



# PLANNING POLICY AND LOCAL PLAN COMMITTEE

# AGENDA

<b>DATE:</b>	<b>Tuesday, 23 July 2024</b>
<b>TIME:</b>	<b>6.00 pm</b>
<b>VENUE:</b>	<b>Town Hall, Station Road, Clacton-on-Sea, CO15 1SE (Committee Room)</b>

**MEMBERSHIP:**

**Councillor Guglielmi (Chairman)**  
**Councillor Bush (Vice-Chairman)**  
**Councillor Bray**  
**Councillor Chapman BEM**  
**Councillor M Cossens**

**Councillor Fairley**  
**Councillor Fowler**  
**Councillor Newton**  
**Councillor Scott**

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DATE OF PUBLICATION: Thursday, 11 July 2024

## **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 7 - 12)**

To confirm and sign as a correct record, the minutes of the meeting of the Committee, held on Tuesday 28 May 2024.

### **3 Declarations of Interest**

Councillors are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests of Non-Registerable Interests, 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 13 - 16)**

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 that Committee on any specific agenda item to be considered at that public meeting.

### **6 Report of the Director (Planning) - A.1 - TDC Response to National Grid Statutory Consultation on Norwich to Tilbury Electricity Powerline Connection Project (Pages 17 - 36)**

To invite discussion and seek agreement from the Planning Policy and Local Plan Committee to Tendring District Council's formal response to the statutory consultation being carried out by National Grid on its proposed Norwich to Tilbury electricity power line connection project.

### **7 Report of the Director (Planning) - A.2 - Updated Housing Supply Position and Local Plan Review Baseline (Pages 37 - 50)**

To report to the Planning Policy and Local Plan Committee:

- The findings of the most recently updated Strategic Housing Land Availability Assessment (SHLAA) including:
  - The number of new homes built in Tendring during the 2023/24 financial year and the up-dated year-by-year 'trajectory' for future housebuilding; and
  - The current housing land supply position (the 'five-year' supply).
- The baseline housing position for the Local Plan Review.

**8      Report of the Director (Planning) - A.3 - Updated Local Development Scheme 2024-2027 (Pages 51 - 74)**

To seek the Planning Policy & Local Plan Committee's agreement to publish an updated 'Local Development Scheme' (LDS), updating the proposed timetable for reviewing the Local Plan in light of a delay caused by the General Election.

### **Date of the Next Scheduled Meeting**

*The next scheduled meeting of the Planning Policy and Local Plan Committee is to be held in the Town Hall, Station Road, Clacton-on-Sea, CO15 1SE at 6.00 pm on Thursday, 10 October 2024.*

## **Information for Visitors**

### **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 fire exits in the room and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point.

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

Your calmness and assistance is greatly appreciated.

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**MINUTES OF THE MEETING OF THE PLANNING POLICY AND LOCAL PLAN COMMITTEE,  
HELD ON TUESDAY, 28TH MAY, 2024 AT 6.00 PM  
IN THE TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE**

<b>Present:</b>	Councillors Guglielmi (Chairman), Bush (Vice-Chairman), Bray, Chapman BEM, M Cossens, Fairley, Fowler, Goldman and Scott
<b>Also Present:</b>	Councillor Baker (Portfolio Holder Housing & Planning)
<b>In Attendance:</b>	Gary Guiver (Director (Planning)), Paul Woods (Planning Policy Team Leader), Will Fuller (Senior Planning Policy Officer), Keith Durran (Committee Services Officer) and Bethany Jones (Committee Services Officer)

**40. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

An apology for absence was received from Councillor Newton (with Councillor Goldman substituting).

**41. MINUTES OF THE LAST MEETING**

It was **RESOLVED** that the Minutes of the last meeting of the Committee, held on Tuesday 27 February 2024, be approved as a correct record and be signed by the Chairman.

**42. DECLARATIONS OF INTEREST**

In relation to agenda item 7 (report A.2 – Local Plan Review: Issues and Options Consultation Document), Councillor Fairley declared a Disclosable Pecuniary Interest as her family owned and farmed land in and around Horsley Cross and land had been put forward for consideration within the call for sites process, both at Horsley Cross roundabout and along the B1035 towards Horsley Cross Street. Horsley Cross was detailed within the options in the report. She also informed Members that she would withdraw from the meeting at the appropriate juncture and therefore take no part in the Committee's deliberations on this matter.

**43. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38**

No questions on notice pursuant to Council Procedure Rule 38 had been submitted on this occasion.

**44. PUBLIC SPEAKING**

Pursuant to the provisions of the Council's public speaking scheme for the Planning Policy & Local Plan Committee, no member of the public had registered to ask at this meeting a question or to make a statement regarding the matters contained in the reports of the Director (Planning).

**45. REPORT OF THE DIRECTOR (PLANNING) - A.1 - ADOPTION OF THE STATEMENT OF COMMUNITY INVOLVEMENT**

The Committee considered a report of the Director (Planning) (A.1) which:-

- (i) informed it of the outcome of the public consultation exercise carried out in relation to the draft Statement of Community Involvement (SCI) and that Officers had made a number of minor modifications to the SCI in response to those consultation responses; and
- (ii) sought its endorsement of the SCI, as amended, as well as its approval that the SCI be submitted to the Council's Portfolio Holder for Housing and Planning for their formal decision to formally adopt the SCI on behalf of the Council.

The Committee recalled that the SCI was designed to set out how the Council would involve the community and other stakeholders in the planning process, in particular, when it came to public consultation on the Local Plan and other planning policy documents. It also explained how the Council would consult communities and other stakeholders on Planning Applications and advised developers how best to undertake early community engagement prior to submitting their applications.

Members were aware that the Council was currently undertaking the process of reviewing the Local Plan for the District, which would guide new development in Tendring until 2041. The updated SCI would guide public engagement throughout this process, and compliance with the SCI was a legal requirement that would be considered when the Local Plan was examined by a Government appointed Inspector.

A six-week public consultation had been held between 22<sup>nd</sup> January and 4<sup>th</sup> March 2024 to give the community and other stakeholders the opportunity to comment on the consultation methods proposed. A small number of consultation responses had been received by the Council.

It was reported that the East of England Ambulance Service NHS Trust (EEAST) had prepared a detailed representation setting out the services they provided and had also provided general comments on their involvement in the plan-making system. Specific mention had been made to those instances when EEAST should be consulted at each stage. The SCI had been amended (at Appendix 1) to ensure that this stakeholder was specifically mentioned.

The Committee was informed that Section 2 of the SCI set out the process for preparing and updating a Local Plan, and the engagement that would be expected at each stage. The initial scoping stage of preparing the Local Plan had not been included in this table, and it had now been added to this final version – reflecting the engagement techniques that were listed for the comparable stage of DPD preparation at section 4 of the SCI.

Members were made aware that Officers within the Development Management team had provided further advice on a number of aspects of public consultation undertaken for Planning Applications and pre-application enquires. The resulting changes to the SCI included detailing how planning applications were advertised; clarifying demolition in



conservation areas; and pre-application advice. Those comments had been reflected in the amended SCI.

A full list of representations and what changes were proposed to be made to the SCI were included in Appendix B to the Officer report (A.1).

Having duly taken all of the above information into account and having discussed the matter:-

It was moved by Councillor M Cossens, seconded by Councillor Scott and unanimously:-

**RESOLVED** that the Planning Policy and Local Plan Committee –

- (a) notes the responses received to the public consultation exercise;
- (b) endorses the contents of the final version of the Statement of Community Involvement (SCI); and
- (c) recommends to the Portfolio Holder for Housing and Planning that he makes an executive decision under his delegated powers to formally adopt the SCI on behalf of the Council.

**46. REPORT OF THE DIRECTOR (PLANNING) - A.2 - LOCAL PLAN REVIEW: ISSUES AND OPTIONS CONSULTATION DOCUMENT**

Earlier on in the meeting, as recorded under Minute 42 above, Councillor Fairley had declared a Disclosable Pecuniary Interest in this matter. She thereupon withdrew from the meeting.

Update sheet relating to this item was circulated to the Committee Members and published on the TDC website prior to the start of the meeting. The Chairman of the Committee read the update for the meeting:

*“The UK General Election 2024 is due to take place on Thursday 4 July 2024, and pre-election period began on Saturday 25 May. Restrictions on communications apply to all local authorities during this period.*

*From the start of the pre-election period, the Council must comply with restrictions outlined in Section 2 of the Local Government Act 1986. In addition, a Code of Recommended Practice on Local Authority Publicity published in 2011 makes clear that particular care should be taken in periods of heightened sensitivity, such as in the run-up to an election. The Act defines publicity as ‘any communication, in whatever form, addressed to the public at large or to a section of the public’.*

*It will therefore not be possible to hold the Issues and Options Consultation in June as the report indicates. Instead, it will be necessary to schedule the consultation exercise to avoid the pre-election period and minimise any overlap with the summer holiday period when many people are away and are often unable to engage effectively with consultations.*

*This revised timescale will necessitate a further update to the Local Development Scheme (LDS) (which the committee agreed at its meeting of 27<sup>th</sup> February 2024), setting out the updated timetable for the Local Plan review process. This update will be brought before the committee at a future meeting”.*

The Committee then considered a report of the Director (Planning) (A.2) which sought its agreement to undertake a public consultation on the key Issues and Options underpinning the review of the Local Plan.

Members were aware that the Government required councils to review and update Local Plans every five years in order to ensure they remained up-to-date and effective, complied with latest national policy and were adjusted accordingly to respond to changing circumstances. At its meeting held on 20th December 2023, the Planning Policy and Local Plan Committee had agreed to commence the mandatory review of the Council's Local Plan, and on 27th February 2024 it had agreed the broad timetable for the review – the next step of which was the Issues and Options Consultation.

The Committee was reminded that the Issues and Options Consultation sought the views of local people and other interested parties on the key issues to be addressed through the review of the Local Plan and the options available to address them. In particular, this would include the issue of new housing growth and what options might be appropriate to meet that need.

Importantly, the Issues and Options Document incorporated the updated Vision and Objectives for the Local Plan and the High-Level Spatial Options for Long-Term Housing and Employment Growth that had been discussed and agreed by the Committee at its meetings held on 27th February and 2nd April 2024 respectively.

Members were made aware that the Issues and Options consultation document was not, in itself, a policy document and it did not commit the Council to any particular course of action or policy decision. Instead, it asked a range of questions to stimulate discussion and to invite feedback that would inform decisions the Council would need to take as the updated Local Plan was developed.

The document broadly followed the chapter headings of the adopted Local Plan, in order to retain the sense of continuity and familiarity. Those chapters were summarised in the main body of the Officer report (A.2), and the full document was available as an appendix thereto.

#### Consultation Arrangements

The Committee was informed that Officers proposed to publish the Issues and Options consultation documents on the Planning Policy online consultation portal, which would allow the document to be viewed online and responses submitted electronically. This would be the principal way of accessing the document and submitting representations, enabling greater efficiency for Officers when analysing the responses. The consultation would be promoted through the Council's own online and social-medial channels and Members and town/parish councils would be encouraged to assist in widening the circulation as much as possible through their own channels as well.

For those persons who were unable to access the online portal, hard copies of the document would be made available at the Town Hall and at libraries across the District,

along with a batch of paper response forms. The hard copies would also include details of how to request extra copies of the response forms. Responses submitted on paper would be entered into the online consultation system by Officers, which would enable all representations to be assessed and analysed in the same way.

As part of this consultation, Officers also proposed to hold public exhibitions in the community in order that members of the public or other interested parties could ask questions and discuss the issues directly with Council Officers. Exhibitions would usually take place in the communities most affected by proposals in the Local Plan but at this stage, where high level options were being considered, broad questions were being asked and no firm proposals were confirmed, it was proposed to hold a limited number of events in key locations across the District focussing on the northwest (Manningtree), northeast (Harwich), southeast (Frinton/Walton) and southwest (Brightlingsea) of the District. More focussed consultation events were likely to be necessary and more useful in the subsequent stages of consultation (i.e. Preferred Options and Submission Stage), when the consultations would feature specific development proposals affecting particular areas of the District.

For those who were unable to attend the exhibitions, Officers would also be available by phone and email to answer any questions or provide clarification for those who wished to respond to the consultation – and those contact details would be included in the online and paper versions of the consultation document.

At the invitation of the Chairman, the Housing & Planning Portfolio Holder (Councillor Baker) commented on the contents of the report A.2.

Councillor Baker thanked the officers for their tremendous amount of work so far and felt positive about the consultation. He reminded the Committee that while there was a delay to the consultation going live because of the pre-election period overlap, the finalised consultation was available to the public to view, as it was published in the agenda for this meeting, and they could comment through existing TDC communication channels.

Having duly taken all of the above information into account and having discussed the matter:-

It was moved by Councillor Bush, seconded by Councillor Chapman and unanimously:-

**RESOLVED** that the Planning Policy and Local Plan Committee approves that the *Tendring District Local Plan Review: Issues and Options Consultation Document*, as set out at Appendix A to item A.2 of the Report of the Director (Planning), be published for public consultation, in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, and in accordance with the consultation arrangements set out in the Director's report (A.2).

The meeting was declared closed at 7.08 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 of the Officer written reports to be considered at that public meeting.

The Scheme covers both questions and statements to the Committee. 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](mailto:democraticservices@tendringdc.gov.uk), by midday on Thursday 18 July 2024.**

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 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](mailto: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 report. On each report, 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 Officer report 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](http://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](mailto: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, Town Hall, Station Road, Clacton-on-Sea, Essex CO15 1SE Tel: 01255 686177 email: [planning.policy@tendringdc.gov.uk](mailto: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

23 JULY 2024

### REPORT OF THE DIRECTOR OF PLANNING

#### **A.1 TDC RESPONSE TO NATIONAL GRID STATUTORY CONSULTATION ON NORWICH TO TILBURY ELECTRICITY POWERLINE CONNECTION PROJECT**

(Report prepared by Gary Guiver and Eleanor Storey)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

To invite discussion and seek agreement from the Planning Policy and Local Plan Committee to Tendring District Council's formal response to the statutory consultation being carried out by National Grid on its proposed Norwich to Tilbury electricity powerline connection project. The project is designed to reinforce the high voltage power network in East Anglia between existing substations. It is classed as a 'Nationally Significant Infrastructure Project (NSIP)' for which planning approval will be sought from the government through a 'Development Consent Order' (DCO) - with Tendring District Council being one of many consultees in the process and not the decision maker. The proposals however have very specific implications for Tendring, and it is recommended that the Council, working closely with Essex County Council, continue to maintain strong objections.

##### **EXECUTIVE SUMMARY**

As part of the global response to tackling climate change, the UK Government has a legislative commitment to reducing greenhouse gas emissions by at least 100% of 1990 levels (net zero) by 2050. Switching from high polluting fossil fuels to renewable energies has a significant role to play in mitigation of and adaption to the climate emergency in which we are living.

In response to this, National Grid is seeking to upgrade the existing electricity transmission infrastructure between Norwich and Tilbury. This involves installing new overhead pylons and a new substation within Tendring – located between Ardleigh and Little Bromley. This location is intended to provide the main connection point for major off-shore windfarm developments proposed in the North Sea, with their associated on-shore infrastructure expected to make landfall in and pass through Tendring. The proposed substation East Anglian Connection Node (EACN) will receive underground cabling from the north (having travelled under the Dedham Vale National Landscape, previously known as an Area of Outstanding Natural Beauty), the cables will exit via overhead pylons westbound through Ardleigh.

This is National Grid's third and (expected to be) last stage of public and stakeholder consultation for the Norwich to Tilbury proposals before it finalises its plans for submission to the Secretary of State. Due to the nature and size of the proposal, this project, qualifies as a 'Nationally Significant

Infrastructure Project' (NSIP) for which there is a dedicated planning process, the 'Development Consent Order' (DCO) which is administered at national government level by the Planning Inspectorate (PINS). Tendring District Council is not the determining body for proposals of this nature; the Council's role, like all other Local Planning Authorities affected by the proposals, is that of a consultee with a right to make representations for or against the proposals.

To date, all Councils affected by this project, across Norfolk, Suffolk and Essex, have objected to what is proposed, firmly advocating that the upgrading of this infrastructure would better achieved with an offshore rather than an onshore solution. This would prevent the considerable negative impacts on the physical environment (both ecologically and visually) and on the communities who are directly affected by these onshore proposals. At all previous opportunities to engage in non-statutory consultation on the Norwich to Tilbury proposals, this Council has submitted strong objections. Most of the local concerns still remain, and it is therefore recommended that the Council continues to maintain and reinforce its objections.

Whilst this is a standalone proposal, it is linked with the two other NSIPs being brought forward by Five Estuaries and North Falls offshore wind farms. The proposed EACN in Tendring is the connection point for both wind farms to transfer their offshore energy into the National Grid. There is a study currently taking place by the Offshore Coordination Support Scheme looking at the feasibility of both wind farms taking an offshore approach and making landfall at Tilbury. Additionally, the Tarchon interconnector, which would provide a direct power link between Germany and the UK, could also connect with the EACN - although no formal proposals or plans have come forward at this stage.

Work has been carried out with Essex County Council in preparing TDC's consultation response, which outlines extensive concerns held by both councils. In our position as a consultee, the decision to grant or refuse consent for this proposal is not made by the Council. Therefore, in addition to setting out our objections, the response also considers what measures the Council would expect to see to mitigate the impact on the communities of Tendring. Our District could experience a disproportionate level of the negative impacts, and the Council therefore expects a stronger focus on mitigation in Tendring including significant and tangible benefits. The transition to renewable energy should be fair, inclusive, and create positive opportunities for all.

Our objections throughout the consultation include but are not limited to:

- an appropriate offshore solution needs to be fully considered – this has not yet been achieved;
- the project is premature in terms of need, working to the required timeframe (2035) not the identified timeframe (2030) would enable alternative routes (offshore and undergrounding) to be considered;
- current environmental analysis by National Grid is insufficient, with ecological, heritage and landscape impacts not being fully scoped and information lacking; and
- unacceptable negative impacts on the environment, highways and the communities closest to the proposals.

## RECOMMENDATION

**That the Planning Policy and Local Plan Committee:**

- a) notes the content of this report;**
- b) considers and comments on the draft response to the Norwich to Tilbury Statutory Consultation as attached at Appendix 1;**
- c) agrees that, with the approval of the Portfolio Holder for Housing and Planning, the response with any agreed changes be submitted to National Grid before the close of the Statutory Consultation on 26th July 2024; and**
- d) agrees that the approved response, as submitted to National Grid, be reported to Full Council to allow further discussion, if necessary and for the outcome of that discussion to be fed back to National Grid.**

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

In line with our Corporate Plan the package of mitigation that TDC is pursuing seeks education, training and employment within the expanding renewables energy sector, raising aspirations and creating opportunities. This is a multi-agency approach involving collaboration with ECC to improve the quality of life for our residents by securing training and employment. Should consent be granted the proposal, Tendring will be at the forefront of the UK's transition to renewable clean energy, ensuring the national goal of net zero is met, furthering our commitment to acting on the climate emergency declared in 2019.

### RESOURCES AND RISK

**Resources:** The determination of the Development Consent Order (DCO) for this Nationally Significant Infrastructure Project (NSIP) is the responsibility of the Secretary of State, and the examination is conducted by the Planning Inspectorate. This draft response to the statutory consultation has been drafted by TDC Officers in collaboration with ECC Officers.

**Risks:** Should the Council choose not to respond to the consultation by the submission deadline, TDC would have no formal input or ability to influence the current proposals.

### LEGAL

The legislative framework for Nationally Significant Infrastructure Projects is set out in the Planning Act 2008 ([link](#)) as amended by:

- Marine and Coastal Access Act 2009;
- the Localism Act 2011 (which transferred the decision-making powers to the Secretary of State);
- the Growth and Infrastructure Act 2013;
- the Infrastructure Act 2015;
- the Housing and Planning Act 2016;
- the Wales Act 2017; and
- the Levelling-up and Regeneration Act 2023.

Applications for Development Consent Orders (DCOs) are examined by an independent inspector, who then make recommendations to the relevant Secretary of State about whether permission for development should be given. The Secretary of State makes the final decision. There are several stages to this process, which can take around 18 months.

## OTHER IMPLICATIONS

**Area or Ward affected:** Ardleigh & Little Bromley, Lawford, Manningtree & Mistley (however, associated offshore windfarm projects and their onshore infrastructure would affect other wards of the district).

**Consultation/Public Engagement:** Conducted by National Grid.

## PART 3 – SUPPORTING INFORMATION

### Nationally Significant Infrastructure Projects (NSIPs) Overview

‘Norwich to Tilbury’ is a Nationally Significant Infrastructure Project (NSIP). An NSIP is a project considered by the government to be of national importance due to its scale and type. Permission to build them is given at a national level by the relevant Government minister (the Secretary of State).

Those seeking permission - developers – apply for a Development Consent Order (DCO), the application goes directly to the Planning Inspectorate (PINS). This process streamlines the approval of large infrastructure projects such as major roads, railways, airports, power stations, and large scale renewable energy projects. The process of applying for a DCO is set out in the Planning Act 2008 – below is an overview of the procedural stages.

Stage 1	Pre- Application	DCO is a front loaded process, this means the application has to be scoped and refined before submission to the Planning Inspectorate. This stage is the responsibility of ‘the developer’ to consult with all statutory bodies, local authorities, local community and affected persons – land & property owners. It is at this stage that interested parties can influence a project by responding to consultation. There is no set time frame for this stage.
Stage 2	Acceptance	Once submitted PINs have 28 days to decide whether the application can proceed to examination. If refused the developer

		<i>has a 6 week window to challenge the decision. If accepted, all documentation is published on the PINs website and the next stage commences.</i>
Stage 3	<i>Pre-Examination</i>	<i>The developer now publicises the accepted application and advises interested parties when and how they can register to become involved. This period is a minimum of 28 days. A panel of Inspectors or a single inspector will then be appointed forming the Examining Authority (ExA). A Preliminary meeting is held, with all interested parties, to discuss the timetable for examination. At the close of this meeting the next stage commences.</i>
Stage 4	<i>Examination</i>	<i>This usually commences the day after the pre-liminary meeting. The Examining Authority have 6 months to complete their examination of the application. This is primarily conducted via written representations, hearings can also be held where interested parties are invited by the ExA to make oral representations.</i>
Stage 5	<i>Decision</i>	<i>The Examining Authority has 3 months to complete the report and make recommendations to the relevant Secretary of State (SoS). The SoS has 3 months to decide whether to grant or refuse consent.</i>
Stage 6	<i>Post-Decision</i>	<i>There is a 6 week window where a legal challenge can be made on the SoS decision.</i>

As a host Local Authority, we are a consultee in the NSIP process. The Planning Inspectorate is the Examining Authority and the decision to grant or refuse consent lies ultimately with the Secretary of State.

## **Renewable Energies**

TDC declared a climate emergency in 2019, acknowledging the challenges to our environment and our communities. The increases in global temperatures are a direct consequence of human activity, specifically the emissions from greenhouse gases. We are experiencing the effects of changing weather patterns which present challenges to us all, specific challenges are faced by our farming communities and extreme weather events will also endanger our most vulnerable communities.

To address this the Climate Change Act 2008 commits the UK government by law to reducing greenhouse gas emissions by at least 100% of 1990 levels (net zero) by 2050. To achieve this the way that we generate energy is changing rapidly and the transition to cleaner, more secure, renewable energies is underway. Offshore wind has a key role to play in this transition. The importance is reflected with the Government ambition to connect 50GW of offshore wind by 2030. The [Crown Offshore Wind Report 2023](#) states the UK offshore wind supplied the equivalent electricity needs of half UK households in 2023.

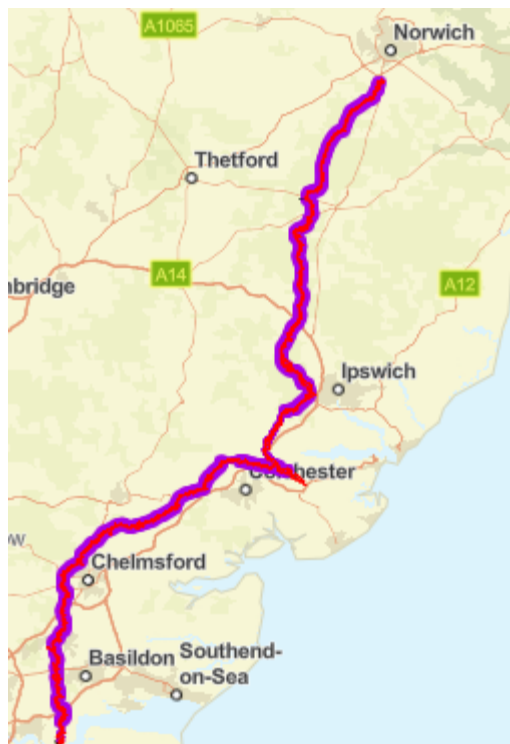
## **Norwich to Tilbury - Background**

Norwich to Tilbury is a proposal by National Grid Electricity Transmission also known as National Grid (NG) to reinforce the high voltage power network in East Anglia that runs between Norwich and Tilbury. This involves upgrading overhead lines, pylons, some underground cables and a new 400kV substation. This is the first statutory consultation that NG have held and follows two previous non-statutory consultations. Various alterations have been made to the proposals in response to comments raised in these earlier consultations, including changing the name of the project from *East*

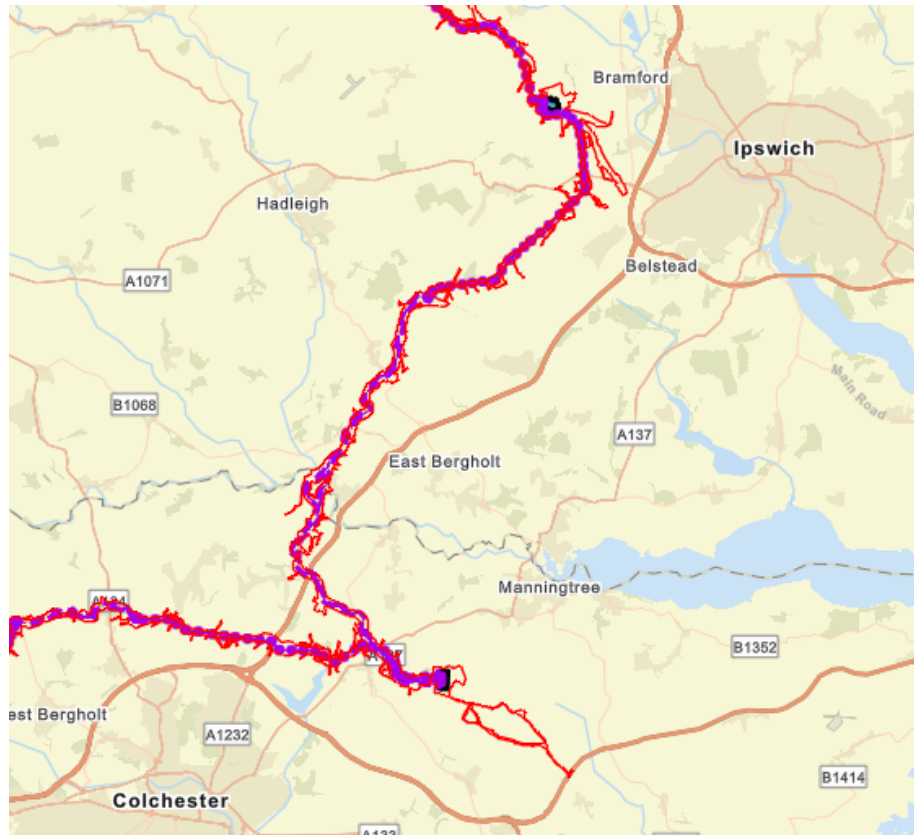
*Anglia Green*, which was deemed to be inaccurate and misleading, and physical alterations such as undergrounding through the Dedham Vale National Landscape (formerly AONB). Consultations have been conducted using postal mail outs, in person events, webinars, social media channels, and printed materials have been available at libraries across the District with freepost envelopes for responses.

The proposal includes the East Anglian Connection Node (EACN) a new 400kV substation in the north of Tendring, located to the east of Ardleigh and northwest of Little Bromley. The cabling will be underground through the Dedham Vale National Landscape to the EACN, overhead pylons will then continue the transmission out of the substation, to the north of Ardleigh and down to Tilbury. Maps 1-4 below provide a visual guide to the proposed routes. An interactive map is available on the National Grid website ([link](#)).

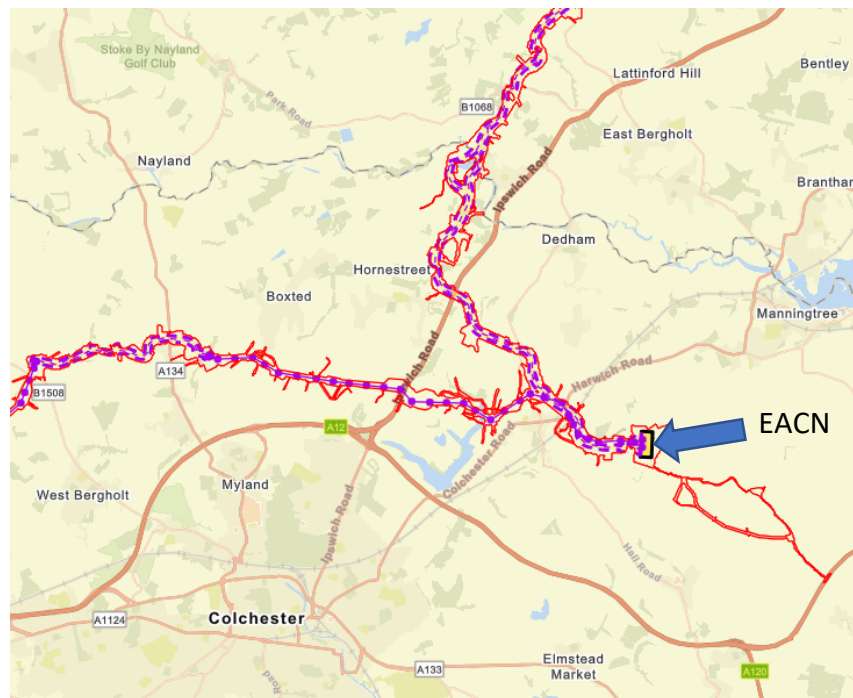
Map 1 Full proposed Norwich to Tilbury route



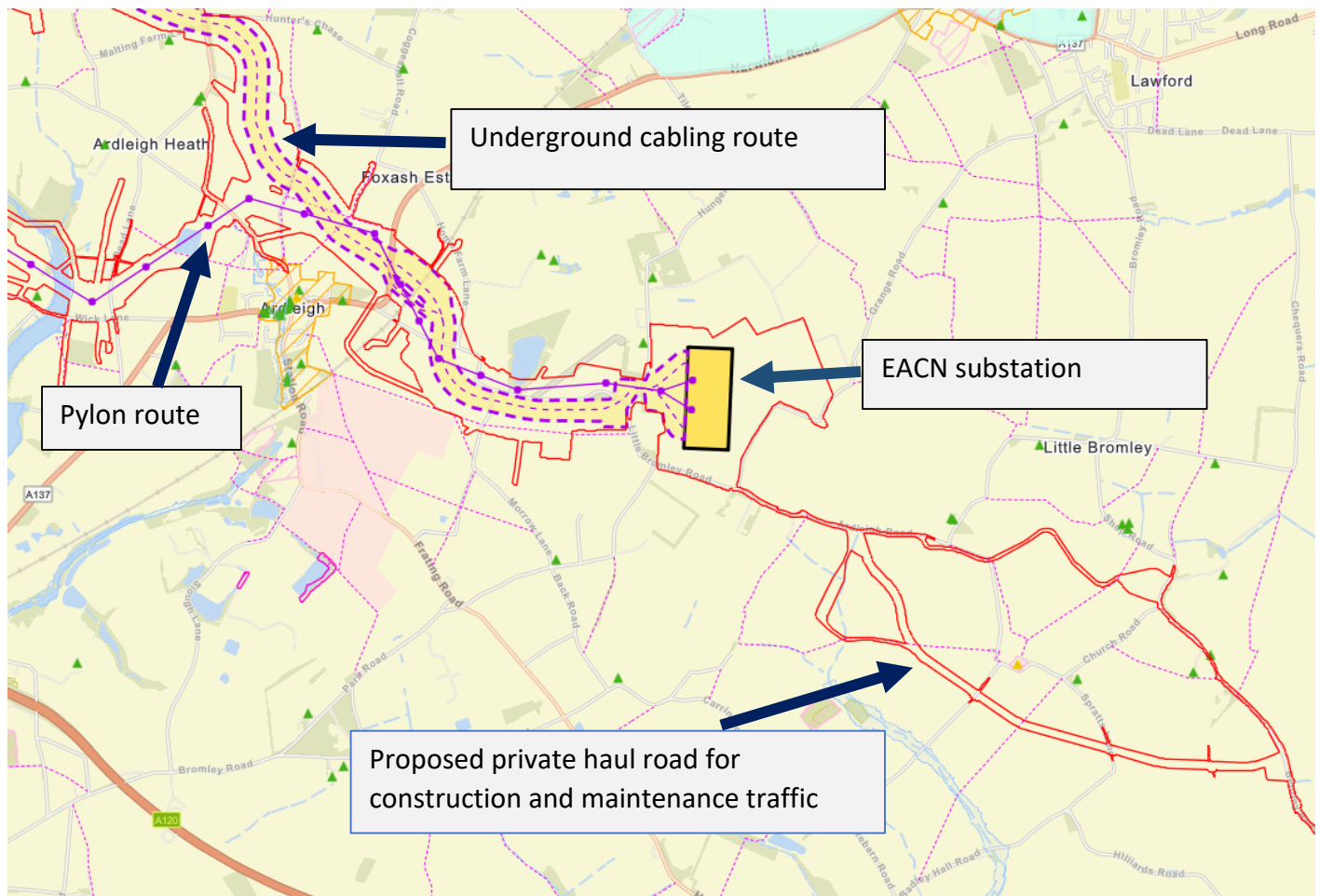
Map 2 South Suffolk to North Essex section



Map 3 Tending section overview



Map 4 Tendring section detail



This Statutory Consultation is the final round of stakeholder engagement before NG finalise their application and submit it to the Planning Inspectorate for examination. Their timeline reflects this in Figure 1 below. As a result of the General Election being called this consultation has been extended until Friday 26<sup>th</sup> July 2024, this is unlikely to have a significant impact on the DCO application which should be expected in Q1 / Q2 2025.



## NT Project timeline



### Council response – Overview

The nature and scale of this project mean that Tendring District Council (TDC) and Essex County Council (ECC) are submitting individual representations. Both councils are statutory consultees and have different areas of responsibility, but Officers from both Councils have been in continual discussion.

Essex have responsibility for strategic matters such as Highways and Transport they are also the lead flood authority. ECC have commissioned Place Services to provide comments on the Ecology, Landscape, Built Heritage, Historic Environment aspects of the proposal within the Preliminary Environmental Impact Report (PEIR) on behalf of all Essex authorities. The TDC response is submitted in conjunction with the technical elements of the ECC submission, and covers Tendring specific issues such as socioeconomic, social value and community benefit elements of the proposal.

Both Councils are clear in their support for the governments net zero targets, and Tendring acknowledges that Harwich has a key role to play in the expansion of green and renewable energy along the east coast. However, both TDC and ECC are also clear that the Norwich to Tilbury proposal should be delivered offshore, overcoming the need for the onshore landscape harm and permanent environmental damage. The offshore solution would also negate the need for the East Anglian Connection Node (EACN).

### TDC Core Objections:

As with all previous representations submitted throughout the process, TDC object in the strongest of terms to the proposed powerline and the EACN substation. This proposal should be for offshore electricity transmission, not outdated and intrusive industrial pylons across our cherished landscape. The impacts on our local communities, environment and landscape are unacceptable, particularly given the lack of serious consideration given to the offshore route. Previous consultations have produced some positive outcomes, such as suggestions to underground the cables through the

Dedham Vale National Landscape being taken on board. However, this does not reduce the impact on surrounding communities, Ardleigh, Little Bromley and Lawford, nor does it reduce any of the environmental impacts.

There has been a clear failure to properly consider both the immediate need for the proposal and all alternative options. This is underlined in both the [Hiorns Smart Energy Network Report](#) and [Electricity System Operator East Anglia Network Study](#) which both conclude that Norwich to Tilbury will not be required until 2035 (later than the current target of 2030). This additional time would provide the opportunity to explore other routes, such as offshore, and other forms of transmission, such as underground High Voltage Direct Current (HVDC). The Offshore Coordination Support Scheme (OCSS) is currently exploring how offshore transmission is connected and delivered ensuring an appropriate balance between environmental, social and economic costs. The two wind farms that will connect to EACN (Five Estuaries and North Falls) are exploring offshore transmission with Sealink. It is therefore considered premature to continue with this proposal in its current form until the OCSS conclusions are published.

Local impacts for our communities are extensive, the potential cumulative impacts of Norwich to Tilbury and the two offshore wind farms will overwhelm those communities who will be most affected. There are health concerns associated with the proposals. The physical health impacts of living near large scale electrical infrastructure will require further exploration and evidence collection to ensure the safety of those residents most affected. The farming community have also raised concerns about the legacy impacts on soil quality as a result of the proposal.

The Biodiversity Net Gain proposals associated with the project are supported by TDC, but clarity is required on how this will be achieved. The Council also has specific concerns about the information presented in the Preliminary Environmental Impact Report (PEIR), and Place Services have highlighted, through their response on behalf of the Essex authorities, several areas where information is inaccurate, patchy or simply missing.

Future potential infrastructure, crucially the Tarchon Interconnector (which would provide a direct power link between Germany and the UK), whilst not yet a live NSIP is also causing significant concerns locally around the scale and the associated impacts on residents and the environment.

### **Proposed Mitigations**

Should this proposal be granted consent, against the Council's recommendations, a robust set of mitigations will need to be in place across the entirety of the proposals. It is the Council's view that impacts of climate change and efforts to mitigate it are unevenly distributed. A just transition, which aims to maximise the benefits of climate action and minimise negative impacts on those most affected, is required. The transition to renewable energy should be fair, inclusive, and create positive opportunities for all. This requirement resonates strongly in Tendring where there are existing areas of deprivation. In order to address this, the project must deliver social value across our communities. The Council will seek to engage with National Grid on a without prejudice basis as to how they can support our communities in the transition to renewable energies.

Currently, Tendring, as a host authority, is experiencing a disproportionate level of the negative impacts and thus the Council should expect a stronger focus on mitigation than might be expected in other locations along the proposal's route, along with some significant and tangible benefits.

The cumulative impacts of all major infrastructure projects (current and potential NSIPs) are not being addressed by any single agency or stakeholder in a properly coordinated manner. Mitigation packages will need to be substantial and designed comprehensively to avoid years of uncoordinated disturbance and a damaging patchwork of landscaping schemes.

At the appropriate time there must be consideration given to the strict control of traffic routes, volumes and vehicular size both during construction and in operation.

TDC expect to see legacy funding for the lifetime of the project to ensure current and future generations of Tendring residents can access the benefits of employment in the green energy sector.

The DCO must insist on the use of local providers wherever possible, supporting our ambition to enable our workforce to access the highly skilled jobs within the renewables sector. As such the Council will want to explore the role of Harwich and the A120 corridor at the heart of Freeport East with National Grid. TDC will also put forward a case to secure funding for the acquisition and/or remediation of property in the Freeport area to maximise investment opportunities in the green energy sector and future local employment.

We expect to see community benefits that are tangible and genuinely impact the lives of those who will be negatively affected by these proposals should consent be granted. In line with the Council's own forthcoming planning policies to promote active travel and improve people's health and social outcomes, the Council will want to explore investment in the district's strategic cycle infrastructure particularly along the coast to increase leisure and commuter routes.

#### **Next steps:**

Both Tendring District Council and Essex County Council must submit responses to this statutory consultation by the deadline of Friday 26<sup>th</sup> July. Both Councils will continue to work collaboratively together to ensure discussions with National Grid remain positive and ongoing throughout the process. As stated earlier we are anticipating the Development Consent Order being submitted either Q1 or Q2 2025. We await the publication of findings from the OCSS report.

## **APPENDICES**

### **Appendix 1 – Draft TDC response to the Norwich to Tilbury Consultation**

## **BACKGROUND PAPERS**

[Planning Inspectorate NSIP Overview Advice Note 8](#)

[UK Offshore Wind Report 2023 \(ctfassets.net\)](#)

[Hiorns Smart Energy Network Report November 2023](#)

[ESO East Anglia Network Study March 2024](#)

[IPCC Sixth Assessment Report: Climate Change 2021 The Physical Science Basis](#)

[United Nations Climate Action : Renewable Energy](#)

[Climate Change Committee : UK action on climate change](#)



27th June 2024

Email:

Catrin.Owen@nationalgrid.com

[contact@n-t.nationalgrid.com](mailto:contact@n-t.nationalgrid.com)

Dear Ms. Owen,

**Formal response of Tendring District Council to the third Statutory Consultation**

**Proposed application by National Grid Electricity Transmission (NGET) for a Development Consent Order for the proposed Norwich to Tilbury project, to reinforce the high voltage power network in East Anglia**

Please accept this letter as Tendring District Council's (TDC) response to the latest statutory consultation on the above proposal. This must be read in conjunction with the technical responses prepared by Essex County Council on behalf of local authorities in Essex affected by the Norwich to Tilbury proposals. Essex County Council's representation identifies a number of concerns shared by this Council including (in summary), but not limited to:

- Ecological impacts: e.g. likely disruption, during and after construction, to nationally and internationally important wildlife designations including the Stour and Orwell Estuary (SPA/Ramsar);
- Hedgerows and trees: e.g. lack of information with regards to potential impacts on specific hedgerows and ancient trees located within the draft order limits;
- Heritage impacts: e.g. limited recognition of and insufficient information on nearby designated and non-designated heritage assets, uncertainty around the impact of the development on their setting and significance;
- Landscape impacts: e.g. the likelihood of significant visual and landscape impacts of the development not only within close proximity, but across a wider area;
- Highways and traffic: e.g. reasonable working hours must be embedded within relevant documentation in the DCO to ensure impacted residents get respite periods, with monitoring and reporting to enable reviews where necessary, greater evidence on traffic flow and appropriate measures to mitigate
- Timing and need: the choice of route and timing has not received adequate strategic appraisal as identified in the Hiorns Smart Energy Network Report (Nov 2023) which concludes that Norwich to Tilbury is not needed by 2030

The response to this consultation from Tendring District Council primarily focusses on concerns raised by communities affected by the proposals and the potential mitigation and community benefits that must be considered if, against the Council's strong wishes, a Development Consent Order (DCO) is granted.

## **A.1 APPENDIX 1**

### **Overview**

This Council continues to object in the strongest of terms to the proposed Norwich to Tilbury powerline and connections to a main substation within the Tendring District. A significant number of residents from across Tendring have continued to contact the Council to express their serious concerns regarding the impacts on the local communities, the landscape and the wider environment - particularly in Ardleigh, Lawford and Little Bromley. The Council shares the concerns that have been raised and wants to ensure the matters raised are given serious consideration before any decision is taken with regards to the submission of a Development Consent Order application to the Secretary of State.

Tendring District Council along with all other authorities in Essex and many in Suffolk and Norfolk has previously and consistently made representations to National Grid at all stages of consultation raising strong objections to the Norwich to Tilbury proposal. It is the clear preference of this Council, along with many others in the region, that the powerline can be delivered offshore through a seabed solution. The Council like others is not satisfied that such an alternative has been given due and proper consideration in the planning process to date.

We acknowledge that amendments to the proposals have been made following previous non-statutory and statutory consultations, namely the undergrounding of cables all the way to the substation in Lawford, the East Anglian Connection Node (EACN). Despite this alteration there would still be a significant impact to our residents in Ardleigh, Little Bromley and Lawford and the surrounding environment. The fact remains that a significant length of the powerline will continue to be suspended above ground using pylons in a location within close proximity to the Dedham Vale National Landscape bringing about avoidable negative impacts on its precious landscape character by virtue of their height and visual intrusion on the setting of the designated area. The Council remains strongly opposed to the proposal.

The Council recognises that to reach the Government's target of net zero emissions by 2050, the way we generate, deliver use energy must change. The UK is already transitioning to clean, renewable energy which will provide cheaper and more secure energy. The Council itself is one of many that has declared a climate emergency and recognises the economic potential of the renewable energy industry, including the creation of jobs in the construction, maintenance and servicing of offshore turbines and wider innovation in green energy. The potential for Harwich in particular to play an important role in supporting green energy is recognised through the establishment of Freeport East and investments that have already taken place in the area.

### **Failure to properly consider alternative options**

However, in representing its local communities, TDC firmly believes that much greater consideration should be given to routing the powerlines around the coast on or beneath the sea bed. This would reduce and virtually eliminate the need for the significant and permanent negative impacts on communities, the environment, and the landscape whilst also reducing the complexities of land negotiations and access arrangements. The Offshore Coordination Support Scheme (OCSS) is awaiting the outcome of an initial high level study into the feasibility of coordinated options for offshore transmission infrastructure and TDC believes it is essential to receive and consider these findings before any further consideration is given to the current onshore proposals.

The timing and need of the project are questioned by two recent studies. ECC commissioned an independent report The Hiorns Smart Energy Network Report which concludes that in terms of 'need' Norwich to Tilbury is not required by 2030, existing capacity could extend until 2035. A



## **A.1 APPENDIX 1**

report conducted by the Electricity System Operator (ESO) into the proposed network reinforcements in East Anglia draws similar conclusions, stating that the Norwich to Tilbury overhead line can be deferred by five years. The council urges National Grid to consider these findings as further evidence to pause the current process and review alternatives, including offshore and HVDC options.

The Council questions whether the significant carbon footprint of the development as proposed, particularly during the construction phase, would be offset by the benefits of the renewable energy it is being built to accommodate and transport. It is necessary to properly assess and understand what the embodied carbon emissions will be from the project as a whole; and for that to be compared to that for an equivalent offshore solution. Related to this are concerns about the inefficiency of pylon technology energy loss along the lines and also in terms of their resilience to heat and other extreme weather events. The Council is not satisfied that more modern and efficient technologies have been properly considered.

The fact that Sealink and the potential Tarchon interconnector to Europe rely on off-shore technology is a clear indication that a coordinated offshore solution is not beyond reasonable comprehension and technical achievement. The Council notes recognition at government level that new technologies such as High-Voltage Direct Current (HVDC) undergrounding could provide a more appropriate means of transmitting electricity than the century-old technology of pylons; and that the general presumption for the use of pylons (based on old data) ought to be reviewed following the 2024 General Election. The Council welcomes new research into these alternative technologies and would suggest that any DCO for Norwich to Tilbury would be premature ahead of a review.

To date, the Council and many other interested parties have not been provided with an adequate explanation as to why an offshore/seabed solution is not being given further consideration and fears that the legitimate concerns of residents, communities and other bodies have continued to be totally ignored.

Even if National Grid was able to demonstrate, to the Council's satisfaction, the necessity for the powerline to be located on-shore, it would still question why undergrounding of the powerline cannot be achieved given the advancements in technology referred to above. Furthermore and irrespective of that point, the Council would still question the need for the route to abruptly divert into the north-west of Tendring, rather than having an EACN substation located more closely to the principle alignment and direction of the Norwich to Tilbury connection. This would significantly reduce the length of the powerline needing to be suspended by pylons, with any further connection to off-shore windfarms being delivered under the ground.

### **Local impacts**

The considerable community anxiety caused by the prospect of large-scale intrusive physical onshore infrastructure is a significant concern for the Council. The cumulative impacts of the Norwich to Tilbury powerline, the huge Lawford EACN substation, two customer substations (for North Falls and Five Estuaries) within close proximity, the possible Tarchon interconnector and all associated cabling through Tendring are substantial and totally avoidable if an offshore approach were to be adopted.

There is scant support being offered to the communities and individual residents by National Grid, which must be addressed urgently. Communities in Tendring are potentially at the epicentre of all

## **A.1 APPENDIX 1**

of the above proposals and special recognition of their concerns must surely be given. The potential impact on the physical health of those living in close proximity to both the overground and underground infrastructure, as well as the substations, needs further exploration and evidence collection to ensure the safety of those residents.

Whilst TDC welcomes the amendments resulting in the undergrounding of cables from the Dedham Vale National Landscape (formerly Area of Outstanding Natural Beauty) to the East Anglian Connection Node, there is still concern regarding the impact of the swathes required to facilitate this level of infrastructure. Not just in terms of the immediate impacts in a visual sense and the recovery time for those habitats that will be disrupted. Again, an offshore solution would avoid all such issues.

The undergrounding through the National Landscape fails to address the concerns of the residents of Ardleigh (shared by TDC) about large scale intrusive physical infrastructure running past their community. If the development is to proceed, the Council continues to argue for the section from the EACN onward toward Colchester also being undergrounded – a relatively short stretch of the powerline in the context of its overall length and scale.

With regards to the relatively new addition of a potential interconnector at EACN the Council needs significantly more information regarding this. Concerns have already been raised about the size and land take required for the EACN, the implications of an additional Interconnector at or close to this site have not been fully publicised. As such this will require additional consultation when further information is available. Because this statutory consultation stage still lacks key details, it leaves the Council with very little confidence that communities will have been given a proper opportunity to engage in and understand the proposals before a formal DCO submission is made.

There is still a great deal of uncertainty within the farming community about how the proposals will affect their livelihoods. Concern around the legacy impacts on soil quality in terms of disturbance from energy being transported through the cables and implications for land drainage as well as well water, any data held on this would provide clarity. We support the targets set for BNG uplift and note that significantly more detail is needed on how this will be achieved.

Whilst the Preliminary Environmental Information Report (PEIR) is an extensive document, the response from Place Services highlights several areas where information is not robust. Specifically in Tendring, there is a lack of reference to potential geoarchaeological and paleoenvironmental deposits. Information regarding Great Bromley, Little Bromley and little Bentley in the Bronze Age section appears inconsistent as it relates to Roman Road. Certain non-designated assets that appear on the Historic Environment Record have been described as 'low value' this is very questionable and needs reassessing.

Regarding the Historic Environment, the Council is thoroughly disappointed that relevant policies in Tendring District Council's adopted Section 2 Local Plan are not referenced. The Landscape Character Area surrounding the proposed East Anglia Connection Node (EACN), with its wide, open, endless rural horizons, will be irrevocably changed by the construction of the EACN and the associated pylons extending towards Colchester, impacting Ardleigh. The scale of the EACN and the height of the pylons will be visible from significant distances, introducing an intrusive industrial visual aspect to an otherwise uninterrupted open, rural setting.



## **A.1 APPENDIX 1**

In conclusion, this proposal introduces substantial and wide ranging negative impacts on the local area and many questions remain unanswered. All these issues are avoided through the proper consideration of an off-shore solution.

### **Mitigation Measures**

The Council acknowledges and accepts its role as a consultee on Nationally Significant Infrastructure Projects and not the determining body along with the possibility, despite all the reasons the Council objects, that a DCO could succeed and permission is granted for the Norwich to Tilbury proposals. Without prejudice to its strong objections to the scheme, the Council would seek the strongest package of mitigation in the event that consent is granted in an attempt to address the significant impacts highlighted above.

It is the Council's view that impacts of climate change and efforts to mitigate it are unevenly distributed. A just transition aims to maximise the benefits of climate action and minimise negative impacts on those most affected. The transition to renewable energy should be fair, inclusive, and create positive opportunities for all. Currently, Tendring, as a host authority, is experiencing a disproportionate level of the negative impacts and thus the Council should expect a stronger focus on mitigation than might be expected in other locations along the proposal's route, along with some significant and tangible benefits.

The proposed Lawford EACN on its own will bring about substantial impacts – but when considered in combination with the potential nearby customer sub-stations for North Falls, Five Estuaries and potentially the Tarchon interconnector, the impacts will be overwhelming and concentrated on the locale of nearby communities. The cumulative impacts of these developments are not being addressed by any agency or stakeholder in a properly coordinated manner and thus any mitigation package – particularly relating to landscape and transport impacts ought to be substantial and designed comprehensively to avoid years of uncoordinated disturbance and a damaging patchwork of landscaping schemes.

Particular consideration must be given to the strict control of construction traffic – confining it to clearly defined routes and limitations to working hours that minimise the noise impacts during quieter periods when background noise levels are lower and the tranquillity of the countryside can be best maintained.

Increases in HGV traffic throughout the construction phase and the lifetime of the projects, the combined effects of visual blight, environmental blight all point to detrimental impacts across our communities, environment and economies for which mitigation will need to be substantial, comprehensive and planned from the outset. Issues that are all avoidable with an offshore solution.

### **Community Benefit**

Again, without prejudice to the Council's strong in-principle and reasoned objections to the current scheme, it accepts the possibility that the DCO could be granted. As well as mitigation to minimise the substantial impacts, the Tendring community – as the epicentre of the project – ought to be able to expect significant social and economic community benefits, commensurate to the significant impact that the development will bring.

## **A.1 APPENDIX 1**

In terms of delivering social value the Council expect to see legacy funding for the lifetime of the project to ensure current and future generations of Tendring residents can reap the benefits of employment in the green energy sector. Thus a significant package of legacy funding commitments to fill the gaps in green energy skills starting with education and moving up onto training and employment will be requested. Social value has particular relevance in Tendring where there is a high danger that the transition to green energy and the positives around it in principle, could exacerbate existing deprivation issues in particular locations thus making it socially unjust.

The Council will seek to engage with National Grid on a without prejudice basis as to how they can support our communities and the DCO must insist on the use of local providers wherever possible and supporting our ambition that allows our workforce to become highly skilled across the renewables sector. The Council would expect to see community benefits that are tangible and genuinely impact the lives of those who will be blighted by these proposals should they be accepted. In line with the Council's own forthcoming planning policies to promote active travel and improve people's health and social outcomes, the Council will want to explore investment in the district's strategic cycle infrastructure particularly along the coast affected by the offshore elements of the associated Five Estuaries and North Falls schemes enabling both commutable and leisure routes. This will support our residents in accessing existing infrastructure by being able to make active travel choices they will also support our leisure and tourism strategic aims.

To support the fight against climate change and to enable residents to access measures that will improve both the energy efficiency and affordability of their homes, a sensible proposition could be a package of funding, available to those households located within an agreed proximity and thus most affected by the Norwich to Tilbury proposals, for retro-fitting existing properties with an appropriate combination of insulation and energy efficient technologies such as heat pumps and/or solar panels in excess of any funding currently available via government.

It will also put forward a case to secure funding for the acquisition and/or remediation of property in the Freeport area to maximise investment opportunities in the green energy sector and future local employment. Given Tendring's location at the epicentre of Norwich to Tilbury, North Falls, Five Estuaries and potentially Tarchon, it would be perverse and socially unjust if locations like Harwich and the A120 corridor cannot be placed the forefront of innovation and employment in the green energy sectors and thus efforts and funding to achieve that must be maximised.

### **Summary of the Council's position**

Tendring District Council remains strongly opposed to the Norwich to Tilbury powerline scheme and associated EACN within the Tendring District for the following reasons:

- A more appropriate offshore/seabed solution and emerging technologies have still not been properly considered as alternatives – solutions that would eliminate the vast majority, if not all, of the concerns raised about the impacts of the current proposal;
- The proposal will have a number of significant environmental and community impacts that must be considered cumulatively with other schemes including Five Estuaries, North Falls and the potential Tarchon interconnector; and which could all be avoided through an off-shore solution; and
- The proposal still raises numerous unanswered questions, leaving fears that the concerns raised by our communities have not been properly considered or taken seriously.

## **A.1 APPENDIX 1**

If the Council and the residents of Tendring are forced to accept that a DCO is to be granted and the Norwich to Tilbury and other associated developments are to proceed, the mitigation required to minimise the impact on the countryside and the transport network will need to be substantial, comprehensive and commensurate to disproportionate impact of the overall scheme on Tendring and, in particular, the Lawford, Ardleigh and Little Bromley area.

Furthermore, if the development is to go ahead, it is only right that local residents reap a commensurate level of community benefit given the focus of negative impact on Tendring. Maximising the potential for local people to obtain skills, training and employment related to the development itself and associated growth in the green energy sector will be something the Council will want to explore with National Grid – particularly given the role of Harwich and the A120 corridor at the heart of Freeport East. Funding for local community projects, widening and improving the district's walking and cycling network and any other incentives for those residents most affected by the schemes should be explored.

All of the above is without prejudice to the Council's strong objection to Norwich to Tilbury and strong view shared with other authorities and interested parties that alternative solutions need to be properly considered.

Yours Sincerely

Gary Guiver

**Director of Planning**

**Tendring District Council.**

Enquiries to: Eleanor Storey  
Policy Team

[estorey@tendringdc.gov.uk](mailto:estorey@tendringdc.gov.uk)

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## PLANNING POLICY AND LOCAL PLAN COMMITTEE

23 JULY 2024

### REPORT OF THE DIRECTOR OF PLANNING

#### A.2 UPDATED HOUSING SUPPLY POSITION AND LOCAL PLAN REVIEW BASELINE

(Report prepared by Paul Woods and Gary Guiver)

#### PART 1 – KEY INFORMATION

##### PURPOSE OF THE REPORT

To report to the Planning Policy and Local Plan Committee:

- The findings of the most recently updated Strategic Housing Land Availability Assessment (SHLAA) including:
  - The number of new homes built in Tendring during the 2023/24 financial year and the up-dated year-by-year ‘trajectory’ for future housebuilding; and
  - The current housing land supply position (the ‘five-year’ supply).
- The baseline housing position for the Local Plan Review.

##### EXECUTIVE SUMMARY

###### Housing Supply Position

###### Housing Requirement

Section 1 of the adopted Local Plan sets out the ‘objectively assessed housing need’ (OAN) for Tendring of 550 homes a year, and the housing requirement for the period of the Local Plan 2013-2033 is therefore 11,000 homes. With approximately 6,700 homes already built between 2013 and 2024, the remaining requirement between now and 2033 stands at approximately 4,300 and the historic shortfall in housing delivery has now been addressed. It will be necessary to revisit the housing requirement for the district as part of the Local Plan review to assess the longer-term needs for the rolled-forward plan-period, with any new requirement taking effect from the anticipated adoption of the updated Local Plan (2026).

###### Housing Completions and Future Trajectory

In the period 1 April 2023 to 31 March 2024, **a total of 838 (net) new homes were completed** in Tendring. This means that the housebuilding target of 550 homes a year has now been achieved for an eighth year in succession.

Officers have updated the Council's 'Strategic Housing Land Availability Assessment' (SHLAA) which contains a trajectory for future housing building up to 2033. Information from developers as well as Officers' own monitoring of building sites have informed the forecast for the coming years.

#### Five Year Housing Supply and Decision Making

When the National Planning Policy Framework was updated in December 2023, the requirement for Local Planning Authorities to demonstrate an ongoing 'five-year supply' of deliverable housing sites was removed in certain circumstances – specifically for those authorities whose Local Plan was adopted less than five years ago and identified at least a five year supply of specific, deliverable sites at the time its examination concluded. Nevertheless, the SHLAA includes a calculation of the Council's five-year housing land supply, which demonstrates that Tendring is well placed to meet future housing needs.

Taking into account the future trajectory set out in the SHLAA, **the Council can demonstrate a 6.26 year supply of deliverable housing sites**. Around 3,600 homes are expected to be built within the five years 2024/25 – 2028/29, against a five-year requirement of approximately 2,900 homes. This means that, so long as the Local Plan is kept up to date, the Council remains in a strong position to resist speculative and unwanted housing developments that fall outside of the settlement development boundaries of the Local Plan unless there are material benefits that might exceptionally justify a departure from Local Plan policy, or the proposals satisfy other policies within the Local Plan (e.g. rural exception sites for affordable housing).

#### Local Plan Review Housing Requirement

When the adopted Local Plan was prepared, the Council was required to calculate an objectively assessed housing need (OAN). This OAN was the subject of significant scrutiny as part of the Local Plan examination, and a number of objectors argued for a higher figure than the Council was proposing. However, because of uncertainties around the Census demographic data and unattributable population change, the Council, with the support of demographic consultants, was able to demonstrate to the Inspector that 550 dwellings per annum was a sound housing requirement for Tendring.

Since the submission and examination of the current Local Plan, the way in which Local Planning Authorities are required to calculate their housing need has changed. At the time of writing, national policy states that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance ([link](#)). The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area. Based on consideration of this topic to date, it is

possible that the Council will not be able to justify a departure from the Standard Method when reviewing the longer-term housing need as part of the Local Plan review.

Based on a Standard Method calculation, the annual housing requirement for the updated Local Plan (from 2026 – 2041) would be expected to increase to around 770 dwellings per annum. Officers are keeping this under review, and taking advice from demographic consultants to ensure the Local Plan review is based on the correct housing requirement for the District.

After analysing the number of new homes currently planned for (through adopted Local Plan allocations, large sites with Planning Permission, and a projection of small site and windfall development), the Local Plan review may need to allocate sites for between 3,000 - 4,000 additional homes.

At the time of writing, it is unclear to what extent national planning policy may change over the coming months, and what impact this will have on the District's housing requirement. The Council will need to proceed with the review of the Local Plan in accordance with current policy and Officers will keep the situation and any implications for Tendring's Local Plan under review.

#### Small Sites

The NPPF requires Local Plans to identify enough small sites (of less than 1ha) to deliver at least 10% of their Local Housing Need. If the Council is required to meet a Local Housing Need calculated using the Standard Method as part of the Local Plan review, an initial analysis suggests that 9.5% of the total amount of housing needed up to 2041 can already be met on small sites in the District that are either allocated in the adopted Local Plan, benefit from planning permission, or form part of the windfall projection set out in the SHLAA. This position will need to be monitored, but it may be necessary to allocate land for around 100 dwellings to be delivered on small sites, as part of whichever spatial strategy the Council decides upon following the Issues and Options consultation later this year.

### **RECOMMENDATION**

**That the Planning Policy and Local Plan Committee:**

- (a) endorses the content of this report, and**
- (b) notes that the new Strategic Housing Land Availability Assessment (SHLAA) (linked as a background document) demonstrates an up-to-date housing land supply position and an April 2024 baseline housing position for the purposes of reviewing the Local Plan.**

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

This report contributes to a number of priorities established in the Council's Corporate Plan 2024-2028, including creating opportunities, championing our local environment, and working with partners to improve quality of life.

Ensuring the District has an up-to-date 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. Since the adoption of the Local Plan, the Council has had 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.

The review of the Local Plan will be guided by the priorities established in the Council's new Corporate Plan 2024-2028. The updated Local Plan will promote pride in our area by seeking to deliver decent housing and well-designed communities. The process of the review will take advantage of digital tools to ensure residents are able to effectively engage with the process.

The Local Plan will seek to improve access to skills, learning and training, and boost employment opportunities – particularly associated with Freeport East and the Garden Community. It will promote a high-quality environment that creates spaces for leisure, wellbeing and healthy lifestyles as well as securing open spaces and community resources. Policies in the Local Plan will promote safe, healthy, well-connected and inclusive communities, and will champion the District's tourism offer and heritage assets.

Officers propose a proportionate and cost-effective approach to producing evidence to support the Local Plan, which will contribute to the financial sustainability of the Council.

### RESOURCES AND RISK

The annual housing survey, the five-year housing land supply calculation and updated housing trajectory have all been undertaken by the Council's Planning Policy Team within the agreed 'Local Plan Budget'.

The main risk to the housing supply calculations is a challenge to the figures by third-party developers promoting their sites through the planning appeal process. To minimise this risk, Officers have generally taken a cautious/conservative approach to the expected delivery of housing on sites to make it difficult for developers to successfully challenge the figures on the basis of them being too optimistic.

The main risk to housing delivery and achieving and maintaining an ongoing five-year supply of housing land is the housing market in the District. If the market is not buoyant, insufficient



completions will be achieved. In addition, the trajectory of future housing delivery would have to be adjusted to reflect longer lead-in times and/or slower build-out rates.

As it stands, the NPPF requires Local Planning Authorities to calculate the housing need for their area using the Standard Method as set out in Planning Practice Guidance. The Standard Method currently includes a cap of 40% above the existing adopted housing requirement, which means that Tendring's annual housing requirement for the Local Plan review would be capped at 770 dwellings per annum. However, a change in national policy may alter the way the Council needs to calculate the District's housing need. If this were to be the case, there is a risk that the annual housing requirement may increase further, putting greater pressure on the Council to allocate more land for housing development.

## LEGAL

The National Planning Policy Framework (NPPF) requires Councils to boost, significantly, the supply of housing by identifying sufficient land with their Local Plans to meet their housing requirements.

The December 2023 update of the NPPF removed the requirement for Council's to demonstrate a five-year supply of specific 'deliverable' housing sites for the purposes of making Planning decisions. However, Officers have retained this calculation in the SHLAA to demonstrate the strong position the Council remains in with regards to predicted housing delivery over the coming years.

From November 2018, housing delivery has been measured against a new 'Housing Delivery Test', which looks at the number of homes constructed, against housing requirements, over the previous three years. The Council has demonstrated strong performance against this test over recent years.

Paragraph 61 of the NPPF requires the minimum number of homes needed for an area to be determined using the standard method set out in national planning guidance. The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area. This requirement was not in place when the adopted Local Plan was prepared and examined, and it produces a higher annual housing need figure for Tendring than the one included in the adopted Local Plan.

Paragraph 70 of the NPPF states that at least 10% of a Local Planning Authority's housing requirement must be met through sites no larger than one hectare, in order to promote a good mix of sites.

## OTHER IMPLICATIONS

**Area or Ward affected:** All wards.

**Consultation/Public Engagement:** None – although the assumptions about housing delivery set out in the SHLAA have been informed through consultation with a number of landowners and developers. Officers will keep the assumptions under continual review and will produce updated

versions of the SHLAA on an annual basis, or more frequently if required. The information that Council relies on as evidence for the Local Plan will be the subject of public scrutiny when the draft Local Plan update is consulted on in the coming months.

## **PART 3 – SUPPORTING INFORMATION**

### **Housing Supply Position**

The ‘objectively assessed housing need’ (OAN) for Tendring, as set out in the adopted Section 1 of the Local Plan, has been confirmed as 550 homes a year – or 11,000 homes over the period 2013 to 2033. This figure was calculated in line with the national policy relevant at the time the Local Plan was prepared, and through the Local Plan review the Council will need to revisit the longer-term housing requirement in line with any updated national planning policy.

Earlier this year, Officers undertook the annual survey of housing completions for the period 1 April 2023 to 31 March 2024. This involved updating records of sites with planning permission for housing and recording the number of dwellings that had been created on each of those sites over that 12-month period. This was achieved through a combination of site visits, satellite images, information requested from and provided by developers and the use of building control completion data.

The ‘net dwelling stock increase’ (or housing completions minus losses) for the 2023/24 financial year is recorded as **838** new dwellings. This ‘net’ figure takes into account demolitions and other losses of existing homes such as conversions. This exceeds the housing requirement for Tendring of 550 homes a year.

In each of the first three years of the current Local Plan Period actual completions fell short of this requirement. However, strong delivery over the past eight years has helped to eliminate the shortfall from the early years of the Plan Period.

Of the 838 completions recorded for 2023/24, 715 took place on larger development sites of 10 or more dwellings with 123 on smaller developments of 9 or fewer.

Officers have received contact from some small to medium sized developers concerned that the adoption of the new Local Plan and greater level of control it gives the Council is stifling the pipeline of small development sites that might be of interest to local builders. However, at April 2024 there remains an expectation that 686 dwellings will be built on small schemes of 9 or fewer dwellings up to 2033 and planning permissions are already in place for 813 dwellings (net) on sites of this size. The review of the Local Plan will need to ensure 10% of the District’s housing requirement can be met on sites of less than 1ha.

Strategic Housing Land Availability Assessment (SHLAA) and Housing Trajectory

A Strategic Housing Land Availability Assessment (hereafter referred to as a 'SHLAA') is an essential part of the 'evidence base' that is needed to inform and underpin decisions on allocating sites for housing in Local Plans. The primary purpose of the SHLAA is to:

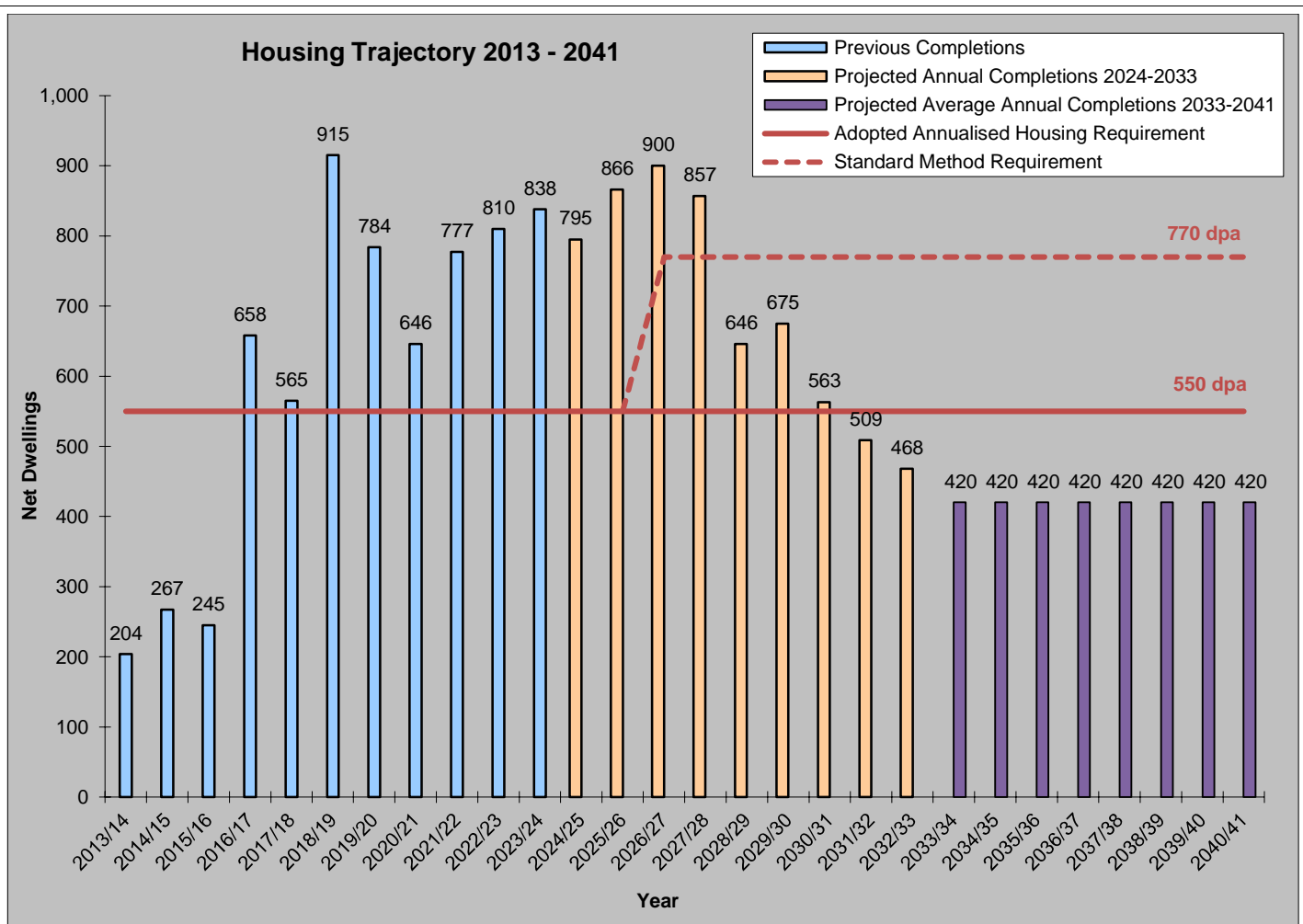
- identify sites and broad locations with potential for housing development;
- assess their housing potential; and
- assess their suitability for development and the likelihood of development coming forward.

The assessment (linked as a background document) has been updated to a 1<sup>st</sup> April 2024 base date in order to reflect the latest available information on housing developments in the District, including planning decisions and appeal decisions which have a significant bearing on the assumptions on housing delivery currently set out in the Local Plan.

This assessment identifies that through a combination of dwellings completed since 2013, large sites with planning permission for housing development, small sites and windfall sites and sites specifically allocated in the adopted Local Plan, the objectively assessed requirement to deliver 11,000 homes between 2013 and 2033 can still be met and comfortably exceeded, by over 1,900 homes.

This 'headroom' was useful in demonstrating to the Local Plan Inspector examining Section 2 of the Local Plan that even if certain sites do not come forward for development in the timescales envisaged, there is still a reasonable prospect that the district's housing requirements up to 2033 will be achieved. For example, the largest and most complex residential and mixed-use developments in the emerging Local Plan are the Tendring Colchester Borders Garden Community and the Hartley Gardens development in northwest Clacton. If either one of these developments were delayed or failed to come forward at all during the remainder of the plan period to 2033, there is still sufficient headroom in the overall supply to meet the housing requirement. Because of this additional flexibility and headroom, the Inspector did not require the Council to include additional sites in the Local Plan. Naturally, in extending the plan period to 2041 during the review of the Local Plan, this position will need to be revisited and the Council will need to consider how much flexibility is incorporated into the supply of housing sites over that extended period.

The updated information contained within the new SHLAA has been fed into an overall trajectory for housing growth over the current plan period which is set out in the graph below.



In addition to showing housing delivery across the current plan period (2013-2033), an additional eight years have been included to cover the extended period to be covered by the Local Plan review (up to 2041). A year-by-year projection hasn't been established for the period 2033-2041 (shown in purple) – instead, the total number of homes expected to be delivered during that period (from current Local Plan allocations, large sites with Planning Permission, and windfall development) has been averaged across the eight years. The graph also includes a dotted line showing the potential increase in annual housing need if the Council were required to use the Standard Method figure from 2026.

The trajectory shows the low level of housing completions in the years 2013/14 to 2015/16 followed by significant improvement in performance recorded for 2016/17 to 2019/20. Delivery fell in 2020/21 due to the pandemic and the closure of building sites for several months, but stronger delivery has been seen in the years since.

Stronger performance is expected to continue through the next four years, dropping slightly in year five. Officers will keep under review impacts on the economy arising from increasing inflation, particularly in energy and materials costs, which might lead to some revisions to next year's forecast.

For the period after 2033, the trajectory shows the predicted delivery of existing Local Plan allocations and sites with Planning Permission up to 2041 (the updated Local Plan period). This is significantly below the potential housing need for the updated Local Plan and illustrates the need to allocate further housing sites for the longer term.

### The Five-Year Supply

When the National Planning Policy Framework was updated in December 2023, the requirement for Local Planning Authorities to demonstrate an ongoing 'five-year supply' of deliverable housing sites was removed in certain circumstances – specifically for those authorities whose Local Plan was adopted less than five years ago and identified at least a five-year supply of specific, deliverable sites at the time its examination concluded. Nevertheless, the SHLAA includes a calculation of the Council's five-year housing land supply, which demonstrates that Tendring is well placed to meet future housing needs.

From November 2018, as well as having to demonstrate a five-year supply of deliverable housing sites, Councils have also needed to demonstrate that they are meeting the new 'housing delivery test' (HDT) in the NPPF. It requires housing delivery over the previous three financial years to be measured against the housing requirement and where delivery is 'substantially below the housing requirement', the 'tilted balance' is engaged.

The Council's performance in housing delivery over the last three years has been very strong when measured against the requirement of 550 homes a year in the Local Plan and is broadly reflective of the levels of development that might be required under the Standard Method calculation.

The Council does still however have the flexibility to grant planning permission for housing development on sites that fall beyond the allocations and settlement development boundaries of the Local Plan where it considers that other material considerations justify such a departure.

### Deliverable Sites

In determining whether a five-year supply of deliverable housing sites can be demonstrated, the NPPF in Annex 2 includes clear guidance on what can and cannot be considered a 'deliverable site'. It states:

*"To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*

*b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”*

Two types of sites are included within the five-year supply calculation: *large sites with planning permission*, and *small sites/windfall sites*.

*Large sites with planning permission* includes sites with the potential to deliver 10 or more (net) dwellings that have either gained planning permission or are the subject of a Planning Committee resolution to grant planning permission on completion of a s106 legal agreement. In the last few years, the supply of land with planning permission has increased rapidly as a result of planning decisions by the Council and the Planning Inspectorate to comply with the government's policy to boost, significantly, the supply of housing. These sites are assessed one-by-one in Appendix 1 of the SHLAA.

*Small sites/windfall sites* comprise sites with potential for 9 or fewer dwellings either with planning permission or likely to come forward as 'windfall' sites over the course of the plan period. Whilst it is not possible or practical to identify and assess every potential windfall site, the NPPF states that an allowance can be made for windfall sites in the ongoing five-year supply of land if there is compelling evidence that they will provide a reliable source of supply. Appendix 2 of the SHLAA includes a detailed explanation of the projected supply from windfall sites, which was updated in 2020 as part of the Local Plan examination. Actual delivery on small sites for the first four years of this projection (2020/21 - 2023/24) was 103% of the predicted total, giving confidence that the trajectory is an accurate prediction of small site delivery throughout the rest of the plan period.

### Updated Figures

Officers have re-calculated the housing supply position to a 1<sup>st</sup> April 2024 base-date, measured against the requirement of 550 homes a year as set out in the adopted Section 1 of the Local.

The updated calculations are based on the evidence and assumptions contained within the new SHLAA. The calculations within the SHLAA (chapter 6) give a housing supply position of **6.26** years.

These calculations are set out in the following table:

<b>Five Year Requirement and Supply</b>	<b>Local Plan OAN of 550 homes a year</b>
<b>Requirement 2024/25 – 2028/29</b>	2,750 (550 x 5)
<b>Shortfall 2013/14 – 2023/24</b>	0
<b>Sub-Total</b>	2,750

<b>5% buffer</b>	<b>138</b>
<b>Total Requirement</b>	<b>2,888</b>
<b>Supply from large site commitments</b>	<b>3,158</b>
<b>Supply from Local Plan allocations</b>	<b>0</b>
<b>Supply from small windfall sites</b>	<b>456</b>
<b>Total supply of Homes – Units</b>	<b>3,614</b>
<b>Total five- year supply of Homes</b>	<b>125.14%</b>
<b>Total supply of Homes – Years</b>	<b>6.26</b>

### **Local Plan Review**

The figures set out in this report will form the baseline for our Local Plan Review. They show the number of new homes completed in recent years as well as the number that are expected to be delivered – either through existing Local Plan allocations, large sites with Planning Permission, and a projection of small sites and windfall development. This baseline will help us understand the number of additional homes the updated Local Plan will need to allocate for, in order to meet the District's housing need, and also which areas have capacity for additional development over the coming years.

### **Local Housing Need**

When the adopted Local Plan was prepared, the Council was required to calculate an objectively assessed housing need (OAN). This OAN was the subject of significant scrutiny as part of the Local Plan examination, and a number of objectors argued for a higher figure than the Council was proposing. However, because of uncertainties around the Census demographic data and unattributable population change, the Council, with the support of demographic consultants, was able to demonstrate to the Inspector that 550 dwellings per annum was a sound housing requirement for Tendring.

Since the submission and examination of the current Local Plan, the way in which Local Planning Authorities are required to calculate their housing need has changed. At the time of writing, national policy states that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance ([link](#)). The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area. Based on consideration of this topic to date, it is possible that the Council will not be able to justify a departure from the Standard Method when reviewing the longer-term housing need as part of the Local Plan review.

A key part of the Standard Method calculation is a cap – which limits the increase an individual local authority can face. Where the existing Local Plan was adopted within the last 5 years (at the point of making the calculation), the local housing need figure is capped at 40% above the average annual housing requirement set out in the existing policies. For Tendring, that means the housing need under the Standard Method would be  $550 + 40\% = 770$  dpa. For the period of 2026 – 2041, that would result in a total housing need of 11,550 dwellings. It is worth noting that since 2018, the average annual housing delivery in Tendring, in response to genuine market demand, has been 795 dwellings per annum – which is broadly reflective of the level of housing growth that might be expected in the future, on an annual basis, if the housing requirement does increase to around 770 homes a year, as might be expected through the application of the Standard Method calculation (including the cap).

For the updated Local Plan period of 2024-2041, the overall housing requirement would include 2 years of the existing housing need of 550 dpa to account for the period up to 2026 (five years from adoption of the current Local Plan). If the Council is required to use the Standard Method to calculate the housing need for the updated Local Plan from 2026, the total figure for the period of 2024-2041 would be  $(2 \times 550) + (15 \times 770)$  and is therefore likely to be in the region of 12,650 dwellings.

Officers are keeping the situation with national policy under review as we continue the process of updating the Local Plan and will continue to take advice about whether the Standard Method is the most appropriate calculation for Tendring.

The SHLAA sets out, in Appendix 4, the trajectory for housing delivery on large sites between now and the end of the adopted Local Plan period (2033). It includes large sites with Planning Permission and existing Local Plan allocations. For those larger sites whose delivery will extend beyond 2033, it also indicates the number of dwellings that will remain to be delivered in the longer term. In Appendix 2, the SHLAA sets out a projection of the number of dwellings likely to be delivered from small sites and windfall development.

<b>Source</b>	<b>Delivery between 2024 - 2033</b>	<b>Delivery between 2033 - 2041</b>	<b>TOTAL</b>
Local Plan Allocations	1,568	2,600	4,168
Large Site Commitments	4,025	640	4,665
Small sites and windfalls	686	120	806
<b>Totals</b>	<b>6,279</b>	<b>3,360</b>	<b>9,639</b>

Based on this trajectory (with 9,639 dwellings already planned for between the years 2024-2041), the review of the Local Plan may need to allocate land for something in the order of 3,000 – 4,000 additional homes. It may be prudent to incorporate an additional degree of flexibility as the Council has done in the existing Local Plan.



## Small Sites

Paragraph 70 of the NPPF highlights the important contribution that small and medium sized sites can make towards meeting the housing requirement of an area, particularly as they are often built out relatively quickly. Local Planning Authorities are therefore required identify land to accommodate at least 10 of their housing requirements on sites no larger than one hectare.

As part of establishing the baseline housing position for the Local Plan review, Officers have considered the current position with regards to small housing sites. The relevant definition in the NPPF (less than 1ha) is different from the definition used in our SHLAA (fewer than 10 dwellings) – and so there is some overlap in how the sites have been assessed.

The table below sets out those sites with an area of less than 1ha that are assessed as part of the SHLAA (Local Plan Allocations, and sites with Planning Permission for more than 10 dwellings), as well as the total from the windfall projection set out in Appendix 2 of the SHLAA.

Source	Site	Number of Dwellings
Local Plan Allocations (less than 1ha):	Station Yard, Walton	40
	Weeley Council Offices	24
Large site commitments identified in the SHLAA (more than 10 dwellings but less than 1ha)	Coppins Court, Clacton	60
	Crossways Garden Centre, Lt Clacton	21
	Rumours Night Club, Clacton	16
	23-27 Brooklands, Jaywick	15
	3 Marine Parade East, Clacton	14
	32-37 Brooklands, Jaywick	13
	St Helena Hospice, Clacton	10
	Cliff Hotel, Dovercourt	20
	Fronks Road, Harwich	14
	Ferndale Road, Harwich	13
	Kirby Road, Gt Holland	41
	Martello, Kirby Road, Walton	4
	27/31 High Street, Walton	10
	Thorne Quay Warehouse, Mistley	45
	Honeycroft, Lawford	13
	East of Tye Road, Elmstead	15
	24 The Street, Lt Clacton	10
Windfall projection 2024-39		806
<b>TOTAL</b>		<b>1,204</b>
<i>Percentage of 12,650</i>		<i>9.5%</i>

This could mean that, to comply with the government requirement for 10% on small sites, the Council may need to identify additional land for around 100 dwellings on small sites of less than 1ha.

## APPENDICES

None

## Background Documents

Strategic Housing Land Availability Assessment (SHLAA) July 2024 ([link](#))

## PLANNING POLICY AND LOCAL PLAN COMMITTEE

23 JULY 2024

### REPORT OF THE DIRECTOR OF PLANNING

#### A.3 UPDATED LOCAL DEVELOPMENT SCHEME 2024-2027

(Report prepared by William Fuller)

#### PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT
<p>To seek the Planning Policy &amp; Local Plan Committee's agreement to publish an updated 'Local Development Scheme' (LDS), updating the proposed timetable for reviewing the Local Plan in light of a delay caused by the General Election.</p>
EXECUTIVE SUMMARY
<p>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 members of the public, partner organisations and third parties to understand the broad programme of work and how the Council proposes to resource and manage it.</p> <p>The LDS covers the review of the Local Plan, the preparation and adoption of Tendring Colchester Borders Garden Community (TCBGC) Development Plan Document (DPD), and the production of other key planning documents. It includes the anticipated timetable of consultation periods, examinations and expected dates of adoption.</p> <p>An update to the LDS was brought before this Committee in February of this year. This updated LDS is presented to Members in order to ensure it reflects the delay in updating the Local Plan caused by the General Election.</p>
RECOMMENDATION
<p>That the Planning Policy and Local Plan Committee approves the updated Local Development Scheme (LDS) 2024-2027 (attached as Appendix 1) for publication on the Council's website.</p>

#### PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES
<p>Priorities within the Corporate Plan 2024-2028 (Our Vision) include promoting pride in our area and</p>

services to residents, raising aspirations and creating opportunities, championing our local environment, working with partners to improve quality of life, promoting our heritage offer, and financial sustainability and openness. 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 Planning Policy Team within the agreed Local Plan Budget. The LDS itself identifies the resources required to progress the Local Plan Review and the Garden Community DPD. Without an up-to-date LDS containing a realistic timetable for reviewing the Local Plan and preparing 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 Review 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 the Planning and Compulsory Purchase Act 2004 (as amended). The 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 their delivery.

The LDS must specify (among other matters) the development plan documents (such as Local Plans) which, when prepared, will comprise part of the Development Plan for the area. Local Planning Authorities are encouraged to include details of other documents which form (or will form) part of the development plan for the area, such as Neighbourhood Plans. The Local Development Scheme must be made available publicly and kept up to date. It is important that local communities and interested parties can keep track of progress. Local planning authorities should publish their Local Development Scheme on their website.

## **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 Update and other planning documents.

## PART 3 – SUPPORTING INFORMATION

### Background

The Local Development Scheme (LDS) is designed to set out the process for preparing key Planning documents. It includes the anticipated timetable of consultation periods, examinations and expected dates of adoption for the Local Plan Review and the Tendring Colchester Borders Garden Community (TCBGC) Development Plan Document (DPD). 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 can organise their time and resources accordingly. The LDS is usually updated to cover three-year cycles of Plan preparation.

Members will recall that an update to the LDS was presented at Planning Policy and Local Plan Committee in February of this year. That update was in response to a Ministerial Statement which set time limits for preparing an LDS.

On 22 May 2024 the Prime Minister announced there would be a general election on 4 July 2024. The pre-election period began on 25 May 2024.

During the pre-election period, holding events or launching consultations should be considered with care. At the meeting on 28<sup>th</sup> May 2024, the Planning Policy and Local Plan Committee was informed that the Issues and options Consultation would therefore not be able to take place in the early summer as planned, and it would instead need to be held in September.

This in turn will push back other key stages of Plan preparation. The draft stages will now follow the timings set out below:

Indicative timetable for Future Review of Local Plan	
Issues and Options Consultation	Summer 2024
Consultation on Preferred Options draft Local Plan	Winter 2025
Publication of Submission draft Local Plan	Spring/Summer 2025
Submission	Summer 2025
Examination and main modifications	Autumn 2025
Adoption	Early 2026

Whilst there is movement of some stages within the LDS, the updated Local Plan will still be submitted to the Secretary of State in Summer 2025 in accordance with Government requirements.

As well as these more substantive changes, the preparation of the Garden Community DPD and the two Neighbourhood Plans have been updated to better reflect current progress.

The updated LDS can be found at Appendix 1.

<b>APPENDICES</b>
<b>Appendix 1 – Updated Local Development Scheme (LDS) 2024-2027.</b>

## A.3 APPENDIX

***Tendring***  
***District Council***



### **Local Development Scheme (LDS) 2024-2027**

**July 2024**

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# 1 Introduction

- 1.1** A Local Development Scheme is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) ([link](#)). This must specify (among other matters) the Development Plan Documents (i.e. Local Plans) which, once adopted, comprise part of the Development Plan for the area. Local Planning Authorities are encouraged to include details of other important documents that form (or will form) part of the Development Plan such as Neighbourhood Plans.
- 1.2** The Development Plan for an area comprises the combination of 'Strategic and Non-strategic Policies'. The NPPF requires that the Development Plan include strategic policies to address each Local Planning Authority's priorities for the development and use of land in its area.
- 1.3** Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period (in line with the presumption in favour of sustainable development). This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area (except insofar as these needs can be demonstrated to be met more appropriately through other mechanisms, such as brownfield registers or nonstrategic policies).
- 1.4** These strategic policies can be produced in different ways, depending on the issues and opportunities facing each area. They can be contained in:
- a. joint or individual local plans, produced by authorities working together or independently (and which may also contain non-strategic policies); and/or
  - b. a spatial development strategy produced by an elected Mayor or combined authority, where plan-making powers have been conferred (London).
- 1.5** Non-strategic policies should be used by Local Planning Authorities and communities to set out more detailed policies for specific areas, neighbourhoods, or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving, and enhancing the natural and historic environment and setting out other development management policies.
- 1.6** The *Tendring District Local Plan 2013-2033 and Beyond: North Essex Authorities' Shared Strategic Section 1* is a joint strategic plan, which has now been adopted by Tendring District Council, Colchester City Council, and Braintree District Council (2021). The *Tendring District Local Plan 2013-2033 and Beyond: Section 2* contains Tendring specific policies and was adopted by the Council in January 2022. Together, these two sections make up the Local Plan for the Tendring District. The Local Plan must be reviewed and updated where necessary within a 5-year timeframe. The Council is also working with Colchester City Council and Essex County Council to prepare a Development Plan Document (DPD) for the Tendring Colchester Border Garden Community.

- 1.7** Local Planning Authorities must publicise and keep up to date their timetable for producing and updating their Local Plan. This information is contained within a Local Development Scheme. Local Development Schemes must also be produced in compliance with any data standard published by the Department for Levelling Up, Housing and Communities (DLUHC). A Local Development Scheme is expected to be reviewed and updated regularly to reflect if there are any significant changes in the timescales or the plans being prepared.
- 1.8** The Local Development Scheme (LDS) for Tendring sets out the Council's process and timetable for producing 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, as this information can help them to organise their time and resources accordingly.
- 1.9** 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'. 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.

## 2 Background

### Progress to Date and Future Programme Stages

#### Shared Section 1 Local Plan Progress to Date

- 2.1** In accordance with Regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 *Tendring District Local Plan 2013-2033 and Beyond: North Essex Authorities' Shared Strategic Section 1 Plan* was adopted by decision at the meeting of Full Council on Tuesday, 26 January 2021.

#### Section 2 Local Plan Progress to Date

- 2.2** *Tendring District Local Plan 2013-2033 and Beyond: Section 2* was unanimously agreed by Full Council for formal adoption on Tuesday, 25th January 2022.

#### TCBGC DPD Progress to Date

- 2.3** Following the regulation 19 consultation in the spring of 2023, The Tendring Colchester Borders Garden Community (TCBGC) Development Plan Document (DPD) was submitted for examination in September 2023, and examination hearings took place in May 2024.

#### Monitoring and Review

- 2.4** The Council will implement the Local Plan and monitor its effectiveness. The Local Plan will be reviewed and updated where necessary within a 5 year time frame, depending on any changes to national planning policy or the national planning system.

## 3 Documents to be Prepared

**3.1** For the period 2024 to 2027, the following planning documents will be prepared or initiated:

### **Review of the Tendring District Council Local Plan**

- 3.2** The Local Plan is 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.
- 3.3** The National Planning Policy Framework 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 consider changing circumstances affecting the area, or any relevant changes in national policy.’ As such, a review of the Local Plan needs to be undertaken and may involve updating a targeted set of policies following the same procedural process as the production of the Local Plan.

### **Tendring Colchester Border Garden Community DPD**

- 3.4** The preparation of the TCBGC DPD has followed the same process as a Local Plan. However, this document contains only non-strategic policies - building upon the strategic policies in the Shared Section 1 Local Plan. The DPD is meant to provide significantly more implementation detail to Section 1 policies to further assist in facilitating the planning application process for the Garden Community.
- 3.5** Section 1 of the Publication Draft of the Local Plan, Policy SP8, states that no planning consent for development forming part of the Garden Community will be granted until the TCB DPD has been adopted and that the DPD will set out the nature, form, and boundary of the new community. The DPD has been produced in consultation with stakeholders and includes a concept masterplan showing the disposition and quantity of future land-uses.. It was produced alongside the master planning process and provides the framework for the subsequent development of more detailed masterplans and other design and planning guidance for the Tendring Colchester Borders Garden Community.
- 3.6** The DPD has now been submitted for examination, and the next stages of the process are in the hands of the Planning Inspector. Adoption is anticipated in late 2024.

### **CIL Charging Schedule**

- 3.7** 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 Local Plan and another is being prepared 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.

- 3.8** One source of funding infrastructure could be the Community Infrastructure Levy (CIL), which requires the adoption of a 'Charging Schedule' setting out how much money developers will be expected to contribute toward infrastructure provision from developments in using a formula based on £ per sqm of floorspace.
- 3.9** 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.

### **Tending Neighbourhood Plans**

- 3.10** The Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum (Town and Country Planning Act 1990 (as amended)).
- 3.11** For further information on Neighbourhood Planning and process refer to the online guidance at <https://www.gov.uk/guidance/neighbourhood-planning--2>.

### **Authority Monitoring Report (AMR)**

- 3.12** The Authority 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 indicators contained within the Local Plan.

## 4 Programme for Preparing Local Plan Documents

<b>Review of the Tendring District Local Plan</b>	
<b>Subject and scope</b>	This document updates the Council's Local Plan to cover an extended period to 2041 and beyond, enabling the strategy for growth, planning policies and site allocations to be reviewed as necessary.
<b>Geographical area</b>	All of the Tendring District.  The strategic policies for Tendring Colchester Garden Community are contained in the Shared Section 1 Plan and have been prepared in collaboration with Colchester and Essex Councils. These policies will be supported by a separate DPD, which will inform the planning applications process.
<b>Chain of conformity</b>	The relevant Planning Acts and Regulations Essex Minerals and Waste Plans National Planning Policy Framework (NPPF)
<b>Indicative timetable for Future Review of Local Plan</b>	
<b>Issues and Options Consultation</b>	Summer 2024
<b>Consultation on Preferred Options draft Local Plan</b>	Winter 2024
<b>Publication of Submission draft Local Plan</b>	Spring/Summer 2025
<b>Submission</b>	Summer 2025
<b>Examination and main modifications</b>	Autumn 2025
<b>Adoption</b>	Early 2026

<b>Tendring Colchester Garden Community Development Plan Document (DPD)</b>	
<b>Subject and scope</b>	This document will contain more detailed non-strategic policies to guide development within the new Garden Community proposed at the Tendring/Colchester border. This DPD will be produced jointly with Colchester City Council and Essex County Council.
<b>Geographical area</b>	The Strategic Policies and broad location for the Garden Community is identified in the Section 1 Local Plan. The precise boundaries will be designated in the TCB DPD.
<b>Chain of conformity</b>	Tendring and Colchester Local Plans The relevant Planning Acts and Regulations Essex Minerals and Waste Plans National Planning Policy Framework (NPPF).
<b>Indicative Timetable for TCB DPD Production</b>	
<b>Studies &amp; Document Preparation</b>	Winter 2020/21 – Winter 2021/22 (Completed)
<b>Member approval of draft DPD</b>	Spring 2022 (Completed)
<b>Draft DPD Reg 18 Consultation</b>	Spring 2022 (Completed)
<b>Reg 19 Document Preparation</b>	Summer 2022 - Winter 2022/23 (Completed)
<b>Member approval of submission Draft DPD</b>	Spring 2023 (Completed)
<b>Submission DPD Reg 19 Consultation</b>	Summer 2023 (Completed)

<b>Submission of Reg 19 DPD and Summary of Comments Received to Secretary of State</b>	Summer 2023 (Completed)
<b>Examination in Public (EiP)</b>	Spring 2024
<b>Inspector's Report / Consultation on Modifications</b>	Summer 2024
<b>Adoption (Full Council)</b>	Winter 2024
<b>Timetable for review</b>	This will be reviewed and updated as necessary.

### **Infrastructure Delivery Plan and CIL Charging Schedule (Optional)**

<b>Subject and Scope</b>	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.
<b>Geographical Area</b>	All the Tendring District. Some areas of Tendring may be established as CIL exempt
<b>Chain of Conformity</b>	Relevant Planning Acts and CIL Regulations Emerging Local Plan National Planning Policy Framework (NPPF)
<b>Indicative timetable for production</b>	
<b>Preparation of document</b>	Spring 2024
<b>Member approval for initial consultation</b>	Summer 2024
<b>Publication of document for consultation</b>	Autumn 2024
<b>Member approval for final consultation and submit the document for examination</b>	Winter 2024
<b>Submit documents and information to Secretary of State</b>	Spring 2025
<b>Independent examination</b>	Summer 2025
<b>Inspector's report</b>	Autumn 2025
<b>Adoption (Council)</b>	Winter 2025
<b>Timetable for review</b>	The document will be reviewed regularly to determine whether or not any changes to the CIL timetable are necessary

### **Authorities Monitoring Report (AMR)**

<b>Subject and Scope</b>	This document will provide a high-level analysis of how the Council's planning policies are performing against a range of indicators.
<b>Geographical Area</b>	All the Tendring District.
<b>Chain of Conformity</b>	The content of the document should correspond with policies in the Local Plan.
<b>Timetable for production – same process followed each year</b>	
<b>Preparation of document</b>	Annually
<b>Publication of the AMR</b>	Summer following the end of each financial year.
<b>Timetable for review</b>	The Authority Monitoring Report is produced annually.

### **Timetable for Emerging Neighbourhood Plans**

<b>Elmstead Neighbourhood Plan and NDO</b>	To guide new development in the Parish of Elmstead and to create a Development Order for the old village hall site.	Examination complete. Potential referendum Autum 2024.
<b>Ardleigh Neighbourhood Plan</b>	To guide new development in Ardleigh Parish.	Examination complete. Potential referendum Autum 2024.
<b>Brightlingsea Neighbourhood Plan</b>	To guide new development in the Brightlingsea Parish area.	Neighbourhood area designated. Regulation 14 consultation possible during 2024.

<b>Supplementary Planning Documents (SPD)</b>		
<b>Evidence</b>	<b>Purpose</b>	<b>Relevance/Timescales</b>
<b>Hartley Gardens SPD</b>	To produce a comprehensive Development Framework and delivery strategy for the development of around 1,700 homes and associated development north of Clacton.	Potential adoption autumn 2024.
<b>Jaywick Sands Design Guide SPD</b>	To provide design guidance for replacement and new dwellings within the existing built-up area of Jaywick Sands.	Adopted February 2023.



## 5 Local Plan Evidence Base and Methodology

- 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, with updates undertaken where relevant to inform the Local Plan Examination. Further updates will be required to several areas to inform the review of the Local Plan.

<b>Subject Area: Housing</b>		
<b>Evidence</b>	<b>Purpose</b>	<b>Relevance/Timescales</b>
<b>Demographic and Household Projections</b>	To inform the preparation of a Strategic Housing Market Assessment and inform decisions on the 'objectively assessed need for housing'.	The last projections were produced in September 2016. Further expert advice may be required to inform the review of the Local Plan.
<b>Strategic Housing Market Assessment (SHMA) / Local Housing Needs Assessment</b>	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).  These will need to be updated as part of the Local Plan review.
<b>Strategic Housing and Land Availability Assessment (SHLAA)</b>	To assess the suitability, availability and deliverability of potential housing sites and inform the allocation of land for housing.	Undertaken by Council Officers. The SHLAA is updated annually in line with the financial year, and the last update was published in November 2023.  Proposals submitted as part of the 'call for sites' consultation will be incorporated into the SHLAA.
<b>Gypsy and Traveller Accommodation Assessment (GTAA)</b>	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.  A further review is currently under way.

<b>Jaywick Sands Place Plan</b>	To establish a framework for development aimed at regenerating Jaywick Sands	Work currently being undertaken by Council Officers and HAT Projects Limited. Further consultation was undertaken in 2023, with completion of the Place Plan anticipated in 2024.
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<b>Subject Area: Business</b>		
<b>Evidence</b>	<b>Purpose</b>	<b>Relevance/Timescales</b>
<b>Economic Development Strategy</b>	To inform the overarching approach to economic development and job creation in the district.	Updated and approved by Cabinet July 2020. Consideration being given to a review in 2024 to be carried out alongside Employment Land Review.
<b>Employment Land Review</b>	To inform the allocation and protection of land for business and industrial use in terms of amount and location.	Completed 2019. An update will be required as part of the Local Plan review – with a focus on employment land needs to support job creation following Freeport designation.
<b>Retail &amp; Town Centre Study</b>	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. A focussed update may be necessary to inform the review of the Local Plan.
<b>Holiday Park Sector Review</b>	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. A partial review may be necessary for the Local Plan review.

<b>Subject Area: Infrastructure</b>		
<b>Evidence</b>	<b>Purpose</b>	<b>Relevance/Timescales</b>
<b>Infrastructure Study</b>	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	Reviewed and updated 2021. Further evidence will be required as part of the Local Plan review.

	through Community Infrastructure Levy (CIL).	
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#### 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. ECC are in the process of reviewing and updating the Minerals Local Plan, extending it to cover the period to 2040 – and a number of sites across the county have been assessed by independent consultants. An Issues and Options consultation is planned for February 2024, which will seek views on the sites and the way they have been assessed. No sites have been identified as preferred or non-preferred site allocations at this stage. Tendring District Council is a key consultee in the preparation of the Minerals Local Plan, and will continue to engage with ECC as the Plan emerges.

#### 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
<b>Flood Risk Assessment (SFRA)</b>	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. Review required ahead of next Local Plan review.
<b>Landscape Character Assessment</b>	To define the different characteristics of the district's landscape and help inform Planning decisions.	Completed 2001. Review within 15-20 years. Consider review.
<b>Local Wildlife Site Review</b>	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. A review of the District's LoWS may be undertaken as part of a broader ecological study to inform the Local Plan review.
<b>Habitat Regulation Assessment</b>	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. An update considering the Main Modifications of Section 2 of

		the Local Plan was published in June 2021. The Local Plan review will require an updated HRA.
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Subject Area: Historic Environment		
Evidence	Purpose	Relevance/Timescales
<b>Heritage Impact Assessment</b>	To assess in a structured process that the significance of historic assets are taken into account when developing and designing proposals for change.	HIA for TCBGC completed in 2022. An HIA will be required for the updated Local Plan.
<b>Conservation Area Appraisals</b>	To help inform decisions relating to development in Conservation Areas and to review their boundaries.	Conservation Area Appraisals are currently being reviewed, with public consultation events taking place in the affected areas. Anticipate adoption of the updated appraisals through 2024.

Subject Area: Health and well-being		
Evidence	Purpose	Relevance/Timescales
<b>Open Space, Sport and Recreation Strategy</b>	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. A review of this document was undertaken in 2023.

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		
Evidence	Purpose	Relevance/Timescales
<b>Viability Testing</b>	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. Will need updating when Local Plan is reviewed.

## Existing Evidence

**5.2** The following documents remain part of the Council's Evidence Base, but will not need to be updated as part the Local Plan Review:

<b>Evidence</b>	<b>Purpose</b>	<b>Relevance/Timescales</b>
<b>Housing Sizes in the Urban Areas of the Tendring District</b>	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.
<b>Hotel and Guesthouse Retention Study</b>	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	
<b>Walton-on-the-Naze Regeneration Framework</b>	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.
<b>Dovercourt Rediscovered</b>	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.
<b>Haven Gateway Watercycle Study</b>	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.
<b>Essex and South Suffolk Shoreline Management Plan</b>	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. Review already being undertaken by the Environment Agency working with its partners.
<b>Harwich Strategic Flood Risk Assessment (SFRA)</b>	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.
<b>Jaywick Strategic Flood Risk Study</b>	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.
<b>Landscape Impact Assessment</b>	To test the potential landscape impact of	Stage 1 report completed April 2009.

	development on a range of urban-edge greenfield sites and thus inform the allocation of sites for housing and other forms of development.	Stage 2 report completed March 2010. NPPF now attaches less weight to landscape impact issues and therefore no review is needed.
<b>Strategic Green Gap Study</b>	To review the Green Gap designations within the Local Plan.	Completed by LUC in 2020.
<b>Historic Environment Characterisation Project</b>	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.
<b>Geodiversity Characterisation Report</b>	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.

## **Sustainability Appraisal, Strategic Environmental Assessment and Habitats Regulation Assessment**

- 5.3** 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'.
- 5.4** 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. Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social, and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).
- 5.5** 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.

- 5.6** 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 any updated policies in the Local Plan.

## 6 Resources and Risk Assessment

- 6.1** In undertaking major projects such as the preparation of a Local Plan review, 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 Planning Policy 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 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 are working jointly with Colchester City 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, a number of specialist Planning consultants and/or lawyers to deal with the more specialised areas and issues of technical or legal complexity.
- 6.4** Any shared 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
<b>Significant public opposition to the new Planning documents</b>  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.
<b>Loss/turnover of staff</b>	The Council has mechanisms to enable new staff to be employed either on a permanent or temporary basis in order



Low Risk / High Impact	to fill any vacancies. Additionally any strategic work with other authorities will enable shared resources and funding on mutually beneficial outputs.
<b>Financial shortfall</b> Low Risk / High Impact	The Council has allocated a budget to the preparation and review of planning documents in recognition of how important 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.
<b>Changing political priorities</b> High Risk / High Impact	The Planning Policy and Local Plan Committee oversees the preparation of the Local Plan and other relevant documents, with Councillors from all political groups, enabling the plan to proceed smoothly to the advanced stages of the process. A separate joint committee, with members from all three partner councils, has been established to offer similar stability to the process of preparing the Garden Community DPD.
<b>Legal challenge</b> 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. In 2019 the committee was replaced by the Planning Policy and Local Plan Committee. 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
Full Council  Comprising all TDC Members	Approving the content and submission of the Local Plan, DPDs, and CIL Charging Schedule to the Secretary of State for examination by a government Planning Inspector.  Formally 'adopting' the Local Plan, DPDs, and CIL Charging Schedule following confirmation, from the Planning Inspector, that they are legally compliant and sound.
Planning Policy and Local Plan Committee	Considering and approving the content of the Local Plan, DPDs, and CIL Charging Schedule at different stages as they emerge through the process including making recommendations to Full Council.
Cabinet	Commenting on the content of the Local Plan before recommendations are made to Full Council.  Approving 'Supplementary Planning Documents' (SPD) and Neighbourhood Plans for public consultation and formal adoption.
Director of Planning in liaison with the Chairman of the Planning Policy and Local Plan Committee	Delegation by the Planning Policy and 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.