

# **COUNCIL**

**15 JUNE 2017**

## **REFERENCE FROM THE LOCAL PLAN COMMITTEE**

### **A.1 TENDRING DISTRICT COUNCIL PUBLICATION DRAFT LOCAL PLAN**

(report prepared by Simon Meecham)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

The purpose of this report is to invite Council to approve the content of the Tendring District Council Publication Draft Local Plan and its Sustainability Appraisals for consultation and submission to Government. The Publication Draft Local Plan is attached as Appendix A and the Sustainability Appraisals as Appendix B. These have been considered by the Local Plan Committee on 12 June 2017 and Cabinet 13 June 2017; the Local Plan Committee Report, excluding its appendices is attached as Appendix C of this report and Council is referred to the body of that report

An update sheet will be provided to Council should any changes to the documents or recommendations to Council be requested by the Local Plan Committee or Cabinet.

##### **EXECUTIVE SUMMARY**

Tendring District Council is preparing a new Local Plan to guide future development in the Tendring area to 2033 and beyond. Having an up to date plan is critical for creating job opportunities, attracting investment for improved infrastructure, protecting the environment and ensuring that the new homes required meet the needs of a growing population are built in the right locations and achieve good standards of quality and design. Without an up to date plan it is more difficult for the Council to secure investment and protect the district from developments that are unplanned.

The Local Plan comprises 2 sections. Section 1 has been jointly prepared with Braintree District Council and Colchester Borough Council and deals with strategic issues including proposals for garden communities. Section 2 of the Plan relates just to Tendring. Some chapters in Section 2 were considered by the Local Plan Committee on 20 April 2017. Section 1 of the Local Plan, and the remaining chapters for Section 2 were considered by the Local Plan committee on 12 June 2017.

The Tendring District Council Publication Draft Local Plan and its Sustainability Appraisals were considered by the Local Plan Committee on 12 June 2017. The Committee was asked to recommend to Council that the complete revised version of the Publication Draft Local Plan and Sustainability Appraisals be approved for public consultation and engagement and submission to the government and the Planning Inspectorate. Cabinet is being consulted on 13 June 2017 and asked to endorse the Local Plan documents. The Publication Draft Local Plan is attached as Appendix A and the Sustainability Appraisals

as Appendix B; the Local Plan Committee Report, excluding its appendices is attached as Appendix C of this report and Council is referred to the body of that report.

The consultation documents, subject to agreement by the Local Plan Committee and endorsement by Cabinet, are recommended to Council for approval at its meeting on 15 June 2017. Subject to approval, the documents will then go out to public consultation for a period of six weeks and officers will submit the consultation responses and relevant documents to government for the next stage of the plan making process.

The outcome of Local Plan Committee and Cabinet will be tabled at this meeting of Council.

## **RECOMMENDATIONS**

That Council approves:

1. the content of the Tendring District Council Publication Draft Local Plan and Sustainability Appraisals;
2. a six-week public consultation and engagement process on the Tendring District Council Publication Draft Local Plan and its Sustainability Appraisals be undertaken;
3. following said consultation and engagement, the Publication Draft Local Plan and Sustainability Appraisals, along with the representations received during the public consultation, be submitted to the Government's Secretary of State to appoint a Planning Inspector to hold an Examination in Public; and
4. that Tendring District Council requests the Planning Inspector to recommend any changes to the Publication Draft Local Plan to make it sound.

## **PART 2 – IMPLICATIONS OF THE DECISION**

### **DELIVERING PRIORITIES**

The Local Plan helps to implement place shaping priorities in the Corporate Plan 2016-2020 for Tendring District Council through:

- Community Leadership by engagement with the community and effective partnership working with technical stakeholders, developers and other interested parties;
- Heath and Housing through policies that promote healthier lifestyles, a quality living environment, local regeneration and council house building; and
- Employment and Enjoyment through policies to support business growth and skill development and the protection and promotion of the natural and built environments.

The Local Plan is a project in the 2016-2020 Corporate Plan and is on target at the time of writing this report. The implication of a decision to support the recommendation in this report will demonstrate assistance in the delivery of the Local Plan.

## **FINANCE, OTHER RESOURCES AND RISK**

*The Report to the Local Plan Committee provides more detail and Council is referred to the body of that report.*

**Resources:** The Local Plan Committee's recommendation to Council, in consultation with Cabinet and subsequent approval by Full Council will enable the Council's Planning Policy Team to carry out public consultation. The costs involved in this work are met through the agreed 'LDF Budget'.

**Risks:** Policies in the Publication Draft Local Plan may lead to some objections; however, the Council has sought to resolve objections to the Preferred Options Local Plan and has made substantial revisions to create the Publication version of the Draft Local Plan. To be adopted the Local Plan will need to meet the tests of soundness in the National Planning Policy Framework (NPPF) and pass the tests of the Duty to Co-operate. The Sustainability Appraisals will be considered at the Examination in Public to assess if they adequately consider the significant environmental effects of the proposals in the Local Plan and the main alternatives.

Braintree District Council and Colchester Borough Council, like Tendring, are also in the process of preparing new Local Plans to guide future development. Through a Memorandum of Cooperation, the local authorities have agreed to cooperate on strategic planning matters of cross-boundary significance, including Section One of the Local Plan. Colchester Borough Council and Tendring District Council have agreed to work together, in partnership with other bodies, to explore the option of major development on the Tendring Colchester borders.

## **LEGAL**

*The Report to the Local Plan Committee provides more detail on the legislation and Council is referred to the body of that report.*

The Council established a Local Plan Committee, its Terms of Reference and composition at its meeting on 24 March 2014 after receiving the outcome of the 'pre-submission focussed changes' consultation, which placed fundamental concerns over the soundness of the Local Plan document at that time. These objections in particular, related to the lack of sufficient sites to deliver the full objectively-assessed need for housing over the next 15 years and the legal duty for Councils to cooperate with neighbouring authorities and partner organisations on strategic planning matters of cross-boundary significance.

The responsibility to produce a Local Plan is a Council function and to address the issues highlighted with member engagement, a dedicated 'Local Plan Committee' was set up to oversee the preparation of a new version of the Local Plan specifically dealing with these matters, meeting the government's requirements and provide a more positive planning framework to deliver the objectives of the Economic Development Strategy. The Local Plan Committee has provided a transparent, cross-party mechanism for scrutinising and endorsing technical evidence, considering development options and policy wording,

shaping the approach to community involvement, considering and commenting on neighbouring authorities' planning documents and approving supplementary planning documents.

The Council delegated functions to the Local Plan Committee to oversee the preparation of the Local Plan and to ensure that it meets the 'tests of soundness' from national planning policy. The Local Plan Committee, in accordance with its Terms of Reference have considered and recommend the content of the Publication Draft Local Plan, in consultation with the Cabinet, for consideration and formal approval by Full Council for public consultation and engagement and submission to the Government..

#### **OTHER IMPLICATIONS**

Area or Ward affected – All

### **PART 3 – SUPPORTING INFORMATION**

#### **THE LOCAL PLAN**

*The Report to the Local Plan Committee provides more detail and Council is referred to the body of that report (attached as appendix C).*

The Local Plan will be the statutory development plan for Tendring up to 2033. Planning Guidance requires all Local Planning Authorities in England and Wales to prepare a Local Plan and ensure it is kept up to date. Without an up-to-date plan, the Council has limited power to influence the scale, location and quality of new development in the district, making it difficult to bring about the positive changes that the area needs and difficult to resist inappropriate development proposals that will have a detrimental effect on our area.

Local Plans are the main vehicle for conveying an area's growth requirements and how these will be accommodated. However, individual local authority boundaries cannot encapsulate the geographies of issues that transcend those boundaries. Through active and on-going collaboration the authorities can plan, manage and review strategic objectives for the effective implementation of sustainable development and enhanced environments.

The geographic and functional relationship between Braintree, Colchester and Tendring authorities is demonstrated through the formation of a single Housing Market Area (with Chelmsford) and being part of the Haven Gateway, an established economic partnership for the area. Within this context, the forecast levels of future population growth together with the geography of north Essex means that considerations for future growth will include options that have clear cross-boundary implications. These include both the expansion of existing towns and villages as well as possible new settlements.

Consequently, this group of neighbouring authorities have agreed to come together because of their shared desire to promote sustainable growth and the particular need to articulate the strategic priorities within the wider area and how these will be addressed. Central to this is the effective delivery of planned strategic growth, particularly housing and employment development, with the necessary supporting infrastructure.

This is reflected in a common Section 1 of the local plans for Braintree, Colchester and Tendring districts. Section 1 has been jointly prepared by the three districts with support

from Essex County Council. It includes policies on: sustainable development, overall housing and employment needs, infrastructure, place shaping, the spatial strategy and garden communities. It contains the policy requirements for the allocation of land for the Tendring Colchester Borders Garden Community.

Section 2 of the Tendring District Local Plan identifies the main characteristics of the district and the challenges faced. To address these challenges and deliver a vision for 2033, the plan identifies sites for achieving sustainable housing and economic growth, meeting the social needs of a growing population and protecting the places that make Tendring an attractive place to live, work and visit.

'Publication Draft' is the final stage of the consultation carried out by Tendring District Council on its emerging Local Plan, prior to submission of the draft Local Plan and its supporting documents for consideration by government and the Planning Inspectorate. The next stage will be hearings on topics such as employment and housing, at an Examination in Public held by the Planning Inspectorate, in regards to the council's duties, processes and outcomes for plan making.

Some chapters in Section 2 were considered by the Local Plan Committee on 20 April 2017. Section 1 of the Local Plan, and the remaining chapters for Section 2 were considered by the Local Plan Committee on 12 June 2017. Subject to the agreement of the Local Plan Committee (12 June) and Council (15 June), the consultation and engagement for the Tendring District Council Publication Draft Local Plan and its Sustainability Appraisals will be held in the Summer of 2017.

#### **BACKGROUND PAPERS FOR THE DECISION**

- Report to and decision of Full Council dated 24 March 2014
- Report to and decision of Cabinet on 10 June 2016

#### **APPENDICES**

- A. Tendring District Council Publication Draft Local Plan
- B. Sustainability Appraisals
- C. Local Plan Committee Report 12 June 2017 (minus its appendices)