

**MINUTES OF THE MEETING OF THE PLANNING POLICY AND LOCAL PLAN
COMMITTEE,
HELD ON TUESDAY, 25TH AUGUST, 2026 AT 6.17 PM
IN THE COMMITTEE ROOM, AT THE TOWN HALL, STATION ROAD, CLACTON-
ON-SEA, CO15 1SE**

Present:	Councillors Guglielmi (Chairman), M Cossens (Vice-Chairman), Bush (except item 9 (part)), Chapman BEM, Newton, Scott, M Stephenson and White
Also Present:	Councillors Baker (Portfolio Holder for Housing & Planning) and Keteca (except item 15 (part))
In Attendance:	Lisa Hastings (Corporate Director (Law & Governance) & Monitoring Officer), Gary Guiver (Corporate Director (Planning & Community)), Ian Ford (Democratic Services Manager), Paul Woods (Planning Policy Manager) and Maddie Adger (Leadership Support Manager)
Also in Attendance:	Will Fuller (Senior Planning Policy Officer), Kate Patterson (Planning Officer (Policy)) and Carlos Valenzuela (Planning Policy Officer)

9. CHAIRMAN'S OPENING REMARKS

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

“Good evening, Members, Officers, members of the public, and everyone joining us online. Welcome to this meeting of the Planning Policy and Local Plan Committee on Tuesday, 25th August 2026, held in Clacton Town Hall Committee Room. I am pleased to open the meeting and thank you all for your attendance.

I have a few words that I would like to say before we go to the actual agenda itself. The work of this Committee has been pivotal to defining how our communities will grow and change, and I would like to once again thank our officers for the sterling work undertaken in preparing the reports and supporting papers, and the excellent quality of the maps that have been produced.

I would also like to thank all those who have so far engaged and contributed to the consultation whose views have helped to inform and shape the progress of our Local Plan.

The Committee is this evening asked to endorse the final draft of the Local Plan and to recommend a six-week public consultation. Because of the introduction of mandatory and unprecedented housebuilding targets by the Government in 2024, forced upon the Council and our communities, the overall scale of additional housing growth set out in the Local Plan, 1069 new homes per year, will no doubt attract further objections. But let me assure everyone that we all agree that these figures are unrealistic, unachievable, and incredibly difficult to plan for.

Our Officers have therefore worked wonders to accommodate this requirement. Although the Submission Version contains notable changes that should address some of the previous objections, it still contains some unpopular policies and proposals needed to achieve the number of dwellings forced upon us.

On this very topic, I feel that a word of warning is due to all of us to resist any further changes that may be suggested, simply because at this very late and crucial stage, any alteration to what we are considering this evening will create delay.

Anyone who strongly disagrees with what has been produced so far, can argue their case when the plan will be heard in public in the new year, and of course during the next round of public consultation that will soon get under way.

It is absolutely crucial that we meet the end of December 2026 deadline and submit the Plan to the Planning Inspectorate to be independently examined; if we don't, the risk is to be having to restart the whole process under a new planning system, and I think I am right in saying that we all understand the consequences of that, and the "free for all" regime that it will generate.

When we come to the appropriate stage of the agenda, I would very much like Officers to explain in more details the full meaning of recommendation D on page 51, which asks the Committee to: note that the submission of the Local Plan to the Secretary of State will need to happen before 31st December 2026 or else the Council will need to begin the Local Plan review from scratch under a new system.

On pages 60 and 61 the report talks about the number of uncoordinated, unwanted, and unplanned speculative proposals, totalling 1600 new homes, that have already come forward, so it is imperative that we have our Local Plan in place as soon as possible.

Now, before we begin, I ask everyone present to ensure that mobile telephones are switched to silent. For the benefit of the public record and those following the meeting remotely, Members should please use their microphones and speak clearly. If anyone needs to leave the chamber, please do so with as little disruption as possible.

With these brief remarks, I formally open the meeting, and we will now proceed to the first item on the agenda."

10. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was submitted on behalf of Councillor Everett (with no substitution).

11. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the minutes of the last meeting of the Committee, held on Monday 8 June 2026, be approved as a correct record and be signed by the Chairman.

12. DECLARATIONS OF INTEREST

Councillor M Cossens made the following statement:-

"I rent land for storage purposes at Birch Hall, and this is a registered Disclosable Pecuniary Interest and the site is referenced within the Sustainability Report in Appendix 2 to Item 6 – Report A1, however it is mentioned because the site was submitted for housing purposes of which I was unaware of and am unsure of the exact location. But, in any event it has been discounted and rejected for the reasons provided within the Place Services document, as not being suitable, and is therefore an unallocated site.

Having sought the Monitoring Officer's advice in advance of this meeting, my DPI is not a matter being directly decided upon or affected by any decision to be made this evening and therefore, I am able to participate in the meeting without any dispensations."

Councillor Bush declared an interest in Strategic Policy SPL1: Managing Growth and specifically the classification of Little Oakley as part of the Harwich and Dovercourt Strategic Urban Settlement as it affected part of his Ward.

In the interests of transparency and having noticed that one of the listed public speakers was a representative of the Lawford Tye Action Group, the Portfolio Holder for Housing & Planning (Councillor Baker) declared that he was a former member of that Action Group.

Similarly, the Chairman of the Committee (Councillor Guglielmi) declared for the record that he attended meetings of the Lawford Tye Action Group.

13. 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.

14. PUBLIC SPEAKING

Pursuant to the provisions of the Council's public speaking scheme for the Planning Policy & Local Plan Committee, no member of the public had registered to ask at this meeting a question on the Officer report.

Several members of the public, attended and made oral statements, in relation to report A.1 of the Corporate Director (Planning and Community). Those statements touched upon the following matters:-

Bill Marshall

- *Well done to Officers and the Committee who had produced an excellent and futuristic Local Plan in trying and challenging times with a target of adoption after modification before Spring 2027;*
- *Officers used AI to assist with the data needed to make this Local Plan sound;*
- *undoubtedly PINS will feed the Local Plan through its own AI due to the lack of Planning Inspectors;*
- *what confidence do Officers have that this double AI process will be successful?;*
- *on the Update Sheet, railway stations are mentioned – TDC could promote Fox Street, Ardleigh mainline sidings as a new transport centre and hub that could serve the "Tolchester" Garden Community, Colchester and beyond.*

Mat Court

- *gave thanks for the removal of SAH4;*
- *supported the two sites at the Well House site, Chestnut Way and at the BT Exchange, New Street in Brightlingsea;*
- *his concern was the three greenfield site allocations at Pannell Place, Vicarage Field, Church Road and land north of Robinson Road, Brightlingsea;*

- *TDC's requirement was 18,173 homes and this Plan identified 18,334 homes to be built;*
- *removal of all 75 homes from those three greenfield sites would still leave 86 above the overall requirement;*
- *Pannell Place was consulted upon for 10 homes, and it was now proposed for 20 homes despite TDC's own assessment that identified a nearby wildlife site and a pond described as a likely wildlife habitat;*
- *Vicarage Field raised a more fundamental question – in June 2024 a Planning Inspector had dismissed appeals for just two homes there, stating that all the site fell within the coastal protection belt, the proposal was unacceptable in principle, and it was an inappropriate location for a residential development.*
- *The Inspector had also found harm to the nearby Grade II Listed property Greythorpe;*
- *TDC's December 2025 assessment had found this site to be unsuitable and had questioned whether 18 homes could be achieved and would likely cause great heritage harm, and the field is still shown as within the coastal protection belt and yet it was now proposed for 30 homes;*
- *the new Sustainability Appraisal now described the site as being outside the coastal protection belt – what changed? What new evidence was there to justify this?;*
- *MSA35 Robinson Road cannot be considered in isolation – there was an already implemented permission along that corridor for 104 holiday lodges, 36 retirement units and 5 houses – an even larger application was pending determination;*
- *don't know the 'real world' impact of this yet – Brightlingsea had a single access, and the cumulative impact would matter;*
- *MSA34 and MSA 35 were not in the Regulation 18 consultation – documents being available on the website did not equal meaningful public engagement;*
- *so, it was a simple request – please remove those three greenfield sites and move on with the rest of the Local Plan but do not sacrifice more of Brightlingsea's "green edge" without real justification.*

Tom Howard

- *at the last Local Plan, made successful applications to the Inquiry Inspector to separate Little Oakley from the Harwich urban settlement area;*
- *now asking for Little Oakley to continue as a 'Smaller Rural Settlement' as it remains a discrete village;*
- *did not oppose the substantial new development between Low Road, Deans Lane and the Essex Way as all of this was within Dovercourt and Ramsey and continued to fall within the proposed Harwich Urban Development Area even with Little Oakley excluded;*
- *suggested that the development boundary should instead run along Mayes Lane between the school and Harwich Road – this was both the parish and the Constituency boundary and therefore made a clear and logical boundary;*
- *to further separate Harwich and Little Oakley, additionally proposed that the Little Oakley smaller rural settlement should stop on the Harwich Road at either the entrance to the Little Oakley Memorial Club or at Seaview, which was the strategic green gap beside and opposite it and previously accepted as a sensible boundary by both TDC and the Inquiry Inspector for the 2007 Local Plan;*
- *Little Oakley closely aligned with the definition of a smaller rural settlement as set out within the Local Plan – it had very limited facilities, limited infrastructure, limited employment and limited transport – nearest railway station was Wrabness and*

- infrequent bus service – with a strong reliance on private cars for both work and recreational use;*
- clear rural character to Little Oakley - surrounded by active farmland, equestrian land and idyllic footpaths that included the Essex Way;*
 - retention as a smaller rural settlement would benefit the community – it offered additional protection to amenities such as Ye Olde Cherry Tree Public House as it would be treated as a rural public house rather than an urban public house – would offer protection against change of use development – it had also Asset of Community Value status – also offered rural rate relief for business rates to aid sustainability;*
 - his proposed boundary changes would not affect any housing allocations within the Local Plan but would maintain associated rural protection for Little Oakley in terms of planning and other public policies.*

Parish Councillor Neil Stock OBE (Chairman of Little Bromley Parish Council)

- referred to Policy COM31A in the 2007 Local Plan for sewerage provision and the very large (for Little Bromley) housing allocation;*
- Little Bromley was the smallest parish in the District;*
- original allocation had been for 17 homes which had been deleted by Officers on the grounds of sewerage provision;*
- Rose Builders had addressed the Committee at its last meeting and had argued that the sewerage provision would not be an insurmountable problem;*
- felt that new homes built in the 2020s without access to mains sewerage were not really fit for purpose;*
- Little Bromley had traditionally been regarded as an unsustainable location for development due to its lack of infrastructure – as well as no mains sewerage, there were no pavements/footpaths or mains gas supply or mains water supply to the whole village;*
- in terms of amenities and facilities the village was incredibly backwards;*
- therefore, the proposed housing allocation was too intense and the largest ever for the parish even at only 10 houses;*
- the parish council is working on an emerging neighbourhood plan and urged the Committee to be mindful of all of this in progressing the emerging Local Plan.*

Will Vote (on behalf of Rose Builders)

- spoke in support of the allocation of an additional site for housing in Weeley;*
- pointed out that the housing provision contingency in the Local Plan had been drastically reduced from 8% to 1% which was full of risk as it was open to challenge;*
- meant that TDC was overly reliant on almost every allocated site being developed without delay;*
- better for the Council to control this risk and manage the process by allocating more sites in sustainable locations as the current approach would likely lead to uncontrolled “wild card” applications dealt with by a Planning Inspector and therefore beyond the Council’s control;*
- contingency was therefore needed to ensure a Plan-led approach;*
- the site in question at Weeley came forward through the “call for sites” process and is sited behind the village pond at Crow Lane opposite the former TDC offices at Weeley;*
- it could deliver 100+ homes and had significant benefits for housing delivery;*

- *the site was close to existing services / facilities in Weeley, and a new school was earmarked for land behind the former TDC offices and would be within a five minute walk of the site;*
- *in terms of transport, there was a bus service and a train station (with services to Clacton, Colchester and London) in Weeley – in the new NPPF the Government had reconfirmed a focus on building homes near to train stations;*
- *therefore, this site ticked all of the boxes in terms of a sustainable, deliverable site – the vision was for high quality housing for local people, including bungalows, family homes and ‘downsizing’ and included affordable homes and plenty of open space – it would be near the centre of the village with easy access to the countryside for amenity walks – the area around the village pond could be enlarged into a village green;*
- *therefore, respectfully asked for this site to be included in the Local Plan.*

Clare Taylor (on behalf of Lawford Tye Action Group)

- *the Action Group was extremely grateful for the decision to designate Lawford Tye field as a safeguarded open space;*
- *could not overstate what this meant to so many people in Lawford – many residents used the public footpaths for amenity purposes;*
- *this designation was a recognition of the value that Lawford Tye field held for the local community;*
- *the field was in the zone of influence for the Stour Estuary SPA and RAMSAR sites which had been referred to by an Inspector when they had dismissed a planning appeal in 2018;*
- *this designation recognised this landscape for wildlife and heritage and for quiet enjoyment and a green space that promoted well-being, bio-diversity, and the character of Lawford itself;*
- *safeguarding this field ensured that future generations could enjoy this land that promoted connection, identity and a sense of belonging;*
- *this decision demonstrates a thoughtful balance between growth and preservation – planning could be both forward-looking and protective;*
- *Tye Henge, a 4,000 year old Scheduled Ancient Monument on this field was a quiet and powerful reminder of the previous generations that had walked the same grounds – this protection ensured that this valuable piece of history remained unbroken and available to future residents who would be able to stand there and feel that continuity and connection to the past;*
- *this field was also a sanctuary for important wildlife including several species of insects and bats whose habitats were threatened – part of a food web and ecosystem that depended upon places like Lawford Tye field to survive – an irreplaceable piece of natural heritage had been protected;*
- *the Action Group alongside the Parish Council would be running a petition of support to inform strong and informed public engagement;*
- *on behalf of all those who valued Lawford Tye field, was truly grateful for this designation.*

Martin Robeson (Town Planning Consultant on behalf of developers)

- *referred to the new NPPF which stated that LPAs should only consult statutory consultees if they felt that they needed to;*

- *there were lots of worthy projects to support and worthy allocations to support – TDC needed to make the local plan policies work for the developers who wanted to work with TDC – work with them, talk to them and trust them – and avoid ‘last minute’ barriers; have faith in experienced developers and their advisors, those who wanted to work with the Council.*

Mark Edgerley (Associate Partner – Ceres Property, on behalf of client, Richborough)

- *spoke in support of the development site at land south of Colchester Road, Thorpe-le-Soken;*
- *regulation 18 consultation document had included that site under Policy SAH10 for residential development of up to 150 dwellings with associated open space and landscaping and infrastructure;*
- *Richborough had responded positively to the consultation and had highlighted the deliverability of the site and had also offered an alternative which had included additional dwellings;*
- *In response to the regulation 18 consultation Thorpe-le-Soken Parish Council had expressed its support for that site as a sustainable location;*
- *Essex County Council had not supported the proposed allocation of 260 homes in Thorpe-le-Soken across two sites on the grounds it would be too much for the existing facilities and not large enough to deliver a new primary school or additional facilities;*
- *current primary school was constrained and not able to expand which limited future growth and development in Thorpe-le-Soken and surrounding villages;*
- *Richborough had subsequently updated its plans to accommodate a site for a new primary school and early years setting – would ensure that the Essex Education requirements in terms of design, walking and cycling routes and educational needs could be achieved on a site that was deliverable;*
- *the Regulation 19 document had removed this Colchester Road site, but it had confirmed that Thorpe-le-Soken was a sustainable settlement and had identified policy SAH11 for 70 dwellings – that site would take up any existing capacity in the primary school and would result in significant challenges for education in the area;*
- *as required by national policy, a local plan needed to be positively prepared, justified and effective and capable of responding over the plan period;*
- *by removing the Colchester Road site, the plan was not justified nor effective as it failed to address a known constraint in primary education in the Thorpe area;*
- *Richborough had engaged with ECC Education and had confirmed that primary and early years capacity is oversubscribed and that they had no strategy in place to accommodate future demand that might arise;*
- *Education infrastructure was dependent on extra land being made available and the current Regulation 19 document was silent on how this essential infrastructure would be provided;*
- *therefore, respectfully requested that the land south of Colchester Road, Thorpe-le-Soken was reinstated as an allocation in the Regulation 19 document.*

The Chairman of the Committee thanked all of the speakers for their presentations and requested Officers to pick up those matters raised during their own presentation as most of the topics that had been mentioned formed very much part of the agenda item that was now to be considered.

15. REPORT OF THE CORPORATE DIRECTOR (PLANNING & COMMUNITY) - A.1 - TENDRING DISTRICT LOCAL PLAN REVIEW: SUBMISSION VERSION

The Committee considered a comprehensive report of the Corporate Director (Planning & Community) (A.1) which provided it with the Tendring District Local Plan 'Submission Version' and which sought its agreement for this important document, along with the associated Sustainability Appraisal and Habitat Regulations Assessment, to be recommended for approval by Full Council to proceed to six-weeks' formal public consultation in line with Regulation 19 of the statutory plan-making process.

It was reported that the Submission Version contained the full suite of revised planning policies and detailed policies maps incorporating both the changes to housing and mixed-use site allocations considered and agreed by the Committee at its last meeting held on 8 June 2026, and other recommended changes to policies and maps aimed at improving the Plan and addressing potential soundness issues, having taken into account the many representations received in response to the public consultation on the earlier Preferred Options Draft, carried out in February and March of this year.

The Committee was made aware that, although the Submission Version contained notable changes that should address some of the previous objections, it still contained a few policies and proposals that were known to be unpopular locally and would undoubtedly attract further objections. However, as had been reported and discussed extensively with the Committee over the course of the Local Plan review process, the overall scale of additional housing growth set out in the Local Plan had been forced upon the Council following the introduction of mandatory housebuilding targets by the Government in 2024 and the consequence of failing to have an up-to-date Local Plan that met Government requirements was losing control of the pattern and quality of development; continued vulnerability to uncoordinated, unwanted and unplanned speculative development; and the risk of Government intervention or planning decisions being overturned on appeal.

Given the importance of the Local Plan, this report contained detailed commentary on the various risks and consequences of not proceeding to the next stage of the Local Plan review process as well as the risks that were likely to be encountered in moving forward to the next stage. Those included the Planning Inspectorate's limited capacity to examine the number of Local Plans expected to be submitted across the country before the end of this year, the likelihood of continued public objections, the risks involved in progressing a Local Plan with very limited headroom contingency within the supply of sites for housing and mixed-use development, the ongoing need for the Council to make difficult and potentially unpopular decisions both on the Local Plan and on planning applications, the ongoing risk of planning appeals, the risk of Government intervention, the likelihood of public criticism of the consultation exercise, the risk of economic and housing market conditions not supporting the delivery of proposals in the Plan and the risks if, for whatever reason, the Planning Inspector concluded that the Local Plan was not sound.

Members were told that the Submission Version should be treated as the final draft of the Plan that the Council believed had met the legal requirements of the plan-making process and the Government's 'tests of soundness' set out in the National Planning Policy Framework (NPPF). On this basis, it was the version of the Plan the Council would intend to submit to the Secretary of State following the public consultation for it to then be examined by a Government-appointed Planning Inspector as part of the

statutory process. The Council was under an obligation to submit the Local Plan to the Secretary of State before the end of 2026 under the current regulations to avoid having to start the process from scratch under a new system.

Background

The Committee was cognisant that the preparation and review of the Local Plan was 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 would apply in the determination of planning applications, planning appeals and some enforcement cases, the Local Plan would 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. The choices made by the Council on the content of the Local Plan in 2026 could be more important than ever, as it could well be the last Plan prepared by Tendring District Council before Local Government Reorganisation and the establishment of a new unitary authority in 2028.

Members were aware that this Council, like many others across the country, was having to review its Local Plan under extremely challenging circumstances against the backdrop of ambitious Government-imposed mandatory housebuilding targets that required Tendring to plan for 1,069 homes a year - nearly double the amount of housing required under its previous Plan. The Council was also having to work to an extremely tight programme as was obliged to submit its new Local Plan to the Secretary of State before the end of 2026 or else risk having to start the whole process from the beginning under a new system, a delay that would have significant negative consequences for the District and this Council's ability to control the quality and pattern of development.

Having already carried out two rounds of formal public consultation on Issues and Options in 2025 and the Preferred Options Draft of the Local Plan in February/March 2026, the Council had reached the next important stage in the statutory plan-making process where it needed to carry out a final round of public consultation on a revised 'Submission Version' of the Local Plan. This was essentially the final draft that, following consultation, would be submitted to the Secretary of State who would then appoint a Planning Inspector to carry out a formal examination of the Plan to determine its legal compliance and soundness. Only once the Local Plan was confirmed legally compliant and sound could it be lawfully adopted by the Council. If Local Government Reorganisation did proceed as currently proposed, the new Local Plan would be inherited by the new unitary authority for decision making purposes.

The Committee was informed that the recommended Submission Version incorporated various revisions to policies and proposals that considered and sought to address (as far as practical) comments and objections received in response to the consultation on the earlier Preferred Options Draft. The most notable of those revisions related to sites allocated for housing and mixed-use development, which had been discussed by the Planning Policy and Local Plan Committee at its last meeting held on 8 June 2026. Those included the removal from the Plan, for justified planning reasons, two of its most objected-to development proposals at Brightlingsea and Walton-on-the-Naze, acknowledging however that the revised Plan still contained a number of significant development proposals known to be unpopular locally and that would, understandably, continue to attract further objections.

Many of the development proposals in the Draft Local Plan had been included to meet the Government's mandatory housebuilding targets. The Council's opposition to the imposition of those targets had been well documented over the course of the last two years, however it had been made very clear by the Government that failure to produce an up to date Local Plan that complied with its expectations for housing growth would result in an intervention (as had been experienced by Basildon Borough Council) and planning decisions being overturned on appeal (as had been experienced by this Council both in the past and in respect of a very recent planning application) if housing supply requirements were not being met.

Overall strategy for growth

Although the Submission Version incorporated changes to certain site allocations, the overall vision, objectives and spatial strategy for growth had been carried forward broadly unchanged from the earlier Preferred Options Draft. Having considered the responses to the public consultation and the findings of the updated technical evidence base, Officers remained of the view that there were no other realistic spatial strategy options that could deliver the Government's expectation of 1,069 homes a year (18,173 over the 17-year period 2026-2043) in a sustainable and appropriate manner having regard to this District's significant physical, environmental, geographic and economic constraints and the agreed overarching principles that had guided the review of the Local Plan since the beginning of the process (which included the continued protection of established Strategic Green Gaps).

It was expected that around 10,211 of the required 18,173 homes would be built on sites carried forward from the Council's last Local Plan (including the Tendring / Colchester Borders Garden Community and strategic development sites around Clacton) as well as sites that were either already under construction, had planning permission for housing development or were otherwise expected to come forward on smaller sites through 'windfall' provision.

The strategy for delivering the additional 8,000 homes and associated infrastructure and employment growth up to 2043 (and further longer-term strategic growth beyond 2043) remained broadly unchanged from the 'preferred options' that had been published for consultation in February/March 2026. The preferred spatial strategy option represented a combination of Options A and B from the 2025 Issues and Options consultation.

It was pointed out that the only notable deviation from the original preferred option was at Thorpe-le-Soken where the allocation of housing development in the Submission Version of the Plan had been reduced to 70 homes due to issues with primary school capacity which meant Thorpe now fell within the 'medium' growth category of 30-100 homes (B) rather than the 'large' growth category (C) of 100-300 homes originally envisaged.

Whilst the Local Plan dealt with much more than just housing growth, it was undoubtedly the spatial strategy, distribution of housing growth, allocation of land for housing and mixed-use development and the deliverability of the Government's mandatory housebuilding targets that would be a main focus of the Planning Inspector's examination of the Plan and the main matter on which the soundness of the Plan would be scrutinised.

Changes to site allocations

The Submission Version of the Local Plan incorporated nearly all of the changes to housing and mixed-use site allocations that had been discussed and agreed by the Committee at its June 2026 meeting including the following:

- Site SAH2 – Land North of Thorpe Road, Kirby Cross – an increase in the indicative dwelling number from 420 to 450 homes having considered further information submitted by the site promoter with their representations. It was noted that revisions to corresponding Policy SAH2 had been incorporated into the Submission Version to strengthen the protection of footpath connections and ecology as well as stronger requirements around open space provision – noting that this proposal had attracted a high level of public objection previously.
- Site SAH3 – Land off Arthur Ransome Way, Walton – originally proposed for 200 homes but now deleted from the Plan in response to objections raised by the Essex Wildlife Trust and a large number of residents. The related site-specific Policy SAH3 had therefore been deleted accordingly from the Submission Version of the Plan.
- Site SAH4 – Land East of Church Road, Brightlingsea – previously proposed for 300 homes but deleted from the Plan, along with corresponding Policy SAH4, in response to objections from Brightlingsea Town Council and a large number of residents which had raised legitimate planning concerns.
- Site SAH10 – Land south of Colchester Road, Thorpe-le-Soken – previously proposed for 150 homes but deleted from the Plan, along with corresponding Policy SAH10, in response to an objection from Essex County Council that had raised concern about limited primary school capacity in the Thorpe area.
- Site SAH11 – Land North of Lifehouse Spa & Hotel, Thorpe-le-Soken – a reduction in the indicative dwelling number from 110 to 70 having reviewed the site's realistic capacity. It was noted that two parts of this site were the subject of current, but yet to be determined, planning applications for bungalow development.
- Site MSA4 – Crisp Maltings, School Lane, Mistley – a reduction in the indicative dwelling number from 80 to 50 on the advice of the site promoter who had carried out further work on the potential capacity of the site.
- Site MSA6 – Land at Pannell Place, Brightlingsea – an increase in the indicative dwelling number from 10 to 20.
- Site MSA8 – Land adjacent the Village Hall, Harwich Road, Beaumont – a reduction in the indicative dwelling number from 20 to 12 homes.
- Site MSA9 – Land south of Windmill Road and east of Straight Road, Bradfield – previously proposed for 100 homes had been reduced in area with a reduction in the expected number of homes to just 20 dwellings, in favour of a distribution of housing across Bradfield across three smaller sites.
- Site MSA18 – Land north of Kirby-le-Soken Evangelical Church – previously proposed for 20 homes but now deleted from the Plan due to concerns about highway access.
- Site MSA20 – Land south of Shop Road, Little Bromley – originally proposed for 17 homes but now with a reduced expectation of 10 homes to better reflect the character

and density of development within the village. It was noted that Little Bromley Parish Council had written to formally object to the Committee's resolution made at the 8 June 2026 meeting to retain this site in the Local Plan, and to request the Committee to reconsider its non-deletion of the site. Copies of the correspondence between the Parish Council and Tendring District Council had been circulated to the Committee and published on the Council's website prior to the commencement of the meeting.

- Site MSA27 – Land at Abbey Bottom Farm, Harwich Road, Wix – previously proposed for 20 homes but now deleted having learnt that the principal landowner had no interest in developing the site.
- Site MSA33 – Former Wellhouse Site, Chestnut Way, Brightlingsea – addition of new site with an indicative capacity of 60 homes in the form of an extra-care/assisted living scheme. One of three new sites for Brightlingsea that replaced, in part, some of the numbers lost as a result of deleting Site SAH4 from the Plan.
- Site MSA34 – Vicarage Field, Church Road, Brightlingsea – addition of a new site with an indicative capacity of 30 homes.
- Site MSA35 – Land North of Robinson Road, Brightlingsea – addition of a new site with an indicative capacity of 25 homes.
- Site MSA36 – Land north of Wix Road, Bradfield – addition of a new site with an indicative capacity of 25 homes. One of two new sites for Bradfield aimed at achieving a thinner distribution of housing across the village following the reduction in size of Site MSA9.
- Site MSA37 – Peacock Site, south of Bradfield Playing Field, east of The Street, Bradfield – addition of new site with an indicative capacity of 30 homes.

It was reported that the June 2026 proposed changes to housing and mixed-use allocations in the Plan would have had the effect of reducing the amount of headroom contingency from around 1,300 to just 271 homes. However, Officers had had to revisit this figure for this meeting following the discovery of a double-counting error in the numbers presented previously which, when corrected, gave a deficit of around 400 homes against the 18,173 (rather than a surplus).

To address this discrepancy without adding or reinstating other sites, Officers had had no choice but to look again at the trajectory assumptions for the Hare Green and Horsley Cross Garden Village proposals, and instead of reducing the estimate of homes expected to be delivered up to 2043 from 1,700 to 1,450 as had been suggested in the June 2026 report, it was now recommended that the figures for each proposal be instead kept at 1,700 in each location by incorporating more optimistic assumptions around the annual rates of development within the plan period, albeit still with a revised assumption that the first new homes would likely not come forward until at least 2033/34. In addition, the dwelling capacities at Hartley Gardens, Clacton (SAMU2) and Oakwood Park, Clacton (SAMU3) had been revised from 1,700 to 1,870 and from 900 to 925 respectively based on the latest evidence and, in respect of Oakwood Park, the current but yet to be determined planning application 22/00537/OUT.

The Committee was advised that, whilst most of the changes listed above would hopefully address a large number of local objections that had been received in response

to the Preferred Options Draft and the proposals in the Submission Version, and having discovered and addressed the above-mentioned error, it was still technically sufficient to meet the Government requirement of 18,173 homes between 2026 and 2043, the very limited level of headroom (just 161 units) was likely to come under particular scrutiny and challenge from landowners, developers and planning agents – particularly given the reliance placed on the Garden Villages to deliver new homes in the second half of the plan-period. Those fine margins further demonstrated how challenging, and potentially unrealistic, the Government's mandatory housebuilding targets were for the District of Tendring.

Changes to planning policies

Members recalled that, in line with the overarching principle agreed by the Committee at the beginning of the Local Plan review back in December 2023, the Council had approached the review of planning policies with the aim of updating rather than completely re-writing the Council's existing Local Plan. Therefore, the Submission Version of the Local Plan, like the earlier Preferred Options Draft, had followed a similar format and chapter headings to that of the Council's existing adopted Local Plan and many of the policies had been carried forward either unchanged or only slightly updated and revised. The Preferred Options Draft had, however, included some policies with significant revisions from the previous adopted version along with some entirely new policies – many of which were site-specific relating to the new locations and sites identified in the Plan for additional future development to meet the Government's housebuilding targets.

Having carried out the public consultation on the Preferred Options Draft and taken into account the many representations and objections received in response to the consultation, Officers were of the view that the majority of policies from the Preferred Options Draft could be carried forward into the Submission Version of the Plan either unchanged or with relatively minor revisions – mainly in response to the advice of statutory consultees and other technical bodies. There were, however, various, more significant or notable revisions to policies in the Submission Version.

The following policies had been deleted in their entirety from the Submission Version of the Local Plan:

- Policy SAH3: Development of land off Arthur Ransome Way, Walton – site-specific policy deleted and no longer featured in Chapter 9 of the Plan following the decision to delete the proposal for 200 homes in response to objections raised by the Essex Wildlife Trust and many residents.
- Policy SAH4: Development of land east of Church Road, Brightlingsea – site-specific policy deleted and no longer featured in Chapter 9 of the Plan following the decision to delete the proposal for 300 homes in response to objections from Brightlingsea Town Council and many residents which had raised legitimate planning concerns.
- Policy SAH10: Development of land south of Colchester Road, Thorpe-le-Soken – site-specific policy deleted and no longer featured in Chapter 9 of the Plan following the decision to delete the proposal for 150 homes in response to an objection from Essex County Council that had raised concern about the limited primary school capacity in the Thorpe area.

The following policies had been revised in the Submission Version of the Local Plan to include changes of a significant or otherwise notable nature:

- Strategic Policy SPL1: Managing Growth – the policy in Chapter 3 of the Plan setting out the ‘settlement hierarchy’ categorising towns and villages and underpinning the spatial strategy and distribution of growth had been revised to classify Little Oakley as part of the Harwich and Dovercourt Strategic Urban Settlement given their physical connection and to be consistent with the approach taken to Parkeston. The existing village of Weeley had also been included in the hierarchy alongside the proposed Weeley Green Garden Village proposal, having been omitted in the Preferred Options Draft.
- Policy HP1: Improving Health and Wellbeing – on the advice of the NHS Suffolk and North Essex Integrated Care Board (ICB), this policy in Chapter 4 of the Plan had been revised to be less specific in committing to health and wellbeing centres at the Tendring / Colchester Borders Garden Community and in Clacton, or to a multi-use community hub at the Hartley Gardens development in Clacton or expansion and improvement of facilities at the Fryatt Hospital, Harwich. This was because the most appropriate means of addressing the healthcare requirements for each growth area had not been determined by the various health partners of the ICB and therefore flexibility needed to be built into the Local Plan to allow for mitigation to be secured either through direct provision of land or floorspace, or via a developer contribution towards healthcare infrastructure projects to be identified.
- Policy LP1: Housing Supply – this policy in Chapter 5 of the Plan set out the overall sources of housing supply to meet the Government’s housebuilding requirement of 18,173 between 2026 and 2043. The policy along with the associated tables listing all of the relevant housing and mixed-use site allocations had been comprehensively updated in the Submission Version of the Plan to reflect the changes to site allocations set out in this report and rolling forward the plan period. The revised policy showed that the Local Plan made provision for 18,334 homes which incorporated 161 units of contingency headroom above the Government requirement.
- Policy LP2: Housing Choice – this policy in Chapter 5 of the Plan had been revised to include specific reference to the latest evidence on need for supported and specialist housing and armed forces veterans as a group in society that could have specific housing and support needs. The revised policy also referred to park homes, modular homes and other innovative forms of residential development being supported where they complied with other policies in the Local Plan.
- Policy LP4: Development Layout & Design – this policy in Chapter 5 of the Plan had been revised to include more detailed guidance around Biodiversity Net Gain and the incorporation of green infrastructure and vegetation within new developments and referenced other relevant guidance including that relating to inclusive design, age friendly environments and dementia-friendly design.
- Policy LP5: Affordable Housing – this policy in Chapter 5 of the Plan incorporated revisions to highlight exceptional reasons why it might not be possible to limit groups of affordable homes to no more than 10 in different parts of a site, for example, where site-specific constraints, the scale of development, management considerations or Registered Provider requirements justified an alternative approach. The revised policy

also included reference to specialist and supported housing to meet identified needs within the District.

- *Strategic Policy LP9: Gypsy and Traveller Sites* – possibly the most significant policy revisions proposed in the Submission Version of the Local Plan related to this policy in Chapter 5. To comply with national planning policy set out in the Planning Policy for Traveller Sites (PPTS), there was an expectation that Local Plans would be specific about the sites or locations in which the projected need for gypsy and traveller sites would be met. The evidence on gypsy and traveller need had been updated, and the revised policy reflected the updated projected need for 45 pitches up to 2043. The underlying evidence recognised that accommodation needs could be met through a variety of mechanisms, including site intensification, reconfiguration, additional mobile homes and other forms of provision on existing sites, and therefore the Local Plan expressed site capacity in terms of additional pitches or pitch equivalents.

The previous version of the policy in the Preferred Options Draft had identified existing established sites at Woodfield Bungalow in Great Bentley and Gutteridge Hall Lane in Weeley as locations for proportionate expansion to meet short-term needs, with the intention to invite submissions from relevant landowners to identify the extent of available land in those locations to determine their suitability for allocation. However, because no specific submissions had been made though the Council was still required to identify specific locations, the updated study had looked more widely at where existing accommodation needs arose and where additional capacity could reasonably be delivered through expansion, intensification or reconfiguration of existing sites.

The revised policy therefore reflected the latest study and had identified existing sites at Great Bromley, Ardleigh, Weeley, Bradfield and Kirby-le-Soken as locations capable of delivering 27 pitches or pitch equivalents through site intensification, reconfiguration or extension or other forms of accommodation provision. In many cases, the identified need arose from households already living on established sites who required their own independent accommodation, meaning delivery of the allocated capacity would not necessarily result in a corresponding or proportionate increase in vehicle movements, activity levels or other impacts typically associated with entirely new households moving onto a site. The impact of any proposal on traffic, residential amenity and the wider environment would nevertheless need to be assessed on its individual merits through the planning application process.

To meet longer-term needs, the Tendring / Colchester Borders Garden Community would provide new purpose-built Gypsy and Traveller pitches, with additional provision to be delivered through the Garden Villages at Hare Green and Horsley Cross.

- *Non-strategic Policy LP11: HMOs and Bedsits* – this policy in Chapter 5 of the Plan had been revised in the Submission Version to strengthen the requirement for both individual and cumulative impacts of HMOs and bedsits to be considered in the determination of planning applications. The revised policy had also included additional expectations around the standard of accommodation for future occupiers, the consideration of impacts on neighbouring residents through noise, disturbance, activity levels, refuse storage requirements, parking demand and general operational impacts. Proposals would also have to demonstrate suitable management arrangements were in place for the maintenance of communal facilities, waste storage areas and external spaces.

-
- Strategic Policy PP7: Employment Allocations – this policy in Chapter 6 listed all of the sites specifically allocated for new employment development including B2 General Industry; B8 Storage and Distribution; e.g. (ii) Research and Development; and e.g. (iii) Light Industrial Processes. The only change proposed to this policy was the deletion of land off Clacton Road/Dead Lane, Mistley as a 2ha employment site in the knowledge that development for that purpose had not come forward as part of the wider mixed-use development that was already under construction, and that a different parcel of the wider site was the subject of a current, but yet to be determined, planning application (26/00645/FUL) which indicated that employment provision might be incorporated into the development in a different form, and in a different location than previously identified in the Local Plan.
 - Non-strategic Policies PP10: Camping and Touring Caravan Sites; and PP11: Holiday Parks – those policies in Chapter 6 of the Plan had been revised in the Submission Version to include specific reference to National Landscapes (formerly known as Areas of Outstanding Natural Beauty) to ensure any new development affecting their setting conserved and enhanced their natural beauty, landscape character and special qualities. The revisions specifically required that development was appropriately located, designed and landscaped to avoid adverse impacts on important views, tranquillity, dark skies and the wider landscape setting.
 - Strategic Policy PP12: Improving Education and Skills – revisions to this policy in Chapter 6 of the Plan had been made on the advice of Sport England to include a requirement for new educational facilities including indoor or outdoor recreational facilities to be designed to facilitate community use outside normal educational hours; with long-term community use agreements put in place to secure ongoing public access where appropriate.
 - Non-strategic Policy PP15: Walton Mere – this policy had been carried forward into the Submission Version of the Plan with a simple addition requiring that any Biodiversity Net Gain, new saltmarsh habitat or other ecological enhancement supported the objectives of the Essex Local Nature Recovery Strategy, including opportunities for coastal habitat creation, nature recovery and strengthened ecological connectivity.
 - Policy PPL3: The Rural Landscape – this policy in Chapter 7 of the Plan had been revised in the Submission Version to make more specific reference to National Landscapes and for proposals for electricity schemes or communication requirement to be undergrounded in those areas, and for the priorities in the Essex Local Nature Recovery Strategy to be taken into account in considering the impact of development on the rural landscape.
 - Strategic Policy PPL4: Biodiversity and Geodiversity – significant revisions had been made to this policy in Chapter 7 of the Plan in response to advice from Natural England and Essex Wildlife Trust and to reflect the latest evidence underpinning the Habitat Regulations Assessment. The revised policy included strengthened requirements relating to the protection of internationally designated habitat sites and introduced specific policy provisions relating to Functionally Linked Land, recognising that land outside designated sites could nevertheless be important to qualifying bird species. The policy also introduced a framework for the provision of Suitable Alternative Natural Greenspace (SANG), which involved providing attractive places for walking, dog exercising and informal recreation away from the District's most sensitive wildlife habitats. The purpose was to help protect internationally important sites by encouraging

some visitors to use alternative green spaces instead. Additional policy requirements clarified the relationship between SANG provision and the Essex Coast RAMS strategy and sought to ensure that recreational impacts on protected habitats were appropriately addressed. The policy also aligned development proposals with the Essex Local Nature Recovery Strategy and strengthened expectations around biodiversity net gain, green and blue infrastructure, ecological connectivity and habitat enhancement, to ensure that development contributed positively towards nature recovery and environmental improvement.

- Non-strategic Policy PPL12a: St. Osyth Priory – this policy in Chapter 7 of the earlier Preferred Options Draft had included a statement that for any residential enabling development proposals in respect of the Priory, the Council would expect the development to have a reasonable geographical relationship and connection to St. Osyth, the Priory and the community to which it most related. However, this requirement had attracted objections both from St. Osyth Parish Council and the owners of the Priory and, in response, Officers proposed deleting that requirement from the policy in the Submission Version. Officers had accepted that whilst it might have been the Council's preference to discourage residential enabling development schemes in or around settlements and communities unrelated to St. Osyth and the Priory, there was no legal basis for restricting enabling proposals to certain geographical locations and, in any event, proposals in any location would need to be considered on their merits against relevant national and local policies.

- Strategic Policy CP1: Sustainable Transport and Active Travel – revisions to this policy in Chapter 8 of the Plan had been made in response to advice from Essex County Council and included additional references to the Tendring District Cycling Action Plan, Essex Walking Strategy and Local Cycling and Walking Infrastructure Plan (LCWIP). The revised policy would also require all major developments to secure monitored Travel Plans with enforceable remedial mechanisms, demonstrating quantified mode share and carbon reduction trajectories. The revised policy also included a statement that parking provision was to be assessed using ECC's Parking Guidance and Electric Vehicle Strategy and for electric vehicle charging to follow relevant building regulations and ECC's Electric Vehicle Charge Point Strategy.

- Strategic Policy DI1: Infrastructure Delivery and Impact Mitigation – although no notable changes were proposed to the wording of this policy in Chapter 10 itself, the associated table 10.1 had been expanded to give the Council the ability to seek financial contributions, where justified, against the relevant regulations, for the provision of emergency services facilities and infrastructure – following advice received from Essex Police, Essex County Fire & Rescue Services and the East of England Ambulance Service NHS Trust.

Changes to site-specific policies

The Committee was reminded that Chapter 9 in the Local Plan set out the 'site-specific' policies relating to particular proposals for Garden Communities, Garden Villages, other strategic or larger residential and mixed-use sites or employment allocations with specific requirements. As already stated, Policies SAH3, SAH4 and SAH10 in respect of sites in Walton, Brightlingsea and Thorpe had been deleted from the Submission Version of the Plan, but all others had been carried forward, including some where some notable changes had been made.

Having considered the advice of Natural England, Essex Wildlife Trust and the consultants carrying out the Local Plan's Habitat Regulations Assessment and Appropriate Assessment, a number of the site-specific policies had been revised to include specific provision for 'Suitable Accessible Natural Greenspace' (SANGs) to address recreational impacts on protected habitats as well as references to functionally linked land and its protection and impact mitigation/compensation.

A few of the policies had also been revised to include specific reference to Green and Blue Infrastructure and to ensure opportunities were taken to retain, enhance and ingrate such features within a multi-functional network. Some policies had also been strengthened to require development to seek to improve walking and cycling connectivity to surrounding neighbourhoods, services and facilities. Officers had also taken the opportunity to review policy wording to ensure consistency and to incorporate wording to better reflect the findings of the latest Infrastructure Delivery Plan (IDP) which had been updated as part of the technical evidence base.

For the Garden Village proposals at Hare Green and Horsley Cross, Strategic Policies SAMU8 and SAMU9 had been strengthened to include requirements around SEND provision; the need for open space, sport and recreation strategies and a Heritage Impact Assessment to inform the future master planning work; and multi-user walking, cycling and bridleway network provision. In addition, whilst it would be the intention for each of the developments to be guided by its own Development Plan Document (DPD), with an ever-changing planning system the policies had also been revised to indicate that further detail could also be developed as part of any future review of the overall Local Plan (which might well be a new Local Plan for the future unitary authority).

Some other notable changes were highlighted as follows:

- Strategic Policy SAMU6: Development of Weeley Green Garden Village – the policy for this 900-home mixed use development had been strengthened with the addition of a requirement that development proposals be accompanied by an infrastructure phasing, delivery, funding and monitoring strategy to demonstrate how infrastructure necessary to support each phase of development would be secured and delivered. The development should deliver its own infrastructure requirements and contribute proportionately to any shared strategic infrastructure where required.
- Strategic Policy SAMU7: Redevelopment of Saltings Quarter, Riverside Avenue, Manningtree – the policy for this riverside mixed-use development had been revised on the advice of the Environment Agency to include a specific requirement for the development to be informed by the findings of the Local Plan's Level 2 Strategic Flood Risk Assessment and be supported by a site-specific Flood Risk Assessment demonstrating that the development would be safe for its lifetime, taking account of climate change, safe access and egress, flood resilience measures and emergency planning arrangements.
- Strategic Policy SAMU9 – Development of Horsley Cross Garden Village – following the Preferred Options consultation, the site promoter (Rose Builders) had provided the Council with additional evidence setting out the extent and configuration of the land under their control and being promoted for development. Having reviewed this information, Officers had proposed a number of minor amendments to the broad location boundary to better reflect site ownership, physical features and development

constraints, and to ensure that Policy SAMU9 represented a robust and deliverable proposal in the Submission Version of the Local Plan.

- *Strategic Policy SAH2: Development North of Thorpe Road, Kirby Cross – the policy for this 450 home development (increased from 420) had been strengthened* having regard to consultation responses, to specifically require the development to retain and enhance Footpath 17 and its connections to the wider Public Rights of Way network, including provision for a multi-user route where appropriate.
- *Strategic Policy SAE3: Collierswood Farm A120 Strategic Business Park – the policy for this strategic business park proposal north of the Tendring Colchester Borders Garden Community had been revised and strengthened* to require the development to deliver and, where necessary, safeguard land for necessary infrastructure and to require the submission of an infrastructure phasing, delivery and monitoring strategy. That strategy would have to demonstrate how the required infrastructure would be funded, delivered, maintained and reviewed, and ensure that no phase of development proceeded unless the infrastructure necessary to support that phase had been secured.

Changes to the Policies Maps

Members were reassured that the policies maps that accompanied the Submission Version Local Plan had been presented in a similar format to those in the Council's current adopted Local Plan and the more recent Preferred Options Draft in the interests of familiarity and continuity. As per the current Local Plan, they would include large scale maps at District level over three fold-out maps covering the west, south-east and north-east of the District respectively; and then separately, at a more close-up scale, area by area and settlement by settlement on specific inset maps presented in alphabetical order.

Members were told that the most significant changes to the Policies Maps between the Preferred Options Draft and Submission Version related to the depiction of housing and mixed-use development sites including the deletion of sites SAH3, SAH4 and SAH10 in Walton, Brightlingsea and Thorpe, the amended broad location boundary at Horsley Cross, the inclusion of new allocations and any consequential changes to settlement development boundaries or other designations (such as Coastal Protection Belt) that had arose.

Elsewhere there were relatively few changes, with the most notable being the designation of safeguarded open space at Lawford Tye and land adjoining the Lady Nelson Playing Field in Thorpe (which was intended to be transferred to the Parish Council under the provisions of Policy SAH11 for development north of Lifehouse Spa & Hotel, although this designation had been omitted from the Appendix maps in error and would be corrected prior to the public consultation) and the extension of the Strategic Green Gaps between:

- Clacton and Little Clacton;
- Clacton and Jaywick;
- Dovercourt, Ramsey, and Little Oakley;
- Kirby Cross and Kirby-le-Soken;
- Elmstead Market and the TCBGC; and
- Little Clacton and Weeley Heath.

Legal compliance and soundness

The Committee recognised that the Council was required to produce a Local Plan that was legally compliant and sound and that this had to be tested and confirmed by a Government-appointed Planning Inspector at the examination stage of the process before the Council could lawfully proceed to formally adopt the Plan.

The legal test was for the Local Plan to have been prepared in accordance with all the relevant legislation, regulations and procedures, carrying out consultation in the correct manner and preparing and consulting on a Sustainability Appraisal and Habitat Regulations Assessment. The soundness test for the Local Plan was set out in the National Planning Policy Framework (NPPF) which stated that Plans could be considered 'sound' if they were positively prepared, justified, effective and consistent with national policy.

Officers believed that the Submission Version of the Local Plan now presented did represent a legally compliant and sound Plan produced to the best of the Council's ability given the extremely challenging housebuilding targets and tight work programme. However, others could indicate otherwise through their representations in response to the public consultation; and once the Plan was submitted to the Secretary of State those representations could then be considered by the Planning Inspector as part of their examination.

Although an Inspector could, through the later examination process, propose modifications to rectify resolvable soundness issues, it could lengthen the examination and delay formal adoption – and it was therefore advisable that this Council carried out its own assessment as the Plan progressed through the different stages of the process. With that in mind, Officers had continually assessed the soundness of policies in the emerging Plan with reference to guidance produced by the Planning Advisory Service (PAS) and had attended a Planning Inspectorate advisory visit.

Weight to be given to the emerging Local Plan

Since 26 January 2026 the Council's existing Section 1 Local Plan containing the current housebuilding requirement of 550 homes a year had been more than five-years old – which had required the Council to revert to the new Government mandatory housebuilding target (now 1,069) for the purposes of calculating housing supply and making decisions on planning applications for housing. This had resulted in the Council being unable to demonstrate a five-year supply of deliverable housing land and this would remain the case in the coming months until such time that sufficient sites had obtained planning permission or could otherwise be shown to be deliverable within five years.

Until the supply of housing land increased to the extent that a five-year supply could be demonstrated, the District would be vulnerable to a potential increase in planning applications for housing development. National planning policy would expect the application of the 'tilted balance' to the Government's 'Presumption in Favour of Sustainable Development', which essentially required Councils to grant planning permission for new housing unless there were very good reasons not to do so, regardless of whether sites were allocated in the Local Plan. This created a heightened risk that refusals without sufficiently robust justification could be overturned on appeal by a Government-appointed Planning Inspector.

However, Councils were allowed to give some weight to the policies and proposals in emerging Local Plans according to their stage of preparation, the extent to which there were unresolved objections to relevant policies and the degree of consistency with the policies in the NPPF. Therefore, if the Council had agreed to publish the Submission Version of the Local Plan for public consultation, Planning Officers and the Council's Planning Committee would have the ability to give some additional weight to the emerging policies in the determination of planning applications, alongside the existing adopted policies – with the weight increasing further when the Plan was submitted to the Secretary of State and as it progressed through the examination process.

Updates to the technical evidence base

The Committee was cognisant that the Submission Version of the Local Plan was supported by an extensive but proportionate technical evidence base which had been updated and added to since the Preferred Options stage of the process. As well as considering the consultation responses in making revisions to the Submission Version, the updated evidence had informed some of the notable changes to certain policies and proposals. Because Local Plan preparation was an evidence-based process, the various studies and other documents that formed the evidence base were critical in demonstrating the Plan's soundness.

Since the publication of the Preferred Options Draft, several studies and documents had either been updated or added to as part of the technical evidence base or were in the process of being finalised ahead of the publication of the Submission Version for consultation. The most significant studies and documents were as follows:

- An updated Sustainability Appraisal (a legal requirement of the plan-making process);
- An updated Habitat Regulations Assessment (also a legal requirement);
- Strategic Housing Land Availability Assessment;
- Employment Land Review;
- Whole Plan Viability Assessment;
- Infrastructure Delivery Plan;
- Transport Assessment;
- Education Scenario Test;
- Strategic Flood Risk Assessment;
- Water Cycle Study;
- Landscape Character Appraisal;
- Strategic Green Gap Study; and
- Gypsy and Traveller Pitch Delivery Assessment.

Public consultation

Members recalled that, under the plan-making regulations, the Submission Version Local Plan must be published alongside the Sustainability Appraisal and Habitat Regulations Assessment for six-weeks' public consultation. All the evidence base documents that supported the Local Plan, including the draft Consultation Statement and Statement of Cooperation, would also be published for public inspection as background information.

The focus of the public consultation exercise for the Submission Version of the Local Plan would be to encourage and invite residents and other interested parties to consider and comment specifically on whether they thought that the Plan complied with the legal requirements of the planning system; and specifically, whether they thought the policies and proposals in the Plan met with the 'tests of soundness' as set out in national planning policy. This was because the representations received in response to the consultation would go to the Government-appointed Planning Inspector as part of the examination process, whose job it would be to examine the Plan's legal compliance and soundness.

It was proposed that the consultation would take place from early September to mid-October and would include several public events, consistent with previous consultations.

Prior to the commencement of the meeting an Officer Update Sheet had been circulated to the Committee and published on the Council's website. That update sheet stated the following:-

"Background

Since publication of the Committee agenda, the Government has published a new National Planning Policy Framework (NPPF) on 17 August 2026. The Framework replaces the December 2024 version and introduces a structure separating plan-making policies from national decision-making policies. Officers have undertaken an initial review of the new document and set out below the key implications for the emerging Local Plan. The introduction of National Decision-Making Policies is one of the most significant changes in the new Framework and has potential implications for the weight given to some development plan policies when determining planning applications.

Transitional Arrangements

Annex A of the new NPPF confirms that plans already being prepared under the previous plan-making system should continue to be prepared in accordance with the December 2024 version of the Framework, subject to the relevant transitional provisions. The Tendring Local Plan Review will therefore continue under the existing arrangements and the publication of the new NPPF does not affect the recommendations contained within this report. However, the new NPPF is now a material consideration in the determination of planning applications with immediate effect.

BNG

The new NPPF includes specific provisions relating to Biodiversity Net Gain (BNG). Policy N2(3) indicates that where a Local Plan seeks to secure BNG above the statutory

minimum requirement, weight in decision making should generally only be given to site-specific policies requiring a higher level of BNG.

The effect of this policy is that greater weight is likely to be given to locally justified BNG requirements attached to specific development allocations or locations. By contrast, more general Local Plan policies seeking to apply higher BNG requirements across an entire district may carry less weight.

The Submission Version Local Plan includes policies relating to biodiversity enhancement and Biodiversity Net Gain. Officers are currently reviewing the implications of Policy N2(3) and the extent to which it may affect the application and weight afforded to relevant policies within the emerging Local Plan.

Energy and Carbon Policies

The Submission Version Local Plan contains local policies relating to operational energy, embodied carbon and renewable energy (Policies PPL10a, PPL10b and PPL10c). Whilst the Local Plan Review will continue to be considered against the national policy framework under which it has been prepared, the new NPPF includes national policies relating to climate change, clean energy and water resources.

Officers consider that the overall direction of the Council's policies remains broadly aligned with national objectives. However, the emerging energy and carbon policies are likely to attract particular scrutiny through the examination process and in the determination of future planning applications as the implications of the revised national policy framework are considered.

Strategic Planning and Spatial Development Strategies

The new NPPF includes a policy framework for Spatial Development Strategies (SDSs), reflecting the Government's wider reforms to strategic planning and the emerging devolution agenda.

Whilst the Tendring Local Plan continues to progress under existing arrangements, the increasing emphasis on strategic planning reinforces the importance of having an up-to-date Local Plan in place ahead of the preparation of future strategic planning arrangements for Greater Essex. The emerging Local Plan will therefore provide an important framework for future strategic planning decisions affecting Tendring and the wider area.

Railway Stations and Sustainable Growth

The new NPPF includes support for directing development towards well-connected railway stations and sustainable transport hubs. Officers have reviewed the position in Tendring and note that Manningtree is the only station within Tendring potentially affected by these provisions.

However, Officers do not currently consider that this policy is likely to have significant implications for the Local Plan's strategy or future growth around Manningtree because of existing constraints, including flood risk, the Dedham Vale National Landscape, environmental sensitivities and infrastructure limitations.

Overall Implications for the Local Plan

Officers do not consider that the publication of the new NPPF gives rise to any issue requiring amendment to the Submission Version Local Plan or the recommendations before Committee. The detailed implications of the new Framework will continue to be reviewed through the Regulation 19 consultation process and subsequent examination."

At the meeting, the Corporate Director (Planning and Community) (Gary Guiver), assisted by the Planning Policy Manager (Paul Woods), introduced the report.

Mr. Guiver particularly detailed how the Submission Version matched up against the tests of soundness which required a local plan to be:-

- (1) Positively prepared;
- (2) Justified;
- (3) Effective; and
- (4) Consistent with national policy.

Mr. Guiver acknowledged the contentious nature of the Local Plan due to its housing targets but contended that having a such a Plan was better than having a Plan that was out of date and not compliant with Government policies. This ran the risk of the Secretary of State triggering their powers of intervention as had recently happened to Basildon Borough Council and Epping Forest District Council.

Mr. Guiver reminded Members that the end of 2026 was the cut-off point for Councils submitting Local Plans prepared under the current plan-making regulations and procedures; after which any new Local Plans would be expected to be prepared in accordance with the new procedures which required a very different standardised format of Local Plan for which the full process would need to start from the beginning. It was vitally important therefore that the Council submitted its new Local Plan to the Secretary of State before the end of 2026. Any delay in progressing through the next consultation stage of the process would put that timeframe at risk.

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 included bespoke policies of local significance); and the District 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 would remain vulnerable to speculative planning applications whilst a new-style Local Plan was being drawn up (an eventuality of which that the District had previous bitter experience). Such a delay would potentially also mean that the Council would lose its opportunity to set the planning framework for the Tendring area in the remaining years ahead of Local Government Reorganisation and the establishment of a new unitary authority.

Mr. Guiver then provided a response to the matters raised by the public speakers as a conclusion to his presentation.

Mr. Woods outlined to the Committee how the Council and its consultants had responded to the tight timeframe in which the Local Plan had had to be put together.

Mr. Woods then provided details of the importance to the Plan and the findings of the following evidence base documents:-

-
- Integrated Sustainability Appraisal report;
 - Habitats Regulations Assessment;
 - Local Plan Viability Assessment;
 - Infrastructure Delivery Plan;
 - Education Scenario Testing;
 - Transport Modelling;
 - Integrated Water Cycle Study;
 - Strategic Green Gap Study;
 - Landscape Character Assessment;
 - Gypsy and Traveller Accommodation Assessment & Gypsy and Traveller Pitch Delivery Assessment (Strategic Policy LP9).

Mr. Woods gave an update on the final spatial strategy and distribution of growth and changes to site allocations (Table LP1 in the Local Plan Submission Version), together with the amendments made to policies, and in particular to Strategic Policy PPL4: Biodiversity and Geodiversity.

Mr. Woods concluded his presentation by remarking on the changes made to the policies maps with the most notable including the designation of safeguarded open space at Lawford Tye and the land adjoining Lady Nelson Playing Field in Thorpe-le-Soken.

Mr. Woods then responded to the following questions/concerns/queries et cetera from Committee Members:-

- *why is Brightlingsea not listed with the seaside towns;*
- *under Employment Sites, the industrial units by All Saints' Church, Brightlingsea should be a protected area just like Morses Lane;*
- *concerned about the reclassification of Little Oakley under Strategic Policy SPL1, as Little Oakley is part of a predominantly rural Ward and feel it is unjustified to classify Little Oakley as part of the Harwich and Dovercourt Strategic Urban Settlement as it would threaten its village appearance and therefore would like this to be re-examined and reconfigured.*

At the invitation of the Chairman, the Portfolio Holder for Housing and Planning (Councillor Baker) addressed the Committee. Councillor Baker acknowledged that the Officer presentations had been lengthy and detailed, but it needed to be said. He expressed his thanks, on behalf of the Cabinet that the Officers had done a sterling job. They had started the review of the Local Plan but then everything had changed because of the newly elected Government in 2024 changing national planning policies, but they had taken that on and coped admirably. Once the Plan was approved by Full Council and submitted some weight could be given to it in determining planning applications. Councillor Baker confirmed that he was in agreement with this Submission Version going forward to Full Council.

Having duly taken all the above information into account and having discussed the matter, it was moved by Councillor M Cossens, seconded by Councillor Scott and unanimously:-

RESOLVED that the Planning Policy and Local Plan Committee –

- a) notes the contents of this report that explains how the Tendring District Local Plan – Submission Version has been developed having regard to the direction given and decisions taken by the Committee at previous meetings, feedback from the public consultation on the Preferred Options Draft carried out in February and March 2026 and the updated evidence base especially, together with the Sustainability Appraisal and Habitats Regulation Assessment, which have been an integral part of the Local Plan preparation and informed the Local Plan for submission, as well as the requirements of national planning policy;
- b) subject to the agreement of the Leader of the Council and the Portfolio Holder responsible for Planning, agrees to recommend to Full Council:
 - i. that the Tendring District Local Plan – Submission Version (at Appendix 1), being considered to meet the tests of soundness, be approved for six-weeks' formal public consultation, alongside the related Sustainability Appraisal (at Appendix 2), Habitat Regulations Assessment (at Appendix 3) and other updated supporting evidence (including those listed as background documents) 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); and
 - ii. that the Corporate Director (Planning and Community) be authorised, in consultation with the Chairman of the Planning Policy and Local Plan Committee, to make corrections, if necessary, to address minor formatting, mapping, typographical, grammatical or factual errors within the aforementioned Draft Plan (in Appendix 1), in the event that any are discovered before the public consultation commences;
- (c) notes that a final decision to confirm the Council's wish to submit the Local Plan and associated documents to the Secretary of State will need to be taken by Full Council, on the recommendation of the Planning Policy and Local Plan Committee, following the closure of the Regulation 19 public consultation; and
- (d) notes that the submission of the Local Plan to the Secretary of State will need to happen before 31 December 2026 or else the Council will need to begin the Local Plan review 'from scratch' under a new system.

The meeting was declared closed at 8.35 pm

Chairman