u> species populations. Proposals for new development....</p>	
MM33.3	170	7.4.6	<p><i>Modification to paragraph 7.4.6 to refer to the need for biodiversity net gain in line with latest Natural England advice.</i></p> <p>7.4.6 All areas designated for their value to biodiversity and/or geodiversity are shown on the Policies Map. A site does not have to be designated, however, to have importance to nature</p>	To reflect more up to date requirements of national planning policy and the advice of Natural England in regard to achieving a net gain in biodiversity.

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			conservation. All new development proposals should have regard to a 'mitigation hierarchy' approach, which requires consideration to be given: firstly, to avoiding environmental harm; then mitigating for any adverse impacts; and then, as a last resort; compensating for residual impacts alongside the need to seek environmental enhancement wherever possible <u>and a 'net gain' in biodiversity in line with latest Natural England advice</u> . The need to consider alternative options.....	
MM33.4	171	Policy PPL4: Biodiversity and Geodiversity Third paragraph.	<i>Modification to third paragraph of Policy PPL4 to refer to the new national requirements to achieve a net gain in biodiversity.</i> Proposals for new development should be supported by an appropriate ecological assessment. Where new development would harm biodiversity or geodiversity, planning permission will only be granted in exceptional circumstances, where the benefits of the development demonstrably outweigh the harm caused and where adequate mitigation or, as a last resort, compensation measures are included, to ensure no net loss, and preferably a net gain, in biodiversity.	To reflect more up to date requirements of national planning policy and the advice of Natural England in regard to achieving a net gain in biodiversity.
MM34.1	172	New paragraph 7.5.4	<i>Insertion of new paragraph of supporting text in relation to groundwater quality and groundwater protection.</i> <u>7.5.4 SuDS techniques may not be appropriate in circumstances where infiltration may cause a hazard to groundwater quality, such as groundwater source protection zones, on known contaminated</u>	To strengthen guidance within the supporting text of the Local Plan in relation to Sustainable Urban Drainage Systems (SuDS) in line with Environment Agency advice.

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			<u>land and on sites with a shallow water table. The Environment Agency's Source Protection Zone maps should be checked to ensure there is no risk to groundwater quality. Surface water treatment will be required before infiltration to groundwater is permitted. A risk assessment should be undertaken when using Infiltration components in areas of contaminated land.</u>	
MM34.2	172	Policy PPL5: Water Conservation, Drainage and Sewerage Second and third paragraphs.	<p><i>Modification to wording in the second paragraph in respect of the provision of sewage disposal, and additional wording to the third paragraph to secure the implementation of measures aimed at conserving water.</i></p> <p>Proposals for development must demonstrate that adequate provision exists, or can be made available <u>provided in time</u>, [MOD A] for sewage disposal to a public sewer and water recycling centre (sewage treatment works).</p> <p>Applicants should explain their approach to water conservation, including the potential for the re-use of 'greywater' and rainwater 'capture and use' within their development, to help maintain the supply of drinking water. <u>The Council will require such measures to be implemented in all new development.</u> [MOD B]</p>	<p>MOD A: To reflect Natural England advice to ensure sewage disposal can be provided in time to serve new development.</p> <p>MOD B: To include an 'implementation clause' within the policy to ensure that water efficiency measures are actually delivered.</p>
MM35.1	173	7.6.1	<i>Replacement wording for paragraph 7.6.1 in respect of Strategic Green Gaps and their purpose.</i>	To ensure the supporting text to Policy PPL6 clearly sets out the purpose of the Strategic Green Gap policy

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			<p>7.6.1 Strategic Green Gaps have been identified in this Local Plan in specific locations between certain settlements or neighbourhoods. The primary purpose of this designation is to maintain an appropriate degree of physical separation between nearby settlements or neighbourhoods. <u>Strategic Green Gaps have been identified in this local plan in specific locations between settlements. The Strategic Green Gaps are valued for the role they will play in preventing the coalescence of settlements and retaining the distinct identity of settlements. The areas identified have the following characteristics</u></p> <ul style="list-style-type: none"> • <u>The open and undeveloped character of the land;</u> • <u>They form a visual break between settlements;</u> • <u>Their boundaries follow physical features on the ground; and/or</u> • <u>Only land required to secure the objectives of the Strategic Green Gaps has been included.</u> 	and the specific characteristics of the locations included in the designation.
MM35.2	173	7.6.2	<p><i>Deletion of paragraph 7.6.2 in respect of Strategic Green Gaps.</i></p> <p>7.6.2 Within Strategic Green Gaps, the Council will only permit development which would preserve the appropriate separation of settlements or neighbourhoods. Proposals for new development should consider how the long-term protection of these areas can be strengthened through the introduction of Green infrastructure, including recreational open space, wildlife areas and improved access to the countryside via new footpaths, cyclepaths or bridleways.</p>	To ensure the supporting text better reflects the proposed modifications to Policy PPL6.

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MM35.3	173	Policy PPL6: Strategic Green Gaps	<p><i>Replacement wording for Policy PPL6 on Strategic Green Gaps.</i></p> <p><u>The Strategic Green Gaps as shown on the Policies Maps and Local Maps will be protected in order to retain the separate identity and prevent coalescence of settlements. Any development permitted must be consistent with other policies in the plan and must not (individually or cumulatively) lead to the coalescence of settlements.</u></p> <p>Within Strategic Green Gaps as shown on the Policies Maps and Local Maps the Council will not permit any development which would result in the joining of settlements or neighbourhoods, or which would erode their separate identities by virtue of their closer proximity. Planning Permission may be granted where:</p> <ul style="list-style-type: none"> a. The applicant can demonstrate there is a functional need for the development to be in that specific location and that it cannot be delivered on an alternative piece of land outside of the Strategic Green Gap; b. The development would not compromise the open setting between settlements or neighbourhoods; and c. The development would involve the creation of green infrastructure which would support the continuing function of the Strategic Green Gap 	To simplify the Strategic Green Gaps policy and ensure that the policy wording better reflects the overarching aims of the designation.

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MM36.1	175	New paragraph 7.7.7	<p><i>Insertion of new paragraph of supporting text explaining how the National Planning Policy Framework (NPPF) will be applied alongside policies in the Local Plan.</i></p> <p><u>7.7.7 The National Planning Policy Framework sets out government policy for conserving and enhancing the historic environment. The following policies PPL7, PPL8 and PPL9 will be applied alongside and having regard to the specific requirements of the Framework in respect of development affecting designated and non-designated heritage assets including Archaeology, Conservation Areas and Listed Buildings.</u></p>	To ensure that readers are referred to relevant policies within the National Planning Policy Framework which will apply alongside the Local Plan, in line with Historic England advice.
MM36.2	175	New paragraph 7.7.8	<p><i>Insertion of new paragraph of supporting text in relation to non-designated heritage assets and the preparation of a 'local list'.</i></p> <p><u>7.7.8 Within Tendring District there is a wealth of historic structures, landscapes and other features which are not formally designated as heritage assets on the national list prepared by Historic England. The Council does however recognise their local historic significance. These kinds of 'non-designated' heritage assets can be 'locally listed' by the Council. The Council has therefore commenced work on a 'local list' which will identify and protect these assets of local importance. The Council will work with community groups, landowners and Historic England to prepare a local list for the district.</u></p>	To ensure the Local Plan gives appropriate consideration to 'non-designated' heritage assets as well as those that are formally listed, in line with national policy and Historic England advice.

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MM36.3	175 176	Policy PPL7: Archaeology	<p><i>Modifications and additions to Policy PPL7 aimed at improving consistency with national planning policy and Historic England advice.</i></p> <p>Proposals for <u>Any new development</u> which would affect, or might affect, <u>designated or non-designated</u> archaeological remains will only be <u>considered</u> permitted where accompanied by an appropriate desk-based assessment. Where identified as necessary within that desk-based assessment, a written scheme of investigation including excavation, recording or protection and deposition of archaeological records in a public archive will be required to be submitted to, and approved by, the Local Planning Authority. [MOD A]</p> <p><u>Proposals for new development affecting a heritage asset of archaeological importance or its setting will only be permitted where it will protect or where appropriate enhance the significance of the asset. Where a proposal will cause harm to the asset, the relevant paragraphs of the NPPF should be applied dependent on the level of the harm caused. Proposals will be treated favourably where they:</u></p> <p>a. <u>are explained and justified through an informed assessment and understanding of the significance of the heritage asset (including any contribution made to that significance by its setting); and</u></p>	<p>MOD A: To improve the effectiveness of the policy wording, ensure non-designated heritage assets are covered and make it clear that proposals will only be 'considered' rather than 'permitted' where accompanied by an appropriate desk-based archaeological assessment (given that many other factors outside of archaeology will be taken into account in determining whether or not a proposal is to be permitted). .</p> <p>MOD B: To strengthen the requirements of the policy in relation to archaeological assets in line with Historic England advice.</p> <p>MOD C: To ensure the policy reflects the significance of the schedule of monuments at risk and</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>b. are of a scale, design and use materials and finishes that respect the heritage asset. [MOD B]</u></p> <p><u>Within the District the Council keeps a record of scheduled monuments at risk of degradation. The Council will support proposals that protect and enhance heritage assets at risk. [MOD C]</u></p>	<p>that the Council will support proposals that protect and enhance them, in line with Historic England advice.</p>
MM36.4	176	Policy PPL8: Conservation Areas	<p><i>Modifications and additions to Policy PPL8 aimed at improving consistency with national planning policy and Historic England advice.</i></p> <p>New development within a designated Conservation Area, or which affects its setting, will only be permitted where it has regard to the desirability of preserving or enhancing the special character and appearance of the area, especially in terms of:</p> <ul style="list-style-type: none"> a. scale and design, particularly in relation to neighbouring buildings and spaces; b. materials and finishes, including boundary treatments appropriate to the context; c. hard and soft landscaping; d. the importance of spaces <u>and trees to the character and or appearance; [MOD A]</u> and e. any important views into, out of, or within the Conservation Area. 	<p>MOD A: To ensure the policy refers appropriately to trees and properly reflects their importance to the special character and appearance of Conservation Areas.</p> <p>MOD B: To ensure consistency with national policy by requiring proposals to have considered the significance of the heritage asset, in this case the Conservation Area, in line with Historic England advice.</p> <p>MOD C: To ensure that the requirements of the National</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>Proposals should be explained and justified through an informed assessment and understanding of the significance of the heritage asset (including any contribution made to that significance by its setting). [MOD B]</u></p> <p>Proposals for new development involving demolition within a designated Conservation Area must demonstrate why they would be acceptable, particularly in terms of the preservation and enhancement of any significance and impact upon the Conservation Area.</p> <p><u>Where a proposal will cause harm to a Conservation Area, the relevant paragraphs of the NPPF should be applied dependent on the level of harm caused. [MOD C]</u></p> <p><u>Within the District the Council keeps a record of conservation areas that are at risk of degradation. The Council will support proposals that protect and enhance the conservation areas at risk. [MOD D]</u></p> <p><u>Development should conserve or enhance the significance of the registered parks and gardens (noting that significance may be harmed by development within the setting of an asset). [MOD E]</u></p> <p><u>In collaboration with community groups and other interested parties, the Council will consider and support the designation of new Conservation Areas in line with the relevant criteria as set out within the NPPF and legislation. New Conservation Area</u></p>	<p>Planning Policy Framework are referred to and applied in cases where a proposal would cause harm to a Conservation Area.</p> <p>MOD D: To ensure the policy reflects the significance of the schedule of Conservation Areas at risk and that the Council will support proposals that protect and enhance them, in line with Historic England advice.</p> <p>MOD E: To ensure the Local Plan includes appropriate reference to registered parks and gardens and their setting, in line with Historic England advice.</p> <p>MOD F: To explain the role of the Council in working with community groups and other interested parties in the review and amendment</p>

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			<u>Management Plans will be prepared in addition to updates to the existing Conservation Area Character Appraisals. [MOD F]</u>	to designated Conservation Areas on any ongoing basis.
MM36.5	178	Policy PPL9: Listed Buildings	<p><i>Modifications and additions to Policy PPL9 aimed at improving consistency with national planning policy and Historic England advice.</i></p> <p>Proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance, and fabric, and: <u>Where a proposal will cause harm to a listed building, the relevant paragraphs of the NPPF should be applied dependent on the level of harm caused. Proposals will be treated favourably where they: [MOD A]</u></p> <ul style="list-style-type: none"> a. are explained and justified through an informed assessment and understanding of the significance of the heritage asset and <u>(including any contribution made to that significance by its setting); [MOD B]</u> and b. are of a scale, design and use materials and finishes that respect the <u>significance of the listed building and (including any contribution made to that significance by its setting).</u> <u>[MOD C]</u> <p><u>Within the District the Council keeps a record of listed structures and buildings that are at risk of degradation. The Council will</u></p>	<p>MOD A: To ensure that relevant policies in the National Planning Policy Framework in relation to listed buildings are applied and referred to alongside Policy PPL9.</p> <p>MODs B and C: To ensure that the contribution of a listed building's setting to its significance is given proper consideration in line with Historic England advice.</p> <p>MOD D: To ensure the policy reflects the significance of the schedule of Listed Buildings at risk and that the Council will support proposals that bring them into viable use, in line with Historic England advice and national policy.</p>

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			<u>support proposals that bring heritage assets into viable use.</u> [MOD D]	
MM37.1	177	7.10.2	<p><i>Addition of wording to the end of supporting paragraph 7.10.2</i></p> <p>....Subsequent changes in government policy, both in respect of planning and subsidies for renewables, mean that applications for new large-scale renewable energy schemes might not come forward in this Local Plan period. However it remains necessary to plan for renewable energy generation, in order to meet national climate-change commitments <u>and to this end the Council may prepare a supplementary planning document (SPD) identifying how such development can be supported.</u></p>	<p>Current national planning policy and planning practice guidance encourage authorities to identify specific areas where wind energy development could take place and advise that planning applications outside of such areas should be refused. Because this Local Plan was prepared in line with 2012 national policy, it does not need to identify specific areas for wind energy development. However if it wishes to support such schemes in the future in light of current national policy and guidance, the Council may wish to produce a supplementary planning document (SPD) which could set out the location</p>

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				and/or terms against which proposals could be brought forward.
MM37.2	177	New paragraph 7.10.3	<p><i>Insertion of a new paragraph supporting text in support of the modified Policy PPL10 detailing some of the Council's expectations around energy efficiency and renewable energy generation in new development aimed at tackling climate change.</i></p> <p><u>7.10.3 In 2019, the Council declared a climate emergency, committing it to the preparation of an action plan with the aim of making its own activities carbon neutral by 2030 and acting as a community leader to encourage communities and developers to reduce carbon emissions and tackling climate change. Policy PPL10 below requires proposals for new development to consider the potential for a range of renewable energy solutions and for proposals for residential development in particular to be accompanied by a 'Renewable Energy Generation Plan' (REGP) setting out measures that will be incorporated into the design, layout and construction aimed at maximising energy efficiency and the use of renewable energy. The REGP must demonstrate how different measures have been considered and incorporated which could and should include:</u></p> <ul style="list-style-type: none"> ➤ <u>Triple Glazing;</u> ➤ <u>Solar Roof Panels or Solar Tiles;</u> ➤ <u>Air Source Heating Systems;</u> 	To significantly strengthen the text in support of Policy PPL10 and the amendments to that policy which are designed to ensure a more robust response to climate change and the Council's expectations around energy efficiency and energy generation in new development following the declaration of a climate emergency.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<ul style="list-style-type: none"> ➤ <u>Ground Source Heating Systems;</u> ➤ <u>Super Insulation (walls and loft void);</u> ➤ <u>Rainwater Capture Systems;</u> ➤ <u>Electric Vehicle Rapid Charging Points (provided to an individual dwelling or through an appropriate communal facility);</u> ➤ <u>Superfast Broadband and a flexible space within each home to enable home working and a reduction in the need to travel;</u> ➤ <u>Mechanical Heat Recovery Ventilation;</u> ➤ <u>Solar Thermal Systems;</u> ➤ <u>Solar and Battery Storage Systems; and (where appropriate); and</u> ➤ <u>Any other newer or alternative technologies and measures aimed at maximising energy efficiency and the use of renewable energy.</u> 	
MM37.3	177	New paragraph 7.10.4	<p><i>Insertion of a second new paragraph supporting text in support of the modified Policy PPL10 providing some guidance in respect of the use of Solar Panels.</i></p> <p><u>7.10.4 The Council is particularly supportive of the use of Solar Panels and will expect them to be incorporated into new development wherever possible and practicable. To maximise the effectiveness of Solar Panels, buildings should be planned and orientated to have a strong southerly aspect and for the south side of pitched roofs to be rectilinear and uncluttered. Dormer</u></p>	To significantly strengthen the text in support of Policy PPL10 and the amendments to that policy which are designed to ensure a more robust response to climate change and the Council's expectations around energy efficiency and energy generation in new

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<u>Windows, hipped roofs and corner tower elements should be confined to the northern side of pitched roofs.</u>	development following the declaration of a climate emergency.
MM37.4	177	New paragraph 7.10.5	<p><i>Insertion of a third new paragraph supporting text introducing the possibility that the Council will produce a Supplementary Planning Document (SPD) to assist in the implementation of the modified Policy PPL10.</i></p> <p><u>7.10.5 Given the importance of tackling climate change and promoting renewable energy and energy efficiency measures and the rapid speed in which technology is evolving and improving, the Council may provide further guidance in the form of a Supplementary Planning Document (SPD) to assist in the implementation of Policy PPL10, which can be updated as necessary to future changes in approach.</u></p>	To significantly strengthen the text in support of Policy PPL10 and the amendments to that policy which are designed to ensure a more robust response to climate change and the Council's expectations around energy efficiency and energy generation in new development following the declaration of a climate emergency. The modification introduces the opportunity for the Council to develop further supplementary guidance in support of the modified policy.
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Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM37.5		Policy PPL10: Renewable Energy Generation	<p><u>Renewable Energy Generation and Energy Efficiency Measures</u></p> <p>Proposals for renewable energy schemes will be considered having regard to their scale, impact (including cumulative impact) and the amount of energy which is to be generated.</p> <p>All proposals for new development proposals should consider the potential for a range of demonstrate how renewable energy generation solutions appropriate to the building(s), site and its location have been included in the scheme and for new buildings, and should include renewable energy installations, and be designed to facilitate the retro-fitting of renewable energy installations. [MOD A]</p> <p><u>For residential development proposals involving the creation of one or more dwellings, the Council will expect detailed planning applications to be accompanied by a 'Renewable Energy Generation Plan' (REPG) setting out the measures that will be incorporated into the design, layout and construction aimed at maximising energy efficiency and the use of renewable energy. [MOD B]</u></p> <p><u>Planning permission will only be granted where the applicant can demonstrate that all reasonable renewable energy and energy efficiency measures have been fully considered and, where viable and appropriate, incorporated into the design, layout and construction. The Council will consider the use of planning conditions to ensure the measures are delivered. [MOD C]</u></p>	<p>To strengthen Policy PPL10 to ensure a more robust response to climate change and the Council's expectations around energy efficiency and energy generation in new development following the declaration of a climate emergency.</p> <p>MOD A: To improve the effectiveness of the policy wording.</p> <p>MOD B: To introduce a requirement for 'Renewable Energy Generation Plans' to set out the measures to be incorporated in new development to maximise energy efficiency and the use of renewable energy.</p> <p>MOD C: To clarify the circumstances in which planning permission will be granted having considered</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>Nothing in this policy diminishes or replaces the requirements of Energy Performance Certificates (EPC) and Standard Assessment Procedures (SAP) for constructed buildings and compliance with the relevant building regulations. [MOD D]</u></p>	<p>the requirements of the modified policy.</p> <p>MOD D: To clarify that the policy does not alter separate requirements under the building regulations.</p>
MM38.1	178	Policy PPL11: The Avenues Area of Special Character, Frinton-on-Sea	<p><i>Modifications to Policy PPL11 setting out the expectations for new development in the Avenues Area of Special Character.</i></p> <p>Within 'The Avenues' area of Frinton-on-Sea, new development must <u>preserve or enhance</u> have particular regard to the special character and appearance of the area Conservation Area. <u>Proposals must respect the special character and appearance of the area, including the scale, aspect and design of adjoining buildings and the density of existing development.</u> To ensure this special character is safeguarded new development shall <u>must</u>:</p> <ol style="list-style-type: none"> a. Conform to the existing density <u>spacious residential character</u> of development and not appear cramped or incongruous in the street scene; b. Not include any flats; and c. Not include any uses other than Use Class C3 'Dwelling Houses'. 	To improve the effectiveness of Policy PPL11 by being clearer as to the qualities and characteristics of the Avenues Area that the Council is seeking to preserve or enhance.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM39.1	179	Policy PPL13: Ardleigh Reservoir Catchment Area	<p><i>Insertion of a new first paragraph into Policy PPL13 giving support to proposals related to the role, function and operation of Ardleigh Reservoir.</i></p> <p><u>The Council will support proposals which involve the role, function and operation of Ardleigh Reservoir, its Treatment Works and associated networks subject to consideration against other policies in this Local Plan.</u></p> <p>Ardleigh Reservoir is surrounded by a catchment area</p>	To ensure the policy gives support, as appropriate, to the activities of the water supply company at Ardleigh Reservoir in providing clean water to the community.

Main Modifications – Chapter 8: Connected Places

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM40.1	187	8.2.4	<p><i>Modifications and additions to paragraph 8.2.4.</i></p> <p>Major growth areas in West Tendring/East Colchester and Clacton will require new strategic highway and <u>public transport</u> infrastructure which will not only serve the development areas themselves but also provide for two major new roads to ensure that traffic is able to move through and between settlements efficiently, thereby preventing helping to ease <u>helping to ease</u> traffic congestion which would <u>that</u> otherwise <u>would</u> occur. [MOD A]</p> <p>These two new roads will be between the A120 and A133 <u>A strategic link road between the A120 and A133 and Rapid Transit System will be required to support the Tendring Colchester Borders Garden Community. Strategic access improvements will be required in Clacton to connect the A133 to the western area of the town improving accessibility and circulation around the town and supporting further planned growth. at west Clacton between the A133 and B1027. The agreed route and specification of this connection/s (including for public transport and active travel) will be subject to further transport planning and assessment with Essex</u></p>	<p>To ensure the Local Plan reflects the updated position in respect of the A120/A133 link road and rapid transit system for the Tendring Colchester Borders Garden Community, and the transport connections in west Clacton associated with the proposed Hartley Gardens development.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<u>County Council and its planning and delivery detailed in future plans. at west Clacton between the A133 and B1027. [MOD B]</u>	
MM40.2	187	Policy CP2: Improving the Transport Network	<p><i>Deletion of the second and third bullet-points in Policy CP2 and replacement with new wording.</i></p> <ul style="list-style-type: none"> Proposals for new development which contribute to the provision of a safe and efficient transport network that offers a range of sustainable transport choices will be supported. Major development proposals should include measures to prioritise cycle and pedestrian movements, including access to public transport. Major growth areas at the Tendring Colchester Borders Garden Community (Tendring and Colchester Borders) and at Clacton will require provision of new and/or improved road infrastructure in order to fully serve the new growth areas and to avoid causing traffic congestion in the existing adjacent settlements. Strategic link roads will be required between the A120 and A133 and between the A133 and B1027, respectively in addition to improvements for non-motorised travel. The Tendring Colchester Borders Garden Community will require a strategic link road between the A120 and A133 and a Rapid Transit System to support the new Garden Community. These infrastructure works have secured funding from the Housing Infrastructure Fund and are currently subject to further and more detailed planning and delivery. Further transport assessment work will be undertaken by Essex County Council 	MOD A: To reflect the updated position in respect of the A120/A133 link road and rapid transit system for the Tendring Colchester Borders Garden Community and the transport connections in west Clacton associated with the proposed Hartley Gardens development.

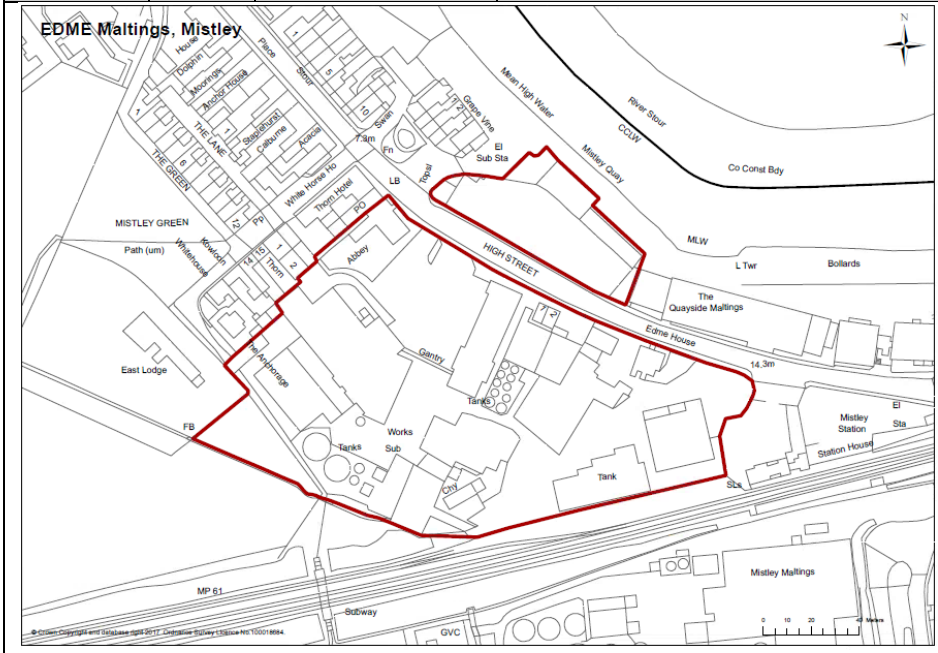
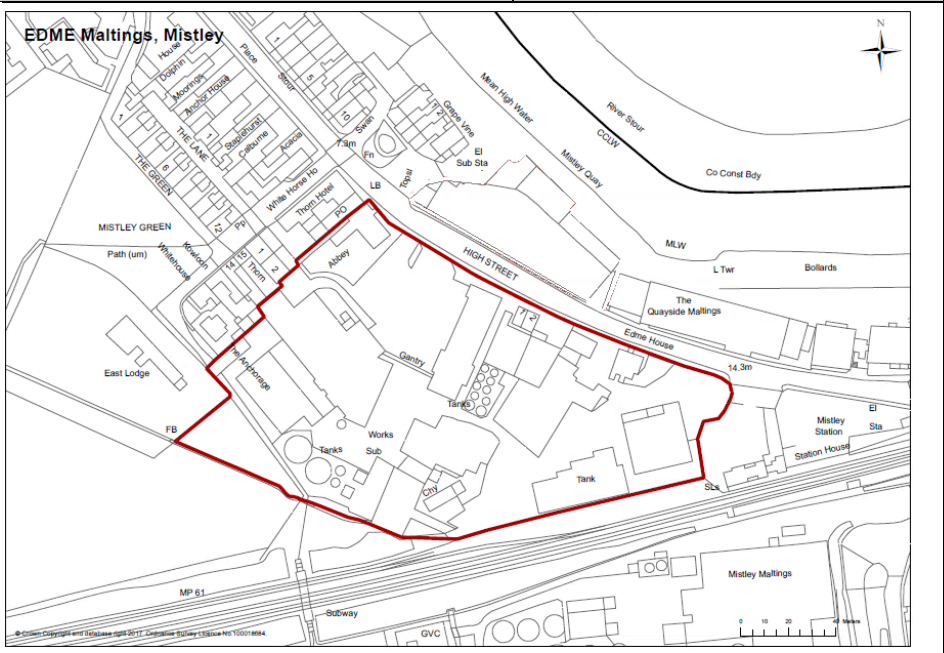
Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>(the highway authority) and Tendring District Council to identify the optimal route, specification and design of access improvements (including public transport and active travel) to Clacton from the A133 to the western side of the town. This will improve existing accessibility and support new growth areas and future development. [MOD A]</u></p> <ul style="list-style-type: none"> Proposals which would have any adverse transport impacts will not be granted planning permission unless these are able to be resolved and the development Tendring District Local Plan – Publication Draft Final 187 Connected Places 8 made acceptable by specific mitigation measures which are guaranteed to be implemented. Proposals will be not be granted planning permission if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe. [MOD B] 	<p>MOD B: To ensure the policy better reflects the expectations of the National Planning Policy Framework.</p>

Chapter 9: Delivering Places – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM41.1	191	Introductory section of Chapter 9: Delivering Places	<p><i>Revision to the bullet point description of 'Strategic Allocation Housing' (SAH) sites.</i></p> <ul style="list-style-type: none"> • Strategic Allocation Housing: Sites that are expected to principally deliver between 100-300 homes. These are listed as Policies SAH1—3 <u>See Policy SAH2</u>; 	<i>To reflect the proposed deletion of Policies SAH1 and SAH3.</i>
MM42.1	192	Map SAMU1	<p><i>Removal of the Thorn Quay Warehouse site north of the High Street from the SAMU1 allocation as shown on Map SAMU1.</i></p> <p><i>See overleaf.</i></p>	To reflect the fact that the Thorn Quay Warehouse site north of the High Street has already obtained planning permission for residential development independently from the property to the south and activity on site has commenced.
Current:			Proposed:	

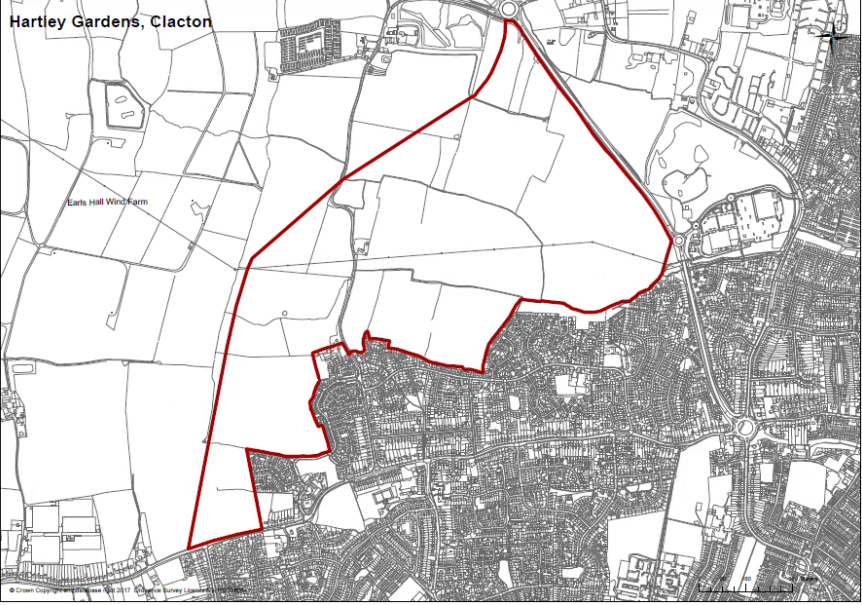
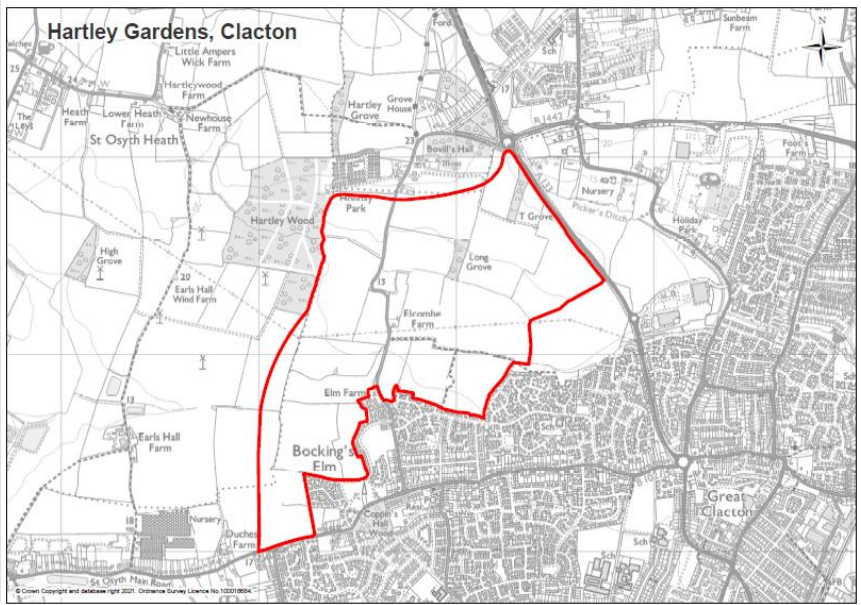
Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification		
		MM42.2	192	9.1.2	<p><i>Deletion of paragraph 9.1.2.</i></p> <p>9.1.2 The site is split over two plots: the smaller plot to the north of the High Street fronting on to the River Stour and the larger plot to the south of the High Street.</p>	<p>To reflect the proposed removal of Thorn Quay Warehouse from the SAMU1 allocation.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM42.3	192	9.1.3	<p><i>Additions to and deletions from paragraph 9.1.3.</i></p> <p>9.1.3 <u>The Council is working with EDME Maltings to help it relocate to more suitable premises within the Tendring District that meet the modern-day requirements of the business.</u> EDME Maltings <u>The current site</u> is expected to become vacant and available for redevelopment during the Plan period. A mixed-use scheme is appropriate for the site to the south of the High Street. This will include a residential element containing a mix of dwelling types; and an employment element providing an equal level of employment to that already in existence on site, ancillary recreation and leisure facilities.</p>	To update the Local Plan to reflect the current position with EDME Maltings and its relocation and to also reflect the proposed removal of Thorn Quay Warehouse from the SAMU1 allocation.
MM42.4	193 194	Policy SAMU1: Development at EDME Maltings, Mistley	<p><i>Modifications to the wording of Policy SAMU1.</i></p> <p>Land to the north and south of High Street, Mistley (EDME Maltings), shown on the Map SAMU1, is allocated for a residential led mixed-use development <u>including, employment, recreation and leisure uses.</u> as follows:</p> <p>a. at least 150 new homes of a mixed size and type to include affordable housing as per the Council's requirements;</p> <p>b. at least 0.13 hectares of land for employment;</p>	MODS A & B: Modifications to first paragraph and deletion of criteria a., b., and c to reflect the proposed removal of Thorn Quay Warehouse from the allocation and to remove the very specific requirements for 150 homes

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>e. recreation and leisure uses, subject to market demand; [MOD A]</p> <p>Proposals must accord with the following:</p> <p>da. assessment of any impact on nature conservation, including on the Stour and Orwell Estuaries SPA and Ramsar site, should be undertaken. Development will only be permitted where a project level assessment has demonstrated in accordance with the Habitat Regulations, that any proposal will not adversely affect the integrity of the Stour and Orwell Estuaries SPA and Ramsar site, either alone or in-combination. If significant effects are considered likely, an appropriate mitigation strategy should be submitted or compensatory habitat provided;</p> <p>eb. the principal point of vehicular access to both the northern and southern plots will be via the existing accesses off High Street (with improvements where necessary and/or appropriate); [MOD B]</p> <p>fc. capacity and/or safety enhancements to the local highway network where necessary;</p>	<p>and 0.13 hectares of employment land to provide more flexibility for a suitable residential-led mixed-use scheme that properly takes into account the site's constraints and its heritage assets.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>gd. where necessary, enhancements to public transport, cycle, pedestrian, and bridleway infrastructure. In particular, enhancement of the Essex Way must be delivered;</p> <p>he. views across the Stour Estuary must be maintained;</p> <p>if. delivery of opportunities for the protection and enhancement of the historic environment (having particular regard to the maritime heritage of the area);</p> <p>ig. protection of the adjoining nature conservation interests, biodiversity and landscape quality during construction work and thereafter;</p> <p>kh. financial contributions to primary and secondary education provision as required by the Local Education Authority either through the Community Infrastructure Levy or Section 106 Planning Obligations;</p> <p>li. regards must be given to ensure public accessibility to the registered Village Green. <u>financial contributions to healthcare provision as required by the NHS/CCG either through the Community Infrastructure Levy or Section 106 Planning Obligations.</u> [MOD C]</p>	<p>MOD C: To ensure the policy properly reflects the expectations of the NHS in respect of healthcare provision and removes unnecessary reference to public accessibility to the registered Village Green (the quayside) which would only be applicable to the northern site which is proposed for removal from the allocation.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM43.1	194	Map SAMU2	<p><i>Replacement of existing map to show the Hartley Gardens allocation with a revised boundary for which a Supplementary Planning Document (SPD) is proposed to be prepared.</i></p> <p><i>See overleaf.</i></p>	<p>To reflect proposed revisions to Policy SAMU2 and changes to the boundary of the site to which a Supplementary Planning Document (SPD) will apply. The revised boundary excludes the Brook Park West development to the south east which is already well under construction. It also includes additional land to the north and west which reflects new evidence on landscape and ecological sensitivity and provides greater scope for 'biodiversity net gain' and appropriate transport routes within the site.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Current:</p>  </div> <div style="text-align: center;"> <p>Proposed:</p>  </div> </div>				
MM43.2	194 195	New paragraph.	<p><i>Insertion of a new paragraph 9.2.1 which will require the re-numbering of subsequent paragraphs.</i></p> <p><u>9.2.1 Hartley Gardens is the largest proposed area for mixed use development in the Local Plan. It is anticipated that housing delivery on the site will not commence until years 2025-2030 of the plan period. The Council wishes to deliver a sustainable urban extension on the site that is planned and delivered through a</u></p>	<p>To reflect the proposed modifications to Policy SAMU2 and the Council's intention to produce a Supplementary Planning Document (SPD) to ensure a master-planned approach to the Hartley Gardens</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>master-planned approach to be set out in a site specific Hartley Gardens Supplementary Planning Document (SPD). This will ensure a comprehensive and co-ordinated approach that identifies the land use, design, environmental and infrastructure requirements for the site and will be used to inform, assess and determine planning applications and co-ordinate a comprehensive, integrated and sustainable development and a high quality well designed place. The greenfield site comprises c. 80 hectares of arable land on the north west edge of Clacton. The land is predominantly open arable farmland. There is an area of ancient woodland (Hartley Woods) to the north west of the site and areas of woodland, hedges and trees within the site with both ecological and landscape value. Pickers Ditch is a notable site feature which runs along the south of the site and has been enhanced as a green infrastructure corridor through the Brook Park West development. The development of Hartley Gardens will need to both expand and integrate this green corridor. There are a number of footpaths that extend into the site and are used by local walkers. In terms of heritage assets Bovills Hall contains grade II listed buildings and archaeological remains to the direct north of the site, Bluehouse Farm a Grade II listed building is located to the south of the site and the Grade II listed farms or former farmhouses of Earls Hall Lodge and Duchess Farmhouse are to the south and west of the site.</u></p>	<p>development – highlighting some of the constraints and opportunities that the SPD and future development will need to address.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM43.3	194 195	9.2.1	<p><i>Renumbering paragraph 9.2.1 as 9.2.2 to reflect the insertion of a new paragraph 9.2.1 as above, with subsequent paragraphs to be re-numbered accordingly.</i></p> <p>9.2.2 Policy SAMU2 below sets out specific requirements for this development site <u>including the matters to be addressed through the Hartley Gardens SPD</u>. The overall vision for this location is to deliver a high quality comprehensively planned new sustainable neighbourhood to include 1,700 homes and supporting physical, social and green infrastructure. Although it is anticipated only 800-1,000 <u>Not all of these homes will be delivered within this Plan period and it is expected that the majority of development will take place after 2033.</u> Any planning applications for development <u>should be consistent with Policy SAMU2 and other requirements set out in the SPD.</u> will be expected to comply with, and assist in the delivery of the delivery of these concepts and requirements along with other relevant policies in the Local Plan. The SPD will deal with the whole site and its integration with its surrounding communities, wider countryside and the town centre. Policy SAMU2 allows for the potential for some development to come forward in advance of the preparation and adoption of the SPD where applications conform with the wider master-planned approach and would not prejudice to the overall delivery of the Hartley Gardens development. The Council will work with relevant landowners, developers and other partners, in consultation with</p>	<p>To reflect both the intention to produce a Supplementary Planning Document to guide the Hartley Gardens development; revisions to the trajectory for development which now envisages the majority of development coming forward post 2033; and the circumstances in which some development might be able to come forward early, ahead of the SPD being prepared.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			the local community, to ensure that the development is delivered in a way that brings <u>the supporting</u> economic, social and environmental benefits to the community and the wider district.	
MM43.4	195 196	Policy SAMU2: Development at Hartley Gardens, Clacton	<p><i>Various modifications to Policy SAMU2.</i></p> <p>Land north of Bockings Elm and west of A133 shown on the Map SAMU2, <u>is allocated for long-term mixed use development as follows for the phased and comprehensive delivery of the following:</u></p> <ul style="list-style-type: none"> a. 800-1,000 <u>approximately 1,700</u> new homes of mixed sizes and types <u>to meet evidenced local housing need within the Council's most up to date Strategic Housing Market Assessment and to include 30% affordable housing as set out in Policy LP5 as per the Council's requirements up to 2033; [MOD A]</u> b. at least up to <u>7</u> hectares of land for employment; [MOD B] c. 2.1 hectares of land for a new <u>two-form entry</u> primary school with co-located 56 place early years and childcare facility, <u>1.3 hectares of land for a second 56 place stand-alone early years and childcare nursery (D1 use) and/or</u> 	<p>To reflect more up to date evidence that has been produced in support of the Hartley Gardens development and to strengthen the policy to promote a long-term master-planned approach.</p> <p>MOD A: To clarify the total dwelling capacity of the site and general expectations about housing mix.</p> <p>MOD B: To reflect latest Employment Land Review evidence which identifies an over-supply of employment land in Tendring, whilst still</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>financial contributions towards primary school and secondary school provision</u> as required by the Local Education Authority <u>based on evidenced need</u> through Section 106 Planning Obligations; [MOD C]</p> <p><u>d. New facilities and/or financial contributions to support new health provision based on evidenced need</u>; [MOD D]</p> <p>de. 1 hectare of public open space <u>Green infrastructure which should provide a multi-functional and connected network, including amenity green space, parks, allotments and natural and semi natural green space (meeting the standards set out in Policy HP5) and providing for attractive green walking and cycling routes</u>; [MOD E]</p> <p><u>f. To deliver at least 10% biodiversity net gain</u>; [MOD F]</p> <p><u>g. A sustainable movement network, including principal points of highway access, a hierarchy of streets, facilitating public transport and prioritising the connection of walking and cycling routes within the site and beyond</u>; and [MOD G]</p> <p><u>h. The provision of sufficient utility infrastructure working with the relevant infrastructure providers to ensure that such provision is achieved in a timely manner.</u> [MOD H]</p>	<p>allowing for the possibility to deliver some additional employment land, if economic conditions support it.</p> <p>MOD C: To reflect the most up to date evidence on the likely educational requirements from Essex County Council.</p> <p>MOD D: To enable a flexible approach to the delivery of health provision and provide options for how this is best delivered.</p> <p>MOD E: To correct an error in the policy which only required 1 hectare of public open space, instead allowing flexibility for the most appropriate approach to green infrastructure to be</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>The development will follow a comprehensively master-planned approach to be set out in a site-specific Supplementary Planning Document (SPD). The purpose of the SPD will be as follows:</u></p> <ul style="list-style-type: none"> i. <u>provide further detail on the geographical extent and boundary of the allocation, ensuring a defensible and sensitive boundary to the open countryside beyond;</u> ii. <u>provide the means to inform, assess and determine planning applications and secure comprehensive, co-ordinated and integrated sustainable development; and</u> iii. <u>facilitate and support the co-ordination and timely delivery of the green, social and physical infrastructure necessary to facilitate growth in this location.</u> <p><u>The above requirements aim to ensure the comprehensive and co-ordinated development of the site, to ensure the masterplanning principles below are addressed and to provide a clear delivery plan to ensure the right infrastructure is funded and delivered at the right place and at the right time. [MOD I]</u></p> <p><u>In addition, development in advance of the Hartley Gardens SPD may be permitted provided that:</u></p>	<p>developed as part of the masterplanning process.</p> <p>MOD F: To reflect the latest national policy and Natural England guidance on biodiversity net gain.</p> <p>MOD G: To set out general expectations for transport connectivity at and within the site, in place of the prescriptive requirement for a link road defining the northern boundary.</p> <p>MOD H: To set out general expectations in regard to utilities infrastructure.</p> <p>MOD I: To set out the purpose of the Supplementary Planning Document (SPD) that is proposed to be prepared in support of the development.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<ul style="list-style-type: none"> • <u>There would be no conflict or prejudice to the delivery of the wider Hartley Gardens development (including its infrastructure requirements) and would not undermine the integrated and co-ordinated approach to the wider development;</u> • <u>The development demonstrably conforms to the policy requirements and principles of Policy SAMU 2 Hartley Gardens;</u> • <u>The proposal can demonstrate that it would not compromise the delivery of a site wide highway infrastructure strategy, or the delivery of sustainable modes of transport within the scheme and that the residual impacts upon the transport network will not be severe. [MOD J]</u> <p><u>Masterplanning Principles</u></p> <p>Proposals must <u>The Hartley Gardens SPD will provide further guidance to meet the following principles and all development proposals should accord with these:</u></p> <p>i) <u>create a series of permeable and legible well defined streets which prioritise cycle and pedestrian routes which</u></p>	<p>MOD J: To set out the circumstances in which the Council may be able to support some development coming forward ahead of the adoption of a new SPD.</p> <p>MOD K: A new section of the policy setting out the 'Masterplanning Principles' to be developed further through the SPD and to be followed in any development proposals for the Hartley Gardens site.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>link into the existing built up area and local facilities (e.g. retail and schools);</u></p> <p><u>j) identify off site highway works required to support new development, their phasing and funding;</u></p> <p><u>k) identify public transport measures to ensure sufficient access to the site by bus, rail, walking and cycling routes within the site with strong and positive linkages to the existing network;</u></p> <p><u>l) create a high quality built and natural environment that respects the built and landscape character and context of the local area and which reflects the guidance in the National Design Guide and the Essex Design Guide;</u></p> <p><u>m) incorporate in the design of new development measures to minimise the contribution to climate change and to ensure new development is resilient and adaptable to the effects of climate change;</u></p> <p><u>n) create a connected multi-functional green infrastructure network which protects and enhances existing site features of landscape and ecological value and any veteran trees, hedgerows and other important landscape features and important habitats;</u></p>	

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>o) ensure no net loss of biodiversity, and to deliver a 10% net gain as well as securing positive benefits to biodiversity through the restoration, enhancement and creation of appropriate semi-natural habitats within and through the site to maintain, restore and create functional ecological networks;</u></p> <p><u>p) establish a sustainable drainage system across the site that integrates with the green infrastructure network and utilises where practicable existing watercourses (e.g. Hartley Brook and Pickers Ditch), ponds, ditches and any greenways associated with retained hedgerows and maximised habitat value;</u></p> <p><u>q) create a landscape structure that retains and utilises existing landscape features (such as hedgerows, trees, Hartley Brook and Pickers Ditch) and uses new planting and landscaping to sensitively integrate new built development and provide an attractive green setting;</u></p> <p><u>r) use structural planting and the location, orientation and design of new buildings to maintain the landscape setting and separate identity of Little Clacton and to carefully screen and sensitively integrate new infrastructure and</u></p>	

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p><u>buildings from the open countryside to the west to minimise any visual impact;</u></p> <p>s) <u>identify opportunities to preserve and enhance the setting and significance of heritage assets, including at Bovills Hall, Earls Hall and Dutchess Farmhouse and Bluehouse Farm;</u></p> <p>kt) where an archaeological evaluation (trial trenching where necessary) identifies surviving archaeological deposits, an appropriate mitigation strategy for preservation in situ or by excavation should be submitted;</p> <p>u) <u>demonstrate that no internationally designated sites would be adversely affected by the development either alone or in combination with other proposals as per the requirements of Policy PPL4 and future proposals will need to demonstrate no adverse impact on water quality as per the requirements of Policy PPL5; and</u></p> <p>v) <u>demonstrate how a phased approach to development can deliver the required infrastructure in a coordinated and timely manner and to create an integrated and sustainable community. [MOD K]</u></p>	<p>MOD L: Deletion of criteria within the policy that are to</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>e. Inclusion of a master planned approach which addresses the opportunities for development post 2033;</p> <p>f. inclusion of a new link road between the A133 and B1027 along the north western boundary of the site. The principal points of access must be from the new link road. To provide a strategic site wide movement</p> <p>g. Capacity and/or safety enhancements to the local highway network where necessary</p> <p>h. where necessary, enhancements to public transport, cycle, pedestrian and bridleway infrastructure</p> <p>h. inclusion of appropriate flood risk mitigation measures and SUDs</p> <p>j. The design and layout of the development must have regard to the surrounding landscape, seeking to minimise visual impacts through the inclusion of mitigation measures;</p> <p>l. due regard should be given to the setting and significance of other heritage assets</p>	<p>be replaced by the new requirements set out above.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>m. incorporation of upgrades to both treatment infrastructure, network, water and drainage strategy to serve the new development;</p> <p>n. financial contributions to early years and childcare, primary and secondary education provision as required by the Local Education Authority through Section 106 Planning Obligations;</p> <p>o. financial contributions towards other community facilities such as health provision as required by the NHS/CCG either through the Community Infrastructure Levy or Section 106 Planning Obligations. [MOD L]</p>	
MM44.1	197	9.3.1	<p><i>Factual update to the information in paragraph 9.3.1.</i></p> <p>9.3.1 Policy SAMU3 below sets out specific requirements for the extension of a committed development site at Oakwood Park (15/01781/OUT) <u>which is under construction for 250 homes</u>. This extended mixed use development includes <u>a further 900 750</u> homes, of which <u>500 around half</u> are expected to be delivered within this Plan period <u>to 2033</u>.</p>	<p>To reflect the status of Phase 1 of the Oakwood Park development (Flint Grange) which is now under construction for 250 homes and the revised trajectory for the Phase 2 development which envisages 900 homes in</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
				total of which around half will be built up to 2033.
MM44.2	198 199	Policy SAMU3: Development at Oakwood Park, Clacton	<p><i>Various modifications to Policy SAMU3..</i></p> <p>Land north of Clacton-on-Sea, between Holland Road and the Oakwood Business Park (Oakwood Park, Clacton), shown on the Map SAMU3, is allocated for a mix of residential development, community facilities and public open space as follows:</p> <p>a. 21.1 hectares of new homes of mixed sizes and types to include affordable housing as per the Council's requirements; [MOD A]</p> <p>ba. at least 500 approximately 900 new homes to be delivered during the plan period to 2033 of mixed sizes and type to include affordable housing and around 180 dwellings which address a specific requirement for accommodation designed for to address the needs of older residents; [MOD B]</p> <p>eb. <u>approximately 3-3</u> hectares of public open space;</p>	<p>MOD A: Criterion considered unnecessary in light of MOD B.</p> <p>MOD B: To clarify the total capacity of the site and expectations around housing mix.</p> <p>MOD C: Modifications to criteria b to f to remove</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>dc. <u>approximately 2.1 hectares of land for a new two-form entry primary school with co-located 56 place early years and childcare facility (D1 use) as required by the Local Education Authority through Section 106 Planning Obligations;</u></p> <p>ed. <u>approximately 2.04 hectares of land for care and extra care facilities;</u></p> <p>fe. <u>approximately 1.93 2 hectares of land for a local neighbourhood centre to include local shops, services and community facilities; and</u></p> <p>gf. <u>approximately 1.0 hectares of land for health care facilities;</u> [MOD C]</p> <p>Proposals must accord with the following:</p> <p>hg. <u>inclusion of development at urban to suburban densities (average of 30 dph) and include a master planned approach which addresses the opportunities for further development post-2033 and does not preclude any future development on adjoining land.</u> [MOD D]</p> <p>ih. <u>the principal point of vehicular access should be off Thorpe Road through the commitment approved housing development on land to the west utilising the recently</u></p>	<p>overly prescriptive land-take requirements and instead indicate approximate amounts. Also to reflect latest evidence of education requirements from Essex County Council and to clarify expectations around the activities to be included in the proposed neighbourhood centre.</p> <p>MOD D: To ensure that development is planned to take into account and not prejudice the longer-term potential for development on adjoining land.</p> <p>MOD I: To more clearly explain that the phase 1</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>constructed roundabout and only if necessary a secondary access off Holland Road to the north; [MOD I]</p> <p>jj. capacity and/or safety enhancements to the local highway network where necessary;</p> <p>kj. where necessary, enhancements to public transport, cycle, pedestrian, and bridleway infrastructure;</p> <p>lk. delivery of opportunities for the protection and enhancement of the historic environment and features and settings including the built and archaeological environment <u>as well as the rural character of the bridleway running through the centre of the site;</u> [MOD J]</p> <p>ml. where an archaeological evaluation (trial trenching where necessary) identifies surviving archaeological deposits, an appropriate mitigation strategy for preservation in situ or by excavation should be submitted;</p> <p>nm. the design and layout of the development must have regard to the surrounding landscape, seeking to minimise visual impacts through the inclusion of mitigation measures to deliver links with the existing landscape and access features. As part of this, appropriate landscaping treatment along the</p>	<p>development (Flint Grange] from which access will be secured is an approved development.</p> <p>MOD J: To ensure development protects and enhances the rural character of the bridleway that runs through the site.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			<p>northern and eastern fringes of the site is required to minimise visual impacts;</p> <p>en. financial contributions to early years and childcare, primary and secondary education provision, as required by the Local Education Authority primarily through Section 106 Planning Obligations or the Community Infrastructure Levy;</p> <p>po. Early engagement with Anglian Water to secure upgrades to both treatment infrastructure and network and to formulate a water and drainage strategy to serve the new development;</p> <p>ep. Financial contributions towards community facilities such as health provision as required by the NHS/CCG either through the Community Infrastructure Levy or Section 106 Planning Obligations.</p>	
MM45.1	201 202	Policy SAMU4: Development at Rouses Farm, Jaywick Lane, Clacton	<p><i>Updates to criteria a., b. and d. in Policy SAMU4.</i></p> <p>Land at Rouses Farm, west of Jaywick Lane and south of St. John's Road, Clacton-on-Sea, as defined on Map SAMU4, is allocated for a mix of residential development, community facilities and public open space as follows:</p>	To reflect the fact that this site is the subject of a Planning Committee resolution to grant outline planning permission for a scheme of 950 homes it total to be served by a two-

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
		Criteria a. to e.	<p>a. at least 850 <u>up to 950</u> new homes of mixed sizes and types to include affordable housing as per the Council's requirements up to 2033 and features to support a range of housing sizes and types to reflect the needs of the area requirements;</p> <p>b. a new <u>two-form entry</u> primary school with co-located 56 place early years and childcare facility (D1 use) on 2.1 hectares of land as required by the Local Education Authority through Section 106 Planning Obligations;</p> <p>c. a new neighbourhood centre;</p> <p>d. a site for a new healthcare facility to meet the primary healthcare infrastructure or a financial contribution towards the delivery of healthcare capacity to meet the needs of the growing population in West Clacton;</p> <p>e. a minimum of 5 hectares of public open space;</p>	<p>form entry primary school and for which there is a draft s106 legal agreement to deliver either a new healthcare facility or a financial contribution towards primary healthcare depending on the preference of the NHS.</p>
MM46.1	204	9.5.2	Inclusion of a reference to bridleway infrastructure within paragraph 9.5.2.	To ensure the supporting text reflects the proposed modifications to Policy SAMU5.

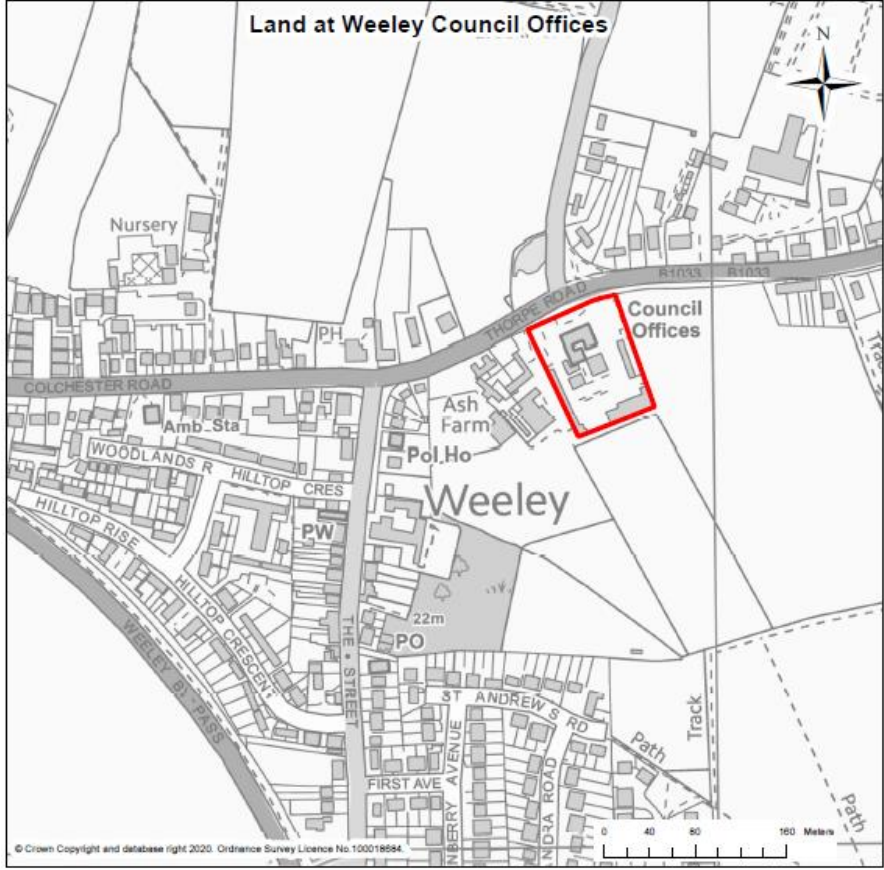
Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			9.5.2 A Transport Assessment must be submitted with any planning application to identify suitable means of access. Where necessary, appropriate highway capacity and/or safety enhancements; improvements to public transport services and infrastructure; cycle, and pedestrian <u>and bridleway</u> infrastructure enhancements will be provided.	
MM46.2	204 205	Policy SAMU5: Development South of Thorpe Road, Weeley Second part of policy, criteria g. & h.	<i>Modifications to criteria g. and h. of Policy SAMU5 in respect of bridleways and provision of a multi-user bridge.</i> g. where necessary, enhancements to public transport, cycle, and pedestrian <u>and bridleway</u> infrastructure; h. provision of a pedestrian/cycle <u>multi-user</u> bridge over the railway line, <u>capable of use by pedestrians, cyclists and equestrians</u> , as a replacement for the existing level crossing prior to the occupation of the one-hundredth dwelling;	To ensure bridleway infrastructure is, where necessary enhanced, and to reflect the fact that the site is now the subject of outline planning permission for which a multi-user bridge has been discovered to be necessary.
MM47.1	206 207 208	Policy SAH1: Development at Greenfield	<i>Policy SAH1, Map SAH1 and supporting paragraphs 9.6 and 9.61-9.63 to be deleted in their entirety from the Local Plan.</i>	To reflect the fact that outline planning permission has been granted for

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
		Farm, Dovercourt		development of 42 dwellings on the only part of the Greenfield Farm site now considered developable and it is no longer expected that the site can accommodate 164 dwellings as envisaged by Policy SAH1. The policy is no longer considered necessary.
MM47.2	211 212 213	Policy SAH3: Development Robinson Road, Brightlingsea	<i>Policy SAH3, Map SAH3 and supporting paragraphs 9.8 and 9.61-9.63 to be deleted in their entirety from the Local Plan.</i>	To reflect the fact that the site has obtained planning permission for 115 dwellings and is already well under construction. The policy is therefore no longer considered necessary.
MM48.1	213	New section on Medium	Insertion of <i>maps showing the boundaries of the Medium Site Allocations which, following modifications will be:</i>	To ensure the Local Plan contains larger scale maps

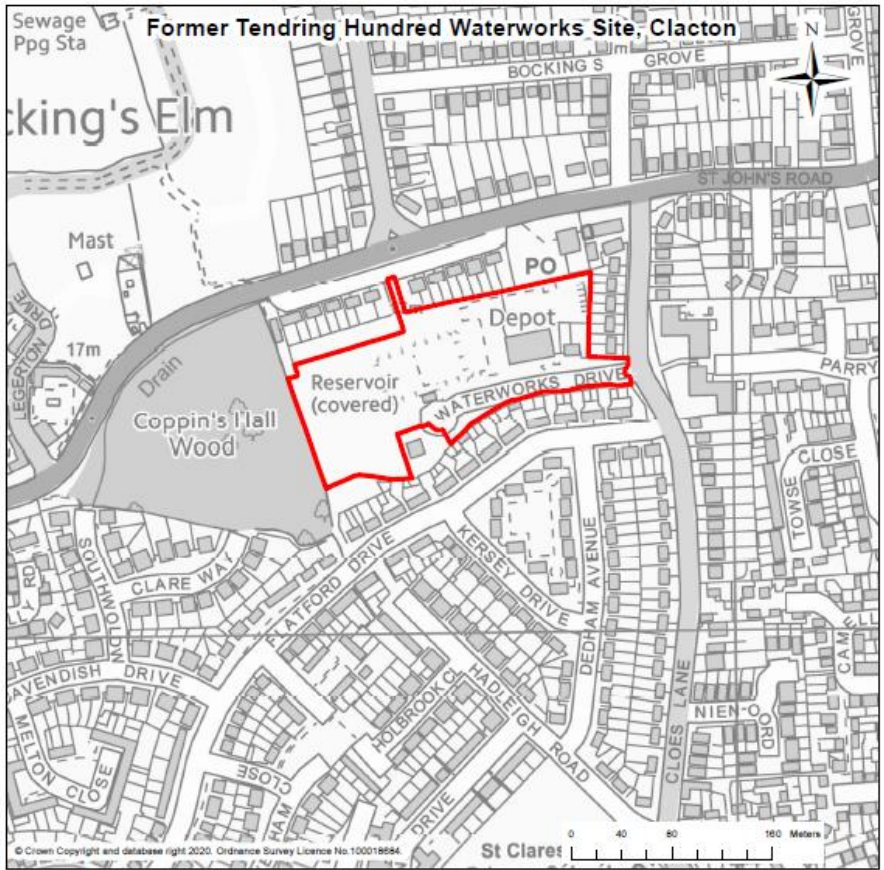
Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
		Site Allocations (MSA Sites) to follow Policy SAH2	<ul style="list-style-type: none"> • <i>MSA1: Land at Weeley Council Offices;</i> • <i>MSA6: Former Tendring 100 Waterworks Site, Clacton;</i> • <i>MSA8: Land adjoining Harwich and Parkeston Football club, Dovercourt</i> • <i>MSA11: Station Yard/Avon Works, Walton</i> <p><u>Medium Site Allocations</u></p> <p><u>The following maps identify the boundaries of the Medium Site Allocations (MSA).</u></p> <p><i>See proposed maps overleaf.</i></p>	showing the boundaries of the smaller 'MSA' sites which are otherwise difficult to see on either the Policies Maps or Local Maps.

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification

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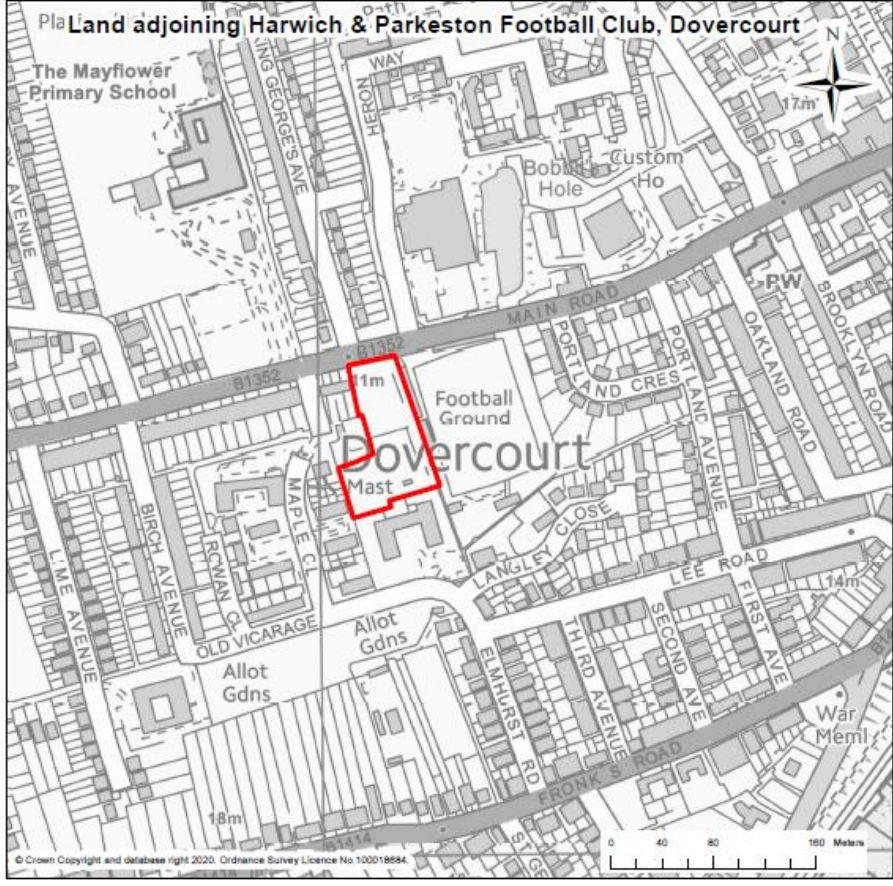


Map MSA1: Land at Weeley Council Offices

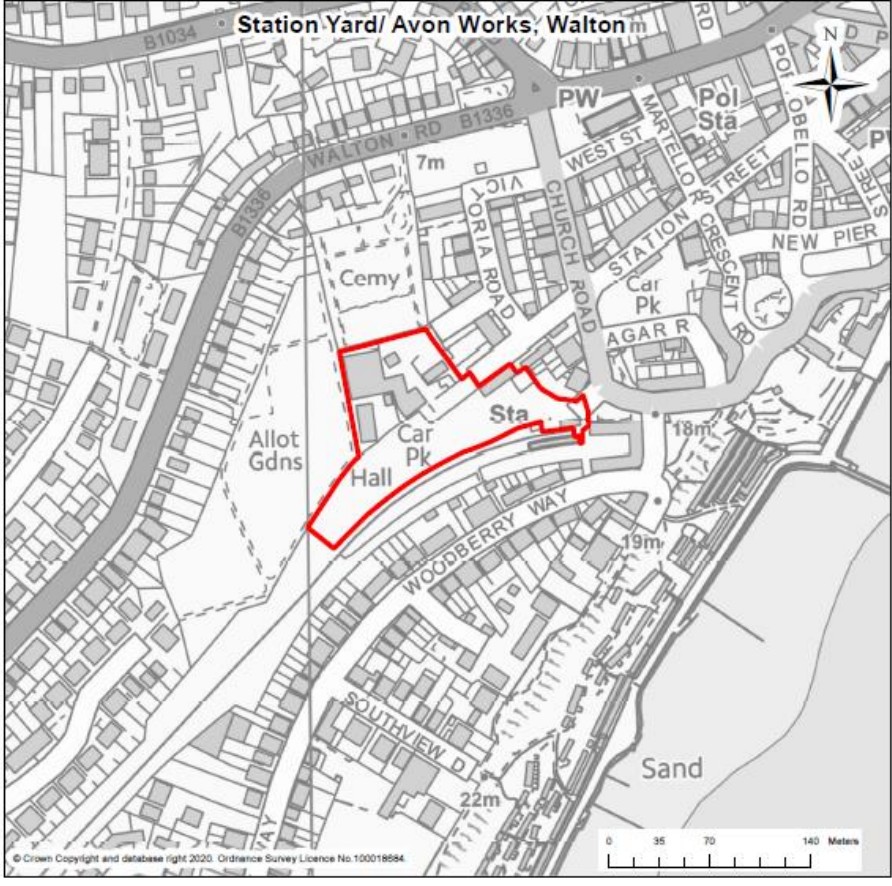


Map MSA6: Former Tendring Hundred Waterworks Site, Clacton

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
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Map MSA8: Land adjoining Harwich & Parkeston Football Club, Dovercourt



Map MSA11: Station Yard/Avon Works, Walton

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
MM49.1	214	Policy SAE1: Carless Extension, Harwich	<p><u>Land west of Carless Refinery Extension</u>, shown on the Map SAE1, is proposed for 4.5 ha of employment use as an extension to the west of the existing refinery. [MOD A]</p> <p>Proposals must accord with the following:</p> <p>a. assessment of any impact on nature conservation, including on the Stour and Orwell Estuaries SPA and Ramsar site, <u>and the recently extended Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB)</u> [MOD B] should be undertaken. Development will only be permitted where a project level assessment has demonstrated in accordance with the Habitat Regulations, that any proposal will not adversely affect the integrity of the Stour and Orwell Estuaries SPA and Ramsar site, either alone or in combination. If significant effects are considered likely, an appropriate mitigation strategy should be submitted;</p> <p>b. assessment of any impact on the landscape character should be undertaken and where impacts are identified, mitigation measures should be submitted including structural landscaping at the southern boundary;</p> <p>c. the proposed development must not compromise the safeguarded mineral transshipment site located in the vicinity;</p>	<p>MOD A: To make it clear that the land in questions is allocated specifically for the expansion of Carless Refinery and not general employment land.</p> <p>MOD B: To ensure the policy reflects the recent extension to the Suffolk Coast and Heaths AONB across to the southern shore of the Stour Estuary.</p>

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
			Early engagement with the Minerals Planning Authority is therefore encouraged; <u>and</u> <u>d. that there would be no material adverse impacts on the adjacent wildlife sites.</u> [MOD C]	MOD C: To reflect the fact that the site is located adjacent to an internationally important habitat.
MM49.2	215 216	Policy SAE2: Land South of Long Road, Mistley	<i>Policy SAE2, Map SAE2 and supporting paragraphs 9.10 and 9.10.1 to be deleted in their entirety from the Local Plan.</i>	Policy considered unnecessary as the site already has planning permission and the policy serves only to repeat requirements set out in other policies of the Local Plan – including Policy PP7 as proposed for modification.
MM49.3	217 218	Policy SAE3: Lanswood Park, Elmstead Market	<i>Policy SAE3, Map SAE3 and supporting paragraphs 9.11, 9.11.1 and 9.11.2 to be deleted in their entirety from the Local Plan.</i>	Policy considered unnecessary as the site has obtained planning permission, is already being developed and will be

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
				protected for employment use under policy PP6.
MM49.4	219 220	Policy SAE4: Mercedes Site, Bathside Bay	<i>Policy SAE4, Map SAE4 and supporting paragraphs 9.12, 9.12.1 and 9.12.2 to be deleted in their entirety from the Local Plan.</i>	Policy considered unnecessary as the site has already been developed and would be protected for employment use under Policy PP6.
MM49.5	221 222 223	Policy SAE5: Development at Mistley Port	<i>Policy SAE5, Map SAE5 and supporting paragraphs 9.13, 9.13.1, 9.13.2, 9.13.3, 9.13.4 and 9.13.5 to be deleted in their entirety from the Local Plan.</i>	Policy considered unnecessary and serves only to repeat requirements set out in other policies of the Local Plan. The port will be protected for employment use under Policy PP6.
MM49.6	223 224	Policy SAE6: Development	<i>Policy SAE6 and Map SAE6 to be deleted in their entirety from the Local Plan.</i>	Policy considered unnecessary and serves only to repeat requirements

Ref	Page	Policy/ Paragraph	Main Modification	Reason for Modification
		at Mistley Marine		set out in other policies of the Local Plan. The marine will be protected for employment use under Policy PP6.
MM49.7	224 225 226	Policy SAE7: Stanton Europark	<i>Policy SAE7, Map SAE7 and supporting paragraphs 9.14, 9.14.1, 9.14.2, 9.14.3 and 9.14.4 to be deleted in their entirety from the Local Plan</i>	Policy considered unnecessary, serves only to repeat requirements set out in other policies of the Local Plan – including Policy PP7 as proposed for modification which would enable a suitable employment-led development to come forward, assisted through 'Freeport' status.

Main Modifications – Chapter 10: Delivering Infrastructure

The modifications below are expressed either in the conventional form of ~~strike through~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

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Ref	Page	Policy/ Paragraph	Main Modification	
MM50.1	232	Policy D11: Infrastructure Delivery and Impact Mitigation Second paragraph, criterion b.	<i>Modification to criterion b.</i> b. a fully transparent, open book viability assessment has proven that full mitigation cannot be afforded, allowing only for the minimum <u>appropriate</u> level of developer return profit and land <u>owner receipt necessary for the development to go ahead, having regard to Planning Practice Guidance and noting that this will be lower for any affordable portion of the development,</u>	To provide clarity over what is meant by a minimum level of developer profit or return.
MM50.2	232	Policy D11: Infrastructure Delivery and Impact Mitigation	<i>Insertion of new final paragraph with reference to Community Infrastructure Levy (CIL).</i> ... viability improves prior to completion of the development.	To set out more clearly that the Council, if it wishes, could introduce Community Infrastructure Levy (CIL) as a means of securing funding

Ref	Page	Policy/ Paragraph	Main Modification	
		New final paragraph.	<p><u>The Council may consider introducing a Community Infrastructure Levy (CIL) and may implement such for areas and/or development types where a viable charging schedule would best mitigate the impacts of growth. Section 106 will remain the appropriate mechanism for securing land and works along with financial contributions where a sum for the necessary infrastructure is not secured via CIL. For the purposes of this policy the widest reasonable definition of infrastructure and infrastructure providers will be applied. Exemplar types of infrastructure are provided in the glossary appended to this plan.</u></p>	towards the delivery of infrastructure.

Main Modifications Chapter 11: Monitoring and Review

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Ref	Page	Policy/ Paragraph	Main Modification	
MM51.2	235	11.0.6	<p><i>Replacement of existing paragraph 11.06.6 with a new paragraph and a table.</i></p> <p>11.0.06 The critical areas of the plan to be monitored and reviewed will include:</p> <ul style="list-style-type: none"> • Housing completions by type, location and availability of land for housing in the future; • The completion of serviced employment floorspace, creation of jobs and availability of land for future employment use; • The delivery of floorspace to support retail, community and healthcare land use; • The protection, enhancement and creation of assets in the natural environment; and • The delivery of infrastructure projects and provision of financial contribution towards such schemes. <p><i>See proposed wording overleaf.</i></p>	To set out a clearer framework of objectives, targets and indicators for use in monitoring the performance of the Local Plan is achieving sustainable development.

Ref	Page	Policy/ Paragraph	Main Modification	
11.0.6 The objectives of the local plan will be monitored as follows:				
<u>Policy Area</u>	<u>Local Plan Objectives/Targets</u>		<u>Key Indicators</u>	
<u>Housing Delivery (Living Places)</u>	<ul style="list-style-type: none"> • <u>To provide new dwellings within Tendring District up to 2033 of sufficient variety in terms of sites, size, types, tenure and affordability to meet the needs of a growing and ageing population.</u> • <u>To deliver high quality sustainable new communities.</u> 		<u>Housing completions by type, location and availability of land for housing in the Future.</u>	
<u>Employment/Commercial (Prosperous Places / Sustainable Places)</u>	<ul style="list-style-type: none"> • <u>To provide for the development of employment land on a variety of sites to support a diversity of employment opportunities and to achieve a better balance between the location of jobs and housing, which will reduce the need to travel and promote sustainable growth up to the period of 2033.</u> 		<u>The completion of serviced employment floorspace, creation of jobs and availability of land for future employment use.</u>	
<u>Retail Development (Prosperous Places)</u>	<ul style="list-style-type: none"> • <u>To promote the vitality and viability of the town centres through the promotion of retail and other related uses, exploiting the benefit of enhanced growth of the towns whilst retaining the best and valued aspects of their existing character.</u> 		<u>Updated assessments of retail floorspace capacity.</u>	

Ref	Page	Policy/ Paragraph	Main Modification		
		<u>Infrastructure Provision (Connected Places / Sustainable Places)</u>	<ul style="list-style-type: none"> • <u>To make efficient use of existing transport infrastructure and ensure sustainable transport opportunities are promoted in all new development. Where additional capacity is required in the form of new or upgraded transport infrastructure, to ensure this is provided as necessary in connection with new development.</u> • <u>To enable provision of upgraded broadband infrastructure and services.</u> • <u>To ensure that new growth brings opportunities to enhance existing services, facilities and infrastructure for the benefit of existing and new communities.</u> • <u>To ensure that flood defence infrastructure is considered so that future developments take into consideration the impacts of climate change.</u> • <u>To ensure there is adequate capacity in the foul water sewerage infrastructure.</u> 	<p><u>Key infrastructure projects delivered.</u></p> <p><u>The delivery of infrastructure projects and spending of financial contribution towards such schemes.</u></p>	
		<u>Education and Health (Healthy Places / Prosperous Places)</u>	<ul style="list-style-type: none"> • <u>To improve and provide good quality educational opportunities and prospects for Tendring's residents as part of sustainable</u> 	<p><u>The delivery of community and health facilities and spending of contributions secured through planning obligations.</u></p>	

Ref	Page	Policy/ Paragraph	Main Modification	
			<p><u>community strategy. This includes practical vocational training and apprenticeships.</u></p> <ul style="list-style-type: none"> • <u>To work with partners in the National Health Service, local health organisations, Essex County Council and local community groups to ensure adequate provision of healthcare facilities to support growing communities.</u> • <u>To work with Public Health to promote and encourage healthy lifestyles through developments and planning to ensure that the people of Tendring have opportunities to be as healthy as able.</u> 	
<u>Sustainability (Healthy Places / Sustainable Places)</u>			<ul style="list-style-type: none"> • <u>To locate development within Tendring District where it will provide the opportunity for people to satisfy their day-to-day needs for employment, shopping, education, and other services locally or in locations which minimise the need to travel and where there are modes of transport available in addition to the use of car.</u> 	<u>Monitor modal splits and self-containment via Census and take-up of Travel Plans.</u>
<u>The Historic Environment (Protected Places / Sustainable Places)</u>			<ul style="list-style-type: none"> • <u>To conserve and enhance Tendring District's historic environment, including: heritage; respecting historic buildings and their settings; heritage assets; landscapes; links; and views.</u> 	<u>The delivery of projects and proposals set out within the Councils adopted Heritage Strategy 2020 (as amended).</u>

Ref	Page	Policy/ Paragraph	Main Modification	
		<u>Biodiversity (Protected Places)</u>	<ul style="list-style-type: none"> <u>To provide a network of interconnected multi-functional natural green and blue spaces which secures a net gain in biodiversity and geodiversity; promotes healthy lifestyles; and enhances the quality of the natural and built environment.</u> 	<u>The delivery of projects contained within the Essex RAMS SPD.</u> <u>Monitor facilities secured through planning obligations.</u>
		<u>Water and Climate Change (Protected Places)</u>	<ul style="list-style-type: none"> <u>To reduce the risk of flooding (all types) by securing the appropriate location and design of new development (including SuDs), having regard to the likely impact of climate change.</u> 	<u>Number of major developments incorporating water management schemes.</u> <u>Number of developments approved contrary to advice from Environment Agency.</u>
		<u>Tourism Promotion (Prosperous Places / Protected Places)</u>	<ul style="list-style-type: none"> <u>To work with partners to provide an enhanced environment for tourism and the maritime sector and its associated services.</u> 	<u>Regularly updated assessment of the Holiday Parks study.</u> <u>Delivery of the aims of the Tourism Strategy.</u>

Additional Modifications – Chapter 1: Introduction

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Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM1.1	67	1.1.3	<p><i>Insertion of additional wording into paragraph 1.1.3.</i></p> <p>1.1.3 Our District has a diverse range of assets including its attractive landscapes, coastline, areas of nature conservation, maritime heritage, <u>a wealth of heritage assets</u> and both local and internationally important ports. Alongside some thriving settlements and successful businesses there are also some major challenges including unemployment, coastal erosion and the need to provide space for future developments, to meet the employment and housing needs of current and future generations.</p>	To ensure the description of the District’s environment contains reference to its wealth of heritage assets.
AM1.2	70	1.3.4.1	<p><i>Replacement of paragraph 1.3.4.1 with new wording.</i></p> <p>1.3.4.1 Our District is part of the county of Essex. Essex County Council as an administrative body is responsible for preparing Local Plans for Minerals and Waste. This is particularly relevant to Tendring District given our underlying geology, which plays a role in the sourcing of sand and gravels. The Minerals and Waste Local Plans sit alongside this Local Plan and together make up the Development</p>	Factual update to the commentary in respect of Essex County Council’s role as Highways Authority, Local Education Authority and Lead Local Flood Authority.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			<p><u>Plan.</u> <u>Essex County Council is the Local Highway Authority, with a responsibility to manage and maintain the highway network, and the Local Transport Authority, with transport planning responsibilities for the administrative area of Essex. The Essex Local Transport Plan (2011) contains the Essex Transport Strategy (2011) and sets out the 15 year vision to improve travel in the county and underlines the importance of the transport network in achieving sustainable, long term economic growth and enriching the life of residents. It is supplemented by delivery strategies for public transport, highways, cycling and public rights of way. Essex County Council is also the Local Education Authority and Lead Local Flood Authority.</u></p>	
AM1.3	70	1.3.4.5	<p><i>Updates to and deletion from paragraph 1.3.4.5.</i></p> <p>1.3.4.5 Essex County Council is the waste planning authority for the District, and is responsible for preparing planning policies, and assessing applications for waste management development. The Essex and Southend-on-Sea Waste Local Plan (20042017) is part of the statutory Development Plan which should be read alongside the Tendring local Plan. It sets out where and how waste management developments can occur, and is the planning policy against which waste management development planning applications are assessed. A Replacement Waste Local Plan is currently being prepared and should be adopted in 2017/18. It will cover the period from 2017 to 2032.</p>	Factual update to reflect the status of the Essex and Southend-on-Sea Waste Local Plan.
AM1.4	71	1.3.4.6	<p><i>Updates to paragraph 1.3.4.6 to reflect the current status of the Essex</i></p>	Factual update to reflect the

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			<p><i>and Southend-on-Sea Waste Local Plan.</i></p> <p>1.3.4.6 The emerging Essex and Southend-on-Sea Waste Local Plan (the Replacement Plan) proposes <u>allocates</u> new waste development at Slough Farm, Ardleigh; Morses Lane, Brightlingsea; and Sunnymead, Elmstead; and Heath Farms, north west of Alresford. The Replacement <u>Waste Local</u> Plan also identifies Areas of Search to meet the need for additional small scale waste management facilities. These Areas of Search are existing industrial estates within the Ddistrict, and are located away from residential and other uses sensitive to amenity impacts such as schools, retail, leisure and office development. The Replacement <u>Waste Local</u> Plan would seek to focus any new proposals for waste management facilities, which support local housing and economic growth, within these Areas of Search. One is proposed for Tendring, at Martell's Farm Industrial Area. The Waste Local Plan also designates Waste Consultation Areas at a distance of 250m around permitted waste management facilities and 400m around water recycling centres. Essex County Council must be consulted on all non-waste related development within these areas.</p>	<p>status of the Essex and Southend-on-Sea Waste Local Plan.</p>

Additional Modifications – Chapter 2: Vision and Objectives

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Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM2.1	77	2.1: Vision for Tendring District	<p><i>Minor change to the word 'historical' to 'historic' in the third of the eleven 'outcomes' at the end of the vision for Tendring District.</i></p> <p>3. Balancing the development needs of the District with the protection and enhancement of the natural, historical <u>historic</u> and built environment;</p>	To correct the word 'historical' to 'historic'.
AM2.2	78	Objective 1 (Housing Delivery)	<p><i>Insertion of additional wording into the first bullet-point of Objective 1 in relation to housing delivery.</i></p> <ul style="list-style-type: none"> To provide new dwellings within Tendring District up to 2033 of sufficient variety in terms of <u>location of</u> sites, types, tenure and affordability to meet the needs of a growing and ageing population <u>in full</u>. 	To indicate that a variety of location of sites will be required to meet the needs for housing in full, as required by national planning policy.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM2.3	78	Objective 2 (Employment/ Commercial)	<p><i>Insertion of additional bullet point and text into Objective 2 in relation to employment/commercial.</i></p> <ul style="list-style-type: none"> • <u>To create the conditions for economic growth and employment opportunities across a range of economic sectors including established business sectors and those sectors projected to grow in the future such as renewable energy and care and assisted living.</u> • To provide for the development of employment land..... 	To better reflect the fact that employment opportunities will be created in a variety of ways not limited to the development of traditional employment land.
AM2.4	78	Objective 3	<p><i>Insertion of additional wording at the end of Objective 3, relating to retail development.</i></p> <ul style="list-style-type: none"> • To promote the vitality and viability of the town centres through the promotion of retail and other related uses, exploiting the benefits of enhanced growth of the towns whilst retaining the best and valued aspects of their existing character, <u>as well as responding appropriately to changes in the way people enjoy shopping and other leisure activities, and competition for trade arising from other centres, both within and outside of the district.</u> 	To better reflect recent and rapid changes in the way people are enjoying shopping and other leisure activities – particularly with the rise of internet shopping and reduction of retail on the high streets.
AM2.5	80	Objective 6	<p><i>Removal of the words 'day-to-day' from Objective 6.</i></p> <ul style="list-style-type: none"> • To locate development within Tendring District where it will provide the opportunity for people to satisfy their day-to-day 	To remove the term 'day-to-day' on the basis that not all needs for employment, shopping, education and

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			needs for employment, shopping, education, and other services locally or in locations which minimise the need to travel and where there are modes of transport available in addition to use of cars.	other services are not always day-to-day.

Chapter 3: Sustainable Places – Additional Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

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Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM3.1	83	3.0.1	<p><i>Minor deletion of wording from paragraph 3.0.1.</i></p> <p>3.0.1 The Local Plan’s strategic objective for Sustainability is “To locate development within Tendring District where it will provide the opportunity for people to satisfy their day-to-day needs for employment, shopping, education, and other services locally or in locations which minimise the need to travel and where there are modes of transport availability in addition to the use of cars.”</p>	To remove the term ‘day-to-day’ on the basis that not all needs for employment, shopping, education and other services are not always day-to-day.
AM3.2	83	3.1.1.1	<p><i>Insertion of updated information on the estimated district population.</i></p> <p>3.1.1.1 Within our District, the 2011 Census puts the population at approximately 138,100 with an average density of 4.1 people per hectare. <u>The most recent figures (2019) estimate the population of the District at approximately 146,000, an increase of 5.7% on the 2011 Census figures.</u> The predominant ethnic group is White British with a high percentage of the population describing themselves as such. The ethnic minority population was lower than the estimates for both the East of England and Essex.</p>	Factual update to population data to reflect more up to date information.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM3.3	83	3.1.1.2	<p><i>Insertion of updated information on projected population and demographic change.</i></p> <p>3.1.1.2 Our District is projected to grow by 14.4% (from 2011 Census numbers) to approximately 158,000 by the end of the plan period. Recent decades have seen a trend towards an ageing population in the District and this is projected to continue in the future. The percentage of over 65s in Tendring District is higher than both the East of England and Essex percentages. The number of people over age 65 years is projected to increase by more than a third within the plan period. In contrast, the proportion of the population aged under 5 years is projected to remain the same in that period. <u>Between 2014 and 2024 the total population of the District is predicted to increase from 139,500 to 149,700, this represents an increase of 7% or 10,200 more people. The percentage of over 65s in Tendring District is higher than both the England and Essex percentages. The number of people over 65 is expected to increase from 40,600 to 47,500 - an increase of 17% (6,900) representing almost a third of the total population in the district. Recent decades have seen a trend towards an ageing population in the District, these figures are representative of that.</u></p>	Factual update to population data to reflect more up to date information.
AM3.4	83	3.1.1.3	<p><i>Insertion of updated information on house prices.</i></p> <p>3.1.1.3 Based on the 2011 Census, there were 62,105 households in the Tendring District, the majority of which were within privately owned housing. Average household size in the district was 2.2</p>	Factual update to house price data to reflect more up to date information.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			<p>people, slightly lower than the national, regional and county averages. The average property price in September 2012 in Tendring District was £180,408; <u>The average property price in March 2020 in Tendring District was £217,526;</u> this is noticeably lower than average prices for England and Essex.</p>	
AM3.5	84	3.1.2.4	<p><i>Insertion of updated information on the operation of Harwich International Port and how it has supported the off-shore renewables industry.</i></p> <p>3.1.2.4 The District includes Harwich International Port which has developed into a highly efficient, multi-purpose freight and passenger port handling bulk and container ships as well as roll-on, roll-off ferries and cruise ships. The port also supports the off-shore renewables industry providing support facilities for the installations at London Array, Gunfleet Sands and Greater Gabbard, off the Suffolk coast. <u>Harwich International Port is located with the Tendring District, a highly efficient multi purpose freight and passenger port. It handles both bulk and container ships, roll on – roll off ferries as well as cruise ships. The port supports the off shore renewables industry, Gunfleet Sands, Greater Gabbard and most recently the Galloper Wind Farm. The latter has a state-of-the-art purpose built operations & maintenance facility within the Port.</u></p>	Factual update as to increasing role that Harwich International Port has played in supporting the renewable emerging industry.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM3.6	84	3.1.2.5	<p><i>Insertion of updated information from the latest Economic Strategy.</i></p> <p>3.1.2.5 The sector employing the most people in Tendring, according to the Economic Development Strategy (2013), was health which accounted for approximately 17% of jobs, followed by retail and education. <u>The sector employing the most people in Tendring, according to the Economic Strategy (2019), was Health & Care which accounted for over 6,500 jobs.</u></p>	Factual update to reflect the latest information in the Council's Economic Strategy.
AM3.7	84	3.1.2.6	<p><i>Insertion of updated information about investment and growth in the tourism industry.</i></p> <p>3.1.2.6 The Cultural, Visitor and Tourism sector, encompasses a range of activities which play an important role in the District's economy. This sector is worth more than £353 million per annum to the economy and is estimated to provide 7,900 jobs across Tendring District. The majority of jobs and businesses in this sector are located in and around Clacton. <u>Figures from the Economic Strategy 2019 show that tourism employment has grown by 35% over the last five years. This has in part, been driven by the actions promoted in the Tendring Tourism Strategy 2010-16. Wider investment into the sector, including Brook Park West (£75m investment), the major investment at Clacton Pier (£4m), the Water Park at Clacton Pavilion (£1m) will help to make Tendring a more attractive place for tourists to visit.</u></p>	Factual update to reflect the latest information in the Council's Economic Strategy.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM3.8	84	3.1.2.7	<p><i>Insertion of updated information about projected convenience goods retail floorspace needs.</i></p> <p>3.1.2.7 The quantitative projection for new retail floorspace in the Tendring District to 2032, as identified in the Retail Study Update 2017, indicates that there is no quantitative need for additional retail floorspace across the District. <u>The Retail and Town Centre Uses Study (2020) forecasts an increase in turnover for convenience goods shopping in Tendring that could potentially generate enough floorspace capacity for an additional foodstore, subject to market demand.</u></p>	To update with the most recent findings from the Council's 2020 Retail and Town Centre Uses Study.
AM3.9	84	3.1.2.8	<p><i>Insertion of updated information about projected comparison goods retail floorspace needs.</i></p> <p>3.1.2.8 The Study also identifies that there is no capacity for new convenience goods floorspace in the District. A town-by-town analysis indicates a quantitative need for additional convenience floorspace in Manningtree and Harwich/Dovercourt, but not in Frinton-on-Sea, Brightlingsea, Walton-on-the-Naze, or Clacton. <u>In relation to comparison retail there is a potential increase in turnover which, taking into account internet shopping, is only expected to generate a negligible increase in floorspace capacity.</u></p>	To update with the most recent findings from the Council's 2020 Retail and Town Centre Uses Study.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM3.10	84	3.1.2.9	<p><i>Insertion of updated information about accommodating projected retail floorspace needs.</i></p> <p>3.1.2.9 In relation to comparison goods floorspace requirement, there is a potential capacity for new comparison goods floorspace. A town-by-town analysis indicates that there is a quantitative need for modest additional comparison floorspace in all town centres except in Clacton, Harwich/Dovercourt and Walton-on-the-Naze. The Study indicates that additional floorspace in the town centres would improve market share, sustain vitality and viability and attract visitors. <u>In both cases the need for additional floorspace can be accommodated within existing centres, which is consistent with national policy and will promote the vitality and viability of the district's town centres.</u></p>	To update with the most recent findings from the Council's 2020 Retail and Town Centre Uses Study.
AM3.11	84	3.1.2.10	<p><i>Insertion of reference to the impact of Covid 19 on town centre shopping.</i></p> <p>3.1.2.10 Internet shopping has become a major competitor to town centre shopping, <u>a trend accelerated by Covid 19.</u> With three quarters of all adults in the UK buying goods or services on-line. Increases in on-line shopping choice will mean traditional retailers and service providers will need to compete not only in price and range but also in service and expertise. Town centres will need to provide an attractive, mixed-use shopping experience to retain and increase their share of consumer spending.</p>	To include a reference to Covid 19 and the way it has accelerated use of internet shopping.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM3.12	84	3.1.2.11	<p><i>Insertion of updated information about local unemployment.</i></p> <p>3.1.2.11 Model based unemployment figures for the District during the period January 2015 – December 2015 show that the unemployment rate was 5.3% which is higher than that for the East of England. <u>Model based unemployment figures for the District during the period April 2019 – March 2020 show that the unemployment rate was 5.4% which is higher than that for the East of England.</u> These figures are based on a proportion of the District's economically active population.</p>	Factual update to reflect the latest information.
AM3.13	84 85	3.1.2.12	<p><i>Insertion of updated information about the care industry.</i></p> <p>3.1.2.12 At the time of writing there were more than 130 Care Homes in Tendring District, with 9.1 care homes per 10,000 population, this is the highest concentration of care homes in the UK. The care sector is the second highest employer in the District. With the population of over 65s projected to rise by more than a third during the plan period, consideration will need to be given to the needs of an ageing population to encourage independent living. <u>Figures from the Economic Strategy 2019 show the broad Health and Care sector is a significant employer within the District with over 6,500 jobs. 3,000 of these are within the Care and Assisted Living sub-sector, the vast majority of which are in care homes. Tendring has a higher concentration of care homes than any other district in the UK, the district is home to one in five of all the care homes in Essex.</u></p>	Factual update to reflect the latest information in the Council's Economic Strategy.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM3.14	85	3.1.3.1	<p><i>Insertion of updated information about births in Tendring.</i></p> <p>3.1.3.1 In 2012 there were 1,365 births in the Tendring District. In 2018 there were 1,314 births in the Tendring District. Recent figures show life expectancy in the District has been estimated as 78 years for men and 82 years for women, this is slightly lower than the estimates for England and Essex.</p>	Factual update to reflect more up to date information on births.
AM3.15	85	3.1.3.2	<p><i>Insertion of updated information about schools in Tendring.</i></p> <p>3.1.3.2 At the time of writing there were 47 academy schools in the District, 40 primary schools and 7 secondary schools. There were also 2 adult education centres. As at September 2020 there are 39 Primary Schools and 6 Secondary Schools in the District. In addition there are 2 Special Schools for children ages 5 – 16.</p>	Factual update of information on the number of primary, secondary and special schools in Tendring.
AM3.16	85	3.1.3.3	<p><i>Insertion of updated information about the source of school capacity data.</i></p> <p>3.1.3.3 Commissioning School Places in Essex 2013-2018, published in 2014, sets out the requirement, supply and demand for places in maintained primary and secondary schools to 2018 and is updated annually. The Essex School Organisation Service's Ten Year Plan 2020-29, published in January 2020, sets out the requirement, supply and demand for places in mainstream primary and secondary schools and is updated annually.</p>	Factual update on the source of information about school capacity from Essex County Council.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM3.17	85	3.1.3.4	<p><i>Insertion of updated information about school pupils.</i></p> <p>3.1.3.4 In 2013 there were 9,318 primary school pupils and 8,608 secondary school pupils. The 6 schools providing sixth form education had 1,307 pupils over the age of 16. In January 2020 there were 10,480 mainstream primary school pupils and 7,987 secondary school pupils, including 742 in sixth forms.</p>	Factual update of information on numbers of school pupils in Tendring as provided by Essex County Council.
AM3.18	85	3.1.3.5	<p><i>Insertion of updated information about the projected demand for school places.</i></p> <p>3.1.3.5 Primary school numbers, as forecast in the Commissioning Schools for Essex document, are set to rise in the five year period 2013-2018 to 9,928, due to rising births and new housing, requiring plans to be developed with local schools to increase the provision in the District. Primary school numbers published on the Essex County Council web site, in support of the 10 Year Plan, predict a rise in demand for mainstream places from the 10,469 pupils recorded on roll at January 2019 to 11,648 by the 2029/30 academic year. This forecast is consistent across the district and takes account of new housing set out in Tendring Council's housing trajectory, as available at the end of March 2019.</p>	Update of information on projected demand for school places from Essex County Council.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM3.19	85	3.1.3.6	<p><i>Insertion of updated information about the projected demand for school places.</i></p> <p>3.1.3.6 Overall pupil numbers in secondary schools in Clacton are predicted to decline in the period 2013/18 to 8,000. However, demand for year 7 places in Clacton is forecast to increase from 2017/2018 onwards to 8,395 once pupils from anticipated new housing are included in the forecast. Pupil numbers in secondary schools/academies in the rest of the District are forecast to remain stable. The impact of any new housing in the locality of these schools will be closely monitored to ensure there are sufficient school places to meet any increase in demand. Corresponding secondary school numbers also published on the Essex County Council web site, predict a rise in demand from the 7,918 pupils (including sixth form) to 10,254. Again, increased demand is expected across the district. The sharpest rise in demand is expected to be in the Clacton area.</p>	Update of information on projected demand for school places from Essex County Council.
AM3.20	85	3.1.3.7	<p><i>Insertion of updated information about local homelessness.</i></p> <p>3.1.3.7 The District rates relatively highly on the Index of Multiple Deprivation and Jaywick Sands ranks first within England. It is estimated that almost a fifth of people in the District live in seriously deprived neighbourhoods. This estimation is higher than that of the neighbouring Colchester Borough and Babergh District. The rate of households considered to be homeless or in priority need for housing in Tendring District was less than 1 in 1,000 households in the period 2012/2013. This is lower than the national average and is the lowest</p>	Factual update to provide more up to date information about levels of homelessness in Tendring.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			<u>in Essex. The rate of households assessed as homeless in Tendring District is 1.93 per 1,000 in the period January – March 2020. Households assessed as threatened with homelessness within the District is 1.04 per 1000, lower than both the regional and national figures.</u>	
AM3.21	85	3.1.3.8	<p><i>Insertion of updated information about local crime rates.</i></p> <p>3.1.3.8 Crime data taken from the Essex Police Performance Summary to March 2016 publication regarding the number of offences recorded by the Police, by community Safety Partnership/Local Authority level (year and offence group) for the year March 2015 to 2016 shows that recorded crime in the Tendring District had risen overall by just over 7%. Crime data taken from the Essex Police Performance Summary to July 2020 publication regarding the number of offences recorded by the Police, for the year July 2019 to 2020 shows that all recorded crime in the Tendring District had fallen by just over 4%.</p>	Factual update to provide more up to date information about levels of crime in Tendring.
AM3.22	86	3.1.4.2	<p><i>Insertion of updated information about the Suffolk Coast and Heaths Area of Outstanding Natural Beauty and other minor corrections and changes.</i></p> <p>3.1.4.2 In the north west of the District is the Dedham Vale Area of Outstanding Natural Beauty (AONB), designated for conservation due to its significant landscape value. Made famous by the paintings of Constable and Gainsborough, the traditional grasslands,</p>	To reflect the fact that the Suffolk Coast and Heaths Area of Outstanding Natural Beauty has been formally extended to cover part of the southern shore of the Stour Estuary. Corrections to the text to better reflect the

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			<p>wildflower meadows and hedgerows provide an opportunity for both residents and visitors to enjoy the peace and beauty of what are among some of England's most precious and vulnerable landscapes. <u>The Suffolk Coast and Heaths AONB has also been extended to cover parts of Tendring on the south side of the Stour Estuary.</u> The District also has the Orwell and Stour Estuaries which are designated as Sites of Special Scientific Interest (SSSI), <u>a Special Protection Area of Conservation (SAC)</u>, and Ramsar site and Site of Special Scientific Interest (SSSI). The Colne Estuary is designated as Essex Estuaries Special Area of Conservation as well as SSSI, <u>SPA</u>, and Ramsar <u>and SSSI</u>. The Hamford Water area is designated as SPA and SAC due to the protection of Fishers Estuarine Moth. The above sites are all key for the natural environment in regards to protection of habitats of migratory animals, endangered birds, scarce plants, invertebrates as well as the conservation of wetlands.</p>	<p>international and national wildlife status of the Stour Estuary, Colne Estuary and Hamford Water.</p>
AM3.23	87	3.1.5.1	<p><i>Insertion of updated information about local heritage assets.</i></p> <p>3.1.5.1 Our District has more than 960 Listed Buildings. The District also benefits from 27 Scheduled Monuments which include above and below ground features, <u>4 Registered Historic Parks and Gardens as designated by Historic England</u> and 9 Protected Lanes, preserved for their historic indication of ancient road patterns in the District. The District also contains 20 Conservation Areas.</p>	<p>Factual update to reflect the increased number of Registered Historic Parks and Gardens, as designated by Historic England.</p>

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM3.24	87	3.1.5.2	<p><i>Insertion of additional wording about heritage assets.</i></p> <p>3.1.5.2 The historic centres of Harwich, Manningtree, Mistley and St Osyth contain many impressive and unique historic buildings and monuments. Within these areas there is a greater likelihood of archaeological remains due to their complex history and development of their communities over many centuries. These centres are sensitive to development in much the same way as is the ecology of an environmentally important area. Outside of these designated areas, the district's largely rural character and long history of occupation results in many areas of high archaeological potential <u>importance as well as a range of listed buildings, conservation areas and scheduled monuments.</u></p>	To ensure this paragraph of supporting text properly reflects the district's range of listed buildings, conservation areas and scheduled monuments.
AM3.25	88	3.1.6.2	<p><i>Insertion of updated information about carbon emissions and the Council's ambitions around carbon neutrality.</i></p> <p>3.1.6.2 Greenhouse gas emissions generated by Council operations have decreased in the years 2009-2012. In 2009/2010 the Council's total Carbon Dioxide emission was 3,276 tonnes and in 2011/12 the total was 3,032 tonnes, whereas per capita emissions in the District have risen slightly from 5.4 tonnes in 2009 to 5.5 tonnes in 2012. In 2011/12 the Council's total Carbon Dioxide emission was 3,032 tonnes, the most recent figures indicate that in 2018/19 those emissions have risen to 4,553 tonnes although the rise may be attributable to changes in assessment and reporting methodologies.</p>	Factual update of information about the Council's Carbon Dioxide emissions and the Council's ambitions around carbon neutrality following its declaration of a climate emergency.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			<u>The Council is in the process of setting out an Action Plan to become net zero carbon by 2030.</u>	
AM3.26	88	3.1.6.3	<p><i>Insertion of updated information about offshore wind and onshore solar farms.</i></p> <p>3.1.6.3. Increase in development and use of renewable energy has seen the installation of both off and on-shore wind farms in the District. The Dong Energy Gunfleet Sands 48 turbine Off-shore Wind Farm has the capacity to provide approximately 100,000 homes with ‘clean electricity’ in the years to come making a considerable reduction in Carbon Dioxide emissions. The wind farm is maintained and operated from a base in Brightlingsea. Its sister operation, <u>Galloper Offshore Wind Farm became fully operational in March 2018. Galloper is maintained from the Operations & Maintenance facility at Harwich International Port. Galloper alone generates enough energy to power up to 380,000 average UK households per year.</u> The 5 turbine on-shore Wind Farm at Earls Hall has the capacity to generate ‘clean electricity’ for approximately 6,300 homes and will reduce Carbon Dioxide emissions by 15,000 tonnes per year. Approval has also been given for <u>was granted for</u> Solar Farms in Wix and Bradfield, these have been delivered, which together will have the capacity to generate ‘clean electricity’ for approximately 3,409 homes.</p>	Factual update in respect of the Galloper Offshore Wind Farm and the delivery of Solar Farms in Tendring.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM3.27	90	3.2.2.1	<p><i>Update to reflect the base date of the most recent housing supply data.</i></p> <p>3.2.2.1 To achieve a sustainable increase in housing stock for each of Tendring District's settlements up to 2033, a high level of new homes have gained planning permission or will have been completed on sites between 1 April 2013 to 31 March 2017 <u>2020</u>. The remaining requirement will be delivered on sites that are specifically allocated for housing development, supplemented by other suitable sites within the Settlement Development Boundaries in this Local Plan. The allocated sites either lie within the established built-up-area of the settlement or involve undeveloped land on the edge of the settlement. Alongside the planned developments, it is likely that a number of currently unidentified 'windfall' sites will obtain planning permission for housing in accordance with the policies in this Local Plan during the plan period.</p>	Update to reflect the base date of the most recent housing supply data from 2017 to 2020.
AM3.28	92	3.2.3.1	<p><i>Update to reflect the base date of the most recent housing supply data.</i></p> <p>To achieve a sustainable increase in housing stock, a significant number of new homes will come forward on sites which at March 2017 <u>April 2020</u> already had extant planning permission for new housing. The remaining requirement will be delivered on sites that are specifically allocated for housing or mixed-use development, supplemented by other suitable sites within the Settlement Development Boundaries in this Local Plan. Alongside the planned</p>	Update to reflect the base date of the most recent housing supply data from 2017 to 2020.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			<p>developments, it is likely that a number of currently unidentified 'windfall' sites will obtain planning permission for housing in accordance with the policies in this Local Plan during the plan period. In general terms, development outside of defined Settlement Development Boundaries will be the subject of strict control to protect and enhance the character and openness of the countryside. However, there are certain forms of development that can and sometimes need to take place in these areas, some of which can bring about positive outcomes for the rural economy.</p>	

Additional Modifications – Chapter 4: Healthy Places

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Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM4.1	105	4.4.10	<p><i>Removal of the reference to policy in the 2007 adopted Local Plan which will be superseded in full on the adoption of this new plan.</i></p> <p>4.4.10 This Local Plan takes forward Policy COM6 of the 2007 Adopted Local Plan, <u>requires</u> that open space provision should be included as part of all residential developments involving sites of 1.5 hectares in size or greater, and should comprise at least 10% of the gross site area and that no single area of usable open space should be less than 0.15 hectare.</p>	On adoption of the new Section 2 Local Plan, the 2007 adopted Local Plan will be superseded in full and therefore it would not be appropriate to include a reference to Policy COM6 which, itself will be superseded.
AM4.2	106	4.5	<p><i>Removal of an unnecessary heading included in the Local Plan in error.</i></p> <p>4.5 Facilities</p>	To delete text from the plan that was included in error.

Additional Modifications – Chapter 5: Living Places

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Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM5.1	111	5.1.3	<p><i>Addition of updated commentary on Tendring’s objectively assessed housing requirement to reflect the adoption of Section 1 of the Local Plan.</i></p> <p>5.1.3 Since 2015, various iterations of this study have been produced reflecting amended advice from government, new employment and affordable housing needs data and assessment of the ‘un-attributable population change’ in the census. Overall, the 2015 study, as updated in 2016, looked at a series of data including population and household projections, migration patterns, economic projections and affordable housing needs. The assessment concluded that the total objectively assessed need for housing in Tendring would be 550 homes each year and recommended an OAN of 550 be taken as the annual housing completions target. <u>The housing requirement of 550 homes a year is set out in Policy SP3 in Section 1 of the Local Plan which was formally adopted by the Council in 2021 following the independent examination and confirmation from the Planning Inspector that the figure is based on sound evidence.</u></p>	To reflect the fact that Section 1 of the Local Plan, containing the housing requirement of 550 homes a year, has already been examined and formally adopted.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM5.2	111 112	5.1.4	<p><i>Inclusion of additional wording to update information on affordable housing need.</i></p> <p>5.1.4 The affordable housing study, published in 2015 found that up to 151 homes each year would meet Tendring's affordable housing need; against an OAN this equates to approximately 27% of the 550 homes. <u>The Planning Inspector for the Section 1 Local Plan also considered the need for affordable housing including projections contained within the Council's 2015 Strategic Housing Market Assessment (SHMA) and other evidence on affordability. He determined that the need for affordable housing in Tendring was likely to fall within the range of 151 to 278 homes a year depending on the assumptions made about the proportion of household income it would be reasonable to spend on housing.</u> Tendring's Local Plan viability study finds that affordable housing could be achieved across the whole district on sites of 10 or more homes. However, it also finds that there are some viability issues in the eastern area of the District and certain sites in this area may not be able to meet all policy requirements. It would therefore seem reasonable to set the affordable housing target at 30% for sites of 11 homes or more. This will enable those sites that are viable to achieve 30% and those sites that are only viable at less than 30% to make a reasonable contribution to the achievement of the overall affordable housing need. Therefore, 30% will be taken as the baseline for viability testing of individual planning applications. When undertaking viability assessment the Tendring District Council - Local Plan Part 2 Viability Study (June 2017, <u>as updated in 2019</u>) should be read as a whole because there is differentiation</p>	<p>To reflect the findings of the Planning Inspector for the Section 1 Local Plan in respect of the future need for affordable housing and the range of figures that could be applicable, depending on assumptions made about the proportion of household income it would be reasonable to spend on housing. Also a reference to the 2019 update to the Council's Viability Study.</p>

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			for certain types of homes, such as flats. The viability assessment for the Tendring Colchester Borders Garden Community also provides for a target of 30% affordable housing. The zones of viability are illustrated below by ward.	
AM5.3	128	5.9	<i>Modification to paragraph 5.9 heading</i> 5.9 <u>Gypsy and Traveller Sites</u>	To refer to Gypsy and Traveller Sites to reflect the main modification to Policy LP9.

Additional Modifications – Chapter 6: Prosperous Places

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Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM6.1	138	6.1.2	<p><i>Amendment to supporting text to better reflect current national planning policy.</i></p> <p>6.1.2 The National Planning Policy Framework (NPPF) paragraph 19 indicates that planning should operate to encourage and not to act as an impediment to sustainable growth <u>promotes planning policies that help create the conditions in which businesses can invest, expand and adapt, and indicates</u> that significant weight should be placed on the need to support economic growth through the planning system.</p>	To better reflect current national planning policy in respect of promoting economic growth.
AM6.2	138	6.1.3	<p><i>Amendment to supporting text to better reflect current national planning policy.</i></p> <p>6.1.3 The NPPF requires local planning authorities to recognise</p>	To better reflect current national planning policy in respect of the role of town centres and the approach to maintaining their viability

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			<p>town centres as <u>support the role that town centres play at the heart of their communities and pursue policies to support</u> promote their viability and vitality. In addition, local planning authorities are expected to objectively identify sites for retail land <u>allocate a range of suitable sites in town centres to meet the scale and type of anticipated needs for retail uses.</u> Ensuring town centres are recognised and protected and sufficient land can be brought forward to meet the retail needs of the District is a crucial element of this Local Plan.</p>	and vitality.
AM6.3	138	6.1.7	<p><i>Amendment to supporting text to better reflect current national planning policy.</i></p> <p>6.1.7 The Town Centre First policy <u>principle</u> requires applications for main town centre uses to be located in town centres, then in edge of centre locations; and only if suitable sites are not available (<u>or expected to become available within a reasonable period</u>) should out of centre sites be considered. The NPPF sets out that when assessing large applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date local plan, local authorities should require an impact assessment <u>if the development is over a proportionate, locally set floorspace threshold.</u></p>	To better reflect current national planning policy in respect of town centre planning.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM6.4	139	6.1.9	<p><i>Addition to supporting text to reflect the update to the retail study.</i></p> <p>6.1.9 Tendring District Council commissioned WYG Planning and Environment (WYG) to undertake a Retail study in 2016, to serve as local evidence to support the Local Plan Policies. <u>An updated retail study was undertaken in 2020 by Lambert Smith Hampton (LSH).</u></p>	Factual update to reflect the completion of an updated retail study in 2020.
AM6.5	139	6.1.1.1	<p><i>Amendment to supporting text to better reflect current national planning policy.</i></p> <p>6.1.1.1 The National Planning Policy Framework (NPPF), paragraph 23, requires that local planning authorities (LPA's) should allocate a range of suitable sites to meet the scale and type of town centre uses needed in town centres and that it is important that the need for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability. In addition, it is also expected that LPA's undertake an assessment of need to expand town centres to ensure a sufficient supply of suitable sites. <u>Town centre boundaries should be kept under review where necessary.</u></p>	To better reflect current national planning policy in respect of town centre planning.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM6.6	141	6.2.2	<p><i>Amendment to supporting text to better reflect current national planning policy.</i></p> <p>Paragraph 23 of tThe NPPF requires the local planning authorities (LPA's) <u>planning policies</u> to define a network and hierarchy of centres that is resilient to anticipated future economic changes promotes their long-term vitality and viability. It states that, the LPA's planning policies should recognise town centres as <u>support the role that town centres play at the heart of their communities and to pursue policies to help support their viability and vitality by taking a positive approach to their growth, management and adaptation.</u></p>	To better reflect current national planning policy in respect of town centre planning.
AM6.8	146	6.4.1	<p><i>Amendments to supporting text to better reflect current national planning policy.</i></p> <p>6.4.1 Paragraph 23 of The National Planning Policy Framework (NPPF) requires that planning policies should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation policy should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. Therefore, it is vital that the future needs of the District's town centres are addressed through the Local Plan.</p>	To better reflect current national planning policy in respect of town centre planning.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM6.9	146	6.4.2	<p><i>Amendments to supporting text to better reflect current national planning policy.</i></p> <p>6.4.2 With regard to the location for new retail, leisure and other town centre development (as defined in the NPPF), the Council will adopt the 'sequential approach' as set out in the NPPF. This states that for retail development the first preference should be for town, district or local centre sites, where suitable sites are available, followed by edge-of-centre sites, and only then out-of-centre sites. With regard to edge-of-centre and out-of-centre, locations that are accessible by a choice of means of transport and well connected to the town should be a preference <u>should be given to accessible sites which are well connected to the town centre.</u></p>	To better reflect current national planning policy in respect of town centre planning.
AM6.10	147	6.4.3.3	<p><i>Addition and deletion of text within paragraph 6.4.3.3.</i></p> <p>6.4.3.3 Identification of the Primary Shopping Area (PSA) and town centre boundary is necessary as these form the basis for the application of the sequential test for applications for town centre uses. The NPPF defines the edge of centre for retail purposes as a location that is well connected and up to 300m from the PSA. For all other main town centre uses (leisure, entertainment, arts, culture and tourism) this is a location within 300m of the defined town, district, village or neighbourhood <u>centre boundary and for office development, a site within 500 metres of a railway station public transport interchange.</u></p>	To better reflect current national planning policy in respect of town centre planning.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM6.11	155	Policy PP8: Tourism Final paragraph.	<i>Grammatical correction to final paragraph of Policy PP8.</i> To maintain and deliver a range of accommodation that meets the varying needs, demands and expectations of potential visitors to the Tendring District. Proposals proposals that involve the creation, improvement or potential loss of visitor accommodation will be assessed based on policies set out in this Local Plan.	To correct a grammatical error.
AM6.12	158	6.7.2	<i>Removal of reference to the Martello Site in paragraph 6.7.2 which has since been redeveloped.</i> 6.7.2 Not all of the District's parks are shown as safeguarded sites because the Council recognises that changing economic conditions and tourism trends could have a negative effect on some of the smaller sites being able to remain viable and, in some cases (such as the Martello Site in Walton-on-the-Naze), redevelopment for an alternative use might be more beneficial to the local economy.	To reflect the fact that the Martello Site has already been redeveloped for housing and retail units.
AM6.13	159	6.7.4	<i>Inclusion of new wording in 6.7.4 in respect of opportunities to upgrade existing holiday parks.</i>	To set out the Council's support for proposals that

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			<p>6.7.4 As Tendring District is already home to a high number of static caravan parks and the Council is anxious to promote a diverse range of visitor accommodation, the Council will not support any proposals to establish new static caravan parks in the District. The Council will however support proposals for new high quality holiday villages comprising well designed timber chalets set on plinths and with pitched roofs, located preferably in a predominantly wooded and undulating landscape setting with water features with high quality leisure facilities and activities. <u>There is also potential to upgrade existing holiday parks to improve their quality and their facilities and/or to provide similar or alternative accommodation typologies such as chalets or cabins.</u> 'Centerparcs' at Elveden Forest in Suffolk provides a good indication of the type of facility and the level of quality that the Council wants to establish in Tendring District.</p>	<p>upgrade existing holiday parks through the improvement of quality and facilities.</p>

Additional Modifications – Chapter 7: Protected Places

The modifications below are expressed either in the conventional form of ~~striketrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM7.1	167	7.2.3	<p><i>Addition of reference to National Planning Practice Guidance to paragraph 7.2.3 in relation to coastal change.</i></p> <p>7.2.3 In considering proposals for new development affecting the coast, the Council will have regard to the latest Shoreline</p>	To include a useful reference to the National Planning Practice Guidance in relation to coastal change given the district's coastal

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			Management Plan to assess their compatibility. <u>National Planning Practice Guidance provides guidance on what sort of development is appropriate in a Coastal Change Management Area. This guidance is considered to have relevance to development proposals within the Tendring Coastal Protection Belt.</u>	location and its relevance to the Coastal Protection Belt policy.
AM7.2	168	7.3.5	<i>Factual change to paragraph 7.3.5</i> 7.3.5 Two Tendring has four Registered Parks and Gardens (see Appendix D) that lie within the rural area and are particularly sensitive to change. Planning proposals which might affect them and any other Registered Park and Garden that is designated during the plan period should therefore have regard to their history and the reason for inclusion on the Historic England Register.	To reflect the designation of four registered parks and gardens in Tendring.
AM7.3	169	7.4.1	<i>Deletion of paragraph 7.4.1</i> 7.4.1 To provide a network of interconnected multi-functional natural green spaces which secures a new gain in biodiversity and also provides for the sporting and recreational needs of the population, promotes healthy lifestyles and enhances the quality of the natural and built environment.	To delete a paragraph of supporting text that is considered unnecessary and which is out of context in relation to Policy PPL4: Biodiversity and Geodiversity.
AM7.4	169	7.4.2	<i>Insertion of reference to the Conservation of Habitats and Species Regulations 2020 in the second half of paragraph 7.4.2.</i>	To ensure the Local Plan contains the correct

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			...create a European-wide network. The <u>Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations')</u> apply both in the terrestrial environment and territorial waters out to 12 nautical miles. Marine Protected Areas (MPA) exist offshore beyond 12 nautical miles. The Blackwater, Crouch, Roach and Colne Marine Conservation Zone includes the Clacton Cliffs and foreshore, a geological feature of international importance.	reference to relevant regulations.
AM7.5	172	7.5.2	<p><i>Insertion of additional wording into paragraph 7.5.2.</i></p> <p>7.5.2 Major new developments may require upgrades to existing sewage treatment works, known as Water Recycling Centres, which may be funded by Anglian Water. Such works will need to be planned and funded through Anglian Water's 5-year business plans and approved by the regulator (OFWAT). <u>The Council is committed to ensuring that critical infrastructure is delivered at the right time to support development on allocated sites, in particular at Hartley Gardens (Policy SAMU2) and Oakwood Park (Policy SAMU3) where reinforcements and additional infrastructure will be required.</u></p>	To reflect the particular importance of water treatment infrastructure being delivered at the right time to support the Hartley Gardens and Oakwood Park developments in Clacton.
AM7.6	175	7.7.5 First sentence.	<p><i>Deletion of the words 'on occasion' from the first sentence of paragraph 7.7.5 in relation to Conservation Areas.</i></p> <p>7.5.5 As with listed buildings, a contemporary design might, on occasion, be appropriate in a Conservation Area. Such solutions</p>	To delete unnecessary wording that might give rise to ambiguity.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			can.....	
AM7.7	177	7.9	<p><i>Delete heading 7.9:</i></p> <p>7.9 Enabling Development</p>	To delete wording from the Local Plan that was included in error given that the Local Plan does not include a specific section on enabling development.
AM7.8	180	<p>Policy PPL15: Safeguarding of Hazardous Substance Site, South East of Great Oakley/South West of Harwich</p> <p>First sentence.</p>	<p><i>Correction to the first paragraph of Policy PPL15 to clarify that Bramble Island is to the east of Great Oakley.</i></p> <p>The hazardous substance site located at Bramble Island to the south east of Great Oakley and south west of Harwich is surrounded by a safeguarded area, within which certain proposals for development will be subject to consultation with the operator of the site. This may result in.....</p>	To provide a more accurate account of Bramble Island's location in relation to Great Oakley.

Additional Modifications – Chapter 8: Connected Places

The modifications below are expressed either in the conventional form of ~~striketrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

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Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM8.1	184	8.1.3 Outcome 5	<i>Insertion of additional wording to the fifth 'outcome' under paragraph 8.1.3 to refer to the Local Transport Plan and supporting</i>	To include reference within the Local Plan's supporting

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			<p><i>documents.</i></p> <p>5. Provide sustainable access and travel choice for Essex residents to help create sustainable communities. <u>The Local Transport Plan (LTP) is supported by a suite of more specific documents including the Bus Strategy, the Cycling Strategy, the Sustainable Modes of Travel Strategy, and implementation plans that are also periodically updated by Essex County Council.</u></p>	text to Essex County Council's Local Transport Plan and related strategies.
AM8.2	185	8.1.5	<p><i>Insertion of additional wording at the end of paragraph 8.15 in respect of working with Network Rail to improve rail connectivity.</i></p> <p>8.1.5 The Council will support and encourage measures which will make rail use a more attractive and sustainable alternative to the use of private cars for both local journeys and longer commutes and to the use of HGVs for freight transportation. <u>The Council will work with Network Rail to improve rail connectivity in the context of their Industrial Rail Strategy/Route Strategy. Specific infrastructure projects will be integrated into the Infrastructure Delivery Plan.</u></p>	To explain how the Council will work with Network Rail in the future to improve rail connectivity.
AM8.3	186	Policy CP1: Sustainable Transport and Accessibility.	<p><i>Insertion of a new final paragraph to Policy CP1 in respect of the Essex Cycling Strategy.</i></p> <p>.....Residential Travel Information Packs should be provided as appropriate and in accordance with Essex County Council published guidance.</p>	To ensure that the Essex Cycling Strategy is a consideration in the determination of planning applications.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
			<u>The Essex Cycling Strategy will be used as a guide to ensure the provision of appropriate cycling infrastructure.</u>	
AM8.4	188	New paragraph 8.3.4	<p><i>Insertion of a new paragraph 8.3.4.</i></p> <p><u>8.3.4 The District will see the evolution of digital provision in relation to Primary Care as a result of the 'Digital First' approach to primary care investment. Practices within Primary Care networks will enable digital first options to improve fast access to primary care, reducing waiting and travelling time for patients, services will include outpatient follow up appointments and medication reviews. Consequently, the need for high speed broadband access and flexibility in terms of the provision of digital health infrastructure to any new housing development is crucial in order to ensure the success of the Digital First approach.</u></p>	<i>To ensure the supporting text in the Local Plan in respect of telecommunications reflect the important role of digital infrastructure in the future provision of primary health services.</i>

Additional Modifications – Chapter 9: Delivering Places

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
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Ref	Page	Policy/ Paragraph	Additional Modification	Reason for Modification
AM9.1	204	New paragraph 9.5.4 to be inserted after 9.5.3.	<p><i>Insertion of a new paragraph 9.5.4.</i></p> <p><u>9.5.4 In 2019 outline planning permission was granted for development in accordance with Policy SAMU5 (reference 19/00524/OUT). Before development commences, the Council will need to approve detailed plans but it is expected that development will commence in 2022/23 and will be completed in full by 2033.</u></p>	To explain to readers that Site SAMU5 has already obtained outline planning permission.
AM9.2	209	New paragraph 9.7.4 to be inserted after 9.7.3.	<p><i>Insertion of a new paragraph 9.7.3.</i></p> <p><u>9.7.4 In 2019 outline planning permission was granted for development in accordance with Policy SAH2 (reference 17/0218/OUT). Before development commences, the Council will need to approve detailed plans for the development but it is expected that development will commence in 2022/23 and will be completed in full by 2030.</u></p>	To explain to readers that Site SAH2 has already obtained outline planning permission.

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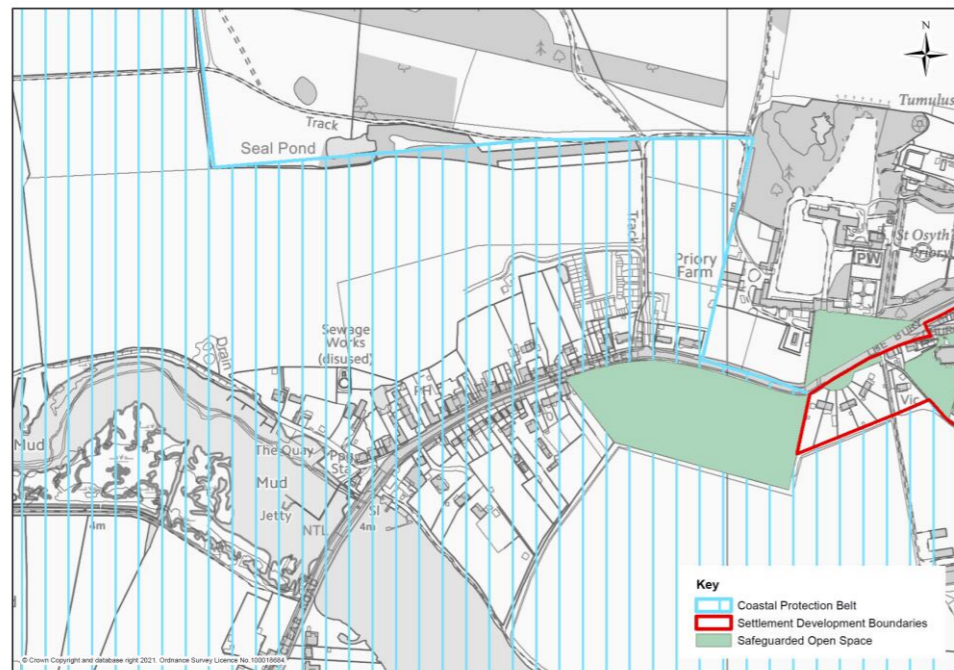
Introduction

This document details modifications to the maps which accompany the Local Plan, and should be used in conjunction with the Schedule of Main Modifications and Schedule of Additional Modifications.

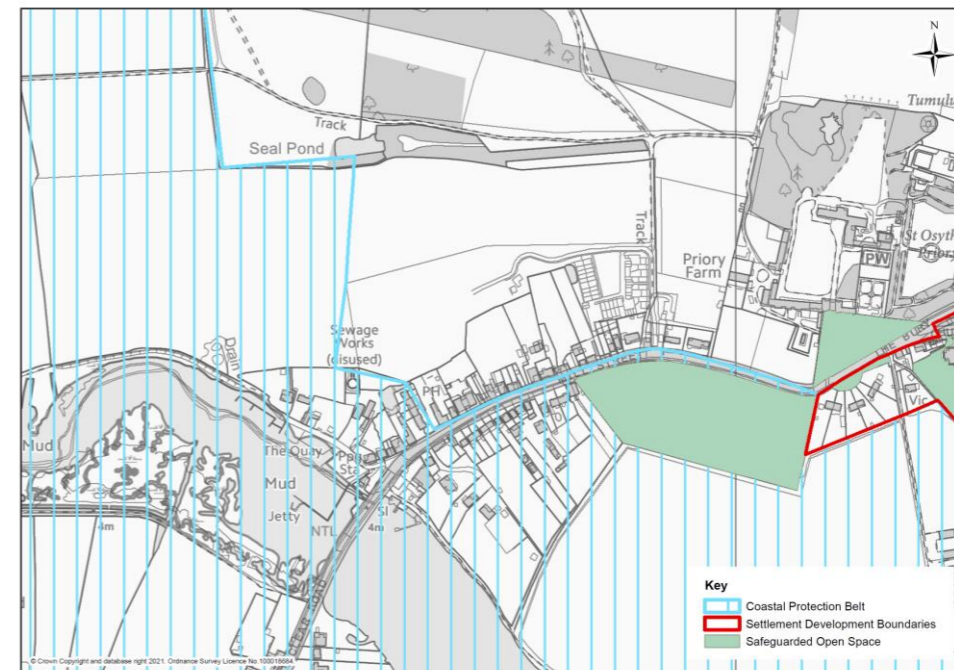
Changes are listed as they relate to the individual Local (Inset) Maps, and are reflected on the three smaller scale Policies Maps. Some changes to boundaries or designations do not fall within a Local Map, and so will only be visible on the Policies Maps. These are:

- Amend Coastal Protection Belt at St Osyth to better reflect grant of planning permission for 72 homes at West Field. – *West Tendring Policies Map*.

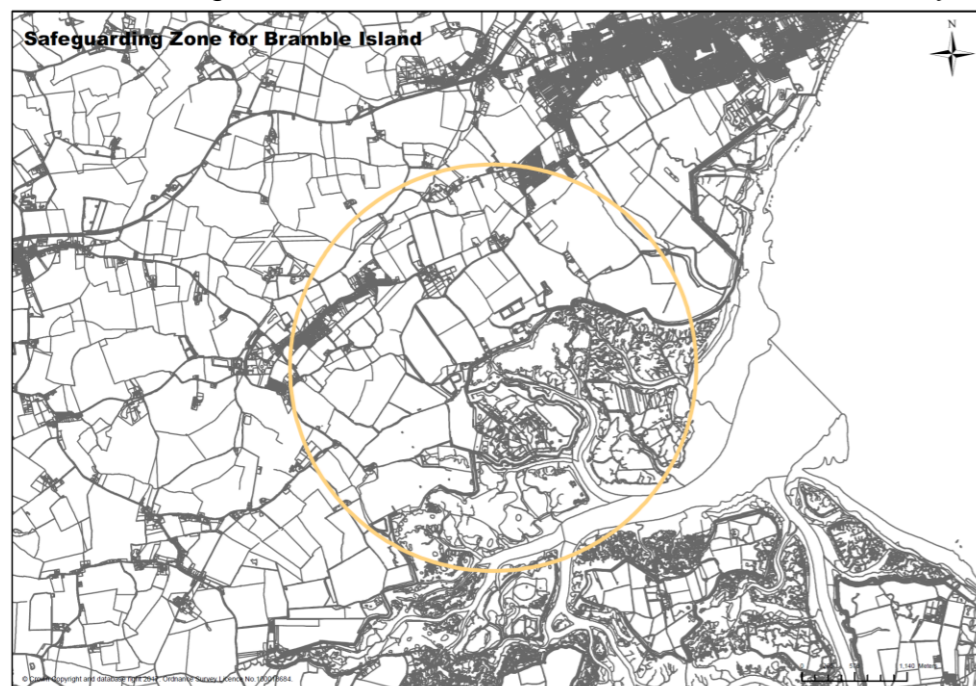
CURRENT DESIGNATION



MODIFICATION



- Show the safeguarded area around Bramble Island to which Policy PPL15 relates. – *North East Tendring Policies Map*.



- Remove employment allocation from Lanswood Park, Elmstead (SAE3) (South East of the village) as the site already has planning permission. – *West Tending Policies Map*.



In addition to the specific changes detailed below, the following changes apply to all Local (Inset) Map and Policies Map keys:

- Rename 'Safeguarded Local Green Spaces' as 'Safeguarded Open Space' in accordance with Main Modification MM8.2.
- Rename 'Village and Neighbourhood Centres' as 'Town, Village and Neighbourhood Centres'.

B.1 Alresford

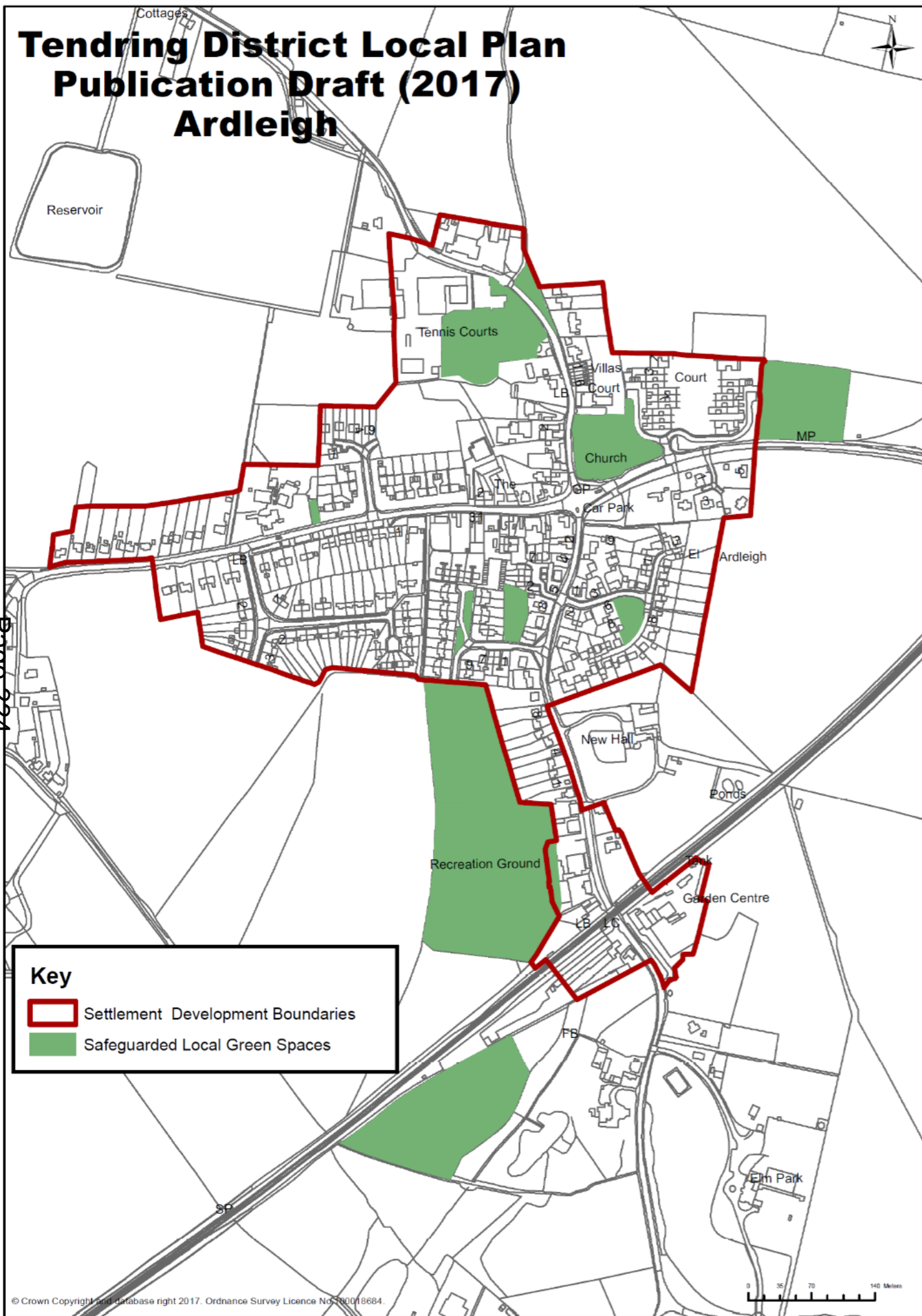
No specific modifications.

B.2 Ardleigh

Changes to Safeguarded Open Space designations

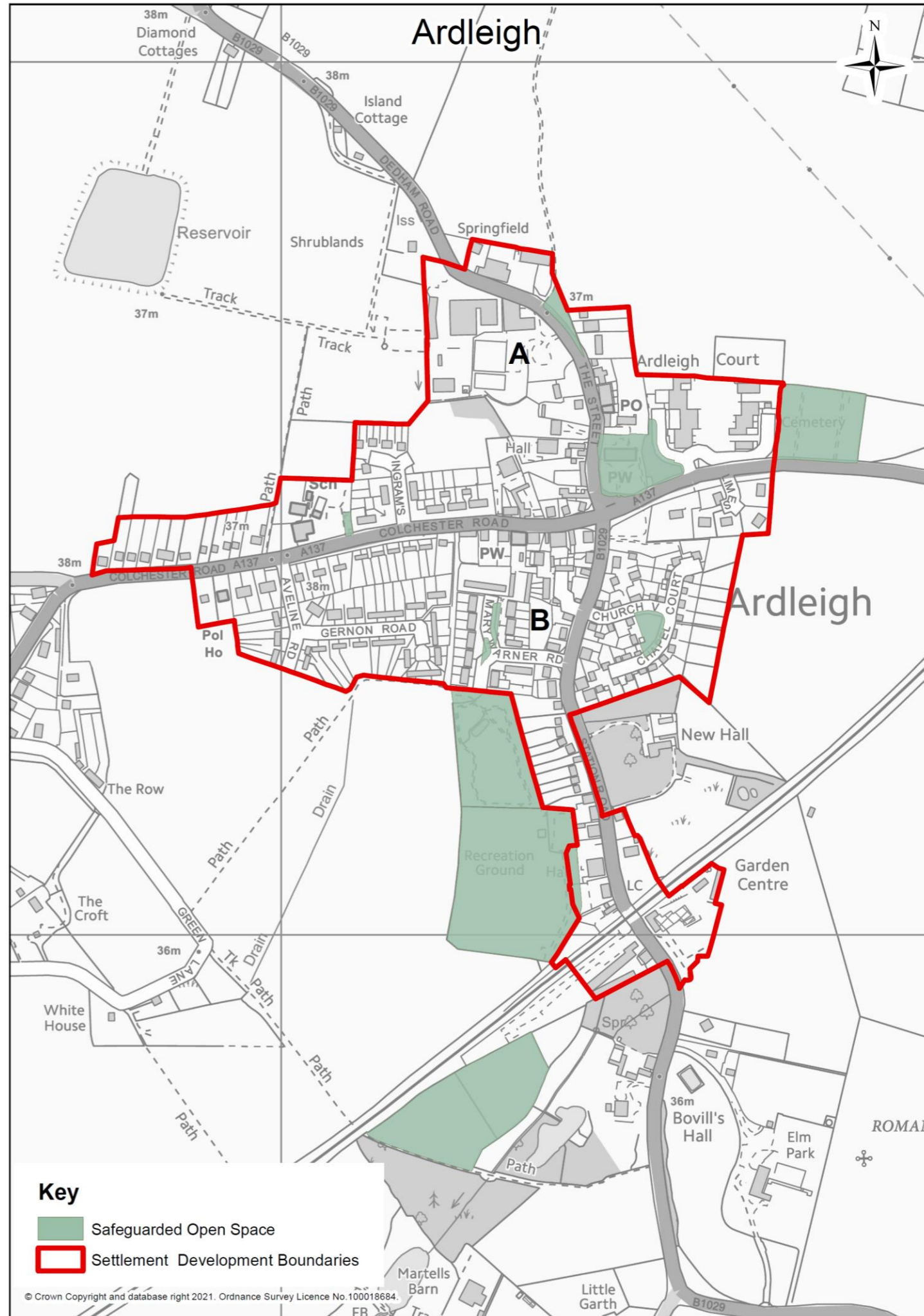
- A. Remove Safeguarded Open Space designation from land north of the village west of Dedham Road (former sports centre) as it has been developed for housing.
- B. Remove Safeguarded Open Space designation from Land off Mary Warner Road and south of Forge Court as it has been developed for housing.

Tendring District Local Plan Publication Draft (2017) Ardleigh



Key

- Settlement Development Boundaries
- Safeguarded Local Green Spaces



Key

- Safeguarded Open Space
- Settlement Development Boundaries

B.3 Beaumont-cum-Moze

No specific modifications.

B4. Bradfield

Changes suggested as a consequence of planning decisions

- A. Extend the settlement development boundary to include land rear of 'The Laund', Dairy House Lane to reflect the grant of planning permission 17/00856/OUT, on appeal for one dwelling.

Other Changes

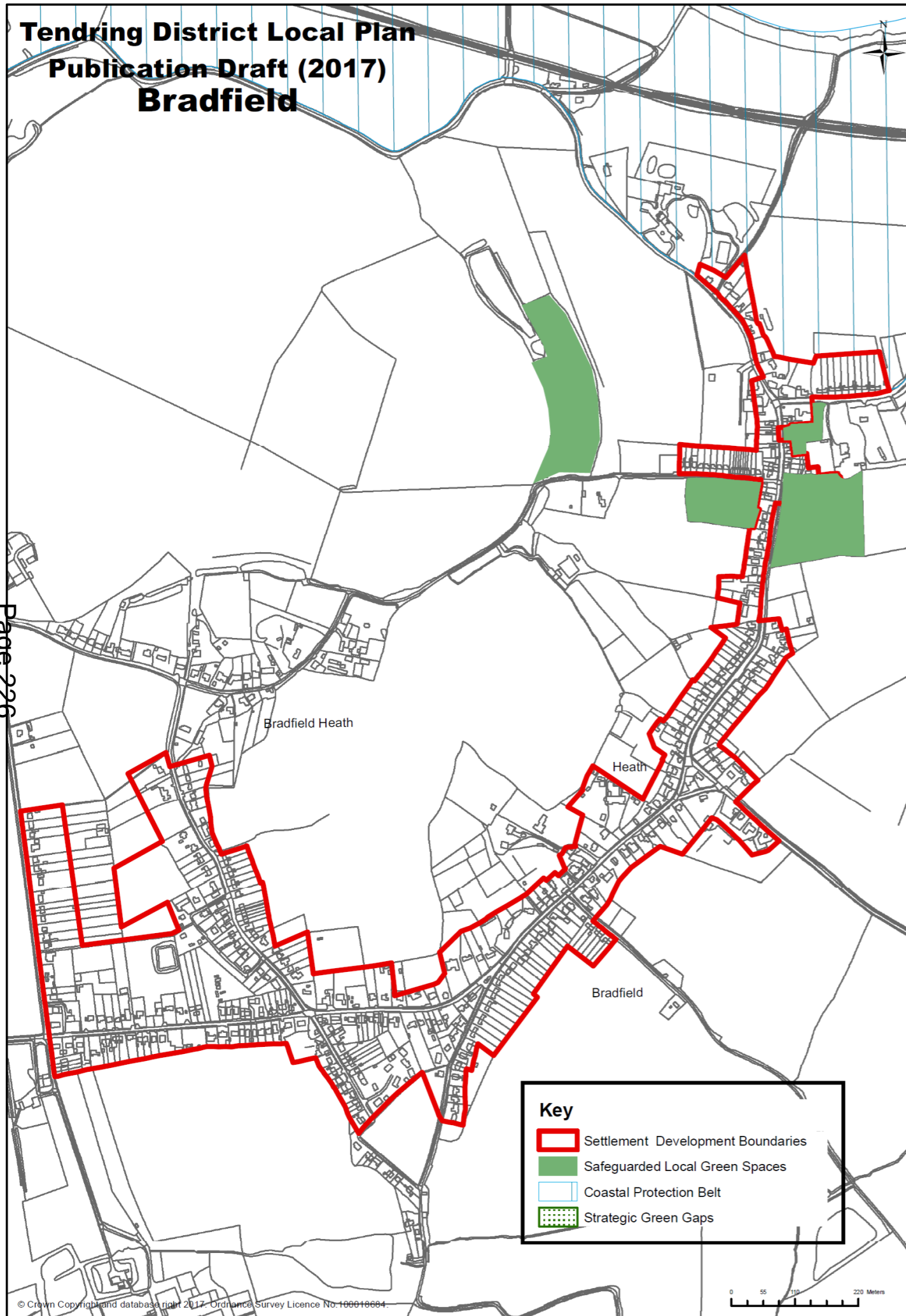
- B. Show Strangers Home Holiday Park as a 'safeguarded holiday park' in line with suggested amendments to Policy PP11.

Changes to Safeguarded Open Space designations

- C. Remove Safeguarded Open Space designation from Land at Bradfield Place, off Harwich Road, as it is private garden land.

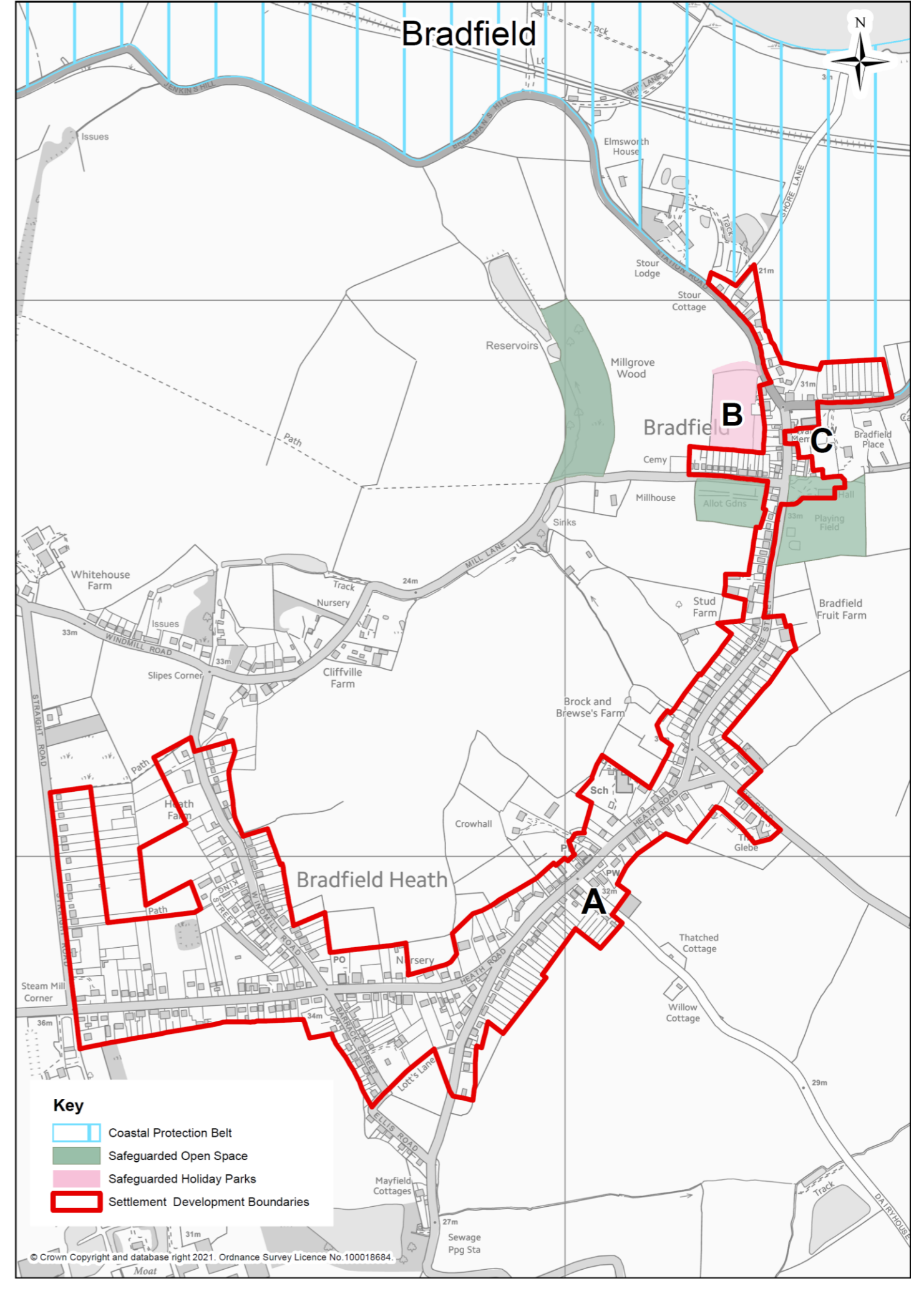
CURRENT MAP

**Tendring District Local Plan
Publication Draft (2017)
Bradfield**



MODIFICATIONS

Bradfield



B.5 Brightlingsea

Changes suggested as a consequence of planning decisions

- A. Remove the 'Housing Allocations' notation from the land south of Robinson Road to reflect the grant of planning permission and commencement of development on this site and the suggested deletion of Policy SAH3.
- B. Extend the settlement development boundary in Folkards Lane to reflect the grant of planning permission 17/01086/OUT, on appeal, for two bungalows.

Changes suggested in response to specific representations

- C. Correct the map reference to be "B.5 Brightlingsea" (as opposed to B.21 Brightlingsea).
- D. Extend the Coastal Protection Belt designation to include land west of Lodge Lane.

Changes required to identify protected 'Employment Sites' on the maps (see Policy PP6)

- E. Show Morses Lane Industrial Estate and associated land as a protected 'Employment Site'.
- F. Show the Shipyard Estate as a protected 'Employment Site'.

Other changes

- G. Show Lakeside Caravan Park as a 'safeguarded holiday park' in line with suggested amendments to Policy PP11.
- H. Remove the Primary Shopping Frontage notation from Brightlingsea Town Centre in line with suggested amendments to Policy PP5.
- I. Amend the key to refer to 'Town, Village and Neighbourhood Centres' as opposed to just 'Village and Neighbourhood Centres'.
- J. Remove, from the key, 'Primary Shopping Frontage' and 'Secondary Shopping Frontages' to reflect the suggested amendments to Policy PP5.

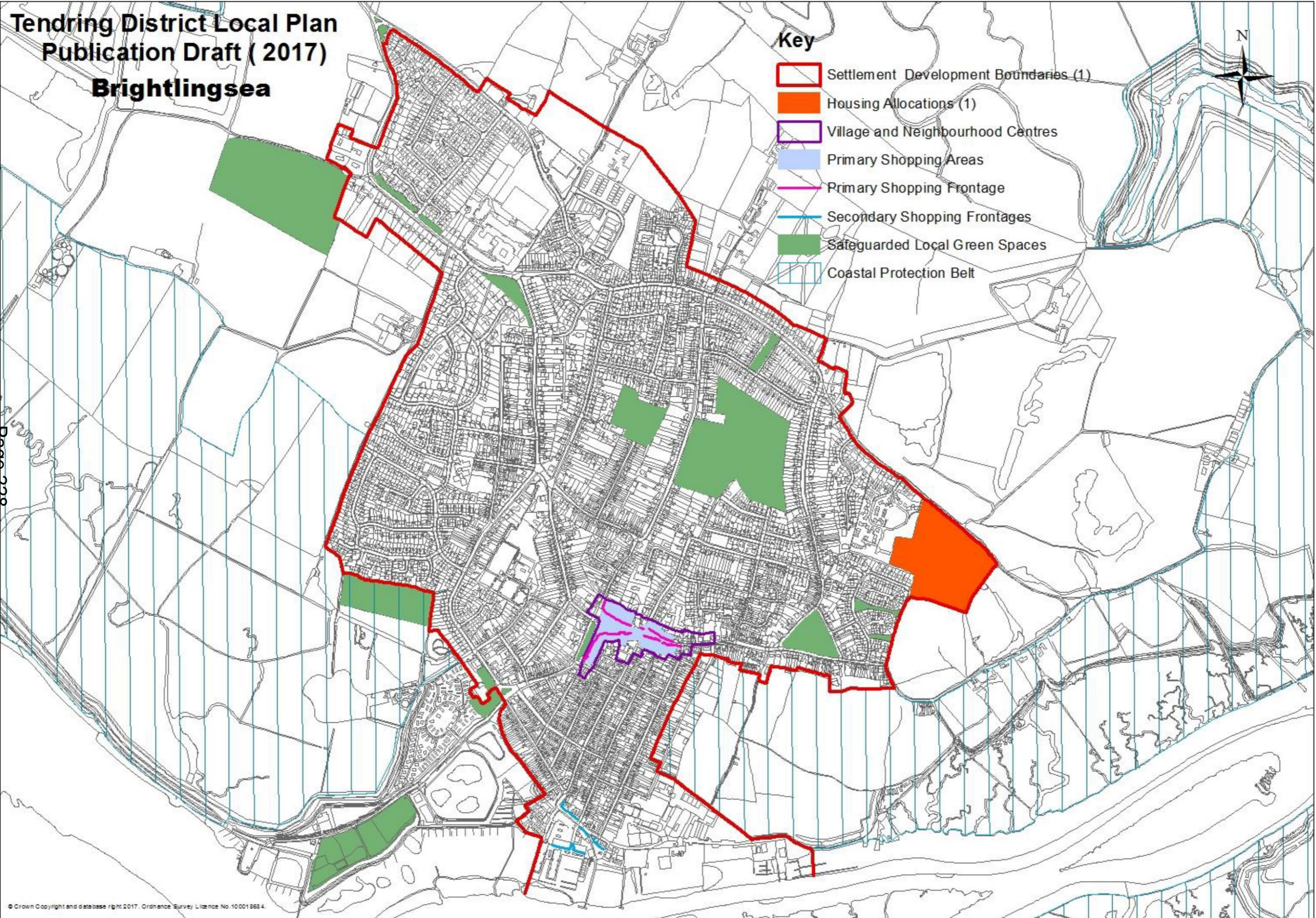
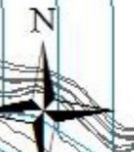
Changes to Safeguarded Open Space designations

- K. Add Safeguarded Open Space designation to Mirror Millennium Garden, north of Promenade Way to reflect the expansion of the recreational area.

Tendring District Local Plan Publication Draft (2017) Brightlingsea

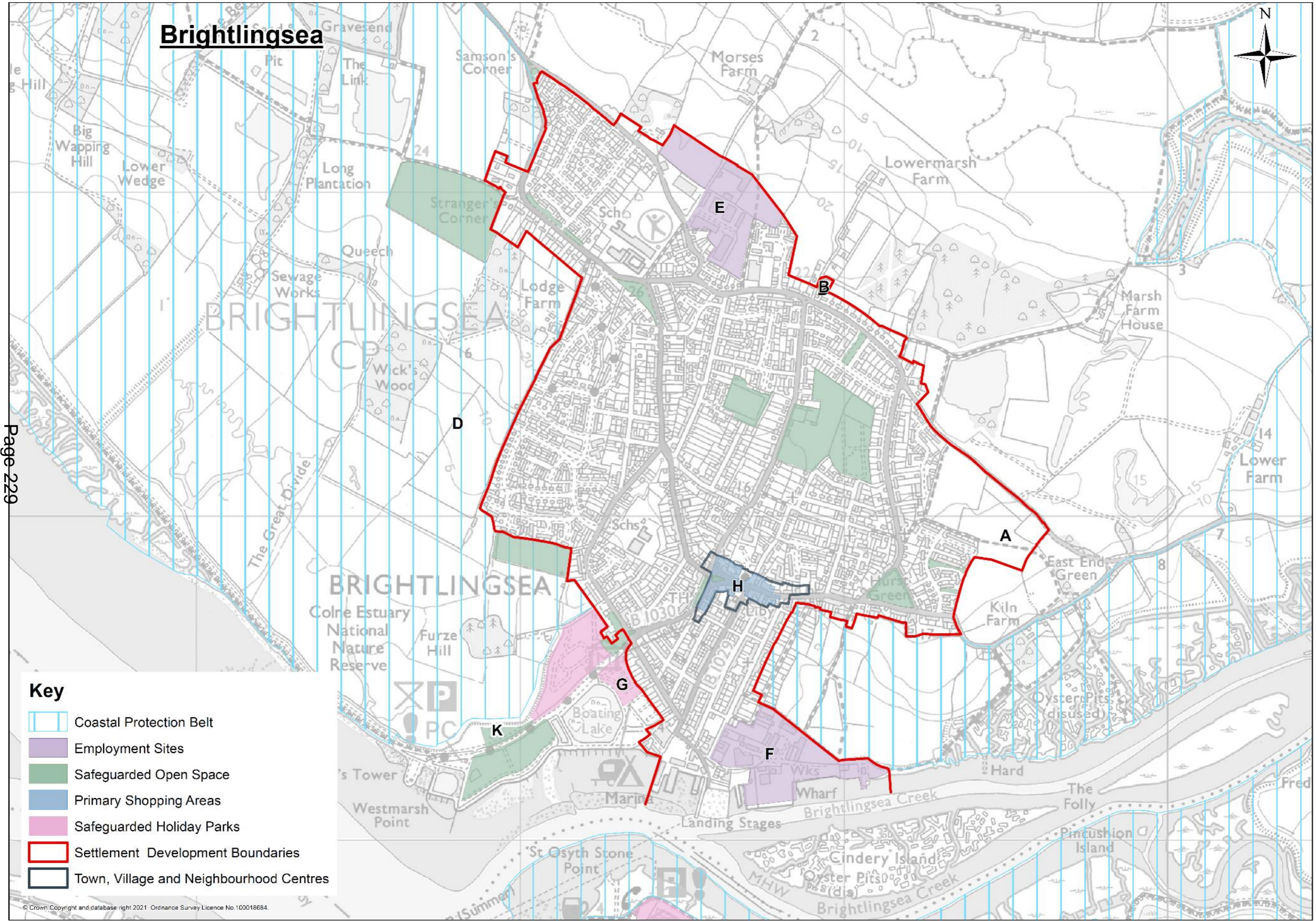
Key

-  Settlement Development Boundaries (1)
-  Housing Allocations (1)
-  Village and Neighbourhood Centres
-  Primary Shopping Areas
-  Primary Shopping Frontage
-  Secondary Shopping Frontages
-  Safeguarded Local Green Spaces
-  Coastal Protection Belt



MODIFICATIONS

Brightlingsea



Key

-  Coastal Protection Belt
-  Employment Sites
-  Safeguarded Open Space
-  Primary Shopping Areas
-  Safeguarded Holiday Parks
-  Settlement Development Boundaries
-  Town, Village and Neighbourhood Centres

B.6 Clacton

Changes suggested as a consequence of planning decisions

- A. Remove land south of Rush Green Road from the settlement development boundary and include it within the Strategic Green Gap designation following refusal of planning permission.
- B. Extend the settlement development boundary around land west of Sladbury's Lane to reflect the grant of planning permission 15/01351/OUT for up to 132 dwellings, remove the land from the Strategic Green Gap designation.
- C. Identify, as 'Safeguarded Open Space', the additional land to be secured as an extension to the Pickers Ditch Walkway at the approved Brook Park West development.

Changes required to identify protected 'Employment Sites' on the maps (see Policy PP6)

- D. Show Ford Road Industrial Estate as a protected 'Employment Site'.
- E. Show Oakwood and Crusader Business Park as a protected 'Employment Site'.
- F. Show Gorse Lane Industrial Estate as a protected 'Employment Site'.
- G. Show Valleybridge Road Industrial Estate as a protected 'Employment Site'.
- H. Show Oxford Road Industrial Estate as a protected 'Employment Site'.

Changes required to identify the correct 'Employment Allocations' on the maps (see Policy PP7)

- I. Show land at Telford Road as an 'Employment Allocation'.
- J. Show land at Brook Park West as an 'Employment Allocation' (only the area earmarked for employment use).

Changes required to identify 'safeguarded holiday parks' (see Policy PP11)

- K. Show Martello Beach Holiday Park, Seawick Holiday Park and St. Osyth Beach Holiday Parks as 'safeguarded holiday parks'.
- L. Show Saddlebrook Chase as a 'safeguarded holiday park'.
- M. Shown Silver Dawn Holiday Park as a 'safeguarded holiday park'.
- N. Show Highfield Grange Holiday Park as a 'safeguarded holiday park'.
- O. Show Valley Farm Caravan Park as a 'safeguarded holiday park'.

Changes in relation to retail and town centre policy (see Policy PP5)

- P. Remove the 'Primary Shopping Frontage' and 'Secondary Shopping Frontages' from Clacton Town Centre.
- Q. Remove the 'Primary Shopping Frontage' and 'Secondary Shopping Frontages' from the key.

- R. Amend the town centre boundary and Primary Shopping Area to reflect the changes agreed by the Council's Planning Policy and Local Plan Committee on 29th October 2019 in response to the recommendations of the Clacton Town Centre Working Party, and incorporate further recommendations from the LSH Retail and Town Centre Uses Study (2020).
- S. In the key, amend 'Village and Neighbourhood Centres' to read 'Town, Village and Neighbourhood Centres'.

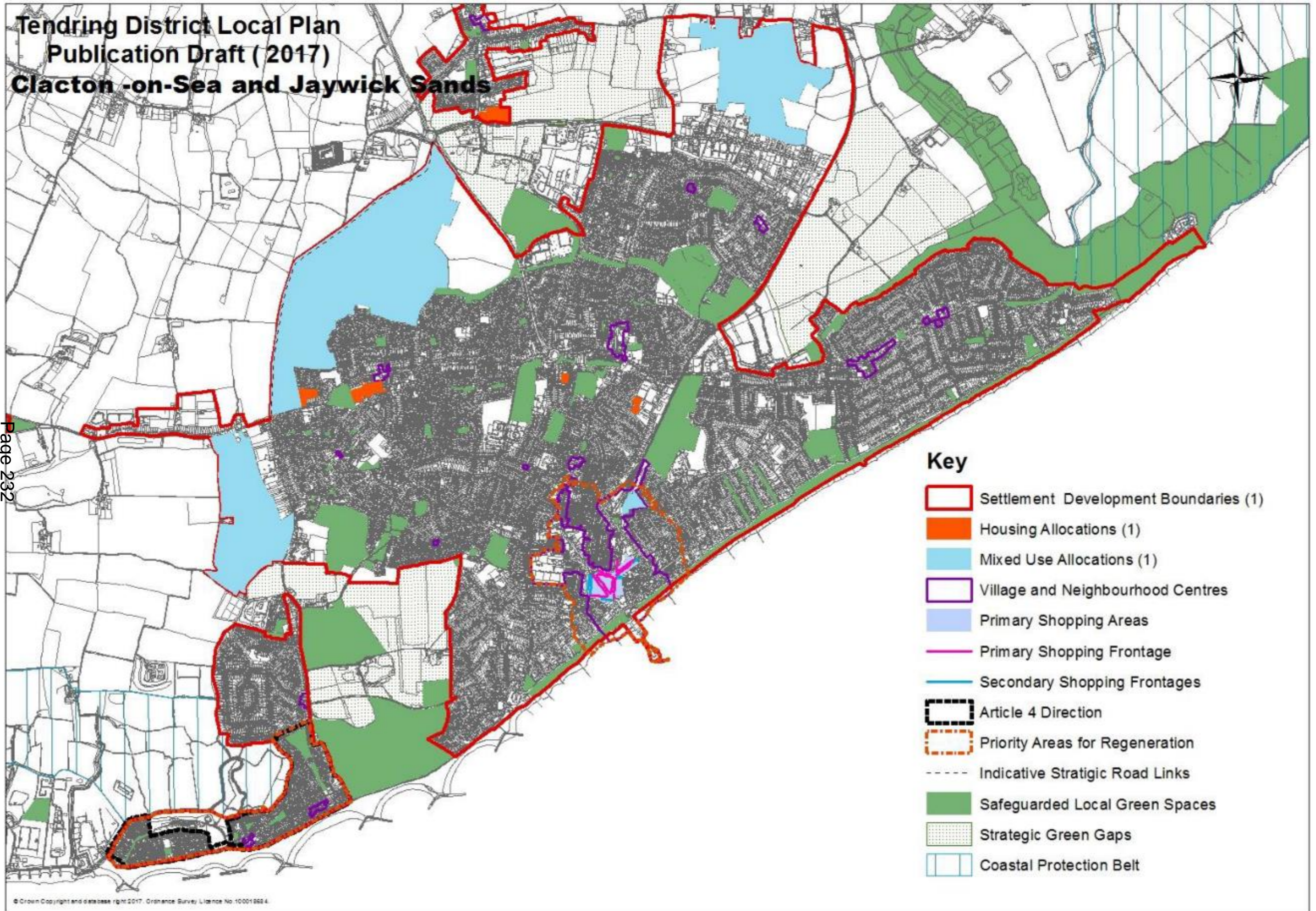
Changes to reflect suggested amendments to Table LP2 in respect of Housing Allocations

- T. Remove the 'Housing Allocations' notation from site MSA2 'Land off Cotswold Road'.
- U. Remove the 'Housing Allocations' notation from site MSA3 'Orchard Works site rear of London Road'.
- V. Remove the 'Housing Allocations' notation from site MSA4 'Land rear of 522-524 St. John's Road'.
- W. Remove the 'Housing

Other Changes

- X. Show, as 'Safeguarded Open Space', the retained open space adjoining the Gainsford Gardens development in Holland on Sea.
- Y. Amend the boundary of Hartley Gardens to exclude the Brook park West development to the south east (which is already well under construction) and include additional land to the north and west (see Main Modification MM43.1).
- Z. Ensure relevant changes to the Local Map B.19 for Little Clacton are also shown on Map B.6 (because the two maps over-lap).

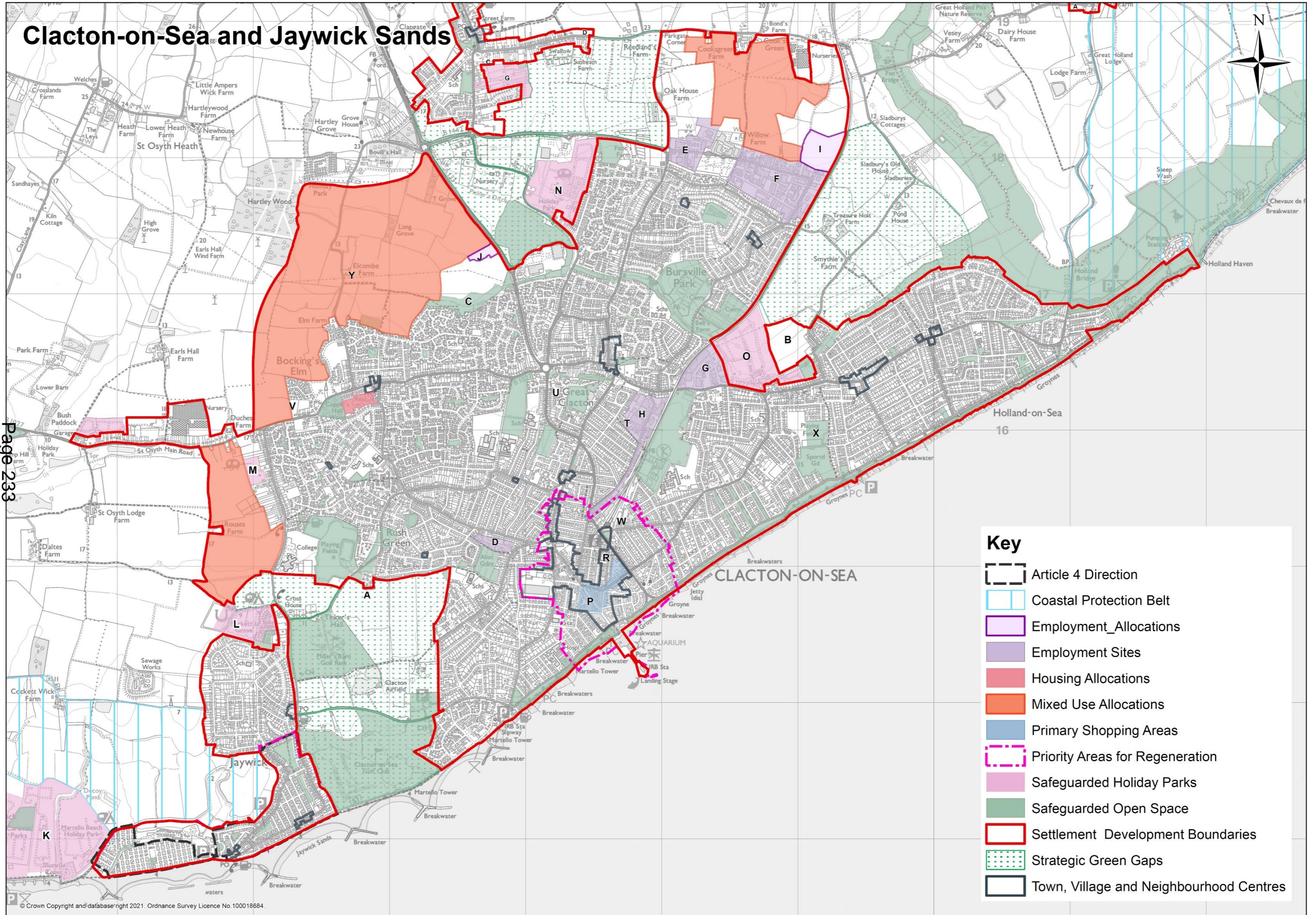
**Tendring District Local Plan
Publication Draft (2017)
Clacton-on-Sea and Jaywick Sands**



Key

-  Settlement Development Boundaries (1)
-  Housing Allocations (1)
-  Mixed Use Allocations (1)
-  Village and Neighbourhood Centres
-  Primary Shopping Areas
-  Primary Shopping Frontage
-  Secondary Shopping Frontages
-  Article 4 Direction
-  Priority Areas for Regeneration
-  Indicative Strategic Road Links
-  Safeguarded Local Green Spaces
-  Strategic Green Gaps
-  Coastal Protection Belt

Clacton-on-Sea and Jaywick Sands



Key

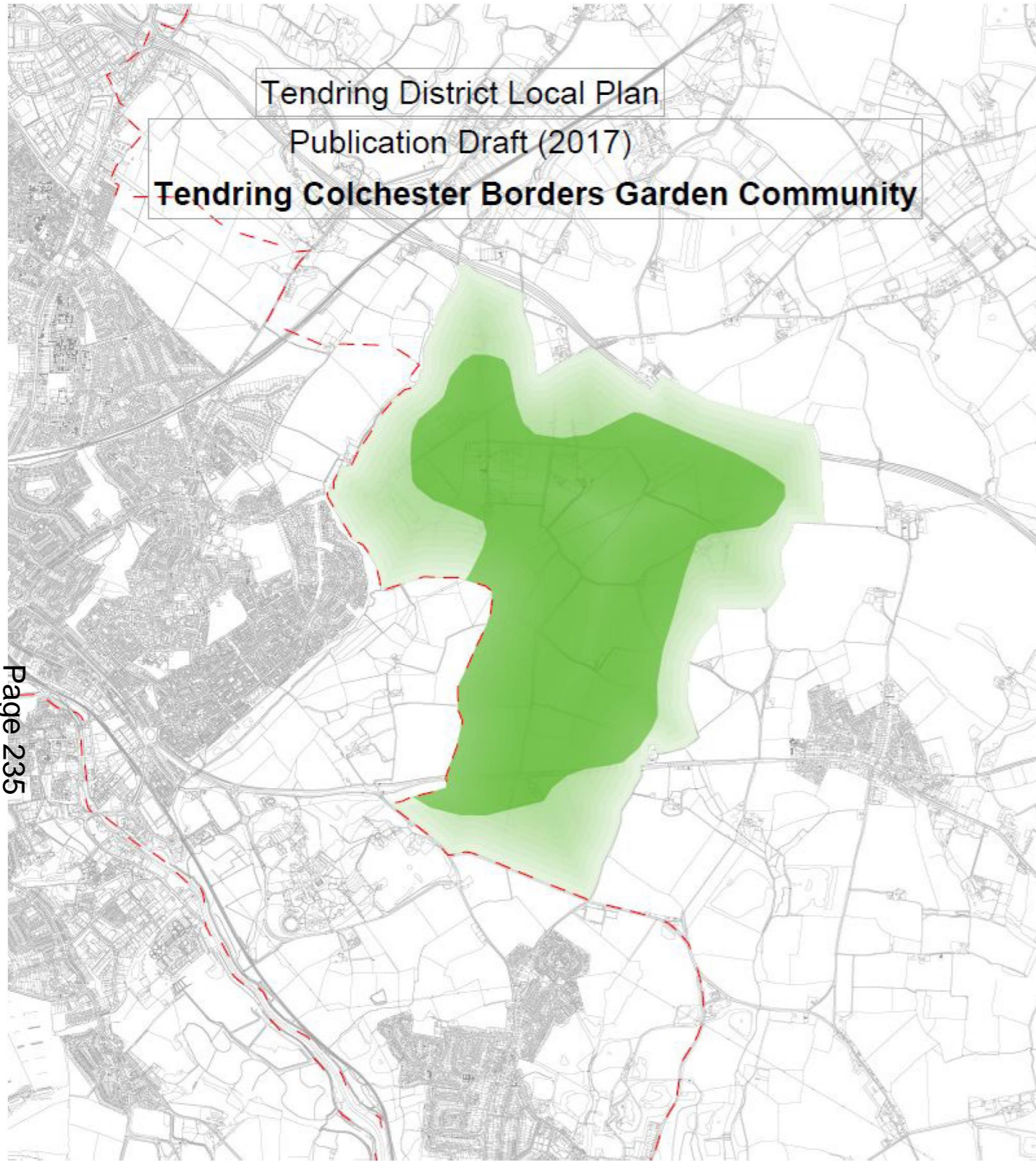
- Article 4 Direction
- Coastal Protection Belt
- Employment Allocations
- Employment Sites
- Housing Allocations
- Mixed Use Allocations
- Primary Shopping Areas
- Priority Areas for Regeneration
- Safeguarded Holiday Parks
- Safeguarded Open Space
- Settlement Development Boundaries
- Strategic Green Gaps
- Town, Village and Neighbourhood Centres

Page 233

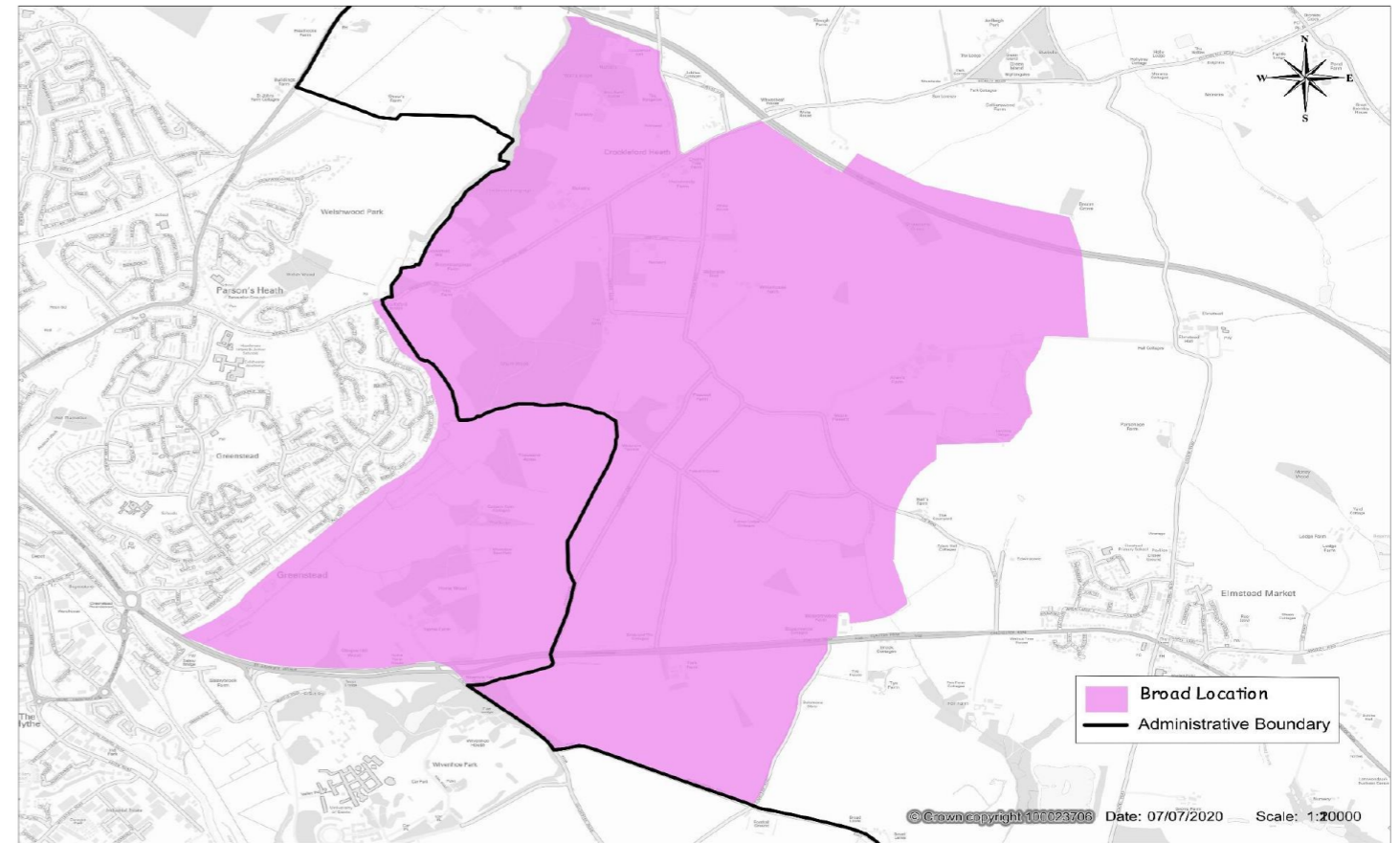
B.7 Tendring Colchester Borders Garden Community

- A. Replace Map B.7 with the map of the broad location for the Tendring Colchester Borders Garden Community in line with the Inspector's main modifications for Section 1 of the Local Plan.

CURRENT MAP



MODIFICATIONS



B.8 Elmstead Market

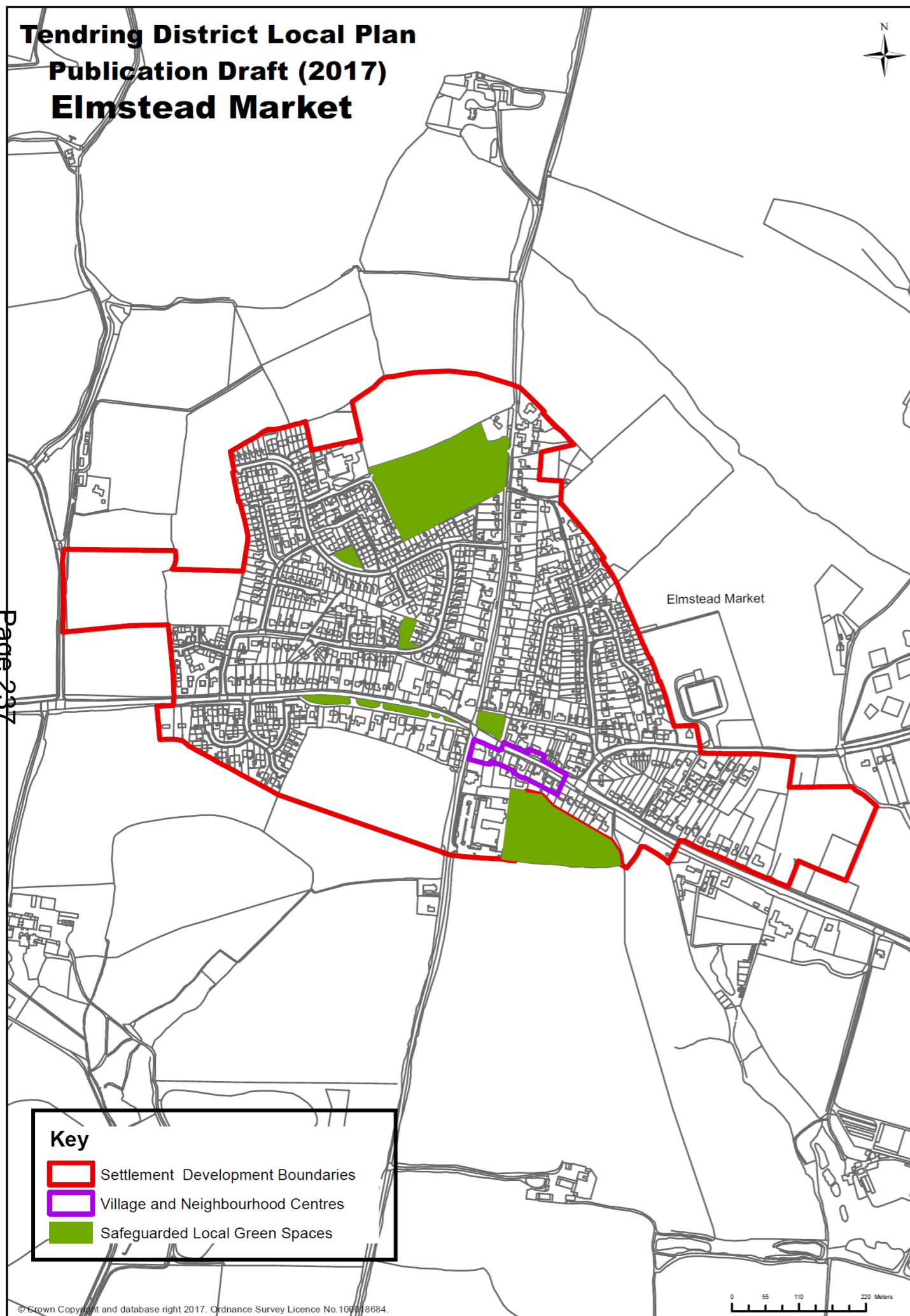
Changes suggested as a consequence of planning decisions

- A. Extend the settlement development boundary around land east of School Road to reflect the grant of planning permission for 62 dwellings.
- B. Extend the settlement development boundary around the whole of the 'Charity Field' site west of School Road to reflect the full extent of its planning permission.
- C. Extend the settlement development boundary around land south of Bromley Road to also include the existing properties immediately north of the new Elmstead Green development to reflect the planning consents for new homes granted in that location.
- D. Extend the settlement development boundary around land and properties south of Clacton Road to reflect the planning consents granted in that location and, as a consequence, bring into the boundary the land south of the Elmstead Green development.

Removal of Employment allocations in line with Main Modifications

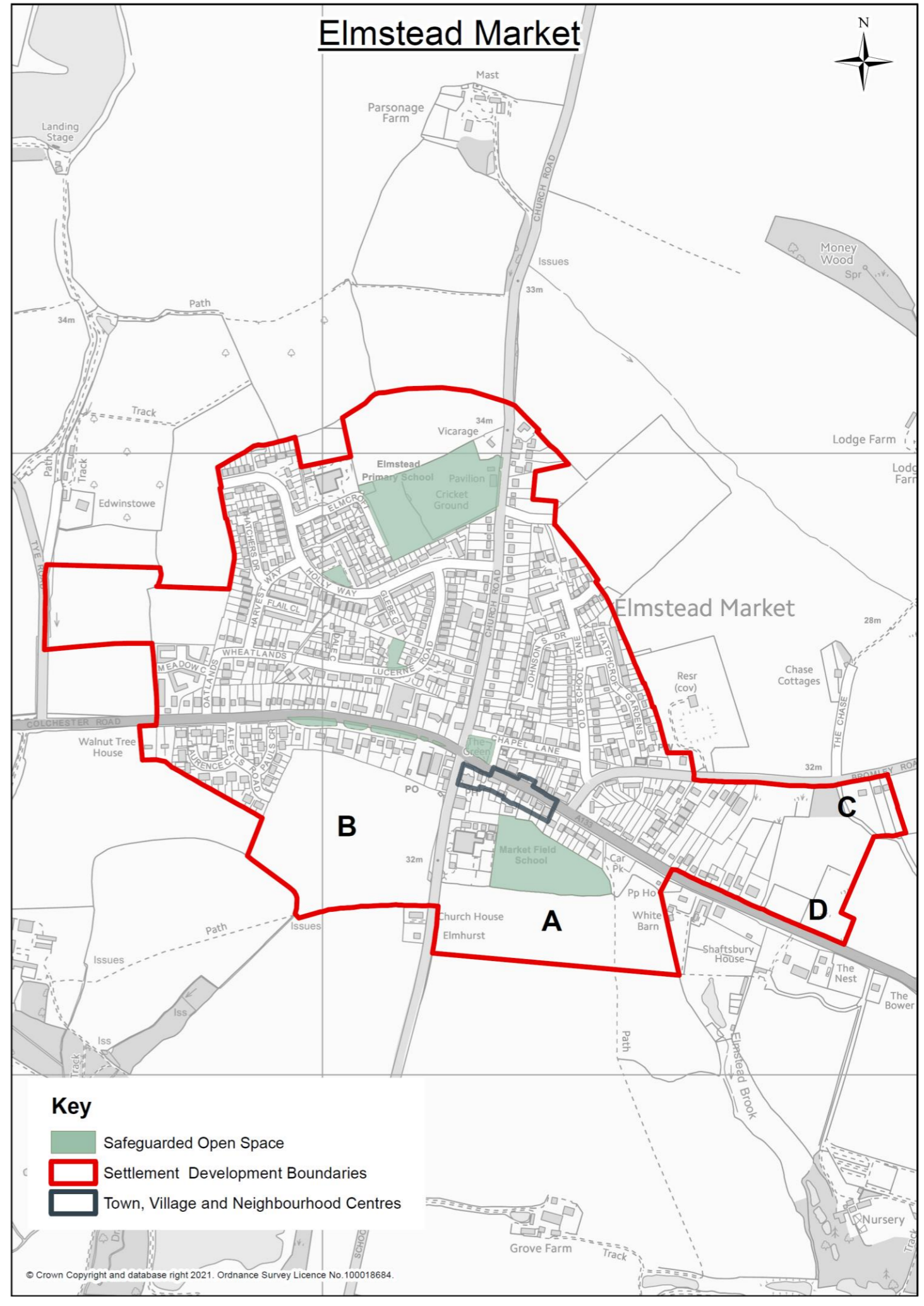
- E. Remove employment allocation from Lanswood Park (SAE3) as the site already has planning permission.
This site is not included within the boundaries of the Local Map, but the modification will be reflected with the broader West Tendring Policies Map.

Tendring District Local Plan Publication Draft (2017) Elmstead Market



- Key**
- Settlement Development Boundaries
 - Village and Neighbourhood Centres
 - Safeguarded Local Green Spaces

Elmstead Market



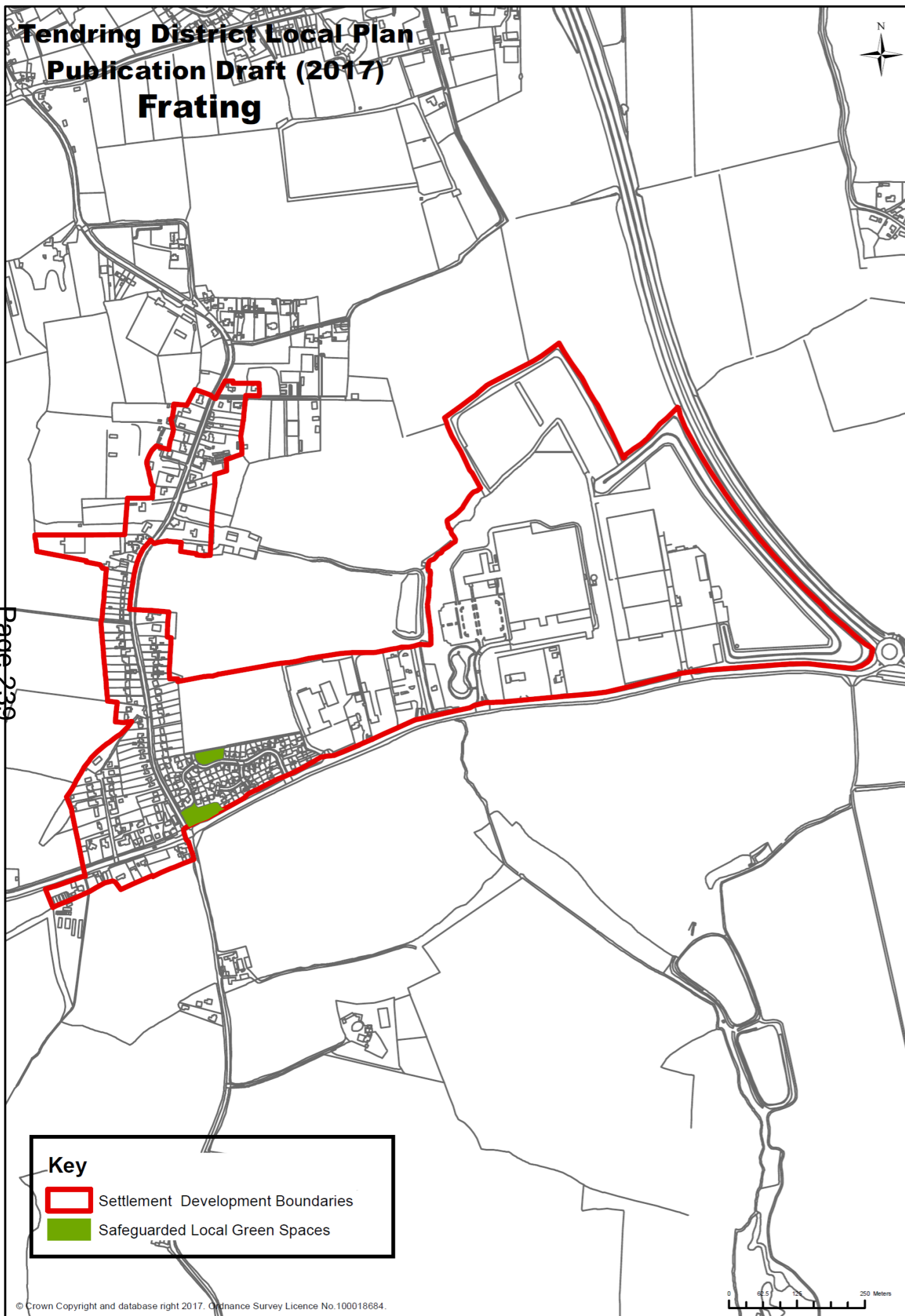
- Key**
- Safeguarded Open Space
 - Settlement Development Boundaries
 - Town, Village and Neighbourhood Centres

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B.9 Frating

- A. Show the Manheim Auctions/TBS and Smiths businesses as a protected 'Employment Site' in line with the suggested amendments to Policy PP6.
- B. Expand the settlement boundary around the land in Frating Road that has obtained planning permission for 2 dwellings under application 17/01020/OUT.

Tendring District Local Plan Publication Draft (2017) Frating

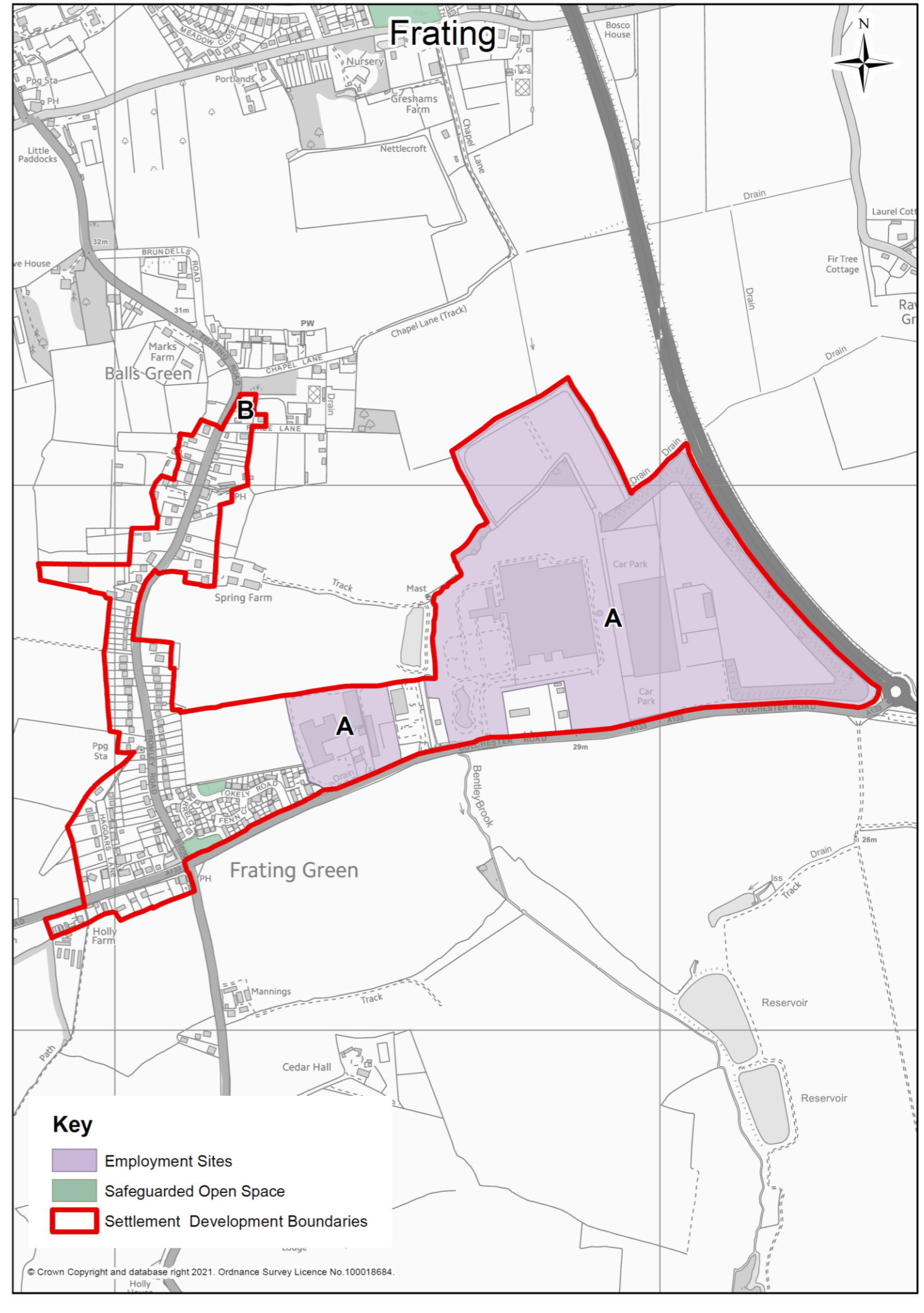


Key

- Settlement Development Boundaries
- Safeguarded Local Green Spaces

Page 239

Frating



Key

- Employment Sites
- Safeguarded Open Space
- Settlement Development Boundaries

B.10 Frinton and Walton

Changes required to identify protected 'Employment Sites' on the maps (see Policy PP6)

- A. Show Kirby Cross Trading Estate as a protected 'Employment Site'.
- B. Show Harmer's Foundry, Walton as a protected 'Employment Site'.

Changes required to identify protected 'Safeguarded Holiday Parks' on the maps (see Policy PP11)

- C. Naze Marine Holiday Park to be shown as a safeguarded holiday park.
- D. Willows Caravan Park to be shown as a safeguarded holiday park.
- E. Remove the 'housing allocation' notation from Southcliffe Trailer Park, Walton and instead show it as a safeguarded holiday park.

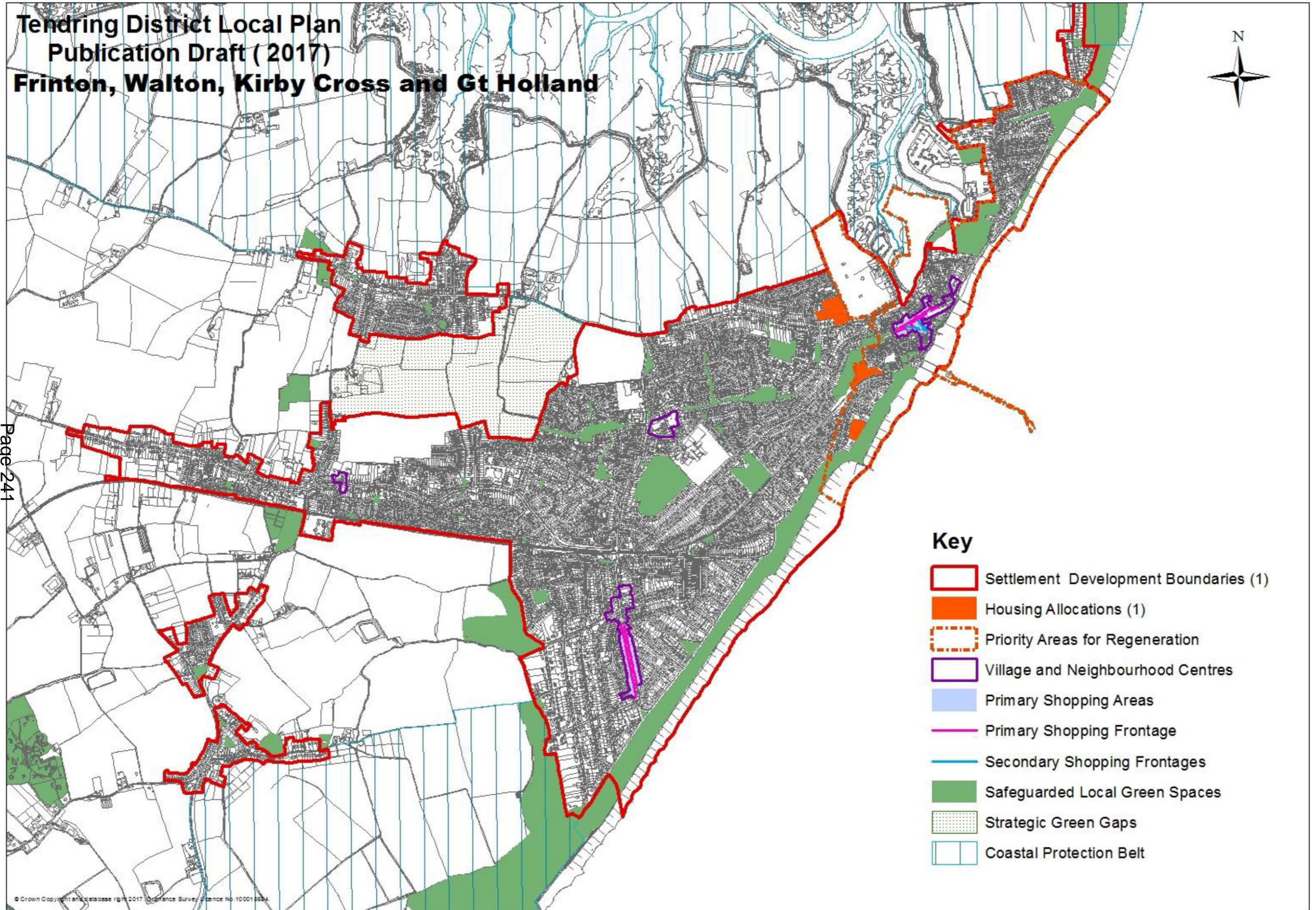
Other suggested changes

- F. Remove the 'primary shopping frontage' from Frinton Town Centre in line with the suggested amendments to Policy PP5.
- G. Remove both the 'primary shopping frontage' and 'secondary shopping frontage' from Walton Town Centre in line with the suggested amendments to Policy PP5.
- H. Remove 'primary shopping frontage' and 'secondary shopping frontage' from the key.
- I. Change the reference to 'Village and Neighbourhood Centres' on the key to 'Town, Village and Neighbourhood Centres' to reflect the fact that Frinton and Walton have town centres.
- J. Extend the settlement development boundary to reflect the grant of planning permission 19/01054/OUT for 5 dwellings on land rear of 185 Thorpe Road, Kirby Cross.
- K. Remove the 'housing allocation' notation from the Old Town Hall site in Walton, to reflect the suggested amendments to Table LP1 and associated Table LP2.
- L. Land north of Church Lane, Great Holland, to be removed as it is not open space and was included in error.
Change also to be reflected on map B.13.
- M. Remove the 'housing allocation' notation from Land at the Farm, Kirby Road in Walton, to reflect MM9.3.

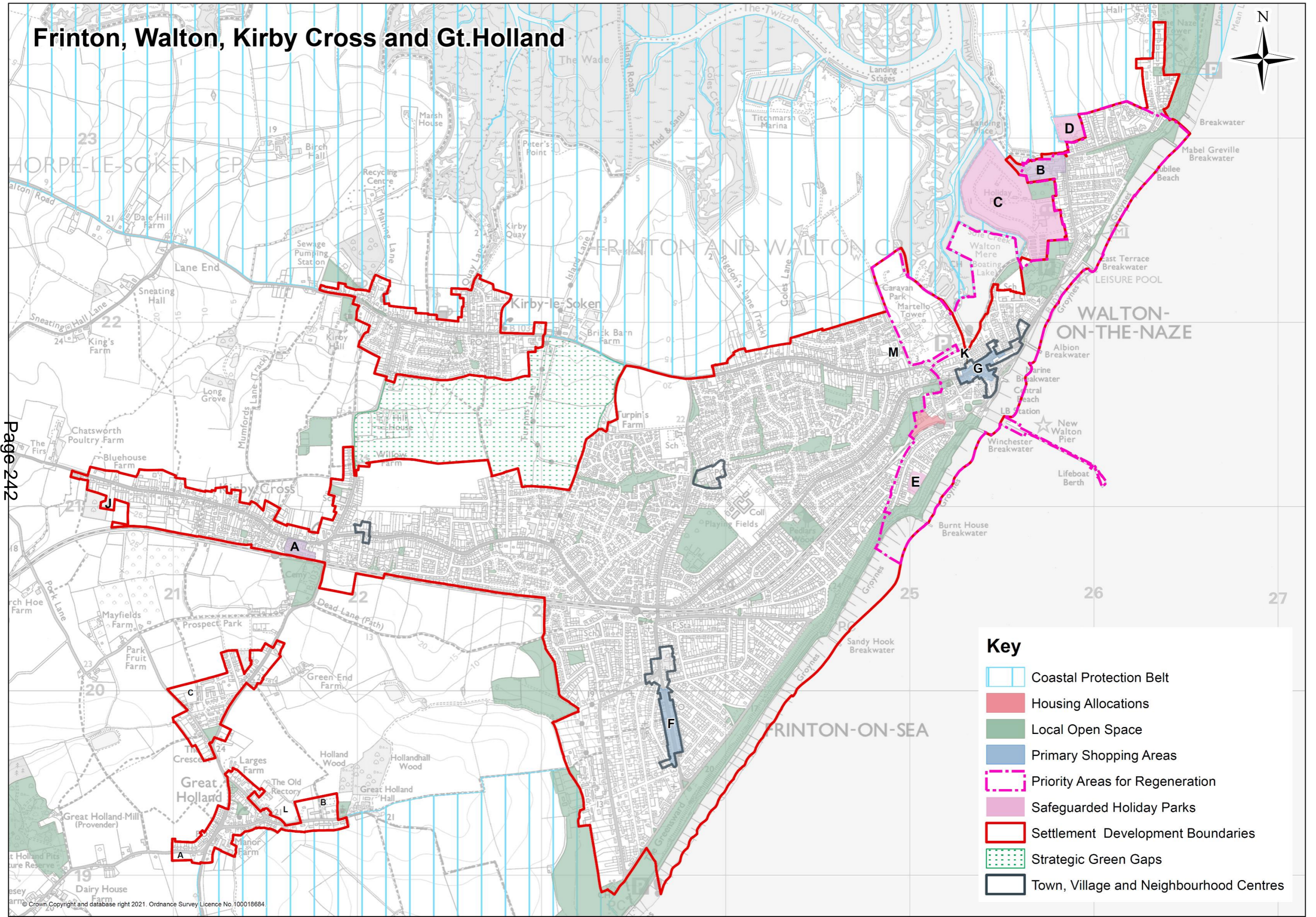
Tendring District Local Plan Publication Draft (2017) Frinton, Walton, Kirby Cross and Gt Holland












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Frinton, Walton, Kirby Cross and Gt.Holland



Key

-  Coastal Protection Belt
-  Housing Allocations
-  Local Open Space
-  Primary Shopping Areas
-  Priority Areas for Regeneration
-  Safeguarded Holiday Parks
-  Settlement Development Boundaries
-  Strategic Green Gaps
-  Town, Village and Neighbourhood Centres

B.11 Great Bentley

Changes suggested as a consequence of planning decisions

- A. Extend the settlement development boundary to include the land granted planning permission for 25 dwellings north of the Admirals Farm site, east of Heckfords Road.
- B. Extend the settlement development boundary to include the land granted planning permission for 136 dwellings south of Weeley Road.
- C. Include the land south of the Admirals Farm development within the settlement development boundary to ensure it follows a logical boundary in the north east of the village.

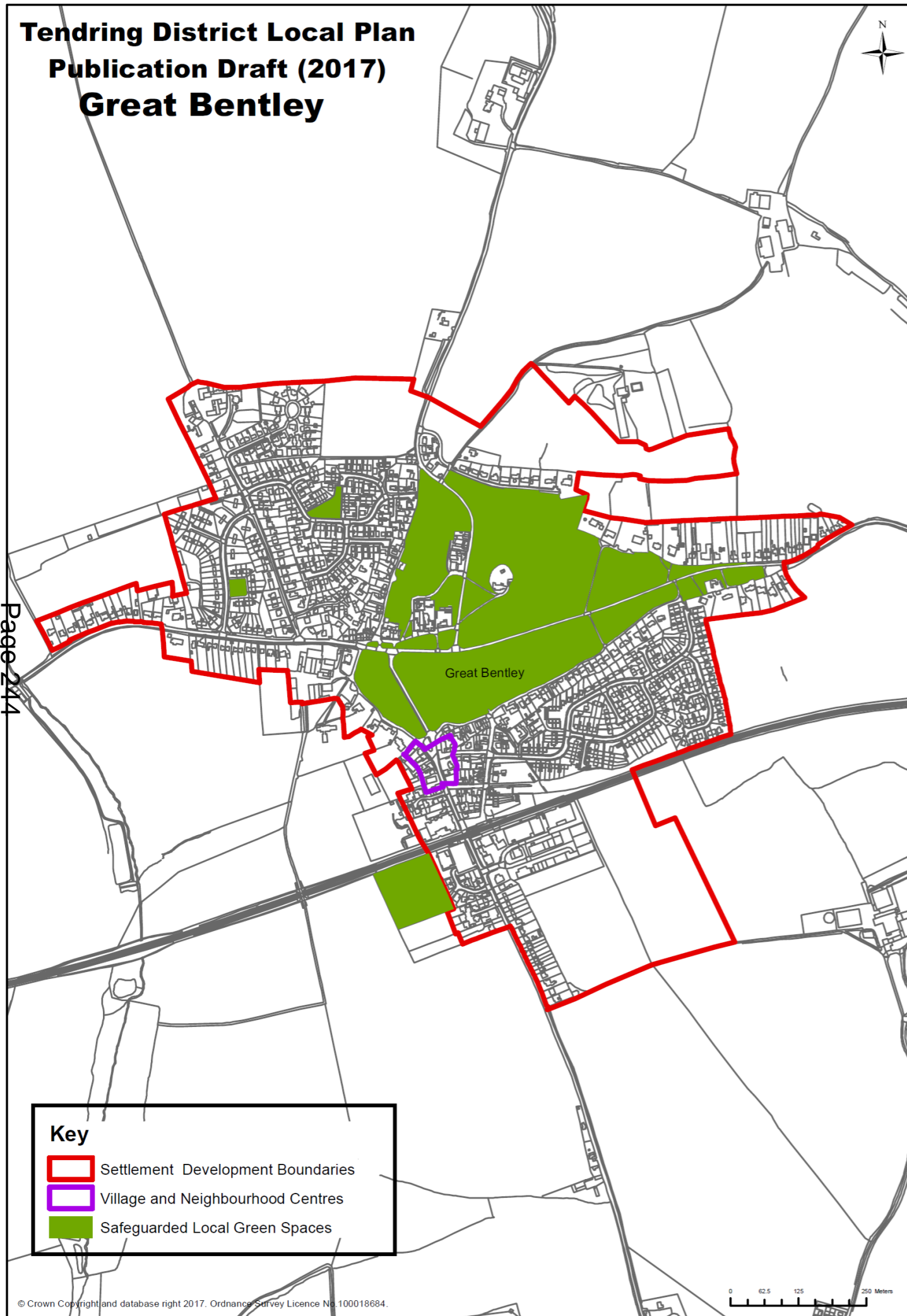
Changes required to identify protected 'Employment Sites' on the maps (see Policy PP6)

- D. Show the Plough Road Business Centre as a protected 'Employment Site'.

Changes required to identify the correct 'Employment Allocations' on the maps (see Policy PP7)

- E. Show the proposed extension to the Plough Road Business Centre as an 'Employment Allocation'.

Tendring District Local Plan Publication Draft (2017) Great Bentley

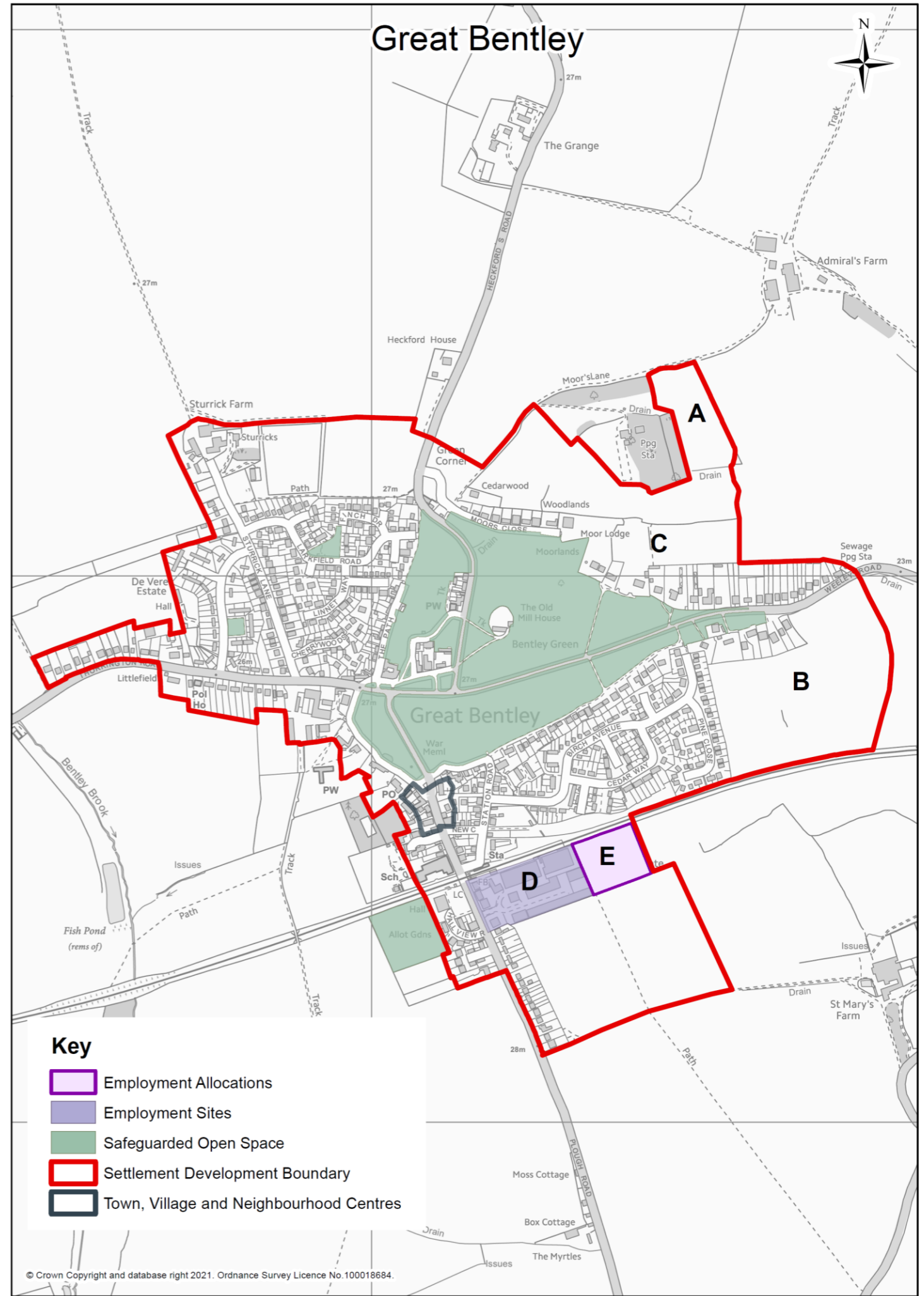


Key

- Settlement Development Boundaries
- Village and Neighbourhood Centres
- Safeguarded Local Green Spaces

Page 211

Great Bentley



Key

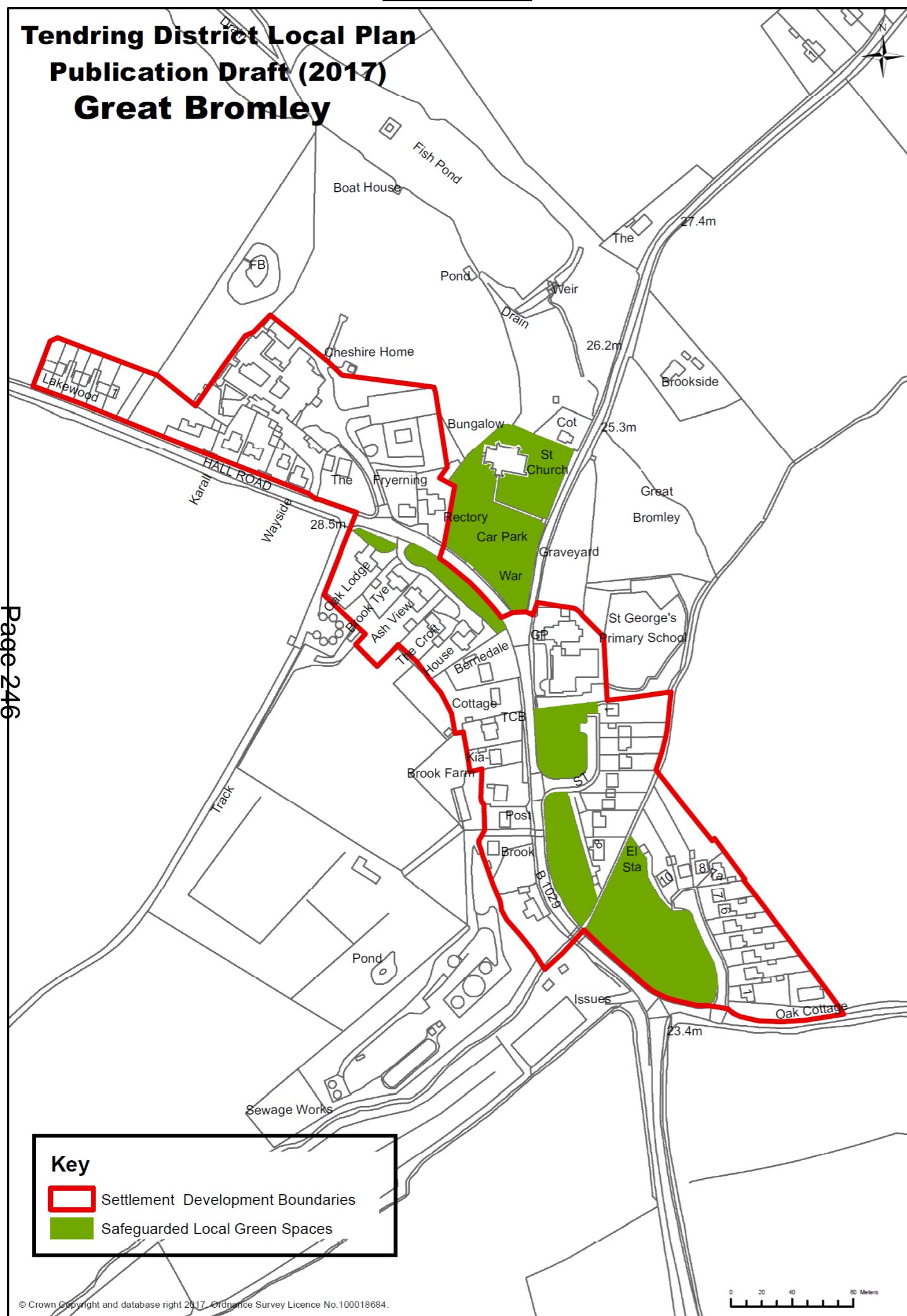
- Employment Allocations
- Employment Sites
- Safeguarded Open Space
- Settlement Development Boundary
- Town, Village and Neighbourhood Centres

B.12 Great Bromley

- A. Amend the settlement development boundary for Great Bromley to include the site for 24 dwellings at Badley Hall Farm.

CURRENT MAP

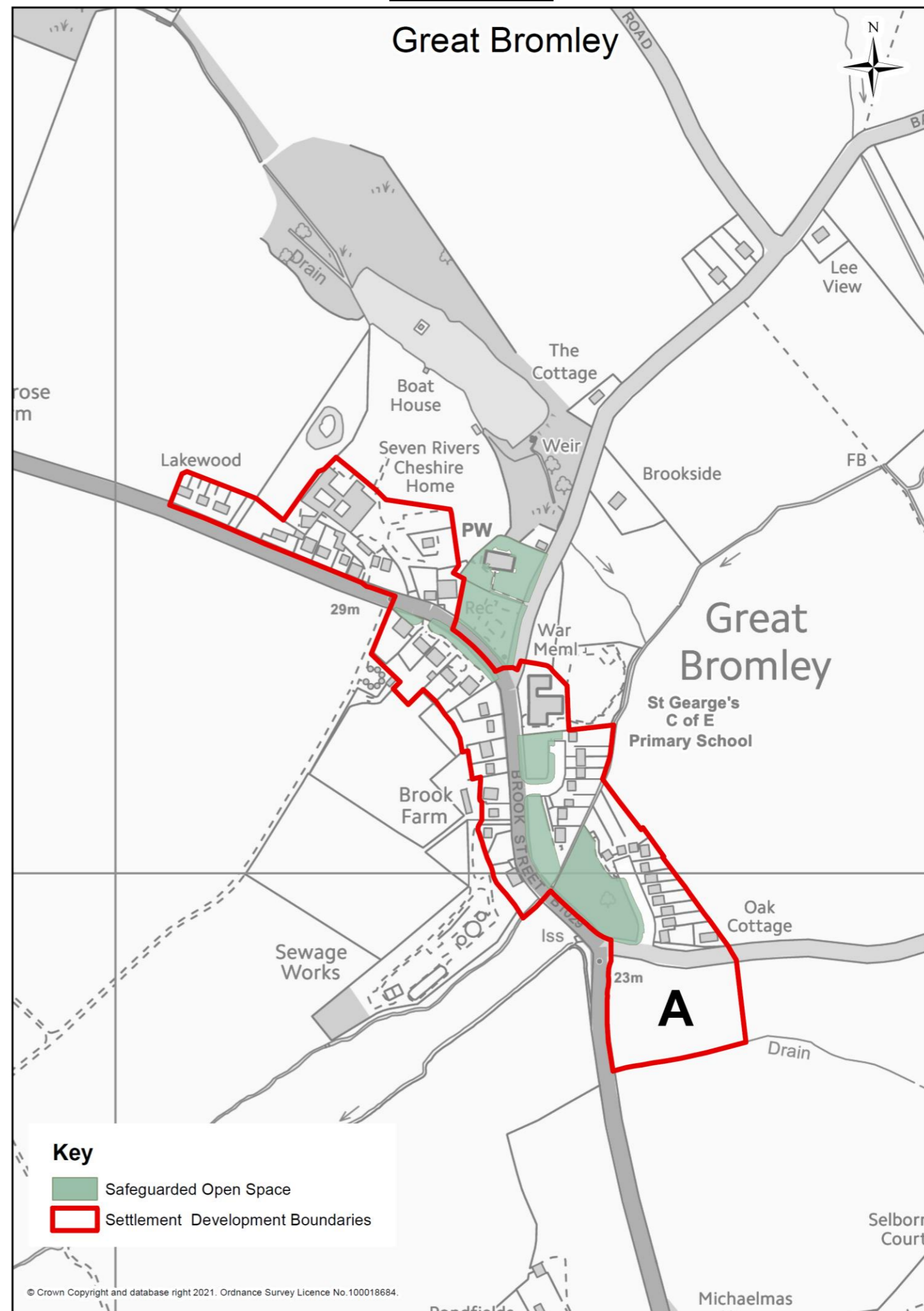
**Tendring District Local Plan
Publication Draft (2017)
Great Bromley**



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MODIFICATIONS

Great Bromley



B.13 Great Holland

Changes suggested as a consequence of planning decisions

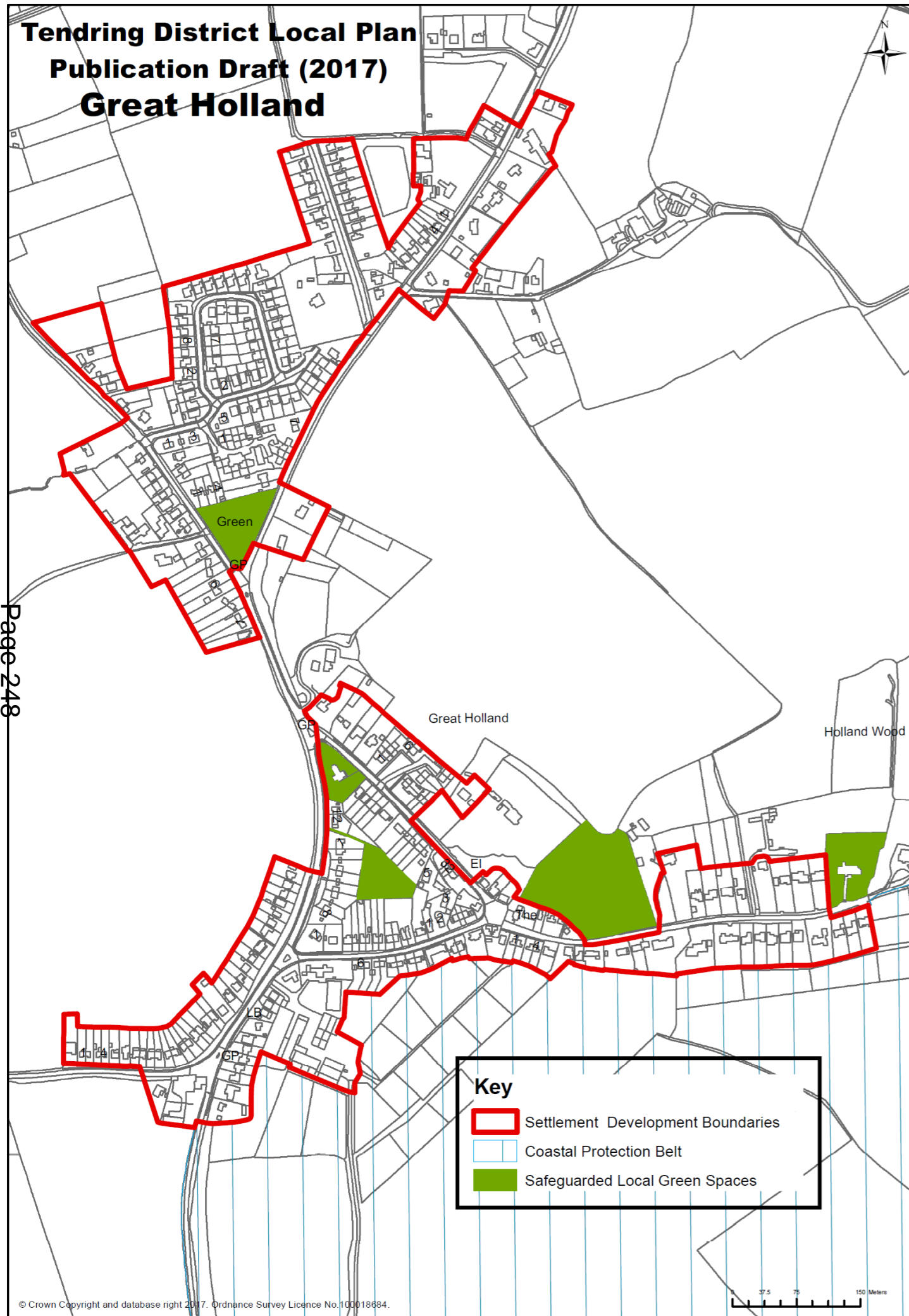
- A. Extend the settlement development boundary to reflect the grant of planning permission for 3 dwellings on land adjacent The Veldt, Little Clacton Road.
- B. Extend the settlement development boundary to reflect the grant of planning permission for 2 dwellings on land at Great Holland Nurseries, Church Lane and, as a consequence, bring the rear gardens of adjoining properties to the west within the boundary.
- C. Extend the settlement development boundary to reflect the grant of planning permission for 8 dwellings off Pork Lane.

Changes to Safeguarded Open Space designations

- L. Land north of Church Lane, Great Holland, to be removed as it is not open space and was included in error.
Change also shown on map B.10.

CURRENT MAP

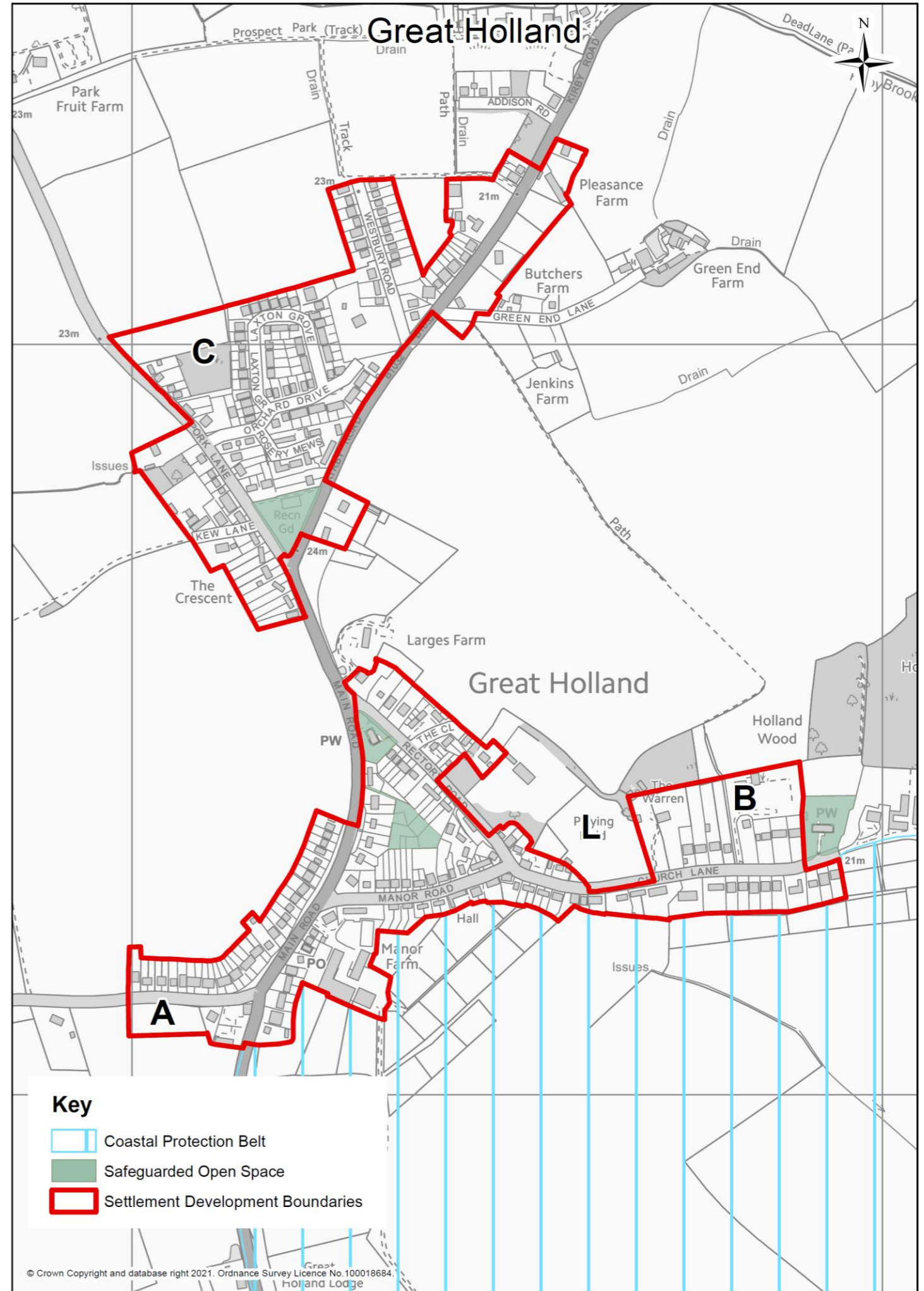
**Tendring District Local Plan
Publication Draft (2017)
Great Holland**



Key

- Settlement Development Boundaries
- Coastal Protection Belt
- Safeguarded Local Green Spaces

MODIFICATIONS



Key

- Coastal Protection Belt
- Safeguarded Open Space
- Settlement Development Boundaries

B.14 Great Oakley

No specific modifications.

B.15 Harwich and Dovercourt

Changes suggested as a consequence of planning decisions

- A. Extend the settlement development boundary to incorporate the land at Michaelstowe Farm which has obtained planning permission for residential development through applications 17/01811/OUT and 19/00917/OUT.
- B. Extend the settlement development boundary at Little Oakley (including on Map B.20) to include land adjacent Seaview Avenue that obtained planning permission for 3 dwellings through application 16/01310/OUT.
- C. Remove the 'Housing Allocations' notation from the land at Greenfields Farm to reflect the grant of planning permission on part of the site and the suggested deletion of the site from Table LP2 and Policy SAH1.

Changes suggested in light of new information

- E. Remove the 'Housing Allocations' notation from the land at Mayflower Primary School (MSA7) to reflect the suggested deletion of the site from Table LP2.
- F. Remove the 'Area to comply with Policy HP4' notation from the Harwich and Parkeston FC site and replace it with the 'Safeguarded Open Space' notation on the football club itself and the 'Housing Allocation' notation on the adjoining land comprising the former Isolation Hospital site and Council-owned car park.

Changes required to identify protected 'Employment Sites' on the maps (see Policy PP6)

- G. Show the 'SATO' site (comprising the new factory only) as a protected 'Employment Site'.
- H. Show Durite Works site as a protected 'Employment Site'.
- I. Show the Europa Way Industrial Estate as a protected 'Employment Site'.
- J. Show the Mercedes Site, Bathside Bay as a protected 'Employment Site' (Policy PP6) as opposed to an 'Employment Allocation' (Policy PP7) to reflect the fact it is now occupied and operational.

Changes required to identify the correct 'Employment Allocations' on the maps (see Policy PP7) (See also modification B above in respect of Harwich Valley)

- K. Remove employment allocation from Stanton Europark (SAE7).
- L. Remove the 'Mixed-Use with Consent' notation from the Harwich Valley site south of the A120 and show only the 6.3 hectares of land with outline consent for employment use as an 'employment allocation' in relation to Policy PP7.
- M. Shown the land west of the Carless Refinery with its own specific designation in connection with Policy SAE1 (to differentiate it from a normal Employment Allocation).

Other changes

- N. Adjust the settlement development boundary to reflect that shown on Map B.20, including the long rear gardens of properties west of Mayes Lane and the Two Villages Primary School.
- O. Show Dovercourt Holiday Park as a 'safeguarded holiday park' in line with the suggested amendments to Policy PP11.
- P. Show Greenacres Caravan Park as a 'safeguarded holiday park' in line with the suggested amendments to Policy PP11.
- Q. Show New Hall Lodge Park as a 'safeguarded holiday park' in line with the suggested amendments to Policy PP11.
- R. Remove the Primary Shopping Frontage and Secondary Shopping Frontage notations from Dovercourt Town Centre in line with suggested amendments to Policy PP5.
- S. Remove 'Primary Shopping Frontage', 'Secondary Shopping Frontages', 'Area to comply with Policy HP4' and 'Mixed Use with Consent' from the key.
- T. Amend 'Village and Neighbourhood Centres' on the key to refer to 'Town, Village and Neighbourhood Centres'.

Changes to Safeguarded Open Space designations

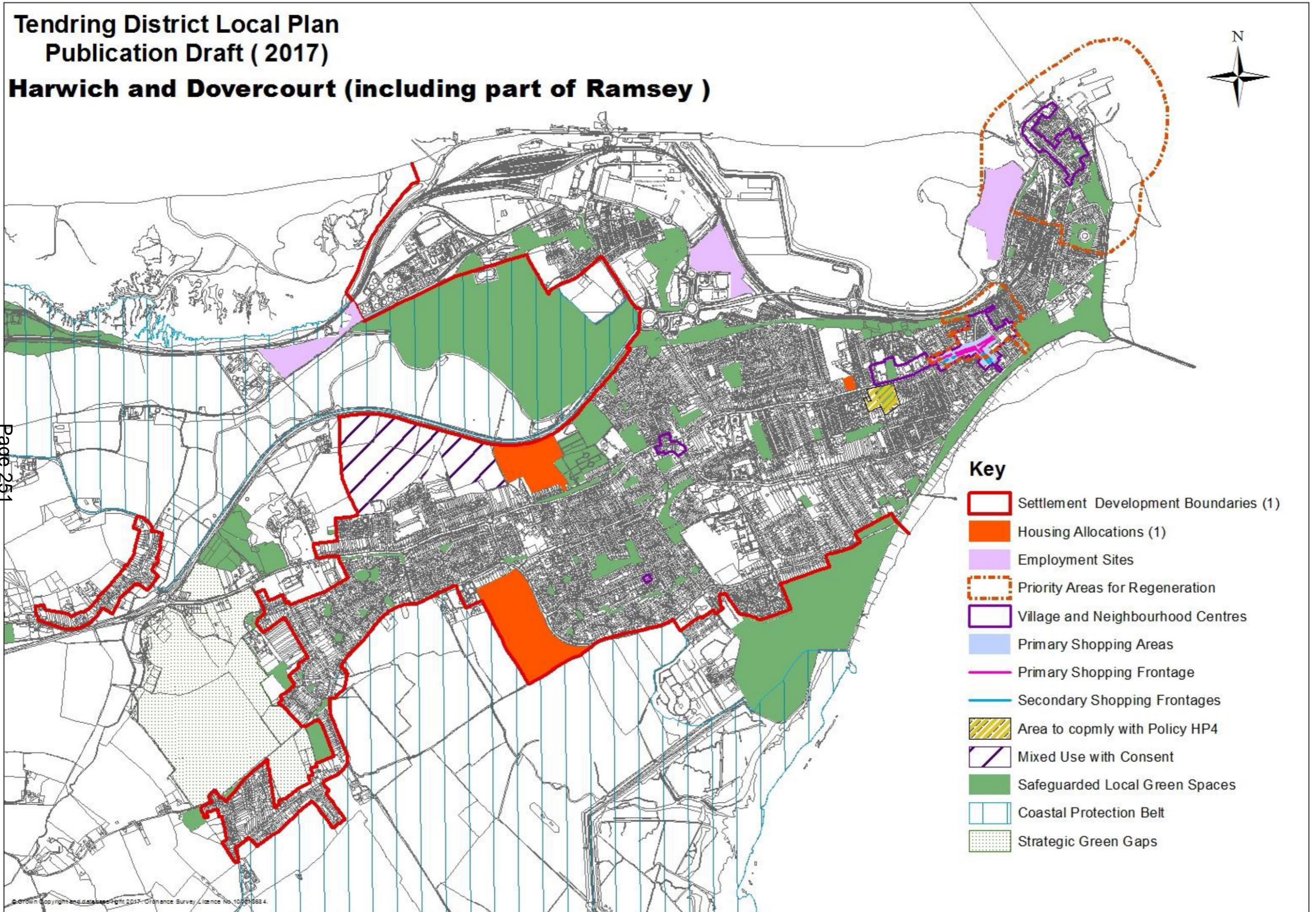
- U. Land north of the A120 extending to the Carless Refinery in Parkeston, excluding Harwich and Dovercourt Golf Club to be removed from the map as it reflects a historic linear park proposal that is no longer being funded or pursued.

Tendring District Local Plan Publication Draft (2017)






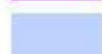






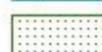
Harwich and Dovercourt (including part of Ramsey)



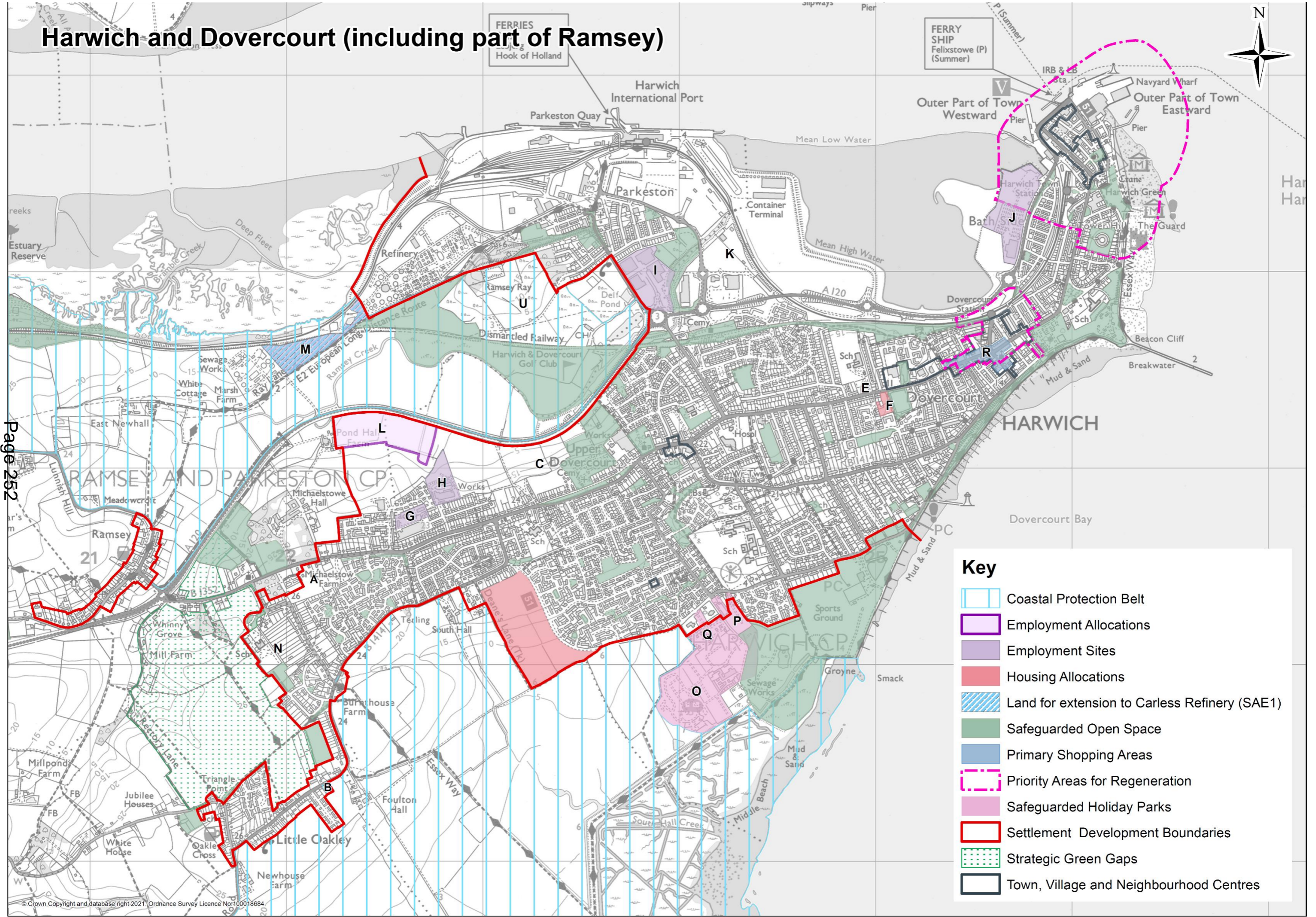
Page 251



Key

-  Settlement Development Boundaries (1)
-  Housing Allocations (1)
-  Employment Sites
-  Priority Areas for Regeneration
-  Village and Neighbourhood Centres
-  Primary Shopping Areas
-  Primary Shopping Frontage
-  Secondary Shopping Frontages
-  Area to comply with Policy HP4
-  Mixed Use with Consent
-  Safeguarded Local Green Spaces
-  Coastal Protection Belt
-  Strategic Green Gaps

Harwich and Dovercourt (including part of Ramsey)



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Key	
	Coastal Protection Belt
	Employment Allocations
	Employment Sites
	Housing Allocations
	Land for extension to Carless Refinery (SAE1)
	Safeguarded Open Space
	Primary Shopping Areas
	Priority Areas for Regeneration
	Safeguarded Holiday Parks
	Settlement Development Boundaries
	Strategic Green Gaps
	Town, Village and Neighbourhood Centres

B.16 Kirby-le-Soken

No specific modifications.

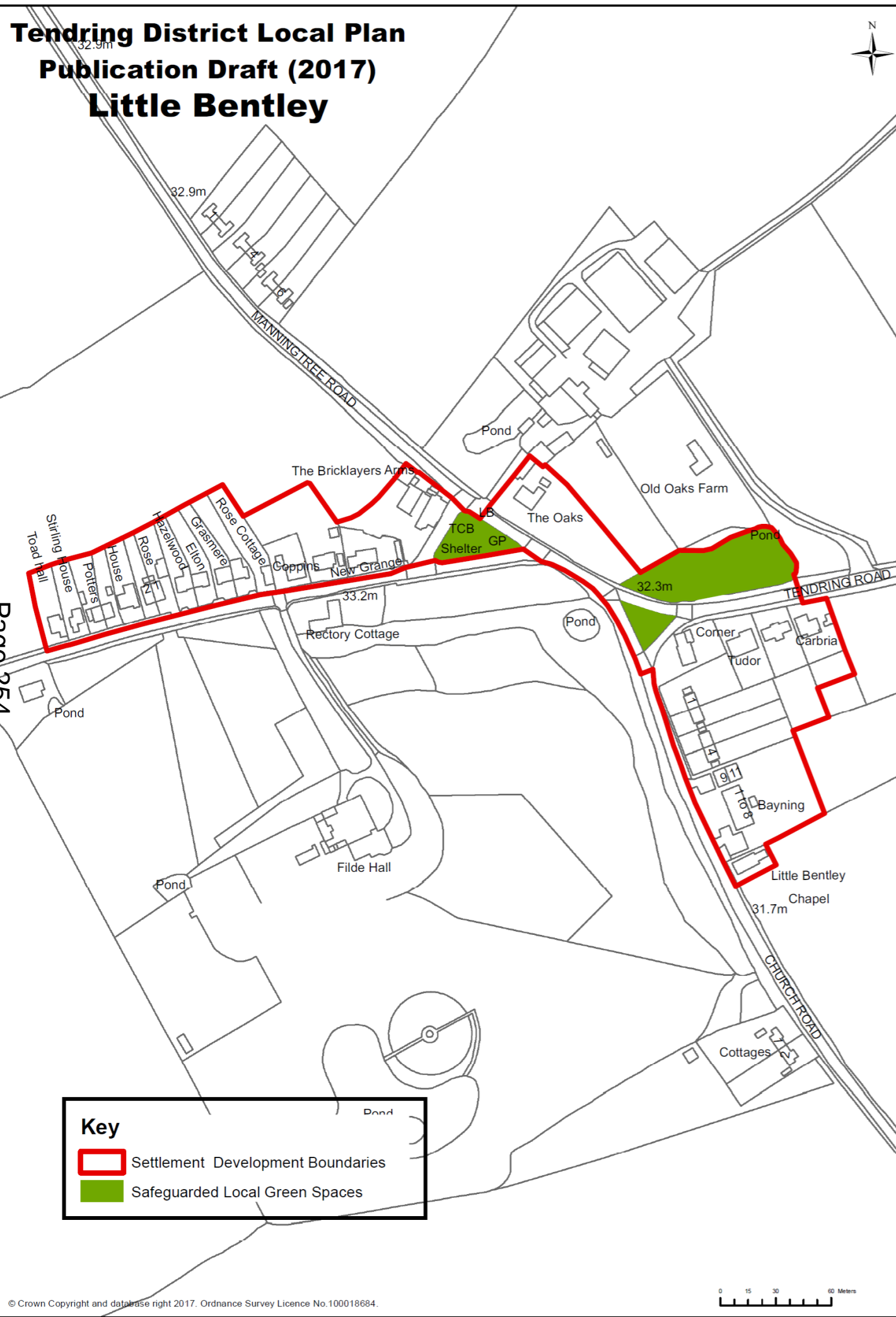
B.17 Little Bentley

Changes suggested as a consequence of planning decisions

- A. Extend the settlement development boundary to incorporate 1-6 Manningtree Road and the adjoining land which has been developed for 6 homes.

CURRENT MAP

**Tendring District Local Plan
Publication Draft (2017)
Little Bentley**



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MODIFICATIONS

Little Bentley

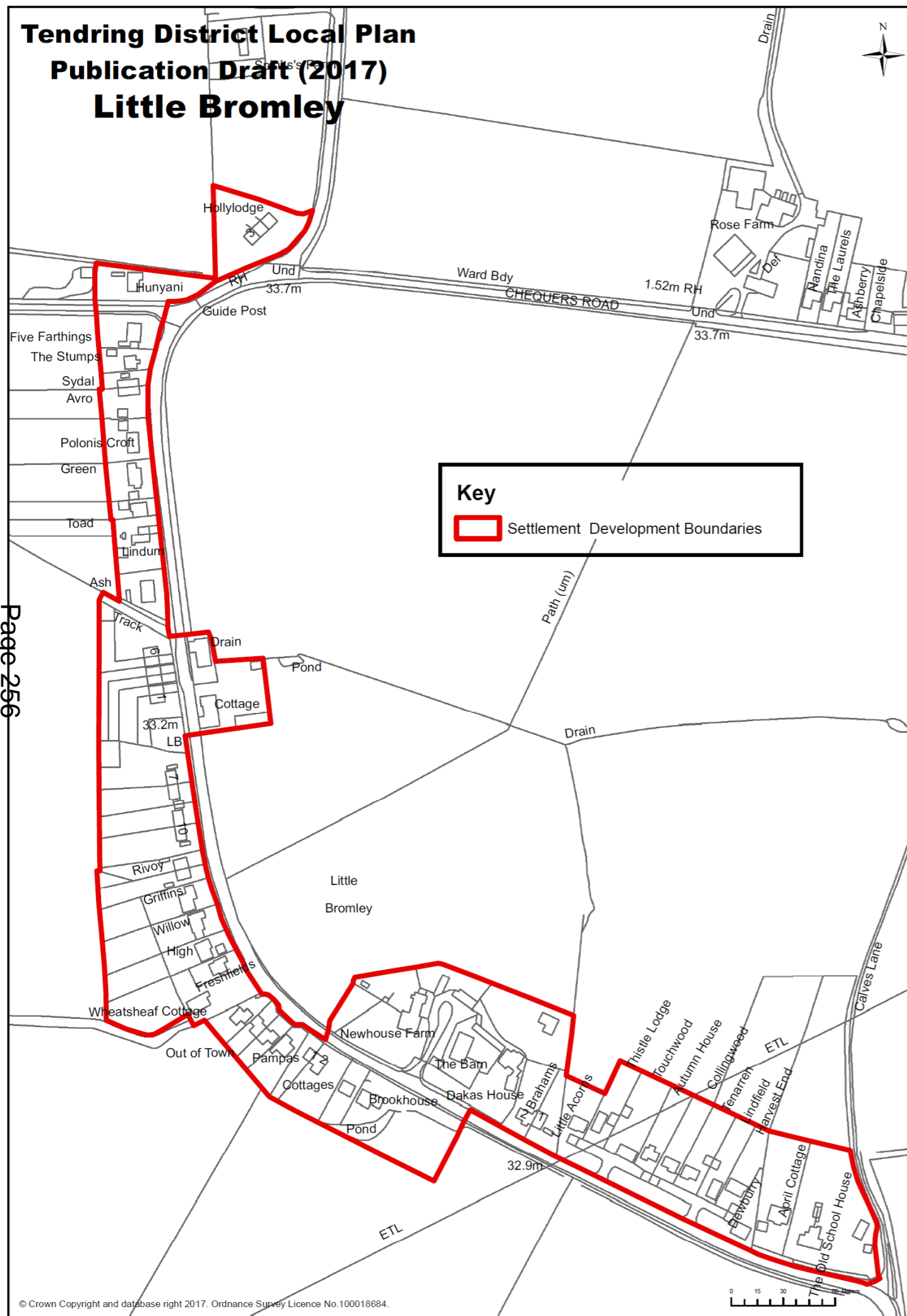


B.18 Little Bromley

- A. Extend the settlement development boundary to incorporate land rear of Bramble Cottage and the full extent of rear gardens to the adjoining properties to the south.

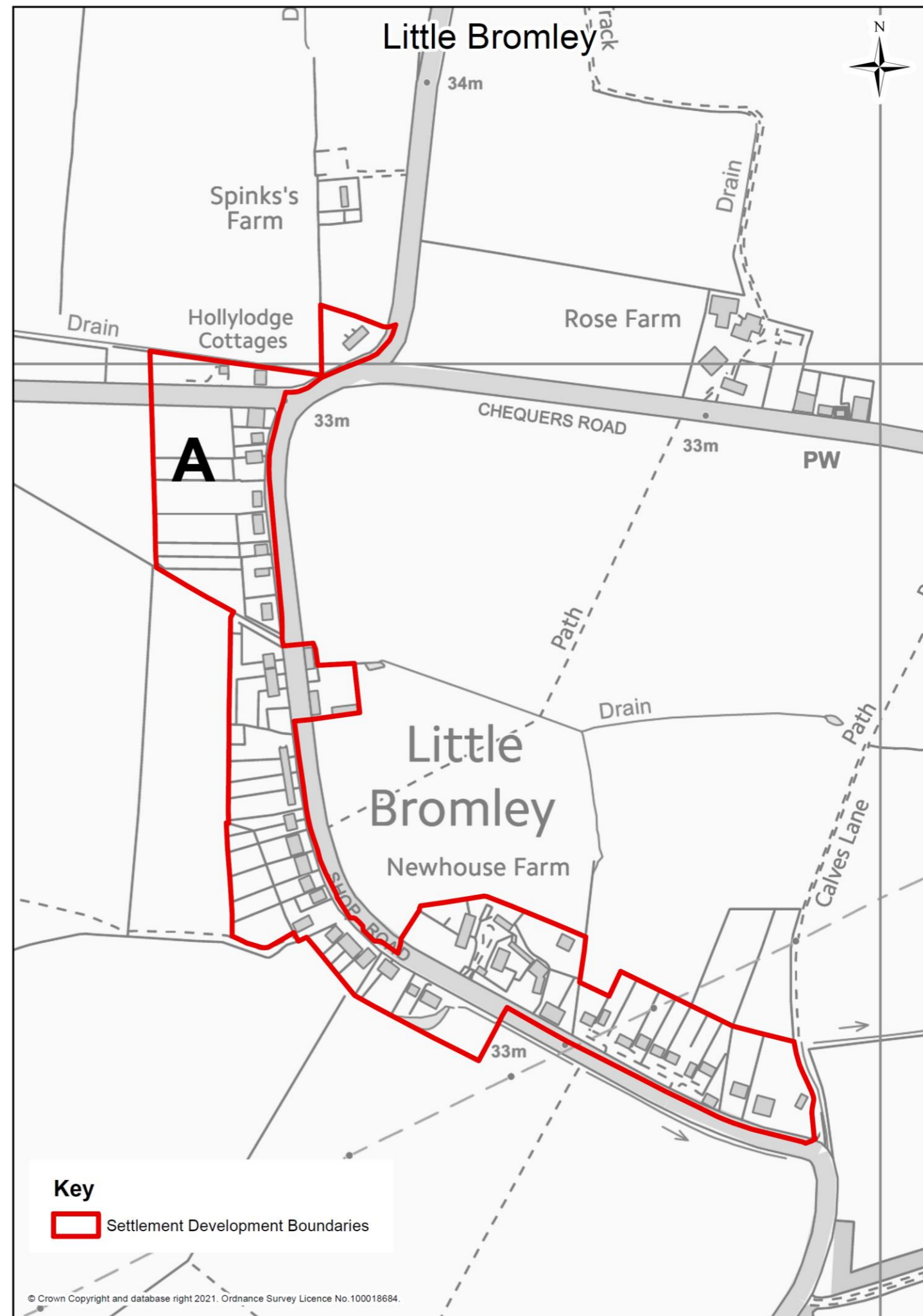
CURRENT MAP

**Tendring District Local Plan
Publication Draft (2017)
Little Bromley**



MODIFICATIONS

Little Bromley



B.19 Little Clacton

Changes suggested as a consequence of planning decisions

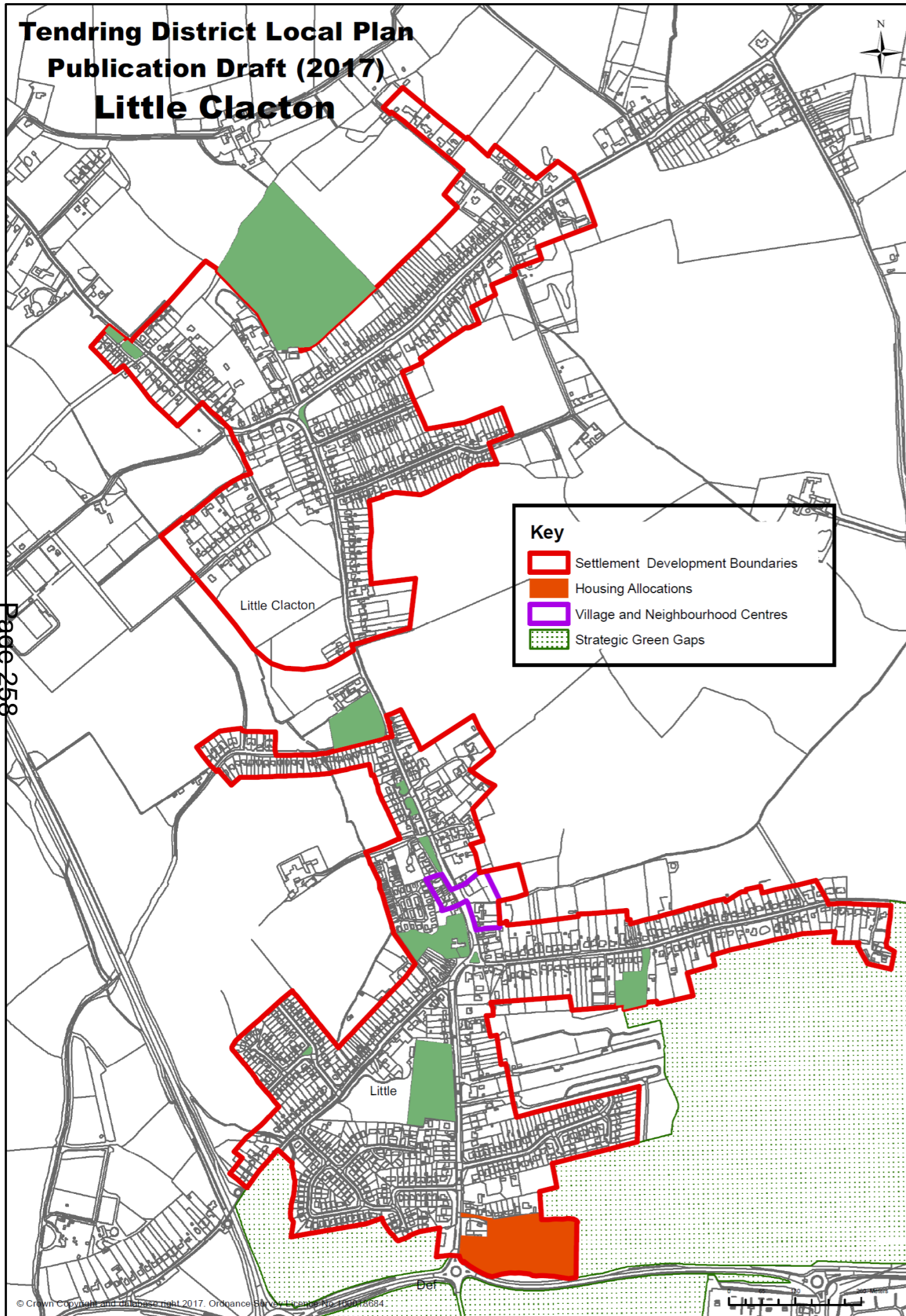
- A. Extend the settlement development boundary to incorporate land north of Connaught Road to reflect the grant of planning permission 19/00785/OUT for 7 dwellings.
- B. Extend the settlement development boundary to incorporate land east of 44 Elm Road to reflect the grant of planning permission 19/00440/OUT for 5 dwellings.
- C. Extend the settlement development boundary to incorporate land rear of 8A Holland Road to reflect the grant of planning permission 19/00005/OUT for 4 dwellings.
- D. Extend the settlement development boundary to incorporate land north of Holland Road to reflect the grant of planning permission and subsequent developments including under applications 16/01132/FUL (4 dwellings) and 18/00401/FUL (1 dwelling).
- E. Remove the Safeguarded Open Space notation from the land south of Holland Road which was once the Little Tennis Club (now developed with bungalows under 17/02009/FUL), show the relocated tennis club on the land to the south and remove it from the Strategic Green Gap notation.
- F. Remove the 'Housing Allocations' notation from the site north-east of Montana Roundabout (MSA14) following the grant of planning permission 17/00790/FUL for 30 dwellings.

Other changes

- G. Show Firs Caravan Park and Ashley Holiday Park as 'safeguarded holiday parks' in line with suggested amendments to Policy PP11.

CURRENT MAP

**Tendring District Local Plan
Publication Draft (2017)
Little Clacton**

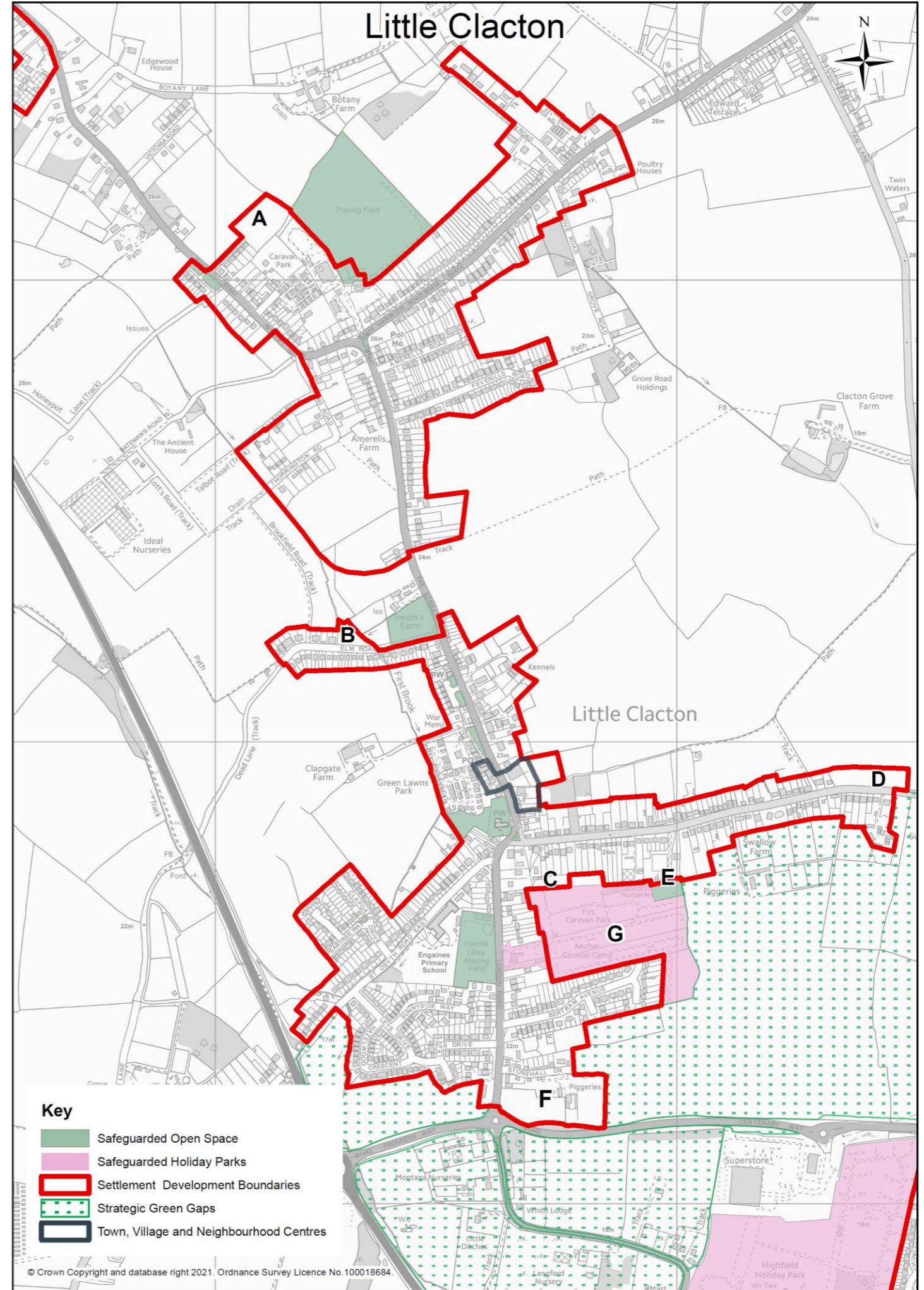


Key

- Settlement Development Boundaries
- Housing Allocations
- Village and Neighbourhood Centres
- Strategic Green Gaps

MODIFICATIONS

Little Clacton



Key

- Safeguarded Open Space
- Safeguarded Holiday Parks
- Settlement Development Boundaries
- Strategic Green Gaps
- Town, Village and Neighbourhood Centres

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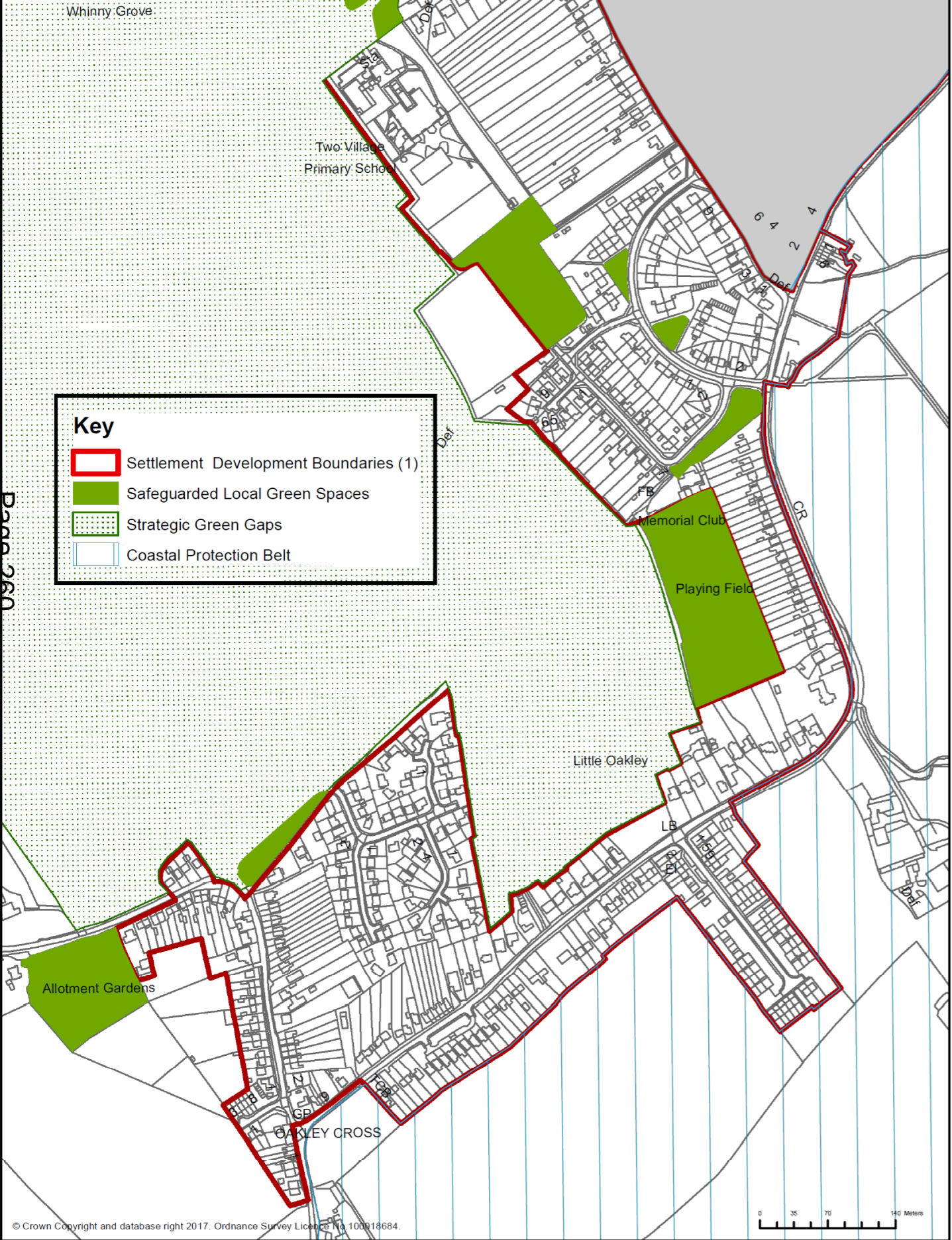
B.20 Little Oakley

Reflect all relevant changes from map B.15 Harwich and Dovercourt, to ensure consistency.

- B. Extend the settlement development boundary at Little Oakley to include land adjacent Seaview Avenue that obtained planning permission for 3 dwellings through application 16/01310/OUT.

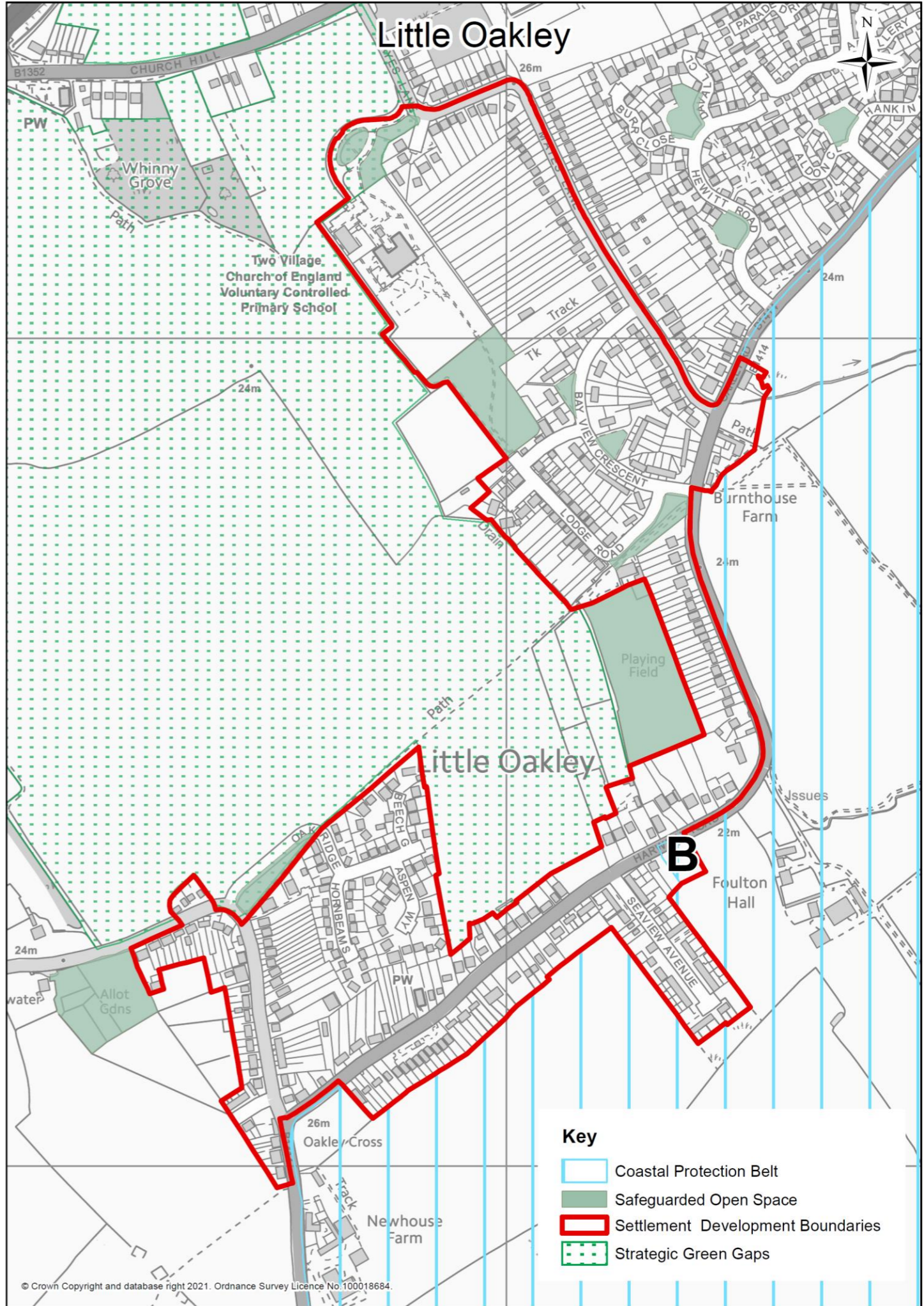
CURRENT MAP

**Tendring District Local Plan
Publication Draft (2017)
Little Oakley**



MODIFICATIONS

Little Oakley



B.21 Manningtree, Lawford and Mistley

Changes suggested as a consequence of planning decisions

- A. Extend the settlement development boundary around land west of Lawford House to reflect the grant of planning permission 16/00618/FUL for 8 dwellings.
- B. Extend the settlement development boundary around land off New Road, Mistley to reflect the grant of planning permission 17/000004/OUT on appeal for 67 dwellings and remove the land from the Strategic Green Gap designation.
- C. Remove the mixed-use development notation from Thorne Quay Warehouse to reflect the fact that permission 12/00427/FUL for mixed development has already been granted and the site has been cleared ready for development.
- D. Extend the settlement development boundary around land off Harwich Road, Mistley to reflect the grant of planning permission 18/01994/OUT for an additional 100 dwellings.

Changes required to identify protected 'Employment Sites' on the maps (see Policy PP6)

- E. Show Lawford Dale Industrial Estate as a protected 'Employment Site'
- F. Show Crisp Maltings, Mistley as a protected 'Employment Site'.
- G. Show Mistley Marine as a protected 'Employment Site'.
- H. Show Mistley Port as a protected 'Employment Site'.

Changes required to identify the correct 'Employment Allocations' on the maps (see Policy PP7)

- I. Show land at Dale Hall, Cox's Hill, Lawford as an 'Employment Allocation'.
- J. Remove employment allocation from Land South of Long Road, Mistley (SAE2) as the site already has planning permission.

Other corrections

- K. Remove the safeguarded local greenspace notation from the land at Yaffles, School Road, Mistley in response to the representation from Mr. & Mrs. Rose.
- L. Correct the anomaly in the definition of the settlement development boundary south of Pound Corner, Mistley and remove the open space notation – reflecting the development of bungalows that has taken place there.
- M. Remove the Primary Shopping Frontage notation from Manningtree Town Centre in line with the suggested amendments to Policy PP5.
- N. Remove Primary Shopping Frontage and Secondary Shopping Frontages from the key and rename 'Village and Neighbourhood Centres' to 'Town, Village and Neighbourhood Centres'.

Changes to Safeguarded Open Space designations

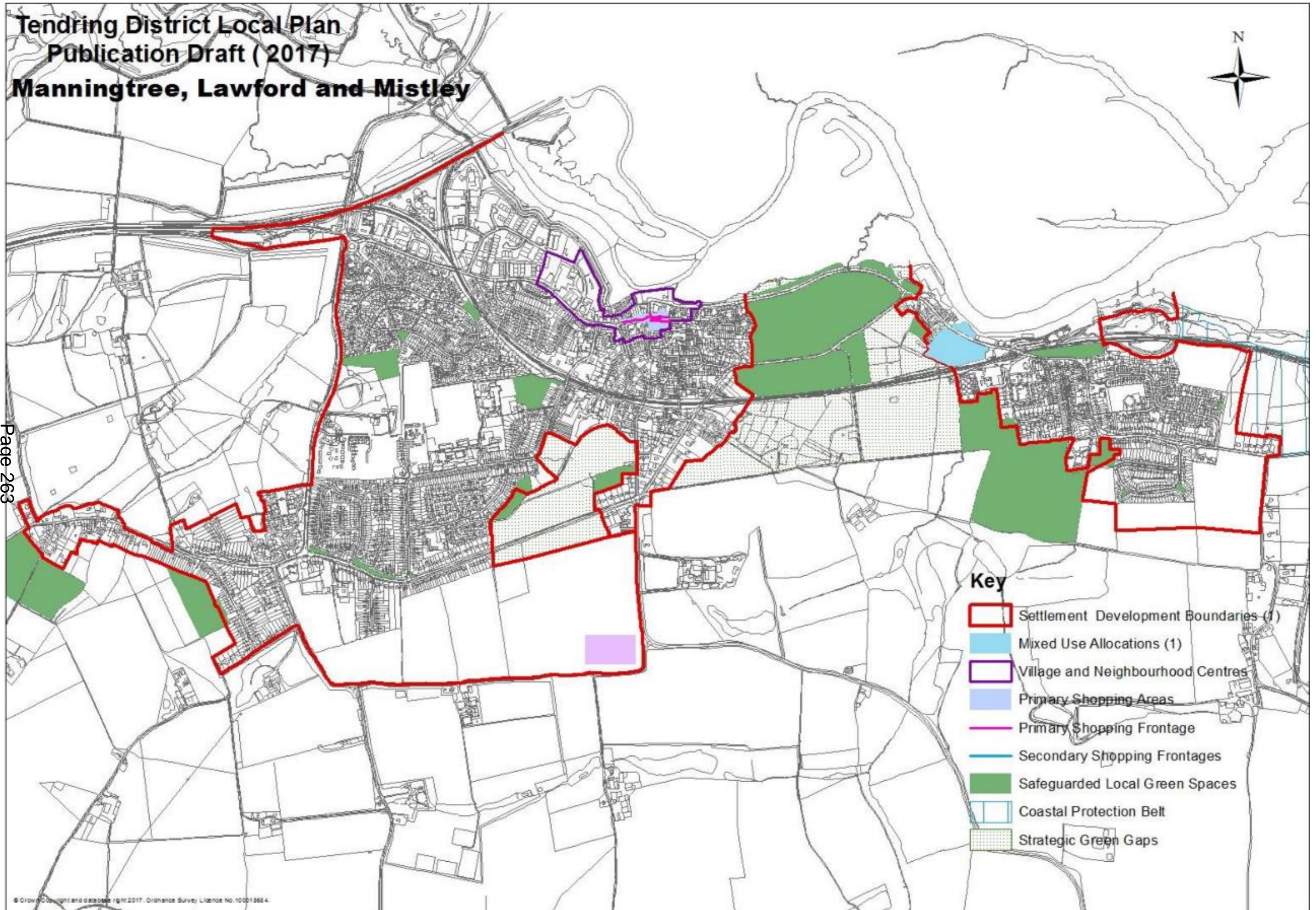
- O. Property north west of Mistley Place park to be removed from the map as it is the grounds of private residential property included in the designated area in error.
- P. Land forming part of the recent western extension of the Lawford recreational area off School Lane and Wignall Street to be added to the map to reflect the true extend of the open space to be protected.

Q. Land in between Manningtree High School and Summers Park to be added to the map - excluded in error and has now been delivered.

Tendring District Local Plan
Publication Draft (2017)
Manningtree, Lawford and Mistley



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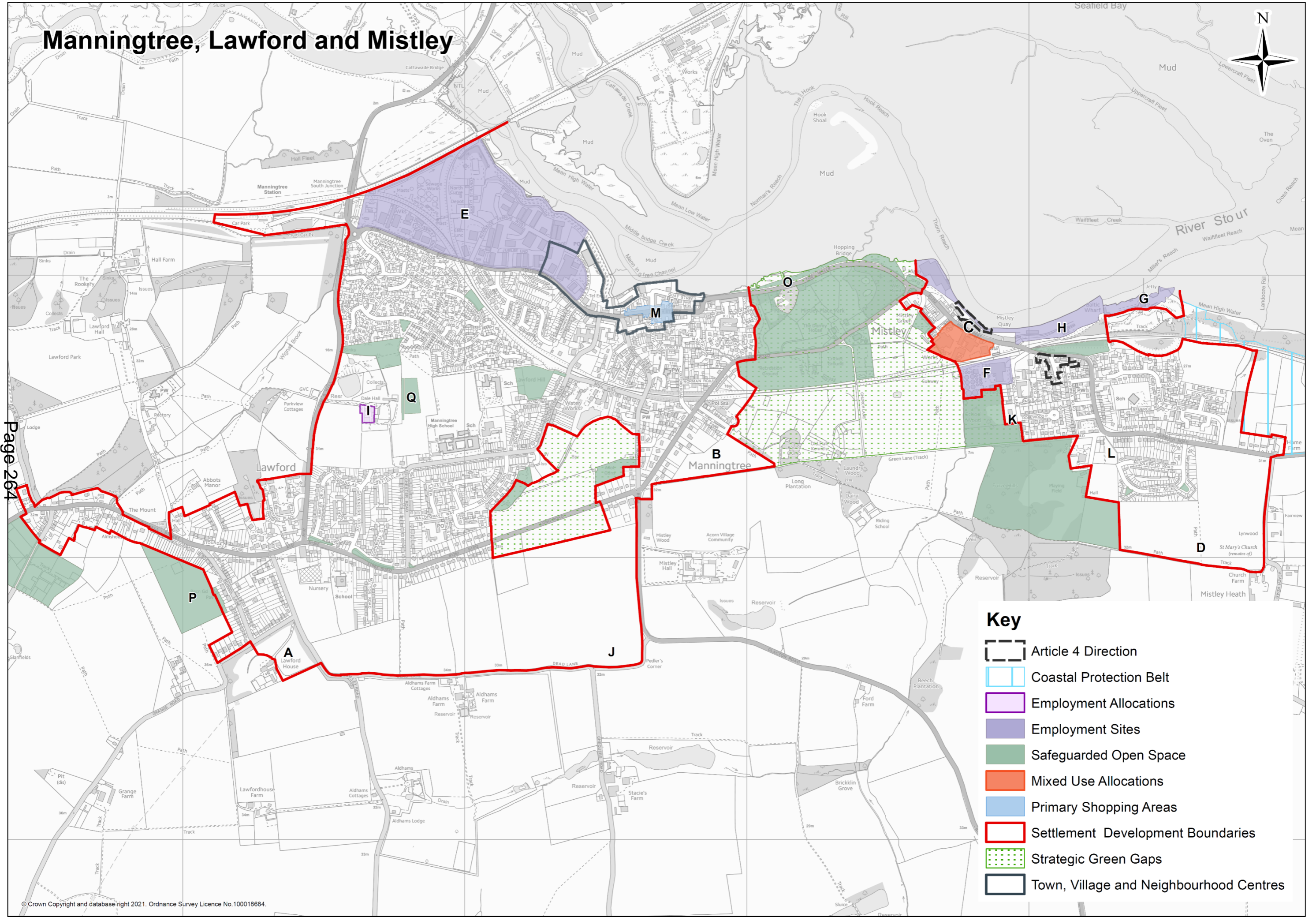
- Key**
- Settlement Development Boundaries (1)
 - Mixed Use Allocations (1)
 - Village and Neighbourhood Centres
 - Primary Shopping Areas
 - Primary Shopping Frontage
 - Secondary Shopping Frontages
 - Safeguarded Local Green Spaces
 - Coastal Protection Belt
 - Strategic Green Gaps

MODIFICATIONS

Manningtree, Lawford and Mistley



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Key

- Article 4 Direction
- Coastal Protection Belt
- Employment Allocations
- Employment Sites
- Safeguarded Open Space
- Mixed Use Allocations
- Primary Shopping Areas
- Settlement Development Boundaries
- Strategic Green Gaps
- Town, Village and Neighbourhood Centres

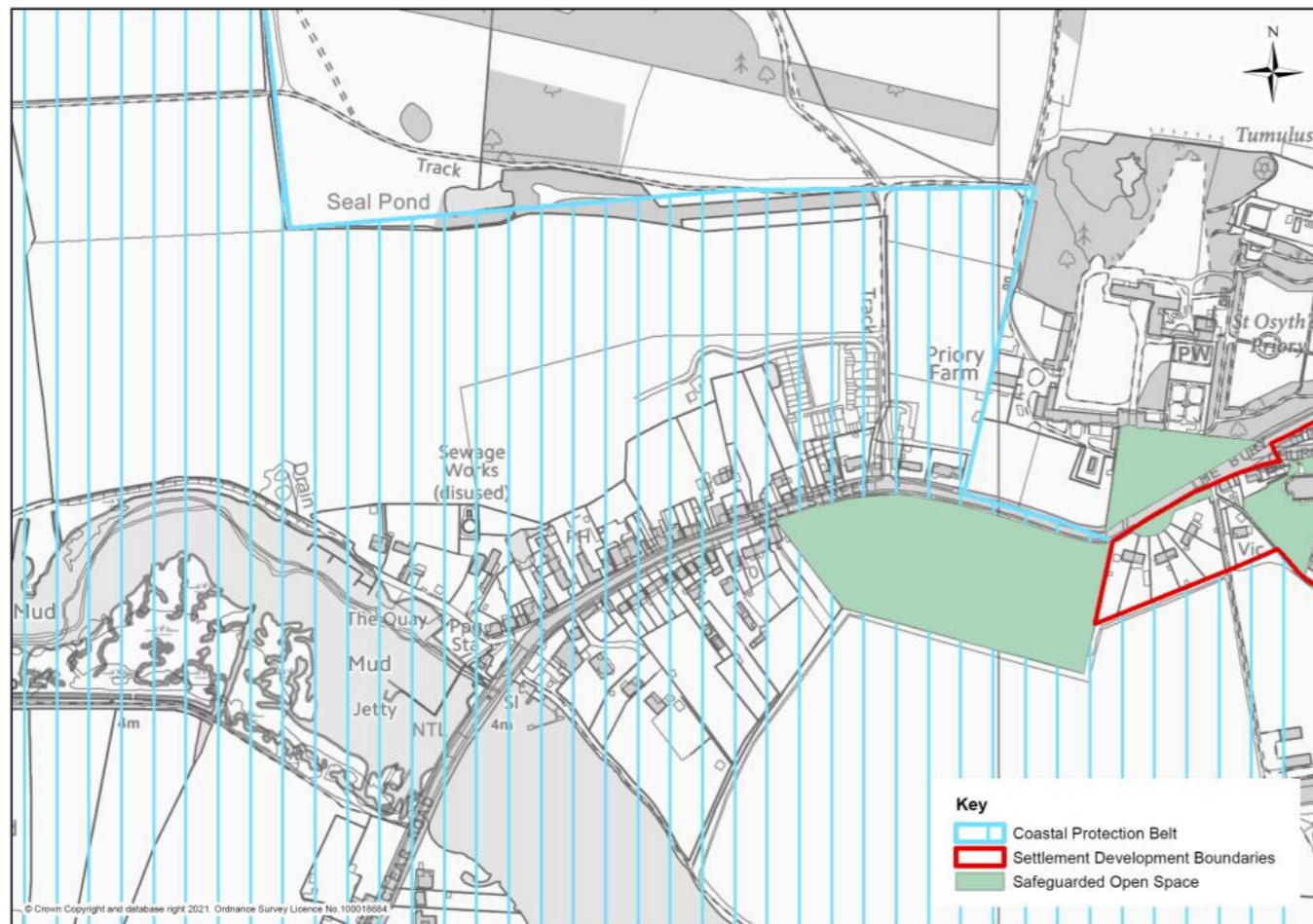
B.22 Ramsey

No specific modifications.

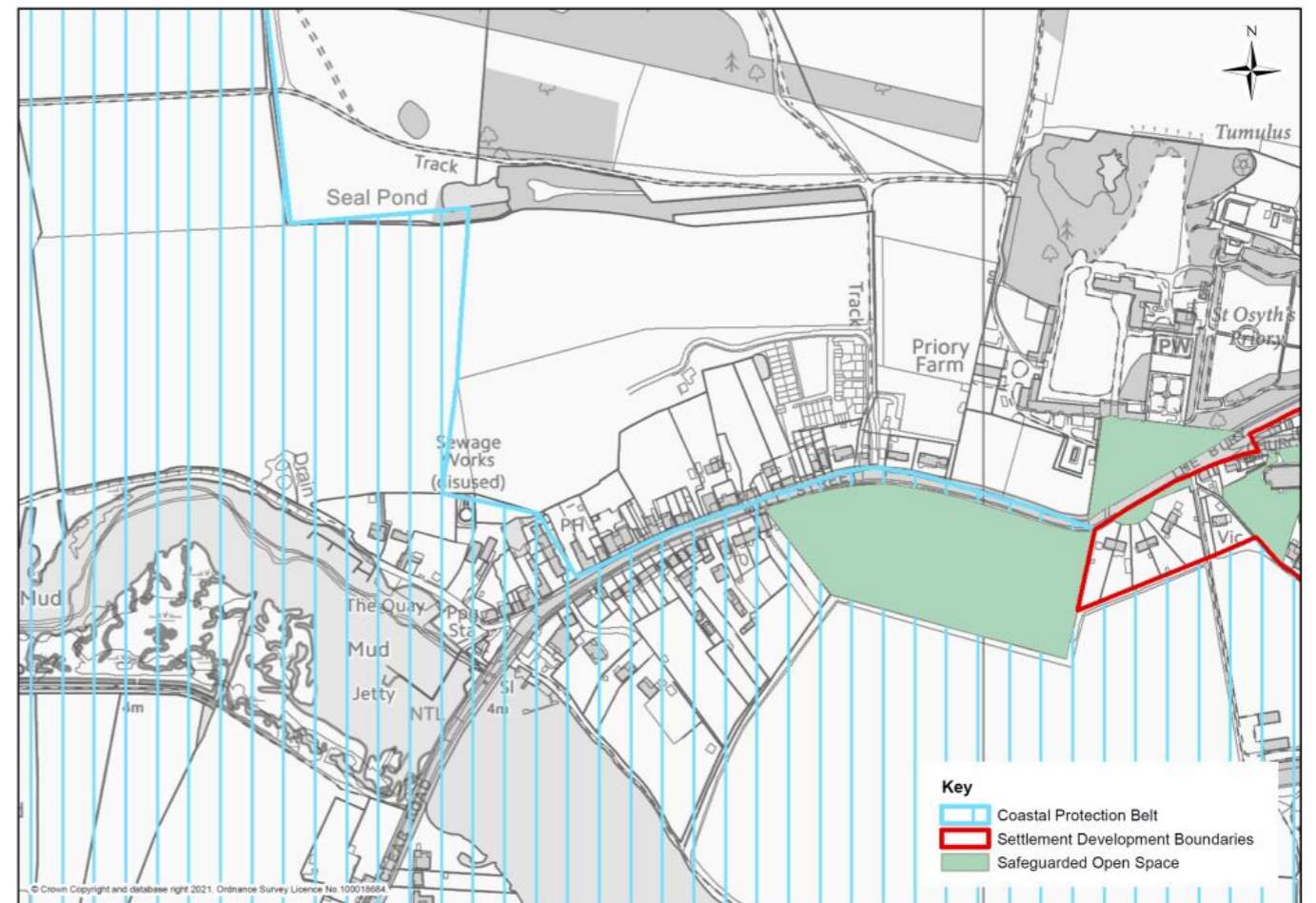
B.23 St Osyth

- A. Amend Coastal Protection Belt to better reflect grant of planning permission for 72 homes at West Field.
This site is not included within the boundaries of the Local Map, but the modification will be reflected with the broader West Tending Policies Map.

CURRENT DESIGNATION



MODIFICATION



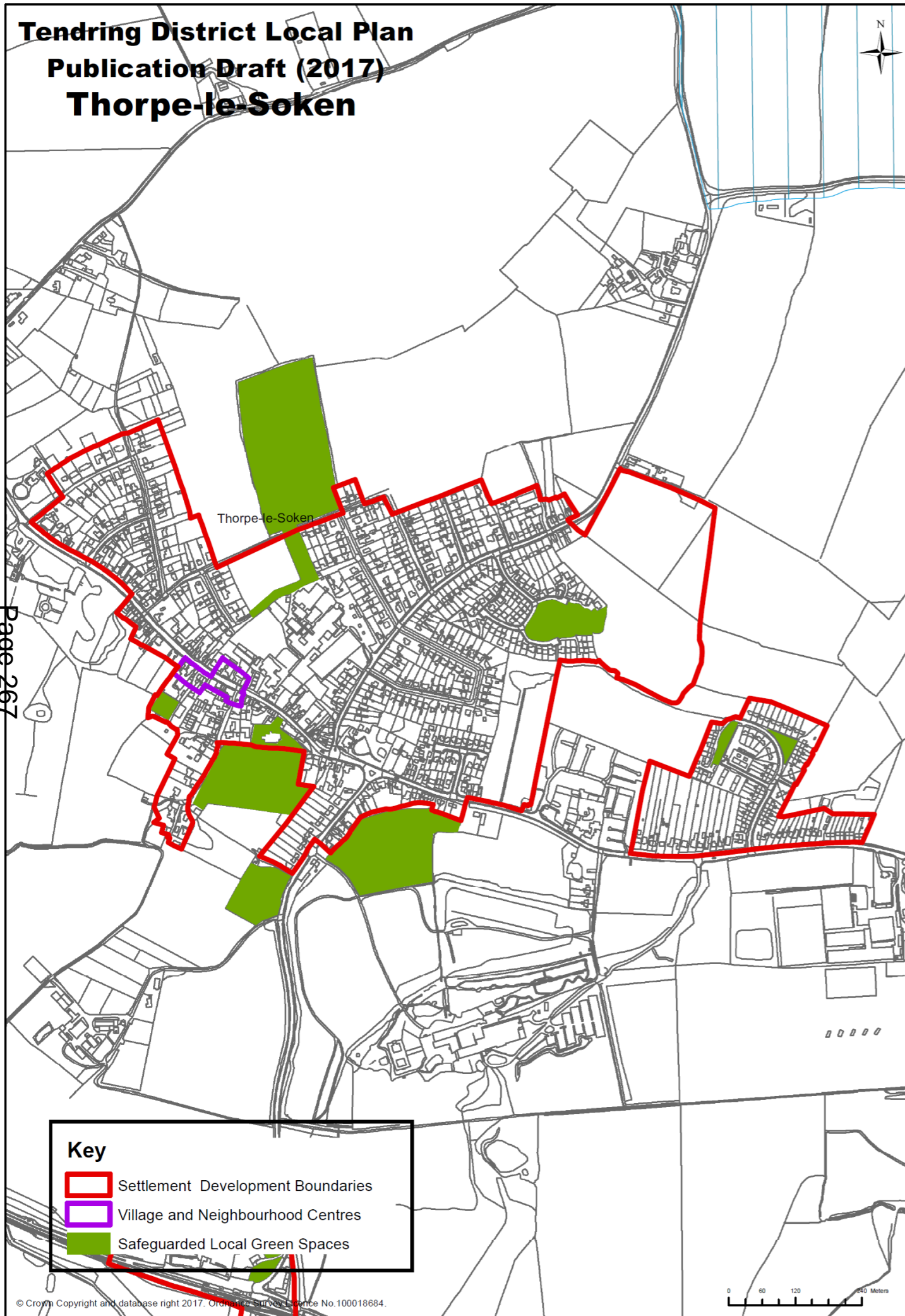
B.24 Tendring

No specific modifications.

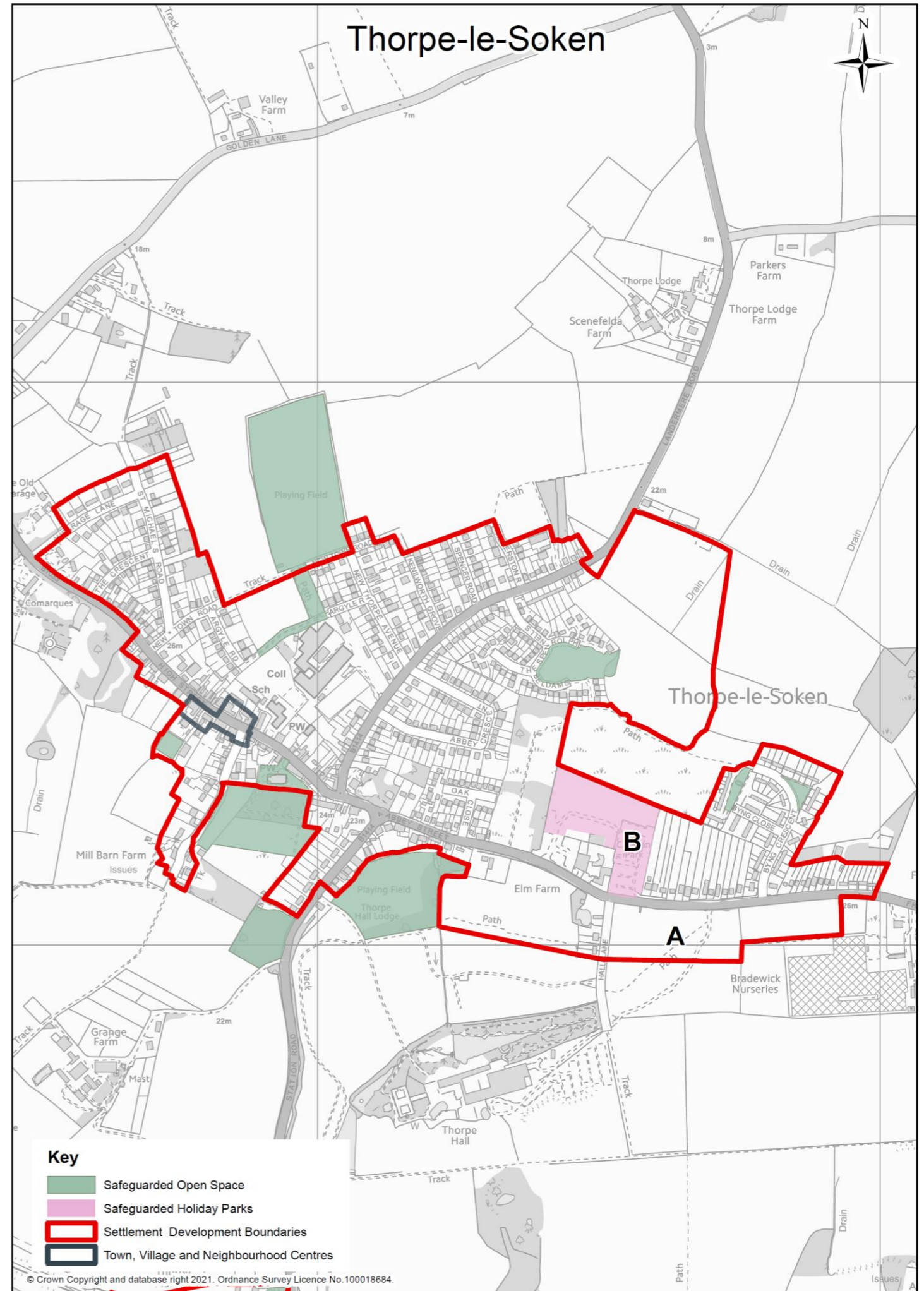
B.25 Thorpe-le-Soken

- A. Extend the settlement development boundary around land south of Frinton Road to reflect the grant of permissions 16/00838/OUT for 49 dwellings and 18/00098/OUT for 10 dwellings and, in so doing, bring Elm Farm Country Park into the boundary.
- B. Show Elm Farm Country Park as a safeguarded holiday park in line with Policy PP11.

Tendring District Local Plan Publication Draft (2017) Thorpe-le-Soken



Thorpe-le-Soken

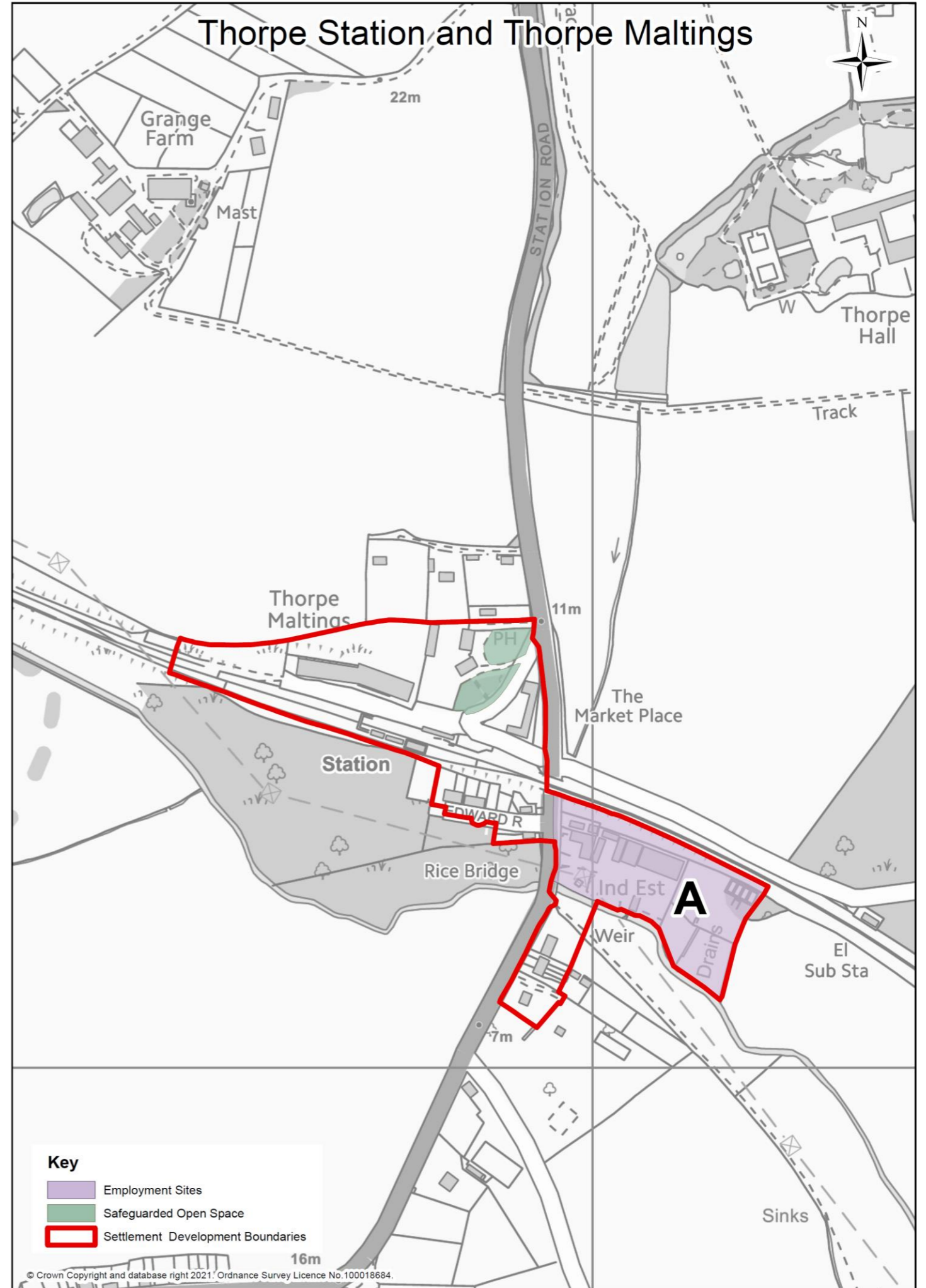
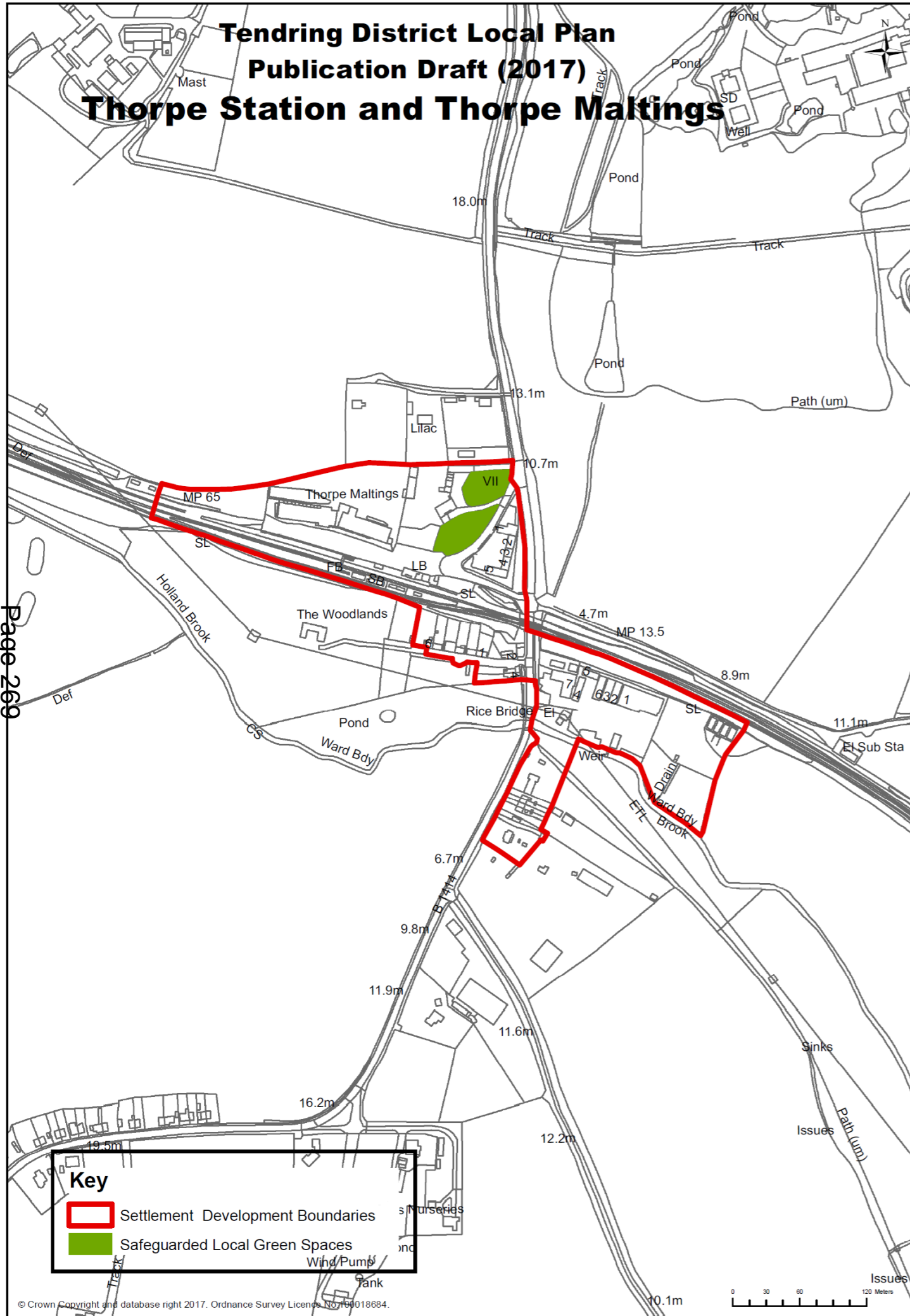


B.26 Thorpe Station and Thorpe Maltings

- A. Show Rice Bridge Industrial Estate as a protected 'Employment Site'

CURRENT MAP

MODIFICATIONS

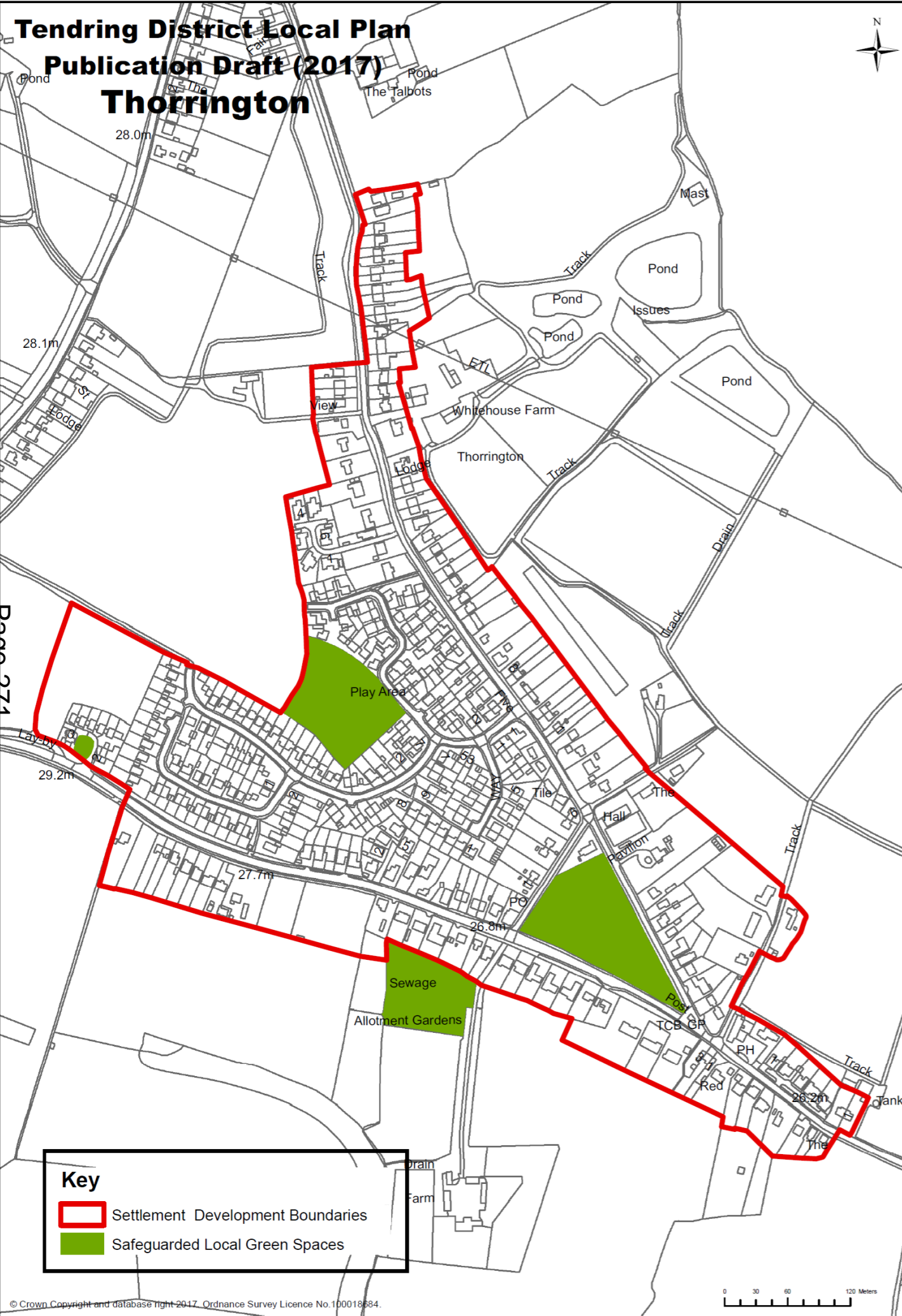


B.27 Thorrington

- A. Include land to the West of Edwards Drive subject of planning permission 18/00163/FUL for 29 specialist bungalows within the settlement development boundary.

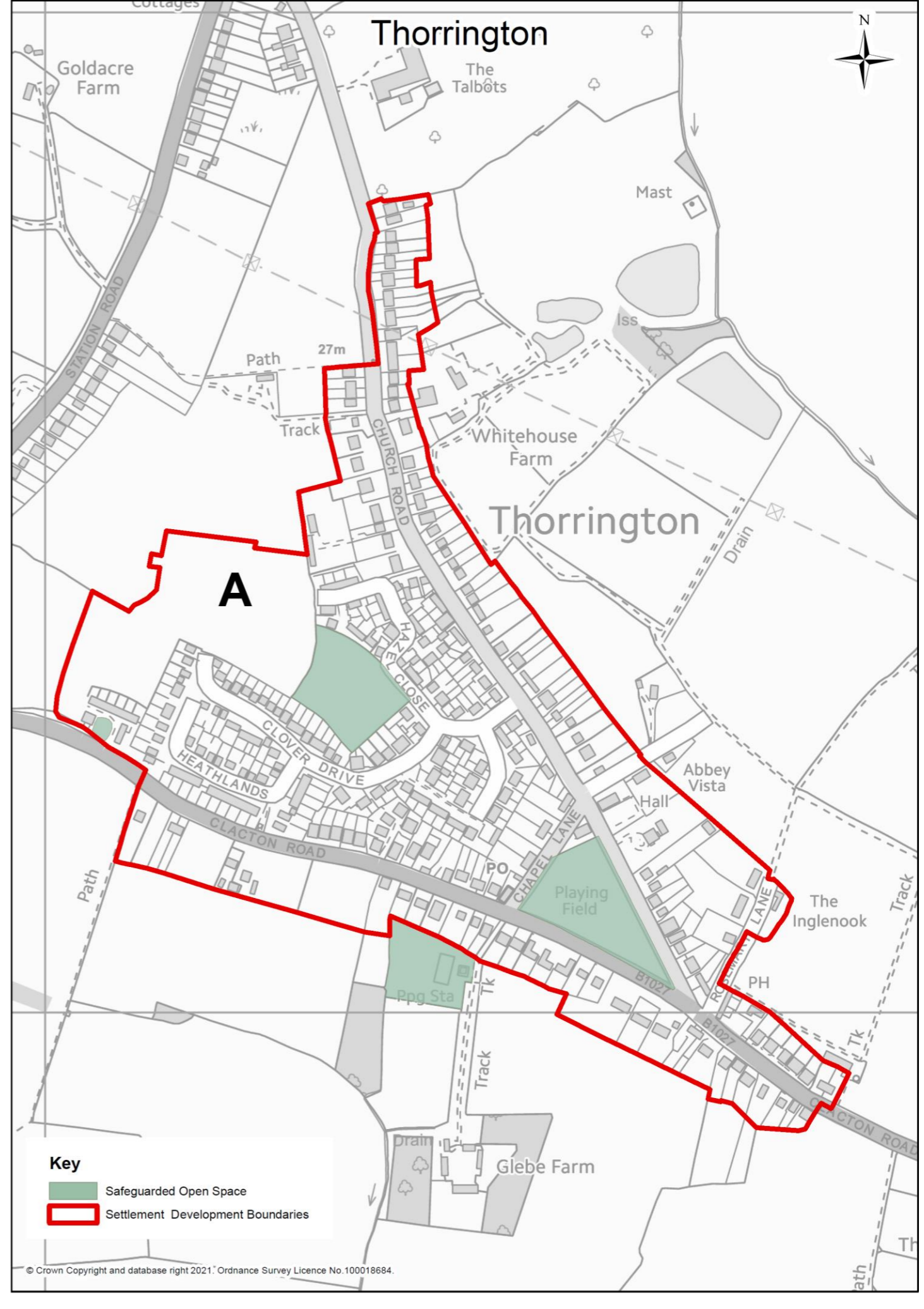
CURRENT MAP

**Tendring District Local Plan
Publication Draft (2017)
Thorrington**



MODIFICATIONS

Thorrington



Key
 Settlement Development Boundaries
 Safeguarded Local Green Spaces

Key
 Safeguarded Open Space
 Settlement Development Boundaries

B.28 Weeley

Changes suggested as a consequence of planning decisions

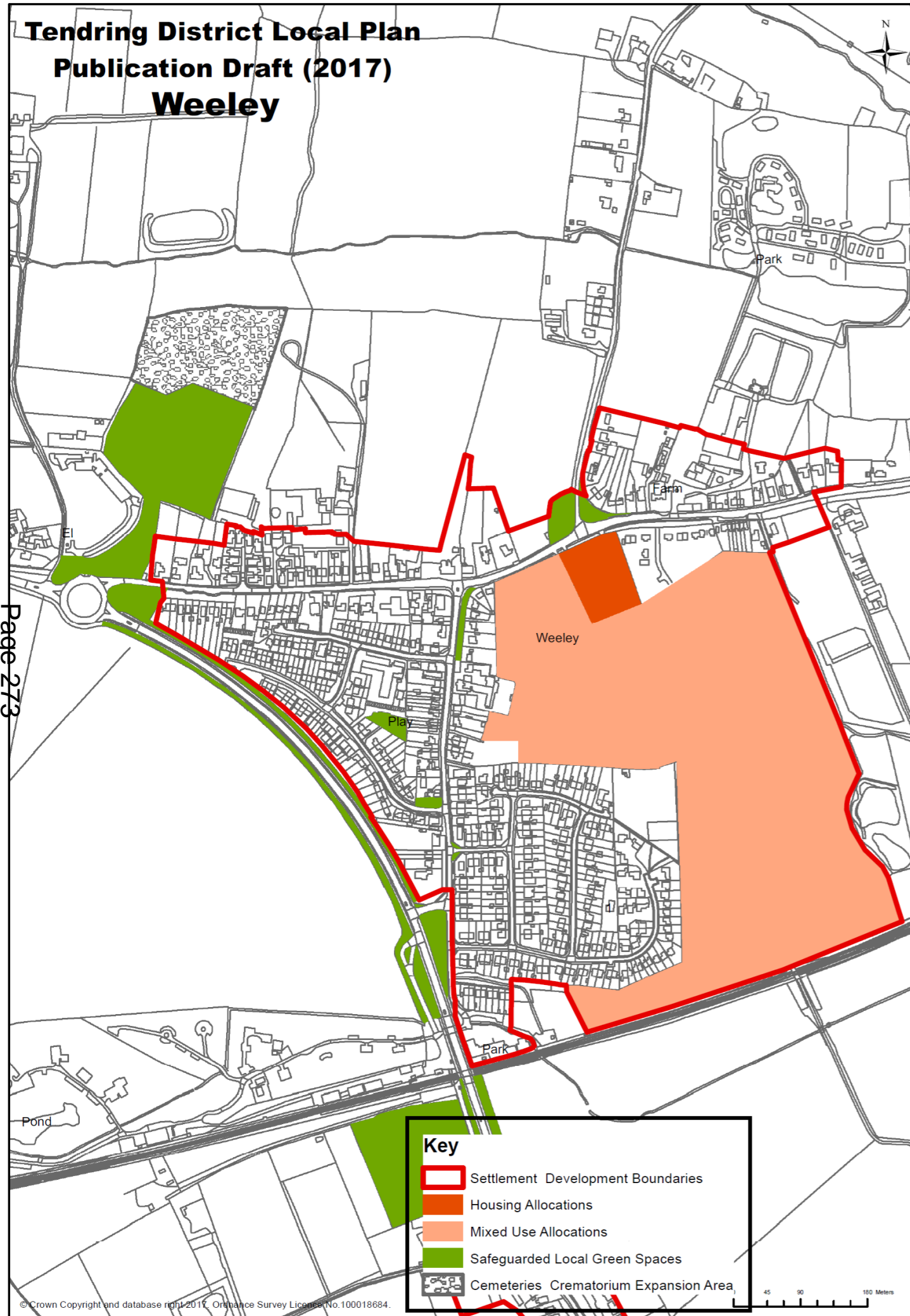
- A. Extend the settlement development boundary around land at Rainbow Nurseries to reflect the grant of planning permission for 9 dwellings.
- B. Extend the settlement development boundary around land at Wolver, Thorpe Road to reflect the grant of planning permission for 3 dwellings.

Other corrections

- D. Show the land at Ash Farm as an 'Employment Site' in line with the suggested amendments to Policy PP7.
- E. Show Oakleigh Park as a safeguarded holiday park in line with the suggested amendments to Policy PP11.
- F. Show Weeley Bridge Holiday Park as a safeguarded holiday park in line with the suggested amendments to Policy PP11.
- G. Show Homestead Lake Country Park as a safeguarded holiday park in line with the suggested amendments to Policy PP11.

CURRENT MAP

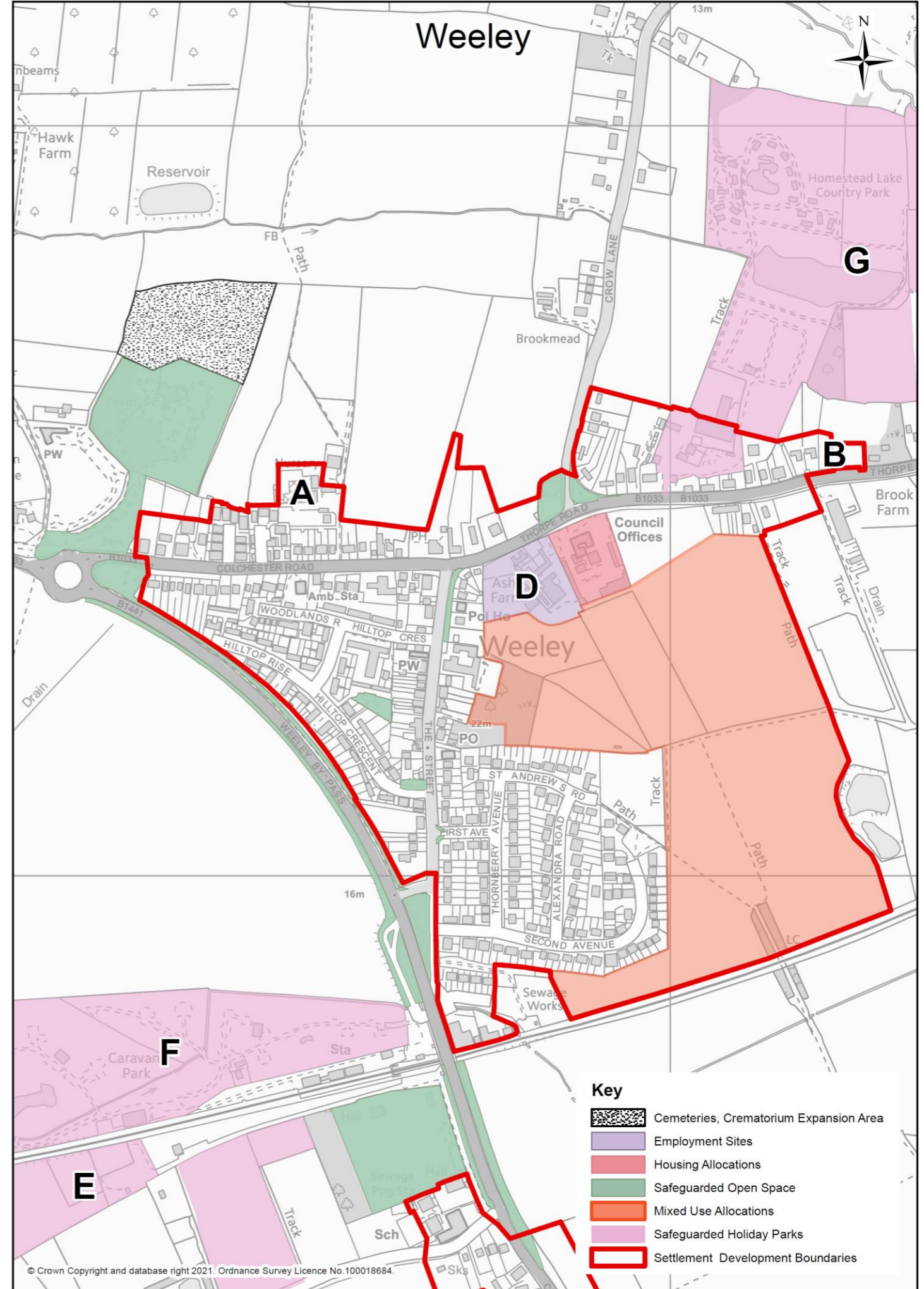
**Tendring District Local Plan
Publication Draft (2017)
Weeley**



Key

- Settlement Development Boundaries
- Housing Allocations
- Mixed Use Allocations
- Safeguarded Local Green Spaces
- Cemeteries Crematorium Expansion Area

MODIFICATIONS



Key

- Cemeteries, Crematorium Expansion Area
- Employment Sites
- Housing Allocations
- Safeguarded Open Space
- Mixed Use Allocations
- Safeguarded Holiday Parks
- Settlement Development Boundaries

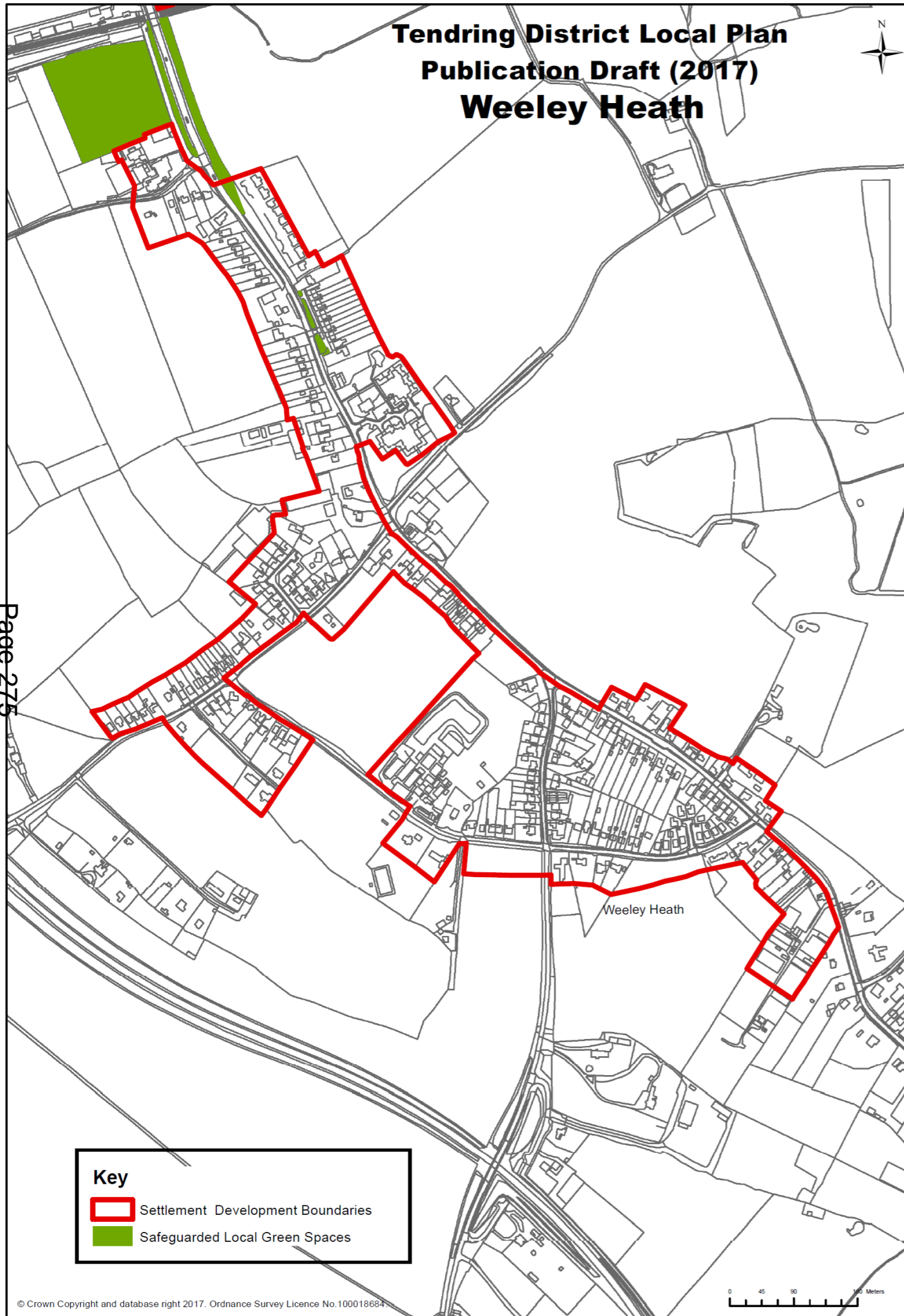
B.29 Weeley Heath

Changes suggested as a consequence of planning decisions

- A. Extend the settlement development boundary around land at adjacent 43 Mill Lane to reflect the grant of planning permission for 6 dwellings.

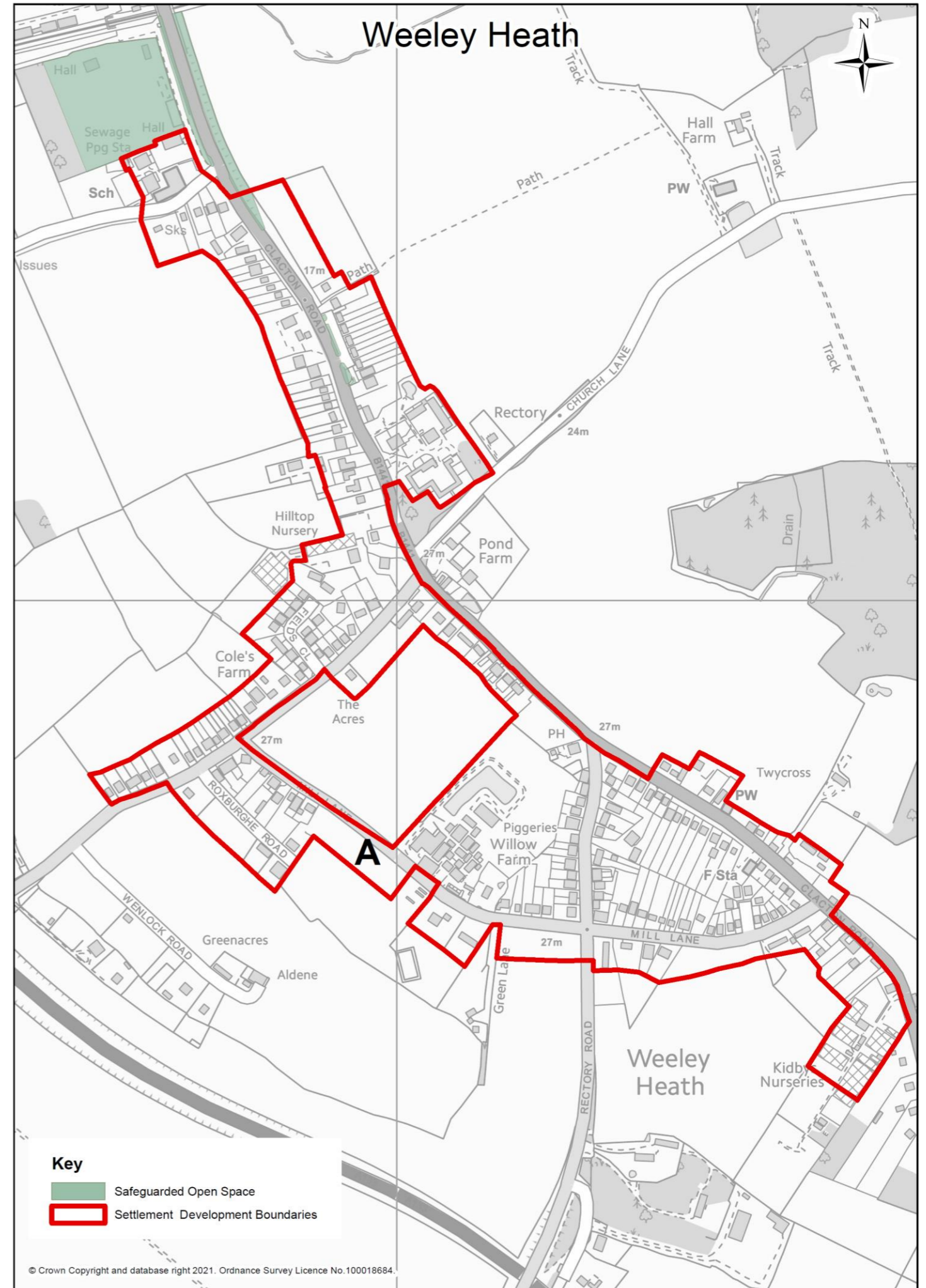
CURRENT MAP

**Tendring District Local Plan
Publication Draft (2017)
Weeley Heath**



MODIFICATIONS

Weeley Heath



B.30 Wix

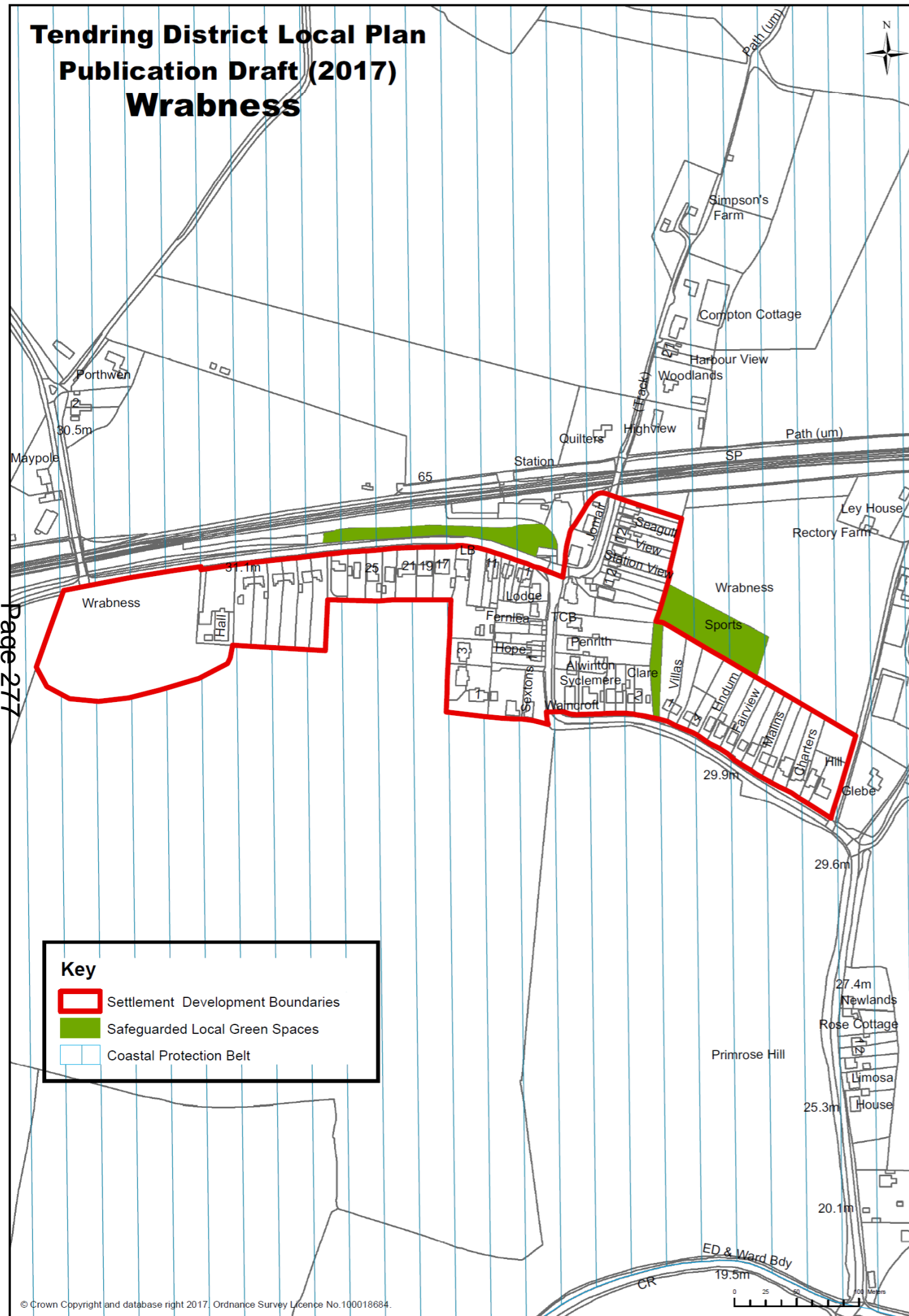
No specific modifications.

B.31 Wrabness

- A. Delete the Safeguarded Open Space designation from the railway cutting north of Station Road.
- B. Show, as Safeguarded Open Space, the area of land west of the village hall shown to be provided as open space on the indicative layout plan in support of application 15/01737/OUT.

CURRENT MAP

**Tendring District Local Plan
Publication Draft (2017)
Wrabness**

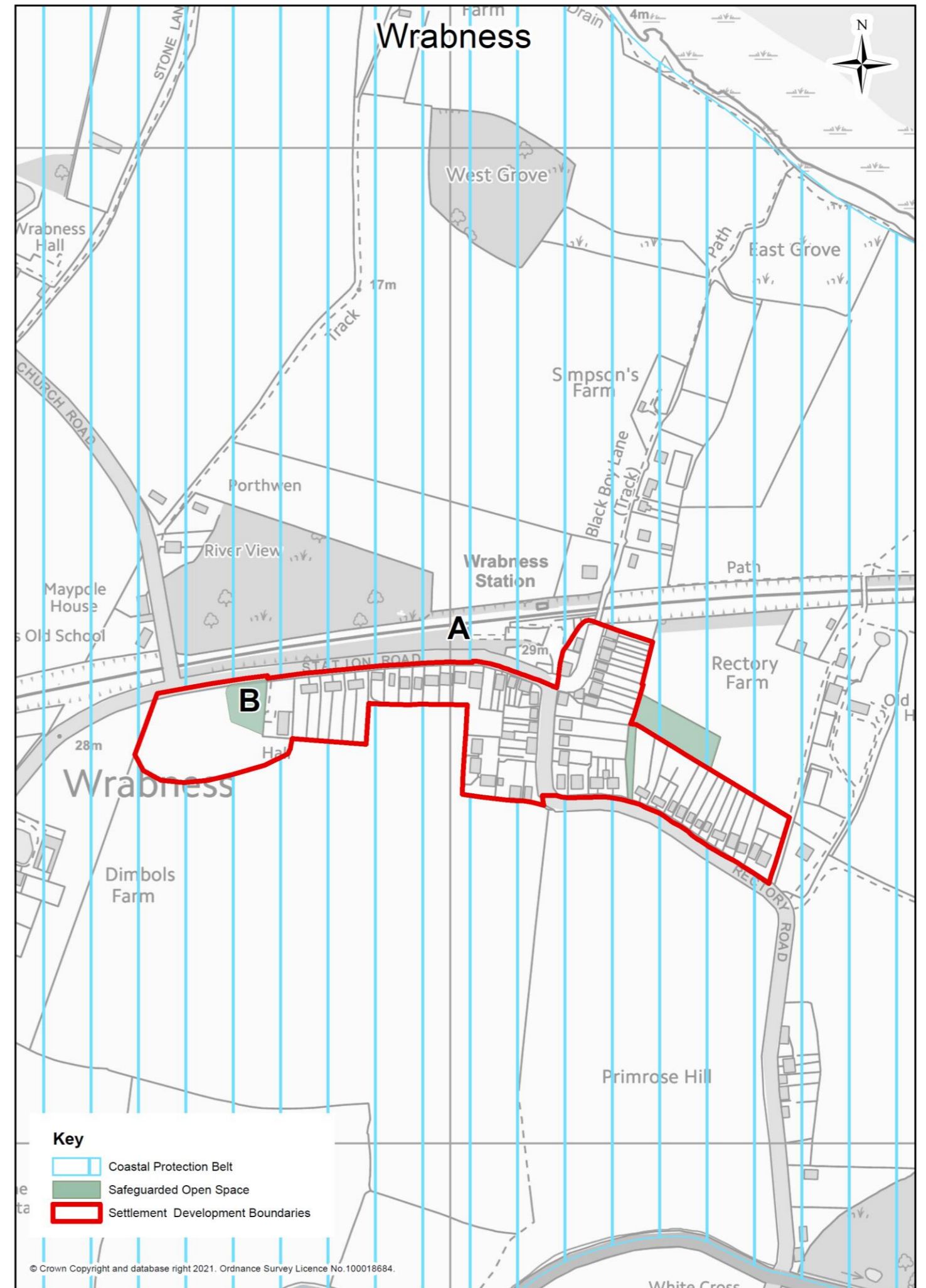


Key

- Settlement Development Boundaries
- Safeguarded Local Green Spaces
- Coastal Protection Belt

MODIFICATIONS

Wrabness



Key

- Coastal Protection Belt
- Safeguarded Open Space
- Settlement Development Boundaries

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PLANNING POLICY AND LOCAL PLAN COMMITTEE

29 JUNE 2021

REPORT OF THE ASSISTANT DIRECTOR (STRATEGIC PLANNING AND PLACE)

A.2 – LOCAL DEVELOPMENT SCHEME 2021-2024

(Report prepared by Anthony Brindley and Eleanor Storey)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek the Planning Policy & Local Plan Committee's agreement to publish a new 'Local Development Scheme' (LDS) in order to update the proposed timetable for preparing planning documents including the Local Plan and the Development Plan Document (DPD) for the Tendring Colchester Borders Garden Community.

EXECUTIVE SUMMARY

The purpose of the Local Development Scheme (LDS) is to set out an indicative timetable for preparing key planning documents. It is particularly useful for the public, partner organisations and third parties to understand, broadly, the programme of work and how the Council proposes to resource and manage it.

The LDS covers the adoption of the new Local Plan, the Tendring Colchester Borders Garden Community Development Plan Document (DPD); the future review of the Local Plan and the production of other key planning documents. It includes the anticipated timetable of consultation periods, examinations and expected dates of adoption. Publishing the LDS ensures that stakeholders, including members of the public, Town and Parish Councils, landowners and developers, partner organisations and the Planning Inspectorate are kept aware of the timetable the Council is working to can forward plan and organise their time and resources accordingly.

Section 1 of the Tendring District Local Plan has already been adopted. Section 2 of the Local Plan has been through a series of consultation exercises and an Examination in Public. The proposed modifications have been agreed with the Planning Inspector and are due to be consulted upon in mid-2021. Subject to the Planning Inspector finding the new Local Plan to be sound, it is anticipated it will be adopted in Autumn 2021.

RECOMMENDATION

That the Planning Policy and Local Plan Committee approves the updated Local Development Scheme (LDS) 2021-2024 (attached as Appendix 1) for publication on the Council's website.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Priorities within the Corporate Plan 2020-2024 include the Garden Community, having effective planning policies and having a proactive planning service. Having an up to date framework of planning policies, other planning documents and supplementary guidance in place is critical to achieving such priorities and the LDS is a requirement of local authorities to set out the timescales and resources required to achieve that.

RESOURCES AND RISK

The Local Development Scheme (LDS) has been prepared by the Council's Officers in the Strategic Planning and Place Team within the agreed Local Plan Budget. The LDS itself identifies the resources required to progress the Local Plan. Without an up to date LDS containing a realistic timetable for producing a new Local Plan and other planning documents, it will be difficult to ensure the Council makes the most efficient use of its resources.

The LDS itself contains an assessment that identifies the possible risks to delivering the Local Plan and other planning documents on time and the likelihood and potential impact of these risks; which include public opposition, the loss or turnover of planning staff, a financial shortfall, changing political priorities and legal challenges.

LEGAL

Every Local Planning Authority must prepare and maintain a Local Development Scheme (LDS) in accordance with **section 15 of Planning and Compulsory Purchase Act 2004 (as amended)**.⁹⁹The LDS is the Council's rolling project plan (often covering a period of three years) for producing its Local Development Documents and sets out a timetable for the delivery.

The LDS must identify:

- Which of their Local Development Documents are local plans or supplementary planning documents;
- The subject matter and geographical area to which any local plan relates;
- Which local plans (if any) are to be prepared jointly with another Council and
- The timetable for the preparation and revision of the local plans.

Local Planning Authorities must revise their LDS at such time as they consider appropriate and make available to the public the up-to-date text and a copy of any amendments made and published on the Council's website, together with up-to-date information showing compliance (or

non-compliance) with the timetable.

OTHER IMPLICATIONS

Area or Ward affected: All wards.

Consultation/Public Engagement: The Local Development Scheme (LDS) sets out the anticipated timetable for public consultation on the Local Plan and other planning documents.

PART 3 – SUPPORTING INFORMATION

Background

The Local Development Scheme (LDS) is designed to set out the process for producing the Local Plan. It includes the anticipated timetable of consultation periods, examinations and expected dates of adoption. Publishing the LDS ensures that stakeholders, including members of the public, Town and Parish Councils, landowners and developers, partner organisations and the Planning Inspectorate are kept aware of the timetable the Council is working to and organise their time and resources accordingly. The LDS is updated to cover three year cycles of plan preparation.

The update to the Local Plan timetable has a provisional adoption date of Autumn/Winter 2021 for Section 2, this reflects current progress with the Main Modifications and projected timeline for Consultation.

The revised timeframe for the Tendring Colchester Borders Garden Community DPD is outlined in the LDS with a draft DPD scheduled for Member approval in Winter 2021/22 with the Draft DPD consultation to follow shortly after.

The LDS also sets out the broad timescales for the following Supplementary Planning Documents:

- Hartley Gardens SPD
- Jaywick Sands Design SPD
- Open Space SPD
- Climate Change SPD

APPENDICES

Appendix 1 – The Tendring District Council Local Development Scheme (LDS) 2021-2024.

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Tendring District Council



Local Development Scheme (LDS) 2021-2024

June 2021

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1 Introduction

1.1 The Local Development Scheme (LDS) sets out the Council's process and timetable for producing planning documents. This includes the final stages for adoption of the new Tendring District Local Plan, the process for preparing the Development Plan Document (DPD) for Tendring Colchester Borders Garden Community as well as the future review of the Local Plan and the production of other key planning documents. It sets out the anticipated timetable for consultation periods, examination (where applicable) and adoption of the various documents. Publication of the LDS ensures that stakeholders, including members of the public, Town and Parish Councils, landowners and developers, partner organisations and the Planning Inspectorate are kept aware of the indicative timetable the Council is working to help them to organise their time and resources accordingly.

1.2 Section 38(6) of the Planning and Compulsory Purchase Act requires local planning authorities such as Tendring District Council to make decisions on planning applications in accordance with the 'development plan', generally referred to as the 'Local Plan'. Councils have a duty to ensure their Local Plan is kept up to date, is prepared in accordance with the government's National Planning Policy Framework (NPPF) and positively promotes 'sustainable development' by identifying sufficient land for new homes and employment opportunities.

1.3 The new Local Plan has been through a series of consultation exercises and an Examination in Public. The proposed modifications have been agreed with the Planning Inspector and are due to be consulted upon in mid-2021. Subject to the Planning Inspector finding the new Local Plan to be sound, it is anticipated it will be adopted in 2021, potentially as early as the Autumn.

2 Background

Progress to date and future programme stages

2.1 Section 1 of the new Local Plan was adopted by the Council on 26th January 2021. The Examination in Public of Section 2 took place in February/March 2021 and has now reached 'modifications stage' where the Inspector has recommended modifications that need to be published for consultation. Consultation is expected in mid-2021 with the Inspector's final report to be potentially received late summer/ Autumn of 2021. The Council hopes to be in a position to adopt the Section 2 Local Plan in Autumn 2021 or before the end of the year.

2.2 The Council will implement the Local Plan and monitor its effectiveness. If required, the Local Plan will be reviewed within a 5 year time frame, depending on any changes to national planning policy or the national planning system. The Council is also working with Colchester Borough Council and Essex County Council to prepare a Community Development Plan Document (DPD) for the Tendring Colchester Borders Garden and is likely to progress other key planning documents for which a programme of work is outlined below.

3 Documents to be Prepared

3.1 For the period 2021 to 2024, the following planning documents will be prepared or initiated:

- **Tendring District Local Plan**

The Local Plan will be the main planning document for Tendring setting out the strategy for growth for the period to 2033 and beyond, identifying specific sites for development and including the policies that will be used in the determination of planning applications. The new document will supersede the 2007 'saved' policies.

The Plan consist of two parts, the strategic elements and the development management elements.

- 1) The strategic elements in Section 1 of the Local Plan have already been adopted following a collaboration with Braintree, Colchester, and Essex Councils. This strategic element of the individual Local Plans will enable a collective vision for sustainable implementation of the development plans in north east Essex and set out the housing and employment requirements for each district along with specific policies for the Tendring Colchester Borders Garden Community.
- 2) The development management policies in the plans may share commonality in the districts but others will be bespoke to the individual Local Planning Authority Areas. The bespoke policies for Tendring form Section 2 of the Local Plan which has now reached the modifications stage of the process and is due to be adopted in late 2021.

- **Review of the Tendring District Local Plan**

The NPPF (2019) states that 'Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary . Reviews should be completed no later than 5 years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy.' As such, a review of the Local Plan will need to be considered within the next few years, particularly if circumstances change, which may involve updating a targeted set of policies following the same procedural process as the production of the Local Plan.

The Council is aware that the government is looking to introduce some changes to national planning system which may or may not impact on these timescales and the format and procedures that a new Local Plan might need to follow./

- **Tendring Colchester Borders Development Plan Document for the Garden Community in west Tendring**

A Development Plan Document (DPD) follows the same process for preparation as a Local Plan. It builds on policy or policies in the Local Plan and provides significantly more implementation detail. Any DPD for west Tendring will require the co-operation and collaboration with Colchester Borough Council. This DPD in Colchester's LDS is described as a 'Strategic Growth Development Plan Document'.

In Section 1 of the Publication Draft of the Local Plan, Policy SP8 states: “The Strategic Growth DPD will set out the nature, form and boundary of the new community. The document will be produced in consultation with stakeholders and will include a concept plan showing the disposition and quantity of future land-uses, and give a three dimensional indication of the urban design and landscape parameters which will be incorporated into any future planning applications; together with a phasing and implementation strategy which sets out how the rate of development will be linked to the provision of the necessary social, physical and environmental infrastructure, to ensure that the respective phases of the development do not come forward until the necessary infrastructure has been secured. The DPD will provide the framework for the subsequent development of more detailed masterplans and other design and planning guidance for the Tendring / Colchester Borders Garden Community.”

- **CIL Charging Schedule**

The proposals for development in the new Local Plan will need to be supported by investment in the necessary infrastructure. An Infrastructure Delivery Plan has already been prepared alongside the new Local Plan and one will be required for the Garden Community DPD. Infrastructure Delivery Plans identify each piece of infrastructure that is needed and set out the mechanism for delivering these items.

One source of funding could be the Community Infrastructure Levy (CIL) which requires a ‘charging schedule’ setting out how much money developers will be expected to contribute toward infrastructure provision from developments in certain parts of the district using a formula based on £ per sqm of floorspace.

CIL is optional and not currently utilised by the Council in favour of bespoke Section 106 agreements with developers. CIL could however be an alternative option which the Council may consider. As such, it is included in the LDS programme with indicative timescales.

- **Authorities Monitoring Report (AMR)**

The Authorities Monitoring Report (AMR) will be published annually to demonstrate how the Council’s planning policies have performed over a 12 month period against a range of established indicators. The AMR will also include general information about the district including the population and local economy. The new Local Plan will contain a new set of indicators that will be used for monitoring purposes going forward.

4 Programme for Preparing Documents

Tendring District Local Plan	
Subject and scope	This document will supersede the Council's 2007 'saved policies' and cover the period to 2033 and beyond. It will include the strategic and development management policies, site specific and broad allocations and Local Plan Policies Maps.
Geographical area	<p>The strategic policies for growth across North Essex and the Tendring Colchester Borders Garden Community contained within Section 1 of the Local Plan have been prepared in partnership with Braintree, Colchester and Essex Councils and were adopted by the Council in January 2021.</p> <p>Development Management policies and local site allocations which are relevant to specific parts or all of Tendring are contained within Section 2 of the Local Plan which, following examination hearings in February/March 2021, has reached modifications stage.</p>
Chain of conformity	<p>The relevant Planning Acts and Regulations</p> <p>Essex Minerals and Waste Plans</p> <p>National Planning Policy Framework (NPPF)</p>
Indicative timetable for production	
Consultation on 'Main Modifications' to Section 2	Summer 2021
Receipt of Inspector's final report on legal compliance and soundness for Section 2	Autumn 2021
Adoption of Section 2 Local Plan by Full Council	Autumn/Winter 2021
Timetable for review	The Local Plan will need to be reviewed within 5 years of adoption (subject to any changes to the national planning system) to maintain an ongoing supply of land for development and address any other planning issues that arise.

Review of the Tendring District Local Plan	
Subject and scope	This document will update the Council's new Local Plan to cover an extended period of time beyond 2033, enabling the strategy for growth, planning policies and site allocations to be reviewed as necessary and desirable.
Geographical area	All of the Tendring District. The strategic policies for Tendring Colchester Garden Community will be prepared in collaboration with Colchester and Essex Councils and will be a separate DPD to accompany the Local Plan.
Chain of conformity	The relevant Planning Acts and Regulations Essex Minerals and Waste Plans National Planning Policy Framework (NPPF)
Indicative timetable for production	
Issues and Options Consultation	Summer 2023
Consultation on draft Local Plan	Spring 2024
Publication of Submission draft Local Plan	Winter 2024
Submission	Spring 2025
Examination and main modifications	Autumn 2025
Adoption	Winter 2025/26

Tendring Colchester Garden Community Development Plan Document (DPD)	
Subject and scope	This document will contain policies and allocations to guide the new Garden Community proposed at the Tendring/Colchester border. This DPD will be produced jointly with Colchester Borough Council and Essex County Council.
Geographical area	The broad location for the Garden Community is identified in the Section 1 Local Plan. The precise boundaries will be designated in this DPD
Chain of conformity	Tendring and Colchester Local Plans The relevant Planning Acts and Regulations Essex Minerals and Waste Plans National Planning Policy Framework (NPPF).
Indicative timetable for production	
Document Preparation	Winter 2020/21 – Winter 2021/22
Member approval of draft DPD	Winter 2021/22
Draft DPD Consultation	Winter 2021/22
Document Preparation	Spring 2022 – Autumn 2022
Member approval of submission DPD	Autumn 2022
Submission DPD Consultation	Autumn 2022
Submission to Secretary of State	Winter 2022
Examination	Winter 2022
Inspector's report	Spring 2023

Adoption (Full Council)	Summer/ Autumn 2023
Timetable for review	This will be reviewed and updated as necessary.

Infrastructure Delivery Plan and CIL Charging Schedule (Optional)	
Subject and Scope	If needed this document would set out the Council's approach to using legal agreements and securing development contributions to deliver infrastructure, affordable housing and other local benefits from development. The document could include the Council's Community Infrastructure Levy (CIL) charging schedule.
Geographical Area	All of the Tendring District. Some areas of Tendring may be established as CIL exempt
Chain of Conformity	Relevant Planning Acts and CIL Regulations Emerging Local Plan National Planning Policy Framework (NPPF)
Indicative timetable for production	
Preparation of document	Spring 2022
Member approval for initial consultation	Summer 2022
Publication of document for consultation	Autumn 2022
Member approval for final consultation and submit the document for examination	Winter 2022
Submit documents and information to Secretary of State	Spring 2023
Independent examination	Summer 2023
Inspector's report	Autumn 2023
Adoption (Council)	Winter 2023
Timetable for review	The document will be reviewed on an annual basis to determine whether or not any changes to the CIL timetable are necessary

Authorities Monitoring Report (AMR)	
Subject and Scope	This document will provides a high level analysis of how the Council's planning policies are performing against a range of indicators.
Geographical Area	All of the Tendring District.

Chain of Conformity	The content of the document should correspond with policies in the Local Plan.
Timetable for production – same process followed each year	
Preparation of document	January - March
Publication of the AMR	April - June
Timetable for review	The Authorities Monitoring Report is produced annually.

Supplementary Planning Documents (SPD)		
Evidence	Purpose	Relevance/Timescales
Hartley Gardens SPD	To produce a comprehensive Development Framework and delivery strategy for the development of 1,700 homes and associated development north of Clacton.	Potential adoption Summer 2022
Jaywick Sands Design SPD	To provide design guide for replacement and new dwellings within the existing built up area of Jaywick Sands.	Potential adoption Autumn 2022 (This can only be adopted once the new Local Plan has been adopted)
Open Space SPD	To provide guidance for the provision, adoption and future maintenance of outdoor recreational facilities directly needed as result of new development.	Potential adoption Winter 2022
Climate Change SPD	To provide more detailed guidance on Local Plan policies to ensure new development is sustainable, makes efficient use of natural resources, mitigates against the effects of climate change and is designed to reduce their carbon emissions and incorporate sustainable energy systems.	Potential adoption Winter 2022/23

5 Evidence Base

5.1 To comply with the relevant Planning Acts, Regulations and national policy contained within the NPPF, it is essential that the policies and proposals in Local Plans and the charging schedule in CIL are based on objective evidence. This can include surveys, technical studies and consultants' reports. The Council has already compiled and prepared a significant amount of evidence and the majority of this evidence will remain sufficiently relevant and robust to inform the Local Plan and other planning documents. There are, however, some areas where either additional evidence is needed or existing evidence needs updating. The following table identifies each element of the evidence base, its purpose, current relevance and any timetables for future work.

Subject Area: Housing		
Evidence	Purpose	Relevance/Timescales
Demographic and Household Projections	To inform the preparation of a Strategic Housing Market Assessment and inform decisions on the 'objectively assessed need for housing'.	Undertaken for all Essex Authorities through the Essex Planning Officers Association. Last projections were produced in September 2016. Review may be required ahead of the next Local Plan review depending on government changes to the planning system.
Strategic Housing Market Assessment (SHMA)/ Local Housing Needs Assessment	To calculate the 'objectively assessed need' for housing and inform the approach to the size, type and tenure of housing needed.	This was undertaken in two parts: the objectively assessed housing needs study by Peter Brett Associates (November 2016) and the SHMA undertaken by HDH Planning and Development (December 2015). A further update alongside the review of the Local Plan will be required.
Strategic Housing and Land Availability Assessment (SHLAA)	To assess the suitability, availability and deliverability of potential housing sites and inform the allocation of land for housing.	Undertaken by Council Officers. The Issues and Options consultation included a "call for sites", these have been incorporated into the SHLAA. The SHLAA was last updated in April 2018. A further update alongside the review of the Local Plan will be required.
Gypsy and Traveller Accommodation Assessment (GTAA)	To calculate the 'objectively assessed need' for sites and pitches for Travellers – as required by the government's Planning Policy for Traveller Sites (March 2012).	Undertaken by consultants ORS for all Essex authorities and completed in May 2017. An update was completed in 2018.
Housing Sizes in the Urban Areas of the Tendring District	A survey of house sizes in different parts of the district to inform the Council's policies in minimum space standards.	Undertaken by Council Officers and completed in August 2013. Could be reviewed ahead of next Local Plan review.
Jaywick Sands Place Plan	To establish a framework for development aimed at regenerating Jaywick Sands	Work currently being undertaken by Council Officers and HAT Projects Limited with the emphasis on deliverability. Consultation might be undertaken in 2022 with the Place Plan being completed by 2023.

Subject Area: Business		
Evidence	Purpose	Relevance/Timescales
Economic Development Strategy	To inform the overarching approach to economic development and job creation in the district.	Updated and approved by Cabinet July 2020.
Employment Land Review	To inform the allocation and protection of land for business and industrial use in terms of amount and location.	Completed 2019.
Retail & Town Centre Study	To identify the need for additional retail units to meet residents' demands for goods and services and thus inform the allocation and protection of town centres and potential development sites.	Reviewed and updated in 2020 by Lambert Smith Hampton.
Hotel and Guesthouse Retention Study	To inform the policies on protecting hotels and guesthouses in the district and advise on how they might need to develop in the future to reflect changing trends and demands	A further update alongside the review of the Local Plan may be required.
Holiday Park Sector Review	To inform the allocation and protection of holiday parks in the district and advise on how they might need to develop in the future to reflect changing trends and demands.	The study was completed by Frontline Consultants in 2020.
Walton-on-the-Naze Regeneration Framework	To advise the Council on ways to regenerate the economy of Walton-on-the-Naze and inform relevant policies in the Local Plan.	Undertaken by consultants BNP Paribas and completed in January 2010. No imminent need for review.
Dovercourt Rediscovered	To advise the Council on ways to regenerate the economy of Dovercourt Town Centre and inform relevant policies in the Local Plan.	Reviewed and updated in 2019.

Subject Area: Infrastructure		
Evidence	Purpose	Relevance/Timescales
Infrastructure Study	To assess the capacity of Tendring's infrastructure, including transport, health, education and utilities to inform decisions on where to locate future growth and provide the baseline evidence for use in seeking funding for improvements, including through Community Infrastructure Levy (CIL).	Reviewed and updated 2021.
Haven Gateway Watercycle Study	To provide evidence to Haven Gateway authorities and utility companies about sewage treatment capacity to support plans for growth in the area.	Stage 1 report completed May 2008 and Stage 2 report completed November 2009. These reports will inform the Infrastructure Study. No imminent need for review.

Subject Area: Minerals

Essex County Council is the planning authority for minerals and it prepares the evidence needed to inform the content of the Minerals Local Plan. Tendring District Council is a key consultee in the preparation of that plan.

Subject Area: Defence, security, counter-terrorism & resilience

There is no need for any specific evidence to be prepared, but the Council will consult relevant bodies to ensure that plans for development do not impact upon the operations of any defence or security installations.

Subject Area: Environment		
Evidence	Purpose	Relevance/Timescales
Flood Risk Assessment (SFRA)	To identify areas at risk of flooding, measure the potential risks within different parts of the flood zone and inform the 'sequential approach' to locating development away from flood risk areas.	Completed March 2009. Local Plan allocations will generally avoid sites in Flood Zones 2 and 3 and therefore there is no imminent need for review. Review definitely required ahead of next Local Plan review.
Essex and South Suffolk Shoreline Management Plan	To set out a strategy for protecting different sections of the Essex and South Suffolk coast from flooding and coastal erosion to be implemented by the Environment Agency, working with its partners.	Completed in 2012. Any review would be undertaken by the Environment Agency working with its partners. No imminent need for review.
Jaywick Strategic Flood Risk Study	SFRA carried out specifically for Jaywick Sands in support of the Council's policies to promote regeneration in that area.	Completed May 2008. The SFRA specifically for Jaywick Sands was updated in April 2015.
Harwich Strategic Flood Risk Assessment (SFRA)	SFRA carried out specifically for Harwich in support of the Council's policies to promote regeneration in that area.	Level 1 report completed April 2008. Level 2 report completed August 2008. No imminent need for review.
Landscape Character Assessment	To define the different characteristics of the district's landscape and help inform Planning decisions.	Completed 2001. Review within 15-20 years. Consider review.
Landscape Impact Assessment	To test the potential landscape impact of development on a range of urban-edge greenfield sites and thus inform the allocation of sites for housing and other forms of development.	Stage 1 report completed April 2009. Stage 2 report completed March 2010. NPPF now attaches less weight to landscape impact issues and therefore no review is needed.
Strategic Green Gap Study	To review the Green Gap designations within the Local Plan.	Completed by LUC in 2020. May require review ahead of next Local Plan review.
Local Wildlife Site Review	To assess the wildlife value of all parts of the district and inform the identification of 'Local Wildlife Sites' (LoWS) deemed worthy of protection through the Local Plan.	Undertaken by Essex Ecological Services (EECOS) and completed in September 2009. Specific survey of land off Crestwood Meadow, Alresford undertaken in 2013 in response to requests from residents. Consider review ahead of new Local Plan review.
Habitat Regulation Assessment	To assess the impact of proposals and policies in the Local Plan on habitats of international importance and advise the Council on how to avoid, minimise or mitigate any impacts.	Two reports were completed by consultants LUC in May 2017 for Shared Strategic Section 1 and in October 2018 for Publication Draft Section 2 of the Plan. Currently being updated for modifications stage.

Subject Area: Historic Environment		
Evidence	Purpose	Relevance/Timescales
Historic Environment Characterisation Project	To define the different characteristics of the district's historic character and help inform decisions on local plan designations and planning applications.	Completed December 2008 by Essex County Council. Review within 15-20 years. No imminent need for review.
Heritage Impact Assessment	To assess in a structured process that the significance of historic assets are taken into account when developing and designing proposals for change.	Currently being undertaken.
Geodiversity Characterisation Report	To assess the geo-diversity of the Tendring District – i.e. the composition of minerals below the ground.	Completed May 2009 by Essex County Council. Review within 15-20 years. No imminent need for review.
Conservation Area Appraisals	To help inform decisions relating to development in Conservation Areas and to review their boundaries.	Undertaken as and when required. Conservation Area Appraisals for all areas in the process of being reviewed by Essex Place Services.

Subject Area: Health and well-being		
Evidence	Purpose	Relevance/Timescales
Open Space, Sport and Recreation Strategy	To establish quantitative and qualitative standards for open space, sport and recreation provision to inform policies in the Local Plan and the use of s106 or CIL money.	Reports were completed by consultants KKP in April 2017. Full review required ahead on next Local Plan and could inform Garden Community DPD.

Subject Area: Public safety from major accidents
There is no need for any specific evidence to be prepared, but the Council will consult relevant bodies, including the Highways Authority and Highways Agency, to ensure that plans for development do not create

new or exacerbate existing accident black-spots, seeking, wherever possible, to address them.

Subject Area: Ensuring viability and deliverability

Viability Testing	To assess the economic viability of Local Plan policies to ensure that development is viable and therefore realistically achievable. Also to inform decisions on setting CIL tariffs.	Reviewed and updated in 2019.
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Sustainability Appraisal, Strategic Environmental Assessment and Habitats Regulation Assessment

5.2 As well as having to be based on robust but proportional technical evidence, Local Plans and some other planning documents must also be accompanied by a 'Sustainability Appraisal' incorporating a 'Strategic Environmental Assessment' and, where they are likely to affect sites of international importance for nature conservation, a 'Habitats Regulation Assessment'.

5.3 Sustainability Appraisal is a requirement under Section 19 of the Planning and Compulsory Purchase Act 2004 and must be undertaken for each stage of the plan-making process to ensure that the plan does everything it can to achieve sustainable development. It is a requirement of both UK and European Law to appraise the sustainability and environmental effects of proposals in the Local Plan and other planning documents. Therefore, at key stages of the plan making process i.e. draft plan consultation and submission stages, the Council will also publish a Sustainability Appraisal incorporating the Strategic Environmental Assessment.

5.4 A Habitat Regulation Assessment, or 'Appropriate Assessment' as it is often called, is a requirement from the European Habitat Directive (92/43/EEC) and, for Tendring, will be necessary to assess the impact of the Local Plan's policies and proposals on three sites of international importance for nature conservation – Hamford Water, the Colne Estuary and the Stour Estuary.

6 Resources and Risk Assessment

6.1 In undertaking major projects such as the preparation of a new Local Plan, DPD or CIL Charging Schedule, it is important to understand the resources needed and the potential risks along with the impact they could have on the process of plan preparation, consultation and examination.

Professional Officer Input

6.2 The preparation and review of the Local Plan and other planning documents will be led by the Council's Strategic Planning and Place Team. This team will work with and draw upon the knowledge, help and experience of other officers in the Council to ensure planning policy documents comply with and help to deliver corporate objectives. Through the legal Duty to Cooperate, there will also be strong input from provisional officers from partner organisations such as Essex County Council, the Environment Agency, Highways England and the NHS. On the Tendring Colchester Borders Garden Community in particular, the Council will be working jointly with Colchester Borough Council and Essex County Council in a partnership approach.

Financial Resources

6.3 The Council has allocated a budget for the review of the Local Plan, the production of SPD's and the Tendring Colchester Borders DPD in recognition of how important these documents are to the future of the district. The most significant costs are expected to be the commissioning and updating of technical studies in relation to the above projects and the cost of the Examinations in Public. The latter requires the Council to pay fees to the Planning Inspectorate, employ a 'Programme Officer' to administrate the examination process and employ, where necessary, specialist planning consultants or lawyers to deal with issues of technical or legal complexity.

6.4 Any strategic elements across authorities will be paid for jointly by the relevant authorities.

Risk Assessment

Issue and level of Risk	Comment and proposed mitigation measures
Significant public opposition to the new Planning documents High Risk /Medium Impact	The preparation of the Tendring Colchester Garden Community DPD and the review of the Local Plan will be of considerable public interest. Through the Statement of Community Involvement (SCI), the Council has set out a programme of consultation and the Garden Community project is the subject of its own engagement strategy. This approach should mitigate the amount of misinformation and reduce objections to substantive issues. Proposals will also be based on a sound evidence base so that decisions can be justified in the examination of the plans.
Loss/turnover of staff Low Risk/High Impact	The Council has mechanisms to enable new staff to be employed either on a permanent or temporary basis in order to

	fill any vacancies. Additionally any strategic work with other authorities will enable shared resources and funding on mutually beneficial outputs.
Financial shortfall Low Risk/High Impact	The Council has allocated a budget to the preparation and review of planning documents in recognition of how important both the Local Plan, the Garden Community DPD and supplementary planning documents will be to the future of the district. There is a risk that, due to general pressures on public finances, the funds available could be reduced or withdrawn, but the Council's commitment and its corporate objectives around the Local Plan and the Garden Community should ensure that the programme is properly resourced. Maintaining an up to date planning framework enables opportunities to attract external funding, generate economic growth and increase the revenue base of the district.
Changing political priorities High Risk/High Impact	The setting up of the Local Plan Committee (now the Planning Policy and Local Plan Committee) to oversee the preparation of the Local Plan and other relevant documents, with Councillors from all political groups, has enabled the plan to proceed smoothly to the advanced stages of the process. Consideration will be given in due course to the arrangements for oversight and approval for the Garden Community DPD which involves more than one Council.
Legal challenge Medium Risk/High Impact	There is a possibility of legal challenge to any planning document once a Council has reached a decision to adopt. By ensuring that all of the correct legal procedures are followed, including the duty to cooperate, the need for a Sustainability Appraisal and the need to undertake consultation in line with the planning regulations, the Council will aim to minimise the grounds upon which a legal challenge could be based.

7 Decision Making

7.1 The Local Plan is one of the Council's most important documents; it therefore requires endorsement by the majority of the Council's democratically elected Members. In March 2014, the Council agreed to set up a dedicated 'Local Plan Committee' made up of 15 elected Councillors to oversee the preparation of the new Local Plan and other planning documents. The table below sets out the different decision making powers at different levels of the organisation that relate to the Local Plan and other planning documents.

Decision maker	Type of decision
<p>Full Council</p> <p>Comprising all TDC Members</p>	<p>Approving the content and submission of the Local Plan to the Secretary of State for examination by a government Planning Inspector.</p> <p>Formally 'adopting' the Local Plan following confirmation, from the Planning Inspector, that the plan is legally compliant and sound.</p>
<p>Planning Policy and Local Plan Committee</p>	<p>Considering and approving the content of the Local Plan at different stages as it emerges through the process including making recommendations to Full Council.</p> <p>Updating and approving the Infrastructure Delivery Plan and CIL Charging Schedule for public consultation, submission to the Secretary of State for examination by a government Planning Inspector and formal adoption.</p>
<p>Cabinet</p>	<p>Commenting on the content of the Local Plan before recommendations are made to Full Council.</p> <p>Approving 'Supplementary Planning Documents' (SPD) and Neighbourhood Plans for public consultation and formal adoption.</p>
<p>Assistant Director for Strategic Planning and Place in liaison with the Planning Policy and Local Plan Committee Chairman</p>	<p>Delegation by the Local Plan Committee, as and when required, e.g. for changes to any planning documents aimed at improving consistency and correcting minor errors that do not in any way constitute a change in the thrust, meaning or interpretation of any policy or proposal and e.g. collaboration on evidence base for Local Plan preparation.</p>

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