

PLANNING POLICY AND LOCAL PLAN COMMITTEE

8 JUNE 2026

REPORT OF THE CORPORATE DIRECTOR (PLANNING AND COMMUNITY)

A.2 TENDRING DISTRICT LOCAL PLAN REVIEW: EMERGING THOUGHTS AND PROVISIONAL RECOMMENDATIONS FOR NEXT STEPS

(Report prepared by Gary Guiver and Paul Woods)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

Following the Planning Policy and Local Plan Committee's consideration of Report A.1 and the notable themes, issues and main matters arising from consultation on the Preferred Options Draft Local Plan, this report provides an early indication of Officers' emerging thoughts on potential next steps – including provisional recommendations for changes to the Draft Local Plan and additional work to strengthen the technical evidence base.

The report also sets out the revised housebuilding requirement for an adjusted 17-year period 2026-2043, based on an updated calculation using the Government's standard methodology and taking into account the Council's updated housing land supply position at 1 April 2026.

Given the very tight timescales for progressing the Local Plan to the next stage of the statutory plan-making process, the Committee's early consideration of the matters set out in this report, and its direction on the provisional approach to next steps and potential changes to the Local Plan, will enable Officers to progress work without delay on both the revised 'Submission Version' of Local Plan and the supporting evidence-base.

This report focusses mainly on potential changes to site allocations, on a provisional basis, but also touches on notable areas of policy that may require revisions or further development. The intention is that the revised Submission Version of the Local Plan, containing the detailed set of revised policies and maps, will return for the Committee's consideration in late Summer of this year, ahead of a Full Council decision to proceed to the next round of formal consultation.

EXECUTIVE SUMMARY

The Local Plan is one of the most important strategies a Council has to produce; and for Tendring it will help guide the direction and shape of the area, not just in the coming years to address immediate growth pressures, but for future decades and generations to come. In its role as Local Planning Authority, the Council has a statutory duty to produce a Local Plan and keep it up to date. As part of the legal process for reviewing Local Plans there are three main stages of public consultation that

have to be carried out before a Plan is submitted to the Secretary of State to be examined by a government-appointed Planning Inspector.

Report A.1 on the agenda for this evening's meeting provided an initial overview of the level and nature of responses received from residents and other stakeholders to the public consultation on the Local Plan: Preferred Options Draft, and what Officers consider to be the main matters arising from the consultation response that may require particular attention in moving forward in the preparation of the next version of the Plan, the 'Submission Version'.

Because the Council is under pressure to move quickly towards the preparation of the Submission Version and carry out a further final round of consultation before the Plan is formally submitted to the Secretary of State before the end of 2026, Officers are seeking the Planning Policy and Local Plan Committee's early consideration of Officers' emerging thoughts on provisional recommendations for changes to the Draft Local Plan and additional work that might be necessary to strengthen the technical evidence base and reinforce the legal compliance and soundness of the Plan – having regard to the main matters raised through the last consultation. These recommendations are intended to establish a provisional set of working assumptions to inform further evidence base work and preparation of the Submission Version, rather than to determine final site allocations at this stage.

From the very beginning of the Local Plan review process, the Council has adopted an open and transparent approach in agreeing overarching principles, considering options and making important decisions on the content of the Draft Local Plan. Giving early consideration, in public, to Officers' emerging thoughts on the potential way forward for policies and proposals in the Local Plan following the public consultation marks a continuation of this open and transparent approach, and demonstrates how the Council is listening and taking on board the concerns raised by residents and other interested parties ahead of any final decisions on the content of the Local Plan.

Adjustments to the Local Plan timeframe and housebuilding requirement

One of the recommendations in this report is to adjust the proposed timeframe for the Local Plan in the Submission Version to cover the 17-year period 1 April 2026 to 31 March 2043; and for the total housebuilding requirement for that period to be revised to reflect an updated calculation using the Government's standard methodology – giving a total requirement of 18,173 homes based on the adjusted annual requirement of 1,069 (up from 1,063 in the Preferred Options Draft).

The adjustment to the plan period reflects the requirement in national planning policy for Local Plans to cover a minimum of 15 years from the anticipated date of adoption. Based on an expected adoption before April 2028, this necessitates extending the end date of the Plan to March 2043. This revised timeframe also brings Tendring's Local Plan into broad alignment with those being prepared by neighbouring authorities, including Colchester and Braintree, which is beneficial in the context of Local Government Reorganisation and the need for greater strategic alignment across the North Essex area.

Through the latest update of the Council's Strategic Housing Land Availability Assessment (SHLAA), Officers estimate that 10,100 of these 18,173 homes will still be built on sites either already identified for development in the Council's previous adopted Local Plan or on sites that are either already under construction or where planning permission has already been granted (or is intended to be granted following a Planning Committee resolution) including an updated predicted contribution from smaller 'windfall' sites.

This means that the new Local Plan is still required to identify additional locations and sites to accommodate a residual requirement of around 8,000 homes and so the overall figures and expectations for housing growth for the adjusted period 2026 to 2043 are broadly unchanged from what was set out in the Preferred Options Draft for the period 2025 to 2042.

Officer's provisional recommendations for responding to the identified main matters

The main body of this report explains, in detail, Officers' emerging thoughts and recommendations for how main matters identified by Officers from initial analysis of responses from residents, communities and other interested parties to the Regulation 18 Preferred Options consultation (as identified in Report A.1) could be addressed. The following reflects Officers' provisional position on each matter, intended to guide further technical work and drafting, ahead of any final decisions on the Submission Version Local Plan. In summary:

- **Matter 1: The realistic deliverability and soundness of the Garden Villages** proposed for Hare Green and Horsley Cross in light of the comments made by Essex County Council, National Highways, certain developer/landowners and residents and whether they can realistically contribute towards meeting the government-imposed housing in the plan period up to 2042/43 – for which the updates to the transport modelling and infrastructure delivery plan evidence will help determine.

Officers' advice is that without the introduction of Garden Villages at Hare Green and Horsley Cross, it is highly questionable if Tendring can realistically accommodate the level of development required by the Government in a sustainable manner. It is therefore currently suggested that the Garden Village proposals need to remain in the Local Plan, but that Officers proceed to work with Essex County Council and National Highways to carry out the necessary next phase of transport modelling, alongside further work on the Infrastructure Delivery Plan, to inform any final judgement on the deliverability and soundness of the Hare Green and Horsley Cross Garden Villages in due course.

Whilst a final decision on the inclusion of the Garden Village proposals in the Local Plan will need to await the consideration of that technical evidence; Officers are suggesting that even if the proposals remain in the Plan, the trajectory for housebuilding, and thus the total expected contribution of homes from each of the Garden Villages up to 2043 is revised down from 1,700 homes from each development to 1,450 with first homes from 2033/34. This allows for a more flexible and reasonable timeframe for the initial preparatory planning work, including the

preparation of site-specific Development Plan Documents (DPDs) and determination of planning applications. The consequence is a 500-dwelling reduction in the overall predicted housing supply from what was indicated in the Preferred Options Draft.

- **Matter 2) The realistic deliverability of the overall housebuilding requirement** up to 2042/43 and whether the Local Plan identifies sufficient deliverable land, with a suitable level of headroom/contingency, to meet the overall government-imposed housebuilding requirement – despite the number of issues raised about how challenging and unrealistic those targets are.

It has always been the Council's contention that the housebuilding requirement for Tendring generated through the Government's standard methodology calculation is over-ambitious and will be challenging, if not impossible to achieve. Whilst, in the Preferred Options Draft of the Local Plan, the Council incorporated around 1,500 homes-worth of over-allocation and contingency into the housing supply for the plan-period (around 8%), some landowners, developers and planning/land agents have suggested the Council needs to include more headroom (at least 10%) by adding additional sites into the Plan for housing.

However, given the significant concerns raised about developments already proposed across the District in response to the Preferred Options consultation to address what is considered to be an unrealistic target, the provisional approach being explored in this report is to delete certain housing sites from the Local Plan and adjust assumptions around deliverability on others (including, as stated above, the larger Garden Villages) that would result in an overall net reduction in the headroom contingency level from 1,500 to closer to 300 homes (8% down to 2%) as opposed to the increase being suggested by certain landowners, developers and agents which would involve the inclusion of sites that would either conflict with the Draft Local Plan's overall strategic approach to the pattern of growth, or would be unsuitable for other planning reasons.

As a consequence, while the recommendations to delete certain sites and reduce the headroom from 1,500 to nearer 300 homes may address a significant number of public and community objections to the Local Plan, the consequence will be far greater scrutiny at the examination of the Local Plan of the deliverability of government housing target and the specific sites that are being retained in the Plan – with landowners, developers and agents looking to convince the Planning Inspector that the Plan does not include enough flexibility within its supply of sites to ensure delivery of the government requirements.

- **Matter 3) The soundness of the Brightlingsea allocation of 300 homes** (site SAH4) in light of issues raised in the large number of public objections and by the Town Council and whether an alternative approach of distributing Brightlingsea's growth across a number of smaller sites would be justified and more appropriate.

Officers are provisionally suggesting that Site SAH4 be removed from the Local Plan in acceptance of the concerns raised by Brightlingsea Town Council and a large number of local residents, particularly in respect of the site's weak physical relationship to the settlement form of Brightlingsea and its landscape sensitivity; acknowledging the concerns raised around Brightlingsea's unique transport limitations with its single road access.

As a part replacement for the housing numbers lost from the deletion of this site, it is suggested that two smaller sites are included in the Local Plan around the urban area of Brightlingsea and increasing the capacity expectation of one of the existing proposed sites. If agreed, these changes would bring about an overall reduction in the number of homes proposed for Brightlingsea from 325 to 150; a net reduction of 175 homes.

- **Matter 4) The soundness of the Kirby Cross and Walton allocations of 420 and 200 homes** respectively (sites SAH2 and SAH3) in light of issues raised in the large number of public objections and the specific objection from the Essex Wildlife Trust to the Walton site.

Officers are suggesting that Site SAH4 for 420 homes north of Thorpe Road in Kirby Cross is a sound allocation that is currently considered capable of being retained in the Local Plan and that many of the concerns raised by residents in their objections can be addressed appropriately through the policies in the Plan, with some strengthening of the wording. Having further assessed the site and considered information submitted by the site promoter with their representation, Officers are satisfied that the site capacity could appropriately be increased to 450 homes.

Officers are provisionally suggesting the deletion of Site SAH2 for 200 homes off Arthur Ransom Way, Ward Chase and Coles Lane in Walton on the Naze from the Local Plan in response to formal objection from the Essex Wildlife Trust identifying the allocation as one of the most ecologically problematic in the Local Plan without substantial mitigation that would significantly reduce the development of the site; acknowledging also the local concerns about landscape sensitivity.

These changes, will, if agreed, result in a net reduction of 170 to the proposed housing numbers for the Frinton, Walton and Kirby Cross area from 660 to 490. This may help relieve some of the community's wider concerns about the impact of development on local infrastructure and traffic through Thorpe le Soken, but would add to the aforementioned matter in respect of reduced headroom contingency across the overall Local Plan.

- **Matter 5) The amount of development proposed at Thorpe le Soken** and whether, in light of Essex County Council's concerns about the limited and potentially irresolvable capacity issues at the local school, one or both of the housing allocations at Thorpe should be removed from the Plan or reduced in size.

Officers are suggesting that the only way to address the objection raised by ECC, having discussed further with relevant colleagues involved in the planning of school provision, is to either reduce the overall amount of development proposed for Thorpe to a much lower level by either deleting and/or reducing the size of either one or both the village's site allocations; or significantly increasing the overall amount of development for Thorpe to a level that would facilitate and incorporate new school provision.

Officers' provisional proposal is to reduce rather than increase housing provision through the deletion of Site SAH10 for 150 homes to the west of the village off Colchester Road and a reduction in both the site area and indicative numbers proposed for Site SAH11 north of the Lifehouse Spa & Hotel from 110 to 70 homes, but still retaining and strengthening the requirement for open space provision to expand Lady Nelson Playing Fields.

Reducing the overall expectation for new housing at Thorpe le Soken from 260 to just 70 homes, a significant net reduction of 190, might again relieve some of the wider community concern about infrastructure and traffic but it marks yet another reduction in the Local Plan's built-in headroom contingency and is the only recommendation in this report that results in a departure the overall spatial strategy in the Local Plan, in that with Thorpe's housing figure would fall short of the 100-300 home range established through the preferred option. Elsewhere, all suggested changes to site allocations work within the ranges established through the preferred option.

- **Matter 6) The sustainability of housing developments in smaller rural villages** in light of objections from residents and concerns raised by Anglian Water about limited sewage capacity, the remoteness from jobs, shops, services and facilities and local impacts on village character – particularly Little Bentley, Little Bromley, Tendring Heath, Beaumont Cum Moze and the choice and size of sites in Wrabness and Bradfield.

While Officers accept that housing developments in and around the District's smaller rural settlements are generally less sustainable than sites in or around towns and larger villages in respect of access to shops, jobs, services, facilities and infrastructure, the government-imposed housebuilding target for Tendring is so high that it will only realistically be achieved through a variety of sites in different locations and of different sizes to deliver new homes – including smaller-scale developments in and around some of the smaller rural settlements. This approach also assists in meeting the expectation set out in national planning policy that at least 10% of the housing requirement should be accommodated on sites of one hectare or less.

However, the representation from Anglian Water specifically in respect of sewage capacity limitations at Little Bentley, Little Bromley, and Tendring Heath, and its explicit suggestion that these areas are best treated as open countryside to which no additional development be directed, leads Officers to provisionally suggest the specific allocations in those areas (MSA19, MSA20 and MSA22), amounting to 39 homes in total, could be removed from the Local Plan.

In Bradfield, comments from the Parish Council and residents have raised concern about Site MSA9, the currently proposed allocation of 100 homes on land off Windmill Road and Straight Road in respect of its weak relationship with the wider settlement of Bradfield village and concern that an estate development would not being compatible with the linear character of the village and the historic incremental pattern of growth. The Parish Council has suggested that some housing growth could be more sensitively accommodated across a number of smaller sites. Officers acknowledge and accept this argument and are therefore suggesting the replacement of a single 100 home allocation and its replacement with three smaller sites across the village with a total capacity of 75 homes – a total net reduction of 25 for the village.

These changes may help to address a number of local concerns and objections, but they also bring about another reduction in the overall headroom contingency built into the Local Plan's housing supply numbers.

- **Matter 7) The justification and soundness of the District's Strategic Green Gaps** in light of objections from certain landowners and developers stating that the designation does not align with government policy and is preventing otherwise sustainable locations for housing development (for example around Clacton) being included in the Local Plan.

One of the overarching guiding principles agreed by the Planning Policy and Local Plan Committee at the beginning of the review process was carry forward and expand upon the designated Strategic Green Gaps from the Council's current Local Plan to ensure the principle of maintaining the separate identity of settlements and preventing the coalescence of settlements for the long-term. Officers are not suggesting the Council should move away from that principle and it is therefore provisionally suggested that Strategic Green Gaps continue to be included in the Local Plan and defended, with addition work undertaken by specialist consultants to review and strengthen the evidence-base in support of those allocations – in anticipation that they will come under increased scrutiny through the examination process.

- **Matter 8) The protection given to Ardleigh and Elmstead** over other similarly sized villages due to their up-to-date Neighbourhood Plans and proximity to the Tendring Colchester Borders Garden Community; and whether, in light of objections from developers/landowners and current planning applications, the protection is justified.

The preferred spatial strategy in the Local Plan proposes no additional housing development in or around the villages of Elmstead Market or Ardleigh in recognition of significant developments already in the pipeline, the proximity to the Tendring Colchester Borders Garden Community and the recent adoption of Neighbourhood Plans in both areas.

Elmstead Market is already the subject of more than one speculative planning application for major housing development which demonstrates a pressure and demand for additional housing development around the village for which the Council will need to make decisions in

due course. However, Officers consider that the rationale for providing Elmstead Market and Ardleigh with additional protection is justified. Whilst Elmstead Parish Council has submitted a strong objection to the Local Plan, Officers note that the Draft Plan includes a significant level of protection for the village in terms of limiting further allocations. Notwithstanding this, Officers' provisional view is that the protection should be carried forward.

There will likely be a strong challenge to this position from landowners, developers and agents with an interest in land around Elmstead Market and Ardleigh both through the examination process, planning applications and, potentially, planning appeals.

- **Matter 9) The viability of zero carbon, water efficiency and BNG policies** in light of the concerns raised by landowners, developers and agents in their representations when considered alongside affordable housing requirements and financial contributions sought for education, health provision, police, fire and other infrastructure.

The economic viability of new development is already known to be more challenging in parts of Tendring than elsewhere across Essex due to the area's geography, economic profile and lower than average property values; and this is recognised in the proposed reduction of the Local Plan's affordable housing requirement from 30% in the current Local Plan to 20% for most developments in the Preferred Options Draft. Despite this proposed change in policy there are still clearly a variety of pressures on new development to deliver higher energy and water efficiency standards, greater levels of BNG and greater contributions towards an increasing range of infrastructure priorities that have to be balanced against affordable housing and general viability expectations.

Officers will be instructing the Council's viability consultants to revisit and update the Viability Assessment as part of the evidence-base to help determine if the various requirements in the Local Plan are justified and defensible or whether any further changes may be required in any of these policy areas to inform the decision on the content of the final Submission Version. It will be important that the combination of different policy requirements are demonstrated to be economically viable for most developments, in order for the Local Plan to be found sound, taking into account any changes in national policy that might come into force this Summer.

- **Matter 10) The robustness of the evidence base** in light of Natural England and the Essex Wildlife Trust's advice on the work required on Habitat Regulations Assessment, Essex County Council and National Highways' advice in respect of transport modelling; Historic England's request for a Heritage Impact Assessment; the Environment Agency's request to update the Strategic Flood Risk Assessment and the general need to ensure the Local Plan is supported by a proportionate range of appropriate and robust evidence.

Officers are pleased to advise the Committee that much of the additional evidence-base work required to support the Local Plan review and suggested in representations submitted by statutory consultees and other partners is already commissioned and underway – with the

intention that all necessary work be complete to inform the Committee's consideration of the Submission Version of the Local Plan in late Summer and a final decision from the Council to proceed to the next formal round of consultation.

The only area where evidence has been commissioned, but might not be completed in time for the decision on the Submission Version, is the Heritage Impact Assessment recommended by Historic England; but Officers are satisfied that there is sufficient available information and analysis available to justify the choice of site allocations in the Local Plan; which will be supplemented and strengthened through the HIA work in due course. If the Council delayed consultation and submission of the Local Plan to await the completion of the HIA work, it would miss the Government's cut-off date for submitting Local Plans being prepared in accordance with the current regulations.

Summary of recommended changes to sites

The most important matter for the Committee's consideration and agreement through this report is the approach to be taken in respect of changes to housing and mixed-use sites; which will enable Officers to proceed, without delay, with preparing the Submission Version of the Local Plan and updating the evidence-base.

The recommended changes are presented through a series of 'before and after' maps attached at Appendix 1 to this report relating only to those areas where changes are being suggested.

The following reflects a provisional set of working assumptions on potential changes to site allocations, intended to enable Officers to progress evidence base work and preparation of the Submission Version of the Local Plan. These do not represent final decisions on site allocations, which will be subject to further consideration by the Committee. In summary, the recommended changes are as follows:

Provisional recommendations for deletion or reduction of sites

- 1. Site SAH3 – Land off Arthur Ransome Way, Walton (200 homes) - deletion** of site from the Draft Local Plan along with Policy SAH3 and associated adjustment to the Settlement Development Boundary on the Frinton, Walton and Kirby Cross policies map.
- 2. Site SAH4 – Land East of Church Road, Brightlingsea (300 homes) – deletion** of site from the Draft Local Plan along with Policy SAH4 and associated adjustment to the Settlement Development Boundary on the Brightlingsea policies map.
- 3. Site SAH10 – Land south of Colchester Road, Thorpe le Soken (150 homes) – deletion** of site from the Draft Local Plan along with Policy SAH10 and associated adjustment to the Settlement Development Boundary on the Thorpe le Soken policies map.

4. **Site MSA9 – Land south of Windmill Road and east of Straight Road, Bradfield (100 homes)** – reduction in the size of the allocation to retain a proportion of the site fronting Windmill Road, a reduction in the indicative capacity of the revised site from 100 to 20 dwellings and an associated adjustment to the Settlement Development Boundary on the Bradfield policies map.
5. **Site MSA18 – Land north of Kirby le Soken Evangelical Church, Kirby le Soken (20 homes)** - deletion site from the Draft Local Plan and associated adjustment to the Settlement Development Boundary on both the Frinton, Walton and Kirby Cross and the Kirby le Soken policies maps.
6. **Site MSA19 – Land west of Manningtree Road, Little Bentley (12 homes)** – deletion of site from the Draft Local Plan and associated adjustment to the Settlement Development Boundary on the Little Bentley policies map.
7. **Site MSA20 – Land south of Shop Road, Little Bromley (17 homes)** – deletion of site from the Draft Local Plan and associated adjustment to the Settlement Development Boundary on the Little Bromley policies map.
8. **Site MSA22 – Haulage Depot, Heath Road, Tendring Heath (10 homes)** – deletion of site from Draft Local Plan (but with no adjustment to the Settlement Development Boundary for Tendring Heath).

Provisional recommendations for addition of sites

9. **New Site MSA33 – Former Wellhouse Site, Chestnut Way, Brightlingsea (60 homes)** – addition of new site allocation, a previously developed brownfield site with potential to accommodate around 60 residential units in the form of an extra-care/assisted living scheme.
10. **New Site MSA34 – Vicarage Field, Church Road, Brightlingsea (30 homes)** – addition of new site allocation with an associated adjustment to the Settlement Development Boundary on the Brightlingsea policies map.
11. **New Site MSA35 – Land North of Robinson Road, Brightlingsea (25 homes)** – addition of new site allocation with associated adjustment to the Settlement Development Boundary on the Brightlingsea policies map.
12. **New Site MSA36 – Land north of Wix Road, Bradfield (25 homes)** – addition of new site allocation with an associated adjustment to the Settlement Development Boundary on the Bradfield policies map.

13. New Site MSA37 – Paddock Site south of Bradfield Playing Field, East of the Street, Bradfield (30 homes) – addition of new site allocation with an associated adjustment to the Settlement Development Boundary on the Bradfield policies map.

Provisional recommendations for adjustments to dwelling numbers on certain sites

14. Site SAMU8 – Hare Green Garden Village - reduction in indicative dwelling numbers for Hare Green Garden Village from 1,700 to 1,450 within the plan period up to 2043, but retaining 4,500 as the total longer-term expectation.

15. Site SAMU9 – Horsley Cross Garden Village – reduction in indicative dwelling numbers for Hare Green Garden Village from 1,700 to 1,450 within the plan period up to 2043, but retaining 6,000 as the total longer-term expectation.

16. Site SAH2 Land North of Thorpe Road, Kirby Cross – increase in the indicative dwelling number from 420 to 450 having considered further information submitted by the site promoter with their representations.

17. Site SAH11 – Land North of Lifehouse Spa & Hotel, Thorpe le Soken – reduction in indicative dwelling number from 110 to 70.

18. Site MSA4 Crisp Maltings, School Lane, Mistley – reduction in indicative dwelling number from 80 to 50 on the advice of the site promoter having carried out further work on the potential capacity of the site.

19. Site MSA6 Land at Pannell Place, Brightlingsea – increase in the indicative dwelling number from 10 to 20 homes but with no adjustment to the site area or its depiction on the Brightlingsea policies map, based on more recent information provided by the site promoter.

20. Site MSA8 Land adj Village Hall, Harwich Road, Beaumont - reduction in the indicative dwelling number from 20 to 12 homes on the advice of the site promoter.

If these indicative changes were to be taken forward, it would result in the overall potential housing supply in the Draft Local Plan reducing from 19,517 to 18,432 – a net reduction of 1,085 dwellings. This would mean that the total potential housing still supply remains above the government requirement of 18,173 albeit with a much-reduced level of oversupply and contingency.

Next Steps

With the Committee's agreement, Officers will progress work on the Local Plan Submission Version and updating the evidence-base in line with these recommendations – but without prejudice to the Committee's final decision in respect of the Submission Version itself in late Summer, which will include the full suite of updated policies and maps.

RECOMMENDATION(S)

It is recommended that the Planning Policy and Local Plan Committee:

- a) having previously considered report A.1 containing an initial overview of the response to public consultation on the Local Plan: Preferred Options Draft, notes the contents of this report, which sets out Officers' emerging thoughts on potential next steps, including provisional recommendations for changes to sites and further work to strengthen the technical evidence base;**
- b) acknowledges and agrees that the updated mandatory housebuilding target for Tendring, calculated using the Government's standard methodology, increases to 1,069 homes a year, giving a total requirement for the rolled-forward 17-year period (1 April 2026 to 31 March 2043) of 18,173;**
- c) approves the Officers' provisional recommendations for potential changes to site proposals in Draft Local Plan, as set out in this report and depicted on maps at Appendix 1, which are intended to form a working basis for further evidence base work and preparation of the Submission Version, rather than representing final decisions on site allocations;**
- d) notes that, if the provisional changes set out in this report were to be taken forward, the potential supply of homes from proposals in a revised Local Plan (alongside development that is already in the pipeline) would be expected to total approximately 18,432, which would still exceed the total mandatory housebuilding requirement of 18,173 by 259 homes – albeit with a much reduced level of oversupply and contingency from that indicated in the Preferred Options Draft;**
- e) agrees that the provisional approach to site changes, together with any amendments arising from the Committee's consideration, be used as a working basis for progressing the preparation of the Submission Version of the Local Plan and associated evidence base, with the full draft Plan (including updated policies and maps) to be brought to the Planning Policy and Local Plan Committee for further consideration in late Summer 2026 ahead of any decisions to proceed to the next stage of public consultation; and**
- f) notes that, subject to the Committee's resolution in respect of e) above, Officers will progress updates to the Sustainability Appraisal, Habitat Regulations Assessment, Transport Modelling, Infrastructure Delivery Plan and other relevant evidence base documents in order to test and inform development of the Submission Version of the Local Plan.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES
Ensuring the District has an up-to-date Local Plan is a statutory duty and a high priority for the Council, with a requirement to review and update Local Plans every five years. The review of the Local Plan is thus identified as a Council priority within the Corporate Plan (Our Vision) 2024-2028. It is also the goal of the Government for local planning authorities to deliver sustainable development and coordinate provision of housing, jobs and infrastructure whilst best protecting and enhancing the natural and built environment. The need to review and update the Local Plan for Tendring has become all the more important following significant changes to the National Planning Policy Framework (NPPF) made by the Government following the General Election in 2024 that aim to increase housing delivery across the country through the introduction and imposition of mandatory housebuilding targets calculated using a standard methodology. With the requirement for housebuilding in Tendring nearly doubling from previous levels, it will be necessary to put in place an updated Local Plan that responds positively and proactively to these new targets to work towards achieving the best outcome for the District. In doing so, it avoids an extended period of time in which the area could be vulnerable to unplanned, uncoordinated and speculative housing development proposals over which the Council could have limited control – with a higher likelihood of local planning decisions being overturned on appeal. The programme for Devolution and Local Government Reorganisation (LGR) in Greater Essex has also heightened the importance of the Local Plan Review in Tendring. As new powers including strategic planning powers are now devolved to upper-tier authorities and Mayoral Combined County Authority (MCCA) (with the election of a Mayor for Greater Essex now expected in 2028) and as the area moves from a two-tier local government structure with County and District Councils replaced with Unitary Authorities from 2028, the current Local Plan Review will likely be Tendring District Council's last opportunity to influence the long-term approach to growth in our area before the new structures are put in place. If the Council completes the Local Plan Review and adopts a new Local Plan in 2027 or early 2028, it will be inherited by the new Unitary Authority for decision making purposes and will influence the content of the Mayor's first 20–30-year Spatial Development Strategy (SDS) for the wider Greater Essex area. Going forward, it will be a priority to progress through the remaining stages of the plan-making process quickly to both minimise the period of time the District could be vulnerable to unplanned speculative development; and to ensure the updated Plan can be submitted to the Secretary of State before the end of 2026 – the 'cut-off' point for Local Plans being prepared under the current plan-making system. This report puts forward provisional proposals in respect of potential changes to the Draft Local Plan and additional work needing to be carried out with a view to progressing quickly to the next stage of the process and minimising the risk of missing the cut off date for submission.

RESOURCES AND RISK

Resourcing the plan-making process

The overall review and update of the Local Plan has been managed by the Council's Planning Team utilising funds from the agreed Local Plan budget. It is however expected that a one-off in-year cost pressure for 2026/27 will need to be agreed in respect of funding required to carry out the next essential phase of transport modelling – a piece of work that will be critical in determining the soundness and deliverability of the Garden Village proposals in the Draft Local Plan.

The work on the Local Plan considered by the Planning Policy and Local Plan Committee up until now has been carried out mainly by Officers in-house; however, much of the evidence base is being produced by external specialist consultants with key elements of this work either complete, well advanced or otherwise under way or being updated as necessary, taking into account comments received during the Regulation 18 consultation.

Because of the Government's strict deadline of the end of 2026 for submitting Local Plans to the Secretary of State under the current plan-making regulations, the Council risks missing the deadline if it does not progress quickly to the next stage of the process – which involves agreeing and carrying out consultation on the revised Regulation 19 'Submission Version' of the Local Plan, in time to enable the Plan to be submitted by the end of the year. The consequence of failing to meet that deadline will be that the Council would have to start the plan-making process again under the Government's new system that, whilst designed to be streamlined, will significantly delay progress in getting an up-to-date Local Plan in place for Tendring. This risks leaving the District vulnerable to speculative development over an extended period of time and would likely result the new unitary council, not Tendring District Council, progressing the Plan through the various stages of the new system.

To mitigate the risk of missing the cut-off deadline whilst making the most effective use of resources, Officers are asking the Committee for early consideration of some of the more significant potential changes to the Local Plan that might address certain main matters arising from the Regulation 18 consultation – so that Officers can quickly work on the revised version of the Draft Local Plan with a reasonably degree of clarity over the supported direction of travel. Officers can also then immediately instruct the consultants carrying out work on critical elements of the evidence base to proceed with work, with the agreed changes in mind, to give the Council the best chance of having all the necessary studies in place to inform the final decision to be taken by Councillors, later in the year, with regard to progressing to consultation on the revised Submission Version.

Developing and completing the evidence base as the Local Plan progresses to the next important stage of the process will be critical in both underpinning the legal compliance and soundness of the Local Plan and responding to a number of the issues and concerns that have been raised through the Regulation 18 consultation. Updating and completing the Sustainability Appraisal, Habitat Regulations Assessment, Strategic Flood Risk Assessment, Transport Modelling and Infrastructure

Development Plan are noted by Officers as being of particular importance in light of the Council's legal obligations around environmental law, the advice given by statutory consultees and some of the notable concerns rightly raised by residents and communities about infrastructure provision.

The Planning Policy Team will be drawing on assistance from Officers in the wider Planning Team and consultants in the detailed analysis of the representations, updating the evidence base and developing recommendations for the Committee's consideration in progressing to the next stage of the process. Where appropriate, and in line with standard practice, Officers will encourage the landowners, developers and agents promoting or supporting sites and proposals expected to carry forward into the Submission Version to carry out their own work and produce further information in support of the deliverability of their site proposals – which will support the examination process in due course.

Risks

In considering this report and, in particular, Officers' provisional recommendations for proceeding to the next stage of the process, the main issues for Councillors to bear in mind in respect of risks are the tight timetable for progressing the Local Plan along with the serious consequences of failing to submit a sound Plan to the Secretary of State by the end of 2026; the fact that (even with the changes suggested) the Council will still have to make very difficult and unpopular decisions about the content of the Local Plan; and that decisions on changes to the Plan that might be popular locally might result in tougher scrutiny, challenge and criticism from other interested parties and will need to be justified to the Planning Inspector as part of the examination process.

Risk of delay and missing the 'cut-off' date for the current plan-making system

The programme and timetable for the Local Plan review (as agreed by the Committee as part of the updated Local Development Scheme on 8 December 2025) seeks to carry out all the necessary stages of the process required for the Council to submit its final agreed version of the Local Plan to the Secretary of State before the end of 2026.

However, the significance of the end of 2026 is that it is the cut-off point for Councils submitting Local Plans prepared under the current plan-making regulations and procedures; after which any new Local Plans will be expected to be prepared in accordance with the new procedures which require a very different standardised format of Local Plan for which the full process would need to start from the beginning. It is important therefore that the Council does submit its new Local Plan to the Secretary of State before the end of 2026. Any delay in progressing through the next stages of the process will put that timeframe at risk.

The consequence of having to switch to the new system of plan-making would be that the Council would not be able to carry forward much of the content of the existing Local Plan (which includes bespoke policies of local significance); and Tendring would be left without an up to date Plan to guide the direction of future housing, employment land and other development for a longer period, in which

time the District will remain vulnerable to speculative planning applications, while a new-style Local Plan is being drawn up. Such a delay would potentially also mean that the Council would lose its opportunity to set the planning framework for the Tendring area in the remaining years ahead of Local Government Reorganisation and the establishment of a new unitary authority. The Council will therefore have to progress more quickly than ever before in moving from consultation on the Regulation 18 Preferred Options Draft to consultation on the revised Regulation 19 Submission Version.

Giving as early consideration as possible to potential changes to the Local Plan and the additional work required to address notable issues raised in responses to the Preferred Options consultation will assist the Council in keeping the work programme on course.

Delays in completing work on the evidence base

When the Council took the decision to publish the Preferred Options Draft Local Plan for consultation, it was on the understanding that the technical evidence base in support of the Local Plan was part complete and part underway; and that through an iterative process, the evidence base would be updated and completed as far as necessary to inform the final decision the Council takes in respect of the revised Submission Version of the Local Plan.

To progress to the next stage of the process in the tight timeframes indicated above, it will be important that the necessary elements of the evidence base are updated and completed in a timely manner – in particular the updates to the Sustainability Appraisal and Habitat Regulations Assessment; transport modelling, infrastructure delivery plan and viability assessment. Any significant delay in the completion of these pieces of work that prevent the Council taking a decision on the Submission Version of the Local Plan in late Summer of this year places the overall timetable for submission at risk.

The early consideration of provisional recommendations for changes to the Draft Local Plan set out in this report will assist in the timely completion of the evidence base updates, as Officers will be able to give the relevant consultants clarity around the direction of travel and a working assumption in respect of development sites.

Risk that the final updated evidence base does not support the soundness of the Local Plan

With key elements of the evidence base still in the process of being updated and completed there is a risk that, when the relevant studies are received, the evidence does not support the soundness of all the policies and proposals in the Draft Local Plan – despite the changes to site allocations being suggested in this report.

If that turns out to be the case, and the discrepancies are minor and resolvable, it could be that Officers have to recommend further changes to the Submission Version of the Plan when it comes forward to the Committee for a decision in late Summer. If however, the discrepancies are more

significant and bring into question the overall soundness of the Plan, the Committee may need to be asked to take a decision in due course on how best to proceed.

Officers are under no illusion that the most challenging aspect of the Draft Local Plan where the evidence base needs to be developed further to demonstrate soundness are the two larger Garden Villages proposed for Hare Green and Horsley Cross – which have come forward out of necessity due to the sheer scale of the mandatory housebuilding target generated by the Government's new standard methodology. As set out in representations received by Essex County Council and National Highways, both developments have the potential to be shown as deliverable – but updated transport modelling work and the updated Infrastructure Delivery Plan will be critical pieces of evidence to enable the Council to come to a final definitive view.

In recognising the uncertainty around the deliverability of the Garden Villages, this report suggests reducing the expected number of dwellings likely to be built in each of the Garden Village locations from 1,700 up to 2042 to 1,450 up to 2043 with a revised date for first dwellings in 2033/24 – allowing more time for the planning, masterplanning processes and funding solutions to be developed (by the future unitary council); and by which time work will have progressed on the Spatial Development Strategy for Greater Essex and the Local Plan will have already gone through another review to bring alignment across the new North East Essex Council area and to reflect any future changes in government policy and housebuilding targets.

The Planning Inspectorate's capacity to receive and examine Local Plans

The Government's changes to the planning system, both in respect of moving towards a new system of plan-making and imposing mandatory housebuilding targets, has resulted in many Councils being in the same position as Tendring. Councils in the process of carrying out their five-year Local Plan review under the current system are looking to progress quickly to submit a Local Plan to the Secretary of State before the end of 2026.

The consequence, it that the Planning Inspectorate (PINS) is likely to receive an extremely high number Local Plan submissions in one go at the end of 2026 with an expectation from the Government that all of these Local Plans will be examined within a reasonable period of time to enable Councils to adopt those Plans and achieve its ambition of full coverage of up-to-date Local Plans across the country. This will put the Planning Inspectorate under significant pressure to progress an unprecedented number of Local Plan examinations at the same time which will be challenging to resource. Whilst the Planning Inspectorate has been carrying out a recruitment campaign to get more Inspectors in place in anticipation of this increase in workload, Officers have been advised, informally, that the Inspectorate will likely have to prioritise the examination of Local Plans to manage workloads and might look to push back submitted Local Plans that, on receipt, exhibit soundness issues that might require further work.

Therefore, Councils are being asked to undertake a PINS checklist exercise prior to the submission of their Local Plans requiring the Councils to have carried out their own analysis of representations

received in response to the Regulation 19 stage consultation and identified the main issues arising in respect of legal compliance and soundness. The checklist has to then be sent to PINS who will advise if the Local Plan is ready or not to be submitted.

The need to carry out this work adds two additional risks to Councils that have not been present in the past. The first is that the Councils are not able to carry out the checklist exercise and receive a response from PINS in time to submit their Local Plan to the Secretary of State before the end of 2026; and the second risk is that having submitted the checklist, PINS advises that the Local Plan is not ready for examination.

Because of this, it will be important for the Council to not only ensure the Local Plan progresses as quickly as possible to consultation on the Regulation 19 Submission Version, but to also to ensure enough time between the end of the consultation and the end of the year to carry out the checklist assessment, get it submitted, and receive confirmation from PINS that the Local Plan is ready to be submitted. With this issue in mind Officers are taking every opportunity available to meet with government officials and members of the PINS team to seek advice, update them on the progress of the Draft Local Plan and highlight key issues being encountered in trying to comply with government requirements.

Objections to the proposed changes

When a Council makes changes to its Local Plan between Preferred Options stage and Submission stage, it does so with the aim of addressing any issues of legal compliance and soundness raised through the Regulation 18 consultation and, where possible, addressing objections. Although the Officers' provisional recommendations for changes set out in this report have the potential to satisfy a significant number of public objections to the Local Plan, particularly in respect of developments in Brightlingsea and Walton, changes to a Local Plan can also result in new objections from interested parties aggrieved by the change when it comes to consultation at the submission stage.

For example, if the Committee agrees to the deletion of the large housing site allocations at Brightlingsea and Walton, the Council can reasonably expect there to be fewer public objections to the Local Plan at submission stage; however, it will likely result in objections from the landowners that have been promoting those sites for inclusion in the Plan who will look to challenge the legal compliance and soundness of the Local Plan in order to get them reinstated. In locations where new sites are being proposed for inclusion in the Plan for example alternative sites in Brightlingsea and Bradfield, there is a likelihood of new objections to the Local Plan by those affected by the inclusion of those sites.

Where the Council looks to make revisions to policy wording to address concerns raised by residents, there is a risk that landowners and developers might have an adverse view to the changes; or vice versa. The Council needs therefore to be prepared that addressing objections through changes can result in objections from other quarters. Ultimately, when it comes to the examination of the Local Plan, it will be important that the Council clearly explains and justifies the changes it has

made between Preferred Options and Submission stage to demonstrate that the Plan, as amended, remains legally compliant and sound.

Reduction in the level of oversupply/contingency

The provisional recommendations in this report, if agreed and incorporated into the Local Plan, would have the result of reducing the level of oversupply in housing land from around 1,500 above the total 17-year requirement (as indicated in the Preferred Options Draft) to nearer 300 homes. Although the changes will help address some of the planning issues raised in response to the Preferred Options Draft consultation and will likely result in many fewer public objections to the Submission Version, reducing the level of built-in contingency from 8% to nearer 2% will undoubtedly be criticised by landowners, developers and planning agents who will argue that the changes increase the risk of the government housing targets not being delivered – even though the Council has technically identified enough land under very challenging circumstances.

The Council will need to be prepared that deliverability of the government's housing numbers will likely be a key focus of the Planning Inspector at the examination and that landowners and developers promoting alternative sites will try and convince the Inspector that either sites included in the Local Plan are not deliverable in the timescales predicted, or that the overall level of contingency needs to increase. With a much-reduced level of contingency built into the housing supply as a result of the changes suggested in this report, there is with it a greater risk that the Inspector might conclude that additional sites need to be included in the Plan through modifications.

However, the Council has already made its views known to the Government about how problematic and unrealistic the mandatory housebuilding targets already are for Tendring and how this has forced the Council to consider radical options for development that would otherwise not been necessary under previous targets. In that context, a smaller percentage of contingency being built into the figures is not unreasonable – with a higher level having been achievable against a lower, more realistic overall target.

Need for the Council to make difficult and unpopular decisions on both the Local Plan and planning applications

As set out in report A.1, the development proposals in the Draft Local Plan have attracted a considerable level of public objection and criticism of the Council, albeit with a reasonable understanding among communities that the Council is having to respond to challenging housebuilding targets imposed by central government.

Considering and agreeing to make changes to the Draft Local Plan in response to the issues raised through the consultation will be a clear demonstration that the Council has listened to residents and taken account of the advice put forward by technical consultees and other interest parties; however, the decisions will not please everyone. It is likely that the majority of site proposals in the Draft Local Plan will have to remain unchanged due to the sheer scale of housebuilding the Council is required

to plan for; and whilst some communities will support the changes being proposed, others will remain deeply dissatisfied and critical of the Council.

The Council approaches important decisions on the Local Plan at the same time as the District is seeing the predicted increase in planning applications for major housebuilding schemes that represent departures from the Council's current adopted Local Plan – some of which accord with the emerging Draft Local Plan, whereas others do not. This increase in planning applications has come about following the Government's changes to the National Planning Policy Framework in 2024 and the introduction of new mandatory housebuilding targets which, from 26 January 2026 (the fifth anniversary of the Council adopting Section 1 of its current Local Plan) has thrown the Council into a position where it can no longer meet the Government's requirement to demonstrate a five-year supply of deliverable housing sites against the new target – and will not be able to until such time that sufficient sites have obtained planning consent.

The consequence is that the Council is now required to apply what has become to be known as the 'tilted balance' to the Presumption in Favour of Sustainable Development set out in the NPPF in the determination of planning applications for housing on certain sites. These provisions are set out in paragraph 11d) in the NPPF whereby, for planning applications for the provision of housing, the Council will be expected to grant planning permission unless:

- the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

This means that for some planning applications, even where they fall outside of the housing site allocations or settlement development boundaries in the Council's existing Local Plan, they will need to be determined having regard to the above NPPF guidance. This means that some planning applications that one might usually expect to have been refused by the Council on principle grounds for being contrary to the Local Plan might, in the coming months, be recommended to the Planning Committee for approval with increasing weight being given to the need to boost housing supply and address government targets.

Already the Planning Committee has resolved to grant planning permission for some notable housing developments applying the above NPPF guidance – notably 100 homes off Cockaynes Lane in Alresford, 80 homes south of Weeley Road in Great Bentley and 60 homes off Avocet Place in Thorington, all of which are at least in accordance with the Preferred Options Draft Local Plan (sites SAH6, MSA10 and MSA23 respectively). Granting planning consent for those developments will assist in reducing the five-year housing land shortfall and reinforcing the soundness of the emerging

Local Plan, but at the time of writing, the Council is already in receipt of a significant and growing number of other major planning applications for housing that are yet to be determined but that will have to be determined on their merits in due course and before the Local Plan process has fully concluded.

These include:

- 25/01633/OUT – 120 dwellings and sports facilities north of Weeley Road, Great Bentley (which corresponds with Draft Local Plan allocation SAH7);
- 26/00355/OUT – 350 dwellings off Sladburys Lane, Clacton (outside of Draft Local Plan allocations and within existing Strategic Green Gap);
- 26/00160/OUT – 31 dwellings off Batemans Lane, Little Clacton (outside of Draft Local Plan allocations);
- 26/00279/FUL – 15 dwellings east of Lifehouse Drive, Thorpe le Soken (which corresponds with part of Draft Local Plan allocation SAH11);
- 26/00281/FUL – 12 dwellings south of Thorpe Hall Gardens, Thorpe le Soken (which also corresponds with part of Draft Local Plan allocation SAH11);
- 26/00287/OUT – 30 dwellings north of Colchester Road, Elmstead Market (outside of Draft Local Plan allocations and within a proposed Strategic Green Gap);
- 26/00193/OUT – 86 homes off Holly Way, Elmstead Market (outside of Draft Local Plan allocations and within a proposed Strategic Green Gap);
- 26/00509/OUT – 78 dwellings north of Harwich Road, Hare Green (within the broad location for the Hare Green Garden Village);
- 26/00528/OUT – 206 dwellings west of Heckfords Road, Great Bentley (outside of Draft Local Plan allocations);
- 26/00599/OUT – 80 dwellings east of Heckfords Road, Great Bentley (which corresponds with Draft Local Plan allocation MSA21); and
- 26/00627/OUT – 95 homes at the Grange Road, Lawford (outside of Local Plan allocations).

All of these applications represent departures from the Council's existing adopted Local Plan and more applications of this nature are expected. Whilst some of these applications do correspond with the proposals in the emerging Draft Plan, others represent speculative planning applications for housing that are both contrary to the Council's adopted and emerging Local Plans. Some of these planning applications will, and already have, attracted public objection and media publicity.

When it comes to either the Planning Committee or Officers making decisions on these applications there is the likelihood that some applications will be approved and others will be refused, with a reasonable expectation that the refusal of permission will result in appeals to the Secretary of State. However, by progressing work on the Local Plan through the remaining stages of the plan-making process, the Council may be able to exercise a level of control and be in a stronger position in defending appeals by applying increasing levels of weight to policies in the emerging Local Plan. In accordance with paragraph 49 of the NPPF, Councils are able to give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that can be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

In taking decisions on planning applications for housing in the coming months (in light of the requirements of the NPPF, the change in housebuilding targets and housing supply situation, and the weight that can be afforded to policies and proposals in the emerging Local Plan), Officers and Members of the Planning Committee will need to carefully consider the implications of refusing permission – including the likelihood of the applicant appealing to the Secretary of State, the likely strength of the Council's case in contesting a possible appeal and the potential for significant costs in professional and potential legal support that might be required in fighting appeals – particularly where there might be a high likelihood of an appeal being allowed and/or costs being awarded to the appellants.

In this regard, Officers will endeavour to provide the best possible advice to Members of the Planning Committee, acknowledging that the advice might not always be followed and might not be popular amongst residents and communities affected, or the applicants in question.

LEGAL

Planning legislation and plan-making regulations

Planning legislation and the National Planning Policy Framework (NPPF) place Local Plans at the heart of the planning system, so it is essential that they are in place and kept up to date. The NPPF expects Local Plans to set out a vision and a framework for the future development of the area, addressing the needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for safeguarding the environment.

Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) local planning authorities must review local plans at least once every five years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 (as amended) state that applications for planning permission must be determined in accordance with the 'development plan' unless material considerations indicate

otherwise. The statutory 'development plan' for Tendring currently includes the Tendring District Local Plan 2013-2033 and Beyond Sections 1 and 2, the Development Plan Document (DPD) for the Tendring Colchester Borders Garden Community as well as adopted Neighbourhood Plans for Alresford, Ardleigh and Elmstead Market and the Essex Minerals and Waste Local Plans. The NPPF states that where the development plan is out of date permission should be granted for sustainable development unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits or other policies indicate otherwise. It is therefore important to ensure the Local Plan is reviewed, and updated where necessary, to ensure the development plan does not become out of date.

The tests of soundness

The Local Plan will ultimately be tested, through the examination process, to meet both legal requirements and the 'tests of soundness' set out in the latest NPPF which was last updated in February 2025 – although the Government is consulting on a potential new version that could come into force in 2026. The tests of soundness as they currently stand, and which apply to Local Plans being progressed under the current system, require a Local Plan to be:

Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

Status of the Government's draft revised NPPF (subject of consultation)

In December 2025, the Government published a new draft version of the NPPF for consultation, with comments invited until 10 March 2026. The intention is that the requirements of the new version of the NPPF will apply to Local Plans being prepared under the new plan-making regulations i.e. new-style Local Plans to be submitted to the Secretary of State after the cut-off date at the end of 2026. Because this Council's Local Plan is being reviewed under the current plan-making regulations with the intention to submit to the Secretary of State before the end of 2026, the requirements of the new NPPF are not expected to apply and thus the current NPPF will remain relevant under transitional

arrangements. The policies in the new NPPF will however apply to decision-making in the determination of planning applications from the date the final version is published, with an expectation that any inconsistency between NPPF policies and current or emerging Local Plans should be resolved in favour of the national policies.

Whilst there is no intention for Local Plans being prepared under the current plan-making system to conform with the new emerging NPPF, it will be sensible to be as consistent as possible with the emerging policies and there will be an opportunity between Preferred Options and Publication Draft stage to consider any adjustments to the Draft Local Plan that might improve alignment. The new NPPF is expected to be published around July 2026.

Duty to cooperate

There has, since the Localism Act of 2011, been a legal duty for Councils to cooperate on cross-boundary matters in the preparation of Local Plans. In respect of the test of 'effectiveness', Tendring District Council, Colchester City Council and Braintree District Council, having worked together to produce Section 1 of the current adopted Local Plan have previously demonstrated exemplary practice in effective joint working on cross-boundary strategic matters. The joint work of TDC, CCC and Essex County Council on the Tendring Colchester Borders Garden Community project, with the setting up of a dedicated joint Committee is a further demonstration of continued positive cooperation.

Through the current Local Plan Review, and that of Colchester City Council (which is itself, is a similar stage of the plan-making process and working to a similar timetable), Officers of both Councils have been in regular contact to discuss matters that could be of cross-boundary significance, exploring opportunities for alignment on policy and sharing resources. This has demonstrated continued cooperation under the legal duty and forward thinking in respect of Local Government Reorganisation – under which, for all options under consideration by the Government, Tendring and Colchester are expected to merge under the same unitary authority.

Whilst the Councils and other relevant partners have cooperated in line with the legal duty, it was announced in late 2025 by the current Government that the Duty to Cooperate is to be removed and will no longer apply to Councils in the process of preparing new Local Plans. Instead, new legislation is expected introducing the legal requirement for higher-level strategic plans to address and coordinate cross-boundary planning issues (Spatial Development Strategies) at combined authority level – which, for Greater Essex, will be the duty of the Mayoral Combined County Authority and the future elected Mayor. The advice from Government is however for Councils in the process of preparing Local Plans to carry on with that work, as Local Plans will feed into and inform the direction of growth in the early years of the Spatial Development Strategies.

The requirement for Sustainability Appraisal/Strategic Environmental Assessment

Section 19 of the 2004 Planning and Compulsory Purchase Act requires a local planning authority to carry out a Sustainability Appraisal (SA) of each of the proposals in a Local Plan and the consequence of reasonable alternatives during its preparation and in addition prepare a report of the findings of the Sustainability Appraisal. More generally, section 39 of the Act requires that the authority preparing a Local Plan must do so “with the objective of contributing to the achievement of sustainable development”. The Sustainability Appraisal incorporates a Strategic Environmental Assessment (SEA) which is necessary to ensure that potential environmental effects are given full consideration alongside social and economic issues. The requirement for SEA comes from EU Directive 2001/42/EC, which has been transferred into UK law.

The Sustainability Appraisal will be updated alongside the preparation of the Submission Version Local Plan and will include an assessment of the amended policies and proposals, including the changes suggested in this report.

The Habitats Regulations

As well as the requirement for SA/SEA, there is a legal duty under the Conservation of Habitats and Species Regulations 2017 (as amended) otherwise known as the ‘Habitats Regulations’ to consider the potential effect of policies and proposals in Local Plans on the integrity of internationally important wildlife sites or ‘European sites’ such as Special Areas of Conservation, Special Protection Areas and Ramsar sites – of which there are a number around the coast of Tendring focussed on the Stour Estuary, Hamford Water and the Colne Estuary. In carrying out a Habitat Regulations Assessment (HRA), the Council as the ‘competent authority’ is assessing the likelihood of plans and proposals having a significant adverse effect, following which a more detailed ‘Appropriate Assessment’ might be required to consider specific effects of particular proposals.

The whole of the Tendring District is within the ‘zone of influence’ for the various European sites and through the Essex Recreational disturbance Avoidance Mitigation Strategy (RAMS) and associated Supplementary Planning Document (SPD) the Council, like others in Essex, secures financial contributions from most residential developments towards a programme of measures to mitigate the potential indirect effects of growth to ensure which, for most developments, ensures compliance with the Habitat Regulations.

The Habitat Regulations Assessment will be updated alongside the preparation of the Submission Version of the Local Plan and will include an assessment of the amended policies and proposals, including the changes suggested in this report.

OTHER IMPLICATIONS

Area or Ward affected: All wards across the District are affected directly or indirectly either by one or more policies or proposals contained the Preferred Options Draft Local Plan, but the recommended changes to site allocations set out in this report mainly affect the Brightlingsea; Frinton/Walton & Kirby Cross; and Bradfield areas.

Consultation/Public Engagement: Formal consultation has already been carried out in respect of the Issues & Options and Preferred Options stages of the plan-making process as well as two rounds of call-for-sites consultation. The next formal stage of the process will be public consultation on the Submission Version of the Local Plan and the recommendations set out in this report relate to potential changes to site proposals in the Local Plan and additional work needing to be carried out on the evidence-base in support of the Plan.

Whilst the Submission Version of the Local Plan will not be published for formal consultation until it has been considered and agreed by the Planning Policy and Local Plan Committee and Full Council in late Summer 2026, Officers will continue to carry out informal engagement with Town and Parish Councils following an decisions in respect of the recommendations in this report, particularly in respect of changes to site proposals.

Local Government Reorganisation: The Local Plan currently under review is highly likely to be the last Local Plan that will ever be prepared by Tendring District Council in its current configuration before proposals for Devolution and LGR take effect, TDC and other Councils are abolished, and a new unitary authority for the north or north/east part of Essex comes into being. It also represents TDC's last opportunity to influence the future pattern of growth in the Tendring area ahead of the formation of the Mayoral Combined County Authority (MCCA) for Greater Essex – which will have new powers in respect of strategic planning, including through the preparation of a 30-year Spatial Development Strategy (SDS) for longer-term growth across the Greater Essex area.

The updated Tendring Local Plan will therefore not only serve as the statutory development plan to guide planning decisions in the Tendring area by TDC and the future unitary authority that succeeds it – but will also have an important bearing the MCCA's decisions on the content of the SDS for long-term strategic growth in Greater Essex. Therefore, the proposals to establish Garden Villages at Hare Green and Horsley Cross are of particular relevance for the SDS, with the potential for growth to extend well beyond the Local Plan's 2042 timeframe and over a 20–30-year period and the potential to secure support through the MCCA for future masterplanning, infrastructure delivery and funding.

Financial sustainability of public services: When the Government introduced the concept of mandatory housebuilding targets, the Council raised strong objections to the significant increase in housebuilding targets if not supported by necessary investment in infrastructure. Whilst the extent of additional housing growth being proposed under the Government-imposed target is extremely challenging for the Council to plan for through the Local Plan and raises a number of concerns, growth in housing and employment is however important both for the national and local economy and the future sustainability of providing public services including Council services, health services (including the NHS), education and associated infrastructure. Therefore, whilst growth in housing and commercial development raises concerns about impacts on infrastructure, it is also part of the solution; and at a national level, the Government has been keen to emphasise the importance of

housing growth to general growth in the economy, tax revenue and the ability for both central Government and Councils in sustaining and investing in public services.

In addition to sustaining and growing public services through economic growth and increasing the tax base, the planning system provides the ability to secure infrastructure delivery through s106 legal agreements on the grant of planning permission and/or through Community Infrastructure Levy.

PART 3 – SUPPORTING INFORMATION

ADJUSTMENTS TO LOCAL PLAN TIMEFRAME AND HOUSEBUILDING REQUIREMENTS

The Preferred Options Draft of the Local Plan set draft policies and proposals for the 17-year period 1 April 2025 to 31 March 2042 in accordance with the government requirement for Local Plans to cover a 15-year period from the anticipated point of adoption which, on previous assumptions, had been predicted to be at some point following a successful examination in 2027 – which remains the working assumption going forward.

However, Officers have been made aware of specific guidance from the government that dictates how the 15-year period should be worked out and which will require an amendment to the next version of the Local Plan extending its time period to 31 March 2043. Because we are now into the 2026/27 financial year, Officers recommend that the adjusted timescale for the Submission version of the Local Plan should be the 17-year period 1 April 2026 to 31 March 2043.

The Preferred Options Draft of the Local Plan set out a housing requirement of 18,071 new homes over the 17-year period 2025 to 2042 based on a figure of 1,063 homes a year calculated, as now required, in accordance with the Government's standard methodology. Because the inputs into the standard methodology calculation change over time and Councils are required to set their housing requirement as part of the final submission draft, Officers have revisited the housing requirement and re-run the standard methodology calculation to apply to the revised plan period 2026 to 2043 – which results in the need for a relatively minor adjustment that, in itself, does not necessitate a need to revisit the overall strategy for growth in the Local Plan.

The standard method calculates a minimum annual local housing need figure as follows:

Step 1 - Setting the baseline – 0.8% of existing housing stock for the area

The calculation starts by looking at how many homes already exist in the area.

The most recent data shows that Tendring has **76,074 dwellings**. The Government's method assumes that, as a starting point, housing need is equal to 0.8% of the existing housing stock each year.

Applying this percentage:

$$76,074 \times 0.8\% = 608.592$$

This provides a baseline figure of around **608.592 homes per year** before any further adjustments.

Step 2 - An adjustment to take account of affordability

The baseline figure is then increased to reflect local housing affordability. In areas where housing is less affordable, the Government's approach requires a higher housing target to help improve affordability over time.

This adjustment is based on the 'affordability ratio', which compares house prices to earnings. For Tendring, the average ratio over the last five years is **8.98**, meaning homes cost nearly nine times average earnings.

The standard method applies a formula to increase the baseline where the affordability ratio exceeds 5. In simple terms, **the higher the ratio, the larger the increase applied**.

$$\text{Adjustment factor} = ((\text{Affordability Ratio} - 5) \div 5) \times 0.95 + 1$$

Using Tendring's affordability ratio:

$$\text{Adjustment factor} = ((8.98 - 5) \div 5) \times 0.95 + 1$$

$$\text{Adjustment factor} = 1.7562$$

This adjustment factor means the baseline housing need is increased by approximately **76%** to reflect affordability pressures.

Applying this to the baseline figure:

$$608.592 \times 1.7562 = 1,068.809$$

This results in an adjusted housing need of **1,069 homes per year (rounded)**.

The updated standard methodology calculation therefore gives Tendring a requirement **of 1,069 homes a year – in increase** in six homes a year from the previous measure. For the revised 17-year period 2026 to 2043, that gives an adjusted total requirement of **18,173 homes**.

Officers are in the process of updating the Council's Strategic Housing Land Availability Assessment (SHLAA) with a revised 1 April 2026 base-date which will be added to the evidence base in due

course. In previous reports to the Committee, it had been estimated that approximately 10,700 homes over the 17-year the period 2025 to 2042 would be delivered on sites that were either already allocated for development in the Council's existing adopted Local Plan, were already under construction or had already obtained planning permission for housing development, or were otherwise expected to come forward on small sites or windfall sites over than period. Even in rolling forward the proposed timeframe of the Local Plan cover the adjusted 17-year period 2026 to 2043, work to date on the updated SHLAA suggest the estimate remains broadly similar **at 10,100 homes**.

This leaves an updated residual requirement for the rolled-forward 17-year period 2026 to 2043 of around **8,000** homes for which the new Local Plan will need to identify locations and sites, which again is broadly similar to that indicated in the Preferred Options Draft.

PROVISIONAL RECOMMENDED AMENDMENTS TO TABLE LP1 AND POLICY LP1

Table LP1 and Policy LP1 in the Preferred Options Draft Local Plan set out number of homes expected to be delivered on each of the allocated mixed-use or housing sites in the plan along with the expected contributions from sites with planning consent and windfall sites. If the Officers' provisional recommendations for changes to sites in the Local Plan are agreed by the Committee, the table and the policy will need to be amended to reflect the deletions, additions and revised figures for the sites.

The following shows, with tracked changes, how Table LP1 and Policy LP1 would be amended for the purposes of the Submission Draft version of the Local Plan.

Table LP1 – Local Plan Housing Allocations

Reference	Site	2025/26 to 2029/30 <u>2026/27 to</u> <u>2030/31</u>	2029/30 to 2041/42 <u>2030/31 to</u> <u>2034/35</u>	2035/36 to 2041/42 <u>2035/36 to</u> <u>2042/43</u>	Beyond 2042 <u>Beyond 2043</u>	Total
	Non-allocated sites of 10 or more homes with planning permission <u>(or a Planning Committee resolution to grant consent subject to a s106 legal agreement)</u>	2,827 <u>2,484</u>	552 <u>901</u>	80 <u>126</u>		3,459 <u>3,511</u>
	Sites of 9 or less homes/windfall	605 <u>580</u>	480 <u>455</u>	462 <u>427</u>		1,547 <u>1,462</u>
SAMU1	Tendring/Colchester Borders Garden Community	325 <u>450</u>	625	875	2000 <u>1,800</u>	3,825 <u>3,750</u>
SAMU2	Hartley Gardens, Clacton	60 <u>120</u>	480 <u>540</u>	1330 <u>1,210</u>	0	1,870
SAMU3	Oakwood Park, Clacton	60 <u>120</u>	300	540 <u>480</u>	0	900

SAMU4	Rouses Farm, Clacton	160 <u>230</u>	390 <u>400</u>	400 <u>320</u>	0	950
SAMU5	Land off Deane's Lane and Oakley Road, Dovercourt	0	450	1200	0	1,650
SAMU6	Weeley Green Garden Village	40	300	560	0	900
SAMU7	Saltings Quarter, Riverside Avenue, Manningtree	40	0	0	0	40
SAMU8	Hare Green Garden Village	0	250 <u>150</u>	1450 <u>1,300</u>	2800 <u>3,050</u>	4,500
SAMU9	Horsley Cross Garden Village	0	250 <u>150</u>	1450 <u>1,300</u>	4300 <u>4,550</u>	6,000
SAH1	Land at Vicarage Farm, Dovercourt	60	90	0	0	150
SAH2	Land North of Thorpe Road, Kirby Cross	40 <u>80</u>	200	180 <u>170</u>	0	420 <u>450</u>
SAH3	Land off Arthur Ransome Way, Walton	40	160	0	0	200
SAH4	Land East of Church Road, Brightlingsea	30	210	60	0	300
SAH6	Land east of Cockaynes Lane, Alresford	60 <u>100</u>	40 <u>0</u>	0	0	100
SAH7	Land east of Admirals Green and north of Weeley Road, Great Bentley	60 <u>90</u>	60 <u>30</u>	0	0	120
SAH8	Land East of Amerells Road, Little Clacton	60 <u>80</u>	40 <u>0</u>	0	0	100 <u>80</u>
SAH9	Land South of Clacton Road, St Osyth	60 <u>100</u>	40 <u>0</u>	0	0	100
SAH10	Land south of Colchester Road, Thorpe-le-Soken	100	50	0	0	150
SAH11	Land North of Lifehouse Spa & Hotel, Thorpe-le-Soken	70	40 <u>0</u>	0	0	110 <u>70</u>
MSA1	Durite Works, Valley Road	50	32	0	0	82
MSA2	Land adjacent Branscombe Close, Frinton	40	0	0	0	40
MSA3	Affinity Water, Mill Hill, Manningtree	80	0	0	0	80
MSA4	Crisp Malting, School Lane, Mistley	80 <u>50</u>	0	0	0	80 <u>50</u>
MSA5	Brightlingsea Telephone Exchange, 16 New Street, Brightlingsea	15	0	0	0	15
MSA6	Land at Pannell Place, Brightlingsea	10 <u>20</u>	0	0	0	10 <u>20</u>

MSA7	Land south-west of Colchester Main Road, Alresford	40	0	0	0	40
MSA8	Land adj Village Hall, Harwich Road, Beaumont	20 <u>12</u>	0	0	0	20 <u>12</u>
MSA9	Land south of Windmill Road and east of Straight Road, Bradfield	60 <u>20</u>	40 <u>0</u>	0	0	100 <u>20</u>
MSA10	Land South of Weeley Road, Great Bentley	80	0	0	0	80
MSA11	Land west of Parsons Hill, Great Bromley	10 <u>15</u>	0	0	0	10 <u>15</u>
MSA12	Land south of Hall Road, Great Bromley	15 <u>10</u>	0	0	0	15 <u>10</u>
MSA13	Land west of Main Road, Great Holland	10	0	0	0	10
MSA14	Land east of Kirby Road, Great Holland	10	0	0	0	10
MSA15	Land north-east of Wix Road, Great Oakley	50	0	0	0	50
MSA16	Land south of Orchard Close, Great Oakley	50	0	0	0	50
MSA17	Land north of Walton Road, Kirby-le-Soken	10	0	0	0	10
MSA18	Land north of Kirby-le-Soken Evangelical Church, Kirby-le-Soken	20	0	0	0	20
MSA19	Land west of Manningtree Road, Little Bentley	12	0	0	0	12
MSA20	Land south of Shop Road, Little Bromley	17	0	0	0	17
MSA21	Lane East of Heckfords Road, Great Bentley	80	0	0	0	80
MSA22	Haulage Depot, Heath Road, Tending Heath	10	0	0	0	10
MSA23	Land at Avocet Place, Thorrington	60	0	0	0	60
MSA24	Land east of Bentley Road, Weeley Heath	60	0	0	0	60
MSA25	Land south of Mill Lane, Weeley Heath	17	0	0	0	17
MSA26	Land south of Colchester Road, Wix	20	0	0	0	20
MSA27	Land at Abbey Bottom Farm, Harwich Road, Wix	20	0	0	0	20

MSA28	Land North of Rectory Road, Wrabness	30	0	0	0	30
MSA29	Land at Weeley Council Offices	24	0	0	0	24
MSA30	Former Tendring Hundred Waterworks Site, Clacton	0	90	0	0	90
MSA31	Land adjoining Harwich & Parkeston Football Club, Dovercourt	24	0	0	0	24
MSA32	Station Yard/Avon Works	20 40	20 0	0	0	40
<u>MSA33</u>	<u>Well House Site, Chestnut Way, Brightlingsea</u>	<u>60</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>60</u>
<u>MSA34</u>	<u>Vicarage Field, Church Road, Brightlingsea</u>	<u>30</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>30</u>
<u>MSA35</u>	<u>Land North of Robinson Road, Brightlingsea</u>	<u>25</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>25</u>
<u>MSA36</u>	<u>Land North of Wix Road, Bradfield</u>	<u>25</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>25</u>
<u>MSA37</u>	<u>Land East of The Street, Bradfield</u>	<u>30</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>30</u>
TOTALS		5,741 <u>5,757</u>	5,189 <u>4,713</u>	8,587 <u>7,968</u>	9,100 <u>9,400</u>	28,617 <u>27,832</u>
		19,517 <u>18,432</u>				

Strategic Policy LP1 – Recommended amendments

HOUSING SUPPLY

The Council will work with the development industry and other partners to deliver a minimum new homes increase of ~~18,071~~ 18,173 (net) between 1 April ~~2025~~ 2026 and 31 March ~~2042~~ 2043 to support economic growth and meet ~~objectively assessed~~ the Government's mandatory requirements for future housing in the District. This supply of new homes will be delivered from the following sources:

Supply Source to March 2042 <u>2043</u>	Totals
Net Dwelling Completions since April 2025	0
Non-allocated Large Sites with Planning Consents	3,459 <u>3,511</u>
Small Sites with Planning Consents (with Trend Based Completions)	1,547 <u>1,462</u>
Strategic Allocations – Mixed Use (SAMU Policies)	6,310
Strategic Allocations – Housing (SAH Policies)	1,750 <u>1,070</u>
Medium Sized Allocations (MSA Sites)	1,226 <u>1,229</u>
Tendring Colchester Borders Garden Community (SAMU1)	1,825 <u>1,950</u>
Hare Green Garden Village (SAMU8)	1,700 <u>1,450</u>
Horsley Cross Garden Village (SAMU9)	1,700 <u>1,450</u>
Total	19,517

	<u>18,432</u>
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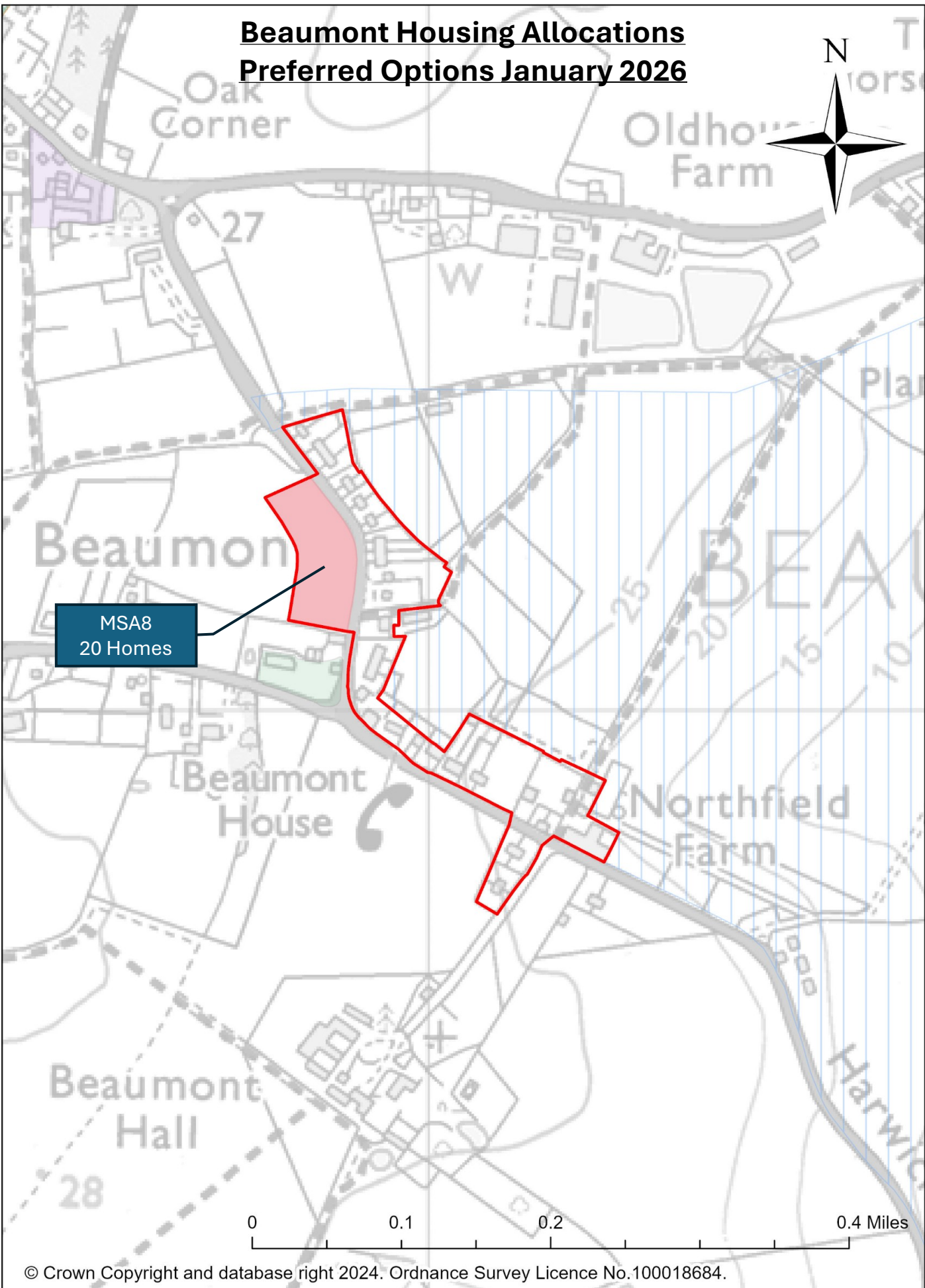
APPENDICES

Appendix 1 – Maps showing provisional recommendations for changes to site allocations.

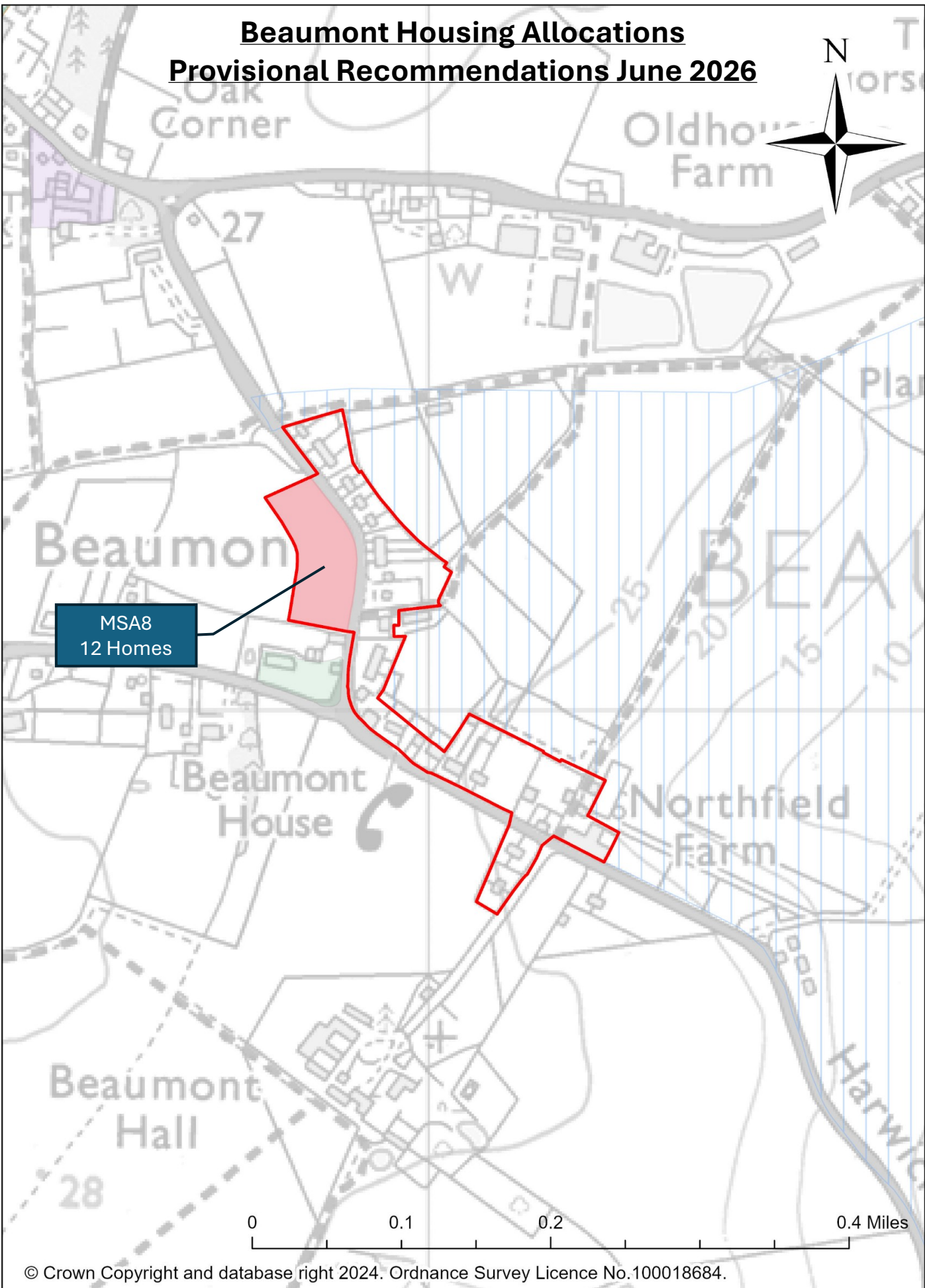
BACKGROUND PAPERS

None.

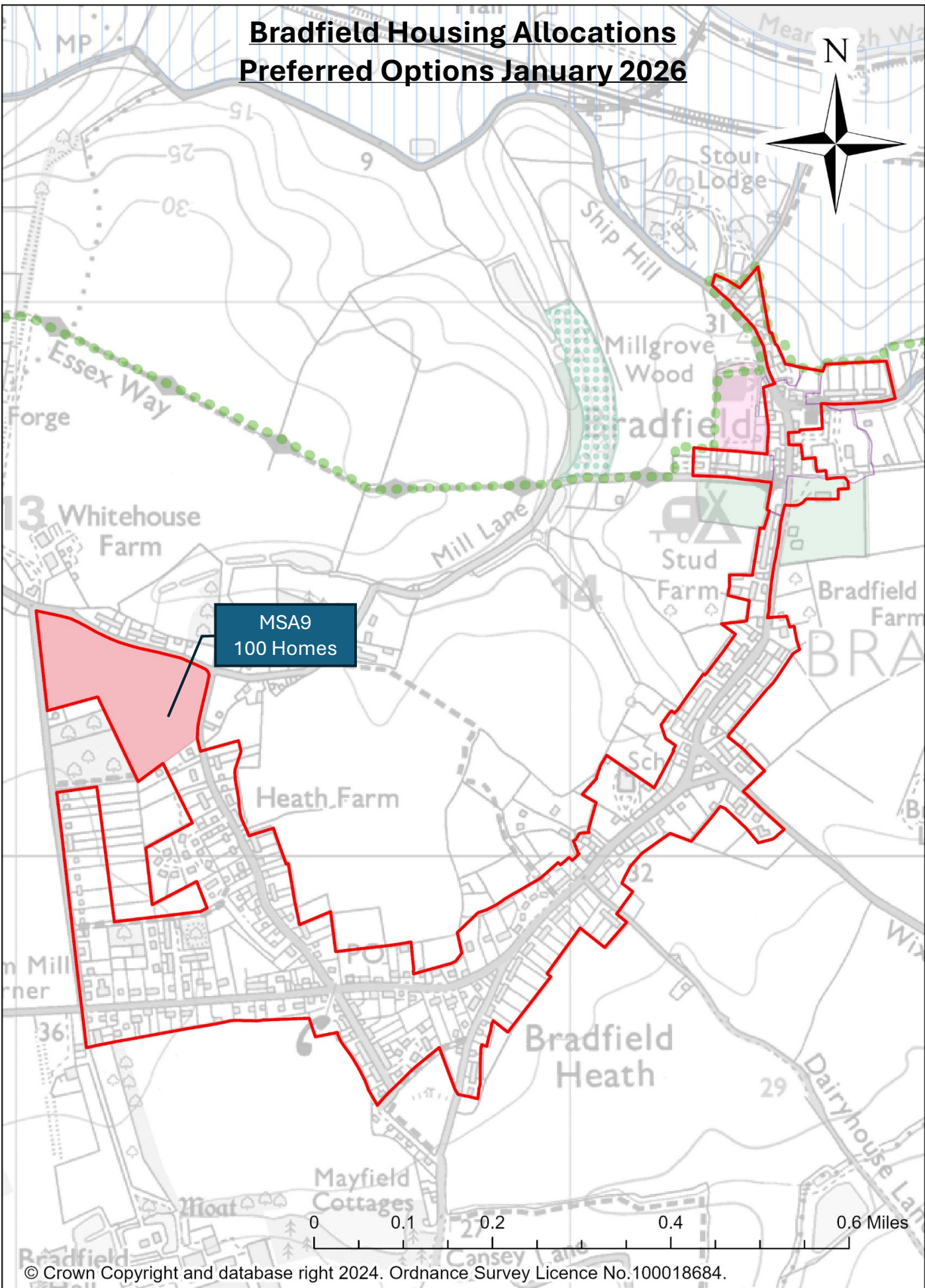
Beaumont Housing Allocations
Preferred Options January 2026



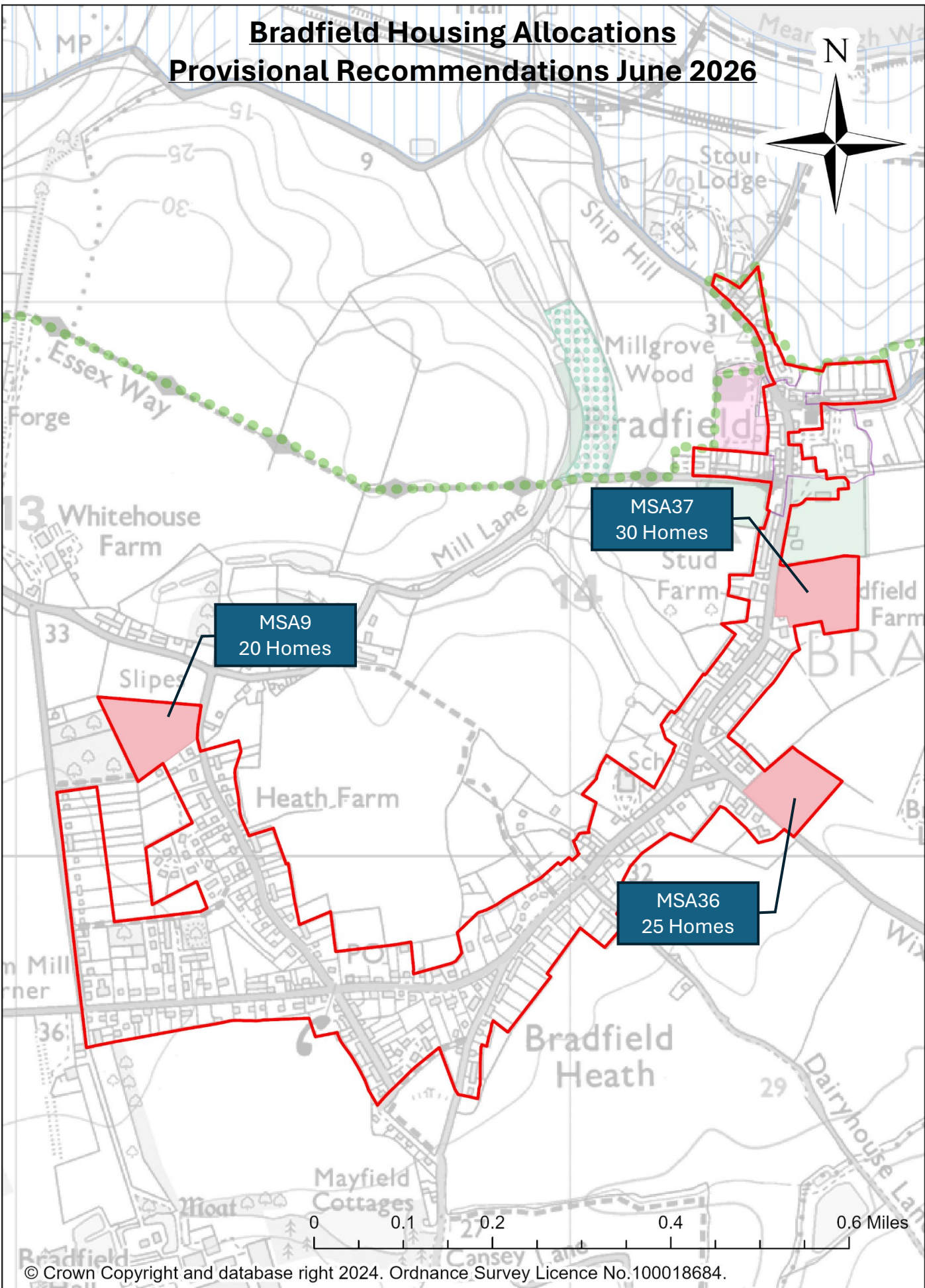
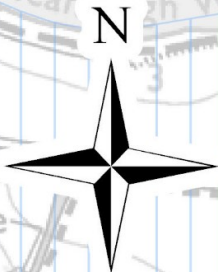
Beaumont Housing Allocations
Provisional Recommendations June 2026



**Bradfield Housing Allocations
Preferred Options January 2026**



Bradfield Housing Allocations Provisional Recommendations June 2026



Brightlingsea Housing Allocations Preferred Options January 2026



SAH4
300 Homes

MSA5
15 Homes

MSA6
10 Homes



Brightlingsea Housing Allocations

Provisional Recommendations June 2026



MSA34
30 Homes

MSA35
25 Homes

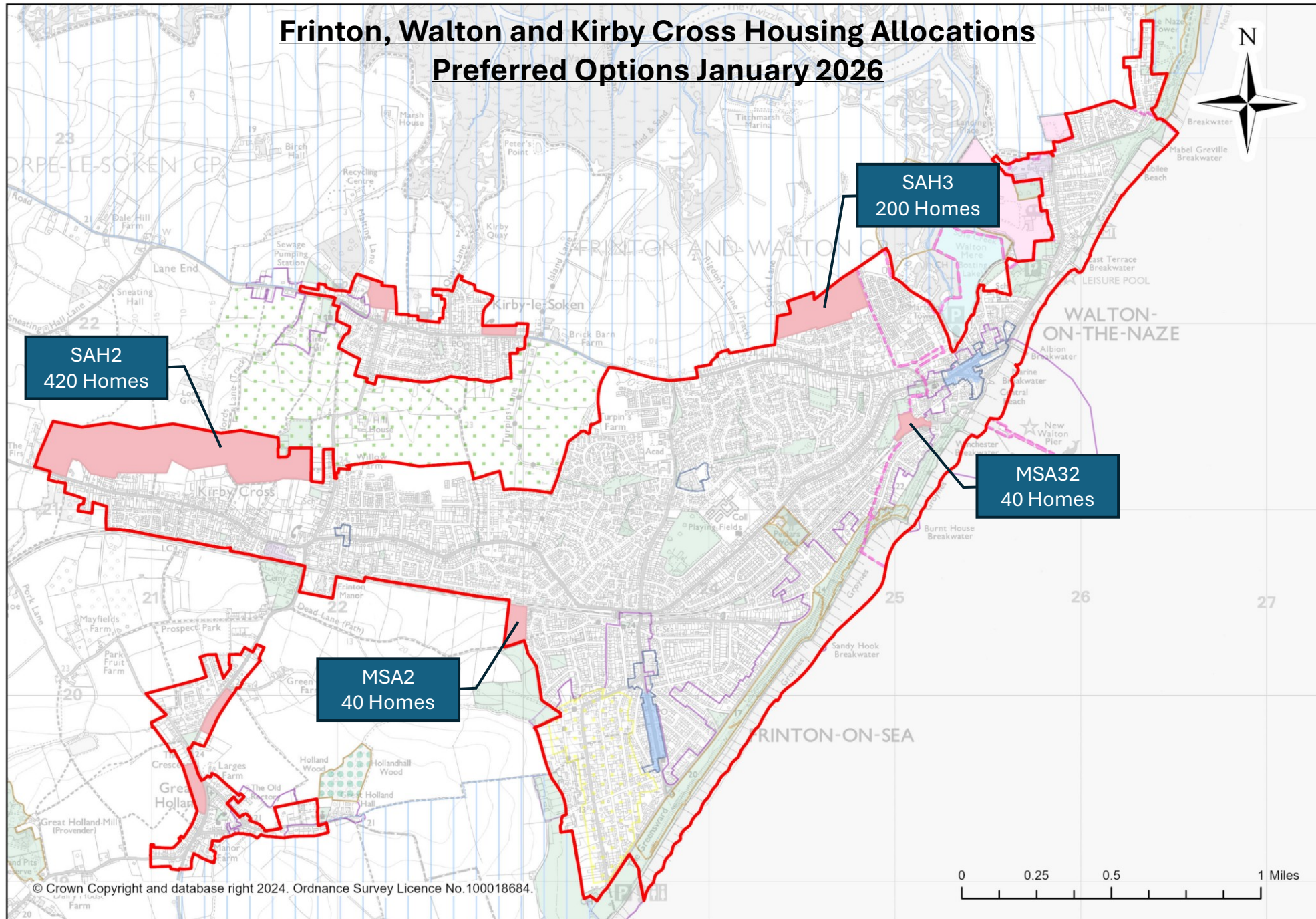
MSA33
60 Homes

MSA5
15 Homes

MSA6
20 Homes

Frinton, Walton and Kirby Cross Housing Allocations

Preferred Options January 2026



Frinton, Walton and Kirby Cross Housing Allocations

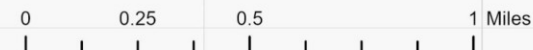
Provisional Recommendations January 2026



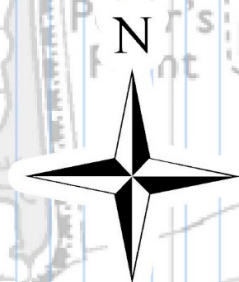
SAH2
450 Homes

MSA32
40 Homes

MSA2
40 Homes



Kirby-le-Soken Housing Allocations
Preferred Options January 2026

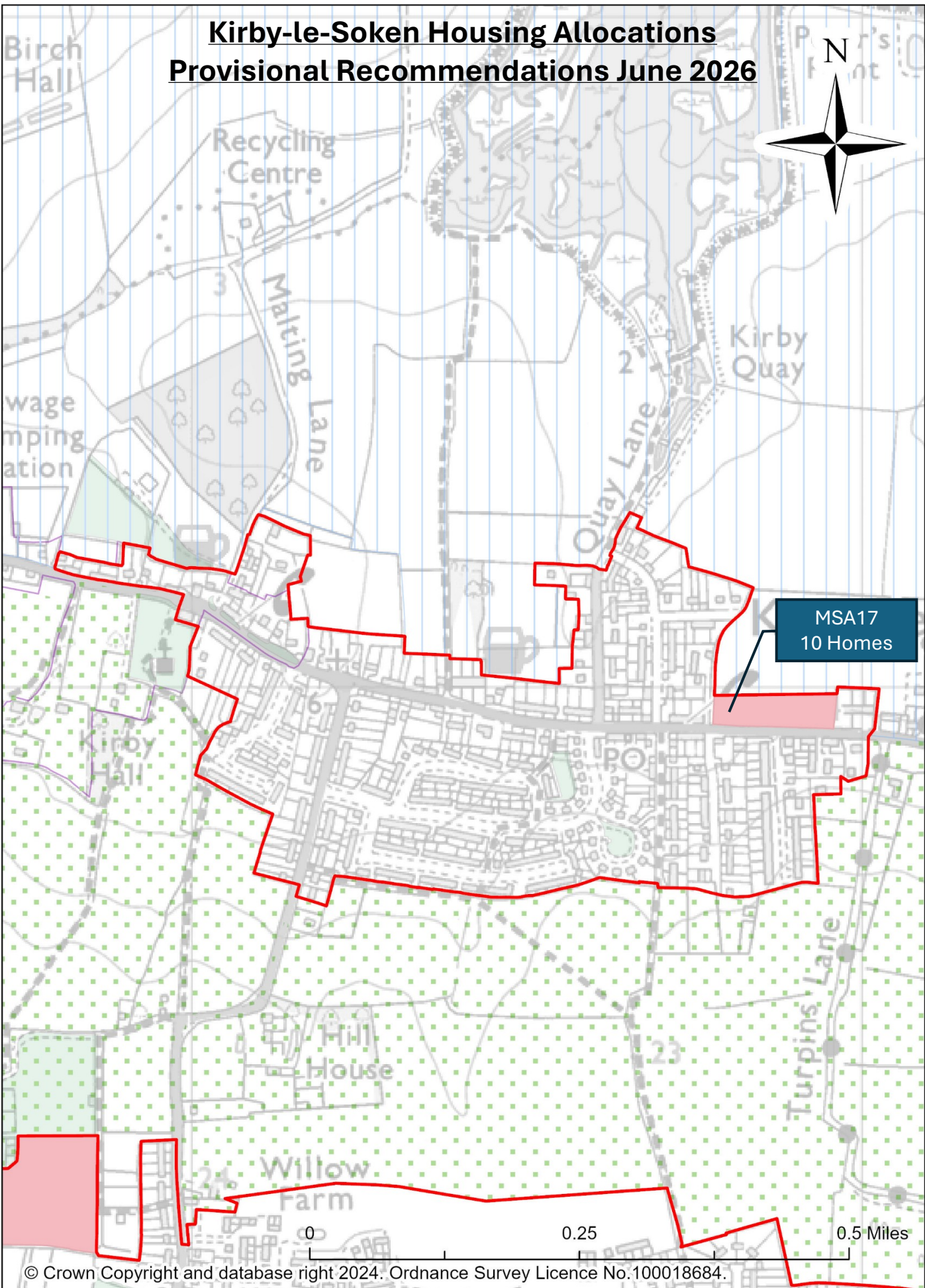
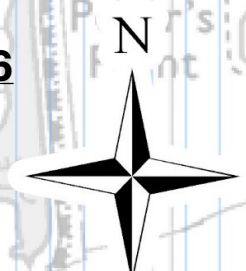


MSA18
20 Homes

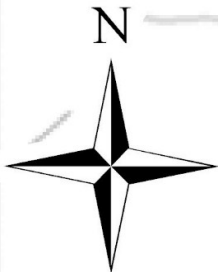
MSA17
10 Homes



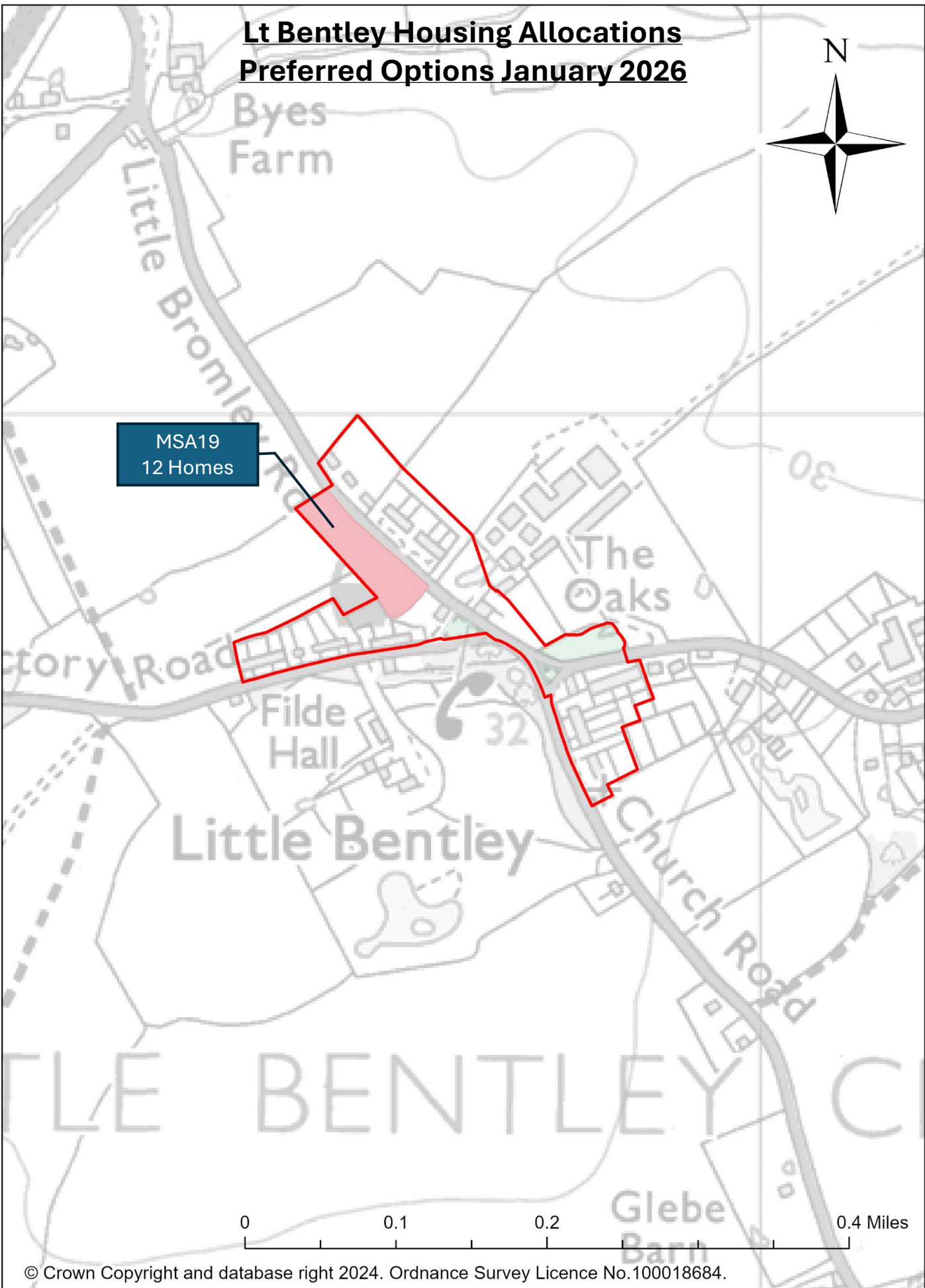
**Kirby-le-Soken Housing Allocations
Provisional Recommendations June 2026**



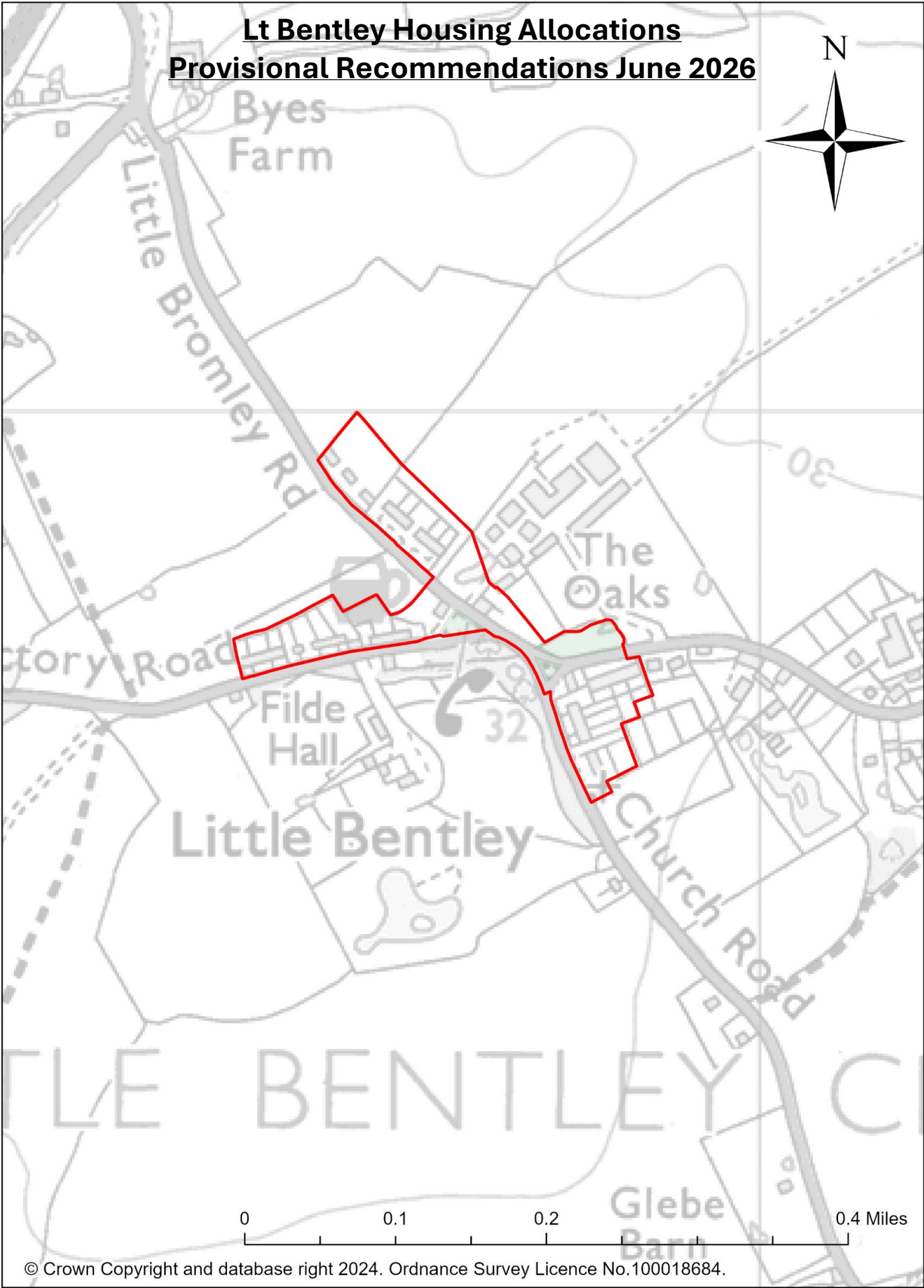
Lt Bentley Housing Allocations
Preferred Options January 2026



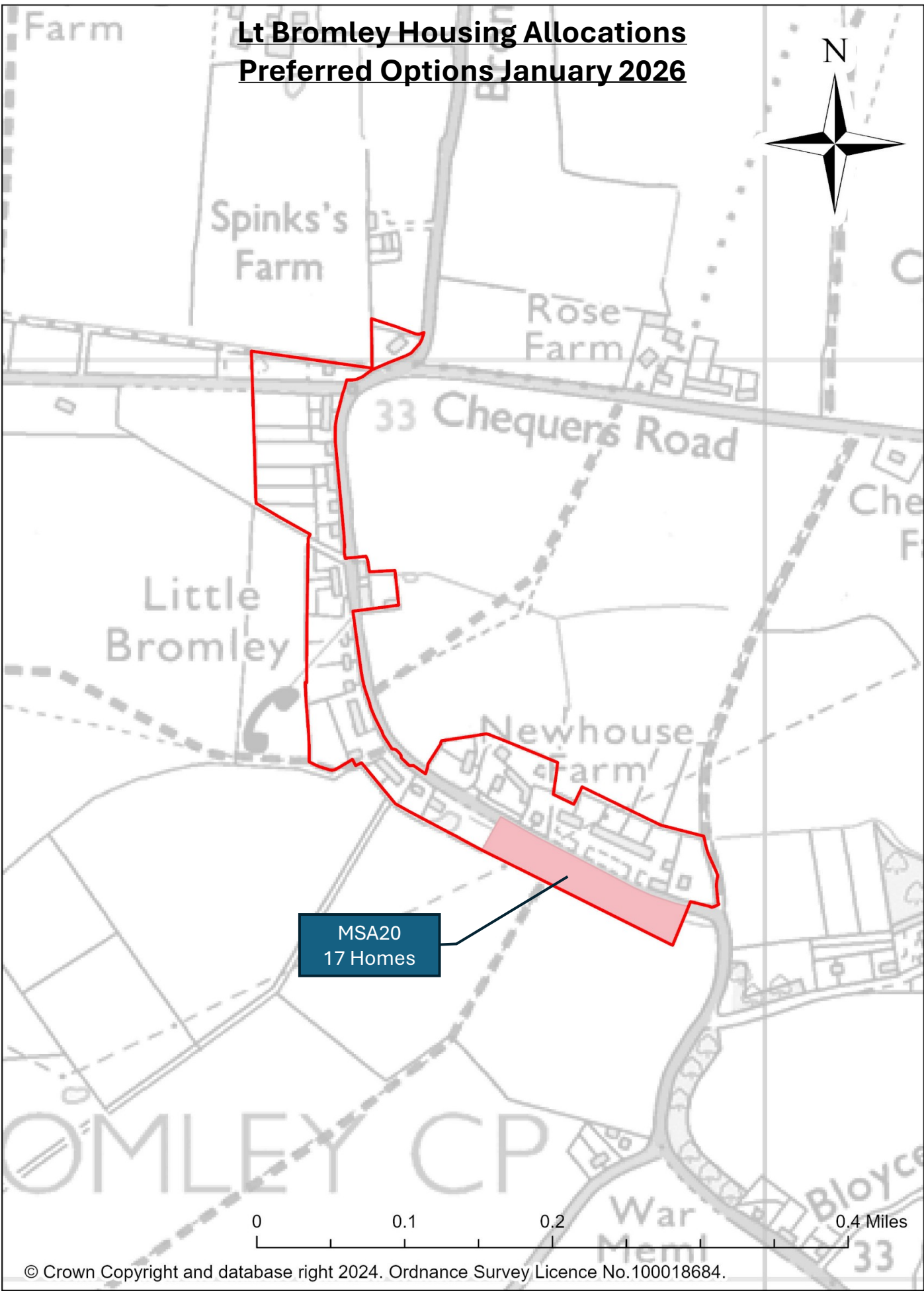
MSA19
12 Homes



Lt Bentley Housing Allocations
Provisional Recommendations June 2026

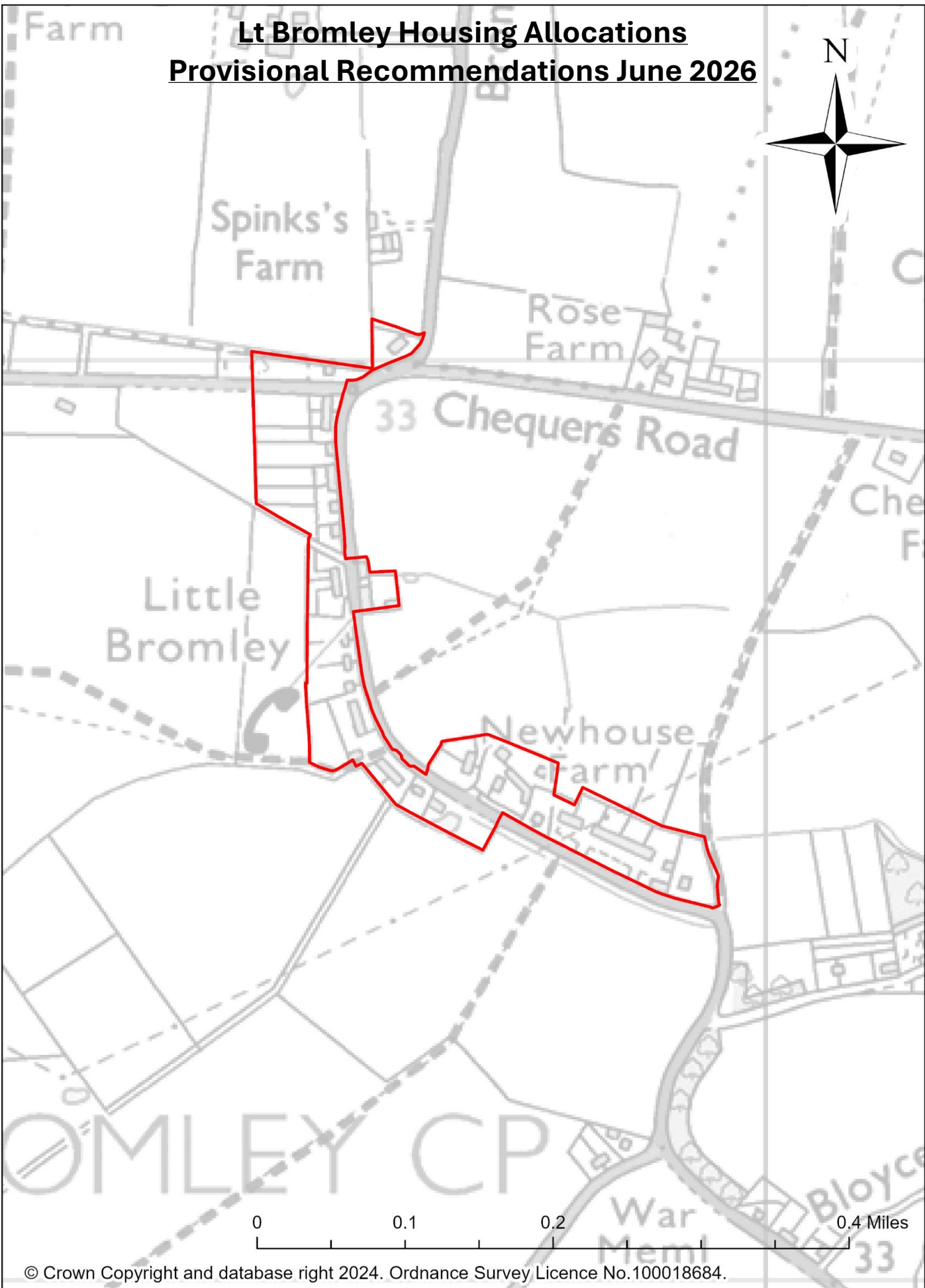


Lt Bromley Housing Allocations
Preferred Options January 2026



MSA20
17 Homes

Lt Bromley Housing Allocations
Provisional Recommendations June 2026



Manningtree, Lawford and Mistley Housing Allocations

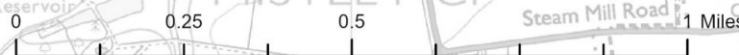
Preferred Options January 2026



SAMU7
40 Homes

MSA3
80 Homes

MSA4
80 Homes



Manningtree, Lawford and Mistley Housing Allocations

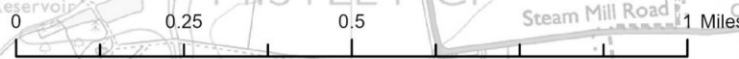
Provisional Recommendations June 2026



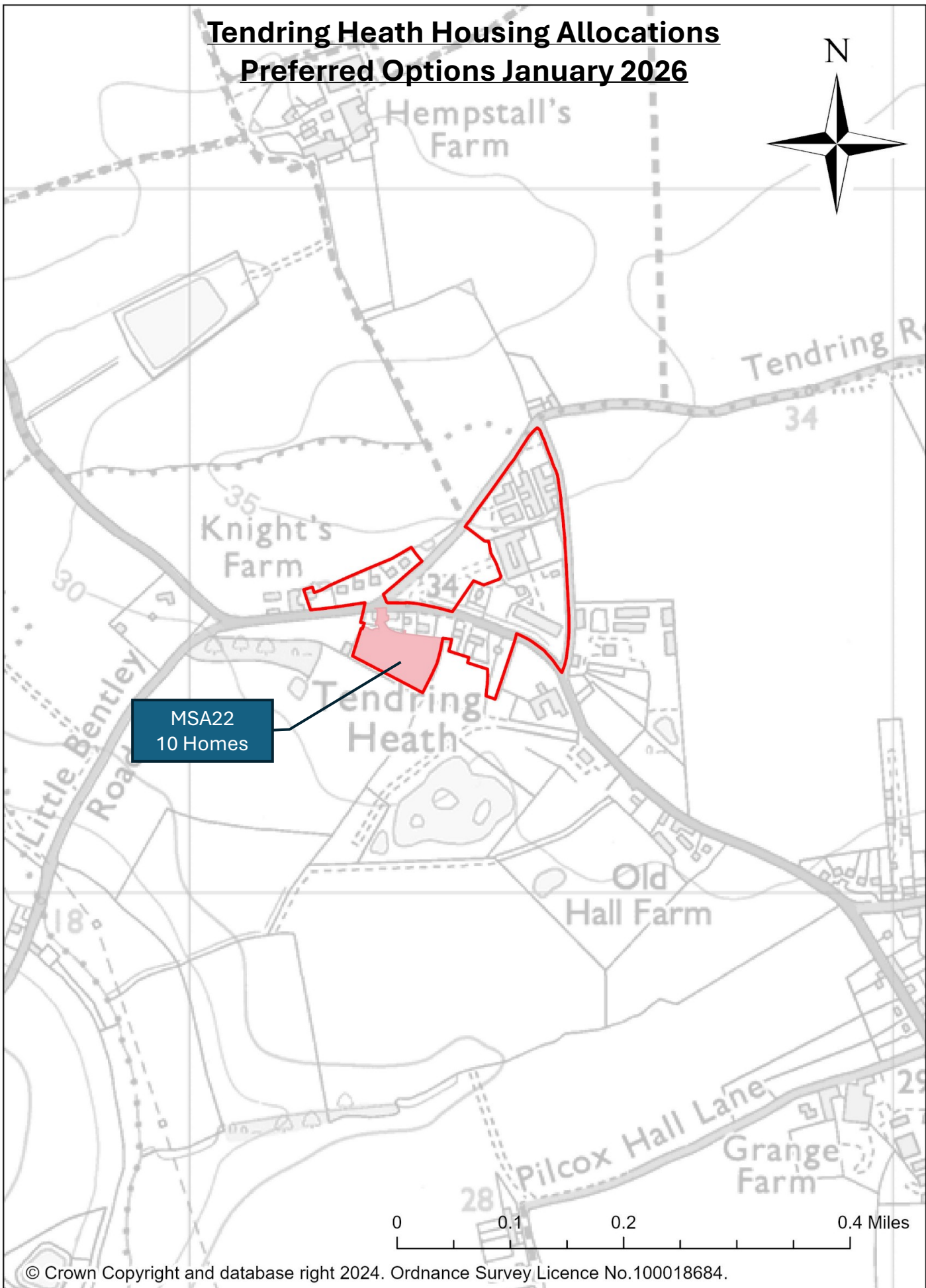
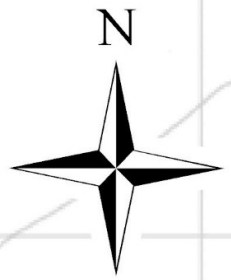
SAMU7
40 Homes

MSA3
80 Homes

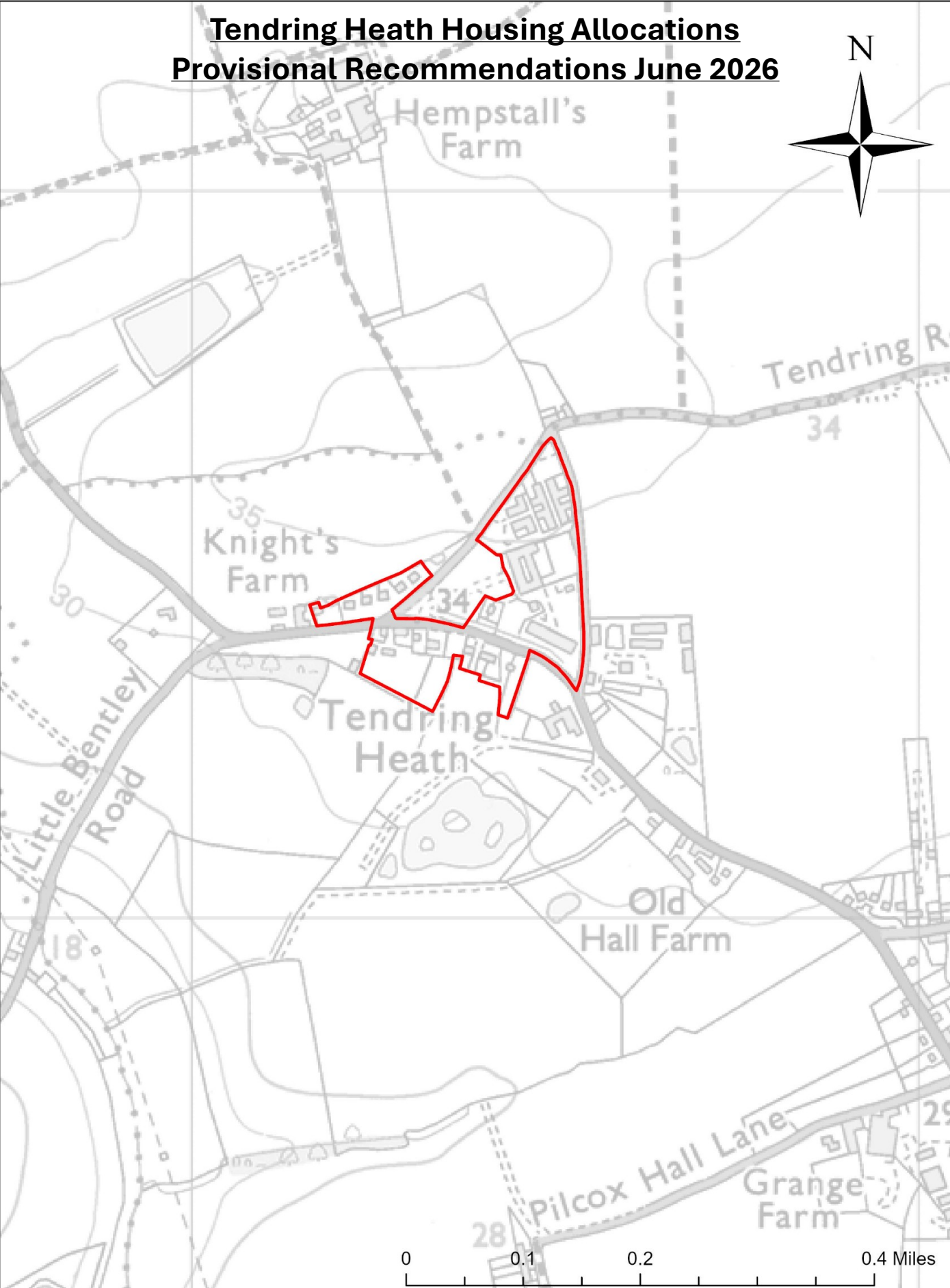
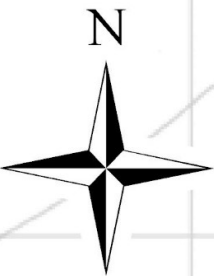
MSA4
50 Homes



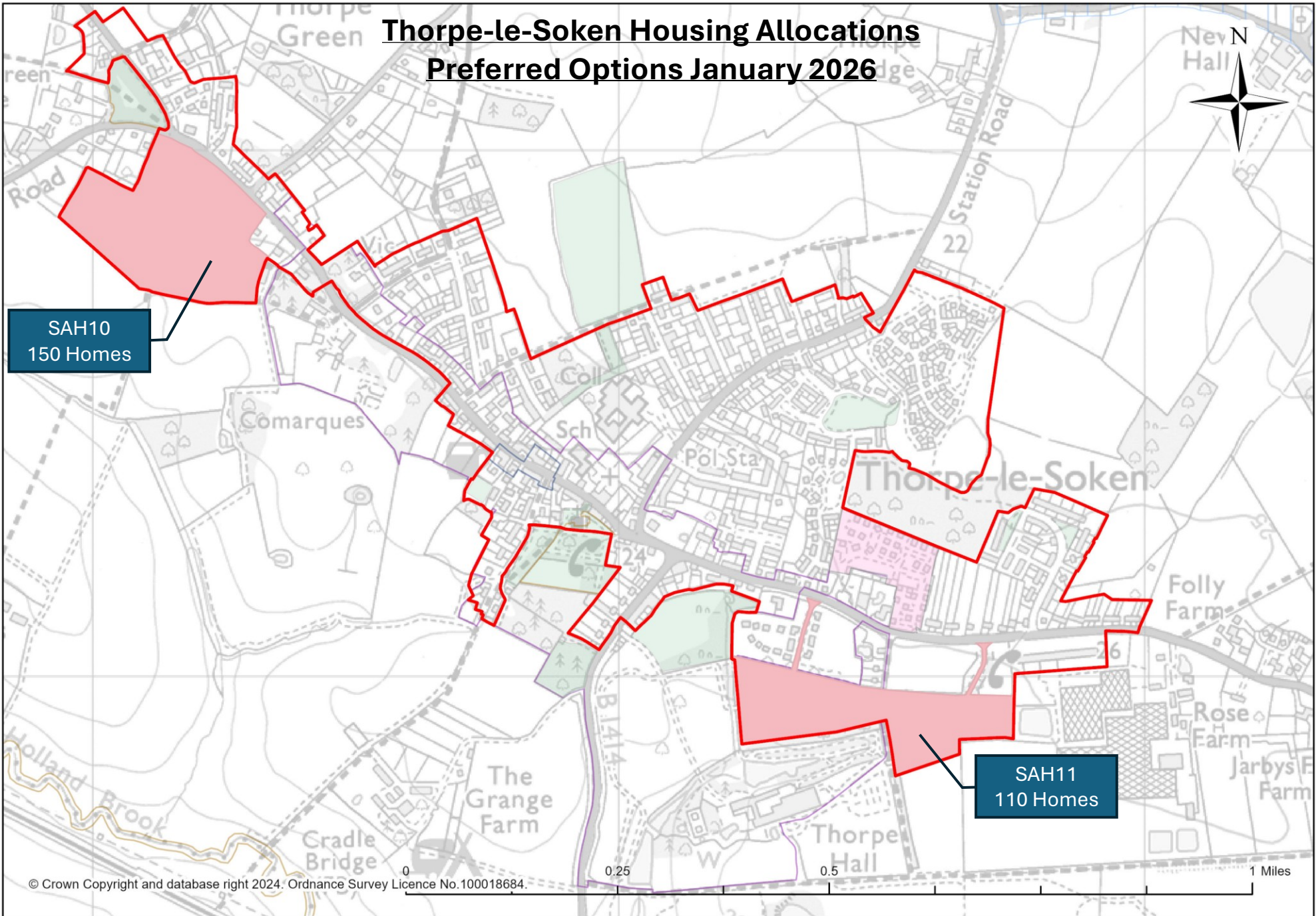
Tendring Heath Housing Allocations Preferred Options January 2026



Tendring Heath Housing Allocations
Provisional Recommendations June 2026



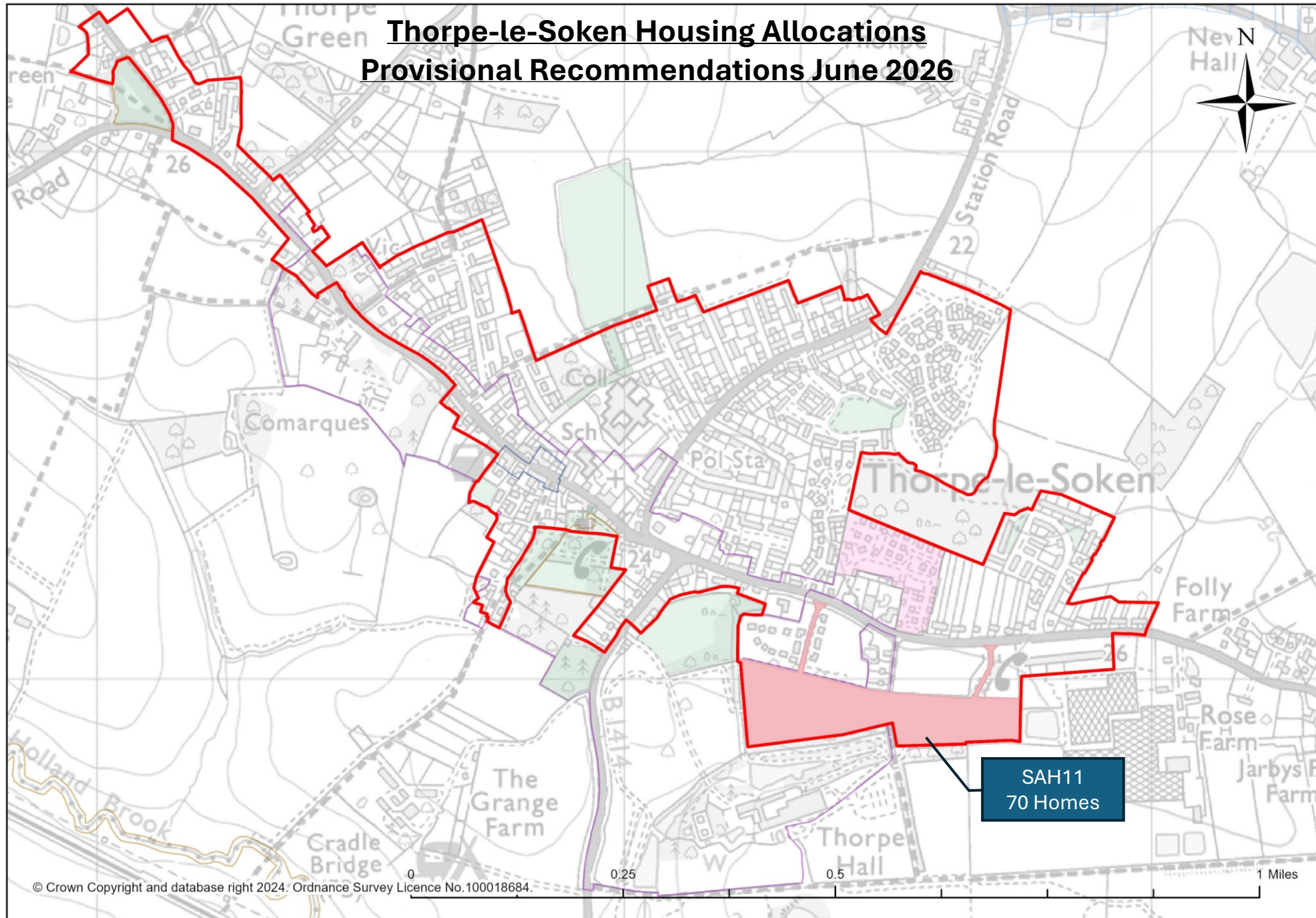
Thorpe-le-Soken Housing Allocations Preferred Options January 2026



SAH10
150 Homes

SAH11
110 Homes

Thorpe-le-Soken Housing Allocations **Provisional Recommendations June 2026**



SAH11
70 Homes