

REVIEWING THE TENDRING DISTRICT LOCAL PLAN

GUIDING PRINCIPLES

- **FOCUS:** The Council will approach the review of the Local Plan with the intention of updating the current adopted Plan as opposed to a more fundamental re-write or starting completely from scratch. This will involve extending the Plan's timeframe; making improvements to selected policies where necessary; topping up the supply of housing and employment land to meet longer-term needs; and ensuring the Plan aligns with the latest National Planning Policy Framework (NPPF).
- **PROCESS:** The Council will update the Local Plan following the current statutory plan-making process which will include public consultation on issues and options, a first draft 'preferred options' document and a final 'submission' draft with the latter being submitted to the Secretary of State to be examined by a government-appointed Planning Inspector. The Council will aim to submit the updated Local Plan to the Secretary of State before June 2025 i.e. within the 'transition period' before a new and potentially very different plan-making system might come into force, as has been indicated by the government in a recent consultation proposals. The intention thereafter is to be in a position to formally adopt the updated Local Plan by January 2026 - i.e. five years from the adoption of Section 1 of the current Local Plan.
- **EVIDENCE:** The review of the Local Plan will be informed by proportionate, necessary and affordable updates to relevant technical evidence – with the aim of ensuring the updated Plan has a sound basis whilst achieving best value for money for Tendring's residents at a time of significant financial pressure.
- **STATUS:** The updated version of the Tendring District Local Plan will, on adoption, supersede both Section 1 and Section 2 of the existing Local Plan (2013-2033 and Beyond) which were adopted in 2021 and 2022 respectively and will then form part of the statutory 'development plan'. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- **TIMEFRAME:** The timeframe for the updated Local Plan will be extended by eight years to 2041 so that the Plan covers the 18-year period 2023-2041 i.e. with a statistical base date of 1st April 2023 and an end date of 31st March 2041. The aim will be to ensure a minimum of 15-years' coverage beyond the anticipated date of adoption (in line with paragraph 22 of the NPPF).

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- **FORMAT:** The general format, chapter headings and policy subject order in the updated Local Plan will broadly follow that of the current Section 2 Local Plan – accepting that some policies may be added and others deleted, as necessary. This will ensure a sensible level of continuity and understanding and to minimise confusion for residents, Parish and Town Councils and other interested bodies - particularly given how recently the current Local Plan was put in place.
- **THE GARDEN COMMUNITY:** The Tendring Colchester Borders Garden Community will be carried forward into the updated Local Plan through the inclusion of a single policy agreed between Tendring District Council and Colchester City Council. This policy will discharge the Council's requirements under the legal 'duty to cooperate' and will refer, as necessary, to the separate Development Plan Document (DPD) that contains more detailed expectations and requirements for the development. The policy will also set out the agreed position for the division of housing, employment land and gypsy and traveller pitch numbers between the two authorities for the extended period to 2041.
- **STRATEGIC POLICIES:** The list of policies set out in the contents pages of the updated Local Plan will indicate which of those policies are to be classed as 'Strategic Policies' in line with paragraph 21 of the NPPF. Strategic Policies are those expected to set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for:
 - a) housing (including affordable housing), employment, retail, leisure and other commercial development;
 - b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - c) community facilities (such as health, education and cultural infrastructure); and
 - d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.
- **VISION AND OBJECTIVES:** The vision and objectives within Section 2 of the current Local Plan adopted in 2022 will be carried forward, broadly unchanged, into the updated Local Plan to apply to the extended period to 2041. They will however be amended selectively and as necessary to reflect changes in national policy, updated evidence and the potential opportunities arising from Freeport status, particularly in relation to Harwich, Bathside Bay and the A120 corridor.
- **SETTLEMENT HIERARCHY:** The 'Settlement Hierarchy' forming part of the overall spatial strategy for the Local Plan (Policy SPL1) is likely to be carried forward, broadly

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unchanged, from the existing into the updated Plan, if possible. The current settlement hierarchy promotes a sustainable pattern of growth that sees:

- Clacton, Harwich/Dovercourt and the Tendring Colchester Borders Garden Community as the main focus for growth;
- the 'smaller urban settlements' of Frinton/Walton/Kirby Cross, Manningtree/Lawford/Mistley and Brightlingsea accommodating the second largest proportion of future growth;
- The 'rural service centres' of Alresford, Elmstead Market, Great Bentley, Little Clacton, St. Osyth, Thorpe le Soken and Weeley seeing modest increases in housing stock that is proportionate, achievable and sustainable; and
- other 'smaller rural settlements' across the district accommodating smaller-scale development that is sympathetic to their rural and often historic character.

If, however, it becomes apparent that it is not possible to accommodate additional future growth to 2041 following this broad approach, the Council may need to consider alternative options that categorise some settlements differently.

- **NEIGHBOURHOOD PLANS:** The updated Local Plan will give greater recognition to the role of Neighbourhood Plans and encouragement to Town and Parish Councils, and other community groups, to consider the production of Neighbourhood Plans to promote positive change in their areas to compliment, supplement and help guide the policies in the updated Local Plan.
- **SETTLEMENT DEVELOPMENT BOUNDARIES:** The updated Local Plan will continue to define settlements (both towns and villages) within 'Settlement Development Boundaries' as a means of managing the pattern of growth. These boundaries will be adjusted as necessary to accommodate additional growth to meet longer-term needs for housing and other development up to 2041 in accordance with the overarching spatial strategy.
- **HIGH QUALITY, BEAUTIFUL AND SUSTAINABLE DESIGN:** The updated Local Plan, in its approach to design and quality and other relevant policies, will be updated to better reflect the ambition within latest national policy to promote high quality, beautiful and sustainable buildings and places.
- **INFORMATION REQUIREMENTS:** The updated Local Plan will include more guidance on the information required with planning applications when proposing development that might justify or result in the loss of a community facility, a care home, an employment site, a holiday park or other sites or buildings that the Council would otherwise seek to protect for their existing use.
- **OPEN SPACE AND SPORTS PROVISION:** The approach to the protection and delivery of open space and sports provision in the updated Local Plan will reflect both

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the Council's updated strategies on open space and sports provision and latest evidence on quality and accessibility. For the development of these policies, the input of Town and Parish Councils being particularly welcomed.

- **CEMETERIES AND CREMATORIUMS:** The policy for cemeteries and crematorium will be revisited to ensure it allows for future needs to be met and to reflect the growing demand and interest in alternative forms of burial.
- **HOUSING REQUIREMENT:** The updated Local Plan will need to plan for additional new homes over the extended 18-year period reflecting updated demographic projections and/or any new requirements of national planning policy. Approximately 10,000 homes are already expected to be delivered on sites allocated in the current adopted Local Plan and sites with planning permission or that are already under construction. However, additional sites will likely be required to address an increasing housing requirement and longer-term needs post 2033.
- **OPTIONS FOR ACCOMMODATING MORE HOMES:** To accommodate and deliver any 'residual' housing requirement, the Council will consider and assess a range of reasonable options, will consult the public and other interest parties on those options and will undertake a 'sustainability appraisal' of those options before selecting a preferred approach to include in the updated Local Plan. The higher the housing requirement, the greater the challenge of identifying an appropriate strategy and more communities that are likely be affected.
- **LIMITING ADDITIONAL HOUSING GROWTH AROUND CLACTON AND THE GARDEN COMMUNITY:** Significant housing development is already planned on sites on the edge of Clacton on Sea (most notably, approximately 1,700 homes at Hartley Gardens) and land at the new Tendring Colchester Borders Garden Community, both through allocations in the current adopted Local Plan and from developments with planning permission or under construction. These developments are already expected to make a significant contribution towards housing growth in Tendring for an extended Local Plan period up to 2041. The options for accommodating any homes to address additional requirements are therefore unlikely to involve any significant additional housing growth around Clacton or the proposed Garden Community.
- **MAINTAINING STRATEGIC GREEN GAPS:** The Council will look to carry forward and potentially expand upon the 'Strategic Green Gaps' in the current Local Plan around Clacton, the Garden Community, Frinton, Walton & Kirby Cross; Manningtree, Lawford & Mistley and other communities in the district for the extended period to 2041. This is to ensure the principle of maintaining the separate identity of settlements and preventing the coalescence of settlements for the long-term carries forward into the future.

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- **10% HOUSING ON SMALLER SITES:** In accordance with paragraph 69 of the NPPF, the updated Local Plan will seek to deliver at least 10% of all new homes on smaller sites of less than 1 hectare in size. This could include some developments in rural areas to enable villages to grow and thrive and to enhance and maintain the vitality of rural communities in line with paragraph 79 of the NPPF.
- **COMMUNITY INFRASTRUCTURE LEVY (CIL):** The Council will actively and positively explore opportunity to introduce a Community Infrastructure Levy (CIL) Charging Schedule alongside the updated Local Plan as a means to secure financial contributions from developments across a range of sizes towards the delivery of new and improved infrastructure including transport, schools, health facilities, open spaces and others – with a proportion of funds going to Town and Parish Councils. This will require technical evidence on infrastructure requirements and economic viability to justify the setting of an appropriate level of CIL which will apply to development on a ‘per square metre’ basis and which could vary across different types of development and different parts of the district. The introduction of CIL could be particularly important if the strategy for housing growth in the updated Local Plan includes an increase in small to medium-sized developments spread across different parts of the Tendring District.
- **HOUSING MIX AND AFFORDABLE HOUSING:** The Council will update its Strategic Housing Market Assessment (SHMA), either alone or in partnership with other Councils, to provide up to date evidence on the mix of housing size, type and tenure likely to be required in the future - including the requirement for affordable housing. In line with paragraph 69 of the NPPF, a minimum of 10% of all new homes on new major residential developments will need to be provided specifically in the form of ‘affordable home ownership’. The Council will review the wording of the Local Plan’s affordable housing policy with the aim of maximising affordable housing delivery to meet the needs of lower-income households.
- **SELF-BUILD AND CUSTOM BUILT HOMES:** The Council will specifically review its policy on Self-Build and Custom-Built Homes to widen the opportunities for people to build their own homes and to support the local construction industry – balanced carefully against the need to achieve a sustainable pattern of growth and to prevent inappropriate development in the countryside. This might involve setting out more detailed guidance on the information required with planning applications.
- **GYPSIES AND TRAVELLERS:** The Council will use the findings of the latest Gypsy and Traveller Accommodation Assessment (GTAA) to determine whether or not the updated Local Plan needs to identify any sites to meet projected needs for Gypsy and

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Traveller pitches – taking into account existing sites and the provision already being made through the Tendring Colchester Borders Garden Community.

- **EMPLOYMENT LAND AND FREEPORT EAST:** The Council will specifically review the supply of land for new business and industrial development in the Local Plan, informed by updated technical evidence. In particular, the Council will consider the need to allocate additional land in and around Harwich and the A120/A133 corridor to maximise the potential for new business investment following the designation of 'Freeport East' and the start of the Bathside Bay Container Port expansion development; and to enable existing businesses in the district to relocate, expand and diversify and to free up property on existing employment sites for the establishment of new and/or growing local businesses.
- **ECOLOGY AND BIODIVERSITY NET GAIN:** The Council will specifically review its policies on the protection and enhancement of ecology and biodiversity to ensure they properly reflect government requirements for Biodiversity Net Gain (BNG) with the aim of increasing BNG expectations to above 20%. This could include the identification of specific sites for the creation and enhancement of ecology and biodiversity.
- **TOWN CENTRES AND RETAIL:** The Council is likely to carry forward its current policies on retail and town centre development into the updated Local Plan – given that the current approach aligns with national policy and the Council's existing technical evidence is considered to be fairly recent and up to date.
- **HOLIDAY AND CARAVAN PARKS:** The Council will review both its policies and evidence on the protection of caravan and holiday parks and, in particular, whether there is any justification for allowing certain sites to accommodate residential park homes. This is in response to a growing trend for park homes, improvements in the quality and efficiency of park homes, the challenges faced in accommodating new housing development and an increase in the unlawful occupation of some sites on a year-round basis.
- **LANDSCAPE CHARACTER AND IMPACT:** The Council will update its Landscape Character Assessment to provide an up-to-date baseline of evidence that reflects the beauty and sensitivity of Tendring's landscape and seascape. Against this baseline, the Council will assess the landscape impact of specific development options that will inform any decisions on a preferred strategy. The review of the Local Plan will also provide an opportunity to consider the future role of specific landscape designations, such as the Coastal Protection Belt, in ensuring the district's landscape character is, as far as is possible, protected and enhanced.

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- **CLIMATE CHANGE:** The Council will substantially update its policies aimed at tackling climate change and contributing towards the achievement of Net Zero Carbon. This will include strengthening the requirements around energy and water efficient design, renewable energy generation, electric car charging and waste reduction. Considerable evidence and policy development has been advanced by Essex County Council, working with other Councils that provides a robust basis for an improved set of viable policies.
- **TRANSPORT PROVISION:** The Council will work with Essex County Council in its capacity as the local transport authority to assess and consider the transport implications of any options for future growth to 2041, utilising and updating existing sources of data and modelling as appropriate. There will be a general expectation that the majority of additional development will be located in such a way to maximise the opportunities for walking, cycling and public transport and to help encourage a shift away from a reliance on private car use – but with realistic expectation that this might not be possible in all locations, particularly rural areas. Where modelling work reveals a need for additional transport infrastructure, the Council will work with relevant bodies to ensure this is put in place – which may involve the use of developer contributions secured through legal agreements or Community Infrastructure Levy (CIL).