

Main Modifications – Chapter 1: Introduction

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

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

Main Modifications – Chapter 2: Vision and Objectives

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

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

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

Chapter 3: Sustainable Places – Main Modifications

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

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

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

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

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

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

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

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

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

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

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

Main Modifications – Chapter 4: Healthy Places

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

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

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| | | Criterion e | e. requiring a Health Impact Assessment on all residential developments delivering 50 or more dwellings, <u>all development in Use Class C2 (Residential Institutions) and all non-residential developments delivering 1,000 square metres or more gross internal floor space</u> . The HIA should be carried out in accordance with the advice and best practice published by Public Health England and locally through the Essex Planning Officers Association; | developments of 50 or more dwellings, but also non-residential developments of 1,000 square metres or more (in line with current Essex Planning Officers' Association (EPOA) guidance) and also proposals for C2 Residential Institutional Use – given their particular implications for health. |
| MM7.1 | 99 | 4.2.1 | <p><i>Insertion of additional wording into paragraph 4.2.1 in respect of community facilities.</i></p> <p>4.2.1 Community facilities (sometimes referred to as Community assets) provide for health and wellbeing, recreational and leisure and education and culture. They <u>can include, for example,</u> community halls, libraries, museums, arts venues, post offices, public houses, places of worship, sports halls, health and fitness facilities, and <u>swimming pools and other facilities of community value</u>. They are a key part of sustainable communities and contribute to their self-reliance.</p> | To ensure that 'community facilities' are not unnecessarily limited to the examples set out in paragraph 4.2.1 in the application of Policy HP2. |
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| MM8.1 | 104 | 4.4.4 | <p><i>Insertion of additional wording to paragraph 4.4.4.</i></p> <p>4.4.4 The above typologies are protected by Policy HP4 and are shown on the Policies <u>and Local Maps</u> collectively as Safeguarded Local Green <u>Open Space</u>. <u>The Neighbourhood Planning process allows Town and Parish Councils or other nominated bodies to identify open spaces of particular local value as ‘Local Green Space’ which are afforded an additional level of protection, ruling out new development other than in very special circumstances. In line with the requirements of the National Planning Policy Framework, this additional level of protection can only be applied to green spaces where they are in reasonably close proximity to the community they serve, are demonstrably special to the local community and hold a particular significance and are local in character, rather than an extensive tract of land.</u></p> | To explain how Neighbourhood Plans can provide the means by which communities can designate ‘Local Green Space’ to give additional protection to spaces of particular local importance in line with paragraphs 76 to 78 of the 2012 National Planning Policy Framework. |
| MM8.2 | 105 | <p>Policy HP4: Safeguarded Local Greenspace</p> <p>Policy title and first paragraph.</p> | <p><i>Changing the title of Policy HP4 from ‘Safeguarded Local Greenspace’ to ‘Safeguarded Open Space’ and amending the reference within the first paragraph of the policy and on the key to the Policies Maps and Local Maps accordingly.</i></p> <p>Policy HP 4</p> <p>Safeguarded <u>Open Space</u> Local Greenspace</p> | To remove any potential confusion between the term ‘Safeguarded Local Greenspace’ (which was intended to encapsulate the various forms of open space listed in supporting paragraphs 4.42 and 4.4.3) and ‘Local Green Space’ as defined in the National Planning Policy Framework |

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

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

Main Modifications – Chapter 5: Living Places

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| MM9.1 | 113 | 5.1.10 | | |

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| | | | <p><i>Modifications to update housing figures to reflect a rolled forward April 2020 base date.</i></p> <p>5.1.10 The Council assesses annual housing completions against the annualised housing target of 550 homes each year. As of March 2017 <u>April 2020</u>, four <u>seven</u> years of completions data is available. Table LP1 identifies housing completions of 4,374 <u>3,638</u> between 2013/14 and 2016/17 <u>2019/20</u>. This leaves a requirement for the Local Plan to establish a supply of at least 9,626 <u>7,362</u> homes. ‘At least’ is an important factor because the housing strategy is more sound if it provides some flexibility for choice and range in its supply to accommodate external factors such as the market failure of <u>a</u> particular developer which could slower overall completion rates.</p> | Factual update to reflect the additional homes that have actually been built between 2017 and 2020. | | | | | | | | | | | | |
| MM9.2 | 113 114 | Table LP1: Housing Requirement for the period 1/4/13 – 31/3/33 | <p><i>Updates to the figures in Table LP1 to reflect net housing completions from 2017/18, 2018/19 and 2019/20.</i></p> <p>See overleaf.</p> <table border="1" data-bbox="685 999 1621 1355"> <tr> <td colspan="2">A – Annual Net Dwellings Required – Reported Years from Base Date</td> </tr> <tr> <td>2013/14 to 2032/33</td> <td>550 x 20</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Total</td> <td>11,000</td> </tr> <tr> <td colspan="2">B – Net Completions – Reported Years from Base Date</td> </tr> <tr> <td>2013/14</td> <td>204</td> </tr> </table> | A – Annual Net Dwellings Required – Reported Years from Base Date | | 2013/14 to 2032/33 | 550 x 20 | | | Total | 11,000 | B – Net Completions – Reported Years from Base Date | | 2013/14 | 204 | Factual update to reflect the additional homes that have actually been built between 2017 and 2020. |
| A – Annual Net Dwellings Required – Reported Years from Base Date | | | | | | | | | | | | | | | | |
| 2013/14 to 2032/33 | 550 x 20 | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| Total | 11,000 | | | | | | | | | | | | | | | |
| B – Net Completions – Reported Years from Base Date | | | | | | | | | | | | | | | | |
| 2013/14 | 204 | | | | | | | | | | | | | | | |

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

| Ref | Page | Policy/ Paragraph | Main Modification | | | | Reason for Modification |
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| | | | | | | | trajectory contained within the Council's 2020 Strategic Housing Land Availability Assessment and the proposed deletion of certain site allocations or the housing numbers associated with them. |
| Site | Total housing numbers | <u>2018/19</u> <u>2020/20</u> to <u>2022/23</u> <u>2024/25</u> | <u>2023/24</u> <u>2025/26</u> to <u>2027/28</u> <u>2029/30</u> | <u>2028/29</u> <u>2030/31</u> to 2032/33 | And Beyond | Reference | A number of the sites identified in the table have either already been built, are under construction or have obtained planning permission and others are proposed to be deleted from the Local Plan as they are no longer considered to be developable in the plan period to 2033. |
| <u>Non-allocated Sites of 10 or more Homes with Planning Permission (with/without s106)</u> | 4,796 <u>4,932</u> | 3,933 <u>3,124</u> | 746 <u>1,312</u> | 100 <u>244</u> | 17 <u>252</u> | | |
| Sites of 9 or less homes/windfall | 1,399 <u>1,260</u> | 864 <u>680</u> | 361 <u>419</u> | 174 <u>161</u> | 0 | | |
| <u>EDME Maltings</u> | 150 | 0 | 0 | 150 | 0 | SAMU1 | |
| <u>Hartley Gardens Village, Clacton</u> | 1,700 | 0 | 300 <u>60</u> | 300 <u>150</u> | 1,100 <u>1,490</u> | SAMU2 | |
| <u>Oakwood Park, Clacton</u> | 750 <u>900</u> | 0 | 300 <u>195</u> | 300 <u>240</u> | 250 <u>465</u> | SAMU3 | |
| <u>Rouses Farm, Clacton</u> | 850 <u>950</u> | 0 <u>90</u> | 300 <u>270</u> | 300 <u>180</u> | 250 <u>410</u> | SAMU4 | |
| <u>Land South of Council Offices, Weeley</u> | 280 | 0 <u>60</u> | 200 <u>150</u> | 80 <u>70</u> | 0 | SAMU5 | |
| <u>Greenfield Farm</u> | 164 | 0 | 100 | 64 | 0 | SAH1 | |
| <u>Land West of Low Road, Dovercourt</u> | 300 | 0 <u>90</u> | 100 <u>210</u> | 100 <u>0</u> | 100 <u>0</u> | SAH2 | |
| <u>Robinson Road</u> | 100 | 0 | 100 | 0 | 0 | SAH3 | |
| <u>Tendring Colchester Borders Garden Community</u> | 3,500- 4,500 | 0 | 500 <u>625</u> | 750 <u>375</u> | 2,250- 3,250 <u>2,500-</u> <u>3,500</u> | SP7 | |

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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| | | | <u>settlements and shall be otherwise appropriate in scale and design for their location, having regard to other policies in this Local Plan.</u> | |

Main Modifications – Chapter 6: Prosperous Places

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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| | | proposals for farm and other land based diversification schemes. | <p>the rural area. Proposals for re-use or redevelopment of rural buildings for employment purposes will be considered against the following criteria unless the economic benefits outweigh these criteria:</p> <ul style="list-style-type: none"> <li data-bbox="779 491 1644 608">a. the building is structurally sound and capable of accommodating the proposed use without the need for significant extension or alteration or reconstruction; <li data-bbox="779 655 1644 900">b. the proposed use (including any proposed alteration or extensions to the building), its associated operational area, the provision of any services, and/or any amenity space or outbuildings, would not harm its appearance as a rural building or adversely affect the rural setting of the building in the locality; <li data-bbox="779 948 1644 1192">c. the proposed use would not create significant levels of traffic, particularly lorries, on rural roads (proposals for employment uses will be required to provide a sustainability assessment which may include a Travel Plan designed to maximise the opportunities to reduce the need to travel by private car); <li data-bbox="779 1240 1644 1324">d. proposals which would create a significant number of jobs should be readily accessible by public transport; | |

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| | | | <p>e. it will not lead to unacceptable levels or types of traffic or problems of road safety or amenity and will not require highway improvements which will harm the character of rural roads in the area; and</p> <p>f. early years and childcare provision.</p> | | | | | |
| MM24.1 | 153 154 | Policy PP7: Employment Allocations | <p><i>Deletion of the current Policy PP7 in its entirety and replacement with a version that better reflects the updated position in respect of available employment land and the proposed changes to Policy PP6.</i></p> <p><u>Policy PP7</u></p> <p><u>EMPLOYMENT ALLOCATIONS</u></p> <p><u>32ha of land is allocated for new development in use classes B2 (General Industry) and B8 (storage and Distribution) to support a diversity of employment opportunities, the majority of which has already obtained planning permission. The allocated sites are listed in Table 6.1 below and are identified on the Policies Maps and relevant Local Maps.</u></p> <p style="text-align: center;"><u>Table 6.1</u></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th data-bbox="779 1275 1151 1315"><u>Name of Site</u></th> <th data-bbox="1151 1275 1509 1315"><u>Local Plan Allocation</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="779 1315 1151 1350"></td> <td data-bbox="1151 1315 1509 1350"><u>(ha)</u></td> </tr> </tbody> </table> | <u>Name of Site</u> | <u>Local Plan Allocation</u> | | <u>(ha)</u> | To better reflect the available employment land in the district and the proposed changes to Policy PP6 set out above. |
| <u>Name of Site</u> | <u>Local Plan Allocation</u> | | | | | | | |
| | <u>(ha)</u> | | | | | | | |

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

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

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

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

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

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

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

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| MM27.5 | 160 | Policy PP11: Holiday Parks Final paragraph. | <p><i>Modification to the wording of the final paragraph of Policy PP11.</i></p> <p>To avoid such consequences by ensuring <u>ensure</u> that new caravan and chalet developments are not used for permanent residential dwellings, the Council will impose holiday occupancy conditions and limit use to certain periods of the year.</p> | Consequential change to the wording to reflect the proposed modifications to the earlier parts of the policy. |
| MM28.1 | 162 | Policy PP12: Improving Education and Skills First paragraph. | <p><i>Insertion of wording about the proposed expansion at the University of Essex.</i></p> <p>To improve education and employment prospects for Tendring District's residents, the Council will work with its partners including the University of Essex, Colchester Institute, local schools and academies, and Essex County Council as the education authority and other educational establishments, to deliver new and improved facilities for early years, primary, secondary, further and higher education. The Council will support proposals that will result in new, expanded or improved education facilities and facilities for vocational training, particularly in the growing care and assisted living and renewable energy sectors. <u>This will include expansion of the University as part of the Garden Community development.</u></p> | To ensure Policy refers specifically to the proposed expansion of the University of Essex as part of the Garden Community development which could benefit residents of both Colchester and Tendring in terms of education provision and employment opportunities. |
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| MM29.1 | 163 | <p>Policy PP13: The Rural Economy</p> <p>New second section.</p> | <p><i>Insertion of a new section at the end of Policy PP13 which incorporates wording proposed to be deleted and moved from Policy PP6.</i></p> <p>d. buildings that are essential to support agriculture, aquaculture, horticulture and forestry; and farm diversification schemes.</p> <p><u>The Council will permit sustainable development proposals for farm and other land based diversification schemes that benefit the rural area. Proposals for re-use or redevelopment of rural buildings for employment purposes will be considered against the following criteria unless the economic benefits outweigh these criteria:</u></p> <p>e. <u>the building is structurally sound and capable of accommodating the proposed use without the need for significant extension or alteration or reconstruction;</u></p> <p>f. <u>the proposed use (including any proposed alteration or extensions to the building), its associated operational area, the provision of any services, and/or any amenity space or outbuildings, would not harm its appearance as a rural building or adversely affect the rural setting of the building in the locality;</u></p> <p>g. <u>the proposed use would not create significant levels of traffic, particularly lorries, on rural roads (proposals for employment uses will be required to provide a</u></p> | <p>To move from Policy PP6, policy criteria that more closely relate to employment-related development in rural areas and are therefore better placed in Policy PP13.</p> |

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

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

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

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

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

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

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

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

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

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

Main Modifications – Chapter 7: Protected Places

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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| | | | <u>Windows, hipped roofs and corner tower elements should be confined to the northern side of pitched roofs.</u> | development following the declaration of a climate emergency. |
| MM37.4 | 177 | New paragraph 7.10.5 | <p><i>Insertion of a third new paragraph supporting text introducing the possibility that the Council will produce a Supplementary Planning Document (SPD) to assist in the implementation of the modified Policy PPL10.</i></p> <p><u>7.10.5 Given the importance of tackling climate change and promoting renewable energy and energy efficiency measures and the rapid speed in which technology is evolving and improving, the Council may provide further guidance in the form of a Supplementary Planning Document (SPD) to assist in the implementation of Policy PPL10, which can be updated as necessary to future changes in approach.</u></p> | To significantly strengthen the text in support of Policy PPL10 and the amendments to that policy which are designed to ensure a more robust response to climate change and the Council's expectations around energy efficiency and energy generation in new development following the declaration of a climate emergency. The modification introduces the opportunity for the Council to develop further supplementary guidance in support of the modified policy. |
| | 177 | | | |

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| MM37.5 | | Policy PPL10: Renewable Energy Generation | <p><u>Renewable Energy Generation and Energy Efficiency Measures</u></p> <p>Proposals for renewable energy schemes will be considered having regard to their scale, impact (including cumulative impact) and the amount of energy which is to be generated.</p> <p>All proposals for new development proposals should consider the potential for a range of demonstrate how renewable energy generation solutions appropriate to the building(s), site and its location have been included in the scheme and for new buildings, and should include renewable energy installations, and be designed to facilitate the retro-fitting of renewable energy installations. [MOD A]</p> <p><u>For residential development proposals involving the creation of one or more dwellings, the Council will expect detailed planning applications to be accompanied by a ‘Renewable Energy Generation Plan’ (REPG) setting out the measures that will be incorporated into the design, layout and construction aimed at maximising energy efficiency and the use of renewable energy. [MOD B]</u></p> <p><u>Planning permission will only be granted where the applicant can demonstrate that all reasonable renewable energy and energy efficiency measures have been fully considered and, where viable and appropriate, incorporated into the design, layout and construction. The Council will consider the use of planning conditions to ensure the measures are delivered. [MOD C]</u></p> | <p>To strengthen Policy PPL10 to ensure a more robust response to climate change and the Council’s expectations around energy efficiency and energy generation in new development following the declaration of a climate emergency.</p> <p>MOD A: To improve the effectiveness of the policy wording.</p> <p>MOD B: To introduce a requirement for ‘Renewable Energy Generation Plans’ to set out the measures to be incorporated in new development to maximise energy efficiency and the use of renewable energy.</p> <p>MOD C: To clarify the circumstances in which planning permission will be granted having considered</p> |

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

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

Main Modifications – Chapter 8: Connected Places

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

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

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

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

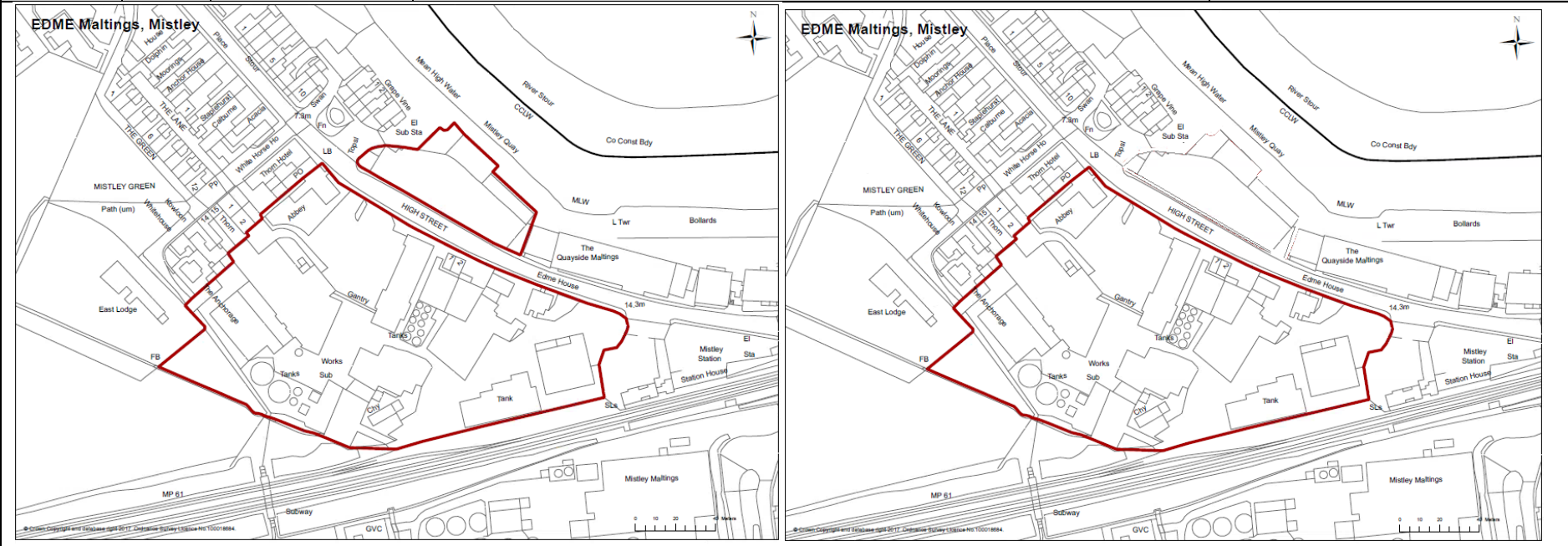
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| | | | <p><u>(the highway authority) and Tendring District Council to identify the optimal route, specification and design of access improvements (including public transport and active travel) to Clacton from the A133 to the western side of the town.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

Chapter 9: Delivering Places – Main Modifications

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

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

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

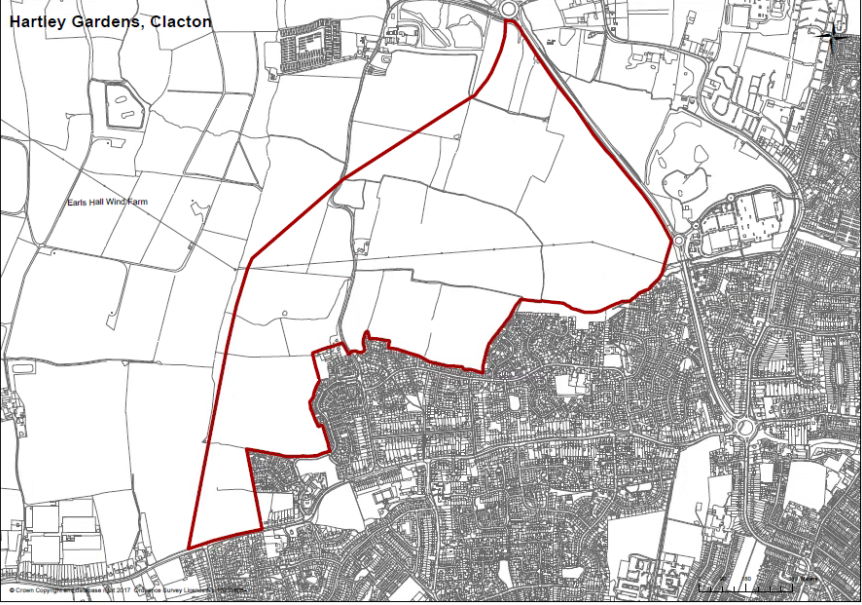
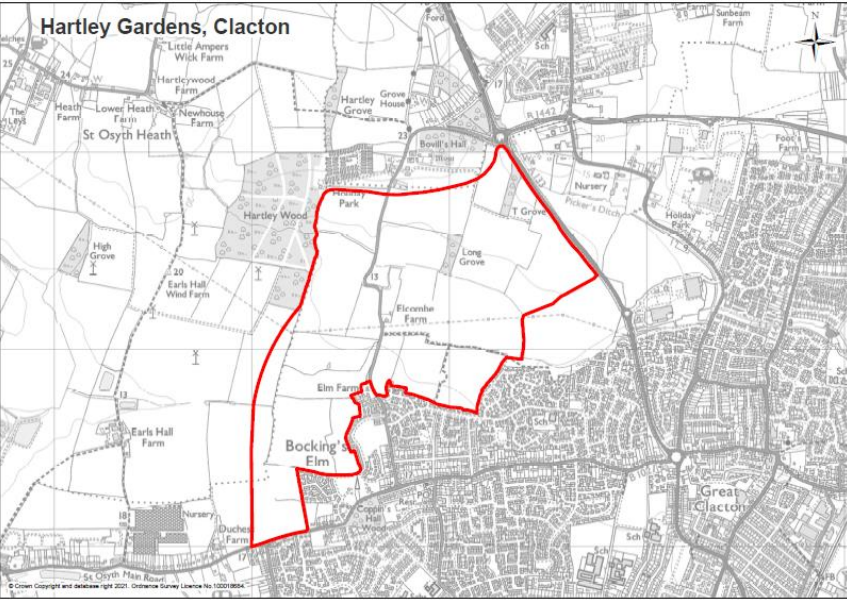
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| MM42.2 | 192 | 9.1.2 | <p><i>Deletion of paragraph 9.1.2.</i></p> <p>9.1.2 The site is split over two plots: the smaller plot to the north of the High Street fronting on to the River Stour and the larger plot to the south of the High Street.</p> | <p>To reflect the proposed removal of Thorn Quay Warehouse from the SAMU1 allocation.</p> |
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| MM42.3 | 192 | 9.1.3 | <p><i>Additions to and deletions from paragraph 9.1.3.</i></p> <p>9.1.3 <u>The Council is working with EDME Maltings to help it relocate to more suitable premises within the Tendring District that meet the modern-day requirements of the business.</u> EDME Maltings <u>The current site</u> is expected to become vacant and available for redevelopment during the Plan period. A mixed-use scheme is appropriate for the site to the south of the High Street. This will include a residential element containing a mix of dwelling types; and an employment element providing an equal level of employment to that already in existence on site, ancillary recreation and leisure facilities.</p> | To update the Local Plan to reflect the current position with EDME Maltings and its relocation and to also reflect the proposed removal of Thorn Quay Warehouse from the SAMU1 allocation. |
| MM42.4 | 193 194 | Policy SAMU1: Development at EDME Maltings, Mistley | <p><i>Modifications to the wording of Policy SAMU1.</i></p> <p>Land to the north and south <u>of</u> High Street, Mistley (EDME Maltings), shown on the Map SAMU1, is allocated for a residential led mixed-use development <u>including, employment, recreation and leisure uses.</u> as follows:</p> <p>a. at least 150 new homes of a mixed size and type to include affordable housing as per the Council's requirements;</p> <p>b. at least 0.13 hectares of land for employment;</p> | MODS A & B: Modifications to first paragraph and deletion of criteria a., b., and c to reflect the proposed removal of Thorn Quay Warehouse from the allocation and to remove the very specific requirements for 150 homes |

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

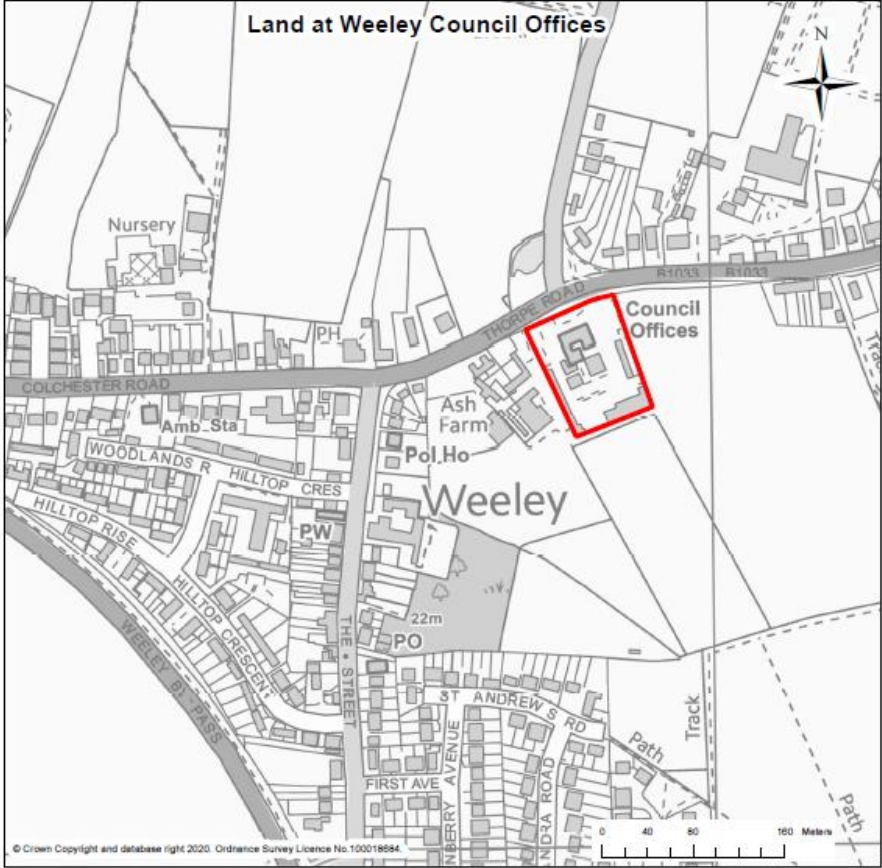
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| | | | 9.5.2 A Transport Assessment must be submitted with any planning application to identify suitable means of access. Where necessary, appropriate highway capacity and/or safety enhancements; improvements to public transport services and infrastructure;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

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

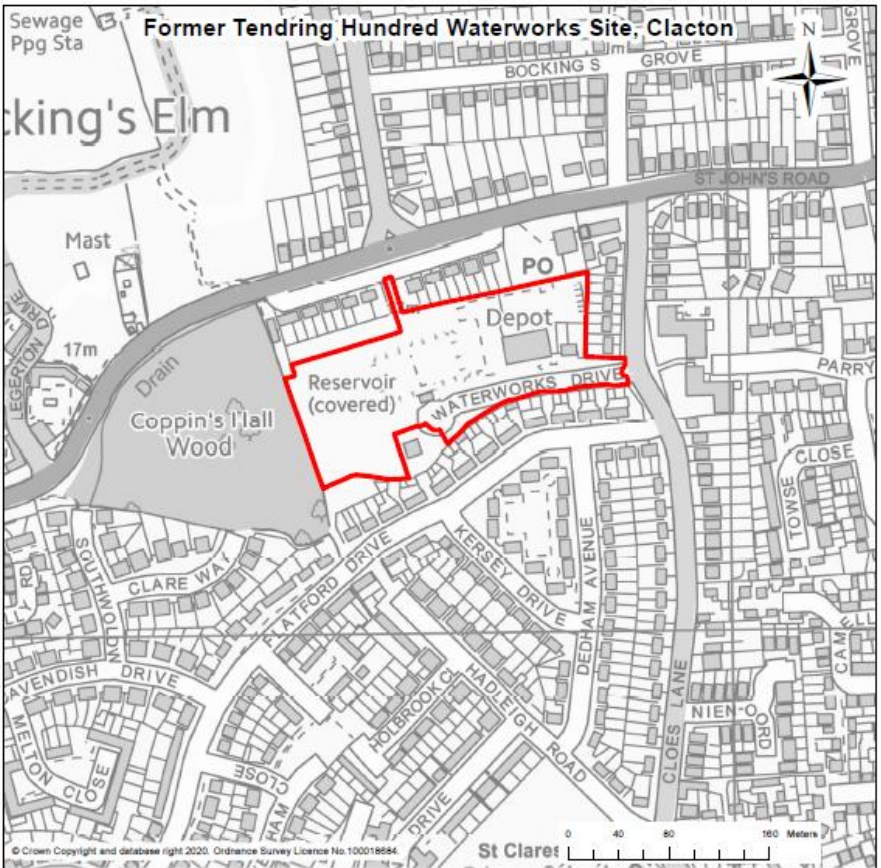
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| | | Site Allocations (MSA Sites) to follow Policy SAH2 | <ul style="list-style-type: none"> • <i>MSA1: Land at Weeley Council Offices;</i> • <i>MSA6: Former Tendring 100 Waterworks Site, Clacton;</i> • <i>MSA8: Land adjoining Harwich and Parkeston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

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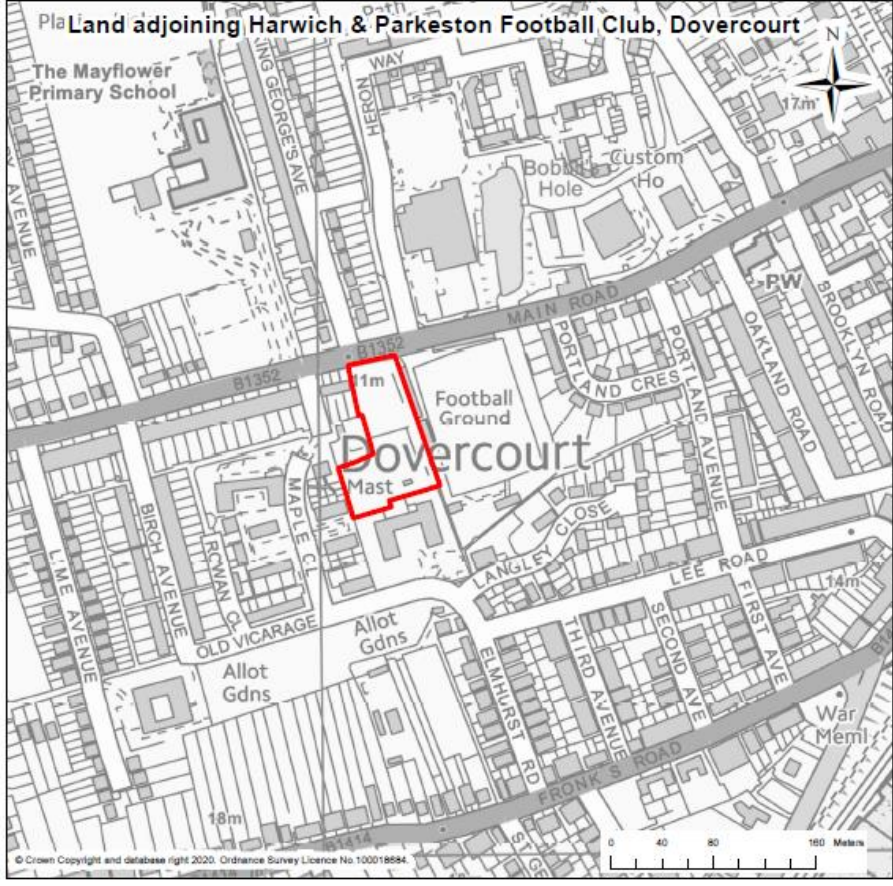


Map MSA1: Land at Weeley Council Offices

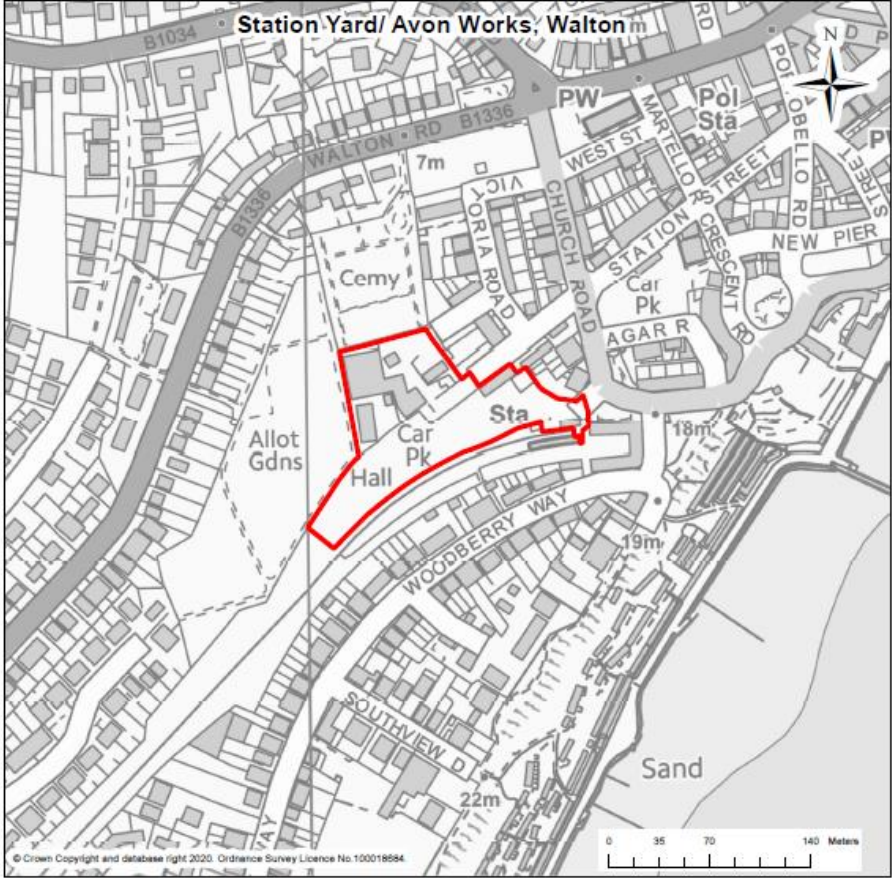


Map MSA6: Former Tendring Hundred Waterworks Site, Clacton

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Map MSA8: Land adjoining Harwich & Parkeston Football Club, Dovercourt



Map MSA11: Station Yard/Avon Works, Walton

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

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

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

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

Main Modifications – Chapter 10: Delivering Infrastructure

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

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

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

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

Main Modifications Chapter 11: Monitoring and Review

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

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

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

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

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

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

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