



# Proposed Main Modifications to the Publication Draft Braintree, Colchester and Tendring Local Plans Section One

July 2020

Ref	Policy / Para N°	Proposed main modification	Indicative reason(s) for proposed main modification
MM1	Vision for North Essex	<p>North Essex will be an area of significant growth over the period to 2033 and beyond, embracing positively the need to build well-designed new homes, create jobs and improve and develop infrastructure for the benefit of existing and new communities.</p> <p><b>It will continue to be an attractive and vibrant area in which to live and work, making the most of its rich heritage, town centres, natural environment, coastal resorts, excellent educational facilities and strategic transport links which provide access to the ports, Stansted Airport, London and beyond. Rural and urban communities will be encouraged to thrive and prosper and will be supported by adequate community Infrastructure. (Mod A)</b></p> <p>Sustainable development principles will be at the core of the strategic area's response to its growth needs, balancing social, economic and environmental issues. Green and blue infrastructure and new and expanded education and healthcare facilities <b>enabling healthy and active lifestyles (Mod B)</b> will be planned and provided along with other facilities to support the development of substantial new growth; while the <b>undeveloped countryside (Mod C)</b> and <del>heritage assets</del> <b>the natural and historic environment</b> will be <del>protected</del> <b>conserved</b> and enhanced. <b>(Mod D) Key to delivering sustainable development is that new development will address the requirement to protect and enhance be informed by an understanding of the historic environment and settlement character. (Mod E)</b></p> <p>At the heart of our strategic vision for North Essex <del>are</del> <b>is a new garden communities, to be sensitively integrated within the existing historic built and natural environment, the delivery of which is and</b> based on Garden City principles covered by policy SP7. <b>(Mod F)</b></p> <p>The garden communities <del>provides</del> <b>provides an opportunity to create the right balance of jobs, housing and Infrastructure in the right location and (Mod G)</b> will attract</p>	<p><b>Positively-prepared, Justified, Effective</b></p> <p><b>Mod A</b> – Highlight the strategic issues relevant to Section 1.</p> <p><b>Mod B</b> – Include high level strategic objective on the need to support healthy and active lifestyles.</p> <p><b>Mod C</b> – To clarify definition of countryside to be protected.</p> <p><b>Mod D</b> – Include high level strategic objective on the need to preserve and enhance the natural and historic environment.</p> <p><b>Mod E</b> – Include high level strategic objective on the need to</p>

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		<p>residents and businesses who value innovation, community cohesion and a high-quality environment, and who will be provided with opportunities to take an active role in managing the garden community to ensure its continuing success.</p> <p>Residents will live in high quality, innovatively designed, <del>contemporary</del> homes, <b>(Mod H)</b> accommodating a variety of needs and aspirations, located in well-designed neighbourhoods where they can meet their day-to-day needs. There will be a network of tree-lined streets and green spaces, incorporating and enhancing existing landscape features and also accommodating safe and attractive routes and space for sustainable drainage solutions; and leisure and recreation opportunities for both residents and visitors of the garden communityies.</p> <p>Suitable models for the long term stewardship of community assets will be established and funded to provide long term management and governance of assets. All Garden City principles as specified in the North Essex Garden Communities Charter will be positively embraced including, <b>where appropriate</b>, new approaches to delivery and partnership working <del>and sharing of risk and reward</del> for the benefit of the new communityies. <b>Central to this will be the comprehensive planning and development of the garden community, and the aligned delivery of homes and supporting infrastructure. (Mod I)</b></p>	<p>preserve and enhance the historic environment.</p> <p><b>Mod F</b> – To clarify that in addition to Garden City principles, the garden community will have regard to integration with the existing environment.</p> <p><b>Mod G</b> – To clarify the role of the garden community in meeting planning objectives.</p> <p><b>Mod H</b> – Requirement for homes to be ‘contemporary’ is not justified by evidence.</p> <p><b>Mod I</b> – To clarify the approach to planning the garden community.</p>

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MM2	Para 1.31, Strategic Objectives	<p>Providing New and Improved Transport &amp; Communication Infrastructure – to make efficient use of existing transport infrastructure and to ensure sustainable transport opportunities are promoted in all new development <b>to support new and existing communities. (Mod A)</b> Where additional capacity is required in the form of new or upgraded transport infrastructure to support new development, ensuring that this is delivered in a phased &amp; timely way to minimise the impact of new development. To ensure that enabled communication is provided as part of new developments as enabled communication is essential for modern living, and broadband infrastructure and related services will be essential for business, education and residential properties.</p> <p>Ensuring High Quality Outcomes – to promote greater ambition in planning and delivering high-quality sustainable new communities. Overall, new development must secure high standards of urban design and green infrastructure which create attractive and sustainable places where people want to live and spend time. <b>New development needs to be informed by an understanding of the historic environment resource gained through the preparation of Historic Impact Assessments, and to conserve and enhance the significance of the heritage assets and their settings. (Mod B)</b></p>	<b>Justified, Effective</b>  <b>Mod A</b> – To clarify that new transport infrastructure will benefit both new and existing communities  <b>Mod B</b> – To clarify requirement to conserve and enhance the historic environment.
MM3	Para 1.32	<p>This section includes the Councils’ response to the opportunities and challenges facing the wider area, in the form of strategic policies that will help to deliver the vision and objectives. These policies only cover those matters that are of strategic relevance to all three authorities. Policies that address local matters are included in the following section of the Plan. <b>The Plan as a whole, including both Sections 1 and 2, will supersede previous Local Plan policies and allocations upon its adoption. A list of the policies superseded by Section 1 and Section 2 of the Plan respectively is included as an appendix to each section.</b></p>	<b>Effective, Legally-compliant</b>  To identify which previous plan policies are superseded.

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MM4	Policy SP1	<p>Policy SP1 – Presumption in Favour of Sustainable Development</p> <p>When considering development proposals the Local Planning Authorities will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. They will always work pro-actively with applicants <del>jointly</del> to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p><del>Sustainable development in North Essex will demonstrably contribute to the strategic and local vision and objectives and will accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans). Development that complies with the Plan in this regard will be approved without delay, unless material considerations indicate otherwise.</del></p> <p><del>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise — taking into account whether:</del></p> <ul style="list-style-type: none"> <li><del>any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework taken as a whole or specific policies in that Framework or the Plan that indicate that development should be restricted.</del></li> </ul>	<p><b>Effective, Consistent with national policy</b></p> <p>To clarify the policy and avoid conflict with or duplication of national policy.</p>
MM5	New paras 2.2-2.7	<p><b>Recreational disturbance Avoidance and Mitigation Strategy (RAMS)</b></p> <p><b>2.2 A Habitats Regulations Assessment (HRA) was completed for Section 1 of the Plan. The loss of off-site habitat, water quality and increased recreational disturbance were identified as issues with the potential to result</b></p>	<p><b>Effective, Legally-compliant</b></p> <p>To reflect the completion of the</p>

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		<p><b>in likely significant effects on European Sites, without mitigation to address the effects.</b></p> <p><b>2.3 The Appropriate Assessment (AA) identified a number of avoidance and mitigation measures to be implemented, to ensure that development proposals in the Plan will not result in adverse effects on the integrity of any Special Area of Conservation, Special Protection Area or Ramsar site, and are HRA compliant.</b></p> <p><b>2.4 To mitigate for the loss of off-site habitat, the AA identified the need for wintering bird surveys for the Tendring/Colchester Borders Garden Community as part of any project level development proposals and masterplanning (see also paragraph 8.4 and Policy SP8 paragraph F.21 below).</b></p> <p><b>2.5 To protect water quality, the AA recommended the inclusion of policy safeguards to ensure that adequate water and waste water treatment capacity or infrastructure upgrades are in place prior to development proceeding.</b></p> <p><b>2.6 Recreation activities can potentially harm Habitats Sites. The AA identified disturbance of water birds from people and dogs, and impacts from water sports/watercraft as the key recreational threats to Habitats Sites.</b></p> <p><b>2.7 To mitigate for any increases in recreational disturbance at Habitats Sites, the AA identified the need for a mitigation strategy. Natural England’s West Anglian Team identified the Essex coast as a priority for a strategic and proactive planning approach as it is rich and diverse ecologically, and many of the coastal habitats are designated as Habitats Sites. Consequently, 12</b></p>	<p>Essex Coast RAMS Strategy Document and to ensure that the requirements of the Habitats Regulations are met.</p>

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		<b>local planning authorities in Essex have prepared an Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS).</b>  <b>2.8 The Essex Coast RAMS sets out specific avoidance and mitigation measures by which disturbance from increased recreation can be avoided and mitigated thus enabling the delivery of growth without adversely affecting Habitats sites. These measures are deliverable, realistic, underpinned by robust up to date evidence, precautionary and provide certainty for developers around deliverability and contributions. The Essex Coast RAMS Strategy Document was completed in 2019 and will be supported by a SPD.</b>	
MM6	New Policy SP1A to follow after SP1	<b>Policy SP1A – Recreational disturbance Avoidance and Mitigation Strategy (RAMS)</b>  <b>Contributions will be secured from development towards mitigation measures in accordance with the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy 2018-2038 (RAMS).</b>	<b>Justified, Effective, Legally-compliant</b>  New policy required in order to ensure that the requirements of the Habitats Regulations are met.
MM7	Policy SP2	Policy SP2 – Spatial Strategy for North Essex  Existing settlements will be the principal focus for additional growth across <b>the North Essex Authorities area</b> within the Local Plan period. <b>(Mod A)</b> Development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role both within each individual district and, where relevant, across the wider strategic area.	<b>Mod A – Effective</b> To clarify the geographical scope of the plan.

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		<p>Future growth will be planned to ensure <b>existing</b> settlements maintain their distinctive character and role, <b>to avoid coalescence between them and to conserve their setting. (Mod B)</b> Re-use of previously-developed land within settlements is an important objective, although this will be assessed within the broader context of sustainable development principles, particularly to ensure that development locations are accessible by a choice of means of travel.</p> <p><b>In Section 2 of its Local Plan, E</b>each local planning authority will identify a hierarchy of settlements where new development will be accommodated according to the role of the settlement, sustainability, its physical capacity and local needs. <b>(Mod C)</b></p> <p>Beyond the main settlements the authorities will support diversification of the rural economy and conservation and enhancement of the natural environment.</p> <p><del>Three new</del> <b>As part of the sustainable strategy for growth, the Tendring / Colchester Borders gGarden eCommunities</b> will be developed and delivered as <del>part of the sustainable strategy for growth, at the</del> <b>broad</b> locations shown on Map 3.3 10.2 below <b>and on the Colchester and Tendring Local Plans Policies Maps.</b> <del>These new communities</del> will provide a strategic locations for at least 7,500 additional homes <b>and employment</b> within the Plan period in North Essex. <del>Employment development will also be progressed with t</del>The expectation <b>is</b> that substantial additional housing and employment development will be delivered in <b>each the Garden eCommunity</b> beyond the current Local Plan periods. <del>They will be planned and developed drawing on Garden City principles, with necessary infrastructure and facilities provided and a high quality of place-making and urban design</del> <b>(Mod D).</b></p>	<p><b>Mod B – Effective</b> To clarify the approach to existing settlements.</p> <p><b>Mod C – Effective</b> To clarify the respective roles of Sections 1 and 2.</p> <p><b>Mod D – Justified, Effective</b> To reflect the deletion of Policies SP9 &amp; SP10, give appropriate emphasis to employment development and avoid duplicating the requirements of other policies.</p>



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MM8	Policy SP3	<p>Policy SP3 – Meeting Housing Needs</p> <p>The local planning authorities will identify sufficient deliverable sites, <b>developable sites and/or</b> broad locations for their respective plan period, <del>against to meet</del> the <b>housing requirements</b> in the table below, <b>and will incorporate additional provision to ensure flexibility and choice and competition for land. (Mod A)</b></p> <p>Each authority will maintain a sufficient supply of deliverable sites to provide for at least five years' worth of housing, <b>plus an appropriate buffer in accordance with national policy</b>, and will work proactively with applicants to bring forward sites that accord with the overall spatial strategy and relevant policies in the plan. <b>The annual housing requirement figures set out below will be used as the basis for assessing each authority's five-year housing land supply, subject to any adjustments in Section 2 of each plan to address any undersupply since 2013. (Mod B)</b></p> <p><b>The authorities will review their housing requirements regularly in accordance with national policy requirements, and in doing so will have regard to the housing needs of the wider area. (Mod C)</b></p>	<p><b>Mod A – Positively prepared</b> To include reference to additional provision to ensure that housing needs can be met.</p> <p><b>Mod B – Consistent with national policy, Effective</b> To reflect the national policy requirement for a buffer and to clarify the role of Section 2 in addressing housing supply issues to ensure objectively assessed development needs are met.</p> <p><b>Mod C – Consistent with national policy</b> To address the</p>

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MM9	Policy SP4	<p>Policy SP4 – Providing for Employment and Retail <b>(Mod A)</b></p> <p>A strong, sustainable and diverse economy will be promoted across North Essex with the Councils <b>local planning authorities (Mod B)</b> pursuing a flexible approach to economic sectors showing growth potential across the Plan period.</p> <p><del>Employment forecasts have been developed using two standard models (East of England Forecasting Model (EEFM) and Experian 2016) which forecast total job growth for each of the local authorities based on past trends. Each local authority has been advised on the most appropriate modelling figure to use in the context of reconciling job and housing demand. These figures are set out for the housing market as follows for the period 2013-2037:-</del></p> <p>Annual Job Forecast:</p>	<p><b>Mod A – Effective</b> To clarify the scope of the policy.</p> <p><b>Mod B – Effective</b> To make the Plan’s terminology consistent.</p>															

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		<p><b>that provision is made within the ranges set out in the table below. (Mod D)</b></p> <p>Hectares of B use employment land required:</p> <table border="1" data-bbox="551 735 1711 995"> <thead> <tr> <th></th> <th>Baseline (2012 Based SNPP)</th> <th>Higher Growth Scenario</th> </tr> </thead> <tbody> <tr> <td>Braintree</td> <td><del>23</del> <b>20.9</b></td> <td>43.3</td> </tr> <tr> <td>Colchester</td> <td>22.0</td> <td><del>55.8</del> <b>30.0</b></td> </tr> <tr> <td>Tendring</td> <td><del>20</del> <b>12.0</b></td> <td><del>38</del> <b>20.0</b></td> </tr> <tr> <td><b>North Essex</b></td> <td><del>65</del> <b>54.9</b></td> <td><del>137.4</del> <b>93.3</b></td> </tr> </tbody> </table> <p style="text-align: right;"><b>(Mod E)</b></p>		Baseline (2012 Based SNPP)	Higher Growth Scenario	Braintree	<del>23</del> <b>20.9</b>	43.3	Colchester	22.0	<del>55.8</del> <b>30.0</b>	Tendring	<del>20</del> <b>12.0</b>	<del>38</del> <b>20.0</b>	<b>North Essex</b>	<del>65</del> <b>54.9</b>	<del>137.4</del> <b>93.3</b>	<p>included in Section 2 to ensure that the requirements in policy SP4 are met.</p> <p><b>Mod E – Justified</b> To ensure that the employment land requirement figures for each authority reflect the evidence</p>
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<b>MM10</b>	Policy SP5 First para	<p>Policy SP5 – Infrastructure and Connectivity</p> <p><b>All D</b>development must be supported by <b>the</b> provision of <b>the</b> infrastructure, services and facilities that are required to serve the needs arising from <del>new</del> <b>the</b> development.</p> <p><b>The requirements in section A of this policy apply only to the Tendring / Colchester Borders Garden Community, whilst the remaining sections B, C, D and E apply to all allocations and development proposals in the North Essex Authorities area.</b></p>	<p><b>Positively Prepared, Effective</b></p> <p>To ensure the plan addresses infrastructure requirements and to clarify the scope of policy requirements for</p>															

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		<del>The following are strategic priorities for infrastructure provision or improvements within the strategic area</del>	the Garden Community.
MM11	Policy SP5 New para A	<p><b>A Tendring / Colchester Borders Garden Community</b></p> <p><b>1 The Development Plan Document (DPD) for the Tendring / Colchester Borders Garden Community will include:</b></p> <p><b>a) An infrastructure delivery strategy and phasing plan that sets out how infrastructure, services and facilities will be provided. Infrastructure delivery will align with each development phase and be supported by suitable mechanisms to deliver the infrastructure both on and off-site;</b></p> <p><b>b) Details of the design and delivery of Route 1 of the rapid transit system, and a programme for the integration of the garden community into the system. The route will be designed to accommodate future route enhancements and technology improvements; and</b></p> <p><b>c) Target modal shares for each transport mode and details of sustainable transport measures to support their achievement.</b></p> <p><b>2 Before any planning approval is granted for development forming part of the Tendring / Colchester Borders Garden Community, the following strategic transport infrastructure must have secured planning consent and funding approval:</b></p>	<p><b>Positively-prepared, Effective</b></p> <p>To clarify essential infrastructure requirements for the Garden Community.</p>

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		<p>a) <b>A120–A133 link road; and</b></p> <p>b) <b>Route 1 of the rapid transit system as defined in the North Essex Rapid Transit System: From Vision to Plan document (July 2019).</b></p> <p><b>3. Sustainable transport measures will be provided from first occupation at the Tendring / Colchester Borders Garden Community to support the achievement of the target modal shares as defined in the DPD for the garden community.</b></p> <p><b>4. Other strategic infrastructure requirements for the Tendring / Colchester Borders Garden Community are set out in sections D, E and F of Policy SP8, and will be further defined in the DPD for the garden community.</b></p>	
MM12	Policy SP5, Para B	<p><b>B. Transportation and Travel</b></p> <p><b>The local planning authorities will work with government departments, Highways England, Essex County Council, Network Rail, rail and bus operators, developers and other partners to deliver the following:</b></p> <ul style="list-style-type: none"> <li>• <b>Changes in travel behaviour by applying the modal hierarchy and increasing opportunities for sustainable modes of transport that can compete effectively with private vehicles;</b></li> <li>• <b>A comprehensive network of segregated walking and cycling routes linking key centres of activity;</b></li> <li>• <del>New and improved infrastructure required to support economic growth, strategic and site-specific priorities outlined in the second part of each Local Plan</del></li> <li>• <del>Substantially improved connectivity by promoting more sustainable travel patterns, introducing urban transport packages to increase transport choice,</del></li> </ul>	<p><b>Effective</b></p> <p>To clarify and avoid duplication of transport infrastructure requirements.</p>

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		<p><del>providing better public transport infrastructure and services, and enhanced inter-urban transport corridors;</del></p> <ul style="list-style-type: none"> <li><del>• Increased rail capacity, reliability and punctuality; and reduced overall journey times by rail</del></li> <li><del>• Support changes in travel behaviour by applying the modal hierarchy and increasing opportunities for sustainable modes of transport that can compete effectively with private vehicles</del></li> <li><del>• Prioritise</del> <b>Improved urban and inter-urban P</b>public transport, particularly in the urban areas, including, <b>and</b> new and innovative ways of providing public transport, including: <ul style="list-style-type: none"> <li>○ high quality rapid transit networks and connections in and around urban areas with links to the new garden community;</li> <li>○ maximising the use of the local rail network to serve existing communities and locations for large-scale growth;</li> <li>○ a bus network <b>providing a high-frequency, reliable and efficient service</b>, that is high quality, reliable, simple to use, integrated with other <b>transport</b> modes <b>serv</b>ing and offers flexibility to serve areas of new demand;</li> <li>○ promoting wider use of community transport schemes;</li> </ul> </li> <li><b>Increased rail capacity, reliability and punctuality, and reduced overall journey times by rail;</b></li> <li><b>New and improved</b> road infrastructure and strategic highway connections to reduce congestion and provide more reliable journey times along the A12, A120 and A133 to improve access to markets and suppliers for business, <del>widen employment opportunities and support growth,</del> <b>specifically:</b> <ul style="list-style-type: none"> <li>○ Improved <b>access to and capacity of</b> junctions on the A12 and other main roads to reduce congestion and address safety;</li> <li>○ A dualled A120 <del>between the A12 and</del> <b>from Braintree to the A12.</b></li> </ul> </li> </ul>	

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		<ul style="list-style-type: none"> <li><del>○ A comprehensive network of segregated walking and cycling routes linking key centres of activity contributing to an attractive, safe, legible and prioritized walking/cycling environment</del></li> <li>• Develop innovative strategies for the management of private car use and parking including <b>the promotion of car clubs and car sharing, and provision of support for electric car charging points.</b></li> </ul>	
MM13	Policy SP5, Para C	<p><b>C. Social Infrastructure</b></p> <p><b>The local planning authorities will work with relevant providers and developers to facilitate the delivery of a wide range of social infrastructure required for healthy, active and inclusive communities, minimising negative health and social impacts, both in avoidance and mitigation, as far as is practicable.</b></p> <p>Education</p> <ul style="list-style-type: none"> <li>• <del>Provide</del> <b>Sufficient school places will be provided</b> in the form of expanded or new primary and secondary schools together with early years and childcare facilities <b>that are phased with new development</b>, with larger developments setting aside land and/or contributing to the cost of delivering land for new schools where required.</li> <li>• <del>Facilitate and support provision of</del> <b>Practical vocational training, apprenticeships, and further and higher education will be provided and supported.</b></li> </ul> <p>Health and Wellbeing</p> <ul style="list-style-type: none"> <li>• <del>Ensure that essential</del> <b>Healthcare infrastructure will be</b> is provided as part of new developments of appropriate scale in the form of expanded or new <del>healthcare</del> facilities including primary and acute care; pharmacies; dental surgeries; opticians; supporting community services including hospices, treatment and counselling centres.</li> </ul>	<p><b>Effective</b></p> <p>To clarify policy wording and links between provision of different types of social infrastructure and new development</p>



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		<ul style="list-style-type: none"> <li>Require new development to maximise its positive contribution in creating healthy communities and minimise its negative health impacts, both in avoidance and mitigation, as far as is practicable.</li> <li><b>The conditions for a healthy community will be provided through the pattern of development, good urban design, access to local services and facilities; green open space and safe places for active play and food growing, and which are all accessible by walking, cycling and public transport.</b></li> </ul>	
MM14	Policy SP5, Para D	<b>D. Digital Connectivity</b> <b>Comprehensive digital access to support business and community activity will be delivered through the</b> Roll-out of <del>superfast</del> <b>ultrafast</b> broadband across North Essex to secure the earliest availability for <b>of full fibre connections</b> <del>universal broadband coverage and fastest connection speeds</del> for all existing and new developments (residential and non-residential), <del>where</del> <b>.a</b> All new properties <b>will</b> allow for the provision for <del>super</del> <b>ultrafast</b> broadband in order to allow connection to that network as and when it is made available.	<b>Effective</b> To reflect latest terminology, and remove duplicated text.
MM15	Policy SP5 – New Para E	<b>E. Water &amp; Waste water</b> <b>The local planning authorities will work with Anglian Water, Affinity Water, the Environment Agency and developers to ensure that there is sufficient capacity in the water supply and waste water infrastructure to serve new development. Where necessary, improvements to water infrastructure, waste water treatment and off-site drainage should be made ahead of the occupation of dwellings to ensure compliance with environmental legislation.</b>	<b>Effective</b> To ensure that the necessary infrastructure requirements are reflected in the policy.
MM16	Policy SP6	Policy SP6 – Place-shaping Principles All new development must meet the highest <b>high (Mod A)</b> standards of urban and	<b>Mod A – Consistent with national policy</b>

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		<p>architectural design. <del>The local authorities encourage the use of</del> <b>Development frameworks, masterplans, design codes, and other design guidance documents and will be prepared in consultation with stakeholders where they are needed to support this objective.</b> <del>use design codes where appropriate for strategic scale development.</del> <b>(Mod B).</b></p> <p>All new development should reflect the following <b>place-shaping</b> principles, <b>where applicable (Mod C)</b>:</p> <ul style="list-style-type: none"> <li>• Respond positively to local character and context to preserve and enhance the quality of existing <del>communities</del> <b>places (Mod D)</b> and their environs.</li> <li>• Provide buildings that exhibit individual architectural quality within well-considered public and private realms;</li> <li>• Protect and enhance assets of historical or natural value;</li> <li>• <b>Incorporate biodiversity creation and enhancement measures (Mod E)</b>;</li> <li>• Create well-connected places that prioritise the needs of pedestrians, cyclists and public transport services above use of the private car;</li> <li>• <del>Where possible, p</del> Provide a mix of land uses, services and densities with well-defined public and private spaces to create sustainable well-designed neighbourhoods;</li> <li>• Enhance the public realm through additional landscaping, street furniture and other distinctive features that help to create a sense of place;</li> <li>• Provide streets and spaces that are overlooked and active and promote inclusive access;</li> </ul>	<p>Modified to align with NPPF guidance and to indicate a proportionate design response.</p> <p><b>Mod B – Effective</b> To clarify the role of design guidance documents.</p> <p><b>Mod C – Effective</b> To clarify that not all the principles are applicable to some developments.</p> <p><b>Mod D – Effective</b> Provides a more appropriate definition of areas covered by the requirement to preserve and enhance.</p> <p><b>Mod E – Consistent with national policy</b> To ensure that development considers environmental enhancement</p>

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		<ul style="list-style-type: none"> <li>• Include parking facilities that are well integrated as part of the overall design and are adaptable if levels of private car ownership fall;</li> <li>• Provide an integrated <b>and connected</b> network of multi-functional <b>biodiverse</b> public open space and green and blue infrastructure <del>that connects with existing green infrastructure where possible,</del> <b>thereby helping to alleviate recreational pressure on designated sites (Mod F);</b></li> <li>• Include measures to promote environmental sustainability including addressing energy and water efficiency, and provision of appropriate <b>water and</b> wastewater and flood mitigation measures <b>including the use of open space to provide flora and fauna rich sustainable drainage solutions (Mod G);</b> and</li> <li>• Protect the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, <b>overbearing</b> and overlooking <b>(Mod H).</b></li> </ul>	<p>consistent with 2012 NPPF paragraph 109.</p> <p><b>Mod F – Consistent with national policy</b> To ensure that new development incorporates biodiversity creation and enhancement and to recognise its role in helping to alleviate recreational pressure on designated sites</p> <p><b>Mod G – Consistent with national policy</b> To highlight potential for sustainable water management solutions</p> <p><b>Mod H – Effective</b> To ensure principle is comprehensive.</p>
MM17	Para 8.4	<p>Loss of off-site habitat – To mitigate for the loss of offsite habitat, the Appropriate Assessment identified the need for wintering bird surveys for the Tendring / Colchester Borders Garden Community as part of any project-level development proposals and masterplanning, to determine the sites of individual importance for golden plover and lapwing and inform mitigation proposals. <del>and a commitment to mitigation and funding of Tendring / Colchester Borders Garden Community is</del></p>	<p><b>Legally-compliant</b></p> <p>To ensure that the requirements of the Habitats Regulations are met.</p>

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		<del>required within the Section 1 Strategic Plan dependent on the findings of bird surveys.</del> <b>Depending on the findings of the wintering bird surveys, development may need to be phased to take into account the cumulative numbers of SPA birds. In the unlikely but possible event that cumulative numbers of SPA birds affected are likely to exceed the threshold of significance (i.e &gt;1% of the associated European Site), appropriate mitigation in the form of habitat creation and management in perpetuity, either on-site or through provision of strategic sites for these species elsewhere, will be required. Where that mitigation requires the creation and management of suitably located habitat, feeding productivity for these SPA species should be maximised, and such mitigatory habitat would need to be provided and fully functional prior to development which would affect significant numbers of SPA birds.</b>	
MM18	Policy SP7, First Section	<p>Policy SP7 – Development and Delivery of <del>a New Garden Communities</del> in North Essex</p> <p>The following <del>three new garden communities</del> <b>is</b> are proposed in <del>North Essex</del> at <b>the broad location shown on Map 10.2. (Mod A)</b></p> <p>Tendring/Colchester Borders, a new garden community <b>which</b> will deliver <b>between 2,200 and 2,500 homes, 7 hectares of employment land and provision for Gypsies and Travellers</b> within the Plan period (as part of an <b>expected</b> overall total of between 7,000 and 9,000 homes <b>and 25 hectares of employment land</b> to be delivered beyond 2033). <b>(Mod B)</b></p> <p><del>Colchester/Braintree Borders, a new garden community will deliver 2,500 homes within the Plan period (as part of an overall total of between 15,000 – 24,000 homes</del></p>	<p><b>Mod A – Justified, Effective</b> See Inspector’s letter of 15 May 2020 [IED/022].</p> <p><b>Mod B – Justified, Effective</b> To properly reflect the role of the garden community in providing for housing and employment growth</p>

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		<p><del>to be delivered beyond 2033).</del> <b>(Mod C)</b></p> <p><del>West of Braintree in Braintree DC, a new garden community will deliver 2,500 homes within the Plan period (as part of an overall total of between 7,000-10,000 homes to be delivered beyond 2033).</del> <b>(Mod D)</b></p> <p>Each of these <b>The garden community</b> will be an holistically and comprehensively planned <del>new community</del> with a distinct identity that responds directly to its context and is of sufficient scale to incorporate a range of homes, employment, education &amp; community facilities, green space and other uses to enable residents to meet the majority of their day-to-day needs, reducing the need for outward commuting. <b>It will be comprehensively planned from the outset, with delivery of each new community will be phased to achieve the whole development, and will be underpinned by a comprehensive package of infrastructure. (Mod E)</b></p> <p><b>A Development Plan Document (DPD) will be prepared for the garden community, containing policies setting out how the new community will be designed, developed and delivered in phases, in accordance with the principles in paragraphs i-xiv below. No planning consent for development forming part of the garden community will be granted until the DPD has been adopted. All development forming part of the garden community will comply with these principles. (Mod F)</b></p> <p><del>The Councils will need to be confident, before any consent is granted, that the following requirements have been secured either in the form of appropriate public ownership, planning agreements and obligations and, if necessary a local infrastructure tariff.</del></p>	<p>and for Gypsies and Travellers</p> <p><b>Mods C &amp; D – Justified</b> See Inspector’s letter of 15 May 2020 [IED/022]</p> <p><b>Mod E – Effective</b> To clarify the intention of the policy.</p> <p><b>Mod F – Positively prepared, effective</b> To clarify the role of the DPD in governing the development of the new garden community.</p> <p><b>Mod G – Effective</b> To clarify the policy and avoid duplication.</p>

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		<del>The design, development and phased delivery of each new garden community will conform with the following principles</del> <b>(Mod G)</b>	
MM19	Policy SP7, principle (i)	Community and stakeholder <del>empowerment</del> <b>participation</b> in the design and delivery of <del>each</del> <b>the</b> garden community from the outset and a long-term community engagement and activation strategy.	<b>Effective</b>  Wording amended to clarify the policy intention.
MM20	Policy SP7, principle (ii)	The public sector working pro-actively and collaboratively with the private sector to design, and bring forward these garden <del>communities</del> , deploying new models of delivery <b>where appropriate</b> <del>sharing risk and reward</del> and ensuring that the cost of achieving the following is borne by landowners and those promoting the developments: (a) securing a high quality of place-making, (b) ensuring the timely delivery of both on-site and off-site infrastructure required to address the impact of these new <del>communities</del> , and (c) providing and funding a mechanism for future stewardship, management, maintenance and renewal of community infrastructure and assets. <b>Where appropriate, developers will be expected to contribute towards publicly-funded infrastructure, including a contribution towards the A120-A133 link road.</b> Given the scale of and time period for development of these new garden <del>communities</del> , the appropriate model of delivery will <b>need to</b> secure a comprehensive approach to the delivery of <del>each new community</del> in order to achieve the outcomes outlined <b>in points (a) – (c) in this paragraph above</b> , avoid a piecemeal approach to development, provide the funding and phasing of both development and infrastructure, and be sustainable and accountable in the long term.	<b>Justified</b>  To clarify the policy approach to delivery models and developer contributions.
MM21	Policy SP7, principle (iii)	Promotion and execution of the highest quality of planning, design and management of the built and public realm so that the garden <del>communities</del> <b>are is</b>	<b>Effective</b>

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		characterised as <b>a</b> distinctive places that capitalises on local assets, <b>respects its context</b> , and establishes <b>an</b> environments that promotes health, happiness and well-being. <del>This will involve developing a cascade of design guidance based on a robust assessment of historic and natural environmental constraints and opportunities for enhancement. Guidance which may include</del> concept frameworks, detailed masterplans and design codes and other guidance <b>will be put</b> in place to inform and guide development proposals and planning applications. <del>Planning applications and any local development orders or other consenting mechanisms for the garden communities will be expected to be consistent with approved design guidance.</del>	To avoid duplicating the requirements of policy SP8.
MM22	Policy SP7, principle (iv)	Sequencing of development and infrastructure provision (both on-site and off-site) to ensure that the latter is provided ahead of or in tandem with the development it supports to address the impacts of the new garden communities, meet the needs of <b>its</b> residents and establish sustainable travel patterns. <b>To ensure new development does not have an adverse effect on any European Protected or nationally important site and complies with environmental legislation (notably the Water Framework Directive and the Habitats Directive), the required waste water treatment capacity including any associated sewer connections must be available ahead of the occupation of dwellings.</b>	<b>Effective</b>  To provide a policy safeguard to ensure that phasing of development does not exceed capacity.
MM23	Policy SP7, principle (v)	Development that provides for a truly balanced and inclusive community and meets the housing needs of local people including a mix of dwelling sizes, tenures and types, <del>including</del> provision for self- and custom-built homes, <del>and</del> provision for the aging population, <b>and provision for Gypsies and Travellers; and that</b> meets the requirements of those most in need including <b>the provision of 30% affordable housing in each</b> the garden community.	<b>Justified, Effective</b>  To ensure that the policy reflects all housing needs.
MM24	Policy SP7, principles (vi),	<b>Change</b> references to ‘garden communities’ (plural) to ‘garden community’ (singular).	<b>Justified</b>

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	(vii), (viii) & (xiv)		See Inspector's letter of 15 May 2020 [IED/022].
MM25	Policy SP7, principle (x)	Create distinctive environments which <b>are based on comprehensive assessments of relate</b> to the surrounding environment and which celebrate natural and historic environments and systems, utilise a multi-functional green-grid to create significant networks of new green infrastructure including <b>a new country parks at each the</b> garden <del>community</del> , and provide a high degree of connectivity to existing corridors and networks and enhance biodiversity.	<b>Effective</b>  To clarify the requirement to provide a robust evidence base on historic and natural environment issues.
MM26	Policy SP7, principle (xi)	Secure a smart and sustainable approach that fosters climate resilience and a 21st century environment in the design and construction of <del>each the</del> garden community to secure net gains in local biodiversity, highest standards of energy efficiency and innovation in technology to reduce <b>the</b> impact of climate change, <b>the incorporation of innovative water efficiency/re-use measures</b> (with the aim of being water neutral in identified areas of serious water stress), and sustainable waste and mineral management.	<b>Effective</b>  To clarify these infrastructure requirements.
MM27	Policy SP7, final paragraph	<del>These principles are elaborated upon in the North Essex Garden Community Charter.</del>  <del>A Development Plan Document will be developed for each of the garden communities to set out the principles of their design, development and phasing as well as a mechanism to appropriately distribute housing completions to the three Councils and this will be agreed through a Memorandum of Understanding.</del>	<b>Effective</b>  Policy re-ordered to provide clarity on the role of the DPD.
MM28	Policy SP8, First para	Policy SP8 – Tendring / Colchester Borders Garden Community	<b>Effective</b>



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		<del>The adopted policies map identifies the broad location for the development of a new garden community of which the details and final number of homes will be set out in a Strategic Growth Development Plan Document (DPD) to be prepared jointly between Colchester BC and Tendring DC. and which will incorporate around 2,500 dwellings and within the Plan period (as part of an overall total of between 7,000-9,000 homes) and provision for Gypsy and Travellers.</del>	To avoid duplication of the requirements of Policy SP7.
MM29	Policy SP8, Second para	<del>The Strategic Growth</del> <b>Development Plan Document (DPD) required for the Tendring / Colchester Borders Garden Community by Policy SP7 will define the will set out the nature, form and boundary of the garden community and the amount of development it will contain. The adoption of the DPD will be contingent on the completion of a Heritage Impact Assessment carried out in accordance with Historic England guidance. The Heritage Impact Assessment will assess the impact of proposed allocations upon the historic environment, inform the appropriate extent and capacity of the development and establish any mitigation measures necessary.</b> The document <b>DPD</b> will be produced in consultation with <b>the local community and</b> stakeholders and will include a concept plan showing the disposition and quantity of future land-uses, and give a three-dimensional indication of the urban design and landscape parameters which will be incorporated into any future planning applications; together with a phasing and implementation strategy which sets out how the rate of development will be linked to the provision of the necessary social, physical and environmental infrastructure to ensure that the respective phases of the development do not come forward until the necessary infrastructure has been secured. <del>The DPD will provide the framework for the subsequent development of more detailed masterplans and other design and planning guidance for the Tendring / Colchester Borders Garden Community.</del> <b>The DPD and any application for planning permission for development forming part of the garden community must be consistent with the requirements set out in this policy.</b>	<b>Justified, Effective</b>  To provide more detail on the role of the DPD and to make it clear that the DPD will be informed by a Heritage Impact Assessment.

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MM30	Policy SP8, New third paragraph	<b>For the Plan period up to 2033, housing delivery from the garden community, irrespective of its actual location, will be distributed equally between Colchester Borough Council and Tendring District Council. If, after taking into account its share of delivery from the garden community, either of those authorities has a shortfall in delivery against the housing requirement for its area, it will need to make up the shortfall within its own area. It may not use the other authority's share of delivery from the garden community to make up the shortfall.</b>	<b>Positively planned, Effective</b>  To clarify how the housing at the garden community will be distributed, and the process for addressing unmet need.
MM31	Policy SP8, Para A.2.	Detailed masterplans and design guidance, <b>based on a robust assessment of historic and natural environmental constraints and opportunities for enhancement</b> , will be <b>adopted</b> <del>put in place</del> to inform and guide development proposals and planning applications <b>for the garden community</b> . <del>Planning applications for this garden community will be expected to be consistent with approved DPDs and subsequent masterplans and design and planning guidance.</del>	<b>Justified</b>  To ensure that masterplans and design guidance are based on appropriate evidence.
MM32	Policy SP8, Para C.5.	<b>The garden community will make</b> <del>Provision for a wide range of jobs, skills and training opportunities will be created in the garden community.</del> <b>The DPD will allocate about 25 hectares of B use employment land within the garden community.</b> This may include <b>provision for B1 and/or non B class employment generating uses</b> towards the south of the site in proximity to the existing University of Essex and Knowledge Gateway, and provision for B1, B2 and B8 businesses to the north of the site close to the A120.	<b>Positively prepared</b>  To clarify the process for determining employment land allocations.
MM33	Policy SP8, Para	A package of measures will be introduced to encourage smarter transport choices	<b>Positively prepared, Effective</b>

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	D.7	<p>to meet the needs of the new community and <b>to</b> maximise the opportunities for sustainable travel. <b>Policy SP5 requires planning consent and full funding approval for the A120-A133 link road and Route 1 of the rapid transit system to have been secured before planning approval is granted for any development at the garden community.</b></p> <p><b>Additional transport priorities</b> including the provision of a network of footpaths, cycleways and bridleways to enhance permeability within the site and to access the adjoining areas, <del>development of of a public rapid transit system connecting the garden community to Essex University and Colchester town centre</del> park and ride facilities, and other effective integrated measures to mitigate the transport impacts of the proposed development on the strategic and local road network. Longer term transport interventions will need to be carefully designed to minimise the impacts on the strategic and local road <b>transport</b> network and fully mitigate any environmental or traffic impacts arising from the development. <del>These shall include bus (or other public transit provisions) priority measures between the site, University of Essex, Hythe station and Colchester Town Centre;</del></p>	To clarify the transport infrastructure requirements for the garden community.
MM34	Policy SP8, Para D.9	Primary vehicular access to the site will be provided off the A120 and A133. <b>Any other road improvements required to meet needs arising from the garden community will be set out in the DPD and further defined as part of the masterplanning process.</b>	<b>Positively prepared, Effective</b>  To clarify the transport infrastructure requirements for the garden community.
MM35	Policy SP8, Para E.13	<b>Increased</b> primary healthcare facilities <b>capacity</b> will be provided to serve	<b>Positively prepared, Effective</b>

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		the new development <b>as appropriate. This may be by means of new infrastructure or improvement, reconfiguration, extension or relocation of existing medical facilities.</b>	To clarify the healthcare requirements for the garden community.
MM36	Policy SP8, Para F.17	<b>The delivery of smart, innovative and sustainable water efficiency/re-use solutions that fosters climate resilience and a 21<sup>st</sup> century approach towards water supply, water and waste water treatment and flood risk management. Taking a strategic approach to flood risk through the use of Strategic Flood Risk Assessments and the updated Climate Projections 2019 and identifying opportunities for Natural Flood Risk Management.</b> Provision of improvements to waste water treatment plant including an upgrade to the Colchester Waste Water Treatment Plan and off-site drainage improvements <b>aligned with the phasing of the development within the plan period and that proposed post 2033. To ensure new development does not have an adverse effect on any European Protected or nationally important site and complies with environmental legislation (notably the Water Framework Directive and the Habitats Directive), the required waste water treatment capacity including any associated sewer connections must be available ahead of the occupation of dwellings.</b>	<b>Positively prepared, Effective</b>  To clarify the requirements for water supply and waste water infrastructure and to comply with the requirements of the Habitats Regulations.
MM37	Policy SP8, Para F18	Provision, management and on-going maintenance of sustainable surface water drainage measures to manage and mitigate the risk of flooding on site and which will reduce the risk of flooding to areas downstream or upstream of the development. <b>To ensure new development does not have an adverse effect on any European Protected or nationally important sites and complies with environmental legislation (notably the Water Framework Directive and the Habitats Directive), the required waste water treatment capacity including any associated sewer connections must be available ahead of the occupation of dwellings.</b>	<b>Effective</b>  To ensure that phasing of development does not exceed the capacity of waste water infrastructure.

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MM38	Policy SP8, New Para F.20 <i>(Renumber subsequent paragraphs accordingly)</i>	<b>Conserve, and where appropriate enhance, the significance of heritage assets (including any contribution made by their settings) both within and surrounding the site. Designated heritage assets within the garden community area include the Grade II listed Allen’s Farmhouse, Ivy Cottage, Lamberts, and three buildings at Hill Farmhouse. Designated heritage assets nearby include the Grade I listed Church of St Anne and St Lawrence, Elmstead, the Grade II* listed Wivenhoe House, Elmstead Hall and Spring Valley Mill and numerous Grade II listed buildings as well as the Grade II listed Wivenhoe Registered Park and Garden. Harm to the significance of a designated heritage asset should be avoided in the first instance.</b>	<b>Consistent with national policy</b>  To ensure that the policy gives appropriate protection to the historic environment.
MM39	Policy SP8, Para F.21 (previously F.20)	Avoidance, <del>P</del> <b>protection and/or enhancement of heritage and biodiversity assets within and surrounding the site; including Bullock Wood SSSI, Ardleigh Gravel Pits SSSI, Wivenhoe Pits SSSI and Upper Colne Marshes SSSI and relevant European protected sites. Contributions will be secured towards mitigation measures in accordance with the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy. Wintering bird surveys will be undertaken at the appropriate time of year as part of the DPD preparation to identify any offsite functional habitat. Should any be identified, development must firstly avoid impacts. Where this is not possible, development must be phased to deliver habitat creation and management either on- or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds.</b>	<b>Legally compliant, Effective</b>  To ensure that the requirements of the Habitats Regulations are met.
MM40	Policy SP8 New Para F.	<b>Allocation of additional land within the garden community, to accommodate University expansion, which is at least equivalent in size to the allocation in</b>	<b>Justified, Effective</b>

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	26 (final paragraph)	<b>the Colchester Local Development Framework Site Allocations document October 2010.</b>	To ensure that adequate land is allocated to meet the needs of the University.
MM41	Policy SP9	<i>Delete the whole of Policy SP9.</i>	<b>Justified</b>  See Inspector's letter of 15 May 2020 [IED/022]
MM42	Policy SP10	<i>Delete the whole of Policy SP10.</i>	<b>Justified</b>  See Inspector's letter of 15 May 2020 [IED/022]
MM43	Braintree Section 1 Local Plan Chapter 10	<u><b>In the Braintree Section 1 Local Plan Chapter 10 (Appendices &amp; Maps):</b></u>  <i>Delete the West of Braintree and Colchester / Braintree Borders Garden Community designations from Map 10.1, change the title of the map to 'Key Diagram', and change the legend for 'Garden Communities' to read 'Garden Community'.</i>  <i>Delete Maps 10.2A and 10.3B.</i>  <b>Replace Maps 10.4C &amp; 10.5D with new Map 10.2 below entitled 'Tendring Colchester Borders Garden Community – Broad Location'.</b>	<b>Effective</b>  To reflect the deletion of policies SP9 & SP10 and to show the broad location of the Tendring / Colchester Borders Garden Community accurately

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MM44	Colchester Section 1 Plan Chapter 10	<p><b><u>In the Colchester Section 1 Local Plan Chapter 10 (Section One Maps):</u></b></p> <p><b>Delete</b> the West of Braintree and Colchester / Braintree Borders Garden Community designations from Map 10.1, and change the legend for ‘Garden Communities’ to read ‘Garden Community’.</p> <p>Following Map 10.1, <b>insert</b> new Map 10.2 below entitled ‘Tendring Colchester Borders Garden Community – Broad Location’.</p>	<p><b>Effective</b></p> <p>To reflect the deletion of policies SP9 &amp; SP10 and to show the broad location of the Tendring / Colchester Borders Garden Community accurately</p>
MM45	Tendring Section 1 Plan Maps	<p><b><u>In the Tendring Section 1 Local Plan:</u></b></p> <p><b>Delete</b> the West of Braintree and Colchester / Braintree Borders Garden Community designations from Map 1.</p> <p><b>Delete</b> the West of Braintree and Colchester / Braintree Borders Garden Community designations from Map 2, and change the legend for ‘Garden Communities’ to read ‘Garden Community’. Retitle the map ‘10.1 Key Diagram’, and move it to the end of the Section 1 Plan.</p> <p>Following Map 10.1, <b>insert</b> new Map 10.2 below entitled ‘Tendring Colchester Borders Garden Community – Broad Location’.</p> <p><b>Delete</b> Local Map B.7 Tendring Colchester Borders Garden Community</p>	<p><b>Effective</b></p> <p>To reflect the deletion of policies SP9 &amp; SP10 and to show the broad location of the Tendring / Colchester Borders Garden Community accurately</p>

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MM46	At end of Section 1 Plan	<i>Insert Appendix A below entitled 'List of policies superseded by Section 1 of the Plan'</i>	<b>Legally compliant</b>  To comply with relevant legislation.
MM47	Colchester Local Plan Front Cover	The Publication Draft stage of the Colchester Borough Local Plan <del>2013</del> 2017-2033	<b>Justified, Effective</b>  To ensure that the cover of the plan shows the correct plan period.

**TO BE ADDED TO THE SCHEDULE**

- **Map 10.2 (based on EXD/080A) entitled 'Tendring Colchester Borders Garden Community – Broad Location'**
- **Appendix A, entitled 'List of policies superseded by Section 1 of the Plan'**