

TENDRING COLCHESTER BORDERS GARDEN COMMUNITY JOINT COMMITTEE

18 JULY 2022

A.2 THE DRAFT PLAN FOR THE TENDRING COLCHESTER BORDERS GARDEN COMMUNITY EVIDENCE BASE UPDATE

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PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To provide an update on the Evidence Base required for the Tendring Colchester Borders Development Plan Document (DPD) including evidence already gathered and further work that is underway.

This report relates to Paper A.1 and sets out how Officers are responding to certain points raised via consultation where additional evidence is required. This paper does not require a decision and is for noting by the Joint Committee.

EXECUTIVE SUMMARY

Key Points

- In order for the DPD to be found sound via an independent examination by the Planning Inspectorate, it will need to be accompanied by a comprehensive and robust evidence base that can support and provide justification for proposed policies and requirements.
- The Garden Community proposals already benefit from an extensive evidence base which was subject to full scrutiny leading it to be found sound and included in Section 1 of the Local Plans.
- The Draft Plan that was published for formal public consultation in March 2022 was supported by a number of additional evidence base documents. This set of background documents was published and made available during the consultation period.
- Officers were aware that this initial evidence base did not address all matters and that additional evidence and background work would be required to support a final version of the Plan.
- Various representations on the Draft Plan also identified the need for additional evidence to be prepared to support the Plan and its policies.
- As such, a number of additional studies and other related work is underway across a number of themes and technical areas of work. This additional evidence will be published and made available to the Joint Committee as it becomes available and aligned with future decision making on the Plan.

BACKGROUND

Previous work (Section 1 evidence)

Proposals for the Garden Community have been emerging over a number of years. As part of the examination and consideration of Section 1 of the Local Plans, there was considerable scrutiny of the principle, scale and nature of development in this location. A wide range of evidence was made available to the Planning Inspector, both produced by the Councils and by a wide range of other stakeholders including local community groups. This initial set of evidence was prepared over a period from circa 2016 to 2020, with formal hearings in 2018 and 2020. This provides an initial set of information and evidence relating to the proposal, including considerable work on sustainability, infrastructure and viability. This evidence ultimately supported the Planning Inspector's final decision that Section 1 of the Local Plans was found sound and has now been adopted by the Councils.

Additional Evidence Base documents published alongside the Draft Plan

The Draft Plan was published to enable full and open consultation across suggested alternative land use approaches and a range of potential policies. It was recognised by Officers that the outcomes of the Regulation 18 consultation would be needed to help inform and evolve the way forward, and that additional evidence would be required to support any final DPD suitable to be submitted for examination. The following initial set of supporting studies and evidence base documents were prepared and made available alongside consultation on the 'Draft Plan' earlier in 2022.

- **Engagement Reports.** Two reports were published that set out a summary of all engagement activity undertaken prior to the preparation of the Draft Plan. The first report looked at the feedback received via the various digital and non-digital engagement activities led by the Councils, and the second related to engagement activity that inputted to evolving the masterplan vision and spatial land use options.
- **Tendring Colchester Borders Garden Community Masterplan (Baseline, vision & options).** This work presented a vision and preliminary masterplan options for the Garden Community and comprised of three main pieces of work: a 'Baseline Report' providing an analysis of key issues, opportunities and constraints influencing the site; a 'Strategic Vision' setting out a vision and a set of strategic development principles and objectives; and a third report that considered alternative 'Spatial Options' for the Garden Community.
- **Transport and Movement Framework.** This work considered a variety of aspects relating to the local and strategic transport and movement network. The work was presented in 2 parts. Part 1 brought together a baseline appraisal of transport and movement and considered a range of good and best practice from the UK and abroad. Part 2 developed a vision for transport and movement, including a set of principles and policies to promote sustainable movement patterns.
- **Economic and Employment Study.** This study presented an assessment of the potential economic growth and job creation that could be achieved through the Garden Community and the opportunities to maximise the opportunities for local people and the wider region. The study included an analysis and options for the location, format and potential end-users of

employment uses envisaged as part of the development. It was published as a 'draft' in recognition that further work would be needed going forward.

- **Heritage Impact Assessment.** This assessed the existence and significance of heritage assets and considers the impact of the development on the historic environment.
- **Preliminary Archaeological Assessment.** This considered the archaeological potential of land within Colchester Borough pertinent to the scheme and included initial advice on the likely level of archaeological information that would be required over future stages.
- **Sustainability Appraisal.** A Sustainability Appraisal (incorporating Strategic Environmental Assessment) was prepared to consider the likely effects of the Draft Plan and a consideration of reasonable alternatives.
- **Habitats Regulations Assessment (HRA) Screening Report.** This was prepared to comply with Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended). The assessment considered effects on the integrity of European/habitats sites and identified likely significant effects to be considered in the next stage of the HRA (the appropriate assessment). The work includes a wintering bird survey.
- **Environmental Audit Survey.** This work provided a review of the landscape and ecology within the broad location of the Garden Community. A similar piece of work was carried out in 2015 and this latest study was a review and update to capture any relevant changes.
- **Low / Zero Carbon & Smart Energy Appraisal.** A study that considered how Low / Zero Carbon technologies could be incorporated as part of the approach to the site in a way that could maximise efficiency and reduce carbon.

Further Evidence Gathering under way for the Final Plan

Report A.2 presented to this Committee has provided an overview of the representations received in response to the Regulation 18 consultation on the Draft Plan. The purpose of the report was to provide Members of the Committee with an initial overview of the main issues raised in the representations and to highlight areas where either Officers would be likely to recommend changes to the Plan or where further work or evidence was needed to inform a future decision on the best way forward.

The report highlighted a number of issues where decision-making will need to be informed by more robust information and evidence. The following additional studies are being compiled and will be made available to Members of the Committee and Officers during the evolution and finalisation of the Plan. The following additional work will consider all relevant issues and provide appropriate justification for the final approach.

Approach to Land Use & Type of Place

Various issues and concerns have been raised about the proposed boundary of the Garden Community, the scale and locations of certain land uses, and the nature of place that is being

proposed. The following work is being taken forward which will provide additional evidence to enable robust decisions to be taken:

- **Strategic Framework/Masterplan & Strategic Design Guide/Code.** The approach to the Garden Community will continue to evolve and become more detailed through an ongoing masterplanning process. To date, work on masterplanning has considered the baseline position (including constraints and opportunities analysis), the overall spatial vision and some initial land use and masterplan options. Going forward additional strategic masterplanning work will be undertaken by the Councils to illustrate, justify and set the basis for land use proposals to be set out in the Final Plan to be submitted.

It is important to acknowledge that at this stage of planning for the Garden Community, it is not possible (primarily due to the extent, cost and time required to undertake all of the detailed technical site survey and design work that would be required - which is the responsibility of site developers to inform their planning applications), for further masterplanning and related policies in the DPD to contain precise details of design, layout and appearance of the new buildings and spaces that will be delivered. Instead, the additional strategic masterplanning work illustrate how development could be brought forward and provide further direction to developers to enable them to prepare appropriate and more detailed proposals.

The Draft Plan (Policy 1) included specific wording to require a comprehensive approach to development that meets with the Councils' high expectations for design and quality and the key principles that underpin the development of Garden Communities. It set out the requirement for proposals seeking planning permission to adhere to a 'Strategic Masterplan' and 'Strategic Design Code' for the whole site and more specific and detailed 'Neighbourhood Masterplans' and 'Neighbourhood Design Codes' for the relevant neighbourhoods. The draft Plan set out that these Masterplans and Design Codes will need to ultimately be approved by the Councils before planning applications could be approved.

The Councils have commissioned additional work to start to develop additional masterplanning and design coding/guidance. This is being produced to illustrate more widely how it is envisaged that the Garden Community will be developed and to ensure that there is a robust and sound evidence in support of the DPD. It will need to remain separate to the DPD and be illustrative in nature until such time as conclusions can be drawn from the examination of the DPD as this may result in modifications to policies, land uses or areas. The work can then be reviewed, updated and taken forward for additional consideration, potentially to be adopted as some form of supplementary planning policy to guide the determination of future planning applications.

- **Crockleford Heath Area of Special Character Appraisal.** The Draft Plan identified an 'Area of Special Character' at and around the settlement of Crockleford Heath, aimed at safeguarding its distinctive rural character. The Councils have commissioned additional work to consider this area in more detail and provide the appropriate level of guidance and base line analysis to develop a character appraisal, including landscape, historic and built environment appraisals and a design strategy for Crockleford Heath.

- **Land South of A133 assessment.** Some focussed work will be undertaken to consider the sensitivity and visual impact of development options south of the A133 both within and directly adjacent to the Area of Search, including consideration of the capacity of growth within the existing University of Essex campus
- **Economic Study Update.** Further work will be undertaken related to the Economic and Employment Study to update and evolve the advice the Authorities on the potential means of maximising the positive economic and employment generation opportunities at TCBGC and provide an analysis and options for location, format and potential end-users of the employment allocations proposed for the site. Additional related and specialist work will be undertaken to consider the growth potential of the University of Essex, both in terms of student numbers, research potential and wider economic relationships.

Approach to Nature & Open Space

Additional work is required to consider elements related to nature and the type/scale of open space. The following work is being taken forward which will provide additional evidence to enable robust decisions to be taken:

- **Environmental Audit & Biodiversity Net Gain Assessment.** An assessment is being undertaken to consider the potential to secure Biodiversity Net Gain, through a comparison of the habitats within the site prior to development activities (the 'baseline') with those proposed through the proposed spatial approach and land use proposals. The calculation will be undertaken using the 'Defra Metric' Biodiversity Net Gain calculator.
- **Tendring and Colchester Councils, Indoor Sport, Playing Pitch and Open Space Strategies** have been commissioned and will set out an over-arching strategy for the two Council areas individually and collectively, with a particular focus on the sport and open space needs and issues related to the Garden Community. The work will include a review of all facilities in the Councils' areas, including council-owned facilities and privately-owned facilities, where appropriate. In particular, the audit, assessment and recommendations should have regard to the facilities currently available at University of Essex Campus which adjoins the area of search for the Garden Community, and the potential to create or cooperate on new facilities that could serve both the needs of the university itself and the future residents and other users from the Garden Community itself.

In addition, work on the strategic masterplan and design guidance will consider the overall approach to land uses including suitable protection and enhancement of natural features & assets across the site.

Approach to community related matters

Other issues and concerns have been raised about key social and community infrastructure, and the ability to deliver on Garden City principles. The following work is being taken forward which will provide additional evidence to enable robust decisions to be taken on the following topics:

- **Health Impact Assessment / Topic Paper.** Further work is underway to ensure the TCB Garden Community is designed and delivered in ways that will enhance the quality of people's lives both from the outset and in the long term by positively addressing and innovatively responding to the fundamental elements that influence the social determinants of health and wellbeing.
- **Stewardship Topic Paper (Update).** Officers will prepare an update to the topic paper that was prepared in relation to the examination of Section 1. This will provide additional up to date information relating to the options for stewardship for the Garden Community, including an overview of the importance of long term stewardship to the project; a summary of options for long term stewardship that can be considered; their implications and potential approaches to decision making on any final preferred model/approach.

Approach to infrastructure, phasing and viability

A number of issues and concerns have been raised about the overall approach to infrastructure, its phasing and the viability/deliverability of the proposals. Whilst the Draft Plan included a number of specific infrastructure requirements within the separate policies, this work will now need to be updated and drawn together to enable all policy expectations and requirements to be clearly set out and justified. The following work is being taken forward which will provide additional evidence to enable robust decisions to be taken on the following topics:

- **Transport Planning.** Further work will be required to provide an update on strategic infrastructure works coming forward via the Housing Infrastructure Fund (A120-A133 Link Rd and Rapid Transit System). Additional work is also required to frame the approach to mode share, confirming transport related infrastructure requirements alongside supporting transport measures (on and off site), and identifying wider opportunities and dependencies.
- **Integrated Water Management Strategy Stage 2.** A Stage 1 Integrated Water Management Strategy (IWMS) was carried out to support the Section 1 Local Plan. A Stage 2 IWMS has been commissioned which will specifically identify integrated water management options and strategies for the Garden Community. It will feed into the developing masterplanning and identify a range of options for how water and flood risk can be managed in an integrated and sustainable way.
- **Infrastructure Delivery Plan (& Phasing)** Officers are in the process of drawing together all information on infrastructure requirements and will prepare an Infrastructure Delivery Plan which will show what infrastructure is required and how it will be provided (e.g. co-location, etc); who is to provide the infrastructure; how will the infrastructure be funded and when it will need to be provided to align with the phasing of the Garden Community. The IDP will draw from responses from infrastructure providers in response to the Reg 18 consultation and will be produced in collaboration with a wide range of stakeholders, strategic infrastructure providers including Essex County Council.
- **Viability Study.** The site has been subject to detailed consideration of viability via Section 1, and Officers continue to be supported by viability expertise during the preparation of the DPD.

The Councils are in the process of commissioning additional expert property consultants to provide an update to the viability work in accordance with the latest information, assumptions national policy and guidance. It is intended that such expertise would be available to support more broadly with viability discussions with site developers in due course.

Other evidence studies and background work will also come forward and be updated as the DPD progresses, such as ongoing work on analysing engagement feedback and the evolution of work on the Sustainability Appraisal, Heritage Impact Assessment and others.

RECOMMENDATION

That the Tendring Colchester Borders Garden Community Joint Committee notes the update on gathering additional evidence to support the preparation of the DPD.