Public Document Pack

TENDRING DISTRICT COUNCIL

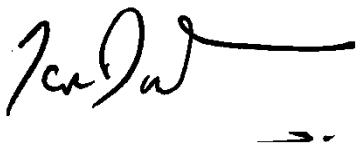
Democratic Services
Room 29
Town Hall
Station Road
Clacton-on-Sea
Essex
CO15 1SE

16 November 2026

Dear Councillor

I HEREBY SUMMON YOU to attend the meeting of the Tendring District Council to be held at 7.30 p.m. on Tuesday 24 November 2026 when the business specified in the accompanying Agenda is proposed to be transacted. The meeting will be held in the Princes Theatre, Town Hall, Station Road, Clacton-on-Sea, CO15 1SE.

Yours faithfully



Ian Davidson
Chief Executive

To: All members of the
Tendring District Council

TENDRING DISTRICT COUNCIL

AGENDA

For the meeting to be held on Tuesday, 24 November 2026

Prayers

1 Apologies for Absence

The Council is asked to note any apologies for absence received from Members.

2 Minutes of the Last Meeting of the Council (Pages 7 - 24)

The Council is asked to approve, as a correct record, the minutes of the meeting of the Council held on 13 October 2026.

3 Declarations of Interest

Councillors are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests or Non-Registerable Interests, and the nature of it, in relation to any item on the agenda.

4 Announcements by the Chairman of the Council

The Council is asked to note any announcements made by the Chairman of the Council.

5 Announcements by the Chief Executive

The Council is asked to note any announcements made by the Chief Executive.

6 Statements by the Leader of the Council

The Council is asked to note any statements made by the Leader of the Council.

Councillors may then ask questions of the Leader on his statements.

7 Statements by Members of the Cabinet

The Council is asked to note any statements made by Members of the Cabinet (Portfolio Holders).

Councillors may then ask questions of the Portfolio Holders on their statements.

8 Petitions to Council

The Council will consider any petition(s) received in accordance with the Scheme approved by the Council.

9 Questions Pursuant to Council Procedure Rule 10.1

Subject to the required notice being given, members of the public can ask questions of the Leader of the Council, Portfolio Holders or Chairmen of Committees.

The Chairman shall determine the number of questions to be tabled at a particular meeting in order to limit the time for questions and answers to 21 minutes.

10 Urgent Cabinet or Portfolio Holder Decisions

To notify Members of any recent Executive Decisions taken in the circumstances set out in the Council's Constitution in:-

(a) Rule 15 of the Access to Information Procedure Rules (Special Urgency); and/or

(b) Rule 18(i) of the Overview and Scrutiny Procedure Rules (Call-in and Urgency); and/or

(c) Rule 6(b) of the Budget and Policy Framework Procedure Rules.

11 Minutes of Committees (Pages 25 - 102)

The Council will receive the minutes of the following Committees:

(a) Community Leadership Overview & Scrutiny of Tuesday 6 October 2026;

(b) Audit of Thursday 8 October 2026; and

(c) Human Resources & Council Tax of Thursday 22 October 2026.

NOTES:

(1) The above minutes are presented to Council **for information only.** Members can ask questions on their contents to the relevant Chairman but questions as to the accuracy of the minutes **must** be asked at the meeting of the Committee when the relevant minutes are approved as a correct record; and

(2) If any recommendations to Council have been made by those Committees, these are included within separate reports for Council to decide upon (i.e. by noting the minutes those recommendations are not approved at this stage of the proceedings).

12 Motions to Council

Council will consider any motions, notice of which has been given pursuant to Council Procedure Rule 12.

13 Reference from the Cabinet - A.1 - Discretionary Council Tax Exemptions / Discounts / Premiums for 2027/28 and Annual Minimum Revenue Provision Policy Statement 2027/28 (Pages 103 - 130)

Council will consider any recommendations submitted to it by the Cabinet in relation to the Council Tax Exemptions, Discounts and Premiums for 2027/2028 and the Annual Minimum Revenue Provision (MRP) Policy Statement for 2027/2028.

14 Reference from the Community Leadership Overview and Scrutiny Committee - A.2 - Councillor Doyle's Motion on Notice - Calling on Essex County Council and relevant Academies to undertake Oliver McGowan Mandatory Training on Learning Disability and Autism by all Schools (Pages 131 - 184)

To enable Full Council to consider the recommendation made to it by the Community Leadership Overview & Scrutiny Committee in relation to a motion submitted by Councillor Doyle concerning learning disability and autism training for teaching staff in Tendring schools.

15 Reference from the Planning Policy & Local Plan Committee - A.3 - Tendring District Local Plan Review: Final Submission to the Secretary of State following Regulation 19 Consultation (Pages 185 - 552)

To enable Council to consider approving the Tendring District Local Plan Review for final submission to the Secretary of State, following the Regulation 19 statutory consultation process.

16 Report of the Chief Executive - A.4 - Changes in the Leader and Deputy Leader of a Political Group (Pages 553 - 554)

To inform Members of recent changes in the Leader and the Deputy Leader of the Reform UK political group on Tendring District Council.

17 Questions Pursuant to Council Procedure Rule 11.2

Subject to the required notice being given, Members of the Council can ask questions of the Chairman of the Council, the Leader of the Council, Portfolio Holders or Chairmen of Committees.

The time allocated for receiving and disposing of questions shall be a maximum of 30 minutes. Any question not disposed of at the end of this time shall be the subject of a written response, copied to all Members the following working day unless withdrawn by the questioner.

18 Urgent Matters for Debate

The Council will consider any urgent matters submitted in accordance with Council Procedure Rules 3(xv), 11.3(b) and/or 13(p).

Date of the Next Scheduled Meeting of the Council

Tuesday, 26 January 2027 at 7.30 pm - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

INFORMATION FOR VISITORS

PRINCES THEATRE FIRE EVACUATION PROCEDURE

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

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

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

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

PUBLIC ATTENDANCE AT TENDRING DISTRICT COUNCIL MEETINGS

Welcome to this evening's meeting of Tendring District Council.

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

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

Rights of members of the public to film and record meetings

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

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

The Council will provide reasonable facilities to facilitate reporting.

Public Behaviour

Any person exercising the rights set out above must not disrupt proceedings. Examples of what will be regarded as disruptive, include, but are not limited to:

(1) Moving outside the area designated for the public;

(2) Making excessive noise;

(3) Intrusive lighting/flash; or

(4) Asking a Councillor to repeat a statement.

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

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

Filming by the Council

This meeting will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be filmed, except where there are confidential or exempt items, and the footage will be on the website for up to four years (the Council retains three full years of recordings and the relevant proportion of the current Municipal Year). The Council will seek to avoid/minimise footage of members of the public in attendance at, or participating in, the meeting.

**MINUTES OF THE MEETING OF THE COUNCIL,
HELD ON TUESDAY, 13TH OCTOBER, 2026 AT 7.30 PM
IN THE PRINCES THEATRE, AT THE TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE**

Present:	Councillors Oxley (Chairman), Guglielmi (Vice-Chairman), Alexander, Amos, Baker, Barrett, Barry, Bensilum, Bray (except items 52 - 58 (part)), Bush, Calver, Casey, Chapman BEM, Codling, A Cossens, M Cossens, Davidson, Davis, Everett, Fairley, Ferguson, Goldman, Griffiths, Harris (except items 52 - 58 (part)), I Henderson, J Henderson, P Honeywood, S Honeywood, Keteca, Kotz, Land, Morrison, Newton, Placey, Scott, Skeels Jnr., Smith, Steady, G Stephenson, M Stephenson, Talbot, Thompson, White and Wiggins
In Attendance:	Ian Davidson (Chief Executive), Lisa Hastings (Corporate Director (Law & Governance) & Monitoring Officer), Richard Barrett (Corporate Director (Finance and IT) & Section 151 Officer), Keith Simmons (Assistant Director (Corporate Policy & Support) & Deputy Monitoring Officer), Maddie Adger (Leadership Support Manager), Katie Moss (Democratic Services Officer) and Rebecca Catchpole (Leadership Support Officer)
Also in Attendance:	James Dwan (Communications Officer)

52. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Doyle, Fowler, Platt and Sudra.

Councillor Bush noted that Councillors Bray and Harris would be in attendance but had been running late to the meeting.

53. MINUTES OF THE LAST MEETING OF THE COUNCIL

It was moved by Councillor M E Stephenson, duly seconded and:-

RESOLVED that the minutes of the extraordinary meeting of the Council held on 1 September 2026 be approved as a correct record and be signed by the Chairman.

54. DECLARATIONS OF INTEREST

There were no declarations of interest made by Members on this occasion.

55. ANNOUNCEMENTS BY THE CHAIRMAN OF THE COUNCIL

The Chairman (Councillor Oxley) informed Members that she had not circulated a written list of the civic engagements she had attended, as she wished to provide an update verbally. She reported that, since August, she had attended the Little Traders Market, an event at the Brotherhood Hall involving young entrepreneurs, and the Tendring Growth Business Awards. In relation to the latter, the Chairman commended the Council for its work throughout the year in supporting external organisations.

The Chairman also advised Members that she had recently attended the opening of the new Police Station in Dovercourt and had held a Charity Golf Day, which had raised £4,000 for her chosen charities.

The Chairman reminded Members that the Remembrance Day Service would be held at the Town Hall on Sunday, 8 November at 10.30 a.m., followed by a procession to the Memorial Gardens.

56. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

There were no announcements made by the Chief Executive on this occasion.

57. STATEMENTS BY THE LEADER OF THE COUNCIL

There were no announcements made by the Leader of the Council on this occasion.

58. STATEMENTS BY MEMBERS OF THE CABINET

Councillor Scott informed Members that he had recently accompanied the Chief Executive of Arts Council England, Darren Henley, on a visit to a number of iconic locations in Harwich, including its newly refurbished library. He expressed his thanks to Mr Henley and his staff for their continued support of Tendring District Council and the wider District in relation to the arts and expressed the hope that Mr Henley would visit the area again in the future.

During this point, Councillors Bray and Harris joined the meeting.

Councillor Scott further informed Members that he had recently visited Biberach, Germany, one of the District's official twin towns, as part of its three-week celebration of Britain. He advised that the following year would mark 60 years of town twinning and that he, together with other Councillors, would be invited to participate in the associated celebrations.

Councillor Scott added that, during his visit to Biberach, he had conveyed the best wishes and thanks of the Chairman of the Council to the Mayor.

The Leader of the Council, Councillor M. E. Stephenson, informed Members that, following Councillor Scott's visit to Harwich, a letter had been received from Darren Henley in which he commended Councillor Scott's leadership in promoting the arts within the District. Mr Henley had also conveyed his thanks to Councillor Scott and the Council's Officers for their work and support.

Tendring4Growth Business Fortnight

The Portfolio Holder for Economic Growth, Regeneration & Tourism (Councillor I J Henderson) made the following statement:-

"Chairman,

I would like to take a few moments to update Council on the success of this year's Tendring4Growth Business Fortnight.

During the fortnight, businesses, entrepreneurs, jobseekers, training providers and partner organisations have come together through a programme of events focused on supporting economic growth across out district.

The fortnight included workshops on procurement, business start-ups, funding opportunities, human resources, content creation and event planning. It has provided practical advice and support to established businesses and those looking to take their first steps as entrepreneurs. Though these events, local businesses have had the opportunity to learn, share experiences, build new connections and access expert support.

I particularly enjoyed the Championing Startups event run by Colbea at the Walton and Frinton Yacht Club. The event bought together 20 small business owners and aspiring entrepreneurs to hear some inspiring local success stories. We heard from young entrepreneur Dan Loveless, who at just 21 years old runs Forge Fitness in Little Bentley, alongside Abbie Harley, founder of the marketing and branding agency JA Social Suite, and Jamie Spears of Rebel Money, who has recently expanded by taking on two high street units in Dovercourt. The event wrapped up with a panel discussion and Q&A, where speakers shared their experiences and discussed why Tendring is such a great place to start and grow a business. It was encouraging to hear first-hand how local entrepreneurs are finding opportunities here and investing in our communities.

I would also like to highlight the Tendring Jobs and Skills Fair, which once again bought together employers, training providers and residents looking for new opportunities. There was a real buzz of energy in the Princes Theatre with just under 1,000 residents attending and 53 businesses on hand to talk about jobs, skills and career pathways available. On the day there were 135 live vacancies, opportunities with the RAF, Army, Royal Navy, around 70 training opportunities including teacher training, apprenticeships, voluntary roles and a wide range of skills development programmes.

It was great to speak with both employers and job seekers throughout the day. I also had chance to try some of the activities on offer, including a reaction test involving catching falling sticks. I'm happy to say I passed with flying colours, albeit at the second attempt. Clearly, all that multitasking as Councillors has its benefits!

The fortnight concluded with the Tendring4Growth Business Awards, where the Council celebrated the innovation, commitment and enthusiasm that exists across our district from businesses. I was very sorry to miss the evening as I was unwell – but I heard great things from the Members who attended about the breadth of businesses celebrated across Tendring. I was delighted to hear about so many people getting involved. We had 3,897 nominations for our People's Choice Award, which was a new category for 2026 and was won by Precision Optics Eyewear. I would also like to thank Councillor Mark Stephenson for stepping in at short notice close to the event.

I would like to thank the Economic Growth Team. The fortnight would not have been such a success without their energy, enthusiasm and pride. I would also like to thank our partners, sponsors, speakers and exhibitors and all those businesses and residents who took part. Their contribution has helped make this year's Business Fortnight another great success.

Tendring has ambitious businesses, talented people and strong partnerships. Tendring4Growth continues to bring those strengths together, helping to support and to celebrate our thriving businesses. It was a great success.

Thank you."

59. PETITIONS TO COUNCIL - REPORT OF ASSISTANT DIRECTOR (CORPORATE POLICY & SUPPORT) - A.1 - E-PETITION: "WHEELIE BINS FOR RECYCLING"

Council was informed that, in accordance with the Council's approved scheme for dealing with petitions, an e-petition had been submitted by Sharon Tyler on 16 September 2026. The wording of that e-petition was as follows:

"We want TDC to provide wheelie bins for recycling rather than boxes."

That e-petition had been validated and was 'live' on the Council's website. The e-petition would run until 31 January 2027, following which further reports would be submitted to Members, as appropriate and necessary, in accordance with the provisions of the Council's approved scheme for dealing with petitions.

Council noted the foregoing.

60. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.1

Subject to the required notice being given, members of the public could ask questions of the Leader of the Council, Portfolio Holders or Chairmen of Committees.

It was reported that, on this occasion, no such questions on notice had been submitted.

61. REPORT OF THE LEADER OF THE COUNCIL - A.2 - EXECUTIVE DECISION(S) TAKEN AS A MATTER OF URGENCY

Council considered a report of the Leader of the Council (A.2) that, in accordance with the requirements of Rule 16.2 of the Access to Information Procedure Rules and/or Rule 18(i) of the Overview and Scrutiny Procedure Rules and/or Rule 6(b) of the Budget and Policy Framework Procedure Rules, notified Members of recent Executive Decision(s) taken in the circumstances set out in Rule 15 of the Access to Information Procedure Rules and/or Rule 18(i) of the Overview and Scrutiny Procedure Rules.

Corporate Insurance Arrangements: Transitional Modification

It was reported that, on 30 September 2026, in view of the urgency of the issue concerned, and in accordance with Rule 18(i) of the Overview and Scrutiny Procedure Rules (Call-in and Urgency), the Corporate Director (Finance & IT), acting on the Leader of the Council's behalf, sought and subsequently obtained the Chairman of the Resources and Services Overview and Scrutiny Committee's consent, that the Leader's urgent decision, on behalf of the Cabinet relating to the Council's corporate insurance arrangements would be exempted from the call-in procedure.

The Leader's decision was as follows:-

"On behalf of the Cabinet and using special urgency powers, in accordance with Parts 3 and 5.8, of the Council's Constitution, the Leader of the Council hereby formally:

a) acknowledges the applicability and criteria set out within of Section 72(1)(c) of the Public Contract Regulations 2015 to the decision being proposed;

b) notes and acknowledges that the information set out within the Officer's report and Appendix thereto successfully demonstrates its applicability to the proposal to modify the Council's existing insurance arrangements;

c) agrees the proposed modification to extend for a period of one year (from 1 October 2026 to 30 September 2027), the Council's existing corporate insurance arrangements;

d) authorises the Corporate Director (Finance and IT) to make the necessary arrangements to implement the proposals set out within the Officer report and its Appendix including the requirement to undertake a full competitive procurement exercise as soon as reasonably practicable once the future requirement and timetable are sufficiently clear; and

e) authorises publication of any contract modification notice that may be required by the Public Contract / Procurement Regulations."

It had been felt that any delay likely to be caused by the call-in process would have seriously prejudiced the Council's and the public's interest for the following reasons:-

"The Council would not have had in place secure uninterrupted corporate insurance cover from 1 October 2026, and the Council must maintain appropriate insurance protection for its assets, liabilities, employees and for operational reasons."

It was moved by Councillor M Stephenson and:-

RESOLVED that the contents of the report be noted.

62. MINUTES OF COMMITTEES

It was moved by Councillor M E Stephenson and:-

RESOLVED that the minutes of the following Committees, as circulated, be received and noted:-

(a) Planning Policy & Local Plan of Tuesday 25 August 2026; and

(b) Resources and Services Overview & Scrutiny of Tuesday 15 September 2026.

63. MOTION TO COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE 12 - ESTABLISHING THE FINANCIAL COST TO THIS COUNCIL IN RESPONDING TO THE GOVERNMENT'S LOCAL GOVERNMENT REORGANISATION PROGRAMME TO DATE PLUS, INTER ALIA, A CALL ON THE GOVERNMENT TO REIMBURSE THIS COUNCIL FOR ALL COSTS INCURRED AS A DIRECT RESULT OF THE LOCAL GOVERNMENT REORGANISATION PROCESS

Council had before it the following motion, notice of which had been given by Councillor P B Honeywood pursuant to Council Procedure Rule 12:-

"Council notes that:

- *in the face of potentially unlawful decision making, and allegations of "gerrymandering" the Government has announced a review of Local Government Reorganisation, with decisions in some areas withdrawn and implementation work elsewhere paused;*
- *Tendring District Council (TDC), like other Councils across the country have already spent significant amounts of money and officer time preparing for Local Government Reorganisation at the Government's request;*
- *much of this work has been undertaken because councils were working to deadlines and requirements set by Government.*

Council believes that:

- *Tendring taxpayers should not be left to pick up the bill for a complex bureaucratic process which the Government has now chosen to pause;*
- *at a time when this Council's finances are already under enormous pressure, every pound unnecessarily spent on Local Government Reorganisation is a pound which cannot be spent on the services our residents rely on communities across our District;*
- *it should be democratically elected local councils, in consultation with local residents, to decide on whether to put forward (locally led) proposals for restructuring and that they should not be imposed by Whitehall as a requirement for local government funding or devolution deals.*

Council therefore resolves to:

- *request that Cabinet receives information from the Leader, in his capacity as the Corporate Finance and Governance Portfolio Holder, within his next financial budget performance report, supported by the Chief Executive and the Section 151 Officer, that establishes the total direct and indirect costs to TDC in responding to the Government's Local Government Reorganisation programme to date, as this will enable the Resources and Services Overview and Scrutiny Committee to perform its role in relation to scrutinising the effective use of the Council's resources, on behalf of the Council;*
- *request the Leader of the Council to write to the Secretary of State and our local Members of Parliament to –*

  - *make it clear that local taxpayers should not be expected to pay for the Government's LGR "U-turn";*
  - *call on the Government to reimburse this Council for all costs incurred as a direct result of the Local Government Reorganisation process;*
  - *call on the Government to provide clear answers about the future of Local Government Reorganisation before councils are expected to spend any more taxpayers' money on the process; and*
  - *make clear this Council's view that the Local Government Boundary Commission for England must be involved in reviewing any local government boundary, ward and council size proposals submitted to the Secretary of State, as part of any LGR related process, by councils in due course."*

At the time that the agenda had been published it had been confirmed that the statutory officers did not need to provide any professional advice in relation to this motion and that therefore an Advisory Note pursuant to Council Procedure Rule 12.5 had not needed to be produced.

Councillor P B Honeywood formally moved the motion, and Councillor Fairley formally seconded the motion.

In accordance with provisions of Council Procedure 12.6 Councillor P B Honeywood then explained the purpose of the Motion.

Councillor M E Stephenson then moved, and Councillor I J Henderson seconded that Councillor Honeywood's motion be amended to read as follows:-

"Council notes that:

- *in the face of potentially unlawful decision making, the Government has announced a review of Local Government Reorganisation, with decisions in some areas withdrawn, which includes Greater Essex, and implementation work elsewhere paused;*
- *Tendring District Council (TDC), like other Councils across the country have already committed resources (money and officer time) preparing for Local Government Reorganisation at the Government's request (following Essex County Council, Thurrock and Southend Unitary Council's decision to request inclusion on the Devolution Priority Programme, which included LGR);*
- *much of this work has been undertaken because councils were working to deadlines and requirements set by Government.*

Council believes that:

- *Tendring taxpayers should not be left to pick up the bill for a complex bureaucratic process which the Government has now chosen to pause;*
- *at a time when this Council's resources are already under enormous pressure, every pound unnecessarily spent on Local Government Reorganisation is a pound which cannot be spent on the services our residents rely on communities across our District;*
- *partnership working across North East Essex with Braintree District Council, Colchester City Council and Essex County Council, acted in good faith upon the Government's LGR policy, working towards preparing for the government's timetable to ensure continuity of services and best value for our communities.*
- *it should be democratically elected local councils, in consultation with local residents, to decide on proposals for the future of Tendring District Council.*

Council therefore resolves to:

- *note the Leader's agreement that Cabinet receives information from the Leader, in his capacity as the Corporate Finance and Governance Portfolio Holder, within his next financial budget performance report, supported by the Chief Executive and the Section 151 Officer, that establishes the financial and resource implications total to TDC in responding to the Government's Local Government Reorganisation programme to date.*

- *note all financial budget performance reports are available to the Resources and Services Overview and Scrutiny Committee to perform its role in relation to scrutinising the effective use of the Council's resources, on behalf of the Council;*
- *note that the above-mentioned report to Cabinet will cover the following points, before the Leader of the Council will determine the content of any written communication to the Secretary of State and our local Members of Parliament to –*

  - *that local taxpayers should not be expected to pay for the changes made to the LGR programme and timetable by the Government.*
  - *the Government reimburse this Councils for all costs incurred as a direct result of the Local Government Reorganisation process depending upon the outcome of its 'rapid review;*
  - *the Government to provide clear answers about the future of Local Government Reorganisation before councils are expected to spend any more taxpayers' money and/or resources on the process; an*
  - *this Council's view that the Local Government Boundary Commission for England must be involved in reviewing any local government boundary, ward and council size proposals submitted to the Secretary of State, as part of any LGR related process, by councils in due course."*

The mover of the motion (Councillor P B Honeywood) and the seconder of the motion (Councillor Fairley) duly gave their consent to the alteration, as required by Council Procedure Rule 16.6(a) (Alteration of Motion).

In accordance with provisions of Council Procedure 12.6 Councillor M E Stephenson then explained the purpose of the alteration and Council proceeded to debate.

Councillors Harris, Fairley, I J Henderson and P B Honeywood spoke during the debate on this matter.

Councillor Honeywood's motion, as duly altered, on being put to the vote was declared **CARRIED**.

64. JOINT REPORT OF THE CABINET AND THE MONITORING OFFICER - A.3 - AMENDMENTS TO THE COUNCIL'S CONSTITUTION - PLANNING COMMITTEES AND THE NATIONAL SCHEME OF DELEGATION OF PLANNING AUTHORITY FUNCTIONS

It was reported that Cabinet, at its meeting held on 25 September 2026 (minute 37 referred), had considered a report of the Portfolio Holder for Corporate Finance & Governance (A.1) that had requested Cabinet to approve the recommended changes to the Constitution for referral onto Full Council following a fundamental review undertaken by Officers of the delegated powers relating to planning matters following the introduction of the Government's new National Scheme of Delegation of Planning Functions and associated legislation. The main proposals had covered miscellaneous amendments to the Scheme of Delegated Powers (Part 3) and the Codes and Protocols (Part 6) to ensure that the Council's Constitution remained effective, efficient and consistent at an operational level and complied with the new legislation.

Cabinet had been informed at that meeting that the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 ("the 2026 Regulations"), which would come into force on 31st October 2026, related to the

national scheme of delegation of planning functions and the size of planning committees. Those Regulations required relevant local planning authorities ("LPAs") in England (as defined by section 319ZZF(1) of the Town and Country Planning Act ("TCPA 1990")) to make arrangements for specified planning functions to be discharged by committees (including sub-committees) or by officers.

In making and operating arrangements under those Regulations, section 319ZZE(4) and (5) of the TCPA 1990 required LPAs to have regard to any relevant guidance issued by the Secretary of State. Such (draft) guidance had been issued by the Ministry for Housing, Communities & Local Government on 1st June 2026, and along with the 2026 Regulations, had been taken into account in producing the proposals.

It had been reported to Cabinet that the Government's aim behind the national scheme of delegation was *"to ensure that there is greater clarity and consistency about the role of planning committees in planning decision making. Committees should focus on the key proposals that matter to an area, enabling other, often more minor and technical, decisions to be made by planning officers".*

The 2026 Regulations set out types of applications where decisions:

- must be delegated to officers in all cases as set out in Schedule 1; and
- were presumed to be delegated to officers unless:
  - they met at least one of the criteria in regulation 5(2); or
  - the application was made by, or on behalf of, a local authority, a member or officer of that local authority or an entity owned or controlled by the authority or any of its members or officers (regulation 6); and
  - the nominated officer and nominated member of the planning committee agreed that the application should be referred to a planning committee for its determination.

Cabinet had been made aware that where a planning function was not listed in either Schedule 1 or 2, it was for the LPA to decide whether it should be delegated to an officer or referred to a committee for a decision, and for this reason a local protocol complying with the legal framework should be adopted.

Cabinet had recalled at their meeting that Part 3 of the Council's Constitution provided the Responsibility of Functions - Scheme of Delegated Powers, with the determination of planning applications being contained within Schedule 2 – non-executive functions. Currently, all planning (including all prior approval applications), enforcement, building control and conservation matters were delegated to the Corporate Director (Planning & Community) **except** in relation to the determination of certain planning applications as detailed within Part 3.15-3.18, for determination by the Committee. The changes required to comply with the legislation had been set out in Appendix A to the Portfolio Holder's report to Cabinet.

Cabinet had been advised that, under the national scheme of delegation, current practices set out in local authority constitutions must be reviewed to ensure compliance with the legislation and the most fundamental change for this Council would be the removal of the power for Ward councillors to require cases to be referred to for committee consideration, as this would no longer be possible. Local authorities would need to amend their constitutions to align with the national scheme of delegation and

further information had been contained within the Protocol, as had been set out in Appendix B to the Portfolio Holder's report.

Having considered the fundamental review undertaken by Officers of the delegated powers relating to planning matters to comply with the new legislation implementing the new national scheme of delegation, and the recommended changes to the Constitution arising therefrom, and to enable those recommendations to be submitted to the Full Council for formal approval and adoption, Cabinet had resolved:-

"that Cabinet –

(a) notes the contents of the report and the impact of the Government's National Scheme of Delegation of Planning Functions and the requirements to amend the Council's Constitution to ensure compliance with the new legislation coming into force with effect from 31st October 2026; and

*(b) formally **RECOMMENDS TO COUNCIL** that:*

(i) Part 3 (Scheme of Delegated Powers – Planning Committee) of the Council's Constitution be amended to reflect the proposed changes, as set out in Appendix A attached hereto this report;

(ii) Part 6 (Codes and Protocols) of the Council's Constitution be amended to incorporate the new "Protocol for the Discharge of Local Planning Authority Functions", as set out in Appendix B attached hereto this report, together with the consequential deletion of the Members' Referral Scheme for Planning Applications;

(iii) these changes come into effect on 31st October 2026; and

(iv) authority to amend the Protocol, as set out in Appendix B, be delegated to the Corporate Director (Planning and Community), in consultation with the Chairman of the Planning Committee and the Monitoring Officer, to reflect any minor alterations considered necessary through the implementation of the new national scheme and best practice."

It was moved by Councillor M E Stephenson that:-

(a) Part 3 (Scheme of Delegated Powers – Planning Committee) of the Council's Constitution be amended to reflect the proposed changes, as set out in Appendix A attached hereto this report (A.3);

(b) Part 6 (Codes and Protocols) of the Council's Constitution be amended to incorporate the new "Protocol for the Discharge of Local Planning Authority Functions", as set out in Appendix B attached hereto this report (A.3), together with the consequential deletion of the Members' Referral Scheme for Planning Applications;

(c) these changes come into effect on 31st October 2026; and

(d) authority to amend the Protocol, as set out in Appendix B, be delegated to the Corporate Director (Planning and Community), in consultation with the Chairman of

the Planning Committee and the Monitoring Officer, to reflect any minor alterations considered necessary through the implementation of the new national scheme and best practice.

Councillor Alexander then moved, and Councillor Griffiths seconded, that Councillor Stephenson's motion be amended to read as follows:-

"That Council, before deciding upon the recommendations from Cabinet, formally notes that:

(i) The Planning and Infrastructure Act 2025 has introduced, as a bill by the Secretary of State for Housing, Communities and Local Government, with measures to reform planning committees and designed to liberalise planning rules.

(ii) Before the Bill received Royal Assent and became new legislation, the Local Government Association wrote to ministers to express reservations about these proposals.

Council believes that:

(iii) The changes being imposed by a national scheme will lead to the vast majority of planning decisions being made with no input from Councillors.

(iv) It is the democratic role of councillors to be involved in the decision-making process of planning applications.

(v) Removing the ability for councillors to discuss, debate or vote on key developments in their localities could erode public trust in the planning system and local government itself.

Council resolves:

(vi) That the Leader of the Council, on behalf of Tendring District Council, writes to Angela Rayner the Secretary of State for Housing, Communities and Local Government, outlining its opposition to this legislation and the removal of councillor input into matters which impacts it local community.

(vii) That following 3 months of the new national scheme of delegation being operational, the Community Leadership Scrutiny Committee undertakes a review into the outcome of Councillors, requesting to express views on planning applications related to their ward and how many of those have been referred to the Planning Committee.

(viii) All District Councillors should have the opportunity for training to equip them with the knowledge and understanding on how to raise matters impacting their wards and local communities and the criteria for referrals to planning committees; and

(ix) Despite its opposition and noting the legislative requirement to amend the District Council's Constitution to meet the National Scheme of Delegation of Planning Functions.

Council also formally approves that: -

(x) Part 3 (Scheme of Delegated Powers – Planning Committee) of the Council's Constitution be amended to reflect the proposed changes, as set out in Appendix A attached hereto this report;

(xi) Part 6 (Codes and Protocols) of the Council's Constitution be amended to incorporate the new "Protocol for the Discharge of Local Planning Authority Functions", as set out in Appendix B attached hereto this report, together with the consequential deletion of the Members' Referral Scheme for Planning Applications;

(xii) these changes come into effect on 31st October 2026; and

(xiii) authority to amend the Protocol, as set out in Appendix B, be delegated to the Corporate Director (Planning and Community), in consultation with the Chairman of the Planning Committee and the Monitoring Officer, to reflect any minor alterations considered necessary through the implementation of the new national scheme and best practice."

Councillor Alexander then explained the purpose of the amendment.

The mover of the motion (Councillor M E Stephenson) duly gave his consent to the alteration, as required by Council Procedure Rule 16.6(b).

Councillors Bray, Talbot, P B Honeywood, Scott, Baker and M E Stephenson spoke during the debate on Councillor Stephenson's motion, as duly altered.

During the debate, Councillor M E Stephenson clarified, for the record, that Members' comments were not intended to cast any aspersions on the Council's hard-working, fair-minded and professional Planning Officers.

The motion, as duly altered, on being put to the vote, was declared **CARRIED**.

65. REFERENCE FROM THE COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE - A.4 - PARISH COUNCILS FOR CLACTON-ON-SEA, HOLLAND-ON-SEA, AND WEST CLACTON & JAYWICK SANDS - COMMENCEMENT DATE & INITIAL TERMS OF OFFICE

Council considered a reference report (and its addendum) that set out the recommendations made to it by the Community Leadership Overview & Scrutiny Committee in relation to:-

(1) the commencement date for the Parish Councils for Clacton-on-Sea, Holland-on-Sea and West Clacton & Jaywick Sands; and

(2) the initial term of office of Parish Councillors elected to the Parish Councils for Clacton-on-Sea, Holland-on-Sea and West Clacton & Jaywick Sands.

It was reported that the Community Leadership Overview & Scrutiny Committee ("the Committee"), at its meeting held on 6 October 2026, had considered a report of the Assistant Director (Corporate Policy & Support) (A.1) which had invited the Committee

to recommend a change in the implementation date of new Parish Councils for Clacton-on-Sea, Holland-on-Sea and West Clacton & Jaywick Sands; and a subsequent change to the initial term of Councillors elected to them.

The reasoning for this item being submitted to the Committee had been that the UK Government had announced on 7 September 2026 that it was withdrawing its decision of 25 March 2026 to implement Local Government Reorganisation in Greater Essex, pending a review; and that the existing electoral cycle would be restored, with elections to District and existing Parish Councils on 6 May 2027.

The UK Government's decision not to proceed with its plans for changes to principal Councils (Districts, County and Unitaries) in Essex from 1 April 2028 (with elections to Shadow Authorities in May 2027) had provided an opportunity to spend more time on developing the plans for the initial year of those Parish Councils and to engage more with residents on those plans. Whilst delivery of the new Parishes on 1 April 2027 was still achievable and Council Officers, with the Essex Association of Local Councils, had been working to that date, it had been clear that a longer lead in time for the new Parishes and their Parish Councils would be beneficial. It had been on this basis that the recommended revised commencement date of 1 April 2028 had been submitted for consideration by the Committee (to recommend on to Full Council)

Members recalled that, as part of its overall Community Governance Review decisions for the three Parishes (and their Parish Councils), Full Council had approved a five (5) year initial term of office for the new Parish Councillors. This had been on the basis at the time that all Parish Councillors elected in the District in 2027 would serve for a five (5) year term. This change had been intended through a UK Government Structural Change Order as part of Local Government Reorganisation in Greater Essex, which was now under review. With that process paused, and a one year later commencement date for the three Parishes (and their Parish Councils), that initial term of office should be three (3) years. This would then align the second and subsequent elections to the new Parish Councils with the scheduled elections for all other parish Councils in the District.

Having duly considered the Assistant Director's report the Committee had formally resolved unanimously:-

(1) That, based on the information set out in this report, the Committee recommends to Full Council on 13 October 2026 that the decisions of Full Council on 2 June 2026 following the Community Governance Review for Clacton-on-Sea, Holland-on-Sea and West Clacton & Jaywick Sands be amended as follows:

a) the new Parishes commence on 1 April 2028 and not 1 April 2027 (with elections to the Parish Councils consequentially moved to May 2028 rather than in May 2027); and
b) the initial term of office for Parish Councillors elected to those Parish Councils be three (3) years and not five (5) years;

(2) That the Chief Executive be requested to await the decision of Full Council on 13 October 2026 in respect of the recommendation above before the required Community Governance Reorganisation Order (arising from the relevant decision of Council on 2 June 2026) is formally made and sealed and that the outcome of that

meeting in respect of the above recommendation be incorporated as necessary into that Order; and

(3) To note that, on the basis recommendation (1) above is approved by Full Council, communication with residents and interested parties in the area of the new Parishes will be undertaken to update them that the implementation date for those Parishes and their Parish Councils will be 1 April 2028 and the commissioning of Essex Association of Local Councils to support the introduction of the new Parishes will be updated to reflect that timeline.

Councillor P B Honeywood addressed Council during the debate on this matter.

Having duly considered the recommendations of the Community Leadership Overview & Scrutiny Committee in this matter:-

It was moved by Councillor Steady and:-

RESOLVED that Council formally approves –

(a) that the decisions of Full Council made on 2 June 2026 following the Community Governance Review for Clacton-on-Sea, Holland-on-Sea and West Clacton & Jaywick Sands be amended as follows:

(1) that the new Parishes commence on 1 April 2028 and not 1 April 2027 (with elections to the Parish Councils consequentially moved to May 2028 rather than in May 2027); and
(2) the initial term of office for Parish Councillors elected to those Parish Councils be three (3) years and not five (5) years;

(b) that the Chief Executive be requested to now formally make and seal the required Community Governance Reorganisation Order (arising from the relevant decision of Council on 2 June 2026) and that the amendments referred to in recommendation (a) above be incorporated as necessary into that Order; and

(c) that communication with residents and interested parties in the area of the new Parishes be undertaken to update them that the implementation date for those Parishes and their Parish Councils will be 1 April 2028 and that the commissioning of the Essex Association of Local Councils to support the introduction of the new Parishes be updated to reflect that timeline.

66. REPORT OF THE CHIEF EXECUTIVE - A.5 - APPOINTMENT OF A TENDRING DISTRICT COUNCIL SUBSTITUTE REPRESENTATIVE TO SERVE, WHEN REQUIRED, ON THE TENDRING / COLCHESTER BORDERS GARDEN COMMUNITY JOINT COMMITTEE

Council recalled that, under the jointly agreed (by Essex County Council, Colchester City Council and Tendring District Council) terms of reference for the Tendring / Colchester Borders Garden Community Joint Committee (TCBGCJC), three Members of the TCBGCJC must be appointed by Tendring District Council (TDC).

At the meeting of the Full Council held on 30 November 2021 (minute 93 referred), this Council had decided that those three Members would comprise:-

(i) the Chairman of the Planning Policy and Local Plan Committee;
(ii) a member of the Cabinet who will be duly appointed by the Leader of the Council; and
(iii) a Member from a political group that is not represented on the Cabinet; plus
(iv) a Member who shall act as a Substitute Member of the TCBGCJC when required.

The current TDC membership of the TCBGCJC was as follows:-

Councillor Andy Baker (Cabinet member appointed by the Leader of the Council)*;
Councillor Mark Cossens (Member from a political group not represented on the Cabinet);
Councillor Maria Fowler (designated Substitute Member); and
Councillor Carlo Guglielmi (Chairman of the Planning Policy and Local Plan Committee).

*Members were informed that on 11 September 2026 the Leader of the Council had appointed himself as the one Cabinet member to be a member of the Tendring / Colchester Borders Garden Community Joint Committee for the purposes of the Joint Committee's meeting to be held on 18 November 2026. This was because Councillor Baker would not be able to attend that meeting of the Joint Committee and, as such, the appointee would be the Leader of the Council for that meeting. Councillor Baker would continue in his role following that 18 November 2026 meeting.

Council was made aware that Councillor Fowler had recently indicated that she wished to be replaced as the designated substitute member of the TCBGCJC.

It was therefore moved by Councillor M E Stephenson, seconded by Councillor Baker and:-

RESOLVED that -

(a) it be noted that Councillor Fowler wishes to no longer be the designated Substitute on the Tendring / Colchester Borders Garden Community Joint Committee;

(b) Councillor Davidson be now appointed to serve on the Tendring / Colchester Borders Garden Community Joint Committee as Tendring District Council's designated Substitute in the stead of Councillor Fowler; and

(c) Councillor Fowler be thanked for her service to the Council on the Tendring / Colchester Borders Garden Community Joint Committee.

67. REPORT OF THE CHIEF EXECUTIVE - A.6 - CHANGES IN MEMBERSHIP OF POLITICAL GROUPS

The Chief Executive formally reported that, pursuant to Regulation 10(b) of the Local Government (Committees and Political Groups) Regulations 1990, Councillor Daniel Land, on 15 September 2026, had served formal notice on the Council that he no longer wished to be treated as a member of the Conservative political group.

The Chief Executive further formally reported that, pursuant to Regulation 10(b) of the Local Government (Committees and Political Groups) Regulations 1990, Councillor Bradley Thompson, on 23 September 2026, had served formal notice on the Council that he no longer wished to be treated as a member of the Reform UK political group.

Council noted the foregoing.

68. REPORT OF THE CHIEF EXECUTIVE - A.7 - MEMBERSHIP OF COMMITTEES

The Chief Executive formally reported that, in accordance with the expressed wishes of the Leader of the Reform UK Group, and the authority delegated to the Chief Executive, the following appointments / committee membership changes had been duly made since the last meeting of the Council, namely:-

Audit Committee

Councillor Jeff Bray had been appointed to serve in place of Councillor Aimee Keteca.

Planning Committee

Councillor Aimee Keteca had been appointed to serve in place of Councillor Jeff Bray.

Council noted the foregoing.

69. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 11.2

Subject to the required notice being given, Members of the Council could ask questions of the Chairman of the Council, the Leader of the Council, Portfolio Holders or Chairmen of Committees.

One question on notice had been submitted by a Member on this occasion as set out below:-

Question

Councillor Zoe Fairley asked Councillor Ivan Henderson, the Portfolio Holder for Economic Growth, Regeneration & Tourism:-

"Could the Portfolio Holder please clarify how the carbon footprint of the Clacton air show is measured and balanced against its reported £12 million economic benefit, and state whether a comprehensive and transparent carbon audit has been carried out to ensure this flagship event meets the regional environmental standards advocated by this Council at its previous meeting in approving a motion on climate change?"

Councillor Henderson, Portfolio Holder for Economic Growth, Regeneration & Tourism replied as follows:-

"The Council recognises the importance of balancing the significant economic, social and tourism benefits of the Clacton Airshow with the need to minimise environmental impacts.

The Airshow generates an estimated economic benefit of approximately £12 million for the local economy through visitor spending, support for local businesses, tourism promotion and overnight stays.

At present, the Council has not commissioned a standalone, comprehensive carbon audit of the Clacton Airshow. However, environmental considerations form part of the event's planning and review processes

We recognise that the environmental impact of an airshow extends beyond aircraft activity alone and includes visitor travel, trader activity, waste generation, energy use and event infrastructure. Industry guidance from the British Air Display Association (BADA) notes that visitor travel is often the largest contributor to an airshow's overall carbon footprint and that emissions from display aircraft can account for less than 20% of an event's total footprint.

The Council actively encourages more sustainable travel choices through information provided on the Clacton Airshow website, including promotion of rail travel, public transport, walking and cycling options where practical.

Sustainability guidance is provided to traders attending the event, including recommendations to:

- *Reduce waste and increase recycling.*
- *Minimise single-use plastics.*
- *Use sustainable and biodegradable materials.*
- *Source food and supplies locally where possible.*
- *Reduce transport-related emissions through local supply chains, public transport and car sharing.*
- *Reduce energy consumption, including the use of LED lighting.*

Visitors are encouraged to recycle where possible, reduce waste and make use of water refill facilities during the event.

The organisers work closely with display teams and industry partners who are themselves pursuing ambitious sustainability targets. For example, the Royal Air Force has committed to becoming climate-change resilient and achieving net zero by 2040, with work underway on sustainable aviation fuel and other carbon reduction initiatives.

The Council is also supportive of the development of lower-carbon aviation technologies locally. We have worked with - and provided a letter of support to - Firefly, a Harwich-based company developing technology to convert sewage sludge into sustainable aviation fuel. While this may sound improbable, the company has secured agreements with aviation partners such as Wizz Air and plans to bring the technology into operation.

Further, the Council has undertaken significant tree planting activity across the district, with approximately 1,667 tree saplings planted through externally funded government grant programmes, contributing to carbon capture and wider biodiversity objectives.

The Council remains committed to reducing environmental impacts wherever reasonably practicable while recognising the considerable economic, social, educational and community benefits delivered by the Clacton Airshow."

Councillor Fairley then asked a question of clarification to which Councillor Henderson responded.

70. SEATING PLAN FOR MEETINGS OF THE FULL COUNCIL FOR THE REMAINDER OF THE 2026/2027 MUNICIPAL YEAR

Council's approval was sought of the seating plan for its meetings to be held during the remainder of the 2026/2027 Municipal Year. The seating plan had been amended to account for the recent decisions by Councillors Land and Thompson to resign from their respective political groups.

It was **RESOLVED** that the seating plan for full Council meetings to be held in the Princes Theatre during the remainder of the 2026/27 Municipal Year be approved.

71. URGENT MATTERS FOR DEBATE

No urgent matters had been submitted in accordance with Council Procedure Rules 3(xv), 11.3(b) and/or 13(p) for this meeting.

The meeting was declared closed at 8.56 pm

Chairman

**MINUTES OF THE MEETING OF THE COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE,
HELD ON TUESDAY, 6TH OCTOBER, 2026 AT 7.30 PM
IN THE TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE**

Present:	Councillors Steady (Chairman), Barrett (Vice-Chairman), Amos, Davidson, Ferguson, Griffiths, Harris (except item 10) and Sudra
Also Present:	Stephen Chynoweth (Head of Education and Early Years (North) – Essex County Council) and Ondrea Bloom (SEND Strategy Lead for Autism – Essex County Council)
In Attendance:	Lee Heley (Corporate Director (Place and Wellbeing) & Deputy Chief Executive), Lisa Hastings (Corporate Director (Law & Governance) & Monitoring Officer), John Fox (Head of Health & Culture), Katie Moss (Democratic Services Officer) and Rebecca Catchpole (Leadership Support Officer)

6. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Doyle (with Councillor Sudra substituting) and Oxley (with no substitute).

7. MINUTES OF THE LAST MEETING

It was unanimously **RESOLVED** that the minutes of the last meeting of the Committee held on Tuesday, 23 June 2026, be approved as a correct record and be signed by the Chairman.

8. DECLARATIONS OF INTEREST

Councillor Harris declared a conflict of interest in relation to agenda item 5 insofar as he was the Leader of Essex County Council. He informed the Committee that he would withdraw from the meeting at the appropriate juncture and take no part in the consideration of that item.

9. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

No Questions on Notice pursuant to Council Procedure Rule 38 had been submitted Members for this meeting.

10. REPORT OF THE DEPUTY CHIEF EXECUTIVE - A.1 - REFERENCE TO COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY MEETING OF COUNCILLOR DOYLE'S MOTION TO COUNCIL CALLING ON ESSEX COUNTY COUNCIL AND RELEVANT ACADEMIES TO UNDERTAKE OLIVER MCGOWAN MANDATORY TRAINING ON LEARNING DISABILITY AND AUTISM BY ALL SCHOOLS

Further to his declaration of interest made under minute 8 above, Councillor Harris withdrew from the meeting whilst this item was considered and determined.

It was reported that, at its meeting on 1 September 2026, Full Council had considered a motion submitted by Councillor Doyle concerning learning disability and autism training for teaching staff in Tendring schools. Full Council had decided to refer the matter to the Community Leadership Overview and Scrutiny Committee for further consideration. The Committee was asked to consider the information set out in the Officer report (A.1) along with the suggested recommendations, in order for its opinion to be submitted to the meeting of Full Council on 24 November 2026 for Council to then determine the motion having duly considered the recommendation(s) from the Community Leadership Overview and Scrutiny Committee.

The motion that had been considered by Full Council at the meeting on 1 September 2026 in respect of Learning Disability and Autism training in schools had been as follows:

"That Tendring District Council:-

(1) Believes that too many children with Special Educational Needs & Disability (SEND) are still misunderstood or unsupported at school, and too many families must fight to get the right help;

(2) Reiterates that this is not a criticism of school staff but about making sure they have the training and confidence to support every child properly;

(3) Notes that Oliver McGowen Training is the Government's preferred and recommended training for learning disability and autism in health and social care, as set out in the most recent Code of Practice published in September 2025 and which is nationally recognised and co-produced with people with lived experience;

(4) Believes in inclusive education, and that understanding should not be optional or dependent on which school a child attends and that every child deserves to be understood, to feel safe at school, and to have the chance to achieve their full potential;

(5) Feels strongly that mandatory training for school staff would bring consistency, earlier understanding, better communication with families, and better outcomes or children across Tendring and that better informed staff can reduce anxiety, improve attendance and create a stronger learning environment for everyone;

(6) Therefore, calls on Essex County Council and relevant Academies to direct that the Oliver McGowan Mandatory Training on Learning Disability and Autism for all staff across schools in the district of Tendring be implemented urgently as a simple matter of fairness, inclusion and responsibility."

Following the motion being moved and seconded at Full Council, there had been an alteration requested by Councillor Doyle to include the following additional text:

"That my Motion as set out below in full, calling on Essex County Council to direct that the Oliver McGowan Mandatory Training on Learning Disability and Autism for all staff across schools in the District of Tendring, be referred to the Community Leadership

Overview and Scrutiny Committee for further information on the type of training mentioned and the implications of 'inclusive education' being researched, with evidence in support, and then submitted back to Full Council prior to making its informed decision on the subject matter."

Following a vote, the altered motion had been carried, and the matter had been duly referred to the Community Leadership Overview and Scrutiny Committee for further consideration, including the implications of the proposed course of action, before the matter and any Committee recommendations were reported to Full Council on 24 November 2026.

It was reported that, to support identification of the issues raised in relation to Oliver McGowan training, Officers had referred to Government guidance and the Essex County Council (ECC) education team for further information and guidance in completing their report (A.1).

The Committee was reminded that Council Procedure Rules 12.8 and 12.10 of the Council's Constitution set out the arrangements for referred motions and the rights of the mover of the motion. Those Rules stated:

12.8
[The Committee] "…shall be required solely to consider such motion and to advise the Council (by no later than the second Ordinary Meeting of the Council held following the date of Council's referral) of their opinion as to ***whether such motion should be supported or not supported****. That body will not be required to propose an alternative motion or an amended motion.*

and

12.10
"…the Mover of the Motion (or another Member nominated by them) will be, as a matter of courtesy, made aware by the Democratic Services Manager of the date of the Cabinet/Committee meeting at which their Motion will be considered so that they can attend if they so wish.

As the purpose of the motion will have already been explained at the Full Council meeting the Mover of the Motion (or another Member nominated by them) will not have any automatic right to speak at that meeting thought they will be permitted to answer questions and/or provide clarification, if requested to do so by the Chairman of the meeting. The Member will also have a right of reply (of no more than three minutes duration) to respond to the debate at the meeting on their motion."

Councillor Doyle, as the mover of the Motion had been advised on the date and arrangements for this meeting. All other Members of the Council had likewise been advised on the arrangements and that, should they wish to speak in the debate, the Committee Chaiman's permission must be sought and given prior to their contribution to the meeting being permitted.

John Fox, Head of Heath and Culture, gave an overview of the report by way of an introduction. He thanked the Essex County Council Officers present at the meeting for their attendance and their prompt communications on the matter so far. He also

informed the Committee that Essex County Council could not mandate any training to schools or academies, as it was not within their remit.

Stephen Chynoweth, Head of Education & Early Years (North) for Essex County Council and Ondrea Bloom, Essex County Council's SEND Strategy Lead - Autism, who were both present at the meeting, delivered a presentation to the Committee detailing Essex County Council's Inclusion Strategy, the Essex SEND Reform Plan, (which had been recently approved by the Department of Education), their Neuroinclusive Education Network (NEN) and a variety of different policies, resources, evidence and strategies that had been composed to assist schools in the education of SEND pupils. A copy of that presentation could be found on the Tendring District Council's website using the following link:(Public Pack)Essex County Council - Presentation Minutes Supplement for Community Leadership Overview and Scrutiny Committee, 06/10/2026 19:30

Questions by Members (unless otherwise stated):-	Answers:-
While inclusion can deliver positive outcomes for many children, it may not meet the needs of every pupil. In some cases, children can become disengaged from education through repeated suspensions, which may ultimately lead to home education arrangements. What are your views on this issue, and what systems or support mechanisms does Essex County Council have in place to assist children who are educated at home as a result of circumstances rather than parental choice?	(Stephen Chynoweth) It is essential that we learn from both the data and the lived experiences of children and families who have previously felt excluded from educational provision. Essex County Council's Inclusion Strategy is designed to address these challenges by placing a much stronger emphasis on early intervention, preventative support, and targeted provision for children who may be at risk of suspension or exclusion. In addition, the SEND reforms reflect a broader ambition to develop enhanced local provision, including Local Authority resource bases and inclusion hubs, particularly within the secondary sector. These provisions aim to offer alternative and more flexible curriculum pathways while enabling children to remain within their school community and maintain important peer relationships. The intention is to ensure that education is tailored to meet both the learning and social needs of the individual child. It is important to emphasise that this approach is not about promoting "inclusion through exclusion." Rather, it is about recognising that a one-size-fits-all model does not work for every child and ensuring that appropriate, personalised support is available within inclusive educational settings wherever

	possible. There is also a clear commitment within the Council to expand localised satellite and specialist provisions that support children within their own communities. This not only helps to reduce the likelihood of suspension or exclusion but also enables specialist outreach support to be provided to mainstream schools. In turn, this helps practitioners to develop their skills, refine their approaches, and strengthen the quality of provision available to children with additional needs across the education system.
I would like to know how the Oliver McGowan applies itself within an educational setting. Can you confirm whether the training will provide anything new or relevant to the training that is already being offered by Essex County Council?	(Ondrea Bloom) Having reviewed the training as part of our assessment of the core offer, with the aim of ensuring that we provide the most relevant and effective professional development for education settings, I do not believe that the Oliver McGowan Training, in isolation, offers the depth of educationally focused content required by schools and practitioners in Essex. While the Oliver McGowan Training provides an important foundation and includes a number of different tiers, ranging from awareness-level learning to more detailed programmes, it does not cover some of the key areas that schools have consistently identified as priorities. These include topics such as anxiety, demand avoidance, sensory profiles, and effective assessment approaches for autistic children and young people. Although these subjects may be referenced within the training, they are not explored in the level of detail that educational professionals often require in order to inform practice and support outcomes for pupils. Our training offer is designed to provide a strong foundation across these areas and is complemented by a wider suite of resources, drawing on both external expertise and locally developed

	materials. We believe this broader approach is better aligned to the practical realities of educational settings and supports practitioners to respond more effectively to the needs of children and young people. Rather than relying on a single training programme, our approach seeks to equip schools with a comprehensive range of evidence-informed resources, strategies and professional learning opportunities that can be applied directly within the classroom and wider school environment. This ensures that staff are better prepared to meet the diverse needs of pupils and promote inclusive practice across Essex schools.
Would you describe it as a pathway to deliver training and link with other sectors also?	(Ondrea Bloom) Yes, absolutely. We support schools through our Inclusion Partners, who work with settings to advise on their CPD offer. This advice is informed by a range of factors, including the training already undertaken by staff, areas where schools have identified a need for further development, the profile and needs of their pupil cohort, and the training that would best support their individual circumstances. Schools are therefore guided by SEND specialists within their local quadrants, who use their expertise and understanding of local needs to help schools identify the most appropriate professional development opportunities and ensure that training is tailored to their specific context.
I have undertaken the Oliver McGowan Training myself and found it to be both relevant and valuable, particularly in supporting understanding and awareness in everyday life. My experience was that the training is aimed at a broad audience, extending beyond social care, and it includes some content specifically designed for educational settings.	(Ondrea Bloom) I believe that introducing the Oliver McGowan Training alongside our existing offer could lead to unnecessary duplication and, potentially, confusion for schools. I am not suggesting that the Oliver McGowan Training is not relevant or valuable; rather, many of the topics it covers are already addressed within the training currently provided, often in greater depth and with a stronger focus

With that in mind, would there be any disadvantage in offering an additional training package alongside the Oliver McGowan Training?	on educational application. There is also a risk of placing additional demands on schools' already limited time and resources for continuing professional development (CPD). Schools must make careful decisions about how staff time is allocated, and duplicating training content may not represent the most effective use of that resource. In contrast, the NEN training can be delivered directly within a school's own setting, enabling whole-school participation without incurring additional costs. This approach not only makes the training more accessible but also supports a consistent understanding and implementation of inclusive practice across the entire staff team.
Is the training that Essex County Council offer mandatory for all teachers?	(Ondrea Bloom) The training is not mandatory because Essex County Council does not have the authority to require schools to undertake specific training, given the governance arrangements that apply across both maintained schools and academies. However, we make every effort to ensure that schools can access training as easily as possible. Unlike some local authorities, which charge for this type of provision and require teachers and support staff to travel to attend training in person, Essex County Council provides all training free of charge, with the exception of the 11-week course. We also offer a combination of face-to-face and remote delivery options to maximise accessibility and participation. In addition, our Inclusion Partners work closely with schools and are able to encourage engagement with particular training programmes where a need has been identified. This may be informed by a range of factors, including feedback from schools themselves, local priorities, or issues highlighted

	through the voices and experiences of parents and carers within the community. Through this collaborative approach, we seek to ensure that schools are aware of and can access the professional development opportunities most relevant to the needs of their pupils and staff.
I frequently receive correspondence from parents who report that their child with SEND has been suspended from school and that the headteacher has subsequently indicated that it may be in the child's best interests not to return to school. Would you consider this to be good practice and why is this happening?	(Stephen Chynoweth) No, I do not. I would respectfully disagree with the suggestion that this can be evidenced as an appropriate course of action, as it could be considered discriminatory and would be contrary to the protections and provision afforded to children within the education system under UK law. My advice to those parents and carers would be to challenge the school leaders or members of staff where it is being implied, or stated directly, that their child would be better placed in elective home education.
In my experience of working with children with SEND, I have found that when learning is linked to an area of particular interest to the child, they are often more engaged, receptive and willing to participate. This can have a positive impact on both their learning and overall development. Could this be considered a targeted strategy that schools might adopt to better support children with SEND?	(Stephen Chynoweth) Yes, absolutely. Drawing on my background in teaching, I recall an inspector explaining that the word *education* derives from a Latin term meaning “to draw out from within.” That concept has remained with me throughout my career and reflects the philosophy we seek to promote as Local Authority officers. Our aim is to recognise the unique strengths, interests and potential within every child and to nurture those qualities so that they can thrive and succeed in later life. We encourage practitioners to identify what motivates and inspires each child, and to build upon those passions, interests and skills to support their development. Historically, education has sometimes been viewed as the process of imparting knowledge to children, and whilst that approach has always been well intentioned, our view is that education should also be about drawing

	out the talents, capabilities and individuality of each child. This is the ethos that we strive to champion across our services. While we cannot mandate how schools operate in every respect, we work hard to instil a strong sense of commitment and responsibility towards children and young people, encouraging approaches that recognise and celebrate their individual strengths and support them to achieve their full potential.
(Lisa Hastings) Could there be guidance that we could provide to our Members to assist them with correctly advising and/or signposting residents within their respective communities?	(Stephen Chynoweth) The challenge with this approach is that it can bypass and complicate what is otherwise a clear and established process for raising concerns or complaints about a school. The appropriate route is for parents to follow the school's complaints procedure, progressing through the relevant stages of that process. If those stages are exhausted and the matter remains unresolved, it can then be referred to the Department for Education. It is also important to note that, under Section 45 of the Education Act 2011, local authorities are no longer permitted to intervene directly in parental complaints about schools. As a result, concerns must first be addressed through the school's own complaints process. My advice to parents and carers would be to maintain open and constructive communication with the school wherever possible. If concerns cannot be resolved through discussion, they should utilise the school's complaints procedure. Alternatively, they may raise the matter through a Member Enquiry via their local Councillor. This will be forwarded to the relevant Council Officer, who can consider the issues raised and provide appropriate support while the matter is also being pursued through the formal channels available,

	including the Department for Education where necessary.
What proportion of the current Essex County Council training available to school staff is co-produced and co-delivered by people with learning disabilities and autistic people themselves?	(Ondrea Bloom) We also provide a comprehensive core offer and suite of resources relating to cognition and learning, which includes support for children and young people with learning disabilities. Our autism-specific training is designed to take a holistic approach and covers a range of co-occurring conditions, including learning difficulties, anxiety and epilepsy. In addition, we have a wide range of developmental resources that have been developed by the Strategy Lead for Cognition and Learning and her teams. We recognise that no single training programme will ever meet all the needs of an individual child or young person. For that reason, we seek to consider children holistically, taking account of their full range of strengths and needs when determining the most appropriate support and guidance. As part of our training offer, we ensure that common co-occurring conditions are discussed and considered. Where a specific condition is not covered in detail through a particular programme, we will signpost practitioners to the most relevant specialist training available. Schools can also discuss their requirements with our SEND Inclusion Partners, who can provide tailored advice and guidance on the most appropriate training and resources to meet the needs of their pupils.
The reason the Oliver McGowan Training is so significant is that Oliver and his parents were not listened to, despite raising concerns about his needs. As part of the training opportunities available to schools, do participants have the opportunity to hear directly from individuals with lived experience and learn from their perspectives?	(Ondrea Bloom) Absolutely. Many of our training programmes incorporate the voices and experiences of children, young people and families with lived experience. For example, within our 11-week course, autistic young people themselves contribute directly to the programme, sharing their experiences and perspectives. A number of our other training sessions also involve young

	ambassadors, ensuring that participants hear directly from those with lived experience. Through the Stay Project, we have involved ambassadors from the Multi-Schools Council, who have spoken directly with young people and have also delivered their own workshops and assemblies. Across our Strategy Teams, we work closely with a range of stakeholder groups. Within my own area, for example, we collaborate with the Multi-Schools Council and autism ambassadors who contribute to the development of training and strategic initiatives. A current example of this is our work on autistic burnout, where we are engaging directly with a group of young people who have experienced it themselves. Their experiences and insights are being used to shape and inform the work from the outset. This ensures that the content is grounded in real-world experiences before any training materials are developed. This emphasis on co-production is one of the reasons we place such value on our NEN training offer. It is developed collaboratively with parents and carers, young people, and individuals with lived experience, ensuring that the training is authentic, relevant and informed by those who are best placed to share the realities of navigating these experiences. (Stephen Chynoweth) I would also encourage anyone interested in hearing more about how the voices of children and young people are embedded within our work to look at the work led by Kierran Pearce, who leads the Multi-Schools Council. His work demonstrates the strong emphasis placed on elevating and promoting the voices of children and young people across Essex, including in Tendring,

	and ensuring that lived experience informs decision-making and service development. The work undertaken through the Multi-Schools Council provides valuable opportunities for children and young people to influence policy, practice and training, ensuring that their experiences and perspectives are heard and acted upon. It is a fantastic example of how meaningful participation can help shape more effective and inclusive services for young people across the county.

It was moved by Councillor Barrett, seconded by Councillor Ferguson and **RESOLVED** that the Committee:

a) recognised the significant prevalence of young people with SEND including Learning Disability and Autism in Tendring;
b) noted the importance of professionals in the education setting to have appropriate training for their role in respect of SEND;
c) supported those responsible for encouraging the uptake of SEND training to help ensure a high level of training amongst staff;
d) supported the ongoing commitment to collaborative working across schools, ECC and partners, in relation to the Tendring Education Leaders and Strategic Partners groups in working together to improve the experiences and opportunities for all children and young people across the district;
e) approved this report to be submitted to Full Council at its meeting on 24 November 2026 alongside the Motion from Councillor Doyle, together with the presentation from Essex County Council officers received at this meeting and the link to the live recording, encouraging all Members to watch in advance, before considering this Committee's response to the Motion; and
f) In accordance with Council Procedure Rule 12.8, the Committee determined to advise Council that the Committee thanked Councillor Doyle for raising the important topic of training on Learning Disability and Autism for all staff across schools in the District of Tendring, and whilst it agreed with the spirit of the motion, following the evidence presented to the Committee by Essex County Council Officers, did not feel it could support the motion as put forward, because it is not possible to mandate training and that alternative training was promoted for the educational setting; and would

RECOMMEND TO COUNCIL the original motion is amended as follows (as shown by changes highlighted below):

"That Tendring District Council:–

(1) Believes that too many children with Special Educational Needs & Disability (SEND) are still misunderstood or unsupported at school, and too many families must fight to get the right help;

(2) Reiterates that this is not a criticism of school staff but about making sure they have the training and confidence to support every child properly;

(3) Notes that Oliver McGowan Mandatory Training is the Government's preferred and recommended training for learning disability and autism in health and social care, as set out in the most recent Code of Practice published in September 2025 and which is nationally recognised and co-produced with people with lived experience;

(4) Believes in inclusive education, that understanding should not be optional or dependent on which school a child attends and that every child deserves to be understood, to feel safe at school, and if that is not achievable an alternative support be found for parents and guardians to enable every child to have the chance to achieve their full potential;

(5) Feels strongly that mandatory training for school staff would bring consistency, earlier understanding, better communication with families, and better outcomes for children across Tendring and that better informed staff can reduce anxiety, improve attendance and create a stronger learning environment for everyone;

(6) Recognises the wealth of relevant learning material produced by Essex County Council on SEND and Autism, in the context of their legal powers in the education system; and

(7) Therefore, calls on all Schools and Academy Trusts in the District of Tendring to take up the available training for all their staff on Learning Disability and Autism, as a matter of fairness and equality."

11. REPORT OF THE ASSISTANT DIRECTOR (CORPORATE POLICY & SUPPORT) - A.2 - TOWN AND PARISH COUNCILS FOR CLACTON-ON-SEA, HOLLAND-ON-SEA, AND WEST CLACTON & JAYWICK SANDS

It was reported that, following the required Community Governance Review and engagement with residents undertaken as part of that review, Full Council had resolved to establish three new Parishes and their respective Parish Councils. Full Council had approved a commencement date of 1 April 2027, and, through the Officer report (A.2), the Committee had been invited to recommend to Full Council that the commencement date be amended to 1 April 2028, being 12 months later than originally envisaged.

It was further reported that, in accordance with the decision of Full Council on 2 June 2026 (Minute 28 referred), the initial term of office for Parish Councillors elected to the new Parish Councils would be five years. Through the Officer report (A.2), the Committee had also been invited to consider recommending to Full Council, at its meeting on 13 October 2026, that the initial term of office be amended to three years. It was noted that this would align the second and subsequent elections to those Parish Councils with the scheduled elections to all other Parish Councils in the District.

The Committee was informed that, following the UK Government's decision to withdraw its decision of 25 March 2026 to implement Local Government Reorganisation in Greater Essex, the existing electoral cycle for District and Parish Councillor elections had been restored.

Members were advised that, although the Community Governance Review had been launched prior to the commencement of the Local Government Reorganisation process in Greater Essex, a key theme arising from the engagement undertaken during the

review had been residents' desire for a local voice. The timetable approved by Full Council on 2 June 2026 had been intended to enable the new Parishes and Parish Councils to hold elections one year in advance of the proposed creation of new unitary authorities. This would have allowed the new councils time to establish themselves in their representative role while Tendring District Council remained in existence.

It was explained that, as Local Government Reorganisation had been postponed for at least one year, a one-off opportunity had arisen to adjust the timetable for the establishment of the new Parishes and Parish Councils. Taking advantage of this opportunity would provide Officers and local District Councillors, supported by the Essex Association of Local Councils, with a longer period in which to implement the new Parish Councils, including undertaking the necessary electorate and financial calculations. It would also allow for further engagement with the communities proposed to be parished regarding the types of services and initial priorities they might wish the new Parish Councils to deliver.

In relation to the terms of office for Parish Councillors, Members were informed that the restoration of the existing electoral cycle meant that all existing Parish Councillors elected on 6 May 2027 would serve a four-year term. Accordingly, should the Committee be minded to recommend postponing the implementation of the Parish Councils for Clacton-on-Sea, Holland-on-Sea and West Clacton & Jaywick Sands until 1 April 2028, it would also be appropriate to consider recommending that the term of office of those elected to serve on those Parish Councils be reduced to three years in order to align with the wider electoral cycle. Otherwise, elections to those Parish Councils would remain permanently one year out of alignment with all other Parish Council elections in the District.

It was further explained that, if the Committee was not minded to recommend postponing the implementation of parishing arrangements for Clacton-on-Sea, Holland-on-Sea and West Clacton & Jaywick Sands, and the commencement date therefore remained as 1 April 2027, the Committee was invited to consider recommending that the initial term of office for Councillors elected to those bodies be amended to four years in order to achieve alignment with the rest of the District. In that scenario, as elections to existing Parish Councils would be aligned with District Council elections, retention of the currently approved five-year initial term would result in subsequent elections for the Parish Councils of Clacton-on-Sea, Holland-on-Sea and West Clacton & Jaywick Sands being held separately, one year later than those for all other Parish Councils in the District. This was considered more likely to result in ongoing higher election costs for those Parish Councils, as they would be unable to share election costs with the District Council, County Council, Police, Fire and Crime Commissioner, or UK Government elections.

Members were advised that the UK Government's current stated intention was for a Greater Essex Mayor to be elected for the proposed Combined County Authority in May 2028. On that basis, the recommended commencement date for the new Parishes and Parish Councils would enable the costs of those Parish Council elections to be shared with the Greater Essex Mayoral election.

The Committee was informed that, once established, the UK Government had the ability to amend the terms of office of Councillors serving on principal and local councils should this prove necessary. Consequently, if decisions relating to local government

reorganisation in Essex were implemented, a mechanism would exist to amend the terms of office of the new Parish Councillors in line with any changes affecting other Parish Councillors.

It was noted that, without the recommended changes being agreed, the Reorganisation Order setting out, amongst other matters, the terms of office of Councillors for the Parish Councils of Clacton-on-Sea, Holland-on-Sea and West Clacton & Jaywick Sands would need to have been made by 14 October 2026 at the latest in order to authorise the necessary preliminary arrangements for those new parishes to be established on 1 April 2027. Members were further advised that, once the Order had been made and sealed, any subsequent amendments to the arrangements for the new Parishes and their Parish Councils would require a further Community Governance Review.

Questions by Members:-	Answers:-
Is there a mechanism in place that would allow the term of office to be amended further should additional changes to the electoral cycle occur?	(Lisa Hastings) As the position remains uncertain, it is not possible to comment on potential implications until formal arrangements have been confirmed. Any impact on Town and Parish Council elections arising from the paused Local Government Reorganisation (LGR) programme would depend on whether the associated term of office is amended as part of a Structural Changes Order.
In the event that the implementation is deferred by a year, would it be possible to establish a shadow Town Council to undertake the necessary preparatory work, including the development of governance, policy, and framework documents? This would help ensure that, when the Town Council is formally established, the key policy framework is already in place, and any planned initiatives are ready to be implemented.	(Lisa Hastings) Not in legal terms. The initial period would run from April 2028 until the elections in May 2028. During this interim period, the Town and Parish Councils would comprise existing District Councillors, the extra year would allow significant preparatory work to be undertaken to support a smooth transition to the new arrangements.

It was moved by Councillor Ferguson, seconded by Councillor Amos and unanimously **RESOLVED** that:

1) based on the information set out in the Office report (A.3), the Community Leadership Overview and Scrutiny Committee recommends to Full Council on 13 October 2026 that the decisions of Full Council on 2 June 2026 following the Community Governance Review for Clacton-on-Sea, Holland-on-Sea and West Clacton & Jaywick Sands be amended as follows:
    a) the new Parishes commence on 1 April 2028 and not 1 April 2027 (with elections to the Parish Councils consequentially moved to May 2028 rather than in May 2027);

b) the initial term of office for Parish Councillors elected to those Parish Councils be three (3) years and not five (5) years;

2) the Chief Executive be requested to await the decision of Full Council on 13 October 2026 in respect of the recommendation above before the required Community Governance Reorganisation Order (arising from the relevant decision of Council on 2 June 2026) is formally made and sealed and that the outcome of that meeting in respect of the above recommendation be incorporated as necessary into that Order; and

3) the Committee notes that, on the basis recommendation (1) above is approved by Full Council, communication with residents and interested parties in the area of the new Parishes will be undertaken to update them that the implementation date for those Parishes and their Parish Councils will be 1 April 2028 and the commissioning of Essex Association of Local Councils to support the introduction of the new Parishes will be updated to reflect that timeline.

12. REPORT OF THE ASSISTANT DIRECTOR (CORPORATE POLICY & SUPPORT) - A.3 - REVIEW OF THE WORK PROGRAMME

It was moved by Councillor Barrett, seconded by Councillor Davidson and **RESOLVED** that the Report of the Assistant Director (Corporate Policy & Support) – A.3 – Review of the Work Programme be deferred to the next meeting of the Committee, due to be held on Tuesday, 8 December 2026.

The meeting was declared closed at 9.29 pm

Chairman

Essex County Council

Tendring District Council

Tendring, *together*

Tendring District Council –Community Leadership Overview and Scrutiny Committee committee

Ondrea Bloom – SEND Strategy Lead – Autism
Stephen Chynoweth – Head of Education & EY - North

6th October 2026

Tendring District Council

The motion stated

That my Motion as set out below in full, calling on Essex County Council to direct that the Oliver McGowan Mandatory Training on Learning Disability and Autism for all staff across schools in the District of Tendring, be referred to the Community Leadership Overview and Scrutiny Committee for further information on the type of training mentioned and the implications of 'inclusive education' being researched, with evidence in support, and submitted back to Full Council prior to making its informed decision on the subject matter.
That Tendring District Council –

(1) Believes that too many children with Special Educational Needs & Disability (SEND) are still misunderstood or unsupported at school, and too many families must fight to get the right help;
(2) Reiterates that this is not a criticism of school staff but about making sure they have the training and confidence to support every child properly;
(3) Notes that Oliver McGowan Mandatory Training is the Government's preferred and recommended training for learning disability and autism in health and social care, as set out in the most recent Code of Practice published in September 2025 and which is nationally recognised and co-produced with people with lived experience;
(4) Believes in inclusive education, and that understanding should not be optional or dependent on which school a child attends and that every child deserves to be understood, to feel safe at school, and to have the chance to achieve their full potential;
(5) Feels strongly that mandatory training for school staff would bring consistency, earlier understanding, better communication with families, and better outcomes for children across Tendring and that better informed staff can reduce anxiety, improve attendance and create a stronger learning environment for everyone;
(6) Therefore, calls on Essex County Council and relevant Academies to direct that the Oliver McGowan Mandatory Training on Learning Disability and Autism for all staff across schools in the District of Tendring be implemented urgently as a simple matter of fairness, inclusion and responsibility.

This evening….

In order to address the motion, this presentation will address:

- Outcomes of Tendring students with SEND and/or autism.
- The Essex Inclusion Strategy and aspirations for ‘inclusive education’
- The current training offer for Tendring schools and academies for autism training
- The legalisation regarding governance of Tendring schools and academies in mandating training, including an overview of Tendring

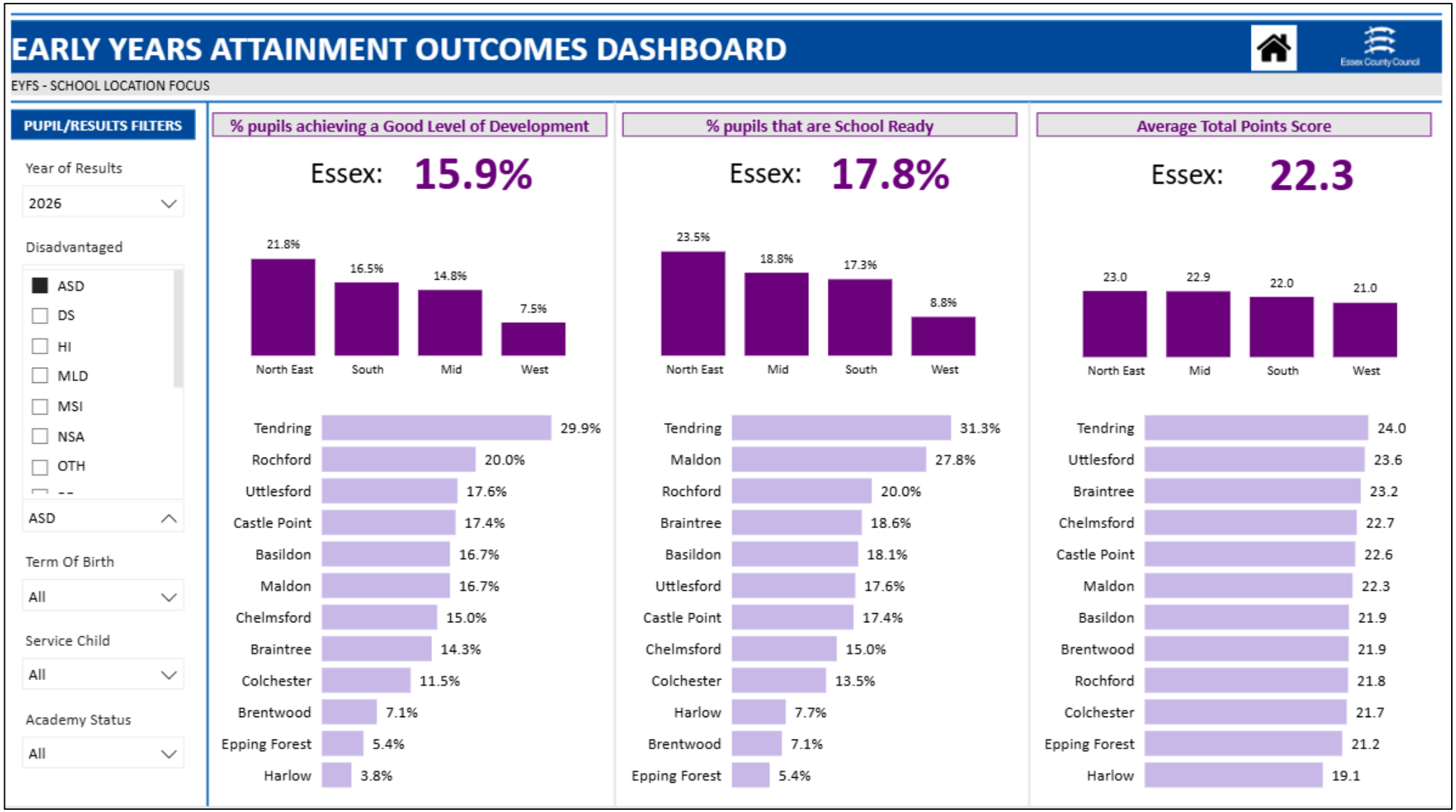
This evening….

In order to address the motion, this presentation will address:

- Outcomes of Tendring students with SEND and/or autism.

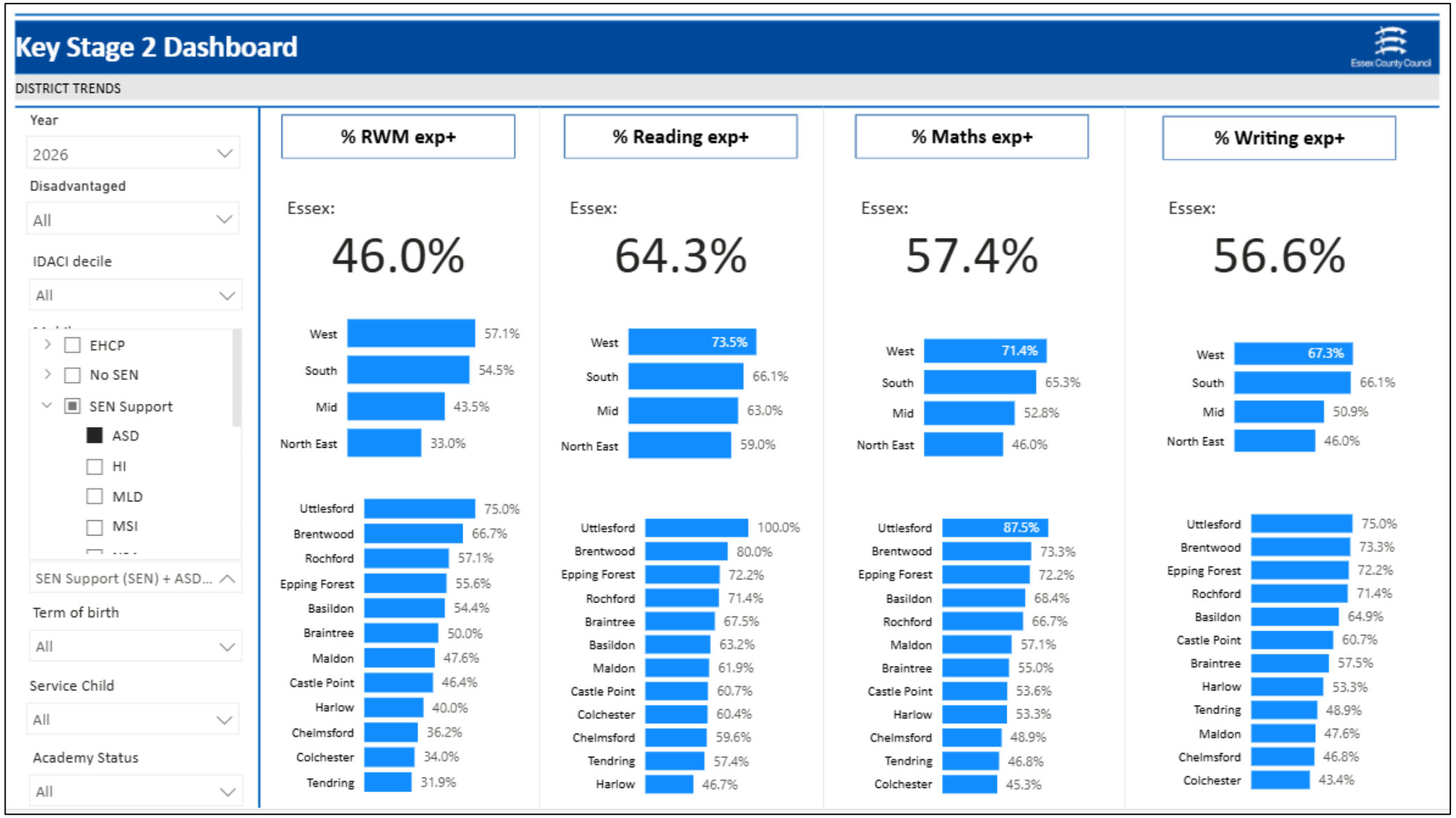
2026 Good Level of Development (GLD) outcomes across Essex – 5 years olds

Pupils diagnosed with autism



2026 Key Stage 2 (Y6) outcomes across Essex – 11 year olds

Pupils diagnosed with autism



2025 Key Stage 4 (GCSE) outcomes across Essex – 16 year olds

Pupils diagnosed with autism





- In 2025-2026, autistic children/young people in Tendring were among the highest across Essex achieving a Good Level of Development
- Autistic children/YPs outcomes at KS2 (2025-2026) and KS4 (2024-2025), whilst still lower than the Essex average, are improving upon previous years.
- Early indications from unvalidated 2025-2026 KS4 data demonstrates improved %9-4 GCSE outcomes for autistic children/YP

This evening….

In order to address the motion, this presentation will address:

- The Essex Inclusion Strategy and aspirations for ‘inclusive education’

Inclusive Education

Essex County Council fully shares the ambition that every child and young person, regardless of need, should feel understood, valued, safe and supported to achieve their potential in school.

ECC recognises that for some children with SEND, and particularly for some children with learning disabilities and autism, this ambition is not always consistently realised.

The Council also acknowledges the experiences of families who have felt that they have needed to work hard to secure the support their child requires.



Essex SEND Reform Plan

Co-produced by Essex County Council, Greater Essex ICB,
Essex Schools, Settings and the Essex Family Forum



ESSEX SEND SYSTEM





OUR VISION

All children and young people in Essex feel **safe, valued** and that they **belong,** irrespective of background or need.

Their needs are identified and assessed accurately, in a timely way, and they are **empowered to progress** and **live full lives**.

Through **inclusion, compassion** and **partnership**, Essex maintains a **consistent** education system where needs are met, families are heard and support is **equitable** and **joined-up**.



INCLUSION
Everyone belongs and can thrive

COMPASSION
We care, listen and respond

PARTNERSHIP
Stronger together, working as one system

EQUITY
Fair access to the right support at the right time

EMPOWERMENT
Supporting children, young people and families to succeed

SEND Reform strategy

The Essex SEND reform strategy identifies a system that is **developing**.

Essex benefits from a strong, shared inclusive vision, improving leadership and governance, and high levels of engagement from schools, families and system partners. However, experience and outcomes remain variable, driving uncertainty, escalation into statutory processes and reliance on specialist provision.

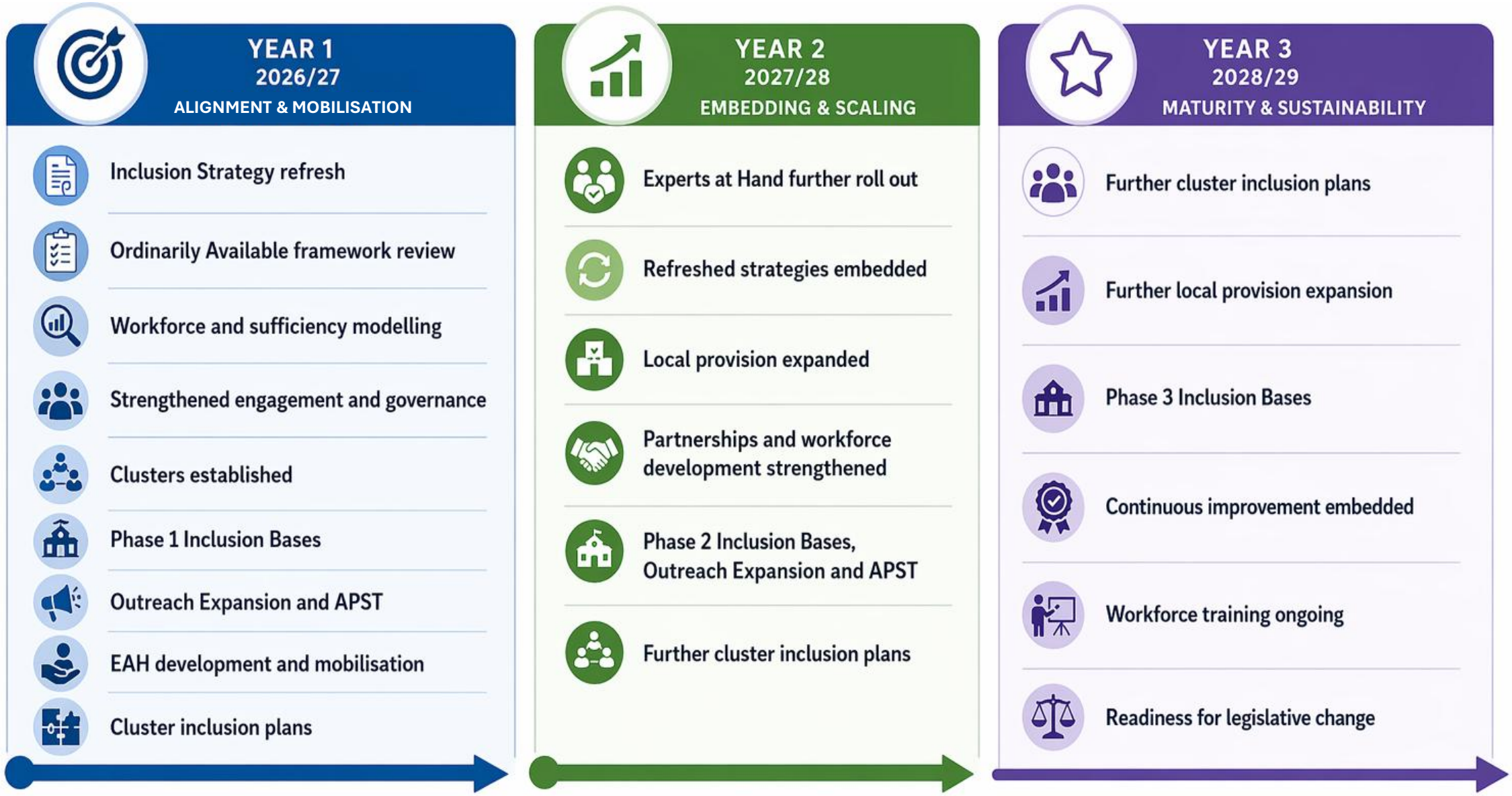
The strategy focuses on:

- **Acting earlier**, so needs are identified and met before escalation;
- **Consistency**, so children and families experience high-quality support regardless of location or setting;
- **building confidence and capability** across education, health and care, so inclusion becomes routine rather than exceptional.

Delivery will be initially phased over three years, supported by strong governance, shared data, coproduction and continuous learning.



Key milestones



Vision – 6 pillars

Relationships	Wellbeing



Positive, mutually respectful **relationships** underpin and support the inclusion of all pupils and their families and promote equality and diversity.

The **wellbeing** of all members of school communities is well-supported.

Attending	Participating



All pupils enjoy school and have high levels of **attendance.**

All pupils are empowered and eager to **participate** in all aspects of school life.

Achieving	Moving on



An equitable, high-quality curriculum supports all pupils to **achieve** well, from their different starting points.

All pupils are well-supported to **move-on** to appropriate next steps.

Codifying components that increase likelihood of positive Sense of Belonging (school attendance)

Enacting the right support, from the right team, at the right time

	Relationships	Wellbeing	Attending	Participating	Achieving	Moving on

Codifying components that increase likelihood of positive Sense of Belonging (school attendance)

Enacting the right support, from the right team, at the right time

	Relationships	Wellbeing	Attending	Participating	Achieving	Moving on
LA PROGRAMMES	✓ TPP ✓ Ready to Regulate ✓ Ordinarily Available	✓ Ordinarily Available ✓ ELSA training ✓ Let's Talk...we Miss you ✓ EBSA training	✓ Ordinarily Available ✓ Early Help ✓ TPP ✓ Targeted Support Meetings (TSMs) consultations sessions. ✓ AST specialised training/ workshops. ✓ Attendance Compliance	✓ Ordinarily Available ✓ Strategic Planning Meetings – SENCo/ IP/ HT/ SEP ✓ Inclusion Review ✓ Inclusion Framework	✓ Ordinarily Available ✓ School Improvement SEP challenge & support ✓ LA Governance support	✓ Ordinarily Available ✓ Effective transition esp. Y6/7 as well as EY/Reception and Y11/ post 16 ✓ Promotion of aspiration ✓ Good Beginnings (with EFs) ✓ STAY Project

Codifying components that increase likelihood of positive Sense of Belonging (school attendance)

Enacting the right support, from the right team, at the right time

	Relationships	Wellbeing	Attending	Participating	Achieving	Moving on
LA PROGRAMMES	✓ TPP ✓ Ready to Regulate ✓ Ordinarily Available	✓ Ordinarily Available ✓ ELSA training ✓ Let's Talk...we Miss you ✓ EBSA training	✓ Ordinarily Available ✓ Early Help ✓ TPP ✓ Targeted Support Meetings (TSMs) consultations sessions. ✓ AST specialised training/ workshops. ✓ Attendance Compliance	✓ Ordinarily Available ✓ Strategic Planning Meetings – SENCo/ IP/ HT/ SEP ✓ Inclusion Review ✓ Inclusion Framework	✓ Ordinarily Available ✓ School Improvement SEP challenge & support ✓ LA Governance support	✓ Ordinarily Available ✓ Effective transition esp. Y6/7 as well as EY/Reception and Y11/ post 16 ✓ Promotion of aspiration ✓ Good Beginnings (with EFs) ✓ STAY Project
TOOLS	✓ Six Core Strengths Assessment/ curriculum ✓ Inclusion Framework assessment tool ✓ ELSA – pre/post measures ✓ Dedicated SOC for SWW cases/courtesy calls carried out ✓ EF SWW calls (post 30 weeks) ✓ EF involvement strengthening relationships- individual and strategic ✓ IP support with OA Relationships and behaviour	✓ Six Core Strengths Assessment/ curriculum ✓ Inclusion Framework assessment tool ✓ ELSA – pre/post measures	✓ Assessment and Intervention Pyramids ✓ Let's Talk We Miss You – assessment tools (identifying functions to inform intervention) ✓ Inclusion Framework assessment tool ✓ ELSA – pre/post measures ✓ Early Help Drop-in ✓ AST specialised training/workshops. ✓ AST parent phone line ✓ TSM – target cohorts ✓ EF support- Early intervention (individuals), small steps plan, EBSA support, strategic EBSA work	✓ Inclusion Framework assessment tool ✓ OA parent workshop pilot ✓ Reasonable adjustments ✓ TPP approach embedded in school's ethos ✓ IP Consultation drop-in for all staff linked to inclusion ✓ SEN Strategy Core Training offer (which does link to other pillars) ✓ One planning Support Participation strategy with IP ✓ Education Endowment Foundation Teaching toolkits	✓ OA parent workshop pilot ✓ SEND Ops – following Initiation Panel, we feedback to schools via IPs any improvements for One Planning. ✓ Inclusion Framework assessment tool ✓ Education Endowment Foundation Teaching toolkits	✓ EF transition support individual and strategic level ✓ SEND Ops share SWW pupils with wider team for transition years ✓ SEND Ops prioritise transition year groups when allocating EPs for EHCNAs to prevent being in the wrong setting with the wrong provision

Delivering the commitments

Inclusion Framework

Profiling of individuals and pupil cohorts, early intervention, and opportunities to seek financial support to develop systemic inclusive practices.

Inclusion Reviews

Supportive reviews offered to all schools and academies.

Inclusion Strategy

Ongoing delivery plans

Plans that specifically focus ECC resources on the delivery of our commitments.

Support for schools and academies

Training, resources and support for schools and academies to facilitate the further development of inclusive practices, including the Ordinarily Available.

This evening….

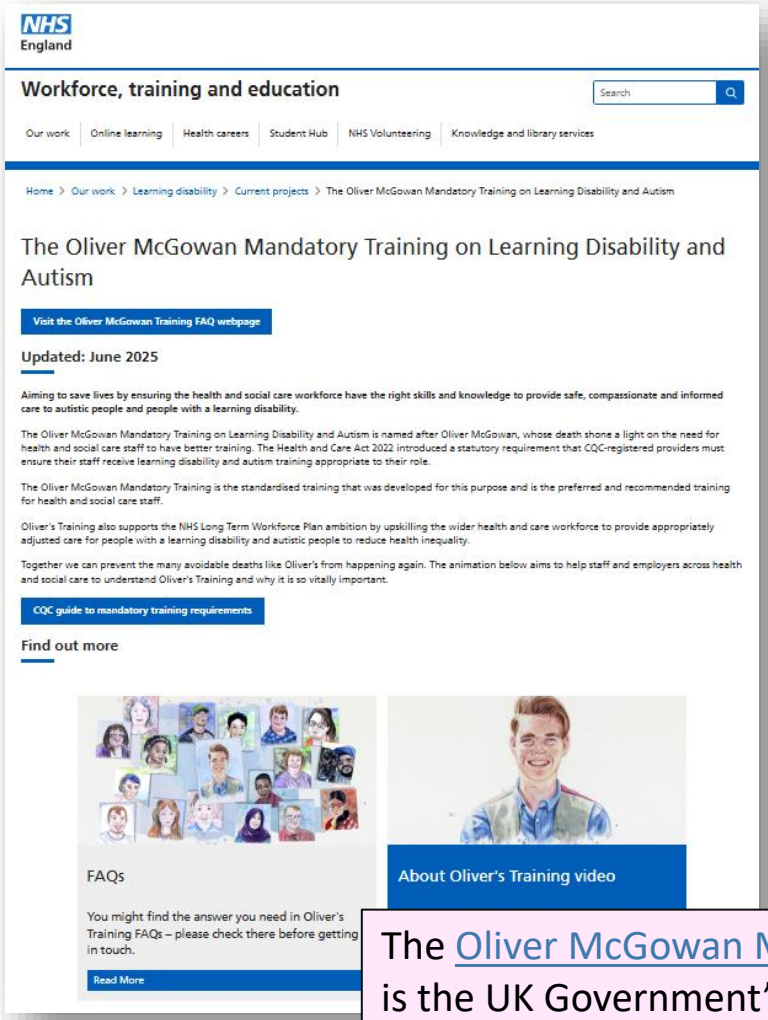
In order to address the motion, this presentation will address:

- The current training offer for Tendring schools and academies for autism/ SEND training

Essex's approach to inclusion extends beyond a single training programme.

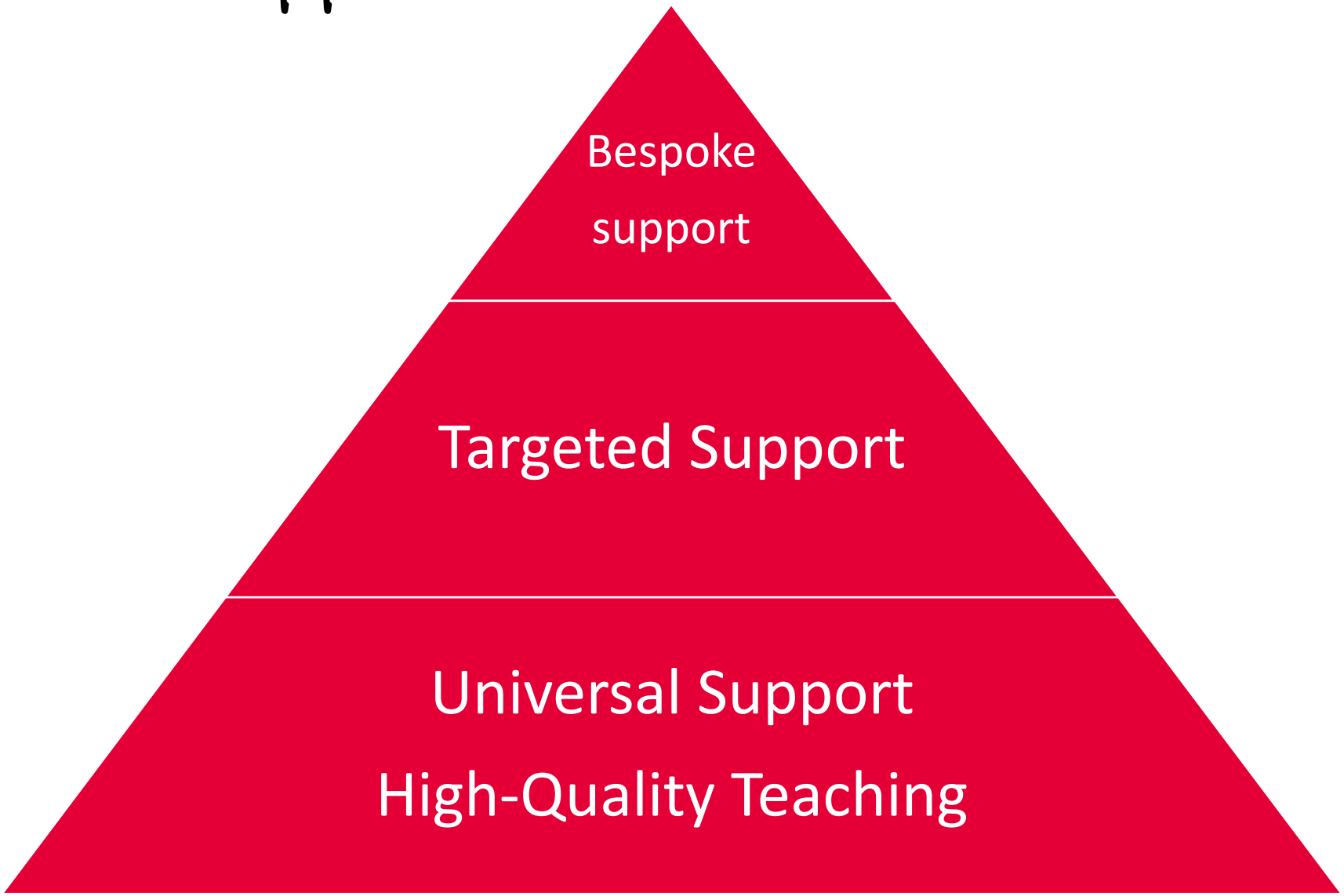
Through the Inclusion vision and strategy, Essex is committed to **building a fully inclusive education system** that promotes **ambition, equity and belonging**, values the **voices of children and families**, supports **early intervention** and ensures that all pupils can **participate fully** in school life.

The strategy emphasises the importance of **positive relationships**, **high-quality teaching**, **workforce development** and **whole-school inclusive cultures** in improving outcomes for children and young people.

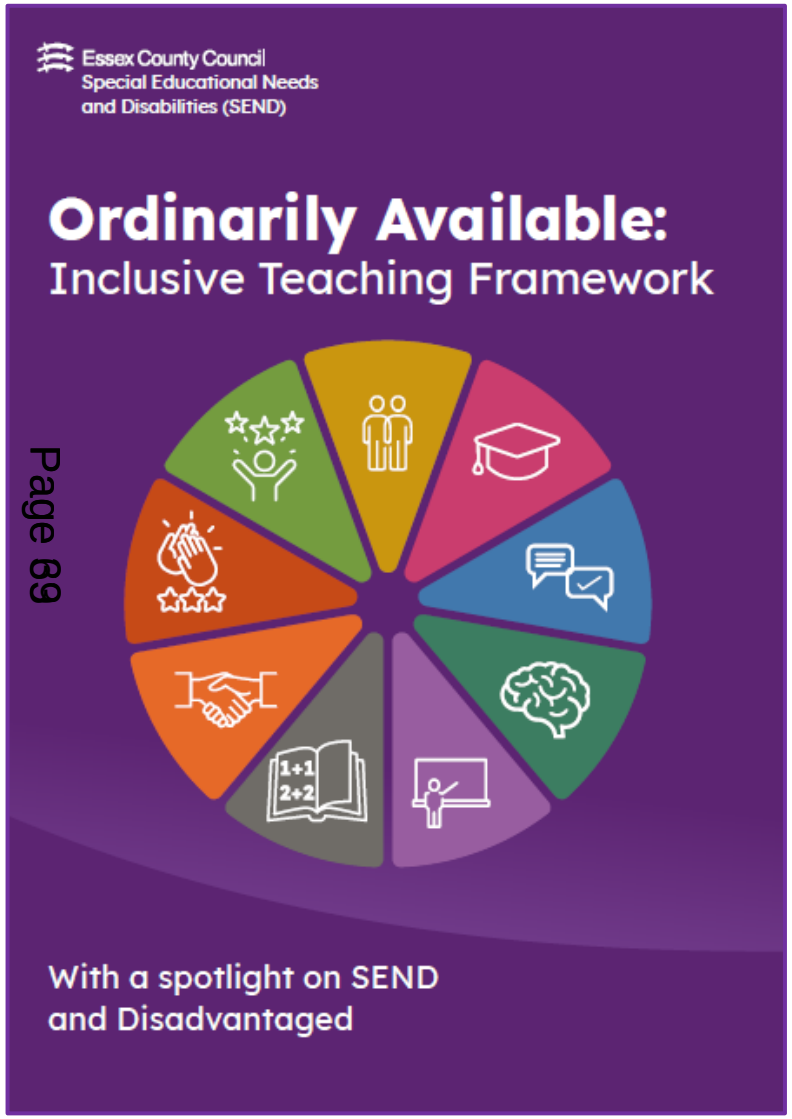


The Oliver McGowan Mandatory Training is the UK Government's preferred and recommended standardised training package to help **health and social care** staff meet legal requirements under the Health and Care Act 2022 in CQC providers in England.

A graduated approach

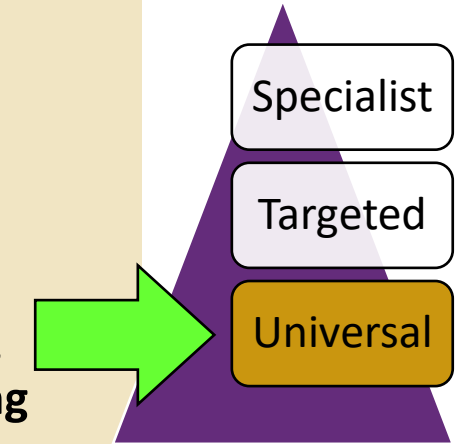


The Ordinarily Available



Ordinarily Available: Inclusive Teaching Framework

- for <u>all</u> pupils
- "*<u>whole class provision</u>*"
- delivered by classroom teachers and subject teachers, **overseen by curriculum lead for teaching and learning**



"Making higher quality teaching normally available to the whole class is likely to mean that fewer pupils will require such support. Such improvements in whole-class provision tend to be more cost effective and sustainable."

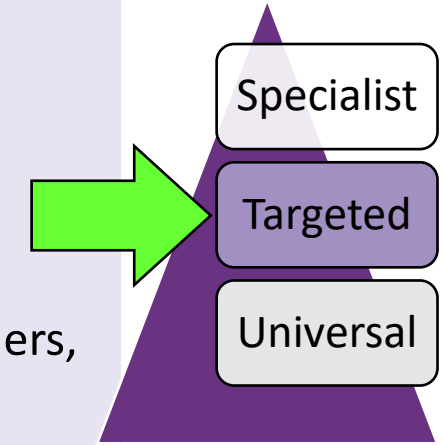
SEND Code of Practice 6.15

The Ordinarily Available



Ordinarily Available: Targeted Support

- for some pupils
- *"provision different from, or additional to"*
- delivered by Early Years practitioners, classroom teachers, pastoral and SEND teams, **overseen by SENCO**



"A pupil has SEN where their learning difficulty or disability calls for special educational provision, namely provision different from, or additional to, that normally available to pupils of the same age."

SEND Code of Practice 6.15

Neuroinclusive Education Network (NEN)

The Autism Education Trust (AET) is now the Neuroinclusive Education Network (NEN), part of the National Autistic Society.

The NEN Inclusive Professional Development Programme (IPDP) is a workforce culture change programme based on training modules and Framework Documents across all phases of education - Early Years, Schools and Post-16.

Through the NEN evidence-based training ECC offers a suite of training and support which enables schools and settings to create inclusive environments where every neurodivergent learner can thrive.

64% of all schools in Tendring have accessed core autism training in the last 5 years. Many schools were still disrupted in 21/22 with closures. Many of the schools will ha\v continued their CPD with complimentary Essex training modules

ECC Autism Training Offer

Essex County Council
Special Educational Needs and Disabilities

Autistic Masking and Burnout	Sensory Support x 2	NEN Good Autism Practice
Autism and Anxiety	Structured Learning	NEN Inclusive Leadership
Advanced Practitioner Course for Autism	Supporting Social Communication	NEN Progression Framework
PDA Information Sessions	Developing Joint Attention	NEN EYs training days x 2

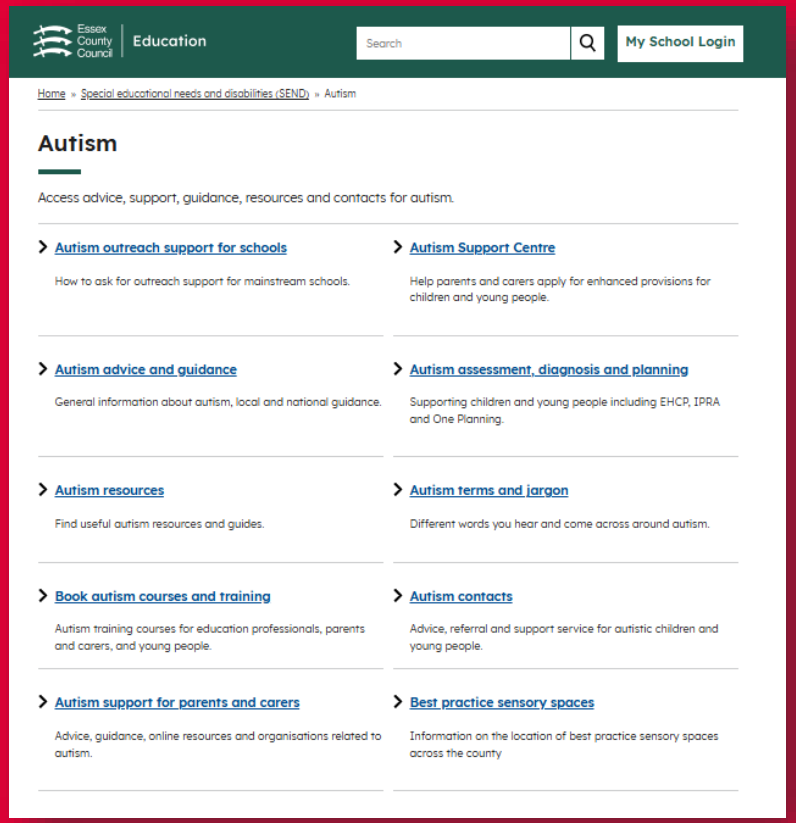
Specific training - Autism

For all education settings, Essex Local Authority provides a comprehensive directory of autism support, assessment pathways, training, resources and specialist services for schools, families and young people across Essex.

Evidence-based training provided includes:

- **Training and courses:** Autism training opportunities for education professionals, parents, carers and young people.
- **Resources:** A collection of useful autism resources and practical guides.
- **Advice and guidance:** General information about autism, including local and national guidance.
- **Autism outreach support for schools:** Information on how mainstream schools can access specialist autism outreach support.
- **Support for parents and carers:** Signposting to advice, guidance, online resources and organisations.
- **School planning:** Support and information relating to EHCPs, IPRAs and One Planning for autistic young people
- **Autism Support Centre:** Guidance for parents and carers on applying for enhanced autism provision for children and young people.
- **Sensory spaces:** Information about the location of best-practice sensory spaces across Essex.
- **Terminology:** Explanations of commonly used autism-related terms and jargon.
- **Contacts and support services:** Details of services providing advice, referrals and support for autistic children and young people.

This training complements that Council's comprehensive Inclusion Strategy which has been in existence for four years along with a Tendring Strategic Group and Educational Leaders group.



Autism | Essex Schools Infolink

Autism outreach support for schools | Essex Schools Infolink

Book autism courses and training: Essex training | Essex Schools Infolink

Autism training engagement across Tendring over last 2 years

Schools	Primary	Secondary	Special	Total
Actual number of Tendring schools	39	6	2	47
Number of Tendring schools who have attended Autism training	30	4	1	35
% of Tendring schools who have attended Autism training	**77%**	**67%**	**50%**	**74%**

Number of Tendring schools who attended the diffferent types of Autism training from 01/09/2024 to 28/09/2026:

Autism Training course	Primary	Secondary	Special	Total
Progression framework training	17	1	0	18
Pathological Demand Avoidance	12	3	0	15
Good Autism Practice in schools	11	0	0	11
Understanding Masking	8	0	0	8
Developing inclusive leadership to support neurodivergent students	8	0	0	8
Sensory awareness (eLearning)	8	0	1	9
Anxiety training	6	1	0	7
Autism Advanced practitioner course (11 week Programme)	6	0	0	6
Developing inclusive leadership in schools	4	0	0	4
Pathological Demand Avoidance (On-demand*)	1	0	1	2
Autism and ADHD: Dual Diagnosis (eLearning)	1	0	0	1
Masking and Autism (On-demand*)	1	0	0	1
Structured Learning (On-demand*)	1	0	0	1
Good Futures 'Train the Trainer' for secondary schools	0	1	0	1

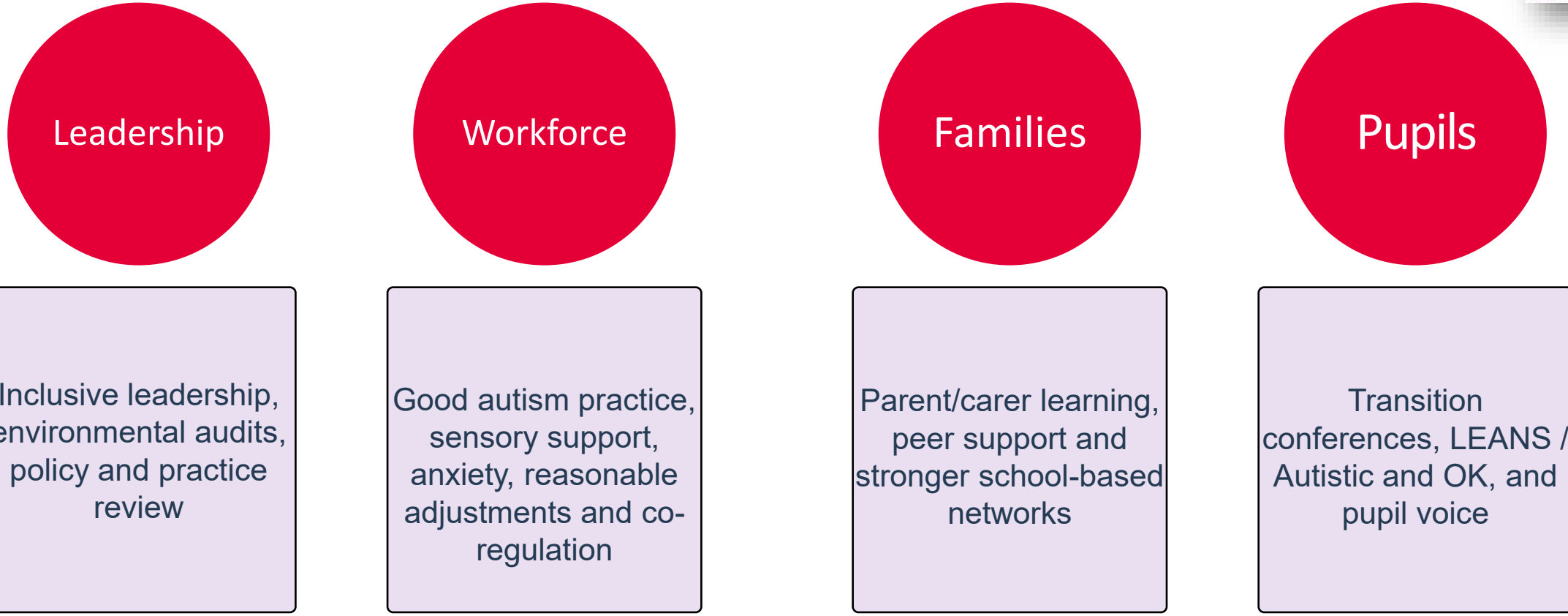
**On-demand: Whole school training*

SEND training engagement across Tendring over last 2 years

Schools	Primary	Secondary	Special	Total
Actual number of Tendring schools	39	6	2	47
Number of Tendring schools who have attended SEND related training	35	5	2	42
% of Tendring schools who have attended SEND related training	**90%**	**83%**	**100%**	**89%**
Number of SEND related training courses attended	308	38	10	356

What is STAY?

Successful Transitions for Autistic Young people



Core purpose: build sustainable policy, practice and relationships that enable successful primary-to-secondary transition.

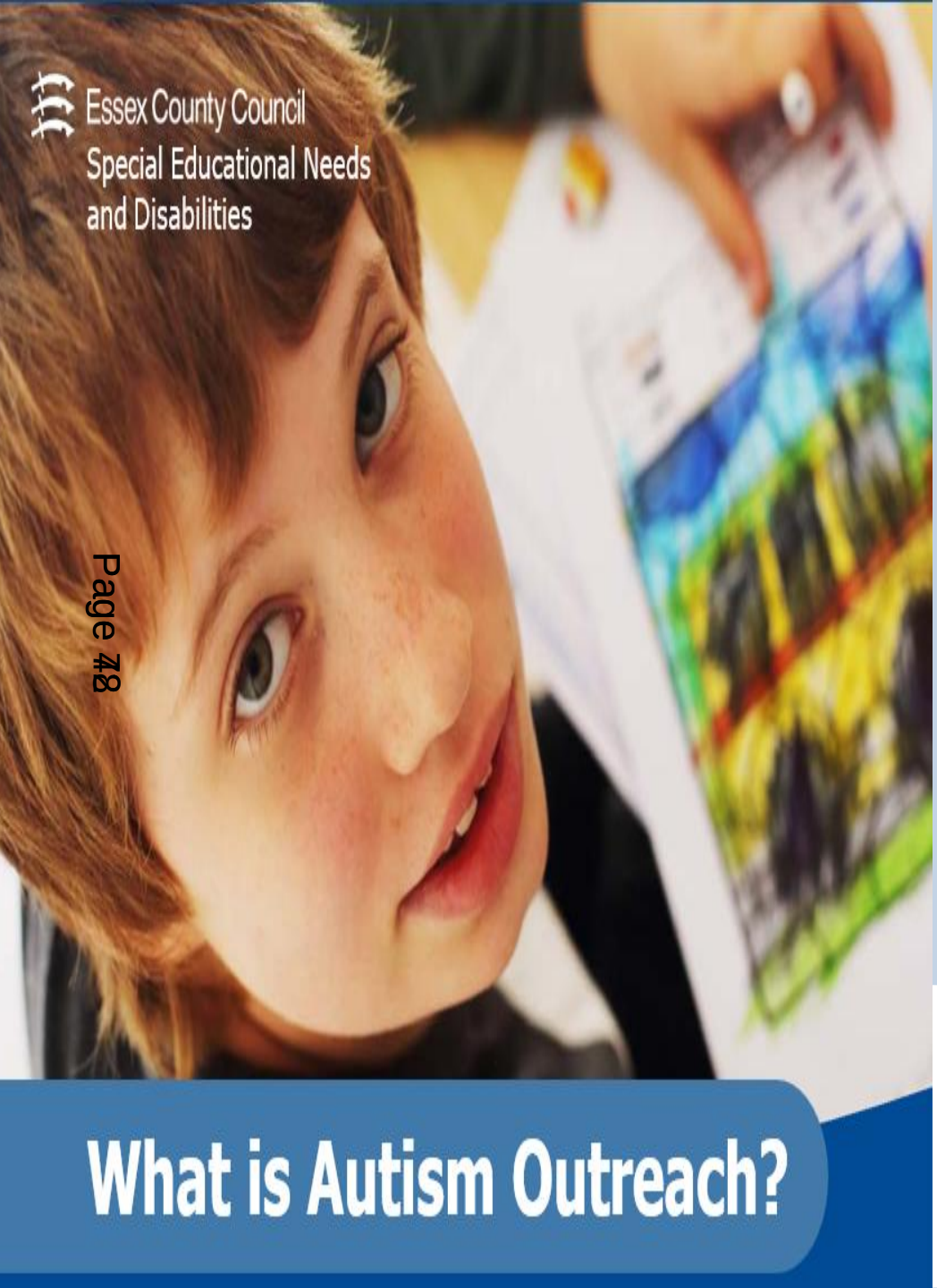
12 Tendring schools participated across Essex over the first 2 years



The Autism Schools Outreach Offer is a joint offer from Essex County Council and four special or mainstream schools across Essex.

In Tendring, Marketfield School and College is one of the four schools across Essex.

Schools can request outreach from their local special school provider to support them to be able to meet the needs of autistic pupils at their school.



Who is Autism School Outreach for?

The Autism School Outreach service is for pupils with an autism diagnosis and those on a waiting list for an autism assessment. Support can also be provided for pupils with learning needs where the barrier to learning is autism, or to those pupils who have co-occurring conditions such as ADHD or anxiety.

What will the Outreach Provider do?

Support from the outreach provider will depend on the needs of the child. It might involve:

- Support with planning and provision in class
- Coaching on specific interventions that might be helpful for the child
- Working directly with staff to share knowledge and skills

Ongoing support for Tendring

A joined-up network of local, system and specialist support

NE SEND

Specialist advice
Inclusion and SEND support
Early intervention

NE School Effectiveness

Leadership challenge & support
School improvement
Safeguarding & Quality of education

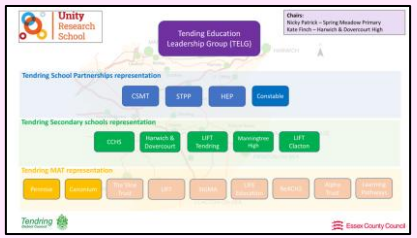
SCHOOLS

Pupils • staff • leaders • families

Tendring School Partnership

Local collaboration
Peer support and shared practice
Collective capacity across schools

TESPG/ TELG



Multi Academy Trust

Trust leadership and governance
Shared capacity and expertise
Strategic improvement support

This evening….

In order to address the motion, this presentation will address:

- The legalisation regarding governance of Tendring schools and academies in mandating training, including an overview of Tendring

Schools in Tendring district

39 primary schools (including infant or junior schools)

- 21 academies in a Multi-Academy Trust
- 18 LA maintained schools

6 secondary schools

- 6 secondary academies in a Multi-Academy Trust

2 Special Schools

- 1 academy in a Multi-Academy Trust
- 1 LA maintained special school

5 School Partnerships*

*2 smaller partnerships to be joined together for activities

Who is legally responsible?

Key Legal Distinctions

- **LA Maintained Schools:** Governed primarily by the Education Act 1996 and Education Act 2002. They are controlled and funded via local authorities, and statutory legal responsibilities are devolved to a Local Governing Body. They must strictly follow the National Curriculum and national teacher pay and conditions.

- **Academies:** Defined and regulated under Section 1A of the Academies Act 2010. Legally classified as independent schools that are independent of local authority control, with the Trust accountable as ther responsible body. Academies are funded directly by the Secretary of State for Education through a binding contract known as a funding agreement.

Who is legally responsible?

LA-MAINTAINED SCHOOL

Essex County Council is the maintaining authority

- **Accountability:** The governing body is the school's statutory governing board; powers and duties sit within the maintained-school framework.
- **Legal basis:** Principally the Education Acts 1996 and 2002, regulations and statutory guidance.
- **LA relationship:** ECC maintains the school, allocates funding and retains oversight and intervention functions. Employer and land arrangements vary by school category.
- **Local governance:** Decisions are made at school governing-body level, subject to statutory LA and Secretary of State powers.

ACADEMY TRUST SCHOOL

The academy trust is the legal entity responsible

- **Accountability:** The trust board is the statutory board and trustees are company directors and charity trustees. A local governing committee acts only under delegated authority.
- **Legal basis:** Academies Act 2010, Companies Act 2006, Charities Act 2011, articles of association and the funding agreement.
- **LA relationship:** The trust is independent of ECC and funded through arrangements with the Secretary of State / DfE; ECC does not direct its day-to-day operation.
- **ECC still retains:** Area-wide duties including place sufficiency, SEND, admissions coordination, home-to-school transport and safeguarding partnership responsibilities.

- SIGMA
- Canonium
- Penrose
- HOPE Trust
- Vine Trust
- LIFT
- LIFE Education
- ReACH2
- Alpha Trust
- Learning Pathways


Tendring, *together.*
Thank you!
Tendring
District Council
Essex County Council

MINUTES OF THE MEETING OF THE AUDIT COMMITTEE, HELD ON THURSDAY, 8TH OCTOBER, 2026 AT 10.00 AM IN THE COMMITTEE ROOM, AT THE TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE

Present:	Councillors Sudra (Chairman), Steady (Vice-Chairman), Fairley, Morrison and Placey
Also Present:	Councillor Bray
In Attendance:	Richard Barrett (Corporate Director (Finance and IT) & Section 151 Officer), Lisa Hastings (Corporate Director (Law & Governance) & Monitoring Officer), Gary Guiver (Corporate Director (Planning & Community)), John Pateman-Gee (Head of Planning & Building Control), Ian Ford (Democratic Services Manager), Karen Hayes (Corporate Governance, Performance & Procurement Manager), Craig Clawson (Internal Audit, Counter-Fraud & Information Governance Manager), (except items 17 - 19), Clare Lewis (Health & Safety and Assurance Manager) (items 10 - 14 only) and Rebecca Catchpole (Leadership Support Officer)
Also in Attendance:	Sue Gallone (Independent Person) and the following representatives of KPMG, the Council's External Auditor: Sarah McKean (Director) and Holly Gaff (Deputy Manager) (except items 15 – 19)

10. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence nor substitutions made on this occasion.

The Democratic Services Manager (Ian Ford) informed the meeting that Councillor Bray had been recently appointed as a member of the Committee in the stead of Councillor Keteca. Unfortunately, Councillor Bray had not yet been able to receive the necessary training required under Council Procedure Rule 33.3 that would have enabled Councillor Bray to sit as a member of the Audit Committee. Councillor Bray therefore sat in the public gallery for the duration of this meeting.

11. MINUTES OF THE LAST MEETING

It was move by Councillor Sudra, seconded by Councillor Fairley and:-

RESOLVED that the minutes of the meeting held on Thursday, 25 June 2026 be approved as a correct record and be signed by the Chairman.

12. DECLARATIONS OF INTEREST

There were no declarations of interest made by Councillors in relation to any item on the agenda for this meeting.

13. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

On this occasion no Councillor had submitted notice of a question pursuant to Council Procedure Rule 38.

14. REPORT OF INTERNAL AUDIT, COUNTER-FRAUD & INFORMATION GOVERNANCE MANAGER - A.2 - PERIODIC REPORT ON THE INTERNAL AUDIT FUNCTION FOR THE PERIOD JUNE 2026 - SEPTEMBER 2026 AND OTHER MATTERS

The Committee considered a periodic report on the Internal Audit function for the period June to September 2026, the bi-annual update on Counter-Fraud arrangements and which provided an update on the Internal Audit Charter for approval by the Committee as required by the professional standards.

Internal Audit Progress 2026/27

It was reported that five audits had been completed since the last meeting Committee held in June 2026. All had received a satisfactory level of overall assurance of 'Adequate Assurance' or 'Substantial Assurance'.

A further 10 audits from the 2026/27 Internal Audit Plan had been allocated and seven of those were currently at the fieldwork phase.

Members were made aware that Officers were currently undertaking the 'Key Systems' phase of the audit plan, which encompassed a review of the Council's financial and core service systems and processes. Those established systems were fundamental to the effective delivery of the Council's day-to-day operations. Although no significant issues were anticipated, given that those areas had historically been well managed, it remained essential to obtain regular assurance that the relevant systems and processes continued to operate effectively and were supported by appropriate controls.

It was noted that counter-fraud and compliance work was ongoing in this period along with GDPR priorities particularly relating to data sharing agreements, Freedom of Information Requests and Subject Access Requests.

Management Response to Internal Audit Findings

Members were aware that there were processes in place to track the actions taken regarding findings raised in Internal Audit reports and to seek assurance that appropriate corrective action had been taken. Where appropriate, follow up audits were arranged to revisit significant issues identified after an appropriate time.

The number of high severity issues outstanding was as follows:-

Status	Number	Comments
Overdue more than 3 months	0	
Overdue less than 3 months	1	
Not yet due	1	

The Committee recalled that it had requested more detail on the outstanding actions within the above table and on previous significant findings as a matter of context. Appendix B to the report (A.2) contained a summary of those findings and the agreed actions as well as including the service response and an internal audit status. This would become a regular appendix of the periodic progress reports going forwards.

Internal Audit Charter

Members were reminded that a requirement of the Global Internal Audit Standards (GIAS) was for the Audit Committee to review and approve the Internal Audit Charter on an annual basis. The Charter had been last updated and approved in September 2025.

The Committee was informed that there had been no changes to the Global Internal Audit Standards since the Charter had been last approved. Consequently, there was no requirement to amend the Internal Audit Charter at this time. The Internal Audit team continued to operate in accordance with the Charter by maintaining its independence and objectivity, delivering the approved risk-based audit plan, applying the required professional standards and reporting its activities, findings and assurance outcomes to senior management and the Audit Committee.

Members were reminded that compliance with the Charter was also monitored through the Quality Assurance and Improvement Programme and that it would be assessed in February 2027 when the External Quality Assessment of the internal audit function was undertaken by the Institute of Internal Audit.

Counter-Fraud & Compliance Bi-Annual Update

This update provides the Audit Committee with a summary of Counter-Fraud and Compliance activity undertaken between February and September 2026. During this period, the team continued to support services across the Council through proactive compliance visits, fraud prevention and detection work, property verification, debt recovery activity and multi-agency enforcement.

(1) Compliance

The Committee was assured that the Compliance Team continued to support the Revenues and Benefits function by ensuring that members of the public received only the benefits and discounts they were entitled to in respect of Council Tax and Business Rates matters, Class D reviews (uninhabitable properties), tracing enquiries and any other verification work ensuring that the Council had an accurate database of tenants and properties in the District. The following areas were included within their inspections and scheduled work plans:-

- compliance activity continued across the District's principal new-build sites. This included regular reviews of the main developments and the issue of completion notices where appropriate. This work helped to ensure that new properties were identified and brought into Council Tax administration promptly.

- the Compliance Team were also continuing work with the Revenues and Benefits department with debt recovery. The work had identified cases where residents might have been entitled to Government support, together with wider welfare concerns requiring referral to other Council services. It also secured information relevant to potential attachment of earnings and benefit deductions, supported the establishment of payment arrangements and provided opportunities to identify suspected fraud.

(2) Counter-Fraud Activities

(i) Tenancy fraud and property recovery

It was reported that counter-fraud activity contributed to the recovery of five properties between February and September 2026. Four of those had related to abandoned properties and one had related to an identified subletting case. A further two properties were subject to notice proceedings.

Recovering properties that were no longer being occupied in accordance with tenancy conditions helped to protect the Council's housing stock and to make homes available for allocation to eligible applicants.

(ii) Tenancy audit programme

A renewed programme of tenancy audit work had been now commenced at the date of the update. The intention was to progress this work at pace, providing additional assurance over the occupation and use of housing stock.

(iii) Fraud awareness

The Counter-Fraud Team had continued to deliver fraud awareness input to new employees across the Council. This activity supported the wider development of an effective counter-fraud culture by helping staff understand fraud risks and their responsibilities for identifying and reporting potential concerns.

(iv) Verification of new Council tenants

Counter-Fraud and Compliance officers had introduced verification work for new Council tenants to identify potentially fraudulent applications and help protect access to the Council's housing stock. Compliance officers had also completed visits to non-secure tenants.

(v) Commercial tenancy verification

The team had also undertaken verification work in support of Economic Growth for new commercial tenants. This provided an additional opportunity to validate information before commercial tenancy arrangements were completed.

(vi) Wider collaborative work

Counter-Fraud and Compliance officers continued to work collaboratively with services across the Council and with external partners. This included identifying potential houses in multiple occupation, planning concerns and other compliance matters requiring coordinated action. The team maintained a proactive approach to identifying issues and referring or progressing them with the relevant services.
The Fraud Risk Register at Appendix D to the report (A.2) set out the key fraud risks faced by the Council and the high-level controls in place to manage those risks. Those controls were owned and managed by services and could be grouped into four broad areas:-

- ***Preventative*** *(Controls in place to prevent fraud entering the system in the first place)*

- ***Directive*** *(Policy, Regulations, Procedures that rely mainly on trust and expectation to be followed)*
- ***Detective*** *(Investigations to determine root cause of the fraud or error)*
- ***Corrective*** *(Ensuring management action is taken to resolve the situation and we learn from mistakes)*

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

RESOLVED that -

(a) the contents of the report be noted;

(b) it be confirmed that the Committee has received appropriate assurance and updates internal audit and counter-fraud activities and workplans;

(c) the Internal Audit Charter be approved;

(d) a more in-depth review of the work of the Compliance Team and compliance activities across the Council's services be carried out at the time of the next bi-annual update on the Council's counter-fraud arrangements;

(e) subject to the outcome of the review referred to in resolution (d) above, the Committee is minded to request the Resources and Services Overview & Scrutiny Committee to consider including within its work programme for 2027/28 an enquiry into the work of the Council's Compliance Team and corporate compliance activities.

15. REPORT OF CORPORATE DIRECTOR (FINANCE & IT) - A.1 - EXTERNAL AUDITOR'S INTERIM ANNUAL REPORT FOR THE YEAR ENDED 31 MARCH 2026

The Committee had before it a report of the Corporate Director (Finance & IT)) (A.1) which presented for its consideration the External Auditor's Interim Annual Report for the year ended 31 March 2026.

Members were aware that during the year, several reports were issued by the Council's External Auditor as part of their work associated with the Statement of Accounts and the review of the Council's arrangements to secure value for money.

The first such report had been their Audit Plan and Strategy that had been presented to the Committee in June 2026. That report had set out the various elements of the work that the External Auditor planned on undertaking in respect of the year ending 31 March 2026 and had included their value for money risk assessment / approach that had been set against the following three key elements:

1. *Financial Sustainability;*
2. *Governance; and*
3. *Improving economy, efficiency and effectiveness.*

The Committee was made aware that, ordinarily this would have been presented alongside the outcome of their work on the Council's Statement of Accounts within their final annual report for the year, but due to the backstop date arrangements introduced by the Government in response to the national recovery from previous audit delays, they

were required to publish their value for money commentary for 2025/26 by 30 November 2026.

It was reported that the External Auditor would continue their work associated with the wider Statement of Accounts review, with the aim of reporting their findings within a final annual report for the year by the backstop date for the publication of the audited accounts, which for 2025/26 was 31 January 2027.

To meet the 30 November 2026 deadline associated with reporting the value for money issues highlighted above, the External Auditor had issued an interim Annual Report, which set out the outcome of their work to date.

As in the previous year, the outcome had been welcomed, with no significant risks identified in relation to the Council's value for money arrangements across the three key areas highlighted above.

The Committee was advised that the External Auditor had revisited the recommendations they had made in the previous year within the attached interim report. The Council's on-going responses had now either been put in place or remained ongoing, which were reported separately to the Audit Committee as part of providing the necessary assurances.

Members were informed that the External Auditor had made two recommendations within their report, which also included the Council's management responses. Updates on those would be provided to the Committee as part of their on-going work programme.

The Committee acknowledged that the External Auditor was still undertaking the necessary activities associated with the Council's Statement of Accounts for 2025/26, with the outcomes planned to be presented to the Committee at their next scheduled meeting in January 2027. Their ongoing work could identify issues that impacted on their current value for money commentary and, if that was the case, an update would be reported within the External Auditor's final report for the year if necessary.

The External Auditor's representatives (Sarah McKean and Holly Gaff) presented to the Committee their *"Auditor's Annual Report for Tendring District Council – Interim Report for the year ended 31 March 2026"*.

Sarah McKean informed the Committee that, in relation to the Council's financial statements, 85% of the field work had been completed and that testing of the findings of that field work was underway. It was expected that the audit closure meeting would be held in mid-November which would be a useful practice run given that the statutory deadline for the approval and publication of the statement of accounts for 2026/27 would be 30 November 2027 (rather than the deadline for the 2025/26 accounts of 31 January 2027.

Ms McKean reminded Members that its final report would be submitted to the Committee's next meeting in January 2027. She also highlighted that there was one material query that needed further challenge and investigation in respect of the valuation of the Council's buildings due to discrepancies in the floor area calculations.

Ms McKean further informed the Committee that the assessment of the Council's financial statements carried out by 31 July 2026 had indicated that the Council was in

"bucket B" and that therefore there was a good chance that the Council would receive an unqualified audit opinion on its final statement of accounts.

Holly Gaff drew Members' particular attention to the following matters:-

(i) that the Council's Corporate Risk Register had not been updated since January 2025;
(ii) that the last Corporate Peer Challenge had been issued by the Local Government Association in 2018, with the next report due in or before 2023 and that this was therefore significantly overdue;
(iii) the latest update on the performance improvement observations follow-up from the prior year.

Questions by Members (unless otherwise indicated:	Answers from Sarah McKean:
Are we moving in the right direction to build that assurance on the Council's accounts?	*Yes, absolutely. "Bucket B" is a very good bucket to be in and we have already been able to do quite a few of the standard procedures and so when we bring our next paper in January it will hopefully be good news or at least we've been able to do a lot of the work that we need to do to see what's left.*
(Sue Gallone) *How typical is it to have a report with very few findings of note and is that to be expected compared to previous years?*	*It's really hard to say that there is a 'typical' when it comes to the value for money reports and a report that is 'clean' is atypical. Since KPMG re-entered the local government space in the last three years we've had quite a few VFM reports that have had significant risks, material weaknesses (sometimes up to 5 – 10). We did raise a material report on your report not last year but the year before that and so last years and this years are so far 'clean'. But it's certainly not the case that all are 'clean' many have a number of issues at other Councils and at this Council in the past.*
That material issues of a couple of years ago, was that to do with the "flooring"?	*No, two years ago this was on the VFM report. The issue around flooring areas is on the actual statement audit. The issue identified two years ago was in relation to the governance arrangements around the Spendells Project and not a financial statement issue.*

Richard Barrett drew the attention of the Committee to the Council's management responses to the External Auditor's performance improvement observations follow-up

from the prior year, which he hoped the External Auditor would find acceptable as a pragmatic and proportional approach by the Council.

It was moved by Councillor Sudra, seconded by Councillor Placey and unanimously:-

RESOLVED that -

(a) in respect of the 2025/26 Statement of Accounts process, the External Auditor's Interim Annual Report for the year ended 31 March 2026 be noted; and

(b) the Council's management responses to the External Auditor's recommendations, as set out in Attachment 1 to item A.1 of the Report of the Corporate Director (Finance & IT), along with the publication of the External Auditor's report as necessary, be approved.

16. JOINT REPORT OF CORPORATE DIRECTOR (PLANNING & COMMUNITY) AND THE CORPORATE DIRECTOR (LAW & GOVERNANCE) - A.3 - IMPROVEMENTS TO THE PROCESS FOR MAKING AND RECORDING DELEGATED PLANNING DECISIONS AND DEALING WITH PLANNING ENFORCEMENT CASES AND RETROSPECTIVE PLANNING APPLICATIONS

The Committee considered a report of the Corporate Director (Planning and Community) (A.3) that informed them of improvements in the way that delegated planning decisions were made and recorded that had been implemented by the Planning Service following a thorough investigation carried out by the Council's Monitoring Officer into a formal complaint from a resident.

Members were reminded that the discharge of the Town and Country Planning & Development Control functions (including the determination of planning applications) were non-executive functions which, at Tendring District Council, were delegated from Full Council to the Planning Committee and thereafter delegated to Officers on the terms set out within the constitution and an associated scheme of delegation and protocols. It was however noted that those arrangements were set to change from 31 October 2026 following the introduction of new regulations and a standard national scheme of delegation, which required changes to the Constitution that would be the subject of a report to Full Council on 13 October 2026.

It was reported that, in May and June 2026, Stage 1 and Stage 2 complaints had been made about the Council by a Tendring resident in respect of the handling of a planning enforcement case and retrospective planning application in the District. Among the issues raised, the complainant had questioned if the Council had properly and lawfully administered the decision-making process in the determination and approval of the retrospective application – questioning whether certain Officers had the delegated authority to make decisions. The complainant had also raised concerns over the circumstances in which enforcement could be resolved through the invitation of a retrospective planning application and how that decision-making was made transparent and clearer to the public.

Although the Monitoring Officer's thorough investigation into the resident's complaint at Stage 2 of the process had not concluded that there had been any unlawful decision making or maladministration, it had identified administrative errors and areas where the Council could improve its processes and procedures to demonstrate greater assurance

around the correct implementation of Officers' delegated powers in the determination of planning-related applications and associated decision making. Whilst those findings and recommendations had arisen as the result of an internal investigation carried out by the Monitoring Officers as opposed to an external investigation, the latter of which required a report to the Audit Committee, Officers had considered it appropriate to bring a report to the Committee in the spirit of its terms of reference, on the basis of there being learning points and principles around the accuracy and transparency of decision making that were applicable to all services across the Council.

The Committee was informed that notable learning points from the investigation included the need for the Council to be clear in its reports and documentation that the notice of a planning decision was separate from the decision itself and that the 'decision-maker' in respect of planning applications and other planning decisions, when not the Planning Committee, was the Officer checking and signing off the relevant delegated report. There had also been learning points in respect of Planning Enforcement and the need to be clear as to the reasons why it might be appropriate for a retrospective planning application to be invited and that comments or representations made in respect of enforcement cases would not be automatically transferred over for the purposes of consideration of a subsequent retrospective application.

The recommendations arising from the Monitoring Officer's investigation had been implemented by the Planning Service under the direction of the Corporate Director (Planning and Community) as set out in the report – which mainly related to the way in which decision-making processes were documented through reports and decision notices and how decision-makers were identified and named.

In summary, those changes were:

- *changes to the format of delegated planning application reports to include a space where the signing officer (i.e. the decision maker) could confirm they had robustly considered and approved the report as the decision;*

- *identification on delegated planning application reports of the job titles of Officers who had delegated authority to sign off planning decisions – including the Corporate Director (Planning and Community), the Head of Planning and Building Control, Planning Managers, Principal Planning Officers and Senior Planning Officers;*

- *review and update the template for delegated planning application reports to ensure the correct constitution powers and delegations were referenced (noting that those arrangements were set to change from 31 October 2026);*

- *inclusion of text in planning enforcement letters and enquiry acknowledgements explaining how, for some cases, retrospective planning applications could be invited;*

- *inclusion of text in planning enforcement letters and production of a guidance note for customers explaining, and making it clear, that any representations received in respect of enforcement cases would not be automatically transferred to the file for any retrospective application that might come forward later; and*

- *renaming of what were previously titled 'closure reports' to 'Planning Enforcement Investigation Reports' with a specific section included in the report to record when a retrospective planning application was invited, along with the reasons why.*

As well as those specific changes, internal training with relevant Officers was planned to ensure the lessons learnt from the investigation had been understood and taken on board. In addition, the Council's Head of Planning and Building Control (who was also the current chairman of the Essex Planning Officers (EPOA) Development Management Forum) planned to brief other Heads of Planning in Essex to ensure the lessons learnt were taken on board by other partner authorities where necessary.

It was moved by Councillor Fairley, seconded by Councillor Morrison and:

RESOLVED that -

a) the aforementioned improvements to processes and procedures that have been put in place within the Council's Planning Service in respect of decision-making on planning applications, the handling of enforcement cases and retrospective planning applications, in line with the Monitoring Officer's recommendations following an investigation into a formal complaint, be noted;

b) it is also noted that the learning from the investigation will be shared with other services across the Council; and

c) this matter be added to the Table of Outstanding Issues to monitor the outstanding action of further training to be provided by the Monitoring Officer to ensure that the improvements identified and recommended actions from the Investigator's report are understood.

17. REPORT OF HEAD OF PLANNING AND BUILDING CONTROL - A.4 - BUILDING SAFETY REGULATOR INSPECTION REVIEW - OUTCOMES AND ACTIONS

Further to minute 31 (26.3.26), the Committee received an update on the recent Building Safety Regulator (BSR) audit of the Council's Building Control function.

It was reported that the first ever BSR review had been completed, and that this Council had no outstanding matters to address following changes and updates already carried out during that audit.

It was confirmed that almost a year on that all control arrangements were fully operational and embedded without any issues occurring. The service continued to grow and develop accounting for all policy and legalisation requirements/changes. The Building Safety Levy was the latest requirement that started in October.

The service now regularly completed required returns for the Building Safety Regulator and LABC (Local Authority Building Control).

No further BSR audit had been proposed by the Building Safety Regulator, and it was unlikely for a few years given their workload and number of authorities to cover. However, audit requirements from central government and membership of LABC were being complied with and completed regularly.

The following learning could be shared with other Council department managers:-

Key Learning Points for Other Council Departmental Managers

1. Document what you do, not just what you know

- Effective practices and processes must be formally documented, even where they were well understood by staff.
- Auditors would assess documented evidence, not assumptions or established custom and practice.
- Ensure policies, procedures, decision-making criteria, escalation routes and quality assurance arrangements were clearly recorded and accessible.

2. Regulatory expectations evolve

- Compliance requirements might not always be fully clear until tested through audit or inspection. This had been proven in Building Control's need to define for itself the definition of closure of files.
- Regulators might apply interpretations that went beyond an authority's understanding of statutory requirements.
- Services should regularly review guidance and engage with sector peers to identify emerging expectations. This Council's close working relationship with a number of neighbouring authorities had proven useful and helpful for this purpose.

3. Governance matters as much as operational performance

- A service could be delivering good outcomes and still receive negative findings if governance arrangements were not sufficiently evidenced.
- Audit scrutiny often focused on assurance, oversight and record-keeping rather than service outcomes alone.

4. Outsourcing does not outsource accountability

- The Council remained responsible for compliance when work was undertaken by partners, consultants or other authorities. Whilst this point had been known for the Building Control Audit the extent evidence from the outsourced body to prove compliance had been higher than expected despite being correct.
- Formal oversight, quality checks and assurance arrangements should be in place for all outsourced services.
- Expectations and responsibilities should be clearly documented, and this included the need for an expectations document specifically to capture a wide range of those issues being created to ensure it was evidenced and defined.
- Do not assume that because another public body or specialist provider was undertaking work, that all regulatory requirements were automatically being met.
- Verification and assurance processes were still required.

5. Record decisions as well as actions

- It was not enough to retain advice from consultees or partners.
- The rationale for accepting or rejecting advice should also be formally recorded, even if very obvious and it seemed pointless to record.

- Clear audit trails reduced organisational risk and demonstrate sound decision-making.

6. Resource planning should be evidence-based

- Services should regularly assess whether staffing levels and skills were sufficient to meet statutory obligations.
- High workloads, specialist skill shortages and dependency on agency staff should be actively monitored and managed.

7. Open cases and legacy work require active management

- Even where legislation limited formal closure options, organisations should develop documented approaches for managing inactive or historic cases.
- Large backlogs create governance concerns even if they remain legally open.

8. Audits can be opportunities for improvement

- Inspections often identified areas for strengthening governance rather than serious service failures. For example - now Building Control had a clear definition for closure of cases, from audit when not available in law, it had a clear rationale to charge for reopening cases potential.
- Findings should be used to improve resilience, consistency and organisational learning.

9. Invest in operational manuals and corporate knowledge

- Reliance on experienced individuals created organisational risk.
- Comprehensive manuals and documented procedures improved consistency, training, succession planning and resilience.

10. Continuous improvement should be evidenced

- Being able to demonstrate how audit findings had been addressed was as important as resolving them.
- Services should maintain action plans, evidence of implementation and clear records of improvements made.

It was felt that the principal lesson was that modern regulatory inspection increasingly focused on demonstrable governance, assurance and documented evidence rather than solely on operational outcomes. Services that were performing well operationally could still attract findings against them if procedures, oversight arrangements and decision-making records were not sufficiently documented and evidenced.

It was moved by Councillor Placey, seconded by Councillor Steady and:-

RESOLVED that –

(a) the contents of this report (A.4) including the key learning points arising from the Building Safety Regulator's (BSR) audit of the Council's Building Control function be noted; and

(b) updates on this matter be provided, going forward, as appropriate, within the Table of Outstanding Issues.

18. REPORT OF CORPORATE DIRECTOR (FINANCE & IT) - A.5 - NEW CORPORATE ASSURANCE AND RISK MANAGEMENT FRAMEWORK (INCORPORATING CORPORATE ASSURANCE AND RISK REGISTER)

The Audit Committee considered a report (A.5) that presented for its consideration and approval, a revised approach to the Corporate Assurance and Risk Management Framework (that incorporated a Corporate Assurance and Risk Register).

It was reported that over the last 18 months, a range of activities had been undertaken to strengthen the Council's Corporate Assurance and Risk Management Framework, including externally facilitated training, workshops that had been led / attended by Audit Committee Members and Senior Officers, and a separate review by the Council's Management Team.

Timely updates had been provided to the Audit Committee over the above mentioned period, which had included commentary of the existing risk framework and register as necessary.

The Committee was informed that the outcome from the various activities highlighted above was a new Corporate Assurance and Risk Management Framework, incorporating a Corporate Assurance and Risk Register.

As previously discussed and agreed, the approach retained elements of a more traditional risk register style approach, but within a wider assurance and governance framework, that also sought to provide clearer links to other relevant Council activities etc.

The revised approach aimed to provide the Committee with high-level assurance across key associated elements and to assist the Committee in obtaining a clearer picture in one place, that in turn would be supported by regular updates during the year.

The new framework also contained an embedded action plan capturing matters identified during the review highlighted earlier. Further appendices within the attached framework covered the 'scoring methodology' and the continuation of a draft format for Departmental and Operational Risk Registers.

Although the framework represented the position to date, further development opportunities would be explored through its practical implementation and embedding within the Council.

As highlighted within the report's recommendations, the Committee was asked to consider and approve the proposed framework, along with requesting Officers to continue progressing activities and actions set out in the report and attachments. Further updates would therefore be provided to the Committee as part of its regular six-monthly review 'cycle'.

The Committee's Independent Person (Sue Gallone) put forward the following comments and suggestions to be taken forward within the next scheduled six-monthly Assurance and Risk Framework review:-

- *bit surprised to see the risk register as part of the risk management framework as the risk register is more dynamic and the framework is there as a guide going forward but that's something that can be easily split out later on if it does not work for the Council;*
- *the Corporate Assurance / Risk Register Summary within the framework is helpful as the risk register itself is very detailed and long but wondered if it might be worthwhile adding to that summary a very short narrative paragraph to describe the risk and explain where the Council is going in terms of managing that risk without going into too much detail;*
- *risk register itself is very detailed, going forward it might be worth seeing how that could be condensed to make it more readable and usable;*
- *could add to the risk register in the spirit of continuous improvement the target risk to set out where the Council is aiming for example a scoring in terms of the target risk so the Council would know how far off it was and whether the actions were going to get the Council to its target.*

It was moved by Councillor Sudra, seconded by Councillor Morrison and:-

RESOLVED that –

a) the proposed new Corporate Assurance and Risk Management Framework (incorporating a Corporate Assurance and Risk Register) and embedded action plan be approved; and

b) Officers be requested to continue to progress the various activities and actions set out within this report (A.5) and its attachments and that they provide a further update within the next scheduled six-monthly Assurance and Risk Framework review that is planned to be presented to the Committee at its meeting due to be held in March 2027.

19. REPORT OF CORPORATE DIRECTOR (FINANCE & IT) - A.6 - TABLE OF OUTSTANDING ISSUES

Members considered a report (A.6) which updated them on the progress on outstanding actions identified by the Committee along with general updates on other issues that fell within the responsibilities of the Committee.

It was reported that the Table of Outstanding Issues had been reviewed and updated since it had been last considered by the Committee in June 2026. There were three main ongoing elements to this report as follows:

1) Updates against general items raised by the Committee – Appendix A

2) Updates against the 2025/26 Annual Governance Statement Action Plan – Appendix B

3) Updates against recommendations made by the External Auditor –

In terms of items 1 and 3 above, there were no significant issues to raise, with actions remaining in progress or further details set out below.

In respect of the 2025/26 Annual Governance Statement Action Plan, although this remained subject to the Committee's final approval later in the year once the work of the

External Auditor had been completed, for timely and practical reasons the version currently published at the end of June 2026 alongside the Unaudited Statement of Accounts presented the most up to date position for the Committee's consideration. Similarly to last year, this approach enabled the actions and associated updates to be considered as early as possible within the Committee's annual work programme. Appendix B therefore included outstanding items from last year's Annual Governance Statement alongside new items for the year. There were no significant issues to highlight at the present time and actions and activities remained on-going.

In terms of progressing and monitoring recommendations emerging from the work of the External Auditor, several items had been presented as part of the overall outcome from their work on the Council's 2025/26 Statement of Accounts that had been considered by the Committee on 19 February 2026. The items identified were broadly a continuation of previous recommendations which remained subject to on-going activities to fully address any outstanding issues. The External Auditor's most recent report had been considered earlier on in the meeting, which had largely superseded / complemented the existing outstanding items, which would therefore form part of future reports to the Committee.

Review of the Effectiveness of the Audit Committee

It was reported that, following ongoing reviews, including a recent facilitated session with Members, outcomes and conclusions remained subject to being drawn together for presenting to the Committee. As previously highlighted, this had provided a timely opportunity to continue to maximise the input from various stakeholders including Members of the Committee, ahead of reporting the outcomes to the January 2027 meeting of the Committee.

Risk Management Review

Following the update presented to the June 2026 meeting of the Committee, a separate detailed report had been considered earlier on in the meeting.

Local Audit Reform

Members were made aware that following publication of the Government's response to the consultation in April 2025, the Government had subsequently published "Implementing the New Local Audit System: A Transition Plan" in November 2025. The plan had provided further details on how the proposed Local Audit Office (LAO) would be established and how responsibilities would be transitioned from existing organisations over several years. The Government had confirmed that the initial focus of the LAO would be on coordinating audit quality and oversight, auditor appointments, addressing the audit backlog and rebuilding assurance where audit opinions had been disclaimed as part of the backlog recovery process.

The Government had also reported progress in reducing the historic audit backlog. In an earlier response, it had stated that the backstop programme had resulted in approximately 95% of local bodies publishing audited accounts for all financial years up to and including 2022/23. However, the Government had recognised that recovery of the system and rebuilding assurance would take time and that wider structural reform remained necessary. The Government continued to position the establishment of the

Local Audit Office as the central mechanism for creating a more streamlined and coordinated local audit system.

The reform programme had now moved from the consultation and policy development stage into a transition and implementation phase, with the Government publishing the aforementioned transition plan.

Whilst there were no immediate changes to the Committee's statutory responsibilities, the transition programme had indicated that further changes to local audit oversight, reporting arrangements and guidance were likely as the reforms were implemented. Officers would continue to update Members on developments relating to the establishment of the Local Audit Office, the ongoing management of the national audit backlog and any future changes to audit committee requirements, financial reporting expectations or auditor appointment arrangements.

Exemption from Procurement Procedure Rules Register

As discussed in an earlier report, the Council's External Auditors had identified that an Exemption from Procurement Procedure Rules Register should be maintained and at its June 2026 meeting the Committee had been represented with the first iteration of the required register.

In line with the requirement that all waivers must be registered and reported to the Council's Audit Committee, the register would be reported to the Committee on an annual basis as set out within their work programme (it was currently scheduled to be presented to the June meeting of the Committee each year).

RIPA – Regulatory Investigatory Powers Act 2000

The Authority had not conducted any RIPA activity in the period under review, and it was rare that it would be required to do so.

Whistleblowing (inform the Committee of any activity under the Whistleblowing Policy as part of the monitoring arrangements since the adoption of its policy in July 2023).

The Committee was informed that there was a notification required as detailed below.

TENDRING DISTRICT COUNCIL WHISTLEBLOWING POLICY UPDATE Jun 2026				
Internal Ref No	**Complainant**	**Current status**	**Final outcome**	**Comments**
Existing Whistleblowing Cases from last update:				
Internal Ref No	**Complainant**	**Current status**	**Final outcome**	**Comments**
01	Public – 27 May 2026	Ongoing - passed to Fraud and Risk	Investigation open	Matter relates to alleged misuse of Council funds, resources and vehicles.

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

RESOLVED that the updates set out within this report (A.6) be formally noted.

The meeting was declared closed at 11.58 am

Chairman

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**MINUTES OF THE MEETING OF THE HUMAN RESOURCES AND COUNCIL TAX COMMITTEE,
HELD ON THURSDAY, 22ND OCTOBER, 2026 AT 7.30 PM
IN THE COMMITTEE ROOM, TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE**

Present:	Councillors Chapman BEM (Chairman), Guglielmi, S Honeywood, Keteca (items 13 (part) - 15), Smith and G Stephenson
Also Present:	Councillor P B Honeywood
In Attendance:	Katie Wilkins (Director (People)), Marcia Fuller (Head of People), Debianne Messenger (Work Based Learning Manager), Katie Moss (Democratic Services Officer) and Rebecca Catchpole (Leadership Support Officer)

9. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was submitted on behalf of Councillor Calver (Vice-Chairman) (with no substitute).

10. MINUTES OF THE LAST MEETING

It was unanimously:-

RESOLVED that the minutes of the last meeting of the Committee, held on Thursday, 30 July 2026, be approved as a correct record and be signed by the Chairman.

11. DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

12. 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.

13. CAREER TRACK - VERBAL UPDATE

The Work Based Learning Manager provided a verbal update on the Career Track apprenticeship programme. It was reported that there were currently 53 active apprentices enrolled on the programme, of whom 25 were employed by Tendring District Council. Members were advised that one in five current Council employees were either current or former Career Track apprentices.

The programme continued to successfully attract young people, with 26% of apprentices aged 16 to 18 and 60% aged 19 to 24.

It was further reported that the programme was delivered in partnership with a number of local authorities, including Colchester City Council, Braintree District Council, Maldon

District Council, Suffolk County Council, Kent County Council and the London Borough of Hounslow. Apprenticeships currently offered included Level 2 and Level 3 qualifications in Customer Service, Business Administration and Public Service Operational Delivery Officer, with a new Level 2 Administration Assistant apprenticeship having been introduced in August 2026.

Dedicated funding for Career Track had been included within the 2026/27 budget, resulting in 17 new apprentice starts during the year, with a further six apprentices expected to commence shortly.

Members noted that apprentices had been recruited across a range of service areas, including the People Team, People Development' Leisure Centres, Parking, Information Technology, the Contact Centre, the Print Unit, Governance, Elections and Housing Solutions/Compliance.

The Work Based Learning Manager advised that the programme continued to perform strongly, maintaining a 95% success rate for the 2025/26 academic year and retaining its Ofsted rating of "Good".

The Chairman requested that a report on the 3-year funding received for the Career Track programme be submitted to the Committee's programmed meeting on 8 July 2027, in order that a follow-up review could be undertaken.

The Chairman of the Committee read out the following statement:-

"The Committee has consistently recognised the value of Career Track and the important contribution it makes to developing local talent, creating opportunities and supporting the Council's future workforce.

I would also like, on behalf of the Committee, to place on record our sincere thanks to the Leader of the Council and the Chief Executive for their continued support for Career Track. When this Committee asked for their support in advocating for the continuation and future development of the programme, they responded extremely positively, and we are very grateful for their continued commitment.

It is particularly encouraging to see the wider support and investment that Career Track has received across the Council, enabling the programme to grow and create more opportunities for local people to develop their skills and careers, while also supporting the development and progression of our existing workforce. The Committee very much welcomes this and is proud to continue championing Career Track and the opportunities it provides."

The Committee noted the foregoing.

14. REPORT OF THE DIRECTOR OF PEOPLE - A.1 - RETIREMENT AND FLEXIBLE RETIREMENT POLICY

It was reported that the revised Retirement and Flexible Retirement Policy established a single, clear and consistent framework for the management of standard and flexible retirement arrangements. It was confirmed that the Council did not operate a compulsory retirement age and that the Policy reflected the relevant requirements of

employment and equality legislation and the Local Government Pension Scheme (LGPS).

The principal provisions of the revised Policy were as follows:

- The introduction of a standard Retirement/Flexible Retirement Notification Form, with employees expected, wherever possible, to provide at least three months' written notice.

- A five-stage process covering early discussion, the provision of pension information, formal notification, confirmation of arrangements and completion of the Council's leaver process.

- A requirement for employees to obtain appropriate pension information and consider the financial implications before making a final decision, recognising that the Council was unable to provide financial advice.

- Eligibility criteria for flexible retirement, which could be available to eligible permanent employees who were active LGPS members and had reached the applicable normal minimum pension age, subject to a permanent reduction in contractual hours of more than 25%, a reduction of at least one grade, or both.

- Consideration of each flexible retirement application on its individual merits, having regard to business continuity, service provision, operational impact, affordability, workforce and succession planning, recruitment implications, knowledge retention and any relevant precedent.

- Consideration of the application by the relevant Corporate Director, followed by submission to the Workforce Panel, comprising the Section 151 Officer and the Head of People. The Panel could endorse the application but had no delegated decision-making powers. The formal decision would be taken by the relevant Corporate Director in accordance with the delegations set out in Part 3 of the Council's Constitution, having regard to the Panel's advice. Any proposal involving regrading, restructuring or a change in staffing levels, or falling outside the approved Policy, would be referred to the Head of Paid Service or determined through the appropriate constitutional route.

- A requirement that flexible retirement should normally be at no additional cost to the Council, including no pension strain cost, with any early access to pension benefits potentially subject to actuarial reduction.

Members were reminded that flexible retirement was not an automatic entitlement. There was no general trial period and, once pension benefits had been brought into payment, reversal would not normally be available. The Policy nevertheless preserved the Council's ability to consider exceptional circumstances pragmatically and through the appropriate constitutional decision-making route. Employees would have the option to either remain in, or rejoin, the LGPS to build up further benefits, including through the 50/50 section where appropriate. Where an application was refused, the employee would be able to invoke the Council's Grievance Appeals Procedure.

It was felt that the implementation of the revised Policy would provide a clear and consistently administered route through retirement and flexible retirement. The proposed notice and notification arrangements would allow sufficient time for the Essex Pension Fund Team and the Council's Payroll and Payments Team to obtain estimates and complete the necessary pension and employment processes.

The revised arrangements would support business continuity, service provision and effective workforce and succession planning. They would also facilitate knowledge transfer and the retention of skills and experience where operationally appropriate, while promoting fair, transparent and consistent decision-making across Council services.

The Policy also defined the respective responsibilities of employees, managers, the People Team and the Payroll and Payments Team, thereby strengthening compliance with employment, equality and LGPS requirements and reducing procedural and financial risk.

It was moved by Councillor Guglielmi, seconded by Councillor Keteca and **RESOLVED** that the Committee:

a) approves the Retirement and Flexible Retirement Policy attached at Appendix A to the Officer report (A.1);

b) notes that flexible retirement applications would be considered in line with the approved Policy and determined in accordance with the delegations set out in the Council's Constitution; and

c) authorises the Director of People to implement the approved Policy and, in accordance with the Council's delegated arrangements, to make any minor, consequential or legislative amendments to associated procedures, guidance and documentation that did not materially alter the Policy.

15. REPORT OF THE DIRECTOR OF PEOPLE - A.2 - ANNUAL UPDATE ON CURRENT MARKET FORCES SUPPLEMENT ARRANGEMENTS

Members were aware that the Council was committed to the principles of equal pay for work of equal value. The National Job Evaluation and Grading Scheme provided an analytical and non-discriminatory method of evaluating jobs by assessing the size, nature and level of a post, rather than the individual postholder, and remained the foundation of the Council's pay and grading framework.

Market Forces Supplements sat outside the evaluated grade of a post and were therefore regarded as exceptional, temporary and objectively justified. They could only be considered where there was clear evidence that external labour market conditions were materially affecting the Council's ability to recruit or retain employees with the skills, knowledge and experience required for the role.

The Council's Discretionary Market Forces Policy had last been reviewed and updated in 2024. That review had clarified decision-making responsibilities, evidence requirements, review arrangements and reporting expectations, ensuring that the framework remained clear, practical and aligned with current organisational needs.

The revised Policy confirmed that decisions relating to the approval, continuation, variation or withdrawal of individual Market Forces Supplements were operational employment matters delegated to the Head of Paid Service, following consultation with the Director of People and the Chairman and Vice-Chairman of the Human Resources and Council Tax Committee. The Committee's role was to receive collated information on current arrangements, enabling it to monitor the use of the Policy and seek assurance that supplements remained evidence-based and proportionate, whilst maintaining the distinction between strategic oversight and officer decision-making.

Under the Policy, any request to approve, continue, vary or withdraw a Market Forces Supplement was required to be supported by a detailed business case and objective evidence. This included consideration of the relevant labour market position, recruitment and retention risk, service need, affordability, alternative resourcing options, review arrangements and the equal pay implications of the proposed payment. The business case was also required to clearly record the objective justification for the decision, ensuring that supplements remained exceptional, proportionate and time-limited, and were capable of being varied or withdrawn where the evidence no longer supported their continuation.

Members had previously received updates on Market Forces Supplements outside of the formal Committee cycle, where relevant. It was reported that the report established a structured annual reporting arrangement under the revised Policy, with Appendix A setting out the current arrangements by service or professional area.

It was moved by Councillor Smith, seconded by Councillor Guglielmi and **RESOLVED** that the Committee:-

a) notes the current Market Forces Supplement arrangements across the organisation, as set out in Appendix A to the Officer report (A.2);

b) notes that this report formalises the structured annual reporting arrangements under the Council's Discretionary Market Forces Policy; and

c) notes that decisions relating to the approval, continuation, variation or withdrawal of individual Market Forces Supplements are delegated to the Head of Paid Service, following consultation with the Director of People and the Chairman and Vice-Chairman of the Human Resources and Council Tax Committee, and subject to the evidence and review requirements set out in the policy.

The meeting was declared closed at 8.24 pm

Chairman

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COUNCIL

24 NOVEMBER 2026

REFERENCE FROM CABINET

A.1 DISCRETIONARY COUNCIL TAX EXEMPTIONS / DISCOUNTS / PREMIUMS FOR 2027/28 AND ANNUAL MINIMUM REVENUE PROVISION POLICY STATEMENT 2027/28

(Report prepared by Ian Ford*)*

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

The Council is asked to consider the recommendations submitted to it by the Cabinet in respect of the Council Tax Exemptions, Discounts and Premiums for 2027/2028 and the Annual Minimum Revenue Provision (MRP) Policy Statement for 2027/2028.

EXECUTIVE SUMMARY

At its meeting held on 13 November 2026 (Minute 61 refers), the Cabinet had considered a report of the Corporate Finance & Governance Portfolio Holder (A.2) which had sought its agreement for recommending to Full Council the following:

- Locally determined Council Tax discounts;
- Council Tax discount policy for young people leaving care;
- Discretionary Council Tax Exemptions, Discounts and Premiums for 2027/28; and
- Annual MRP Policy Statement for 2027/28.

Having conducted the annual review of the above and allied matters, the Portfolio Holder had proposed to Cabinet:-

- to make changes to the Local Council Tax Support Scheme (LCTS) to provide additional financial support to those who may need it, with the underlying principle of providing financial stability wherever possible to Tendring residents remaining the same. Although a draft LCTS scheme would be considered by Cabinet at its December 2026 meeting that took account of the proposed changes, the underlying elements of the scheme would be the same as this year, which provided for a maximum discount of 80% for working age claimants.

- to allow the backdating of claims for financial support made under the LCTS scheme by working age claimants. Previously, the scheme had only provided this flexibility to pension age claimants with a backdating period of 3 months provided. There had been a limited number of recent cases where such flexibility to provide similar support to working age households would have been advantageous where there was 'good cause' to do so, such as clear evidence of eligibility prior to the date that the application forms were submitted.

- that due to this proposed change to the LCTS scheme, a short period of consultation was required. In line with legislation / regulations, it was a requirement to consult with the Major Preceptors first before drafting a scheme to include the proposed change. Therefore, it had been proposed that this be undertaken along with a request to present a draft LCTS scheme to Cabinet at its December 2026 meeting.

- to make only one change to the associated exceptional hardship policy compared to last year that provided for the opportunity to consider cases relating to council tax premiums on second homes and empty properties.

- to make no changes in respect of existing discretionary council tax discounts, exemptions and premiums (including discounts for young people leaving care) for 2027/28, with the same levels applying as in 2026/27.

- to make no changes in respect of existing council tax premiums on long term empty properties for 2027/28, with the same levels applying as in 2026/27.

- to make no changes in respect of the existing council tax premium of 100% on properties used as a second home for 2027/28, with the same levels applying as in 2026/27.

- to merely note that as part of the extension to council tax premiums on long term empty properties and the introduction of council tax premiums on second homes last year, the Government had stated that their intention was not to penalise property owners where they were making genuine efforts to make use of their properties. The Government had therefore introduced mandatory exceptions where the council tax premium on long term empty properties and/or second homes was not chargeable and that those remained in place for 2027/28, with no locally determined extensions to those mandatory exceptions proposed.

- to make no changes to the Annual MRP Policy Statement for 2027/28, and that the existing approach adopted from 2026/27 be continued.

- to present to the Resources and Services Overview and Scrutiny Committee for its consideration the proposed recommendation to change the LCTS scheme in 2027/28 as part of the required consultation process before recommendations are made to Full Council in January 2027.

- to 'refresh' a local modified housing benefit scheme relating to the disregard of income relating to war widows / widowers. The scheme set out within Appendix G to the Portfolio Holder's report reflected the continuation of the historic approach with no impact on existing or future applicants.

To enable the implementation of an LCTS Scheme in 2027/28 along with the required council tax discounts, exemptions and premiums, an MRP Policy Statement and a Housing Benefit War Pension Disregard Policy (Modified Scheme), Cabinet had:-

"RESOLVED that -

a) Cabinet agrees that the underlying LCTS scheme for 2027/28 remains the same as the current year, as set out as Appendix A, along with approving the following proposed change to the scheme for consultation with the Major Preceptors:

"that the LCTS scheme be amended to enable the backdating of claims made by working age claimants by up to a maximum of 3 months."

b) including consultation with the Major Preceptors, Officers be requested to present a draft LCTS Scheme for 2027/28 to the next formal meeting of Cabinet on 11 December 2026;

c) Cabinet agrees the Council Tax Exceptional Hardship Policy, as set out in Appendix B;

d) Cabinet agrees the Housing Benefit War Pension Disregard Policy (Modified Scheme), as set out in Appendix G, in the determination of Housing Benefit until such time as the scheme is required to be amended or revoked.

e) Cabinet agrees the discretionary Council Tax exemptions, discounts and premiums for 2027/28 as set out in the appendices and formally recommends to full Council that:

i) the locally determined council tax discounts, as set out in Appendix C be approved;

ii) the council tax discount policy for young people leaving care, as set out in Appendix D be approved;

iii) the discretionary council tax premiums, as set out in Appendix E be approved;

iv) the Corporate Director (Finance and IT) be authorised, in consultation with the Corporate Finance and Governance Portfolio Holder, to undertake the necessary steps to implement the council tax exemptions, discounts and premiums from 1 April 2027; and

f) Cabinet further recommends to Council that the Annual Minimum Revenue Provision (MRP) Policy Statement for 2027/28, as set out in Appendix F be approved."

A copy of the published Corporate Finance and Governance Portfolio Holder's report (and relevant appendices) to the Cabinet meeting held on 13 November 2025 is attached to this report.

RECOMMENDATIONS

That Council, having considered this reference report from Cabinet –

(a) approves the locally determined council tax discounts, as set out in Appendix 2 to this report;

(b) approves the council tax discount policy for young people leaving care, as set out in Appendix 3 to this report;

(c) approves the discretionary council tax premiums, as set out in Appendix 4 to this report;

(d) authorises the Corporate Director (Finance and IT), in consultation with the Corporate Finance and Governance Portfolio Holder, to undertake the necessary steps to implement the council tax exemptions, discounts and premiums from 1 April 2027; and

(e) approves the Annual Minimum Revenue Provision Policy Statement for 2027/28, as set out in Appendix 5 to this report.

BACKGROUND PAPERS FOR THE DECISION

Published Decisions of the meeting of the Cabinet held on 13 November 2026.

APPENDICES

APPENDIX 1 = Published A.2 Report of the Corporate Finance and Governance Portfolio Holder for the meeting of the Cabinet held on 13 November 2026

APPENDIX 2 = Locally Determined Council Tax Discounts and Exemptions 2027/28

APPENDIX 3 = Care Leavers Council Tax Discount Policy

APPENDIX 4 = Discretionary Council Tax Premiums 2027/28

APPENDIX 5 = Annual Minimum Revenue Provision Policy Statement 2027/28

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CABINET

13 NOVEMBER 2026

REPORT OF THE PORTFOLIO HOLDER FOR CORPORATE FINANCE AND GOVERNANCE

A.2 THE LOCAL COUNCIL TAX SUPPORT SCHEME, DISCRETIONARY COUNCIL TAX EXEMPTIONS / DISCOUNTS / PREMIUMS FOR 2027/28 AND ANNUAL MINIMUM REVENUE PROVISION POLICY STATEMENT 2027/28

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT
To enable Cabinet to consider and agree for recommending to Full Council where relevant, the following: • Proposed changes to the Local Council Tax Support Scheme 2027/28 • Exceptional Hardship Policy • Discretionary Council Tax Exemptions, Discounts and Premiums for 2027/28 • Annual MRP Policy Statement for 2027/28 • Housing Benefit War Pension Disregard Policy (Modified Scheme)

EXECUTIVE SUMMARY
• This report outlines proposed changes to the Local Council Tax Support (LCTS) scheme along with proposed council tax exemptions, discounts and premiums for 2027/28. • In terms of the LCTS scheme, although it is proposed to make changes to the scheme to provide additional financial support to those who may need it, the underlying principle of providing financial stability wherever possible to Tendring residents remains the same. Although a draft LCTS scheme will be considered by Cabinet at its December meeting that takes account of the proposed changes, the underlying elements of the scheme will be the same as this year, which provides for a maximum discount of 80% for working age claimants. • In terms of the changes mentioned above, it is proposed to allow the backdating of claims for financial support made under the LCTS scheme by working age claimants. Previously, the scheme only provided this flexibility to pension age claimants with a backdating period of 3 months provided. There have been a limited number of recent cases where such flexibility to provide similar support to working age households would have been advantageous where there was 'good cause' to do so, such as clear evidence of eligibility prior to the date that the application forms were submitted. • Due to this proposed change to the LCTS scheme, a short period of consultation is required. In line with legislation / regulations, it is a requirement to consult with the Major Preceptors first before drafting a scheme to include the proposed change. Therefore, a recommendation is included below that would enable this to be undertaken along with a request to present a draft LCTS scheme to Cabinet at its December meeting.

- The associated exceptional hardship policy has also been subject to annual review and it is proposed to only make one change compared to last year that provides for the opportunity to consider cases relating to council tax premiums on second homes and empty properties.

- In respect of existing discretionary council tax discounts, exemptions and premiums (including discounts for young people leaving care), it is not proposed to make any changes for 2027/28, with the same levels applying as in 2026/27.

- In respect of existing council tax premiums on long term empty properties, it is not proposed to make any changes for 2027/28, with the same levels applying as in 2026/27.

- In respect of the existing council tax premium of 100% on properties used as a second home, it is not proposed to make any changes for 2027/28, with the same levels applying as in 2026/27.

- As part of the extension to council tax premiums on long term empty properties and the introduction of council tax premiums on second homes last year, the Government stated that their intention was not to penalise property owners where they are making genuine efforts to make use of their properties. The Government therefore introduced mandatory exceptions where the council tax premium on long term empty properties and/or second homes is not chargeable and these remain in place for 2027/28, with no locally determined extensions to these mandatory exceptions proposed.

- The Annual Minimum Revenue Provision Policy Statement has also been reviewed for 2027/28, and no changes are proposed to the existing approach adopted from 2026/27.

- Given the proposed recommendation to change the LCTS scheme in 2027/28, it will be presented to the Resources and Services Overview and Scrutiny Committee for consideration as part of the required consultation process before recommendations are made to Full Council in January 2027.

- A timely opportunity has also been taken to 'refresh' a local modified housing benefit scheme relating to the disregard of income relating to war widows / widowers. The scheme is set out within **Appendix G** which reflects the continuation of the historic approach with no impact on existing or future applicants.

RECOMMENDATION(S)

It is recommended:

a) that Cabinet agrees that the underlying LCTS scheme for 2027/28 remains the same as the current year, as set out as Appendix A, along with approving the following proposed change to the scheme for consultation with the Major Preceptors:

(i) that the LCTS scheme be amended to enable the backdating of claims made by working age claimants by up to a maximum of 3 months.

b) that, subject to a) above, including consultation with the Major Preceptors, Officers be requested to present a draft LCTS Scheme for 2027/28 to the next formal meeting of Cabinet on 11 December 2026;

c) that Cabinet agrees the Council Tax Exceptional Hardship Policy, as set out in Appendix B;

d) that Cabinet agrees the Housing Benefit War Pension Disregard Policy (Modified Scheme), as set out in Appendix G, in the determination of Housing Benefit until such time as the scheme is required to be amended or revoked.

e) that Cabinet agrees the discretionary Council Tax exemptions, discounts and premiums for 2027/28 as set out in the appendices and recommends to full Council:

- **i) that the locally determined council tax discounts, as set out in Appendix C be approved;**
- **ii) that the council tax discount policy for young people leaving care, as set out in Appendix D be approved;**
- **iii) that the discretionary council tax premiums, as set out in Appendix E be approved;**
- **iv) that, subject to (e)(i) to (iii) above, the Corporate Director (Finance and IT) be authorised, in consultation with the Corporate Finance and Governance Portfolio Holder, to undertake the necessary steps to implement the council tax exemptions, discounts and premiums from 1 April 2027; and**

f) that Cabinet further recommends to Council that the Annual Minimum Revenue Provision (MRP) Policy Statement for 2027/28, as set out in Appendix F be approved.

REASON(S) FOR THE RECOMMENDATION(S)

To enable the implementation of an LCTS Scheme in 2027/28 along with the required council tax discounts, exemptions and premiums, an MRP Policy Statement and a Housing Benefit War Pension Disregard Policy (Modified Scheme).

ALTERNATIVE OPTIONS CONSIDERED

Considerations relating to the implementation of the various elements included within the recommendations above are set out within the main body of this report.

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PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES			
In developing a local scheme, the Council must be mindful of their duties to vulnerable groups, and Council Tax payers set against the Council's overall financial position.			
OUTCOME OF CONSULTATION AND ENGAGEMENT			
Due to a proposed change to the LCTS scheme for 2027/28, the required consultation activities will take place over November to January, with the outcomes reported back as part of future planned reports.			
LEGAL REQUIREMENTS (including legislation & constitutional powers)			
Is the recommendation a Key Decision (see the criteria stated here)	**Yes**	**If Yes, indicate by which criteria it is a Key Decision**	☐ **Significant effect on two or more wards** X **Involves £100,000 expenditure/income** ☐ **Is otherwise significant for the service budget**
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)	This item has been included within the Forward Plan for a period in excess of 28 days.

The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (as amended) and The Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013 provide the basis for the design and implementation of Local Council Tax Support Schemes.

In respect of the Council Tax Exceptional Hardship Policy, S13a of the Local Government Finance Act 1992 allows Councils to reduce the amount of Council Tax payable. The same legislation would also enable the Council to provide a council tax discount for young people leaving care.

The Local Government Finance Act 1992. Schedule 1A of the 1992 Act states that if an LCTS is revised or replaced, full consultation is required. Although it is proposed to make only a relatively minor amendment to the scheme as discussed elsewhere, a period of consultation is proposed, with the regulations setting out the requirements as follow:

Para 5(3) - Paragraph 3 applies to an authority when revising a scheme as it applies to an authority when making a scheme. (see below for full para 3 wording)

Para 3:
(1)Before making a scheme, the authority must (in the following order)—

(a)consult any major precepting authority which has power to issue a precept to it,

(b)publish a draft scheme in such manner as it thinks fit, and

(c)consult such other persons as it considers are likely to have an interest in the operation of the scheme.

(2)The fact that this paragraph was not in force when any step described in sub-paragraph (1) was taken is to be disregarded in determining whether there has been compliance with that sub-paragraph.

(3)Having made a scheme, the authority must publish it in such manner as the authority thinks fit.

(4)The Secretary of State may make regulations about the procedure for preparing a scheme.

(5)Regulations under sub-paragraph (4) may in particular—
(a)require the authority to produce documents of a particular description in connection with the preparation of a scheme;
(b)include requirements as to the form and content of documents produced in connection with the preparation of a scheme;
(c)include requirements (in addition to sub-paragraphs (1)(b) and (3)) about the manner in which such documents must be published;
(d)require the authority to make copies of such documents available for inspection by members of the public, or to supply copies of such documents to them;
(e)include provision about the making of reasonable charges for the supply of copies of such documents to members of the public.

The recommendations set out earlier in this report allow for the activities to be undertaken in line with the above.

The Local Government Finance Act 1992 (as amended) sets out relevant council tax exemptions and discounts (mandatory and discretionary). The Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 (as amended) sets out the various classes of properties for the purpose of exemptions and discounts. Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 amended the Local Government Finance Act 1992 in respect of the Council Tax premiums that can be charged on long term empty properties (unoccupied for at least 1 year). The Local Government Finance Act 1992 was further amended by the Levelling Up and Regeneration Act 2023, which also makes provision for Council Tax premiums that can be charged on properties occupied periodically ('second homes'). A summary of the premiums chargeable are as follows:

Long Term Empty Properties:

- For properties unoccupied and unfurnished for 1 year but less than 5 years – a maximum council tax premium of 100%.

- For properties unoccupied and unfurnished for 5 years but less than 10 years – a maximum council tax premium of 200%.

- For properties unoccupied and unfurnished for over 10 years – a maximum council tax premium of 300%.

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Properties Occupied Periodically:

- A maximum council tax premium of 100%.

For the purposes of defining a long-term empty dwelling, on any day for a continuous period of at least 1 year if it has been unoccupied and has been substantially unfurnished.

The Government may by regulation prescribe one or more classes of dwelling in relation to which a billing authority may not charge a premium. As part of their earlier decision-making processes, the Government stated that if such exceptions were delivered through non-statutory guidance, this may lead to inconsistency across England in the application of the premiums. Billing authorities would therefore be able to depart from guidance. Billing authorities have discretionary powers under section 13A of the 1992 Act to reduce council tax liability, however as these powers are discretionary, billing authorities may use them differently in different areas. For example, a certain class of dwelling in one area might be excluded from the premium in one area but treated differently in another area. Whilst billing authorities retain discretion over how they treat dwellings for premiums and discounts, the Government considered (following consultation) that certain statutory exceptions should apply across England. Separately, prescribing exceptions to the premium does not prevent local authorities from using their discretionary powers to reduce the additional council tax liability resulting from a premium. E.g., councils may have applied discretionary reductions in council tax liability which are more generous than the prescribed exceptions. Whilst this could result in local authorities taking different decisions, the legislative approach ensures that the baseline exceptions in the prescribed classes will be applied across England.

Based on the above, the following mandatory exceptions are reflected in The Council Tax (Prescribed Classes of Dwellings and Consequential Amendments) (England) Regulations 2024, which cover both long-term empty properties and second homes as appropriate:

- In respect of the second homes premium – Class E and F *(dwellings that would otherwise be the sole or main residence of a member of the armed services, who is provided with a dwelling as a result of such service and a dwelling that forms part of a single property that is being treated by a resident of that property as part of the main dwelling)*

- The following exception classes that relate to both the long-term empty homes and second homes premium:

    a. Dwellings that are being marketed for sale, unless it has been such a dwelling for a period of one year or more. (Dwelling Class G)
    b. Dwellings that are being marketed for rent, unless it has been such a dwelling for a period of one year or more (Dwelling Class H)
    c. dwellings which have fallen in Class F of the Exempt Dwellings Order and have undergone probate (for a period of up to 12 months after the grant of probate). (Dwelling Class I)

- The following exception classes that relate to just the second homes premium:

    a. Dwellings that are periodically occupied in certain job-related circumstances (Dwelling Class J)

b. Pitch occupied by a caravan, or a mooring occupied by a boat (Dwelling Class K)
c. Dwellings where a planning condition prevents permanent occupancy (Dwelling Class L)

- The following exception classes that relate to just the long-term empty homes premium:

a. Vacant dwellings that require or are undergoing major repair work to make them habitable or are undergoing structural alterations (12 months limit). (Dwelling Class M)

The above are made under Section 11B and 11D of the 1992 Act which enables the Secretary of State to prescribe classes of dwellings to which the premiums would not apply. These exceptions are separate from the existing council tax exemptions under which certain dwellings are entirely exempt from council tax. The regulations took effect from November 2024, and the exceptions apply to premiums charged by billing authorities from 1 April 2025.

Consequential amendments to the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 have also been made to ensure that the second homes premium is taken into account in the administration of council tax and calculations made by local authorities in setting their local council tax.

The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (as amended) set out the requirements of a Minimum Revenue Provision (MRP) Policy Statement which must be approved by Council each year. In calculating a prudent MRP provision, local authorities are required to have regard to guidance issued by the Secretary of State. Revised guidance was issued under section 21(1A) of the Local Government Act 2003 in April 2024, which is applicable from 1 April 2025. The proposed MRP policy statement continues to reflect this latest guidance.

Local authorities may choose to pay more MRP than they consider prudent in any given year. If they do so they should separately disclose the in-year and cumulative amount of MRP overpaid in the statement presented to full council. There are no plans to do so in 2027/28 which is confirmed within the attached statement.

Local authorities can also vary the methodologies that they use to make prudent provision during the year. If they do so they should present a revised MRP statement to the next full Council or equivalent. Where a change in MRP methodology would impact on the value for money assessment of non-financial investments, the updated statement should summarise this impact

In respect of locally modified schemes for the purposes of the administration of housing benefit, the statutory and regulatory context is set out within **Appendix G**.

Yes	**The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:**

There are no further comments over and above those set out elsewhere in this report.

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FINANCE AND OTHER RESOURCE IMPLICATIONS

LCTS scheme for 2027/28

As at the beginning of October 2026, the total estimated annual 'cost' of the LCTS scheme in 2026/27 is **£13.056m,** which is broadly in-line with the 'base' position budgeted for the year. Approximately 10% of this amount (**£1.306m**) falls to TDC with the remainder being met by the major preceptors. It is also worth highlighting that for every 5% decrease / increase in the discount the Council would gain / lose approximately **£50,000** to **£100,000** per year.

As the LCTS scheme is accounted for as a discount against the full council tax amount that would otherwise be payable on a domestic property, the estimated cost of the scheme forms part of the council tax property base calculations that are undertaken when developing the following year's budget. This will therefore be considered as part of the budget setting work currently underway for 2027/28, but it is important to highlight that it is proposed to continue with the underlying principle of not planning to reduce the discount rate as part of balancing the forecast, as the scheme remains an important mechanism to provide financial support to Tendring residents.

As set out elsewhere in this report, it is proposed to make a change to the scheme that enables the flexibility to backdate financial support to working age claimants by up to 3 months. The 'cost' cannot be readily quantified given the inherent uncertainty about the number of households that would be affected. However, it can be reasonably argued that given their underlying eligibility for support would have to be demonstrated as part of enabling a backdated position or otherwise to be agreed, it would in practice form part of the overall and wider 'cost' of the scheme.

With the above in mind, there is no expected impact on the council tax setting process for 2027/28, which can continue under the usual timetable, that would see the Major Preceptors notified of the relevant tax base in early December 2026 along with its inclusion within the Council's own upcoming budget related reports for 2027/28 as necessary.

Council Tax Hardship Scheme

The cost of the exceptional hardship scheme is met by contributions from TDC and the major preceptors based on their respective proportion of the overall council tax bill. Therefore, TDC is required to meet approximately 10% of the cost of any award up to an annual aggregate total, which for 2026/27 is **£52,991.** For any awards over and above this annual amount, 100% of the cost is met by TDC.

The total current hardship budget in 2026/27 is **£453,540,** which consists of the underlying budget highlighted above, in addition to available grant funding from the Government. Support to households will therefore continue to be made available via the hardship scheme and associated application process.

As only relatively minor changes are proposed to the Hardship Policy in 2027/28 as discussed later on in this report, no material additional underlying costs over and above those included within existing budgets or forecast are expected.

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The Council Tax Collection fund continues to operate whereby any changes against the budget during the year will be 'rolled' forward and included in the following year's budget setting process.

Council tax exemptions, discounts and premiums for 2027/28
Similarly to the position for the LCTS Scheme above, as no changes are proposed to existing council tax discounts for 2027/28, including the policy for young people leaving care, no adjustments to the budget / forecast are expected.

In respect of the support to young people leaving care, the cost of the scheme remains relatively minimal, which is highlighted by the position at the end of September 2026 where the total cost was **£824.** The cost is currently lower than previous years but there is an expectation that this will increase within the remaining months of the current year to align more closely with previous years cost, therefore this scheme can continue to be accommodated within the wider calculation of the council tax base, each year.

Long Term Empty Property Premium
As highlighted in previous years, logically charging a 'premium' on long term empty properties would result in additional income being achieved. However, the intention of charging a 'premium' is to bring empty properties back into use following which the 'premium' would no longer be levied, the ultimate success of such an approach would therefore mean that no additional income would be realised. It is accepted that some homeowners choose not to bring their properties back into use even when a 'premium' is charged, but it is difficult to quantify this figure. It is therefore recognised that some property owners will accept paying the premium rather than taking an alternative option and additional income is therefore likely to be receivable. This will form part of the more detailed council tax setting and collection fund activities that are undertaken during the year.

However, a summary as at the end of September 2026 is as follows:

Empty Period 'Banding'	**Premium Due**	**Number of Properties Affected at the end of September last year**	**Number of Properties Affected at the end of September this year**
1 to 5 Years	100%	479	579
5 to 10 Years	200%	51	51
Over 10 Years	300%	14	14
		544	**644**

Although the comparison to last year will reflect properties moving between 'bandings', the totals show an overall increase. The increase primarily relates to the 1 to 5 years band, which is likely to reflect those properties that are newly attracting a premium as they have been empty for more than one year. It is therefore reasonable to assume that there continues to be a potential 'time-lag' / 'churn' relating to when properties may be brought back into use following the property owners deciding to review their situation and responding accordingly once a premium becomes chargeable. The figures also undoubtedly reflect property owners that accept paying a council tax premium rather than bringing their property back into use. The

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Council has no local discretion on the 'bandings' applied and is already charging the maximum percentages permitted.

The premium will also be chargeable to relevant properties within the HRA. Work remains on-going to manage the level of long-term housing voids and any impact to the HRA from council tax premiums, which will continue to be considered as part of the wider HRA Business Planning Process.

Second Homes Premium
Similarly to long term empty property premiums, the decision to introduce a premium on second homes is aimed at incentivising alternative use of properties, so no additional income may be realised. However, it is acknowledged that some property owners will accept paying the premium rather than taking an alternative option and additional income is therefore likely to be receivable. This will form part of the more detailed council tax setting and collection fund activities that are undertaken during the year.

There has been a steady decline month by month since 1 April 2025 in the number of properties which are classed as a 'second home' indicating that there has been a shift in behaviour, which has resulted in more properties being brought back into use for occupation as someone's sole or main residence and therefore supports this Council's decision to adopt the Government's amendment to the Regulations allowing Local Authorities discretion to apply the premium. Although the decline in the current year has been less significant, there has nonetheless been a further reduction, which continues to support the intention behind the Council's decision. Based on the current position the number of properties where a second home council tax premium is chargeable is 855, a reduction of 192 since 1 April 2025.

However, a summary as at the end of September 2026 is as follows:

Empty Period 'Banding'	**Premium Due**	**Number of Properties Affected at the end of September last year**	**Number of Properties Affected at the end of September this year**
Immediate, when property meets definition	100%	909	855

Council Tax Collection and Enforcement – Government Changes 2027/28
The Government's proposed reforms to Council Tax collection and enforcement, due to take effect from April 2027, are intended to provide households with greater opportunity to recover missed payments before recovery action can commence. By extending the period before a taxpayer loses the right to pay by instalments from the current arrangements to at least 63 days after the first missed payment, councils will be required to wait longer before progressing cases into recovery.

In addition, the cap on liability order costs and the requirement to provide taxpayers with a further 21 days following a final notice before instalment rights are withdrawn may result in a slower transition of accounts into formal recovery. This is likely to increase the value of arrears outstanding at any one time and defer income that councils would otherwise have collected earlier in the financial year. Even short delays in collection can have a significant impact on cashflow management along with the timing of resources available to support service delivery.

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The Government's changes also include a move towards 12-month billing. While spreading payments across a longer period may improve affordability for some taxpayers, it will reduce the level of income collected during the early months of the financial year compared with the traditional 10-month instalment cycle. Councils may therefore experience a flatter collection profile, with a proportion of income being received later in the year.

Although the Government's intentions of supporting taxpayers will hopefully have a positive impact on collection performance generally, the above changes will undoubtedly have an impact on the timing of recovery activities along with associated cash flow implications. How significant any impact may be is difficult to determine at this stage, but it will be monitored and managed via existing financial performance reports and treasury and financial management arrangements as necessary.

Minimum Revenue Provision Policy Statement (MRP)
In respect of the annual MRP policy statement, this sets out how the Council will make provision for the repayment of debt taken out to finance capital investment. For the General Fund, the MRP is a direct charge on the revenue budget. At present no MRP over and above the amount of principal being repaid is calculated for Housing Revenue Account capital investment, although future provision will be considered within the wider business planning process.

There are no changes to the Council's approach to calculating MRP and therefore, apart from any underlying change to the MRP calculation due to a change in the Capital Financing Requirement, there is no significant financial impact in 2027/28. The Council's current estimated General Fund Capital Financing Requirement as set out within the Annual Capital and Treasury Strategy that was presented to Full Council in March is summarised as follows:

2025/26	2026/27	2027/28
£4.528m	£4.381m	£4.217m

The estimated General Fund MRP charge in 2026/27 based on the most up to date Capital Financing Requirement is **£0.250m.**

Yes	**The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:**

The S151 Officer is the author of this report.

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	This is addressed in the body of the report.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks.	
C) Improving economy, efficiency and effectiveness: how the body uses information	

about its costs and performance to improve the way it manages and delivers its services.	

MILESTONES AND DELIVERY

The decisions set out in this report are required to be made in advance of the Final Budget Proposals being considered by Cabinet / Full Council in early 2027. This enables the associated calculations that support the council tax base and budget to be completed, which also need to be communicated to the Preceptors in a timely way so they can be reflected in their own budget setting processes.

ASSOCIATED RISKS AND MITIGATION

The LCTS Scheme affects low income working age families, and therefore a key risk is their ability to pay if the level of support awarded reduced which would have a knock on impact on the overall collection rate.

The annual review process therefore seeks to balance such issues along with the Council's overall financial position and as highlighted elsewhere within this report, it is not proposed to make any underlying amendments to the LCTS scheme in 2027/28, albeit a change is proposed to allow the backdating of claims from for working age claimants that aims to provide additional financial support to them where applicable.

EQUALITY IMPLICATIONS

These form part of the wider considerations and discussions elsewhere within this report.

However, the LCTS scheme set out elsewhere within this report will not disproportionately impact on the following groups in that the relevant income will continue to be disregarded in calculating entitlement to support:-

- Families in receipt of child benefit; The Child Poverty Act 2010
- Disabled in receipt of Disability Living Allowance (DLA) / Employment and Support Allowance (ESA)/Personal Independence Payment (PIP); The Equality Act 2010
- War widows/disabled. The Armed Forces Covenant 2011

The application of discounts and premiums are relevant to all properties across the District and it is considered that there are no equality and diversity implications specific to this issue.

It is also important to highlight that the Government have acknowledged that there may be circumstances where it may not be appropriate to charge a council tax premium and a number of exceptions that they introduced in 2025/26 remain in place for 2027/28.

The Council's website includes links to information and how to claim for financial support etc.

SOCIAL VALUE CONSIDERATIONS

These form part of the considerations and discussions elsewhere within this report as necessary.

IMPLICATIONS RELATED TO DEVOLUTION AND / OR LOCAL GOVERNMENT REORGANISATION

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On 29 October 2026, a ministerial statement was made about the LGR review confirming the Government have concluded that the LGR policy, including the decision criteria, is robust. Ministers will then confirm final decisions late in 2026 or very early 2027 for the county areas where previous decisions have been withdrawn. They may make decisions for some of these areas before others. All areas will have an opportunity to make representations following those minded to decisions and prior to legislation being laid. The implementation timetable will be the same for all 20 areas: shadow elections in May 2028 and vesting day on 1 April 2029. These proposals are not impacted by MHCLG's latest announcement, as it forms part of the Council's standard approach to related obligations and responsibilities.
IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2050
There are no direct implications associated with this report.
OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS
Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder	There are no direct implications associated with this report.
Health Inequalities	
Area or Ward affected	

PART 3 – SUPPORTING INFORMATION

PROPOSED LCTS AND COUNCIL TAX HARDSHIP SCHEMES 2027/28
There are two parts to the LCTS scheme; • one for pension age claimants where up to 100% support is provided • one for working age claimants where up to 80% support is provided The Pension Age Scheme is set in accordance with rules laid down by the Government whereas the Working Age Scheme rules are decided locally by each local authority (billing authority). Authorities must adopt a scheme on an annual basis, which must be agreed by 11 March each year for the subsequent year's scheme. LCTS is treated as a discount within the council tax calculations, which means that the Council's taxbase is reduced (as will the taxbase for County, Fire and Police and Parishes). The LCTS is therefore an annual 'cost' met within the Council's overall financial position / budget each year. Any increase in the discount would therefore be treated as a cost pressure and conversely, any reduction in the level of discount would reduce the Council's net costs. However, the level of discount given is not primarily a financial decision as one of the primary drivers is the level of financial support that the scheme provides to households across the district, which in turn needs to be considered in the wider demographic / economic position for the area.

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The Council recognises the on-going impact on residents from welfare reforms and cost of living challenges, so it is proposed to maintain the maximum discount at 80% for working age claimants. It is however proposed to make a change to the scheme from 2027/28 that would enable the flexibility to provide additional financial support to working age claimants where their eligibility was reasonably able to be demonstrated from a date earlier than the date that they submitted their claim. With this in mind, it is proposed to allow financial support awarded under the scheme to be backdated by a maximum of 3 months. This aligns the scheme with the position already in place for pension age claimants. Apart from this, only a small number of changes are included as part of timely updates to the policy with no impact on the application of the policy itself.

As highlighted earlier, due to the proposed change to the scheme, a period of consultation is required, firstly with the major preceptors and then with other stakeholders.

Once consultation with the Major preceptors has been undertaken, a draft LCTS Scheme for 2027/28 will be presented to Cabinet on 11 December, where approval to undertake the wider required consultation on the Draft Scheme (including with the Resources and Services Overview and Scrutiny Committee) will be sought.

Once the above activities have been undertaken, it is planned to present Cabinet's final scheme proposals to Full Council in January 2027. For completeness / reference, the existing LCTS scheme is included as **Appendix A**

As highlighted in previous years, the potential exploration of alternative options in terms of the underlying design of the scheme remains under on-going review, with one such option based on a 'banding' approach. Some local authorities have adopted such an approach, which will inherently create 'winners' and 'losers' in terms of the financial support awarded. The Council's current scheme continues to be based on a means tested approach, which although likely to be more administratively burdensome and potentially duplicate effort for prospective claimants who may have to provide the same information to the DWP if claiming other financial support, it is felt that it continues to provide the basis for a potentially fairer system. Although the exploration of potential alternative approaches will remain on-going, the current means tested approach is proposed to continue for 2027/28.

For information, statistics relating to the LCTS scheme in 2026/27 are set out below:

As at the end of September 2026:

There are currently 11,331 households receiving LCTS.

The total working age households receiving support is 5739.

The total pensioner households receiving support is 5592.

Council Tax Hardship Scheme
The Council has operated a council tax exceptional hardship policy since the inception of the LCTS scheme.

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As highlighted during previous reviews of the policy, as with any exceptional hardship scheme, it is difficult to define exceptional hardship or descriptive criteria that will apply, as there may be a number of variables to consider when an application is made. However, the policy continues to set out broad guidelines, which promotes transparency and openness in the Council's decision-making processes. The policy also has a focus on 'reasonable' expenditure and affordability for the claimant and is based on evidence that they are also being proactive themselves in managing the situation. This mirrors the same approach that continues to be applied to discretionary housing payments where in consultation with the Department for Work and Pensions, support is focused on those claimants who are seeking employment for example.

The policy continues to highlight that a senior officer will review all decisions to demonstrate fairness and consistency to the application process.

Following feedback on the application of council tax premiums on second homes and empty properties, discussed later on in this report, the scheme has been amended to enable the ability to consider potential support in such cases. However, it is important to highlight that the circumstances of each case will need to be considered and a high threshold would inherently apply to such cases based on the criteria set out within the attached scheme.

The scheme for 2027/28 is attached as Appendix B, which remains broadly unchanged apart from the one amendment discussed above relating to second homes and empty properties.

PROPOSED COUNCIL TAX DISCOUNTS, EXEMPTIONS AND PREMIUMS 2027/28

Discounts and Exemptions

There are a number of mandatory exemptions and discounts available, with only a limited number of classes of dwelling where there is local discretion - these relate to 4 classes of unoccupied dwelling and for 2027/28 it is proposed to keep the level of discount at the same level as 2026/27 as set out in **Appendix C.**

As was the case last year, by leaving the current level of discounts / exemptions unchanged it supports the stability of the council tax base, which is one of the Council's core income streams within the forecast.

Council tax income raised following the impact of the locally determined discounts also has the additional benefit of increasing the contribution receivable from the major preceptors, as part of council tax sharing arrangements, which is based on total council tax income collectable.

Feedback from customers and other stakeholders has highlighted the potential for council tax reductions for households affected by terminal illness. Some councils have introduced specific locally determined discounts, with eligibility and supporting evidence requirements varying between authorities. At present, it is proposed to consider requests for support through the Council's existing Local Council Tax Support and Hardship schemes discussed earlier, taking account of each household's individual circumstances, including the financial impact of illness, rather than introducing a separate local discount.

A.1 APPENDIX 1

A council tax policy was introduced in 2022/23 to support young people leaving care. It is proposed to continue with an unchanged policy going into 2027/28, which is set out in **Appendix D**.

Premium on Long Term Empty Properties
As a key driver to bring empty properties back into use, the Government allows Local Authorities to levy a council tax 'premium' on long term empty properties, which is currently applied across 3 'bands' based on the length of time the property has been unoccupied for. The Government sets a maximum 'premium' that can be charged against each of the 3 'bands', with the highest amount being 300% for a property that has been empty for over 10 years.

The existing chargeable premiums are set out in **Appendix E,** and it is proposed that these remain unchanged for 2027/28.

Premium on Second Homes (Properties Occupied Periodically)
A council tax premium of 100% on second homes was introduced by the Council from 1 April 2025.

As part of the Government's introduction of the associated legislation that allows Councils to levy such a premium, they recognised the impact that second homes can have on communities, particularly where a significant proportion of properties are not occupied all year round. Large numbers of such properties can contribute to housing supply pressures and risk the sustainability of local services e.g. large concentrations of second homes reduce the size of the permanent population, which can lead to unfavourable impacts on the local economy / local services.

In terms of second homes (and long-term empty properties) the Government introduced the necessary regulations that recognised that the premiums were not intended to penalise owners who were making a genuine effort to make use of the properties, with a number of mandatory exceptions introduced.

Following the introduction of the second homes premium in 2025/26 there has only been a limited level of feedback regarding its introduction, with the main issues raised last year being:

- that they stay at their properties for significant parts of the year and therefore contribute to the local area and that the introduction of a second home premium is not justified on this basis.
- that due to the current unstable market, properties were more difficult to sell within the 12-month exception to achieve their market value.
- properties with restrictions such as those available to 'over 60's' have a smaller market audience to sell to.
- Properties whose 12-month uninhabitable exemption had expired but remained unfit for occupation due to circumstances beyond the owner's control.

Although further feedback from customers received since last year largely reflects the same issues above, customers have described difficulties and delays with insurance claims that have had an impact on the time that properties are empty / uninhabitable.

Although the above points are appreciated, the Government's introduction of mandatory exceptions were designed to provide a level of reasonable support that broadly addresses the points raised. At present, it is proposed to consider requests for support through the Council's existing Council Tax Hardship scheme discussed earlier, rather than extend these exceptions at a local level.

It is also important to highlight the Council's policy background behind the introduction of a second homes premium from 1 April 2025. Amongst a number of existing strategies / policies, the Council's Housing Strategy and Economic Strategy are key documents with some key elements supporting the approach taken as follows:

- The identification of housing need and demand within the district.
- Strategic priorities including delivering the type and quality of housing the District needs, which meets the aspirations of residents and promotes economic growth in the District.
- Making the best use of and improving existing housing within the District.
- Recognising the link between population and economic growth in Tendring.
- Increases in population and housing support a stronger labour market and increased local spending.
- Revenue raising not being the rationale behind its introduction.
- The required governance arrangements being satisfactorily completed.

As highlighted earlier, there has been a significant reduction in the number of second homes in the District following the introduction of the second homes premium from 1 April 2025, which therefore supports and makes a valuable and on-going contribution to the above priorities and aspirations.

The existing chargeable premium is set out in **Appendix E,** and it is proposed it remains unchanged for 2027/28.

Other Considerations
As highlighted in previous years, the Council does from time to time receive other general feedback from residents or other third parties in terms of council tax discounts and premiums.

Apart from the feedback highlighted above, no other relevant / significant issues have been received.

Local Modified Scheme (Housing Benefit)
To date the Council has applied an income disregard relating to war widows/widowers in the assessment of both housing benefit and council tax reductions. (In terms of the latter, the continuation of this disregard is set out within the LCTS Scheme for 2027/28 within Appendix A.)

In terms of housing benefit, to date this has been adopted as a local 'modification' as described within Appendix G, and it is considered to be a timely opportunity to 'refresh' the associated scheme that would be applicable from April this year. The 'refreshed' scheme reflects the approach adopted to date with no overall financial impact on the budget or the assessment of housing benefit.

A.1 APPENDIX 1

It is not proposed to seek agreement to this scheme on an annual basis, with the recommendations above therefore seeking the agreement to the 'refreshed' scheme, which will remain in place until amended or revoked etc.

Annual Minimum Revenue Provision Policy Statement (AMRP)
Attached as **Appendix F** is the proposed Annual MRP policy statement for 2027/28 that sets out how assets funded by borrowing are accounted for, which is required to be approved by Full Council each year. The policy sets out how the Council will make provision for the eventual repayment of any borrowing undertaken to finance capital expenditure. There are no changes proposed for 2027/28 so the policy therefore remains the same as the one currently in place in 2026/27. The timing of approval of the MRP is to enable it to be taken into account when setting the budget for 2027/28 over the coming months.

PREVIOUS RELEVANT DECISIONS
The Local Council Tax Support Scheme, Discretionary Council Tax Exemptions / Discounts / Premiums for 2026/27 and Annual Minimum Revenue Provision Policy Statement 2026/27 Report – Item A.1 Full Council 25 November 2025.
BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL
None

APPENDICES
Appendix A Existing Local Council Tax Support Scheme *(including just 'refresh' changes so excluding proposed changes due to the required consultation period before a draft scheme can be developed / presented back to Cabinet*) **Appendix B** Council Tax Exceptional Hardship Policy **Appendix C** Council Tax Discounts and Exemptions 2027/28 **Appendix D** Care Leavers Council Tax Discount Policy **Appendix E** Council Tax Premiums 2027/28 **Appendix F** Annual Minimum Revenue Provision Policy Statement 2027/28 **Appendix G** Housing Benefit War Pension Disregard Policy (Modified Scheme)

REPORT CONTACT OFFICER(S)	
Name	**Richard Barrett**
Job Title	**Corporate Director (Finance and IT)**
Email/Telephone	**rbarrett@tendringdc.gov.uk** **(01255) 686521**

Under the Council Tax (Prescribed Classes of Dwellings) regulations the following discretionary discounts will apply for the 2027/2028 financial year:-
Class A – Unoccupied and furnished dwellings with a planning restriction preventing occupation for at least 28 days. **0% discount** (on the days when the property cannot be used due to a planning restriction a statutory exemption is allowed under Class G).
Class B – Unoccupied and furnished dwellings without a planning restriction preventing occupation for at least 28 days. **0% discount**
Class C – Unoccupied and substantially unfurnished dwellings. **0% discount**
Class D – Unoccupied and unfurnished requiring major repairs or alterations. (a) which satisfies the requirement set out in the regulations unless it has been such a dwelling for a continuous period of twelve months or more ending immediately before the day in question; (b) the requirement referred to in paragraph (a) is that the dwelling is vacant and— (i) requires or is undergoing major repair work to render it habitable, or (ii) is undergoing structural alteration; or (iii) has undergone major repair work to render it habitable, if less than six months have elapsed since the date on which the alteration was substantially completed and the dwelling has continuously remained vacant since that date; (c) For the purposes of paragraph (b) above “major repair work” includes structural repair work. **100% discount up to 12 months**

Care Leaver's Council Tax Discount Policy

Introduction

This policy utilises the discretionary power available to billing authorities arising from S13A(1)(c) of the Local Government Finance Act 1992 to reduce, or further reduce, the amount of council tax a care leaver is liable to pay with effect from 1 April 2027.

Definitions

For the purpose of this policy, a 'care leaver' is defined as:

A person aged up to 21, who has either

(a) been looked after by Essex County Council 'Essex' for at least 13 weeks since the age of 14; and who was looked after by the local authority at school-leaving age or after that date; or

(b) who is entitled to leaving care support from Essex.

The Children Act 1989 defines the categories of children entitled to leaving care support as:

'Eligible children' are those young people aged 16-17 who are still in care and have been 'looked after' for a total of 13 weeks from the age of 14 and including their 16th birthday;

'Relevant children' are those young people aged 16 and 17 who have already left care, and who were 'looked after' for at least 13 weeks from the age of 14 and have been 'looked after' at some time while they were 16 or 17;

'Former relevant children' are those young people aged 18, 19 or 20 who have been eligible and/or relevant.

Policy statement

For the purpose of calculating the amount of discretionary council tax reduction to apply, care leavers and those in their household are required to take steps to minimise their liability for council tax by claiming discounts, exemptions and council tax reduction.

After all discounts, exemptions and council tax reduction have been claimed the Council will reduce the council tax liability so that the liability of the household is the same that it would have been had the care leaver been a 'disregarded persons' (such as students) as detailed in s11 and Schedule 1 of the Local Government Finance Act 1992

For example:

A care leaver joining an existing household with a single person discount in place will be given sufficient discretionary relief to ensure that the council tax liability does not increase as a result of their presence.

A household where only care leavers are liable to pay council tax will be given sufficient discretionary relief to extinguish the council tax liability completely.

A care leaver in a property, which would otherwise be exempt from council tax, will be given sufficient discretionary relief to ensure that no council tax continues to be payable.

Council Tax Premiums to apply for the 2027/28 financial year:-
Long Term Empty properties (unoccupied and substantially unfurnished ***- From 1 April 2027, additional amounts of council tax will be charged when a property has been empty for one year or more as follows*:***
For one year, but less than five years, will attract a premium of 100%, and therefore charged 200% of the set council tax.
For five years, but less than ten years, will attract a premium of 200%, and be charged 300% of the set council tax.
For ten years or more will attract a premium of 300% and be charged 400% of the set council tax.
Properties Occupied Periodically (no resident of the property and the property is substantially furnished) ***- From 1 April 2027, additional amounts of council tax will be charged as follows:***
A premium of 100%, and therefore charged 200% of the set council tax.

****The above premiums apply to the property, so a change of ownership or tenancy will not affect the premium.***

ANNUAL MINIMUM REVENUE PROVISION POLICY STATEMENT for 2027/2028

The Council is required to have a policy on providing a prudent minimum revenue provision which must be approved by Full Council each year.

The duty to make a Minimum Revenue Provision ("MRP") is an important component of the legislative and regulatory framework which underpins the decision making by local authorities to demonstrate that borrowing is prudent, affordable and sustainable. Therefore, where local authorities finance capital expenditure with debt, they must set aside an amount of money each year to ensure that debt can be repaid and in deciding whether any capital expenditure is affordable, an authority must consider whether it can meet the cost of the associated MRP charged within its budget.

The amount of MRP should be determined with respect to a local authority's Capital Financing Requirement (CFR). CFR is the total outstanding capital expenditure that has not yet been funded from either revenue or capital resources and is therefore a measure of the Council's underlying borrowing need after taking into account the provision included in the revenue budgets for the repayment of outstanding debt. The calculation of actual CFR is defined in the prudential code and is derived from the consolidation of a number of items on the Council's Balance Sheet that is published within its Statement of Accounts each year.

In-line with the prudential code, the Council makes reasonable estimates of the total capital financing requirement at the end of each forthcoming financial year and the following two years. These prudential indicators are referred to as the estimates of capital financing requirement. The estimate of capital financing requirement at the end of each year will relate to all capital expenditure – i.e. it includes relevant capital expenditure incurred in previous years. The capital financing requirement will reflect the authority's underlying need to finance capital expenditure by borrowing or other long-term liability arrangements. In order to make these estimates, the Council considers all of the financing options available and estimates their use of these. The estimates will not commit the local authority to particular methods of financing. These estimates of CFR are set out within the Annual Capital and Treasury Strategy presented to Full Council in March each year.

The actual financing of capital expenditure is determined at the end of the financial year, which is reported within the associated financial outturn reports presented to the Finance and Governance Portfolio Holder / Cabinet.

It is important to highlight that, except in the short term, total gross debt should not exceed the CFR.

There are currently no plans to reduce the Council's indebtedness via the use of capital receipts, and therefore no impact on the calculation of the MRP charge. It is important to highlight that:

- capital receipts are not being used to replace MRP
- there are no instances where MRP is not being made with respect to any amount of CFR
- no debt financed capital spend has been excluded
- there are no planned voluntary overpayment of MRP and no offset of a previous years overpayments will be made.

In preparing this statement, the local authority has considered the requirements set out in statute and associated guidance to ensure it is meeting its duty to make prudent provision. There have been no departures from this guidance.

The aim of the regulations is that the period over which an MRP is calculated closely relates to the life of the asset and therefore in determining the period of time over which the debt should be reduced to nil, local authorities should align the period over which they charge MRP to one that is commensurate with the period over which their capital expenditure provides benefit. With this in mind, the options applicable in calculating MRP as set out in the guidance are as follows:

Where Capital Expenditure is financed by Government Supported Borrowing

- **Regulatory Method –** This is where borrowing is supported by the Government through the Formula Grant and Local Authorities can continue to use the existing approach as set out in the old regulations.

- **Capital Financing Method –** Similar to the above, Local Authorities can continue to set aside 4% of their General Fund capital expenditure financed by borrowing each year as MRP. The difference compared with the regulatory method is that it excludes a transitional adjustment that relates to the regulations that were applicable before the current regulations. As this adjustment does not apply to TDC, the two approaches are essentially the same.

Where Capital Expenditure is financed by Prudential Borrowing

- **Asset Life Method –** Two alternatives are provided within the guidance. The first is that MRP can be calculated by taking the amount borrowed and dividing it by the associated assets useful life – equal instalment method. The second is based on a more complicated annuity basis although based on the same principle. *(This method will be applied to assets and equipment leased in, where the MRP requirement will be regarded as met by a charge equal to the associated annual rental / service charge)*

- **Depreciation Method –** This requires that an MRP is made in accordance with current rules for depreciation accounting whereby an amount would be charged equal to the annual depreciation of the specific asset which could differ from the previous options given the alternatives for calculating depreciation.

An advantage of the asset life method over the depreciation method is that MRP does not have to start until the year the related asset becomes operational which may be different to the year in which depreciation would be charged.

It is important to note that subject to the type of asset acquired there may be a significant impact on the revenue budget, which would need to be taken into account in any future spending / borrowing decisions.

The above applies to the Council's General Fund. In respect of the Council's Housing Revenue Account (HRA) it has been the Council's policy not to make any MRP charge to the HRA because the level of borrowing relating to the HRA is significantly less than the capital value of the housing stock. Following the implementation of the new self-financing arrangements from April 2012, the structure of the borrowing to fund the associated HRA debt settlement was based on principal being repaid over the 30 years of the HRA business plan. Therefore this principal is in effect the amount set aside to repay debt and will therefore be treated as HRA MRP. In terms of MRP for 'old' HRA debt, this will be kept under review as part of future HRA business planning processes.

Having reviewed the position for 2027/28, there are no changes to the Council's approach to calculating MRP compared to 2026/27. The Annual Minimum Revenue Provision Policy Statement for 2027/28 is therefore as follows:

In accordance with the Local Authorities (Capital Finance and Accounting)(England)(Amendment) Regulations 2003 and having due regard to guidance issued under Section 21 (1A) of the Local Government Act 2003, the Council's policy for the calculation of MRP for 2027/28 shall be the Capital Financing Requirement Method for supported borrowing and the Asset Life (equal instalment) Method for prudential borrowing.

COUNCIL

24 NOVEMBER 2026

REFERENCE FROM THE COMMUNITY LEADERSHIP OVERVIEW & SCRUTINY COMMITTEE

A.2 COUNCILLOR DOYLE'S MOTION ON NOTICE – CALLING ON ESSEX COUNTY COUNCIL AND RELEVANT ACADEMIES TO UNDERTAKE OLIVER MCGOWAN MANDATORY TRAINING ON LEARNING DISABILITY AND AUTISM BY ALL SCHOOLS (Report prepared by Ian Ford, Democratic Services Manager)

PURPOSE OF THE REPORT

To enable Full Council to consider the recommendation made to it by the Community Leadership Overview & Scrutiny Committee in relation to a motion submitted by Councillor Doyle concerning learning disability and autism training for teaching staff in Tendring schools.

EXECUTIVE SUMMARY

At its meeting held on 6 October 2026 (minute 10 refers), the Community Leadership Overview & Scrutiny Committee ("the Committee") was formally made aware that, at its meeting held on 1 September 2026 (minute 44 refers), Full Council had considered a motion submitted by Councillor Doyle concerning learning disability and autism training for teaching staff in Tendring schools.

The text of that motion that had been considered by Full Council at the meeting on 1 September 2026 in respect of Learning Disability and Autism training in schools had been as follows:-

"That Tendring District Council:–

(1) Believes that too many children with Special Educational Needs & Disability (SEND) are still misunderstood or unsupported at school, and too many families must fight to get the right help;

(2) Reiterates that this is not a criticism of school staff but about making sure they have the training and confidence to support every child properly;

(3) Notes that Oliver McGowan Mandatory Training is the Government's preferred and recommended training for learning disability and autism in health and social care, as set out in the most recent Code of Practice published in September 2025 and which is nationally recognised and co-produced with people with lived experience;

(4) Believes in inclusive education, and that understanding should not be optional or dependent on which school a child attends and that every child deserves to be understood, to feel safe at school, and to have the chance to achieve their full potential;

(5) Feels strongly that mandatory training for school staff would bring consistency, earlier understanding, better communication with families, and better outcomes for children across Tendring and that better informed staff can reduce anxiety, improve attendance

and create a stronger learning environment for everyone;

(6) Therefore, calls on Essex County Council and relevant Academies to direct that the Oliver McGowan Mandatory Training on Learning Disability and Autism for all staff across schools in the district of Tendring be implemented urgently as a simple matter of fairness, inclusion and responsibility."

Following the motion being moved and seconded at Full Council, there had been an alteration requested by Councillor Doyle to include the following additional text:

"That my Motion as set out below in full, calling on Essex County Council to direct that the Oliver McGowan Mandatory Training on Learning Disability and Autism for all staff across schools in the District of Tendring, be referred to the Community Leadership Overview and Scrutiny Committee for further information on the type of training mentioned and the implications of 'inclusive education' being researched, with evidence in support, and then submitted back to Full Council prior to making its informed decision on the subject matter."

Consequently, Full Council had decided to refer the matter to the Community Leadership Overview and Scrutiny Committee for further information on the type of training mentioned and the implications of 'inclusive education' being researched, with evidence in support, and then submitted back to Full Council prior to making its informed decision on the subject matter.

Accordingly, at its meeting held on 6 October 2026, the Committee had been asked to consider the information set out in the Officer report (A.1) along with the suggested recommendations, in order for its opinion to be submitted to this meeting of Full Council for Council to then determine the motion having duly considered the recommendation(s) from the Community Leadership Overview and Scrutiny Committee.

In order to support identification of the issues raised in relation to Oliver McGowan training, Officers in their report had referred to Government guidance and the Essex County Council's education team for further information and guidance.

The Committee had also been reminded that Council Procedure Rules 12.8 and 12.10 of the Council's Constitution set out the arrangements for referred motions and the rights of the mover of the motion. Those Rules state:

<u>12.8</u>
[The Committee] "…shall be required solely to consider such motion and to advise the Council (by no later than the second Ordinary Meeting of the Council held following the date of Council's referral) of their opinion as to ***whether such motion should be supported or not supported****. That body will not be required to propose an alternative motion or an amended motion.*

and

"Once the Cabinet/Committee has considered the Motion it will be sent back to Council with that body's response.

<u>12.10</u>
"…the Mover of the Motion (or another Member nominated by them) will be, as a matter of courtesy, made aware by the Democratic Services Manager of the date of the Cabinet/Committee meeting at which their Motion will be considered so that they can attend if they so wish.

As the purpose of the motion will have already been explained at the full Council meeting the Mover of the Motion (or another Member nominated by them) will not have any automatic right to speak at that meeting though they will be permitted to answer questions and/or provide clarification, if requested to do so by the Chairman of the meeting. The Member will also have a right of reply (of no more than three minutes duration) to respond to the debate at the meeting on their motion."

Following consideration of Councillor Doyle's motion on notice and the Officer report (A.1) and following the question and answer session with Officers from Essex County Council, the Committee had formally resolved that it:-

a) *recognised the significant prevalence of young people with SEND including Learning Disability and Autism in Tendring;*
b) *noted the importance of professionals in the education setting to have appropriate training for their role in respect of SEND;*
c) *supported those responsible for encouraging the uptake of SEND training to help ensure a high level of training amongst staff;*
d) *supported the ongoing commitment to collaborative working across schools, ECC and partners, in relation to the Tendring Education Leaders and Strategic Partners groups in working together to improve the experiences and opportunities for all children and young people across the district;*
e) *approved this report to be submitted to Full Council at its meeting on 24 November 2026 alongside the Motion from Councillor Doyle, together with the presentation from Essex County Council officers received at this meeting and the link to the live recording, encouraging all Members to watch in advance, before considering this Committee's response to the Motion; and*
f) *In accordance with Council Procedure Rule 12.8, the Committee determined to advise Council that the Committee thanked Councillor Doyle for raising the important topic of training on Learning Disability and Autism for all staff across schools in the District of Tendring, and whilst it agreed with the spirit of the motion, following the evidence presented to the Committee by Essex County Council Officers, did not feel it could support the motion as put forward, because it is not possible to mandate training and that alternative training was promoted for the educational setting; and would*

RECOMMEND TO COUNCIL that the original motion is amended as follows (as shown by changes highlighted below):

"That Tendring District Council:–

(1) Believes that too many children with Special Educational Needs & Disability (SEND) are still misunderstood or unsupported at school, and too many families must fight to get the right help;
(2) Reiterates that this is not a criticism of school staff but about making sure they have the training and confidence to support every child properly;
(3) Notes that Oliver McGowan Mandatory Training is the Government's preferred and recommended training for learning disability and autism in health and social care, as set out in the most recent Code of Practice published in September 2025 and which is nationally recognised and co-produced with people with lived experience;
(4) Believes ~~in inclusive education, and~~ that understanding should not be optional or dependent on which school a child attends and that every child deserves to be understood, to feel safe at school, and if that is not achievable an alternative support be found for parents and guardians to enable every child to have the chance to

achieve their full potential;

(5) Feels strongly that mandatory training for school staff would bring consistency, earlier understanding, better communication with families, and better outcomes for children across Tendring and that better informed staff can reduce anxiety, improve attendance and create a stronger learning environment for everyone;

(6) Recognises the wealth of relevant learning material produced by Essex County Council on SEND and Autism, in the context of their legal powers in the education system; and

(7) Therefore, calls on all Schools and Academy Trusts in the District of Tendring to take up the available training for all their staff on Learning Disability and Autism, as a matter of fairness and equality. "

For the avoidance of any doubt, Members should note that the original paragraph (6) of Councillor Doyle's motion on notice was deleted and replaced in its entirety.

RECOMMENDATION

That, having duly considered the recommendation of the Community Leadership Overview & Scrutiny Committee in this matter, Council decides to formally approve the following motion:-

"That Tendring District Council:–

(1) Believes that too many children with Special Educational Needs & Disability (SEND) are still misunderstood or unsupported at school, and too many families must fight to get the right help;

(2) Reiterates that this is not a criticism of school staff but about making sure they have the training and confidence to support every child properly;

(3) Notes that Oliver McGowan Mandatory Training is the Government's preferred and recommended training for learning disability and autism in health and social care, as set out in the most recent Code of Practice published in September 2025 and which is nationally recognised and co-produced with people with lived experience;

(4) Believes that understanding should not be optional or dependent on which school a child attends and that every child deserves to be understood, to feel safe at school, and if that is not achievable an alternative support be found for parents and guardians to enable every child to have the chance to achieve their full potential;

(5) Feels strongly that mandatory training for school staff would bring consistency, earlier understanding, better communication with families, and better outcomes for children across Tendring and that better informed staff can reduce anxiety, improve attendance and create a stronger learning environment for everyone;

(6) Recognises the wealth of relevant learning material produced by Essex County Council on SEND and Autism, in the context of their legal powers in the education system; and

(7) Therefore, calls on all Schools and Academy Trusts in the District of Tendring to take up the available training for all their staff on Learning Disability and Autism, as a matter of fairness and equality."

CURRENT POSITION

Council is requested to consider the recommendation submitted to it by the Community Leadership Overview & Scrutiny Committee.

Members are asked to note that if the Committee's recommendation is not approved by Full Council then Members will revert to consideration of Councillor Doyle's original motion as set out within the Executive Summary above.

The Deputy Chief Executive's report which was considered by the Community Leadership Overview & Scrutiny Committee at its meeting held on 6 August 2026 is attached as an appendix to this report, together with the presentation from Essex County Council officers received at the Committee's meeting. The links to the live recording and the published minutes of the Committee's meeting can be found below.

BACKGROUND PAPERS

Link to the live recording of the meeting of the Community Leadership Overview & Scrutiny Committee held on 6 October 2026 can be found here Community Leadership Overview and Scrutiny Committee - 06.10.26

Link to the published minutes of the meeting of the Community Leadership Overview & Scrutiny Committee held on 6 October 2026 can be found here (Public Pack)Minutes Document for Community Leadership Overview and Scrutiny Committee, 06/10/2026 19:30

APPENDICES

A2 Appendix A – Report of the Deputy Chief Executive (item A.1) to the meeting of the Community Leadership Overview & Scrutiny Committee held on 6 October 2026

A2 Appendix B - Presentation from Essex County Council officers received at the Committee's meeting

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A.2 APPENDIX A

COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

6 OCTOBER 2026

REPORT OF DEPUTY CHIEF EXECUTIVE

A.1 Reference to Community Leadership Overview and Scrutiny Meeting of Councillor Doyle's Motion to Council calling on Essex County Council and relevant academies to undertake Oliver McGowan mandatory training on learning disability and autism by all schools

PURPOSE OF THE REPORT
At its meeting on 1 September 2026, a motion submitted by Councillor Doyle to Full Council concerning learning disability and autism training for teaching staff in Tendring schools was presented. Full Council agreed to refer the matter to the Community Leadership Overview and Scrutiny Committee for further consideration. The Committee is asked to consider the information set out in this report and the suggested recommendations, in order for a final position to be submitted back to the meeting of Full Council on 24 November 2026 for it then to determine the motion having received the recommendation from this Committee.

SCOPE - THE AIMS AND OBJECTIVES OF THE REPORT
To provide the Committee with relevant background information to inform its consideration of the referred motion and to enable the Committee to consider recommendations it may wish to make to a future meeting of Full Council in respect of the referred motion.

INVITEES
The following ECC officers will attend the committee meeting: Stephen Chynoweth, Head of Early Years (North) Ondrea.Bloom, SEND Strategy Lead – Autism

BACKGROUND
The following motion was considered by Full Council at the meeting on 1 September 2026 in respect of Learning Disability and Autism training in schools. *"That Tendring District Council:–* *(1) Believes that too many children with Special Educational Needs & Disability (SEND) are still misunderstood or unsupported at school, and too many families must fight to get the right help;* *(2) Reiterates that this is not a criticism of school staff but about making sure they have the training and confidence to support every child properly;* *(3) Notes that Oliver McGowan Mandatory Training is the Government's preferred and recommended training for learning disability and autism in health and social care, as*

set out in the most recent Code of Practice published in September 2025 and which is nationally recognised and co-produced with people with lived experience;

(4) Believes in inclusive education, and that understanding should not be optional or dependent on which school a child attends and that every child deserves to be understood, to feel safe at school, and to have the chance to achieve their full potential;

(5) Feels strongly that mandatory training for school staff would bring consistency, earlier understanding, better communication with families, and better outcomes for children across Tendring and that better informed staff can reduce anxiety, improve attendance and create a stronger learning environment for everyone;

(6) Therefore, calls on Essex County Council and relevant Academies to direct that the Oliver McGowan Mandatory Training on Learning Disability and Autism for all staff across schools in the district of Tendring be implemented urgently as a simple matter of fairness, inclusion and responsibility."

Following the motion being moved and seconded at Full Council, there was an alteration requested by Councillor Doyle to include the following additional text:

"That my Motion as set out below in full, calling on Essex County Council to direct that the Oliver McGowan Mandatory Training on Learning Disability and Autism for all staff across schools in the District of Tendring, be referred to the Community Leadership Overview and Scrutiny Committee for further information on the type of training mentioned and the implications of 'inclusive education' being researched, with evidence in support, and then submitted back to Full Council prior to making its informed decision on the subject matter."

Following a vote, the altered motion was carried and the matter was referred to the Community Leadership Overview and Scrutiny Committee for further consideration, including the implications of the proposed course of action, before the matter and any recommendations are reported back to Full Council on 24 November 2026.

In order to support identification of the issues raised in relation to Oliver McGowan training, Officers have referred to Government guidance and the Essex County Council education team for further information and guidance in completing this report.

The Committee is reminded that Council Procedure Rules 12.8 and 12.10 of the Council's Constitution sets out the arrangements for referred motions and the rights of the mover of the motion. Those Rules states:

12.8
[The Committee] "…shall be required solely to consider such motion and to advise the Council (by no later than the second Ordinary Meeting of the Council held following the date of Council's referral) of their opinion as to ***whether such motion should be supported or not supported****. That body will not be required to propose an alternative motion or an amended motion.*

and

"Once the Cabinet/Committee has considered the Motion it will be sent back to Council with that body's response.

12.10

A.2 APPENDIX A

"…the Mover of the Motion (or another Member nominated by them) will be, as a matter of courtesy, made aware by the Democratic Services Manager of the date of the Cabinet/Committee meeting at which their Motion will be considered so that they can attend if they so wish.

As the purpose of the motion will have already been explained at the full Council meeting the Mover of the Motion (or another Member nominated by them) will not have any automatic right to speak at that meeting though they will be permitted to answer questions and/or provide clarification, if requested to do so by the Chairman of the meeting. The Member will also have a right of reply (of no more than three minutes duration) to respond to the debate at the meeting on their motion."

Councillor Doyle, as the mover of the Motion has been advised on the date and arrangements for this meeting. All other Members of the Council have likewise been advised on the arrangements and that, should they wish to speak in the debate, the Committee's Chairman permission must be sought and given prior to their contribution to the meeting being permitted.

RELEVANT CORPORATE PLAN THEME/ANNUAL CABINET PRIORITY

Working with Partners to improve quality of life

Improved understanding of SEND among Tendring teaching staff could support earlier recognition of individual needs and help children and young people to participate more fully in school and community life. By working alongside education, health, voluntary and community partners, the Council can help promote a more inclusive district in which residents with additional needs and their families are better able to access opportunities, facilities and support

Raising aspirations and creating opportunities

Greater SEND awareness within schools can help children and young people to have their strengths recognised, build confidence and access opportunities appropriate to their needs and ambitions. In the longer term, this can contribute to improved life chances and support the Council's wider ambitions around skills, employment, participation in leisure and culture, and ensuring that opportunities within the district are accessible to all.

Pride in our area and services to residents

Promoting greater understanding and inclusion of people with SEND can contribute to a district where residents feel valued, welcomed and able to participate in their communities. It also complements the Council's commitment to providing inclusive and accessible services, helping to foster pride in an area that recognises and responds positively to the differing needs of its residents.

DESIRED OUTCOME OF THE CONSIDERATION OF THIS ITEM

For the committee to agree recommendations and refer back to Full Council for a final decision.

This is therefore in accordance with Article 13 in Part 2 of the Constitution which refers to the principles of decision making and 13.02 (b) requires consideration of all the relevant factors and options and (e) refers to clarity of aims and desired outcomes.

A.2 APPENDIX A

DETAILED INFORMATION

Background

Tendring has 6 secondary, 39 primary and 6 special/other schools across the district with a school population of 19,400 (school census 2024/25).

Tendring Education Strategic Board

Established in 2020, the Tendring Education Strategic Board aims to work in partnership to raise the aspirations, attainment and skills levels of children and young people (CYP) across the district. The Board supports work as a system to ensure that "children get the best start in life," as well as contributing positively to tackling the wider determinants of health.

The purpose of the TESB is to:

- Raise educational outcomes for the children and young people of Tendring
- Positively impact on the wider society of Tendring through improvement of education
- Influence other programmes to specifically support CYP and their families
- Connect with other organisations to target funding and initiatives towards Tendring e.g. lottery funding, commissioned contracts
- Identifying and delivering collective solutions which increase the consistency of best practice and offer for CYP in Tendring

In 2026, the structure of the TESB was reviewed and whilst the aims of the Board remain the same, two new groups were established in line with feedback from Tendring schools; the Tendring Education Leaders Group (TELG) and the Tendring Strategic Partners Group (TSPG). For the past academic year 2025/26, and this coming year 2026/27 the Board agreed its one priority would be pupil attendance.

The aims of the Board and its current priority support Tendring District Council's corporate priorities and contribute to its role of Community Leader.

The work of the two Tendring Education groups supports a number of strategic priorities at district and County level which include:-

- TDC's Corporate Plan 2024 – 2028
- TDC's Health & Wellbeing Strategy 2025 – 2028
- ECC Children and Young People Plan, 2020
- ECC's Joint Health & Wellbeing Strategy 2022 – 2026
- ECC Inclusion Strategy, 2023
- ECC Local Area SEND Strategy, 2022 - 2027

In this context Tendring District Council continues to support work with Tendring schools, Essex County Council and related partners to improve the quality of life, aspirations and opportunities for Tendring children and young people.

Essex County Council (ECC) fully shares the ambition that every child and young person, regardless of need, should feel understood, valued, safe and supported to achieve their potential in school. ECC recognises that for some children with SEND, and particularly for some children with learning disabilities and autism, this ambition is not always consistently realised. ECC also acknowledges the experiences of families who have felt that they have needed to work hard to secure the support their child requires.

A.2 APPENDIX A

Indeed, the ECC's Inclusion vision and strategy states:

> *"We aim to build a fully inclusive education system that champions ambition, equity and inclusion for all learners, embeds the principle of 'Lives Without Labels', promotes early intervention and proactive support to reduce barriers to learning, and values the voice and lived experience of children, young people and their families."*

This commitment sits at the heart of ECC's approach to inclusion in Essex. It reflects the belief that all children should experience a sense of belonging, participate fully in school life, and receive the support they need to thrive and succeed.

In considering this motion, it is important to recognise that the vast majority of teachers, leaders and support staff across Tendring schools are deeply committed to supporting children with SEND and work tirelessly on their behalf. The challenges that schools face in meeting increasingly complex needs should not be interpreted as a lack of care or commitment, but rather as evidence of the need to continue strengthening capability, capacity and inclusion across the education system.

What is the Oliver McGowan Training?
The Oliver McGowan training was developed following the death of Oliver McGowan in a health care setting which highlighted that health and social care staff needed better skills, knowledge and understanding of the needs for autistic people and those with a learning disability.

The Oliver McGowan code of practice on statutory learning disability and autism training - GOV.UK identifies that the health disparities and premature mortality experienced by people with a learning disability and autistic people can be reduced when staff are equipped with the right skills and knowledge to care for them.

The Code highlights that the requirement for training aims to ensure that staff working at all levels across the diverse settings that make up health and social care receive high quality and appropriate training on learning disability and autism.

Although concepts identified in the training, for example learning from those with lived experience, will expand professionals knowledge it is very much focussed on the health and social care setting and may not be fully relevant to education.

Essex County Council Education Workforce Training
ECC Education Directorate have a comprehensive offer of workforce training to schools designed from evidence based practise and specific to education settings.

It recognises the contribution that high-quality professional development can make in improving staff confidence, understanding and practice.

It is important to note that the responsibility for workforce training sits primarily with individual schools, governing bodies and multi academy trusts. Whilst Essex County Council can promote, encourage and facilitate access to high-quality training opportunities, it does not have the authority to direct academy trusts to adopt a particular programme of professional development.

Essex County Council cannot unilaterally mandate SEND training for academies. The legal position is that academies are independent state-funded schools governed by their

academy trust and funded directly by the Secretary of State under the Academies Act 2010. Local authorities retain important statutory duties around SEND, but they do not have powers to require academies to undertake specific training programmes.

For this reason, whilst ECC support the principle that all school staff should have access to effective training that strengthens understanding of autism, learning disabilities and SEND, decisions regarding the adoption of specific training programmes are made locally by schools and academy trusts, informed by the needs of their pupils and within the broader framework of ECC's Inclusion Strategy.

General and specialised training provisions exist across the education sector via national programs, professional qualifications and schools based frameworks.

Types of training at a national level include Universal SEND Services providing training and resources for schools and college workforces, the Neuroinclusive Education Network (NEN) (formerly the Autism Education Trust) offering autism training for good practice and Special Educational Needs Co-ordinator (SENCO) qualifications including mendatory qualifications for SENCO's.

For all education settings, ECC provides a comprehensive directory of autism support, assessment pathways, training, resources and specialist services for schools, families and young people.

Evidence-based training provided includes:

- Autism outreach support for schools: Information on how mainstream schools can access specialist autism outreach support.
- Autism Support Centre: Guidance for parents and carers on applying for enhanced autism provision for children and young people.
- Advice and guidance: General information about autism, including local and national guidance.
- Assessment, diagnosis and planning: Support and information relating to autism assessments, diagnoses, EHCPs, IPRAs and One Planning.
- Resources: A collection of useful autism resources and practical guides.
- Terminology: Explanations of commonly used autism-related terms and jargon.
- Training and courses: Autism training opportunities for education professionals, parents, carers and young people.
- Contacts and support services: Details of services providing advice, referrals and support for autistic children and young people.
- Support for parents and carers: Signposting to advice, guidance, online resources and organisations.
- Sensory spaces: Information about the location of best-practice sensory spaces across Essex.

For further information; ECC's Schools Infolink:

Autism | Essex Schools Infolink

Autism outreach support for schools | Essex Schools Infolink

Book autism courses and training: Essex training | Essex Schools Infolink

In terms of the Motion, and in line with their approach identified above, ECC have

indicated that they are in agreement with those points set out in the recommendations to this report in respect of a) the prevalence in terms of SEND, autism and learning disability, b) the importance of training and c) supporting the uptake of training and in addition d) supporting local working to improve experiences and opportunities for all children across the district.

Inclusive Education
Effective, and sustainable, inclusive education is fundamentally about culture, relationships, leadership and practice across the whole school, rather than being delivered by any single training programme alone.

Essex County Council have a comprehensive Inclusion Strategy The Inclusion Strategy | Essex Schools Infolink which has been in existence for four years. Agreed priorities for Tendring are supported by the work of the Tendring Strategic Partners Group and the Education Leaders Group.

The Strategy recognises that overall progress and attainment is too low and also identifies the concerns around attendance. In addition social, emotional and mental health needs are rising and pupils needs are increasing and also becoming increasingly complex.

The Strategy highlights the significant rises in requests for SEND support and whilst the challenges of the current context are recognised within the Strategy it also notes how the education system must work better together and in a different way to ensure inclusivity.

Inclusion is a crucial priority for Essex County Council as a key element of their Transformation 2030 work and they are committed to working collaboratively through evidence informed inclusive practices to support the success of pupils.

The Strategy has a vision which includes developing relationships to support inclusion supporting wellbeing and high levels of attendance empowering pupils to participate and achieve to support pupils to move on ot the next appropriate step.

"Positive, mutually respectful relationships underpin and support the inclusion of all pupils and their families, and promote equality and diversity."

As part of this ECC are committed to supporting schools to plan, implement and review inclusion strategies that are evidence informed and taillore to cohorts and contexts.

Delivery of the Strategy is via inclusion reviews offered to all schools and academies, an inclusion framework to help profile cohorts and invidvuals, early intervention and opportunities to seek financial support to develop systematic inclusive practices.

In addition there is support for schools and academies providing training, resources and support and also delivery plans that specifically focus resources on the ECC commitments.

Legal
The Health and Care Act 2022 requires all Care Quality Commision (CQC) registered providers to ensure staff receive training on learning disability and autism appropriate to their role. The requirement applies to all health and care settings.

The Education and Skills Act 2008 requires all schools and academies to be registered with OfSTED. The requirement applies to all educational settings.

A.2 APPENDIX A

RECOMMENDATIONS
That the Committee: **a) recognises the significant prevelence of young people with SEND including Learning Disability and Autism in Tendring;** **b) notes the importance of professionals in the education setting to have appropriate training for their role in respect of SEND;** **c) supports those responsible for encouraging the uptake of SEND training to help ensure a high level of training amongst staff;** **d) supports the ongoing commitment to collaborative working across schools, ECC and partners, in relation to the Tendring Education Leaders and Strategic Partners groups in working together to improve the experiences and opportunities for all children and young people across the district;** **e) authorises this report to be submitted to Full Council at its meeting on 24 November 2026 alongside the Motion from Councillor Doyle and this Committee's response to the Motion (having determined its response in terms of recommendation (f) below); and** **f) In accordance with Council Procedure Rule 12.8, the Committee determines whether to advise Council that it should support or not support the motion from Councillor Doyle calling on Essex County Council to direct that the Oliver McGowan Mandatory Training on Learning Disability and Autism for all staff across schools in the District of Tendring.** **[Note: The full text of Councillor Doyle's motion, referenced in f) immediately above is set out at the beginning of the 'Background' section earlier in this report. While the Committee is not required to propose an alternative motion or an amended motion to that submitted by Councillor Doyle, it is within its powers to so submit such an alternative/amended motion. This is a secondary matter once the decision in f) above has been determined.]**

PREVIOUS RELEVANT DECISIONS
None

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL
The Oliver McGowan code of practice on statutory learning disability and autism training - GOV.UK Autism | Essex Schools Infolink Autism outreach support for schools | Essex Schools Infolink Book autism courses and training: Essex training | Essex Schools Infolink The Inclusion Strategy | Essex Schools Infolink Academies Act - Academies Act 2010

APPENDICES
None

A.2 APPENDIX A

REPORT CONTACT OFFICER(S)	
Name	**John Fox**
Job Title	**Head of Health and Culture**
Email/Telephone	**jfox@tendringdc.gov.uk** **01255 686746**

Essex County Council

Tendring District Council

Tendring, *together*

Tendring District Council –Community Leadership Overview and Scrutiny Committee committee

Ondrea Bloom – SEND Strategy Lead – Autism
Stephen Chynoweth – Head of Education & EY - North

6th October 2026

Tendring District Council

The motion stated

That my Motion as set out below in full, calling on Essex County Council to direct that the Oliver McGowan Mandatory Training on Learning Disability and Autism for all staff across schools in the District of Tendring, be referred to the Community Leadership Overview and Scrutiny Committee for further information on the type of training mentioned and the implications of 'inclusive education' being researched, with evidence in support, and submitted back to Full Council prior to making its informed decision on the subject matter.
That Tendring District Council –

(1) Believes that too many children with Special Educational Needs & Disability (SEND) are still misunderstood or unsupported at school, and too many families must fight to get the right help;
(2) Reiterates that this is not a criticism of school staff but about making sure they have the training and confidence to support every child properly;
(3) Notes that Oliver McGowan Mandatory Training is the Government's preferred and recommended training for learning disability and autism in health and social care, as set out in the most recent Code of Practice published in September 2025 and which is nationally recognised and co-produced with people with lived experience;
(4) Believes in inclusive education, and that understanding should not be optional or dependent on which school a child attends and that every child deserves to be understood, to feel safe at school, and to have the chance to achieve their full potential;
(5) Feels strongly that mandatory training for school staff would bring consistency, earlier understanding, better communication with families, and better outcomes for children across Tendring and that better informed staff can reduce anxiety, improve attendance and create a stronger learning environment for everyone;
(6) Therefore, calls on Essex County Council and relevant Academies to direct that the Oliver McGowan Mandatory Training on Learning Disability and Autism for all staff across schools in the District of Tendring be implemented urgently as a simple matter of fairness, inclusion and responsibility.

This evening….

In order to address the motion, this presentation will address:

- Outcomes of Tendring students with SEND and/or autism.
- The Essex Inclusion Strategy and aspirations for 'inclusive education'
- The current training offer for Tendring schools and academies for autism training
- The legalisation regarding governance of Tendring schools and academies in mandating training, including an overview of Tendring

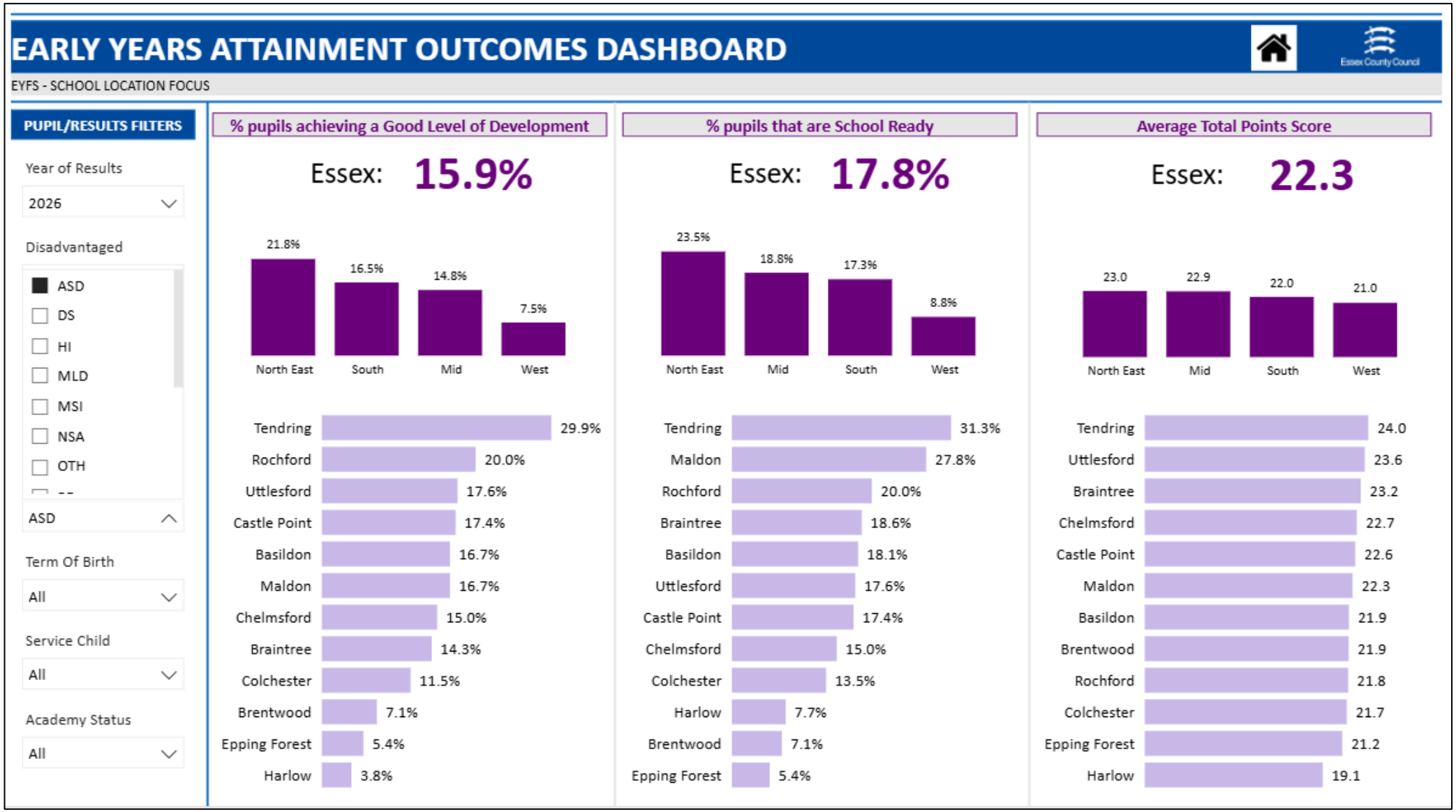
This evening….

In order to address the motion, this presentation will address:

- Outcomes of Tendring students with SEND and/or autism.

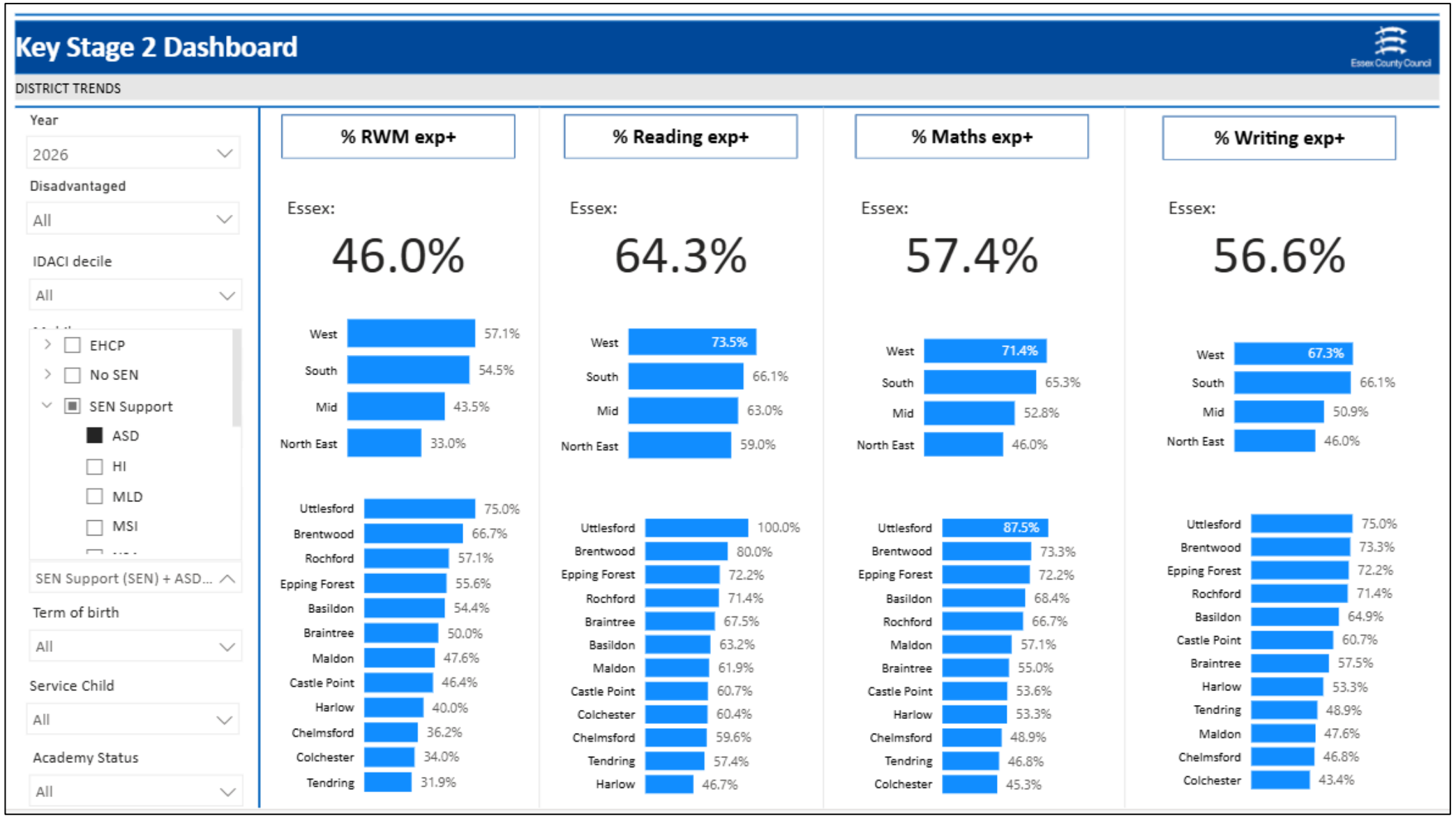
2026 Good Level of Development (GLD) outcomes across Essex – 5 years olds

Pupils diagnosed with autism



2026 Key Stage 2 (Y6) outcomes across Essex – 11 year olds

Pupils diagnosed with autism



2025 Key Stage 4 (GCSE) outcomes across Essex – 16 year olds

Pupils diagnosed with autism





- In 2025-2026, autistic children/young people in Tendring were among the highest across Essex achieving a Good Level of Development
- Autistic children/YPs outcomes at KS2 (2025-2026) and KS4 (2024-2025), whilst still lower than the Essex average, are improving upon previous years.
- Early indications from unvalidated 2025-2026 KS4 data demonstrates improved %9-4 GCSE outcomes for autistic children/YP

This evening….

In order to address the motion, this presentation will address:

- The Essex Inclusion Strategy and aspirations for ‘inclusive education’

Inclusive Education

Essex County Council fully shares the ambition that every child and young person, regardless of need, should feel understood, valued, safe and supported to achieve their potential in school.

ECC recognises that for some children with SEND, and particularly for some children with learning disabilities and autism, this ambition is not always consistently realised.

The Council also acknowledges the experiences of families who have felt that they have needed to work hard to secure the support their child requires.



Essex SEND Reform Plan

Co-produced by Essex County Council, Greater Essex ICB,
Essex Schools, Settings and the Essex Family Forum



ESSEX SEND SYSTEM





OUR VISION

All children and young people in Essex feel **safe, valued** and that they **belong,** irrespective of background or need.

Their needs are identified and assessed accurately, in a timely way, and they are **empowered to progress** and **live full lives**.

Through **inclusion, compassion** and **partnership**, Essex maintains a **consistent** education system where needs are met, families are heard and support is **equitable** and **joined-up**.



INCLUSION
Everyone belongs and can thrive

COMPASSION
We care, listen and respond

PARTNERSHIP
Stronger together, working as one system

EQUITY
Fair access to the right support at the right time

EMPOWERMENT
Supporting children, young people and families to succeed

SEND Reform strategy

The Essex SEND reform strategy identifies a system that is **developing**.

Essex benefits from a strong, shared inclusive vision, improving leadership and governance, and high levels of engagement from schools, families and system partners. However, experience and outcomes remain variable, driving uncertainty, escalation into statutory processes and reliance on specialist provision.

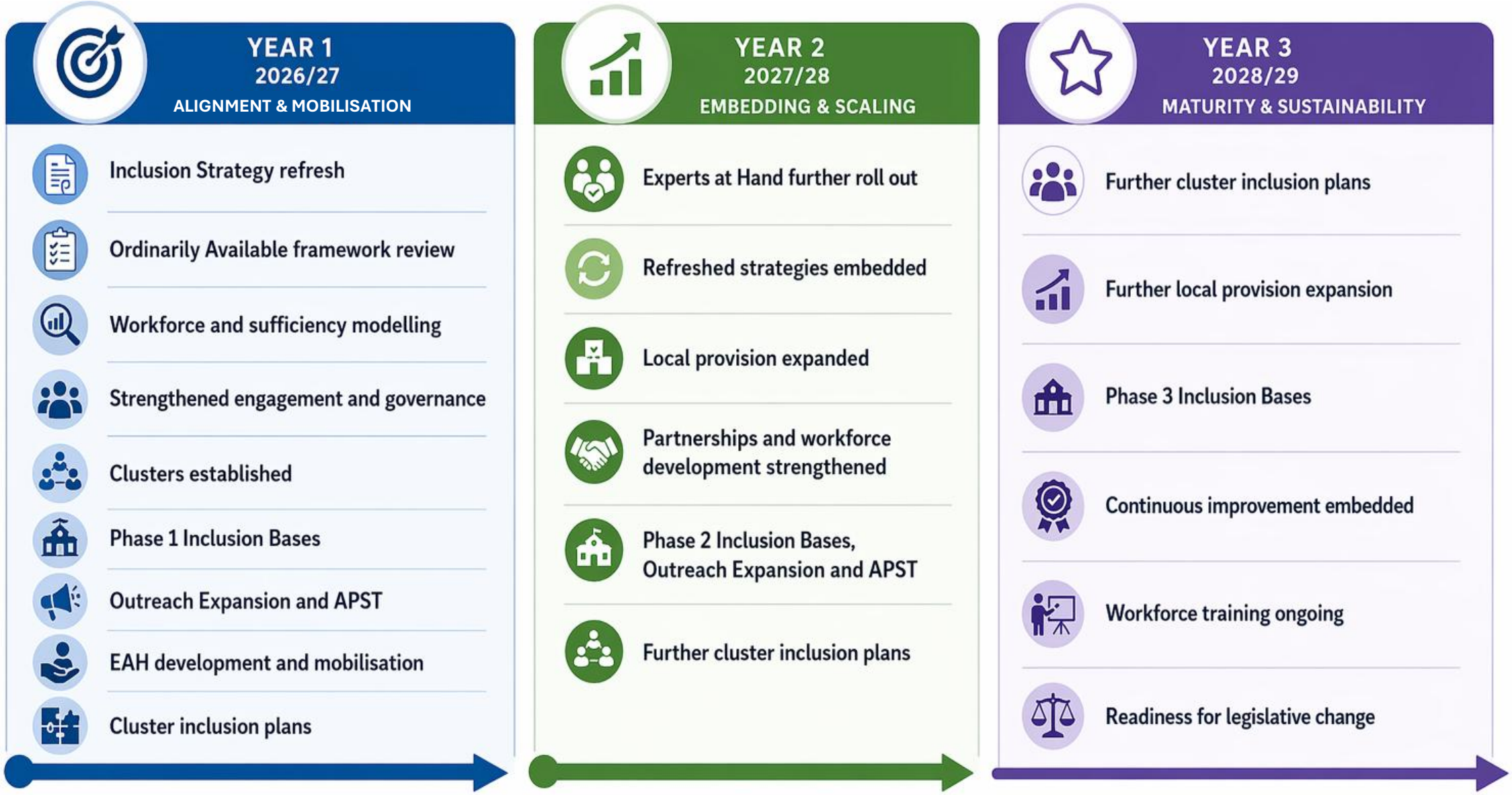
The strategy focuses on:

- **Acting earlier**, so needs are identified and met before escalation;
- **Consistency**, so children and families experience high-quality support regardless of location or setting;
- **building confidence and capability** across education, health and care, so inclusion becomes routine rather than exceptional.

Delivery will be initially phased over three years, supported by strong governance, shared data, coproduction and continuous learning.



Key milestones



Vision – 6 pillars

Relationships	Wellbeing



Positive, mutually respectful **relationships** underpin and support the inclusion of all pupils and their families and promote equality and diversity.

The **wellbeing** of all members of school communities is well-supported.

Attending	Participating



All pupils enjoy school and have high levels of **attendance.**

All pupils are empowered and eager to **participate** in all aspects of school life.

Achieving	Moving on



An equitable, high-quality curriculum supports all pupils to **achieve** well, from their different starting points.

All pupils are well-supported to **move-on** to appropriate next steps.

Codifying components that increase likelihood of positive Sense of Belonging (school attendance)

Enacting the right support, from the right team, at the right time

	Relationships	Wellbeing	Attending	Participating	Achieving	Moving on

Codifying components that increase likelihood of positive Sense of Belonging (school attendance)

Enacting the right support, from the right team, at the right time

	Relationships	Wellbeing	Attending	Participating	Achieving	Moving on
LA PROGRAMMES	✓ TPP ✓ Ready to Regulate ✓ Ordinarily Available	✓ Ordinarily Available ✓ ELSA training ✓ Let's Talk...we Miss you ✓ EBSA training	✓ Ordinarily Available ✓ Early Help ✓ TPP ✓ Targeted Support Meetings (TSMs) consultations sessions. ✓ AST specialised training/ workshops. ✓ Attendance Compliance	✓ Ordinarily Available ✓ Strategic Planning Meetings – SENCo/ IP/ HT/ SEP ✓ Inclusion Review ✓ Inclusion Framework	✓ Ordinarily Available ✓ School Improvement SEP challenge & support ✓ LA Governance support	✓ Ordinarily Available ✓ Effective transition esp. Y6/7 as well as EY/Reception and Y11/ post 16 ✓ Promotion of aspiration ✓ Good Beginnings (with EFs) ✓ STAY Project

Codifying components that increase likelihood of positive Sense of Belonging (school attendance)

Enacting the right support, from the right team, at the right time

	Relationships	Wellbeing	Attending	Participating	Achieving	Moving on
LA PROGRAMMES	✓ TPP ✓ Ready to Regulate ✓ Ordinarily Available	✓ Ordinarily Available ✓ ELSA training ✓ Let's Talk...we Miss you ✓ EBSA training	✓ Ordinarily Available ✓ Early Help ✓ TPP ✓ Targeted Support Meetings (TSMs) consultations sessions. ✓ AST specialised training/ workshops. ✓ Attendance Compliance	✓ Ordinarily Available ✓ Strategic Planning Meetings – SENCo/ IP/ HT/ SEP ✓ Inclusion Review ✓ Inclusion Framework	✓ Ordinarily Available ✓ School Improvement SEP challenge & support ✓ LA Governance support	✓ Ordinarily Available ✓ Effective transition esp. Y6/7 as well as EY/Reception and Y11/ post 16 ✓ Promotion of aspiration ✓ Good Beginnings (with EFs) ✓ STAY Project
TOOLS	✓ Six Core Strengths Assessment/ curriculum ✓ Inclusion Framework assessment tool ✓ ELSA – pre/post measures ✓ Dedicated SOC for SWW cases/courtesy calls carried out ✓ EF SWW calls (post 30 weeks) ✓ EF involvement strengthening relationships- individual and strategic ✓ IP support with OA Relationships and behaviour	✓ Six Core Strengths Assessment/ curriculum ✓ Inclusion Framework assessment tool ✓ ELSA – pre/post measures	✓ Assessment and Intervention Pyramids ✓ Let's Talk We Miss You – assessment tools (identifying functions to inform intervention) ✓ Inclusion Framework assessment tool ✓ ELSA – pre/post measures ✓ Early Help Drop-in ✓ AST specialised training/workshops. ✓ AST parent phone line ✓ TSM – target cohorts ✓ EF support- Early intervention (individuals), small steps plan, EBSA support, strategic EBSA work	✓ Inclusion Framework assessment tool ✓ OA parent workshop pilot ✓ Reasonable adjustments ✓ TPP approach embedded in school's ethos ✓ IP Consultation drop-in for all staff linked to inclusion ✓ SEN Strategy Core Training offer (which does link to other pillars) ✓ One planning Support Participation strategy with IP ✓ Education Endowment Foundation Teaching toolkits	✓ OA parent workshop pilot ✓ SEND Ops – following Initiation Panel, we feedback to schools via IPs any improvements for One Planning. ✓ Inclusion Framework assessment tool ✓ Education Endowment Foundation Teaching toolkits	✓ EF transition support individual and strategic level ✓ SEND Ops share SWW pupils with wider team for transition years ✓ SEND Ops prioritise transition year groups when allocating EPs for EHCNAs to prevent being in the wrong setting with the wrong provision

Delivering the commitments

Inclusion Framework

Profiling of individuals and pupil cohorts, early intervention, and opportunities to seek financial support to develop systemic inclusive practices.

Inclusion Reviews

Supportive reviews offered to all schools and academies.

Inclusion Strategy

Ongoing delivery plans

Plans that specifically focus ECC resources on the delivery of our commitments.

Support for schools and academies

Training, resources and support for schools and academies to facilitate the further development of inclusive practices, including the Ordinarily Available.

This evening….

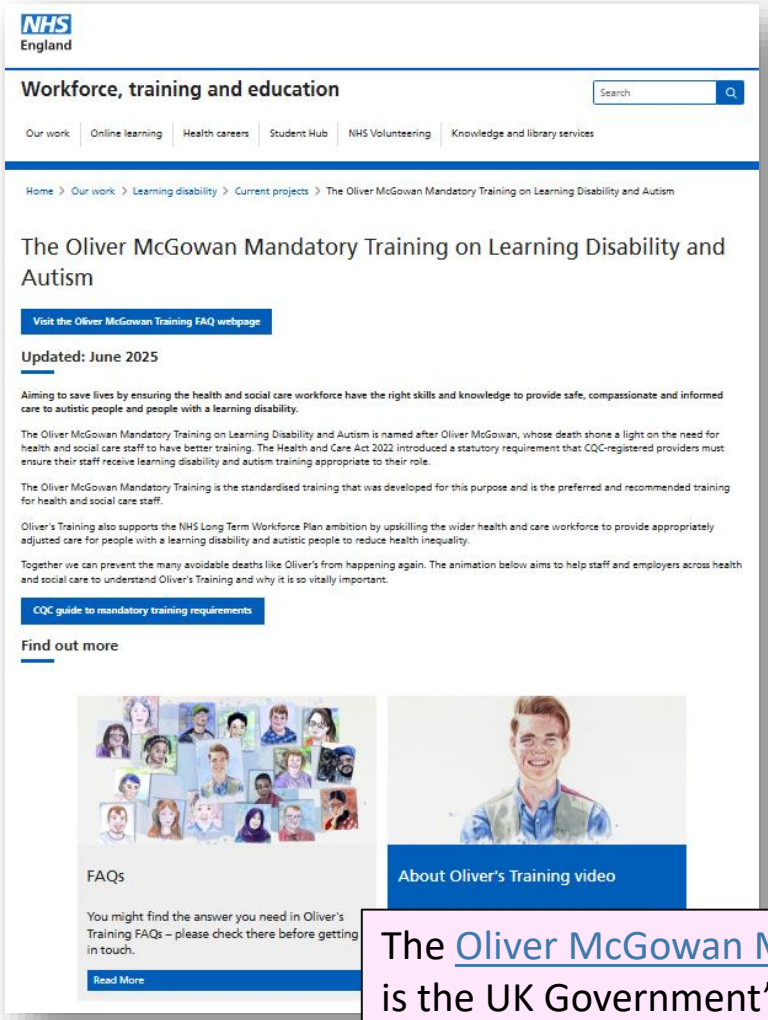
In order to address the motion, this presentation will address:

- The current training offer for Tendring schools and academies for autism/ SEND training

Essex's approach to inclusion extends beyond a single training programme.

Through the Inclusion vision and strategy, Essex is committed to **building a fully inclusive education system** that promotes **ambition, equity and belonging**, values the **voices of children and families**, supports **early intervention** and ensures that all pupils can **participate fully** in school life.

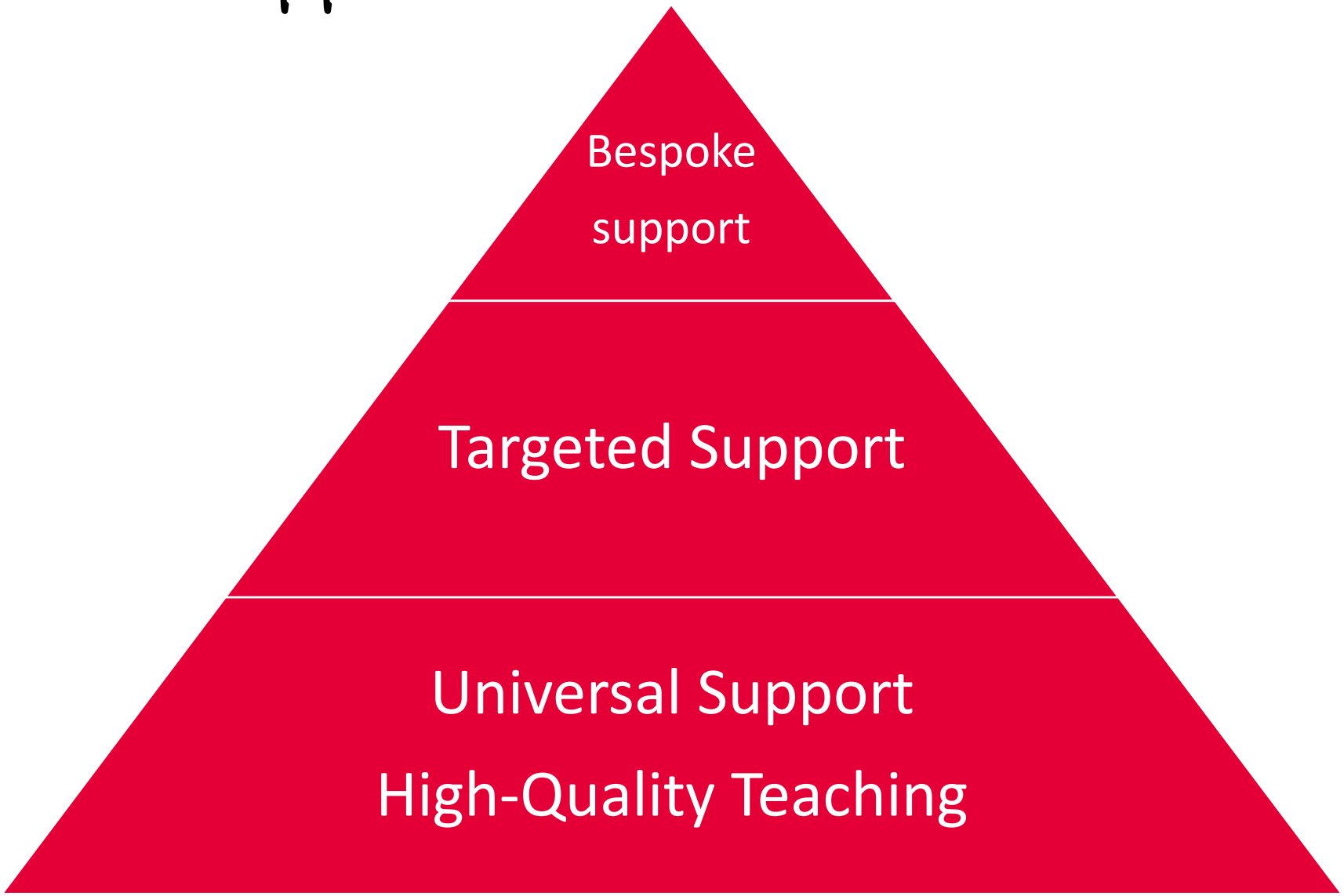
The strategy emphasises the importance of **positive relationships**, **high-quality teaching**, **workforce development** and **whole-school inclusive cultures** in improving outcomes for children and young people.



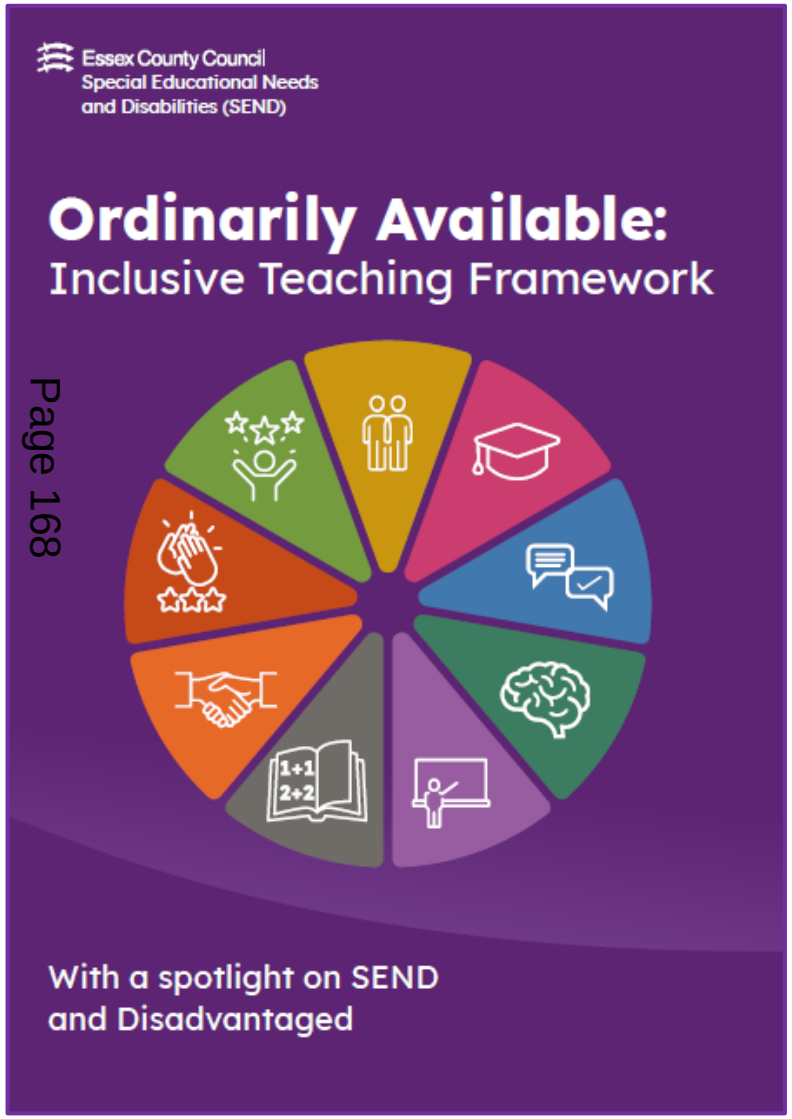
The Oliver McGowan Mandatory Training is the UK Government's preferred and recommended standardised training package to help **health and social care** staff meet legal requirements under the Health and Care Act 2022 in CQC providers in England.

Essex County Council

A graduated approach

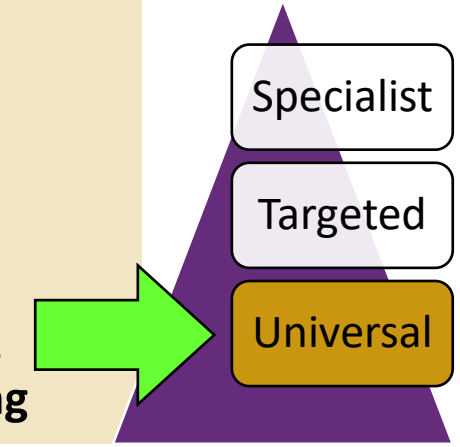


The Ordinarily Available



Ordinarily Available: Inclusive Teaching Framework

- for <u>all</u> pupils
- "*<u>whole class provision</u>*"
- delivered by classroom teachers and subject teachers, **overseen by curriculum lead for teaching and learning**



"Making higher quality teaching normally available to the whole class is likely to mean that fewer pupils will require such support. Such improvements in whole-class provision tend to be more cost effective and sustainable."

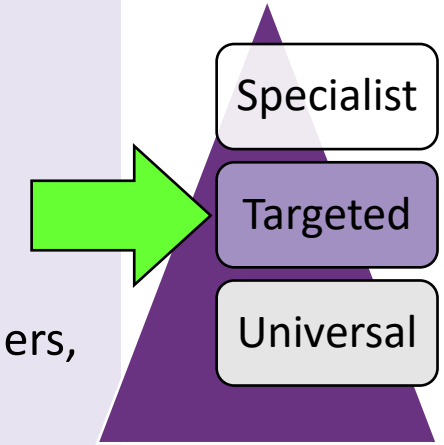
SEND Code of Practice 6.15

The Ordinarily Available



Ordinarily Available: Targeted Support

- for some pupils
- *"provision different from, or additional to"*
- delivered by Early Years practitioners, classroom teachers, pastoral and SEND teams, **overseen by SENCO**



"A pupil has SEN where their learning difficulty or disability calls for special educational provision, namely provision different from, or additional to, that normally available to pupils of the same age."

SEND Code of Practice 6.15

Neuroinclusive Education Network (NEN)

The Autism Education Trust (AET) is now the Neuroinclusive Education Network (NEN), part of the National Autistic Society.

The NEN Inclusive Professional Development Programme (IPDP) is a workforce culture change programme based on training modules and Framework Documents across all phases of education - Early Years, Schools and Post-16.

Through the NEN evidence-based training ECC offers a suite of training and support which enables schools and settings to create inclusive environments where every neurodivergent learner can thrive.

64% of all schools in Tendring have accessed core autism training in the last 5 years. Many schools were still disrupted in 21/22 with closures. Many of the schools will ha\v continued their CPD with complimentary Essex training modules

ECC Autism Training Offer

Essex County Council
Special Educational Needs and Disabilities

Autistic Masking and Burnout	Sensory Support x 2	NEN Good Autism Practice
Autism and Anxiety	Structured Learning	NEN Inclusive Leadership
Advanced Practitioner Course for Autism	Supporting Social Communication	NEN Progression Framework
PDA Information Sessions	Developing Joint Attention	NEN EYs training days x 2

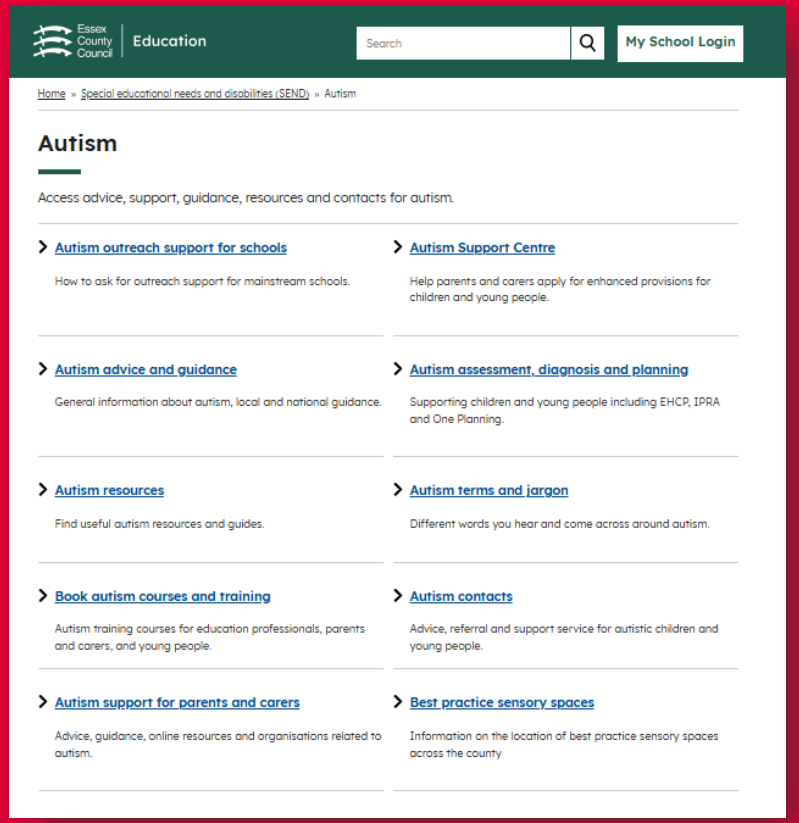
Specific training - Autism

For all education settings, Essex Local Authority provides a comprehensive directory of autism support, assessment pathways, training, resources and specialist services for schools, families and young people across Essex.

Evidence-based training provided includes:

- **Training and courses:** Autism training opportunities for education professionals, parents, carers and young people.
- **Resources:** A collection of useful autism resources and practical guides.
- **Advice and guidance:** General information about autism, including local and national guidance.
- **Autism outreach support for schools:** Information on how mainstream schools can access specialist autism outreach support.
- **Support for parents and carers:** Signposting to advice, guidance, online resources and organisations.
- **School planning:** Support and information relating to EHCPs, IPRAs and One Planning for autistic young people
- **Autism Support Centre:** Guidance for parents and carers on applying for enhanced autism provision for children and young people.
- **Sensory spaces:** Information about the location of best-practice sensory spaces across Essex.
- **Terminology:** Explanations of commonly used autism-related terms and jargon.
- **Contacts and support services:** Details of services providing advice, referrals and support for autistic children and young people.

This training complements that Council's comprehensive Inclusion Strategy which has been in existence for four years along with a Tendring Strategic Group and Educational Leaders group.



Autism | Essex Schools Infolink

Autism outreach support for schools | Essex Schools Infolink

Book autism courses and training: Essex training | Essex Schools Infolink

Autism training engagement across Tendring over last 2 years

Schools	Primary	Secondary	Special	Total
Actual number of Tendring schools	39	6	2	47
Number of Tendring schools who have attended Autism training	30	4	1	35
% of Tendring schools who have attended Autism training	**77%**	**67%**	**50%**	**74%**

Number of Tendring schools who attended the diffferent types of Autism training from 01/09/2024 to 28/09/2026:

Autism Training course	Primary	Secondary	Special	Total
Progression framework training	17	1	0	18
Pathological Demand Avoidance	12	3	0	15
Good Autism Practice in schools	11	0	0	11
Understanding Masking	8	0	0	8
Developing inclusive leadership to support neurodivergent students	8	0	0	8
Sensory awareness (eLearning)	8	0	1	9
Anxiety training	6	1	0	7
Autism Advanced practitioner course (11 week Programme)	6	0	0	6
Developing inclusive leadership in schools	4	0	0	4
Pathological Demand Avoidance (On-demand*)	1	0	1	2
Autism and ADHD: Dual Diagnosis (eLearning)	1	0	0	1
Masking and Autism (On-demand*)	1	0	0	1
Structured Learning (On-demand*)	1	0	0	1
Good Futures 'Train the Trainer' for secondary schools	0	1	0	1

**On-demand: Whole school training*

SEND training engagement across Tendring over last 2 years

Schools	Primary	Secondary	Special	Total
Actual number of Tendring schools	39	6	2	47
Number of Tendring schools who have attended SEND related training	35	5	2	42
% of Tendring schools who have attended SEND related training	**90%**	**83%**	**100%**	**89%**
Number of SEND related training courses attended	308	38	10	356

What is STAY?

Successful Transitions for Autistic Young people

Leadership	Workforce	Families	Pupils
Inclusive leadership, environmental audits, policy and practice review	Good autism practice, sensory support, anxiety, reasonable adjustments and co-regulation	Parent/carer learning, peer support and stronger school-based networks	Transition conferences, LEANS / Autistic and OK, and pupil voice

Core purpose: build sustainable policy, practice and relationships that enable successful primary-to-secondary transition.

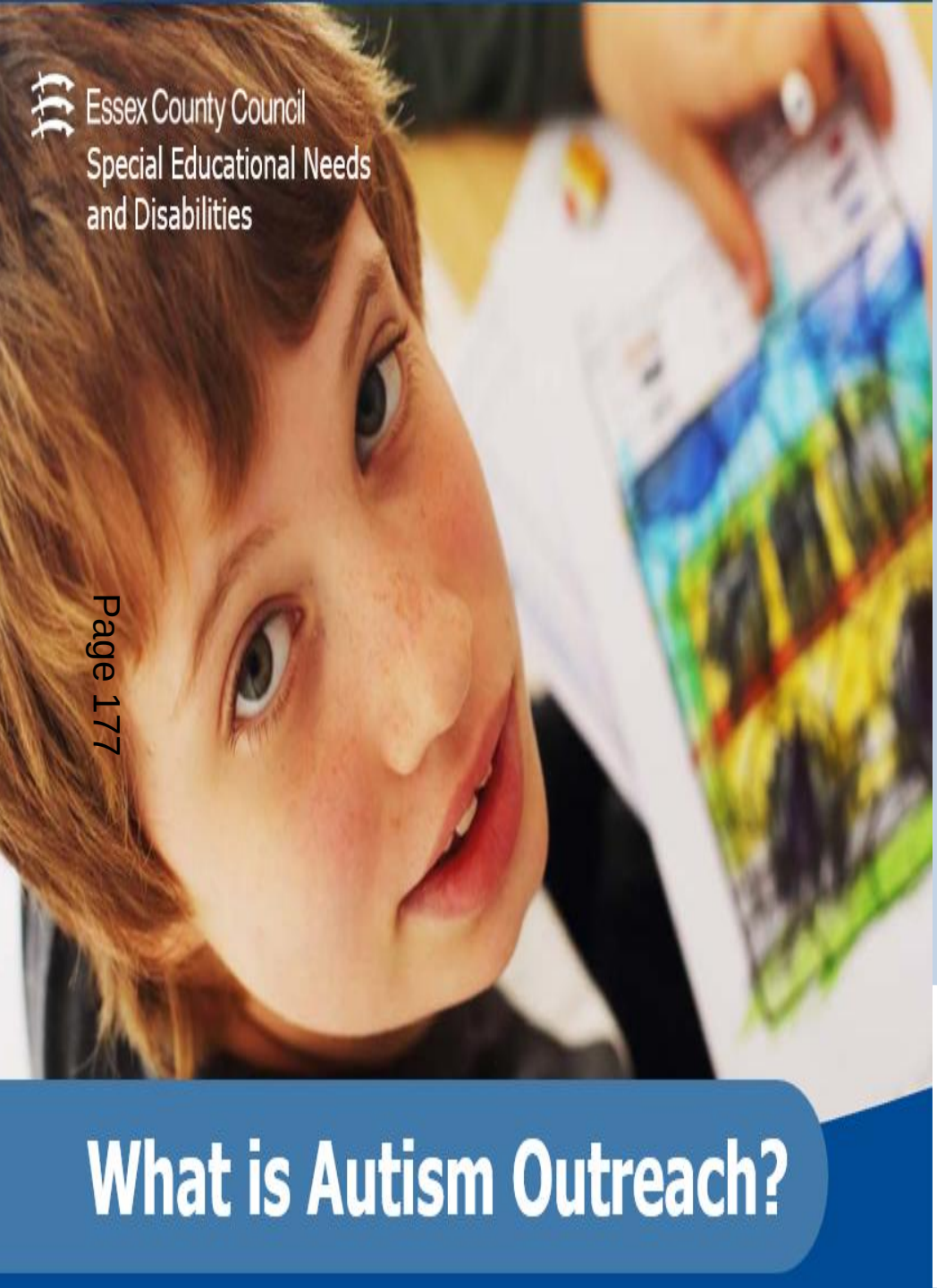
12 Tendring schools participated across Essex over the first 2 years



The Autism Schools Outreach Offer is a joint offer from Essex County Council and four special or mainstream schools across Essex.

In Tendring, Marketfield School and College is one of the four schools across Essex.

Schools can request outreach from their local special school provider to support them to be able to meet the needs of autistic pupils at their school.



Who is Autism School Outreach for?

The Autism School Outreach service is for pupils with an autism diagnosis and those on a waiting list for an autism assessment. Support can also be provided for pupils with learning needs where the barrier to learning is autism, or to those pupils who have co-occurring conditions such as ADHD or anxiety.

What will the Outreach Provider do?

Support from the outreach provider will depend on the needs of the child. It might involve:

- Support with planning and provision in class
- Coaching on specific interventions that might be helpful for the child
- Working directly with staff to share knowledge and skills

Ongoing support for Tendring

A joined-up network of local, system and specialist support

NE SEND

Specialist advice
Inclusion and SEND support
Early intervention

NE School Effectiveness

Leadership challenge & support
School improvement
Safeguarding & Quality of education

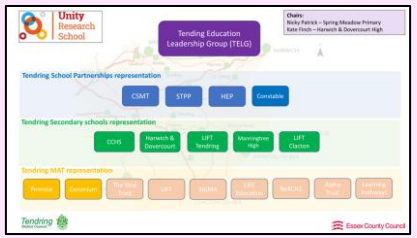
SCHOOLS

Pupils • staff • leaders • families

Tendring School Partnership

Local collaboration
Peer support and shared practice
Collective capacity across schools

TESPG/ TELG



Multi Academy Trust

Trust leadership and governance
Shared capacity and expertise
Strategic improvement support

This evening….

In order to address the motion, this presentation will address:

- The legalisation regarding governance of Tendring schools and academies in mandating training, including an overview of Tendring

Schools in Tendring district

39 primary schools (including infant or junior schools)

21 academies in a Multi-Academy Trust

18 LA maintained schools

6 secondary schools

6 secondary academies in a Multi-Academy Trust

2 Special Schools

1 academy in a Multi-Academy Trust

1 LA maintained special school

5 School Partnerships*

*2 smaller partnerships to be joined together for activities

Who is legally responsible?

Key Legal Distinctions

- **LA Maintained Schools:** Governed primarily by the Education Act 1996 and Education Act 2002. They are controlled and funded via local authorities, and statutory legal responsibilities are devolved to a Local Governing Body. They must strictly follow the National Curriculum and national teacher pay and conditions.
- **Academies:** Defined and regulated under Section 1A of the Academies Act 2010. Legally classified as independent schools that are independent of local authority control, with the Trust accountable as ther responsible body. Academies are funded directly by the Secretary of State for Education through a binding contract known as a funding agreement.

Who is legally responsible?

LA-MAINTAINED SCHOOL

Essex County Council is the maintaining authority

- **Accountability:** The governing body is the school's statutory governing board; powers and duties sit within the maintained-school framework.
- **Legal basis:** Principally the Education Acts 1996 and 2002, regulations and statutory guidance.
- **LA relationship:** ECC maintains the school, allocates funding and retains oversight and intervention functions. Employer and land arrangements vary by school category.
- **Local governance:** Decisions are made at school governing-body level, subject to statutory LA and Secretary of State powers.

ACADEMY TRUST SCHOOL

The academy trust is the legal entity responsible

- **Accountability:** The trust board is the statutory board and trustees are company directors and charity trustees. A local governing committee acts only under delegated authority.
- **Legal basis:** Academies Act 2010, Companies Act 2006, Charities Act 2011, articles of association and the funding agreement.
- **LA relationship:** The trust is independent of ECC and funded through arrangements with the Secretary of State / DfE; ECC does not direct its day-to-day operation.
- **ECC still retains:** Area-wide duties including place sufficiency, SEND, admissions coordination, home-to-school transport and safeguarding partnership responsibilities.

- SIGMA
- Canonium
- Penrose
- HOPE Trust
- Vine Trust
- LIFT
- LIFE Education
- ReACH2
- Alpha Trust
- Learning Pathways


Tendring, *together.*
Thank you!
Tendring
District Council
Essex County Council

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COUNCIL

24 NOVEMBER 2026

REFERENCE FROM THE PLANNING POLICY & LOCAL PLAN COMMITTEE

A.3 TENDRING DISTRICT LOCAL PLAN REVIEW: FINAL SUBMISSION TO THE SECRETARY OF STATE FOLLOWING REGULATION 19 CONSULTATION
(Report prepared by Ian Ford, Democratic Services Manager)

PURPOSE OF THE REPORT
To enable Full Council to consider the recommendation made to it by the Planning Policy and Local Plan Committee in relation to the Tendring District Local Plan Review – Final Submission version.

EXECUTIVE SUMMARY
The Planning Policy and Local Plan Committee ("the Committee"), at its meeting to be held on 17 November 2026, will consider a comprehensive report of the Corporate Director (Planning and Community) (A.1) which will report the outcome of the final public consultation on the Local Plan: Regulation 19 Submission Version carried out in September and October 2026 including an overview of the level and nature of representations received from residents and other stakeholders, and the main issues and matters raised. The report will also seek the Committee's agreement to recommend to Full Council that the Local Plan be formally submitted to the Secretary of State to begin the next stage of the statutory plan-making process i.e. the independent examination to be carried out by a Government-appointed Planning Inspector. As the agenda (and therefore this report) for the Full Council meeting on 24 November 2026 will have been published before the Committee has met, the Democratic Services Manager will arrange for the Committee's decision at its meeting on 17 November 2026 to be circulated to Members and published to the Council's website as soon as practicable by way of an addendum to this report.

RECOMMENDATION
That, having duly considered the recommendation of the Planning Policy & Local Plan Committee in this matter, Council decides whether to approve, the Tendring District Local Plan – Submission Version (as was agreed by the Council on 1 September 2026 and subsequently published for consultation*) to be formally submitted to the Secretary of State for Independent Examination. * For the meeting of Full Council on 1 September 2026, all Members of the Council were provided with a hard copy of the Tendring District Local Plan: Submission Version and the associated Sustainability Appraisal and Habitats Regulations Assessment which were agreed at that meeting and subsequently published for consultation. These documents can be accessed via the Council's website from the following links: • Tendring District Local Plan Review 2026-2043 and Beyond Submission Version

September 2026

- Sustainability Appraisal and Habitats Regulations Assessment (Regulation 19)

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

CURRENT POSITION

Council is requested to consider the recommendation submitted to it by the Planning Policy and Local Plan Committee.

The Corporate Director (Planning and Community)'s Report and Appendices which will be considered by the Planning Policy and Local Plan Committee at its meeting to be held on 17 November 2026 are attached as appendices to this report.

BACKGROUND PAPERS

None

APPENDICES

A3 Appendix 1 – Report of the Corporate Director (Planning and Community) (item A.1) to the meeting of the Planning Policy and Local Plan Committee to be held on 17 November 2026

A3 Appendix 2 – The appendices to the Corporate Director's report to the Committee

A.3 APPENDIX 1

PLANNING POLICY AND LOCAL PLAN COMMITTEE

17 NOVEMBER 2026

REPORT OF THE CORPORATE DIRECTOR (PLANNING AND COMMUNITY)

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

(Report prepared by Paul Woods and Gary Guiver)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

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

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

EXECUTIVE SUMMARY

Background

The preparation and review of the Local Plan is both a legal duty for the Council and one of its corporate priorities. As the blueprint for future growth and the rulebook of policies that will apply in the determination of planning applications, planning appeals and some enforcement cases, the Local Plan will guide the direction of growth and the shape of the Tendring area not just in the coming years to address immediate pressures, but for the longer term over future decades and generations to come. With Local Government Reorganisation back on the agenda following the most recent

announcement by the Government, this could well be the last Local Plan prepared by Tendring District Council before the establishment of a new unitary authority, now expected in 2029.

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

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

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

Response to the Regulation 19 consultation

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

produce a legally compliant and sound Local Plan and that this Plan should now proceed to examination, to be tested and scrutinised by the Planning Inspector as part of the statutory process.

The consultation on the Regulation 19 Submission Version of the Local Plan attracted representations from approximately 320 individuals and organisations, generating around 1,400 comments in total across the Plan's many policies and proposals. This is lower than the response to the Regulation 18 Preferred Options consultation earlier this year, which received representations from 628 respondents raising approximately 2,200 comments, although such a reduction is not unexpected. This reduction results mainly from the Council's decision to delete two of the most objected-to developments at Brightlingsea and Walton, which together accounted for more than a third of all responses received during the previous consultation.

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

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

Response from residents and communities

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

- the capacity of highways and transport infrastructure, and traffic congestion;
- pressure on health services, schools and other community infrastructure;
- wastewater, drainage, flooding and water supply infrastructure;
- the loss of agricultural land, countryside and greenfield sites;
- impacts on landscape character, the natural environment and biodiversity;
- the effect of development on the character and identity of existing settlements;
- the scale, distribution and concentration of growth in particular locations;
- the deliverability of infrastructure alongside new development;

- the cumulative impact of development, when considered alongside existing commitments and permissions; and
- concerns regarding the suitability and sustainability of particular site allocations.

This should come as no surprise because, as stated in previous reports to the Committee, many of these concerns are already acknowledged and indeed shared by Councillors and Officers; reflecting a number of the reasons why the Council has consistently objected to the Government's approach of imposing seemingly unrealistic top-down mandatory housebuilding targets on locations like Tendring without taking into account the sensitivity, fragility and limitations of local geography, economics, infrastructure and the natural environment.

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

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

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

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

identified themselves as residents of Brightlingsea, with the remainder living elsewhere in the District or, in a notable number of cases, elsewhere in the UK or overseas.

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

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

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

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

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

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

8) **MSA9: Land west of Windmill Road, Bradfield** – around 14 objections to this proposal which, in the Submission Version of the Local Plan, now forms part of a revised strategy for accommodating growth in Bradfield. The previous Preferred Options version of the Local Plan proposed a single larger allocation of around 100 homes on land south of Windmill Road and east of Straight Road. Following consultation, the Council amended its approach, reducing the scale of development at this location and distributing growth between three smaller allocations intended to reflect more closely the character and form of the village. Nevertheless, residents continue to raise concerns regarding the suitability of accommodating further growth in a rural village environment, impacts on landscape character and settlement identity, traffic and highway safety issues, pressure on local infrastructure and services, and the cumulative impact of development when considered alongside other proposed growth and major infrastructure projects affecting this part of the District.

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

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

11) **SAMU9: Horsley Cross Garden Village** – approximately 11 representations of objection (including objections from affected and surrounding Parish Councils) to the proposed broad location for a further potential long-term settlement of up to 6,000 homes. Concerns focus on the scale of growth proposed in a rural location, the loss of agricultural land,

impacts on landscape character and existing communities, traffic and transport implications, pressure on services and infrastructure, questions around deliverability and viability, and the cumulative effect of other major development and infrastructure proposals affecting this part of the District.

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

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

Response from Town and Parish Councils

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

Whilst there remain some understandable concerns, particularly in those Parishes affected by some of the largest development proposals, Officers believe that the proactive engagement of Town and Parish Councils in the Local Plan review process has helped improve and strengthen the policies and proposals in the Local Plan and improve public understanding of the plan-making process. Whilst

many councils continue to express concerns about the scale and impacts of growth proposed in their areas, several representations recognise the challenges faced by the District Council in planning positively for growth and meeting Government housing requirements. Officers hope that, through the examination process, Town and Parish Councils will continue to engage constructively in support of a Local Plan which seeks to balance the need for new homes with the protection of local communities, infrastructure and the environment, particularly in the face of some strong and detailed objections from certain landowners, developers and planning agents arguing for even higher levels of housing development within many of our communities.

Response from technical stakeholders

It is often the comments from technical stakeholders such as government departments, utility providers and partner authorities that reveal potential weaknesses in the technical soundness of Local Plans. The Council has generally therefore followed the advice of those bodies in both carrying out additional work to the evidence base and making revisions to the Local Plan between the Preferred Options Draft and the Submission Version, with an expectation that most, if not all concerns could be addressed ahead of the examination.

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

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

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

Representations from Landowners, Developers, Businesses and Agents

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

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

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

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

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

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

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

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

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

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

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

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

Green and Horsley Cross Garden Villages onto land beyond the currently defined broad locations with suggestions that the additional land could assist in bringing development forward early.

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

Representations on the Sustainability Appraisal and Habitats Regulations Assessment

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

A number of respondents have commented specifically on the Sustainability Appraisal and Habitats Regulations Assessment, although many of these comments overlap with wider objections to the spatial strategy, site selection process and development policies that are summarised elsewhere in this report. The principal issues raised include whether a sufficient range of reasonable alternatives has been assessed whether the methodology and assumptions applied in the Sustainability Appraisal are appropriately robust, and whether the conclusions reached in relation to particular sites and policies are justified by the available evidence.

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

Whilst some landowners, developers and planning agents argue that the Sustainability Appraisal should have led to different choices in relation to growth distribution and the selection of development sites, a number of respondents also support the conclusions reached and consider the assessments to provide an appropriate justification for the Local Plan's strategy and allocations. Officers remain

satisfied that the Sustainability Appraisal and Habitats Regulations Assessment have been prepared in accordance with the relevant legislative requirements and provide a robust evidential basis for the examination of the Local Plan.

Main matters raised through the consultation

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

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

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

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

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

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

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

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

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

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

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

The process for submission

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

- the Submission Version Local Plan, including all its policies and maps;

- the associated Sustainability Appraisal and Habitats Regulation Assessment;

- a statement setting out, amongst other things, details of the Regulation 18 consultation, summary of what comments were received and how they were taken into account; and details of the representations received in response to the Regulation 19 consultation and a summary of the main issues raised in those representations;

- full copies of all the representations made at Regulation 19 stage; and

- any other documents the Council believes to be relevant to the preparation of the Local Plan, for example all the evidence-base studies and assessments and any Topic Papers or Statements of Common Ground.

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

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

RECOMMENDATION(S)

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

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

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

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

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

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

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

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

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

vi. notes that on submission of the Local Plan to the Secretary of State, it will have progressed through another important stage of the plan-making process which allows a level of additional weight to be given to its policies in the determination

of planning applications, alongside consideration of the extent of unresolved objections to relevant policies and the degree of consistency with national policy.

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

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

- Sustainability Appraisal and Habitats Regulations Assessment (Regulation 19)

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

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Ensuring the District has an up-to-date Local Plan is a statutory duty and a high priority for the Council, with a requirement to review and update them every five years. The review of the Local Plan is thus identified as a Council priority within the Corporate Plan (Our Vision) 2024-2028. It is also the goal of the Government for local planning authorities to deliver sustainable development and coordinate provision of housing, jobs and infrastructure whilst best protecting and enhancing the natural and built environment.

The need to review and update the Local Plan for Tendring has become all the more important following significant changes to the National Planning Policy Framework (NPPF) made by the Government following the General Election in 2024 to increase housing delivery across the country through the introduction and imposition of mandatory housebuilding targets calculated using a revised standard methodology.

With the requirement for housebuilding in Tendring nearly doubling from previous levels, it is necessary to put in place an updated Local Plan that responds positively and proactively to these new targets to work towards achieving the best outcome for the District. In doing so, it avoids an extended period of time in which the area could be vulnerable to unplanned, uncoordinated and speculative housing development proposals over which the Council could have limited control – with

a higher likelihood of local planning decisions being overturned on appeal. As explained later in this report, the Council has already faced a significant increase in planning applications for such proposals.

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

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

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

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

RESOURCES AND RISK

Resourcing the plan-making process

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

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

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

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

Risks

In deciding whether or not to proceed to the next stage of the process to submit the Local Plan to the Secretary of State, the main risks Councillors need to be aware of are the consequences of missing the submission deadline or otherwise failing to progress the Local Plan; the risk that the

examination does not, for whatever reason, deliver the outcome the Council hopes to achieve; and the potential for an escalation in costs.

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

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

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

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

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

Risk of Government intervention

The Government has powers to intervene in the Local Plan-making process if it believes a Council is failing in its legal duties to prepare a Plan and keep it up to date and it is important therefore that this Council does proceed to submit the Local Plan to the Secretary of State and avoids what has happened to a number of Councils in recent weeks and months, including a number of fellow Councils in Essex.

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

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

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

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

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

The Government's changes to the planning system, both in respect of moving towards a new system of plan-making and imposing mandatory housebuilding targets, has resulted in many Councils being

in the same position as Tendring. Councils in the process of carrying out their five-year Local Plan review under the current system are looking to progress quickly to submit a Local Plan to the Secretary of State before the cut-off date, which was 31 December 2026 but which has recently been extended to 31 March 2027.

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

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

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

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

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

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

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

Early and speculative planning applications

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

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

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

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

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

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

- 26/00509/OUT – 78 dwellings north of Harwich Road, Hare Green (within the broad location for the Hare Green Garden Village);
- 26/00599/OUT – 80 dwellings east of Heckfords Road, Great Bentley (which corresponds with Draft Local Plan allocation MSA21);
- 26/00819/FUL – 49 dwellings at Crisp Maltings, School Lane, Mistley (which corresponds with Draft Local Plan allocation MSA4);
- 26/00969/OUT – 75 homes on land east of Bentley Road, Weeley Heath (which corresponds with Draft Local Plan allocation MSA24, albeit proposing higher numbers); and
- 26/01175/FUL & 26/01618/FUL – 18 dwellings in total across two schemes of 9 dwellings east and west of Lifehouse Drive, Thorpe le Soken (which correspond with part of Draft Local Plan allocation SAH11).

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

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

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

applicants to appeal, given that they have also submitted detailed Regulation 19 objections to the Local Plan.

In total, the above planning applications/appeals total more than 1,500 potential homes, of which 300 align broadly with the emerging Local Plan and more than 1,200 would be clear departures. Some of these planning applications will, and already have, attracted significant public objection and media publicity in their own right. When it comes to either the Planning Committee or Officers making decisions on these applications there is the likelihood that some will be approved and others will be refused, with a reasonable expectation that the refusal of permission will result in appeals to the Secretary of State. Furthermore, following a government direction implemented on 11 May 2026, any planning application for 150 or more homes that the Council is minded to refuse must be referred to the Secretary of State to enable central government to decide whether or not to call in and determine the application itself.

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

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

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

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

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

In this regard, Officers will endeavour to provide the best possible advice to Members of the Planning Committee when they are faced with decisions on relevant planning applications, acknowledging

that the advice might not always be followed and might not be popular amongst residents and communities affected, or the applicants in question.

Risk of the Local Plan being found 'unsound'

The Council has done the best job it can under extremely challenging circumstances to produce a Local Plan that Officers believe meets with the Government's requirements for legal compliance and soundness. However it will ultimately be for the government-appointed Planning Inspector to determine whether those tests are met through the examination process and there is naturally a risk that the Inspector might, for whatever reason, find the Plan to be unsound or identify legal compliance issues. There are typically three possible outcomes from an examination:

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

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

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

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

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

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

Risk of legal challenge

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

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

Risk of a lengthy and costly examination

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

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

To quote the Minister, he states that: *"the benefits of an up-to-date local plan are significant. Local plans are the best way for communities to shape decisions about how to deliver the housing and wider development their areas need. They enable local areas to set their strategy for future growth and their approach to protecting and enhancing the environment, and they provide the certainty and confidence required to bring development forward across the country. In the absence of an up-to-date plan, there is a high likelihood that development will come forward on a piecemeal and speculative basis, with reduced public engagement and fewer guarantees that it will make the most of an area's potential."* He goes on to state: *"In considering the significance of any individual deliverability or viability concern, Inspectors may have regard to the wider consequences for communities and decision-making of delaying or preventing the adoption of an otherwise sound plan. In other words, Inspectors should carefully consider whether identified deliverability and viability issues are of such significance that they genuinely undermine the soundness of the plan, or whether they represent matters that could reasonably be expected to evolve over time as market conditions change."*

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

LEGAL

Planning legislation and plan-making regulations

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

A.3 APPENDIX 1

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

The Council has progressed the Local Plan review process in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), having notably carried out relevant stages of public consultation in accordance with Regulations 18 and 19. Regulation 22 sets out the requirements for submitting documents and information to the Secretary of State. It sets out, in sub-section (1), the following documents that must be submitted with the Local Plan:

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

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

(a) make available in accordance with regulation 35-

(i) a copy of the local plan;
(ii) a copy of each of the documents referred to in paragraph (1)(a), (b) and (c);
(iii) any of the documents referred to in paragraph (1)(d) or (e) which it is practicable to so make available, and
(iv) a statement of the fact that the documents referred to in sub-paragraphs (i) to (iii) are available for inspection and of the places and times at which they can be inspected;

(b) send to each of the general consultation bodies and each of the specific consultation bodies which were invited to make representations under regulation 18(1), notification that the documents referred to in paragraphs (a)(i) to (iii) are available for inspection and of the places and times at which they can be inspected; and

(c) give notice to those persons who requested to be notified of the submission of the local plan to the Secretary of State that it has been so submitted.

The National Planning Policy Framework (NPPF) and tests of soundness

The National Planning Policy Framework (NPPF) sets out the Government's policies for plan making and for making decisions on development proposals in England. It is a material consideration of critical importance in both contexts. The current version of the NPPF was published in August 2026 and whilst the policies in this version are applicable in respect of decision making and the determination of planning applications, the earlier version from December 2024 sets out the guidance under which the Tendring Local Plan will be expected to conform with and against which the Plan will be examined.

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

Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

Strategic planning and cross-boundary cooperation

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

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

The requirement for Sustainability Appraisal/Strategic Environmental Assessment

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

A hard copy of the updated Sustainability Appraisal for the Submission Version Local Plan (incorporating SEA) was provided to Members of the Planning Policy and Local Plan Committee and all Members of Full Council in August 2026 and it is intended that this document will be submitted,

unchanged, to the Secretary of State alongside the Local Plan in accordance with the relevant plan-making regulations.

The Habitats Regulations

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

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

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

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

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

Therefore, Officers are explicitly reporting to the Planning Policy and Local Plan Committee the outcome of the Regulation 19 consultation including the level and nature of representations received from residents and other stakeholders, and the main issues and matters raised before then seeking

the Committee's agreement to recommend to Full Council that the Local Plan be formally submitted to the Secretary of State.

Pre-examination checklist

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

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

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

If the Planning Inspectorate's written response to the completed checklist is that the Plan is ready for examination, the Council is required to submit it to the Secretary of State promptly. If however, the response recommends specific actions before submission, they should be addressed by the Council as appropriate and when it is satisfied the Plan is ready for examination, it should then proceed to submit the Plan and other documents.

OTHER IMPLICATIONS

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

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

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

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

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

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

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

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

well beyond the Local Plan's 2043 timeframe and over a 20-30 period and the potential to secure support through the MCCA for future masterplanning, infrastructure delivery and funding.

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

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

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

PART 3 – SUPPORTING INFORMATION

WORK ON THE LOCAL PLAN REVIEW TO DATE

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

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

in reports to, and associated decisions from, the Planning Policy and Local Plan Committee since December 2023.

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

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

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

With greater certainty over the housing target the Council would be expected to address through its updated Local Plan, the Committee was able to agree an updated version of the Issues and Options Consultation document, which featured greatly limited options for accommodating the significantly increased housing target. Four new spatial strategy options were proposed, each combining elements of urban expansion, proportionate growth in smaller settlements, and the establishment of strategically located garden villages to deliver housing at scale with supporting infrastructure.

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

In December 2025, the Committee agreed the preferred strategy and site allocations for inclusion in the Preferred Options Draft of the new Local Plan followed, in January 2026 by the Draft Plan itself

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

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

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

The majority of those agreed changes were incorporated into the Submission Version of the Local Plan that was considered by the Planning Policy and Local Plan Committee on 25 August 2026 along with a revised set of planning policies, amended to take into account many of the comments and suggestions raised through the Preferred Options stage consultation and various updates to the technical evidence base.

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

THE SUBMISSION VERSION CONSULTATION EXERCISE

Overview

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

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

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

Publicity

To promote the public consultation, the Council followed a very similar approach to that employed during the earlier Preferred Options consultation. A press release was issued at the start of the consultation and was subsequently reported by a number of local newspapers and online news outlets, helping to raise awareness amongst residents who rely on traditional media as their primary source of information. The Council also promoted the consultation through its social media channels, including additional publicity for the programme of public drop-in events. Collectively, social media activity relating to the consultation reached over 20,000 individuals. A prominent banner was displayed on the Council's website homepage throughout the consultation period, directing visitors to the relevant consultation portal and supporting documents.

In accordance with the Council's Statement of Community Involvement, notification emails and letters were issued to approximately 1,120 individuals and organisations. Recipients included contacts registered on the Council's consultation database, together with individuals who had responded to previous Local Plan consultations. This ensured that statutory consultees, neighbouring authorities,

infrastructure providers, developers, community organisations, Town and Parish Councils, landowners, residents and other interested parties who had previously engaged with the Local Plan review process were made aware of the consultation and given the opportunity to submit representations.

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

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

Drop-in exhibition events

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

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

Attended by approximately 44 residents, the Walton event attracted a notably lower attendance than the equivalent event at the Preferred Options stage in March 2026, when more than 170 residents attended the exhibition at the nearby Soken House. The reduction in attendance is likely a reflection of the removal from the Submission Version of the Local Plan of the proposed housing allocation at Walton which had generated considerable local interest and concern during the previous stage of consultation.

Discussions with residents focussed primarily on the proposed housing allocations at Kirby Cross and, to a lesser extent, Branscombe Close. Residents also raised concerns regarding the District's overall housing requirement, the loss of countryside and agricultural land, capacity within local GP

surgeries, and the cumulative impacts of traffic arising from existing and proposed development to the est of Thorpe-le-Soken.

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

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

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

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

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

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

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

The Weeley event was attended by approximately 79 residents, representing almost double the attendance achieved at the equivalent event during the Preferred Options consultation. The previous event had been held on a Saturday morning and attracted comparatively low attendance. For this consultation, the event was held on a weekday between 12pm and 4pm due to venue availability. Whilst a range of factors are likely to have influenced attendance, the stronger turnout suggests that the weekday afternoon format may have been more effective in encouraging participation from local residents. The level of attendance also demonstrated the continued public interest in proposals affecting Weeley and the surrounding area.

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

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

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

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

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

Meetings with Town and Parish Councils/Councillors

At the previous consultation stages for Issues and Options in 2025 and Preferred Options in early 2026, the Corporate Director – Planning and Community and the Planning Policy Manager attended many meetings with Town and Parish Councils across the district and the engagement with Town and Parish Councils has continued to be useful and constructive in the run up to, and during the consultation on the Submission Version. The meetings have different forms depending on the arrangements put in place by the respective council, with some held as part of public meetings and others involving Town and Parish Councillors only. In each case, they have always provided a useful

opportunity for more detailed discussion about the proposals affecting particular towns and parishes and allowed Officers to explain the content of the Draft Local Plan in a local context.

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

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

REPRESENTATIONS FROM RESIDENTS AND COMMUNITIES – GENERAL CONCERNS ABOUT GROWTH

At the earlier Preferred Options stage of consultation in February and March 2026, the majority of comments and objections from residents and communities related to the Draft Local Plan’s proposals for housing and mixed-use development, raising a variety of serious concerns about the impact of additional development, both generally across the District and in respect of certain site or location-specific proposals. As anticipated, the representations received in response to the Submission Version of the Local Plan continue to raise similar concerns, albeit the overall number of responses in total is notably lower. This reduction is likely to reflect a combination of factors, including the Council’s decision to delete the contentious proposals in Brightlingsea and Walton and the greater focus at Regulation 19 on legal compliance and soundness.

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

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

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

Inadequacy of transport and utilities infrastructure

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

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

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

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

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

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

Water and sewerage provision is another challenging area where, without significant investment in infrastructure, the District will not be able to accommodate the levels of growth now required under

government policy. Concerns in relation to sewerage capacity, wastewater treatment, foul drainage and surface water flooding featured prominently within many of the representations received from residents and communities. The Local Plan is however supported by an up-to-date Water Cycle Study (prepared in consultation with Anglian Water, Affinity Water and the Environment Agency) which identifies where in the District there will be capacity to accommodate growth, where there will not, and where investment in the expansion of the network or brand new infrastructure is likely to be required.

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

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

Inadequacy of community infrastructure

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

These concerns are still shared by the Council, and the impact of a growing and ageing population on health provision is a significant challenge for the Council and its NHS and public health partners. It is a complex matter that requires a strategic approach extending well beyond the planning system alone. Through the Local Plan and the development management process, the Council can seek to ensure that development promotes healthier lifestyles, encourages walking and cycling, and creates environments that support physical and mental wellbeing. The planning system can also secure land,

buildings and financial contributions towards healthcare infrastructure where justified. However, whilst planning obligations can help provide the physical infrastructure needed to support growth, they cannot directly control the recruitment, retention or distribution of GPs, doctors, nurses, dentists or other healthcare professionals, which remain critical factors in determining the capacity of health services.

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

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

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

Many respondents highlighted concerns regarding existing school capacity in their local area, particularly in settlements experiencing recent housing growth. However, Essex County Council, in its role as Education Authority, has a well-established system for assessing future demand and ensuring that housing growth is matched by the necessary increase in early years, primary and secondary school places, whether through the expansion of existing schools, the delivery of new schools as part of larger developments, or financial contributions secured from developers. ECC has worked closely with the Council on the preparation of the Local Plan and the Infrastructure Delivery Plan that sits alongside it. In its response to the latest consultation, ECC welcomes the changes that have been made to the Plan between Regulation 18 and Regulation 19 stages, including the deletion of a housing site at Thorpe le Soken which addresses the only concern it had raised about education provision and the ability to plan for sufficient additional primary school places.

Environmental impact

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

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

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

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

The representations submitted by Natural England and the Essex Wildlife Trust reinforce the importance of ensuring that development is supported by appropriate ecological evidence and mitigation, whilst also highlighting a number of areas where policies and supporting evidence can be strengthened. Any planning applications that come forward for sites allocated in the Local Plan will need to be accompanied by detailed ecological assessments and, where necessary, proposals for avoidance, mitigation and enhancement measures to enable the Council to determine those applications. Such measures would typically be secured through legal agreements or planning conditions. Whilst residents' concerns about impacts on wildlife, habitats and biodiversity are understandable, the environmental safeguards and mitigation requirements within the Local Plan have been strengthened between Regulation 18 and Regulation 19 stages, taking into account advice from Natural England, the Wildlife Trust and other stakeholders. Alongside the detailed ecological assessment and mitigation that would be required at planning application stage, these measures provide a framework for identifying, avoiding and mitigating environmental impacts.

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

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

Loss of agricultural greenfield land

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

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

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

Realistic deliverability

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

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

The change in government policy has also placed the Council in a position where it cannot demonstrate a 5-year supply of deliverable housing sites at present, which has left the District

vulnerable to speculative planning applications for housing which need to be determined in line with the 'tilted balance' to the presumption in favour of sustainable development, the implications of which are explained elsewhere in this report.

Matching housing and jobs growth

Some residents have continued to raise concerns about a potential mismatch between housing growth and growth in local employment opportunities, acknowledging that whilst housing and employment growth go hand in hand, Tendring has long-standing challenges around unemployment, deprivation and outward commuting in some locations. Many residents questioned whether local job creation will occur quickly enough to match the scale of housing growth proposed and expressed concerns that additional residents may need to travel outside the District for work, increasing pressure on local and strategic road networks, particularly during peak commuting periods.

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

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

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

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

Through Devolution and changes to the planning system, including the introduction of strategic planning and Strategic Spatial Strategies at mayoral level, there could be more scope to develop an overarching economic strategy for the Greater Essex area that directs investment and growth to coastal locations to tackle issues with deprivation – and the proposals in the Draft Local Plan could help influence that strategy as it develops.

Need and affordability

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

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

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

in and around towns and villages that have previously been excluded from the Local Plan, and introduce the concept of additional stand-alone Garden Villages to deliver homes and employment development in other locations along the A120 corridor.

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

Impact on local character and settlement identity

Communities continue to express concerns that the number and scale of developments proposed in the Local Plan will erode the character, identity and distinctiveness of towns and villages across the District, particularly in rural areas affected by the proposed Garden Villages, but also in settlements accommodating a number of medium-scale developments on their edges. A recurring theme in representations is the fear that development could result in the gradual coalescence of communities, the erosion of settlement boundaries and the loss of the individual character and sense of place that residents value.

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

Distribution and proportions of development

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

Unfortunately, because the new housebuilding target for Tendring is so high, it is not possible to deliver 18,000 homes over a 17-year period through a traditional hierarchy-based approach in which settlements expand only in proportion to their existing size. Many of Tendring’s largest settlements

are located on the coast, where environmental, physical and infrastructure constraints limit opportunities for further expansion. As a result, the Council has had to consider alternative approaches to growth, including the proposed Garden Villages at Hare Green and Horsley Cross, and significant growth in locations such as Weeley, Kirby Cross and settlements where residents have questioned whether the scale of development proposed is proportionate to the role and size of those communities.

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

Experiences of recent developments

Many representations refer to recent housing developments and express concerns about the quality of development, the timing of infrastructure provision and increases in traffic and congestion. In many cases, residents argue that existing communities are already experiencing the effects of recent growth and fear that the additional development proposed through the Local Plan could exacerbate these issues.

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

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

SITE/LOCATION-SPECIFIC OBJECTIONS

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

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

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

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

SAH2: Development north of Thorpe Road, Kirby Cross

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

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

Despite the high level of objection to this proposal, Officers' initial assessment is that many of the issues raised are capable of being addressed through detailed design, policy requirements, mitigation measures and supporting infrastructure. The issues raised do not, in Officers' view, demonstrate an obvious justification for removing the allocation from the submitted Local Plan. However, the

representations received identify a number of matters that the Planning Inspector may wish to explore further through the examination process, particularly in relation to infrastructure provision, ecological impacts, landscape treatment, sustainable transport connections and the protection of important site features. A number of respondents also raise concerns regarding the cumulative impact of growth across the wider Frinton, Walton, Kirby Cross and Thorpe area, which may warrant further consideration through the examination process.

Brightlingsea Strategy

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

Although considerably smaller than the former allocation east of Church Road that was removed from the Local Plan, the proposed allocation at Vicarage Field has nevertheless attracted a significant level of objection. Around 28 objections were received alongside a petition signed by approximately 770 people, although only a proportion of signatories identified a Brightlingsea address.

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

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

The Regulation 19 consultation has also attracted substantial representations from Trinity College, which continues to support the reinstatement of the larger deleted allocation east of Church Road.

As a result, the examination may need to consider not only the proposed allocations themselves but also alternative approaches to accommodating growth in Brightlingsea.

MSA2: Land adjacent to Branscombe Close, Frinton

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

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

MSA28: Land North of Rectory Road, Wrabness

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

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

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

MSA8: Land adj Village Hall, Harwich Road, Beaumont

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

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

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

Bradfield Strategy

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

Despite this change in approach, the three allocations have still attracted a combined total of approximately 36 objections. Around 14 objections were received in relation to MSA9, with approximately 11 objections received in relation to each of MSA36 and MSA37. Whilst many of the concerns raised reflect wider issues discussed elsewhere in this report, they also raise a number of recurring themes specific to Bradfield and the revised strategy for growth in the village.

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

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

A.3 APPENDIX 1

Garden Village Proposals (SAMU8 and SAMU9)

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

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

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

A recurring theme in representations is that, if development is to proceed in these location, key infrastructure should be planned, funded and delivered at an early stage in order to avoid placing unacceptable pressure on existing communities and services. Concerns have also been expressed regarding the assumptions underpinning the estimated rate of development and the extent to which the Garden Villages can become genuinely self-sustaining communities rather than simply large-scale housing developments.

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

A.3 APPENDIX 1

RESPONSES FROM TOWN AND PARISH COUNCILS, AND OTHER COMMUNITY REPRESENTATIVES

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

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

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

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

Tendring District Association of Local Councils (TDALC)

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

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

character, biodiversity, heritage, transport, water and wastewater infrastructure, social infrastructure and the distribution of growth across rural communities.

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

Ardleigh Parish Council

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

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

The response also places considerable emphasis on the protection of Ardleigh's rural character and landscape setting. Particular concern is raised regarding the potential erosion of Strategic Green Gaps, the effect of development on settlement separation and the loss of high-quality agricultural land. Concerns are also expressed about increasing traffic and HGV movements, pressures on local roads and public services, and the ability of existing infrastructure, including GP provision, to accommodate further growth without appropriate investment and mitigation measures.

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

Beaumont Parish Council

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

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

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

Bradfield Parish Council

Bradfield Parish Council's representation focuses primarily on the proposed Horsley Cross Garden Village. The Parish Council raises concerns that the broad location approach makes it difficult to understand the precise extent and form of development proposed and therefore the full implications for Bradfield and surrounding communities. Particular concern is expressed regarding whether sufficient land remains available to accommodate the proposed level of growth once the requirements for schools, community facilities, green infrastructure, environmental mitigation and supporting infrastructure are taken into account. The representation also highlights the potential interaction between the Garden Village proposal and other major projects affecting the area, including the proposed Tarchon Interconnector and a proposed solar farm, and questions the implications these projects may have for the long-term development of the area.

The Parish Council also questions whether there is likely to be sufficient demand to support a settlement of up to 6,000 homes in this location and raises concerns about the ability of existing

infrastructure and services to accommodate growth on this scale. Particular reference is made to healthcare provision and rail services serving the wider Manningtree, Lawford and Mistley area, together with concerns about the cumulative impacts of development and infrastructure projects affecting north-west Tendring.

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

Brightlingsea Town Council

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

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

Frating Parish Council

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

The Parish Council states that it does not have the specialist expertise necessary to comment on the legal compliance or soundness of the Local Plan. However, it raises a number of concerns relating to environmental protection and sustainability, including the impact of development on hedgerows and wildlife. Particular reference is made to the age and importance of hedgerows within and around the proposed Garden Village area, together with concerns arising from ecological assessments and the potential loss of agricultural land.

The representation also questions whether sufficient consideration has been given to brownfield development opportunities elsewhere in the District, suggesting that land in locations such as Jaywick, Harwich and Clacton-on-Sea should be taken into account before further large-scale

greenfield development is pursued. In addition, the Parish Council raises concerns regarding existing traffic conditions, infrastructure capacity and commuting patterns associated with growth on the edge of Colchester, and questions whether the proposed development can be regarded as sustainable.

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

Great Bromley Parish Council

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

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

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

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

Lawford Parish Council

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

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

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

Little Bromley Parish Council

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

The representation raises concerns regarding the suitability of Little Bromley as a location for additional development, citing the limited range of local services and facilities, the absence of public

transport, reliance on private vehicle travel and the lack of pedestrian infrastructure within the village. The Parish Council argues that these factors are inconsistent with the principles of sustainable development and questions whether the allocation can be justified when considered against national planning policy and the settlement's rural character.

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

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

Little Oakley Parish Council

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

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

The representation also notes that the proposed change to the settlement hierarchy has implications for how future development proposals may be considered. The Parish Council expresses concern that, because the change has emerged at the Submission Version stage, there has been limited opportunity for the Council to help shape a proposal that it considers likely to affect the village and its residents.

Manningtree Town Council

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

Tendring Parish Council

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

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

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

Wrabness Parish Council

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

The representation draws attention to an Anglian Water Tier 1 Pre-Planning Assessment undertaken for the site, which identified constraints within the local foul sewer network and stated that a sustainable point of connection was not available at that time. The Parish Council argues that the

published evidence supporting the Local Plan does not demonstrate that these constraints have subsequently been resolved or that a suitable foul-water solution has been secured. It also questions whether the site can realistically be delivered within the timescales identified in the August 2026 SHLAA.

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

Sir Bernard Jenkin MP

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

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

District Councillors

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

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

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

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

REPRESENTATIONS FROM TECHNICAL STAKEHOLDERS

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

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

- Natural England;
- Historic England;
- Homes England;
- Sport England
- Environment Agency;
- National Highways;
- Marine Management Organisation;
- Ministry of Defence;

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

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

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

Natural England

Natural England is a non-departmental public body whose statutory purpose is to ensure that the environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Natural England's Regulation 19 response to the

Local Plan is attached in full to this report at Appendix 2. In summary, Natural England remains broadly supportive of the Local Plan and the approach the Council has taken in respect of environmental matters and has welcomed the changes the Council made in the Submission Version of the Plan to strengthening the wording of different policies in response to its previous advice.

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

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

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

Historic England

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

Historic England have welcomed that the Council followed its previous advice in preparing High-Level Heritage Impact Assessments (HIA) which provide a useful evidence base identifying heritage sensitivities, potential impacts and appropriate mitigation measures, but have suggested that the Local Plan itself should be strengthened by including additional wording within relevant site-specific

policies to explicitly refer to the mitigation measures from the HIA and provide a stronger framework for ensuring those measures are delivered to remove or minimise harm to affected heritage assets.

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

Homes England

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

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

Sport England

Sport England is a non-departmental public body responsible for growing grassroots sport and increasing activity levels across England. Its Regulation 19 representations, which were submitted via the online system, are set out in Appendix 5 to this report. The representations are generally supportive and indicate that many of the Plan's policies are legally compliant and sound. They do however identify some policies where the wording could potentially be strengthened in respect of both the protection of sport and recreation provision and requirements to deliver new outdoor playing facilities and community sports provision as part of larger developments or through s106/CIL contributions. These are matters that Sports England is keen to discuss with Officers with the potential

to agree a way forward through a Statement of Common Ground. Sport England has also raised concern about the potential loss of car parking as a result of development at site MSA31 adjoining Harwich and Parkeston Football Club, albeit planning permission for development has already been granted for development at that site.

Environment Agency

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

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

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

National Highways

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

accommodated by the strategic road network, which appears to contradict ECC's position that sufficient work has been carried out to demonstrate the Plan's soundness.

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

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

Marine Management Organisation (MMO)

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

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

Ministry of Defence (MOD)

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

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

The MOD welcome's the Council's planning policy on Renewable Energy Installations which requires adverse impacts including cumulative on for aviation activities to be addressed, but suggests that the policy could be improved to include specific reference to technical assets which facilitate aviation safety such as navigational aids as well as the need to account for defence radar coverage in relation to wind energy development. The response also suggests that the policy be amended to make it clear that where an MOD assessment indicates that a development would have a detrimental impact on the operation and capability of defence assets or sites, such an application may be refused or conditions applied which could include removal of permitted development rights.

NHS Essex Integrated Care Board (ICB)

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

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

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

Officers have been working with the ICB and other NHS colleagues in the preparation of the Local Plan and developing policies relating to health provision and ill health prevention and this is reflected in the response which is generally supportive – whilst recognising the significant challenges arising

from the sheer level of housing development the Council is required to plan for to comply with government policy.

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

The ICB asks that all residential allocation policies specify that developments are required to fully mitigate their impact on healthcare infrastructure, noting that the provision of land or a building to be leased does not mitigate impact but introduces a financial burden to the NHS; and that when it comes to financial contributions to be effective in mitigating impacts by creating capacity for the residents resulting from growth, the ICB needs flexibility to use them on or off site, depending on individual circumstances. Officers are confident that these outstanding matters can be resolved through the preparation and agreement of a Statement of Common Ground.

NHS Property Services Ltd

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

Essex County Council

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

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

the NPPF cooperation and engagement requirements in all respects in the preparation of its Local Plan.

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

In respect of education (including early years and childcare, primary, secondary, SEND and post 16 education/skills), ECC welcomes the changes the Council made to the Plan in response to its previous comments at Regulation 18 stage, but makes one further suggestion that when school sites become redundant for their current educational use, there should be no restrictive policy requirement for such sites to be preferred for other/alternative community related use(s) since their disposal is likely to enable other/alternative education provision. The representation also includes a number of other further minor suggestions.

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

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

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

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

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

Suffolk County Council

Suffolk County Council, our neighbouring county authority, has kindly submitted a regulation 19 consultation response (see Appendix 13) confirming that it has no issues with the legal and compliance and soundness of the Local Plan SCC and, as the Local Highway Authority for Suffolk, acknowledges and supports the opportunity to continue exploring solutions for the A137 Manningtree underpass/level crossing area, including measures to improve accessibility for pedestrians and cyclists. As the education authority, SCC has requested that any development proposal near the border with Suffolk should include consideration as to whether or not any resulting demand for school places will result in demand being placed upon Suffolk schools, and has suggested that the plan could be strengthened in this regard by including consideration for cross boundary impacts of education provision.

Colchester City Council

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

East Suffolk Council

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

Essex Wildlife Trust

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

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

Whilst the Wildlife Trust's Regulation 19 representation and follow up addendum (attached at Appendices 16a and 16b) supports a number of policies in the Local Plan and welcomes some of the changes that were made, it identifies some areas where it remains concerned about the legal compliance and soundness of the Plan. With regard to the updated Habitats Regulations Assessment in particular, the Wildlife Trust has suggested it does not provide a lawful basis to conclude that the Plan will not adversely affect the integrity of international wildlife sites, despite Natural England's advice to the contrary. In particular, it is concerned that some sites carried forward from the existing Local Plan have not been fully re-assessed and policy wording to address matters around functionally linked land and recreational disturbance are not sufficient to achieve the certainty the law requires. The Wildlife Trust has also commented on the Sustainability Appraisal suggesting that a full appraisal of carried-forward allocations should be undertaken, along with other comments and suggestions.

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

On these issues, Officers are satisfied that the Local Plan provides suitable coverage and is supported by the necessary level of technical evidence for this stage of planning process to be legally compliant and sound, but are very keen to discuss these matters with the Wildlife Trust further and, in consultation with the specialist consultants that worked on the Habitats Regulations Assessment

and Sustainability Appraisal, agree a way forward, including any necessary policy wording changes, through a Statement of Common Ground.

Anglian Water

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

Councillors will recall that Anglian Water previously raised concerns regarding growth at some smaller rural settlements that either have no public sewer network or on a very small water recycling centre not designed to accommodate incremental growth, such as Little Bentley, Little Bromley and Tendring and there was a discussion as to whether housing allocations would be appropriate in those areas. However, in Anglian Water's Regulation 19 representation it has clarified its position in stating that if proposals come forward that are dependent on connecting the public sewer network, it will object as there is a risk that incremental housing growth within or close to the water recycling centre catchment could exceed capacity and potentially cause environmental harm. However, Anglian Water considers that the requirements in Policy PPL5 in the Local Plan will adequately address those concerns.

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

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

Affinity Water

Affinity Water is the main supplier or potable (drinking) water to the District and its representations, which were submitted onto the online system, are set out in Appendix 18 to this report. Affinity Water

writes generally in support of the Local Plan, in particular the allocation, for residential development, of its Mill Hill site in Manningtree (MSA3) and Waterworks Drive in Clacton (MSA30) but, like Essex County Council and Anglian Water, requests a water energy efficiency target of 85 litres per person per day rather than the 100 litres currently set out in Policy PPL5.

National Grid

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

Essex Police

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

National Landscapes Office

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

Essex Bridleways Association

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

as part of the District's transport, green infrastructure and placemaking framework and by providing greater certainty regarding their deliver through infrastructure planning and strategic development.

The Theatres Trust

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

The Woodland Trust

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

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

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

The Royal Society for the Protection of Birds (RSPB)

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

and Ramsar site, Hamford Water SPA, SAC and Ramsar site, and the Colne Estuary SPA and Ramsar site.

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

REPRESENTATIONS FROM LANDOWNERS, BUSINESSES, DEVELOPERS AND AGENTS

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

Representations in support of site allocations

For promoters of sites that have been included in the Local Plan for development, representations tend to be supportive in principle but might make suggestions for how the policies in the Plan should be amended to improve the viability or practical deliverability of their sites and can often assist the Council's position at examination by producing additional evidence in support of their site allocations. In this regard, support and/or constructive representations have been put forward by many of the site promoters of allocations in the Local Plan including, most notably:

- Latimer in respect of the Tendring Colchester Borders Garden Community (SAMU1);
- Homes England and, separately Bloor Homes, in respect of Hartley Gardens (SAMU2);
- Catesby Estates and Lampro in Deane's Lane/Oakley Road, Dovercourt (SAMU3);
- Andrew Bacon and Andrew Martin Planning Ltd for Weeley Green Garden Village (SAMU6);
- A number of land-owning interests and consultants in respect of the Hare Green Garden Village (SAMU8) – with different suggestions for how the development could potentially come forward in different phases to deliver earlier than suggested in the Council's trajectory assumptions;
- Rose Builders in respect of Horsley Cross Garden Village (SAMU9);

- Taylor Wimpey for land north of Thorpe Road, Kirby Cross (SAH2), indicating an intention to submit a planning application before the end of this year; and
- Churchmanor Estates and MRPP in respect of the Collierswood Farm A120 Strategic Business Park (SAE3).

Objections promoting 'omission site' proposals

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

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

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

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

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

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

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

Elmstead Market and Lanswood are the target of some significant omission site proposals including developments of 85 homes off Holly Way (subject of a recent planning application refusal), 79 homes fronting Beth Chatto Gardens (subject of a current planning appeal) and 160 homes off Bromley Road (subject of a current but yet to be determined planning application). Together, these proposals affecting Elmstead Market directly represent a potential circa 320 additional homes in a location that the Council is generally seeking to protect from additional housing development through the Local Plan – beyond the 180 or so homes expected to take place on sites under construction or subject of planning approvals.

There is however also a proposal for an extension to the broad location for the Hare Green Garden Village proposal to take in land between the developments currently under construction at Lanswood and Tenpenny Brook; with the suggestion that, if included, development in that extended area could

come forward with upwards of 700 homes as an early phase of a larger Garden Village development that could accommodate 5,600 homes in total, alongside 75ha of employment land.

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

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

Potential alternative spatial strategy options

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

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

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

- splitting 1,500-2,000 additional homes around Thorpe le Soken and Great Bentley over and above their existing allocations which, alongside the Weeley Green Garden Village proposal

already proposed in the Plan would be similar in many respects to the 'metro-plan' concept considered and discounted in the past, with growth predominantly focussed on villages with railway stations – accepting that it would unlikely deliver a bypass for Thorpe and would put greater pressure on the rural road network around Great Bentley and the A133;

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

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

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

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

Objections to policies

The various representations submitted by landowners, developers and planning agents comment on a variety of policies throughout the Local Plan, but there are certain policies, aside from those relating to housing numbers or site-specific proposals, that have attracted a notable level of objection and it is likely that the Planning Inspector will wish to consider the issues raised as part of the examination hearings. The notable policies include:

- Policy SPL2: Settlement Development Boundaries – where the Council has explicitly stated that outside of the boundaries, the Council will generally look to refuse planning permission for new development unless there are specific policies elsewhere in the Local Plan or other

material considerations that either allow or would justify otherwise. Objections to the wording suggest this is over-restrictive and not in line with latest national policy.

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

MAIN MATTERS AND ISSUES

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

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

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

   In response, Officers will produce Topic Papers and give evidence to the examination to demonstrate that the spatial strategy, whilst ambitious and forward looking, is sound and deliverable, reflects Tendring's unique physical, environmental and infrastructure constraints and is an appropriate strategy when compared other alternatives. Officers will also explain the rationale and evidence-based justification for including or omitting certain sites from the Local Plan for development.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

APPENDICES

Appendix 1 - Representation from Tendring District Association of Local Councils (TDALC)
Appendix 2 - Representation from Natural England
Appendix 3 - Representation from Historic England
Appendix 4 - Representation from Homes England
Appendix 5 - Representation from Sport England
Appendix 6 - Representation from the Environment Agency
Appendix 7 - Representation from National Highways
Appendix 8 - Representation from the Marine Management Organisation
Appendix 9 - Representation from the Ministry of Defence

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Appendix 10 - Representation from the NHS Essex Integrated Care Board (ICB)
Appendix 11 - Representation from NHS Property Services Ltd
Appendix 12 - Representation from Essex County Council
Appendix 13 - Representation from Suffolk County Council
Appendix 14 - Representation from Colchester City Council
Appendix 15 - Representation from East Suffolk Council
Appendix 16a - Representation from Essex Wildlife Trust
Appendix 16b - Representation addendum from Essex Wildlife Trust
Appendix 17 - Representation from Anglian Water
Appendix 18 - Representation from Affinity Water
Appendix 19 - Representation from National Grid
Appendix 20 - Representation from Essex Police
Appendix 21 - Representation from the National Landscapes Office
Appendix 22 - Representation from Essex Bridleways Association
Appendix 23 - Representation from the Theatres Trust
Appendix 24 - Representation from the Woodland Trust
Appendix 25 - Representation from the RSPB

BACKGROUND DOCUMENTS

Submission Documents

Local Plan Submission Version

Integrated Sustainability Appraisal Environmental Report August 2026

Integrated Sustainability Appraisal Non-Technical Summary

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

Integrated Sustainability Appraisal Annex C (Site Assessments)

Habitats Regulations Assessment - Appropriate Assessment August 2026

Previous Committee Reports and Decisions

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

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

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

Evidence Base Studies

Strategic Housing Market Assessment (SHMA) March 2025

Strategic Housing Land Availability Assessment (SHLAA) August 2026

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

Gypsy and Traveller Accommodation Assessment (GTAA) December 2024

Gypsy and Traveller Pitch Delivery Assessment (PDA) August 2026

Employment Land Review Addendum (7 May 2026)

Employment Land Review October 2025

Infrastructure Delivery Plan (IDP) August 2026

ECC Education Scenario Test (and appendix)

Integrated Water Cycle Study August 2026

Regulation 19 Transport Evidence September 2026

Regulation 19 Transport Evidence September 2026 - Appendices

Preferred Options Transport Evidence January 2026 - Reference Case

Preferred Options Transport Evidence January 2026 - Assessment Case

Sustainable Travel Assessment March 2025

Local Plan Viability Assessment August 2026 Update Note

Local Plan Viability Assessment January 2026

Community Infrastructure Levy Viability Study August 2025

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

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

Net Zero Carbon Viability Toolkit Study (produced for ECC)

Tendring Landscape Character Assessment 2026 - Reg 19

- Appendix 1 - Field Survey Form
- Appendix 2 - Tendring Policy and Guidance Context
- Appendix 3 - Future Landscapes (from Natural England)

Strategic Flood Risk Assessment August 2026 - Reg 19

- Annex A Level 2 Strategic Flood Risk Assessment
- Annex B Sites Surface Water Flood Risk Mapping

Strategic Green Gap Study August 2026

High Level Heritage Impact Assessments August 2026

TDC Leisure Facilities Framework 2023
TDC Leisure Facilities Needs Assessment 2023

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

TDC PPOSS Framework 2023

Preferred Options Consultation Representations and Responses

Government Letters

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Representation from the Tendring District Association of Local Councils on the Tendring District Local Plan Review 2026–2043 and Beyond

Regulation 19 submission: soundness, effectiveness and cumulative impacts

This representation responds to the Submission Version of the Tendring District Local Plan Review. At Regulation 19 stage, the key questions are whether the Plan is legally compliant and whether it is sound: positively prepared, justified, effective and consistent with national policy. The Council should therefore demonstrate, through proportionate evidence and effective policies, that proposed growth can be delivered without unacceptable cumulative harm and with the necessary infrastructure in place. The published review identifies a plan period of 2026–2043 and a total housing requirement of 18,173 dwellings. Tendring District Council, Local Plan Review Planning Data, Tendring local plan record[1][2][3][4][5][6][7][8][9][10][11][12][13][14][15][16][17][18][19][20][21][22][23][24][25][26][27][28][29][30][31][32][33]

[1] Document
[2] Document
[3] Document
[4] Norwich to Tilbury - Project information
[5] Norwich to Tilbury Project
[6] AENC-ARC-ENV-REP-0196 Norwich to Tilbury
[7] Norwich to Tilbury - All project updates
[8] AENC-NG-FIN-REP-0002 Norwich to Tilbury
[9] AENC-NG-CNS-REP-0215 Norwich to Tilbury
[10] Five Estuaries Offshore Wind Farm - Project information
[11] North Falls Offshore Wind Farm - Project information
[12] This decision was made by the Minister of State, Alan Whitehead MP, on ...
[13] The North Falls Offshore Wind Farm Order 2026
[14] Documents | Five Estuaries Offshore Wind Farm
[15] Documents | North Falls Offshore Wind Farm - Abode Group
[16] Local Plan Review - tendringdc.gov.uk
[17] Housing Strategy 2026 - 2030
[18] Consultation launched as part of full-scale review of Tendring's Local Plan
[19] GOV.UK - The best place to find government services and information
[20] Tendring District Local Plan - Notice of Public Consultation
[21] Tendring SHLAA August 2026 - legacy.tendringdc.gov.uk
[22] National Planning Policy Framework - GOV.UK
[23] Guide to assessing development proposals on agricultural land
[24] National Planning Policy Framework - GOV.UK
[25] National Planning Policy Framework - GOV.UK
[26] Best and Most Versatile Agricultural Land Background paper
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[28] tarchon interconnector project - Ardleigh Parish Council
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[30] NON-STATUTORY CONSULTATION INFORMATION BOOKLET 2026
[31] Tarchon Interconnector Project Non-Statutory Consultation
[32] Tarchon - Suffolk County Council
[33] Tarchon - Consultation - Tendring Parish Council, Tendring, Clacton-On-Sea

1. Strategic context and cumulative development pressure

The rural communities of Ardleigh, Little Bromley and neighbouring parishes already face substantial and prolonged development pressure from nationally significant energy infrastructure. Areas also affected include numerous coastal and inland locations in Tendring, some of which involves the construction of 60 metre wide trenches. Wix, Lawford, Thorpe-Le Soken, Tendring village, Holland-on-sea, Great Oakley, Little Oakley and Horsley Cross will be impacted. In fact the *whole* Tendring peninsula will face challenges due to transport displacement issues; Elmstead Market, Alresford, Thorrington, Great Bentley, Weeley and junction points to St Osyth and Brightlingsea can be included . The Norwich to Tilbury project proposes reinforcement of the 400 kV transmission network, including a new East Anglia Connection Node (EACN) substation in Tendring. Its examination has closed and the project is at the recommendation stage; it has not yet received development consent.Planning Inspectorate, Norwich to Tilbury project[34][35][36][37][38][39][40][41][42][43][44][45][46][47][48][49][50][51][52][53][54][55][56][57][58][59][60][61][62][63][64][65][66]

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[37] Norwich to Tilbury - Project information
[38] Norwich to Tilbury Project
[39] AENC-ARC-ENV-REP-0196 Norwich to Tilbury
[40] Norwich to Tilbury - All project updates
[41] AENC-NG-FIN-REP-0002 Norwich to Tilbury
[42] AENC-NG-CNS-REP-0215 Norwich to Tilbury
[43] Five Estuaries Offshore Wind Farm - Project information
[44] North Falls Offshore Wind Farm - Project information
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[47] Documents | Five Estuaries Offshore Wind Farm
[48] Documents | North Falls Offshore Wind Farm - Abode Group
[49] Local Plan Review - tendringdc.gov.uk
[50] Housing Strategy 2026 - 2030
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[52] GOV.UK - The best place to find government services and information
[53] Tendring District Local Plan - Notice of Public Consultation
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[66] Tarchon - Consultation - Tendring Parish Council, Tendring, Clacton-On-Sea

That proposal must be considered alongside the consented North Falls and Five Estuaries offshore wind farms and their associated onshore export cables, substations and connection infrastructure. North Falls was granted development consent on 14 May 2026, and Five Estuaries was decided on 17 December 2025.[Planning Inspectorate, North Falls Offshore Wind Farm](#)[Planning Inspectorate, Five Estuaries Offshore Wind Farm](#)[67][68][69][70][71][72][73][74][75][76][77][78][79][80][81][82][83][84][85][86][87][88][89][90][91][92][93][94][95][96][97][98][99]

The emerging Tarchon Interconnector adds a further layer of potential impact. It remains at pre-application stage following non-statutory consultation in July and August 2026. Current proposals indicate approximately 15 km of underground high-voltage direct-current cabling from a landfall south of Harwich to a converter station, followed by further underground cabling to the proposed EACN. [Suffolk County Council, Tarchon](#)

[67] Document
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[70] Norwich to Tilbury - Project information
[71] Norwich to Tilbury Project
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[73] Norwich to Tilbury - All project updates
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NSIPTarchon project document library[100][101][102][103][104][105][106][107][108][109][110][111][112][113][114][115][116][117][118][119][120][121][122][123][124][125][126][127][128][129][130][131][132]

Although each project is subject to its own consenting and environmental assessment process, the Local Plan must address their likely in-combination and cumulative effects with planned housing and other allocations. The issue is not whether one scheme alone can be mitigated, but whether the spatial strategy as a whole is justified, deliverable and resilient when overlapping construction corridors, land-take, traffic movements, landscape effects and demands on services are assessed together.

2. Principal planning objections

- **Best and Most Versatile agricultural land and soils.** The evidence base should identify the agricultural land classification of proposed allocations and quantify permanent and temporary losses, including cumulative loss arising from strategic infrastructure. BMV land comprises Grades 1, 2 and 3a. National guidance requires the economic and other benefits of BMV land to be recognised

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[102] Document
[103] Norwich to Tilbury - Project information
[104] Norwich to Tilbury Project
[105] AENC-ARC-ENV-REP-0196 Norwich to Tilbury
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[132] Tarchon - Consultation - Tendring Parish Council, Tendring, Clacton-On-Sea

and poorer-quality land to be preferred where practicable.GOV.UK, Guide to assessing development proposals on agricultural land[133134135136137138139140141142143144145146147148149150151152153154155156157158159160161162163164165]

- **Landscape character and settlement identity.** Allocations should avoid coalescence, retain meaningful countryside gaps and protect the intrinsic character and beauty of the countryside. Landscape and visual impact assessment should consider pylons, substations, converter stations, cable corridors, compounds and housing as a combined development scenario, including sequential effects on receptors and views.
- **Biodiversity, ancient woodland, veteran trees and hedgerows.** The Plan should apply the mitigation hierarchy—avoid, minimise, restore and compensate—and secure measurable biodiversity net gain. Irreplaceable habitats and protected trees should be avoided, with adequate buffers and long-term management.
- **Historic environment.** The strategy should identify designated and non-designated heritage assets, assess effects on their significance and setting, and

[133] Document
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[136] Norwich to Tilbury - Project information
[137] Norwich to Tilbury Project
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[165] Tarchon - Consultation - Tendring Parish Council, Tendring, Clacton-On-Sea

require proportionate archaeological evaluation. Harm should be avoided or clearly justified, with opportunities for conservation and enhancement embedded in site policies.

- **Construction and amenity impacts.** The Plan should assess the duration, phasing and interaction of construction programmes, including noise, vibration, dust, lighting, working hours, construction compounds and rights-of-way diversions. NSIP status does not remove the need to assess cumulative effects on residential amenity and community well-being.
- **Water supply, wastewater and flood risk.** Allocations should be supported by evidence of water availability, wastewater-treatment capacity, sewer-network capacity, surface water collection/storage with managed discharge and deliverable reinforcement. Development should be phased to avoid occupation before necessary infrastructure is operational, and should apply the sequential approach to flood risk and effective sustainable drainage.
- **Transport and highway safety.** The spatial strategy should be informed by cumulative transport modelling that includes NSIP construction traffic. Particular attention is required for single-track rural lanes, junction capacity, abnormal-load routes, road safety, walking and cycling connections, and the residual cumulative impacts on the strategic and local highway network.
- **Social infrastructure and accessibility.** Housing growth should be aligned with funded and deliverable provision for primary care, schools, public transport, community facilities and emergency services. Infrastructure Delivery Plans should identify providers, costs, funding sources, triggers and delivery timescales rather than rely on broad aspirations.
- **Community and economic effects.** The assessment should address disturbance to farming operations, severance, uncertainty, business disruption and effects on housing marketability. Property-value changes are not normally, by themselves, a land-use planning matter; however, the underlying effects on amenity, landscape, accessibility, living conditions and community cohesion are material planning considerations.

3. Soundness concerns

The National Planning Policy Framework is the Government's policy framework for plan-making and expressly addresses housing delivery, clean energy and water, effective use of land, sustainable transport, healthy communities, pollution, flood risk, the natural environment and the historic environment.GOV.UK, National Planning Policy Framework Against that framework, the Plan would not be sound unless the Council can

demonstrate that:[166][167][168][169][170][171][172][173][174][175][176][177][178][179][180][181][182][183][184][185][186][187][188][189][190][191][192][193][194][195][196][197][198]

1. the full cumulative and in-combination effects of the housing strategy and known energy NSIPs have been assessed through the Sustainability Appraisal, Habitats Regulations Assessment and supporting technical evidence;
2. reasonable alternatives, including lower-impact spatial options and the use of poorer-quality agricultural land, have been assessed on a comparable basis;
3. site allocations are developable and deliverable having regard to infrastructure constraints, land availability, phasing, viability and overlapping construction programmes;
4. policies contain clear mitigation requirements, delivery mechanisms, monitoring indicators and contingency measures; and
5. the distribution and scale of growth do not place a disproportionate burden on rural communities already accommodating strategic energy infrastructure.

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[166] Document
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[169] Norwich to Tilbury - Project information
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4. Modifications requested

To make the Plan sound, the Council is requested to:

1. prepare and publish a district-wide cumulative-impact assessment covering committed, consented and reasonably foreseeable energy infrastructure together with proposed housing and employment growth;
2. review the scale and distribution of allocations affecting Ardleigh, Little Bromley and the wider Tendring peninsula, deleting or reducing allocations where significant adverse cumulative effects cannot be avoided or adequately mitigated;
3. introduce a strategic policy requiring cumulative landscape, heritage, ecology, transport, agricultural land, water and community-infrastructure assessments for relevant proposals;
4. require infrastructure-first phasing, with enforceable triggers preventing occupation until necessary highway, water, wastewater, education, health and public-transport capacity is secured;
5. protect BMV agricultural land through a sequential site-selection approach and require soil-management plans for unavoidable temporary works;
6. identify safeguarded construction routes and coordination measures so that overlapping projects do not impose unacceptable effects on villages and rural lanes; and
7. establish transparent monitoring indicators and an early-review mechanism if infrastructure delivery, environmental mitigation or housing trajectories materially depart from the assumptions underpinning the Plan.

5. Conclusion

The transition to a low-carbon energy system and the delivery of housing are important public objectives, but they do not remove the requirement for sustainable development, robust evidence, fair spatial distribution and effective mitigation. Ardleigh, Little Bromley and neighbouring parishes should not be expected to absorb an excessive concentration of strategic infrastructure and housing growth without a comprehensive assessment of cumulative effects and a clear, funded delivery plan. Unless the matters above are addressed through modifications, the Plan has not been shown to be justified or effective in relation to these communities.

Date: 19 October 2026
Our ref: 558099
Your ref: Tendring - Local Plan - REG 19 Proposed Submission of Local Plan

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Tendring Borough Council

BY EMAIL ONLY

Dear Sir/Madam

Thank you for your consultation on the above dated 07 September 2026 which was received by Natural England on the same date

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We welcome amendments made to the Plan in response to Natural England's advice on the Regulation 18 Plan, in our letter dated 30 March 2026 (ref. 542683). Our comments below focus on issues that remain outstanding in our view, alongside advice on any additional matters.

Summary of Natural England's advice

Whilst Natural England has recommended some further modifications to a number of core policies, we do not find the Plan unsound on any grounds relating to our remit.

In our view, the matters raised in Appendix 1 could be addressed through relatively minor modifications. However, their incorporation would further strengthen the Plan and improve its effectiveness in securing positive outcomes for the natural environment, which remains a fundamental component of sustainable development as defined by the National Planning Policy Framework.

If you have any queries relating to the advice in this letter please contact me on consultations@naturalengland.org.uk

Yours faithfully

Jonny Burt
Sustainable Development Higher Officer – West Anglia Team

Appendix 1: Natural England Comments and recommendations for amendments to the Regulation 19 consultation version of the Colchester Local Plan

Integrated Sustainability Appraisal (ISA)

Having reviewed the Integrated Sustainability Appraisal that supports the Regulation 19 consultation of the Tendring Local Plan, we are happy that all strategic matters and key issues have been considered, specifically; Housing needs, Accessible Green Space, Heritage/Historic Environment, Wildlife designations, Essex Coast RAMS, Landscape/AONB, Climate change, Air quality, and BMV. Natural England is satisfied that there are no reasonable alternatives to the proposed growth scenario in meeting the local and district objectives. We are particularly pleased to see a requirement for a minimum 20% BNG as well as establishment of habitat banks and links to the LNRS.

It is acknowledged in the ISA that there are uncertain effects on the Borough's landscape, air quality, and water capacity, as well as predicted negative effects on soils. We are content that embedded mitigation for both air quality and water capacity are sufficient to alleviate concerns regarding impacts to protected sites, specifically the restriction to 100 l/p/d water usage and would like to reiterate that Natural England should be consulted at application stage where impacts have been identified.

We are pleased to see policies and allocations have been assessed in light of the Essex Coast RAMS Zone of Influence and protected sites Impact Risk Zones. Natural England is content that the current growth scenario can adequately mitigate adverse impacts on the Essex Coast protected sites subject to detailed design of new Suitable Alternative Natural Greenspace (SANGs) in consultation with NE, as well as assessment and mitigation for Functionally Linked Land (FLL) at application stage. However, please see our recommendations below for further strengthening of policy wording.
Regarding landscape, it is identified that Garden Village sites SAMU8 and SAMU9 have heightened potential for mitigation. We will expect any allocations or proposals that affect landscape to be underpinned by a detailed Landscape Visual Impact Assessment, which we will be happy to review when available.

As soils and BMV have been regarded as being potentially negatively impacted by proposals, we would like to reiterate that development should aim to minimise risks to the ecosystem services which soils provide, through provision of suitable soil handling and management advice. The planning authority should ensure that sufficient site-specific soil survey data is available to inform decision making. To include, for example, assessment of suitability of soil properties for type of landscaping and planting proposed to inform beneficial re-use, appropriate soil management, and drainage, where required.

Further guidance for protecting soils (irrespective of their ALC grading) both during and following development is available in Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, to assist the construction sector in the better protection of the soil resources with which they work, and in doing so minimise the risk of environmental harm such as excessive run-off and flooding. The aim is to achieve positive outcomes such as cost savings, successful landscaping and enhanced amenity whilst maintaining a healthy natural environment, and we would advise that the Code be referred to where relevant in the development plan.

Habitats Regulations Assessment (HRA)

Essex Coast RAMS

Sites that fall within the Essex Coast RAMS Zone of Influence have been identified, and we are pleased that these have been included in updated allocation policies and the Habitats Regulations Assessment (HRA). Natural England concurs with the HRA conclusions, subject to the Essex Coast RAMS mitigation measures being secured as part of planning consent. When developing strategic SANGs, it should be noted that capacity calculations for existing greenspaces should be undertaken to determine SANG availability. We would welcome discussions with Tendring Council on development of strategic SANGs where required.

Functionally Linked Land

Natural England is also satisfied with the inclusion of Functionally Linked Land (FLL) considerations within the HRA and is pleased to see policyrequirements for detailed multi-year data acquisition to inform likelihood of FLL.

We have provided recommendations below to further strengthen policy wording around SANG and FLL requirements.

Beyond this Natural England notes that there are a number of inaccuracies within Table 9, "Qualifying Features of Habitats Sites with Consideration of Impacts upon Functionally Linked Land" (pages 60–69). In particular, several bird species appear to have been incorrectly attributed to certain designated sites, notably some of the Ramsar sites. Whilst we have not identified any qualifying bird species that have been omitted entirely, the table does not appear to include reference to the relevant SPA waterbird assemblage features. We recommend that the table is reviewed and amended to ensure that all qualifying features are accurately attributed to the relevant European and Ramsar sites, and that the SPA waterbird assemblage features are appropriately reflected within the assessment.

Water environment

Natural England is largely content that embedded mitigation measures for both water quantity and quality have been accounted for and we are pleased to see a commitment for upgrades to existing infrastructure to account for housing growth. We do, however, question the exclusion of the Outer Thames Estuary SPA in regard to water quality impacts, when there appears to be a hydrological link to the SPA from the Tendring local plan area. (4.11)

Guidance on page 15 states that; at Appropriate Assessment (AA) stage, impacts will be assessed against the conservation objectives of qualifying features. It is currently not clear within the AA that this has been done, and impacts have been quantified at site level against the conservation objectives. The AA should take each of the identified likely significant effects and provide sufficient details to enable a clear and better understanding of the likely effects on a site's features and consequently establish the need for additional mitigation measures that should be imposed by the competent authority in order to make the conclusions of the HRA more robust.

We have the following additional comments to make on the HRA in relation to water:

- 2.4.25 states that Clacton Holland Haven is not considered significantly hydrologically connected to water dependent habitats. It is questioned what is defined by "significantly" and how this rationale can be evidenced to exclude impacts to habitat sites.
- 4.11.7/8 – Whilst the use of SUDs can reduce and remove pollutants it is not evidenced here to what extent this will be practical. There needs to be certainty/confidence that the mitigation (SUDs) is going to be sufficient to protect the site.
- 4.11.9 - Whilst the inclusion for the need of project level HRAs is welcome, the HRA of the Local Plan still needs to be robust and provide certainty that adverse effects on integrity can

be avoided through this method of mitigation.

As above, whilst we do not consider the plan unsound clarification of the points above in regard to Water quality and quantity and FLL will be beneficial in making the plan more robust and compliant with the Habitats Regulations and national policy, notably paragraph N1 of the NPPF.

Tendring Local Plan Core Policies

Our advice below includes some recommendations for additional minor amendments to policy wording to reinforce legal compliance and/or conformity with national planning policy.

Policy HP5: Open space and SANG

Natural England welcomes the amendments to Policy HP5, including the exclusion of wildlife mitigation land from the calculation of public open space. However, the policy should explicitly clarify that Suitable Alternative Natural Greenspace (SANG) is Habitats Regulations mitigation and is separate from general open-space provision. Only natural and semi-natural greenspace that meets Natural England's SANG Guidelines may contribute towards both requirements. This clarification is necessary to ensure that sufficient, suitably designed SANG is secured in addition to other recreational facilities.

Policies LP9, LP10 and LP11: Essex Coast RAMS

We advise that Policies LP9, LP10 and LP11 should clearly address the Essex Coast RAMS requirements applying to these forms of overnight accommodation. Gypsy and Traveller sites and HMOs or bedsits should contribute at an appropriate C3-equivalent rate. Care, independent and assisted-living accommodation should contribute at a rate reflecting residents' likely mobility and use of the coast, with exemptions limited to accommodation where coastal visits can reasonably be excluded and appropriately secured. The policies should be amended to provide a clear framework for determining the applicable contribution.

Policies PPL2 to PPL4

Natural England is pleased to see detailed policies regarding coastal protection belts, rural landscapes, and Biodiversity and Geodiversity. Specifically, we support and welcome detailed expectations on both Suitable Alternative Natural Greenspace (SANG) and Functionally Linked Land (FLL) mitigation for qualifying developments. Natural England's comments at the Regulation 18 stage have clearly been accounted for and policy PPL4 (Biodiversity and Geodiversity) in particular provides reassurance that SANG measures have been understood.

As such we are satisfied that PPL2 and PPL4 adequately address development requirements to protect the marine and coastal environment. However, we would encourage the following additional requirement within PPL4 Biodiversity and Geodiversity to strengthen legal compliance and conformity with the NPPF:

> *Any developments with the potential to significantly impact Marine Conservation Zones (MCZs) must be in compliance with the Marine and Coastal Access Act 2009 and may therefore require an MCZ Assessment before planning permission can be granted;*
>
> And
>
> *Developments that fall within the Essex Coast protection Zone of Influence will be required to provide a financial contribution to the onsite mitigation in the form of the agreed SAMM Tarrif.*

Policy PPL5

We note your policies on water scarcity/ efficiency have been informed by a water cycle study and that you were unable to implement the Shared Standards and have justified this with evidence. We are satisfied with this approach and defer to the Environment Agency (EA) on the suitability of the water efficiency standards detailed in this regard.

Policy PP8: Tourism

We would like to see additional wording to this policy requiring proposals to comply with Policy PPL4 and confirm that development will only be permitted where adverse effects on the integrity of Habitats Sites can be excluded. Applicants proposing new or extended tourism facilities near designated sites should also be required to seek Natural England's advice before submission regarding the need for Habitats Regulations Assessment. This will ensure the policy is robustly aligned with Habitats Regulations requirements.

Site-specific SANG requirements

Natural England welcomes the general SANG requirements in Policy PPL4 and the relevant allocation policies. However, the strategic and coastal allocations should specify the minimum SANG quantum required, based on at least 8 hectares per 1,000 new residents, rather than relying solely on wording such as "where necessary". The required SANG must be secured and delivered in phases ahead of occupation, meet Natural England's SANG Guidelines and be managed in perpetuity.

Air quality

As previously stated at Reg 18, we are concerned that the Plan does not contain a dedicated policy addressing the effects of air pollution on Habitats Sites, SSSIs and other sensitive ecological receptors. A strategic air-quality policy should require development to avoid adverse ecological effects from traffic and other emissions, supported by appropriate assessment and mitigation. In particular, proposals must not adversely affect the integrity of Habitats Sites or significantly delay achievement of relevant environmental thresholds and conservation objectives. In the absence of any policy requirements to mitigate the effects of air quality there is a risk that the plan could be considered unsound.

Policy DI1: Habitats Regulations mitigation and viability

Again, we expect cross-referencing with policy PPL4 to ensure that SANG requirements are fully accounted for and understood. Natural England advises that Policy DI1 should expressly distinguish mitigation required under the Habitats Regulations from other infrastructure contributions that may be subject to viability considerations. Measures necessary to avoid an adverse effect on the integrity of a Habitats Site, including SANG provision, must be effective, timely and secured for the required duration. A development cannot be permitted where necessary Habitats Regulations mitigation is reduced or omitted on viability grounds.

Policy PP16: St Osyth Car Park

As above, the policy should clearly demonstrate the need for a project-level HRA and sufficient accessible semi-natural greenspace of SANG standard to meet the daily recreational needs of new residents. It should also require assessment and mitigation of any additional coastal access generated by the proposed car park before development is permitted. Cross-referencing with policy PPL4 will make the plan more robust in this regard.

Site allocations

Site allocations requiring SANG

For the site allocations that require SANG to mitigate recreational pressure impacts on Essex Coast protected sites, the site-specific policy should include a statement to the effect that Natural England must be consulted at the pre-application stage on the detailed design of the SANG, to ensure that the SANG meets NE's SANG guidelines (2021). It would also be beneficial to include reference to the Essex Coast Mitigation Strategy Technical Advice Note (TAN) developed by BirdAware when it becomes available. Specific requirements within the relevant allocation policies would strengthen compliance with Habitats Regulations requirements and national planning policy.

Site allocations impacting Functionally Linked Land

As above, we would expect any allocations that impact Functionally Linked Land (FLL) to be underpinned by detailed (multi-seasonal) wintering bird surveys to inform mitigation. We would expect consultation with Natural England to determine appropriate mitigation in instances where FLL has been identified. Specific requirements within the relevant allocation policies would strengthen compliance with Habitats Regulations requirements and national planning policy.

Historic England

Sir or Madam

Planning Policy

Tendring District Council

Town Hall

Station Road

Clacton on Sea

Essex

CO15 1SE

Direct Dial: [redacted]

Our ref: PL00798318

15 October 2026

Dear Sir or Madam,

Re: Tendring District Local Plan Review 2026 – 2043 and Beyond, Submission Version (September 2026).

Thank you for inviting Historic England to comment on the *Tendring District Local Plan Review 2026 – 2043 and Beyond, Submission Version* (September 2026). We appreciate that this review is not intended to be a full rewrite of the Local Plan, and that many existing policies and sites which remain relevant are being carried forward. As a statutory consultee, our role is to ensure that the conservation of the historic environment is fully integrated into planning policy, and that policy documents make appropriate provision for a positive strategy for the preservation and enjoyment of the historic environment.

SUMMARY

Please note that, unfortunately, with the number of Regulation 19 plans we're responding to at the moment, we have limited capacity, we have not been able to review the whole submission draft Local Plan in detail. Our comments therefore focus on the three new garden village proposals (SAMU6: Development of Weeley Green Garden Village; SAMU8: Development of Hare Green Garden Village; and SAMU9: Development of Horsley Cross Garden Village), as well as the larger of the other new allocations (SAMU5: Development off Dean's Lane and Oakley Road, Dovercourt; and SAMU7: Redevelopment of Saltings Quarter, Riverside Avenue, Manningtree).

The absence of a comment on a particular allocation in this letter should not be taken to indicate that Historic England is satisfied that it forms part of a positive strategy for the conservation and enjoyment of the historic environment, or that it is without historic environment considerations. We would kindly remind the Council that it remains responsible for ensuring that all sites proposed for

allocation are sufficiently understood and justified in terms of their potential impacts on the historic environment.

We hope that you find these comments helpful.

9 DELIVERING PLACES

OVEREARCHING COMMENTS

Sites - Policy Wording

We previously advised that site-specific allocation policies should include sufficient detail regarding the criteria against which development proposals will be assessed. Paragraph 16(d) of the NPPF (2024) states that policies should provide a clear indication of how a decision-maker should react to a development proposal.

In particular, we advised that policy wording should identify the specific designated heritage assets affected by each allocation, both within and adjacent to the site, and should incorporate site-specific mitigation measures drawn from the relevant Heritage Impact Assessment (HIA), such as landscaping, sensitive design, the retention of key views, and buffers or setbacks.

To this end, we welcome the Council's preparation of the site-specific *Tendring District Council High-Level Heritage Impact Assessments* (Place Services, August 2026) ("the HIAs"), which provide a useful evidence base identifying heritage sensitivities, potential impacts and appropriate mitigation measures for individual sites. However, for this evidence to be effective in guiding future development and decision-making, it should be clearly reflected within the Plan and the relevant site allocation policies.

Indeed, where impacts on designated heritage assets have been identified, we would ideally expect policies to include wording along the following lines:

"Development should have regard to the Council's Heritage Impact Assessment for the site and conserve, or where appropriate enhance, the significance of heritage assets, including (list heritage assets on and near the site), including any contribution made to their significance by their settings. Appropriate mitigation measures, including (...), will be required."

We are therefore concerned that the heritage criterion for the proposed allocations are generic in nature and do not adequately reflect the site-specific findings and mitigation measures identified by the Council's own HIAs. Without clear policy hooks to secure the mitigation identified in those assessments, the Plan provides insufficient certainty that heritage impacts will be appropriately addressed, calling into question the effectiveness and soundness of the allocations.

STRATEGIC POLICIES

Strategic Policy SAMU5: Development off Dean's Lane and Oakley Road, Dovercourt

Unsound – not justified, and not effective. We have concerns regarding the allocation of land off Dean's Lane and Oakley Road, Dovercourt. While there are no designated heritage assets within the site, the *Tendring District Council High-Level Heritage Impact Assessments* (Place Services, August 2026) (hereafter referred to as "the HIA"), identifies the potential for harm to the significance of the Grade II listed Millbank (LEN 1205216) and Foulton Hall Farmhouse (LEN 1322616) through development affecting their historic rural settings.

The HIA concludes that this harm could be avoided or minimised through the careful planning of development, including appropriate building heights and densities, the retention of existing landscape features, substantial landscape buffers, the provision of green infrastructure, and the maintenance of the site's rural boundaries. It also identifies the potential to avoid harm by retaining the open landscape character to the north-west and west of the site and concentrating development within its eastern parts.

Despite these findings, the allocation policy doesn't incorporate any of the site-specific mitigation measures identified in the Council's HIA. Instead, criteria (k) and (l) are generic in nature and fail to reflect the particular sensitivities of the site or the measures the Council's own evidence identifies as necessary to avoid or minimise harm. As drafted therefore, the policy provides insufficient certainty that the significance of Millbank and Foulton Hall Farmhouse will be conserved. The allocation cannot therefore be regarded as justified or effective and is consequently unsound.

Our recommendation

Amend criteria (k) and (l) to incorporate the site-specific mitigation measures identified in the Council's HIA, ensuring the policy provides an effective framework for avoiding or minimising harm to the significance of Millbank and Foulton Hall Farmhouse.

Strategic Policy SAMU6: Development of Weeley Green Garden Village

Unsound – not justified, and not effective. We have concerns regarding the allocation of Weeley Green Garden Village. While there are no designated heritage assets within the site, the *Tendring District Council High-Level Heritage Impact Assessments* (Place Services, August 2026) (hereafter referred to as "the HIA"),

identifies the potential for harm to the significance of the Grade II listed Weekley House (LEN 1235273) by further compromising its historic landscape setting and divorcing the last link to its semi-rural setting. This may give rise to harm to its significance, which should be further explored and minimised in any future assessment. The HIA concludes that this harm could be removed or minimised through the retention of open land and the character of the eastern part of the Site, to the west of Weeley House, and careful consideration of the location, orientation, density, and scale of development.

Despite these findings, the allocation policy doesn't incorporate any of the site-specific mitigation measures identified in the Council's HIA. Instead, criteria (i) and (j) are generic in nature and fail to reflect the particular sensitivities of the site or the measures the Council's own evidence identifies as necessary to avoid or minimise harm. As drafted, the policy provides insufficient certainty that the significance of of Weeley House will be conserved. The allocation cannot therefore be regarded as justified or effective and is consequently unsound.

Our recommendation

Amend criteria (i) and (j) to incorporate the site-specific mitigation measures identified in the Council's HIA, ensuring the policy provides an effective framework for removing or minimising harm to the significance of Weeley House.

Strategic Policy SAMU7: Redevelopment of Saltings Quarter, Riverside Avenue, Manningtree

Unsound – not effective. We have concerns regarding the allocation of Saltings Quarter, Riverside Avenue, Manningtree.

While there are no designated heritage assets within the site, the the *Tendring District Council High-Level Heritage Impact Assessments* (Place Services, August 2026) (hereafter referred to as "the HIA"), identifies potential harm to the setting and significance of the Manningtree and Mistley Conservation Area and the Grade II listed Kiln at East End of Maltings. This harm could arise through the loss of the site's industrial character, development of historically open land, and impacts on important views and the prominence of the listed building within the Conservation Area.

However, the HIA concludes that harm could be minimised, or potentially avoided altogether, via a range of measures, including restricting development to the western part of the site, retaining open space to the east, carefully considering the location, orientation, density and scale of development, and delivering a high quality industrial design response that reflects the site's historic use. The HIA

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also advises that new development should avoid replicating traditional maltings architecture, as the site was not historically associated with the maltings industry.

Despite these findings, the allocation policy doesn't incorporate any of the site-specific mitigation measures identified in the Council's HIA. Instead, criterion (g) is generic and fails to reflect either the sensitivities of the site or the measures the Council's own evidence identifies as necessary to avoid or minimise harm. As drafted, the policy leaves the Manningtree and Mistley Conservation Area and the Grade II listed Kiln at East End of Maltings vulnerable to inappropriate development. The allocation cannot therefore be regarded as justified or effective and is consequently unsound.

Our recommendation

Amend criterion (g) to incorporate the site-specific mitigation measures identified in the Council's HIA, ensuring the policy provides an effective framework for removing or minimising harm to the significance of the Manningtree and Mistley Conservation Area and the Grade II listed Kiln at East End of Maltings.

Strategic Policy SAMU8: Development of Hare Green Garden Village

Unsound – not justified, and not effective. We have concerns regarding the allocation of Hare Green Garden Village. The *Tendring District Council High-Level Heritage Impact Assessments* (Place Services, August 2026) (hereafter referred to as "the HIA"), identifies the potential for harm to the significance of a number of listed buildings resulting from from the loss of agricultural and undeveloped land that contributes to their rural, open and, in some cases, historic settings. The assessment highlights potential impacts on a number of designated heritage assets including Oak House (LEN 1337191), Fleece House (LEN 1111450), Hill House (LEN 1147099), Red Tiles (LEN 1111457), The Thickets (LEN 1308664), Forge Cottages (LEN 1111446), Pudners (LEN 1146948) and Thatched Cottage (LEN 1111447), Hill Farmhouse (LEN 1146846), Mannings (LEN 1111445), and Crabtree Farmhouse (LEN 1111405). To address these concerns, the HIA identifies a range of mitigation measures, including setting development back from heritage assets, retaining open land and woodland, maintaining areas of rural character, incorporating screening and open space, and carefully considering the location, scale, density and orientation of development. This includes avoiding particularly sensitive areas of land adjacent to, or historically associated with, affected heritage assets.

Given the scale of the proposed allocation, we would expect the policy to reflect these recommendations. However, while Policy SAMU8 includes a requirement to conserve and, where appropriate, enhance the significance of heritage assets (requirement 21), this is a generic

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requirement that provides little certainty as to how the specific heritage issues identified through the Council's evidence base will be addressed. Indeed, the policy does not incorporate any of the site-specific mitigation measures identified within the HIA, nor does it establish clear parameters regarding those parts of the site where development may need to be restricted, set back or omitted altogether to avoid harm.

Instead, it defers these matters to a future Heritage Impact Assessment and masterplanning process. As a result, key questions regarding site capacity, developable areas and the extent of mitigation necessary to conserve the significance of affected heritage assets remain unresolved. This approach fails to demonstrate that the proposed quantum of development can be accommodated without unacceptable harm to the historic environment, or that the mitigation identified by the Council's own evidence base will be secured. The allocation is therefore not adequately justified by the available evidence and its effectiveness remains unclear.

Recommendation: Amend Policy SAMU8 to include the site-specific mitigation measures identified in the Council's HIA, including areas where development should be set back, restricted or omitted altogether to conserve the significance of affected heritage assets.

Strategic Policy SAMU9: Development of Horsley Cross Garden Village

Unsound – not justified, and not effective. We have concerns regarding the allocation of Horsley Cross Garden Village. The *Tendring District Council High-Level Heritage Impact Assessments* (Place Services, August 2026) (hereafter referred to as "the HIA") identifies the potential for harm to the significance of a number of listed buildings, including Hempstall's Farmhouse (LEN 1240504), Abbott's Hall (LEN 1261150), Pear Tree Cottage (LEN 1240608), Holly Tree Cottage (LEN 1240169), Spring Farmhouse (LEN 1261032), Spring Farm Cottage (LEN 1261031), Thatched Cottage (LEN 1240453), and Cherry Tree Cottage Tudor Cottage (LEN 1240227). The assessment finds that development would result in the loss of agricultural land that contributes positively to the significance of these assets through its openness, rural character, historic associations and contribution to views to and from them, thereby eroding their historic relationship with the surrounding landscape. To address these impacts, the HIA identifies a range of mitigation measures, including setbacks from key heritage assets, the retention of open land and areas of rural character, and the maintenance of vegetation that contributes to their settings. Importantly, the assessment concludes that harm may be avoided by restricting built development to the north-eastern quadrant of the site. This has potentially significant implications for the developable extent and capacity of the allocation.

Given the scale of the proposed allocation, and the potential for harm to be reduced or avoided altogether, we would expect the allocation policy to reflect these recommendations. However, while Policy SAMU9 includes a requirement to conserve and, where appropriate, enhance the significance of heritage assets, and for a further Heritage Impact Assessment (requirement 21), this is a generic requirement that provides little certainty as to how the specific heritage sensitivities identified through the Council's evidence base will be addressed. The policy does not secure the measures identified by the HIA as necessary to avoid or minimise harm, including development setbacks, the retention of open land and woodland, the maintenance of areas of rural character, and the avoidance of particularly sensitive land.

Instead, these matters are deferred to a future Heritage Impact Assessment and masterplanning process, leaving key questions regarding site capacity, developable areas and the extent of mitigation necessary to conserve the significance of affected heritage assets unresolved. This is problematic because it fails to demonstrate that the proposed quantum of development can be accommodated without unacceptable harm to the historic environment, or that the mitigation identified by the Council's own evidence base will be secured. As drafted, therefore, the allocation is not adequately justified by the available evidence and its effectiveness remains unclear.

Recommendation: Amend Policy SAMU9 to incorporate the site-specific mitigation measures identified in the Council's HIA, including those areas where development should be set back, restricted or omitted altogether to conserve the significance of affected heritage assets.

CONCLUSION

In preparation of the forthcoming Local Plan Examination, we encourage you to draw on the knowledge of local conservation officers, the county archaeologist and local heritage groups.

Please note that absence of a comment on an allocation or document in this letter does not mean that Historic England is content that the allocation or document forms part of a positive strategy for the conservation and enjoyment of the historic environment or is devoid of historic environment issues.

Finally, we should like to stress that this opinion is based on the information provided by the Council in its consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals, which may subsequently arise where we consider that these would have an adverse effect upon the historic environment.

Historic England, Brooklands, 24 Brooklands Avenue, Cambridge CB2 8BU
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Should you have any questions regarding the comments provided, please feel free to contact me. In the meantime, we look forward to continuing to work with you and your colleagues. We would be happy to meet with the Council to discuss the issues raised in this letter and look forward to continuing to work positively with officers over the coming months to resolve these matters.
Yours sincerely,

Andrew Marsh

Historic Environment Planning Adviser, Planning Group

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Tibbalds CampbellReith
Multidisciplinary Joint Venture

Written Representation by Homes England to the Tendring District Local Plan Review 2026-2043 and Beyond: Submission Version September 2026

2026-10-16

1 Introduction

1.1 This document is a Written Representation prepared by Tibbalds Planning and Urban Design, on behalf of Homes England, which responds to the 'Regulation 19' consultation version of the Tendring District Local Plan Review 2026-2043 and Beyond: Submission Version September 2026 (the 'Draft Tendring Local Plan' or 'DTLP').

1.2 Homes England is the majority landowner, controlling circa 90% of the land, of the site allocation at Hartley Gardens forming Draft Strategic Policy SAMU2. At the time of writing, Homes England has completed a comprehensive period of pre-application engagement with Tendring District Council, Essex County Council, the local community and other stakeholders on a proposed outline planning application for the majority of the Hartley Gardens Site. The intention is to submit the application imminently.

1.3 Homes England is an executive non-departmental public body, sponsored by the Ministry of Housing, Communities and Local Government. As the government's housing and regeneration agency, Homes England's remit is to provide affordable, quality homes in well-designed places and accelerate the pace of house building and regeneration across the country.

1.4 The objective of this Representation is to ensure the Hartley Gardens Site Allocation, which is also in the adopted Tendring Local Plan, and other emerging DTLP policies continue to provide a justified, effective and supportive policy framework to allow much needed housing and community facilities to be delivered at the site. Accordingly, this Representation focusses on:

1. The DTLP Hartley Gardens allocation;
2. Associated key draft policies impacting Hartley Gardens in the DTLP; and
3. Viability and delivery.

1.5 This is done through commenting on the draft policies and relevant evidence base documents to assist the Council in ensuing the Local Plan is sound and can effectively support the delivery of the sustainable urban extension at Hartley Gardens.

1.6 Overall, Homes England is supportive of the overarching principles and messages within the DTLP, in particular, the retention of Hartley Gardens as a key large scale development site and recognition of the viability challenges of delivering development in the District. However, the evidence base and emerging policy requirements must remain robust and well evidenced to ensure both the strategic policies and allocation policy is sound to enable the site to come forward and deliver the scale of development needed on this strategic site. At present, Homes England have identified a number of inconsistencies in the DTLP evidence base.

2 Homes England and Hartley Gardens

2.1 Homes England has been engaging with Tendring District Council, Essex County Council, the local community and other stakeholders on the Hartley Gardens development since 2022 and, at the time of writing, are close to submitting a comprehensive outline planning application (OPA) for: up to 1,830 homes; a neighbourhood centre; land for a primary school and early years and childcare facility; sport pitches; open space; play and landscaped areas, and; associated highways, engineering, infrastructure ancillary works. The proposed application site – known as 'Land at Hartley Gardens - falls mostly within the Hartley Gardens Site Allocation boundary and comprises approximately 155 hectares.

2.2 The Homes England proposals have been prepared in accordance with the current adopted Development Plan for the Site and Hartley Gardens Supplementary Planning Document (HGSPD, adopted December 2025) and the supporting Hartley Gardens Infrastructure Delivery Plan evidence base.

3 The Hartley Gardens Allocation

3.1 Hartley Gardens is currently allocated as a residential-led urban extension to Clacton-on-Sea at Site Allocation 'SAMU2' in the Tendring District Local Plan 2013-2033 and Beyond: Section 2 (TLP2). Homes England is fully supportive of the retention of this Allocation in the DTLP and notes that the wording of Site Allocation SAMU2 is very similar between the TLP2 and DTLP. Homes England comments on the proposed changes between the adopted and emerging policy changes as set out in the Table below.:

TDC Local Plan Section 2 (adopted, Jan 2022) Policy SAMU2	TDC Local Plan Submission Version (Sept 2026) Strategic Policy SAMU2	Homes England Comments
a. Approximately 1,700 new homes of mixed sizes and types to meet evidenced local housing need within the Council's most up to date Strategic Housing Market Assessment and to include 30% affordable housing as set out in Policy LP5.	a. Approximately 1,870 new homes of mixed sizes and types to meet evidenced local housing need within the Council's most up-to-date Strategic Housing Market Assessment including affordable housing.	**Support** the increase of new homes on the site. This is supported by masterplanning evidence in the HGSPD and reflects national planning policy to optimise density. **Support** the omission of a specific affordable housing percentage for the site and continued reference to the latest evidence. Given ongoing economic uncertainties, it is considered sensible to allow flexibility in the optimum amount of affordable housing to be provided without stymying delivery. (Note: Comments on Policy LP5 Affordable Housing in the following section)
c. 2.1 hectares of land for a new two-form entry primary school with co-located 56 place early years and childcare facility, 0.13 hectares of land for a second 56 place stand-alone early years and childcare nursery and/or financial contributions towards primary school and secondary school provision as required by the Local Education Authority based on evidenced need;	c. Approximately 2.1 hectares of land for primary education provision (Use Class F1(a)) together with land for early years and childcare provision (Use Class E(f), and/or financial contributions towards primary school and secondary school provision as required by the Local Education Authority based on evidenced need.	**Note** that the policy wording is less prescriptive, allowing for more flexibility on how early years and childcare provision is provided.
d. New facilities and/or financial contributions to support new health provision based on evidenced need;	d. New facilities and/or financial contributions to support new health provision based on evidenced need and other community infrastructure requirements, including emergency services infrastructure where justified.	**Note** the reference to other community infrastructure and emergency services specifically and not and do not object in principle. The development will need to deliver significant amounts of infrastructure (in kind or by financial contribution) and must remain viable.

		As noted elsewhere in this response, the viability assessment moves away from standard formula approaches for certain financial obligation requirements and there are a number of inconsistencies and omissions in the supporting infrastructure evidence base that have not been carried forward into the Local Plan viability testing. In the absence of a robust viability assessment, It is therefore **recommended** that this part of the Policy states *"where justified and does not impact on the viability of the allocation".*
e. Green infrastructure which should provide a multi-functional and connected network, including amenity green space, parks, allotments and natural and semi natural green space (meeting the standards set out in Policy HP5) and providing for attractive green walking and cycling routes;	e. Green infrastructure which should provide a multi-functional and connected network, including amenity green space, parks, allotments and natural and semi natural green space (meeting the standards set out in Policy HP5) and providing for attractive green walking and cycling routes;	**Note** that the wording has not changed but the requirements of updated Policy HP5 Open Space, Sports and Recreation Facilities has.
f. To deliver at least 10% biodiversity net gain;	f. To deliver the necessary level of biodiversity net gain in accordance with Policy PPL4a and any habitat mitigation measures required to address impacts on designated nature conservation sites.	**Object** to the increase in biodiversity net gain (BNG) requirement via reference to Policy PPL4a. BNG should reflect NPPF requirement and extensive masterplanning work undertaken to date as endorsed by the HGSPD. Comments on Policy PPL4a Biodiversity Net Gain in Tendring in the following section.
Masterplanning Approach	Masterplanning Approach	**Support** the references to determining applications at the site in accordance with the HGSPD now this has been adopted.
o. Ensure no net loss of biodiversity, and to deliver a 10% net gain as well as securing positive benefits to biodiversity through the restoration, enhancement and creation of appropriate semi-natural habitats within and through the site to maintain, restore and create functional ecological networks;	o. Ensure no net loss of biodiversity and deliver a net gain in accordance with Policy PPL4a, as well as securing positive benefits to biodiversity through the restoration, enhancement and creation of appropriate semi-natural habitats within and through the site to maintain, restore and create functional ecological networks.	**Object** to the increase in BNG requirement via reference to Policy PPL4a. BNG should reflect NPPF requirement and extensive masterplanning work undertaken to date as endorsed by the HGSPD. Comments on Policy PPL4a Biodiversity Net Gain in Tendring in the following section.
u. Demonstrate that no internationally designated sites would be adversely affected by the development either alone or in combination with other proposals	u. Demonstrate that no internationally designated sites would be adversely affected by the development either alone or in combination with other proposals	Comments above in relation to PPL4a apply here. **Note** reference to Habitats Regulations Assessment, which

as per the requirements of Policy PPL4 and future proposals will need to demonstrate no adverse impact on water quality as per the requirements of Policy PPL5;	as per the requirements of Policy PPL4, and future proposals will need to demonstrate no adverse impact on water quality, including the provision of appropriate avoidance, mitigation and compensation measures where required by the Habitats Regulations Assessment.	will be carried out by TDC as the Competent Authority. Applicants would normally provide information with a planning application to assist this process.

3.2 The Hartley Gardens Site Allocation boundary is shown at pg. 196 of the DTLP and remains unaltered from TLP2. In the intervening period, the HGSPD has been adopted and the HGSPD boundary includes some limited additional land to the Site Allocation. This is clearly identified and justified at Figure 1.6 and para. 1.24 of the HGSPD respectively, the latter stating:

"The SPD boundary includes limited land to the north-east of the Site allocation boundary. This additional land is required and necessary for access to the A133/Progress Road/St Osyth Road roundabout and can also provide additional open green space. This wider boundary is referred to as the SPD Boundary in this document. This additional land is included to better enable the Spatial Framework to deal with the Allocation Site's integration with its surroundings and the wider countryside and ensure a defensible and sensitive boundary to the open countryside beyond, as required in Policy SAMU2. It also better reflects current ownership boundaries. Other than part of the link road, no other built form is proposed on this additional land, it is identified as 'open green space' in the Spatial Framework and contributing to the 'Green Buffer' on indicative landscape drawings in this SPD."

3.3 This rationale applies equally to the Hartley Gardens Site Allocation boundary in the DTLP and it is **recommended** that the boundary at pg. 196 is updated to reflect the HGSP Figure 1.6.

4 Key Draft Policies

4.1 As identified above, the Hartley Gardens Allocation Policy (SAMU2) cross refers to updated standards in the DTLP:

Strategic Policy LP5 Affordable Housing

4.2 Homes England generally **supports** the proposed approach to affordable housing at Policy LP5 Affordable Housing which seeks a lower quantum of affordable housing (outside of the Garden Community and Villages) compared to current allocation based on Local Plan Viability Assessment (see Section 5). However, it is understood that the reduction in affordable housing provision appears to be in response to enhanced policy requirements, such as those for BNG, water and energy efficiency, rather than in recognition of the significant infrastructure needed to bring forward SAMU2 as a strategic allocation. In light of the concerns around the viability testing and gaps within the supporting Tendring Infrastructure Delivery Plan set out below, either further viability testing is needed to fully justify the 20% or further flexibility in the quantum of affordable housing may still be required to support the delivery of homes and facilities. As the affordable housing threshold is supported by the Council's own evidence base, this needs to be robust and transparent, and comments are provided below.

It should also be **noted** that whilst the rationale for lowering to the affordable housing threshold appears to be based on enhanced policy requirements, the existing economic situation is such that at the current time viability is very challenging without these new policies.

Strategic Policies PPL4 Biodiversity and Geodiversity and PPL4a Biodiversity Net Gain in Tendring

4.3 Whilst Homes England recognise the need to provide biodiversity net gain (BNG) and support the principle of this Policy, they **object** to the proposed blanket increase of this to 20% in Policy PPL4a.

4.4 Plan-making Policy N1: Identifying environmental opportunities and safeguards of the National Planning Policy Framework (NPPF, August 2026) is clear that development plans should only set local BNG standards in excess of statutory net gain requirements where this is for specific site allocations and fully justified and deliverable. The statutory requirement is 10% BNG and this should be reflected in DTLP Policy PPL4a.

4.5 A BNG requirement in excess of 10% has not been justified or shown to be deliverable on the Hartley Gardens site. The extensive work on the Hartley Gardens site to date has been based on providing a minimum BNG of 10% and the adopted HGSPD reflects this (Development Principle N7). Whilst any future proposals at the site should look to maximise BNG when balanced against other planning requirements, a formal policy position of a minimum 20% BNG introduces unwelcome uncertainty and could undermine the site's deliverability.

4.6 For the above reasons, Homes England also **object** to the following proposed wording in Policy PPL4 (our underlining) which could result in a BNG requirement of over 10%:

"Whilst SANG is not an automatic delivery mechanism for BNG, the two can exist on the same site. BNG on SANG is only attributable to such habitat creation or enhancement that proves measurable additionality over and above the minimum requirements of the SANG, demonstrated using the Biodiversity Metric."

5 Viability Evidence Base

5.1 Strategic Policy DI1 Infrastructure Delivery and Impact Mitigation recognises that developers should contribute to infrastructure required to support new development and that this can take a number of forms including financial contributions, on or off-site provision, or provision of land. Homes England **support** the principle of this approach.

5.2 The Policy refers, variously, to 'sufficient appropriate', 'additional' necessary' and 'relevant' infrastructure. Whist the level of supporting infrastructure will be likely be determined on a case by case basis, it is important that well evidenced assumptions are made on infrastructure for typologies of development and for strategic sites, such as Hartley Gardens. This will provide greater certainty for both the Council and developers in delivering homes.

5.3 At present, there are a number of uncertainties and inconsistencies in the evidence base to the DTLP, most notably in the TDC Local Plan Viability Assessment August Update Note (the 'Viability Note') and Tendring Infrastructure Delivery Plan (TIDP, August 2026). Including:

1. The Viability Note includes 'strategic infrastructure and mitigation' costs for strategic sites (Table 6.5). For Hartley Gardens the total figure is stated as £28,805,171 at £15,404 per unit for 1,700 homes. This document should make clear that it is for 1,870 homes as per Site Allocation SAMU2.

2. More fundamentally, the basis for these figures is not clearly justified. Reference is made to an earlier (July 2026) version of the TIDP but this has not been made available and the figures do not appear in the published TIDP. Consequentially, it is not clear what infrastructure and mitigation these costs at Table 6.5 include.

3. In short, it is not clear if these strategic site costs are bespoke planning contributions figures for the strategic sites or if these are infrastructure and mitigation costs in addition to the per unit developer contributions at para. 6.61.

4. The conclusions to the Viability Note (9.4j) state that the strategic sites costs from the updated TIDP are tested but, as noted above, the costs at Table 9.2 (which replicates Table 6.5) do not appear in the TIDP (as published).

5. Turning to the TIDP, and notwithstanding its inconsistency with the Viability Note, there are a significant number of unknowns for estimated costs for site SAMU 2 (Hartley Gardens) in the Infrastructure Schedules at Appendix B. Clarity is required on expectations for Hartley Gardens given the advanced stage of pre-application work and the adopted HGSPD. It is also unclear whether these costs have been adjusted in the Viability Note for the strategic sites, noting that the ECC costs have been adjusted (we assume for non strategic sites) in the Viability Note which states (para. 6.58):

6. It is recognised by the Council (Viability Noted para. 6.58) that: *"These amounts [ECC Developer Contributions] are substantially more than those currently sought by the Council. It is unlikely that these contributions will apply in most cases – particularly the education payments which are only likely to apply to the largest sites."* In Table B.16: Hartley Gardens, Clacton (SAMU2) of the TIDP the combined infrastructure cost totals circa £36m. This appears to be a combination of planning obligations and strategic infrastructure costs. However, a number of infrastructure costs are identified as 'not known'.

7 Clarification is therefore required on where cost items have been sourced, particularly those which appear significantly higher than the estimated costs identified in the Hartley Gardens Infrastructure Delivery Plan – specifically for bus contributions (£7,805,548) and off-site highways (£18,574,571). Homes England's outline planning application includes details of the four primary means of vehicular access to accommodate the proposed development, but does not consider further off-site mitigation is required to additional junctions identified in the TIDP.

8 In recognition that ECC Developer Contributions are substantially more than is than is currently being sought by the Council, Homes England supports a more pragmatic tariff based approach to calculating planning obligations on a per home basis as set out in the Viability Note (para 6.61), calculated at £7,500 per home for Essex County Council developer contributions. With developer contributions for 'Other Items (all)' at £2,500 per home as set out in Viability Note (para. 6.1).

9 The reference to education payments is of particular importance to Hartley Gardens in terms of expected provision and costs. The above Viability Note text (6) infers that education payments will only apply to large sites and whilst this is noted, there are a number of significant unknowns in the TIDP Infrastructure Schedules in relation to education. It is not clear if these costs have been taken forward into the scheme costs as part of the viability testing.

10 It is only stated that RAMS payments will be in addition to these costs identified above (8). Clarity is sought on how the strategic site costs interact, if at all, with the Essex County Council (ECC) Developer Contributions costs (paras. 6.57-6.61) or 'Other items (all)' (para. 6.1) in the Viability Note

5.4 More generally, any contributions sought from development proposal must be:

1 Necessary to make the development acceptable in planning terms;

2 Directly related to the development; and

3 Fairly and reasonably related in scale and kind to the development.

5.5 As recognised in the TIDP itself (para. 2.8) any developer contributions for Hartley Gardens, or other sites, must meet these statutory tests.

5.6 Overall, Homes England **recommend** that current uncertainties and inconsistencies in the viability evidence base to the DTLP are clarified and corrected for Hartley Gardens to ensure that: estimated planning contributions *and* infrastructure costs are clear in terms of amount and scope; cross referencing and reliance between the Viability Note and TIDP is clear and transparent, and; developer contributions meet the statutory tests. The viability assessments may then need to be re-run to demonstrate that, as a whole, the DTLP 'policy asks' and infrastructure requirements do not impact on the viability and overall deliverability of the Hartley Gardens scheme. This is important when looking at the sensitivity testing in the Strategic Sites Table (page 48) of the Viability Note which shows a relatively small change in infrastructure costs (circa. 10%) are likely to make the scheme unviable.

6 Conclusion

6.1 As set out in this Representation, Hartley Gardens is a key strategic site that is already allocated in the existing Tendring Local Plan and benefits from the site specific Hartley Gardens Supplementary Planning Document that includes a spatial strategy. Homes England is at an advanced stage of pre-application discussion with Tendring District Council, Essex County Council and key stakeholders on a comprehensive outline planning application for the majority of the allocation.

6.2 In this context, Draft Tendring Local Plan Strategic Policy SAMU2 should be framed in a manner that is positive, clear and effective, to support the delivery and, where possible, accelerated deliver of homes at this site. It should reflect the significant work that has been undertaken to date to bring forward an OPA for the majority of the site that positively responds to the existing development plan and HGSPD. It should avoid introducing additional requirements that may slow progress in delivering this sustainable urban extension for Clacton-on-Sea.

6.3 Overall, Homes England support the vison and principles in the Draft Tendring Local Plan and welcome the Council's acknowledgement of the viability challenges of delivering new homes in Tendring, as reflected in the

proposed lowering of the affordable housing threshold and recognition of ways in which supporting infrastructure can be delivered. However, the Council must ensure these delivery objectives are not undermined by other policies aspirations, such as seeking BNG above statutory requirements, or uncertainties over infrastructure requirements in the evidence base. The clarification and correction of these issues identified will result in a more consistent, clear and delivery focussed local plan.

14605 Support

Document Element: Vision for the Tendring District
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

The reference in the vision to residents being able to enjoy a healthy quality of life is welcomed as sport/physical activity will make an important contribution to this. Reference in the vision (points 4 and 5) to new development providing more walkable places and excellent services/facilities would support this. Specific support is offered for the inclusion of the point 6 for new development to provide opportunities for local communities to be healthy and physically active. The vision would be considered to be consistent with Sport England's Uniting the Movement Strategy and Government policy in paragraph 96 of the NPPF (2024).

Full text:

The reference in the vision to residents being able to enjoy a healthy quality of life is welcomed as sport/physical activity will make an important contribution to this. Reference in the vision (points 4 and 5) to new development providing more walkable places and excellent services/facilities would support this. Specific support is offered for the inclusion of the point 6 for new development to provide opportunities for local communities to be healthy and physically active. The vision would be considered to be consistent with Sport England's Uniting the Movement Strategy and Government policy in paragraph 96 of the NPPF (2024). It would also be consistent with the objectives of the Essex Local Delivery Pilot in Tendring that is currently being delivered.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14606 Support

Document Element: Objectives for the Plan
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

Specific support is offered for strategic objective 4 as this would support the promotion of active travel opportunities in new development which in turn would encourage physical activity. Promoting and encouraging healthy lifestyles through developments and planning is welcomed in Objective 5 as this would accord with Government policy in paragraph 96(c) of the NPPF (2024) and Sport England's 'Uniting the Movement' Strategy.

Full text:

Specific support is offered for strategic objective 4 as this would support the promotion of active travel opportunities in new development which in turn would encourage physical activity. Promoting and encouraging healthy lifestyles through developments and planning is welcomed in Objective 5 as this would accord with Government policy in paragraph 96(c) of the NPPF (2024) and Sport England's 'Uniting the Movement' Strategy.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14607 Support

Document Element: Non-strategic Policy HP1
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

Part A of the policy is supported for the following reasons:

• It expects new developments to be located, designed and laid out to create safe and healthy environments.
• It expects evidence of the principles that are set out in the Essex Healthy Places Guidance including the Active Design checklist.
• It expects developments to maintain, expand and improve the quality of public open space, sport and recreational facilities.
The policy would accord with Sport England's Uniting the Movement Strategy and would also be consistent with Government planning policy especially in paragraphs 96 and 129 of the NPPF (2024).

Full text:

Part A of the policy is supported for the following reasons:

• It expects new developments to be located, designed and laid out to create safe and healthy environments.
• It expects evidence of the principles that are set out in the Essex Healthy Places Guidance including the Active Design checklist.
• It requires Health Impact Assessments for all major developments.
• It expects developments to maintain, expand and improve the quality of public open space, sport and recreational facilities.
• It requires developments to prioritise walking, wheeling and cycling.
• It expects developments to contribute to the expansion of the biodiversity network to promote health and wellbeing.
• It expects developments to be well designed to create safe, accessible and inclusive places for all users.
The policy would accord with Sport England's Uniting the Movement Strategy and Active Design Guidance and would also be consistent with Government planning policy especially in paragraphs 96 and 129 of the NPPF (2024).

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14608 Object

Document Element: Non-strategic Policy HP2
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

The policy is welcomed in principle as it seeks to protect, enhance and provide community facilities which would include sports facilities. Policy HP5 states that sport and recreational facilities will be protected in line with Policy HP2. It is therefore essential that the content of the policy is appropriate for protecting sports facilities and is consistent with paragraph 104 of the NPPF (2024) which specifically covers the protection of sport and recreation facilities. Several issues with the policy content are identified which require addressing to allow the policy to meet the tests of soundness.

Full text:

The policy is welcomed in principle as it seeks to protect, enhance and provide community facilities which would include sports facilities as set out in paragraph 4.9 of the reasoned justification. Policy HP5 states that sport and recreational facilities will be protected in line with Policy HP2. It is therefore essential that the content of the policy is appropriate for protecting sports facilities and is consistent with paragraph 104 of the NPPF (2024) which specifically covers the protection of sport and recreation facilities. In this context, the content of the policy has the following issues:

• Criterion b does not require the replacement facilities to provide equivalent or better provision in terms of quantity and quality. This is essential for assessing the acceptability of replacement sport and recreation facilities as required by paragraph 104 (as referenced in paragraph 4.25 of the reasoned justification).

• Criterion c refers to it being demonstrated that there is no longer a community need for a facility or demand for another community use as per the guidance in Appendix E of the plan. However, the guidance in Appendix E is not suitable for assessing sport and recreation facilities such as playing fields and parks which often form part of multi-functional public open space. Marketing and viability assessments for instance would not be appropriate for demonstrating that such facilities were not needed. Such criteria are also not included in paragraph 104 of the NPPF (2024). While the guidance in Appendix E may be appropriate for other community facilities such as public houses and community halls it would not be appropriate for all sport and recreation facilities. The criteria in Appendix E would also be inconsistent with the criteria applied in Policy HP5 for assessing Safeguarded Open Space (that covers other open space typologies). The Council's evidence base for sport (Playing Pitch Strategy and Indoor & Built Facilities Strategy) also does not recommend that the criteria in Appendix E are used for assessing whether sport and recreation facilities are needed. The findings of the evidence base for sport should be used rather than the criteria in Appendix E.

• While criteria (b) and (c) partially align with criteria a and b of paragraph 104 of the NPPF (2024), the policy omits a criterion relating to development for alternative sports and recreation provision along the lines of criterion c) of paragraph 104. This criterion is applied in practice for assessing many proposals in Tendring district on school or sports club sites for example e.g. sports halls, artificial grass pitches, multi-use games areas etc that may be sited on playing fields. Without the inclusion of such a criterion, a proposal could potentially accord with paragraph 104 of the NPPF (2024) but be interpreted as being contrary to the Local Plan policy because the policy does not make provision for such development. .

In its current form, as the policy would not align with the evidence base for sport and the NPPF, it would not be considered to accord with the positively prepared, justified or consistent with national policy tests of soundness.

Change suggested by respondent:

It would appear that the above issues have arisen as a result of the scope of policy HP2 attempting to cover both community facilities and sport/recreation facilities (which cover some of the open space typologies). The NPPF (2024) has separate policies on the protection of open space/sport/recreation facilities and community facilities and therefore amalgamating them into a single policy and using the same criteria will present challenges in terms of consistency with the NPPF (2024). To address this it is suggested that either policy HP5 or HP2 are amended to include criteria for assessing the loss of sport and recreation facilities which are along the lines of the criteria in paragraph 104 of the NPPF (2024). Amending policy HP5 would be preferable as this policy applies specifically to open space, sport and recreation facilities and would allow policy considerations relating to sport and recreation to be focused into a single policy rather than spread across the two policies as currently proposed. The reasoned justification to policy HP2 would need to be amended to confirm that proposals involving the loss of sport and recreation facilities would be assessed against policy HP5 rather than HP2 if this approach was taken. Sport England would be happy to discuss amendments to policies HP2 and/or HP5 with a view to reaching a mutually agreeable solution prior to the Examination.

Legally compliant: Yes
Sound: No
Appear exam: Appearance at the examination
Oral exam why: To provide specialist advice to the Inspector on sports facility planning matters.
Attachments: None

14609 Object

Document Element: Non-strategic Policy HP5
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

The policy is welcomed in principle as it seeks to maintain, expand and improve the quality and accessibility of sport and recreation facilities. The proposals for large residential allocations of over 30 hectares to include playing fields and built community sports facilities is also welcomed in principle. However, in its current form, for several reasons the policy would not align with the evidence base for sport or provide a clear and consistent policy basis for informing development management decisions. It would therefore not be considered to accord with the positively prepared, justified or effective tests of soundness.

Full text:

The policy is welcomed in principle as it seeks to maintain, expand and improve the quality and accessibility of sport and recreation facilities. The proposals for large residential allocations of over 30 hectares to include playing fields and built community sports facilities is also welcomed in principle. However, the content of the policy has the following issues:

• The policy and the reasoned justification only refer to the Council's Open Spaces Strategy to justify and support the implementation of the policy. However, despite sports facilities being within the scope of the policy, the Open Space Strategy does not cover outdoor and indoor sports facilities. In addition to the Open Spaces Strategy, the Council's Playing Pitch Strategy and Leisure Facilities Strategy should be used to inform and justify this policy as it was prepared principally to provide the evidence base for the emerging Local Plan.
• While acknowledging that the policy advises that sports and recreational facilities will be protected in line with the requirements of Policy HP2, concerns have been raised about the approach to protecting sport and recreational facilities in Policy HP2 (see separate comments made on Policy HP2). As suggested in these related comments it may be appropriate to make amendments to Policy HP5 rather than HP2 to address these concerns.
• The policy only requires development to contribute towards the provision, improvement and maintenance of public open space and play equipment. Sports facilities have been excluded apart from the requirement for on-site provision for sites over 3 hectares in size. This would be contrary to the recommendations in the Council's Playing Pitch Strategy and Leisure Facilities Strategy especially since it will be inappropriate for the majority of developments to make on-site provision for sport and therefore the additional demand generated will be dependent on off-site provision being made through the use of financial contributions. Both of these strategies recommend up-to-date approaches for securing provision for sport through financial contributions including the use of Sport England's Playing Pitch Calculator and Sports Facility Calculator tools for estimating the demand generated by developments and the capital cost of meeting the demand which is used for informing financial contributions. Other local planning authorities in Essex have been using these established tools for securing developer contributions for several years and are embedding the approach into emerging Local Plan policies. The need to address this has also been recognised by the District Council in their Sport and Activity Strategy which includes a short term priority to improve access to developer contributions towards sports provision in the district.
• The policy requires site allocations of over 30 hectares but less than 70 hectares to provide an element of playing fields and/or built community sports provision. However, a development of this scale would be expected to provide for both outdoor and indoor facilities not choose between the two. This is likely to result in developers choosing to provide whichever facility type has the least cost or land take implications rather than which facilities are needed most. It would also be inconsistent with the approach taken to sites of 70 hectares or more.

In its current form, as the policy would not align with the evidence base for sport or provide a clear and consistent policy basis for informing development management decisions, it would not be considered to accord with the positively prepared, justified or effective tests of soundness.

Change suggested by respondent:

This objection could be addressed if the following amendments were made to allow the policy to meet the tests of soundness:
• The policy and reasoned justification should be amended accordingly to refer to the Council's Playing Pitch Strategy and Leisure Facilities Strategy. In particular, the final paragraph of the policy should be amended to refer to the guidance set out in these strategies given that the current reference to the having regard to the standards in the Open Spaces Strategy would not be applicable to sports facilities which do not have standards.
• Consideration is given to whether the reference in the policy to sports and recreational facilities being protected in line with the requirements of Policy HP2 should be maintained in the context of the related comments made by Sport England on the unsuitability of the criteria included in Policy HP2. Amendments may need to be made to policy HP5 to provide criteria for assessing proposals which affect sport and recreation facilities.
• The policy should be amended where appropriate to refer to outdoor and indoor sports facilities as well as the other open space typologies especially in the sections relating to financial contributions being secured via CIL, s106 agreements or alternative mechanisms.
• For sites of 30 hectares and over, it is requested that "or" is removed from "an element of outdoor playing facilities and/or built community sports provision"

Legally compliant: Yes
Sound: No
Appear exam: Appearance at the examination
Oral exam why: To provide specialist advice to the Inspector on sports facility planning matters.
Attachments: None

14610 Support

Document Element: Non-strategic Policy LP3
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:
Support is offered for the inclusion of Active Design principles in part g of the policy as this will help ensure that new residential development is designed to maximise the potential for encouraging physical activity. This aligns with the Local Plan's vision and objectives as well as health and wellbeing policies. The policy would accord with Sport England's Uniting the Movement Strategy and Active Design Guidance and would also be consistent with Government planning policy especially in paragraphs 96 and 129 of the NPPF (2024).

Full text:
Support is offered for the inclusion of Active Design principles in part g of the policy as this will help ensure that new residential development is designed to maximise the potential for encouraging physical activity. This aligns with the Local Plan's vision and objectives as well as health and wellbeing policies. The policy would accord with Sport England's Uniting the Movement Strategy and Active Design Guidance and would also be consistent with Government planning policy especially in paragraphs 96 and 129 of the NPPF (2024).

Change suggested by respondent:
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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14611 Support

Document Element: Non-strategic Policy LP4
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:
Support is offered for this policy especially parts a and b as they promote health and wellbeing through the integration and enhancement of green infrastructure and locating public open where it is accessible by active travel modes. The policy also makes reference to Active Design and other guidance that supports health and wellbeing in development. This aligns with the Local Plan's vision and objectives as well as health and wellbeing policies. The policy would be considered to accord with Sport England's Uniting the Movement Strategy and would also be consistent with Government planning policy in the NPPF (2024).

Full text:
Support is offered for this policy especially parts a and b as they promote health and wellbeing through the integration and enhancement of green infrastructure and locating public open where it is accessible by active travel modes. The policy also makes reference to Active Design and other guidance that supports health and wellbeing in development. This aligns with the Local Plan's vision and objectives as well as health and wellbeing policies. The policy would be considered to accord with Sport England's Uniting the Movement Strategy and Active Design Guidance and would also be consistent with Government planning policy especially in paragraphs 96 and 129 of the NPPF (2024).

Change suggested by respondent:
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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14612 Support

Document Element: Strategic Policy PP12
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:
The policy is supported as it expects new educational facilities that include indoor or outdoor sports facilities to be designed to facilitate community use as well as expecting community use agreements to secure public access to such facilities. Indoor and outdoor sports facilities on education sites make a significant contribution to meeting the community's sports facilities in Tendring district and this has been evidenced in the Council's Playing Pitch Strategy and Leisure Facilities Strategy. As well as according with paragraph 98(a) of the NPPF (2024) this would accord with the recommendations in the abovementioned strategies.

Full text:
The policy is supported as it expects new educational facilities that include indoor or outdoor sports facilities to be designed to facilitate community use as well as expecting community use agreements to secure public access to such facilities. Indoor and outdoor sports facilities on education sites make a significant contribution to meeting the community's indoor and outdoor sports facilities in Tendring district and this has been evidenced in the Council's Playing Pitch Strategy and Leisure Facilities Strategy. As well as according with paragraph 98(a) of the NPPF (2024) this would accord with the recommendations in the abovementioned strategies. It would also contribute to delivering the Local Plan's vision and objectives in relation to providing opportunities for healthy lifestyles and reducing health inequalities especially as schools are usually located centrally within the communities where residents live. The policy is considered to meet the 'justified' and 'consistent with national policy' tests of soundness therefore.

Change suggested by respondent:
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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14613 Support

Document Element: Strategic Policy CP1
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:
The policy is supported for the following reasons:
• It encourages active travel modes especially in the large scale developments.
• It expects major developments to include walking/cycling routes that link to existing networks and enhanced connectivity to existing public rights of way
• It expects major developments to recognise the health benefits of active travel.
The policy would therefore support physical activity by encouraging developments to be designed to support active travel modes. This aligns with the Local Plan's vision and objectives. The above policy would be consistent with Government planning policy the NPPF (2024).

Full text:
The policy is supported for the following reasons:
• It encourages active travel modes especially in the large scale developments.
• It expects major developments to include walking/cycling routes that link to existing networks and enhanced connectivity to existing public rights of way
• It expects major developments to recognise the health benefits of active travel.
The policy would therefore support physical activity by encouraging developments to be designed to support active travel modes. This aligns with the Local Plan's vision and objectives as well as the health and wellbeing policies. The above policy requirements would accord with Sport England's Uniting the Movement Strategy and Active Design Guidance and would also be consistent with Government planning policy especially in paragraphs 96 and 129 of the NPPF (2024).

Change suggested by respondent:
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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14614 Support

Document Element: Strategic Policy SAMU8
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

While no comment is made on the principle of this allocation, support is offered for the requirement in part 18 of the policy for indoor leisure and sports facilities to be provided within the new community or contributions to be made to off-site facilities where facilities cannot be provided on-site. Part 17 of the policy is also supported as it makes provision for a network of multi-functional green infrastructure including a country park. The policy approach is justified by the Council's sports evidence base, and Government policy in the NPPF (2024) especially paragraph 103.

Full text:

While no comment is made on the principle of this allocation, support is offered for the requirement in part 18 of the policy for indoor leisure and sports facilities to be provided within the new community or contributions to be made to off-site facilities where facilities cannot be provided on-site. This policy requirement is considered to be justified as a site of approximately 4,500 dwellings is one of the largest allocations in the plan and additional demand associated with this scale of development will be difficult to be met by improving the capacity of nearby facilities in the local area especially as this is located close to the Garden Community which will not be able to meet all of its demand on-site. The requirement for an Open Space, Sport and Recreation Strategy to be prepared as part of the masterplanning process is especially welcomed as this would provide a strategic framework for considering open space, sport and recreation provision in future planning applications. Part 17 of the policy is also supported as it makes provision for a network of multi-functional green infrastructure including a country park. This approach is justified by the Council's sports evidence base, and Government policy in the NPPF (2024) especially paragraph 103.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14615 Support

Document Element: Strategic Policy SAMU9
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

While no comment is made on the principle of this allocation, support is offered for the requirement in part 18 of the policy for indoor leisure and sports facilities to be provided within the new community or contributions to be made to off-site facilities where facilities cannot be provided on-site. Part 17 of the policy is also supported as it makes provision for a network of multi-functional green infrastructure and a country park. This approach is justified by the Council's sports evidence base and Government policy in the NPPF (2024) especially paragraph 103.

Full text:

While no comment is made on the principle of this allocation, support is offered for the requirement in part 18 of the policy for indoor leisure and sports facilities to be provided within the new community or contributions to be made to off-site facilities where facilities cannot be provided on-site. This policy requirement is considered to be justified as a site of approximately 6,000 dwellings is the largest allocation in the plan and additional demand associated with this scale of development will be difficult to be met by improving the capacity of nearby facilities in the local area especially as there is limited existing sports facility provision in the Horsley Cross area. The requirement for an Open Space, Sport and Recreation Strategy to be prepared as part of the masterplanning process is especially welcomed as this would provide a strategic framework for considering open space, sport and recreation provision in future planning applications. Part 17 of the policy is also supported as it makes provision for a network of multi-functional green infrastructure and a country park. This approach is justified by the Council's sports evidence base and Government policy in the NPPF (2024) especially paragraph 103.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14616 Support

Document Element: Strategic Policy SAH2
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

While no comment is made on the principle of this allocation, part b of the policy is welcomed in relation to consideration being given to how public open space integrates with and enhances the existing playing fields and sports facilities at Kirby Playing Fields. The opportunity to extend or enhance the Kirby Playing Fields site to meet the sports facility needs of the development should be explored as this would be preferable to off-site provision for sport being made especially given the limited local opportunities for enhancing existing sports facilities.

Full text:

While no comment is made on the principle of this allocation, part b of the policy is welcomed in relation to consideration being given to how public open space integrates with and enhances the existing playing fields and sports facilities at Kirby Playing Fields. The opportunity to extend or enhance the Kirby Playing Fields site to meet the sports facility needs of the development should be explored as this would be preferable to off-site provision for sport being made especially given the limited local opportunities for enhancing existing sports facilities.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14617 Support

Document Element: Strategic Policy SAH7
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:
While no comment is made on the principle of this allocation, part b of the policy is welcomed in relation to the provision of public open space incorporating community sports facilities. The development provides an opportunity to help meet local sports facility needs identified in the Council's sports evidence base in the Great Bentley area for both the development and the existing local community.

Full text:
While no comment is made on the principle of this allocation, part b of the policy is welcomed in relation to the provision of public open space incorporating community sports facilities. The development provides an opportunity to help meet local sports facility needs identified in the Council's sports evidence base in the Great Bentley area for both the development and the existing local community.

Change suggested by respondent:
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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14618 Object

Document Element: MSA31 Land adjoining Harwich & Parkeston Football Club, Dovercourt
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:
This site substantially comprises the car park serving Harwich & Parkeston Football Club's stadium and provides the only on-site car park that serves the club site. The potential loss of the car park to residential without mitigation would prejudice the use of the football club as all car parking would have to be provided for off-site which could result in highway congestion and residential amenity conflicts in the surrounding area if there is inadequate provision during peak periods. The loss of the car park without mitigation would not be considered to accord with paragraph 104 of the NPPF (2024).

Full text:
This site substantially comprises the car park serving Harwich & Parkeston Football Club's stadium and provides the only on-site car park that serves the club site. The potential loss of the car park to residential without mitigation would prejudice the use of the football club as all car parking would have to be provided for off-site which could result in highway congestion and residential amenity conflicts in the surrounding area if there is inadequate provision during peak periods. The Football Foundation has advised that the FA's ground grading requirement for clubs playing at step 5 of the Non-League System (which the club's first team currently plays at) require adequate car parking facilities on or adjacent to the ground. The loss of existing parking provision without mitigation could therefore pose a risk to the club's status because clubs whose grounds do not meet the requirements may not be able to play at this level.
Sport England will be a statutory consultee on any future planning application for development on the car park as it would result in the loss of ancillary facility that supports the use of a playing field (the stadium football pitch). The loss of the car park without mitigation would not be considered to accord with paragraph 104 of the NPPF (2024) or Sport England's Playing Fields Policy (which planning applications are considered against when Sport England is consulted as a statutory consultee). An objection is therefore made to the allocation in its current form

Change suggested by respondent:
This objection could be addressed if a development requirement was added to the site allocation that required suitable alternative car parking provision for Harwich & Parkeston Football Club to be made and delivered as part of the development. It is understood from the football club that there may be space to create some new car parking on disused land adjoining the stadium to mitigate the loss of the car park so there may be a potential solution to this issue.

Legally compliant: Yes
Sound: No
Appear exam: Appearance at the examination
Oral exam why: To provide specialist advice to the Inspector on sports facility planning matters.
Attachments: None

14932 Support

Document Element: Non-strategic Policy SPL3
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We are supportive of the inclusion of Policy SPL3 and specifically welcome the references to flood risk requirements within Part B.l., to pollution control in Part C.n. and to the mitigation hierarchy towards the end of the policy. We also note and support the requirement in paragraph 3.75 to take opportunities to incorporate nature-based solutions and restore or enhance waterbodies, and the detail on managing contaminated land provided in paragraph 3.76.

Full text:

We are supportive of the inclusion of Policy SPL3 and specifically welcome the references to flood risk requirements within Part B.l., to pollution control in Part C.n. and to the mitigation hierarchy towards the end of the policy. We also note and support the requirement in paragraph 3.75 to take opportunities to incorporate nature-based solutions and restore or enhance waterbodies, and the detail on managing contaminated land provided in paragraph 3.76.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14933 Support

Document Element: Non-strategic Policy HP4
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We support the inclusion within this policy of the requirement for all new and extended sites to undertake a groundwater risk assessment in accordance with Environment Agency requirements and current government guidance.

Full text:

We support the inclusion within this policy of the requirement for all new and extended sites to undertake a groundwater risk assessment in accordance with Environment Agency requirements and current government guidance.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14937 Support

Document Element: Non-strategic Policy LP4
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Support references to connected, multifunctional green infrastructure. Early consideration of surface water management will additionally be beneficial as groundwater level monitoring may be required, and deep infiltration is not usually permitted. Welcome reference to applying a flood risk sequential approach to developing across a site (5.31), this should also be included in PPL1.

Full text:

We support the references within this policy to development providing green infrastructure that connects off-site and strengthens ecological networks, and for green infrastructure to be multifunctional as highlighted in paragraph 5.30.
The policy also states that surface water management should be considered early in the planning application process. The policy or supporting text could additionally highlight the benefits of this as a more efficient approach, as peak seasonal groundwater level data may be required to inform the design of Sustainable Drainage Systems (SuDS). Where peak seasonal groundwater levels are shallow this may constrain the potential for infiltration drainage due to a requirement to maintain a minimum unsaturated zone thickness beneath the infiltration level. The use of deep infiltration systems such as boreholes is not routinely acceptable and will only be approved where there are no other feasible disposal options and where the developer demonstrates no unacceptable risk to groundwater.
We also support the statement in paragraph 5.31 that development should adopt a sequential approach in respect of flood risk, with the most vulnerable uses directed to the lowest areas of current and future risk. For clarity, this requirement should also be included in the flood risk policy PPL1.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14938 Support

Document Element: Non-strategic Policy HP4
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We support the inclusion within this policy of the requirement for all new and extended sites to undertake a groundwater risk assessment in accordance with Environment Agency requirements and current government guidance.

Full text:

We support the inclusion within this policy of the requirement for all new and extended sites to undertake a groundwater risk assessment in accordance with Environment Agency requirements and current government guidance.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14939 Support

Document Element: Non-strategic Policy SPL3
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We are supportive of the inclusion of Policy SPL3 and specifically welcome the references to flood risk requirements within Part B.l., to pollution control in Part C.n. and to the mitigation hierarchy towards the end of the policy. We also note and support the requirement in paragraph 3.75 to take opportunities to incorporate nature-based solutions and restore or enhance waterbodies, and the detail on managing contaminated land provided in paragraph 3.76.

Full text:

We are supportive of the inclusion of Policy SPL3 and specifically welcome the references to flood risk requirements within Part B.l., to pollution control in Part C.n. and to the mitigation hierarchy towards the end of the policy. We also note and support the requirement in paragraph 3.75 to take opportunities to incorporate nature-based solutions and restore or enhance waterbodies, and the detail on managing contaminated land provided in paragraph 3.76.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14941 Support

Document Element: Strategic Policy LP9
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We support the additional reference added to part a) of the policy which states that gypsy and traveller sites “must avoid areas prone to flooding”. This is consistent with the National Planning Policy Framework requirement that residential caravans, mobile homes and park homes should not be placed within Flood Zone 3.

Full text:

We support the additional reference added to part a) of the policy which states that gypsy and traveller sites “must avoid areas prone to flooding”. This is consistent with the National Planning Policy Framework requirement that residential caravans, mobile homes and park homes should not be placed within Flood Zone 3.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14943 Support

Document Element: Strategic Policy PP7
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We are commenting on three of the sites included within this policy in respect of flood risk issues. Whilst we are not finding these sites and Policy PP7 to be unsound, we have highlighted further assessment that will be required prior to any proposals being developed to ensure that the sites can be brought forward safely. Those sites are: PP7b Harwich Valley; PP7c Stanton Europark & PP7e Land north of A120.

Full text:

We are commenting on three of the sites included within this policy in respect of flood risk issues. Whilst we are not finding these sites and Policy PP7 to be unsound, further work will be required prior to any proposals being developed to ensure that the sites can be brought forward safely.

PP7b Harwich Valley

The Level 2 Strategic Flood Risk Assessment (SFRA) does not provide sufficient site-specific information to understand the current and future flood risk affecting this allocation.

In particular, it is unclear:

• whether the site is currently at risk during the design flood event;
• how climate change may affect flood risk over the lifetime of the development;
• what standard of protection is provided by existing flood defences;
• whether flood defences are relied upon to make the site suitable for development;
• the characteristics of flooding, including depth, hazard and duration; and
• whether safe access, egress and emergency planning arrangements can be achieved.

Without this information, it is not possible to determine whether all or part of the site may require emergency planning measures, or how the proposed development can be demonstrated to be safe throughout its lifetime.

PP7c Stanton Europark

The SFRA does not provide sufficient information to understand the current and future flood risk affecting this allocation.

It is unclear:

• whether the site is currently affected by flooding during the design flood event;
• the future risk to the site under climate change scenarios;
• the level of protection afforded by existing flood defences;
• the flood characteristics that would affect users of the site;
• whether safe access and egress can be maintained; and
• what mitigation measures would be required to ensure people working on the site would remain safe during flood events.

As a result, the evidence base does not clearly demonstrate how the proposed employment development can be occupied and operated safely throughout its lifetime.

PP7e Land north of A120

The SFRA does not provide sufficient evidence to understand the current and future flood risk affecting this allocation.

In particular, it is unclear:

• whether the site is at risk during present-day design flood events;
• how climate change may alter flood risk during the lifetime of the development;
• the role and standard of protection provided by existing flood defences;
• the flood hazards that may affect site users;
• whether safe access and egress can be achieved; and
• what emergency planning or mitigation measures may be required.

The current evidence base therefore does not clearly demonstrate how the allocation can be delivered safely and sustainably throughout its lifetime.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14944 Support

Document Element: Non-strategic Policy PP10
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We welcome the additional reference added to this policy which now clarifies that proposals for such facilities will only be supported “if the necessary tests are met in regard to any known flood risk”.
The management of people during a flood event is a key mechanism to ensure that occupants are kept safe. This policy could be strengthened by expressly highlighting the need for an acceptable flood warning and evacuation plan as a part of any proposals for new or extended facilities.

Full text:

We welcome the additional reference added to this policy which now clarifies that proposals for such facilities will only be supported “if the necessary tests are met in regard to any known flood risk”.
The management of people during a flood event is a key mechanism to ensure that occupants are kept safe. This policy could be strengthened by expressly highlighting the need for an acceptable flood warning and evacuation plan as a part of any proposals for new or extended facilities.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14945 Support

Document Element: Non-strategic Policy PP11
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We welcome the reference in this policy stating that proposals will only be supported “if the necessary tests are met in regard to any known flood risk”. We also support the references within the policy and supporting text to the restriction of occupancy relating to the risk of flooding.
The management of people during a flood event is a key mechanism to ensure that occupants are kept safe. This policy could be strengthened by expressly highlighting the need for an acceptable flood warning and evacuation plan as a part of any proposals for new or extended facilities.

Full text:

We welcome the reference in this policy stating that proposals will only be supported “if the necessary tests are met in regard to any known flood risk”. We also support the references within the policy and supporting text to the restriction of occupancy relating to the risk of flooding.
The management of people during a flood event is a key mechanism to ensure that occupants are kept safe. This policy could be strengthened by expressly highlighting the need for an acceptable flood warning and evacuation plan as a part of any proposals for new or extended facilities.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14951 Support

Document Element: Non-strategic Policy PP15
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Welcome the proposed ecological enhancements. Minor wording amendment is required to ensure that the policy is compatible with the flood risk requirements of the NPPF in respect of functional floodplain. Support the requirement for proposals to improve coastal protection, would welcome further engagement on how any development could contribute to the long-term reduction in tidal flood risk in the Walton Backwaters

Full text:

We welcome the requirement for proposals to deliver new and improved saltmarsh habitat and ecological enhancements that support the objectives of the Essex Local Nature Recovery Strategy.
Paragraph 6.121 makes clear that proposals will need to be considered against all policies in the Plan, which is particularly important in respect of flood risk. We recommend that a minor amendment is made to the policy to ensure it is in accordance with flood risk policy requirements.
We note that the policy proposes “floating homes and houseboats" as enabling development, whereas the supporting text (paragraph 6.120) refers to "floating homes or houseboats". This inconsistency should be corrected. The policy should refer to ‘floating homes or houseboats’ to ensure that the most appropriate form of development can be considered once the flood risk classification of the site has been established.
This distinction is important because floating homes and houseboats fall into different flood risk vulnerability classifications within the National Planning Policy Framework (NPPF). Floating homes are residential development and would be classified within Annex F, Table 2 of the NPPF as a ‘More Vulnerable’ use, whereas houseboats may be considered ‘Water Compatible’ development. If the area for such development at Walton Mere is identified as being Flood Zone 3b (functional floodplain), Table 3 in Annex F of the NPPF shows that Water Compatible Development may be appropriate, but More Vulnerable development is not.
The current Strategic Flood Risk Assessment (SFRA) documents do not define Flood Zone 3b and therefore do not provide sufficient clarity on whether the form of development proposed would be compatible with the NPPF.
If Walton Mere is defined as and remains Flood Zone 3b functional floodplain, floating homes would not be appropriate development. However, the policy also refers to works, including flood risk management measures and restoration of the Mere, which could alter the future flood risk designation of parts of the site. In those circumstances, houseboats or other forms of development may need to be considered differently.
We therefore recommend that the policy wording is amended to refer to "floating homes or houseboats" and that the Council provides greater clarity through the SFRA regarding the extent of Flood Zone 3b and the implications for future development proposals.
We would note that this policy is not in full alignment with the current Shoreline Management Plan (Essex and South Suffolk SMP8) as the current SMP policy for this area is Hold the Line, whereas this action would involve 'Advancing the line'. However, we support the requirement for proposals to improve coastal protection, and we would welcome further engagement on how any development could contribute to the long-term reduction in tidal flood risk in the Walton Backwaters.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14956 Support

Document Element: Strategic Policy PPL1
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Welcome the changes made to this policy since the Regulation 18 consultation, but suggest that the policy could be strengthened through a number of wording changes. These include clarity on required finished floor levels and an additional reference to applying the sequential approach on site. We have also provided comments under this policy on the Strategic Flood Risk Assessment (SFRA) supporting the Local Plan. The Level 2 SFRA does not currently demonstrate how future flood risk and climate change have informed the assessment of individual allocations.

Full text:

We welcome the amendments made to this policy following the Regulation 18 consultation. In particular, we welcome the inclusion of our recommended wording on the Sequential Test and Exception Test and the requirements relating to Flood Risk Assessments, climate change, residual risk, flood storage, and green and blue infrastructure
The policy could, however, be strengthened in several respects.

The finished floor level requirement should refer to the relevant design flood event for the source of flooding. The current reference to the 1% annual exceedance probability (AEP) event is appropriate for river flooding but not tidal flooding, where the relevant design event is the 0.5% AEP event.
We also note that the current Gov.uk flood risk assessment guidance advises that finished floor levels should normally be set a minimum of 600mm above the estimated flood level, reducing to 300mm only where there is a high level of certainty regarding flood levels. The policy should therefore refer to finished floor levels being set above the relevant design flood level, including climate change allowances, with an appropriate freeboard informed by site-specific flood risk evidence.
The current wording could also be read to suggest that raised finished floor levels can make 'More Vulnerable' and 'Highly Vulnerable' development acceptable within Flood Zones 2 and 3. This is potentially not consistent with the flood risk vulnerability compatibility requirements set out in Annex F Table 3 of the National Planning policy Framework (NPPF), which states that 'Highly Vulnerable' development should not be permitted in Flood Zone 3. This part of the policy should be clarified.
The policy should also include reference to the sequential approach needing to be applied within development sites, directing the most vulnerable development to areas at the lowest current and future flood risk. Whilst paragraph 5.31 of Policy LP4 refers to this principle, it would be more appropriately located within Policy PPL1 as the principal flood risk policy. We note that several of the site allocations include areas at risk of flooding which should be avoided in the first instance.
Paragraph 7.7 should be strengthened to reflect the requirements of the Environmental Permitting Regulations. We recommend that the policy distinguishes between Main Rivers and tidal flood risk infrastructure, requiring an 8m undeveloped buffer strip alongside Main Rivers and a 16m undeveloped buffer strip alongside tidal Main Rivers and sea defences (distances within which an environmental permit from the Environment Agency will be required). This would help safeguard access for inspection, maintenance, improvement and future adaptation of flood risk management infrastructure.

Comments on the Strategic Flood Risk Assessment (SFRA) documents
As part of our review of Policy PPL1 and site allocations affected by flood risk, we have considered the Strategic Flood Risk Assessment (listed in the evidence base as August 2026, but the version provided is labelled July 2026) and Annex A Level 2 Strategic Flood Risk Assessment (May 2026). We have provided comments on those documents below.
We welcome the use of the Environment Agency's National Flood Risk Assessment 2 (NaFRA2) mapping and updated Flood Map for Planning information within the SFRA and Level 2 Strategic Flood Risk Assessments. This responds positively to our Regulation 18 recommendation that the evidence base should be informed by the most recent flood risk datasets.
However, we do not consider that the Level 2 SFRA fully reflects current national planning policy requirements for plan making. In particular, Plan-making Policy F1 of the National Planning Policy Framework (NPPF) August 2026 states that development plans should be informed by an up-to-date SFRA which considers current and future flood risk from all sources, including cumulative impacts. The Level 2 SFRA does not clearly demonstrate how future flood risk and climate change have informed the assessment of individual allocations.
The documents could be strengthened by identifying the publication date and version of the Environment Agency datasets used. The Council should also confirm that the Regulation 19 assessments reflect the latest Flood Map for Planning information available at the date of submission and clearly demonstrate how future flood risk, including climate change, has informed the assessment of each allocation.
More fundamentally, the Level 2 SFRA does not appear to provide the additional site-specific evidence normally expected from a Level 2 assessment. Many of the site-specific recommendations are generic in nature, repeated across multiple allocations and provide little additional information beyond that already contained in the Level 1 SFRA.
In particular:
• the SFRA does not define Flood Zone 3b (functional floodplain);
• it does not assess future flood risk associated with climate change;
• it does not clearly distinguish between fluvial and tidal sources of flooding;
• it does not assess the role, condition, standard of protection or future performance of existing flood defences;
• it does not consider defence overtopping, breach scenarios or the consequences of defence failure;
• it does not appear to utilise available modelled flood risk information to assess site-specific flood characteristics;
• it does not provide information on flood depth, hazard, velocity, duration or climate change flood extents that would normally inform development safety assessments and the Exception Test.
These issues are particularly relevant to higher-risk allocations such as SAMU5 and SAMU7 (see site-specific comments on those allocations), where the SFRA consistently refers to fluvial flood risk despite the presence of significant tidal flood risk influences.
The document refers to "Exception Tests", however it is unclear how these conclusions have been reached. The Level 2 SFRA does not appear to provide sufficient information to demonstrate whether development could satisfy the requirements of the Exception Test. It does not assess flood depth, hazard, velocity, duration, climate change flood extents, defence performance, breach consequences or residual risk. Without this information it is not clear whether the assessment is considering actual flood risk, residual flood risk associated with defence failure, or both.
The SFRA therefore does not provide the Council with sufficient information to understand:
• how future flood risk constrains individual allocations;
• whether a sequential approach should be applied within allocations;
• whether proposed development capacities remain achievable once future flood risk and flood risk management requirements are taken into account;
• safe access and egress arrangements;

• flood warning availability;
• evacuation and emergency planning requirements; and
• residual flood risk associated with defence failure.
The SFRA states that safe access and egress should be available during times of flooding. However, this should be more clearly linked to emergency planning requirements and demonstrate how development would remain safe throughout its lifetime.
The omission of information relating to the standard of protection provided by existing flood defences, whether those defences are overtopped during design events, and the consequences of defence breach or failure is a significant gap in the evidence base, particularly where existing flood defences form an important part of the flood risk management approach.
The assessment could also be strengthened through the inclusion of:
• climate change flood extent mapping;
• defended and undefended flood scenarios;
• residual risk mapping;
• flood defence mapping;
• identification of Main Rivers and ordinary watercourses;
• Flood Zone 3b mapping; and
• site-specific flood hazard information.
Whilst sites may ultimately be capable of development if brought forward in accordance with Policy PPL1 and supported by detailed site-specific Flood Risk Assessments, the current Level 2 SFRA does not provide the level of evidence necessary to properly inform strategic allocation decisions at Local Plan stage. It does not currently provide sufficient information to demonstrate how future flood risk, climate change, development safety, emergency planning and residual risk have informed the proposed allocations and their anticipated development capacities.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14958 Support

Document Element: Strategic Policy PPL2
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Support the policy but suggest that the term 'coastal change' is used in place of 'coastal erosion'. Additionally, text could be added to make clear why 'Coastal Change Management Areas' have not been identified.

Full text:

We support the reference within this policy to having regard to both the Shoreline Management Plan and Marine Plan.
We note that paragraph 7.8 refers to ‘coastal erosion’, but the policy refers to an assessment of the impacts of ‘coastal change’. The National Planning Policy Framework uses the term ‘coastal change’ to encompass both coastal erosion and tidal inundation. We would suggest that 7.8 is updated to ‘coastal change’ to better reflect all challenges facing the Tendring area.
Paragraph 7.10 suggests that the application of this policy will be informed by National Planning Practice Guidance on Coastal Change Management Areas (CCMAs). We note that paragraph 3.37 (ahead of Policy SPL1: Managing Growth) includes commentary on the fact that no CCMAs are currently defined within Tendring. It would be beneficial if similar text were included in this specific coastal protection section of the Local Plan.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14959 Support

Document Element: Strategic Policy PPL4
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:
We support this policy and the amendments which have been made since the Regulation 18 draft, significantly improving the policy. Our previous biodiversity and geodiversity comments have mostly been incorporated. In particular, the policy now includes references to riparian biodiversity, the Local Nature Recovery Strategy, Functionally Linked Land, Chartered Institute of Ecology and Environmental Management (CIEEM) survey guidance, and long-term ecological management and monitoring.

Full text:
We support this policy and the amendments which have been made since the Regulation 18 draft, significantly improving the policy. Our previous biodiversity and geodiversity comments have mostly been incorporated. In particular, the policy now includes references to riparian biodiversity, the Local Nature Recovery Strategy, Functionally Linked Land, Chartered Institute of Ecology and Environmental Management (CIEEM) survey guidance, and long-term ecological management and monitoring.

Change suggested by respondent:
-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14960 Support

Document Element: Non-strategic Policy PPL12c
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:
We support the inclusion of a policy to protect the Naze at Walton. The eroding frontages of the Naze have policies within the current Shoreline Management Plan (Essex and South Suffolk SMP8) of 'No active intervention' (Unit B6A) (sub policy - allow erosion to take place with localised interventions) and 'Managed Realignment' (B6B) (sub policy - slow erosion). We welcome the commitment within the policy to further engagement with partners on the SMP regarding the Naze; the Council may in future wish to consider designating the Naze as a Coastal Change Management Area (CCMA).

Full text:
We support the inclusion of a policy to protect the Naze at Walton. The eroding frontages of the Naze have policies within the current Shoreline Management Plan (Essex and South Suffolk SMP8) of 'No active intervention' (Unit B6A) (sub policy - allow erosion to take place with localised interventions) and 'Managed Realignment' (B6B) (sub policy - slow erosion). We welcome the commitment within the policy to further engagement with partners on the SMP regarding the Naze; the Council may in future wish to consider designating the Naze as a Coastal Change Management Area (CCMA).

Change suggested by respondent:
-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14962 Object

Document Element: Strategic Policy SAMU5
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We welcome the amendments made to Policy SAMU5 following our Regulation 18 representation. In particular, we welcome the requirement for a comprehensive masterplan, and the recognition that flood risk and drainage must inform the development.
However, we do not consider that the Strategic Flood Risk Assessment (SFRA) documents currently provide sufficient evidence to support the allocation or to demonstrate that the proposed scale of development can be delivered safely throughout its lifetime. Therefore, we are currently finding this allocation to be unsound (not justified) as it has not been demonstrated that it is based on an appropriate evidence base.

Full text:

We welcome the amendments made to Policy SAMU5 following our Regulation 18 representation. In particular, we welcome the requirement for a comprehensive masterplan, and the recognition that flood risk and drainage must inform the development.
However, we do not consider that the Strategic Flood Risk Assessment (SFRA) documents currently provide sufficient evidence to support the allocation or to demonstrate that the proposed scale of development can be delivered safely throughout its lifetime. Therefore, we are currently finding this allocation to be unsound (not justified) as it has not been demonstrated that it is based on an appropriate evidence base.

Change suggested by respondent:

The site is located adjacent to the coast and is currently defended. The Level 2 SFRA identifies areas of Flood Zones 2 and 3 affecting the site but describes the risk principally as fluvial flooding, despite the primary source of flooding being tidal. The assessment does not clearly identify the tidal nature of the risk or assess the implications of future sea level rise and climate change on the allocation.
The SFRA does not provide the detailed information needed to understand:
• present and future tidal flood extents;
• defended and undefended flood risk;
• flood depths, hazards and velocities;
• overtopping and breach consequences;
• the standard of protection provided by existing defences;
• future adaptation requirements;
• residual flood risk;
• safe access and egress;
• evacuation and emergency planning requirements;
• or whether sufficient developable land would remain to accommodate the proposed housing numbers once flood risk and future flood risk management requirements have been taken into account.
We also note that the Shoreline Management Plan (Essex and South Suffolk SMP8) policy for this section of coastline (Units B2A & B2B) includes managed realignment aspirations. The implications of this for the long-term sustainability of the allocation do not appear to have been assessed within the SFRA evidence base.
The policy would be strengthened by:
• requiring a sequential approach to development layout within the site, directing the most vulnerable development to areas at lowest current and future flood risk;
• safeguarding land for existing and future flood risk management infrastructure and defence improvements; and
• making explicit provision for future adaptation to climate change.
Whilst supporting paragraphs 9.25 and 9.26 correctly require the masterplan to address flood risk and drainage and to be informed by the SFRA, the current SFRA does not provide sufficient information to inform those decisions.
At present, we cannot be satisfied that the evidence base demonstrates that the proposed development is deliverable and sustainable over its lifetime. We therefore do not consider the SFRA evidence supporting allocation SAMU5 to be sufficiently robust. Further evidence is required in support of this allocation.
Considering ecological aspects, our previous comments relating to designated sites, Functionally Linked Land, wintering birds and recreational disturbance mitigation appear to have been incorporated, which we welcome.

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14963 Object

Document Element: Strategic Policy SAMU7
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We welcome the clear recognition of flood risk within the supporting text and Policy SAMU7. In particular, we welcome the requirement for development to be informed by the Level 2 Strategic Flood Risk Assessment (SFRA) and supported by a site-specific Flood Risk Assessment. We also welcome the references to climate change, safe access and egress, emergency planning, flood resilience, and safeguarding land for existing and future tidal defences. These changes respond positively to previously raised matters.
However, we do not consider that the Level 2 SFRA provides enough evidence to demonstrate that the proposed development will be safe and deliverable.

Full text:

We welcome the clear recognition of flood risk within the supporting text and Policy SAMU7. In particular, we welcome the requirement for development to be informed by the Level 2 Strategic Flood Risk Assessment (SFRA) and supported by a site-specific Flood Risk Assessment. We also welcome the references to climate change, safe access and egress, emergency planning, flood resilience, and safeguarding land for existing and future tidal defences. These changes respond positively to previously raised matters.
However, we do not consider that the Level 2 SFRA provides enough evidence to demonstrate that the proposed development will be safe and deliverable.

Change suggested by respondent:

The site is wholly within Flood Zone 3, but the SFRA describes the risk as only fluvial. Given the site's location next to the River Stour and Cattawade Creek, the assessment should clearly identify and assess the tidal nature of the risk. This is important because tidal flooding may involve rapid inundation and limited warning.
The Level 2 SFRA does not provide the detailed information needed to understand the characteristics and consequences of flooding at this site. The evidence base could be strengthened by addressing:
• present and future tidal flood levels, including climate change;
• flood depth, velocity, hazard, speed of onset and duration;
• the defended and undefended tidal flood extents;
• the standard, condition and remaining life of the existing tidal defences;
• the consequences of defence overtopping or breach;
• whether existing gravity drainage outfalls may become tide-locked;
• whether safe access and egress would be available during the design flood;
• the availability and adequacy of flood warnings;
• evacuation, emergency planning and safe refuge;
• the flood-resistance and resilience measures needed; and
• whether the tidal defences would need to be raised or improved during the lifetime of the development.
The evidence should also explain how the site benefits from the existing tidal defences and whether those defences can provide an appropriate standard of protection throughout the lifetime of the proposed residential development. The Level 2 SFRA does not currently include details of Environment Agency coastal modelling, breach information or any detailed hazard mapping sufficient to demonstrate this.
This information is fundamental to the application of the Exception Test. It is needed to demonstrate that the development would be safe for its lifetime, would not increase flood risk elsewhere and could safely manage the residual risk. Finished floor levels, flood resilience and refuge cannot replace evidence that safe access, escape and evacuation can be achieved.
The proposed housing numbers may be achievable. However, this can only be established once the characteristics of the tidal flood risk and the resulting development constraints are properly defined. These matters should inform the masterplan from the outset. They should not be left entirely to a future planning application.
We therefore cannot confirm that Policy SAMU7 is sound from a flood-risk perspective. Currently, the evidence is not sufficient to demonstrate that the proposed residential development is safe and deliverable, taking account of tidal flood risk, climate change, defence performance, safe access and egress, emergency planning and residual risk.

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14965 Support

Document Element: Strategic Policy SAH7
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Welcome the inclusion of flood risk considerations within the policy. However, it remains unclear whether the Level 2 Strategic Flood Risk Assessment (SFRA) has adequately assessed future flood risk associated with climate change over the lifetime of the development. In particular, there is no consideration of how existing flood risk at Weeley Road might impact access to the site. Further assessment, particularly with regards to safe access and egress will be required prior to any proposals being developed.

Full text:

We welcome the inclusion of flood risk considerations within the policy. However, it remains unclear whether the Level 2 Strategic Flood Risk Assessment (SFRA) has adequately assessed future flood risk associated with climate change over the lifetime of the development. In particular, there is no consideration of how existing flood risk at Weeley Road might impact the site.
The SFRA does not clearly demonstrate:
• the extent of current and future flood risk affecting the site;
• whether safe access and egress can be maintained during design flood events;
• the implications of climate change for development safety; and
• the emergency planning requirements necessary to support the allocation.
As a result, the evidence base does not currently demonstrate the site can be developed safely throughout its lifetime. Further assessment, particularly with regards to safe access and egress will be required prior to any proposals being developed.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14967 Support

Document Element: Strategic Policy SAE1
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Welcome the requirement to consider flood risk. However, it is unclear whether the Strategic Flood Risk Assessment has adequately assessed the impact of climate change on the allocation.
Prior to any proposals being developed, further evidence will be required to demonstrate how the allocation will remain safe and sustainable in future climate change scenarios.

Full text:

We welcome the requirement to consider flood risk. However, it is unclear whether the Strategic Flood Risk Assessment has adequately assessed the impacts of climate change.
In particular, the evidence base does not clearly demonstrate:
• future flood extents and hazards across the site;
• whether safe access and egress can be maintained during future design flood events; and
• the extent of mitigation that may be required to ensure development remains safe over its lifetime.
Prior to any proposals being developed, further evidence will be required to demonstrate how the allocation will remain safe and sustainable in future climate change scenarios.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14979 Object

Document Element: Strategic Policy LP9
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Our comments at the Regulation 18 stage, letter referenced AE/2026/131284/01-L01 and dated 23 March 2026, do not appear to have been considered. Whilst it is clear from supporting text (para 5.57) that other relevant policies within the Local Plan must also be met, we do not believe the other relevant policies are sufficient to protect water quality (e.g. PPL5). Unless there is dependency on Strategic Policy DI1 Infrastructure Delivery and Impact Mitigation to cover this aspect for LP9, in which case this policy is not clear, and links between relevant policies and objectives have not been made within the wording.

Full text:

Our comments at the Regulation 18 stage, letter referenced AE/2026/131284/01-L01 and dated 23 March 2026, do not appear to have been considered. Whilst it is clear from supporting text (para 5.57) that other relevant policies within the Local Plan must also be met, we do not believe the other relevant policies are sufficient to protect water quality (e.g. PPL5). Unless there is dependency on Strategic Policy DI1 Infrastructure Delivery and Impact Mitigation to cover this aspect for LP9, in which case this policy is not clear, and links between relevant policies and objectives have not been made within the wording.

Change suggested by respondent:

We recommend referencing to considerations around wastewater treatment considerations be made, particularly around potential non-mains and the drainage hierarchy. These are often issues which are encountered at development management stages, and a clearer policy would support more effective decision making. There should also be consideration of improved references to relevant policies and objectives, providing improvements can be made to those in question, please see our other representations on PPL5 and DI1

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14992 Object

Document Element: Strategic Policy PPL5
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Our previous representations have not been taken into consideration. We consider the Plan to be Unsound as it pertains to wastewater.

The policy is unclear and difficult to read, which also raises significant concerns regarding how effective any future application of this policy would be through decision making, raising risk to the water environment and towards meeting water quality objectives.

We are satisfied that the Plan can be considered sound from a water resources perspective, despite the compromised approach to water efficiency standards compared to The Shared Standards in Water Efficiency for local plans and water cycle study recommendations.

Full text:

Our comments on this policy have been split into two sections, ‘wastewater’ and ‘water resources’. Please refer to the separate sections below. Our comments on the relevant evidence base documents can also be found embedded below.

Wastewater Comments:

We believe this policy to be unsound as it pertains to wastewater (sewage).

As a Strategic Policy we do not believe the wording is tight enough to prevent water quality deterioration or meet relevant objectives such as those defined in The Water Environment (Water Framework Directive) (England & Wales) Regulations 2017 (WFD).

We also believe the aims of Objective 4: Infrastructure Provision will not be met, namely “To ensure there is adequate capacity in the foul water sewerage infrastructure to meet existing and future needs, and to safeguard water quality and the special environment of the District.” The policy still does not refer to this Objective.

Generally, this policy is unclear and difficult to read, which is why within our Regulation 18 representation letter

referenced AE/2026/131284/01-L01 and dated 23 March 2026, we strongly recommended splitting out water supply and wastewater into separate policies, or clearly defined sections within a water policy, to provide better clarity.

Sections 7.28 and 7.29 (which are situated within supporting text about Biodiversity several pages above PPL5) appear to state that PPL5 should also be linked to protection of the coastal Habitats sites in Tendring. This is not clear within PPL5 itself. We are unsure whether the fact that PPL5 sits within the 'Protected Places' policies means this provides sufficient explanation, and recommend providing this additional detail.

Concerning the wording '…demonstrate that adequate provision exists, or can be provided in time…": demonstrating provision exists is not the same as ensuring there is capacity. As recommended in our Regulation 18 response, the policy would benefit from clear definitions of capacity. It is important to differentiate between network capacity in the conveyancing infrastructure of foul effluent flows, and separate waste water treatment works capacity considerations. We would also expect suggestions on how a developer may demonstrate 'provision exists' (capacity is available) within both a public foul sewer and separate waste water treatment works.

We stated in our Regulation 18 consultation representation that, as a general principle applying to all development in the Plan area, developers should undertake pre-planning engagement with Anglian Water at the earliest opportunity. This requirement appears to only be referred to within certain Strategic Allocations Mixed-use Development policies, rather than all locations.

We also note that Policy PPL5 only references contacting the relevant water company in relation to water resources, not wastewater as well, which we would expect if the policy were to remain a combined policy approach. We reiterate the importance of clearly defining the separate elements of a combined policy. It can be useful to acknowledge relevant overlapping matters and provide links between policy requirements for integrated water management purposes, but where requirements are also applicable to both wastewater and water supply, we consider these would be best set out in separate sub-sections; with wording duplicated as needed to ensure clarity and effectiveness of policy application.

It appears that the sentence that we believe relates to non-mains drainage proposals has been amended since the Regulation 18 consultation and no longer makes sense. We raise the question, whether the reference to 'existing capacity' is about capacity in the private sewage treatment facility, or environmental capacity? This must be clearer.

In relation to non-mains drainage, we had suggested in our Regulation 18 consultation response that, for example, reference be made to the National Planning Practice Guidance around the wastewater drainage hierarchy to support developers in preparing their applications, as well as decision making around non-mains drainage proposals; this has not been included.

Infrastructure Delivery Plan, August 2026:
We believe this evidence to be relatively sound as it pertains to water quality.

Tendring Water Cycle Study, August 2026:

We believe this evidence base to be relatively sound as it pertains to water quality. Our recommendations in our Regulation 18 correspondence to you around reviewing and updating the study against revised WFD information, stands. We strongly recommend the WCS be kept as a living document, and regularly reviewed and updated as new information and data becomes available.

We note that cross boundary catchment considerations pertaining to the Colchester Waste Water Treatment Works (WWTW) are only relevant to the Tendring Colchester Borders Garden Community in the context of the Tendring Plan, and cumulative growth assessments have been carried out totally within the Colchester City Council (CCC) Water Cycle Study (WCS), as noted in paragraph 6.2.2. For reference, we raised unsound issues with regards to the Colchester WWTW capacity methodology in the CCC WCS and implications for the Colchester Local Plan. Our detailed advice on the Colchester WWTW is provided within our Environmental Position Statement – V9, attached to this local plan representation for reference.

Water Resources Comments:

We consider this policy to be sound as it pertains to water resources, and have the following comments to make.

PM13 (1)(b)(i) and CC1(1)(c) of the National Planning Policy Framework encourages LPAs to consider applying the higher level of water efficiency in Building Regulations (Part G), or to go beyond this and set more stringent local standards in areas of serious water stress. The shared-standards-in-water-efficiency-for-local-plans set out a collaborative and collective approach by water companies, the Environment Agency and Natural England, to help address water scarcity and support Local Planning Authorities (LPAs) such as Tendring deliver sustainable growth in the East of England. The guidance, published June 2025, provides advice and evidence to support LPAs within the Water Resource East Area to adopt Local Plan policies to achieve tighter water efficiency standards.

The area covered by the Tendring Local Plan resides in an area of serious water stress. We therefore would expect the

LPA to thoroughly investigate applying a higher level of water efficiency, beyond the higher building regulations standard. Tendring have undertaken an Integrated Water Management Study (IWMS). This study outlines that whilst there is a predicted supply surplus in the Brett Water Resource Zone until 2040, beyond 2040, a supply deficit is calculated. Demand Management measures including enhanced water efficiency actions are therefore essential. The IWMS assessed a range of scenarios from 125 litres per person per day down to 80 litres per person per day. Tendring have advised that reducing per capita consumption to 85/l/p/d is not currently viable, with Policy in the Local Plan being set at 100l/p/d. The Plan currently proposes 100 litres/person/day (l/p/d) for new residential development. Whilst we always advocate for the tightest possible standards up to 85l/p/d, we understand that 100 l/p/d has been taken forward as a pragmatic, viability-led compromise. We also support the non-domestic supply section of the policy which includes an aim for full BREEAM credits across WAT01-WAT04, a minimum of three WAT01 credits, and justification where full credits are not feasible or viable.

We are pleased that the policy recognises the role of agricultural storage reservoirs in supporting water resilience.

Change suggested by respondent:

We recommend serious consideration be given to either separate water quality and water resource policies, or more clearly defining sub sections of the policy to set out the different requirements for water supply and waste water considerations.

Our detailed recommendations can be found above in the main comments section.

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments:
Colchester WWTW Environmental Position Statement - V9.pdf

15000 Support

Document Element: Strategic Policy DI1
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We generally consider this policy to be sound, providing some minor improvements around clarifying wastewater capacity wording can be made together with references to relevant policies and objectives be included elsewhere in the Plan.

Full text:

We generally consider this policy to be sound, as it pertains to waste water infrastructure, given Policy PPL5 should cover this in more detail, however, we have raised concerns regarding PPL5 as it pertains to waste water, and have some recommendations for improvements to Policy DI1. If this policy is intended to better ensure sufficient wastewater capacity within the public foul sewer network and the receiving waste water treatment works, then we would recommend including reference to this Policy within the main, or supporting text of, PPL5.

We raise some concerns regarding the wording around developer financial contributions towards the delivery of relevant infrastructure, including off-site capacity improvement works, as covered under parts a) and c) of this policy. It is important to note, we currently understand that developers are not able to contribute towards the costs of delivering upgrades to waste water treatment works in order to provide additional capacity to serve domestic foul water flows. This process must be covered within Ofwat's Price Review process and Water and sewerage company business investment plans, delivered as part of the Asset Management Plan period 5-year cycles. There may be options for developers to work with the water company regarding trade effluent, or to establish a sustainable point of connection infrastructure strategy, however, in terms of addressing waste water treatment works capacity, this policy wording is not clear. The wording in this policy would, therefore, benefit from additional supporting text for further context around financial contributions and how these can be applied and for which scenarios relevant.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

Mark Norman
Operations – East
Priory Court
Priory Business Park
Stannard Way
Bedford
MK44 3WG

Our ref: NH/26/17866

Your ref: Reg 19

Tendering Borough Council

Direct Line: [redacted]

Oct 26

Dear Sir

Pre - Regulation 19 Consultation - Tendring Local Plan

National Highways welcomes the opportunity to provide comments on the draft Tendring Local Plan.

National Highways has been appointed by the Secretary of State for Transport as a Strategic Highway Company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN) Our role is to maintain the safe and efficient operation of the SRN whilst acting as a delivery part to national economic growth.

Within the Tendering Local Plan area, the SRN comprises the A12 and the A120 between the A12 and the Port of Harwich

Our comments have been prepared with regard to the National Planning Policy Framework (NPPF), DfT Circular 01/2022, *The Strategic Road Network and the Delivery of Sustainable Development*, and other relevant national policy and guidance.

Proposed Growth and Transport Evidence

The draft Local Plan commits to the delivery of approx. 9000 homes and 47Ha of employment land over the course of the plan period. National Highways recognises the need for new housing and economic development but cannot be expected to cater for unconstrained increases in traffic growth generated by new developments. We therefore encourage the inclusion of policies and measures which reduce the need to travel by private car and promote greater use of sustainable travel behaviour.

At present, National Highways cannot establish whether the level of growth proposed can be accommodated on the SRN, as the transport evidence base or the strategic transport assessment to support the plan are still being developed and there are a number of

outstanding matters which need to be resolved. We have been involved in a number of meetings and discussions with the Council and its consultants throughout this process, although these have not yet reached a conclusion.

We anticipate that a final transport evidence base will be submitted in support of the plan. This will provide National Highways, as the Strategic Highway Authority, with a clear and defined reference case for working alongside Local Highway Authority (Essex County Council) to plan and mitigate impacts of forthcoming future development, enabling infrastructure for growth. Appropriate mitigation can be identified and a strategy for funding identified.

The work undertaken so far has identified a number of locations where the network is under pressure, particularly A12 Junction 29 and Horsley Cross on the A120. A mitigation scheme has been investigated for A12 J29 at a high level, it appears that it is deliverable with the level of information currently available. That is not to say that detailed design work will not uncover issues that could affect the derivability or cost of addressing the issues clearly present at this location

We welcome and fully support the plan's approach to developing an integrated and sustainable transport network that seeks to encourage modal shift to public transport and active travel. We also welcome the commitment to bus rapid transit in Colchester.

The timing and delivery of supporting transport infrastructure will be important if the proposed growth is to come forward without adversely affecting the operation of the SRN. It is therefore important that the Local Plan considers how development will be phased alongside the infrastructure needed to support it. National Highways has much experience of working with local authorities to address these challenges through the Local Plan process. We would draw the councils attention to the guidance set out in the document *"Working with National Highways to deliver a vision-led approach for Local Plans"* local-plan-brochure.pdf

Development Locations

The plan identifies three locations for major housing growth:

i) Horsley Cross,
ii) Hare Green,
iii) Wheeley and Tendring/Colchester Garden Community (partly in Colchester)

All these sites have been included in the transport model undertaken to date which has not yet been finalised. As expected, the Horsley Cross site has, the greatest impact on the A120. The final transport will establish the impacts associated with these allocations, both individually and cumulatively, and identify what mitigation may be required to accommodate the proposed growth.

Environmental transformation and climate change

The draft submitted version of the Local Plan includes development allocations close to the SRN, which will result in more residents being exposed to traffic noise and potentially poot air quality. Noise impacts will need to be considered as part of the planning process, with appropriate mitigation incorporated into development proposals where necessary. National Highways will not permit the installation of noise barriers on its land.

The proximity of development close to the SRN also raises the potential for exceedances of air quality standards for which extraordinary measures, such as permanent speed restrictions may need to be considered, although it is recognised that air quality will improve with the take up of fully electric vehicles.

While several polices in the plan set out requirements for developments to reduce the impact on or improve local air quality, this does not directly relate to the SRN and what mitigation may be required. We will continue to work proactively with yourselves on these matters. At this stage we would recommend the inclusion of a specific policy that identifies how air quality and noise impacts would be monitored and managed, and what interventions may be required.

In relation to drainage, National Highways will not accept third-party connections into its drainage systems. Development must not result in additional surface water runoff entering the SRN drainage network. Where existing drainage infrastructure could be affected, its capacity will need to be assessed and any necessary improvements identified.

Health and Wellbeing

National Highways support policies which outline the requirements of new developments to ensure inclusive active and environmentally sustainable forms of travel, promote road safety and manage the negative effects of road traffic on sustainable modes. We look forward to working with you to facilitate such travel where an interface with SRN occurs.

Lorry Parking

Paragraph 81 of Circular 01/2022 establishes that in areas where there is an identified need for greater lorry parking provision, National Highways will work with relevant local planning authorities to ensure that local plan allocations and planning application decisions address the shortage. National Highways Lorry Parking Demand Assessment[1] provides lorry parking demand score for each local authority in England based on DfT lorry parking survey data. The data is comprised of an assessment of both existing lorry parking provision and demand near the SRN in England.

National Highways would welcome specific attention to lorry parking and would be keen to work with you in undertaking this. This could include the investigation and allocation of a dedicated lorry parking facility within the plan, or a policy of requiring adequate lorry parking and lay over facilities at proposed employment sites and roadside service facilities would be welcomed.

National Highways will continue to work with the Council as the Local Plan progresses.
While we support the Council's approach to sustainable growth, further work is needed to establish the impacts of the proposed development on the SRN and agree what mitigation will be required.

Until the transport evidence base is finalised and these matters have been addressed, National Highways is not in a position to confirm whether the proposed growth can be accommodated on the SRN.

[1] Lorry Parking Demand Assessment 2023v4 - Overview

We trust the above comments are helpful in the progression of your proposals and welcome continued discussions with the council to this end.

Yours faithfully

[redacted]

Mark Norman
Spatial Planning Manager
Operations (East)
Email: [redacted]

From: SM-MMO-Consultations (MMO) <Consultations.MMO@marinemanagement.org.uk>
Sent: 19 October 2026 16:12
To: Planning Policy <planning.policy@tendringdc.gov.uk>
Subject: FW: Tendring District Local Plan - Notice of Public Consultation on Submission Version (Reg 19)

Hello Tendring Planning Team,

I've completed the MMO response to the above consultation. However, I did not receive an email confirmation for each of my comments. I completed these again but still did not receive the email confirmation.

I want to advise; I've provided a comment to Policy PPL2 - Coastal Protection Belt. **Representation** The MMO welcomes the policy and recognises the importance of protecting Tendring's coastline and estuarine environments. However, the policy does not sufficiently recognise the role of marine planning in decision-making affecting the coastal and marine environment. Tendring has extensive interactions with the South East Marine Plan area, including the Stour Estuary, Colne Estuary, Hamford Water and the North Sea coast, where development may affect marine activities, coastal processes, navigation, biodiversity, flood and coastal erosion risk management, and marine infrastructure. Whilst paragraph 1.26 references marine planning, this is not consistently reflected throughout the policy framework.

The policy should require developments that may affect the marine area to demonstrate regard to the South East Marine Plan and Marine Policy Statement, particularly in relation to climate change adaptation, flood risk, biodiversity, marine habitats, recreation and access. Without this, there is a risk of conflict between terrestrial planning and marine licensing decisions. The MMO recommends adding a criterion requiring proposals affecting the marine area to demonstrate how relevant marine planning policies have been considered.

Many thanks

All the best

Marie

Marie Canny (She/Her) **| Marine Planner (South East) | Marine Management Organisation**

+ Seacole Building | 2 Marsham Street | London | SW1P 4DF

8 [redacted] | [redacted]

To receive marine planning updates and our newsletter subscribe here.

Our MMO Values: Together we are **Accountable, Innovative**, **Engaging** and **Inclusive**

Ministry of Defence

Christopher Waldron
Ministry of Defence
Safeguarding Department
DIO Head Office
St George's House
DMS Whittington
Lichfield
Staffordshire WS14 9PY

Mobile: [redacted]

E-mail: DIO-Safeguarding-Statutory@mod.gov.uk

Your reference: Local Plan review: Submission Version (Reg 19) consultation
Our reference: DIO 10061559

Planning Policy
Tendring District Council
Town Hall
Station Road
Clacton on Sea
CO15 1SE

19th October 2026

Dear Sir/Madam

I write to confirm the statutory safeguarding position of the Ministry of Defence (MOD) in relation to Tendring District Council's Local Plan review submission version at Regulation 19 consultation.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a statutory consultee in the UK planning system to ensure designated zones around key operational defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites are not adversely affected by development outside the MOD estate.

For clarity, this response relates to MOD Safeguarding concerns only and should be read in conjunction with any other submissions that might be provided by other MOD sites or departments.

Under the provisions of the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002 (Circular 01/2003), the MOD must be consulted on certain forms of development within these statutory safeguarding zones in order to be able to complete assessment(s) of the effect of development on the operation or capability of defence sites or assets or any effect on operational or training activity.

Copies of plans that provide the extent of those safeguarding zones, in both GIS shapefile and .pdf format, are issued to Planning Authorities by the Ministry for Housing, Communities & Local Government (MHCLG). The most recent MOD assurance review was conducted in 2023 which confirmed that, at that time, Planning Authorities were in possession of relevant safeguarding data. Any subsequent updates to those plans have been issued by MHCLG. Should your Planning Authority require replacement data, a request can be made through the above email address.

It should be noted that the National Planning Policy Framework (NPPF), published in August 2026, contains a number of policies relevant to plan making and defence which include:

- '*Policy P1: Planning for clean and safe places*' requires that development plans identify whether certain forms of development should be restricted where they may fall within '*safeguarding areas around aerodromes, technical sites or military explosives storage areas*'.

- '*Policy P4: Impact of development on existing activities*' sets out the agent of change principle, identifying that development proposals should not result in unreasonable restrictions being placed on the current and permitted operation of existing businesses and activities and identifies defence sites as one of those existing businesses and activities.

- '*Policy P6: Land and operations for defence and public safety*' highlights the substantial weight that '*should be attached to the importance of sites, activities, facilities and infrastructure required to maintain and enhance defence capability*' and directs that this be considered where development is proposed which could affect operational activity and capability. In addition, decision makers are guided to consider the importance of these sites when considering proposals for '*modernisation, intensification, redevelopment or expansion for operational and related purposes*' of defence sites, facilities, and infrastructure.

Planning policy issued by a Planning Authority provides an opportunity to better inform developers of the statutory requirement that MOD is consulted on development that triggers the criteria set out on Safeguarding Plans and to make clear that development should be designed to ensure that it would have no detrimental impact on the operation or capability of a defence site or assets and that it would not restrict or compromise operational or training activity.

The area covered by any Tendring District Local Plan Review is partially covered by a safeguarding zone, that is designated to maintain the effective operation of a MOD technical asset called the Eastern WAM (Wide Area Multilateration) Network which contributes to aviation safety by feeding into the air traffic management system in the Eastern areas of England.

There is the potential for development to impact on the operation and/or capability of this new technical asset which consists of nodes and connecting pathways, each of which have their own consultation criteria. The dimensions and materials used in the construction of a development may also be relevant factors in assessing the impact of a given scheme. Developments that incorporate renewable energy systems may be of particular concern given their potential to introduce large expanses of metal or electrical noise interference, which may be a particular issue where solar farms are developed.

Additionally, the MOD notes and welcomes that Tendring District Council New Strategic Policy PPL10c Renewable Energy Installations requires for aviation activities adverse impacts including cumulative to be addressed. However, the MOD considers it necessary that this is expanded to include specific reference to those technical assets which facilitate aviation safety such as navigational aids. In addition, the MOD also considers it necessary that specific mention of the need to account for defence radar coverage in relation to wind energy development is specifically identified.

Where turbines are erected in line of sight to defence radars, the rotating motion of their blades can degrade and cause interference to their effective operation. The MOD recommend that any emerging policy makes clear that, where an MOD assessment indicates that a development would have a detrimental impact on the operation and capability of defence assets or sites, that such an application would be refused or that conditions may be attached to any consent that might be issued which may include the removal of permitted development rights.

As noted in the preferred options renewable energy section of the documentation, the MOD needs to be consulted on all proposals to develop wind turbines that are 11m or greater in height to blade tip or, that have a rotor diameter of 2m or greater. This is necessary to safeguard defence radar coverage across the UK used to manage MOD ranges, provide air traffic control and maintain UK air defence.

For your convenience, please find a table at Appendix A which provides a summary of the safeguarding criteria that would apply to those potential allocations identified.

MOD recommend that more detailed policies for these sites include wording which indicates that development should be designed to ensure that it would have no impact on the operation or capability of defence sites or assets. The table below provides a summary of those sites and the triggers for statutory safeguarding consultation that would apply:

I trust this clearly explains our position on this update. Please do not hesitate to contact me should you wish to consider these points further.

Yours sincerely

[redacted]

Chris Waldron
DIO Assistant Safeguarding Manager

POLICY REFERENCE	SAFEGUARDING ZONE(S) AFFECTED	DEVELOPMENT TRIGGERING STATUTORY SAFEGUARDING CRITERIA
SAMU1	Eastern WAM Network (Technical Safeguarding zone)	• Eastern 2 WAM Network safeguarding criteria trigger -Any development or change of use will trigger statutory consultation requirement
SAMU9	Eastern WAM Network (Technical Safeguarding zone)	• Eastern 2 WAM Network safeguarding criteria trigger -Any development or change of use will trigger statutory consultation requirement • Any overhead power line above 2kv will trigger statutory consultation requirement
MSA4	Eastern WAM Network (Technical Safeguarding zone)	• Eastern 2 WAM Network safeguarding criteria trigger -Development of, or exceeding, 91.4m in height above ground level will trigger statutory consultation requirement
MSA9	Eastern WAM Network (Technical Safeguarding zone)	• Eastern 2 WAM Network safeguarding criteria trigger -Development of, or exceeding, 91.4m in height above ground level will trigger statutory consultation requirement
MSA36	Eastern WAM Network (Technical Safeguarding zone)	• Eastern 2 WAM Network safeguarding criteria trigger -Development of, or exceeding, 91.4m in height above ground level will trigger statutory consultation requirement
MSA37	Eastern WAM Network (Technical Safeguarding zone)	• Eastern 2 WAM Network safeguarding criteria trigger -Development of, or exceeding, 91.4m in height above ground level will trigger statutory consultation requirement

NHS
Essex

Our ref: TendringLPReg19 CB
Your ref:

EMAIL ONLY

planning.policy@tendringdc.gov.uk

Finance & Commercial Directorate
Estates Team

Catherine Bicknell
Email: [redacted]
Tel: [redacted]

19 October 2026

Dear Sir / Madam

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

1.0 Introduction

1.1 The Suffolk and North East Essex Integrated Care Board, that has been superseded by the Essex Integrated Care Board (the ICB) for the north Essex area, submitted representations to earlier consultations on the Tendring Local Plan (the Plan) review. This response will focus on the parts of the Plan that relate to healthcare infrastructure. It is anticipated that other matters relating to population health, such as design, active transport, will be addressed by public health colleagues.

1.2 The ICB welcomes the inclusion of requirements in the Plan policies for the provision of, or contributions towards the provision of, healthcare infrastructure. However, the ICB objects to the Plan in respect of policies DI1: Infrastructure Delivery and Impact Mitigation and policies allocating land for residential and mixed use developments. It considers the proposed wording for healthcare infrastructure to be inadequate. As drafted, the Plan policies set out plans for significant growth, but the site allocation policies fail to ensure that this development will mitigate its impact on healthcare infrastructure. This will lead to already constrained healthcare services and difficulties for residents attempting to access healthcare services.

1.3 The ICB is working with the Council to agree policy wording that will address this issue, and it is hoped that suitable modifications to the Plan can be agreed. The issue is described in more detail below.

1.4 East Suffolk and North East Essex NHS Foundation Trust (ESNEFT) is commissioned by the ICB to provide acute hospital and community healthcare services in Tendring. This representation should be read alongside ESNEFT's representation that requests amendments to the Tendring Local Plan.

1.5 The amendments requested by ESNEFT are to:

- Cross reference Policies HP1: Improving Health and Wellbeing, and DI1: Infrastructure Delivery and Impact Mitigation;
- Increase the clarity of Policy HP2: Community Facilities;
- Remove the requirement for 20% biodiversity new gain (BNG) on all developments liable to provide BNG.
- Amendments to Policy PPL10a: Operational Energy and Carbon (Net Zero) and Policy PPL10b: Embodied Carbon and Circular Economy in Homes and Buildings to clarify how they apply to health buildings.
- Amendments to policies allocating land for strategic mixed-use developments to require them to contribute to increased healthcare capacity to serve the developments, rather than limiting their contributions to primary acre alone.

2.0 The Essex Integrated Care Board

2.1 The ICB has duties prescribed by the Health and Care Act 2022 and other regulations and statutes. These include exercising its functions to:

- improve healthcare and health outcomes.
- tackle inequalities in population health and access to healthcare.
- promote innovation in the provision of health services.

2.2 The four key aims for ICS' are:

- Improving outcomes in population health and healthcare.
- Tackling inequalities in outcomes, experience and access
- Enhancing productivity and value for money.
- Supporting broader social and economic development.

2.3 In addition, ICB's are obliged to consider the effects of their decisions on:

- The health and wellbeing of the people of England (including inequalities in that health and wellbeing).
- The quality of services provided or arranged by both themselves and other relevant bodies (including inequalities in benefits from those services).
- The sustainable and efficient use of resources by both themselves, and other relevant bodies.

2.4 The Essex Population Health Improvement Plan (PHIP) sets out a shared ambition across the NHS, local authorities and wider partners to improve health outcomes, tackle health inequalities and support people to live longer, healthier and more independent lives. Its focus is on prevention, early intervention and addressing the wider determinants of health, recognising that factors such as housing, employment, education, transport and the quality of the built environment have a significant impact on population health.

2.5 The Plan identifies the need to create healthier and more sustainable communities, particularly in areas experiencing poorer health outcomes, through improved access to homes, services, active travel opportunities, green infrastructure and community facilities. In this context, local planning policy has an important role in supporting healthy place-making, reducing inequalities and enabling integrated health and care services that meet the needs of a growing and ageing population.

2.6 In July 2025, the government published "10 Year Health Plan for England: Fit for the Future". This publication will heavily influence the ICB's approach to the evolution of health care over the next ten years.

The backbone of the 10 Year Plan is:

- Changing from treating sickness to preventing illness.
- From hospital centric care to community-based care.
- Digital transformation.

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

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

2.8 To deliver these new models, across England, the NHS needs to rapidly develop its out of hospital estate offer. The 10 Year Health Plan promised services would happen:

- As locally as it can
- Digitally by default
- In a patient's home if possible
- In a neighbourhood health centre when needed
- In a hospital if necessary

2.9 Essex will seek to secure investment through central capital funding, local resources and contributions through local authorities to invest in infrastructure that not only provides the primary care needs of growing and increasingly elderly populations but also for peoples' wider health and care needs to be met through "left shift of care" into a community setting.

2.10 In Tendring, many of these factors will be influenced by the emerging Tendring Local Plan. The ICB will continue to engage with the development of the Tendring Local Plan to help ensure that its policies and allocations contribute to the delivery of positive outcomes for healthcare and health outcomes, including reducing health inequalities. This will be achieved through healthy place-making as well as the delivery of suitable infrastructure.

3.0 Place and housing allocation policies and healthcare infrastructure delivery

3.1 The Plan policies set out the need for healthcare infrastructure to support planned growth in its strategic infrastructure policy and individual site allocation policies. Recognition in the Plan of the importance of healthcare infrastructure and the intention that development will mitigate its impact on healthcare infrastructure is welcomed. The ICB's comments below focus on policy wording to ensure that this intention translates into successful delivery of essential infrastructure.

3.2 Strategic Policy LP1 Housing Supply sets out the source of housing supply through the Plan period. It identifies that more than 18,000 homes will be delivered between April 2026 and March 2043. This growth will generate significantly increased demand for healthcare services and the need for additional healthcare infrastructure capacity. Some of the larger sites will continue to grow beyond the Plan period and the total number of homes planned on the sites allocated is over 27,000. In planning healthcare infrastructure, it is important to consider the additional growth potential beyond the Plan period. The ICB is not funded centrally to build new facilities to support growth, and it is important that the impact of development is mitigated by the development without burdening the NHS with additional costs. There is very little capacity at existing healthcare facilities in Tendring; any new developments should provide for additional healthcare needs.

3.5 Non-strategic Policy HP1: Improving Health and Wellbeing is divided into two parts. Part B deals with health services an infrastructure and aims to ensure that healthcare infrastructure is provided to meet the needs of the growing population.

The ICB is not centrally funded to build infrastructure to meet additional demand generated by growth. It therefore requests that the policy is amended to require developments to fully mitigate their impacts at nil cost to the NHS.

3.6 Non-strategic Policy HP2: Community facilities, says that developments should provide on-site, or contribute towards new or enhanced, community facilities. The ICB requests that the policy is amended to require developments to fully mitigate their impact on healthcare infrastructure.

3.7 Non-Strategic Policy LP10: Care, Independent and assisted Living, Secure Institutions sets the expectations for care, assisted living developments and secure institutions. The ICB welcomes the requirement that any necessary mitigation is secured in accordance with Policy DI1. While this type of accommodation can, through careful design and provision of services, support residents' health and wellbeing, these measures do not fully mitigate the impact of the residents on healthcare infrastructure. Residents will need to access services that are not available on site and often have an age and health profile that leads to greater demand than the average population. All development should be required to fully mitigate their impacts to avoid adding additional burdens on the NHS.

3.8 Strategic Policy DI1: Infrastructure Delivery and Impact Mitigation explains that all new development should be supported by all necessary infrastructure and where this is not already available the development will be required to provide it. This approach is welcomed but the ICB requests that the policy is amended by the addition at the end of the first sentence of 'to fully mitigate its impact on infrastructure capacity.'

3.8 The Plan policies that allocate sites for development including residential use, refer to the need to contribute to infrastructure, including healthcare infrastructure. This is welcomed but the ICB requests amendments to strengthen all policies that include the allocation of land for residential development. In addition to any site-specific requirements, these policies should cross-reference Strategic Policy DI1 Infrastructure Delivery and Impact Mitigation that sets out requirements for infrastructure provision. The ICB also asks that all residential allocation policies specify that developments are required to fully mitigate their impact on healthcare infrastructure; the provision of land or a building to be leased does not mitigate impact but introduces a financial burden to the NHS. For the contributions to be effective in mitigating impact by creating additional capacity for the residents resulting from growth, the ICB needs flexibility to use them on or off-site, depending on individual circumstances.

3.9 Strategic Policy SAMU1: Development and delivery of Tendring Colchester Borders Garden Community says that proposals for development within the site allocation boundary will be determined in accordance with the policies and requirements of the Tendring Colchester Borders Development Plan Document. It lists uses for which land is allocated, sets out housing delivery expectations and discusses delivery of the proposed rapid transit system. The policy explains that policies SP8 and SP of the North Essex Authorities Shared Strategic Section One

Plan (adopted January 2021) will continue to apply to the garden community where appropriate. The ICB requests that this policy is amended to highlight the main infrastructure requirements for the development, including healthcare infrastructure to fully mitigate the impact of the development on healthcare capacity.

3.10 Strategic policies SAMU8: Development of Hare Green Garden Village, and SAMU9: Development of Horsley Cross Garden Village propose 4,500 and 6,000 new homes respectively. Each of these developments will generate sufficient additional demand for GP services to require the provision of a new surgery within the developments. To be sound, the policies should require the developments to provide suitable healthcare buildings on site at nil cost to the NHS as well as making financial contributions towards community and acute care needs created by the developments.

3.11 The other residential site allocations are smaller in scale and on their own would not generate the need for a new on-site healthcare building. The requirement to mitigate impact on healthcare infrastructure varies between these policies and could be simplified to give consistency and greater transparency. The ICB considers that, to be sound, the policies should require that the impacts on healthcare infrastructure are fully mitigated and flexibility is needed to allow the best solutions to be implemented at the time of development delivery. For all but the largest developments (SAMU1, SAMU8 and SAMU) this is likely to be a financial contribution that can be used to increase healthcare capacity for the benefit of the new residents, on or off-site as agreed with the ICB.

4.0 Conclusion

4.1 The ICB has raised the issues described above in discussions with the Council and the parties are working together to draft modifications that will resolve the existing policy gaps. It is intended that these modifications will be agreed for submission up to and during the Local Plan examination in public.

Yours faithfully

[redacted]

Catherine Bicknell

Senior Estates Manager Town Planning ic

NHS Property Services

Planning Policy
Tendring District Council
Town Hall
Station Road
Clacton on Sea
CO15 1SE
planning.policy@tendringdc.gov.uk

NHS Property Services Ltd
10 South Colonnade
Canary Wharf
London E14 4PU
town.planning@property.nhs.uk
www.property.nhs.uk

19 October 2026

BY EMAIL ONLY

RE: Consultation on Tendring District Local Plan Review Submission Version Consultation

Thank you for the opportunity to comment on the above document. The following representations are submitted by NHS Property Services (NHSPS).

NHS Property Services

NHS Property Services (NHSPS) manages, maintains and improves NHS properties and facilities, working in partnership with NHS organisations to create safe, efficient, sustainable and modern healthcare environments. We partner with local NHS Integrated Care Boards (ICBs) and wider NHS organisations to help them plan and manage their estates to unlock greater value and ensure every patient can get the care they need in the right place and space for them. NHSPS is part of the NHS and is wholly owned by the Department of Health and Social Care (DHSC) – all surplus funds are reinvested directly into the NHS to tackle the biggest estates challenges including space utilisation, quality, and access with the core objective to enable excellent patient care.

General Comments on Health Infrastructure to Support Housing Growth

The delivery of new and improved healthcare infrastructure is significantly resource intensive. The NHS as a whole is facing significant constraints in terms of the funding needed to deliver healthcare services, and population growth from new housing development adds further pressure to the system. New development should make a proportionate contribution to funding the healthcare needs arising from new development. Health provision is an integral component of sustainable development – access to essential healthcare services promotes good health outcomes and supports the overall social and economic wellbeing of an area.

Residential developments often have very significant impacts in terms of the need for additional primary healthcare provision for future residents. Given health infrastructure's strategic importance to supporting housing growth and sustainable development, it should be considered at the forefront of priorities for infrastructure delivery. The ability to continually review the healthcare estate, optimise land use, and deliver health services from modern facilities is crucial. The health estate must be supported to develop, modernise, or be protected in line with integrated NHS strategies. Planning policies should enable the delivery of essential healthcare infrastructure and be prepared in consultation with the NHS to ensure they help deliver estate transformation.

Consultation on the Tendring District Local Plan Submission Version (Reg19) Representation Form

You are encouraged to submit your representations via the online consultation portal: https://tendringdc.oc2.uk, where the full consultation documents can also be viewed. This is the quickest and most efficient way to ensure your representations are recorded.

If you are unable to submit your representation online, you may return this form by email to planning.policy@tendringdc.gov.uk or by post to:

Planning Policy
Tendring District Council
Town Hall, Station Road
Clacton-on-Sea
CO15 1SE.

The consultation period for the Submission Version runs from 7 September 2026 to 19 October 2026. Representations must be received by the Council **no later than 5pm on 19 October 2026**. Any representations received after this deadline may not be considered.

This form has two parts:

Part A – Personal Details: need only be completed once.
Part B – Your representation(s): Please fill in a separate sheet for each representation you wish to make.

Only representations submitted during this Regulation 19 consultation period will be considered by the independent Inspector as part of the examination of the Local Plan. Comments submitted at earlier stages of consultation have informed preparation of the Plan and form part of the consultation evidence base. However, they will not be considered by the Inspector unless they are resubmitted during this consultation period.

As this is a Regulation 19 consultation, representations should focus on whether the Local Plan meets the tests of legal compliance and soundness. Comments on matters outside the scope of the examination may carry limited weight in the examination process. Guidance on these matters is provided within this form and on the Council's consultation website.

The Council reserves the right not to publish, or to redact, representations containing defamatory, abusive, offensive or otherwise inappropriate material, where permitted by law.

Representations submitted in response to this consultation will be provided to the Secretary of State and the Planning Inspectorate as part of the examination of the Local Plan. Representations (including the name of the person or organisation making the representation) may also be published on the Council's website. Personal data will be processed in accordance with the UK General Data Protection Regulation and the Data Protection Act 2018. Further information on how the Council processes personal data for Local Plan consultations is available in the Council's Local Plan Privacy Notice at https://www.tendringdc.gov.uk/service-privacy-notice/local-plan-privacy-notice.

We may use artificial intelligence (AI) tools to assist in producing summaries of the content of representations submitted during Local Plan consultations. These tools are only used to summarise the themes and issues raised and are used in accordance with the Council's Artificial Intelligence Best Practice Approach document. AI will not be used to analyse or make decisions based on any personal data, and all consultation-related Local Plan decision making will be undertaken by Council officers and elected Members of the Council.

Planning Inspectorate Guidance Note on Making Representations

Introduction

The plan has been published by the Local Planning Authority [LPA] in order for representations to be made on it before it is submitted for examination by a Planning Inspector. The Planning and Compulsory Purchase Act 2004, as amended, [PCPA] states that the purpose of the examination is to consider whether the plan complies with the relevant legal requirements, and is sound. The Inspector will consider all representations on the plan that are made within the period set by the LPA.

To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. The LPA will therefore ensure that the names of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspector.

Legal Compliance

You should consider the following before making a representation on legal compliance:

- The plan should be included in the LPA's current Local Development Scheme [LDS] and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for examination. If the plan is not in the current LDS it should not have been published for representations. The LDS should be on the LPA's website and available at its main offices.
- The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement [SCI] (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.
- The LPA is required to provide a Sustainability Appraisal [SA] report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- The plan should comply with all other relevant requirements of the PCPA and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended [the Regulations].

Soundness

The tests of soundness are set out in the National Planning Policy Framework (NPPF). Plans are sound if they are:

- **Positively prepared** – providing a strategy which, as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that

unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;

- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF and other statements of national policy, where relevant.

If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

General Advice

If you wish to make a representation seeking a modification to a plan or part of a plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria set out in the NPPF and referenced above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues they identify.

Where groups or individuals share a common view on the plan, it would be very helpful if they would make a single representation which represents that view, rather than a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at the hearing session(s) if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.

Part A – Personal Details

	1. Personal Details	2. Agent's Details *(if applicable)*
Title		Miss
First Name		Zainab
Last Name		Hussain
Job Title *(where relevant)*		Graduate Town Planner
Organisation *(where relevant)*		NHS Property Services Ltd
Address Line 1		10 South Colonnade
Line 2		Canary Wharf
Line 3		
Line 4		
Post Code		E14 4PU
Telephone Number		
Email Address		[redacted]

Responding:

☐ As an individual

☑ On behalf of an organisation

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Part B – Your Representation(s)

Please fill in a separate sheet for each representation you wish to make.

Name of Individual or Organisation: NHS Property Services Ltd

To which part of the Local Plan does this representation relate?
Please tick one and give the policy number or map title if relevant.

☐	Vision	
☐	Objectives	
X	Policy number:	**Draft Policy HP1: Improving Health and Wellbeing**
☐	Map title:	

Do you consider the Plan to be legally compliant? ✔ Yes ☐ No

Do you consider the Plan to be sound? ✔ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Please indicate, where relevant, which test(s) of soundness you consider have not been met (Positively Prepared, Justified, Effective, or Consistent with National Policy). If you wish to support the legal compliance or soundness of the Local Plan please also use this box to set out your comments.

Healthy Places

Part A of Draft Policy HP1 sets out the Council's commitment to making sure that new developments promote healthier lifestyles and the long-term prevention of avoidable illness. NHSPS welcomes and supports the inclusion of policies which seek to improve health and wellbeing, and the requirement for Health Impact Assessment (HIA) for all development sites delivering 50 or more dwellings, all development in Use Class C2 (Residential Institutions) and all non-residential developments delivering 1,000 square metres or more gross internal floor space as set out in Part A (a) of Draft Policy HP1.

There is a well-established connection between planning and health, and the planning system has an important role in creating healthy communities. The planning system is critical not only to the provision of improved health services and infrastructure by enabling health providers to meet changing healthcare needs, but also to addressing the wider determinants of health.

Health Infrastructure Provision

Part B of Draft Policy HP1 ensures the provision of medical and other healthcare services of the right type is provided in the right locations and at the right time to best meet the needs of the growing population, and sets out the implementation mechanism for healthcare infrastructure to be delivered alongside new development, especially for primary healthcare services as these are the most directly impacted by population growth associated with new development.

NHSPS welcomes the recognition of health infrastructure as essential infrastructure and supports the expectation that development proposals will make provision to meet the cost of healthcare infrastructure made necessary by the development within both allocated site and elsewhere across the District. NHSPS supports the process to determine the appropriate form of developer contributions to health infrastructure through consultation with relevant health partners and/or through the findings of HIA. This ensures that the assessment of existing healthcare infrastructure is robust, and that mitigation options secured align with NHS requirements.

We therefore consider Draft Policy HP1 to be positively prepared and effective and therefore sound.

Part B – Your Representation(s)

Please fill in a separate sheet for each representation you wish to make.

Name of Individual or Organisation: NHS Property Services Ltd

To which part of the Local Plan does this representation relate?
Please tick one and give the policy number or map title if relevant.

☐	Vision	
☐	Objectives	
X	Policy number:	**Draft Policy HP2: Community Facilities**
☐	Map title:	

Do you consider the Plan to be legally compliant?	✔	Yes	☐	No
Do you consider the Plan to be sound?	✔	Yes	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Please indicate, where relevant, which test(s) of soundness you consider have not been met (Positively Prepared, Justified, Effective, or Consistent with National Policy). If you wish to support the legal compliance or soundness of the Local Plan please also use this box to set out your comments.

Draft Policy HP2 focuses on the provision of new community facilities and redevelopment of existing community facilities. NHSPS welcomes the inclusion of wording regarding healthcare facilities where they are formally declared surplus to the operational requirements of the NHS estate, in line with our representation at early Regulation 18 stage (2025).

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In your representation you should provide succinctly all the evidence and information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Where a site is declared surplus to the operational requirements of the NHS or identified as surplus as part of a published estates strategy or transformation plan, we consider this will not be subject to the requirements listed under parts (b)-(c) of Draft Policy HP2. With this in mind, however, for the purposes of clarity in the interpretation of the policy, we request amendments to the policy wording in line with the below suggested amendments:

Proposed addition to Policy HP2:

"Where healthcare facilities are formally declared surplus to the operational healthcare requirements of the NHS or identified as surplus as part of a published estates strategy or service transformation plan, there will be no requirement to ~~retain any part of the site in an alternative community use,~~ *further meet the requirements under Parts (b.) or (c.) of the policy.*

Overall, we consider Draft Policy HP2 to be positively prepared and effective, and therefore sound but would recommend the addition of the suggested wording for the avoidance of doubt in the interpretation of the policy pertaining to the loss of existing healthcare facilities.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Only persons seeking a change to the Plan have a right to be heard at examination hearing sessions if they request to participate. The Inspector will determine the most appropriate procedure and who will be invited to participate in any hearing sessions.

☐ Yes ☑ No

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Part B – Your Representation(s)

Please fill in a separate sheet for each representation you wish to make.

Name of Individual or Organisation: NHS Property Services Ltd

To which part of the Local Plan does this representation relate?
Please tick one and give the policy number or map title if relevant.

☐	Vision	
☐	Objectives	
X	Policy number:	**Draft Strategic Policy DI1 (Infrastructure Delivery and Impact Mitigation)**
☐	Map title:	

Do you consider the Plan to be legally compliant?	✔	Yes	☐	No
Do you consider the Plan to be sound?	✔	Yes	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Please indicate, where relevant, which test(s) of soundness you consider have not been met (Positively Prepared, Justified, Effective, or Consistent with National Policy). If you wish to support the legal compliance or soundness of the Local Plan please also use this box to set out your comments.

Draft Policy DI1 states that all new development will be required to provide for the necessary on-site or off-site infrastructure requirements arising from the proposal. Supporting paragraph 10.8 includes health within the categories of necessary infrastructure.
Supporting paragraph 10.9 states that healthcare services and facilities are provided by the NHS Essex ICB and NHS England - East of England.

NHSPS supports the inclusion of health within the broad categories of necessary infrastructure, and welcomes the updated references to the ICB, following our response at Regulation 18 stage. We recommend that the Council continue its engagement with the NHS to further refine the identified healthcare needs and proposed solutions to support the level of growth proposed by the Local Plan, as identified in the IDP, prior to submission.

Healthcare providers should have flexibility in determining the most appropriate means of meeting the relevant healthcare needs arising from a new development. Where new developments create a demand for health services that cannot be supported by incremental extension or internal modification of existing facilities, this means the provision of new purpose-built healthcare infrastructure will be required to provide sustainable health services. Options should enable financial contributions, new-on-site healthcare infrastructure, free land/infrastructure/property, or a combination of these. It should be clarified that the NHS and its partners will need to work with the council in the formulation of appropriate mitigation measures.

NHSPS therefore consider Draft Policy DI1 to be positively prepared and effective, and therefore sound.

Evidence Base (Local Plan Viability Assessment)

The draft policy requirements identified in the Plan are supported by the Local Plan Viability Assessment (January 2026) and Update Note (August 2026). Having reviewed the report, we note that where contributions towards healthcare have been identified in the policy requirements for site-specific testing, the assessment does not include a specific allowance for contributions towards healthcare. The report tests a lump sum for S106 contributions of £7, 500 per unit (house and flats) on sites of 20 or larger, and £2,500 per unit on smaller sites, to cover site specific mitigation.

Without prejudice to any future representations the NHS or its partners may make on specific planning applications or applications for CIL funding, in our view the S106 headroom identified as part of the site-specific testing is generally sufficient to enable financial contributions to be secured for healthcare, and therefore we consider that overall the assessment of plan-wide viability demonstrates that policy requirements in relation to healthcare infrastructure contributions are deliverable.

Evidence Base (Infrastructure Delivery Plan)

The provision of adequate healthcare infrastructure is in our view critical to the delivery of sustainable development. A sound IDP must include sufficient detail to provide clarity around the healthcare infrastructure required to the level of growth proposed by the Plan, and to ensure that both planning obligations and the capital allocation process for the potential Community Infrastructure Levy (CIL) effectively support and result in capital funding towards delivery of the required infrastructure.

The IDP includes a separate health chapter, and demonstrates clear engagement with NHS Essex ICB in ensuring that the assessment of existing healthcare infrastructure is robust, and the mitigation options secured align with NHS requirements.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In your representation you should provide succinctly all the evidence and information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

N/A

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Only persons seeking a change to the Plan have a right to be heard at examination hearing sessions if they request to participate. The Inspector will determine the most appropriate procedure and who will be invited to participate in any hearing sessions.

☐ Yes ☑ No

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Conclusion

NHSPS thank Tendring District Council for the opportunity to comment on the Local Plan Submission Version (Reg19). We trust our comments will be taken into consideration, and we look forward to reviewing future iterations of the Plan. Should you have any queries or require any further information, please do not hesitate to contact me.

NHSPS would be grateful to be kept informed of the progression of the Local Plan and any future consultations via our dedicated email address, town.planning@property.nhs.uk.

Yours faithfully,

Zainab Hussain
Graduate Town Planner

E: [redacted]

For and on behalf of NHS Property Services Ltd

Essex County Council Full Response to the Tendring District Local Plan 2026 – 2043 Submission Local Plan (Reg. 19) – September 2026

ECC Full Response, submitted 19 October 2026

Overall Summary Headlines

- ECC is supportive of the TDC Local Plan preparation and seeks to support a successful Plan making process, with the outcome of an up-to-date, NPPF compliant Local Plan (LP) being in place in a timely manner
- ECC is raising some soundness issues (primarily on effectiveness of policies) but also on conformity with national policy / the Development Plan, and seeks points of clarification, other updates and revisions to reflect wider changes in legislation etc. although these are capable of remedy through the forthcoming Statement of Common Ground and LP modifications

Duty to Co-operate

- The Duty, having been abolished in its formal regulatory form, is no longer considered at LP examination as a binary pass / fail test under current national planning policy but importantly, LPAs are still required (by NPPF) to cooperate closely in order to ensure effective planning (for strategic / cross-boundary matters and ensure necessary infrastructure delivery)
- ECC can confirm that TDC has fulfilled the NPPF cooperation and engagement requirements in all respects in its preparation of the Draft Plan

Infrastructure planning & delivery

- It is essential that all new development is supported by the required local and strategic infrastructure and ECC has worked closely with TDC in developing its IDP, which identifies the full range of infrastructure / facilities required to support planned growth
- ECC has led on the transport evidence base for TDC to provide a robust and comprehensive understanding of current transport network capacity / conditions; future impacts from planned growth; and accordingly, the required measures and mitigations
- This would include a range of existing transport infrastructure measures to manage it differently, infrastructure interventions / improvements and new / additional infrastructure and services, including active and sustainable transport in order to deliver a modal shift that can serve to manage transport network pressures
- ECC has also carried out rigorous work to assess the Draft Plan growth strategy against education provision, capacity and the requirements arising in future from planned growth (for EYCC; primary; secondary and SEND provision). ECC has also reviewed needs and future opportunities for improved over 16s learning and skills, and provided input to the Draft Plan in this matter
- In response, TDC has included the substantial new education facilities required within the respective LP site allocation policies, in order to secure the required land areas, together with requirements for financial contributions from developers
- As LLFA, ECC has reviewed flood risk infrastructure needs on site (often in the form of Sustainable Urban Drainage Systems (SUDs)) and off-site for those flood risk areas under its own remit, with other flood risk forms being the direct responsibility of other agencies (including the Environment Agency).

Coastal flood risk and management will continue to be an important issue for TDC (resting chiefly with the Environment Agency and TDC). In a related vein, ECC has reviewed needs for strategic green / blue infrastructure to serve larger new developments across Tendring District

Spatial Strategy

- ECC recognises that TDC's spatial options to accommodate the significant growth uplift required are relatively limited and TDC has tested and consulted on a range of potential approaches / variations on these
- As a stakeholder and consultee to the Tendring Plan process, ECC has a default position to protect Essex green space (a policy position agreed by ECC's new administration)
- Whilst significant growth at Harwich / Dovercourt and Weeley Green new GV are supported and their rationale considered strong, ECC is more cautious on the two larger GVs at Hare Green and Horsley Cross due to their relatively isolated locations, with limited access to existing key infrastructure, services and facilities. These factors result in challenges for successful, timely delivery of the necessary supporting infrastructure, services and facilities when needed. These points introduce questions / challenges on sustainability and placemaking for these planned new settlements
- Accordingly, overall, ECC:
    - Supports many elements of the spatial strategy
    - Raises important cautionary points on the two larger new GVs of Hare Green and Horsley Cross (sustainability; infrastructure; placemaking)
    - Accordingly, ECC Is raising some points of soundness in respect of effectiveness of the proposed policies on these which are considered to need strengthening across a range of different subject areas
    - In response, ECC identifies and confirms a very important need for significant further work, collaboration and ongoing commitment on these proposals, with a range of partners, to plan for them, a key stage of which will be the new Plan documents that TDC states will be prepared for them. All partners involved need a lasting, shared commitment to secure their successful delivery, in the best interests of all involved. This is also in recognition that these will be long term developments, planned and delivered over this Plan period, and the ensuing Plan period

Education (including early years and childcare; primary, secondary SEND and post 16 education / skills)

- ECC raises only one substantive soundness issues in this regard and clarification is raised on a number of points
- The ECC response provided on the previous LP version (Preferred Options) has been mostly taken onboard with the required changes, particular
- Additional school provision required for proposed strategic site allocations (under 'SAM' policies, chiefly SAMU8 and SAMU9 for the two larger new GVs, in the form that is necessary (specifying use classes of land) and the necessary areas of land is now included in the relevant site allocation policies
- The key point ECC is reiterating now is that when school sites become redundant for their current educational use that there should be no restrictive policy requirement for such sites to be preferred for other / alternative community related use(s) since their disposal is likely to enable other / alternative educational provision
- Other changes requested to remove specific references to numbers of forms of entry where new schools are to be provided for specific site allocations; also, those referencing ECC requirements on safe and convenient access to schools
- Needs for new SEND provision have been identified overall in terms of scale from the planned growth

- At the previous LP stage ECC provided a substantial body of helpful input on post 16 education (in terms of needs generated and where future provision may be expanded and otherwise provided) and is also pointing to the need for Employment, Skills and Supply Chain Strategies for qualifying developments

Highways and Transportation (including Active / Sustainable & Passenger Travel)

- ECC raises no substantive soundness issues in this regard, subject to the comprehensive mitigations identified by the above evidence work
- This position carries recognition of the scale of challenge in ensuring successful delivery of a significant package of measures (particularly for transport and education provision) to mitigate planned growth and ensure sustainable development and successful placemaking
- This will require positive engagement and significant work between TDC, ECC, site promoters and others in order to plan and ensure successful delivery of the required infrastructure, services and other interventions to enable the growth strategy, particularly in relation to the two larger new Garden Villages
- ECC recommends a number of policy and other text wording additions / changes to ensure that the Plan is sound in terms of being fully effective and in some places to ensure consistency between the various policies
- Essex Highways has overseen and supported the evidence base for the Plan, working collaboratively with TDC (and National Highways) on an ongoing basis to assess the spatial growth strategy, identify transport network issues and impacts and the necessary interventions to provide effective mitigations in response
- This work has now reached its culmination, resulting in clear findings and conclusions, with the required recommendations to manage growth sustainably and to ensure transport network impacts are not severe (in respect of the key NPPF test)
- The evidence work references the NPPF's up to date "vision-led" approach to transport planning, rather than simply 'predicting and providing' new / additional road-based transport infrastructure (including a focus on road building) to accommodate forecast traffic growth

Minerals and Waste

- ECC raises no substantive soundness issues in this regard subject to essential Plan modifications to state where a Mineral Resource Assessment, Waste and Mineral Infrastructure Impact Assessment is necessary in accordance with the adopted minerals and waste local plans
- ECC will raise this early with TDC as a matter to address in the forthcoming SoCG for the examination Inspector's consideration. All such sites have been marked clearly in red text within the full ECC response and thus highlighted for TDC's consideration

Housing Growth

- ECC raises no substantive soundness issues in this regard
- ECC is supportive of the fact that TDC is planning appropriately both to meet its required homes provision level (in line with the current standard method of calculation) and enabling a five-year housing supply (as required by NPPF). EXX is also supportive generally of the proposed policies, including those of particular interest to ECC's responsibilities (supported and specialist homes) subject to a number of revisions (of a non-fundamental nature)
- ECC is recommending that careful consideration is given towards a more planned, proactive policy approach in relation to small (and windfall) sites, given the NPPF requirement for these small sites to provide no less than 10% of the Plan's overall new homes provision. This would also provide the twin

benefits of providing greater confidence in meeting overall homes provision and would assist / guide Plan users / applicants in bringing forward such proposals

Economic Growth

- ECC raises no substantive soundness issues in this regard
- An important need to dedicate further consideration, engage and develop plans and strategies for employment and economic prosperity for the new Garden Villages has been flagged and this will need to align with the above engagement and further work on transport and related infrastructure measures

Sustainability

- This subject area is related closely with the matters outlined above, particularly around the growth strategy and infrastructure planning / provision
- ECC has worked closely with TDC in providing and articulating its evidence base work in relation to sustainable homes that are low cost to heat, cool, durable and healthy for occupiers
- TDC is taking this forward through its LP policies covering these matters, particularly Policies PPL10a and PPL10b. The Draft Plan also includes Policy PPL10c to promote clean / renewable energy generation, this may help promote lower cost energy for users and energy security more widely

Green and Blue Infrastructure (GBI) and BNG

- ECC raises no substantive soundness issues in this regard
- A number of non-contentious policy modifications are recommended to ensure greater policy effectiveness, appropriate GBI provision and connectivity and to ensure effective linkages with the Essex Local Nature Recovery Strategy (LNRS)
- ECC has also reviewed needs for strategic green / blue infrastructure to serve larger new developments across Tendring
- The Draft Plan proposes a Biodiversity Net Gain requirement of 20% (the overall national statutory requirement being 10%) which ECC endorses in view of the value to environmental quality and nature recovery

Flood and Surface Water Management

- ECC raises no substantive soundness issues in this regard (one wording addition is recommended to help enable effective design and delivery of SuDS and effective drainage for new developments for the key Flood Risk policy)
- ECC provided comments on this matter for earlier LP drafts. These have been taken on board and incorporated

Water Efficiency and Water Supply

- ECC maintains its position on this matter as Draft Plan Policy PPL5 does seek to promote water efficiency for clean (potable) water in new homes but proposes a water use limit of 100 litres per person per day, with ECC seeking an industry standard limit of 85 litres (per person per day). An effective evidence base is in place for this lower limit and the region is well recognised as in severe water supply stress
- There is recognition, nevertheless, that TDC has arrived at this position by reviewing developments costs carefully across the board and balancing these across the overall viability assessment and that development viability is more challenging across Tendring than in other North Essex locations

Specialist and Supported Housing (including Adult Social Care)

- ECC raises no substantive soundness issues in this regard; a number of revisions sought through earlier LP iterations have largely been addressed
- A limited number of minor wording revisions are now sought to two policies and other paragraph text, plus a request to introduce a measure to monitor delivery of Specialist and Supported Housing (SSH) delivery against evidence base identified needs

Health and Wellbeing

- ECC raises no substantive soundness issues in this regard; ECC position supportive of Plan content and approach
- TDC has also prepared a local health and wellbeing evidence base with the North East Essex Alliance and ECC in its lead advisor role for Public Health (together with input from the Town and Country Planning Association)
- Submission Plan helps to address the obesogenic environment (encouraging healthier foods) by seeking to limit the number of new / additional hot food takeaway outlets, particularly in locations where younger people gather, including near schools

Stewardship

- ECC raised points on this at the previous LP stage in that the LP does not set out any kind of principles or framework for stewardship as a whole, although it is recognised that can be done through other planning documents
- For the new GVs and other larger / strategic developments, this will be particularly important and for Hare Green and Horsley Cross, the appropriate vehicle under which to develop that work will be the new Plan documents that will be prepared for them
- ECC can provide support and expertise on this matter, drawing on previous work on a number of new Garden Communities and other strategic developments across Greater Essex

Whole Plan Viability

- ECC raises no issues in this regard (such as any concerning the TDC work not being up-to-date, comprehensive or robust)
- Up-to-date viability assessment of the draft policies in the Draft Plan that adheres to Planning Practice Guidance (PPG) and is considered robust
- Assessment also has regard to locally prepared evidence in this subject area, such as the viability evidence and inputs that supports the EPOA climate change policies to ensure high quality, sustainable, durable and healthy homes that are cost effective to heat and to keep cool in hot weather

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Table 1 provides a more full, detailed response following the format and layout of the Draft Plan.

Rep ECC No.	Submission LP Reference Section Policy / Para / page	Is the Plan 1.Legally Compliant Y/N 2.Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Recommended modification needed to make the Plan legally compliant and/or sound	Participation at examination? Y/N
	SECTION 1 INTRODUCTION				
	1. Introduction	N/A	Amendment necessary to reflect LTP status There needs to be a more overt section on the Essex Local Transport Plan (LTP) much like the Minerals Local Plan Waste Local Plan etc. given the LTP is as much a statutory document as the Minerals Local Plan.	Additional Modification: Add additional text section in section 1 with its own subheading (Essex Local Transport Plan) – Introduction, to reference and explain role, status and key aims of LTP, in line with those already provided for other documents (such as Minerals Local Plan). This would reflect the statutory status of the LTP and provide space to explain its role, purpose, aims etc.	N
	Para 1.19	N/A	Factual Update A new version of the National Planning Policy Framework (NPPF) has been published in August 2026. Within paragraph 1.19, reference is only made to the previously issued NPPF, in 2024	Additional Modification: Update the text to reference the latest iteration of the NPPF will ensure accurate, up to date information is provided by the local plan regarding NPPF updates.	N
	Para 1.24	N/A	Revision to reference the Waste Strategy for Essex (WSfE) and clarify respective roles, responsibilities etc. There is currently no reference to the WSfE. Section 1.14 needs updating. This section mixes responsibilities, which could cause confusion (WLP, WMP, WCA and WDA). The opening paragraph gives the impression that there is existing capacity at waste infrastructure for household waste – it may be that there is sufficient treatment capacity, however this is not the case for waste	Add the following text to existing text. Additional Modification: **Essex County Council (ECC) is the Waste Disposal Authority (WDA), and all 12 district, borough and city councils in Essex, including Tendring District Council, are the Waste Collection Authorities. Together, they form the Essex Waste Partnership (EWP) and have jointly adopted the Waste Strategy for Essex 2024–2054 (WSfE). This sets out a joint framework to transition to a circular economy, aiming to reduce, reuse, and recycle more to protect the environment.**	N

			infrastructure such as RCHWs and WTS (including transportation/bulking etc).	**As the Waste Disposal Authority, ECC has responsibility for the infrastructure required to support the management of Local Authority Collected Waste. Planned housing and population growth create additional demand on this infrastructure. Through the updated ECC's Developers' Guide to Infrastructure Contributions (June 2026) an approach to developer contributions for waste management was incorporated. This includes a requirement to mitigate any adverse impact of new developments on existing waste infrastructure. This infrastructure includes, but is not limited to transfer stations, depots and associated logistical infrastructure, waste treatment facilities.** **Waste infrastructure Impact Assessment (WIIA) – all developments should consider the impact of proposed developments on existing waste facilities.**	
	Para 1.34 - LGR	N/A	NB LGR withdrawn for Greater Essex.	The Local Plan should be positively prepared independent of any LGR considerations given this change in context.	N
	SECTION 2 VISION & OBJECTIVES				
	2 Vision and Objectives Vision for the Tendring District 2nd paragraph	1. Y 2. Y	Greater effectiveness Garden Villages - *Designed to the highest standards, these villages will embody best practices in urban design and placemaking, setting a benchmark for future developments in Tendring*. Given Garden Village status this section should include landscape as a key practice in designing these areas along with urban design and placemaking.	Additional Modification Add in wording regarding **landscape-led approach** to garden villages as well as best practices in urban design and placemaking.	N

	2. Vision and Objectives Tendring Colchester Borders GC (1st paragraph) Rural Heartland	1. Y 2. Y	Greater effectiveness General Comment: This needs a more overt mention of Rapid Transit System in the Tendring Colchester Borders GC part of the vision, given the importance (and benefits) of this intervention. Rural heartland: Need to highlight the role in which Transport can plan in connecting communities with key services and/or bringing services to residents Rural heartland: need to recognise that car travel is an acceptable and viable option in more rural areas which are not served well by passenger transport and are too far to walk or cycle	Additional Modifications Add text reference as recommended (in previous column) at the penultimate paragraph of the Vision for TCBGC, to reflect the significant role of this intervention Add text references as recommended (in previous column) at the appropriate part of the Vision for Rural Heartland	N
	Objectives for the Plan 2.2 -2.14	1. Y 2. Y	3. Effective There are 11 overarching objectives outlined for the plan. However, there are none to do with protecting the landscape. This is especially important to include given that there are two National Landscapes in Tendring.	Consider adding an objective to the Local Plan regarding the importance and protection of Tendring's valued landscapes and landscape character. This could potentially form a new / additional part of existing objective 8 (Biodiversity and green and blue infrastructure)	N
	Para 2.10 And referenced in para 7.44	1. Y 2. N	4. Consistency with national policy Objective 7 does not include an accurate or clear description of what the historic environment encompasses (as referenced in the NPPF) and fails to include archaeology. The examples provided as elements of the District's historic environment should be rewritten and improved. For example, other types of assets have a setting (not	Minor modification: Rewrite Objective 7 to provide a more comprehensive and accurate reflection of what the 'historic environment' is. It is recommended that archaeological deposits are included within this objective. The historic environment includes buildings, monuments, sites, areas, landscapes, archives, museums and artefacts, as well as intangible heritage such as traditions, events, culture and character. The Glossary of the NPPF	N

			just historic buildings), it is not clear what is meant by "links", and it is not clear why both "heritage" and "heritage assets" are included. Archaeology is not mentioned. Whilst it is understood that there is no need to reproduce guidance/definitions contained within the NPPF, the Glossary contains useful definitions of heritage assets and the historic environment.	contains useful definitions of heritage assets and the historic environment that could be drawn upon. Also include this revised description in para 7.44.	
	SECTION 3 SUSTAINABLE PLACES				
	Point 3.4	N/A	Edit needed (to correct typo error) A typographical error within paragraph 3.4 creates inaccurate information.	Edit only The figure of **£271,00** should be amended to **£271,000** for accuracy.	N
	3. Sustainable Places Para 3.7	1. Y 2. Y	**General Comment to improve effectiveness:** Need to ensure that the B1033 and B1027 are highlighted as key routes in conjunction with the strategic road network as these routes will serve as important distributor functions Need to mention the transport challenge within rural areas and how more flexible demand responsive services can assist in bringing residents to services and/or vice-a-versa **Minor Comment:** Paragraph 3.7 – Colchester is a City Authority	Additional Modifications In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends revised text. **Recommended paragraph text changes:** Add reference to A1033 and B1027 as key routes necessary to effective functioning of the strategic road network. Add reference to the transport challenge within rural areas and that more flexible demand responsive passenger transport services can assist in bringing residents to services and/or vice-a-versa. **Minor Comment:** Paragraph 3.7 – Correct existing text reference to refer to Colchester as a City Authority.	No
	Sustainable Places Para 3.51 – spatial growth strategy	1. Y 2. Y	ECC needs to point to its (relatively recent) policy stance, as agreed by the new administration that development on	Main modification:	N

			undeveloped, greenfield or Green Belt land and valued green spaces should be avoided wherever possible and minimised. Accordingly, it is necessary to note that as a stakeholder and consultee to the Tendring Plan process, ECC has a default position to protect Essex green space.	Reference a commitment to avoid / minimise any development on undeveloped / green land through the TDC LP	
	Garden Communities and Garden Villages - 3.50 – 3.53 / Glossary	1. Y 2. Y	Greater effectiveness While the concept of these is supported, there is no description of what exactly garden communities / garden villages are and what is expected from such proposals.	Additional Modification (Glossary) For the avoidance of doubt, Garden Communities / Garden Villages should be added to the glossary with a definition of what they are. This might draw helpfully on the well-established Garden Community principles. Also add definition of 'Landscape-led'.	N
	Para 3.72	1. Y 2. Y	Greater effectiveness It is positive to see guidance provided within **Sustainable Design, point 3.72,** regarding early use of design review tools to strengthen the policy and ensure that high-quality designs are developed in line with part **DP4: The Design Process** of the NPPF (whilst recognising that this Plan will be examined under NPPF 2024). ECC would also encourage direct reference to the Essex Quality Review Panel to provide applicants with a clear understanding of all of the review tools available to them.	Additional Modification Including direct reference to the (well established) Essex Quality Review Panel would further encourage and enable the high-quality design of developments by encouraging applicants to utilise all review tools available. Suggested wording: 'The Council encourages early use of design review tools and frameworks, particularly in large scale and mixed-use developments, including Building for a Healthy Life, Sport England's Active Design Principles, Essex Design Guide's Healthy Places checklist, and Homes England's toolkit, to ensure high-quality, healthy and sustainable design outcomes. **Large scale developments should also have access to and make use of the Essex Quality Review Panel.** In assessing applications, the Council will have regard to the outcome from these processes, including any recommendations made by design review panels.'	N

	Policy SPL3: Sustainable Design and supporting text paragraphs 3.70-3.73 Point A.	1. Y 2. Y	Greater effectiveness Policy SPL3 provides a framework for the delivery of sustainable and healthy places. Paragraphs 3.70-3.73 are particularly supported as they recognise the contribution of GI to healthy lifestyles, active travel, biodiversity enhancement, ecological connectivity and climate resilience. The inclusion of references to Sport England's Active Design Principles, the Essex Design Guide, Natural England's GI Framework, the Essex GI Standards and the Essex Local Nature Recovery Strategy (LNRS) is particularly welcomed and reflects many of the principles promoted through the Essex GI Standards and the newly published Essex GI Planning Guidance (2026). The Essex Green Infrastructure Planning Guidance (2026) builds upon the Essex Green Infrastructure Standards (2022) and provides practical guidance on how Green and Blue Infrastructure should be interpreted and delivered through Local Plan preparation, masterplanning, development management, planning applications and long-term stewardship. The guidance supports a consistent, coordinated and policy-compliant approach to the delivery of multifunctional Green and Blue Infrastructure and should be read alongside the Essex Green Infrastructure Standards and relevant national and local planning policy.	Main Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Add a new criterion after existing criterion (e): ***f. Development should contribute to a multifunctional Green and Blue Infrastructure network that supports Biodiversity Net Gain, ecological connectivity, climate resilience, health and wellbeing and, where appropriate, the priorities of the Essex Local Nature Recovery Strategy.*** Or alternatively amend (existing) criterion (d): Suggested wording: *"the design and layout of the development maintain or enhances important existing site features of landscape, ecological, heritage or amenity value* ***and contributes, where appropriate, to multifunctional Green and Blue Infrastructure, Biodiversity Net Gain, ecological connectivity and Essex Local Nature Recovery Strategy priorities."***	N

			However, there is an opportunity to strengthen Part A by more explicitly recognising the role of Green and Blue Infrastructure, BNG and ecological connectivity in delivering high-quality places and supporting Essex LNRS priorities.		
	Policy SPL3 Part A, Point E	1. Y 2. Y	Greater effectiveness There is opportunity to strengthen Policy **SPL3, Part A(e)** by emphasising the importance of the utilisation of hard and soft landscaping.	Main Modification Add text to point E of Policy SPL3 Strengthening the wording of the policy will provide further clarity of guidance regarding landscaping elements and will align with Chapter 14: Achieving well-designed places of the NPPF. Suggested wording: 'Boundary treatments and hard and soft landscaping are designed as an integral part of the development***, providing accessible, multi-functional green infrastructure, that reflects*** the function and character of the development and its surroundings. The Council will encourage the use of locally distinctive materials and/or locally occurring and characteristic hedge species.'	N
	Policy SPL3 Part B, Point F.	1. Y 2. Y	3. Effective/4. Consistent with National Policy ECC suggests further explanation of the terms used to strengthen this policy and encourage safe design, having regard to pedestrians and cyclists. There is opportunity to enhance Policy **SPL3 Part B(f)**, to ensure that the design requirements surrounding access are clear and specific. When comparing policy SPL3 with other local plan policies and the NPPF (TR4),	Main Modification Revise point F to include the following: Suggested wording: 'access to the site is safe and practicable, ***with clear and legible pedestrian, cyclist and vehicular routes*****,** and the highway network will, following any required mitigation, be able to safely accommodate the additional traffic the proposal will generate and not lead to severe traffic impact'.	N

			the draft version of SPL3 appears quite brief and limited regarding its clarification to the term 'safe and practicable'.		
	Policy SPL3 Part B, Point G.	1. Y 2. Y	3.Effective / 4. Consistent with National policy) ECC would encourage providing specific guidance on improving safety and access for those with mobility impairments to strengthen **Policy SPL3, Part B(g)**. When comparing this policy to the NPPF (TR4) and other local plans, the draft version of Policy SPL3, point B appears brief.	Main Modification ECC recommends further refinement of the policy regarding safety and access. Revise point G to include the following: Suggested wording: 'the design and layout of the development maintains and/or provides safe and convenient access for those **with limited mobility, such as disabled and older people, and minimising the scope for conflict between pedestrians, cyclists and vehicles.'**	N
	Policy SPL3 Part B, Point K.	1. Y 2. Y	3. Effective/4. Consistent with National Policy It is positive to see reference to private amenity space within SPL3, and the requirement for this space to meet 'residents' needs' and reflect 'the dwelling size and local character'. However, there is potential to quantify amenity space requirements to strengthen these policies. Additionally, there is potential to strengthen the policy to provide more detailed requirements for private amenity space. There is thought that the phrases 'appropriately sized' and 'well-designed' are vague and can lead to misinterpretation.	Main Modification Providing a clearly defined policy requirement on amenity space standards is important to ensure high-quality homes are provided, and to support the health and wellbeing of residents. Revise point k to include the following: ECC suggests the following wording. 'Development must provide **clearly defined, safe and accessible** private amenity space that meets residents' needs and reflects the dwelling size and local character, together with adequate waste and recycling storage, and vehicle and cycle parking (including electric vehicle provision) in accordance with the latest EPOA Parking Guidance'. ECC would suggest that either the Essex Design Guide's amenity standards are referred to or a bespoke approach is developed. In the context of the need for homes and amenity space the following suggestion is considered a balanced approach:	N

				• 5sqm of private amenity for 1-2 person apartments and an additional 1sqm for each additional occupant. • Housing garden sizes – minimum of 25 sq.m of amenity space per dwelling for 1 bed houses, minimum of 50 sq.m of private amenity space per dwelling for 2 bed houses, and for houses containing 3 or more bedrooms, a minimum of 100sqm unless agreed with the Council for bespoke and innovative design approaches Further explanation regarding the term 'private amenity', and whether this makes reference to internal and external space, will provide clarity to the requirements of internal and external amenity spaces within developments.	
	Policy SPL3 Part B, Point K Policy SPL3 Part B, Point K		3. Effective There is also opportunity within **Policy SPL3 Part B(k)** to provide additional guidance in regard to the standards of internal spaces of dwellings within a development. ECC would suggest the policy can provide further clarity on the scope of 'private amenity space', and whether this makes reference to both internal and external space. Lack of clear guidance surrounding the quality of internal space could potentially lead to developments that less effectively utilise internal space.	Main Modification Providing an additional point regarding standards of internal accommodation would strengthen Policy SPL3 and ensure developments are of high-quality Revise point k to include the following. Suggested wording for an additional point: '**buildings and structures are designed to provide high standards of internal accommodation regarding the size, and arrangement of internal space'.**	N
	Policy SPL3 Part C – Point M	1. Y 2. Y	3. Effective Referencing specific design features within Policy **SPL3 Part C(m)**, would be encouraged. When comparing Policy SPL3 to other local plans, privacy and separation is often brought into this type of policy with additional references to	Main Modification Revise part C point m by adding the following text. Suggested wording: 'The development will not have a materially damaging impact on amenities of occupiers of nearby properties by **having regard to privacy and**	N

			details such as the position of windows and layout of rooms to reduce the impact on neighbouring amenity, Policy SPL3 lacks clarity and appears brief. Having regard to specific design features would strengthen the policy and communicate effectively how neighbouring amenity can be protected.	**<u>separation, daylight and other amenities, considering building orientation, window positioning, internal room layout, and land and floor levels.</u>'** A subset of policy points could also be developed alongside this theme covering: • Householder extensions being subordinate to the existing building in terms of size, scale or height. • Incorporates a roof profile sympathetic to the existing building • Maintains adequate spacing between buildings and an acceptable outlook from surrounding dwellings. This approach avoids adverse impacts on the sunlight/daylight received by neighbouring properties. The impact can be assessed in terms of the use of affected rooms and living conditions, existing and alternative light sources and the scale and space around the affected dwelling.	
	SECTION 4. HEALTHY PLACES				
	4. Healthy Places Para 4.5	1. Y 2. Y	Greater effectiveness **General Comment:** Need to highlight the role by which active travel (walking and cycling) can lead to better health outcomes.	Additional Modification Add reference in the text to better health outcomes arising from active travel (walking and cycling).	No
	Policy HP1: Improving Health and Wellbeing Chapter 4: Healthy Places Paragraphs 4.1-4.5 and Policy HP1 Pages 48-51	1.Legally Compliant Y 2. Sound Y	Greater effectiveness ECC Adult Social Care (ASC) welcomes the strengthened focus on inclusive health and wellbeing outcomes within Policy HP1. The policy now includes specific reference to safe, inclusive and accessible places for older people and	Minor modification required. In line with previous comments, ECC suggests that "disabled residents" is amended to "residents with disabilities".	N

			people with disabilities, encourages social interaction and wellbeing, and includes reference to the Environments for Ageing and Dementia Design Assessment Toolkit (EADDAT). ECC ASC also welcomes the references to the Essex Design Guide and inclusive communities within the supporting text. These additions address ASC's previous comments regarding inclusive and accessible environments, dementia-inclusive design principles, social interaction and wellbeing, and the role of healthy places in supporting independence and reducing health inequalities.		
	Policy HP1: Improving Health and Wellbeing HP1 Part A point d.	1. Y 2. Y	Greater effectiveness Policy HP1 recognises the relationship between health, active lifestyles, active travel, biodiversity, public open space, and environmental quality for healthy place-making. The policy aligns with the Essex Healthy Places Guidance, Sport England Active Design Principles and wider health objectives of the Plan. Multifunctional Green and Blue Infrastructure plays an important role in delivering many of these outcomes, including opportunities for physical activity, access to nature, biodiversity enhancement, climate resilience and social wellbeing. It is recommended that criterion (d) is strengthened to explicitly recognise the role of multifunctional Green and Blue	Main Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Suggested wording for criterion (d): "Developments should contribute towards the expansion of the biodiversity network and the protection *of the environment* ***by incorporating the existing network to provide high-quality, accessible and multi-functional green infrastructure*** as appropriate to further promote health and wellbeing*;"* And/or an extra sentence in the supporting text: ***"Multifunctional Green and Blue Infrastructure can make a significant contribution to physical and mental health, active lifestyles, ecological***	N

	Policy HP1 Part A, Point G		Infrastructure in supporting health and wellbeing outcomes. This would strengthen links between health, biodiversity and Green Infrastructure delivery and improve consistency with Objectives 4 and 8 and Policy HP5. (3. Effective/4. Consistent with National Policy) It is positive to see reference to healthy living environments within Policy **HP1 Part A(g)** and guidance for developments to promote this internally and externally. However, there is opportunity to strengthen this policy by referencing specific design elements such as orientation and outdoor amenity space. There is thought that the phrase 'good quality housing' is vague and could be enhanced.	***connectivity, climate resilience and access to nature and should be integrated into the design of new development wherever appropriate."*** Having regard to specific design elements would strengthen the policy and effectively communicate how a healthy living environment can be promoted. Suggested wording: 'Development should provide **high-quality site layouts and housing that** promote a healthy living environment now and in the future **through orientation and internal layout that maximise access to daylight, access to open green spaces, and adequate outdoor private amenity space'.**	
	Policy HP2 Community Facilities	1. Y 2. N	3. Effective Comment and recommended change: ECC contends that in some cases and circumstances where it may be necessary for a school site to be disposed of this will reflect current / future identified education requirements and the optimal approach towards meeting provision for that particular area. The NPPF (2024) states that: '100. It is important that a sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative	Main Modification In line with para 6.84, ECC recommends that a similar caveat to that pertaining to healthcare facilities must be added i.e. **alternative community use will not be required if a school site has been declared surplus and sale proceeds will be invested in education and its provision.**	Y

			approach to meeting this requirement, and to development that will widen choice in education. They should: a) give great weight to the need to create, expand or alter early years, schools and post-16 facilities through the preparation of plans and decisions on applications; and b) work with early years, school and post-16 promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.' Similarly, new spatial growth strategies that may serve to shift where local / growing populations are concentrated and therefore educational demand is similarly concentrated and required may necessitate such changes in provisions, as paragraph 101 suggests: '101. To ensure faster delivery of other public service infrastructure such as health, blue light, library, adult education, university and criminal justice facilities, local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted. Significant weight should be placed on the importance of new, expanded or upgraded public service		

			infrastructure when considering proposals for development.' This would also reflect the Government's Industrial Strategy 2025, with its clear focus on infrastructure for education; health; and justice		
	Policy HP5: Open Space, Sports and Recreation Facilities and supporting text paragraphs 4.27-4.31	1. Y 2. Y	Greater effectiveness Policy HP5 provides for the delivery of open space, sport, recreation and Green and Blue Infrastructure provision. policy appropriately recognises the role of open space in supporting biodiversity enhancement, ecological connectivity, the Essex LNRS, Areas of Particular Importance for Biodiversity, Strategic Combined Opportunity Areas and long-term stewardship. The inclusion of management and maintenance requirements and opportunities for landscape-scale biodiversity enhancement is particularly supported. For additional clarity, paragraph 4.29 could be strengthened by recognising that open spaces should form part of a wider multifunctional Green and Blue Infrastructure network contributing to biodiversity enhancement, ecological connectivity, active lifestyles, climate resilience, sustainable drainage and Essex Local Nature Recovery Strategy priorities. This would reinforce the multiple environmental, social and health benefits expected from open space provision and improve consistency with Policy SPL3, Policy PPL4, the Essex	Additional Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Amend paragraph 4.29 to include: *"Although the evidence base identifies deficits in some open space typologies, addressing these solely through new provision can be challenging, particularly where land availability is constrained or where new facilities would not significantly improve accessibility. Accordingly, the Local Plan encourages a pragmatic approach that prioritises enhancing the quality, connectivity and usability of existing spaces, ensuring they remain accessible and fit for purpose.* ***Open spaces should form part of a wider multifunctional Green and Blue Infrastructure network that contributes to biodiversity enhancement, ecological connectivity, active lifestyles, climate resilience, sustainable drainage and Essex Local Nature Recovery Strategy priorities.*** *Opportunities to improve walking and cycling links to existing open spaces are strongly supported. "*	N

			Green Infrastructure Standards, Essex Green Infrastructure Planning Guidance and the Essex Local Nature Recovery Strategy.		
	SECTION 5. LIVING PLACES				
	Policy LP2: Housing Choice Chapter 5: Living Places Paragraphs 5.23-5.24	1.Legally Compliant Y 2. Sound Y	Wording correction ECC Adult Social Care (ASC) welcomes the inclusion of the Essex Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA) within Tendring District Council's evidence base, the supporting text and policy wording. Policy LP2 now recognises that housing mix should be informed by SSHANA evidence where relevant and supports delivery of a broader range of specialist and supported housing types. ECC ASC considers that the policy appropriately reflects identified specialist and supported housing needs and addresses the matters previously raised regarding the recognition of specialist and supported housing within the overall housing mix	Minor modifications required. Strategic Policy LP2: Change wording, from 'independent living accommodation' to 'supported living': The Council will support the delivery of a diverse range of housing types and tenures to meet identified needs across the community, including bungalows, retirement housing, extra care housing, ~~independent~~ **supported** living ~~accommodation~~, starter homes, self-build and custom-build housing, family housing and accommodation for armed forces veterans and other groups with specific housing and support needs.	N
	Policy LP3 Point a	1. Y 2. Y	Greater effectiveness There is opportunity to enhance Policy **LP3 Point A** regarding the term 'good accessibility'. ECC would question the clarity of this term. The current wording has the potential to leave the specifics of what is deemed good accessibility up for interpretation, which could result in developments that do not align with the	Main Modification: Strengthening the wording of the policy will help to achieve developments that provide positive accessibility to local services and align with the NPPF (TR4). Suggested wording for point a: **'Safe, legible pedestrian and cyclist routes, waiting facilities for active transport, and a development layout**	N

			original intention, or the quality expected, of the Local Plan.	**<u>that provides access</u>** to local services by all users regardless of mobility, **<u>with appropriate rest points'</u>**.	
	Policy LP4: Development Layout & Design Chapter 5: Living Places Paragraphs 5.26-5.31	1.Legally Compliant Y 2. Sound Y	Wording correction ECC Adult Social Care (ASC) welcomes the inclusion of inclusive design principles within Policy LP4 and the supporting text. The policy now requires developments to demonstrate how the needs of a diverse range of people have informed site design. ECC ASC also welcomes the references to inclusive design, age-friendly environments, dementia-inclusive design and the Essex Design Guide, Building for a Healthy Life, Active Design Principles, Essex Healthy Places, Livewell Accreditation, Manual for Streets. These additions address ASC's previous comments regarding inclusive design, accessibility and dementia-inclusive environments and support the delivery of inclusive and accessible environments that promote independence and support inclusive communities.	Minor modifications required. Paragraph 5.24: consider including reference to Essex Design Guide, including guidance relating to accessible, adaptable and dementia-inclusive design. Paragraph 5.29: amend to say 'dementia **inclusive** design' rather than dementia friendly design – dementia inclusive design is now the preferred term. Non-strategic Policy LP4: amend to say 'dementia **inclusive** design'. Paragraph 5.24: consider including reference to Essex Design Guide, including guidance relating to accessible, adaptable and dementia-inclusive design.	N
	Chapter 5: Living Places Paragraphs 5.32-5.37	1.Legally Compliant Y 2. Sound Y	ECC Adult Social Care (ASC) welcomes the inclusion of reference to the Essex Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA) within Policy LP5. The policy now recognises that affordable housing provision should include appropriate specialist and supported housing where this is supported by identified need.	Check suggested typo error in para 5.37	N

			ECC ASC considers that these additions address ASC's previous comments regarding the need for affordable housing provision to reflect identified specialist and supported housing needs across the district. Typographic error Query on a possible typo error: in paragraph 5.37 in that should the last sentence read 'In certain exceptional circumstances.....the transfer of a **lower** number of homes to the Council (NB This currently says "low").		
	Policy LP4 Point d	1.Legally Compliant Y 2. Sound Y	3.Effective There is also opportunity to strengthen Policy **LP4 Point D**, to ensure that the design requirements surrounding inclusive design are clear and specific. When comparing Policy LP4 with other local plan policies and the NPPF (TR4), the draft version of LP4 can appear less clear surrounding the term 'inclusive'. ECC suggests further explanation of the term to strengthen this policy and encourage inclusive design, having regard to what is required of inclusive design and who it serves.	Main Modification Suggested wording for point d: 'Development proposals should incorporate high-quality, inclusive design and layout principles that create safe, accessible and welcoming places for all users **(particularly for groups vulnerable to crime or fear of crime, such as women and girls, and those of limited ability, disabled and older people).** Schemes should minimise opportunities for crime and anti-social behaviour by ensuring good natural surveillance of both public and private spaces from buildings and streets, providing clear definition between public and private spaces and convenient access for emergency services. Development should demonstrate how the needs of a diverse range of users have informed site design, including gender-inclusive considerations relating to personal safety and movement through places, and neuro-inclusive considerations relating to legibility, navigation, movement, accessibility and sensory environment.	N

				ECC suggests further explanation of the term to strengthen policy and align with Chapter 14: Achieving well-designed places of the NPPF.	
	Policy LP4 Point h		3. Effective Regarding Policy **LP4 Point H**, ECC would encourage clear and specific requirements surrounding 'high standards of architecture'. When comparing Policy LP4 with the NPPF (DP3), Policy LP4 appears brief and limited regarding its clarification of high standards of architecture. *'sense of place'* is mentioned within the policy wording but has no description for Plan users of what this means.	Main Modification: Suggested wording for point h: 'Deliver new dwellings **and a site layout that are well considered, visually attractive and characterful,** which respect local character **to establish and maintain a strong sense of place'.** Additional modification: For the avoidance of doubt, 'Sense of Place' should be added to the glossary.	N
	Policy LP10: Care, Independent and Assisted Living, Secure Institutions Chapter 5: Living Places Paragraphs 5.58-5.66	1.Legally Compliant Y 2. Sound N	3. Effective ECC Adult Social Care (ASC) welcomes the broadened scope of Policy LP10 and the inclusion of a wider range of specialist and supported housing and accommodation types. The supporting text now references the Essex Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA) and recognises a range of accommodation types including residential care and nursing homes, extra care housing, retirement living and supported living for people with disabilities and mental health needs.	Recommended Modification Paragraph 5.59 change wording to: '…broad range of supported and specialist housing and accommodation across Tendring…' Amend Policy LP10 to strengthen the link between delivery of specialist and supported housing and the needs identified within the Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA). Consider renaming Policy LP10 from "Care, Independent and Assisted Living, Secure Institutions" to "Supported and Specialist Housing and Accommodation" to better reflect the terminology used within SSHANA and the wider	N

			ECC ASC also welcomes the references to the Essex Design Guide, the ECC Extra Care Design Guide, supported living design guidance and inclusive and dementia inclusive design principles. These additions address a number of ASC's previous comments regarding specialist and supported housing provision, inclusive design and design quality. However, ASC's previous comments have only been partially addressed. Whilst the policy recognises a wider range of specialist and supported housing and accommodation types and references relevant design guidance, it does not clearly set out how delivery of specialist and supported housing and accommodation should respond to the needs identified within the Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA), including the scale, tenure and type of accommodation required across different population groups over the plan period. In addition, the policy title continues to refer to **"**Care, Independent and Assisted Living, Secure Institutions", which does not fully reflect the broader range of specialist and supported housing and accommodation types recognised within the policy and SSHANA evidence.	range of accommodation types recognised within the policy. **Suggested wording:** ***Developments for supported and specialist housing and accommodation should demonstrate how the proposed provision responds to the needs identified within the Essex Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA) or successor evidence*.**	

	Policy LP10: Care, Independent and Assisted Living, Secure Institutions	1. Y 2. Y	Greater effectiveness The emphasis on wellbeing, accessibility, inclusive design and dementia-friendly environments is supported. Opportunities exist to further recognise the contribution that well-designed Green and Blue Infrastructure, landscape design and access to nature can make towards physical health, mental wellbeing, social interaction, independence and quality of life for residents. To strengthen the policy consider adding the following wording after the first paragraph on page 95. This would reinforce the health and wellbeing objectives of the policy and align with Policy HP1, Policy HP5, the Essex Design Guide and wider Green Infrastructure objectives within the Plan This policy is welcomed, however ECC would recommend that policy wording includes information on designing landscapes and outdoor spaces for those in care, independent and assisting living, secure institutions.	Main Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. *"Development must provide a high-quality, safe, inclusive and accessible environment that supports residents' independence, wellbeing and dignity through the application of appropriate accessible and adaptable design principles.* **Development should, where appropriate, incorporate high-quality landscaping and multifunctional Green and Blue Infrastructure, including accessible gardens, sensory planting, seating areas, walking routes and opportunities for nature connection, to support health, wellbeing, social interaction and independent living.** Where relevant …" Designing landscapes for these spaces should be added to policy wording, for example: Designing landscapes for these spaces is essential for encouraging people to use them. Good design also depends on understanding the needs of the people who will use the space. This could include: accessible routes, contact with nature, seating and shelter, sensory planting, space for activities, resident involvement etc.	N
	SECTION 6. PROSPEROUS PLACES				
	PP1	1. Y 2. Y	Greater effectiveness "Retail Policy Areas" appears to refer to the "Primary Shopping Areas" identified in PP4, while the interactive mapping tool uses "Area name". The terminology is inconsistent and potentially ambiguous.	Additional Modification – wording consistency Use consistent terminology for Primary Shopping Areas throughout the Plan and interactive mapping tool.	N

	Prosperous Places Policy PP6	1. Y 2. Y	Greater effectiveness Need to ensure that the Harwich Port / Freeport East is highlighted as a prosperous place given its important function for employment and supporting the economy Policy PP6 needs to be strengthened to ensure robustness / effectiveness	Main Modifications to Policies Add reference to highlight that the Harwich Port has importance as a prosperous place and to wider prosperity given its important function for employment and supporting the economy PP6: **EMPLOYMENT SITES** Need to ensure that this policy highlights the importance of employee/staff travel planning to ensure staff travel to the site by the most sustainable means possible (https://www.essex.gov.uk/planning-land-and-recycling/planning-and-development/travel-plans/workplace-travel-plans)	No
	PP6 and PP7 Point a	1. Y 2. N	3. Effective The approach to considering non-employment uses risks placing too much weight on historic market performance. Past demand, vacancy and take-up may reflect the economic and property market cycle and may not represent future demand, particularly where regeneration or investment is planned.	Main modification Revise point a of policy as follows: Require proposals for non-employment uses to consider forward-looking evidence as well as historic performance, including economic and property market cycles, future market potential and planned regeneration or investment.	N
	PP7	1. Y 2. Y	Point of consistency / completeness PP7 does not identify the employment land proposed as part of the mixed-use allocation at SAMU1 or SAMU2 but does mention Harwich Valley. It would be helpful to have reference to undertaking Environmental Colour Assessments in sensitive locations to ensure development is grounded into the surrounding countryside.	Main Modification (only for consistency / completeness) Amend PP7 to reference approximately 25 Hectares of employment land at SAMU1 and up to 7 ha of employment land at SAMU2. Addition to policy wording about undertaking these assessments and choosing the right colours for large scale buildings. For example: **For sensitive locations an Environmental Colour Assessment should be undertaken in accordance with LI Technical Information Note 04/2018 'Environmental Colour Assessment' in order to determine the range / palette of colours used to inform and guide choices in relation to the**	N

				introduction of colour on buildings, structures, materials, hard surfaces and soft planting to ensure the development is read in context with its environment and in keeping with landscape character.	
	Policy PP12 & Para 6.85	1. Y 2. N	3. Effective ECC recommends that the current text here needs strengthening to ensure it is effective as part of the LP requirements and recommended approach for applicants / developers	Main Modification Suggested wording/upgrading of existing text in document that is currently proposed, as follows: Add requirement for Employment, Skills and Supply Chain Strategies for qualifying developments as below: **Employment, Skills and Supply Chain Strategies are required for developments of a significant scale. In accordance with Section 5.6 of the Essex Developers' Guide to Infrastructure Contributions, residential developments of 50 dwellings or more, and employment developments providing 2,500 sqm (GIA) or more of floorspace, will be required to submit an Employment, Skills and Supply Chain Strategy.** **The strategy should seek to maximise local employment opportunities, apprenticeships, workforce development, and supply chain participation, while supporting the skills needed to realise the personal and economic aspirations of local residents and businesses.** **The strategy should be agreed by all relevant parties prior to the commencement of development, including any groundworks.**	No
	Prosperous Places Policy PP12	1. Y 2. N	3. Effective Policy PP12 needs to be strengthened to ensure robustness / effectiveness Need to ensure there is sufficient coverage for the role that travel planning	Modifications to Policies: PP12: **EDUCATION AND SKILLS** Need to ensure that school travel plans are required for all new and expanding schools/colleges to ensure pupils travel to the education establishments by the most sustainable means possible	No

			can play with respect to employee and school travel plans	(https://www.essex.gov.uk/planning-land-and-recycling/planning-and-development/travel-plans/school-travel-plans)	
	Strategic Policy PP14: Priority Areas for Regeneration	1. Y 2. Y	The policy already recognises the importance of Green Infrastructure in supporting regeneration and environmental quality. Including a reference to urban greening would reflect the particular opportunities available within town centres, seafronts and regeneration areas where measures such as street trees, planting, rain gardens, pocket parks and other nature-based solutions can contribute to environmental quality, climate resilience, biodiversity enhancement and place-making.	This can be covered by additional wording to penultimate paragraph of Policy CP1 Sustainable Travel and Active Travel, so that the requirement includes extensions / new and expanding schools/colleges In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Additional Modification: Suggested wording to second paragraph of policy: "These areas will be a focus for investment in social, economic and physical infrastructure and initiatives to improve vitality, environmental quality, social inclusion, economic prospects, education, health, community safety, accessibility**, urban greening** and green infrastructure."	N
	SECTION 7 PROTECTED PLACES				
	7. Protected Places Policy PPL1 & para 7.3	1. Y 2. N	3. Effective AS LLFA (and statutory consultee) ECC notes that Policy PPL1 references (in final two paragraphs) the need for sufficient flood storage capacity and use of nature-based solutions but Policy PPL1 does not mention SuDS at all and para 7.3 does not refer to SuDS guidance, i.e. the ECC SuDS Design Guide (February 2020) Correction of these deficiencies is necessary to ensure LP effectiveness	Main Modification Add reference to use of SuDS in Policy PPL1. Recommended wording below: All major development proposals must consider the potential for new Green and Blue Infrastructure to help mitigate potential flood risk and include such Green and Blue Infrastructure and nature-based solutions **including SuDS** where appropriate, in accordance with Policy PPL4 of this Local Plan. Add reference to SuDS Design Guide to paragraph 7.3. Recommended wording below:	No

				The Local Plan's strategic objective for Water and Climate Change is "To reduce the risk of all types of flooding by securing the appropriate location and design of new development (incorporating SuDS where appropriate), having regard to the likely impact of climate change, including coastal change." **When considering design and use of SuDS reference to the Essex County Council SuDS Design Guide (latest version) is recommended.**	
	Paras 7.11-7.15 / Policy PPL3 Overarching Point on evidence base (landscape)	1. Y 2. N	2 Justified This section is sparse with only references the Tendring Landscape Character Assessment (LCA) (2001) as the landscape evidence base supporting the local plan here. ECC notes that a 2026 LCA has been prepared as an updated evidence base. This is a particularly significant subject area given there are two National Landscape areas within the district.	Additional Modification The updated 2026 landscape evidence base work should be relied upon and referenced. Consideration might be given to Landscape Sensitivity Assessment for the strategic site allocations, if necessary. This is particularly pertinent around garden village locations, larger allocation sites and National Landscapes areas. References should be amended / updated accordingly to refer to the latest LCA evidence work	N
	Biodiversity and Geodiversity Para 7.16	1. Y 2. Y	Update / correction European legislation is referred to as well as Natura 2000. This is out of date. The Conservation of Habitats and Species Regulations 2010 has been superseded by the Conservation of Habitats and Species Regulations 2017 (as amended). These now form part of the UK national network of sites for nature protection.	Additional Modification Refer to 'The Conservation of Habitats and Species Regulations 2017 (as amended)' instead of 'The Conservation of Habitats and Species Regulations 2010'. "European legislation requires the establishment of Special Protection Areas" ECC proposes removing reference to 'European' and change to: "**National legislation**…." ECC proposes removing reference to Natura 2000.	N

				ECC proposes that the authority advises that these now form part of the UK national network of sites for nature protection.	
	Biodiversity and Geodiversity Para 7.17	1. Y 2. Y	Update / correction - As with the point made for para 7.16: Incorrect terminology in relation to the Conservation of Habitats and Species Regulations 2017 (as amended) and the established Habitats Regulations Assessment process: "If significant impacts are identified, an 'Appropriate Assessment' may be necessary to assess whether the proposals would adversely affect the integrity of a site, having regard to its conservation objectives."	Additional Modification Proposed change to: Where Likely Significant Effects are identified, an 'Appropriate Assessment' will be necessary to assess whether the proposals would adversely affect the integrity of a site, having regard to its conservation objectives."	N
	Biodiversity and Geodiversity Para 7.19	1. Y 2. Y	Update / correction "Habitats Regulations Assessment (HRA) and Suitable Alternative Natural Greenspace (SANG) Suitable Alternative Natural Greenspace (SANG) is a concept developed almost 20 years ago"	Additional Modification Proposed correction / change to: Removal of "Habitats Regulations Assessment (HRA) and" Remove duplicated text: 'Suitable Alternative Natural Greenspace (SANG)'	N
	Biodiversity and Geodiversity Para 7.24	1. Y 2. Y	Greater effectiveness Local Geological Sites (LoGS) are not mentioned within the text and should be included in accordance with the new NPPF N1 and N6.	Additional Modification ECC requires additional text: **The Council has worked with GeoEssex to identify X NO. Local Geological Sites (LoGS) within the District.**	N
	Strategic Policy PPL4 BIODIVERSITY AND GEODIVERSITY	1. Y 2. N	3. Effective "… there should be no significant impacts upon any protected species, including European Protected Species. " Non-significant impacts should also be identified. This is necessary in order that the LPA has certainty of all likely impacts, not just those that are significant, from	Main Modification ECC recommends adding additional text forming 2 new paragraphs, to set out a clearly stated requirement to be placed after the existing 4th paragraph. Proposed text: **The Council will require the submission of an ecological report, of adequate quality, to enable the authority to make an informed decision and**	N

			the development and can issue a lawful decision with any mitigation and compensation measures needed to make the development acceptable.	**to demonstrate compliance with legislation and policy. This should include sufficient seasonal surveys to establish the likely presence of protected and priority species and the extent to which they will be affected by the proposed development. Where found to be present and affected, proposals should seek to minimise harm and maximise benefits for biodiversity.** **As a minimum, there should be no significant impacts upon any protected species, including European Protected Species. Schemes should consider (and include provision, as may be relevant for) the preservation, restoration or re-creation of priority habitats, ecological networks and the protection and recovery of protected and priority species populations.**	
	Strategic Policy PPL4 BIODIVERSITY AND GEODIVERSITY	1. Y 2. Y	The policy's latter part states "Proposals for new infrastructure and major development should consider the potential for enhanced biodiversity, appropriate to the site and its location, including, where appropriate, within Green Infrastructure" All developments should provide a proportionate level of enhancement in accordance with the NPPF and should not be restricted to new infrastructure and major development. It would be helpful to clarify what might be defined as an enhancement.	ECC recommends that it would be helpful if further clarification of this paragraph is provided. e.g. set out or indicate circumstances where / when 20% net gain should be secured for new infrastructure and major development, as well as providing further clarity how biodiversity enhancements could be provided for these and other developments, such as establishment of ecological networks and delivery of high distinctiveness habitats.	N
	Strategic Policy PPL4 BIODIVERSITY AND GEODIVERSITY	1. Y 2. Y	Final paragraph: "To help with the increase in biodiversity, all new development should consider the installation of bird and bat boxes, swift and bee bricks, log piles, hibernacula,	Main Modification For the avoidance of doubt and improve any ambiguity, ECC recommends that the word 'hedgehog' is added before the word 'houses' as follows:	N

			and hedgehog highways/fencing and houses."	To help with the increase in biodiversity, all new development should consider the installation of bird and bat boxes, swift and bee bricks, log piles, hibernacula, and hedgehog highways/fencing and **hedgehog** houses.	
	Water Conservation, Drainage and Sewerage Paras 7.39 – 7.42	1. Y 2. Y	Greater effectiveness It is suggested that some, or all, of the following evidence be reviewed and included within the 'Justification' section for higher standards for water efficiency. The water efficiency targets for buildings outlined in Strategic Policy PPL5 exceed current Part G Building Regulations, so detailing the extensive evidence from government bodies, Essex County Council and industry stakeholders which recommends stricter efficiency requirements will be valuable to establish why such an approach is necessary for Tendring. Among the emerging evidence which encourages more stringent standards than those in Part G is the Water Ready report, published in 2024 by the Future Homes Hub. This report recommends that water stressed areas adopt 90 l/p/d by 2030 and 80 l/p/d in water stressed areas by 2035. The Shared Standards in Water Efficiency for Local Plans was published in June 2025 as part of a joint initiative developed by Natural England, the Environment Agency, and water companies endorsed by Water	Minor Modification – Text Addition Consider adding some of the supporting evidence in the policy justification text section of *Water Conservation, Drainage and Sewerage*. This will strengthen the argument for the adoption of residential water use targets that are more stringent than building regulations.	N

			Resources East to support Local Planning Authorities (LPAs) to deliver sustainable growth. The water company partners are Anglian Water, Cambridge Water, Essex and Suffolk Water and Affinity Water. The Shared Standards provide advice and evidence to Local Planning Authorities (LPAs) on how they can secure higher water efficiency standards for new homes and commercial developments. The Shared Standards document is a regional piece of work which encompasses Essex and its level of water stress in its evidence-based recommendations. It sets out model policy for local plans to adopt, which provides targets for both residential and non-residential buildings. These include a target of 85 l/p/d for new residential development. For new non-residential buildings, the target is full credits within the 4 categories for the BREEAM standard within a minimum score of 3 credits within WAT01 Water Consumption issue category, or an equivalent standard set out in any future update to BREAAM. The applicant will be required to justify and evidence why full credits is not possible/viable for the development. The Water Strategy for Essex (2024) is also valuable piece of evidence which highlights the need for a stringent policy		

			approach to address water scarcity in Essex. It brings together literacy, shares data and challenges from a range of partners on natural flood management and water conservation, and water scarcity and quality issues for the next 30 years at the county level and focuses on 30 recommendations linked to reducing demand water; changing land use for water; and future water supply options.		
	Strategic Policy PPL5 WATER CONSERVATION, DRAINAGE AND SEWERAGE	1. Y 2. Y	Potentially not fully effective The 100-l/p/d target that is outlined in this section is lower (i.e. less stringent) than recommendations from best practice evidence. It is recommended that a more ambitious target be adopted in light of the evidence below and the status of Essex as an area of extreme water stress. Essex is one of the most water stressed counties in the UK. Research published in The Case for Water Smart Housing by PublicFirst in January 2025, found that 12,300 of the additional homes local authorities needed to plan for will be undeliverable (annually) this parliament due to water scarcity - a total of 61,600 over five years. In response to the need to ensure future water security, evidence is emerging which encourages more stringent standards than those in Part G. The Water Ready report, published in 2024 by the Future Homes Hub, recommends that	Recommended Main Modification: The 100-l/p/d target that is outlined in this section is lower than recommendations from best practice evidence. It is advised that a more ambitious target be adopted in light of the evidence in the comment and the status of Essex as an area of extreme water stress. The Shared Standards in Water Efficiency for Local Plans report described in the comment provides evidence derived recommendations for LPAs to develop local plan policies. It is suggested that Tendring adhere to these more stringent requirements: • Require new homes to be more water efficient than standard, recommending an efficiency of between 85 and 95 litres per person per day (l/p/d).	Y

			water stressed areas adopt 90 l/p/d by 2030 and 80 l/p/d in water stressed areas by 2035. The Shared Standards in Water Efficiency for Local Plans was published in June 2025 as part of a joint initiative developed by Natural England, the Environment Agency, and water companies endorsed by Water Resources East to support Local Planning Authorities (LPAs) to deliver sustainable growth. The water company partners are Anglian Water, Cambridge Water, Essex and Suffolk Water and Affinity Water. The Shared Standards provide advice and evidence to Local Planning Authorities (LPAs) on how they can secure higher water efficiency standards for new homes and commercial developments. It is recommended 'that LPAs include Local Plan Policies that: Require new homes to be built to more stringent standards for water efficiency than the optional Building Regulations (part G) standard of 110 litres per person per day (l/p/d). Evidence indicates that a design standard of up to 85 litres/person/day (l/p/d) for residential developments is feasible. Annex C provides information on this.' (p. 3)		
	Strategic Policy PPL6 STRATEGIC GREEN GAPS	1. Y 2. Y	Greater effectiveness Policy wording states that strategic green gaps *Will be protected* … but does not describe or indicate how.	Main Modification Information should be included in policy wording which explains how strategic green gaps will be	N

				protected, i.e. whether development will be set back, or if countryside gaps will be left open etc.	
	Para. 7.45	1. Y 2. Y	Greater effectiveness The section lacks mention of some of the most significant archaeological remains within the District which are internationally recognised and protected as a Site of Special Scientific Interest (SSSI)	Additional Modification It is recommended that the following paragraph is included in the Historic Environment section to ensure that the internationally recognised Palaeolithic remains at Clacton are included within the description of significant assets within the District. **"Tendring has extensive areas of archaeological sites known from aerial photography ranging in date from the prehistoric period through to Second World War defence structures. Clacton is of international importance as Britains only Lower Palaeolithic type locality, giving its name to the Clactonian stone tool industry. It is also significant for the rare finding of a wooden spear. The deposits are protected through designation as a Site of Special Scientific Interest (SSSI) in three areas along the coast. Artefact and fossil bearing deposits have been observed in foreshore and cliff exposures, and beneath developed and open ground inland."**	N
	Non-strategic Policy PPL8 CONSERVATION AREAS AND REGISTERED PARKS AND GARDENS	1. Y 2. N	Effectiveness This only mentions conservation areas in the wording but does not mention Registered Parks and Gardens.	Main Modification There are four registered parks and gardens in Tendring district and these (i.e. reference to registered parks and gardens) should be added to the policy wording outlining how these and their setting will be protected.	N
	PPL9 and PPL9a	N/A	Minor presentational point Consider changing the policy numbers to PPL9a (Listed Buildings) and PPL9b (Non-designated Heritage Assets) to be consistent with formatting.	Suggested policy renumbering	N
	PPL9a	1. Y	4. consistent with national policy	Main Modification	N

		2. N	Not consistent with national policy, regarding proposals that would result in harm or substantial harm to non-designated heritage assets.	Proposals that result in harm to non-designated heritage assets, and proposals that result in substantial harm (or total loss) should be clearly separated and defined in terms of planning judgement. The demolition and subsequent loss of non-designated heritage assets should be strongly discouraged and only considered in exceptional circumstances.	
	Renewable Energy Generation and Energy Efficiency Measures Operational Energy and Carbon In Homes and Buildings 7.59	1. Y 2. Y	Typo error 'Except in some very special **circumstance** retrofitting' Typo. Bold should be 'circumstances'. The text in this section does not address the benefits of retaining and retrofitting historic buildings, which should be promoted.	Typo. Error to correct The word in Bold text (previous column) should be 'circumstances' (i.e. it needs to be made plural) Reusing existing historic buildings is an effective way of reducing carbon emissions and avoiding waste due to their embodied carbon and their construction from often local, traditional materials.	N
	Renewable Energy Generation and Energy Efficiency Measures Operational Energy and Carbon In Homes and Buildings 7.61	1. Y 2. Y	Greater effectiveness 7.61 The evidence underpinning Policy PPL11 for Essex is available on the **Essex Energy & Carbon Policy page** of the Essex Design Guide (EDG) and is supplemented by each Essex LPA's local plan evidence base.' The evidence underpinning Policy PPL11 is actually listed on the 'Essex Energy & Carbon Evidence' page of the Essex Design Guide and it is recommended that the wording in the selected be updated to reflect this.	Additional Modification Update wording to state that the evidence is available on the 'Essex Energy & Carbon Evidence' page of the Essex Design Guide.	N
	Renewable Energy Generation and Energy Efficiency Measures	1. Y 2. Y	Greater effectiveness / update needed 'The Building Regulations 2021 (**including the proposed Future Homes Standard 2025**) do not adequately address operational energy efficiency or	Additional Modification Update of text is necessary to acknowledge publication *Approved Document L: Energy and greenhouse gas emissions* in March 2026, which	N

	Operational Energy and Carbon In Homes and Buildings 7.63		operational carbon emissions from new development.' [bold added] *Approved Document L: Energy and greenhouse gas emissions* represents the previously referred to Future Homes Standard and was published in March 2026 in two volumes. The text should be updated to reflect this. Document L still does not adequately address operational energy efficiency or operational carbon emissions from new development, so no other changes need to be made to the argument.	represents the previously referred to Future Homes Standard. Recommended update: "The Building Regulations **2026 (which confirm the Future Homes Standard)** do not……"	
Page 400	Embodied Carbon and Circular Economy in Homes and Buildings 7.69	1. Y 2. Y	Greater effectiveness / update 'The Building Regulations 2021 (**including the proposed Future Homes Standard 2025**) do not currently address embodied carbon emissions from new development.' [bold text added here by ECC] *Approved Document L: Energy and greenhouse gas emissions* represents the previously referred to Future Homes Standard and was published in March 2026 in two volumes. The text should be updated to reflect this. Document L still does not address embodied carbon emissions from new development, so no other changes need to be made to the argument.	Additional Modification Update text to acknowledge publication *Approved Document L: Energy and greenhouse gas emissions* in March 2026, which represents the previously referred to Future Homes Standard. Recommended update wording: "The Building Regulations **2026 (which confirms the Future Homes Standard)** do not……"	N
	Strategic Policy PPL10b	1. Y 2. Y	Greater effectiveness 'b. Mid and high rise residential (over 11m): ≤500 kgCO2e/m2 (GIA) or follow NZCBS*** limits **when available**;	Minor changes (updates) necessary Version 1 of the official standard of the UKNZCBS was published in April 2026, available here. The wording should be updated to reflect this and ensure the referenced evidence is current.	N

			c. Non-residential buildings: offices ≤600 kgCO2e/m2 (GIA); education ≤500 kgCO2e/m2 (GIA); and retail ≤550 kgCO2e/m2 (GIA); or follow NZCBS limits **when available**; and; d. For building services, meet the global warming potential refrigerant limits set out in NZCBS. […] ***NZCBS = UK Net Zero Carbon Building Standards **(pilot launched September 2024)**.' [bold added] The above in bold is out of date. Version 1 of the official standard of the UKNZCBS, available here, was published in April 2026. The wording should be updated to reflect this and ensure the referenced evidence is current.	Recommended updates: 'b. Mid and high rise residential (over 11m): ≤500 kgCO2e/m2 (GIA) or follow NZCBS*** limits ~~**when available**~~; c. Non-residential buildings: offices ≤600 kgCO2e/m2 (GIA); education ≤500 kgCO2e/m2 (GIA); and retail ≤550 kgCO2e/m2 (GIA); or follow NZCBS limits ~~**when available**~~; and; d. For building services, meet the global warming potential refrigerant limits set out in NZCBS. […] ***NZCBS = UK Net Zero Carbon Building Standards **(published April 2026)**.' [bold added]	
	SECTION 8 CONNECTED PLACES				
	General – Addressing of comments from Reg 18 Consultation	1. Y 2. N	Not fully effective (consistency across policies) The Submission version has incorporated the majority of the County Council's transport comments and is accordingly stronger and more effective than the Reg 18 publication. The principal remaining issues are mainly around measurable transport outcomes (mode share in particular), stronger safeguarding of active travel corridors and stronger alignment with freight and logistics	**Alignment with Connected Places and Strategic Polices** • General point of consistency, ensure that policy aspects which are stated in Strategic Site Policies are reflected in the Connected Places Policies e.g. RTS facilities and Public Rights of Way Consistency is also needed with Strategic Site Policies in terms of the structure having a defined structure e.g. some mention access and movement and others mention transport improvements	No

			aspects particularly given the proximity to Harwich International Port. **LTP Alignment** • Chapter 8 now contains extensive references to "A Better Connected Essex (LTP4)" as the emerging plan as opposed to the 2011 version which is now significantly out of date. • Policy CP1 now explicitly references LTP4. • Transport priorities from LTP4 are summarised in detail **Stronger wording within Policies** ECC had requested that stronger wording was inserted into the policies for example, reduced car dependency (acknowledging the rural challenge aspect. However, there are some aspects which still require further strengthening in. Please refer to specific comments provided below as applicable to Policies CP1, CP2 and CP3 respectively		
	General – Summary of transport impacts as identified in the Local Plan submission version	N/A for this comment but this is provided on an advisory basis	See Summary of impacts **Summary of Transport Impacts from the Local Plan Submission** The proposed Submission Local Plan represents the largest growth programme in Tendring's history, with over 18,000 new homes planned between 2026 and 2043, alongside major employment growth linked to Freeport East, Bathside Bay, a new Garden Community in partnership with Colchester City Council	No specific changes identified as necessary.	Yes, if needed

			and three new Garden Villages. The transport implications are therefore significant in a number of ways The Plan argues, necessarily, that housing growth on this scale can only be justified (and delivered sustainably) if accompanied by major investment in roads, public transport, walking and cycling infrastructure. New development is expected to fund or deliver transport improvements through planning obligations and infrastructure contributions. The plan focusses much of the growth around the A120 and A133 corridors linking Colchester, Hare Green, Horsley Cross, Harwich/Freeport East. The plan acknowledges that upgrades in both highway and sustainable travel (walking, cycling and public transport) measures are required as well as connection to the A12 Junction 29 Ardleigh Crown Interchange. The plan also now acknowledges more strongly the role which Rail can play with improvements being supported at Clacton, Kirby Cross, Great Bentley, Thorpe-Le-Soken and Manningtree Stations. Harwich and Freeport East are seen as significant areas of development and should be highlighted as such in Prosperous Places (as recommended in comments on Section 7) as it is a major centre for growth through Freeport East,		

			Offshore wind infrastructure, logistics and port expansion at Bathside Bay. There are a number of challenges associated with the delivery of plan and transport infrastructure: • **Congestion and Journey time reliability** from base conditions to growth scenarios and without infrastructure improvements (A120, A133, approaches to Harwich and Local distributors for urban areas such as Clacton this is likely to be worsened. • **Deliverability**, major transport improvements require investment and collaboration with developers, central government investment, National Highways, ECC themselves and Freeport East • **Timing** infrastructure should be delivered before or alongside growth however there is a concern around infrastructure (particularly highways) keeping pace with development In summary the key issues with the transport infrastructure are not associated with the actual measure itself as it can be demonstrated that the growth impacts can be mitigated, rather it is whether they can be funded and delivered timely enough to keep pace with the scale of development within Tendring		

	8. Connected Places Para 8.3	1. Y 2. N	3. Effective **General Comment:** Need to place more emphasis on the role which tourism can play in Tendring and the potential seasonal patterns of traffic particularly during the summer months	Add to paragraph text (as new second sentence) to provide a new reference to impact of seasonal transport pressure impacts generated by tourism Suggested wording: In order to help support the principles of sustainable development, it is important to ensure that everyone living in, working in, or visiting the Tendring District is able to travel and communicate efficiently. **Seasonal transport pressures arising from tourism can be significant and these require a range of responses in order to manage and mitigate their impacts.** Effective telecommunications can reduce the need to travel and thereby help to reduce congestion on the roads, making journeys more efficient and convenient.	No
	Policy CP1 Paragraph 8.3	1. Y 2. N	3. Effective Regarding Policy **CP1 paragraph 3 (bullet point 1)**, ECC would encourage clear and specific requirements surrounding 'safe' walking routes that aligns with Policy **LP4 Point B** There is opportunity within **Policy CP1 paragraph 3 (bullet point 3)** to enhance guidance regarding access to public transport. When comparing Policy CP1 with the NPPF (TR4), Policy CP1 appears brief and limited regarding its guidance to public transport connectivity.	Main Modification Aligning this policy to Policy LP4 will provide consistency within policies and will reinforce high-quality design regarding accessibility. Suggested wording: 'include proposals for safe, direct and attractive walking and cycling routes, **that are adequately lit, highly legible and directly overlooked,** and link to existing networks and are not impeded by infrastructure provided for other forms of transport' Strengthening the wording of the policy will provide further clarity of guidance regarding public transport access and will align with Chapter 15: Promoting Sustainable Transport of the NPPF. Suggested wording: 'provide good walking and cycling connections to public transport nodes and interchanges, **with layouts and densities which**	N

				<u>maximise catchments for public transport services,</u> ensuring integration between modes'.	
	Policy CP1	1. Y 2. N	Not fully effective: **Stronger wording within Policies** ECC had requested that stronger wording was inserted into the policies for example, reduced car dependency (acknowledging the rural challenge aspect. However, there are some aspects which still require further strengthening CP1: **SUSTAINABLE TRANSPORT AND ACTIVE TRAVEL** • While mode share is mentioned in CP1 there is no reference to targets and monitoring of mode share particularly within Garden Communities – this policy requires strengthening • Further strengthening in policy CP1 to require mobility hubs (which are not necessarily related to EV Charging (maybe some misunderstanding of the infrastructure and the specific requirements) • Need explicit commentary to ensure LCWIP routes are going to be protected/safeguarded • No mention of the positive role that Demand Responsive Transport services can play in rural areas • Need to highlight the need for undertaking healthy streets	Main Modification Add additional references and requirements to Policy CP1 as recommended in previous column	No

			assessment particularly in school areas • No mention of BSIP and Bus Priority within CP (despite it being highlighted in the SAE3) Make reference to the emerging LTP4's street typologies under the proposed place and movement approach		
	Policy CP2	1. Y 2. N	Not fully effective: **Stronger wording within Policies** ECC had requested that stronger wording was inserted into the policies for example, reduced car dependency (acknowledging the rural challenge aspect. However, there are some aspects which still require further strengthening	Main Modification Add additional references and requirements to Policy CP2. This could be inserted into final policy paragraph in context of lorry parking and logistics more widely CP2: **IMPROVING AND MAINTAINING THE TRANSPORT NETWORK** No specific mention of last mile logistics particularly in the context of larger developments with online deliveries etc.	No
	Policy CP3	1. Y 2. Y	Greater Effectiveness The policy does not address / state the need for early engagement with telecommunications providers.	Main Modification Add new wording to require developers to engage with telecommunications providers at an early stage of the planning and design process, enabling appropriate digital infrastructure to be planned and incorporated from the outset.	N
	Policy CP3	1. Y 2. N	Not fully effective: Stronger wording within Policies ECC had requested that stronger wording was inserted into the policies for example, reduced car dependency (acknowledging the rural challenge aspect. However, there are some aspects which still require further strengthening	Main Modification Add additional references and requirements to Policy CP3 as recommended in previous column	No

			CP3: **IMPROVING THE TELECOMMUNICATIONS NETWORK** • No mention of using communications network to provide information to the travelling public e.g. mobility as a service and other services such as digital demand responsive transport systems and booking these electronically all of which require clear and reliable communications networks • Reducing the need to travel through infrastructure to enable home working where relevant		
Page 408	8. Connected Places	1. Legally compliant: Y Sound: **Y** (subject to addressing the above outstanding Transport comments)	**Positively Prepared:** The transport evidence base prepared by Essex Highways recognises that the Submission Plan plans positively for and accommodates TDC's full identified development needs. Its findings state that provided the mitigation packages are provided that Tendring can accommodate the proposed quantum of homes and jobs. However, a balance of transport infrastructure measures is required ranging from walking cycling and wheeling to significant highway infrastructure upgrades on the Strategic Road Network **Justified:** The transport evidence base uses the North Essex Model (NEMo), specific local junction modelling tested through a range of scenarios (i.e. baseline assessment, with/without mitigation	No specific changes essential in response	Yes

			measures and with mitigation measures plus sustainable transport interventions. The modelling work was developed with DfT modelling criteria in mind with appropriate mitigation measures subject to their funding and investment **Effective:** As stated above the mitigation measures range from walking, cycling and wheeling to provide infrastructure projects on the Strategic Road Network specifically: • A12 Junction 29 Improvements • A133 corridor improvements (supporting the associated infrastructure for the Tendring/Colchester Borders Garden Community) • Rapid Transit proposals (supporting the associated infrastructure for the Tendring/Colchester Borders Garden Community) • Horsley Cross Improvements (supporting Garden Village proposals) • Mobility Hubs identification to support sustainable travel modes • Active Travel schemes including walking and cycling infrastructure **Consistent with Policy:** The transport evidence base provided by Essex Highways references the NPPF's up to date "vision-led" approach to transport planning. Rather than simply predicting and providing (including a		

			focus on road building) to accommodate forecast traffic, the Plan seeks to: • Promote sustainable transport. • Improve public transport. • Encourage walking and cycling. • Manage traffic impacts. • Avoid severe residual transport impacts The transport evidence base provided by Essex Highways concludes that with the mitigation measures (including sustainable transport infrastructure) that the cumulative impact of the planned growth can be managed acceptably (subject to necessary funding provision). In summary, the plan is felt to be positively prepared to meet the housing and employment needs, justified through the strategic and local junction modelling and is consistent with national policy through the promotion of sustainable transport measures. However, the risk for examination lies around the effectiveness test for key infrastructure projects, such as the A12 Jct 29, A133 Corridor Improvements, RTS implementation but also the funding and phasing of the infrastructure through various funding sources such as ECC, National Highways and Central Government.		
	SECTION 9. DELIVERING PLACES				

	SECTION 9. DELIVERING PLACES	1.Legally Compliant Y 2.Sound N	2. Justified 3. Effective 4. Consistent with national policy ECC as MWPA ('minerals and waste planning authority') maintains the need for TDC to have regards to the requirements of WLP Policy 2, WLP Policy 4 and MLP Policy S8. These seek to safeguard existing, allocated and permitted waste management uses and ensure that the district maintains employment land capable of hosting waste management facilities respectively. The MWPA have reviewed the potential site allocations in the draft Plan and have provided a list of relevant designations and specific minerals and waste facilities which would potentially be affected in Appendix One (including a summary of safeguarding requirements) and Mineral Safeguarding Areas (MSA), Mineral Consultation Area (MCA) and Waste Consultation Area (WCA) GIS maps in Appendix Two. The MWPA further notes that allocations in areas safeguarded for minerals and/ or waste implications is not a barrier to development in of itself but there could be impacts on the deliverability of sites. For the purposes of clarity, the MWPA has applied its safeguarding criteria but this has been carried out blind with regards to what the allocations are for	Main modifications required: The MWPA had provided this information in an earlier consultation event and has now re-run the assessment to capture any amendments to the allocations that may have been made. The following standing text should be added to the 'Delivering Places' Chapter of the Local Plan associated with the allocating policy of those sites which have minerals and/ or waste safeguarding implications. Allocations within a Minerals Safeguarding Area over 5ha should include the following text: ***Minerals*** ***X. The area of land associated with the allocation that lies within an MSA exceeds the threshold upon which safeguarding provisions are applied by the Development Plan. Therefore, a Minerals Resource Assessment (MRA) is required as part of a planning application to establish the practicality and environmental feasibility of the prior extraction of mineral such that the resource is not sterilised where this can be avoided. Early engagement with the MWPA is advised.*** Development within 250m of existing. allocated or permitted minerals infrastructure should include the following text: ***Minerals*** ***Due to the proposed allocation passing through a Mineral Consultation Area, a Mineral Infrastructure Impact Assessment (MIIA) is required as part of the planning application. The MWPA has designed a generic schedule of information requirements that should be addressed as relevant through an MIIA and the***	N

			and when they are intended to be delivered. TDC should include in its evidence base, prior to submission, how the provisions and requirements of minerals and waste safeguarding have factored into the site assessment and selection methodology to demonstrate that the suite of proposed allocations reflects the wider Development Plan. Please see Appendix One and Appendix Two for a list of relevant sites and a summary of safeguarding requirements.	***detail to be provided should be in proportion to the nature of the proposed application. Early engagement with the MWPA is advised.*** Allocations within 400m of existing. allocated or permitted waste infrastructure **Waste** ***Due to the allocation passing through a Waste Consultation Area, a Waste Infrastructure Impact Assessment (WIIA) is required as part of the planning application. The MWPA has designed a generic schedule of information requirements that should be addressed as relevant within the supporting evidence of any application which falls within a Waste Consultation Area. The detail to be provided should be in proportion to the nature of the proposed application. Early engagement with the MWPA is advised.***	
	Paras 9.3-9.4	1. Y 2. Y	Greater effectiveness Smaller housing sites are expected to provide 10% of the housing requirement under new NPPF – as referenced in para 5.10 of the LP document. This would provide greater clarity and guidance for applicants in bringing these proposals forward for consideration. This may also help provide a housing buffer in case of potential undersupply form site allocations	Main Modification – new policy ECC recommends consideration of a more positively prepared policy for (small) sites less than 10 homes, rather than as a note, to better support the aim of providing 10% as smaller windfall sites aligned to the NPPF (to reflect and emphasise national policy, as explained in section 5.10 of the LP) ECC is not recommending any specific wording at this point until this matter has been considered further. If it is supported, ECC will be willing to provide support and assistance to TDC in drafting a suitable policy	N
	Strategic Policy SAMU2: Development at Hartley Gardens, Clacton (Paragraphs 9.8-9.12 and Policy SAMU2)	1. Y 2. Y	Greater effectiveness The allocation provides a strong framework for delivery of multifunctional GI and BNG, through a comprehensive master-planned approach. The policy	Main Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Suggested wording:	N

	SAMU2 g.		appropriately requires a connected multifunctional Green Infrastructure network, habitat enhancement, BNG delivery, connectivity and integration of SuDS and landscape features. For consistency with the wider environmental framework of the Plan, consider strengthening criterion (o) or Masterplanning Principle (n) to reference the Essex Local Nature Recovery Strategy (LNRS). Active travel network could be more positively planned for.	*"Ensure no net loss of biodiversity and deliver a net gain in accordance with Policy PPL4a, as well as securing positive benefits to biodiversity through the restoration, enhancement and creation of appropriate semi-natural habitats within and through the site to maintain, restore and create functional ecological networks* ***and the priorities and opportunity areas identified within the Essex Local Nature Recovery Strategy."*** Instead of just the connection of walking and cycling routes, the policy should place the development of an integrated and permeable multi-user active travel network at the forefront of policy e.g. Active Travel, Public Transport then private vehicular routes should be the priority to support modal shift and sustainable travel aligned to national policy.	
	SAMU2 N.	1. Y 2. Y	Greater Effectiveness This misses reference to multifunctional SuDS networks.	Main Modification Strengthen policy and alignment with NPPF by adding reference to the creation of multifunctional SuDS networks. Add wording to point N of policy.	N
	SAMU2 P.		Missing reference to the Design and Placemaking PPG – out in draft currently, to be adopted imminently. This will supersede the National Design Guide, National Model Design Code and design process and tools PPG.	Additional Modification To support consistency with forthcoming policy updates, ECC recommends updating SAMU2 l. policy to reference the Design and Placemaking PPG.	N
	Strategic Policy SAMU3: Development at Oakwood Park, Clacton (Paragraphs 9.13-9.16 and Policy SAMU3)	1. Y 2. Y	Greater effectiveness The policy could provide greater clarity regarding the role of Green and Blue Infrastructure, BNG, and delivery of Essex LNRS priorities. This would improve consistency with the wider environmental policies of the Local Plan	Additional Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Strengthen criterion (m) or include an additional criterion requiring landscape, open space and drainage feature to form part of an integrated Green and Blue Infrastructure network. Suggested new wording:	N

Page 414	SAMU3 j.		and provide greater certainty regarding delivery of wider environmental benefits. Development proposals should also be supported by a Green and Blue Infrastructure and Landscape Framework (which may form part of a Design and Access Statement, Masterplan or Landscape Strategy) demonstrating how public open space, landscape features, sustainable drainage, habitat creation, BNG, ecological connectivity and active travel routes will be planned, delivered and managed as a multifunctional network. This would provide greater certainty regarding the delivery and long-term management of Green and Blue Infrastructure and improve consistency with the wider environmental policies of the Plan. This could better support and align with Active Travel policy.	**"Development should deliver a multifunctional Green and Blue Infrastructure network incorporating public open space, sustainable drainage, habitat creation and active travel routes that contribute to Biodiversity Net Gain, ecological connectivity, climate resilience and, where appropriate, the priorities of the Essex Local Nature Recovery Strategy."** Instead of just where necessary, the policy could be strengthened by prioritising enhancements to public transport, cycle, pedestrian and bridleway infrastructure to support modal shift and sustainable / active lifestyles. Note SAMU5 and SAMU6 has a stronger focus on active and sustainable transport (SAMU5 i. / SAMU6 h.)	
	Strategic Policy SAMU4: Development at Rouses Farm, Jaywick Lane, Clacton (Paragraphs 9.17-9.21 and Policy SAMU4)	1. Y 2. Y	Greater effectiveness The allocation provides a positive framework for the delivery of housing, community facilities, education provision and public open space through a master-planned approach. The policy includes requirements for landscape buffers, active travel connections, public open space and a water and drainage strategy, which provide a good basis for environmental enhancement. There is an	Additional Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Additional Modification: Strengthen criterion (h), or add a new criterion, to recognise the role of multifunctional Green and Blue Infrastructure. Suggested wording: **"Public open space, landscaping and drainage features should form part of an integrated**	N

			opportunity to strengthen the policy by more clearly recognising the role of multifunctional Green and Blue Infrastructure in delivering BNG, and wider nature recovery objectives. This would provide greater certainty regarding the environmental benefits delivered through the site and improve consistency with the wider environmental policies of the Local Plan. Development proposals should also be supported by a Green and Blue Infrastructure and Landscape Framework (which may form part of the masterplan or supporting planning documentation) demonstrating how public open space, landscape buffers, sustainable drainage, habitat creation, BNG and active travel connections will be integrated and delivered through a coordinated landscape-led approach .This would help ensure that the proposed public open space, landscape buffers and drainage features operate as a connected multifunctional Green and Blue Infrastructure network and provide greater certainty regarding delivery and stewardship.	**multifunctional Green and Blue Infrastructure network that contributes to Biodiversity Net Gain, ecological connectivity, climate resilience, active travel and the priorities of the Essex Local Nature Recovery Strategy."**	
	Strategic Policy SAMU5: Development off Deane's Lane and Oakley Road, Dovercourt (Paras 9.22-9.26 and Policy SAMU5)	1. Y 2. Y	Greater effectiveness The strategic allocation contains a strong environmental framework and appropriately addresses strategic open space, Suitable Alternative Natural Greenspace (SANG), Functionally Linked Land, Biodiversity Net Gain, ecological mitigation, active travel connectivity and	Additional Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Additional Modification: Suggested wording: new criterion	N

			Essex Local Nature Recovery Strategy (LNRS) priorities. The requirement for an overarching masterplan provides a clear mechanism for coordinated delivery of environmental infrastructure. For additional certainty, the masterplan requirements could include an explicit requirement to demonstrate how strategic open space, SANG, Biodiversity Net Gain, ecological mitigation, drainage features, active travel routes and habitat creation are planned and delivered as an integrated multifunctional Green and Blue Infrastructure network.	***"The masterplan shall demonstrate how Green and Blue Infrastructure, open space, biodiversity enhancement, sustainable drainage, active travel and LNRS priorities will be delivered as a connected multifunctional network with appropriate long-term stewardship arrangements."*** *And to criterion (n)* *"Development proposals must be designed to enable and support the habitat priority measures identified within the Strategic Opportunity Areas set out in the Essex Local Nature Recovery Strategy (LNRS),* ***whilst avoiding harm to important biodiversity assets and ecological networks."***	
	Para 9.29 (supporting SAMU6)	1. Y 2. Y	2. Justified The validity of the justification is questioned for fewer homes due to 'housing demand and market strength further from Colchester' given the relative / increased distances for the Hare Green and Horsley Cross Garden Villages respectively and the direct train connection available in Weeley to Colchester.	It is suggested that there may be stronger justifications in this regard.	N
	Strategic Policy SAMU6: Development of Weeley Green Garden Village (Paragraphs 9.27-9.33 and Policy SAMU6)	1. Y 2. Y	Greater effectiveness The policy provides a comprehensive framework for delivery of a Garden Village in Weeley and includes strong requirements relating to strategic open space, Green and Blue Infrastructure, SANG provision, BNG, active travel, infrastructure phasing and delivery of Essex LNRS priorities. To provide greater certainty regarding delivery, the masterplan requirements could include	Main modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Suggested wording: new criterion: ***"The masterplan shall demonstrate how Green and Blue Infrastructure, strategic open space, biodiversity enhancement, sustainable drainage, active travel and Essex LNRS priorities will be delivered as an integrated multifunctional***	N

			an explicit requirement to demonstrate how strategic open space, SANG, Biodiversity Net Gain, ecological mitigation, drainage features, active travel routes and habitat creation will function as a connected multifunctional Green and Blue Infrastructure network. This would strengthen the relationship between environmental infrastructure, nature recovery and long-term place-making objectives.	***network with appropriate long-term stewardship and management arrangements."*** *And to criterion (l)* *"Development proposals must be designed to enable and support the habitat priority measures identified within the Strategic Opportunity Areas set out in the Essex Local Nature Recovery Strategy (LNRS),* ***whilst avoiding harm to important biodiversity assets and ecological networks."***	
	SAMU7 b. / LP3	1. Y 2. Y	3. Justified Densities appropriate to an urban setting (such as this site) should be better justified to be considered effective. 30dph given elsewhere for urban to suburban densities for SAMU3 g.	Main modification Non-Strategic Policy LP3 should go further to define appropriate densities for where suburban or urban settings are referenced to inform 'Delivering Places' policies for allocated sites. This will assist Plan users / applicants	N
	Para 9.42-9.43 (supporting SAMU8)	1. Y 2. Y	Format / Plan presentation ECC supports the wider context to the strategic housing approach, but (to improve the LP order) this allocation policy could come earlier in this section and before the Weeley Green SAMU6 policy to introduce the three new Garden Villages.	Additional Modification – no change to Plan content Move Policies SAMU8 and SAMU9 forward in the Delivering Places section and group the Garden Village allocations together as the most strategic scale of development proposed.	N
	SAMU8: Development of Hare Green Garden Village	1. Y 2. Y	Whilst significant growth at Harwich / Dovercourt and Weeley Green new GV are supported and their rationale considered strong, ECC is more cautious on the two larger GVs at Hare Green and Horsley Cross due to their relatively isolated locations, with limited access to existing key infrastructure, services and facilities. These factors result in challenges for successful, timely delivery of the necessary supporting	Main Modification: ECC recommends that wording is added to this policy / supporting text to reference these considerations and the need got a concerted, collective response by all parties involved, from landowners, promoters and developers, local authorities, other public agencies and private sector partners	N

			infrastructure, services and facilities when needed. These points introduce questions / challenges on sustainability and placemaking for these planned new settlements In response, ECC identifies and confirms a very important need for significant further work, collaboration and ongoing commitment on these proposals, with a range of partners, to plan for them, a key stage of which will be the new Plan documents that TDC states will be prepared for them. All partners involved need a lasting, shared commitment to secure their successful delivery, in the best interests of all involved. This is also in recognition that these will be long term developments, planned and delivered over this Plan period, and the ensuing Plan period Significant infrastructure interventions / improvements will be essential in order to support development sustainably at the scale promoted and the costs involved will similarly be very significant.		
	SAMU8: Development of Hare Green Garden Village A1	1. Y 2. Y	Greater effectiveness A1 does not explicitly recognise blue infrastructure and its contribution to placemaking. Strengthen alignment with national policy and provide additional emphasis on design quality. Strengthen focus within the policy on the A120 growth corridor as a whole, with the	Main Modifications Reference blue infrastructure, including Tenpenny Brook, alongside green infrastructure in point A1. Suggested additional wording to strengthen policy requirements: *The development of the new Garden Village will be built to **the highest** standards of design and layout, drawing on its context and set within a strong **multifunctional** green **and blue** framework with a new neighbourhood centre at its heart.'*	N

			rapid transit link expansion extending from the TCBGC, to Hare Green Garden Village and then on to Horsley Cross.	*'…and potential for connectivity to the future Tendring Colchester Borders Garden Community,* ***Hare Green Garden Village,*** *Colchester and Manningtree, Lawford and Mistley.'*	
	SAMU8: Development of Hare Green Garden Village A1	1. Y 2. Y	Greater effectiveness A1 does not distinguish adequately between village and neighbourhood centres, which perform different roles and functions.	Main Modification Provide appropriate wording in point A1 to distinguish clearly between the intended roles and functions of the village centre and neighbourhood centres.	N
	SAMU8: A2 Development of Hare Green Garden Village	1. Y 2. Y	Greater effectiveness A2 does not explicitly address landscape opportunities and constraints as part of masterplanning. Part A2 (or G: Other requirements) – the development could benefit from additional information regarding a robust Landscape and Visual Impact Assessment (LVIA) being required and produced and a landscape-led framework being provided to ensure that the development is sensitive to the landscape character of the area.	Main Modification Provide appropriate wording in point A2 to require the masterplanning process to respond positively to identified landscape opportunities and constraints. Add reference to a requirement for a robust Landscape and Visual Impact Assessment (LVIA) being produced and a landscape-led framework being provided	N
	SAMU8 B.5	1. Y 2. Y	Greater effectiveness Lack of clarity for what is intended by 'appropriate densities'.	Main Modification Revise point B5 to include the following: Non-Strategic Policy LP3 should go further to define appropriate densities for specific settings to inform 'Delivering Places' policies for allocated sites.	N
	SAMU8: D7 Development of Hare Green Garden Village	1. Y 2. Y	Consistency / completeness SAMU8 refers to a 14 ha. employment allocation through PP7, but this does not appear in Table 6.1.	Additional modification – correction only Amend Table 6.1 and/or the relevant policy references to ensure the 14 ha. employment allocation is identified consistently throughout the Plan.	N
	SAMU8: Development of Hare Green Garden Village	1. Y 2. N	3. Effectiveness Allocation of employment land alone does not ensure timely delivery or the	Main Modification Add revisions to policy part E / supporting text to include the following additional requirements and considerations:	N

	E		establishment of a successful employment location alongside the new community. This requires a more proactive approach and actions	Require an Economic Strategy and Delivery Framework setting out the approach and commitments to establishing the employment location and securing economic benefits alongside housing delivery, covering: • A critical mass of employment floorspace delivered in the initial phase of development • Availability of serviced land parcels • Stimulating sectoral demand through quality placemaking and futureproofed infrastructure • Inward investment and marketing activity for development land / serviced plots / available floorspace • Delivery of Grow-on Space • Occupier incentives • Touchdown space in neighbourhood centres providing business facilities that are not available at home • Generating footfall and facilitating meanwhile and evening uses in the village centre • Business and innovation support • Employability and skills initiatives • Access to employment and training • Monitoring and management	
	SAMU8: Development of Hare Green Garden Village D7	1. Y 2. Y	Greater effectiveness D7 does not sufficiently address the need for premises capable of accommodating businesses of different sizes and at different stages of growth.	Main Modification Revise point D7 to include the following: Require a mix of unit sizes and typologies, including Grow-on Space.	N
	SAMU8: Development of Hare Green Garden Village	1. Y 2. Y	Greater effectiveness	Main Modification Revise part E to include the following:	N

	E		Sustainable transport requirements do not sufficiently recognise the role of Great Bentley railway station.	Include public transport connectivity to Great Bentley railway station.	
	Strategic Policy SAMU8: Development of Hare Green Garden Village (Paragraphs 9.42-9.50 and Policy SAMU8)	1. Y 2. Y	Greater effectiveness Hare Green Garden Village provides a significant opportunity to deliver landscape-scale Green and Blue Infrastructure, nature recovery, ecological connectivity, SANG provision, ecological mitigation, Essex LNRS delivery, nature-based solutions, active travel, open space provision and long-term stewardship. The policy contains strong requirements relating to multifunctional GI, BNG, ecological connectivity and landscape-led placemaking and is considered positively prepared, justified, effective and consistent with national policy. For additional clarity, the comprehensive planning framework and masterplan should demonstrate how the GI network, Open Space, Sport and Recreation Strategy, BNG delivery, ecological connectivity, sustainable drainage, active travel and Essex LNRS priorities are integrated and delivered through a coordinated landscape-led approach with long-term stewardship arrangements. For consistency with other strategic allocations, consideration could also be given to strengthening Principle 17 and Requirement 22 to reference the Strategic Opportunity Areas identified in	Main Modification Revise point 17 to include the following: In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Suggested wording to point 17: *"The Green Infrastructure network shall be planned at a landscape scale, aligned with the Essex Local Nature Recovery Strategy,* ***including relevant Strategic Opportunity Areas****, supporting ecological connectivity,* ***Biodiversity Net Gain, nature recovery objectives*** *and include long-term management arrangements."*	N

			the Essex LNRS. This would provide additional certainty regarding delivery of landscape-scale habitat networks, ecological connectivity and LNRS priorities.		
	SAMU9 Development of Horsley Cross Garden Village	1. Y 2. Y	Whilst significant growth at Harwich / Dovercourt and Weeley Green new GV are supported and their rationale considered strong, ECC is more cautious on the two larger GVs at Hare Green and Horsley Cross due to their relatively isolated locations, with limited access to existing key infrastructure, services and facilities. These factors result in challenges for successful, timely delivery of the necessary supporting infrastructure, services and facilities when needed. These points introduce questions / challenges on sustainability and placemaking for these planned new settlements In response, ECC identifies and confirms a very important need for significant further work, collaboration and ongoing commitment on these proposals, with a range of partners, to plan for them, a key stage of which will be the new Plan documents that TDC states will be prepared for them. All partners involved need a lasting, shared commitment to secure their successful delivery, in the best interests of all involved. This is also in recognition that these will be long term developments, planned and delivered over this Plan period, and the ensuing Plan period	Main Modification: ECC recommends that wording is added to this policy / supporting text to reference these considerations and the need got a concerted, collective response by all parties involved, from landowners, promoters and developers, local authorities, other public agencies and private sector partners	N

			Significant infrastructure interventions / improvements will be essential in order to support development sustainably at the scale promoted and the costs involved will similarly be very significant.		
	SAMU9	1. Y 2. Y	Correction to cross-reference The policy incorrectly references map SAMU7.	Additional modification – correction only Correct the reference to the appropriate SAMU9 map.	N
	SAMU9 A1	1. Y 2. Y	Greater effectiveness A1 does not adequately distinguish between village and neighbourhood centres, which perform different roles and functions.	Main Modification Revise point A1 to include the following: Clearly distinguish between the intended roles and functions of the village centre and neighbourhood centres.	N
	SAMU9 A SAMU9 A1	1. Y 2. Y	Greater effectiveness A1 does not explicitly recognise blue infrastructure and its contribution to placemaking. Strengthen alignment with national policy and provide additional emphasis on design quality.	Main Modification Revise point A1 to include the following: Reference blue infrastructure, including Holland Brook, alongside green infrastructure. '*The development of the new Garden Village will be built to* ***the highest*** *standards of design and layout, drawing on its context and set within a strong* ***multifunctional*** *green* ***and blue*** *framework with a new neighbourhood centre at its heart.'*	N
	SAMU9 A SAMU9 A1	1. Y 2. Y	Greater effectiveness A1 emphasises connectivity with Hare Green Garden Village despite Clacton-on-Sea's higher position and role in the settlement hierarchy. Strengthen focus on the A120 growth corridor as a whole, with the rapid transit link expansion extending from the TCBGC, to Hare Green Garden Village and then on to Horsley Cross.	Main Modification Amend A1 to place greater emphasis on connectivity with Clacton-on-Sea as well as Hare Green Garden Village. *'…and potential for connectivity to the future Tendring Colchester Borders Garden Community,* ***Hare Green Garden Village,*** *Colchester and Manningtree, Lawford and Mistley.'*	N
	SAMU9 A2	1. Y 2. Y	Greater effectiveness	Main Modification Revise point A2 to include the following:	N

			A2 does not explicitly address landscape opportunities and constraints as part of masterplanning.	Require the masterplanning process to respond positively to identified landscape opportunities and constraints.	
	SAMU9 B.5	1. Y 2. Y	Greater effectiveness Lack of clarity for what is intended by 'appropriate densities'.	Main Modification Revise point B5 to include the following: Non-Strategic Policy LP3 should go further to define appropriate densities for specific settings to inform 'Delivering Places' policies for allocated sites.	N
	SAMU9 D	1. Y 2. N	3. Effectiveness Allocation of employment land alone does not ensure timely delivery or the establishment of a successful employment location alongside the new community. This requires a more proactive approach and actions	Main Modification Revise part D to include the following: Require an Economic Strategy and Delivery Framework setting out the approach and commitments to establishing the employment location and securing economic benefits alongside housing delivery, covering: • A critical mass of employment floorspace delivered in the initial phase of development • Availability of serviced land parcels • Stimulating sectoral demand through quality placemaking and futureproof infrastructure • Inward investment and marketing activity for development land / serviced plots / available floorspace • Delivery of Grow-on Space • Occupier incentives • Touchdown space in neighbourhood centres providing business facilities that are not available at home • Generating footfall and facilitating meanwhile and evening uses in the village centre • Business and innovation support • Employability and skills initiatives	N

				• Access to employment and training • Monitoring and management	
	SAMU9 D	1. Y 2. Y	Greater effectiveness The quality and attractiveness of the employment environment depend in part on employees having access to green space and complementary amenities.	Main Modification Revise part D to include the following: Require convenient walking access to green spaces and amenities for employees.	N
	SAMU9 D7	1. Y 2. Y	Greater effectiveness D7 does not sufficiently address the need to accommodate businesses of different sizes and at different stages of growth.	Main Modification Revise part D to include the following: Require a mix of unit sizes and typologies, including Grow-on Space**.**	N
	SAMU9 E	1. Y 2. Y	Greater effectiveness High-frequency public transport connectivity to Manningtree railway station will provide an important sustainable connection to the wider rail network.	Main Modification Revise part E to include the following: Retain, support and seek to ensure provision of the proposed high-frequency public transport connection to Manningtree railway station.	N
	SAMU9 E.9	1. Y 2. Y	Cross reference needed for consistency The supporting vision document references a new direct cycle link between the Horsley Cross Garden Village and Manningtree Station. There is no reference in the Transportation policy section currently to support this.	Additional modification - Editing point only Ensure consistency between the allocation policy and vision documents.	N
	SAMU9 E	1. Y 2. N	3. Effectiveness The B1035 has the potential to create severance within the development and impede sustainable movement.	Main Modification Revise point E10 to include the following: Amend E10 to explicitly require measures to address severance caused by the B1035, including safe and convenient walking, wheeling and cycling connections.	N
	SAMU9 G.22	1. Y 2. Y	3. effectiveness - Improved wording needed Use of the term 'Avoidance' is unclear messaging.	Main Modification Revise point G22 to include the following: ECC recommends improved wording as follows: '**Protection** and or/enhancement of biodiversity assets…'	N

	Strategic Policies SAH1, SAH2, SAH6, SAH7, SAH8, SAH9 and SAH11	1. Y 2. Y	Greater effectiveness The housing allocations include positive requirements relating to open space provision, landscaping, biodiversity enhancement, active travel and compliance with the wider environmental framework of the Local Plan, including Policies PPL4 and PPL4a. Collectively, the allocations provide an appropriate basis for delivering sustainable development and environmental enhancement. However, there is variation in the extent to which individual allocations explicitly reference Green and Blue Infrastructure, ecological connectivity and Essex LNRS. For consistency across the strategic housing allocations, consider including a standard requirement that development proposals demonstrate how Green and Blue Infrastructure, open space, landscaping, Biodiversity Net Gain and ecological enhancement measures contribute to ecological connectivity, climate resilience and, where appropriate, the priorities and Strategic Opportunity Areas identified within the Essex LNRS.	Main Modifications Revise relevant part of each policy to include the following: in order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. New criterion ***"Development proposals should deliver multifunctional Green and Blue Infrastructure that contributes to Biodiversity Net Gain, ecological connectivity, climate resilience and relevant Essex Local Nature Recovery Strategy priorities."***	N
	SAH2 Heritage j.	1. Y 2. Y	Greater effectiveness There are a number of heritage assets, not just Blue House Farmhouse, that have the potential to be affected	Main Modification Revise point j to include the following: Change to **'development proposals must conserve, and where appropriate, enhance the significance and setting of heritage assets that have the potential to be affected'**	N
	Strategic Policies SAE1 (Carless Extension),	1. Y	Greater effectiveness	Main Modification	No

	SAE2 (Freeport East, Bathside Bay and A120 Corridor), and SAE3 (Collierswood Farm Strategic Business Park)	2. Y	The employment allocations support economic growth in strategically important locations and are supported by the wider environmental policies within the Local Plan. Given the scale of the allocations and their potential interaction with sensitive landscapes, habitats and ecological networks, there is an opportunity to reinforce the role of Green and Blue Infrastructure in creating high-quality employment environments and contributing to biodiversity enhancement and climate resilience. It is recommended to include a consistent requirement that development proposals demonstrate how Green and Blue Infrastructure, landscaping, sustainable drainage, tree planting, habitat creation and BNG are incorporated into site design and contribute to ecological connectivity and Essex LNRS priorities where appropriate.	In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. **Additional Modification:** Suggested new wording: ***"Development proposals should incorporate multifunctional Green and Blue Infrastructure that contributes to Biodiversity Net Gain, ecological connectivity, climate resilience and the delivery of relevant Essex Local Nature Recovery Strategy priorities."***	
	SAE2	1. Y 2. Y	Correction needed "Centurian Park" is incorrect.	Additional Modification - Edit only Correct the reference to "Centurion Business Park"**.**	N
	SAE2	1. Y 2. Y	Greater effectiveness The policy's references to A120 planning conditions may be affected by the pending Section 73 application. Also, missing reference to Horsley Cross Garden Village.	Main modification Review and, where necessary, update references to the A120 planning conditions to reflect the outcome of the Section 73 application. '….strategic locations along the A120 corridor supported by housing and mixed-use development in Harwich and Dovercourt, at the Tendring Colchester Borders Garden Community, the proposed Hare Green Garden Village **and Horsley Cross Garden Village.'**	N

	SAE3 part 1	1. Y 2. Y	Greater effectiveness The policy does not explicitly address employee access to green spaces and complementary amenities.	Main Modification Revise policy part 1 to include the following: Require convenient walking access to green spaces and amenities for employees**.**	N
	SAE3 part 1	1. Y 2. Y	Greater effectiveness The examples of employment provision do not explicitly identify Grow-on Space, which would help accommodate businesses at different stages of growth.	Main Modification Revise policy part 1 to include the following: Include Grow-on Space within the examples of the required mix of employment unit sizes and typologies**.**	N
	SECTION 10 DELIVERING INFRASTRUCTURE				
	Section 10 Policy DI1 (second paragraph)	1. Y 2. N	3. Effective Policy does not reference the IDP as a key information source to inform proposals under the policy. Policy DI1 would be made more robust and effective if this is added.	Main Modification Revise second paragraph of policy to include the following: Add reference in policy to the latest updated version IDP as a key information source to inform development proposals, with this as a starting point on infrastructure requirements in each case. Suggested wording is set out below (NB this aligns with equivalent policy in Colchester CC Submission Plan). Developers will be expected to contribute towards the delivery of relevant infrastructure **as required and supported by up-to-date evidence from appropriate sources including the Infrastructure Delivery Plan (IDP) and any subsequent updated evidence**.	N
	SECTION 11 MONITORING & REVIEW				
	11. Monitoring and Review Table 11.1	1. Y 2. N	Not fully effective ECC recommends a limited number of specific additions to the planned LP monitoring to help ensure effective operation of the Plan, monitor, manage	Additional Modifications required Add a new reference to fourth row of Table 1 supporting Objective 6 (Sustainability) as follows: Updated assessments of the following:	No

			approach to address the following two points: No mention within Table 11.1 of the role in quantified monitoring of mode share targets particularly in Garden Villages and the proposed Garden Community at Tendring Colchester Borders. No mention of the importance of monitoring mode share through residential, employer and school-based travel plans ECC Adult Social Care welcomes the inclusion of a comprehensive monitoring framework to assess delivery of Local Plan objectives. The housing objective seeks to provide homes of sufficient variety in terms of site, size, type, tenure and affordability to meet the needs of a growing and ageing population. Whilst the monitoring framework includes indicators relating to overall housing delivery, housing supply and self-build provision, it does not include any indicator relating to the delivery of Specialist and Supported Housing (SSH). The Supported and Specialist Housing Needs Assessment (SSHNA) identifies a need for specialist and supported housing provision across the Plan period. In the absence of a specific monitoring	• monitoring of mode share targets particularly in Garden Villages and the proposed Garden Community at Tendring Colchester Borders • monitoring mode share through residential, employer and school-based travel plans Amend Table 11.1 to include a monitoring indicator relating to the delivery of Specialist and Supported Housing (SSH) against identified need as set out within the Supported and Specialist Housing Needs Assessment (SSHNA).	

			indicator, the framework does not provide a mechanism to assess whether identified SSH needs are being met through delivery of the Local Plan.		
	Chapter 11 – Monitoring and Review Table 11.1 Provision of infrastructure and community facilities (Connected Places/ Sustainable Places/ Healthy Places/ Prosperous Places)	1. Y 2. Y	Greater effectiveness The monitoring framework does not currently include an indicator that measures the implementation and effectiveness of Policy HP1. Monitoring the number of Health Impact Assessments submitted alongside qualifying planning applications will provide an indication of compliance with the policy, ensure health considerations are being incorporated into the planning process, and support the delivery of Strategic Objective 5 and 6 (Healthy and Prosperous Places). It will also provide evidence of how the Local Plan is contributing to the National Planning Policy Framework's objective of creating healthy, inclusive and safe communities and promoting healthy lifestyles through the planning system.	Recommended additional modification indicator to include: **Indicator:** Number of planning permissions issued for an application that has been accompanied by a HIA	N
	GLOSSARY (Appendix A)				
	Appendix A – Glossary of Terms	1. Y 2. N	4. Not Consistent with National Policy: The wording does not clearly distinguish between LPA functions and County Matters, creating potential conflict with the statutory planning framework.	With respect to 'all development', the Local Plan should make it clear that this does not apply to the County Matters of Minerals and Waste development. The MWPA recommend that a definition of "All development" added to the Glossary to make this clear.	N
	Appendix A – Glossary of Terms	*1. Y* *2. Y*	*Please note that within representations on several policies (set out within the overall table of ECC reps at the*	*NB Do not treat this as a representation in itself – it is only included as a helpful pointer to several*	

	This is not a further representation		*appropriate place for each policy in turn) recommendations have been made to make additions to the glossary to clarify / define particular terms relevant to those policies*	*comments made on recommended additions to the Glossary*	

Comments on other documents

Document	Section / reference / page no. etc.	Comments
Tendring Reg 19 Infrastructure Delivery Plan	Chapter 6: Green Infrastructure/Open Space and Leisure	ECC welcomes the inclusion of a GI/Open Space chapter and the references to the Essex Local Nature Recovery Strategy (LNRS), Local Nature Reserves, ANGSt accessibility standards, SANG provision, RAMS mitigation, open space standards and strategic Green and Blue Infrastructure. The IDP provides a strong framework for identifying GI requirements arising from growth. As a future enhancement, updates to the IDP may wish to consider referencing Essex LNRS Areas of Particular Importance for Biodiversity (APIBs) beyond Nature Reserves, and LNRS Strategic Opportunity Areas, habitat banks and other Natural England's GI Framework Standards to help inform future GI investment priorities, BNG delivery and nature recovery opportunities.
Infrastructure Delivery Plan (IDP)		ECC Adult Social Care (ASC) welcomes the inclusion of a dedicated Adult Social Care section within the Infrastructure Delivery Plan (IDP). The IDP now references the Essex Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA) and recognises the need for a range of specialist and supported housing and accommodation types, including extra care housing, supported living, residential care and nursing care. The IDP also recognises the implications of planned growth and the Garden Villages for future specialist and supported housing needs. However, ASC's previous comments have only been partially addressed. Whilst the IDP now references SSHANA and identifies specialist and supported housing need, supported and specialist housing and accommodation is not recognised as a distinct infrastructure category within the infrastructure schedules. The IDP also does not clearly set out delivery expectations, phasing or infrastructure triggers to support delivery of identified specialist and supported housing and accommodation needs over the plan period. **Recommended Modification** / Change Amend the Infrastructure Delivery Plan (IDP) to recognise and include coverage of Supported and Specialist Housing and Accommodation as a form of social infrastructure. Consider including a dedicated Supported and Specialist Housing and Accommodation section within the infrastructure schedules, informed by the Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA), which identifies delivery expectations, infrastructure requirements and, where appropriate, delivery triggers and phasing associated with planned growth.
IDP		ECC welcomes the IDP – supports the Garden Community focus with infrastructure delivery to support. Extension of the Colchester Rapid Transit route supported.

		Define what is meant by a mobility hub. This could be done practically through a new addition to the LP Glossary, for example Walking and Cycling – identification of A120 trunk road restricting safe crossing points. Given focus of Garden Villages along this corridor this is essential to support the plan's aims of prioritising AT and public transport access. Recommend identification of crossing point enhancements required to support the A120 Growth Corridor and Garden Village proposals. Horsley Cross – Manningtree Greenway (SAMU9) and Horsley Cross – Hare Green Greenway (SAMU8 and SAMU9) Referenced in IDP but not reflected in allocation policy. Recommend reflecting Horsley Cross – Manningtree Greenway and Horsley Cross – Hare Green Greenway in SAMU8 and SAMU9 policy respectively.
Tendring Infrastructure Delivery Plan Regulation 19 Tendring Local Plan	Chapter 6 Green Infrastructure/Open Space and Leisure – Table 6.2 Need for open space	No open space provision for site allocations SAH1 SAH6 SAH9 included. This appears to contradict the statement set out in policy HP5 which states sites of 3-10 hectares should have at least 10% of the gross site area as public open space.
TDC IDP	Chapter 11	The ideally requires updating in chapter 11 for policy alignment (a separate document is being attached to the ECC response to provide this detailed information). This document aligns with other recent IDP responses (e.g., Rochford)
Tendring Local Plan Review: Integrated Sustainability Appraisal (ISA)	Various	This refers to 2001 Landscape Character Assessment and not the updated 2026 work; concerns that the assessment of landscape on sites could be outdated due to the use of this out-of-date report and due to no landscape evidence base other than LCA. Missed opportunity for sensitivity or capacity studies that would help to guide this document. "*The site is not within a broad area that is highly sensitive to development, as per the Landscape Character Assessment (2001), nevertheless a degree of uncertainty is highlighted at this stage, pending any further evidence on specific impacts.*" Highlights the importance of further evidence base.
Horsley Garden Community Strategic Vision document	Intro, vision and conclusion.	References relationship with Colchester Tendring Borders Garden Community, but no reference to interrelationship with closer proposals for Hare Green Garden Village or Weeley Green Garden Village – viability considerations and need for the Garden Villages to compliment and support each other's objectives and coordinated extension of the Rapid Transit System. Vision p.7: 'Enhanced bus routes to improve connectivity' and 'Sustainable travel links to Colchester, Manningtree, Stansted and Harwich' – evidence base lacking to support Cycle link to Manningtree Rail Station in Local Plan policy for SAMU9. Conclusion: Plan Should not describe the Garden Community as 'detached' in nature.

		Improve alignment and provide additional detail within policy SAMU9 to support the strategic vision for Horsley Cross. Strengthen alignment with Hare Green Garden Village policy SAMU8, with both allocations reliant on extending the Rapid Transit links from the Colchester Tendring Borders Garden Community.

Appendix One

ECC as MWPA maintain the need for TDC to have regards to the requirements of the Essex and Southend-on-Sea Waste Local Plan Adopted July 2017, Policy 2 and WLP Policy 4 and the Essex Minerals Local Plan Adopted July 2014, Policy S8. The MWPA have reviewed the potential site allocations in the draft Plan and have provided a list of relevant designations and specific minerals and waste facilities which would potentially be affected and these are in **bold** in the tables below. Maps of each of these sites in bold are set out in Appendix Three.

Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Housing Allocations	MSA1	Durite Works, Valley Road	2.804795	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA10	Land south of Weeley Road	5.412605	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	**MSA11**	**Land west of Parsons Hill**	**2.257852**	**N/A**	**N/A**	**N/A**	**Great Bromley WRC**	**Map 1**
Housing Allocations	**MSA12**	**Land south of Hall Road**	**1.299048**	**MSA S&G - less than 5ha**	**N/A**	**N/A**	**Great Bromley WRC**	**Map 1**
Housing Allocations	MSA13	Land west of Main Road	1.765107	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA14	Land east of Kirby Road	1.383754	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA15	Land north east of Wix Road	4.331283	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA16	Land south of Orchard Close	2.459915	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA17	Land north of Walton Road	0.857147	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA19	Land west of Manningtree Road	0.66	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA2	Land adjacent Branscombe Close, Frinton	2.183826	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA20	Land south of Shop Road	0.9	N/A	N/A	N/A	N/A	N/A

Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Housing Allocations	**MSA21**	**Land east of Heckfords Road**	**4.104433**	**MSA S&G - less than 5ha**	**N/A**	**MLP CfS A68 Crabtree Farm**	**N/A**	**Map 2**
Housing Allocations	MSA22	Haulage Depot, Heath Road	0.77	N/A	N/A	N/A	N/A	N/A
Housing Allocations	**MSA23**	**Land at Avocet Place**	**4.184517**	**MSA S&G - less than 5ha**	**N/A**	**MLP CfS A74 Thorrington**	**N/A**	**Map 3**
Housing Allocations	MSA24	Land east of Bentley Road	4.753645	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA25	Land south of Mill Lane	1.371811	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA26	Land south of Colchester Road	1.158376	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA28	Land North of Rectory Road	2.152049	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA29	Land at Weeley Council Offices Thorpe Road	0.812849	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA3	Affinity Water, Mill Hill	2.126653	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA30	Former Tendring Hundred Waterworks Site	2.296397	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA31	Land adjoining Harwich & Parkeston Football Club, Main Road,	0.629792	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA32	Station Yard and Former Avon Works, off Station Road	1.173857	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA33	Well House Site, Chestnut Way,	0.462869	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	**MSA34**	**Vicarage Field, Church Road**	**1.417846**	**MSA S&G - less than 5ha**	**N/A**	**Brightlingsea Quarry - ESS/39/13/TEN**	**N/A**	**Map 4**
Housing Allocations	MSA35	Land North of Robinson Road	1.311773	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A

Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Housing Allocations	MSA36	Land North of Wix Road	1.464737	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA37	Land East of The Street	1.740479	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA4	Crisp Malting, School Lane, Mistley	1.886594	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA5	Brightlingsea Telephone Exchange, 16 New Street	0.089544	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA6	Land at Pannell Palce	1.237619	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	**MSA7**	**Land south-west of Colchester Main Road**	**3.960665**	**MSA S&G - less than 5ha**	**N/A**	**Wivenhoe Sunnymead - ESS/17/18/TEN**	**N/A**	**Map 5**
Housing Allocations	MSA8	Land adj Village Hall, Harwich Road	0.981385	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA9	Land west of Windmill Road	1.638974	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	SAH1	Land at Vicarage Farm	4.407874	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	SAH11	Land North of Lifehouse Spa & Hotel	6.08892	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	SAH2	Land north of Thorpe Road, Kirby Cross	32.83864	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	**SAH6**	**Land east of Cockaynes Lane**	**6.70298**	**MSA S&G - whole site**	**Less than 5 hectares**	**Wivenhoe Sunnymead - ESS/17/18/TEN**	**N/A**	**Map 5**
Housing Allocations	**SAH7**	**Land east of Admirals Green and north of Weeley Road**	**10.29467**	**MSA S&G - whole site**	**6.6 ha**	**N/A**	**N/A**	**Map 6**

Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Housing Allocations	SAH8	Land east of Amerells Road	4.581315	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	SAH9	Land south of Clacton Road	7.272193	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Mixed Use Allocations	**SAMU2**	**Hartley Gardens**	**162.4996**	**MSA S&G - 36 ha**	**17 ha**	**N/A**	**N/A**	**Map 7**
Mixed Use Allocations	**SAMU3**	**Oakwood Park**	**48.98368**	**MSA S&G - 37 ha**	**33 ha**	**N/A**	**Yard 6 Inert Waste Recycling - ESS/16/19/TEN**	**Map 8**
Mixed Use Allocations	**SAMU4**	**Rouses Farm**	**43.02126**	**MSA S&G - 35 ha**	**21 ha**	**N/A**	**N/A**	**Map 7**
Mixed Use Allocations	**SAMU5**	**Land off Deane's Lane and Oakley Road**	**125.57**	**MSA S&G - 6.7 ha**	**Less than 5 hectares**	**N/A**	**N/A**	**Map 9**
Mixed Use Allocations	SAMU6	Weeley Green Garden Village	52.87	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Mixed Use Allocations	**SAMU7**	**Saltings Quarter, Riverside Avenue**	**3.72**	**N/A**	**N/A**	**N/A**	**Manningtree WRC**	**Map 10**
Broad Locations GV	**SAMU8**	**Hare Green Garden Village**	**496.7741**	**MSA S&G - 301 ha**	**234 ha**	**CfS A69 Frating Hall & A68 Crabtree Farm**	**N/A**	**Map 11**
Broad Locations GV	**SAMU9**	**Horsley Cross Garden Community**	**453.7134**	**MSA S&G - 325 ha**	**285 ha**	**N/A**	**N/A**	**Map 12**
Employment Allocations		**Extension to Gorse Lane Industrial Estate, Telford Road, Clacton**		**MSA S&G less than 5 ha**	**N/A**	**N/A**	**Yard 6 Inert Waste Recycling - ESS/16/19/TEN**	**Map 13**

Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Employment Allocations		**Land at Harwich Valley, East of Pond Hall Farm, Dovercourt**		**N/A**	**N/A**	**N/A**	**Harwich & Dovercourt WRC**	**Map 14**
Employment Allocations		Land at Stanton Europark, Parkeston		N/A	N/A	N/A	N/A	N/A
Employment Allocations		**Crown Business Centre, Old Ipswich Road, Ardleigh/Colchester**		**MSA S&G less than 5 ha**	**N/A**	**Crown Quarry - ESS/57/04/TEN**	**Crown Quarry - ESS/07/17/TEN - Inert Waste Recycling**	**Map 15**
Employment Allocations		**Policy SAE3 - Collierswood Farm A120 Strategic Business Park**		**MSA S&G - 78 ha (whole site)**	**67 ha**	**Martells Quarry ESS/27/20/TEN & ESS/29/20/TEN, CfS A72 Martells**	**A120 WTS - ESS/18/20/TEN**	**Map 16**
Employment Allocations		Land North of the A120, Harwich Road, Parkeston		N/A	N/A	N/A	N/A	Map 14
Employment Allocations		Land to the North of Colchester Rd, Weeley (Weeley Car boot site)		N/A	N/A	N/A	N/A	N/A
Employment Sites		Mercedes Building, Bathside Bay, Harwich		N/A	N/A	N/A	N/A	N/A
Employment Sites		Plough Road Business Centre		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Kirby Cross Trading Estate		N/A	N/A	N/A	N/A	N/A
Employment Sites		Harmers Foundry, Walton		N/A	N/A	N/A	N/A	N/A
Employment Sites		Rice Bridge Industrial Estate		N/A	N/A	N/A	N/A	N/A
Employment Sites		Sato UK Ltd Valley Road Dovercourt		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A

Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Employment Sites		Durite Works Valley Road Dovercourt		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Europa Way Industrial Estate		N/A	N/A	N/A	N/A	N/A
Employment Sites		**Morses Lane Industrial Estate**		**MSA S&G - 7.2 ha (whole site)**	**Less than 5 hectares**	**N/A**	**Eastern Waste Disposal - ESS/04/11/ TEN**	**Map 17**
Employment Sites		Shipyard Estate		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		**Lawford Dale Industrial Estate**		**MSA S&G - 13 ha**	**11 ha**	**N/A**	**Ticks Haulage WTS - ESS/44/07/ TEN, The Works WTS - ESS/61/03/ TEN, Lawford RCHW - CC/TEN/05/ 03, Manningtree WRC**	**Map 18**
Employment Sites		Mistley Marine, Northumberland Wharf		N/A	N/A	N/A	N/A	N/A
Employment Sites		Mistley Port & Quay		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Ford Road Industrial Estate		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Oakwood and Crusader Business Park		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A

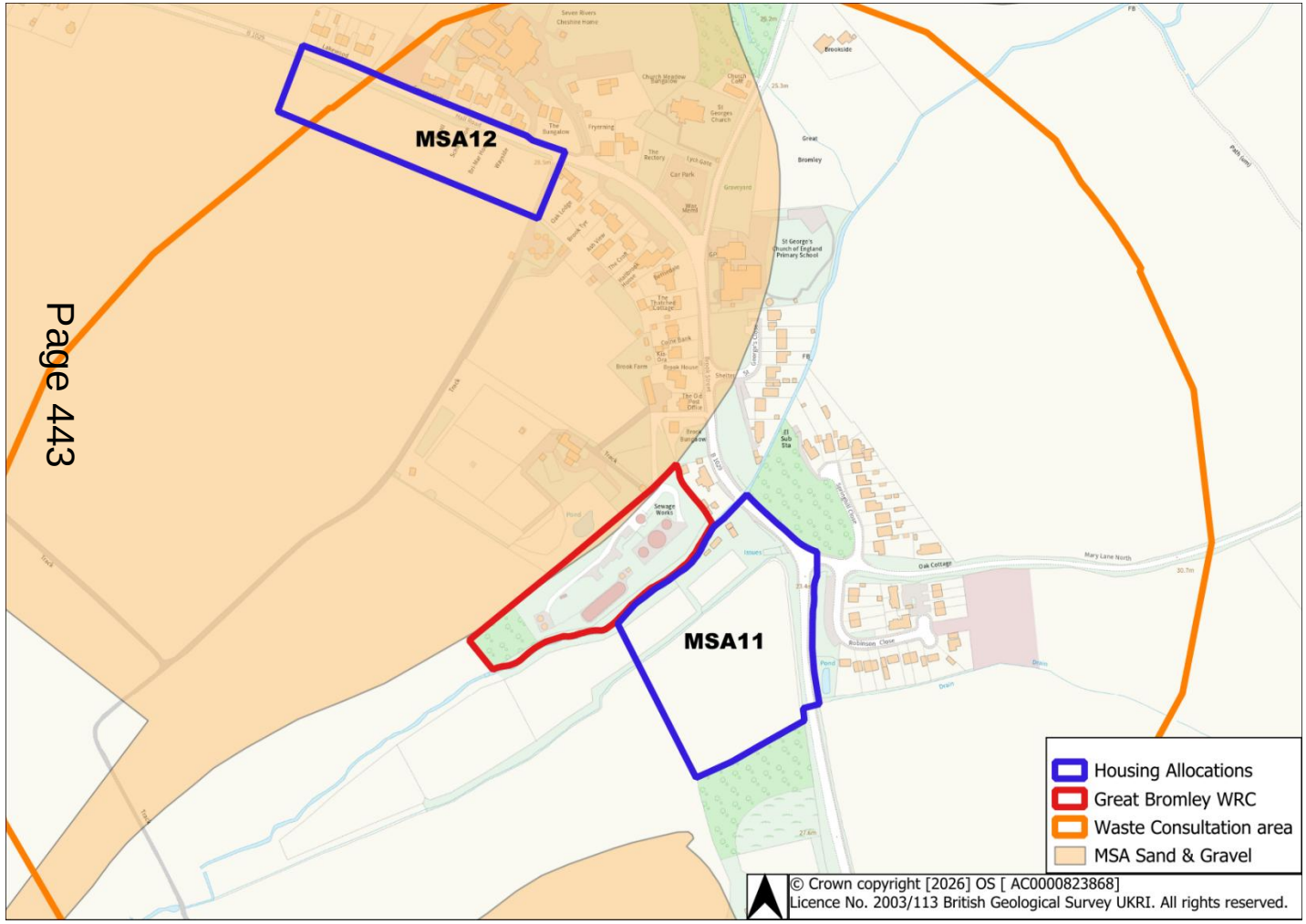
Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Employment Sites		Gorse Lane Industrial Estate		MSA S&G - less than 5ha	N/A	N/A	Yard 6 - ESS/16/19/ TEN	Map 19
Employment Sites		Vallybridge Road Industrial Estate		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Oxford Road Industrial Estate		MSA S&G - 9.4 ha (whole sites)	Less than 5 hectares	N/A	N/A	Map 20
Employment Sites		Mannheim Auctions and The Book Service, Frating		MSA S&G - 30.4 (whole site)	30 ha	MLP CfS - A68 Crabtree Farm	N/A	Map 21
Employment Sites		A Smith and Van Monster, Colchester road, Frating		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Martells Pit Ardleigh		MSA S&G - 10.4 (whole site)	10 ha	Martells Quarry MLP CFS - A72, A73, A87 Nationwide Metal Recycling - ESS/54/17/TEN Collins Skip Hire - ESX/47/93/TEN	Martells Quarry - ESS/53/17/ TEN, ESS/61/19/ TEN, ESS/27/20/ TEN, ESS/29/20/ TEN	Map 22
Employment Sites		Dedham Road, Ardleigh		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Land Southwest of Horsley Cross		MSA S&G - 8ha	7.4 ha	N/A	N/A	Map 23
Employment Sites		Lanswood Park Business Centre, Elmstead		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Oak Business Park, Beaumont		N/A	N/A	N/A	N/A	N/A

Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Employment Sites		Hall Farm, Church Road, Little Bentley, CO7 8SD		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		**Systematic Business Park, Old Ipswich Road, Ardleigh, CO7 7QL**		**MSA S&G - less than 5ha**	**N/A**	**Crown Quarry - ESS/57/04/TEN**	**N/A**	**Map 24**
Employment Sites		**Carless Parkeston**		**N/A**	**N/A**	**N/A**	**Harwich & Dovercourt WRC**	**Map 25**
N/A		**Bathside Bay**	**N/A**	**N/A**	**N/A**	**MLP - F4 Port of Harwich**	**N/A**	**Map 26**
N/A		Walton Mere		N/A	N/A	N/A	N/A	N/A

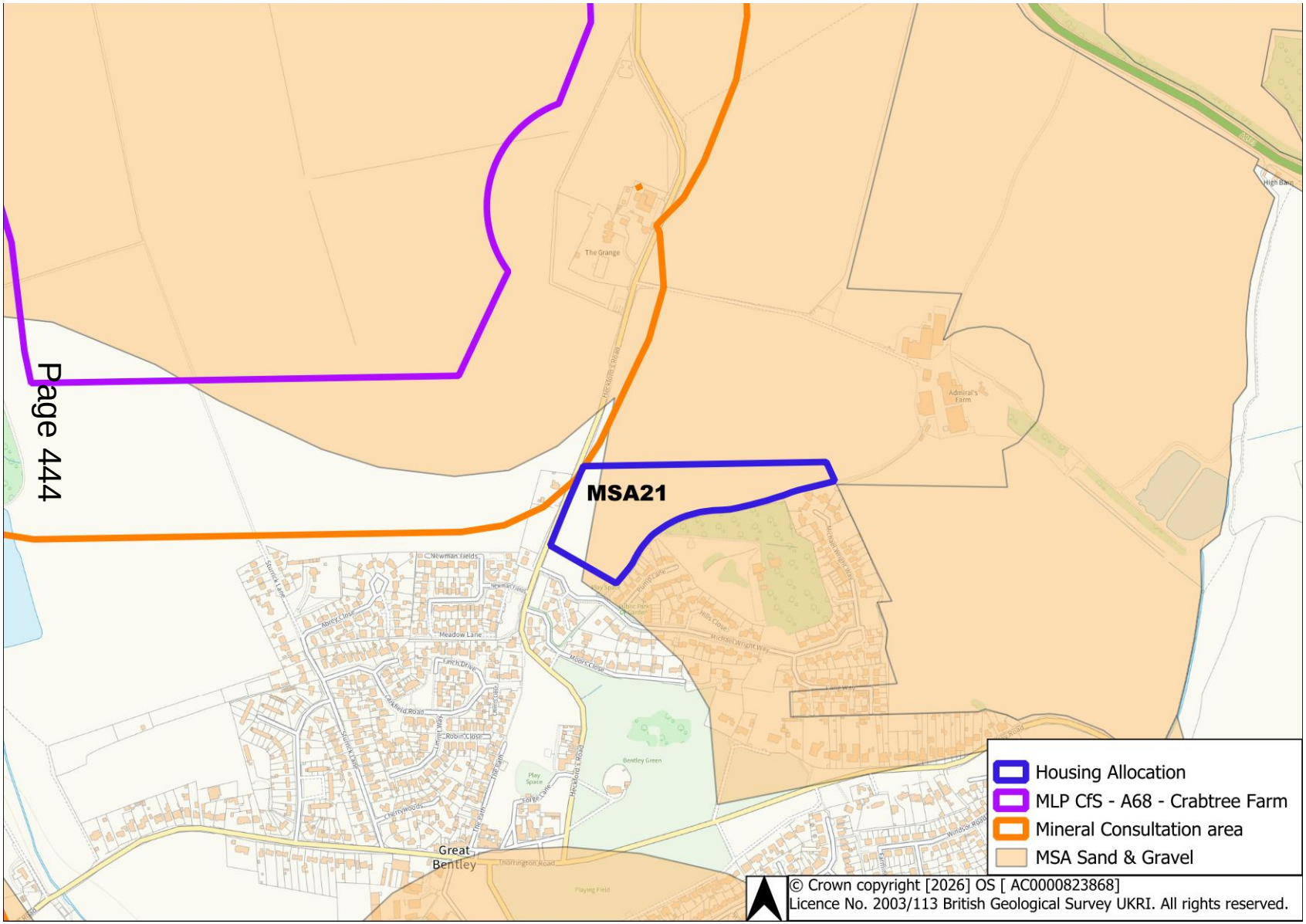
Appendix Two

The MWPA have reviewed the potential site allocations in the draft Plan and have provided a list of relevant designations and specific minerals and waste facilities which would potentially be affected and these are in **bold** in the tables above (Appendix One). Maps of each of these sites in **bold** are set out below.

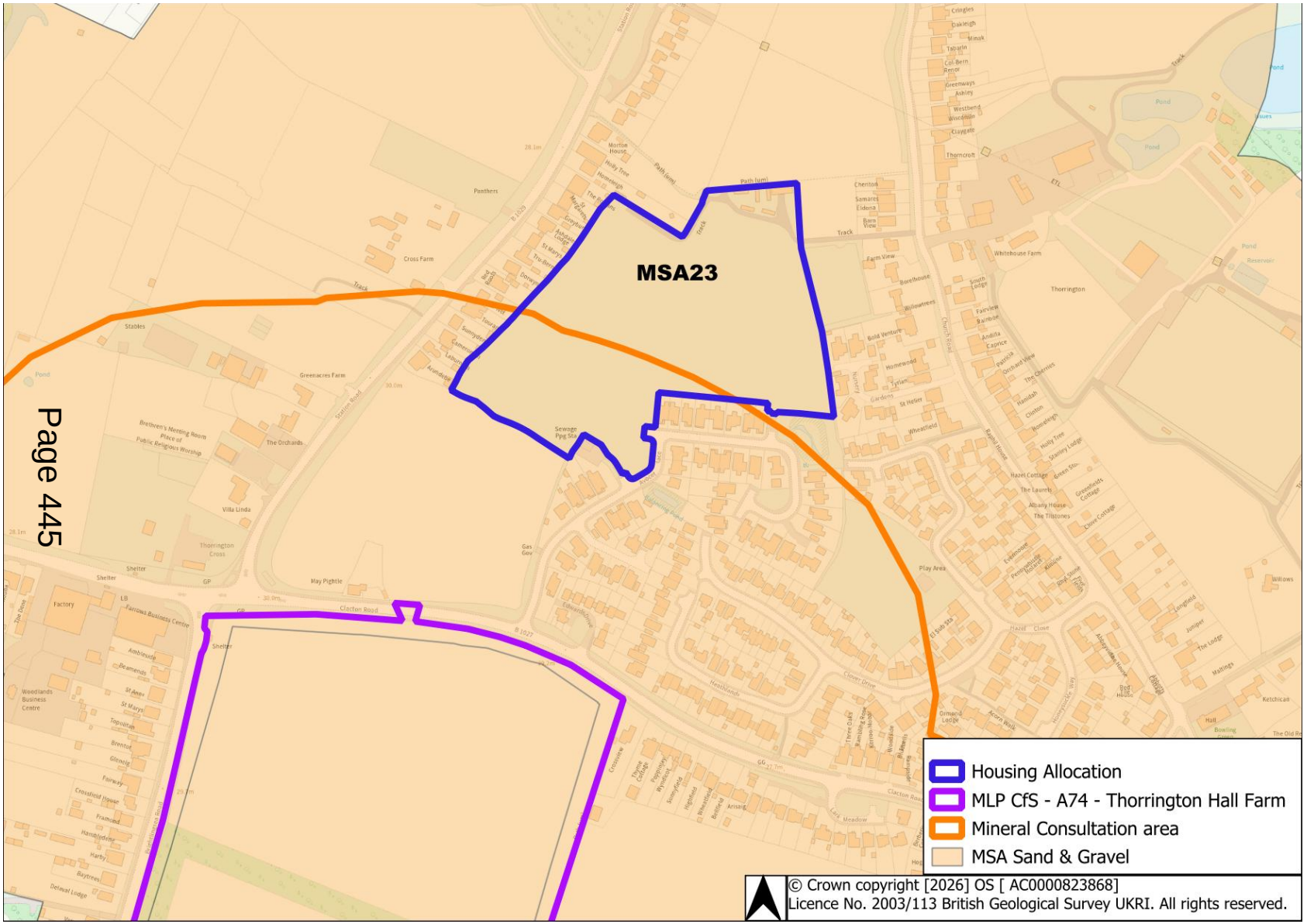
Map 1 - MSA11 Land west of Parsons Hill and MSA112 Land south of Hall Road



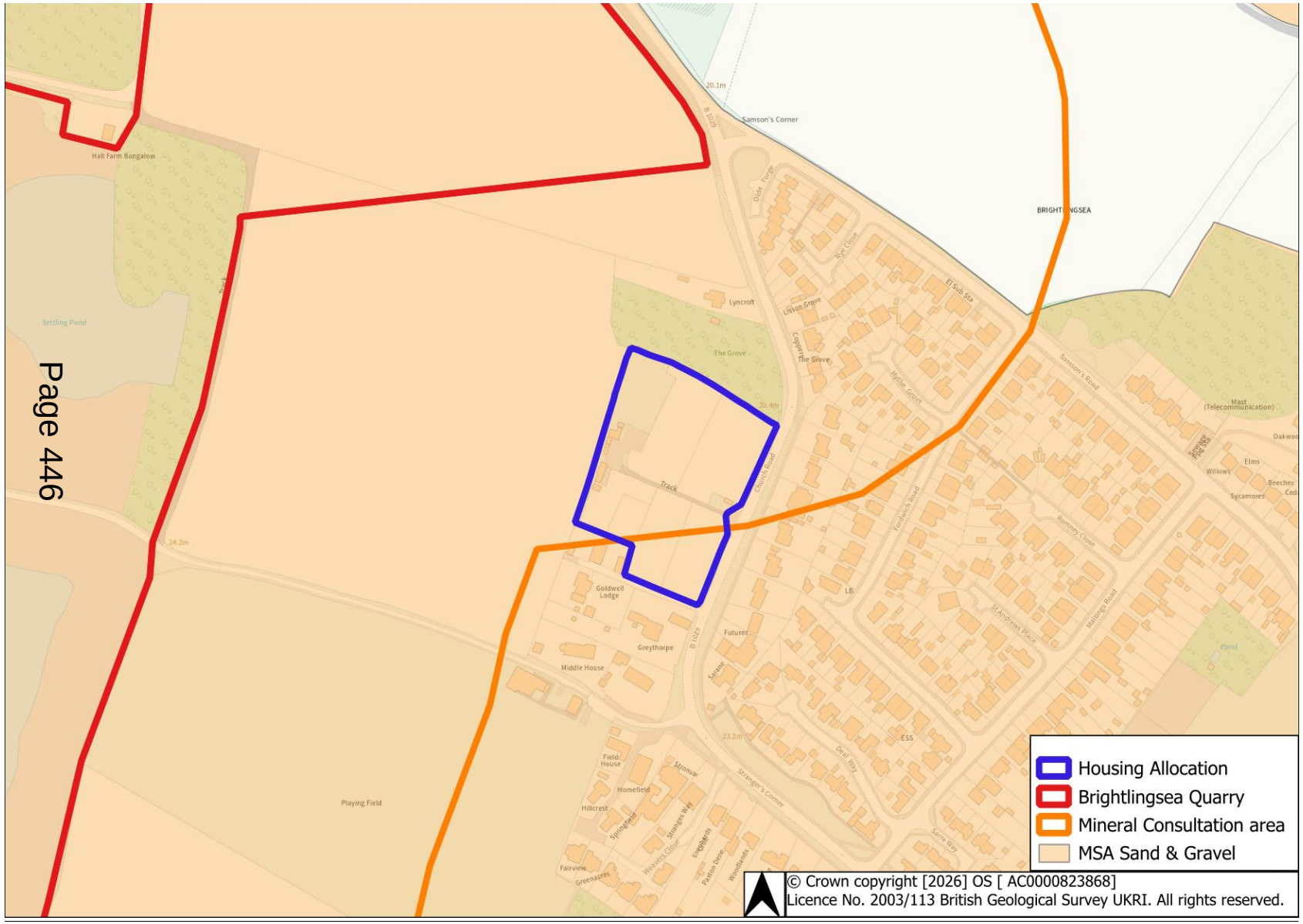
Map 2 - MSA21 Land east of Heckfords Road



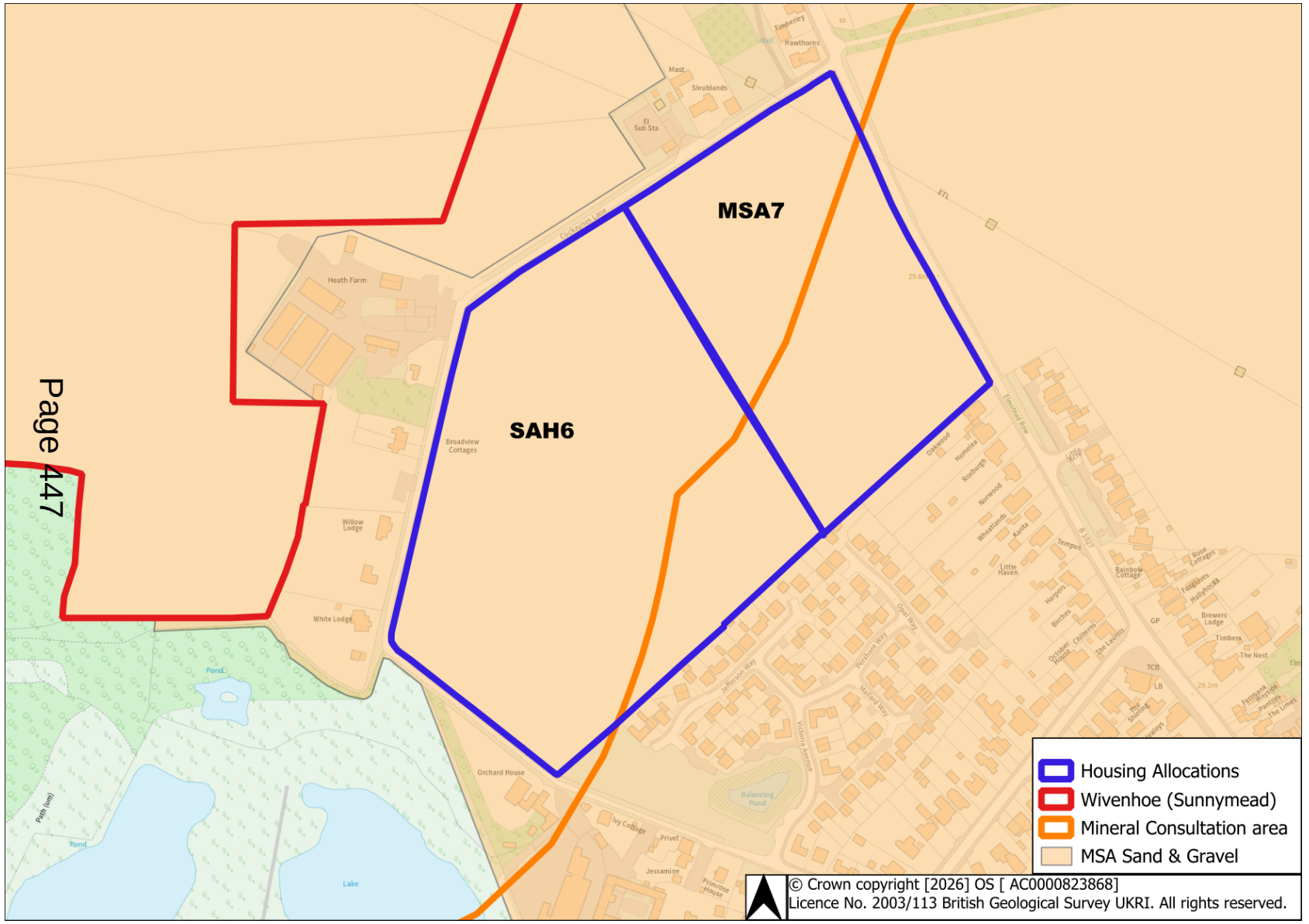
Map 3 - MSA23 Land at Avocet Place



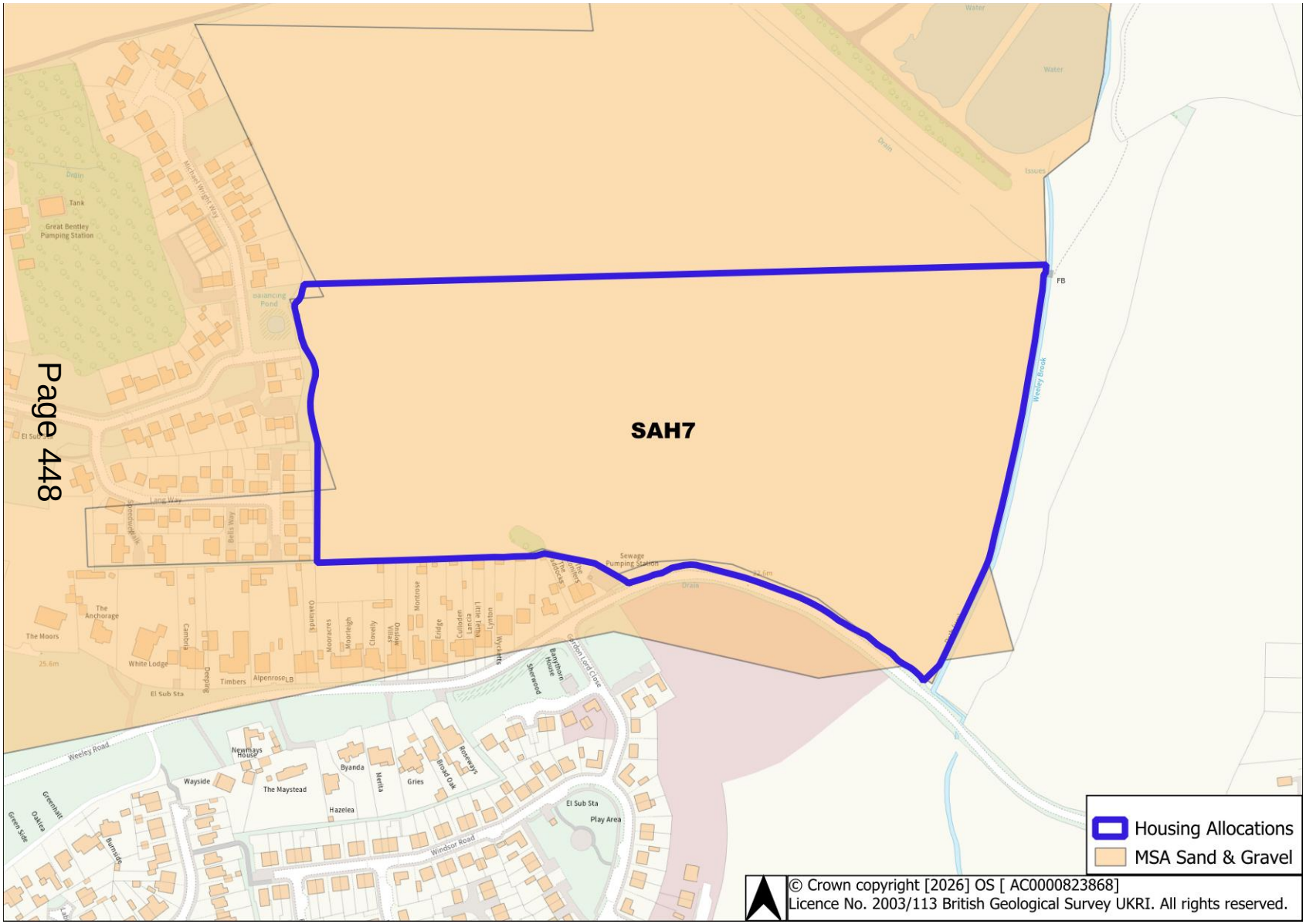
Map 4 - MSA34 Vicarage Field, Church Road



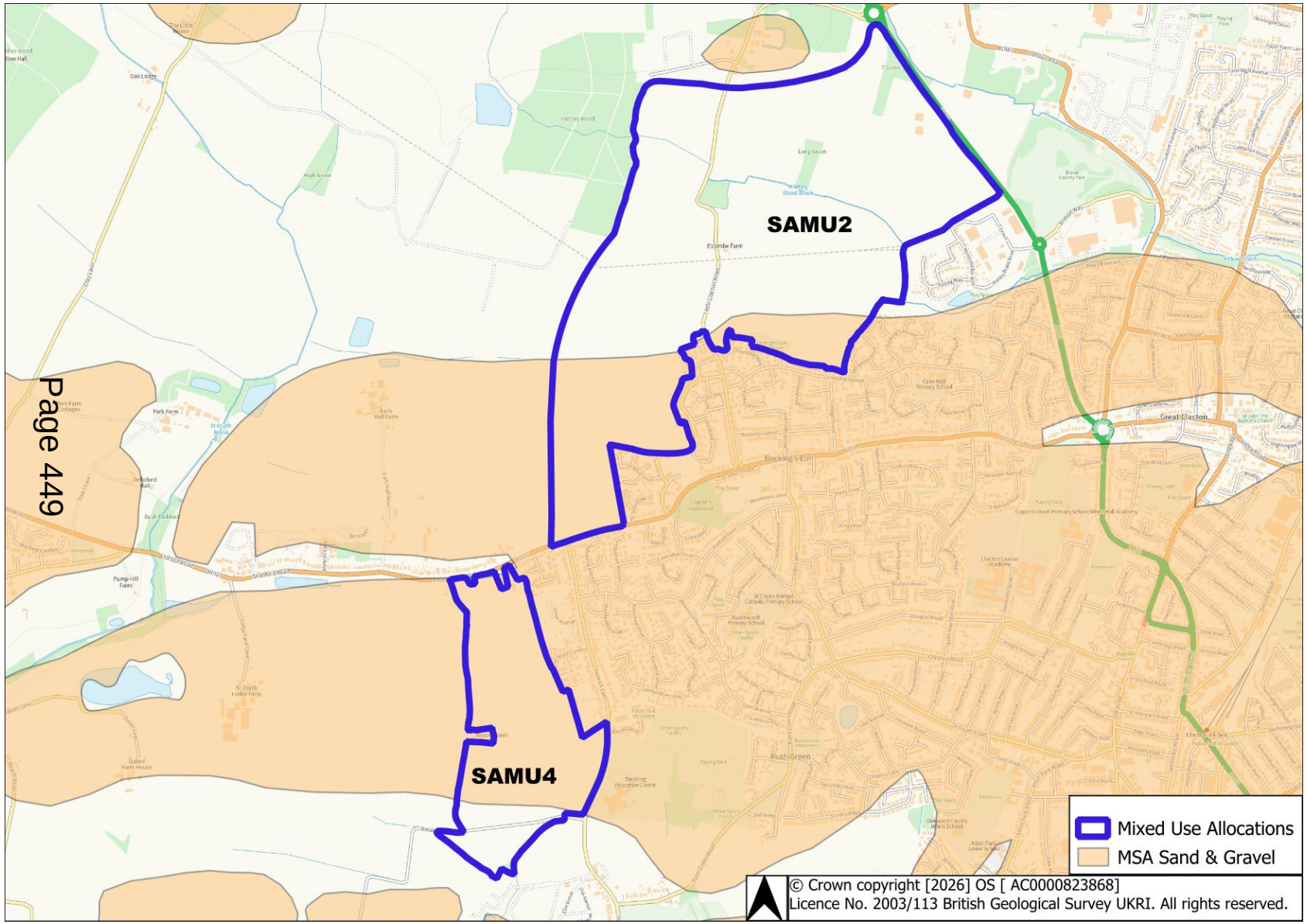
Map 5 - MSA7 Land south-west of Colchester Main Road and SAH6 Land east of Cockaynes Lane



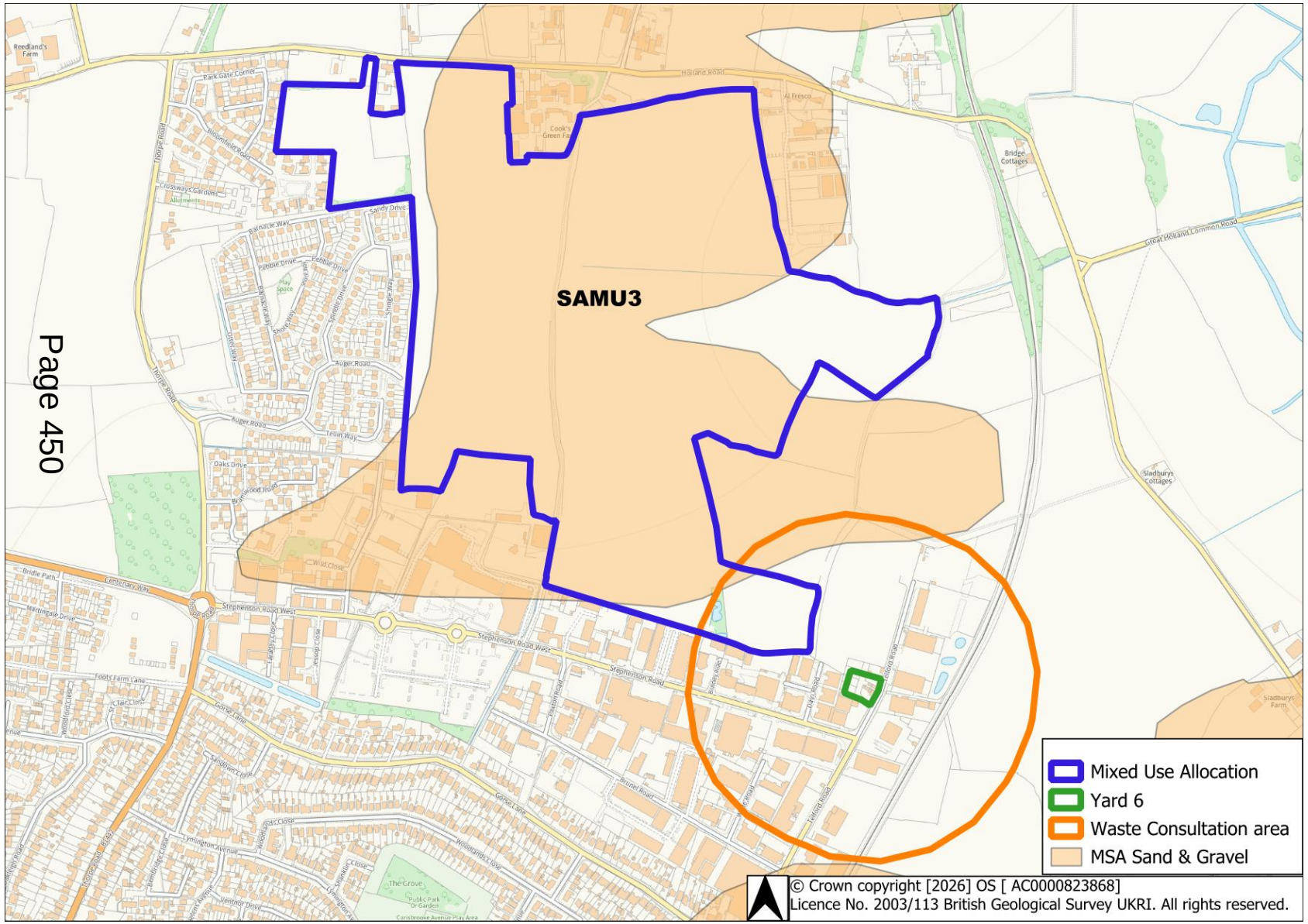
Map 6 - SAH7 Land east of Admirals Green and north of Weeley Road



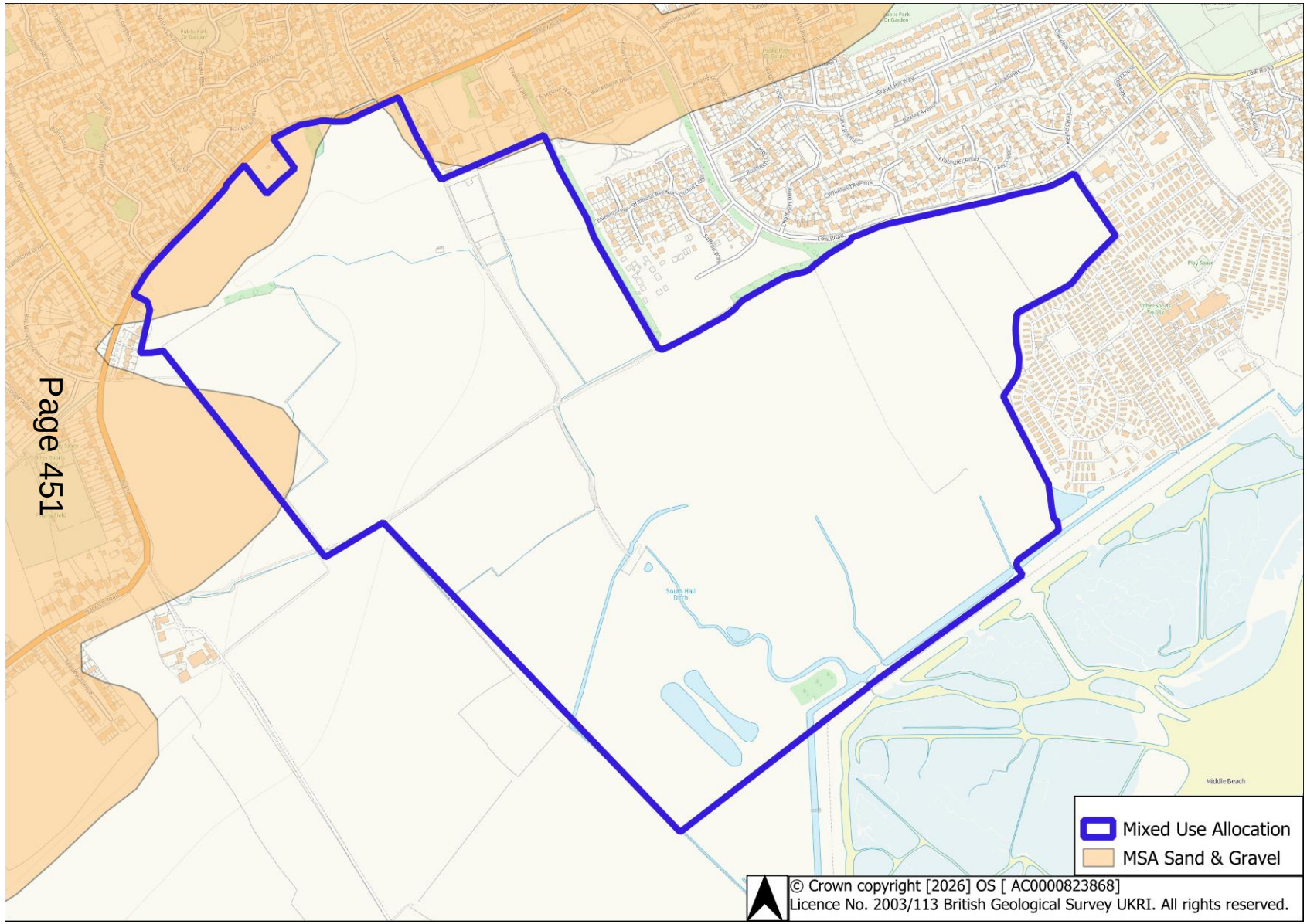
Map 7 - SAMU2 Hartley Gardens and SAMU4 Rouses Farm



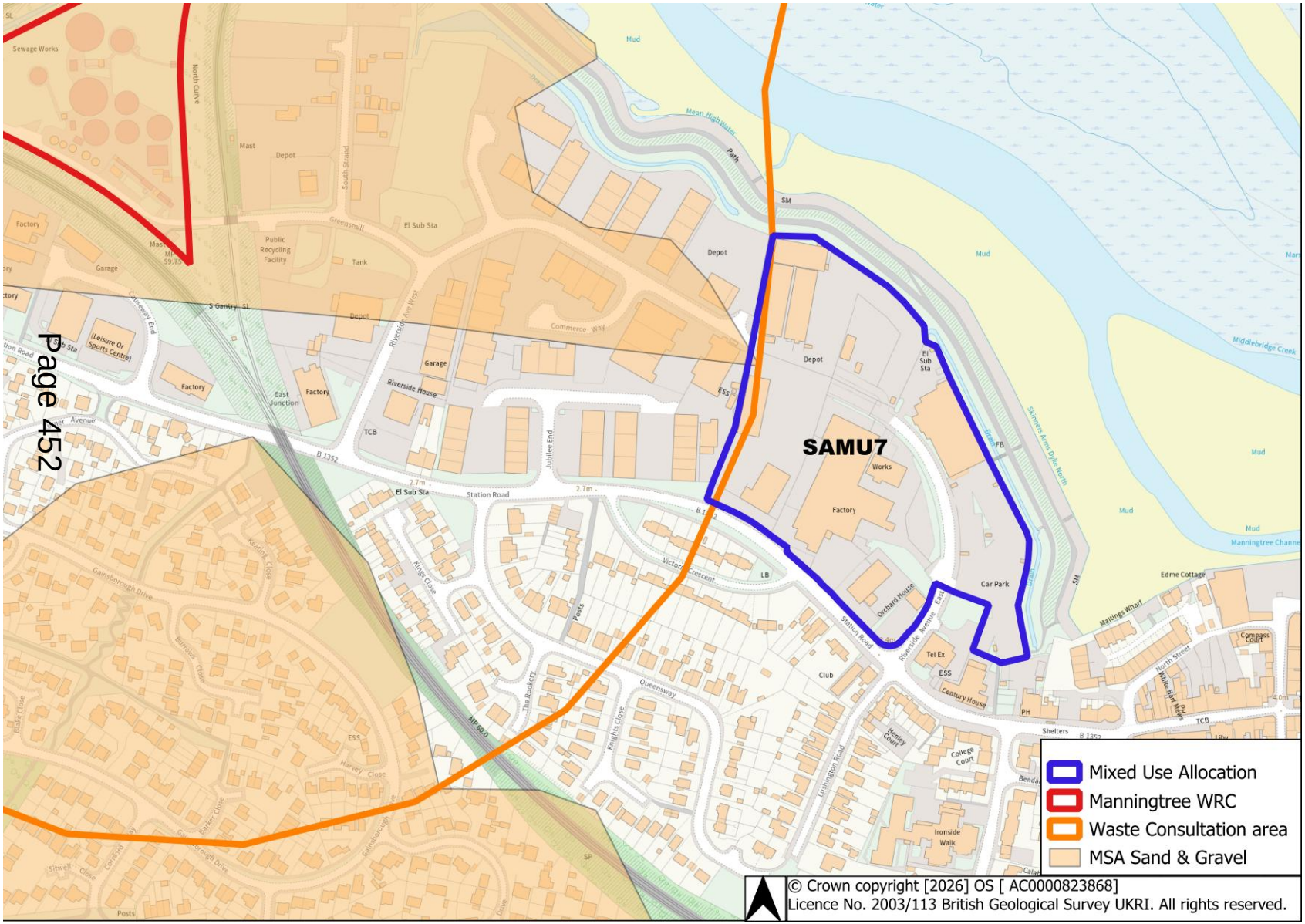
Map 8 - SAMU3 Oakwood Park



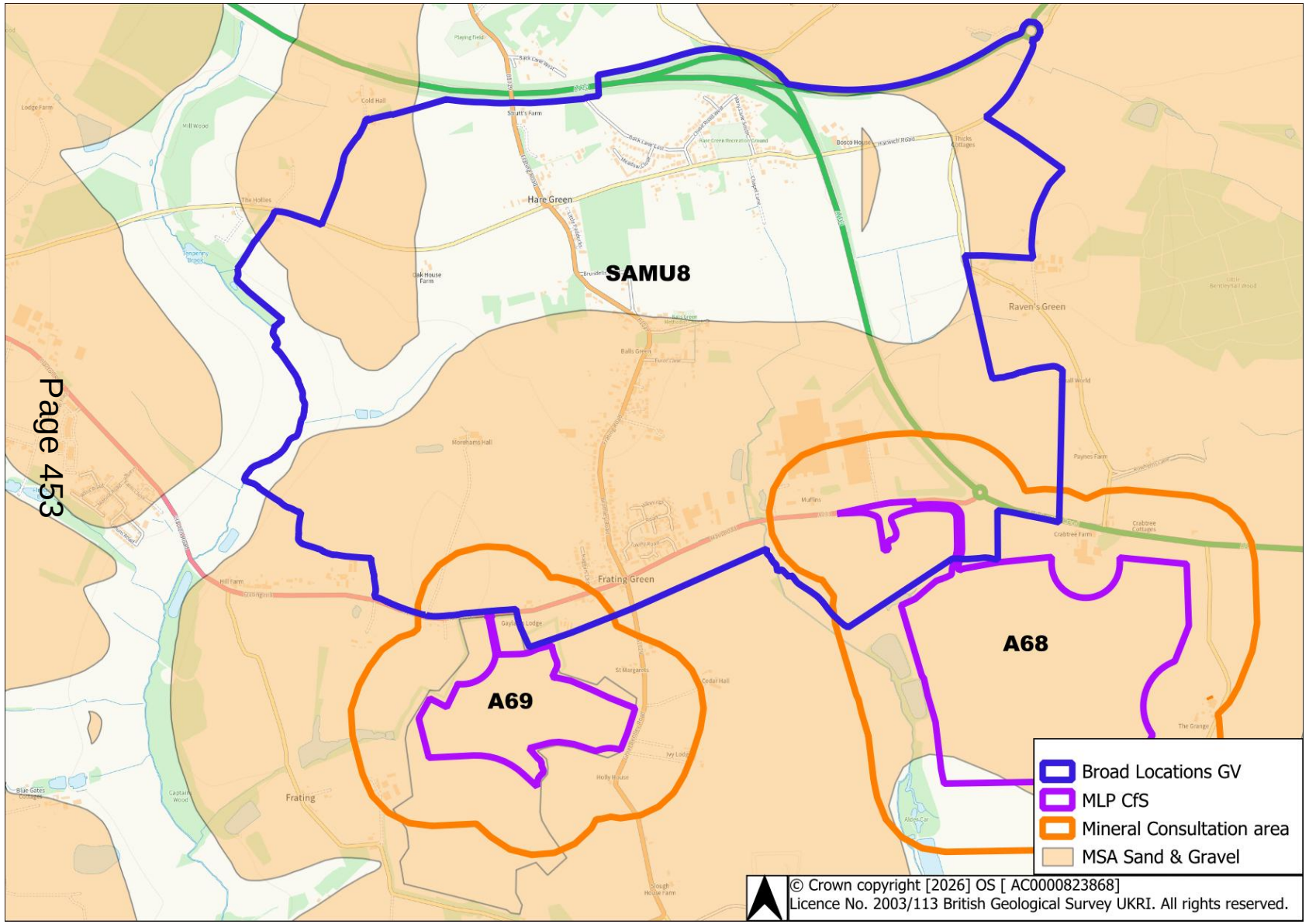
Map 9 - SAMU5 Land off Deane's Lane and Oakley Road



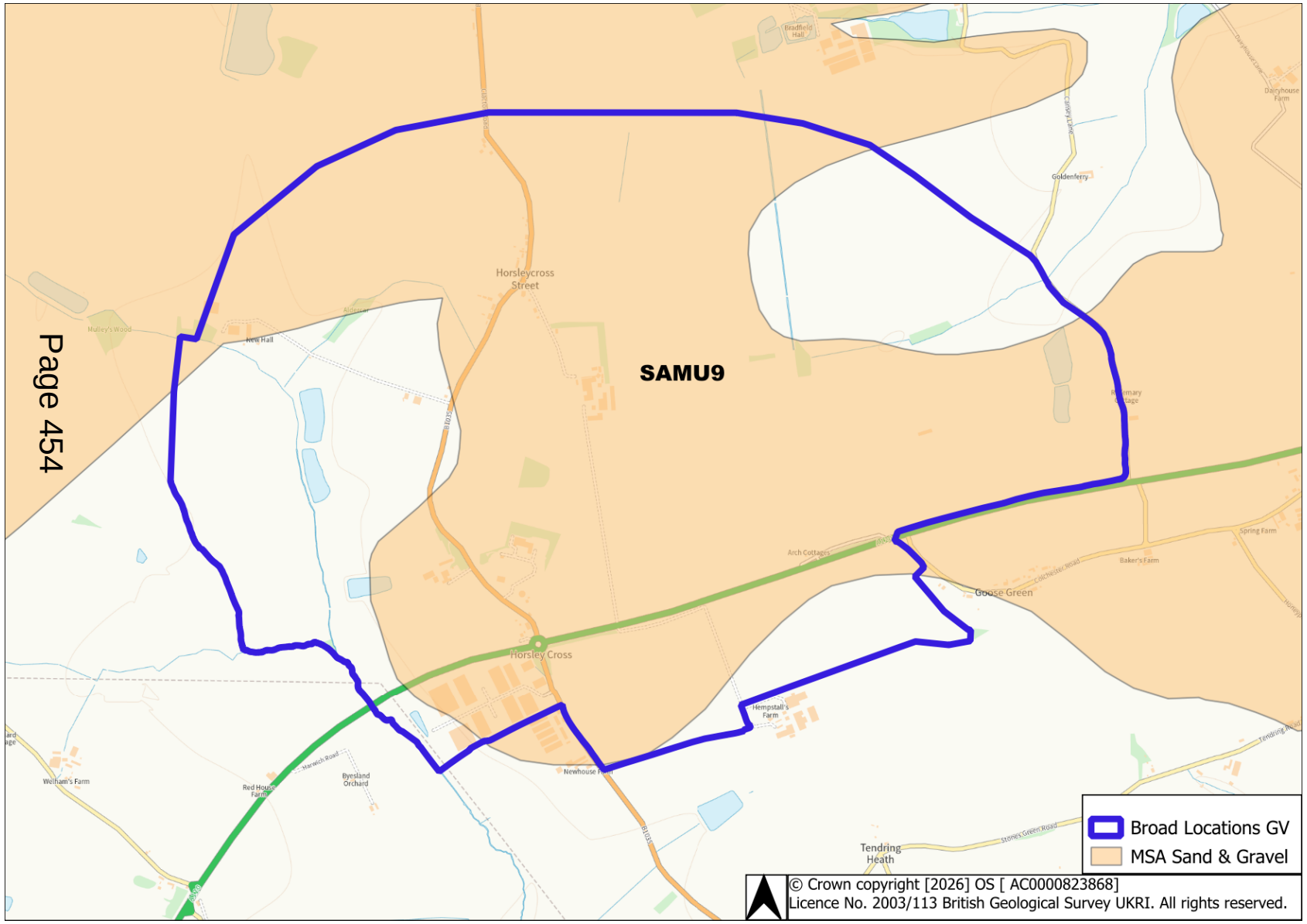
Map 10 - SAMU7 Saltings Quarter, Riverside Avenue



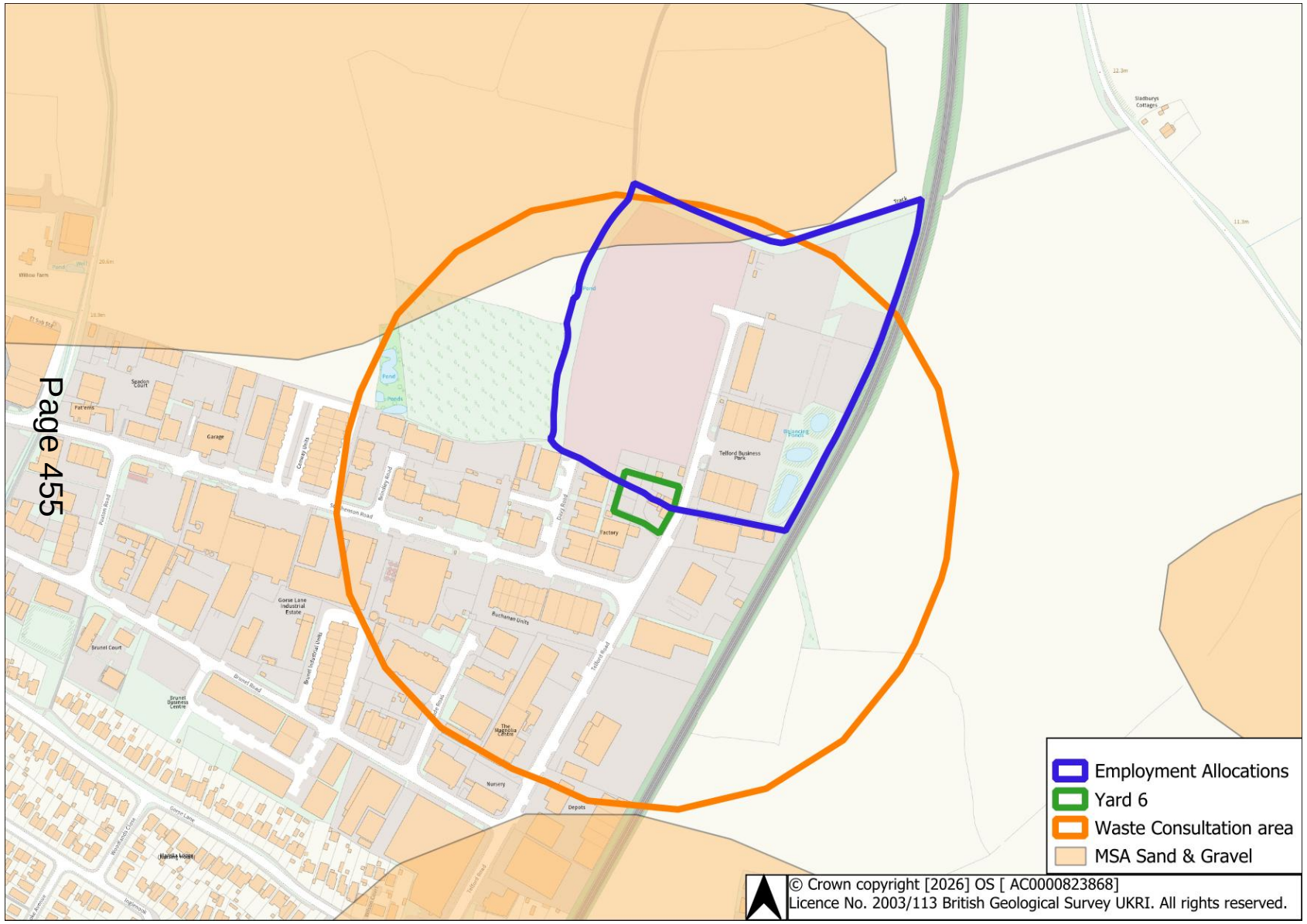
Map 11 - SAMU8 Hare Green Garden Village



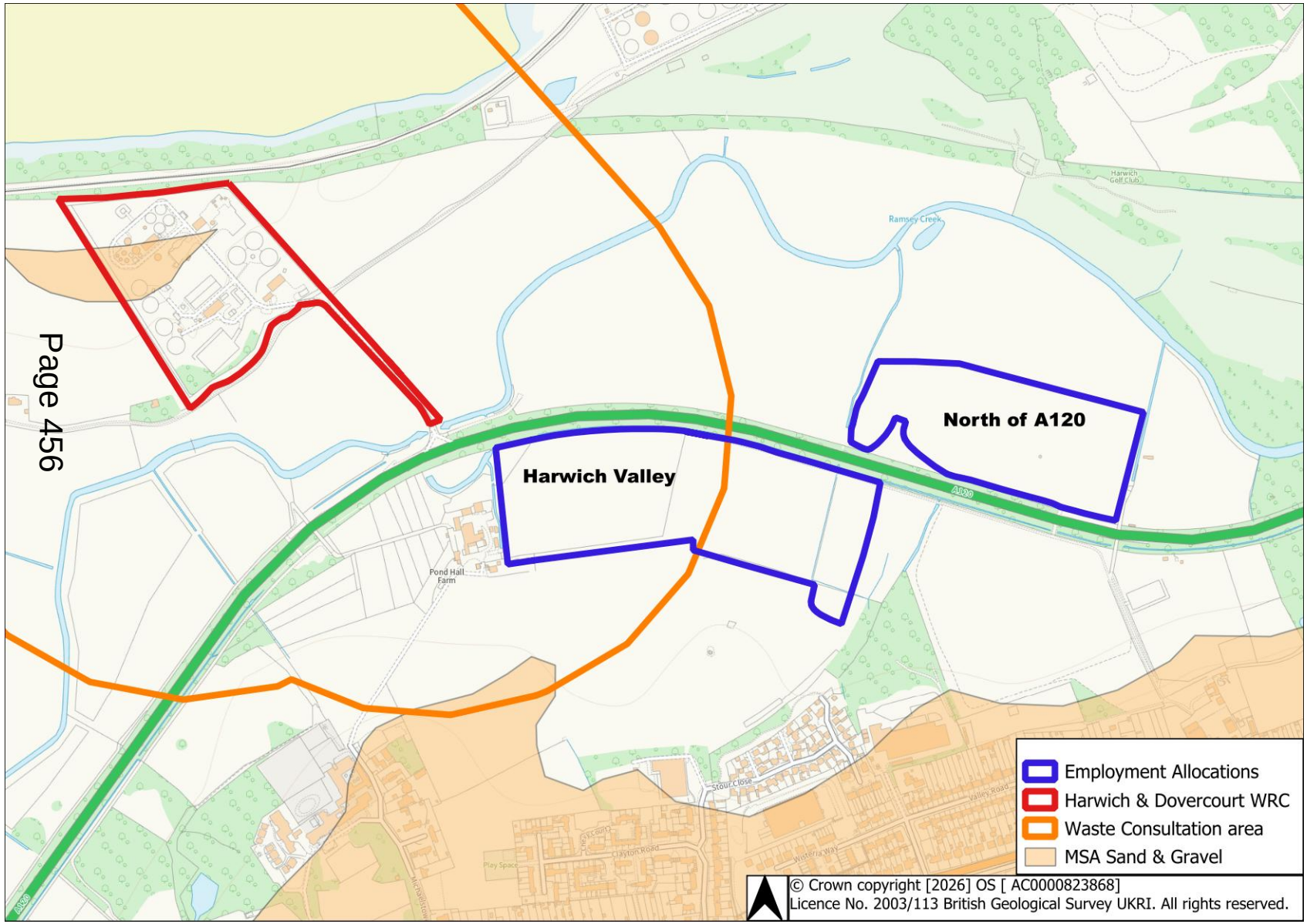
Map 12 - SAMU9 Horsley Cross Garden Community



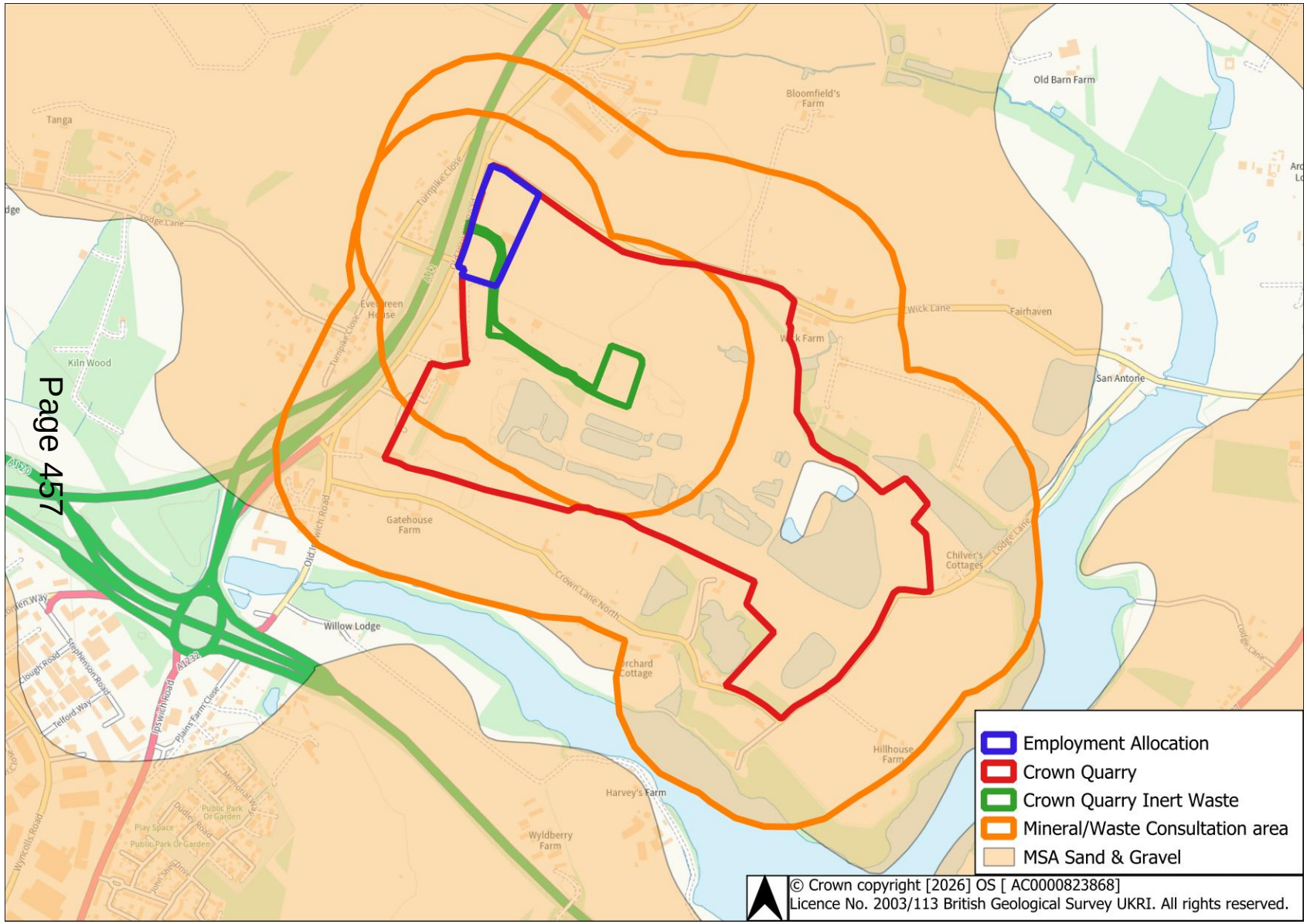
Map 13 - Extension to Gorse Lane Industrial Estate, Telford Road, Clacton



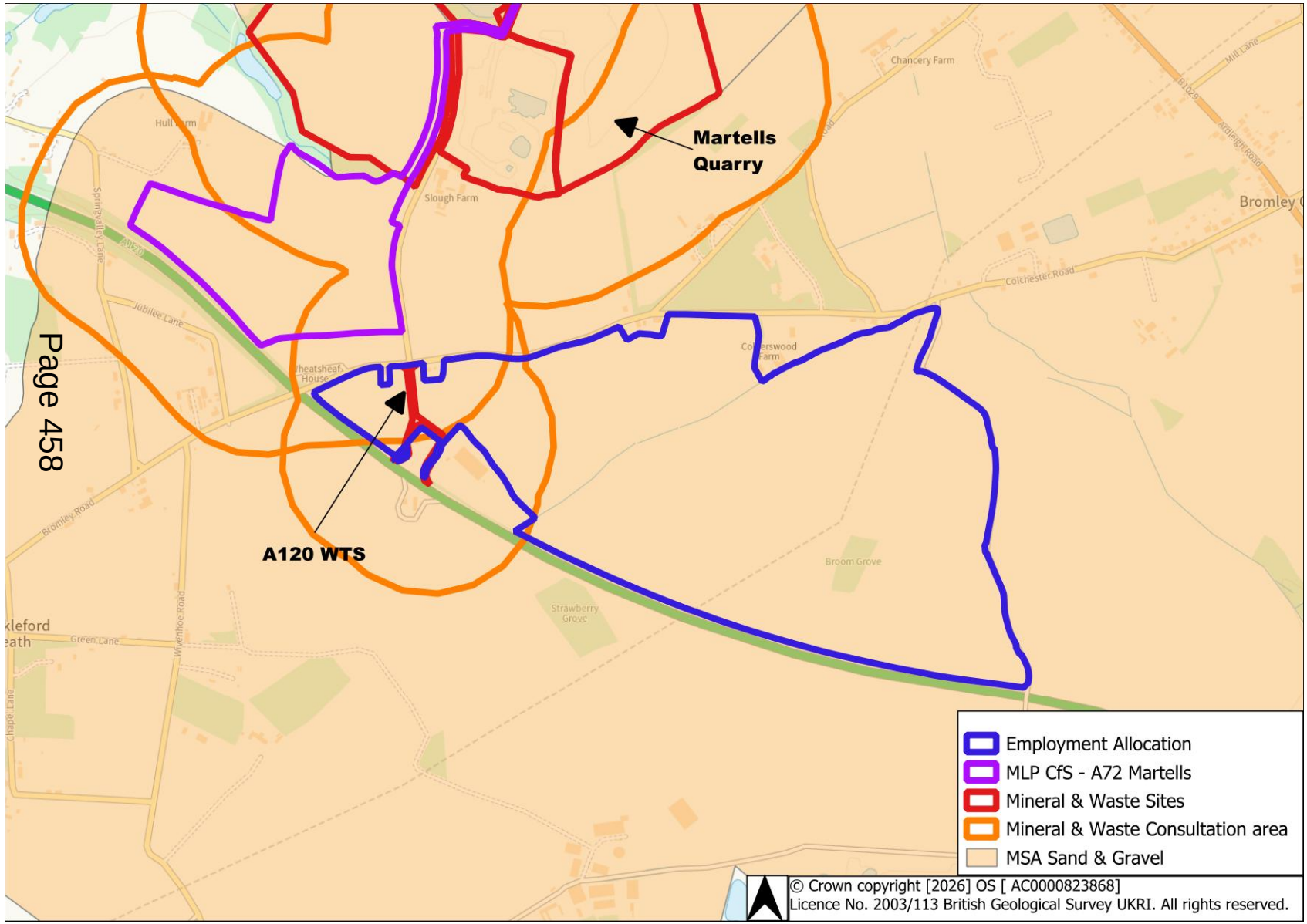
Map 14 - Land at Harwich Valley, East of Pond Hall Farm, Dovercourt



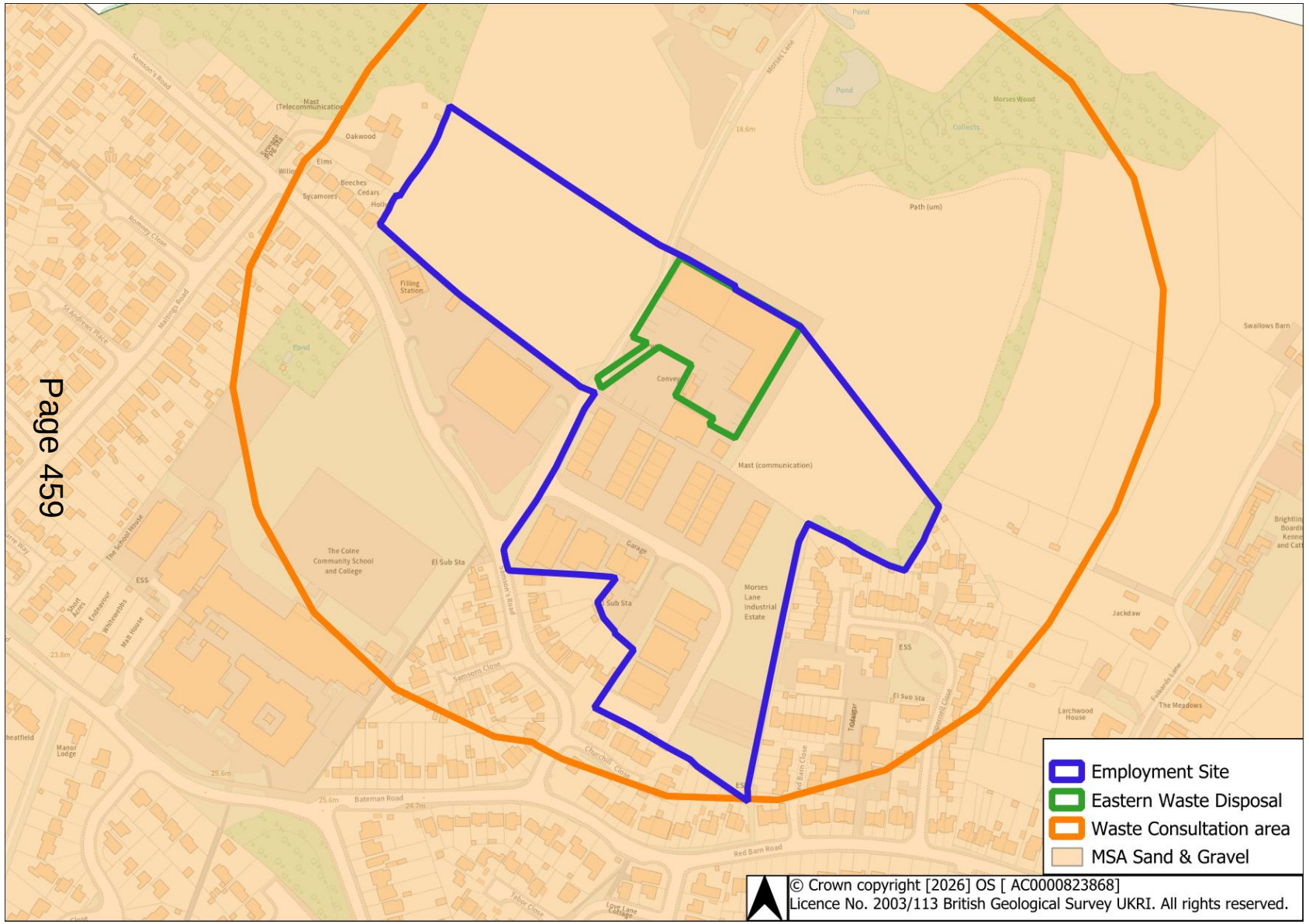
Map 15 - Crown Business Centre, Old Ipswich Road, Ardleigh/Colchester



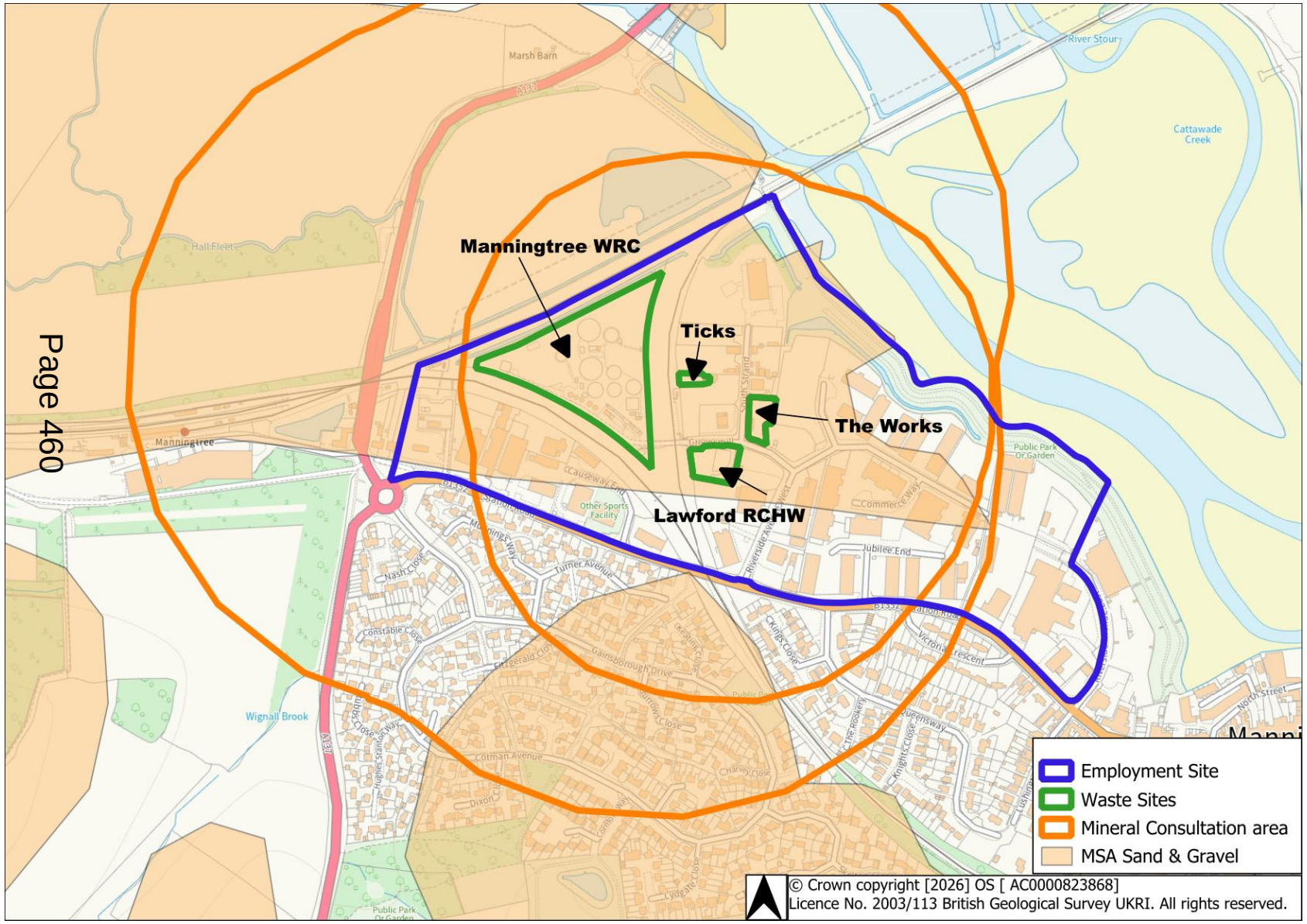
Map 16 - Policy SAE3 - Collierswood Farm A120 Strategic Business Park



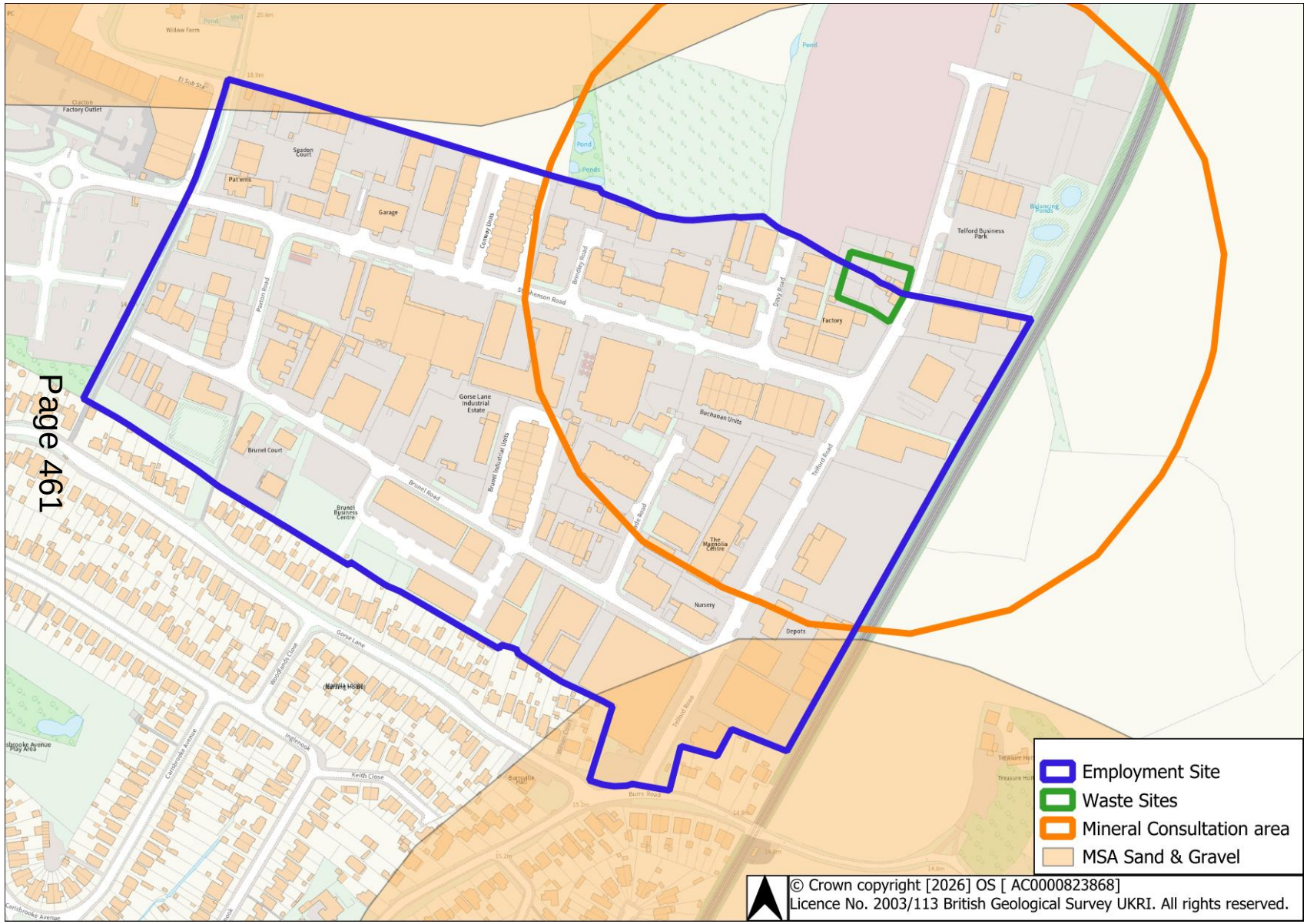
Map 17 - Morses Lane Industrial Estate



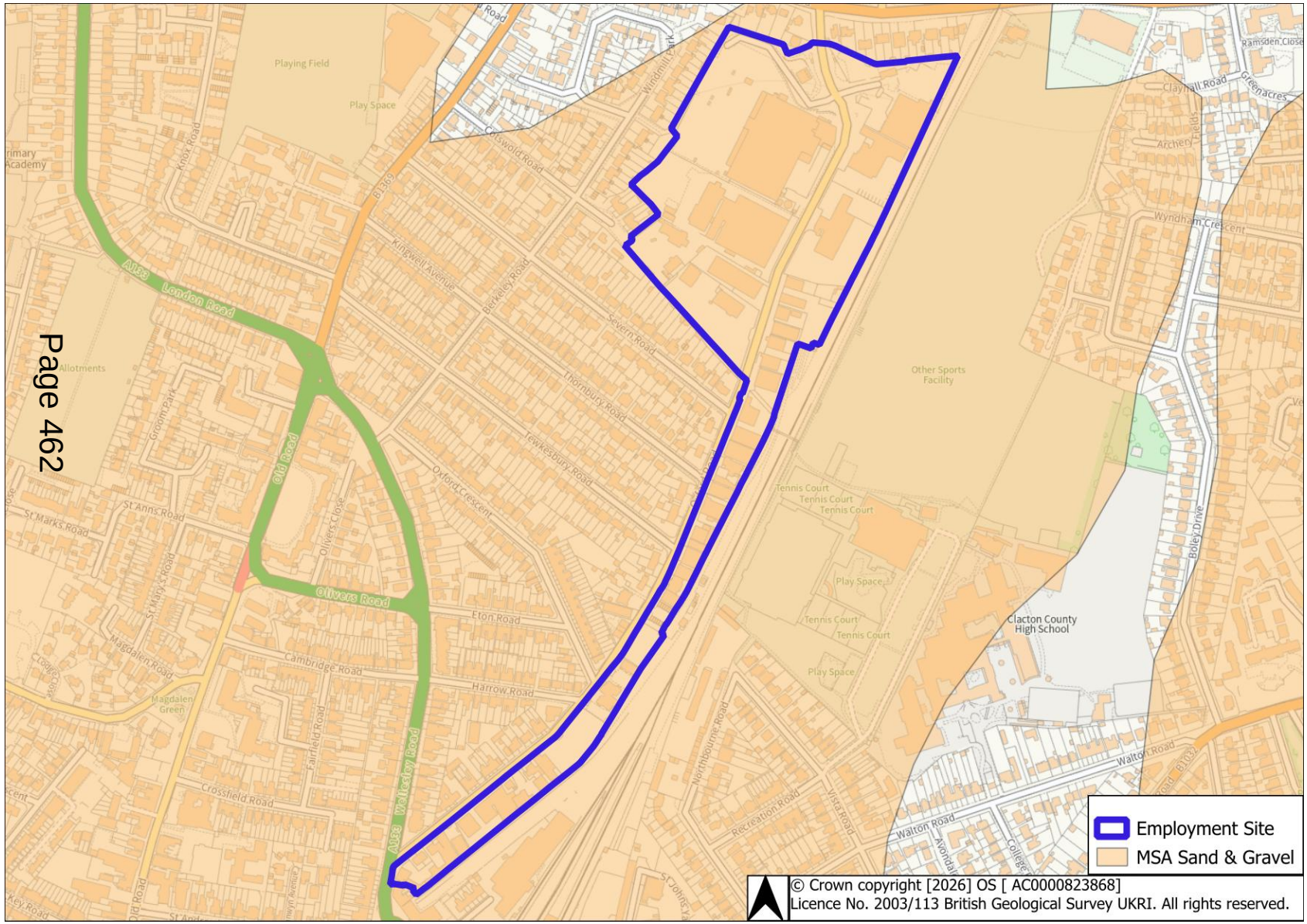
Map 18 - Lawford Dale Industrial Estate



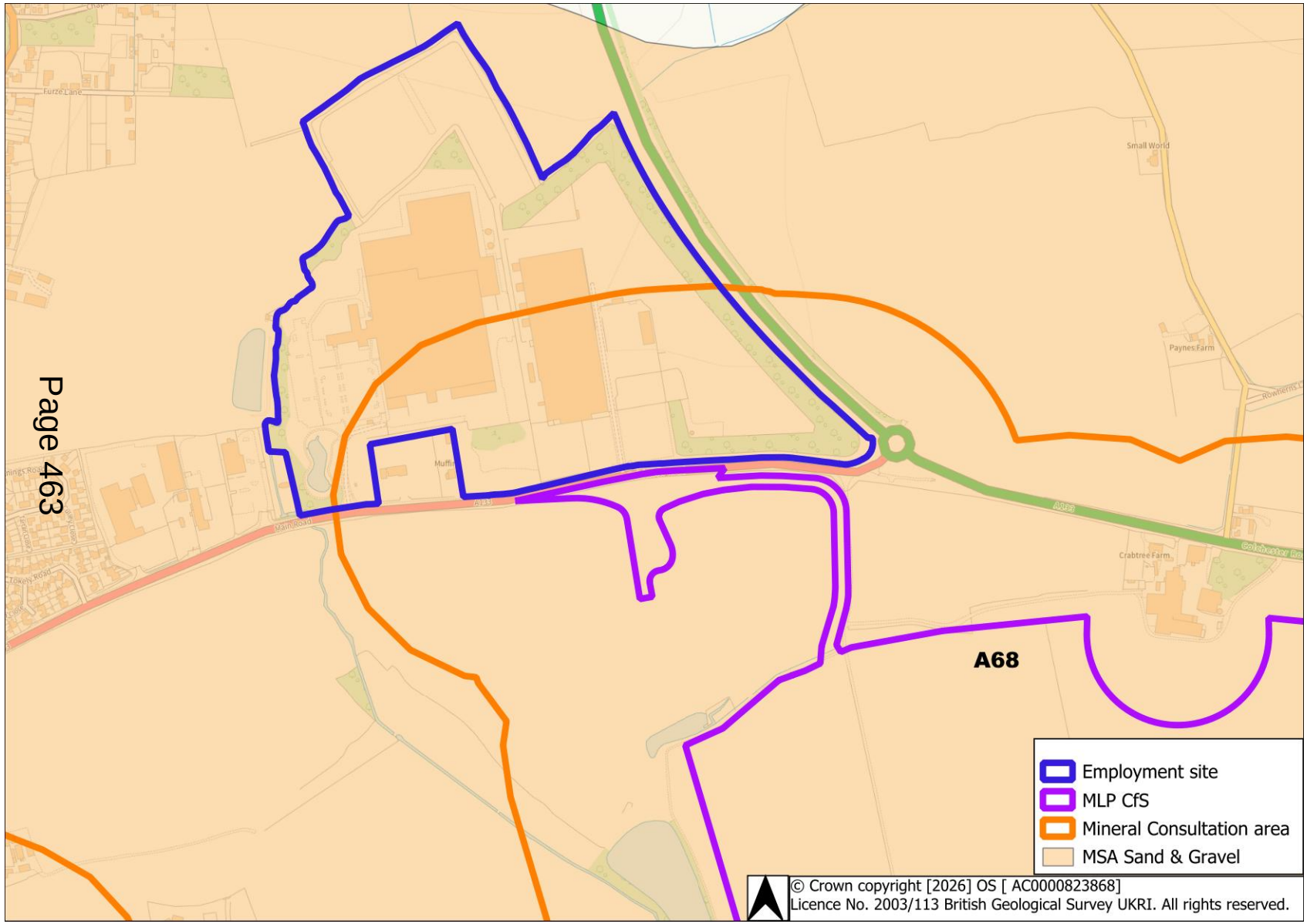
Map 19 - Gorse Lane Industrial Estate



Map 20 - Oxford Road Industrial Estate



Map 21 – Oxford Road Industrial Estate



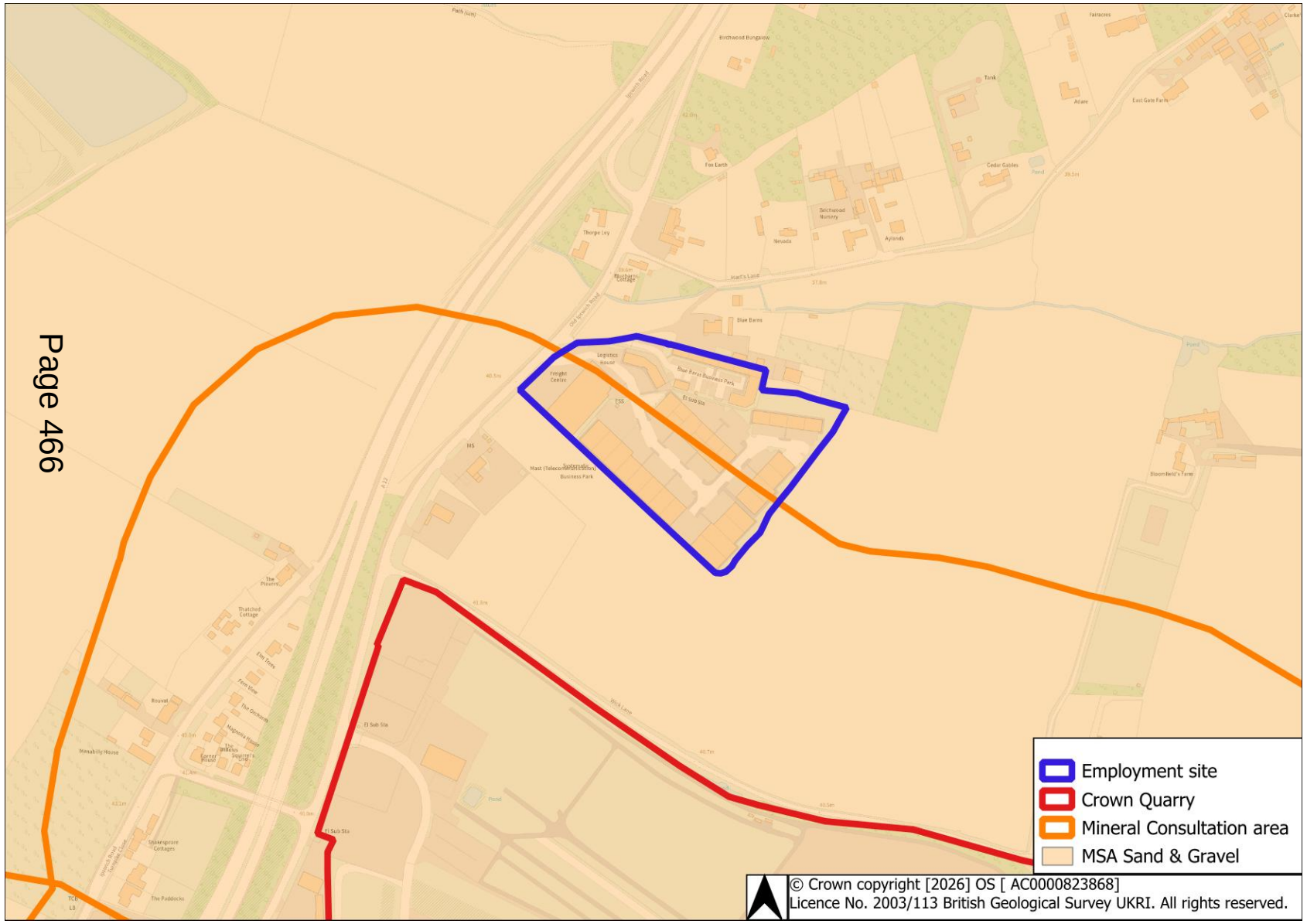
Map 22 - Mannheim Auctions and The Book Service, Frating



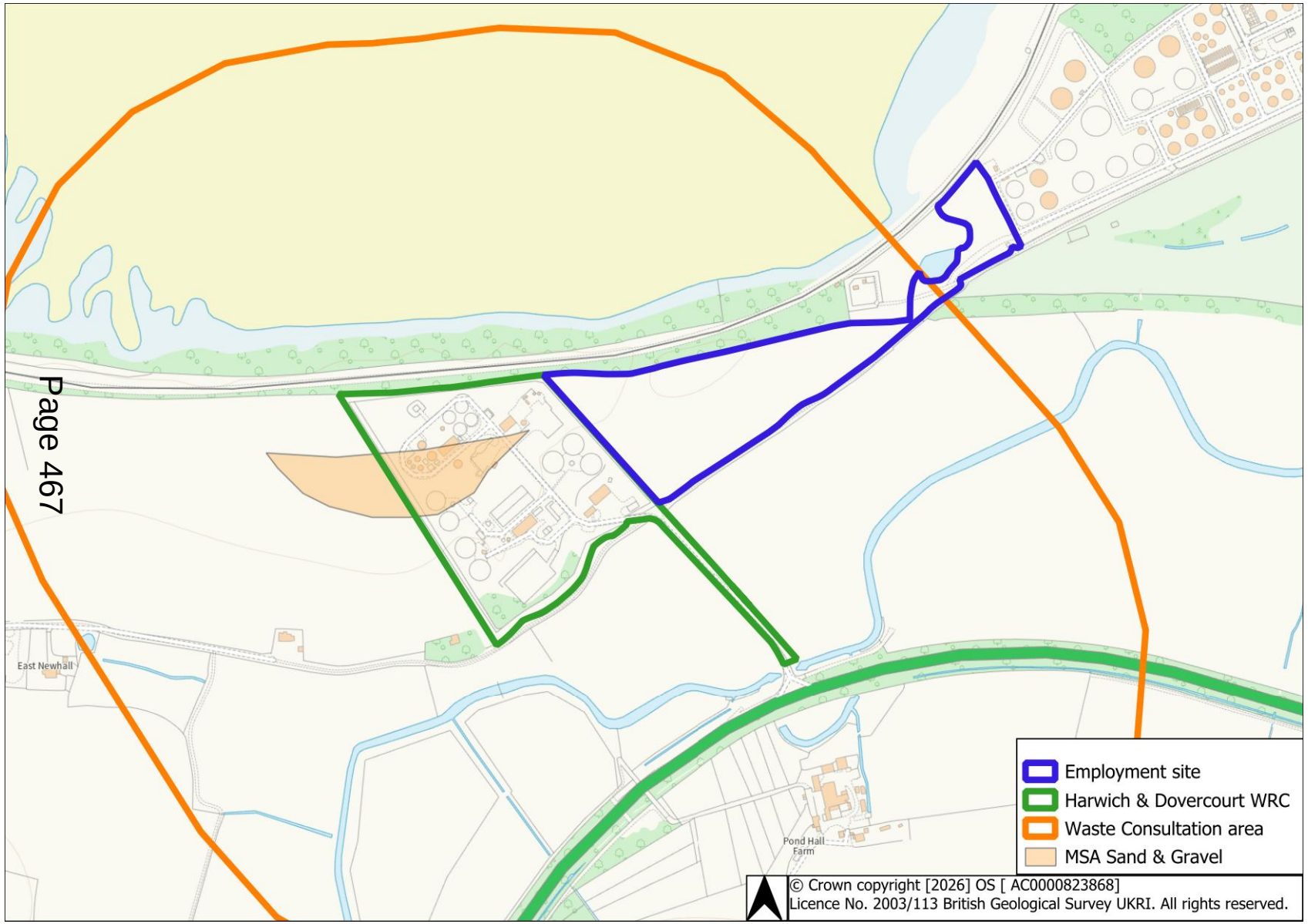
Map 23 - Land Southwest of Horsley Cross



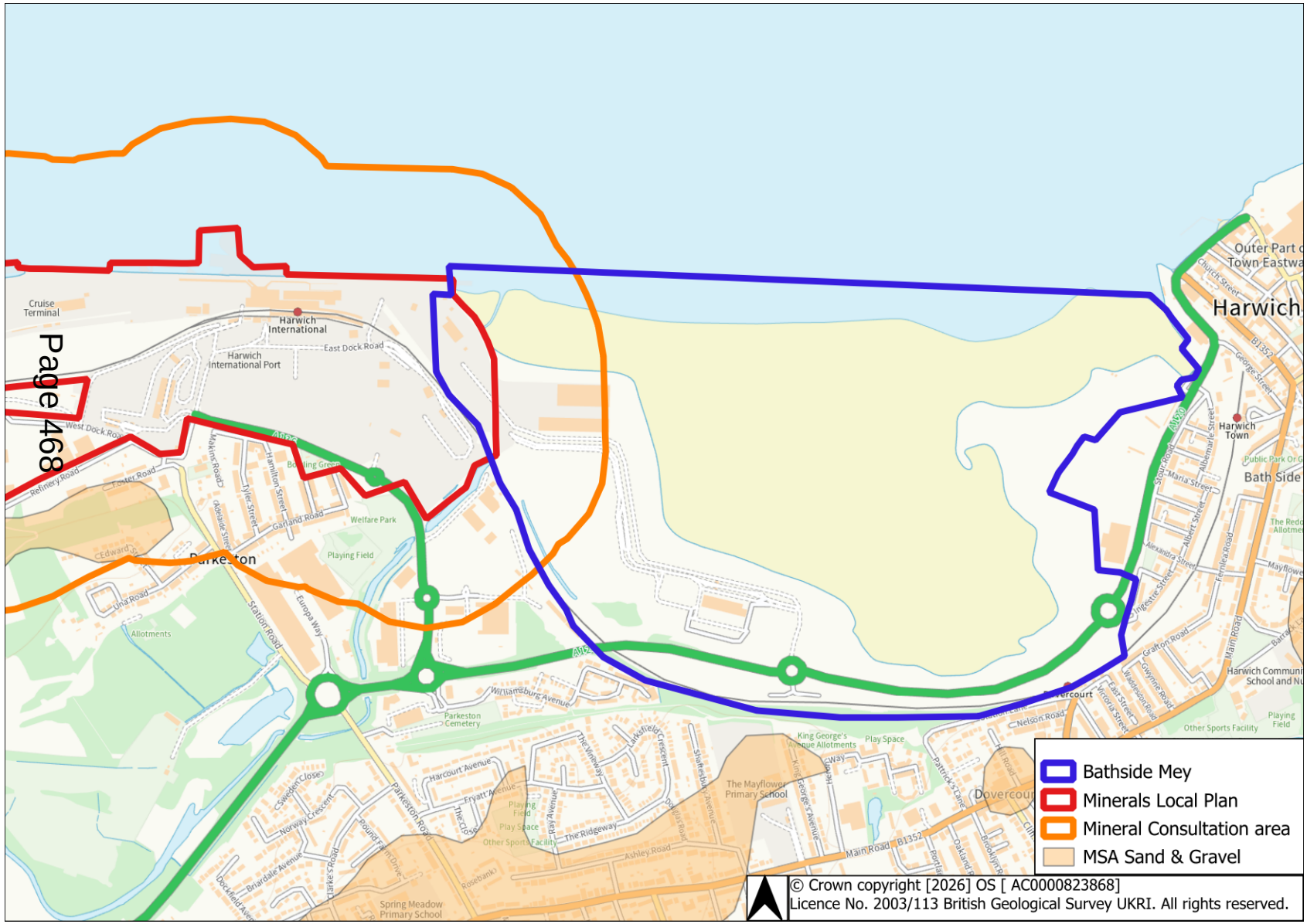
Map 24 - Systematic Business Park, Old Ipswich Road, Ardleigh, CO7 7QL



Map 25 - Carless Parkeston



Map 26 - Bathside Bay



Date: 19 October 2026
Enquiries to: Georgia Teague
Tel: 01473 265054
Email: [redacted]

Suffolk County Council

Sent via email to: planning.policy@tendringdc.gov.uk

Dear Planning Policy Team

Tendring Local Plan Regulation 19 (Submission) consultation

Thank you for consulting Suffolk County Council on the Submission version of the Tendring Local Plan.

As you will be aware the new plan-making system provided by the Levelling Up and Regeneration Act 2023, and the November 2025 Commence and Update Local Plan (CULP) guidance, does not include the Duty to Co-operate. It has been advised[1] that Local Planning Authorities should continue to collaborate across their boundaries, including on unmet development needs from neighbouring areas and Inspectors should continue to examine plans in line with the policies in the NPPF on 'maintaining effective co-operation'.

Generally, SCC supports the Submission version (Reg 19) of the Tendring Local Plan. However, we consider there are some matters that require further evidence for the Plan to be considered sound in accordance with paragraph 36 of the National Planning Policy Framework (NPPF 2024). This response will set out where SCC considers the Plan not to be sound, explain which of the tests of soundness have not been met and provide details of additional evidence required to make it sound.

Education

SCC has the statutory responsibility for education in Suffolk and has a duty to ensure there are sufficient school places to meet the needs of the population now and in the future. This is achieved by accounting for existing demand and new approved housing developments (including those that have not yet commenced or completed). SCC, therefore, produces and annually updates a five-year pupil forecast of future school rolls, and uses 95% capacity for school place planning to accommodate variables which cannot be forecast (e.g. parental preference, in-year admissions, contingency planning, and accommodation of pupils arising from development of less than 10 dwellings).

Any development proposal near the border with Suffolk should include consideration as to whether or not any resulting demand for school places will result in demand being placed upon Suffolk schools. As education provision is a form of strategic infrastructure, cross-boundary impacts should be considered as part of the plan-making process. Please see the Section 106 Developer's Guide

[1] https://www.gov.uk/government/publications/local-plan-examinations-letter-to-the-chief-executive-of-the-planning-inspectorate-november-2025

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www.suffolk.gov.uk

to Infrastructure Contributions in Suffolk[2] for further information on the county council's approach to seeking education and other infrastructure contributions.

It is suggested that the soundness of the plan could be strengthened by including consideration for cross boundary impacts of educational provision. This would be in conformity with national policy, NPPF (2024 version) paragraph 24 which states that "Effective strategic planning across local planning authority boundaries will play a vital and increasing role in how sustainable growth is delivered, by addressing key spatial issues including meeting housing needs, delivering strategic infrastructure and building economic and climate resilience".

SAMU7: Redevelopment of Saltings Quarter, Riverside Avenue – 40 dwellings
Based on SCC's latest pupil yield calculation this development would yield 13 primary pupils and 6 secondary pupils. The development is adjacent to the catchment areas for Brooklands Primary School and East Bergholt High School in Suffolk. Brooklands Primary is forecast to exceed 95% capacity during the current forecast period. 20% of students on roll attend from out of county based on the January 2026 census data. East Bergholt High School is not currently forecast to exceed 95% capacity during the forecast period. 17% of students on roll attend from out of county based on the January 2026 census data.

MSA3: Affinity Water, Mill Hill, Manningtree – 80 dwellings, and MSA4: Crisp Malting, School Lane, Mistley – 50 dwellings
Based on SCC's latest pupil yield calculation, MSA3 would yield 26 primary pupils and 12 secondary pupils, and MSA4 would yield 16 primary pupils and 8 secondary pupils. The developments are adjacent to the catchments area for Brooklands Primary School and East Bergholt High School in Suffolk. Brooklands Primary is forecast to exceed 95% capacity during the current forecast period. 20% of students on roll attend from out of county based on the January 2026 census data. East Bergholt High School is not currently forecast to exceed 95% capacity during the forecast period. 17% of students on roll attend from out of county based on the January 2026 census data.

Transport

SCC, as the Local Highway Authority for Suffolk, has a duty to ensure that roads are maintained and safe as well as providing and managing flood risk for highway drainage and roadside ditches.

SCC, as the Local Highway Authority for Suffolk acknowledges and supports the opportunity to explore solutions for the A137 Manningtree underpass/ level crossing area, including measures to improve accessibility for pedestrians and cyclists, as set out in Policy CP2 Improving and Maintaining the Transport Network and paragraph 8.27.

I hope that these comments are helpful. SCC is always willing to discuss issues or queries you may have. If there is anything that I have raised that you would like to discuss, please use my contact information at the top of this letter.

Yours sincerely,

Georgia Teague
Senior Planning Officer (Growth)
Growth, Highways & Infrastructure

[2] https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/section-106-planning-obligations/developers-guide-to-infrastructure-contributions-in-suffolk

14731 Support

Document Element: Vision for the Tendring District
Respondent: Colchester City Council
Date received: 15/10/2026 via Web

Summary:

Colchester City Council (CCC) welcomes the opportunity to comment on Tendring District Council's (TDC) Regulation 19 Local Plan and values the long-standing positive working relationship between the two authorities. Through ongoing engagement and regular discussions, CCC is familiar with the proposals contained within the Submission Version Plan. CCC supports the Regulation 19 Plan and considers it to be sound, having been positively prepared, justified, effective and consistent with national planning policy. Looking ahead, both councils remain committed to working collaboratively on cross-boundary matters, including the preparation of a Statement of Common Ground to support the examination and strategic alignment.

Full text:

Colchester City Council (CCC) would like to thank Tendring District Council (TDC) for the opportunity to comment on the Regulation 19 draft of their Local Plan. Our councils have worked closely together over many years on strategic planning matters and CCC remains committed to maintaining this relationship. We are aware of the proposals contained within Tendring's Submission Version Plan, informed by regular meetings between our two authorities.

CCC express support for TDC's Regulation 19 Plan and believe that the Submission Version plan meets the soundness tests having been positively prepared, justified, effective and consistent with National Planning Policy.

Looking ahead, both authorities are committed to continue to work together on cross boundary issues to prepare a Statement of Common Ground. This will support the effective progression of each council's Local Plan towards examination and ensure continued alignment on strategic matters.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

Planning Policy
Tendring District Council
Town Hall
Station Road
Clacton-on-Sea
CO15 1SE

Your ref: -
Our ref: -
Date: 28th September 2026
Please ask for: Ian Johns
Customer Services: 03330 162 000
Direct dial: [redacted]
Email: [redacted]

Dear Sir/Madam

Regulation 19 Consultation about the Tendring District Council Local Plan Review

Thank you for consulting East Suffolk Council about the Tendring District Council Local Plan Review Submission Version (Regulation 19) consultation.

Please be advised that East Suffolk Council has no comments to make in response to this consultation. However, the Council appreciates being consulted about the Local Plan Review and would be grateful to be kept informed of progress with the Local Plan.

Yours faithfully,

[redacted]

Ian Johns | Planner (Policy)
East Suffolk Council

15 October 2026

Planning Policy
Tendring District Council
Town Hall
Station Road
Clacton on Sea
CO15 1SE

BY EMAIL ONLY
planning.policy@tendringdc.gov.uk

Essex Wildlife Trust

Abbotts Hall Farm, Great Wigborough
Colchester, Essex, CO5 7RZ
T 01621 862960
E enquiries@essexwt.org.uk
www.essexwt.org.uk

Essex Wildlife Trust provides advice to Local Planning Authorities to inform planning decisions in respect of potential ecological impacts from development. If the applicant or any other interested party requires additional information on the advice we have provided, any such queries should be directed to the Planning Case Officer who will seek further information from us where appropriate and necessary.

Tendring District Local Plan Review 2026–2043 and Beyond – Submission Version (Regulation 19) consultation

Dear Planning Policy Team,

1. Introduction and summary of representations

Thank you for consulting Essex Wildlife Trust ("the Trust") on the Submission Version of the Tendring District Local Plan Review 2026–2043 and Beyond. The Trust is the county's leading nature conservation charity and manages over 100 nature reserves across Essex; within Tendring district these include Colne Point (part of the Colne Estuary SSSI), Howlands Marsh (part of Colne Estuary SSSI), Weeleyhall Wood SSSI, Skippers Island (part of Hamford Water SSSI), Wrabness Local Nature Reserve, Copperas Wood nature reserve the John Weston nature reserve (part of Hamford Water SSSI) and the Naze Discovery Centre at Walton-on-the-Naze. We have a long-standing role in identifying and monitoring Local Wildlife Sites in Tendring and responded to the Issues and Options consultation in April 2025.

Our comments are focused on whether the Plan is legally compliant and sound, that is, positively prepared, justified, effective and consistent with national policy. Our representations concern the Plan's impacts on wildlife, habitats and biodiversity. We do not comment on the overall housing requirement, which is set by the standard method, but on how and where growth is planned and on the robustness of the environmental evidence supporting it.

The Trust welcomes a number of positive features of the Plan, including:

- the commitment in Strategic Policy PPL4a, and in the individual strategic allocation policies, to 20% Biodiversity Net Gain, which the Trust requested at Issues and Options;
- the references throughout the site allocation policies to the Essex Local Nature Recovery Strategy (LNRS) and its Strategic Opportunities;
- the inclusion in Policy PPL4 of requirements, advised by Natural England, for functionally linked land surveys (including nocturnal surveys) and for Suitable Alternative Natural Greenspace (SANG) in accordance with Natural England's 2021 guidelines;
- the requirement in Policies SAMU8 and SAMU9 that replacement habitat for wintering birds be provided and fully functional before development affects SPA birds;

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- the exclusion of Local Wildlife Sites from the site selection process (ISA Annex C, Reason 4).

However, the Trust considers that the Plan, as submitted, is **not legally compliant** and **not sound**. Our principal concerns are:

- **Habitats Regulations Assessment.** The Appropriate Assessment does not provide a lawful basis to conclude that the Plan will not adversely affect the integrity of the Colne Estuary, Hamford Water and Stour and Orwell Estuaries Special Protection Areas, Ramsar sites and associated Special Areas of Conservation. Policies have been screened out by relying on policy wording, four carried-forward strategic allocations have not been re-assessed, and mitigation for functionally linked land and recreational disturbance is deferred without the certainty the law requires.
- **Sustainability Appraisal.** The detailed site appraisals for several allocations, including the new Brightlingsea sites, have not been published; the Carless Extension and the carried-forward strategic allocations have not been appraised at site level; and the biodiversity baseline is out of date.
- **Garden Villages.** Hare Green (around 4,500 homes) and Horsley Cross (around 6,000 homes) are allocated as broad areas without boundaries, and contain or adjoin ancient woodland, Local Wildlife Sites and priority habitats that the policies do nothing to protect.
- **Tourism and the coast.** The Plan promotes holiday villages in wooded, water-feature settings and the extension of holiday parks on an internationally designated coast, without the safeguards required by national policy. The Trust's continuing objection to the holiday park application at Lower Farm, Brightlingsea illustrates the consequences.
- **Evidence base.** The Plan relies on a Local Wildlife Site review carried out in 2008 and an ancient woodland list last reviewed in 2012, and there is no strategic evidence on functionally linked land, SANG or ecological networks.

Each representation below identifies the policy or document concerned, the legal requirement or test of soundness that is not met, and the modification the Trust seeks. A summary table of modifications is provided in Section 13.

2. Legal and national policy context

The version of the NPPF against which the Plan should be examined. Paragraph 1.19 of the Plan refers to the NPPF of December 2024, as amended in February 2025. A new NPPF was published on 17 August 2026. Annex A of the 2026 NPPF applies it to plans prepared under the Town and Country Planning (Local Planning) (England) Regulations 2026, while "other plans" are to follow the December 2024 Framework and its transitional arrangements. As the Plan is being prepared under the 2012 Regulations, the Trust understands that it will be examined against the December 2024 NPPF, and our references to NPPF paragraph numbers below are to that version unless stated otherwise.

The relevance of the 2026 NPPF. Annex A of the 2026 NPPF states that development plan policies materially inconsistent with its national decision-making policies should be given "very limited weight" unless examined against the 2026 Framework. Several of those policies bear directly on this Plan:

- Policies N1(2) and N2(3) allow plans to require biodiversity net gain above the statutory minimum only for specific site allocations, where fully justified and deliverable, and direct decision-makers not to give weight to other policies requiring higher gains.
- Policy N6(2) requires the refusal of development resulting in the loss or deterioration of irreplaceable habitats unless there are wholly exceptional reasons and a suitable compensation strategy. The 2026 NPPF identifies saltmarsh as an irreplaceable habitat alongside ancient woodland and ancient and veteran trees.
- Policy N2(1)(f) requires integrated nest boxes ("Swift bricks") to be built into new development unless there are compelling technical reasons why they cannot be.
- Policy N6(1)(a)(ii) anticipates Environmental Delivery Plans and the Nature Restoration Levy under Part 3 of the Planning and Infrastructure Act 2025.

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The Trust advises that the Council should take these policies into account now, so that the protections in the Plan are not undermined in decision-making shortly after adoption. In particular, the 20% Biodiversity Net Gain requirement should be written into every site allocation policy (see Section 6).

Legislation. The Trust's representations on legal compliance and soundness draw on the following:

- the Conservation of Habitats and Species Regulations 2017 (as amended), in particular regulations 63, 64 and 105, under which a land use plan may be given effect only after the plan-making authority has ascertained that it will not adversely affect the integrity of a habitats site, having consulted Natural England and had regard to its representations;
- the Environmental Assessment of Plans and Programmes Regulations 2004 and section 19(5) of the Planning and Compulsory Purchase Act 2004, which require an environmental report identifying, describing and evaluating the likely significant effects of the plan and of reasonable alternatives;
- section 40 of the Natural Environment and Rural Communities Act 2006, as strengthened by the Environment Act 2021, which places a duty on the Council to consider what action it can properly take to further the general biodiversity objective and to have regard to the Essex Local Nature Recovery Strategy (published in October 2025);
- Schedule 7A of the Town and Country Planning Act 1990 (mandatory biodiversity net gain);
- the Wildlife and Countryside Act 1981, including section 28G (the duty to take reasonable steps to further the conservation and enhancement of Sites of Special Scientific Interest);
- section 58 of the Marine and Coastal Access Act 2009 (regard to the South East Marine Plan) and section 85 of the Countryside and Rights of Way Act 2000, as amended (the duty to seek to further the purposes of National Landscapes).

NPPF (December 2024). The principal paragraphs relied on are paragraph 32 (relevant and up-to-date evidence), paragraph 36 (the tests of soundness), paragraph 187 (contributing to and enhancing the natural environment), paragraph 188 (the hierarchy of sites and allocating land of least environmental value), paragraph 192 (identifying, mapping and safeguarding ecological networks, and promoting the conservation of priority habitats and the recovery of priority species), paragraph 193 (the mitigation hierarchy, Sites of Special Scientific Interest and irreplaceable habitats), paragraphs 194 and 195 (habitats sites), and the policies on coastal change, which require plans to identify Coastal Change Management Areas where the coast is likely to be affected by physical change.

Effective cooperation. Although the Duty to Cooperate no longer applies, the Inspector will still examine whether the Council has cooperated effectively on cross-boundary strategic matters. For biodiversity these include the Colne Estuary and Stour Estuary, which are shared with Colchester City Council and Babergh District Council, the Essex Coast RAMS, the catchments of any strategic SANG, and the Tendring Colchester Borders Garden Community.

3. Legal compliance: Habitats Regulations Assessment

Representation: the Plan is not legally compliant with regulation 105 of the Conservation of Habitats and Species Regulations 2017, and is not sound (justified, effective).

Tendring's coast is almost entirely designated as part of the National Site Network: the Colne Estuary SPA and Ramsar site, Hamford Water SPA, SAC and Ramsar site, the Stour and Orwell Estuaries SPA and Ramsar site, and the Essex Estuaries SAC. The Habitats Regulations Assessment – Appropriate Assessment (Place Services, version 1.3, August 2026) concludes that the Plan will not have an adverse effect on the integrity of any habitats site, alone or in combination. The Trust does not consider that conclusion can lawfully be reached on the assessment as it stands, for the following reasons.

3.1 Policies screened out by relying on mitigation. The AA correctly states (paragraph 3.5.1) that, following *People Over Wind and Sweetman v Coillte Teoranta* (C-323/17), mitigation measures cannot be taken into account at the screening stage. It also states (paragraph 4.6.1) that it is not sufficient to rely on a general policy aimed at protecting habitats sites. However, Appendix 1 screens out the following policies on precisely that basis:

- **PP10 Camping and Touring Caravan Sites and PP11 Holiday Parks**, on the grounds that the policies require compliance with the Habitats Regulations to be demonstrated;

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- **PP15 Walton Mere**, which allocates land for floating homes, houseboats, a boating lake, a new sea wall and commercial uses directly adjoining Hamford Water, and which the AA screens out expressly "with these measures embedded";
- **PPL12c Protection of the Naze**, which promotes coastal protection works and eco-tourism beside Hamford Water;
- **PPL2 Coastal Protection Belt**, which sets an "adaptive approach" to coastal protection.

Each of these policies has a credible pathway to a likely significant effect, through recreational and direct disturbance, loss of functionally linked land or changes to coastal processes. They should be screened in and assessed.

3.2 Strategic allocations not re-assessed. Appendix 2 of the AA does not screen Policies SAMU1 (Tendring Colchester Borders Garden Community), SAMU2 (Hartley Gardens, 1,870 homes), SAMU3 (Oakwood Park, 925 homes) or SAMU4 (Rouses Farm, 950 homes), on the basis that they were allocated in the previous Local Plan and that "minor amendments have been secured to the policy wording to ensure up to date SANG consideration". These allocations, totalling around 7,500 homes in Tendring's supply, are being re-allocated in a new plan, alongside some 7,400 additional homes and following the adoption of the revised Essex Coast RAMS in June 2026. Their effects must be assessed in combination with the rest of the Plan. Hartley Gardens alone comprises around 163 hectares of open arable land, precisely the type of land the AA elsewhere identifies as potential functionally linked land.

3.3 Mitigation relied upon that is not in the Plan. The AA (paragraphs 4.9.13, 4.10.33 and 4.14.2) states that wording on SANG and functionally linked land has been included in "all" SAMU and SAH policies for sites of more than 100 dwellings. That is not correct:

- Policies SAMU1, SAMU3 and SAMU4 contain no reference to SANG, functionally linked land or the Essex Coast RAMS, and SAMU2 contains only a general clause on habitats sites;
- Policy SAE3 (Collierswood Farm), screened in for functionally linked land, contains only a RAMS clause;
- the medium site allocations screened in by the AA, including MSA7 (functionally linked land) and MSA6, MSA33, MSA34 and MSA35 in Brightlingsea (within 1 km of the Colne Estuary), have no site policies at all.

An Appropriate Assessment cannot rely on safeguards which the Plan does not contain.

3.4 Functionally linked land: deferral without certainty. No wintering bird data have been gathered for any allocation; all surveys are deferred to masterplanning or application stage. Deferral of detailed assessment to a later stage is permissible only where the competent authority can be confident that the necessary mitigation will be achievable in practice. For allocations on the scale of Hare Green and Horsley Cross (together some 10,500 homes on predominantly open farmland within the Essex Coast RAMS Zone of Influence), that confidence cannot exist without evidence of the extent of functionally linked land and of the availability of replacement habitat.

3.5 Compensation treated as mitigation. The site allocation policies require functionally linked land to be "avoided, mitigated or compensated for", and Policy PPL4 requires replacement land to be managed for SPA birds. Where the loss of functionally linked land would adversely affect site integrity, the provision of replacement habitat elsewhere is a compensatory measure. Compensatory measures cannot be taken into account in the Appropriate Assessment; they arise only if the derogation tests in regulation 64 are met. The wording should be amended so that it does not suggest otherwise.

3.6 Qualifying features and thresholds. Table 9 of the AA omits Curlew and the wider waterbird assemblage for the Colne Estuary SPA, despite these being central to the functionally linked land issue at Brightlingsea. The AA also treats land as likely to be functionally linked only where it supports more than 1% of the site population (paragraph 4.9.6). That is a useful guide but not a legal threshold: land supporting fewer birds can be functionally linked where it provides a regular high-tide roost or hard-weather refuge. The 2008 Local Wildlife Site Review identified exactly such roosting land at Brightlingsea on Lower Farm Marshes.

3.7 SANG need not quantified. Policy PPL4 requires SANG for developments of 500 or more dwellings and for 10–499 dwellings within 1 km of a habitats site. Applying Natural England's standard of 8 hectares per 1,000 new residents and the Plan's own average household size of 2.2 persons, the allocations of 500 or more dwellings

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outside the Garden Community imply around 296 hectares of SANG at full build-out, including around 106 hectares at Horsley Cross and 79 hectares at Hare Green. No SANG land has been identified, and the AA (paragraph 4.10.13) leaves the identification of strategic SANG to the Council at a later date, pending SANG guidance that is described as "forthcoming". The AA should demonstrate that SANG of this scale is deliverable before concluding that adverse effects can be avoided.

3.8 Natural England. Paragraph 4.8.1 of the AA states that Natural England will be consulted during the public consultation. Regulation 105(2) requires the Council to consult Natural England for the purposes of the assessment and to have regard to its representations. The AA's conclusion is therefore provisional, and the Trust asks that Natural England's views, and any resulting changes, are published before submission.

3.9 Other matters. The Trust also notes that:

- tourism attractions and visitor accommodation are outside the Essex Coast RAMS tariff (AA paragraph 4.10.20), yet the AA does not assess the tourism growth promoted by Policies PP8 to PP11;
- the effects of storm overflow discharges to the Colne and Stour estuaries from Water Recycling Centres identified as lacking capacity (Great Bromley, Manningtree and St Osyth) are not considered;
- the "Iterative Plan Review" on which the AA relies (paragraph 4.1.10) is not reflected in the Plan's monitoring framework;
- the in-combination assessment should confirm that the emerging Colchester City Local Plan is included;
- the AA contains drafting errors which undermine confidence that it has been finalised for this Plan, including references to the "Local Plan Full Update" and "the Proposed Development", inconsistent screening totals (six policies and 45 sites in the summary; eight policies and 43 sites at paragraph 3.4.1), and a reference to major development as "(<9 units)".

Modification sought. The AA should be revised before submission to screen in and assess Policies PP10, PP11, PP15, PPL2 and PPL12c; assess SAMU1–SAMU4 in combination with the rest of the Plan; correct its account of the mitigation embedded in the Plan; be informed by strategic evidence on functionally linked land and SANG (see Section 12); and record Natural England's advice. The policy changes needed to embed mitigation are set out in the sections that follow.

4. Legal compliance: Sustainability Appraisal and the biodiversity duty

Representation: on the documents made available, the Integrated Sustainability Appraisal does not meet the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 in respect of biodiversity, and the Plan is not justified.

The Trust has reviewed the Integrated Sustainability Appraisal (ISA) Environmental Report (Regulation 19, August 2026) and its Annexes A and B (Baseline and Contextual Review, August 2026), both of which are marked DRAFT in the consultation library, together with the ISA Interim Report Annex C: Site Assessments (January 2026). A Regulation 19 sustainability appraisal report should be a finalised proposed submission document. Should a final Environmental Report address the points below, the Trust would be pleased to narrow this representation accordingly.

4.1 Allocations without a published detailed appraisal. Tables 12 and 13 of the Environmental Report give summary scores for the new Medium Site Allocations, including MSA29 to MSA37, and refer the reader to Annex C for the detailed assessments. However, the Annex C published for this consultation is the January 2026 Interim Report prepared for the Regulation 18 Preferred Options, and it contains no detailed assessment of:

- Medium Site Allocations MSA29 to MSA37, including MSA35 Land North of Robinson Road, Brightlingsea, which abuts Big Lake on the Lower Farm site. The Environmental Report's only commentary on MSA35 (paragraph 5.5) is that it forms "a logical extension of the settlement northwards" outside the Coastal Protection Belt; its relationship to Big Lake, the adjoining woodland and the functionally linked land at Lower Farm is not considered;
- Strategic Employment Allocations SAE1 (Carless Extension) and SAE2 (Freeport East, Bathside Bay and the A120 Corridor), which do not appear in the employment site summary (Table 14);

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- the carried-forward Strategic Allocations SAMU1 to SAMU4, together with all land on the edge of Clacton, Ardleigh, Elmstead and the Garden Community, which was sieved out of the site appraisal because it was already allocated (Reasons 5, 7, 8 and 9).

Consultees cannot test summary scores without the detailed assessments behind them. The likely significant effects of the Plan as submitted have therefore not been fully identified, described, evaluated and published as regulation 12 and Schedule 2 of the 2004 Regulations require.

4.2 Scoring which understates effects on biodiversity. The ISA framework scores the loss of functionally linked land to a habitats site as a minor negative ("–"), the same score as a site adjacent to a Local Wildlife Site, even though such a loss may adversely affect the integrity of an internationally designated site. The Horsley Cross allocation is recorded as containing "two areas of Ancient Woodland" and four areas of deciduous woodland priority habitat, yet scores only "–" for biodiversity features on the assumption that these could be integrated into the development. Objective 7 then awards every site a positive score ("+" or "++") for Biodiversity Net Gain, which is a statutory minimum every development must meet. The effect is that every allocation receives a positive biodiversity score, whatever its ecological baseline. Policy SAMU5, which borders Hamford Water SPA and its saltmarsh, scores only "?" for wildlife designations, although the framework's own criteria indicate a significant negative effect.

4.3 An out-of-date baseline. The draft baseline in Annexes A and B:

- describes the Essex LNRS as "forthcoming" and "not yet prepared", although it was published in October 2025 and the Plan's site policies rely on its Strategic Opportunities;
- relies on the 2015 River Basin Management Plan, the UKCP09 climate projections, *Biodiversity 2020* and the "Habitats Regulations 2019";
- states that all fifteen Sites of Special Scientific Interest in Tendring meet a Public Service Agreement target of 95% favourable condition, a target which no longer exists, without current unit condition data;
- contains no inventory of priority habitats, no data on priority species such as Turtle Dove, Curlew or Fisher's Estuarine Moth, no mapping of ecological networks, and no information on wintering birds or functionally linked land;
- states that the Colne Estuary is the only National Nature Reserve in the District, whereas paragraph 7.24 of the Plan identifies both the Colne Estuary and Hamford Water.

4.4 Reasonable alternatives. NPPF paragraph 188 requires plans to allocate land of least environmental value. The ISA records ancient woodland at Horsley Cross, and predominantly Grade 1 agricultural land and around six areas of priority woodland at Hare Green. The Trust has not been able to find an appraisal comparing alternative locations for the Garden Villages which weighs these constraints, and asks the Council to identify where this is set out.

4.5 The biodiversity duty. Section 40 of the Natural Environment and Rural Communities Act 2006, as amended, requires the Council to consider what action it can properly take to further the general biodiversity objective, and to have regard to the Essex LNRS. The Plan's references to the LNRS are welcome. However, protection of the LNRS Areas of Particular Importance for Biodiversity and Strategic Combined Opportunity Areas appears only in Policy HP5 (Open Space, Sports and Recreation Facilities), not in the biodiversity policy, and the Trust asks the Council to confirm that these areas are shown on the Policies Map so that they can be applied in decision-making.

Modification sought. A final Environmental Report should be published which includes detailed appraisals of all allocations in the Submission Plan, including MSA29–MSA37, SAE1–SAE2 and SAMU1–SAMU4; updates the biodiversity baseline; scores the loss of functionally linked land and irreplaceable habitat as significant negative effects; removes the automatic positive score for statutory Biodiversity Net Gain; and sets out the comparison of reasonable alternatives for the Garden Villages.

5. Strategic Policy PPL4: Biodiversity and Geodiversity

Representation: Policy PPL4 and its supporting text (paragraphs 7.16–7.29) are not sound, being neither effective nor consistent with national policy.

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The Trust supports the intent of Policy PPL4 and welcomes, in particular, the protection given to Local Wildlife Sites, ancient woodland, protected verges and veteran trees; the requirement for functionally linked land assessment within 10 km of a habitats site, including desk study of five years of local records and nocturnal wintering bird surveys; the requirement that replacement land be managed in perpetuity without public access; the requirement for SANG to meet Natural England's 2021 guidelines; and the principle that Biodiversity Net Gain on SANG must be demonstrably additional. However, the policy contains drafting errors and omissions which would undermine its effectiveness.

5.1 Misstatement of the derogation tests. Paragraph 7.17 states that the Council will only grant permission where there would be no adverse effects "unless there is considered to be an overriding public interest (such as the port expansion at Bathside Bay, Harwich) – in which case a compensatory habitat must be provided". This omits the requirement that there be no alternative solutions, and omits the word "imperative". It risks encouraging the argument, already advanced at Lower Farm, Brightlingsea, that the commercial benefits of a development can outweigh harm to a habitats site. Paragraph 7.16 also refers to the Conservation of Habitats and Species Regulations 2010 and to "Natura 2000", rather than the 2017 Regulations (as amended) and the National Site Network, and states that Marine Protected Areas exist offshore beyond 12 nautical miles, whereas the Blackwater, Crouch, Roach and Colne Marine Conservation Zone lies inshore.

5.2 A single test for different designations. Policy PPL4 states that Ramsar sites, SPAs, SACs, Marine Conservation Zones, National Nature Reserves and SSSIs "will be protected from development likely to have an adverse effect on their integrity". The tests differ. Habitats sites are subject to the sequence in regulations 63 and 64; SSSIs are subject to the test in NPPF paragraph 193(b). The policy should set out each test correctly.

5.3 No test for irreplaceable habitats. NPPF paragraph 193(c) requires development resulting in the loss or deterioration of irreplaceable habitats to be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. Policy PPL4 contains no such test. Nor does it require a buffer to ancient woodland; we recommend a buffer of at least 50 metres, consistent with the Woodland Trust's recommended minimum for development, but significantly larger where evidence supports the need, unless the applicant can clearly demonstrate that a smaller buffer would avoid harm; the Natural England and Forestry Commission standing advice minimum of 15 metres applies to root protection only and is insufficient protection from new development. Saltmarsh, which fringes much of Tendring's coast and is now identified as irreplaceable in the 2026 NPPF, should be named. This omission is significant given that the Horsley Cross allocation contains ancient woodland (Section 10).

5.4 Protected species. The policy states that "as a minimum, there should be no significant impacts upon any protected species". This falls short of the legal position. Surveys and any necessary mitigation must be in place before determination, and where European protected species are affected the Council must be satisfied that a Natural England licence is likely to be granted.

5.5 Conflicting tests. The policy protects Local Wildlife Sites from development "likely to have an adverse impact", but a later paragraph states that where development would harm biodiversity, permission may be granted "in exceptional circumstances, where the benefits of the development demonstrably outweigh the harm caused". It should be made clear that the latter does not weaken the protection given to Local Wildlife Sites.

5.6 Functionally linked land. The requirement for "an equivalent amount of land" to be managed for SPA birds is not evidence-based; the area and quality of replacement habitat depend on the species and on the function the land performs. The policy should require replacement habitat to be secured, and fully functional, before development affects SPA birds, as Policies SAMU8 and SAMU9 already do. Where the loss of functionally linked land would adversely affect site integrity, the policy should state that replacement habitat is compensation and is available only where the derogation tests are met (see Section 3.5).

5.7 Greenspace thresholds. Natural England's advice issued with the Essex Coast RAMS in 2018 expected developments of 100 or more dwellings within the Zone of Influence to provide high-quality, semi-natural greenspace, including circular walks of 2.7 km and dog off-lead areas. Policy PPL4 requires no on-site provision for developments of 10–499 dwellings more than 1 km from a habitats site, although the AA (paragraph 4.10.15) expects accessible natural greenspace in such cases. That requirement should be added. SANG should be

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required to be open before the first occupation of the development it serves, and managed in perpetuity (a minimum of 80 years).

5.8 Features for wildlife. The policy states that development "should consider" bird and bat boxes, Swift and bee bricks, log piles, hibernacula and Hedgehog highways. The Trust asks that these be required, in line with Policy N2(1)(f) of the 2026 NPPF for Swift bricks, together with dark corridors for light-sensitive species such as bats, and a lighting criterion within the policy itself (the reference is currently only in supporting paragraph 3.71).

5.9 Responsibility for HRA. The statement that "applications must be supported by a Habitats Regulation Assessment" should be amended to make clear that applicants must provide the information needed for the Council, as competent authority, to carry out the assessment.

Modification sought. Amend Policy PPL4 and paragraphs 7.16–7.17 as set out above, including separate tests for habitats sites, SSSIs, irreplaceable habitats and Local Wildlife Sites; an ancient woodland buffer; a correct statement of the derogation tests; replacement habitat for functionally linked land secured before impact; accessible natural greenspace for developments of 100 or more dwellings; and mandatory wildlife features.

6. Biodiversity Net Gain, the Local Nature Recovery Strategy and monitoring

6.1 Strategic Policy PPL4a: Biodiversity Net Gain in Tendring
Representation: the Trust supports the 20% requirement, but Policy PPL4a is not sound as drafted, being neither effective nor justified.

The Trust strongly supports the Council's decision to require 20% Biodiversity Net Gain, which we requested at Issues and Options. In the context of the nature and climate emergency, development should deliver more than the statutory minimum, with gains strategically targeted through the Essex LNRS and secured for the long term. However:

- the policy states that the 20% will be delivered "within the development site", and in the following sentence that it "may be met at an off-site location or via the purchase of credits". The two statements conflict and should be reconciled by requiring as much of the gain as possible on site, in accordance with the statutory biodiversity gain hierarchy;
- the Trust has not been able to locate viability or deliverability evidence supporting a district-wide 20% requirement, as NPPF paragraph 32 requires. This should be published;
- under Policies N1(2) and N2(3) of the 2026 NPPF, gains above the statutory minimum may be required only for specific site allocations. A district-wide requirement is therefore at risk of being given very limited weight in decisions. The 20% requirement already written into Policies SAMU5 to SAMU9, the SAH policies and SAE3 is robust in this respect, and should be added to Policies SAMU1 to SAMU4 and to new site policies for the Medium Site Allocations;
- off-site gains should be delivered within Tendring wherever possible, prioritising the Strategic Opportunities identified in the Essex LNRS and land adjoining existing designated sites, and should never double-count land already provided as SANG or as replacement habitat for functionally linked land;
- the requirement to secure significant on-site and off-site gains for at least 30 years should appear in the policy itself, not only in supporting paragraph 7.34 and the clause on monitoring fees.

The Trust notes the Council's support for habitat banks, particularly on land adjoining sites designated for nature conservation, within Strategic Green Gaps, and within LNRS Strategic Opportunity areas.

6.2 Policy HP5 and the Essex Local Nature Recovery Strategy
Representation: the Plan is not effective in applying the Essex LNRS.

Policy HP5 (Open Space, Sports and Recreation Facilities) states that the Council will protect and enhance the Areas of Particular Importance for Biodiversity identified in the Essex LNRS and safeguard the Strategic Combined Opportunity Areas. The Trust strongly supports this commitment, but it is located in the wrong policy: as drafted, it may be read as applying only to proposals involving open space. It should be moved to Policy PPL4 so that it applies to all development, and these areas should be shown on the Policies Map.

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6.3 Chapter 11: Monitoring and Review
Representation: the monitoring framework is not effective (NPPF paragraph 36(c)).

The only biodiversity-related indicator in Table 11.1 is the delivery of projects within the Essex Coast RAMS. There are no indicators for:

- Biodiversity Net Gain delivered, on site and off site, and its condition over the 30-year period;
- the loss of, or harm to, Local Wildlife Sites, ancient woodland and priority habitats;
- the area of SANG provided, and whether it was open before occupation;
- the area and condition of replacement habitat for functionally linked land;
- the condition of Sites of Special Scientific Interest in the District;
- the "Iterative Plan Review" of HRA mitigation on which the Appropriate Assessment relies (paragraph 4.1.10).

Modification sought. Reconcile the on-site and off-site wording of Policy PPL4a; publish evidence for the 20% requirement; insert the 20% requirement into every site allocation policy; move the LNRS protections from Policy HP5 to Policy PPL4; and add the indicators above to Table 11.1, with triggers for review.

7. The coast

Tendring's estuaries and coast are of international importance for wintering and breeding birds, including Dark-bellied Brent Goose, Redshank, Black-tailed Godwit, Avocet, Ringed Plover and Little Tern, and Hamford Water is designated as a Special Area of Conservation for Fisher's Estuarine Moth. The Trust considers that the Plan does not plan positively for the coast's wildlife or for the effects of coastal change on its habitats.

7.1 Strategic Policy PPL2: Coastal Protection Belt, and coastal change
Representation: the Plan is not consistent with national policy on coastal change, and is not effective.

Policy PPL2 is a landscape policy which protects the open character of the undeveloped coast. The Trust supports it. However, paragraph 3.67 of the Plan states that the Plan does not designate any Coastal Change Management Areas, deferring the matter to future reviews. National policy requires plans to identify as a Coastal Change Management Area any area likely to be affected by physical changes to the coast, and Policy F9 of the 2026 NPPF ties decisions on development in such areas directly to that designation.

The Plan also contains no policy on:

- coastal squeeze, by which saltmarsh and intertidal mudflat are lost as sea levels rise against fixed defences;
- safeguarding land for managed realignment and the creation of new intertidal habitat, consistent with the Essex and South Suffolk Shoreline Management Plan;
- the protection of saltmarsh as an irreplaceable habitat;
- the disturbance effects of increased public access along the King Charles III England Coast Path, which paragraph 7.9 welcomes without reference to the habitats sites it passes.

7.2 Non-strategic Policy PPL12c: Protection of the Naze
Representation: Policy PPL12c is not sound (justified, effective) and was not lawfully screened in the HRA.

The Naze is a Site of Special Scientific Interest designated largely for its geology, and includes the Trust's John Weston Nature Reserve and Naze Discovery Centre. Paragraph 7.92 and criterion (c) refer to the "John Western Local Nature Reserve", which should be corrected to the John Weston Nature Reserve. The Trust shares the Council's concern for the Naze, but the policy's emphasis on strengthening protection "from coastal erosion" may conflict with the SSSI's geological interest, which depends on active cliff exposure, and could affect sediment supply to the Hamford Water frontage. Criterion (d), supporting eco-tourism, should be tied to the avoidance of disturbance to Hamford Water. The HRA screened the policy out without stated reasons (Section 3.1).

7.3 Non-strategic Policy PP15: Walton Mere
Representation: Policy PP15 is not sound (effective) and was not lawfully screened in the HRA.

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The Trust welcomes the policy's support for saltmarsh creation and its reference to the LNRS. However, the allocation of floating homes, houseboats, a boating lake, a tidal sluice, a new sea wall and commercial uses on the edge of the Walton Backwaters creates clear pathways to disturbance of the qualifying birds of Hamford Water SPA, and to changes in water quality and coastal processes. The HRA screened the policy out "with these measures embedded", contrary to *People Over Wind*.

Modification sought. Identify Coastal Change Management Areas, and add a coastal policy (or criteria within PPL2) to safeguard land for managed realignment and intertidal habitat creation, to treat saltmarsh as irreplaceable habitat, and to require coastal access proposals to avoid disturbance to habitats sites. Amend Policy PPL12c to reconcile coastal protection with the SSSI's geological interest and Hamford Water, and correct the name of the John Weston Nature Reserve. Add to Policy PP15 requirements for a project-level Appropriate Assessment, construction outside the wintering period, controls on lighting, noise and boat movements, and no net loss of saltmarsh.

8. Tourism policies and Lower Farm, Brightlingsea

8.1 Strategic Policy PP8 and Non-strategic Policies PP10 and PP11
Representation: Policies PP8, PP10 and PP11 and paragraphs 6.76–6.78 are not sound, being neither effective nor consistent with national policy (NPPF paragraphs 188 and 194), and PP10 and PP11 were not lawfully screened in the HRA.

The Trust recognises the importance of tourism to Tendring's economy. However, new tourism development must be strategically planned and located where it will have least impact on the District's internationally important coast. The Plan does the opposite:

- Policy PP8 supports new marinas, boat harbours and yacht havens and outdoor recreation on the coast, "subject to other relevant policies", with no specific safeguards for habitats sites.
- Paragraph 6.77 states that the Council will support new holiday villages "located preferably in a predominantly wooded and undulating landscape setting with water features". Woodland, wetland and lakes are among the most wildlife-rich habitats in the District, and many are Local Wildlife Sites or priority habitat. This wording steers tourism development towards land of high environmental value, contrary to NPPF paragraph 188.
- Policy PP11 supports the extension of any existing holiday park onto adjoining undeveloped land outside settlement boundaries. Many of Tendring's holiday parks adjoin the Colne Estuary, Hamford Water and the open coast.
- Policies PP10 and PP11 ask applicants within 1.5 km of a designated site to "seek the advice of Natural England". Seeking advice is not a policy test, the 1.5 km distance is unexplained, and functionally linked land, Local Wildlife Sites, priority habitats and lighting are not mentioned.
- Visitor accommodation is not covered by the Essex Coast RAMS tariff, and the recreational effects of tourism growth have not been assessed in the HRA.

8.2 Lower Farm, Brightlingsea (application 23/01196/FUL)

The Trust's continuing objection to the proposed holiday park, retirement lodges and leisure development at Lower Farm, East End Green, Brightlingsea demonstrates why these policies need to be strengthened. The Trust objected to the application in October 2023 and December 2024, and maintains its objection. The site lies approximately 135–150 metres from the Colne Estuary SPA, Ramsar site, SSSI and National Nature Reserve; includes Robinson Road Ponds Local Wildlife Site (wet woodland and reedbed priority habitats); and adjoins Lower Farm Marshes Local Wildlife Site, which the 2008 Local Wildlife Site Review records as "an important high water roosting and resting site for wildfowl and waders". The application land supports wintering Curlew, a notified feature of the SPA's waterbird assemblage, along with Gadwall, Woodcock and Meadow Pipit, and breeding Skylark. Local naturalists have regularly recorded flocks of 20–40 Curlew from the public right of way at Stoney Lane, well above the 1% threshold of around 4 birds, based on BTO WeBS counts showing that the mean peak curlew count for the Colne Estuary SPA for the years 2018/19 to 2022/23 was 389.

The Trust understands that the applicant now accepts that the land is functionally linked to the SPA, that an adverse effect on its integrity cannot be ruled out, and proposes compensation. In those circumstances the law is clear, and the application must be refused:

- **The integrity test is failed.** Under regulation 63(5) of the 2017 Regulations, the Council may agree to a project only after ascertaining that it will not adversely affect the integrity of the site, leaving no reasonable scientific doubt. Replacement habitat elsewhere is compensation and cannot be taken into account at this stage.
- **There are alternative solutions.** Government guidance states that an alternative need only achieve the same overall objective and be financially, legally and technically feasible, and that if one appears feasible the project must be rejected. The objective is the provision of tourism and retirement accommodation in Tendring, not development of this particular site. Alternatives include the upgrading and extension of existing holiday parks, which Policy PP11 supports; and the housing allocations in the Plan, which meet the District's requirement in full. The Trust's position is that the site is unsuitable for development of any kind, given its functional link to the Colne Estuary SPA, and that the need for tourism accommodation can be met in full at other locations.
- **There are no imperative reasons of overriding public interest.** Although reasons of a social or economic nature may be considered for an SPA, Government guidance states that the project must be essential, must have benefits for the public "not just benefits for private interests", and that projects with "short-term or very localised benefits" are less likely to qualify. A privately promoted holiday park is discretionary commercial leisure development; its benefits are principally private and its public benefits are modest and local. Nothing in the Local Plan's strategy depends on it. The contrast with Bathside Bay, a nationally significant port project for which imperative reasons were accepted, is instructive.
- **Compensation cannot be weighed in the planning balance.** Compensation arises only if the alternatives and IROPI tests are met. It cannot be used to secure consent that would otherwise be unlawful, and the Council cannot weigh the economic benefits of the scheme against the harm to the SPA. Were the Council nevertheless minded to grant permission under regulation 64, it would first be required to notify the Secretary of State, and the Trust would ask to be informed so that it can make representations.

The proposal would also cause harm to Robinson Road Ponds Local Wildlife Site, contrary to Policy PPL4; to the Colne Estuary SSSI and NNR (NPPF paragraph 193(b)); and result in a significant net loss of biodiversity, including grassland used by breeding Skylark. Although the site lies outside the Coastal Protection Belt, its lodges, decking, lighting and leisure uses would cause material harm to the undeveloped estuary landscape and its dark skies, contrary to Policy PPL3.

The Trust raises this application here because the Plan, as drafted, would make such proposals more likely to succeed: paragraph 6.77 favours exactly this type of wooded, water-feature setting; Policy PP11 was screened out of the HRA; and paragraph 7.17 misstates the derogation tests (Section 5.1).

Modification sought. Delete from paragraph 6.77 the preference for "a predominantly wooded and undulating landscape setting with water features". Add to Policies PP8, PP10 and PP11 criteria that new or extended tourism development will not be supported where it would result in the loss of, or harm to, Local Wildlife Sites, priority habitat or functionally linked land; that a project-level HRA will be required within the Essex Coast RAMS Zone of Influence; and that imperative reasons of overriding public interest will not be available for private tourism development. Replace the 1.5 km "advice" clause with these requirements.

9. Tendring Colchester Borders Garden Community and strategic allocations SAMU2–SAMU7

The ecological safeguards in the strategic allocation policies are uneven. The newer policies (SAMU5 to SAMU9) contain clauses on SANG, functionally linked land, the LNRS and 20% Biodiversity Net Gain. The carried-forward policies (SAMU1 to SAMU4) contain few or none, although together they account for around 7,500 homes in Tendring's supply.

9.1 Strategic Policy SAMU1: Tendring Colchester Borders Garden Community

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Representation: Policy SAMU1 is not effective, and the Garden Community has not been re-assessed in the HRA or in the ISA site appraisal.

The Trust recognises that the detailed requirements for the Garden Community are set out in the Development Plan Document adopted in 2025 and in saved Section 1 Policies SP8 and SP9, and welcomes the Salary Brook Country Park and the Wivenhoe and Elmstead Strategic Green Gaps. However, Policy SAMU1 contains no reference to the HRA mitigation on which the DPD relies, and the Garden Community has not been re-assessed in combination with the very substantial new growth proposed nearby at Hare Green, Horsley Cross and Collierswood Farm (SAE3), or against the revised Essex Coast RAMS (2026). It is also the only strategic allocation without a 20% Biodiversity Net Gain requirement.

Modification sought: cross-refer in Policy SAMU1 to the DPD's HRA mitigation (including early delivery of the country park and SANG, RAMS contributions and wintering bird surveys with phasing), require 20% Biodiversity Net Gain, and assess the Garden Community in combination with the rest of the Plan.

9.2 Strategic Policy SAMU2: Hartley Gardens, Clacton (1,870 homes)
Representation: not sound (effective, consistent with national policy).

Hartley Wood (Local Wildlife Site Te80) is ancient woodland on the north-western edge of the allocation. The policy protects "veteran trees, hedgerows and other important landscape features" but sets no buffer to the ancient woodland. Pickers Ditch runs along the southern edge; the 2008 Local Wildlife Site Review recommended a grassland or scrub buffer at least 50 metres wide on either side of it, whereas the policy asks only that the corridor be "expanded and integrated". There is no requirement for SANG, wintering bird surveys or RAMS contributions, although Policy PPL4 requires SANG at this scale and the site comprises around 163 hectares of open arable land.

Modification sought: an undeveloped buffer to Hartley Wood of at least 50 metres (larger where evidence supports it); a minimum 50-metre semi-natural corridor along Pickers Ditch; and clauses on SANG, functionally linked land and RAMS consistent with SAMU5 to SAMU9.

9.3 Strategic Policies SAMU3: Oakwood Park (925 homes) and SAMU4: Rouses Farm (950 homes)
Representation: not sound (effective) and not assessed in the HRA.

Neither policy contains any requirement relating to biodiversity, habitats sites, SANG, functionally linked land, RAMS or Biodiversity Net Gain. Although planning permission has been granted at Rouses Farm, paragraph 9.21 explains that the policy is retained in case further applications are made. Both sites exceed the 500-dwelling threshold at which Policy PPL4 requires SANG.

Modification sought: add the standard ecological clauses used in SAMU5 to SAMU9 to both policies.

9.4 Strategic Policy SAMU5: Land off Deane's Lane and Oakley Road, Dovercourt (1,650 homes)
Representation: not sound (effective, justified).

This allocation directly adjoins Hamford Water SPA, SAC and Ramsar site and its saltmarsh. The Trust welcomes the policy's requirements for SANG, functionally linked land, the LNRS and 20% Biodiversity Net Gain. However, the HRA's conclusion that direct disturbance can be avoided depends on built development being kept well back from the designated site; the AA notes that visual disturbance is unlikely beyond about 300 metres and that noise should be kept below 55 dB at the site boundary. None of this is in the policy.

Modification sought: require an undeveloped buffer between built development and Hamford Water, informed by the AA's 300-metre reasoning; sensitive lighting and noise limits; construction programmed outside the wintering period near the designated site; wintering bird surveys to inform the masterplan (not left to individual applications); SANG to be open before first occupation; and land to allow for the landward migration of saltmarsh as sea levels rise.

9.5 Strategic Policy SAMU6: Weeley Green Garden Village (900 homes)

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Representation: Policy SAMU6 is not sound (effective, consistent with national policy) because it does not address recreational impacts on Weeleyhall Wood SSSI.

The Trust supports the policy's ecological clauses, including 20% Biodiversity Net Gain, alignment with the LNRS and the provision of strategic open space. However, the Trust is seriously concerned about the effects of 900 new homes on Weeleyhall Wood Site of Special Scientific Interest. The wood is ancient woodland and a Trust nature reserve just slightly over 1km from the allocation, well within walking distance of the new homes. The ISA records that the allocation lies within the SSSI's Impact Risk Zone, but neither the ISA nor the policy considers recreational pressure on the wood.

A new population of around 2,000 residents, many of them dog owners, would be able to walk to the reserve in 15 minutes or so, and would substantially increase visitor numbers. From the Trust's experience of managing the site, the likely impacts include:

- dogs being walked in the wood between 1 March and 1 July (when dogs are not permitted in order to protect ground-nesting birds);
- dogs off lead during the rest of the year, when they must be kept on a lead;
- trampling of the ancient woodland ground flora and erosion of paths;
- noise disturbance to breeding birds and other wildlife;
- littering, den building and other damage to the woodland structure.

The Trust does not have a full-time warden on site to manage these pressures.

Weeleyhall Wood is not part of the National Site Network, so the Essex Coast RAMS does not apply to it. NPPF paragraph 193(b) states that development likely to have an adverse effect on an SSSI should not normally be permitted. The Council also has a duty under section 28G of the Wildlife and Countryside Act 1981 to take reasonable steps to further the conservation and enhancement of the SSSI's features. Paragraph 7.19 of the Plan recognises that SANG can mitigate recreational pressure on SSSIs as well as on habitats sites. Policy SAMU6, however, requires SANG only "where necessary" and only in relation to Habitats Sites. The 1km distance in Policy PPL4 relates to smaller developments near habitats sites. At 900 dwellings, Policy PPL4 requires SANG regardless of distance, and recreational pressure on a SSSI woodland reserve slightly over 1km away is a foreseeable effect that should be planned for. The impacts would be compounded by other growth at Weeley and Weeley Heath, including the consented Barleyfields development and Medium Site Allocations MSA24, MSA25 and MSA29.

The associated capacity upgrades to the A133 between Weeley and Frating should also be assessed for their effects on nearby ancient woodland, including Weeleyhall Wood.

Modification sought: amend Policy SAMU6 to require:

- an assessment of recreational impacts on Weeleyhall Wood SSSI, alone and in combination with other development at Weeley and Weeley Heath, to inform the masterplan;
- on-site SANG, designed in accordance with Natural England's guidelines to be attractive to dog walkers (including circular walks and a dogs-off-lead area), located to draw visitors away from the wood, and open before first occupation;
- a financial contribution, secured through a planning obligation, towards the management of recreational pressure at the SSSI. This would cover wardening and ranger time, signage, access management and fencing, and monitoring of visitor numbers and ground flora condition, with arrangements for review if monitoring shows harm;
- information for new residents on the seasonal dog restrictions and responsible access.

The Trust will be seeking Natural England's advice on the appropriate scale of mitigation. It asks the Council to work with Natural England and the Trust to agree the mitigation package before the masterplan is approved.

9.6 Strategic Policy SAMU7: Saltings Quarter, Manningtree (40 homes)

The Trust welcomes the requirements for river restoration, ecological enhancement and 20% Biodiversity Net Gain. The site adjoins the Stour and Orwell Estuaries SPA. The AA's assumption that waterbirds there are

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"habituated" to disturbance is not supported by evidence, and the policy should require construction timing and lighting controls to protect the estuary's wintering birds.

10. Hare Green and Horsley Cross Garden Villages (SAMU8 and SAMU9)

Representation: Policies SAMU8 and SAMU9 are not sound, being neither justified, effective nor consistent with national policy (NPPF paragraphs 188, 192 and 193), and their assessment in the HRA and ISA does not provide a sound basis for allocation.

The Garden Villages at Hare Green (around 4,500 homes and 70–80 hectares of employment land) and Horsley Cross (up to 6,000 homes and 50–60 hectares of employment land) are the largest new proposals in the Plan, and together are expected to deliver 3,400 homes before 2043. The Trust notes several of their requirements: 20% Biodiversity Net Gain; alignment of green infrastructure with the LNRS; new country parks; wintering bird surveys; and the requirement that any replacement habitat for SPA birds be "provided and fully functional before any development takes place". However, the Trust has serious concerns.

10.1 No defined boundaries. Each Garden Village is identified only within a "broad area", and both policies refer to "Map SAMU7", which is the map for the Saltings Quarter in Manningtree. The boundary and quantum of development are left to a future Supplementary Plan, plan review or successor mechanism. It is not possible for the HRA or the ISA to assess, or for consultees to comment on, the effects of development whose extent is undefined. Yet 3,400 homes from these sites are counted in the housing supply to 2043.

10.2 Ancient woodland and Local Wildlife Sites. The ISA records that the Horsley Cross area contains "two areas of Ancient Woodland" and four areas of deciduous woodland priority habitat, and that the Hare Green area contains around six areas of deciduous woodland priority habitat. Appendix C of the Plan lists ancient woodland and Local Wildlife Sites in the Frating and Great Bromley area, including Frating Hall/Captains Woods, Hockley Farm Wood, Church Road Wood and Mill Wood, with Boudge Hill Wood also on the ancient woodland inventory. Neither policy names any of these woodlands, sets a buffer to them, or applies the irreplaceable habitats test in NPPF paragraph 193(c). The ISA's assumption that ancient woodland "could be expected" to be integrated into development is not an adequate basis for allocating a site containing irreplaceable habitat. Woodland of this kind in Tendring supports priority species, and the farmland, hedgerows and scrub of the Tendring plateau are important for Turtle Dove, Skylark, Yellowhammer and Brown Hare.

10.3 Functionally linked land. Both areas are predominantly open arable land within the Essex Coast RAMS Zone of Influence, and both are screened in by the HRA for potential loss of functionally linked land supporting SPA birds such as Golden Plover, Lapwing and Dark-bellied Brent Goose. No wintering bird surveys have yet been carried out; they are deferred to the preparation of the planning framework. Without them, the Council cannot be confident that sufficient replacement habitat will be available (Section 3.4), and land that proves to be of importance to SPA birds could not lawfully be built on.

10.4 SANG. At full build-out, Natural England's standard of 8 hectares per 1,000 residents implies around 79 hectares of SANG at Hare Green and around 106 hectares at Horsley Cross. No land has been identified. The requirement that replacement habitat be functional before development should be extended to SANG.

10.5 Water quality. Each Garden Village is to be served by a new Water Recycling Centre. Their discharge points, and whether they would discharge to watercourses draining to the Colne Estuary or the Stour Estuary, are not known. The HRA notes that Hare Green drains via Tenpenny Brook and Bentley Brook to the Colne Estuary SPA and the Essex Estuaries SAC. Bentley Brook is itself a Local Wildlife Site (Te50) supporting Water Vole.

10.6 Land of least environmental value. The ISA records that the Hare Green area is predominantly Grade 1 agricultural land and that both areas contain priority or irreplaceable habitat. The Plan does not explain why these locations were preferred to alternatives of lower environmental value, as NPPF paragraph 188 requires.

Modification sought. Before these allocations can be found sound, the Council should: define their boundaries on the Policies Map, with corrected map references; map the ancient woodland, Local Wildlife Sites and priority habitats within and adjoining them, and add to each policy a requirement for their retention with buffers of at least

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50 metres to ancient woodland (larger where evidence supports it) and the application of the irreplaceable habitats test; carry out wintering bird surveys of the allocation areas now; identify SANG land and require it to be open before first occupation; and confirm the discharge points of the new Water Recycling Centres and assess them in the HRA.

11. Strategic housing, medium site and employment allocations

11.1 Strategic Housing Allocations SAH1–SAH11
Representation: the SAH policies are broadly sound, subject to two modifications needed for effectiveness and legal compliance.

The Trust notes the consistent template used in the SAH policies, which require 20% Biodiversity Net Gain, the retention and enhancement of features of ecological value through the mitigation hierarchy, alignment with the LNRS, SANG where necessary, and the protection of functionally linked land. However:

- the stronger wintering bird clause, requiring surveys before approval and replacement habitat to be fully functional before any impact on SPA birds, appears only in Policies SAH1 and SAH9. It should also be included in Policies SAH6 (Cockaynes Lane, Alresford) and SAH11 (Thorpe-le-Soken), both of which the HRA screened in for functionally linked land, and in Policy SAH2 (Kirby Cross, 450 homes);
- the words "avoided, mitigated or compensated for" should be replaced by "avoided or, where avoidance is not possible, mitigated", for the reasons given in Section 3.5.

11.2 Medium Site Allocations MSA1–MSA37
Representation: the Medium Site Allocations are not sound (effective, justified), because they have no site policies.

The Plan identifies 36 Medium Site Allocations, totalling around 1,240 homes, by map only. Section 6.8 of the ISA Environmental Report explains that they have no policies "due to their size and comparatively less complex nature". The Trust does not agree in the case of the following sites, which the HRA has screened in or which adjoin sensitive habitats:

Site	Homes	Ecological concern
MSA35 Land North of Robinson Road, Brightlingsea	25	Abuts Big Lake on the Lower Farm land to the east across Stoney Lane and woodland to the north; within 1 km of the Colne Estuary SPA; cumulative effects with the Lower Farm holiday park application
MSA33 Former Wellhouse Site and MSA34 Vicarage Field, Brightlingsea	60 and 30	Within 1 km of the Colne Estuary SPA
MSA6 Land at Pannell Place, Brightlingsea	20	Within 1 km of the Colne Estuary SPA
MSA7 Land south-west of Colchester Main Road, Alresford	40	Screened in by the HRA for functionally linked land
MSA17 Land north of Walton Road, Kirby-le-Soken	10	Within 1 km of Hamford Water
MSA28 Land north of Rectory Road, Wrabness	30	Within 1 km of the Stour Estuary; near Wrabness woodland Local Wildlife Sites

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Site	Homes	Ecological concern
MSA3 Affinity Water, Manningtree and MSA4 Crisp Malting, Mistley	80 and 50	Adjoining or close to the Stour and Orwell Estuaries SPA; Manningtree WRC lacks capacity

MSA35 deserves particular mention. The site map (page 306 of the Plan) shows the allocation close to Big Lake, on the private Lower Farm land, with woodland to the north. 25 homes only metres away from the lake would introduce lighting, noise and domestic cats to the lake margins and woodland. Combined with the holiday park proposed at Lower Farm, which would also affect Big Lake and which the Trust is contesting, this would erode the tranquil land that buffers the Colne Estuary SPA. The ISA's only commentary is that the site forms "a logical extension of the settlement northwards".

Modification sought: site policies for each of the sites in the table, requiring SANG or accessible natural greenspace in accordance with Policy PPL4, wintering bird surveys where the site has been screened in, buffers to adjoining habitats, and 20% Biodiversity Net Gain. For MSA35, the policy should require a substantial undeveloped and unlit buffer to Big Lake and the northern woodland, wintering bird and protected species surveys, and assessment of cumulative effects with the Lower Farm proposals.

11.3 Strategic Policy SAE1: Carless Extension, Harwich
Criterion (a) states that if significant effects are likely, "an appropriate mitigation strategy should be submitted". The correct test is whether an Appropriate Assessment can conclude that there will be no adverse effect on the integrity of the Stour and Orwell Estuaries SPA and Ramsar site. Criterion (d) should identify the adjacent wildlife sites, including Ramsey Ray Local Wildlife Site (Te115).

11.4 Strategic Policy SAE2: Freeport East, Bathside Bay and the A120 Corridor
The consented container terminal at Bathside Bay depends on compensatory habitat at Hamford Water. The policy should require that compensation to be secured, delivered and functioning, and monitored, before the phases of development it compensates for. Further A120 works, including dualling between Hare Green and Horsley Cross and widening towards Ramsey, should be assessed for nitrogen deposition on Stour and Copperas Woods SSSI and other ancient woodland, as well as on the SPA.

11.5 Strategic Policy SAE3: Collierswood Farm A120 Strategic Business Park (78 hectares)
The HRA screened this site in for functionally linked land, but the policy contains only a RAMS clause. The ISA records deciduous woodland priority habitat on the site, and the policy itself notes that the LNRS identifies a need for woodland habitat enhancement here. The Trust notes the 20% Biodiversity Net Gain requirement.

Modification sought: add a wintering bird survey and replacement habitat clause matching Policies SAMU8 and SAMU9, a requirement to retain woodland with buffers, and an assessment of effects on nearby ancient woodland, including Bullock Wood SSSI.

11.6 Drafting errors. Policies SAMU8 and SAMU9 refer to "Map SAMU7"; Policy SAH11 refers to "Map SAH9/10"; and Policies SAMU6 and SAMU9 refer to employment land allocated by "Policy PPL7" (Archaeology) rather than Policy PP7. These should be corrected so that the policies can be applied with certainty.

12. Local Wildlife Sites, priority habitats and species, and the evidence base

Representation: the Plan's ecological evidence base is not proportionate or up to date, so the Plan is not justified (NPPF paragraph 32) and is not consistent with NPPF paragraph 192, which requires plans to identify, map and safeguard components of local ecological networks.

12.1 Local Wildlife Sites. Local Wildlife Sites are the backbone of Tendring's ecological network and of the emerging Local Nature Recovery Network, and the Trust welcomes their protection in Policy PPL4. However, Appendix C reproduces, unchanged, the 124 sites identified in the Tendring District Local Wildlife Site Review

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2008 (EB7.3.3), which was surveyed in 2008 and finalised in September 2009. That review stated that the network "should not be static" and recommended that sites be reviewed on a four-year cycle. Seventeen years later, there has been no review. In that time there have been substantial changes in agricultural practice, coastal management and the Local Wildlife Site selection criteria. Some sites may have been lost or degraded, others may now qualify, and the potential Local Wildlife Sites identified in 2008 have not been resurveyed. The Plan cannot demonstrate that its allocations avoid sites of county importance without current information.

12.2 Ancient woodland. Table C.2 of Appendix C is sourced to "Natural England, February 1992, reviewed June 2012". The current Ancient Woodland Inventory should be used, and small ancient woodlands of less than two hectares, which the inventory has historically omitted, should be checked, particularly within and around the Garden Villages.

12.3 Recommendations of the 2008 Review not carried forward. Several recommendations of the 2008 Review bear directly on the current allocations but are not reflected in the Plan, including:

- a grassland or scrub buffer at least 50 metres wide on either side of Pickers Ditch, now on the edge of the Hartley Gardens allocation (SAMU2);
- a survey of winter high-tide roosting activity before the development of fields adjoining the Colne Estuary at Brightlingsea;
- the identification of Lower Farm Marshes (Te51) as an important high-water roost for wildfowl and waders feeding on the adjacent SSSI.

12.4 Priority habitats and species. The Plan contains no inventory or map of the habitats and species of principal importance listed under section 41 of the Natural Environment and Rural Communities Act 2006, and no policy on priority species beyond the general clause in Policy PPL4. Tendring is of particular importance for species including Turtle Dove, Curlew, Skylark, Water Vole, Little Tern and Fisher's Estuarine Moth, and for priority habitats including coastal and floodplain grazing marsh, coastal saltmarsh, wet woodland, reedbed and lowland meadow. None of these is considered specifically in site selection or in the site allocation policies. In particular, Turtle Dove, which has declined severely in the United Kingdom and for which the farmland, hedgerows and scrub of north-east Essex remain an important stronghold, should be considered in the planning of the Garden Villages.

12.5 Missing strategic evidence. For a Plan proposing growth on this scale on predominantly greenfield land around an internationally designated coast, the Trust would expect the following evidence to be in place before examination:

- a district-wide wintering bird and functionally linked land survey of the allocation areas, which the HRA's approach effectively requires;
- a SANG strategy identifying the location, catchment, quantity and delivery of SANG;
- an updated Local Wildlife Site review and ecological network map aligned with the Essex LNRS;
- a green infrastructure strategy prepared in accordance with Natural England's Green Infrastructure Framework, to which the Plan does not refer;
- current unit condition data for the District's SSSIs, particularly the estuarine SSSIs exposed to coastal squeeze.

Modification sought. The Council should commit, in the Plan and its monitoring framework, to an updated Local Wildlife Site review and the use of the current Ancient Woodland Inventory before or shortly after adoption; carry the 2008 Review's site-specific recommendations into the relevant allocation policies; add a priority habitats and species policy (or criteria within PPL4); and prepare the strategic evidence listed above.

13. Summary of modifications sought and participation in the examination

The table below summarises the main modifications the Trust considers necessary to make the Plan legally compliant and sound. Each is explained in the section indicated.

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Section	Policy or document	Modification sought	Legal compliance / soundness
3	Habitats Regulations Assessment	Screen in and assess PP10, PP11, PP15, PPL2 and PPL12c; assess SAMU1–SAMU4 in combination; correct the account of embedded mitigation; base conclusions on functionally linked land and SANG evidence; record Natural England's advice	Legal compliance (regulation 105)
4	Integrated Sustainability Appraisal	Finalise the Environmental Report; publish detailed appraisals of MSA29–MSA37, SAE1–SAE2 and SAMU1–SAMU4; update the biodiversity baseline; correct scoring of functionally linked land, irreplaceable habitat and Biodiversity Net Gain; set out alternatives to the Garden Villages	Legal compliance (SEA Regulations); justified
5	PPL4 and paragraphs 7.16–7.17	Separate tests for habitats sites, SSSIs, irreplaceable habitats (including saltmarsh) and Local Wildlife Sites; ancient woodland buffer; correct derogation tests; functionally linked land replacement secured before impact; greenspace for 100+ dwellings; mandatory Swift bricks and wildlife features; lighting criterion	Effective; consistent with national policy
6	PPL4a, HP5, Chapter 11	Reconcile on-site and off-site wording; publish evidence; 20% in every allocation	Effective; justified

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Section	Policy or document	Modification sought	Legal compliance / soundness
		policy; move LNRS protections to PPL4; biodiversity monitoring indicators	
7	PPL2, PPL12c, PP15	Identify Coastal Change Management Areas; safeguard land for intertidal habitat; protect saltmarsh; reconcile Naze protection with the SSSI and Hamford Water; safeguards for Walton Mere	Consistent with national policy; effective
8	PP8, PP10, PP11, paragraph 6.77	Delete preference for wooded, water-feature settings; exclude Local Wildlife Sites, priority habitat and functionally linked land; require project-level HRA; state that IROPI is not available for private tourism development	Effective; consistent with national policy
9	SAMU1–SAMU7	Ecological clauses for SAMU1–SAMU4; Hartley Wood and Pickers Ditch buffers; Hamford Water buffer, lighting and noise limits at SAMU5; recreational impact assessment, SANG and a financial contribution towards the management of Weeleyhall Wood SSSI at SAMU6; construction and lighting controls at SAMU7	Effective; legal compliance
10	SAMU8, SAMU9	Define boundaries; protect ancient woodland, Local Wildlife Sites and priority habitat with buffers; wintering bird surveys now; identify SANG; assess new	Justified; effective; consistent with national policy

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Section	Policy or document	Modification sought	Legal compliance / soundness
		WRC discharges; or identify as broad locations for a future plan	
11	SAH, MSA and SAE policies	Wintering bird clause for SAH2, SAH6 and SAH11; site policies for MSA3, MSA4, MSA6, MSA7, MSA17, MSA28 and MSA33–MSA35; buffer to Big Lake at MSA35; corrections to SAE1–SAE3	Effective; justified
12	Evidence base and Appendix C	Updated Local Wildlife Site review and Ancient Woodland Inventory; priority habitats and species policy; strategic functionally linked land survey; SANG strategy; green infrastructure strategy	Justified; consistent with national policy

Participation in the examination. The Trust may wish to participate in the hearing sessions on the Habitats Regulations Assessment, the natural environment policies, the coast and tourism policies, and the Garden Village and Brightlingsea allocations.

The Trust would welcome the opportunity to discuss these representations with the Council, and to work with officers on the Local Wildlife Site review and the strategic evidence described above, with a view to agreeing a Statement of Common Ground before submission.

Kind regards,

[redacted]

Annie Gordon
Conservation Planning Officer
Essex Wildlife Trust
T: 01621 862953

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19 October 2026

Planning Policy Manager
Tendring District Council
Town Hall
Station Road
Clacton on Sea
CO15 1SE

BY EMAIL ONLY
[redacted]

Essex Wildlife Trust

Abbotts Hall Farm, Great Wigborough
Colchester, Essex, CO5 7RZ
T 01621 862960
E enquiries@essexwt.org.uk
www.essexwt.org.uk

Essex Wildlife Trust provides advice to Local Planning Authorities to inform planning decisions in respect of potential ecological impacts from development. If the applicant or any other interested party requires additional information on the advice we have provided, any such queries should be directed to the Planning Case Officer who will seek further information from us where appropriate and necessary.

Dear Paul,

Tendring District Local Plan Review 2026–2043 – Submission Version (Regulation 19): addendum to Essex Wildlife Trust's representations

Thank you for your query about the version of Annex C of the Integrated Sustainability Appraisal (ISA) referred to in the Trust's representations of 15 October 2026. In preparing our response we referred to the ISA Interim Report Annex C: Site Assessments (January 2026), prepared for the Regulation 18 Preferred Options, rather than the Environmental Report Annex C: Site Assessments (August 2026), which forms part of the Regulation 19 submission. We apologise for the error, and are grateful to you for drawing it to our attention.

We have now reviewed the August 2026 Annex C. We would be grateful if this addendum could be read alongside our representations, and the corrections below substituted for the text indicated. In summary:

- the August 2026 Annex C contains detailed assessments of the new Medium Site Allocations MSA33 to MSA37, and our statement that these had not been appraised is withdrawn;
- Medium Site Allocations MSA29 to MSA32 are allocations carried forward from the adopted Local Plan (Environmental Report, Table 20) and, like Strategic Allocations SAMU1 to SAMU4, have not been re-appraised at site level. Strategic Employment Allocations SAE1 and SAE2 are also not appraised in Annex C. Our representation on these allocations is maintained;
- Policy SAMU5 is scored as having a significant negative effect on wildlife designations in the August 2026 Annex C, and our statement that it scored only "?" is withdrawn;
- the Trust welcomes the revisions made to identify ancient woodland more consistently, made in response to our comments at Regulation 18. These reveal that the Collierswood Farm allocation (SAE3) contains ancient woodland and that MSA34 Vicarage Field, Brightlingsea adjoins ancient woodland, which strengthens our representations on those sites;
- the August 2026 Annex C still does not identify the relationship between MSA35 Land North of Robinson Road, Brightlingsea and the adjoining lake, woodland and functionally linked land at Lower Farm.

The Trust's overall conclusions on legal compliance and soundness are unchanged.

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Corrections by section:

Section 1 (Introduction and summary), "Sustainability Appraisal" bullet. Replace the bullet (which currently begins "The detailed site appraisals for several allocations, including the new Brightlingsea sites, have not been published") with:

> ***Sustainability Appraisal.*** *Allocations carried forward from the adopted Local Plan (SAMU1–SAMU4 and MSA29–MSA32) and two strategic employment allocations (SAE1 and SAE2) have not been appraised at site level; the appraisal understates effects on functionally linked land and priority habitat; and the biodiversity baseline is out of date.*

Section 4, introductory paragraph. Replace the reference to "the ISA Interim Report Annex C: Site Assessments (January 2026)" with "the ISA Environmental Report Annex C: Site Assessments (August 2026)".

Section 4.1. Replace the whole of section 4.1, from the heading "4.1 Allocations without a published detailed appraisal" to the end of the paragraph beginning "Consultees cannot test summary scores…", with:

> ***4.1 Allocations not appraised at site level.*** *The Trust welcomes the detailed assessments of the new Medium Site Allocations MSA33 to MSA37 in the August 2026 Annex C. However, Annex C contains no site assessment of:*

- Strategic Allocations SAMU1 to SAMU4 and Medium Site Allocations MSA29 to MSA32, which are carried forward from the adopted Local Plan (Environmental Report, Table 20);
- Strategic Employment Allocations SAE1 (Carless Extension) and SAE2 (Freeport East, Bathside Bay and the A120 Corridor).

> *Land on the edge of Clacton, Ardleigh, Elmstead and the Garden Community was also sieved out of the appraisal because it was already allocated (Reasons 5, 7, 8 and 9). These allocations are being re-allocated in a new plan, alongside around 7,400 additional homes and following the adoption of the revised Essex Coast RAMS in 2026. Their likely significant effects, alone and in combination, must be identified, described and evaluated as regulation 12 and Schedule 2 of the 2004 Regulations require.*

Section 4.2. Delete the final sentence ("Policy SAMU5, which borders Hamford Water SPA and its saltmarsh, scores only "?" for wildlife designations…") and replace with:

> *The Trust welcomes the significant negative scores now given to Policies SAMU5 and SAMU8 for wildlife designations, informed by the HRA. However, the scoring remains inconsistent elsewhere. MSA7 (Land south-west of Colchester Main Road, Alresford) is screened in by the HRA for potential loss of functionally linked land, yet scores "0/?" for wildlife designations, although the framework scores the loss of functionally linked land as a negative effect. MSA35 (Land North of Robinson Road, Brightlingsea) is recorded as "adjacent to deciduous woodland Priority Habitat", yet scores "0" for biodiversity features, although the framework scores a site adjacent to priority habitat as a negative effect.*

Section 4, "Modification sought". Replace "including MSA29–MSA37, SAE1–SAE2 and SAMU1–SAMU4" with "including SAMU1–SAMU4, MSA29–MSA32 and SAE1–SAE2", and insert "; corrects the inconsistent scoring of MSA7 and MSA35" after "removes the automatic positive score for statutory Biodiversity Net Gain".

Section 11.2, table. Replace the entry for MSA33 and MSA34 with two entries:

Site	Homes	Ecological concern
MSA33 Former Wellhouse Site, Brightlingsea	60	Within 1 km of the Colne Estuary SPA
MSA34 Vicarage Field, Brightlingsea	30	Adjoins ancient woodland (The Grove) to the north; within 1 km of the Colne Estuary SPA

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Section 11.2, paragraph on MSA35. Replace the final sentence ("The ISA's only commentary is that the site forms 'a logical extension of the settlement northwards'.") with:

> *Annex C (Table 73) records that the site is adjacent to deciduous woodland priority habitat and within the Impact Risk Zone of a nearby SSSI and habitats site, and that it lies within a landscape area highly sensitive to development (Brightlingsea Coastal Slopes). However, it scores the site as neutral for biodiversity features and does not identify the adjoining lake, the functionally linked land at Lower Farm or the cumulative effects with the holiday park application.*

Section 11.2, "Modification sought". Add: "For MSA34, the policy should require an undeveloped buffer to the ancient woodland at The Grove of at least 50 metres (larger where evidence supports it), consistent with section 5.3."

Section 11.5 (SAE3 Collierswood Farm). Replace "The ISA records deciduous woodland priority habitat on the site" with "Annex C records that the site includes an area of ancient woodland (also deciduous woodland priority habitat), an irreplaceable habitat". In the modification sought, replace "a requirement to retain woodland with buffers" with "a requirement to retain the ancient woodland, with a buffer of at least 50 metres (larger where evidence supports it), and other woodland with buffers, and the application of the irreplaceable habitats test in NPPF paragraph 193(c)".

Section 13, summary table, row 4 (Integrated Sustainability Appraisal). Replace "publish detailed appraisals of MSA29–MSA37, SAE1–SAE2 and SAMU1–SAMU4" with "appraise SAMU1–SAMU4, MSA29–MSA32 and SAE1–SAE2; correct the scoring of MSA7 and MSA35".

Section 13, summary table, row 11. After "buffer to Big Lake at MSA35", insert "; ancient woodland buffers at MSA34 and SAE3".

The remainder of section 4, including our comments on the scoring of the Horsley Cross allocation, the Biodiversity Net Gain scoring and the baseline in Annexes A and B, is unaffected. The August 2026 Annex C records the ancient woodland and priority habitat at Horsley Cross and Hare Green in the same terms as our representations, so sections 10.2 and 10.6 also stand.

We would be grateful if you could confirm that this addendum will be forwarded to the Inspector with the Trust's representations. Please do not hesitate to contact me if you have any further questions.

Kind regards,

[redacted]

Annie Gordon
Conservation Planning Officer
Essex Wildlife Trust
T: 01621 862953

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19.10.2026

Tendring Local Plan Regulation 19 Consultation

Anglian Water Response

1. Anglian Water Services

Anglian Water is the water and water recycling provider for over 6 million customers in the east of England. The region we serve, is the driest in the country, receiving less rainfall than other regions. Our region is prone to both drought and flooding — 28% of land is low-lying. It is also rapidly growing – home to three of the fastest-growing cities in the UK, Cambridge, Peterborough and Milton Keynes – alongside a thriving agricultural and burgeoning green energy industry, all of which have significant demands for water and drainage.

As a long-term, purpose-driven business, we are planning sustained investment over decades, to build resilience against a changing climate, deliver essential investment in water and sewerage infrastructure, alongside protecting and enhancing the environment: all of which will create jobs and bolster the local economy. Our 'Blueprint for Growth' sets out how we are undertaking a practical approach to growth in now and long-term (May 2026) growth-manifesto.pdf

2. Anglian Water and Local Plans

Anglian Water is the statutory sewerage undertaker for the administrative area of Tendring District Council and a statutory consultee under The Town and Country Planning (Local Planning) (England) Regulations 2012. Anglian Water wants to proactively engage with the local plan process to ensure the plan delivers benefits for residents and businesses in the area, and in doing so protect the environment and water resources. As a purpose-led company, we are committed to seeking positive environmental and social outcomes for our region.

3. Commentary on Tendring Local Plan – Submission Version (Reg.19)

Anglian Water welcomes the opportunity to comment on the Tendring Local Plan – our representations are as follows:

Vision	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No
Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible. Anglian Water broadly supports the overall Vision and welcomes the inclusion of innovative and sustainable design into new exemplar Garden Villages to ensure they are thriving and resilient communities. This reflects the Garden City Principles set out by the Town & Country Planning Association and aligns with the approach taken through the Tendring and Colchester Borders Garden Community DPD. It also means, that intervening innovation and evidence can be utilised to make this new generation of Garden Villages in Tendring more resilient and sustainable.	

Playbooks have been developed by Enabling Water Smart Communities to bring together key evidence, recommendations, case studies and practical resources from the programme into a single planner-friendly guide to help create water-smart, climate-resilient places. https://www.ewsc.org.uk/lpa-playbook

We note that the Vision now contains the outcomes expected to be obtained by new development. We are supportive of the approach that distils the vision into a series of expectations and delivered through policies within the Plan including to ensure developments mitigate and adapt to the effects of climate change. Our Thriving East report identifies that the future outlook for Essex includes high climate change impact Objective 4: Infrastructure Provision with the second lowest rainfall projections, the highest average temperatures in the region, and above average population increase. It is therefore important that future growth is resilient to the challenges arising from climate change impacts.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Objective 4: Infrastructure Provision

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water supports this objective which aligns the delivery of growth with infrastructure. We agree with the inclusion of flood risk management infrastructure and to ensure adequate capacity in the foul water sewerage infrastructure (which should address both our WRCs and networks).

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Objective 9: Water and Climate Change

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water continues to support this objective and consider SuDS to be an essential component of all new housing and employment development to manage surface water run-off and flood risk, but also as part of an integrated water management approach. We agree that coastal change is also an important matter to address in terms of managing development within the Coastal Protection Belt. We welcome the inclusion of water efficiency within this objective to help sustain water resources and help to reduce the volume of wastewater needed to be conveyed and treated by our sewerage infrastructure.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SPL1 MANAGING GROWTH	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water is supportive of the settlement hierarchy set out in Policy SPL, where the focus for growth is at the Strategic Urban Settlements, including Clacton-on-Sea, Harwich and Dovercourt, and Colchester – namely the Tendring and Colchester Borders Garden Community (TCBGC) - and at three new Garden Villages that will provide up to 10,000 homes as a result of land and infrastructure constraints in other areas. These new Garden Villages will continue to deliver homes beyond the plan period and must be supported by new infrastructure.

We have previously raised concerns regarding growth at some Smaller Rural Settlements that either have no public sewer network, or the settlement (i.e. Little Bentley) is served by a very small WRC with a descriptive permit, meaning that it is not designed to accommodate incremental growth. If proposals come forward that are dependent on connecting to the public sewer network, we will object as there is a risk that incremental housing growth within or close to the WRC catchment could exceed the capacity of these small WRCs and potentially cause environmental harm. However, we consider that requirements in Policy PPL5 will adequately address these concerns.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SPL2 SETTLEMENT DEVELOPMENT BOUNDARIES	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water previously requested that the policy was modified to provide a positive framework for the delivery and operation of essential utilities infrastructure including pipelines for water supply. However, if planning permission is sought for our infrastructure, we consider that it can be justified as being required outside of settlement boundaries. The publication of the new NPPF 2026 also clarifies that in terms of decision-making NDMP W4: water infrastructure provides substantial weight to providing capacity needed to serve proposed development and existing users.

It is noted that the Garden Villages (note there is text missing for reference to Horsley Cross) will also be the subject of future Supplementary Plans to facilitate comprehensive planning frameworks for both new communities. We support this approach and will liaise as appropriate

with the Council when these documents are prepared. Further evidence will continue to be developed, including our Drainage and Wastewater Management Plan for the period 2030-2055 which will take account of planned growth and is due to be published in 2028.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Non-strategic Policy SPL3 SUSTAINABLE DESIGN	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Part B: Anglian Water supports part l. of the policy to ensure that development does not increase flood risk and should incorporate sustainable drainage systems (SuDS) appropriate to the development. Anglian Water endorses the management of surface water through the drainage hierarchy and requires a SuDS first approach. Further advice can be found on our website:

Surface Water Risk Management

Under Ofwat's Code for Adoption Agreements, surface water drainage assets can be presented to sewerage companies for adoption. Since 1 April 2020, this includes SuDS which are considered to be sewers. Anglian Water has published design and construction standards for SuDS which must be followed if developers apply to have their proposed SuDS scheme adopted by us.

Sustainable surface water drainage

Part C: Anglian Water notes that part o. of the policy refers to ensuring the health, safety or amenity of occupants of proposed development is not harmed by pollution from an existing or committed use. Anglian Water supports this clause which reflects the 'agent of change' principle. We also welcome the update to the supporting text (para. 3.74) to reference safeguarding of existing wastewater infrastructure by not introducing sensitive receptors in locations where unacceptable amenity impacts such as odour may arise.

We agree that all new development should incorporate climate change adaptation measures, and we welcome the supporting text in paragraph 3.75 to provide appropriate cross references for applicants in terms of the requirements of Policies PPL1 (Development and Flood Risk) and PPL5 (Water Conservation, Drainage and Sewerage) in delivering climate resilient and sustainable development.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

None

Strategic Policy LP1 HOUSING SUPPLY	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes

	☐ No

We consider that the Water Cycle Study (August 2026), produced in alignment with the Colchester Water Cycle Study, is an important element in the evidence base to help inform the appropriate phasing of sites to align with infrastructure delivery, and policy response in terms of sustainable use of water resources, and infrastructure capacity for wastewater treatment. It identifies wastewater infrastructure opportunities and capacity constraints for new proposed sites in the draft Local Plan and makes recommendations for suitable policy measures to avoid harm to the environment and our customers.

Anglian Water is committed to enabling sustainable growth and is collaborating with external stakeholders to find solutions to capacity challenges at our water recycling centres. We are working to secure policy and regulatory change that allows water companies to better support growth, for example by allowing us to invest strategically to create new capacity ahead of growth materialising, and by changing charging rules to allow for developer contributions to new infrastructure.

Anglian Water continues to work closely with Defra's Ministerial Water Delivery Taskforce, regulators, local planning authorities, and other key stakeholders to resolve ongoing challenges around growth in our region. These challenges are set out in our Blueprint for Growth. This includes working to bring forward a strategy to address dry weather flow capacity at Colchester WRC, so it has sufficient capacity to enable current and future growth (including growth identified in the Tendring Local Plan and the Tendring and Colchester Borders Garden Community DPD).

As a result of our engagement with the Taskforce, in the summer 2026, Anglian Water shared with local planning authorities, our approach on strategic sites (500+ homes) as we recognise that certain sites, while having more limited existing capacity at our water recycling centres and within our wastewater networks, remain sustainable in wider planning terms and important contributors to housing need. Therefore, these strategic sites may appropriately come forward over a longer time horizon as infrastructure investment is identified and delivered over subsequent asset management periods (AMPs).

In such cases, a phased approach to strategic sites allocated in a Local Plan would enable us to plan and deliver any required infrastructure investment in a timely and coordinated manner, ensuring our existing customers and the environment are protected. Given the scale of these sites, we fully appreciate that the build-out of strategic sites will occur over an extended period, with phased connections to the wastewater network. It is recognised that delivery of strategic sites could span several asset management periods (AMPs - five-year investment cycles), allowing development trajectories to inform future business planning and investment strategies. Anglian Water is, therefore, supportive of the principle of development at sustainable locations. However, to ensure that connections are appropriately phased and environmentally robust, we will recommend that appropriate planning conditions are imposed, so development is phased with in step with delivery of the required sewerage/drainage infrastructure.

Anglian Water would also expect a robust strategy for integrated water management on strategic sites to ensure that the most efficient use of water resources can be facilitated through the reuse of surface water run-off attenuated by SuDS and/or grey water reuse. Further advice can be found on the Enabling Water Smart Communities website with playbooks bringing together the key evidence, recommendations, case studies and practical resources from the programme into a single planner-friendly guide to help create water-smart, climate-resilient places.

We are currently working with government and stakeholders on developing guidance to provide a consistent framework for seeking options and solutions to managing wastewater constraints that are impacting development. The aim is to help bring forward smaller sites where there are existing capacity constraints at our WRCs and wastewater networks. Updates on this process will be shared with local planning authorities when it is finalised.

Future investment in wastewater and drainage infrastructure is informed by our Drainage and Water Recycling Management Plan (DWMP). Our next DWMP for the period 2030-2055 (due to be published in 2028) will address dealing with challenges such as asset health, climate change and population growth. Using this information, we conduct a risk assessment for three different timescales: the short- (5yr), medium- (15yr) and long-(25yr +) term. The outputs from these allow us to develop 'best value' investment solutions to meet our obligations in subsequent Price Reviews. Whilst we have provided options for delivering new wastewater infrastructure (water recycling centres) for the new garden communities at Horsley Cross and Hare Green, it is possible that alternative solutions may evolve over time and as further evidence emerges – including through the new DWMP.

References:
https://www.anglianwater.co.uk/siteassets/household/corporate/growth-manifesto.pdf?ct=1782461110043

https://www.ewsc.org.uk/lpa-playbook
https://www.anglianwater.co.uk/corporate/strategies-and-plans/drainage-wastewater-management-plan

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Non-strategic Policy LP3 HOUSING DENSITY AND STANDARDS

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water welcomes reference to utilities infrastructure and associated easements in clause f. as a comprehensive approach to all utilities infrastructure, particularly below ground pipes and cables. Our existing infrastructure is protected by easements and should not be built over or located where access for maintenance and repair could be restricted. We expect the design and layout of new development to locate our existing pipes in highways or public open space. If this is not possible, a formal application to divert Anglian Water's existing assets may be required.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Non-strategic Policy LP4 DEVELOPMENT LAYOUT & DESIGN

Do you consider the Plan to be legally compliant?	☒ ☐	Yes No
Do you consider the Plan to be sound?	☐ ☒	Yes No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Part c. - Anglian Water agrees that surface water management considerations should be incorporated from the earliest stages of the site layout and masterplanning. However, we do not support the approach that SuDS must be implemented for housing schemes comprising 10 or more dwellings as the cumulative impact of minor developments discharging to surface water sewers could present capacity challenges. Existing surface water networks have been designed for the existing catchments and will not have any significant residual capacity. For new surface water connections to an existing surface water sewer Anglian Water will need to ensure the surface water hierarchy has been followed and applicants can demonstrate that no other option is feasible.

We strongly endorse SuDS for all new development proposals, an approach that has been taken forward by several emerging local plans including the Colchester Local Plan (Policy EN8a). Furthermore, this is inconsistent with Policy SPL3 Sustainable Design Part B which states that "*Proposals should incorporate sustainable drainage systems (SuDS) appropriate to the scale and nature of the development…*".

The Water Cycle Study and SFRA recommend that developments manage surface water through the provision of SuDS with no threshold suggested.

WCS: 9.1.3 SuDS and surface water management: All new developments to provide separate surface water drainage systems and incorporate SuDS in accordance with the updated national SUDS standards and good practice guidance. Require SuDS to attenuate surface water runoff for flood risk purposes and be expected to manage, and where possible improve water quality, particularly nutrient discharge.

SFRA: 10.0 Guidance on Future Developments:

10.10.2 – Promote SuDS to mimic natural drainage routes improving water quality: SuDS design proposals must demonstrate how site-specific constraints have been assessed and mitigated, and how the design delivers multi-functional benefits including landscape integration, biodiversity enhancement, recreational and amenity value, leisure opportunities, and the protection or enhancement of heritage assets, in line with the Environment Act 2021 and Essex GI Strategy.

11.0 Concluding Statement: Surface water flooding is identified as a widespread and significant residual risk across the district, particularly during intense rainfall events and under future climate change scenarios. The SFRA emphasises the critical role of Sustainable Drainage Systems (SuDS), green infrastructure, and natural flood management measures in reducing runoff, managing exceedance pathways, increasing storage capacity, and delivering wider benefits such as biodiversity enhancement and climate resilience.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

c. incorporate surface water management considerations from the earliest stages of site layout and masterplanning. Surface water issues must be fully addressed and effectively managed across all development proposals **in accordance with the drainage hierarchy**. ~~For housing schemes~~

~~comprising 10 or more dwellings, s~~ **S**urface water must be managed through the implementation of Sustainable Drainage Systems (SuDS), in line with the latest best practice and current policy requirements, including any future updates or revisions to such standards;		
Strategic Policy PPL1 DEVELOPMENT AND FLOOD RISK		
Do you consider the Plan to be legally compliant?	☒ ☐	Yes No
Do you consider the Plan to be sound?	☐ ☐	Yes No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water is supportive of the policy to ensure development appropriately responds to the risk of flooding from all sources. We agree with the requirement for development proposals to be accompanied by a Flood Risk Assessment in the circumstances listed in the policy.

However, as previously raised, we request that **all** new development proposals should include new green and blue infrastructure to help mitigate potential flood risk, which can include the provision of SuDS (see our response to Policy LP4). Furthermore, this is inconsistent with Strategic Policy PPL4 Biodiversity and Geodiversity, which requires all new development to include new green and blue infrastructure, and Strategic Policy PPL5 Water Conservation, Drainage and Sewerage, which states "New development should include Sustainable Drainage Systems (SuDS)".

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

All ~~major~~ development proposals must consider the potential for new Green and Blue Infrastructure to help mitigate potential flood risk and include such Green and Blue Infrastructure and nature-based solutions where appropriate, in accordance with Policy PPL4 of this Local Plan.

Strategic Policy PPL2 COASTAL PROTECTION BELT		
Do you consider the Plan to be legally compliant?	☒ ☐	Yes No
Do you consider the Plan to be sound?	☒ ☐	Yes No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water has critical infrastructure within the coastal protection belt which includes some of our water recycling centres – essential for treating wastewater from existing communities and future growth. Therefore, we welcome the policy exception for development that has a compelling functional or operational requirement to be located within this designation. However, it should be noted that water recycling centres are utilitarian, functional assets that have infrastructure designed for a specific purpose, to treat wastewater to the required standard set by the discharge permit. There are limitations to how the design of wastewater infrastructure can reflect the surroundings beyond landscaping.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Water Quality – paragraph 7.27	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☐ Yes ☒ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water notes that this paragraph references the WRCs that do not sufficient capacity to accommodate the additional growth in the Local Plan. However, Appendix C of the Water Cycle Study states that St Osyth will have 8% capacity after growth (470 homes) which is inconsistent with 6.2.1/6.2.11 of the WCS that states that St Osyth would be at/exceed dry weather flow limits. Our assessment would support the former assertion that there would still be DWF headroom once local plan growth has been considered. The WCS section 8.9 goes on to state that there is approximately 880 dwelling capacity, which again confirms there is sufficient DWF capacity to accommodate the proposed growth.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

The WCS findings should be reviewed to ensure they are consistent and represented appropriately in the Local Plan.

Strategic Policy PPL4 BIODIVERSITY AND GEODIVERSITY	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water supports the policy requirement for all new development to be designed to include new green and blue infrastructure. The multifunctional benefits of this provision include improvements to water quality and helping to minimise flood risk through SuDS.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

Strategic Policy PPL4a BIODIVERSITY NET GAIN IN TENDRING	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☐ Yes ☒ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water objects to the proposed 20% Biodiversity Net Gain (BNG) requirements in this policy. Whilst we recognise the intention behind targeting a higher net gain requirement than the

mandatory 10% for strategic sites such as the SAMUs, we are concerned that applying the new target to Anglian Water infrastructure developments would not achieve the intended outcomes.

BNG requirements cannot be met onsite for projects where Anglian Water is not the landowner as 30-year habitat management cannot be guaranteed. For example, linear pipeline schemes frequently cross multiple landownerships. These projects often have minimal impact on biodiversity, but when the full length of a pipeline scheme is considered, BNG requirements are already significant. In cases where Anglian Water is the landowner, scope for achieving BNG onsite is limited by the needs of site operations and the need to consider future infrastructure upgrades. Furthermore, there is no justification in the supporting text to support the reasoning behind the 20% uplift, and this only references the need to deliver the minimum statutory 10% uplift in BNG. Whilst a 20% uplift might be viable for other development types where onsite BNG is feasible (such as strategic mixed use/housing allocations).

The additional BNG units required under this proposal for water/wastewater infrastructure, would need to be sourced offsite, increasing costs to our customers and extending the timelines to deliver new water infrastructure. This additional burden does not consider the significant biodiversity and nature recovery benefits being delivered by our proposed infrastructure upgrades and WINEP schemes in AMP8 – which will help to deliver sustainable growth and improve the ecological quality of catchments and aligns with the Government's 25 Year Environment Plan ambitions and wider agenda.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

We request that the Council reconsiders the impact of 20% BNG for all development types, and the impacts this requirement would have on the viability and timely delivery of essential infrastructure to support the Council's growth ambitions. We suggest that essential infrastructure improvements where there is no scope for BNG onsite should be exempt from the new 20% BNG requirement and only the mandatory 10% BNG should be met where development proposals qualify for BNG.

Strategic Policy PPL5 WATER CONSERVATION, DRAINAGE AND SEWERAGE

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☐	Yes
	☒	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Water Efficiency:

Anglian Water is generally supportive of the policy in principle, such as the policy requirements for non-residential buildings to meet the specifications outlined for the BREEAM water calculator credits in clause 1.b. However, whilst the water efficiency standard of 100 litres per person per day (l/p/d) in clause 1a is moving in the right direction, we recommend that the Council introduces more robust water efficiency standards that can help make development across the district more water efficient and allow sustainable growth, to align with the **Shared Standards for Water Efficiency in Local Plans** . It is clear from the statement in the supporting text (paragraph 7.39) that Tendring experiences the lowest average rainfall in the country. As well as managing risks to the environment, tighter water efficiency measures may also reduce the need for water

companies to restrict supply for non-domestic growth, alongside other initiatives. Whilst Anglian Water is not the statutory water supply undertaker, as the statutory sewerage provider and partner to the Shared Standards in Water Efficiency for Local Plans guidance, we support tighter water efficiency standards, which help reduce the operational and capital carbon required to deliver infrastructure, and to pump and treat wastewater flows from new development.

The Shared Standards for Water Efficiency in Local Plans was published in June 2025. These Shared Standards set out a collaborative and collective approach by Anglian Water, Cambridge Water, Essex & Suffolk Water, Affinity Water, the Environment Agency and Natural England, with the full endorsement of Water Resources East (WRE) as part of strengthening the Regional Water Resources Plan for Eastern England. It recommends that Local Planning Authorities (LPAs) include tighter water efficiency standards in Local Plan policies to support a clean and sustainable supply of water - essential for growth and nature recovery.

The Shared Standards recommend that LPAs include Local Plan Policies that:

- Require new homes to be built to more stringent standards for water efficiency than the optional Building Regulations (part G) standard of 110 litres per person per day (l/p/d). Evidence indicates that a design standard of up to 85 litres/person/day (l/p/d) for residential developments is feasible (a range between 85-95 l/p/d should be considered subject to viability).
- Require new, extended or redeveloped non-domestic development to aim to achieve full credits in the BREEAM water calculator.
- Require new major non-domestic developments to include water saving measures and water reuse in their design.

These standards provide guidance and local evidence to help LPAs make a case that more stringent water efficiency policies are justified, feasible and viable as part of Water Cycle Studies and Integrated Water Management Plans that effectively manage a range of challenges across the water environment and aid nature recovery. Local Plans have a significant role in helping to deliver the sustainable use of water resources and address shorter-term water scarcity issues. LPAs can help ensure the risk of harm to habitats and deterioration to water bodies due to water scarcity is minimised by setting more ambitious, tighter water efficiency standards for new residential and non-domestic developments in local planning policy.

Tighter water efficiency standards that can be justified by evidence set out in the annexes supporting Shared Standards. The evidence is extensive and demonstrates, inter alia, that:

- The Water Resource Management Plans (WRMPs), prepared by water companies, in the Shared Standards area demonstrate that a there are significant challenges in meeting predicted domestic and non-domestic growth in water demand whilst also meeting statutory environmental obligations.
- Water efficiency is needed for protected sites and wider nature recovery. Of the 239 SSSIs in the Shared Standards area, 96 at time of writing, have water abstraction identified as an active pressure. Many have measures in place to address these pressures linked in many cases to the plan-led approach. The Shared Standards complement or support the delivery of those measures.
- At present it is feasible to achieve a total consumption of 85 l/p/d by taking a fittings-based approach using product types outlined in the Shared Standards Annex C - Section C2, which can be achieved at relatively low cost. In addition, water companies offer incentives to developers to build water efficient homes. These are tied into water

company Business Plans that are published every five years, with the latest being published in 2025 alongside WRMPs.

The Shared Standards also complement the activities set out by the Water Strategy for Essex, which include setting ambitious policies for water efficiency and resilience for new homes and non-residential development within Local Plans(EWS26) and requiring the provision of grey and rainwater reuse systems for all new developments (EWS27). The Shared Standards provides the evidence to help support Local Planning Authorities establish these ambitious policy requirements.

The Water Cycle Study makes a recommendation of including 85 l/p/d in some allocations to significantly improve available capacity at WRCs across the TDC area. We would also direct the Council to other emerging Local Plans within Essex that are including water efficiency standards of 85 or 90 l/p/d (Colchester, Chelmsford, Castle Point) and the adopted Uttlesford Local Plan, which includes a water efficiency policy requiring development to meet 90 l/p/d. In addition, we would encourage developers to have regard to the playbooks developed by Enabling Water Smart Communities to bring together the key evidence, recommendations, case studies and practical resources from the programme into a single planner-friendly guide to help create water-smart, climate-resilient places.
https://www.ewsc.org.uk/lpa-playbook

Anglian Water supports clauses 2 and 3 to demonstrate that fixtures and fittings, or any reuse elements are verified and fully implemented.

SuDS:

Anglian Water supports the requirement for SuDS in all new development – we agree with the 'SuDS first' approach, consistent with the surface water drainage hierarchy. It is essential for the effective management of our operational risk that we ensure the risk posed from surface water drainage is clearly understood and demonstrated by developers. We request the policy sets out a requirement that no surface water is discharged to a foul sewer or a combined sewer via a new connection. Where proposals include a redevelopment of a brownfield site or changed surface area draining to a combined sewer via an existing connection, Anglian Water will use opportunities presented by new development to reduce exposure to pollution risk in the existing sewer network. As such, we expect new development to exploit all practicable opportunities set out in the surface water drainage hierarchy to reduce surface water flow to the combined sewer network, in terms of volume and discharge flow rate.

Sewerage:

In terms of wastewater treatment, we agree with the policy requirement to ensure applicants can demonstrate that there is adequate provision available in our networks and our receiving WRCs to accommodate and treat wastewater flows arising from the development. Some measures may need to be provided on site as part of the enhancement to the foul and/or surface water networks to incorporate wastewater flows from the proposed development. In addition, a development will also need to secure a sustainable point of connection to our surface water, foul or combined network.

As previously raised, we will object to new proposals that seek to connect to our small WRCs with descriptive permits that are only designed to serve the small number of properties within their catchment and not designed to accommodate additional cumulative growth. These 'descriptive works' (i.e. at Tendring Green and Little Bentley) are therefore unlikely to be suitable to accommodate future growth. Our position statement on descriptive works should be

considered in the context of such new development in these locations – meaning that a private sewage treatment solution would be preferable.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

- A water efficiency standard between 85 litres per person per day (l/p/d) and 95 l/p/d for new residential development is included within the policy.
- All surface and foul water flows should be separated. Under no circumstances will surface water be permitted to discharge into a separate foul sewer or to a combined sewerage system via a new connection. Existing surface water connections to a combined sewer through redevelopment of a brownfield site, should provide betterment in terms of reduced flows to the combined sewer network.

Strategic Policy PPL10c RENEWABLE ENERGY INSTALLATIONS

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water supports this policy which should assist in facilitating the delivery of renewable energy schemes. Anglian Water is always looking for ways to reduce our carbon emissions, with renewable energy as a key step towards our ambitious goal of becoming a carbon neutral business. Renewable energy schemes also help to provide energy security and resilience for our critical infrastructure.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Non-strategic Policy PPL12c PROTECTION OF THE NAZE

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Paragraph 7.94 - Anglian Water notes that the supporting text identifies that our Walton-on-the-Naze WRC is in the Naze coastal landscape. The WRC is critical infrastructure for the treatment of wastewater for the communities of Walton-on-the-Naze, Frinton-on-Sea, Kirby Cross, Kirby le Soken and Great Holland. Anglian Water will have representation at the Naze Management Board set up by the Council to address coastal erosion risk to the Naze coastal landscape.

Anglian Water is currently preparing the next Drainage and Water Recycling Management Plan (DWMP) for 2030-2055. Our DWMP will set out how we are planning for the future of drainage and water recycling across our region. While there is still more work to do to understand how we reach our long-term goals, we've started to map out how we will keep our services reliable as our

population grows and weather becomes more extreme. Addressing these challenges will continue to develop as we work with others, use better data, and build a fuller picture of the challenges ahead, including coastal erosion risk.

Anglian Water supports the policy aims to work with partners and landowners to continue to strengthen the current and future protection of the Naze from coastal erosion, given its multifunctional benefits, including as a location for critical utilities infrastructure. Development proposals at Walton-on-the-Naze WRC, should they require planning consent, would be subject to determination by Essex County Council, as the waste planning authority.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Non-strategic Policy PPL13 ARDLEIGH RESERVOIR CATCHMENT AREA

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water supports this policy for the protection of Ardleigh Reservoir and its operation. The reservoir is a source of water supply for both Anglian Water and Affinity Water and is overseen by the Ardleigh Reservoir Committee that represents both water companies.

Anglian Water has a programme of investments for delivery in AMP8 across Tendring District. This includes a water pipeline transfer from Colchester advanced water reuse scheme to Ardleigh Reservoir which will be partly within Tendring district. We would seek a supportive policy framework to help facilitate the delivery of our infrastructure projects, so they are delivered in a timely manner to enable future growth to proceed.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAMU1 DEVELOPMENT AND DELIVERY OF TENDRING COLCHESTER BORDERS GARDEN COMMUNITY (TCBGC)

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water is committed to enabling sustainable growth and is collaborating with external stakeholders to find solutions to capacity challenges at our WRCs. We are also working to secure policy and regulatory change that allows water companies to better support growth, for example by allowing us to invest strategically to create new capacity ahead of growth materialising, and by changing charging rules to allow for developer contributions to new infrastructure.

Anglian Water continues to work closely with Defra's Ministerial Water Delivery Taskforce, regulators, local planning authorities, and other key stakeholders to resolve ongoing challenges around growth in our region. These challenges are set out in our Blueprint for Growth. This includes working to bring forward a strategy to address dry weather flow capacity at Colchester WRC, so it has sufficient capacity to enable current and future growth (including growth identified in this emerging Colchester Local Plan and the Tendring and Colchester Borders Garden Community).

Our approach to strategic sites should enable growth to come forward alongside a phased approach to infrastructure delivery to support the Garden Community. Anglian Water is proactively working with the Council and stakeholders to address the capacity challenges at Colchester WRC, which is a key focus for growth, including delivery of TCBGC. Anglian Water has responded to the hybrid planning application for the new garden community, including homes, employment, schools, community facilities, open space, and major transport infrastructure, which seeks outline permission for the overall development and full permission for the first phase and supporting infrastructure works.

Anglian Water supports the principle of the proposed development, subject to revisions to drainage strategy documents to reflect the agreed approach and engagement with the developer to date. Conditions have been recommended to ensure that temporary connections are appropriately identified and development thresholds applied. Anglian Water continues to work with its regulators to plan appropriate investment within the catchment as part of the next business planning cycle (2030–2035).

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAMU2 DEVELOPMENT AT HARTLEY GARDENS, CLACTON

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water has responded to the consultation on the supplementary planning document (SPD) for Hartley Gardens and we support the comprehensive masterplan approach required by the policy to support this. Our response indicated that is currently no capacity to accommodate wastewater flows from new growth at Clacton-Holland Haven WRC. However, a growth scheme has been identified in our PR24 Business Plan for Clacton-Holland Haven WRC for delivery in AMP8 (2025-2030). We are currently reviewing growth forecasts for all 2025-2030 growth schemes to understand the current delivery need and capacity required and prioritising them based on associated risks at each site.

Jaywick WRC has limited capacity and would not be able to accommodate the full quantum of growth proposed for the Site, without a future growth scheme being planned for, in subsequent Asset Management Periods (AMPs). Whilst there may be potential for parts of the site to connect to the Jaywick network and WRC, specific advice would need to be obtained through the submission of a pre-planning enquiry (PPE) to obtain a detailed desktop assessment, for foul

drainage connections. This will utilise our approach to strategic sites, to enable growth to be phased appropriately.

Anglian Water supports the policy requirement for the provision of sufficient utility infrastructure which is consistent with Policy PPL5 and supporting text in 9.11. We also welcome the principles for inclusion in the masterplan for the site, that include a sustainable drainage system across the site, and the need to demonstrate how a phased approach to development can deliver the required infrastructure.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAMU3 DEVELOPMENT AT OAKWOOD PARK, CLACTON

Do you consider the Plan to be legally compliant?	☒ ☐	Yes No
Do you consider the Plan to be sound?	☒ ☐	Yes No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

It is noted that 900 homes are proposed as an extended mixed-use development. The plan must be read as a whole and therefore policies, including new Strategic Policy PPL5 Water Conservation, Drainage and Sewerage, will apply. As indicated in our response to SAMU2, there is currently no capacity to accommodate wastewater flows from new growth at Clacton-Holland Haven WRC. However, a growth scheme has been identified in our PR24 Business Plan for Clacton-Holland Haven WRC for delivery in AMP8 (2025-2030). We are currently reviewing growth forecasts for all 2025-2030 growth schemes to understand the current delivery need and capacity required and prioritising them based on associated risks at each site.

This SAMU would be assessed through our approach to strategic sites, to enable growth to be phased appropriately, once a PPE is submitted by the developer.

We support the policy requirement for early engagement with Anglian Water to secure the necessary upgrades to both treatment infrastructure and network – this should inform a foul drainage assessment for the site.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAMU4 DEVELOPMENT AT ROUSES FARM, JAYWICK LANE, CLACTON

Do you consider the Plan to be legally compliant?	☒ ☐	Yes No
Do you consider the Plan to be sound?	☒ ☐	Yes No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

This site is proposed for up to 950 homes and associated community facilities. It is noted that the site has planning consent for phases one and two (417 dwellings). The site is adjacent to St Osyth WRC and Jaywick WRC catchments. Our response to the planning application for the first two

phases of the site stated that flows would be directed to St Osyth WRC. As indicated for SAMU2. Jaywick WRC has limited capacity and would not be able to accommodate the full quantum of growth proposed for the SAMU4 (and potentially later phases of SAMU2), without a future growth scheme being planned for, in subsequent Asset Management Periods (AMPs). Specific advice would need to be obtained through the submission of a pre-planning enquiry (PPE) to obtain a detailed desktop assessment, for foul drainage connections. This will utilise our approach to strategic sites, to enable growth to be phased appropriately – including for connections into the network. This SAMU would be assessed through our approach to strategic sites, to enable growth to be phased appropriately, once a PPE is submitted by the developer.

We support the policy requirement for early engagement with Anglian Water to secure the necessary upgrades to both treatment infrastructure and network – this should inform a foul drainage assessment for the site.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAMU5 DEVELOPMENT OFF DEANE'S LANE AND OAKLEY ROAD, DOVERCOURT

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

This SAMU makes provision for approximately 1,650 homes. The site is extensive and includes Anglian Water surface water sewers, surface water discharge points, and rising mains (pressurised sewers) through the site. These assets should be incorporated within public open space or highways, and therefore the requirement for at least 50ha of strategic open space, provides an opportunity for a design layout to avoid build over of our assets (including permeable paving/SuDS).

This SAMU would be assessed through our approach to strategic sites, to enable growth to be phased appropriately (including connections into the network), once a PPE is submitted by the developer.

The PPE will identify whether there are sustainable points of connection (SPoC) into our network by using a complexity matrix that presents several factors for assessment including pollution risks and storm overflow spills, surcharges of our network, existing flood potential and excess surface water flooding. Our engineers will identify a sustainable point of connection to our network (or sustainable points of connection depending on phasing) to avoid these constraints.

We support the policy requirement for early engagement with Anglian Water to secure the necessary upgrades to both treatment infrastructure and network – this should inform a foul drainage assessment for the site. We also welcome the policy requirement to ensure the appropriate safeguarding of our existing assets for future maintenance.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAMU6 DEVELOPMENT OF WEELEY GREEN GARDEN VILLAGE	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water notes that a further 900 homes are proposed as an extended mixed-use development. The plan must be read as a whole and therefore policies, including new Strategic Policy PPL5 Water Conservation, Drainage and Sewerage, will apply. As indicated in our response to SAMU2, there is currently no capacity to accommodate wastewater flows from new growth at Clacton-Holland Haven WRC. However, a named growth scheme has been identified in our PR24 Business Plan for Clacton-Holland Haven WRC for delivery in AMP8 (2025-2030). We are currently reviewing growth forecasts for all 2025-2030 growth schemes to understand the current delivery need and capacity required and prioritising them based on associated risks at each site.

This SAMU would be assessed through our approach to strategic sites, to enable growth to be phased appropriately (including connections to the network), once a PPE is submitted by the developer.

The site is on the very edge of the north west of the WRC catchment where sewers will be sized according to the current development in Weeley. A PPE is strongly advised to ensure that sustainable points of connection are appropriately phased and environmentally robust. .

We support the policy requirement for a masterplan for the site – ideally this would be prior to the planning application and require engagement with relevant stakeholders and the local community. Early engagement with Anglian Water is welcomed, to secure the necessary upgrades to both treatment infrastructure and network – this should inform a foul drainage assessment for the site that aligns with infrastructure phasing and delivery.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAMU7 REDEVELOPMENT OF SALTINGS QUARTER, RIVERSIDE AVENUE, MANNINGTREE	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

As evidenced in the Water Cycle Study, there is currently no capacity available at Manningtree WRC, and no growth scheme identified to increase dry weather flow headroom at the WRC in AMP8 (2025-2030). Growth in this WRC catchment should be phased for delivery later in the Local Plan period to allow further investment at the works to be delivered from 2030.

We support the policy requirement m. to ensure adequate wastewater management **and** capacity must be demonstrated in consultation with Anglian Water. This is supported in paragraph 9.41

which states that early engagement with Anglian Water will be necessary to confirm wastewater treatment and network capacity requirements.

Regarding the policy requirement for surface water, we support the statement that it must not be discharged to the combined sewer network. Anglian Water will only accept flows to a combined sewer network from an existing connection where betterment is attained. We support the amendment to this policy which sets out measures for any existing surface water connections to a combined sewer through redevelopment of a brownfield site, to provide betterment in terms of reduced flows to the combined sewer network.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

A minor change to include the word 'and' in policy clause m. to read:

Adequate wastewater management **and** capacity must be demonstrated, including proposed phasing or alternative solutions…

Strategic Policy SAMU8 DEVELOPMENT OF HARE GREEN GARDEN VILLAGE

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☐	Yes
	☒	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

As advised in our previous consultation responses, the development of Hare Green Garden Village at Frating/Great Bromley/Hare Green would need sufficient sewerage infrastructure to serve the development. Currently, the Great Bromley WRC has a long linear catchment serving these villages but does not have capacity to accommodate this level of growth, as it was designed to serve the existing communities and small-scale growth normally associated with the scale of these settlements.

Garden Villages will only be successful if significant new infrastructure (including sewerage infrastructure) is delivered ahead of new homes. This SAMU would be assessed through our approach to strategic sites, to enable growth to be phased appropriately, once a PPE is submitted by the developer. Options may include a separate WRC and network to serve the quantum of growth proposed for the Garden Village, if existing infrastructure is insufficient to address the scale of development. Whilst we have provided options for delivering new wastewater infrastructure (water recycling centres) for the new garden communities such as Hare Green, it is possible that alternative solutions may evolve over time and as further evidence emerges – including through the DWMP.

Anglian Water agrees, that similar to the approach taken by Tendring and Colchester Borders Garden Community, the Garden Villages should embrace Garden Community Principles and be comprehensively planned through a Supplementary Plan to be prepared containing the relevant policies to facilitate the new community and supporting infrastructure required.

Anglian Water supports the inclusion of policy clause 17 to ensure a network of green infrastructure is provided at a landscape scale and aligned with the Essex Local Nature Recovery Strategy. We are also supportive of policy clause 20 which aligns with our approach to helping support the delivery of strategic sites. This positively aligns with the Enabling Water Smart

Communities framework, and we would encourage developers to have regard to the playbooks developed by Enabling Water Smart Communities to bring together the key evidence, recommendations, case studies and practical resources from the programme into a single planner-friendly guide to help create water-smart, climate-resilient places.
https://www.ewsc.org.uk/lpa-playbook

We note the policy requirement for a new water recycling centre which we have previously referenced as a requirement. We have set out in our submission that a new Drainage and Water Recycling Management Plan is currently in preparation for the period 2030-2055, which will set out strategies for the short-, medium- and long-term. We suggest that the policy includes flexibility to allow for alternative strategies to be brought forward and agreed to the satisfaction of the Council, and in consultation with the Environment Agency and Anglian Water.

We agree with policy clause 25 that the highest standards of innovation in water efficiency – with the aim of being water neutral in areas of serious water stress – is promoted. However, this is inconsistent with Policy PPL5, where we have requested that the water efficiency standard should align with the recommendations in the Shared Standards in Water Efficiency for Local Plans evidence.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

To take account of other potential medium-long term strategies that might emerge through the DWMP, we suggest the policy clause 20 is amended to state:

20. The delivery of smart, innovative and sustainable water efficiency/re use solutions that fosters climate resilience and a 21st century approach towards water supply, water and wastewater treatment and flood risk management. This will include the construction of a new Water Recycling Centre to serve the new community**, unless alternative solutions are agreed to the satisfaction of the Council and in consultation with the Environment Agency and Anglian Water**. Delivery of development shall be phased in accordance with provision of the necessary water and wastewater infrastructure.

Strategic Policy SAMU9 DEVELOPMENT OF HORSLEY CROSS GARDEN VILLAGE

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☐	Yes
	☒	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Similar to Hare Green Garden Village, Anglian Water has advised in our previous consultation responses, Horsley Cross Garden Village of is not in a location close to an existing WRC catchment and will require a wastewater treatment solution specifically for this settlement.

Garden Villages will only be successful if significant new infrastructure (including sewerage infrastructure) is delivered ahead of new homes. This SAMU would be assessed through our approach to strategic sites, to enable growth to be phased appropriately, once a PPE is submitted by the developer. Options may include a separate WRC and network to serve the quantum of growth proposed for the Garden Village, if existing infrastructure is insufficient to address the scale of development. Whilst we have provided options for delivering new wastewater infrastructure (water recycling centres) for the new garden communities such as Horsley Cross, it is

possible that alternative solutions may evolve over time and as further evidence emerges – including through the DWMP.

Anglian Water agrees, that similar to the approach taken by Tendring and Colchester Borders Garden Community, the Garden Villages should embrace Garden Community Principles and be comprehensively planned through a Supplementary Plan to be prepared containing the relevant policies to facilitate the new community and supporting infrastructure required.

Anglian Water supports the inclusion of policy clause 17 to ensure a network of green infrastructure is provided at a landscape scale and aligned with the Essex Local Nature Recovery Strategy. We are also supportive of policy clause 20 which aligns with our approach to helping support the delivery of strategic sites. This positively aligns with the Enabling Water Smart Communities framework, and we would encourage developers to have regard to the playbooks developed by Enabling Water Smart Communities to bring together the key evidence, recommendations, case studies and practical resources from the programme into a single planner-friendly guide to help create water-smart, climate-resilient places. https://www.ewsc.org.uk/lpa-playbook

We note the policy requirement for a new water recycling centre which we have previously referenced as a requirement. We have set out in our submission that a new Drainage and Water Recycling Management Plan is currently in preparation for the period 2030-2055, which will set out strategies for the short-, medium- and long-term. We suggest that the policy includes flexibility to allow for alternative strategies to be brought forward and agreed to the satisfaction of the Council, and in consultation with the Environment Agency and Anglian Water.

We agree with policy clause 25 that the highest standards of innovation in water efficiency – with the aim of being water neutral in areas of serious water stress – is promoted. However, this is inconsistent with Policy PPL5, where we have requested that the water efficiency standard should align with the recommendations in the Shared Standards in Water Efficiency for Local Plans evidence

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

To take account of other potential medium-long term strategies that might emerge through the DWMP, we suggest the policy clause 20 is amended to state:

20. The delivery of smart, innovative and sustainable water efficiency/re use solutions that fosters climate resilience and a 21st century approach towards water supply, water and wastewater treatment and flood risk management. This will include the construction of a new Water Recycling Centre to serve the new community**, unless alternative solutions are agreed to the satisfaction of the Council and in consultation with the Environment Agency and Anglian Water**. Delivery of development shall be phased in accordance with provision of the necessary water and wastewater infrastructure.

Strategic and Medium Housing Allocations	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water considers that proposals for these allocations will need to have regard to all relevant policies in the Local Plan, including the new Strategic Policy PPL5 Water Conservation, Drainage and Sewerage, which should adequately address the sewerage and drainage needs of these allocation policies, should the amendments we have sought are included.

We support policy references that require the applicant to demonstrate adequate wastewater capacity to the satisfaction of Anglian water and the Council, and where this is reinforced by measures to reduce capacity measures on the receiving WRC.

The Tendring Water Cycle Study has outlined where there are capacity concerns at our WRCs – although some inconsistencies have been noted (e.g. in relation to capacity at St Osyth WRC). In addition, we advise early engagement with Anglian Water to identify whether there are sustainable points of connection (SPoC) into our network. Our engineers will identify a sustainable point of connection to our network (or sustainable points of connection depending on phasing) to avoid these constraints.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAH1 DEVELOPMENT AT VICARAGE FARM OFF MAIN ROAD AND SOUTH OF A120, HARWICH

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☐	Yes
	☒	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water is supportive of policy clauses k. and l. to ensure that surface water drainage strategies are controlled to pre-development levels or better and prioritisation of SuDS and water efficiency measures to reduce pressure on the WRC. However, in terms of clause j. we agree with the first part which is in accordance with the drainage hierarchy, but in this area of Harwich/Dovercourt, there is no combined sewer network. We advise that the policy is amended to refer to the surface water network, where we would need to make an assessment of available capacity through submission of a pre-planning enquiry. We would not permit new surface water connections to a combined sewer network.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

Amend clause j. to remove reference to the combined sewer network:

Surface water must be attenuated and discharged to an on-site receiving waterbody, not to the ~~combined~~ **surface** sewer network, unless it can be robustly demonstrated that no alternative option exists;

We encourage further review of other policies that mention combined sewer in a similar context, as we consider most new sites on greenfield that if unable to attenuate or discharge to a

waterbody, would then most likely discharge to a surface water sewer in accordance with the drainage hierarchy. The WCS also advises on where combined sewers are located.

MSA1 Durite Works, Valley Road, Harwich

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

The site has a sewer pumping stations adjacent to the boundary. There should be at least 15m from the pumping station boundary to the nearest residential curtilage within the site to avoid any odour issues. Further advice can be found on our website https://www.anglianwater.co.uk/developing/planning--capacity/asset-encroachment

It is considered that Policy SPL3 should apply to ensure that the amenity of any occupants or users of the proposed development will not be materially harmed by any pollution from an existing or committed use.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

None

MSA11 Land west of Parsons Hill, Great Bromley

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

There are no separate policy requirements for the medium site allocations and therefore we consider proposals for these sites must be consistent with policies in the plan. However, we have previously identified that the proximity of this site to Great Bromley WRC, therefore would expect an odour assessment to be submitted to ensure that sensitive receptors such as future residents on the site are not impacted by odour from our WRC and appropriate mitigation is provided on site, where necessary. Advice on asset encroachment can be found on our website https://www.anglianwater.co.uk/developing/planning--capacity/asset-encroachment

It is considered that Policy SPL3 should apply to ensure that the amenity of any occupants or users of the proposed development will not be materially harmed by any pollution from an existing or committed use.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

None

MSA23 Land at Avocet Place, Thorrington	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

The site has a sewer pumping stations adjacent to the boundary. There should be at least 15m from the pumping station boundary to the nearest residential curtilage within the site to avoid any odour issues. Further advice can be found on our website https://www.anglianwater.co.uk/developing/planning--capacity/asset-encroachment

It is considered that Policy SPL3 should apply to ensure that the amenity of any occupants or users of the proposed development will not be materially harmed by any pollution from an existing or committed use.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAE3 COLLIERSWOOD FARM A120 STRATEGIC BUSINESS PARK	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Whilst Anglian Water welcomes the policy requirement in Section 3 that the application must demonstrate adequate wastewater treatment capacity. We note that the site is adjacent to a constrained vacuum sewer network which is part of the Great Bromley WRC catchment. Alternative options may evolve if the site is brought forward in conjunction with the Tendring and Colchester Borders Garden Community, but further assessment would need to be considered at the point the site comes forward. We agree that key infrastructure should be delivered and land safeguarded, where necessary in accordance with the Infrastructure Delivery Plan, and an infrastructure phasing strategy should be prepared to support the masterplan or planning application (Section 6).

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy DI1 INFRASTRUCTURE DELIVERY AND IMPACT MITIGATION	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water welcomes this policy to ensure that infrastructure delivery is provided in step with development. The policy should also consider that where appropriate, development may need to be phased to align with the delivery of essential infrastructure. Anglian Water is funded in different ways to deliver infrastructure within our region. For example, we are unable to accept developer funding to upgrade our WRC's (Water Recycling Centres). Therefore, we cannot currently be requisitioned to upgrade a WRC at a developer's cost, although such opportunities are being explored. WRC upgrades must be delivered through our 5-yearly Business Plan investments and agreed with our regulators.

We agree that the delivery or the capacity of essential infrastructure must be confirmed by the provider or acceptable mitigation provided. Where this is not possible, development should be phased by condition of a planning permission or by prior agreement with the developer to ensure the delivery of infrastructure at the appropriate time.

On large strategic developments that are being delivered over the plan period and beyond, improvements to essential infrastructure and phasing should be addressed in masterplans. This requirement should also apply to future phases of developments where either a full or reserved matters planning application is required. We consider that such measures are appropriate and fundamental to our investment programmes and future priorities for infrastructure delivery to support sustainable growth - providing the flexibility to include contributions to utilities infrastructure, should this be required in the future.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

4. Conclusion

Anglian Water is generally supportive of the Tendring Local Plan to 2043. We consider that the Plan is well set out with policies we support in relation to infrastructure provision, managing flood risk, surface water and wastewater. We recognise the challenges for meeting the significant uplift in housing requirements and the infrastructure required to deliver sustainable growth within the Local Plan period and beyond, and we hope our proposed amendments to policies will help ensure an infrastructure-led approach to delivering key strategic sites can be secured.

15026 Object

Document Element: Strategic Policy PPL5
Respondent: Affinity Water
Date received: 19/10/2026 via Web

Summary:
Affinity Water supports sustainable development but considers Policy PPL5 should require stronger water efficiency standards. The Infrastructure Delivery Plan identifies additional potable water infrastructure needs arising from planned growth, reinforcing the importance of reducing demand at source. Affinity Water supports a target of 85 litres per person per day, consistent with the emerging South East Shared Standards for water-stressed areas. More ambitious standards are achievable and supported through Affinity Water's Environmental Incentives Common Framework. Strengthening the policy would reduce pressure on water resources, support environmental protection and drought resilience, limit future infrastructure requirements, and provide a more justified approach.

Full text:
Affinity Water supports the Council's commitment to sustainable development. However, Policy PPL5 should be strengthened to require a higher water efficiency standard for new residential development.
The Council's evidence base demonstrates that planned housing and employment growth will require additional water infrastructure. Chapter 3 of the Tendring Infrastructure Delivery Plan identifies potable water infrastructure requirements associated with future residential and employment growth, highlighting the need for additional infrastructure to support development.
Affinity Water considers that the Plan does not maximise opportunities to reduce water demand at source. Demand reduction is a key component of long-term water resource resilience and should complement infrastructure investment. Affinity Water supports the emerging South East approach seeking delivery of 85 litres per person per day (l/p/d) in new residential development, where feasible and viable. This position is supported by the Shared Standards in Water Efficiency for Local Plans, developed collaboratively by water companies, the Environment Agency and Natural England for the seriously water-stressed eastern region. The Shared Standards recommend a consistent policy approach requiring new homes to achieve water consumption of between 85 and 95 l/p/d, supported by evidence on need, feasibility and viability.
Neighbouring authorities are also progressing more stringent water efficiency policies through their emerging Local Plans, demonstrating a clear regional direction of travel and the importance of a consistent cross-boundary approach. Affinity Water would encourage Tending District Council to adopt an equally ambitious standard to avoid an inconsistent policy position within the same water-stressed region.
Affinity Water's position is further supported by Ofwat's Environmental Incentives Common Framework (EICF), which provides financial incentives for developers delivering homes with significantly reduced water consumption. Affinity Water currently offers incentive payments for developments achieving water efficiency levels of 81-90 l/p/d and below 80 l/p/d, demonstrating that standards substantially below Building Regulations requirements are achievable and supported by the water industry.
A higher water efficiency standard would:
• Reduce pressure on water resources and abstraction;
• Support environmental protection and resilience;
• Reduce future infrastructure requirements; and
• Improve long-term drought resilience.
The Plan is not fully justified or effective as it does not demonstrate why a more ambitious standard has not been pursued despite the water infrastructure challenges identified in the evidence base. The proposed approach would better support climate adaptation, resource efficiency and sustainable growth objectives

Evidence Base References
• Tendring District Local Plan Review 2025-2042 – Policy PPL 5: Water Conservation, Drainage and Sewerage
• Tendring Infrastructure Delivery Plan (August 2026), Chapter 3: Water and Drainage, including Tables 3.1-3.6 relating to potable water and wastewater infrastructure requirements arising from growth

Evidence Base Support
https://www.affinitywater.co.uk/developing/eicf
https://www.anglianwater.co.uk/siteassets/developers/new-content/p--c/shared-standards-in-water-efficiency-for-local-plans.pdf

Change suggested by respondent:

Affinity Water requests that Policy PPL 5 be amended as follows:
"All new residential development shall be designed to achieve the highest practicable standards of water efficiency. Development should achieve a potable water consumption target of 85 litres per person per day, where feasible and viable, through the incorporation of water-efficient fixtures and fittings, rainwater harvesting, greywater recycling and other demand management measures."

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

FREEPOST N TO T

T: 0800 915 2497
email: contact@n-t.nationalgrid.com
www.nationalgrid.com/n-t

Tendring District Council
Planning Policy
Town Hall
Station Road
Clacton-On-Sea
CO15 1SE

15 October 2026

By email

Dear Sir / Madam

Tendring District Council Local Plan 2026-2043 and Beyond Regulation 19 Consultation: Consultation response submitted on behalf of National Grid (Norwich to Tilbury Project)

This response has been submitted on behalf of National Grid in relation to the Norwich to Tilbury Project (Planning Inspectorate Reference EN020027).

About National Grid

National Grid Electricity Transmission plc owns, builds and maintains the national high-voltage electricity transmission system throughout England and Wales.

The transmission network connects the power from where it is generated to the regional Distribution Network Operators (DNO) who then supply businesses and homes.

National Grid holds the Transmission Licence for England and Wales, and their statutory duty is to develop and maintain an efficient, co-ordinated and economical system of electricity transmission and to facilitate competition in the generation and supply of electricity, as set out in the Electricity Act 1989.

National Grid is working to build a cleaner, fairer, and more affordable energy system that serves everyone, powering the future of our homes, transport, and industry. The Norwich to Tilbury Project would support the UK's net zero target through the connection in East Anglia of new low carbon energy generation, and by reinforcing the local transmission network.

The Norwich to Tilbury Project comprises reinforcement of the transmission network between the existing Norwich Main Substation in Norfolk and Tilbury Substation in Essex, via Bramford Substation, the new East Anglia Connection Node (EACN) Substation and the new Tilbury North Substation.

The reinforcement is needed because the existing transmission network, even with current upgrading, will not have sufficient capacity for the new renewable energy (a substantial proportion of which would be generated by offshore wind) that is expected to connect to the network over the next 10 years and beyond. Completion of the Project, together with other new reinforcements across the country, will meet this future energy transmission demand both in East Anglia and across the UK.

The Norwich to Tilbury Project is a Nationally Significant Infrastructure Project (NSIP), and National Grid is seeking development consent under statutory procedures set by government. NSIPs are projects of certain types, over a certain size, which are considered by the government

to be of national importance, hence permission to build them needs to be given at a national level, by the relevant Secretary of State (in this case the Secretary of State for Energy Security and Net Zero). Instead of applying to the local authority for planning permission, the developer must apply to the Planning Inspectorate for a Development Consent Order (DCO) that would grant development consent.

On 29 August 2025, National Grid submitted its application for development consent to the Planning Inspectorate. The Examining Authority closed the project examination on 10 August and is now drafting their recommendation to the Secretary of State for Energy Security and Net Zero, who in turn will decide on whether development consent should be granted for the Project. A decision is expected from the Secretary of State in February 2027.

Tendring District Council Local Plan Regulation 19 Consultation 2026

In accordance with the proposals presented in the Regulation 18 Consultation the Norwich to Tilbury Project would interact with the proposed allocation of two Local Green Spaces at 'Harwich Road Allotments' and 'Fishing Lake north of Colchester Road', protected lane at Wick Lane and the rolling forward of an existing employment allocation at Crown Business Centre, Old Ipswich Road. The response to the Regulation 18 Consultation also noted the proximity of the Project to the following proposed allocations:

- Housing Allocation MSA20: Land south of Shop Road, Little Bromley
- Strategic Allocation – Mixed Use Allocation SAMU9: Horsley Cross Garden Village
- Strategic Allocation – Mixed Use Allocation SAMU8: Hare Green Garden Village

Following a review of the Regulation 19 Consultation materials National Grid considers that these interactions remain the most relevant.

We do not consider that there are any substantive changes of relevance to our Regulation 18 consultation. For ease of reference, we have summarised our previous representation below.

Harwich Road Allotments Local Green Space

The Tendring Local Plan Regulation 19 Consultation maintains the proposal to extend the existing allotments at Harwich Road, and allocating this area as Local Green Space. This designation accords with the policy designation afforded to this site in the adopted Ardleigh Neighbourhood Plan (October 2024). The Ardleigh Neighbourhood Plan describes this site as former *glebe land* (historically attached to the village church). Although it is no longer glebe land, the Ardleigh Neighbourhood Plan notes it retains many of the undeveloped qualities that it would historically have held as glebe land.

An existing UKPN 33kV overhead line is proposed to be undergrounded through the area of land which the allotments will be extended into, as illustrated in Figure 1.

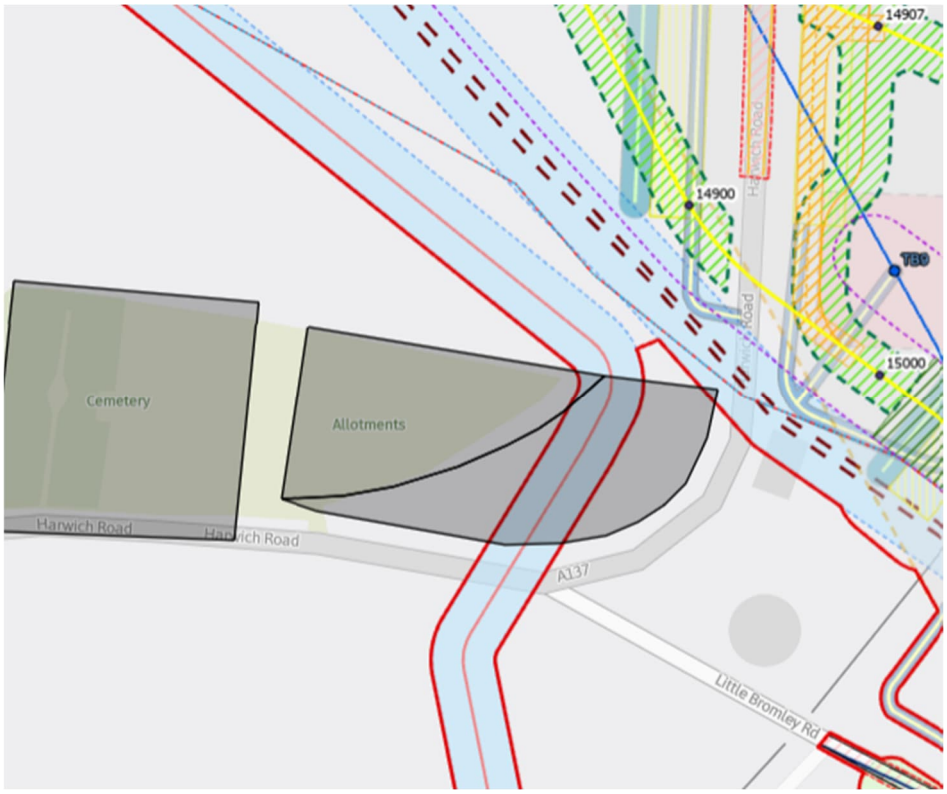


Figure 1: Interaction of the Harwich Road Allotments Local Green Space with the Norwich to Tilbury Project.

Proposed Policy HP5: Open Space, Sports and Recreation Facilities references Local Green Spaces and states that these areas *'will be given extra protection'* and that their *'loss in whole or part will not be permitted over the time-frame of this Local Plan'.* The works to underground the UKPN 33kV overhead line will require temporary disruption to this area as the undergrounding works take place. However, there would be no permanent loss of this Local Green Space, given that the works would be temporary and the UKPN 33kV overhead line would be secured underground. The land affected by construction works would be reinstated to its previous condition and use'

Fishing lake north of Colchester Road Local Green Space

The Tendring Local Plan Regulation 19 Consultation proposes allocating a fishing lake north of Colchester Road as Local Green Space. This proposed policy designation accords with the Ardleigh Neighbourhood Plan. The Norwich to Tilbury Project will oversail this Local Green Space. This will not result in the permanent loss of the Local Green Space as it will remain accessible beneath the overhead lines following the completion of works. However, it will preclude fishing activity at the lake safety reasons. The interaction between the Project and the fishing lake (based on the Ardleigh Neighbourhood Plan) are displayed in Figure 2.

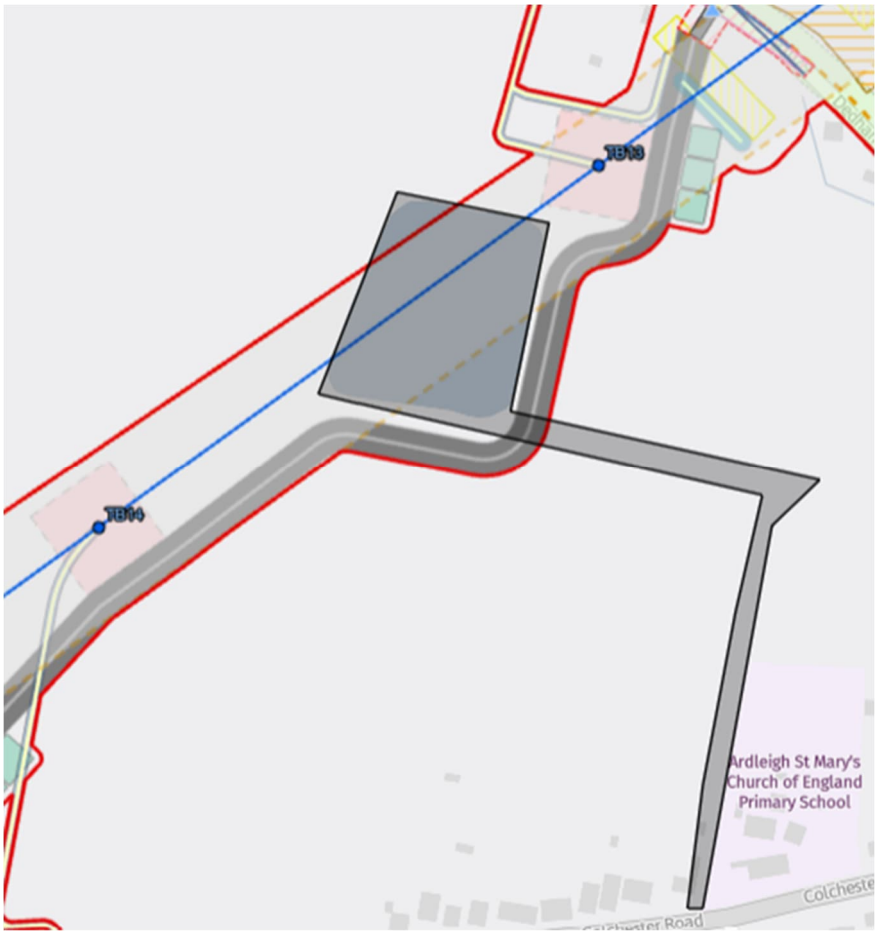


Figure 2: Interaction of the Fishing lake north of Colchester Road Local Green Space with the Norwich to Tilbury Project.

The designation of the site (and that at Harwich Road) as Local Green Space affords a similar of protection as Green Belt Policy. The interaction between the existing fishing lake and the Project was subject to relevant representations during the Examination of the Project.

As previously set out in our Regulation 18 submission whilst this Local Green Space will not be lost, its primary function as a fishing pond will, on the grounds of safety, be terminated by the Project.

Crown Business Centre, Old Ipswich Road

The Tendring Local Plan Regulation 19 Consultation proposes rolling forward an employment allocation, the Crown Business Centre, from the adopted Tendering Local Plan. This employment allocation is identified in Policy PP7 of both the adopted Local Plan and the Regulation 19 Consultation document.

The Norwich to Tilbury Project would oversail this proposed allocation in its northeastern corner. There is no permanent development within the site beyond this. Areas of the proposed allocation are also going to be utilised as a temporary haul route. The land affected by construction works

would be reinstated to its previous condition and use. The interaction between the site and the Project are displayed in Figure 3 below.

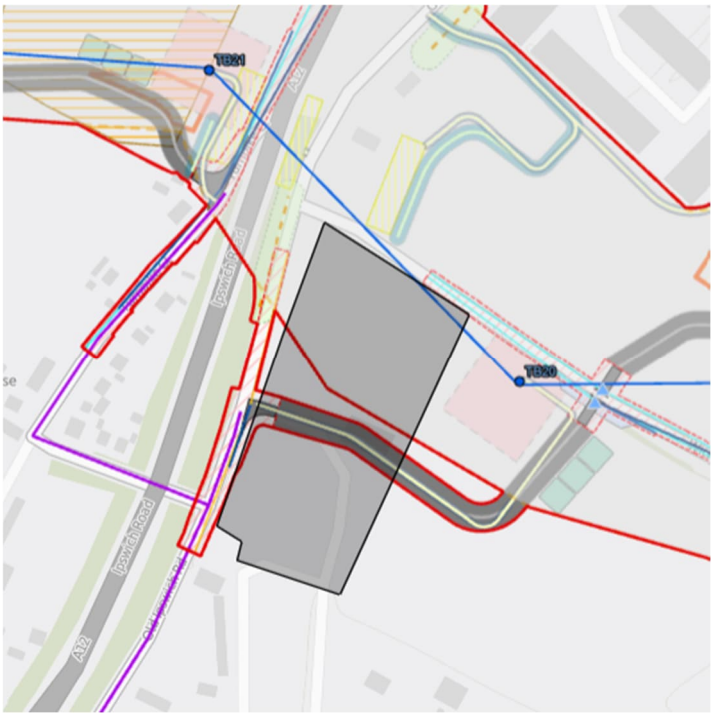


Figure 3: Interaction of the Crown Business Centre with the Norwich to Tilbury Project.

National Grid has actively engaged with the promoters of developments to the north and south of Wick Lane near the junction with the old Ipswich Road. Through those discussions modifications have been agreed to the arrangements for all developments such that co-existence is possible.

Proposed Allocations Nearby the Project

There are several proposed allocations located in close proximity to the Project's Order Limits, as follows:

- Housing Allocation MSA20: Land south of Shop Road, Little Bromley, which proposes 17 dwellings.
- Strategic Allocation – Mixed Use Allocation SAMU9: Horsley Cross Garden Village, which proposes a housing led mixed use development including up to 6,000 dwellings across plan periods.
- Strategic Allocation – Mixed Use Allocation SAMU8: Hare Green Garden Village, which proposes a housing led mixed use development including up to 4,500 dwellings across plan periods.

National Grid acknowledges that there is no direct interaction between the above sites and the Norwich to Tilbury Project. We would request that we are kept informed of any changes to these proposed site boundaries through the Local Plan Examination.

There should be no reason why the allocations referred cannot be successfully developed alongside the Norwich to Tilbury Project. However, in order to ensure that this is the case and that

developers are aware of the matters to consider when developing in proximity to overhead lines, National Grid strongly recommends that the relevant policies refer to both the Electricity Safety, Quality and Continuity Regulations 2002 and National Grid's Design Guidelines for Development Near Pylons and High Voltage Overhead Power Lines which will assist the developers in this regard. In addition to this National Grid is willing to meet with both the LPA and the site developers to discuss the development of the sites to ensure a mutually beneficial outcome.

I trust that that above information is of interest. Should you have any queries, please contact [redacted]

Yours faithfully,

[redacted]

Kevin Roeton
Senior Consents Manager (Onshore Planning)
National Grid

FAO: Planning Policy Team
Tendring District Council
Email: planning.policy@tendringdc.gov.uk

Mrs Heather Gurden
Strategic Designing out Crime Manager
Essex Police HQ
Springfield, Chelmsford
Essex, CM2 6DN

12th October 2026 n

To Whom it May Concern,

Re: Tendring Local Plan Regulation 19

The 'Essex Police – Designing out Crime Office' (DOCO), welcomes the opportunity to comment on the Tendering Local Plan Regulation 19 and would wish to raise the below points for consideration.

The DOCO previously provided comments during the Regulation 18 stage and welcomes the opportunity to comment on the current draft Local Plan regulation 19. The observations below are intended to support the effective implementation of the proposed policies and help ensure future development is designed to minimise crime and anti-social behaviour while creating safe, secure and sustainable communities.

Non-strategic Policy SPL3 Sustainable Design

The DOCO welcomes paragraph H, which requires measures to minimise opportunities for crime and anti-social behaviour (ASB). It is recommended that developments seek a Secured by Design accreditation to help ensure schemes are safe, secure and sustainable.

Non-strategic Policy HP1 Improving Health and Wellbeing

The DOCO welcomes Part A (f), which promotes safe, inclusive and accessible places that support wellbeing. Early consultation with the DOCO is recommended to provide Crime Prevention Through Environmental Design (CPTED advice), local crime trend analysis and proportionate crime prevention measures.

Non-strategic Policy HP5 Open Space, Sports and Recreation Facilities

The DOCO welcomes paragraph 4.24, which promotes attractive, safe and accessible parks and green spaces. Early engagement with the DOCO is recommended to help ensure public spaces are safe, inclusive and aligned with the Violence Against Women and Girls (VAWG) objectives. This approach would also support the requirements of the NPPF and Policy P70 TR4 (Street Design, Access and Parking), particularly paragraph (c).

Non-strategic Policy LP4 Development Layout and Design

The DOCO welcomes paragraphs (b) and (d), which reference safety and the prevention of crime and Anti-Social Behaviour (ASB). Consultation with the DOCO is recommended to support the delivery of safe, sustainable and cohesive communities through good design.

Strategic Policy CP1 Sustainable Transport and Active Travel

The DOCO welcomes the requirement for safe, direct and attractive walking and cycling routes. To ensure this objective is met it is recommended that there is early consultation with the DOCO to ensure routes and associated public spaces are designed to be safe, accessible and secure.

10 Delivering Infrastructure

Essex Police welcomes the inclusion of this provision within paragraph 10.8 of the IPD. The Strategic Planning Team will submit separate representations in relation to future police infrastructure and funding requirements associated with planned growth and development.

If you have any queries in relation to the above observations for the Tendring Regulation 19 Local Plan, please contact the Essex Police Designing Out Crime Team designingoutcrime@Essex.police.uk

Yours Faithfully

[redacted]

Heather Gurden AD Cert ED&CP, LCGI, MSyl, CAS
Strategic Designing Out Crime Officer *(SDOCO)*
HQ Local Policing Support Unit
Email: designingoutcrime@Essex.police.uk

14733 Support

Document Element: Strategic Policy SPL1
Respondent: National Landscape Office
Date received: 15/10/2026 via Web

Summary:

Care will be needed in development allocations in Harwich and Dovercourt, Manningtree, Lawford and Mistley, and Wrabness to result in the conservation and enhancement of the natural beauty of both the Suffolk and Essex Coast and Heaths AONB/National Landscape and Dedham Vale National Landscape as required by Section 85 of the CROW Act 2000 (as amended by LURA 2023).

Full text:

The Suffolk and Essex Coast and Heaths AONB/National Landscape and Dedham Vale National Landscape are valued for their natural beauty and special qualities including landscape and scenic quality, relative wildness and tranquillity, and natural and cultural heritage. An AONB/National Landscape is of national importance and designated under the National Parks and access to the Countryside act (1949). Any proposed allocation and future development proposals, either within the National Landscapes or their settings, will need to result in the conservation and enhancement of their natural beauty as required by Section 85 of the CROW Act 2000 (as amended by LURA 2023). Particular care will need to be taken with allocations in Harwich and Dovercourt, Manningtree, Lawford and Mistley, and Wrabness.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14740 Object

Document Element: Non-strategic Policy PP11
Respondent: National Landscape Office
Date received: 15/10/2026 via Web

Summary:

The number, size and character of the chalets at Wrabness Beach north of Wall Lane should be restricted in order to conserve and enhance in order to conserve and enhance the natural beauty, landscape character and special qualities of the designated area, in line with identified criteria.

Full text:

The National Landscape Team believes the traditional chalets at Wrabness beach north of Wall Lane, should be identified within this or other suitable policy, as holiday accommodation of particular character and sensitivity that sits within both the Suffolk and Essex Coast and Heaths National Landscape and the Coastal Protection Belt where support for proposals that expand the footprint or substantially change the character of the chalet or extend the line of chalets onto adjoining undeveloped land should be restricted. This is in order to conserve and enhance the natural beauty, landscape character and special qualities of the designated area. Within the foreshore of the estuary adverse impacts cannot be mitigated or enhanced through planting. We suggest the local authority identifies suitable criteria against which any proposals are determined .
This is to ensure it meets the criteria for NPPF Policy N4: Protected Landscapes in order to ensure 'Development proposals within Protected Landscapes...are sensitively located and designed to avoid harm to the statutory purposes and special qualities of the Protected Landscape. Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas...' and N5: Maintaining the character of the coast.

Change suggested by respondent:

We suggest the local authority identifies suitable criteria against which any proposals for change to the traditional chalets and their setting on the foreshore at Wrabness can be determined against, taking into account their sensitive setting within the National Landscape

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14766 Object

Document Element: Strategic Policy PP14
Respondent: National Landscape Office
Date received: 16/10/2026 via Web

Summary:

Allocations for housing and employment within the National Landscapes or their settings needs to be carefully framed to ensure the sensitivity of the National Landscape is taken into account. In relation to Strategic Policy PP14 Priority Areas of Regeneration, the National Landscape Team has concerns in relation to Harwich Old Town (and the associated Freeport East proposals) which have the potential for significant effects on the Suffolk and Essex Coast and Heaths National Landscape due to their proximity to the designation and the scale of any proposals.

Full text:

Allocations for housing and employment within the National Landscapes or their settings needs to be carefully framed to ensure the sensitivity of the National Landscape is taken into account. In relation to Strategic Policy PP14 Priority Areas of Regeneration, the National Landscape Team has concerns in relation to Harwich Old Town (and the associated Freeport East proposals) which have the potential for significant effects on the Suffolk and Essex Coast and Heaths National Landscape due to their proximity to the designation and the scale of any proposals.

Change suggested by respondent:

The policy needs to acknowledge the proximity of the National Landscape and the need to conserve and enhance the natural beauty and special qualities of this national designation.
Suggested additional wording:
'... the Council will seek to conserve and enhance the natural beauty and special qualities of the National landscape, minimising impacts on the landscape and seeking appropriate enhancements in keeping with the enhanced duty identified in Section 85 of LURA 2023'.

This is needed in order to ensure the policy is in keeping with NPPF Policy N4: Protected Landscapes, and therefore to make it sound, in particular 'Development proposals within the setting of Protected Landscapes should be sensitively located and designed to avoid or minimise adverse impacts on the Protected Landscape'.

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14904 Object

Document Element: Strategic Policy PPL3
Respondent: National Landscape Office
Date received: 19/10/2026 via Web

Summary:

TDC policy in relation to Protected Landscapes needs strengthening and articulated in a separate policy or policies to fully express NPPF Policy N4 Protected Landscapes and make the proposed Local Plan sound.

Full text:

The National Landscape team do not agree this policy is sound as it does not fully reflect the scope and importance of Protected Landscapes identified in the National Planning Policy Framework (NPPF). Tendring District Council (TDC) is fortunate to contain parts of two Protected Landscapes within its boundaries. The NPPF identifies a separate Policy N4: Protected Landscapes which confirms the importance of these landscapes. The Tendring District Council (TDC) Proposed Local Plan needs to more closely reflect the intention in Policy N4 particularly in relation to:
'1. Development proposals within Protected Landscapes should be limited in scale and extent and sensitively located and designed to avoid harm to the statutory purposes and special qualities of the Protected Landscape...'
2. Proposals for major development within Protected Landscapes should be refused other than in exceptional circumstances...
4. Development proposals within the setting of Protected Landscapes should be sensitively located and designed to avoid or minimise adverse impacts on the Protected Landscape.'
We propose that TDC creates a separate policy or policies for the Protected Landscapes within its boundaries as Colchester City Council has proposed in its Reg 19 Local plan submission.

Change suggested by respondent:

We propose a similar policy and justification to Colchester City Council's proposed Reg 19 policy, which is as written in full below. This would need adapting to include Suffolk and Essex Coast and Heaths National Landscape:

Policy LC2: Dedham Vale National Landscape

Development proposals within the Dedham Vale National Landscape must conserve and enhance its natural beauty, special qualities and statutory purpose. Development proposals within the setting of the National Landscape must be

sensitively located and designed to avoid or minimise adverse impacts on its natural beauty, special qualities, accessibility and setting.

To achieve this, development proposals must demonstrate that they:

a. Conserve and enhance the natural beauty, special qualities, and statutory purpose of the National Landscape, demonstrating a positive contribution through proportionate and evidence-based assessment; and
b. Avoid significant adverse effects on the tranquillity of the National Landscape and good quality night/dark skies, taking account of guidance in the Dedham Vale National Landscape Lighting Design Guide (2023) and avoiding unnecessary artificial lighting; and
c. Avoid significant adverse effects on the character, quality of views within, into and out of the National Landscape, and distinctiveness of the National Landscape or threaten public enjoyment of these areas, including by increased motorised vehicle movement and adverse impacts to water resources or through cumulative effects of development; and
d. Support the wider environmental, social and economic objectives as set out in the relevant adopted Management Plan for the Dedham Vale National Landscape and Stour Valley (including successor management plans), and associated guidance; and
e. Meet the statutory duty to further the purpose of the National Landscape, as defined by Section 245 of the Levelling Up and Regeneration Act 2023.
Where Policy LC2 applies, a Landscape and Visual Impact Assessment (LVIA) or other proportionate landscape assessment must be provided, having regard to the nature and sensitivity of the proposal, and evidence provided by that assessment and any evidence and/or advice provided by the Dedham Vale National Landscape Partnership in determining whether the development meets the requirement of criteria (a)-(e).

Applications for major development within the boundary of, or affecting the setting of, with regards to visual, landscape and experiential impacts, the Dedham Vale National Landscape, will be refused other than in exceptional circumstances, as set out in national policy. Where such circumstances are demonstrated, the proposal must be shown to be in the public interest. This includes consideration of the need for the development, alternative options, and the extent of any detrimental impacts on the landscape and its setting, including visual, landscape and experiential effects.

Where exceptional development is suitable, all reasonable steps must be taken to avoid harm. Where this is not possible, impacts must be minimised and mitigated. Compensation will only be considered as a last resort where residual impacts remain and must demonstrably contribute to the conservation and enhancement of the National Landscape.

Proposals within the setting of the National Landscape should incorporate sensitive siting and design of infrastructure, including undergrounding of new electrical and communication equipment to conserve and enhance the natural beauty and special qualities of the area.

Justification
National Landscapes (also referred to as Areas of Outstanding Natural Beauty) are designated by the Government for the purpose of ensuring that the natural beauty of the finest landscapes in England and Wales are conserved and enhanced. The statutory purpose of this designation is to conserve and enhance the Dedham Vale National Landscape. The purpose of this policy is to ensure that development conserves and enhances the natural beauty, special qualities and statutory purpose of the Dedham Vale National Landscape, including its setting, through a robust and evidence-based approach.

In December 2023, a new duty came into force in Section 245 of the Levelling-up and Regeneration Act (2023) stating that ‘relevant authorities must seek to further the purposes’ of the designated landscape. This overrides and strengthens the previous duty to ‘have regard’ to the purposes. This policy reflects that strengthened duty by requiring development proposals to clearly demonstrate how they further the purpose of the National Landscape.

The Dedham Vale National Landscape has been designated for its national importance in terms of landscape and scenic quality, biodiversity and cultural heritage and is further enhanced through its close association with the works of artist John Constable. The quality of the landscape is defined by its natural beauty and special qualities and the integration of the man-made elements within it, and the primary aim of the designation is to conserve and enhance its natural beauty. The policy therefore requires that development proposals conserve and enhance the natural beauty and special qualities of the National Landscape, including tranquillity, landscape character, visual amenity, and public enjoyment.

Potential impacts on the National Landscape will be considered in relation to their individual and cumulative effects, including incremental change arising from multiple developments over time.

As a typically rural landscape, the skies above are of regional importance to residents within and surrounding the landscape. The protection of dark skies and tranquillity is a key characteristic of the National Landscape, and development should avoid unnecessary artificial lighting and minimise light pollution, having regard to relevant guidance including the Dedham Vale National Landscape Lighting Design Guide (2023). In addition, it is important to protect skies that could qualify for International Dark-Sky Association (IDA) accreditation at a later date.

The Council will consult and have regard to advice from the Dedham Vale National Landscape Partnership where development proposals are located within, or have the potential to affect the setting of, the National Landscape. The

Partnership has specialist knowledge of the area's natural beauty, character, and special qualities, and provides guidance through the Dedham Vale National Landscape and Stour Valley Management Plan and associated documents.

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14926 Support

Document Element: Strategic Policy SAMU7
Respondent: National Landscape Office
Date received: 19/10/2026 via Web

Summary:

The National Landscape team welcomes recognition of the proximity of the Suffolk and Essex Coast and Heaths National Landscape in this policy. However, we suggest that the phrase 'where possible' is removed from the policy at item (g) in order for the policy to be compliant with the NPPF Policy N4: Protected Landscapes and the enhanced duty under Section 245 of LURA 2023. The duty also applies to functions undertaken outside of the designation boundary which affects land within the Protected Landscape.

Full text:

The National Landscape team welcomes recognition of the proximity of the Suffolk and Essex Coast and Heaths National Landscape in this policy. However, we suggest that the phrase 'where possible' is removed from the policy at item (g) in order for the policy to be compliant with the NPPF Policy N4: Protected Landscapes and the enhanced duty under Section 245 of LURA 2023. The duty also applies to functions undertaken outside of the designation boundary which affects land within the Protected Landscape.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14961 Object

Document Element: Strategic Policy SAE1
Respondent: National Landscape Office
Date received: 19/10/2026 via Web

Summary:

The National Landscape team welcomes reference in the policy to the extended National Landscape. However this should read the Suffolk and Essex Coast and Heaths National Landscape. Reference should also be made to the enhanced duty required by LURA 2023 in relation to National Landscapes not just mitigation of impacts. The enhanced duty also applies to settings of the National landscape.

Full text:

The National Landscape team welcomes reference in the policy to the extended National Landscape. However this should read the Suffolk and Essex Coast and Heaths National Landscape. Reference should also be made to the enhanced duty required by LURA 2023 in relation to National Landscapes not just mitigation of impacts. The enhanced duty also applies to settings of the National landscape.

Change suggested by respondent:

The policy should read Suffolk and Essex Coast and Heaths National Landscape.
In (b) the policy should read 'assessment of any impact on the landscape character and National Landscape special qualities should be undertaken and where impacts are identified, mitigation measures, including appropriate enhancements to the National Landscape, should be submitted including structural landscaping at the southern boundary;

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14966 Object

Document Element: Strategic Policy SAE2
Respondent: National Landscape Office
Date received: 19/10/2026 via Web

Summary:

The discussion and policy should make reference to the policy area likely being in the setting of the Suffolk and Essex Coast and Heaths Landscape to the north. The policy should add a paragraph at the end referencing the need for a Landscape and Visual Impact Assessment for any major infrastructure including an assessment of the impacts on the SECHNL natural beauty and Special Qualities' and how any necessary steps can be taken, as necessary, to fulfil the enhanced duty under LURA 2023.

Full text:

The discussion and policy should make reference to the policy area likely being in the setting of the Suffolk and Essex Coast and Heaths Landscape to the north. The policy should add a paragraph at the end referencing the need for a Landscape and Visual Impact Assessment for any major infrastructure including an assessment of the impacts on the SECHNL natural beauty and Special Qualities' and how any necessary steps can be taken, as necessary, to fulfil the enhanced duty under LURA 2023.

Change suggested by respondent:

Add paragraph to say:
Any infrastructure improvements in addition to those which already benefit from planning permission will require a Landscape and Visual Impact Assessment including an assessment of the impacts of the proposals on the SECHNL natural beauty and special qualities, and how steps can be taken, as necessary, to both mitigate effects and to fulfil the enhanced duty for Protected Landscapes under LURA 2023.

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14974 Support

Document Element: Objectives for the Plan
Respondent: National Landscape Office
Date received: 19/10/2026 via Web

Summary:

Please provide a summary in appendix of the Local Plan that recognises this.

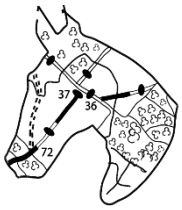
Full text:

For the avoidance of doubt landscape is not just a heritage asset and should be viewed in a more holistic, living way. The European Landscape Convention, to which the UK is a signatory, defines it as follows:
The Convention defines landscape as “an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors”. It also provides that each Party shall undertake “to recognise landscapes in law as an essential component of people’s surroundings, an expression of the diversity of their shared cultural and natural heritage, and a foundation of their identity”.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None



Essex Bridleways Association
Registered Charity **801530**

Essex Bridleways Association (EBA)
Cross-Cutting Representation on the Tendring Local Plan Review 2026-2043 (Regulation 19 Submission Version)

Essex Bridleways Association (EBA) welcomes the positive approach taken throughout the Local Plan towards healthy communities, active lifestyles, countryside access, green infrastructure and Public Rights of Way. We particularly support the recognition of bridleways as green corridors, the protection of bridleways and footpaths within the rural landscape, and Policy CP1's requirement to enhance connectivity to existing PRoW, including bridleways, and to create new links to improve access to the wider countryside.

The Plan presents Tendring as a predominantly rural district characterised by villages, hamlets, coastline, estuaries, National Landscapes and an extensive countryside. It also plans for substantial growth through new housing allocations, strategic urban extensions and Garden Villages.
EBA believes this creates a significant opportunity to strengthen the role of Public Rights of Way, bridleways and Multi-User Routes (MURs) as part of the District's long-term infrastructure and placemaking strategy.

A key consideration is the publication of Active Travel England's *Rural Design Guide for Active Travel (2026)*. The guidance recognises that rural communities require approaches that differ from urban areas and emphasises the need for development to connect settlements, services, green infrastructure and the wider countryside through attractive, accessible movement networks.
EBA considers these principles particularly relevant to Tendring. New development should not simply provide internal roads, footways and cycleways but should also be integrated into the surrounding landscape through connected networks of PRoW, bridleways and MURs.

The Local Plan repeatedly promotes active lifestyles, health improvement and increased physical activity. This is particularly important in Tendring where health inequalities and physical inactivity are recognised challenges.
Equestrian activity contributes directly to these objectives. Horse riding is a recognised form of moderate physical activity and provides significant physical and mental health benefits. It is also an activity that attracts participation from groups who may be less likely to engage in other forms of exercise.
EBA therefore considers that access to safe off-road riding opportunities should be regarded as part of the wider health and wellbeing agenda rather than solely a recreational issue.

The Plan contains positive references to PRoW, bridleways, countryside access and green infrastructure. However, these themes are not always carried through consistently into the

active travel and infrastructure delivery framework. Walking and cycling are frequently referenced, whereas Multi-User Routes are not explicitly recognised despite their ability to support walkers, wheelers, cyclists and horse riders while also contributing to recreation, tourism, health and environmental objectives.
EBA is also aware that the existing bridleway network within Tendring is relatively limited and fragmented and in some locations reliant on sections of road network that have become increasingly difficult to use safely because of traffic growth. This increases the importance of securing improvements wherever opportunities arise through development.
The proposed Garden Villages offer significant opportunities for strategic route creation, but smaller and medium-sized allocations should not be overlooked. Opportunities for mitigation and enhancement should therefore be considered in relation to both strategic and non-strategic development.

Whilst the Plan contains strong policy support for improving access to the countryside and enhancing PRoW connectivity, greater clarity is required regarding delivery. PRoW, bridleways and MURs should be recognised as infrastructure assets capable of receiving developer funding and forming part of the Infrastructure Delivery Plan, masterplans and future design codes. This should include opportunities for:

- enhancement of existing Public Rights of Way and bridleways;
- delivery of new Multi-User Route links;
- improved access to the countryside and coast;
- safe road crossings and route connections; and
- integration of access networks into strategic developments and Garden Villages.

Recommendation
EBA supports the overall direction of the Local Plan. However, given Tendring's strongly rural character, the scale of planned growth and the principles set out within Active Travel England's *Rural Design Guide for Active Travel (2026)*, the Plan would be strengthened by explicitly recognising Multi-User Routes as part of the District's transport, green infrastructure and placemaking framework and by providing greater certainty regarding their delivery through infrastructure planning and strategic development. **This would improve the effectiveness of the Plan and strengthen its consistency with national policy and guidance relating to active travel, healthy communities, countryside access and sustainable placemaking.**

Sally McManus
Bridleway Development Officer

14981 Support

Document Element: Non-strategic Policy HP2
Respondent: Theatres Trust
Date received: 19/10/2026 via Web

Summary:

We welcome inclusion of this policy, which provides strong protection for Tendring's valued cultural facilities in line with paragraph 98 (2026) of the previous NPPF (2024), and Policy HC6 of the new NPPF (2026).

Full text:

We welcome inclusion of this policy, which provides strong protection for Tendring's valued cultural facilities in line with paragraph 98 (2026) of the previous NPPF (2024), and Policy HC6 of the new NPPF (2026).

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

Planning Policy

From: Ben Green [redacted]
Sent: 09 October 2026 15:58
To: Planning Policy
Subject: Tendring District Local Plan Review 2026–2043 and Beyond Regulation 19 representation on behalf of the Woodland Trust

Follow Up Flag: Follow up
Flag Status: Completed

Tendring District Local Plan Review 2026–2043 and Beyond
Regulation 19 representation on behalf of the Woodland Trust

1. Introduction and overall position

The Woodland Trust welcomes the opportunity to comment on the Submission Version of the Tendring District Local Plan Review. Our representation focuses on ancient woodland, ancient and veteran trees, wider tree and woodland protection, biodiversity net gain, ecological connectivity, green infrastructure, climate resilience and equitable access to nature.

We support the Council's ambition to deliver sustainable, infrastructure-led development and welcome the recognition of biodiversity, green and blue infrastructure and the Essex Local Nature Recovery Strategy throughout the Plan. In particular, we strongly support the proposed 20% biodiversity net gain requirement and the intention to create connected, multifunctional green infrastructure within new communities.

However, these ambitions need to be supported by clearer and more enforceable policy requirements. Trees, woodland and ecological networks should shape the location, capacity, layout and phasing of development, rather than being treated primarily as landscaping or mitigation after development parameters have been established.

Our principal concern is that Policy PPL4 does not adequately distinguish the protection of irreplaceable habitats from the wider balancing exercise applied to other biodiversity interests. Further modifications are also required to secure appropriate buffers, early ecological and arboricultural assessment, meaningful canopy expansion, habitat-sensitive access provision and funded long-term stewardship.

The Woodland Trust considers that the policies addressed in this representation require modification to be effective and consistent with national policy. Where development capacity or delivery assumptions depend on unresolved ecological constraints, there are also questions of justification. Our objections are targeted at these matters and should not be interpreted as an objection to sustainable development in principle or to every allocation.

2. Policy PPL4: a distinct and unambiguous test for irreplaceable habitats

Policy PPL4 should contain a separate operative provision for ancient woodland and ancient and veteran trees. Their inclusion alongside Local Wildlife Sites, protected verges and riparian biodiversity risks obscuring their distinctive status as irreplaceable habitats.

This concern is compounded by the subsequent provision allowing biodiversity harm in exceptional circumstances where development benefits demonstrably outweigh the harm and mitigation or

compensation is provided. Without an explicit distinction, this broader balancing provision could be interpreted as applying to ancient woodland and ancient or veteran trees.

The Plan must make clear that these habitats are subject to the more stringent test of wholly exceptional reasons and a suitable compensation strategy. Ordinary housing need, employment benefits, landscaping proposals or biodiversity gains elsewhere should not be presented as sufficient, in themselves, to satisfy that test.

We request the following additional wording:

> **"Development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and ancient or veteran trees, will be refused unless wholly exceptional reasons exist and a suitable compensation strategy is secured. The general biodiversity balancing provisions of this policy do not replace this test. Compensation, replacement planting and biodiversity net gain will not be treated as substitutes for avoiding harm to irreplaceable habitats."**

Supporting text should explain that ancient woodland comprises much more than its standing trees. Its soils, fungi, ground flora, seed bank, deadwood, hydrology and ecological continuity are integral to its value. Retaining trees while damaging these underlying features does not amount to protecting the habitat.

"Deterioration" should expressly encompass indirect effects, including soil compaction, root damage, drainage changes, pollution, nitrogen deposition, artificial lighting, recreational pressure, garden encroachment, invasive species and fragmentation.

Protection must apply regardless of whether a woodland or tree is recorded on an inventory, designated as a Local Wildlife Site or covered by a Tree Preservation Order. The glossary should also expressly include ancient trees within its definition of irreplaceable habitats and distinguish ancient and veteran trees from the broader category of aged trees.

3. Ancient woodland buffers and ancient and veteran tree protection

The Plan should establish clear buffer requirements at allocation and masterplanning stages. Leaving these matters until detailed applications risks fixing development capacities that cannot subsequently accommodate adequate protection.

The Woodland Trust seeks a **minimum 50-metre semi-natural buffer between development and ancient woodland**, measured from the woodland boundary, with larger buffers where necessary to address the scale, nature and pathways of potential impacts.

This is the Trust's requested local policy standard, rather than a claim that 50 metres is a universal statutory minimum. The national standing advice's minimum 15-metre woodland buffer addresses root damage and should not be interpreted as sufficient to resolve every indirect impact.

For ancient and veteran trees, the Plan should require a protective buffer with a radius of at least 15 times the stem diameter, or extending five metres beyond the canopy edge, whichever provides the larger area. Wider protection should be required where site-specific assessment identifies additional impacts.

We request:

> **"Development adjacent to ancient woodland must provide a semi-natural buffer of at least 50 metres. Larger buffers will be required where assessment identifies impacts**

extending beyond this distance. Ancient and veteran trees must be retained with protective buffers of at least 15 times their stem diameter, or five metres beyond the canopy edge, whichever is greater. Buffers must be identified before development layout and capacity are finalised and secured for long-term ecological management."

Buffers should exclude buildings, roads, parking, private gardens, construction compounds, material storage and incompatible infrastructure. They should not become convenient locations for drainage features that alter woodland hydrology or introduce polluted runoff.

Public access should be permitted only where compatible with ecological protection. High-intensity recreation, dog-exercise areas and heavily used routes should be directed elsewhere. Where appropriate, buffers should connect to wider habitat networks, but their primary purpose must remain protection of the irreplaceable habitat.

4. Spatial strategy, allocations and the adequacy of ecological evidence

The protection of irreplaceable habitats must influence site selection, not simply development management. An allocation should not establish a development expectation that depends on harmful encroachment into woodland, tree buffers or supporting habitat.

The Council should provide a transparent ecological constraints and opportunities schedule for each strategic allocation, medium-sized allocation and broad location for growth. This should identify:

- Ancient woodland and potential unrecorded ancient woodland.
- Ancient, veteran and notable trees.
- Priority habitats, Local Wildlife Sites and ecological corridors.
- Relevant hydrological connections and pollution pathways.
- Required buffers and construction exclusion areas.
- Essex Local Nature Recovery Strategy priorities.
- Recreational pressure and access-management requirements.
- Land needed for habitat creation, canopy expansion and long-term management.

Inventories should be supplemented by proportionate field surveys and local records. An absence of mapped features should not be treated as evidence that no constraint exists.

The Plan's ancient woodland schedule should be checked against the latest available inventory and local evidence. Its stated historical source and review dates make it particularly important that allocation screening is not dependent on an outdated list.

Site capacities, infrastructure corridors and development trajectories should reflect the land required for avoidance, buffers and green infrastructure. Where these requirements materially reduce the developable area, the allocation should be amended accordingly.

We request:

"Development capacities and infrastructure layouts must be informed by ecological and arboricultural constraints. Where appropriate avoidance measures, buffers and habitat protection cannot be accommodated, the developable area and capacity must be reduced, the allocation boundary amended or the site omitted."

For broad locations such as Hare Green and Horsley Cross, detailed boundaries may appropriately follow through subsequent planning frameworks. Nevertheless, the Local Plan must establish the essential

environmental safeguards now. Later masterplanning should refine an environmentally acceptable proposal, not determine whether fundamental conflicts can be overcome.

5. Site-specific modifications: Hartley Gardens and other strategic growth

Hartley Gardens, Policy SAMU2

The Plan identifies ancient woodland at Hartley Wood to the north-west of the Hartley Gardens site. This warrants an explicit site-specific safeguard rather than reliance solely on general biodiversity and landscape provisions.

We welcome the proposed retention of important landscape features and the connected green infrastructure approach. However, Policy SAMU2 should expressly require protection of Hartley Wood from both direct loss and indirect deterioration.

We request:

> **"Development must avoid direct or indirect deterioration of Hartley Wood ancient woodland. The masterplan must identify and secure a minimum 50-metre semi-natural buffer, with a larger buffer where required by ecological, hydrological, air-quality or recreational-impact assessment. Development capacity, drainage, lighting, access and infrastructure must be designed around these requirements. Alternative recreational provision must prevent increased pressure from causing deterioration of the woodland."**

This does not presume that the allocation overlaps the woodland or that harm is inevitable. It responds to the relationship identified in the Plan and seeks an enforceable requirement to demonstrate that development can proceed without deterioration.

The assessment should address construction effects, drainage changes, increased recreational demand, traffic-related pollution and cumulative impacts. The relationship between Hartley Brook, Pickers Ditch, retained trees and woodland hydrology should inform drainage design.

Garden communities and garden villages

Policies SAMU1, SAMU6, SAMU8 and SAMU9 should secure landscape-led development in which retained habitats and trees form the starting point for design.

New country parks and green corridors should provide genuine nature-recovery opportunities while directing recreational demand away from sensitive habitats. Incorporating an existing woodland into a country park should not automatically imply that increased access, new paths or visitor infrastructure are ecologically acceptable.

The Plan should clarify how its environmental requirements operate alongside the separate development plan framework for the Tendring Colchester Borders Garden Community, avoiding uncertainty over applicable standards and stewardship responsibilities.

Collierswood Farm, Policy SAE3

We welcome the recognition of woodland-specific habitat enhancement opportunities. However, retaining existing trees and hedgerows "where possible" should be replaced with a stronger retention-first requirement.

The masterplan should identify retained trees, habitat corridors, woodland enhancement areas, buffers and canopy requirements before building footprints, service areas and transport infrastructure are fixed. Lighting, noise and air-quality measures should protect ecological receptors as well as residential amenity.

6. Policy PPL4a: retain 20% biodiversity net gain and strengthen delivery

The Woodland Trust strongly supports the proposed 20% biodiversity net gain requirement. This should be retained as a clear minimum requirement for qualifying development, supported by the Plan's evidence and viability assessment.

The opening wording should be revised to remove ambiguity between an expectation of delivery within the development site and the subsequent allowance for off-site provision. It should distinguish the statutory biodiversity gain objective from the additional local policy requirement.

We request:

> **"Development subject to mandatory biodiversity net gain must deliver a minimum 20% biodiversity net gain, calculated using the statutory biodiversity metric and secured through appropriate planning mechanisms. Delivery must follow the applicable biodiversity gain hierarchy, support the Essex Local Nature Recovery Strategy and strengthen coherent ecological networks."**

The policy should also clarify that statutory biodiversity credits are a last-resort mechanism for meeting the mandatory biodiversity gain objective. They should not be presented as an automatic means of satisfying the additional local uplift. Any arrangements for the locally required gain must be clearly defined and enforceable.

A viability concern should not, by itself, establish that the biodiversity gain hierarchy has been exhausted. The policy should require evidence of the delivery options considered and distinguish any proposed flexibility in the additional local requirement from statutory obligations.

BNG must remain separate from the protection of irreplaceable habitats. Neither a positive metric result nor off-site habitat creation makes otherwise unacceptable woodland or ancient-tree harm acceptable.

Habitat banks should be selected for ecological suitability and strategic contribution, not simply land availability or price. Woodland creation should be supported where appropriate, but must not replace valuable grassland, wetland, coastal habitat or functionally linked land.

Management arrangements should specify habitat condition targets, delivery milestones, funding, monitoring and remedial action. The statutory minimum management period should be recognised, while **at least 50 years of management and monitoring should be sought for woodland creation and other slow-establishing habitats**, where justified and secured through appropriate mechanisms.

7. Tree retention, construction protection and replacement

Policies PPL3, SPL3 and LP4 should establish a consistent retention-first approach. Existing trees should influence development design from the outset, rather than being assessed after layouts have become difficult to change.

Applications affecting trees should be supported by proportionate early arboricultural assessment, including a tree survey, Arboricultural Impact Assessment, Tree Retention Plan, Tree Protection Plan and, where necessary, an Arboricultural Method Statement.

Surveys should identify ancient, veteran and notable trees, including those in hedgerows, historic parkland, orchards, field boundaries and urban settings. Newly identified ancient and veteran trees should be recorded through appropriate inventories, and the Council should consider Tree Preservation Orders where justified.

Construction protection must address soil compaction, excavation, changes in ground levels, trenching, service installation, storage and vehicle movements. Protection should be installed before site clearance or enabling works, with professional supervision at relevant stages.

Notable trees should receive explicit recognition as valuable ecological, cultural and landscape assets and as part of the future veteran-tree resource. Decay features, cavities and deadwood should not automatically be treated as reasons for removal.

Where ordinary tree loss is demonstrably unavoidable, replacement should follow a size-based standard, such as the Bristol Tree Replacement Standard or an equivalent locally adopted approach. Replacement should reflect the scale and value of the loss, rather than relying on one-for-one sapling counts.

Replacement trees must have adequate rooting space, suitable species selection, funded establishment and replacement of failures. Planting should maintain benefits within the affected locality wherever practicable. These provisions must not be used to justify loss of ancient woodland or ancient and veteran trees.

8. A firm 30% canopy-cover requirement for new development

The Plan should move beyond general support for tree-lined streets and introduce a measurable canopy-cover requirement.

The Woodland Trust requests that new development be designed to achieve at least 30% tree canopy cover, with a clear policy requirement for major residential, mixed-use and non-residential schemes. This should be embedded in Policies SPL3, LP4 and PPL4 and reflected in strategic allocation requirements.

A canopy standard measures the intended outcome more meaningfully than a planting count. Numerous small ornamental trees should not be treated as equivalent to retaining mature trees or providing sufficient space for large-canopy species.

We request:

> **“Major development must retain existing trees and be designed to achieve at least 30% tree canopy cover across the application site. Applications must provide a canopy assessment showing existing cover, retained cover and projected cover at an agreed establishment horizon, normally 30 years after completion. Delivery must be supported by adequate rooting space, suitable species selection, funded management, monitoring and replacement of failures.”**

The calculation should use a clearly defined site boundary and avoid double-counting overlapping crowns. Projections must reflect realistic growth, site conditions, species characteristics and likely management.

The standard should be addressed at outline and masterplanning stages. It should not be deferred until reserved matters, when streets, utilities and building positions may leave insufficient space.

Where existing canopy exceeds 30%, the target must not become permission to reduce it. Retention and protection requirements should continue to apply independently.

Any departure should require robust site-specific justification, demonstrating that reasonable design alternatives have been exhausted. Exceptions should be narrowly defined, particularly where valuable open habitats would be harmed by planting. Routine claims about density, parking or infrastructure should not displace a requirement that could have been accommodated through earlier design.

The Plan should also establish canopy baselines and improvement objectives for existing settlements, prioritising places with low tree cover, limited access to nature and environmental disadvantage. The 3-30-300 principle can support this approach, but should complement rather than dilute the explicit new-development canopy requirement.

9. Green infrastructure, woodland access and tree equity

Policies HP1, HP5, LP4 and PPL4 should collectively secure accessible, connected and ecologically functional green infrastructure.

We welcome the tiered open-space requirements. However, the quantity of open space alone does not demonstrate access to nature, adequate shade or habitat connectivity. Formal sports provision, amenity grassland, drainage infrastructure and woodland have different functions and should not be treated as interchangeable.

The Plan should use the Woodland Trust's Access to Woodland Standard to identify deficiencies and guide provision:

- Accessible woodland of at least two hectares within 500 metres of homes.
- Accessible woodland of at least 20 hectares within four kilometres of homes.

These should be complemented by an objective of accessible natural greenspace of at least two hectares within 300 metres of homes, with safe and inclusive routes.

New woodland and planting should prioritise areas of access deficiency and low canopy cover. Where suitable data is available, Tree Equity mapping should inform investment, with a Tree Equity Score of at least 75 sought as a local improvement benchmark.

The Council should also consider supporting planting benchmarks of five trees per dwelling and five trees per 1,000 square metres of non-residential floorspace where appropriate and deliverable. Such benchmarks must supplement, not replace, canopy and retention standards.

An Urban Greening Factor could provide an additional tool for major development, particularly in denser locations. It should reward retained mature trees, large-canopy planting and biodiverse multifunctional infrastructure, rather than cosmetic landscaping.

10. Nature recovery, landscape and climate adaptation

The Essex Local Nature Recovery Strategy should influence allocation decisions, infrastructure planning, habitat banks and development design. References to having regard to the Strategy should translate into identifiable spatial requirements and measurable delivery.

The Plan should map ecological networks and relevant opportunity areas, including opportunities for woodland expansion, natural regeneration, hedgerow restoration and riparian habitat enhancement.

Policy PPL6 should recognise that Strategic Green Gaps can contribute to nature recovery as well as settlement separation. Enhancement must remain sensitive to landscape character and existing habitats.

Policies PPL1 and PPL5 should require drainage and flood-risk assessment to address effects on woodland soils, rooting environments, groundwater and natural drainage patterns. No tree felling is necessary for development to damage woodland through altered hydrology.

Nature-based solutions should be integrated into green and blue infrastructure, including appropriate riparian planting, wet woodland, soil restoration and floodplain habitat restoration. They should complement, not replace, necessary flood-risk assessment and infrastructure.

In Tendring's coastal and estuarine landscapes, woodland creation must follow a habitat-sensitive approach. Tree planting should not compromise saltmarsh, valuable grassland, bird habitat, open landscape character or coastal adaptation opportunities.

11. Recreation, pollution, lighting and cumulative effects

Recreational mitigation must avoid transferring pressure from coastal habitats to ancient woodland or other sensitive sites.

SANG design should provide attractive alternatives while protecting existing ecological assets. Paths, parking, lighting and intensive dog-walking provision should not be placed within woodland buffers where they would cause deterioration.

The Plan should retain the distinction between recreational mitigation and biodiversity net gain. Where both are delivered on the same land, additional biodiversity gains must be demonstrable rather than assumed.

Policies SPL3, CP1, CP2 and SAE2 should require assessment of pollution, nitrogen deposition, dust, lighting, noise and fragmentation wherever credible pathways to sensitive habitats exist. Assessment should include cumulative effects from housing, employment development and associated infrastructure.

Distance thresholds used for particular assessment purposes should not be interpreted as universal limits beyond which ecological effects can be disregarded.

Lighting strategies should protect woodland edges, hedgerows and dark ecological corridors. Active-travel routes should improve connectivity without requiring harmful lighting, surfacing or vegetation clearance within sensitive habitats.

12. Infrastructure delivery, stewardship and monitoring

Policy DI1 should explicitly include ecological protection, woodland buffers, canopy delivery, habitat management and recreational mitigation within essential infrastructure requirements.

Its exceptions for development proceeding without full mitigation require an express safeguard. A general benefits or viability balance must not override statutory obligations or the specific national policy test for irreplaceable habitats.

We request:

> **"The exceptions in this policy do not disapply statutory environmental requirements or the specific protection afforded to irreplaceable habitats. Development must not proceed where essential ecological protection or mitigation has not been secured and delivered at the stage necessary to prevent harm."**

Management arrangements should identify ownership, responsible organisations, funding, inspection, reporting and corrective-action mechanisms. Stewardship must remain effective through development phasing and any transfer of land or management responsibility.

The monitoring framework should include:

- Loss or deterioration of ancient woodland and ancient or veteran trees.
- Delivery and condition of protective buffers.
- Trees retained, lost, planted and successfully established.
- Existing and projected canopy cover, including progress towards 30%.
- Hedgerow condition and ecological connectivity.
- BNG delivery and achievement of habitat condition targets.
- LNRS-aligned habitat restoration and creation.
- Woodland and natural-greenspace accessibility.
- Effectiveness of recreational mitigation.
- Compliance with funded management arrangements.

Each indicator should have a baseline, target, reporting frequency, responsible body and remedial trigger. Monitoring must measure ecological outcomes, not simply permissions granted or contributions secured.

13. Principal modifications requested and conclusion

The Woodland Trust requests that the Council:

1. Insert a separate irreplaceable-habitat test into PPL4 and clarify that general biodiversity balancing does not replace it.
2. Require minimum 50-metre ancient woodland buffers, wider protection where necessary and appropriate ancient and veteran tree buffers.
3. Ensure ecological constraints shape allocations, capacities and infrastructure before development expectations are fixed.
4. Add an explicit Hartley Wood safeguard to SAMU2.
5. Retain the minimum 20% BNG requirement and clarify its relationship with statutory gain, credits and off-site delivery.
6. Secure longer management periods for woodland and other slow-establishing habitats.
7. Introduce retention-first tree protection and size-based replacement standards.
8. Require at least 30% canopy cover in new major development, with realistic projections and enforceable delivery.
9. Strengthen woodland access, tree equity and connected green infrastructure.
10. Translate LNRS priorities into spatial requirements and measurable outcomes.
11. Protect woodland hydrology and sensitive habitats from recreation, pollution and cumulative effects.
12. Prevent DI1 exceptions from weakening essential environmental safeguards and introduce outcome-based monitoring.

These modifications would reinforce the Plan’s existing environmental ambitions while improving clarity, effectiveness and consistency with national policy. They would help ensure that development delivers lasting nature recovery and accessible green infrastructure without sacrificing the irreplaceable habitats and established trees on which those outcomes depend.

Yours faithfully,

Ben Green
Regional External Affairs Officer - Central
Telephone: [redacted]
Email: [redacted]

The Woodland Trust, Kempton Way, Grantham, Lincolnshire, NG31 6LL
0330 333 3300
woodlandtrust.org.uk

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15014 Support

Document Element: Strategic Policy PPL4
Respondent: RSPB
Date received: 19/10/2026 via Web

Summary:
The Draft Local Plan contains several policies which recognise the need to apply a precautionary approach to any developments with the potential to impact sites legally protected for their ecological importance. The RSPB supports this approach and considers it particularly important given the proximity of several proposed allocations to the Stour and Orwell Estuaries SPA and Ramsar site, Hamford Water SPA, SAC and Ramsar site, and Colne Estuary SPA and Ramsar site.

Full text:
The Draft Local Plan contains several policies which recognise the need to apply a precautionary approach to any developments with the potential to impact sites legally protected for their ecological importance. The RSPB supports this approach and considers it particularly important given the proximity of several proposed allocations to the Stour and Orwell Estuaries SPA and Ramsar site, Hamford Water SPA, SAC and Ramsar site, and Colne Estuary SPA and Ramsar site.

Change suggested by respondent:
-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

15018 Object

Document Element: 12 Policies Maps, Policies Map – Key
Respondent: RSPB
Date received: 19/10/2026 via Web

Summary:
The interactive map appears to show some settlement development boundaries extending into the Stour and Orwell Estuaries SPA and Ramsar site (Manningtree, Mistley, Parkeston). We assume this is either a mapping artefact or reflects administrative boundaries rather than any intention to identify designated habitat for future development. Nevertheless, given the importance and sensitivity of these designated sites, clarification would be welcomed to ensure there is no ambiguity regarding the status or intended treatment of these areas.

Full text:
The interactive map appears to show some settlement development boundaries extending into the Stour and Orwell Estuaries SPA and Ramsar site (Manningtree, Mistley, Parkeston). We assume this is either a mapping artefact or reflects administrative boundaries rather than any intention to identify designated habitat for future development. Nevertheless, given the importance and sensitivity of these designated sites, clarification would be welcomed to ensure there is no ambiguity regarding the status or intended treatment of these areas.

Change suggested by respondent:
No overlap of settlement development boundaries with the Stour and Orwell Estuaries SPA/Ramsar site.

Legally compliant: No
Sound: No
Appear exam: Written Representation
Attachments:
Manningtree Settlement Development Boundary.png
Mistley Settlement Development Boundary.png
Parkeston Settlement Development Boundary.png

15029 Support

Document Element: Strategic Policy SAMU7
Respondent: RSPB
Date received: 19/10/2026 via Web

Summary:

The Stour and Orwell Estuaries SPA/Ramsar site is a significant constraint on development due to its internationally important wintering bird populations. Several allocations, including Saltings Quarter, the Carless Refinery Extension and Crisp Malting, are in very close proximity to habitats used by qualifying features and proposals would need to be designed very carefully to increase the likelihood that adverse effects on the integrity of the SPA/Ramsar site can be ruled out. Proposals will need to be supported by robust assessments which examine potential disturbance from both construction and operational phases of development.

Full text:

The Stour and Orwell Estuaries SPA and Ramsar site supports internationally important populations of wintering waterbirds and this represents a significant environmental constraint for development proposals located close to the estuary.

The RSPB notes that the red-line boundaries of several allocations, including Saltings Quarter, the Carless Refinery Extension and Crisp Malting, are in very close proximity to habitats used by qualifying features of the Stour and Orwell Estuaries SPA/Ramsar site. The successful delivery of these allocations will depend upon careful design and a thorough understanding of the potential impacts on internationally important bird populations from the outset. Potential impact pathways may include construction-related disturbance arising from noise, lighting, dust and visual activity. Particular consideration should also be given to the long-term presence and prominence of human activity in these areas once development is occupied and in use, and the potential disturbance this may cause to qualifying SPA and Ramsar species.

The allocation at Wrabness gives rise to a somewhat more indirect impact pathway. Whilst the development itself may not directly affect the most sensitive estuarine habitats, the short walking distance between the site and the estuary foreshore could increase recreational use of areas regularly used by qualifying SPA and Ramsar species. The Plan and supporting HRA should therefore provide confidence that the strategic mitigation measures identified within the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) are sufficient to address any localised effects arising from the allocation, or identify whether any additional site-specific measures may be required.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

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COUNCIL

24 NOVEMBER 2026

REPORT OF CHIEF EXECUTIVE

A.4 CHANGES IN THE LEADER AND THE DEPUTY LEADER OF A POLITICAL GROUP
(Report prepared by Ian Ford)

I formally report that on 12 October 2026, I received formal notices that, for the purposes of Regulation 8(5) of the Local Government (Committees and Political Groups) Regulations 1990, the Reform UK Group had changed, with immediate effect, the name of its Leader and of its Deputy Leader.

The new Leader of the Reform UK Group is Councillor Bush.

The new Deputy Leader of the Reform UK Group is Councillor Bray.

This item is submitted for **INFORMATION ONLY**.

IAN DAVIDSON
CHIEF EXECUTIVE

COUNCIL

24 NOVEMBER 2026

BACKGROUND PAPERS LIST FOR
REPORT OF CHIEF EXECUTIVE

A.4 CHANGES IN THE LEADER AND THE DEPUTY LEADER OF A POLITICAL GROUP

Notice of Wish to change the Leader of a Political Group (Reform UK) signed by a majority of the members of that Group and dated 8 October 2026.

Notice of Wish to change the Deputy Leader of a Political Group (Reform UK) signed by a majority of the members of that Group and dated 8 October 2026.