

COUNCIL

2 MARCH 2023

ADDENDUM TO THE REFERENCE FROM THE TENDRING & COLCHESTER BORDERS GARDEN COMMUNITY JOINT COMMITTEE

A.1 DEVELOPMENT PLAN DOCUMENT: SUBMISSION VERSION PLAN – REGULATION 19

(Report prepared by Ian Ford and Lisa Hastings)

PURPOSE OF THE REPORT

To inform Council:-

- (a) of the formal recommendations made by the Tendring Colchester Borders Garden Community Joint Committee at its meeting held on 27 February 2023 in relation to the Submission Version of the Development Plan Document, associated Sustainability Appraisal and other related evidence; and
- (b) that a Memorandum of Understanding has been signed by Essex County Council, Colchester City Council, Tendring District Council and Latimer (Tendring Colchester Borders Garden Community) Development Limited in order to govern the relationship, collaboration and co-operation of the aforementioned Parties in relation to the delivery of the A120-A133 Link Road to support the development of the Tendring Colchester Borders Garden Community.

EXECUTIVE SUMMARY

The Tendring & Colchester Borders Garden Community Joint Committee (“the Joint Committee”), met on 27 February 2023, and considered a comprehensive report (and appendices) which sought the Joint Committee’s recommendations to both Tendring District Council and Colchester City Council in relation to the Submission Version of the Development Plan Document (DPD) for the Garden Community.

The Joint Committee's decision on this matter was:-

“That the Tendring Colchester Borders Garden Community Joint Committee –

- 1) *notes the content of this report which presents the Submission Version of the Plan for the Tendring Colchester Borders Garden Community (otherwise known as the ‘Development Plan Document’ or DPD) (Appendix 1) and associated Sustainability Appraisal (Appendix 2) along with the Strategic Masterplan and other related evidence listed as background documents which together address the legal requirements of the planning system and the tests of soundness set out in the National Planning Policy Framework, having regard to the comments received in response to the 2022 Regulation 18 public consultation exercise;*
- 2) *recommends to the Full Council of both Tendring District Council and Colchester City Council that they agree for the above-mentioned Submission Version of the Plan, associated Sustainability Appraisal and other related evidence be published for six-weeks’ public consultation in line with Regulation 19 of the Town and Country Planning (Local Planning) (England) regulations 2012 (as amended) and Regulation*

13 of the Environmental Assessment of Plans and Programme Regulations and thereafter submitted to the Secretary of State in line with Regulation 21 of the Town and Country Planning (Local Planning) (England) regulations 2012 to begin the process of independent examination;

- 3) that Full Council authority is sought for the Garden Community Planning Manager, in consultation with the TDC Director of Planning, the CCC Executive Director of Place and the Chairman and Vice-Chairman of the Tendring Colchester Borders Garden Community Joint Committee, to be given delegated authority to make any minor editorial changes to the text and maps in the Submission Version of the DPD and to make necessary updates and additions to the evidence base ahead of their publication for public consultation;
- 4) notes the proposed activity for the Regulation 19 'Submission Version Plan' consultation;
- 5) notes the representations received following the cancellation of the Joint Committee meeting of the 13th December 2022;
- 6) welcomes the completion of a Memorandum of Understanding which is intended to govern the relationship, collaboration and co-operation between the Councils and Latimer in relation to the delivery of both phases, at the earliest opportunity, of the A120-A133 Link Road which will support the development of the Garden Community; and
- 7) recommends that officers from the Councils work with Latimer to explore the possibility of entering into an agreement which would detail how the parties would work collaboratively for the duration of the project, delivering the vision for the future of the garden community."

In addition, on 24 February 2023, a Memorandum of Understanding was signed by Essex County Council, Colchester City Council, Tendring District Council and Latimer (Tendring Colchester Borders Garden Community) Development Limited in order to govern the relationship, collaboration and co-operation of the aforementioned Parties in relation to the delivery of the A120-A133 Link Road to support the development of the Tendring Colchester Borders Garden Community.

FURTHER ADVICE OF TENDRING DISTRICT COUNCIL'S MONITORING OFFICER

Entering into any agreement with Latimer and the Councils is an executive function and therefore Full Council can endorse this recommendation to be taken forward.

RECOMMENDATIONS

That Full Council, having taken into account the information contained in this Addendum (and its Appendix) in making its decision on the Submission Version of the Development Plan Document, associated Sustainability Appraisal and other related evidence, in particular the decision made by the Tendring & Colchester Borders Garden Community Joint Committee, resolves that –

- (a) the Submission Version of the Plan for the Tendring Colchester Borders Garden Community (otherwise known as the 'Development Plan Document' or DPD) (Appendix 1) and associated Sustainability Appraisal (Appendix 2) along with**

the Strategic Masterplan and other related evidence listed as background documents which together address the legal requirements of the planning system and the tests of soundness set out in the National Planning Policy Framework, having regard to the comments received in response to the 2022 Regulation 18 public consultation exercise, be published for six weeks' public consultation in line with Regulation 19 of the Town and Country Planning (Local Planning) (England) regulations 2012 (as amended) and Regulation 13 of the Environmental Assessment of Plans and Programme Regulations and thereafter submitted to the Secretary of State in line with Regulation 21 of the Town and Country Planning (Local Planning) (England) regulations 2012 to begin the process of independent examination;

- (b) the Garden Community Planning Manager, in consultation with Tendring District Council's Director of Planning, Colchester City Council's Executive Director of Place and the Chairman and the Vice-Chairman of the Tendring Colchester Borders Garden Community Joint Committee, be authorised to make any minor editorial changes to the text and maps in the Submission Version of the DPD and to make necessary updates and additions to the evidence base ahead of their publication for public consultation;
- (c) welcomes the completion of a Memorandum of Understanding which is intended to govern the relationship, collaboration and co-operation between the Councils and Latimer in relation to the delivery of both phases, at the earliest opportunity, of the A120-A133 Link Road which will support the development of the Garden Community; and
- (d) endorses the recommendation that Officers from the Councils work with Latimer to explore the possibility of entering into an agreement which would detail how the parties would work collaboratively for the duration of the project, delivering the vision for the future of the garden community.

CURRENT POSITION

Council is requested to take account of the recommendations submitted to it by the Joint Committee, together with the Memorandum of Understanding in relation to the A120-A133 Link Road.

A copy of that Memorandum of Understanding is attached as an Appendix to this Addendum.

APPENDIX

Appendix - Memorandum of Understanding has been signed by Essex County Council, Colchester City Council, Tendring District Council and Latimer (Tendring Colchester Borders Garden Community) Development Limited in order to govern the relationship, collaboration and co-operation of the aforementioned Parties in relation to the delivery of the A120-A133 Link Road to support the development of the Tendring Colchester Borders Garden Community