Representation from the Tendring District Association of Local Councils on the Tendring District Local Plan Review 2026–2043 and Beyond

Regulation 19 submission: soundness, effectiveness and cumulative impacts

This representation responds to the Submission Version of the Tendring District Local Plan Review. At Regulation 19 stage, the key questions are whether the Plan is legally compliant and whether it is sound: positively prepared, justified, effective and consistent with national policy. The Council should therefore demonstrate, through proportionate evidence and effective policies, that proposed growth can be delivered without unacceptable cumulative harm and with the necessary infrastructure in place. The published review identifies a plan period of 2026–2043 and a total housing requirement of 18,173 dwellings. Tendring District Council, Local Plan Review Planning Data, Tendring local plan record[1][2][3][4][5][6][7][8][9][10][11][12][13][14][15][16][17][18][19][20][21][22][23][24][25][26][27][28][29][30][31][32][33]

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1. Strategic context and cumulative development pressure

The rural communities of Ardleigh, Little Bromley and neighbouring parishes already face substantial and prolonged development pressure from nationally significant energy infrastructure. Areas also affected include numerous coastal and inland locations in Tendring, some of which involves the construction of 60 metre wide trenches. Wix, Lawford, Thorpe-Le Soken, Tendring village, Holland-on-sea, Great Oakley, Little Oakley and Horsley Cross will be impacted. In fact the *whole* Tendring peninsula will face challenges due to transport displacement issues; Elmstead Market, Alresford, Thorrington, Great Bentley, Weeley and junction points to St Osyth and Brightlingsea can be included . The Norwich to Tilbury project proposes reinforcement of the 400 kV transmission network, including a new East Anglia Connection Node (EACN) substation in Tendring. Its examination has closed and the project is at the recommendation stage; it has not yet received development consent.[Planning Inspectorate, Norwich to Tilbury project][34][35][36][37][38][39][40][41][42][43][44][45][46][47][48][49][50][51][52][53][54][55][56][57][58][59][60][61][62][63][64][65][66]

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That proposal must be considered alongside the consented North Falls and Five Estuaries offshore wind farms and their associated onshore export cables, substations and connection infrastructure. North Falls was granted development consent on 14 May 2026, and Five Estuaries was decided on 17 December 2025.Planning Inspectorate, North Falls Offshore Wind FarmPlanning Inspectorate, Five Estuaries Offshore Wind Farm[67686970717273747576777879808182838485868788899091929394959697899899]

The emerging Tarchon Interconnector adds a further layer of potential impact. It remains at pre-application stage following non-statutory consultation in July and August 2026. Current proposals indicate approximately 15 km of underground high-voltage direct-current cabling from a landfall south of Harwich to a converter station, followed by further underground cabling to the proposed EACN. Suffolk County Council, Tarchon

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NSIPTarchon project document library[100][101][102][103][104][105][106][107][108][109][110][111][112][113][114][115][116][117][118][119][120][121][122][123][124][125][126][127][128][129][130][131][132]

Although each project is subject to its own consenting and environmental assessment process, the Local Plan must address their likely in-combination and cumulative effects with planned housing and other allocations. The issue is not whether one scheme alone can be mitigated, but whether the spatial strategy as a whole is justified, deliverable and resilient when overlapping construction corridors, land-take, traffic movements, landscape effects and demands on services are assessed together.

2. Principal planning objections

- **Best and Most Versatile agricultural land and soils.** The evidence base should identify the agricultural land classification of proposed allocations and quantify permanent and temporary losses, including cumulative loss arising from strategic infrastructure. BMV land comprises Grades 1, 2 and 3a. National guidance requires the economic and other benefits of BMV land to be recognised

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and poorer-quality land to be preferred where practicable.GOV.UK, Guide to assessing development proposals on agricultural land[133134135136137138139140141142143144145146147148149150151152153154155156157158159160161162163164165]

- **Landscape character and settlement identity.** Allocations should avoid coalescence, retain meaningful countryside gaps and protect the intrinsic character and beauty of the countryside. Landscape and visual impact assessment should consider pylons, substations, converter stations, cable corridors, compounds and housing as a combined development scenario, including sequential effects on receptors and views.
- **Biodiversity, ancient woodland, veteran trees and hedgerows.** The Plan should apply the mitigation hierarchy—avoid, minimise, restore and compensate—and secure measurable biodiversity net gain. Irreplaceable habitats and protected trees should be avoided, with adequate buffers and long-term management.
- **Historic environment.** The strategy should identify designated and non-designated heritage assets, assess effects on their significance and setting, and

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require proportionate archaeological evaluation. Harm should be avoided or clearly justified, with opportunities for conservation and enhancement embedded in site policies.

- **Construction and amenity impacts.** The Plan should assess the duration, phasing and interaction of construction programmes, including noise, vibration, dust, lighting, working hours, construction compounds and rights-of-way diversions. NSIP status does not remove the need to assess cumulative effects on residential amenity and community well-being.
- **Water supply, wastewater and flood risk.** Allocations should be supported by evidence of water availability, wastewater-treatment capacity, sewer-network capacity, surface water collection/storage with managed discharge and deliverable reinforcement. Development should be phased to avoid occupation before necessary infrastructure is operational, and should apply the sequential approach to flood risk and effective sustainable drainage.
- **Transport and highway safety.** The spatial strategy should be informed by cumulative transport modelling that includes NSIP construction traffic. Particular attention is required for single-track rural lanes, junction capacity, abnormal-load routes, road safety, walking and cycling connections, and the residual cumulative impacts on the strategic and local highway network.
- **Social infrastructure and accessibility.** Housing growth should be aligned with funded and deliverable provision for primary care, schools, public transport, community facilities and emergency services. Infrastructure Delivery Plans should identify providers, costs, funding sources, triggers and delivery timescales rather than rely on broad aspirations.
- **Community and economic effects.** The assessment should address disturbance to farming operations, severance, uncertainty, business disruption and effects on housing marketability. Property-value changes are not normally, by themselves, a land-use planning matter; however, the underlying effects on amenity, landscape, accessibility, living conditions and community cohesion are material planning considerations.

3. Soundness concerns

The National Planning Policy Framework is the Government's policy framework for plan-making and expressly addresses housing delivery, clean energy and water, effective use of land, sustainable transport, healthy communities, pollution, flood risk, the natural environment and the historic environment.GOV.UK, National Planning Policy Framework Against that framework, the Plan would not be sound unless the Council can

demonstrate that:[166][167][168][169][170][171][172][173][174][175][176][177][178][179][180][181][182][183][184][185][186][187][188][189][190][191][192][193][194][195][196][197][198]

1. the full cumulative and in-combination effects of the housing strategy and known energy NSIPs have been assessed through the Sustainability Appraisal, Habitats Regulations Assessment and supporting technical evidence;
2. reasonable alternatives, including lower-impact spatial options and the use of poorer-quality agricultural land, have been assessed on a comparable basis;
3. site allocations are developable and deliverable having regard to infrastructure constraints, land availability, phasing, viability and overlapping construction programmes;
4. policies contain clear mitigation requirements, delivery mechanisms, monitoring indicators and contingency measures; and
5. the distribution and scale of growth do not place a disproportionate burden on rural communities already accommodating strategic energy infrastructure.

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4. Modifications requested

To make the Plan sound, the Council is requested to:

1. prepare and publish a district-wide cumulative-impact assessment covering committed, consented and reasonably foreseeable energy infrastructure together with proposed housing and employment growth;
2. review the scale and distribution of allocations affecting Ardleigh, Little Bromley and the wider Tendring peninsula, deleting or reducing allocations where significant adverse cumulative effects cannot be avoided or adequately mitigated;
3. introduce a strategic policy requiring cumulative landscape, heritage, ecology, transport, agricultural land, water and community-infrastructure assessments for relevant proposals;
4. require infrastructure-first phasing, with enforceable triggers preventing occupation until necessary highway, water, wastewater, education, health and public-transport capacity is secured;
5. protect BMV agricultural land through a sequential site-selection approach and require soil-management plans for unavoidable temporary works;
6. identify safeguarded construction routes and coordination measures so that overlapping projects do not impose unacceptable effects on villages and rural lanes; and
7. establish transparent monitoring indicators and an early-review mechanism if infrastructure delivery, environmental mitigation or housing trajectories materially depart from the assumptions underpinning the Plan.

5. Conclusion

The transition to a low-carbon energy system and the delivery of housing are important public objectives, but they do not remove the requirement for sustainable development, robust evidence, fair spatial distribution and effective mitigation. Ardleigh, Little Bromley and neighbouring parishes should not be expected to absorb an excessive concentration of strategic infrastructure and housing growth without a comprehensive assessment of cumulative effects and a clear, funded delivery plan. Unless the matters above are addressed through modifications, the Plan has not been shown to be justified or effective in relation to these communities.

Date: 19 October 2026
Our ref: 558099
Your ref: Tendring - Local Plan - REG 19 Proposed Submission of Local Plan

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Tendring Borough Council

BY EMAIL ONLY

Dear Sir/Madam

Thank you for your consultation on the above dated 07 September 2026 which was received by Natural England on the same date

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We welcome amendments made to the Plan in response to Natural England's advice on the Regulation 18 Plan, in our letter dated 30 March 2026 (ref. 542683). Our comments below focus on issues that remain outstanding in our view, alongside advice on any additional matters.

Summary of Natural England's advice

Whilst Natural England has recommended some further modifications to a number of core policies, we do not find the Plan unsound on any grounds relating to our remit.

In our view, the matters raised in Appendix 1 could be addressed through relatively minor modifications. However, their incorporation would further strengthen the Plan and improve its effectiveness in securing positive outcomes for the natural environment, which remains a fundamental component of sustainable development as defined by the National Planning Policy Framework.

If you have any queries relating to the advice in this letter please contact me on consultations@naturalengland.org.uk

Yours faithfully

Jonny Burt
Sustainable Development Higher Officer – West Anglia Team

Appendix 1: Natural England Comments and recommendations for amendments to the Regulation 19 consultation version of the Colchester Local Plan

Integrated Sustainability Appraisal (ISA)

Having reviewed the Integrated Sustainability Appraisal that supports the Regulation 19 consultation of the Tendring Local Plan, we are happy that all strategic matters and key issues have been considered, specifically; Housing needs, Accessible Green Space, Heritage/Historic Environment, Wildlife designations, Essex Coast RAMS, Landscape/AONB, Climate change, Air quality, and BMV. Natural England is satisfied that there are no reasonable alternatives to the proposed growth scenario in meeting the local and district objectives. We are particularly pleased to see a requirement for a minimum 20% BNG as well as establishment of habitat banks and links to the LNRS.

It is acknowledged in the ISA that there are uncertain effects on the Borough's landscape, air quality, and water capacity, as well as predicted negative effects on soils. We are content that embedded mitigation for both air quality and water capacity are sufficient to alleviate concerns regarding impacts to protected sites, specifically the restriction to 100 l/p/d water usage and would like to reiterate that Natural England should be consulted at application stage where impacts have been identified.

We are pleased to see policies and allocations have been assessed in light of the Essex Coast RAMS Zone of Influence and protected sites Impact Risk Zones. Natural England is content that the current growth scenario can adequately mitigate adverse impacts on the Essex Coast protected sites subject to detailed design of new Suitable Alternative Natural Greenspace (SANGs) in consultation with NE, as well as assessment and mitigation for Functionally Linked Land (FLL) at application stage. However, please see our recommendations below for further strengthening of policy wording.
Regarding landscape, it is identified that Garden Village sites SAMU8 and SAMU9 have heightened potential for mitigation. We will expect any allocations or proposals that affect landscape to be underpinned by a detailed Landscape Visual Impact Assessment, which we will be happy to review when available.

As soils and BMV have been regarded as being potentially negatively impacted by proposals, we would like to reiterate that development should aim to minimise risks to the ecosystem services which soils provide, through provision of suitable soil handling and management advice. The planning authority should ensure that sufficient site-specific soil survey data is available to inform decision making. To include, for example, assessment of suitability of soil properties for type of landscaping and planting proposed to inform beneficial re-use, appropriate soil management, and drainage, where required.

Further guidance for protecting soils (irrespective of their ALC grading) both during and following development is available in Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, to assist the construction sector in the better protection of the soil resources with which they work, and in doing so minimise the risk of environmental harm such as excessive run-off and flooding. The aim is to achieve positive outcomes such as cost savings, successful landscaping and enhanced amenity whilst maintaining a healthy natural environment, and we would advise that the Code be referred to where relevant in the development plan.

Habitats Regulations Assessment (HRA)

Essex Coast RAMS

Sites that fall within the Essex Coast RAMS Zone of Influence have been identified, and we are pleased that these have been included in updated allocation policies and the Habitats Regulations Assessment (HRA). Natural England concurs with the HRA conclusions, subject to the Essex Coast RAMS mitigation measures being secured as part of planning consent. When developing strategic SANGs, it should be noted that capacity calculations for existing greenspaces should be undertaken to determine SANG availability. We would welcome discussions with Tendring Council on development of strategic SANGs where required.

Functionally Linked Land

Natural England is also satisfied with the inclusion of Functionally Linked Land (FLL) considerations within the HRA and is pleased to see policyrequirements for detailed multi-year data acquisition to inform likelihood of FLL.

We have provided recommendations below to further strengthen policy wording around SANG and FLL requirements.

Beyond this Natural England notes that there are a number of inaccuracies within Table 9, "Qualifying Features of Habitats Sites with Consideration of Impacts upon Functionally Linked Land" (pages 60–69). In particular, several bird species appear to have been incorrectly attributed to certain designated sites, notably some of the Ramsar sites. Whilst we have not identified any qualifying bird species that have been omitted entirely, the table does not appear to include reference to the relevant SPA waterbird assemblage features. We recommend that the table is reviewed and amended to ensure that all qualifying features are accurately attributed to the relevant European and Ramsar sites, and that the SPA waterbird assemblage features are appropriately reflected within the assessment.

Water environment

Natural England is largely content that embedded mitigation measures for both water quantity and quality have been accounted for and we are pleased to see a commitment for upgrades to existing infrastructure to account for housing growth. We do, however, question the exclusion of the Outer Thames Estuary SPA in regard to water quality impacts, when there appears to be a hydrological link to the SPA from the Tendring local plan area. (4.11)

Guidance on page 15 states that; at Appropriate Assessment (AA) stage, impacts will be assessed against the conservation objectives of qualifying features. It is currently not clear within the AA that this has been done, and impacts have been quantified at site level against the conservation objectives. The AA should take each of the identified likely significant effects and provide sufficient details to enable a clear and better understanding of the likely effects on a site's features and consequently establish the need for additional mitigation measures that should be imposed by the competent authority in order to make the conclusions of the HRA more robust.

We have the following additional comments to make on the HRA in relation to water:

- 2.4.25 states that Clacton Holland Haven is not considered significantly hydrologically connected to water dependent habitats. It is questioned what is defined by "significantly" and how this rationale can be evidenced to exclude impacts to habitat sites.
- 4.11.7/8 – Whilst the use of SUDs can reduce and remove pollutants it is not evidenced here to what extent this will be practical. There needs to be certainty/confidence that the mitigation (SUDs) is going to be sufficient to protect the site.
- 4.11.9 - Whilst the inclusion for the need of project level HRAs is welcome, the HRA of the Local Plan still needs to be robust and provide certainty that adverse effects on integrity can

be avoided through this method of mitigation.

As above, whilst we do not consider the plan unsound clarification of the points above in regard to Water quality and quantity and FLL will be beneficial in making the plan more robust and compliant with the Habitats Regulations and national policy, notably paragraph N1 of the NPPF.

Tendring Local Plan Core Policies

Our advice below includes some recommendations for additional minor amendments to policy wording to reinforce legal compliance and/or conformity with national planning policy.

Policy HP5: Open space and SANG

Natural England welcomes the amendments to Policy HP5, including the exclusion of wildlife mitigation land from the calculation of public open space. However, the policy should explicitly clarify that Suitable Alternative Natural Greenspace (SANG) is Habitats Regulations mitigation and is separate from general open-space provision. Only natural and semi-natural greenspace that meets Natural England's SANG Guidelines may contribute towards both requirements. This clarification is necessary to ensure that sufficient, suitably designed SANG is secured in addition to other recreational facilities.

Policies LP9, LP10 and LP11: Essex Coast RAMS

We advise that Policies LP9, LP10 and LP11 should clearly address the Essex Coast RAMS requirements applying to these forms of overnight accommodation. Gypsy and Traveller sites and HMOs or bedsits should contribute at an appropriate C3-equivalent rate. Care, independent and assisted-living accommodation should contribute at a rate reflecting residents' likely mobility and use of the coast, with exemptions limited to accommodation where coastal visits can reasonably be excluded and appropriately secured. The policies should be amended to provide a clear framework for determining the applicable contribution.

Policies PPL2 to PPL4

Natural England is pleased to see detailed policies regarding coastal protection belts, rural landscapes, and Biodiversity and Geodiversity. Specifically, we support and welcome detailed expectations on both Suitable Alternative Natural Greenspace (SANG) and Functionally Linked Land (FLL) mitigation for qualifying developments. Natural England's comments at the Regulation 18 stage have clearly been accounted for and policy PPL4 (Biodiversity and Geodiversity) in particular provides reassurance that SANG measures have been understood.

As such we are satisfied that PPL2 and PPL4 adequately address development requirements to protect the marine and coastal environment. However, we would encourage the following additional requirement within PPL4 Biodiversity and Geodiversity to strengthen legal compliance and conformity with the NPPF:

> *Any developments with the potential to significantly impact Marine Conservation Zones (MCZs) must be in compliance with the Marine and Coastal Access Act 2009 and may therefore require an MCZ Assessment before planning permission can be granted;*
>
> And
>
> *Developments that fall within the Essex Coast protection Zone of Influence will be required to provide a financial contribution to the onsite mitigation in the form of the agreed SAMM Tarrif.*

Policy PPL5

We note your policies on water scarcity/ efficiency have been informed by a water cycle study and that you were unable to implement the Shared Standards and have justified this with evidence. We are satisfied with this approach and defer to the Environment Agency (EA) on the suitability of the water efficiency standards detailed in this regard.

Policy PP8: Tourism

We would like to see additional wording to this policy requiring proposals to comply with Policy PPL4 and confirm that development will only be permitted where adverse effects on the integrity of Habitats Sites can be excluded. Applicants proposing new or extended tourism facilities near designated sites should also be required to seek Natural England's advice before submission regarding the need for Habitats Regulations Assessment. This will ensure the policy is robustly aligned with Habitats Regulations requirements.

Site-specific SANG requirements

Natural England welcomes the general SANG requirements in Policy PPL4 and the relevant allocation policies. However, the strategic and coastal allocations should specify the minimum SANG quantum required, based on at least 8 hectares per 1,000 new residents, rather than relying solely on wording such as "where necessary". The required SANG must be secured and delivered in phases ahead of occupation, meet Natural England's SANG Guidelines and be managed in perpetuity.

Air quality

As previously stated at Reg 18, we are concerned that the Plan does not contain a dedicated policy addressing the effects of air pollution on Habitats Sites, SSSIs and other sensitive ecological receptors. A strategic air-quality policy should require development to avoid adverse ecological effects from traffic and other emissions, supported by appropriate assessment and mitigation. In particular, proposals must not adversely affect the integrity of Habitats Sites or significantly delay achievement of relevant environmental thresholds and conservation objectives. In the absence of any policy requirements to mitigate the effects of air quality there is a risk that the plan could be considered unsound.

Policy DI1: Habitats Regulations mitigation and viability

Again, we expect cross-referencing with policy PPL4 to ensure that SANG requirements are fully accounted for and understood. Natural England advises that Policy DI1 should expressly distinguish mitigation required under the Habitats Regulations from other infrastructure contributions that may be subject to viability considerations. Measures necessary to avoid an adverse effect on the integrity of a Habitats Site, including SANG provision, must be effective, timely and secured for the required duration. A development cannot be permitted where necessary Habitats Regulations mitigation is reduced or omitted on viability grounds.

Policy PP16: St Osyth Car Park

As above, the policy should clearly demonstrate the need for a project-level HRA and sufficient accessible semi-natural greenspace of SANG standard to meet the daily recreational needs of new residents. It should also require assessment and mitigation of any additional coastal access generated by the proposed car park before development is permitted. Cross-referencing with policy PPL4 will make the plan more robust in this regard.

Site allocations

Site allocations requiring SANG

For the site allocations that require SANG to mitigate recreational pressure impacts on Essex Coast protected sites, the site-specific policy should include a statement to the effect that Natural England must be consulted at the pre-application stage on the detailed design of the SANG, to ensure that the SANG meets NE's SANG guidelines (2021). It would also be beneficial to include reference to the Essex Coast Mitigation Strategy Technical Advice Note (TAN) developed by BirdAware when it becomes available. Specific requirements within the relevant allocation policies would strengthen compliance with Habitats Regulations requirements and national planning policy.

Site allocations impacting Functionally Linked Land

As above, we would expect any allocations that impact Functionally Linked Land (FLL) to be underpinned by detailed (multi-seasonal) wintering bird surveys to inform mitigation. We would expect consultation with Natural England to determine appropriate mitigation in instances where FLL has been identified. Specific requirements within the relevant allocation policies would strengthen compliance with Habitats Regulations requirements and national planning policy.

Historic England

Sir or Madam

Planning Policy

Tendring District Council

Town Hall

Station Road

Clacton on Sea

Essex

CO15 1SE

Direct Dial: [redacted]

Our ref: PL00798318

15 October 2026

Dear Sir or Madam,

Re: Tendring District Local Plan Review 2026 – 2043 and Beyond, Submission Version (September 2026).

Thank you for inviting Historic England to comment on the *Tendring District Local Plan Review 2026 – 2043 and Beyond, Submission Version* (September 2026). We appreciate that this review is not intended to be a full rewrite of the Local Plan, and that many existing policies and sites which remain relevant are being carried forward. As a statutory consultee, our role is to ensure that the conservation of the historic environment is fully integrated into planning policy, and that policy documents make appropriate provision for a positive strategy for the preservation and enjoyment of the historic environment.

SUMMARY

Please note that, unfortunately, with the number of Regulation 19 plans we're responding to at the moment, we have limited capacity, we have not been able to review the whole submission draft Local Plan in detail. Our comments therefore focus on the three new garden village proposals (SAMU6: Development of Weeley Green Garden Village; SAMU8: Development of Hare Green Garden Village; and SAMU9: Development of Horsley Cross Garden Village), as well as the larger of the other new allocations (SAMU5: Development off Dean's Lane and Oakley Road, Dovercourt; and SAMU7: Redevelopment of Saltings Quarter, Riverside Avenue, Manningtree).

The absence of a comment on a particular allocation in this letter should not be taken to indicate that Historic England is satisfied that it forms part of a positive strategy for the conservation and enjoyment of the historic environment, or that it is without historic environment considerations. We would kindly remind the Council that it remains responsible for ensuring that all sites proposed for

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allocation are sufficiently understood and justified in terms of their potential impacts on the historic environment.

We hope that you find these comments helpful.

9 DELIVERING PLACES

OVEREARCHING COMMENTS

Sites - Policy Wording

We previously advised that site-specific allocation policies should include sufficient detail regarding the criteria against which development proposals will be assessed. Paragraph 16(d) of the NPPF (2024) states that policies should provide a clear indication of how a decision-maker should react to a development proposal.

In particular, we advised that policy wording should identify the specific designated heritage assets affected by each allocation, both within and adjacent to the site, and should incorporate site-specific mitigation measures drawn from the relevant Heritage Impact Assessment (HIA), such as landscaping, sensitive design, the retention of key views, and buffers or setbacks.

To this end, we welcome the Council's preparation of the site-specific *Tendring District Council High-Level Heritage Impact Assessments* (Place Services, August 2026) ("the HIAs"), which provide a useful evidence base identifying heritage sensitivities, potential impacts and appropriate mitigation measures for individual sites. However, for this evidence to be effective in guiding future development and decision-making, it should be clearly reflected within the Plan and the relevant site allocation policies.

Indeed, where impacts on designated heritage assets have been identified, we would ideally expect policies to include wording along the following lines:

"Development should have regard to the Council's Heritage Impact Assessment for the site and conserve, or where appropriate enhance, the significance of heritage assets, including (list heritage assets on and near the site), including any contribution made to their significance by their settings. Appropriate mitigation measures, including (...), will be required."

We are therefore concerned that the heritage criterion for the proposed allocations are generic in nature and do not adequately reflect the site-specific findings and mitigation measures identified by the Council's own HIAs. Without clear policy hooks to secure the mitigation identified in those assessments, the Plan provides insufficient certainty that heritage impacts will be appropriately addressed, calling into question the effectiveness and soundness of the allocations.

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STRATEGIC POLICIES

Strategic Policy SAMU5: Development off Dean's Lane and Oakley Road, Dovercourt

Unsound – not justified, and not effective. We have concerns regarding the allocation of land off Dean's Lane and Oakley Road, Dovercourt. While there are no designated heritage assets within the site, the *Tendring District Council High-Level Heritage Impact Assessments* (Place Services, August 2026) (hereafter referred to as "the HIA"), identifies the potential for harm to the significance of the Grade II listed Millbank (LEN 1205216) and Foulton Hall Farmhouse (LEN 1322616) through development affecting their historic rural settings.

The HIA concludes that this harm could be avoided or minimised through the careful planning of development, including appropriate building heights and densities, the retention of existing landscape features, substantial landscape buffers, the provision of green infrastructure, and the maintenance of the site's rural boundaries. It also identifies the potential to avoid harm by retaining the open landscape character to the north-west and west of the site and concentrating development within its eastern parts.

Despite these findings, the allocation policy doesn't incorporate any of the site-specific mitigation measures identified in the Council's HIA. Instead, criteria (k) and (l) are generic in nature and fail to reflect the particular sensitivities of the site or the measures the Council's own evidence identifies as necessary to avoid or minimise harm. As drafted therefore, the policy provides insufficient certainty that the significance of Millbank and Foulton Hall Farmhouse will be conserved. The allocation cannot therefore be regarded as justified or effective and is consequently unsound.

Our recommendation

Amend criteria (k) and (l) to incorporate the site-specific mitigation measures identified in the Council's HIA, ensuring the policy provides an effective framework for avoiding or minimising harm to the significance of Millbank and Foulton Hall Farmhouse.

Strategic Policy SAMU6: Development of Weeley Green Garden Village

Unsound – not justified, and not effective. We have concerns regarding the allocation of Weeley Green Garden Village. While there are no designated heritage assets within the site, the *Tendring District Council High-Level Heritage Impact Assessments* (Place Services, August 2026) (hereafter referred to as "the HIA"),

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identifies the potential for harm to the significance of the Grade II listed Weekley House (LEN 1235273) by further compromising its historic landscape setting and divorcing the last link to its semi-rural setting. This may give rise to harm to its significance, which should be further explored and minimised in any future assessment. The HIA concludes that this harm could be removed or minimised through the retention of open land and the character of the eastern part of the Site, to the west of Weeley House, and careful consideration of the location, orientation, density, and scale of development.

Despite these findings, the allocation policy doesn't incorporate any of the site-specific mitigation measures identified in the Council's HIA. Instead, criteria (i) and (j) are generic in nature and fail to reflect the particular sensitivities of the site or the measures the Council's own evidence identifies as necessary to avoid or minimise harm. As drafted, the policy provides insufficient certainty that the significance of of Weeley House will be conserved. The allocation cannot therefore be regarded as justified or effective and is consequently unsound.

Our recommendation

Amend criteria (i) and (j) to incorporate the site-specific mitigation measures identified in the Council's HIA, ensuring the policy provides an effective framework for removing or minimising harm to the significance of Weeley House.

Strategic Policy SAMU7: Redevelopment of Saltings Quarter, Riverside Avenue, Manningtree

Unsound – not effective. We have concerns regarding the allocation of Saltings Quarter, Riverside Avenue, Manningtree.

While there are no designated heritage assets within the site, the the *Tendring District Council High-Level Heritage Impact Assessments* (Place Services, August 2026) (hereafter referred to as "the HIA"), identifies potential harm to the setting and significance of the Manningtree and Mistley Conservation Area and the Grade II listed Kiln at East End of Maltings. This harm could arise through the loss of the site's industrial character, development of historically open land, and impacts on important views and the prominence of the listed building within the Conservation Area.

However, the HIA concludes that harm could be minimised, or potentially avoided altogether, via a range of measures, including restricting development to the western part of the site, retaining open space to the east, carefully considering the location, orientation, density and scale of development, and delivering a high quality industrial design response that reflects the site's historic use. The HIA

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also advises that new development should avoid replicating traditional maltings architecture, as the site was not historically associated with the maltings industry.

Despite these findings, the allocation policy doesn't incorporate any of the site-specific mitigation measures identified in the Council's HIA. Instead, criterion (g) is generic and fails to reflect either the sensitivities of the site or the measures the Council's own evidence identifies as necessary to avoid or minimise harm. As drafted, the policy leaves the Manningtree and Mistley Conservation Area and the Grade II listed Kiln at East End of Maltings vulnerable to inappropriate development. The allocation cannot therefore be regarded as justified or effective and is consequently unsound.

Our recommendation

Amend criterion (g) to incorporate the site-specific mitigation measures identified in the Council's HIA, ensuring the policy provides an effective framework for removing or minimising harm to the significance of the Manningtree and Mistley Conservation Area and the Grade II listed Kiln at East End of Maltings.

Strategic Policy SAMU8: Development of Hare Green Garden Village

Unsound – not justified, and not effective. We have concerns regarding the allocation of Hare Green Garden Village. The *Tendring District Council High-Level Heritage Impact Assessments* (Place Services, August 2026) (hereafter referred to as "the HIA"), identifies the potential for harm to the significance of a number of listed buildings resulting from from the loss of agricultural and undeveloped land that contributes to their rural, open and, in some cases, historic settings. The assessment highlights potential impacts on a number of designated heritage assets including Oak House (LEN 1337191), Fleece House (LEN 1111450), Hill House (LEN 1147099), Red Tiles (LEN 1111457), The Thickets (LEN 1308664), Forge Cottages (LEN 1111446), Pudners (LEN 1146948) and Thatched Cottage (LEN 1111447), Hill Farmhouse (LEN 1146846), Mannings (LEN 1111445), and Crabtree Farmhouse (LEN 1111405). To address these concerns, the HIA identifies a range of mitigation measures, including setting development back from heritage assets, retaining open land and woodland, maintaining areas of rural character, incorporating screening and open space, and carefully considering the location, scale, density and orientation of development. This includes avoiding particularly sensitive areas of land adjacent to, or historically associated with, affected heritage assets.

Given the scale of the proposed allocation, we would expect the policy to reflect these recommendations. However, while Policy SAMU8 includes a requirement to conserve and, where appropriate, enhance the significance of heritage assets (requirement 21), this is a generic

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requirement that provides little certainty as to how the specific heritage issues identified through the Council's evidence base will be addressed. Indeed, the policy does not incorporate any of the site-specific mitigation measures identified within the HIA, nor does it establish clear parameters regarding those parts of the site where development may need to be restricted, set back or omitted altogether to avoid harm.

Instead, it defers these matters to a future Heritage Impact Assessment and masterplanning process. As a result, key questions regarding site capacity, developable areas and the extent of mitigation necessary to conserve the significance of affected heritage assets remain unresolved. This approach fails to demonstrate that the proposed quantum of development can be accommodated without unacceptable harm to the historic environment, or that the mitigation identified by the Council's own evidence base will be secured. The allocation is therefore not adequately justified by the available evidence and its effectiveness remains unclear.

Recommendation: Amend Policy SAMU8 to include the site-specific mitigation measures identified in the Council's HIA, including areas where development should be set back, restricted or omitted altogether to conserve the significance of affected heritage assets.

Strategic Policy SAMU9: Development of Horsley Cross Garden Village

Unsound – not justified, and not effective. We have concerns regarding the allocation of Horsley Cross Garden Village. The *Tendring District Council High-Level Heritage Impact Assessments* (Place Services, August 2026) (hereafter referred to as "the HIA") identifies the potential for harm to the significance of a number of listed buildings, including Hempstall's Farmhouse (LEN 1240504), Abbott's Hall (LEN 1261150), Pear Tree Cottage (LEN 1240608), Holly Tree Cottage (LEN 1240169), Spring Farmhouse (LEN 1261032), Spring Farm Cottage (LEN 1261031), Thatched Cottage (LEN 1240453), and Cherry Tree Cottage Tudor Cottage (LEN 1240227). The assessment finds that development would result in the loss of agricultural land that contributes positively to the significance of these assets through its openness, rural character, historic associations and contribution to views to and from them, thereby eroding their historic relationship with the surrounding landscape. To address these impacts, the HIA identifies a range of mitigation measures, including setbacks from key heritage assets, the retention of open land and areas of rural character, and the maintenance of vegetation that contributes to their settings. Importantly, the assessment concludes that harm may be avoided by restricting built development to the north-eastern quadrant of the site. This has potentially significant implications for the developable extent and capacity of the allocation.

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Given the scale of the proposed allocation, and the potential for harm to be reduced or avoided altogether, we would expect the allocation policy to reflect these recommendations. However, while Policy SAMU9 includes a requirement to conserve and, where appropriate, enhance the significance of heritage assets, and for a further Heritage Impact Assessment (requirement 21), this is a generic requirement that provides little certainty as to how the specific heritage sensitivities identified through the Council's evidence base will be addressed. The policy does not secure the measures identified by the HIA as necessary to avoid or minimise harm, including development setbacks, the retention of open land and woodland, the maintenance of areas of rural character, and the avoidance of particularly sensitive land.

Instead, these matters are deferred to a future Heritage Impact Assessment and masterplanning process, leaving key questions regarding site capacity, developable areas and the extent of mitigation necessary to conserve the significance of affected heritage assets unresolved. This is problematic because it fails to demonstrate that the proposed quantum of development can be accommodated without unacceptable harm to the historic environment, or that the mitigation identified by the Council's own evidence base will be secured. As drafted, therefore, the allocation is not adequately justified by the available evidence and its effectiveness remains unclear.

Recommendation: Amend Policy SAMU9 to incorporate the site-specific mitigation measures identified in the Council's HIA, including those areas where development should be set back, restricted or omitted altogether to conserve the significance of affected heritage assets.

CONCLUSION

In preparation of the forthcoming Local Plan Examination, we encourage you to draw on the knowledge of local conservation officers, the county archaeologist and local heritage groups.

Please note that absence of a comment on an allocation or document in this letter does not mean that Historic England is content that the allocation or document forms part of a positive strategy for the conservation and enjoyment of the historic environment or is devoid of historic environment issues.

Finally, we should like to stress that this opinion is based on the information provided by the Council in its consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals, which may subsequently arise where we consider that these would have an adverse effect upon the historic environment.

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Should you have any questions regarding the comments provided, please feel free to contact me. In the meantime, we look forward to continuing to work with you and your colleagues. We would be happy to meet with the Council to discuss the issues raised in this letter and look forward to continuing to work positively with officers over the coming months to resolve these matters.
Yours sincerely,

Andrew Marsh

Historic Environment Planning Adviser, Planning Group

[redacted]

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Tibbalds CampbellReith
Multidisciplinary Joint Venture

Written Representation by Homes England to the Tendring District Local Plan Review 2026-2043 and Beyond: Submission Version September 2026

2026-10-16

1 Introduction

1.1 This document is a Written Representation prepared by Tibbalds Planning and Urban Design, on behalf of Homes England, which responds to the 'Regulation 19' consultation version of the Tendring District Local Plan Review 2026-2043 and Beyond: Submission Version September 2026 (the 'Draft Tendring Local Plan' or 'DTLP').

1.2 Homes England is the majority landowner, controlling circa 90% of the land, of the site allocation at Hartley Gardens forming Draft Strategic Policy SAMU2. At the time of writing, Homes England has completed a comprehensive period of pre-application engagement with Tendring District Council, Essex County Council, the local community and other stakeholders on a proposed outline planning application for the majority of the Hartley Gardens Site. The intention is to submit the application imminently.

1.3 Homes England is an executive non-departmental public body, sponsored by the Ministry of Housing, Communities and Local Government. As the government's housing and regeneration agency, Homes England's remit is to provide affordable, quality homes in well-designed places and accelerate the pace of house building and regeneration across the country.

1.4 The objective of this Representation is to ensure the Hartley Gardens Site Allocation, which is also in the adopted Tendring Local Plan, and other emerging DTLP policies continue to provide a justified, effective and supportive policy framework to allow much needed housing and community facilities to be delivered at the site. Accordingly, this Representation focusses on:

1. The DTLP Hartley Gardens allocation;
2. Associated key draft policies impacting Hartley Gardens in the DTLP; and
3. Viability and delivery.

1.5 This is done through commenting on the draft policies and relevant evidence base documents to assist the Council in ensuing the Local Plan is sound and can effectively support the delivery of the sustainable urban extension at Hartley Gardens.

1.6 Overall, Homes England is supportive of the overarching principles and messages within the DTLP, in particular, the retention of Hartley Gardens as a key large scale development site and recognition of the viability challenges of delivering development in the District. However, the evidence base and emerging policy requirements must remain robust and well evidenced to ensure both the strategic policies and allocation policy is sound to enable the site to come forward and deliver the scale of development needed on this strategic site. At present, Homes England have identified a number of inconsistencies in the DTLP evidence base.

2 Homes England and Hartley Gardens

2.1 Homes England has been engaging with Tendring District Council, Essex County Council, the local community and other stakeholders on the Hartley Gardens development since 2022 and, at the time of writing, are close to submitting a comprehensive outline planning application (OPA) for: up to 1,830 homes; a neighbourhood centre; land for a primary school and early years and childcare facility; sport pitches; open space; play and landscaped areas, and; associated highways, engineering, infrastructure ancillary works. The proposed application site – known as 'Land at Hartley Gardens - falls mostly within the Hartley Gardens Site Allocation boundary and comprises approximately 155 hectares.

2.2 The Homes England proposals have been prepared in accordance with the current adopted Development Plan for the Site and Hartley Gardens Supplementary Planning Document (HGSPD, adopted December 2025) and the supporting Hartley Gardens Infrastructure Delivery Plan evidence base.

3 The Hartley Gardens Allocation

3.1 Hartley Gardens is currently allocated as a residential-led urban extension to Clacton-on-Sea at Site Allocation 'SAMU2' in the Tendring District Local Plan 2013-2033 and Beyond: Section 2 (TLP2). Homes England is fully supportive of the retention of this Allocation in the DTLP and notes that the wording of Site Allocation SAMU2 is very similar between the TLP2 and DTLP. Homes England comments on the proposed changes between the adopted and emerging policy changes as set out in the Table below.:

TDC Local Plan Section 2 (adopted, Jan 2022) Policy SAMU2	TDC Local Plan Submission Version (Sept 2026) Strategic Policy SAMU2	Homes England Comments
a. Approximately 1,700 new homes of mixed sizes and types to meet evidenced local housing need within the Council's most up to date Strategic Housing Market Assessment and to include 30% affordable housing as set out in Policy LP5.	a. Approximately 1,870 new homes of mixed sizes and types to meet evidenced local housing need within the Council's most up-to-date Strategic Housing Market Assessment including affordable housing.	Support the increase of new homes on the site. This is supported by masterplanning evidence in the HGSPD and reflects national planning policy to optimise density. Support the omission of a specific affordable housing percentage for the site and continued reference to the latest evidence. Given ongoing economic uncertainties, it is considered sensible to allow flexibility in the optimum amount of affordable housing to be provided without stymying delivery. (Note: Comments on Policy LP5 Affordable Housing in the following section)
c. 2.1 hectares of land for a new two-form entry primary school with co-located 56 place early years and childcare facility, 0.13 hectares of land for a second 56 place stand-alone early years and childcare nursery and/or financial contributions towards primary school and secondary school provision as required by the Local Education Authority based on evidenced need;	c. Approximately 2.1 hectares of land for primary education provision (Use Class F1(a)) together with land for early years and childcare provision (Use Class E(f), and/or financial contributions towards primary school and secondary school provision as required by the Local Education Authority based on evidenced need.	Note that the policy wording is less prescriptive, allowing for more flexibility on how early years and childcare provision is provided.
d. New facilities and/or financial contributions to support new health provision based on evidenced need;	d. New facilities and/or financial contributions to support new health provision based on evidenced need and other community infrastructure requirements, including emergency services infrastructure where justified.	Note the reference to other community infrastructure and emergency services specifically and not and do not object in principle. The development will need to deliver significant amounts of infrastructure (in kind or by financial contribution) and must remain viable.

		As noted elsewhere in this response, the viability assessment moves away from standard formula approaches for certain financial obligation requirements and there are a number of inconsistencies and omissions in the supporting infrastructure evidence base that have not been carried forward into the Local Plan viability testing. In the absence of a robust viability assessment, It is therefore **recommended** that this part of the Policy states *"where justified and does not impact on the viability of the allocation".*
e. Green infrastructure which should provide a multi-functional and connected network, including amenity green space, parks, allotments and natural and semi natural green space (meeting the standards set out in Policy HP5) and providing for attractive green walking and cycling routes;	e. Green infrastructure which should provide a multi-functional and connected network, including amenity green space, parks, allotments and natural and semi natural green space (meeting the standards set out in Policy HP5) and providing for attractive green walking and cycling routes;	**Note** that the wording has not changed but the requirements of updated Policy HP5 Open Space, Sports and Recreation Facilities has.
f. To deliver at least 10% biodiversity net gain;	f. To deliver the necessary level of biodiversity net gain in accordance with Policy PPL4a and any habitat mitigation measures required to address impacts on designated nature conservation sites.	**Object** to the increase in biodiversity net gain (BNG) requirement via reference to Policy PPL4a. BNG should reflect NPPF requirement and extensive masterplanning work undertaken to date as endorsed by the HGSPD. Comments on Policy PPL4a Biodiversity Net Gain in Tendring in the following section.
Masterplanning Approach	Masterplanning Approach	**Support** the references to determining applications at the site in accordance with the HGSPD now this has been adopted.
o. Ensure no net loss of biodiversity, and to deliver a 10% net gain as well as securing positive benefits to biodiversity through the restoration, enhancement and creation of appropriate semi-natural habitats within and through the site to maintain, restore and create functional ecological networks;	o. Ensure no net loss of biodiversity and deliver a net gain in accordance with Policy PPL4a, as well as securing positive benefits to biodiversity through the restoration, enhancement and creation of appropriate semi-natural habitats within and through the site to maintain, restore and create functional ecological networks.	**Object** to the increase in BNG requirement via reference to Policy PPL4a. BNG should reflect NPPF requirement and extensive masterplanning work undertaken to date as endorsed by the HGSPD. Comments on Policy PPL4a Biodiversity Net Gain in Tendring in the following section.
u. Demonstrate that no internationally designated sites would be adversely affected by the development either alone or in combination with other proposals	u. Demonstrate that no internationally designated sites would be adversely affected by the development either alone or in combination with other proposals	Comments above in relation to PPL4a apply here. **Note** reference to Habitats Regulations Assessment, which

as per the requirements of Policy PPL4 and future proposals will need to demonstrate no adverse impact on water quality as per the requirements of Policy PPL5;	as per the requirements of Policy PPL4, and future proposals will need to demonstrate no adverse impact on water quality, including the provision of appropriate avoidance, mitigation and compensation measures where required by the Habitats Regulations Assessment.	will be carried out by TDC as the Competent Authority. Applicants would normally provide information with a planning application to assist this process.

3.2 The Hartley Gardens Site Allocation boundary is shown at pg. 196 of the DTLP and remains unaltered from TLP2. In the intervening period, the HGSPD has been adopted and the HGSPD boundary includes some limited additional land to the Site Allocation. This is clearly identified and justified at Figure 1.6 and para. 1.24 of the HGSPD respectively, the latter stating:

"The SPD boundary includes limited land to the north-east of the Site allocation boundary. This additional land is required and necessary for access to the A133/Progress Road/St Osyth Road roundabout and can also provide additional open green space. This wider boundary is referred to as the SPD Boundary in this document. This additional land is included to better enable the Spatial Framework to deal with the Allocation Site's integration with its surroundings and the wider countryside and ensure a defensible and sensitive boundary to the open countryside beyond, as required in Policy SAMU2. It also better reflects current ownership boundaries. Other than part of the link road, no other built form is proposed on this additional land, it is identified as 'open green space' in the Spatial Framework and contributing to the 'Green Buffer' on indicative landscape drawings in this SPD."

3.3 This rationale applies equally to the Hartley Gardens Site Allocation boundary in the DTLP and it is **recommended** that the boundary at pg. 196 is updated to reflect the HGSP Figure 1.6.

4 Key Draft Policies

4.1 As identified above, the Hartley Gardens Allocation Policy (SAMU2) cross refers to updated standards in the DTLP:

Strategic Policy LP5 Affordable Housing

4.2 Homes England generally **supports** the proposed approach to affordable housing at Policy LP5 Affordable Housing which seeks a lower quantum of affordable housing (outside of the Garden Community and Villages) compared to current allocation based on Local Plan Viability Assessment (see Section 5). However, it is understood that the reduction in affordable housing provision appears to be in response to enhanced policy requirements, such as those for BNG, water and energy efficiency, rather than in recognition of the significant infrastructure needed to bring forward SAMU2 as a strategic allocation. In light of the concerns around the viability testing and gaps within the supporting Tendring Infrastructure Delivery Plan set out below, either further viability testing is needed to fully justify the 20% or further flexibility in the quantum of affordable housing may still be required to support the delivery of homes and facilities. As the affordable housing threshold is supported by the Council's own evidence base, this needs to be robust and transparent, and comments are provided below.

It should also be **noted** that whilst the rationale for lowering to the affordable housing threshold appears to be based on enhanced policy requirements, the existing economic situation is such that at the current time viability is very challenging without these new policies.

Strategic Policies PPL4 Biodiversity and Geodiversity and PPL4a Biodiversity Net Gain in Tendring

4.3 Whilst Homes England recognise the need to provide biodiversity net gain (BNG) and support the principle of this Policy, they **object** to the proposed blanket increase of this to 20% in Policy PPL4a.

4.4 Plan-making Policy N1: Identifying environmental opportunities and safeguards of the National Planning Policy Framework (NPPF, August 2026) is clear that development plans should only set local BNG standards in excess of statutory net gain requirements where this is for specific site allocations and fully justified and deliverable. The statutory requirement is 10% BNG and this should be reflected in DTLP Policy PPL4a.

4.5 A BNG requirement in excess of 10% has not been justified or shown to be deliverable on the Hartley Gardens site. The extensive work on the Hartley Gardens site to date has been based on providing a minimum BNG of 10% and the adopted HGSPD reflects this (Development Principle N7). Whilst any future proposals at the site should look to maximise BNG when balanced against other planning requirements, a formal policy position of a minimum 20% BNG introduces unwelcome uncertainty and could undermine the site's deliverability.

4.6 For the above reasons, Homes England also **object** to the following proposed wording in Policy PPL4 (our underlining) which could result in a BNG requirement of over 10%:

"Whilst SANG is not an automatic delivery mechanism for BNG, the two can exist on the same site. BNG on SANG is only attributable to such habitat creation or enhancement that proves measurable additionality over and above the minimum requirements of the SANG, demonstrated using the Biodiversity Metric."

5 Viability Evidence Base

5.1 Strategic Policy DI1 Infrastructure Delivery and Impact Mitigation recognises that developers should contribute to infrastructure required to support new development and that this can take a number of forms including financial contributions, on or off-site provision, or provision of land. Homes England **support** the principle of this approach.

5.2 The Policy refers, variously, to 'sufficient appropriate', 'additional' necessary' and 'relevant' infrastructure. Whist the level of supporting infrastructure will be likely be determined on a case by case basis, it is important that well evidenced assumptions are made on infrastructure for typologies of development and for strategic sites, such as Hartley Gardens. This will provide greater certainty for both the Council and developers in delivering homes.

5.3 At present, there are a number of uncertainties and inconsistencies in the evidence base to the DTLP, most notably in the TDC Local Plan Viability Assessment August Update Note (the 'Viability Note') and Tendring Infrastructure Delivery Plan (TIDP, August 2026). Including:

1. The Viability Note includes 'strategic infrastructure and mitigation' costs for strategic sites (Table 6.5). For Hartley Gardens the total figure is stated as £28,805,171 at £15,404 per unit for 1,700 homes. This document should make clear that it is for 1,870 homes as per Site Allocation SAMU2.

2. More fundamentally, the basis for these figures is not clearly justified. Reference is made to an earlier (July 2026) version of the TIDP but this has not been made available and the figures do not appear in the published TIDP. Consequentially, it is not clear what infrastructure and mitigation these costs at Table 6.5 include.

3. In short, it is not clear if these strategic site costs are bespoke planning contributions figures for the strategic sites or if these are infrastructure and mitigation costs in addition to the per unit developer contributions at para. 6.61.

4. The conclusions to the Viability Note (9.4j) state that the strategic sites costs from the updated TIDP are tested but, as noted above, the costs at Table 9.2 (which replicates Table 6.5) do not appear in the TIDP (as published).

5. Turning to the TIDP, and notwithstanding its inconsistency with the Viability Note, there are a significant number of unknowns for estimated costs for site SAMU 2 (Hartley Gardens) in the Infrastructure Schedules at Appendix B. Clarity is required on expectations for Hartley Gardens given the advanced stage of pre-application work and the adopted HGSPD. It is also unclear whether these costs have been adjusted in the Viability Note for the strategic sites, noting that the ECC costs have been adjusted (we assume for non strategic sites) in the Viability Note which states (para. 6.58):

6. It is recognised by the Council (Viability Noted para. 6.58) that: *"These amounts [ECC Developer Contributions] are substantially more than those currently sought by the Council. It is unlikely that these contributions will apply in most cases – particularly the education payments which are only likely to apply to the largest sites."* In Table B.16: Hartley Gardens, Clacton (SAMU2) of the TIDP the combined infrastructure cost totals circa £36m. This appears to be a combination of planning obligations and strategic infrastructure costs. However, a number of infrastructure costs are identified as 'not known'.

7 Clarification is therefore required on where cost items have been sourced, particularly those which appear significantly higher than the estimated costs identified in the Hartley Gardens Infrastructure Delivery Plan – specifically for bus contributions (£7,805,548) and off-site highways (£18,574,571). Homes England's outline planning application includes details of the four primary means of vehicular access to accommodate the proposed development, but does not consider further off-site mitigation is required to additional junctions identified in the TIDP.

8 In recognition that ECC Developer Contributions are substantially more than is than is currently being sought by the Council, Homes England supports a more pragmatic tariff based approach to calculating planning obligations on a per home basis as set out in the Viability Note (para 6.61), calculated at £7,500 per home for Essex County Council developer contributions. With developer contributions for 'Other Items (all)' at £2,500 per home as set out in Viability Note (para. 6.1).

9 The reference to education payments is of particular importance to Hartley Gardens in terms of expected provision and costs. The above Viability Note text (6) infers that education payments will only apply to large sites and whilst this is noted, there are a number of significant unknowns in the TIDP Infrastructure Schedules in relation to education. It is not clear if these costs have been taken forward into the scheme costs as part of the viability testing.

10 It is only stated that RAMS payments will be in addition to these costs identified above (8). Clarity is sought on how the strategic site costs interact, if at all, with the Essex County Council (ECC) Developer Contributions costs (paras. 6.57-6.61) or 'Other items (all)' (para. 6.1) in the Viability Note

5.4 More generally, any contributions sought from development proposal must be:

1 Necessary to make the development acceptable in planning terms;

2 Directly related to the development; and

3 Fairly and reasonably related in scale and kind to the development.

5.5 As recognised in the TIDP itself (para. 2.8) any developer contributions for Hartley Gardens, or other sites, must meet these statutory tests.

5.6 Overall, Homes England **recommend** that current uncertainties and inconsistencies in the viability evidence base to the DTLP are clarified and corrected for Hartley Gardens to ensure that: estimated planning contributions *and* infrastructure costs are clear in terms of amount and scope; cross referencing and reliance between the Viability Note and TIDP is clear and transparent, and; developer contributions meet the statutory tests. The viability assessments may then need to be re-run to demonstrate that, as a whole, the DTLP 'policy asks' and infrastructure requirements do not impact on the viability and overall deliverability of the Hartley Gardens scheme. This is important when looking at the sensitivity testing in the Strategic Sites Table (page 48) of the Viability Note which shows a relatively small change in infrastructure costs (circa. 10%) are likely to make the scheme unviable.

6 Conclusion

6.1 As set out in this Representation, Hartley Gardens is a key strategic site that is already allocated in the existing Tendring Local Plan and benefits from the site specific Hartley Gardens Supplementary Planning Document that includes a spatial strategy. Homes England is at an advanced stage of pre-application discussion with Tendring District Council, Essex County Council and key stakeholders on a comprehensive outline planning application for the majority of the allocation.

6.2 In this context, Draft Tendring Local Plan Strategic Policy SAMU2 should be framed in a manner that is positive, clear and effective, to support the delivery and, where possible, accelerated deliver of homes at this site. It should reflect the significant work that has been undertaken to date to bring forward an OPA for the majority of the site that positively responds to the existing development plan and HGSPD. It should avoid introducing additional requirements that may slow progress in delivering this sustainable urban extension for Clacton-on-Sea.

6.3 Overall, Homes England support the vison and principles in the Draft Tendring Local Plan and welcome the Council's acknowledgement of the viability challenges of delivering new homes in Tendring, as reflected in the

proposed lowering of the affordable housing threshold and recognition of ways in which supporting infrastructure can be delivered. However, the Council must ensure these delivery objectives are not undermined by other policies aspirations, such as seeking BNG above statutory requirements, or uncertainties over infrastructure requirements in the evidence base. The clarification and correction of these issues identified will result in a more consistent, clear and delivery focussed local plan.

14605 Support

Document Element: Vision for the Tendring District
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

The reference in the vision to residents being able to enjoy a healthy quality of life is welcomed as sport/physical activity will make an important contribution to this. Reference in the vision (points 4 and 5) to new development providing more walkable places and excellent services/facilities would support this. Specific support is offered for the inclusion of the point 6 for new development to provide opportunities for local communities to be healthy and physically active. The vision would be considered to be consistent with Sport England's Uniting the Movement Strategy and Government policy in paragraph 96 of the NPPF (2024).

Full text:

The reference in the vision to residents being able to enjoy a healthy quality of life is welcomed as sport/physical activity will make an important contribution to this. Reference in the vision (points 4 and 5) to new development providing more walkable places and excellent services/facilities would support this. Specific support is offered for the inclusion of the point 6 for new development to provide opportunities for local communities to be healthy and physically active. The vision would be considered to be consistent with Sport England's Uniting the Movement Strategy and Government policy in paragraph 96 of the NPPF (2024). It would also be consistent with the objectives of the Essex Local Delivery Pilot in Tendring that is currently being delivered.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14606 Support

Document Element: Objectives for the Plan
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

Specific support is offered for strategic objective 4 as this would support the promotion of active travel opportunities in new development which in turn would encourage physical activity. Promoting and encouraging healthy lifestyles through developments and planning is welcomed in Objective 5 as this would accord with Government policy in paragraph 96(c) of the NPPF (2024) and Sport England's 'Uniting the Movement' Strategy.

Full text:

Specific support is offered for strategic objective 4 as this would support the promotion of active travel opportunities in new development which in turn would encourage physical activity. Promoting and encouraging healthy lifestyles through developments and planning is welcomed in Objective 5 as this would accord with Government policy in paragraph 96(c) of the NPPF (2024) and Sport England's 'Uniting the Movement' Strategy.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14607 Support

Document Element: Non-strategic Policy HP1
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

Part A of the policy is supported for the following reasons:

• It expects new developments to be located, designed and laid out to create safe and healthy environments.
• It expects evidence of the principles that are set out in the Essex Healthy Places Guidance including the Active Design checklist.
• It expects developments to maintain, expand and improve the quality of public open space, sport and recreational facilities.
The policy would accord with Sport England's Uniting the Movement Strategy and would also be consistent with Government planning policy especially in paragraphs 96 and 129 of the NPPF (2024).

Full text:

Part A of the policy is supported for the following reasons:

• It expects new developments to be located, designed and laid out to create safe and healthy environments.
• It expects evidence of the principles that are set out in the Essex Healthy Places Guidance including the Active Design checklist.
• It requires Health Impact Assessments for all major developments.
• It expects developments to maintain, expand and improve the quality of public open space, sport and recreational facilities.
• It requires developments to prioritise walking, wheeling and cycling.
• It expects developments to contribute to the expansion of the biodiversity network to promote health and wellbeing.
• It expects developments to be well designed to create safe, accessible and inclusive places for all users.
The policy would accord with Sport England's Uniting the Movement Strategy and Active Design Guidance and would also be consistent with Government planning policy especially in paragraphs 96 and 129 of the NPPF (2024).

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14608 Object

Document Element: Non-strategic Policy HP2
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

The policy is welcomed in principle as it seeks to protect, enhance and provide community facilities which would include sports facilities. Policy HP5 states that sport and recreational facilities will be protected in line with Policy HP2. It is therefore essential that the content of the policy is appropriate for protecting sports facilities and is consistent with paragraph 104 of the NPPF (2024) which specifically covers the protection of sport and recreation facilities. Several issues with the policy content are identified which require addressing to allow the policy to meet the tests of soundness.

Full text:

The policy is welcomed in principle as it seeks to protect, enhance and provide community facilities which would include sports facilities as set out in paragraph 4.9 of the reasoned justification. Policy HP5 states that sport and recreational facilities will be protected in line with Policy HP2. It is therefore essential that the content of the policy is appropriate for protecting sports facilities and is consistent with paragraph 104 of the NPPF (2024) which specifically covers the protection of sport and recreation facilities. In this context, the content of the policy has the following issues:

• Criterion b does not require the replacement facilities to provide equivalent or better provision in terms of quantity and quality. This is essential for assessing the acceptability of replacement sport and recreation facilities as required by paragraph 104 (as referenced in paragraph 4.25 of the reasoned justification).

• Criterion c refers to it being demonstrated that there is no longer a community need for a facility or demand for another community use as per the guidance in Appendix E of the plan. However, the guidance in Appendix E is not suitable for assessing sport and recreation facilities such as playing fields and parks which often form part of multi-functional public open space. Marketing and viability assessments for instance would not be appropriate for demonstrating that such facilities were not needed. Such criteria are also not included in paragraph 104 of the NPPF (2024). While the guidance in Appendix E may be appropriate for other community facilities such as public houses and community halls it would not be appropriate for all sport and recreation facilities. The criteria in Appendix E would also be inconsistent with the criteria applied in Policy HP5 for assessing Safeguarded Open Space (that covers other open space typologies). The Council's evidence base for sport (Playing Pitch Strategy and Indoor & Built Facilities Strategy) also does not recommend that the criteria in Appendix E are used for assessing whether sport and recreation facilities are needed. The findings of the evidence base for sport should be used rather than the criteria in Appendix E.

• While criteria (b) and (c) partially align with criteria a and b of paragraph 104 of the NPPF (2024), the policy omits a criterion relating to development for alternative sports and recreation provision along the lines of criterion c) of paragraph 104. This criterion is applied in practice for assessing many proposals in Tendring district on school or sports club sites for example e.g. sports halls, artificial grass pitches, multi-use games areas etc that may be sited on playing fields. Without the inclusion of such a criterion, a proposal could potentially accord with paragraph 104 of the NPPF (2024) but be interpreted as being contrary to the Local Plan policy because the policy does not make provision for such development. .

In its current form, as the policy would not align with the evidence base for sport and the NPPF, it would not be considered to accord with the positively prepared, justified or consistent with national policy tests of soundness.

Change suggested by respondent:

It would appear that the above issues have arisen as a result of the scope of policy HP2 attempting to cover both community facilities and sport/recreation facilities (which cover some of the open space typologies). The NPPF (2024) has separate policies on the protection of open space/sport/recreation facilities and community facilities and therefore amalgamating them into a single policy and using the same criteria will present challenges in terms of consistency with the NPPF (2024). To address this it is suggested that either policy HP5 or HP2 are amended to include criteria for assessing the loss of sport and recreation facilities which are along the lines of the criteria in paragraph 104 of the NPPF (2024). Amending policy HP5 would be preferable as this policy applies specifically to open space, sport and recreation facilities and would allow policy considerations relating to sport and recreation to be focused into a single policy rather than spread across the two policies as currently proposed. The reasoned justification to policy HP2 would need to be amended to confirm that proposals involving the loss of sport and recreation facilities would be assessed against policy HP5 rather than HP2 if this approach was taken. Sport England would be happy to discuss amendments to policies HP2 and/or HP5 with a view to reaching a mutually agreeable solution prior to the Examination.

Legally compliant: Yes
Sound: No
Appear exam: Appearance at the examination
Oral exam why: To provide specialist advice to the Inspector on sports facility planning matters.
Attachments: None

14609 Object

Document Element: Non-strategic Policy HP5
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

The policy is welcomed in principle as it seeks to maintain, expand and improve the quality and accessibility of sport and recreation facilities. The proposals for large residential allocations of over 30 hectares to include playing fields and built community sports facilities is also welcomed in principle. However, in its current form, for several reasons the policy would not align with the evidence base for sport or provide a clear and consistent policy basis for informing development management decisions. It would therefore not be considered to accord with the positively prepared, justified or effective tests of soundness.

Full text:

The policy is welcomed in principle as it seeks to maintain, expand and improve the quality and accessibility of sport and recreation facilities. The proposals for large residential allocations of over 30 hectares to include playing fields and built community sports facilities is also welcomed in principle. However, the content of the policy has the following issues:

• The policy and the reasoned justification only refer to the Council's Open Spaces Strategy to justify and support the implementation of the policy. However, despite sports facilities being within the scope of the policy, the Open Space Strategy does not cover outdoor and indoor sports facilities. In addition to the Open Spaces Strategy, the Council's Playing Pitch Strategy and Leisure Facilities Strategy should be used to inform and justify this policy as it was prepared principally to provide the evidence base for the emerging Local Plan.
• While acknowledging that the policy advises that sports and recreational facilities will be protected in line with the requirements of Policy HP2, concerns have been raised about the approach to protecting sport and recreational facilities in Policy HP2 (see separate comments made on Policy HP2). As suggested in these related comments it may be appropriate to make amendments to Policy HP5 rather than HP2 to address these concerns.
• The policy only requires development to contribute towards the provision, improvement and maintenance of public open space and play equipment. Sports facilities have been excluded apart from the requirement for on-site provision for sites over 3 hectares in size. This would be contrary to the recommendations in the Council's Playing Pitch Strategy and Leisure Facilities Strategy especially since it will be inappropriate for the majority of developments to make on-site provision for sport and therefore the additional demand generated will be dependent on off-site provision being made through the use of financial contributions. Both of these strategies recommend up-to-date approaches for securing provision for sport through financial contributions including the use of Sport England's Playing Pitch Calculator and Sports Facility Calculator tools for estimating the demand generated by developments and the capital cost of meeting the demand which is used for informing financial contributions. Other local planning authorities in Essex have been using these established tools for securing developer contributions for several years and are embedding the approach into emerging Local Plan policies. The need to address this has also been recognised by the District Council in their Sport and Activity Strategy which includes a short term priority to improve access to developer contributions towards sports provision in the district.
• The policy requires site allocations of over 30 hectares but less than 70 hectares to provide an element of playing fields and/or built community sports provision. However, a development of this scale would be expected to provide for both outdoor and indoor facilities not choose between the two. This is likely to result in developers choosing to provide whichever facility type has the least cost or land take implications rather than which facilities are needed most. It would also be inconsistent with the approach taken to sites of 70 hectares or more.

In its current form, as the policy would not align with the evidence base for sport or provide a clear and consistent policy basis for informing development management decisions, it would not be considered to accord with the positively prepared, justified or effective tests of soundness.

Change suggested by respondent:

This objection could be addressed if the following amendments were made to allow the policy to meet the tests of soundness:
• The policy and reasoned justification should be amended accordingly to refer to the Council's Playing Pitch Strategy and Leisure Facilities Strategy. In particular, the final paragraph of the policy should be amended to refer to the guidance set out in these strategies given that the current reference to the having regard to the standards in the Open Spaces Strategy would not be applicable to sports facilities which do not have standards.
• Consideration is given to whether the reference in the policy to sports and recreational facilities being protected in line with the requirements of Policy HP2 should be maintained in the context of the related comments made by Sport England on the unsuitability of the criteria included in Policy HP2. Amendments may need to be made to policy HP5 to provide criteria for assessing proposals which affect sport and recreation facilities.
• The policy should be amended where appropriate to refer to outdoor and indoor sports facilities as well as the other open space typologies especially in the sections relating to financial contributions being secured via CIL, s106 agreements or alternative mechanisms.
• For sites of 30 hectares and over, it is requested that "or" is removed from "an element of outdoor playing facilities and/or built community sports provision"

Legally compliant: Yes
Sound: No
Appear exam: Appearance at the examination
Oral exam why: To provide specialist advice to the Inspector on sports facility planning matters.
Attachments: None

14610 Support

Document Element: Non-strategic Policy LP3
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:
Support is offered for the inclusion of Active Design principles in part g of the policy as this will help ensure that new residential development is designed to maximise the potential for encouraging physical activity. This aligns with the Local Plan's vision and objectives as well as health and wellbeing policies. The policy would accord with Sport England's Uniting the Movement Strategy and Active Design Guidance and would also be consistent with Government planning policy especially in paragraphs 96 and 129 of the NPPF (2024).

Full text:
Support is offered for the inclusion of Active Design principles in part g of the policy as this will help ensure that new residential development is designed to maximise the potential for encouraging physical activity. This aligns with the Local Plan's vision and objectives as well as health and wellbeing policies. The policy would accord with Sport England's Uniting the Movement Strategy and Active Design Guidance and would also be consistent with Government planning policy especially in paragraphs 96 and 129 of the NPPF (2024).

Change suggested by respondent:
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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14611 Support

Document Element: Non-strategic Policy LP4
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:
Support is offered for this policy especially parts a and b as they promote health and wellbeing through the integration and enhancement of green infrastructure and locating public open where it is accessible by active travel modes. The policy also makes reference to Active Design and other guidance that supports health and wellbeing in development. This aligns with the Local Plan's vision and objectives as well as health and wellbeing policies. The policy would be considered to accord with Sport England's Uniting the Movement Strategy and would also be consistent with Government planning policy in the NPPF (2024).

Full text:
Support is offered for this policy especially parts a and b as they promote health and wellbeing through the integration and enhancement of green infrastructure and locating public open where it is accessible by active travel modes. The policy also makes reference to Active Design and other guidance that supports health and wellbeing in development. This aligns with the Local Plan's vision and objectives as well as health and wellbeing policies. The policy would be considered to accord with Sport England's Uniting the Movement Strategy and Active Design Guidance and would also be consistent with Government planning policy especially in paragraphs 96 and 129 of the NPPF (2024).

Change suggested by respondent:
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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14612 Support

Document Element: Strategic Policy PP12
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:
The policy is supported as it expects new educational facilities that include indoor or outdoor sports facilities to be designed to facilitate community use as well as expecting community use agreements to secure public access to such facilities. Indoor and outdoor sports facilities on education sites make a significant contribution to meeting the community's sports facilities in Tendring district and this has been evidenced in the Council's Playing Pitch Strategy and Leisure Facilities Strategy. As well as according with paragraph 98(a) of the NPPF (2024) this would accord with the recommendations in the abovementioned strategies.

Full text:
The policy is supported as it expects new educational facilities that include indoor or outdoor sports facilities to be designed to facilitate community use as well as expecting community use agreements to secure public access to such facilities. Indoor and outdoor sports facilities on education sites make a significant contribution to meeting the community's indoor and outdoor sports facilities in Tendring district and this has been evidenced in the Council's Playing Pitch Strategy and Leisure Facilities Strategy. As well as according with paragraph 98(a) of the NPPF (2024) this would accord with the recommendations in the abovementioned strategies. It would also contribute to delivering the Local Plan's vision and objectives in relation to providing opportunities for healthy lifestyles and reducing health inequalities especially as schools are usually located centrally within the communities where residents live. The policy is considered to meet the 'justified' and 'consistent with national policy' tests of soundness therefore.

Change suggested by respondent:
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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14613 Support

Document Element: Strategic Policy CP1
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:
The policy is supported for the following reasons:
• It encourages active travel modes especially in the large scale developments.
• It expects major developments to include walking/cycling routes that link to existing networks and enhanced connectivity to existing public rights of way
• It expects major developments to recognise the health benefits of active travel.
The policy would therefore support physical activity by encouraging developments to be designed to support active travel modes. This aligns with the Local Plan's vision and objectives. The above policy would be consistent with Government planning policy the NPPF (2024).

Full text:
The policy is supported for the following reasons:
• It encourages active travel modes especially in the large scale developments.
• It expects major developments to include walking/cycling routes that link to existing networks and enhanced connectivity to existing public rights of way
• It expects major developments to recognise the health benefits of active travel.
The policy would therefore support physical activity by encouraging developments to be designed to support active travel modes. This aligns with the Local Plan's vision and objectives as well as the health and wellbeing policies. The above policy requirements would accord with Sport England's Uniting the Movement Strategy and Active Design Guidance and would also be consistent with Government planning policy especially in paragraphs 96 and 129 of the NPPF (2024).

Change suggested by respondent:
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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14614 Support

Document Element: Strategic Policy SAMU8
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

While no comment is made on the principle of this allocation, support is offered for the requirement in part 18 of the policy for indoor leisure and sports facilities to be provided within the new community or contributions to be made to off-site facilities where facilities cannot be provided on-site. Part 17 of the policy is also supported as it makes provision for a network of multi-functional green infrastructure including a country park. The policy approach is justified by the Council's sports evidence base, and Government policy in the NPPF (2024) especially paragraph 103.

Full text:

While no comment is made on the principle of this allocation, support is offered for the requirement in part 18 of the policy for indoor leisure and sports facilities to be provided within the new community or contributions to be made to off-site facilities where facilities cannot be provided on-site. This policy requirement is considered to be justified as a site of approximately 4,500 dwellings is one of the largest allocations in the plan and additional demand associated with this scale of development will be difficult to be met by improving the capacity of nearby facilities in the local area especially as this is located close to the Garden Community which will not be able to meet all of its demand on-site. The requirement for an Open Space, Sport and Recreation Strategy to be prepared as part of the masterplanning process is especially welcomed as this would provide a strategic framework for considering open space, sport and recreation provision in future planning applications. Part 17 of the policy is also supported as it makes provision for a network of multi-functional green infrastructure including a country park. This approach is justified by the Council's sports evidence base, and Government policy in the NPPF (2024) especially paragraph 103.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14615 Support

Document Element: Strategic Policy SAMU9
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

While no comment is made on the principle of this allocation, support is offered for the requirement in part 18 of the policy for indoor leisure and sports facilities to be provided within the new community or contributions to be made to off-site facilities where facilities cannot be provided on-site. Part 17 of the policy is also supported as it makes provision for a network of multi-functional green infrastructure and a country park. This approach is justified by the Council's sports evidence base and Government policy in the NPPF (2024) especially paragraph 103.

Full text:

While no comment is made on the principle of this allocation, support is offered for the requirement in part 18 of the policy for indoor leisure and sports facilities to be provided within the new community or contributions to be made to off-site facilities where facilities cannot be provided on-site. This policy requirement is considered to be justified as a site of approximately 6,000 dwellings is the largest allocation in the plan and additional demand associated with this scale of development will be difficult to be met by improving the capacity of nearby facilities in the local area especially as there is limited existing sports facility provision in the Horsley Cross area. The requirement for an Open Space, Sport and Recreation Strategy to be prepared as part of the masterplanning process is especially welcomed as this would provide a strategic framework for considering open space, sport and recreation provision in future planning applications. Part 17 of the policy is also supported as it makes provision for a network of multi-functional green infrastructure and a country park. This approach is justified by the Council's sports evidence base and Government policy in the NPPF (2024) especially paragraph 103.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14616 Support

Document Element: Strategic Policy SAH2
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:

While no comment is made on the principle of this allocation, part b of the policy is welcomed in relation to consideration being given to how public open space integrates with and enhances the existing playing fields and sports facilities at Kirby Playing Fields. The opportunity to extend or enhance the Kirby Playing Fields site to meet the sports facility needs of the development should be explored as this would be preferable to off-site provision for sport being made especially given the limited local opportunities for enhancing existing sports facilities.

Full text:

While no comment is made on the principle of this allocation, part b of the policy is welcomed in relation to consideration being given to how public open space integrates with and enhances the existing playing fields and sports facilities at Kirby Playing Fields. The opportunity to extend or enhance the Kirby Playing Fields site to meet the sports facility needs of the development should be explored as this would be preferable to off-site provision for sport being made especially given the limited local opportunities for enhancing existing sports facilities.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14617 Support

Document Element: Strategic Policy SAH7
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:
While no comment is made on the principle of this allocation, part b of the policy is welcomed in relation to the provision of public open space incorporating community sports facilities. The development provides an opportunity to help meet local sports facility needs identified in the Council's sports evidence base in the Great Bentley area for both the development and the existing local community.

Full text:
While no comment is made on the principle of this allocation, part b of the policy is welcomed in relation to the provision of public open space incorporating community sports facilities. The development provides an opportunity to help meet local sports facility needs identified in the Council's sports evidence base in the Great Bentley area for both the development and the existing local community.

Change suggested by respondent:
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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14618 Object

Document Element: MSA31 Land adjoining Harwich & Parkeston Football Club, Dovercourt
Respondent: Sport England
Date received: 24/09/2026 via Web

Summary:
This site substantially comprises the car park serving Harwich & Parkeston Football Club's stadium and provides the only on-site car park that serves the club site. The potential loss of the car park to residential without mitigation would prejudice the use of the football club as all car parking would have to be provided for off-site which could result in highway congestion and residential amenity conflicts in the surrounding area if there is inadequate provision during peak periods. The loss of the car park without mitigation would not be considered to accord with paragraph 104 of the NPPF (2024).

Full text:
This site substantially comprises the car park serving Harwich & Parkeston Football Club's stadium and provides the only on-site car park that serves the club site. The potential loss of the car park to residential without mitigation would prejudice the use of the football club as all car parking would have to be provided for off-site which could result in highway congestion and residential amenity conflicts in the surrounding area if there is inadequate provision during peak periods. The Football Foundation has advised that the FA's ground grading requirement for clubs playing at step 5 of the Non-League System (which the club's first team currently plays at) require adequate car parking facilities on or adjacent to the ground. The loss of existing parking provision without mitigation could therefore pose a risk to the club's status because clubs whose grounds do not meet the requirements may not be able to play at this level.
Sport England will be a statutory consultee on any future planning application for development on the car park as it would result in the loss of ancillary facility that supports the use of a playing field (the stadium football pitch). The loss of the car park without mitigation would not be considered to accord with paragraph 104 of the NPPF (2024) or Sport England's Playing Fields Policy (which planning applications are considered against when Sport England is consulted as a statutory consultee). An objection is therefore made to the allocation in its current form

Change suggested by respondent:
This objection could be addressed if a development requirement was added to the site allocation that required suitable alternative car parking provision for Harwich & Parkeston Football Club to be made and delivered as part of the development. It is understood from the football club that there may be space to create some new car parking on disused land adjoining the stadium to mitigate the loss of the car park so there may be a potential solution to this issue.

Legally compliant: Yes
Sound: No
Appear exam: Appearance at the examination
Oral exam why: To provide specialist advice to the Inspector on sports facility planning matters.
Attachments: None

14932 Support

Document Element: Non-strategic Policy SPL3
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We are supportive of the inclusion of Policy SPL3 and specifically welcome the references to flood risk requirements within Part B.l., to pollution control in Part C.n. and to the mitigation hierarchy towards the end of the policy. We also note and support the requirement in paragraph 3.75 to take opportunities to incorporate nature-based solutions and restore or enhance waterbodies, and the detail on managing contaminated land provided in paragraph 3.76.

Full text:

We are supportive of the inclusion of Policy SPL3 and specifically welcome the references to flood risk requirements within Part B.l., to pollution control in Part C.n. and to the mitigation hierarchy towards the end of the policy. We also note and support the requirement in paragraph 3.75 to take opportunities to incorporate nature-based solutions and restore or enhance waterbodies, and the detail on managing contaminated land provided in paragraph 3.76.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14933 Support

Document Element: Non-strategic Policy HP4
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We support the inclusion within this policy of the requirement for all new and extended sites to undertake a groundwater risk assessment in accordance with Environment Agency requirements and current government guidance.

Full text:

We support the inclusion within this policy of the requirement for all new and extended sites to undertake a groundwater risk assessment in accordance with Environment Agency requirements and current government guidance.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14937 Support

Document Element: Non-strategic Policy LP4
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Support references to connected, multifunctional green infrastructure. Early consideration of surface water management will additionally be beneficial as groundwater level monitoring may be required, and deep infiltration is not usually permitted. Welcome reference to applying a flood risk sequential approach to developing across a site (5.31), this should also be included in PPL1.

Full text:

We support the references within this policy to development providing green infrastructure that connects off-site and strengthens ecological networks, and for green infrastructure to be multifunctional as highlighted in paragraph 5.30.
The policy also states that surface water management should be considered early in the planning application process. The policy or supporting text could additionally highlight the benefits of this as a more efficient approach, as peak seasonal groundwater level data may be required to inform the design of Sustainable Drainage Systems (SuDS). Where peak seasonal groundwater levels are shallow this may constrain the potential for infiltration drainage due to a requirement to maintain a minimum unsaturated zone thickness beneath the infiltration level. The use of deep infiltration systems such as boreholes is not routinely acceptable and will only be approved where there are no other feasible disposal options and where the developer demonstrates no unacceptable risk to groundwater.
We also support the statement in paragraph 5.31 that development should adopt a sequential approach in respect of flood risk, with the most vulnerable uses directed to the lowest areas of current and future risk. For clarity, this requirement should also be included in the flood risk policy PPL1.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14938 Support

Document Element: Non-strategic Policy HP4
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We support the inclusion within this policy of the requirement for all new and extended sites to undertake a groundwater risk assessment in accordance with Environment Agency requirements and current government guidance.

Full text:

We support the inclusion within this policy of the requirement for all new and extended sites to undertake a groundwater risk assessment in accordance with Environment Agency requirements and current government guidance.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14939 Support

Document Element: Non-strategic Policy SPL3
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We are supportive of the inclusion of Policy SPL3 and specifically welcome the references to flood risk requirements within Part B.l., to pollution control in Part C.n. and to the mitigation hierarchy towards the end of the policy. We also note and support the requirement in paragraph 3.75 to take opportunities to incorporate nature-based solutions and restore or enhance waterbodies, and the detail on managing contaminated land provided in paragraph 3.76.

Full text:

We are supportive of the inclusion of Policy SPL3 and specifically welcome the references to flood risk requirements within Part B.l., to pollution control in Part C.n. and to the mitigation hierarchy towards the end of the policy. We also note and support the requirement in paragraph 3.75 to take opportunities to incorporate nature-based solutions and restore or enhance waterbodies, and the detail on managing contaminated land provided in paragraph 3.76.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14941 Support

Document Element: Strategic Policy LP9
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We support the additional reference added to part a) of the policy which states that gypsy and traveller sites “must avoid areas prone to flooding”. This is consistent with the National Planning Policy Framework requirement that residential caravans, mobile homes and park homes should not be placed within Flood Zone 3.

Full text:

We support the additional reference added to part a) of the policy which states that gypsy and traveller sites “must avoid areas prone to flooding”. This is consistent with the National Planning Policy Framework requirement that residential caravans, mobile homes and park homes should not be placed within Flood Zone 3.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14943 Support

Document Element: Strategic Policy PP7
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We are commenting on three of the sites included within this policy in respect of flood risk issues. Whilst we are not finding these sites and Policy PP7 to be unsound, we have highlighted further assessment that will be required prior to any proposals being developed to ensure that the sites can be brought forward safely. Those sites are: PP7b Harwich Valley; PP7c Stanton Europark & PP7e Land north of A120.

Full text:

We are commenting on three of the sites included within this policy in respect of flood risk issues. Whilst we are not finding these sites and Policy PP7 to be unsound, further work will be required prior to any proposals being developed to ensure that the sites can be brought forward safely.

PP7b Harwich Valley

The Level 2 Strategic Flood Risk Assessment (SFRA) does not provide sufficient site-specific information to understand the current and future flood risk affecting this allocation.

In particular, it is unclear:

• whether the site is currently at risk during the design flood event;
• how climate change may affect flood risk over the lifetime of the development;
• what standard of protection is provided by existing flood defences;
• whether flood defences are relied upon to make the site suitable for development;
• the characteristics of flooding, including depth, hazard and duration; and
• whether safe access, egress and emergency planning arrangements can be achieved.

Without this information, it is not possible to determine whether all or part of the site may require emergency planning measures, or how the proposed development can be demonstrated to be safe throughout its lifetime.

PP7c Stanton Europark

The SFRA does not provide sufficient information to understand the current and future flood risk affecting this allocation.

It is unclear:

• whether the site is currently affected by flooding during the design flood event;
• the future risk to the site under climate change scenarios;
• the level of protection afforded by existing flood defences;
• the flood characteristics that would affect users of the site;
• whether safe access and egress can be maintained; and
• what mitigation measures would be required to ensure people working on the site would remain safe during flood events.

As a result, the evidence base does not clearly demonstrate how the proposed employment development can be occupied and operated safely throughout its lifetime.

PP7e Land north of A120

The SFRA does not provide sufficient evidence to understand the current and future flood risk affecting this allocation.

In particular, it is unclear:

• whether the site is at risk during present-day design flood events;
• how climate change may alter flood risk during the lifetime of the development;
• the role and standard of protection provided by existing flood defences;
• the flood hazards that may affect site users;
• whether safe access and egress can be achieved; and
• what emergency planning or mitigation measures may be required.

The current evidence base therefore does not clearly demonstrate how the allocation can be delivered safely and sustainably throughout its lifetime.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14944 Support

Document Element: Non-strategic Policy PP10
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We welcome the additional reference added to this policy which now clarifies that proposals for such facilities will only be supported “if the necessary tests are met in regard to any known flood risk”.
The management of people during a flood event is a key mechanism to ensure that occupants are kept safe. This policy could be strengthened by expressly highlighting the need for an acceptable flood warning and evacuation plan as a part of any proposals for new or extended facilities.

Full text:

We welcome the additional reference added to this policy which now clarifies that proposals for such facilities will only be supported “if the necessary tests are met in regard to any known flood risk”.
The management of people during a flood event is a key mechanism to ensure that occupants are kept safe. This policy could be strengthened by expressly highlighting the need for an acceptable flood warning and evacuation plan as a part of any proposals for new or extended facilities.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14945 Support

Document Element: Non-strategic Policy PP11
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We welcome the reference in this policy stating that proposals will only be supported “if the necessary tests are met in regard to any known flood risk”. We also support the references within the policy and supporting text to the restriction of occupancy relating to the risk of flooding.
The management of people during a flood event is a key mechanism to ensure that occupants are kept safe. This policy could be strengthened by expressly highlighting the need for an acceptable flood warning and evacuation plan as a part of any proposals for new or extended facilities.

Full text:

We welcome the reference in this policy stating that proposals will only be supported “if the necessary tests are met in regard to any known flood risk”. We also support the references within the policy and supporting text to the restriction of occupancy relating to the risk of flooding.
The management of people during a flood event is a key mechanism to ensure that occupants are kept safe. This policy could be strengthened by expressly highlighting the need for an acceptable flood warning and evacuation plan as a part of any proposals for new or extended facilities.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14951 Support

Document Element: Non-strategic Policy PP15
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Welcome the proposed ecological enhancements. Minor wording amendment is required to ensure that the policy is compatible with the flood risk requirements of the NPPF in respect of functional floodplain. Support the requirement for proposals to improve coastal protection, would welcome further engagement on how any development could contribute to the long-term reduction in tidal flood risk in the Walton Backwaters

Full text:

We welcome the requirement for proposals to deliver new and improved saltmarsh habitat and ecological enhancements that support the objectives of the Essex Local Nature Recovery Strategy.
Paragraph 6.121 makes clear that proposals will need to be considered against all policies in the Plan, which is particularly important in respect of flood risk. We recommend that a minor amendment is made to the policy to ensure it is in accordance with flood risk policy requirements.
We note that the policy proposes “floating homes and houseboats" as enabling development, whereas the supporting text (paragraph 6.120) refers to "floating homes or houseboats". This inconsistency should be corrected. The policy should refer to ‘floating homes or houseboats’ to ensure that the most appropriate form of development can be considered once the flood risk classification of the site has been established.
This distinction is important because floating homes and houseboats fall into different flood risk vulnerability classifications within the National Planning Policy Framework (NPPF). Floating homes are residential development and would be classified within Annex F, Table 2 of the NPPF as a ‘More Vulnerable’ use, whereas houseboats may be considered ‘Water Compatible’ development. If the area for such development at Walton Mere is identified as being Flood Zone 3b (functional floodplain), Table 3 in Annex F of the NPPF shows that Water Compatible Development may be appropriate, but More Vulnerable development is not.
The current Strategic Flood Risk Assessment (SFRA) documents do not define Flood Zone 3b and therefore do not provide sufficient clarity on whether the form of development proposed would be compatible with the NPPF.
If Walton Mere is defined as and remains Flood Zone 3b functional floodplain, floating homes would not be appropriate development. However, the policy also refers to works, including flood risk management measures and restoration of the Mere, which could alter the future flood risk designation of parts of the site. In those circumstances, houseboats or other forms of development may need to be considered differently.
We therefore recommend that the policy wording is amended to refer to "floating homes or houseboats" and that the Council provides greater clarity through the SFRA regarding the extent of Flood Zone 3b and the implications for future development proposals.
We would note that this policy is not in full alignment with the current Shoreline Management Plan (Essex and South Suffolk SMP8) as the current SMP policy for this area is Hold the Line, whereas this action would involve 'Advancing the line'. However, we support the requirement for proposals to improve coastal protection, and we would welcome further engagement on how any development could contribute to the long-term reduction in tidal flood risk in the Walton Backwaters.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14956 Support

Document Element: Strategic Policy PPL1
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Welcome the changes made to this policy since the Regulation 18 consultation, but suggest that the policy could be strengthened through a number of wording changes. These include clarity on required finished floor levels and an additional reference to applying the sequential approach on site. We have also provided comments under this policy on the Strategic Flood Risk Assessment (SFRA) supporting the Local Plan. The Level 2 SFRA does not currently demonstrate how future flood risk and climate change have informed the assessment of individual allocations.

Full text:

We welcome the amendments made to this policy following the Regulation 18 consultation. In particular, we welcome the inclusion of our recommended wording on the Sequential Test and Exception Test and the requirements relating to Flood Risk Assessments, climate change, residual risk, flood storage, and green and blue infrastructure
The policy could, however, be strengthened in several respects.

The finished floor level requirement should refer to the relevant design flood event for the source of flooding. The current reference to the 1% annual exceedance probability (AEP) event is appropriate for river flooding but not tidal flooding, where the relevant design event is the 0.5% AEP event.
We also note that the current Gov.uk flood risk assessment guidance advises that finished floor levels should normally be set a minimum of 600mm above the estimated flood level, reducing to 300mm only where there is a high level of certainty regarding flood levels. The policy should therefore refer to finished floor levels being set above the relevant design flood level, including climate change allowances, with an appropriate freeboard informed by site-specific flood risk evidence.
The current wording could also be read to suggest that raised finished floor levels can make 'More Vulnerable' and 'Highly Vulnerable' development acceptable within Flood Zones 2 and 3. This is potentially not consistent with the flood risk vulnerability compatibility requirements set out in Annex F Table 3 of the National Planning policy Framework (NPPF), which states that 'Highly Vulnerable' development should not be permitted in Flood Zone 3. This part of the policy should be clarified.
The policy should also include reference to the sequential approach needing to be applied within development sites, directing the most vulnerable development to areas at the lowest current and future flood risk. Whilst paragraph 5.31 of Policy LP4 refers to this principle, it would be more appropriately located within Policy PPL1 as the principal flood risk policy. We note that several of the site allocations include areas at risk of flooding which should be avoided in the first instance.
Paragraph 7.7 should be strengthened to reflect the requirements of the Environmental Permitting Regulations. We recommend that the policy distinguishes between Main Rivers and tidal flood risk infrastructure, requiring an 8m undeveloped buffer strip alongside Main Rivers and a 16m undeveloped buffer strip alongside tidal Main Rivers and sea defences (distances within which an environmental permit from the Environment Agency will be required). This would help safeguard access for inspection, maintenance, improvement and future adaptation of flood risk management infrastructure.

Comments on the Strategic Flood Risk Assessment (SFRA) documents
As part of our review of Policy PPL1 and site allocations affected by flood risk, we have considered the Strategic Flood Risk Assessment (listed in the evidence base as August 2026, but the version provided is labelled July 2026) and Annex A Level 2 Strategic Flood Risk Assessment (May 2026). We have provided comments on those documents below.
We welcome the use of the Environment Agency's National Flood Risk Assessment 2 (NaFRA2) mapping and updated Flood Map for Planning information within the SFRA and Level 2 Strategic Flood Risk Assessments. This responds positively to our Regulation 18 recommendation that the evidence base should be informed by the most recent flood risk datasets.
However, we do not consider that the Level 2 SFRA fully reflects current national planning policy requirements for plan making. In particular, Plan-making Policy F1 of the National Planning Policy Framework (NPPF) August 2026 states that development plans should be informed by an up-to-date SFRA which considers current and future flood risk from all sources, including cumulative impacts. The Level 2 SFRA does not clearly demonstrate how future flood risk and climate change have informed the assessment of individual allocations.
The documents could be strengthened by identifying the publication date and version of the Environment Agency datasets used. The Council should also confirm that the Regulation 19 assessments reflect the latest Flood Map for Planning information available at the date of submission and clearly demonstrate how future flood risk, including climate change, has informed the assessment of each allocation.
More fundamentally, the Level 2 SFRA does not appear to provide the additional site-specific evidence normally expected from a Level 2 assessment. Many of the site-specific recommendations are generic in nature, repeated across multiple allocations and provide little additional information beyond that already contained in the Level 1 SFRA.
In particular:
• the SFRA does not define Flood Zone 3b (functional floodplain);
• it does not assess future flood risk associated with climate change;
• it does not clearly distinguish between fluvial and tidal sources of flooding;
• it does not assess the role, condition, standard of protection or future performance of existing flood defences;
• it does not consider defence overtopping, breach scenarios or the consequences of defence failure;
• it does not appear to utilise available modelled flood risk information to assess site-specific flood characteristics;
• it does not provide information on flood depth, hazard, velocity, duration or climate change flood extents that would normally inform development safety assessments and the Exception Test.
These issues are particularly relevant to higher-risk allocations such as SAMU5 and SAMU7 (see site-specific comments on those allocations), where the SFRA consistently refers to fluvial flood risk despite the presence of significant tidal flood risk influences.
The document refers to "Exception Tests", however it is unclear how these conclusions have been reached. The Level 2 SFRA does not appear to provide sufficient information to demonstrate whether development could satisfy the requirements of the Exception Test. It does not assess flood depth, hazard, velocity, duration, climate change flood extents, defence performance, breach consequences or residual risk. Without this information it is not clear whether the assessment is considering actual flood risk, residual flood risk associated with defence failure, or both.
The SFRA therefore does not provide the Council with sufficient information to understand:
• how future flood risk constrains individual allocations;
• whether a sequential approach should be applied within allocations;
• whether proposed development capacities remain achievable once future flood risk and flood risk management requirements are taken into account;
• safe access and egress arrangements;

• flood warning availability;
• evacuation and emergency planning requirements; and
• residual flood risk associated with defence failure.
The SFRA states that safe access and egress should be available during times of flooding. However, this should be more clearly linked to emergency planning requirements and demonstrate how development would remain safe throughout its lifetime.
The omission of information relating to the standard of protection provided by existing flood defences, whether those defences are overtopped during design events, and the consequences of defence breach or failure is a significant gap in the evidence base, particularly where existing flood defences form an important part of the flood risk management approach.
The assessment could also be strengthened through the inclusion of:
• climate change flood extent mapping;
• defended and undefended flood scenarios;
• residual risk mapping;
• flood defence mapping;
• identification of Main Rivers and ordinary watercourses;
• Flood Zone 3b mapping; and
• site-specific flood hazard information.
Whilst sites may ultimately be capable of development if brought forward in accordance with Policy PPL1 and supported by detailed site-specific Flood Risk Assessments, the current Level 2 SFRA does not provide the level of evidence necessary to properly inform strategic allocation decisions at Local Plan stage. It does not currently provide sufficient information to demonstrate how future flood risk, climate change, development safety, emergency planning and residual risk have informed the proposed allocations and their anticipated development capacities.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14958 Support

Document Element: Strategic Policy PPL2
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Support the policy but suggest that the term 'coastal change' is used in place of 'coastal erosion'. Additionally, text could be added to make clear why 'Coastal Change Management Areas' have not been identified.

Full text:

We support the reference within this policy to having regard to both the Shoreline Management Plan and Marine Plan.
We note that paragraph 7.8 refers to ‘coastal erosion’, but the policy refers to an assessment of the impacts of ‘coastal change’. The National Planning Policy Framework uses the term ‘coastal change’ to encompass both coastal erosion and tidal inundation. We would suggest that 7.8 is updated to ‘coastal change’ to better reflect all challenges facing the Tendring area.
Paragraph 7.10 suggests that the application of this policy will be informed by National Planning Practice Guidance on Coastal Change Management Areas (CCMAs). We note that paragraph 3.37 (ahead of Policy SPL1: Managing Growth) includes commentary on the fact that no CCMAs are currently defined within Tendring. It would be beneficial if similar text were included in this specific coastal protection section of the Local Plan.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14959 Support

Document Element: Strategic Policy PPL4
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We support this policy and the amendments which have been made since the Regulation 18 draft, significantly improving the policy. Our previous biodiversity and geodiversity comments have mostly been incorporated. In particular, the policy now includes references to riparian biodiversity, the Local Nature Recovery Strategy, Functionally Linked Land, Chartered Institute of Ecology and Environmental Management (CIEEM) survey guidance, and long-term ecological management and monitoring.

Full text:

We support this policy and the amendments which have been made since the Regulation 18 draft, significantly improving the policy. Our previous biodiversity and geodiversity comments have mostly been incorporated. In particular, the policy now includes references to riparian biodiversity, the Local Nature Recovery Strategy, Functionally Linked Land, Chartered Institute of Ecology and Environmental Management (CIEEM) survey guidance, and long-term ecological management and monitoring.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14960 Support

Document Element: Non-strategic Policy PPL12c
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We support the inclusion of a policy to protect the Naze at Walton. The eroding frontages of the Naze have policies within the current Shoreline Management Plan (Essex and South Suffolk SMP8) of 'No active intervention' (Unit B6A) (sub policy - allow erosion to take place with localised interventions) and 'Managed Realignment' (B6B) (sub policy - slow erosion). We welcome the commitment within the policy to further engagement with partners on the SMP regarding the Naze; the Council may in future wish to consider designating the Naze as a Coastal Change Management Area (CCMA).

Full text:

We support the inclusion of a policy to protect the Naze at Walton. The eroding frontages of the Naze have policies within the current Shoreline Management Plan (Essex and South Suffolk SMP8) of 'No active intervention' (Unit B6A) (sub policy - allow erosion to take place with localised interventions) and 'Managed Realignment' (B6B) (sub policy - slow erosion). We welcome the commitment within the policy to further engagement with partners on the SMP regarding the Naze; the Council may in future wish to consider designating the Naze as a Coastal Change Management Area (CCMA).

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14962 Object

Document Element: Strategic Policy SAMU5
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We welcome the amendments made to Policy SAMU5 following our Regulation 18 representation. In particular, we welcome the requirement for a comprehensive masterplan, and the recognition that flood risk and drainage must inform the development.
However, we do not consider that the Strategic Flood Risk Assessment (SFRA) documents currently provide sufficient evidence to support the allocation or to demonstrate that the proposed scale of development can be delivered safely throughout its lifetime. Therefore, we are currently finding this allocation to be unsound (not justified) as it has not been demonstrated that it is based on an appropriate evidence base.

Full text:

We welcome the amendments made to Policy SAMU5 following our Regulation 18 representation. In particular, we welcome the requirement for a comprehensive masterplan, and the recognition that flood risk and drainage must inform the development.
However, we do not consider that the Strategic Flood Risk Assessment (SFRA) documents currently provide sufficient evidence to support the allocation or to demonstrate that the proposed scale of development can be delivered safely throughout its lifetime. Therefore, we are currently finding this allocation to be unsound (not justified) as it has not been demonstrated that it is based on an appropriate evidence base.

Change suggested by respondent:

The site is located adjacent to the coast and is currently defended. The Level 2 SFRA identifies areas of Flood Zones 2 and 3 affecting the site but describes the risk principally as fluvial flooding, despite the primary source of flooding being tidal. The assessment does not clearly identify the tidal nature of the risk or assess the implications of future sea level rise and climate change on the allocation.
The SFRA does not provide the detailed information needed to understand:
• present and future tidal flood extents;
• defended and undefended flood risk;
• flood depths, hazards and velocities;
• overtopping and breach consequences;
• the standard of protection provided by existing defences;
• future adaptation requirements;
• residual flood risk;
• safe access and egress;
• evacuation and emergency planning requirements;
• or whether sufficient developable land would remain to accommodate the proposed housing numbers once flood risk and future flood risk management requirements have been taken into account.
We also note that the Shoreline Management Plan (Essex and South Suffolk SMP8) policy for this section of coastline (Units B2A & B2B) includes managed realignment aspirations. The implications of this for the long-term sustainability of the allocation do not appear to have been assessed within the SFRA evidence base.
The policy would be strengthened by:
• requiring a sequential approach to development layout within the site, directing the most vulnerable development to areas at lowest current and future flood risk;
• safeguarding land for existing and future flood risk management infrastructure and defence improvements; and
• making explicit provision for future adaptation to climate change.
Whilst supporting paragraphs 9.25 and 9.26 correctly require the masterplan to address flood risk and drainage and to be informed by the SFRA, the current SFRA does not provide sufficient information to inform those decisions.
At present, we cannot be satisfied that the evidence base demonstrates that the proposed development is deliverable and sustainable over its lifetime. We therefore do not consider the SFRA evidence supporting allocation SAMU5 to be sufficiently robust. Further evidence is required in support of this allocation.
Considering ecological aspects, our previous comments relating to designated sites, Functionally Linked Land, wintering birds and recreational disturbance mitigation appear to have been incorporated, which we welcome.

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14963 Object

Document Element: Strategic Policy SAMU7
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We welcome the clear recognition of flood risk within the supporting text and Policy SAMU7. In particular, we welcome the requirement for development to be informed by the Level 2 Strategic Flood Risk Assessment (SFRA) and supported by a site-specific Flood Risk Assessment. We also welcome the references to climate change, safe access and egress, emergency planning, flood resilience, and safeguarding land for existing and future tidal defences. These changes respond positively to previously raised matters.
However, we do not consider that the Level 2 SFRA provides enough evidence to demonstrate that the proposed development will be safe and deliverable.

Full text:

We welcome the clear recognition of flood risk within the supporting text and Policy SAMU7. In particular, we welcome the requirement for development to be informed by the Level 2 Strategic Flood Risk Assessment (SFRA) and supported by a site-specific Flood Risk Assessment. We also welcome the references to climate change, safe access and egress, emergency planning, flood resilience, and safeguarding land for existing and future tidal defences. These changes respond positively to previously raised matters.
However, we do not consider that the Level 2 SFRA provides enough evidence to demonstrate that the proposed development will be safe and deliverable.

Change suggested by respondent:

The site is wholly within Flood Zone 3, but the SFRA describes the risk as only fluvial. Given the site's location next to the River Stour and Cattawade Creek, the assessment should clearly identify and assess the tidal nature of the risk. This is important because tidal flooding may involve rapid inundation and limited warning.
The Level 2 SFRA does not provide the detailed information needed to understand the characteristics and consequences of flooding at this site. The evidence base could be strengthened by addressing:
• present and future tidal flood levels, including climate change;
• flood depth, velocity, hazard, speed of onset and duration;
• the defended and undefended tidal flood extents;
• the standard, condition and remaining life of the existing tidal defences;
• the consequences of defence overtopping or breach;
• whether existing gravity drainage outfalls may become tide-locked;
• whether safe access and egress would be available during the design flood;
• the availability and adequacy of flood warnings;
• evacuation, emergency planning and safe refuge;
• the flood-resistance and resilience measures needed; and
• whether the tidal defences would need to be raised or improved during the lifetime of the development.
The evidence should also explain how the site benefits from the existing tidal defences and whether those defences can provide an appropriate standard of protection throughout the lifetime of the proposed residential development. The Level 2 SFRA does not currently include details of Environment Agency coastal modelling, breach information or any detailed hazard mapping sufficient to demonstrate this.
This information is fundamental to the application of the Exception Test. It is needed to demonstrate that the development would be safe for its lifetime, would not increase flood risk elsewhere and could safely manage the residual risk. Finished floor levels, flood resilience and refuge cannot replace evidence that safe access, escape and evacuation can be achieved.
The proposed housing numbers may be achievable. However, this can only be established once the characteristics of the tidal flood risk and the resulting development constraints are properly defined. These matters should inform the masterplan from the outset. They should not be left entirely to a future planning application.
We therefore cannot confirm that Policy SAMU7 is sound from a flood-risk perspective. Currently, the evidence is not sufficient to demonstrate that the proposed residential development is safe and deliverable, taking account of tidal flood risk, climate change, defence performance, safe access and egress, emergency planning and residual risk.

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14965 Support

Document Element: Strategic Policy SAH7
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Welcome the inclusion of flood risk considerations within the policy. However, it remains unclear whether the Level 2 Strategic Flood Risk Assessment (SFRA) has adequately assessed future flood risk associated with climate change over the lifetime of the development. In particular, there is no consideration of how existing flood risk at Weeley Road might impact access to the site. Further assessment, particularly with regards to safe access and egress will be required prior to any proposals being developed.

Full text:

We welcome the inclusion of flood risk considerations within the policy. However, it remains unclear whether the Level 2 Strategic Flood Risk Assessment (SFRA) has adequately assessed future flood risk associated with climate change over the lifetime of the development. In particular, there is no consideration of how existing flood risk at Weeley Road might impact the site.
The SFRA does not clearly demonstrate:
• the extent of current and future flood risk affecting the site;
• whether safe access and egress can be maintained during design flood events;
• the implications of climate change for development safety; and
• the emergency planning requirements necessary to support the allocation.
As a result, the evidence base does not currently demonstrate the site can be developed safely throughout its lifetime. Further assessment, particularly with regards to safe access and egress will be required prior to any proposals being developed.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14967 Support

Document Element: Strategic Policy SAE1
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Welcome the requirement to consider flood risk. However, it is unclear whether the Strategic Flood Risk Assessment has adequately assessed the impact of climate change on the allocation.
Prior to any proposals being developed, further evidence will be required to demonstrate how the allocation will remain safe and sustainable in future climate change scenarios.

Full text:

We welcome the requirement to consider flood risk. However, it is unclear whether the Strategic Flood Risk Assessment has adequately assessed the impacts of climate change.
In particular, the evidence base does not clearly demonstrate:
• future flood extents and hazards across the site;
• whether safe access and egress can be maintained during future design flood events; and
• the extent of mitigation that may be required to ensure development remains safe over its lifetime.
Prior to any proposals being developed, further evidence will be required to demonstrate how the allocation will remain safe and sustainable in future climate change scenarios.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14979 Object

Document Element: Strategic Policy LP9
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Our comments at the Regulation 18 stage, letter referenced AE/2026/131284/01-L01 and dated 23 March 2026, do not appear to have been considered. Whilst it is clear from supporting text (para 5.57) that other relevant policies within the Local Plan must also be met, we do not believe the other relevant policies are sufficient to protect water quality (e.g. PPL5). Unless there is dependency on Strategic Policy DI1 Infrastructure Delivery and Impact Mitigation to cover this aspect for LP9, in which case this policy is not clear, and links between relevant policies and objectives have not been made within the wording.

Full text:

Our comments at the Regulation 18 stage, letter referenced AE/2026/131284/01-L01 and dated 23 March 2026, do not appear to have been considered. Whilst it is clear from supporting text (para 5.57) that other relevant policies within the Local Plan must also be met, we do not believe the other relevant policies are sufficient to protect water quality (e.g. PPL5). Unless there is dependency on Strategic Policy DI1 Infrastructure Delivery and Impact Mitigation to cover this aspect for LP9, in which case this policy is not clear, and links between relevant policies and objectives have not been made within the wording.

Change suggested by respondent:

We recommend referencing to considerations around wastewater treatment considerations be made, particularly around potential non-mains and the drainage hierarchy. These are often issues which are encountered at development management stages, and a clearer policy would support more effective decision making. There should also be consideration of improved references to relevant policies and objectives, providing improvements can be made to those in question, please see our other representations on PPL5 and DI1

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14992 Object

Document Element: Strategic Policy PPL5
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

Our previous representations have not been taken into consideration. We consider the Plan to be Unsound as it pertains to wastewater.

The policy is unclear and difficult to read, which also raises significant concerns regarding how effective any future application of this policy would be through decision making, raising risk to the water environment and towards meeting water quality objectives.

We are satisfied that the Plan can be considered sound from a water resources perspective, despite the compromised approach to water efficiency standards compared to The Shared Standards in Water Efficiency for local plans and water cycle study recommendations.

Full text:

Our comments on this policy have been split into two sections, ‘wastewater’ and ‘water resources’. Please refer to the separate sections below. Our comments on the relevant evidence base documents can also be found embedded below.

Wastewater Comments:

We believe this policy to be unsound as it pertains to wastewater (sewage).

As a Strategic Policy we do not believe the wording is tight enough to prevent water quality deterioration or meet relevant objectives such as those defined in The Water Environment (Water Framework Directive) (England & Wales) Regulations 2017 (WFD).

We also believe the aims of Objective 4: Infrastructure Provision will not be met, namely “To ensure there is adequate capacity in the foul water sewerage infrastructure to meet existing and future needs, and to safeguard water quality and the special environment of the District.” The policy still does not refer to this Objective.

Generally, this policy is unclear and difficult to read, which is why within our Regulation 18 representation letter

referenced AE/2026/131284/01-L01 and dated 23 March 2026, we strongly recommended splitting out water supply and wastewater into separate policies, or clearly defined sections within a water policy, to provide better clarity.

Sections 7.28 and 7.29 (which are situated within supporting text about Biodiversity several pages above PPL5) appear to state that PPL5 should also be linked to protection of the coastal Habitats sites in Tendring. This is not clear within PPL5 itself. We are unsure whether the fact that PPL5 sits within the 'Protected Places' policies means this provides sufficient explanation, and recommend providing this additional detail.

Concerning the wording '…demonstrate that adequate provision exists, or can be provided in time…": demonstrating provision exists is not the same as ensuring there is capacity. As recommended in our Regulation 18 response, the policy would benefit from clear definitions of capacity. It is important to differentiate between network capacity in the conveyancing infrastructure of foul effluent flows, and separate waste water treatment works capacity considerations. We would also expect suggestions on how a developer may demonstrate 'provision exists' (capacity is available) within both a public foul sewer and separate waste water treatment works.

We stated in our Regulation 18 consultation representation that, as a general principle applying to all development in the Plan area, developers should undertake pre-planning engagement with Anglian Water at the earliest opportunity. This requirement appears to only be referred to within certain Strategic Allocations Mixed-use Development policies, rather than all locations.

We also note that Policy PPL5 only references contacting the relevant water company in relation to water resources, not wastewater as well, which we would expect if the policy were to remain a combined policy approach. We reiterate the importance of clearly defining the separate elements of a combined policy. It can be useful to acknowledge relevant overlapping matters and provide links between policy requirements for integrated water management purposes, but where requirements are also applicable to both wastewater and water supply, we consider these would be best set out in separate sub-sections; with wording duplicated as needed to ensure clarity and effectiveness of policy application.

It appears that the sentence that we believe relates to non-mains drainage proposals has been amended since the Regulation 18 consultation and no longer makes sense. We raise the question, whether the reference to 'existing capacity' is about capacity in the private sewage treatment facility, or environmental capacity? This must be clearer.

In relation to non-mains drainage, we had suggested in our Regulation 18 consultation response that, for example, reference be made to the National Planning Practice Guidance around the wastewater drainage hierarchy to support developers in preparing their applications, as well as decision making around non-mains drainage proposals; this has not been included.

Infrastructure Delivery Plan, August 2026:
We believe this evidence to be relatively sound as it pertains to water quality.

Tendring Water Cycle Study, August 2026:

We believe this evidence base to be relatively sound as it pertains to water quality. Our recommendations in our Regulation 18 correspondence to you around reviewing and updating the study against revised WFD information, stands. We strongly recommend the WCS be kept as a living document, and regularly reviewed and updated as new information and data becomes available.

We note that cross boundary catchment considerations pertaining to the Colchester Waste Water Treatment Works (WWTW) are only relevant to the Tendring Colchester Borders Garden Community in the context of the Tendring Plan, and cumulative growth assessments have been carried out totally within the Colchester City Council (CCC) Water Cycle Study (WCS), as noted in paragraph 6.2.2. For reference, we raised unsound issues with regards to the Colchester WWTW capacity methodology in the CCC WCS and implications for the Colchester Local Plan. Our detailed advice on the Colchester WWTW is provided within our Environmental Position Statement – V9, attached to this local plan representation for reference.

Water Resources Comments:

We consider this policy to be sound as it pertains to water resources, and have the following comments to make.

PM13 (1)(b)(i) and CC1(1)(c) of the National Planning Policy Framework encourages LPAs to consider applying the higher level of water efficiency in Building Regulations (Part G), or to go beyond this and set more stringent local standards in areas of serious water stress. The shared-standards-in-water-efficiency-for-local-plans set out a collaborative and collective approach by water companies, the Environment Agency and Natural England, to help address water scarcity and support Local Planning Authorities (LPAs) such as Tendring deliver sustainable growth in the East of England. The guidance, published June 2025, provides advice and evidence to support LPAs within the Water Resource East Area to adopt Local Plan policies to achieve tighter water efficiency standards.

The area covered by the Tendring Local Plan resides in an area of serious water stress. We therefore would expect the

LPA to thoroughly investigate applying a higher level of water efficiency, beyond the higher building regulations standard. Tendring have undertaken an Integrated Water Management Study (IWMS). This study outlines that whilst there is a predicted supply surplus in the Brett Water Resource Zone until 2040, beyond 2040, a supply deficit is calculated. Demand Management measures including enhanced water efficiency actions are therefore essential. The IWMS assessed a range of scenarios from 125 litres per person per day down to 80 litres per person per day. Tendring have advised that reducing per capita consumption to 85/l/p/d is not currently viable, with Policy in the Local Plan being set at 100l/p/d. The Plan currently proposes 100 litres/person/day (l/p/d) for new residential development. Whilst we always advocate for the tightest possible standards up to 85l/p/d, we understand that 100 l/p/d has been taken forward as a pragmatic, viability-led compromise. We also support the non-domestic supply section of the policy which includes an aim for full BREEAM credits across WAT01-WAT04, a minimum of three WAT01 credits, and justification where full credits are not feasible or viable.

We are pleased that the policy recognises the role of agricultural storage reservoirs in supporting water resilience.

Change suggested by respondent:

We recommend serious consideration be given to either separate water quality and water resource policies, or more clearly defining sub sections of the policy to set out the different requirements for water supply and waste water considerations.

Our detailed recommendations can be found above in the main comments section.

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments:
Colchester WWTW Environmental Position Statement - V9.pdf

15000 Support

Document Element: Strategic Policy DI1
Respondent: Environment Agency
Date received: 19/10/2026 via Web

Summary:

We generally consider this policy to be sound, providing some minor improvements around clarifying wastewater capacity wording can be made together with references to relevant policies and objectives be included elsewhere in the Plan.

Full text:

We generally consider this policy to be sound, as it pertains to waste water infrastructure, given Policy PPL5 should cover this in more detail, however, we have raised concerns regarding PPL5 as it pertains to waste water, and have some recommendations for improvements to Policy DI1. If this policy is intended to better ensure sufficient wastewater capacity within the public foul sewer network and the receiving waste water treatment works, then we would recommend including reference to this Policy within the main, or supporting text of, PPL5.

We raise some concerns regarding the wording around developer financial contributions towards the delivery of relevant infrastructure, including off-site capacity improvement works, as covered under parts a) and c) of this policy. It is important to note, we currently understand that developers are not able to contribute towards the costs of delivering upgrades to waste water treatment works in order to provide additional capacity to serve domestic foul water flows. This process must be covered within Ofwat's Price Review process and Water and sewerage company business investment plans, delivered as part of the Asset Management Plan period 5-year cycles. There may be options for developers to work with the water company regarding trade effluent, or to establish a sustainable point of connection infrastructure strategy, however, in terms of addressing waste water treatment works capacity, this policy wording is not clear. The wording in this policy would, therefore, benefit from additional supporting text for further context around financial contributions and how these can be applied and for which scenarios relevant.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

Mark Norman
Operations – East
Priory Court
Priory Business Park
Stannard Way
Bedford
MK44 3WG

Our ref: NH/26/17866

Your ref: Reg 19

Tendering Borough Council

Direct Line: [redacted]

Oct 26

Dear Sir

Pre - Regulation 19 Consultation - Tendring Local Plan

National Highways welcomes the opportunity to provide comments on the draft Tendring Local Plan.

National Highways has been appointed by the Secretary of State for Transport as a Strategic Highway Company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN) Our role is to maintain the safe and efficient operation of the SRN whilst acting as a delivery part to national economic growth.

Within the Tendering Local Plan area, the SRN comprises the A12 and the A120 between the A12 and the Port of Harwich

Our comments have been prepared with regard to the National Planning Policy Framework (NPPF), DfT Circular 01/2022, *The Strategic Road Network and the Delivery of Sustainable Development*, and other relevant national policy and guidance.

Proposed Growth and Transport Evidence

The draft Local Plan commits to the delivery of approx. 9000 homes and 47Ha of employment land over the course of the plan period. National Highways recognises the need for new housing and economic development but cannot be expected to cater for unconstrained increases in traffic growth generated by new developments. We therefore encourage the inclusion of policies and measures which reduce the need to travel by private car and promote greater use of sustainable travel behaviour.

At present, National Highways cannot establish whether the level of growth proposed can be accommodated on the SRN, as the transport evidence base or the strategic transport assessment to support the plan are still being developed and there are a number of

outstanding matters which need to be resolved. We have been involved in a number of meetings and discussions with the Council and its consultants throughout this process, although these have not yet reached a conclusion.

We anticipate that a final transport evidence base will be submitted in support of the plan. This will provide National Highways, as the Strategic Highway Authority, with a clear and defined reference case for working alongside Local Highway Authority (Essex County Council) to plan and mitigate impacts of forthcoming future development, enabling infrastructure for growth. Appropriate mitigation can be identified and a strategy for funding identified.

The work undertaken so far has identified a number of locations where the network is under pressure, particularly A12 Junction 29 and Horsley Cross on the A120. A mitigation scheme has been investigated for A12 J29 at a high level, it appears that it is deliverable with the level of information currently available. That is not to say that detailed design work will not uncover issues that could affect the derivability or cost of addressing the issues clearly present at this location

We welcome and fully support the plan's approach to developing an integrated and sustainable transport network that seeks to encourage modal shift to public transport and active travel. We also welcome the commitment to bus rapid transit in Colchester.

The timing and delivery of supporting transport infrastructure will be important if the proposed growth is to come forward without adversely affecting the operation of the SRN. It is therefore important that the Local Plan considers how development will be phased alongside the infrastructure needed to support it. National Highways has much experience of working with local authorities to address these challenges through the Local Plan process. We would draw the councils attention to the guidance set out in the document *"Working with National Highways to deliver a vision-led approach for Local Plans"* local-plan-brochure.pdf

Development Locations

The plan identifies three locations for major housing growth:

i) Horsley Cross,
ii) Hare Green,
iii) Wheeley and Tendring/Colchester Garden Community (partly in Colchester)

All these sites have been included in the transport model undertaken to date which has not yet been finalised. As expected, the Horsley Cross site has, the greatest impact on the A120. The final transport will establish the impacts associated with these allocations, both individually and cumulatively, and identify what mitigation may be required to accommodate the proposed growth.

Environmental transformation and climate change

The draft submitted version of the Local Plan includes development allocations close to the SRN, which will result in more residents being exposed to traffic noise and potentially poot air quality. Noise impacts will need to be considered as part of the planning process, with appropriate mitigation incorporated into development proposals where necessary. National Highways will not permit the installation of noise barriers on its land.

The proximity of development close to the SRN also raises the potential for exceedances of air quality standards for which extraordinary measures, such as permanent speed restrictions may need to be considered, although it is recognised that air quality will improve with the take up of fully electric vehicles.

While several polices in the plan set out requirements for developments to reduce the impact on or improve local air quality, this does not directly relate to the SRN and what mitigation may be required. We will continue to work proactively with yourselves on these matters. At this stage we would recommend the inclusion of a specific policy that identifies how air quality and noise impacts would be monitored and managed, and what interventions may be required.

In relation to drainage, National Highways will not accept third-party connections into its drainage systems. Development must not result in additional surface water runoff entering the SRN drainage network. Where existing drainage infrastructure could be affected, its capacity will need to be assessed and any necessary improvements identified.

Health and Wellbeing

National Highways support policies which outline the requirements of new developments to ensure inclusive active and environmentally sustainable forms of travel, promote road safety and manage the negative effects of road traffic on sustainable modes. We look forward to working with you to facilitate such travel where an interface with SRN occurs.

Lorry Parking

Paragraph 81 of Circular 01/2022 establishes that in areas where there is an identified need for greater lorry parking provision, National Highways will work with relevant local planning authorities to ensure that local plan allocations and planning application decisions address the shortage. National Highways Lorry Parking Demand Assessment[1] provides lorry parking demand score for each local authority in England based on DfT lorry parking survey data. The data is comprised of an assessment of both existing lorry parking provision and demand near the SRN in England.

National Highways would welcome specific attention to lorry parking and would be keen to work with you in undertaking this. This could include the investigation and allocation of a dedicated lorry parking facility within the plan, or a policy of requiring adequate lorry parking and lay over facilities at proposed employment sites and roadside service facilities would be welcomed.

National Highways will continue to work with the Council as the Local Plan progresses.
While we support the Council's approach to sustainable growth, further work is needed to establish the impacts of the proposed development on the SRN and agree what mitigation will be required.

Until the transport evidence base is finalised and these matters have been addressed, National Highways is not in a position to confirm whether the proposed growth can be accommodated on the SRN.

[1] Lorry Parking Demand Assessment 2023v4 - Overview

We trust the above comments are helpful in the progression of your proposals and welcome continued discussions with the council to this end.

Yours faithfully

[redacted]

Mark Norman
Spatial Planning Manager
Operations (East)
Email: [redacted]

From: SM-MMO-Consultations (MMO) <Consultations.MMO@marinemanagement.org.uk>
Sent: 19 October 2026 16:12
To: Planning Policy <planning.policy@tendringdc.gov.uk>
Subject: FW: Tendring District Local Plan - Notice of Public Consultation on Submission Version (Reg 19)

Hello Tendring Planning Team,

I've completed the MMO response to the above consultation. However, I did not receive an email confirmation for each of my comments. I completed these again but still did not receive the email confirmation.

I want to advise; I've provided a comment to Policy PPL2 - Coastal Protection Belt. **Representation** The MMO welcomes the policy and recognises the importance of protecting Tendring's coastline and estuarine environments. However, the policy does not sufficiently recognise the role of marine planning in decision-making affecting the coastal and marine environment. Tendring has extensive interactions with the South East Marine Plan area, including the Stour Estuary, Colne Estuary, Hamford Water and the North Sea coast, where development may affect marine activities, coastal processes, navigation, biodiversity, flood and coastal erosion risk management, and marine infrastructure. Whilst paragraph 1.26 references marine planning, this is not consistently reflected throughout the policy framework.

The policy should require developments that may affect the marine area to demonstrate regard to the South East Marine Plan and Marine Policy Statement, particularly in relation to climate change adaptation, flood risk, biodiversity, marine habitats, recreation and access. Without this, there is a risk of conflict between terrestrial planning and marine licensing decisions. The MMO recommends adding a criterion requiring proposals affecting the marine area to demonstrate how relevant marine planning policies have been considered.

Many thanks

All the best

Marie

Marie Canny (She/Her) **| Marine Planner (South East) | Marine Management Organisation**

+ Seacole Building | 2 Marsham Street | London | SW1P 4DF

8 [redacted] | [redacted]

To receive marine planning updates and our newsletter subscribe here.

Our MMO Values: Together we are **Accountable, Innovative**, **Engaging** and **Inclusive**

Christopher Waldron
Ministry of Defence
Safeguarding Department
DIO Head Office
St George's House
DMS Whittington
Lichfield
Staffordshire WS14 9PY

Mobile: [redacted]

E-mail: DIO-Safeguarding-Statutory@mod.gov.uk

Your reference: Local Plan review: Submission Version (Reg 19) consultation
Our reference: DIO 10061559

Planning Policy
Tendring District Council
Town Hall
Station Road
Clacton on Sea
CO15 1SE

19th October 2026

Dear Sir/Madam

I write to confirm the statutory safeguarding position of the Ministry of Defence (MOD) in relation to Tendring District Council's Local Plan review submission version at Regulation 19 consultation.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a statutory consultee in the UK planning system to ensure designated zones around key operational defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites are not adversely affected by development outside the MOD estate.

For clarity, this response relates to MOD Safeguarding concerns only and should be read in conjunction with any other submissions that might be provided by other MOD sites or departments.

Under the provisions of the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002 (Circular 01/2003), the MOD must be consulted on certain forms of development within these statutory safeguarding zones in order to be able to complete assessment(s) of the effect of development on the operation or capability of defence sites or assets or any effect on operational or training activity.

Copies of plans that provide the extent of those safeguarding zones, in both GIS shapefile and .pdf format, are issued to Planning Authorities by the Ministry for Housing, Communities & Local Government (MHCLG). The most recent MOD assurance review was conducted in 2023 which confirmed that, at that time, Planning Authorities were in possession of relevant safeguarding data. Any subsequent updates to those plans have been issued by MHCLG. Should your Planning Authority require replacement data, a request can be made through the above email address.

It should be noted that the National Planning Policy Framework (NPPF), published in August 2026, contains a number of policies relevant to plan making and defence which include:

- '*Policy P1: Planning for clean and safe places*' requires that development plans identify whether certain forms of development should be restricted where they may fall within '*safeguarding areas around aerodromes, technical sites or military explosives storage areas*'.

- '*Policy P4: Impact of development on existing activities*' sets out the agent of change principle, identifying that development proposals should not result in unreasonable restrictions being placed on the current and permitted operation of existing businesses and activities and identifies defence sites as one of those existing businesses and activities.

- '*Policy P6: Land and operations for defence and public safety*' highlights the substantial weight that '*should be attached to the importance of sites, activities, facilities and infrastructure required to maintain and enhance defence capability*' and directs that this be considered where development is proposed which could affect operational activity and capability. In addition, decision makers are guided to consider the importance of these sites when considering proposals for '*modernisation, intensification, redevelopment or expansion for operational and related purposes*' of defence sites, facilities, and infrastructure.

Planning policy issued by a Planning Authority provides an opportunity to better inform developers of the statutory requirement that MOD is consulted on development that triggers the criteria set out on Safeguarding Plans and to make clear that development should be designed to ensure that it would have no detrimental impact on the operation or capability of a defence site or assets and that it would not restrict or compromise operational or training activity.

The area covered by any Tendring District Local Plan Review is partially covered by a safeguarding zone, that is designated to maintain the effective operation of a MOD technical asset called the Eastern WAM (Wide Area Multilateration) Network which contributes to aviation safety by feeding into the air traffic management system in the Eastern areas of England.

There is the potential for development to impact on the operation and/or capability of this new technical asset which consists of nodes and connecting pathways, each of which have their own consultation criteria. The dimensions and materials used in the construction of a development may also be relevant factors in assessing the impact of a given scheme. Developments that incorporate renewable energy systems may be of particular concern given their potential to introduce large expanses of metal or electrical noise interference, which may be a particular issue where solar farms are developed.

Additionally, the MOD notes and welcomes that Tendring District Council New Strategic Policy PPL10c Renewable Energy Installations requires for aviation activities adverse impacts including cumulative to be addressed. However, the MOD considers it necessary that this is expanded to include specific reference to those technical assets which facilitate aviation safety such as navigational aids. In addition, the MOD also considers it necessary that specific mention of the need to account for defence radar coverage in relation to wind energy development is specifically identified.

Where turbines are erected in line of sight to defence radars, the rotating motion of their blades can degrade and cause interference to their effective operation. The MOD recommend that any emerging policy makes clear that, where an MOD assessment indicates that a development would have a detrimental impact on the operation and capability of defence assets or sites, that such an application would be refused or that conditions may be attached to any consent that might be issued which may include the removal of permitted development rights.

As noted in the preferred options renewable energy section of the documentation, the MOD needs to be consulted on all proposals to develop wind turbines that are 11m or greater in height to blade tip or, that have a rotor diameter of 2m or greater. This is necessary to safeguard defence radar coverage across the UK used to manage MOD ranges, provide air traffic control and maintain UK air defence.

For your convenience, please find a table at Appendix A which provides a summary of the safeguarding criteria that would apply to those potential allocations identified.

MOD recommend that more detailed policies for these sites include wording which indicates that development should be designed to ensure that it would have no impact on the operation or capability of defence sites or assets. The table below provides a summary of those sites and the triggers for statutory safeguarding consultation that would apply:

I trust this clearly explains our position on this update. Please do not hesitate to contact me should you wish to consider these points further.

Yours sincerely

[redacted]

Chris Waldron
DIO Assistant Safeguarding Manager

POLICY REFERENCE	SAFEGUARDING ZONE(S) AFFECTED	DEVELOPMENT TRIGGERING STATUTORY SAFEGUARDING CRITERIA
SAMU1	Eastern WAM Network (Technical Safeguarding zone)	• Eastern 2 WAM Network safeguarding criteria trigger -Any development or change of use will trigger statutory consultation requirement
SAMU9	Eastern WAM Network (Technical Safeguarding zone)	• Eastern 2 WAM Network safeguarding criteria trigger -Any development or change of use will trigger statutory consultation requirement • Any overhead power line above 2kv will trigger statutory consultation requirement
MSA4	Eastern WAM Network (Technical Safeguarding zone)	• Eastern 2 WAM Network safeguarding criteria trigger -Development of, or exceeding, 91.4m in height above ground level will trigger statutory consultation requirement
MSA9	Eastern WAM Network (Technical Safeguarding zone)	• Eastern 2 WAM Network safeguarding criteria trigger -Development of, or exceeding, 91.4m in height above ground level will trigger statutory consultation requirement
MSA36	Eastern WAM Network (Technical Safeguarding zone)	• Eastern 2 WAM Network safeguarding criteria trigger -Development of, or exceeding, 91.4m in height above ground level will trigger statutory consultation requirement
MSA37	Eastern WAM Network (Technical Safeguarding zone)	• Eastern 2 WAM Network safeguarding criteria trigger -Development of, or exceeding, 91.4m in height above ground level will trigger statutory consultation requirement

NHS
Essex

Our ref: TendringLPReg19 CB
Your ref:

EMAIL ONLY

planning.policy@tendringdc.gov.uk

Finance & Commercial Directorate
Estates Team

Catherine Bicknell
Email: [redacted]
Tel: [redacted]

19 October 2026

Dear Sir / Madam

Tendring District Local Plan Review 2026-2043 and beyond Submission Version September 2026

1.0 Introduction

1.1 The Suffolk and North East Essex Integrated Care Board, that has been superseded by the Essex Integrated Care Board (the ICB) for the north Essex area, submitted representations to earlier consultations on the Tendring Local Plan (the Plan) review. This response will focus on the parts of the Plan that relate to healthcare infrastructure. It is anticipated that other matters relating to population health, such as design, active transport, will be addressed by public health colleagues.

1.2 The ICB welcomes the inclusion of requirements in the Plan policies for the provision of, or contributions towards the provision of, healthcare infrastructure. However, the ICB objects to the Plan in respect of policies DI1: Infrastructure Delivery and Impact Mitigation and policies allocating land for residential and mixed use developments. It considers the proposed wording for healthcare infrastructure to be inadequate. As drafted, the Plan policies set out plans for significant growth, but the site allocation policies fail to ensure that this development will mitigate its impact on healthcare infrastructure. This will lead to already constrained healthcare services and difficulties for residents attempting to access healthcare services.

1.3 The ICB is working with the Council to agree policy wording that will address this issue, and it is hoped that suitable modifications to the Plan can be agreed. The issue is described in more detail below.

1.4 East Suffolk and North East Essex NHS Foundation Trust (ESNEFT) is commissioned by the ICB to provide acute hospital and community healthcare services in Tendring. This representation should be read alongside ESNEFT's representation that requests amendments to the Tendring Local Plan.

1.5 The amendments requested by ESNEFT are to:

- Cross reference Policies HP1: Improving Health and Wellbeing, and DI1: Infrastructure Delivery and Impact Mitigation;
- Increase the clarity of Policy HP2: Community Facilities;
- Remove the requirement for 20% biodiversity new gain (BNG) on all developments liable to provide BNG.
- Amendments to Policy PPL10a: Operational Energy and Carbon (Net Zero) and Policy PPL10b: Embodied Carbon and Circular Economy in Homes and Buildings to clarify how they apply to health buildings.
- Amendments to policies allocating land for strategic mixed-use developments to require them to contribute to increased healthcare capacity to serve the developments, rather than limiting their contributions to primary acre alone.

2.0 The Essex Integrated Care Board

2.1 The ICB has duties prescribed by the Health and Care Act 2022 and other regulations and statutes. These include exercising its functions to:

- improve healthcare and health outcomes.
- tackle inequalities in population health and access to healthcare.
- promote innovation in the provision of health services.

2.2 The four key aims for ICS' are:

- Improving outcomes in population health and healthcare.
- Tackling inequalities in outcomes, experience and access
- Enhancing productivity and value for money.
- Supporting broader social and economic development.

2.3 In addition, ICB's are obliged to consider the effects of their decisions on:

- The health and wellbeing of the people of England (including inequalities in that health and wellbeing).
- The quality of services provided or arranged by both themselves and other relevant bodies (including inequalities in benefits from those services).
- The sustainable and efficient use of resources by both themselves, and other relevant bodies.

2.4 The Essex Population Health Improvement Plan (PHIP) sets out a shared ambition across the NHS, local authorities and wider partners to improve health outcomes, tackle health inequalities and support people to live longer, healthier and more independent lives. Its focus is on prevention, early intervention and addressing the wider determinants of health, recognising that factors such as housing, employment, education, transport and the quality of the built environment have a significant impact on population health.

2.5 The Plan identifies the need to create healthier and more sustainable communities, particularly in areas experiencing poorer health outcomes, through improved access to homes, services, active travel opportunities, green infrastructure and community facilities. In this context, local planning policy has an important role in supporting healthy place-making, reducing inequalities and enabling integrated health and care services that meet the needs of a growing and ageing population.

2.6 In July 2025, the government published "10 Year Health Plan for England: Fit for the Future". This publication will heavily influence the ICB's approach to the evolution of health care over the next ten years.

The backbone of the 10 Year Plan is:

- Changing from treating sickness to preventing illness.
- From hospital centric care to community-based care.
- Digital transformation.

2.7 The structural shift from hospital centric care to community-based care requires a number of key developments:

- The establishment of community health centres which will act as a hub for primary, community, mental health and social care services, this is alongside the expansion of primary care facilities.
- Expansion of diagnostic, chronic disease management and mental health support in out of hospital settings reducing pressure on acute services and improving accessibility.
- Expansion of the out of hospital workforce to deliver this extended range of services.
- Care will become increasingly personalised and preventative in focus with increasingly integrated working across services that were previously siloed in primary, community, mental health and social services.
- Changes to planning and contractual approaches to allow services to invest in their workforce to deliver new approaches to care.

2.8 To deliver these new models, across England, the NHS needs to rapidly develop its out of hospital estate offer. The 10 Year Health Plan promised services would happen:



- As locally as it can
- Digitally by default
- In a patient's home if possible
- In a neighbourhood health centre when needed
- In a hospital if necessary

2.9 Essex will seek to secure investment through central capital funding, local resources and contributions through local authorities to invest in infrastructure that not only provides the primary care needs of growing and increasingly elderly populations but also for peoples' wider health and care needs to be met through "left shift of care" into a community setting.

2.10 In Tendring, many of these factors will be influenced by the emerging Tendring Local Plan. The ICB will continue to engage with the development of the Tendring Local Plan to help ensure that its policies and allocations contribute to the delivery of positive outcomes for healthcare and health outcomes, including reducing health inequalities. This will be achieved through healthy place-making as well as the delivery of suitable infrastructure.

3.0 Place and housing allocation policies and healthcare infrastructure delivery

3.1 The Plan policies set out the need for healthcare infrastructure to support planned growth in its strategic infrastructure policy and individual site allocation policies. Recognition in the Plan of the importance of healthcare infrastructure and the intention that development will mitigate its impact on healthcare infrastructure is welcomed. The ICB's comments below focus on policy wording to ensure that this intention translates into successful delivery of essential infrastructure.

3.2 Strategic Policy LP1 Housing Supply sets out the source of housing supply through the Plan period. It identifies that more than 18,000 homes will be delivered between April 2026 and March 2043. This growth will generate significantly increased demand for healthcare services and the need for additional healthcare infrastructure capacity. Some of the larger sites will continue to grow beyond the Plan period and the total number of homes planned on the sites allocated is over 27,000. In planning healthcare infrastructure, it is important to consider the additional growth potential beyond the Plan period. The ICB is not funded centrally to build new facilities to support growth, and it is important that the impact of development is mitigated by the development without burdening the NHS with additional costs. There is very little capacity at existing healthcare facilities in Tendring; any new developments should provide for additional healthcare needs.

3.5 Non-strategic Policy HP1: Improving Health and Wellbeing is divided into two parts. Part B deals with health services an infrastructure and aims to ensure that healthcare infrastructure is provided to meet the needs of the growing population.



The ICB is not centrally funded to build infrastructure to meet additional demand generated by growth. It therefore requests that the policy is amended to require developments to fully mitigate their impacts at nil cost to the NHS.

3.6 Non-strategic Policy HP2: Community facilities, says that developments should provide on-site, or contribute towards new or enhanced, community facilities. The ICB requests that the policy is amended to require developments to fully mitigate their impact on healthcare infrastructure.

3.7 Non-Strategic Policy LP10: Care, Independent and assisted Living, Secure Institutions sets the expectations for care, assisted living developments and secure institutions. The ICB welcomes the requirement that any necessary mitigation is secured in accordance with Policy DI1. While this type of accommodation can, through careful design and provision of services, support residents' health and wellbeing, these measures do not fully mitigate the impact of the residents on healthcare infrastructure. Residents will need to access services that are not available on site and often have an age and health profile that leads to greater demand than the average population. All development should be required to fully mitigate their impacts to avoid adding additional burdens on the NHS.

3.8 Strategic Policy DI1: Infrastructure Delivery and Impact Mitigation explains that all new development should be supported by all necessary infrastructure and where this is not already available the development will be required to provide it. This approach is welcomed but the ICB requests that the policy is amended by the addition at the end of the first sentence of 'to fully mitigate its impact on infrastructure capacity.'

3.8 The Plan policies that allocate sites for development including residential use, refer to the need to contribute to infrastructure, including healthcare infrastructure. This is welcomed but the ICB requests amendments to strengthen all policies that include the allocation of land for residential development. In addition to any site-specific requirements, these policies should cross-reference Strategic Policy DI1 Infrastructure Delivery and Impact Mitigation that sets out requirements for infrastructure provision. The ICB also asks that all residential allocation policies specify that developments are required to fully mitigate their impact on healthcare infrastructure; the provision of land or a building to be leased does not mitigate impact but introduces a financial burden to the NHS. For the contributions to be effective in mitigating impact by creating additional capacity for the residents resulting from growth, the ICB needs flexibility to use them on or off-site, depending on individual circumstances.

3.9 Strategic Policy SAMU1: Development and delivery of Tendring Colchester Borders Garden Community says that proposals for development within the site allocation boundary will be determined in accordance with the policies and requirements of the Tendring Colchester Borders Development Plan Document. It lists uses for which land is allocated, sets out housing delivery expectations and discusses delivery of the proposed rapid transit system. The policy explains that policies SP8 and SP of the North Essex Authorities Shared Strategic Section One



Plan (adopted January 2021) will continue to apply to the garden community where appropriate. The ICB requests that this policy is amended to highlight the main infrastructure requirements for the development, including healthcare infrastructure to fully mitigate the impact of the development on healthcare capacity.

3.10 Strategic policies SAMU8: Development of Hare Green Garden Village, and SAMU9: Development of Horsley Cross Garden Village propose 4,500 and 6,000 new homes respectively. Each of these developments will generate sufficient additional demand for GP services to require the provision of a new surgery within the developments. To be sound, the policies should require the developments to provide suitable healthcare buildings on site at nil cost to the NHS as well as making financial contributions towards community and acute care needs created by the developments.

3.11 The other residential site allocations are smaller in scale and on their own would not generate the need for a new on-site healthcare building. The requirement to mitigate impact on healthcare infrastructure varies between these policies and could be simplified to give consistency and greater transparency. The ICB considers that, to be sound, the policies should require that the impacts on healthcare infrastructure are fully mitigated and flexibility is needed to allow the best solutions to be implemented at the time of development delivery. For all but the largest developments (SAMU1, SAMU8 and SAMU) this is likely to be a financial contribution that can be used to increase healthcare capacity for the benefit of the new residents, on or off-site as agreed with the ICB.

4.0 Conclusion

4.1 The ICB has raised the issues described above in discussions with the Council and the parties are working together to draft modifications that will resolve the existing policy gaps. It is intended that these modifications will be agreed for submission up to and during the Local Plan examination in public.

Yours faithfully

[redacted]

Catherine Bicknell

Senior Estates Manager Town Planning ic

NHS Property Services

Planning Policy
Tendring District Council
Town Hall
Station Road
Clacton on Sea
CO15 1SE
planning.policy@tendringdc.gov.uk

NHS Property Services Ltd
10 South Colonnade
Canary Wharf
London E14 4PU
town.planning@property.nhs.uk
www.property.nhs.uk

19 October 2026

BY EMAIL ONLY

RE: Consultation on Tendring District Local Plan Review Submission Version Consultation

Thank you for the opportunity to comment on the above document. The following representations are submitted by NHS Property Services (NHSPS).

NHS Property Services

NHS Property Services (NHSPS) manages, maintains and improves NHS properties and facilities, working in partnership with NHS organisations to create safe, efficient, sustainable and modern healthcare environments. We partner with local NHS Integrated Care Boards (ICBs) and wider NHS organisations to help them plan and manage their estates to unlock greater value and ensure every patient can get the care they need in the right place and space for them. NHSPS is part of the NHS and is wholly owned by the Department of Health and Social Care (DHSC) – all surplus funds are reinvested directly into the NHS to tackle the biggest estates challenges including space utilisation, quality, and access with the core objective to enable excellent patient care.

General Comments on Health Infrastructure to Support Housing Growth

The delivery of new and improved healthcare infrastructure is significantly resource intensive. The NHS as a whole is facing significant constraints in terms of the funding needed to deliver healthcare services, and population growth from new housing development adds further pressure to the system. New development should make a proportionate contribution to funding the healthcare needs arising from new development. Health provision is an integral component of sustainable development – access to essential healthcare services promotes good health outcomes and supports the overall social and economic wellbeing of an area.

Residential developments often have very significant impacts in terms of the need for additional primary healthcare provision for future residents. Given health infrastructure's strategic importance to supporting housing growth and sustainable development, it should be considered at the forefront of priorities for infrastructure delivery. The ability to continually review the healthcare estate, optimise land use, and deliver health services from modern facilities is crucial. The health estate must be supported to develop, modernise, or be protected in line with integrated NHS strategies. Planning policies should enable the delivery of essential healthcare infrastructure and be prepared in consultation with the NHS to ensure they help deliver estate transformation.

Consultation on the Tendring District Local Plan Submission Version (Reg19) Representation Form

You are encouraged to submit your representations via the online consultation portal: https://tendringdc.oc2.uk, where the full consultation documents can also be viewed. This is the quickest and most efficient way to ensure your representations are recorded.

If you are unable to submit your representation online, you may return this form by email to planning.policy@tendringdc.gov.uk or by post to:

Planning Policy
Tendring District Council
Town Hall, Station Road
Clacton-on-Sea
CO15 1SE.

The consultation period for the Submission Version runs from 7 September 2026 to 19 October 2026. Representations must be received by the Council **no later than 5pm on 19 October 2026**. Any representations received after this deadline may not be considered.

This form has two parts:

Part A – Personal Details: need only be completed once.
Part B – Your representation(s): Please fill in a separate sheet for each representation you wish to make.

Only representations submitted during this Regulation 19 consultation period will be considered by the independent Inspector as part of the examination of the Local Plan. Comments submitted at earlier stages of consultation have informed preparation of the Plan and form part of the consultation evidence base. However, they will not be considered by the Inspector unless they are resubmitted during this consultation period.

As this is a Regulation 19 consultation, representations should focus on whether the Local Plan meets the tests of legal compliance and soundness. Comments on matters outside the scope of the examination may carry limited weight in the examination process. Guidance on these matters is provided within this form and on the Council's consultation website.

The Council reserves the right not to publish, or to redact, representations containing defamatory, abusive, offensive or otherwise inappropriate material, where permitted by law.

Representations submitted in response to this consultation will be provided to the Secretary of State and the Planning Inspectorate as part of the examination of the Local Plan. Representations (including the name of the person or organisation making the representation) may also be published on the Council's website. Personal data will be processed in accordance with the UK General Data Protection Regulation and the Data Protection Act 2018. Further information on how the Council processes personal data for Local Plan consultations is available in the Council's Local Plan Privacy Notice at https://www.tendringdc.gov.uk/service-privacy-notice/local-plan-privacy-notice.

We may use artificial intelligence (AI) tools to assist in producing summaries of the content of representations submitted during Local Plan consultations. These tools are only used to summarise the themes and issues raised and are used in accordance with the Council's Artificial Intelligence Best Practice Approach document. AI will not be used to analyse or make decisions based on any personal data, and all consultation-related Local Plan decision making will be undertaken by Council officers and elected Members of the Council.

Planning Inspectorate Guidance Note on Making Representations

Introduction

The plan has been published by the Local Planning Authority [LPA] in order for representations to be made on it before it is submitted for examination by a Planning Inspector. The Planning and Compulsory Purchase Act 2004, as amended, [PCPA] states that the purpose of the examination is to consider whether the plan complies with the relevant legal requirements, and is sound. The Inspector will consider all representations on the plan that are made within the period set by the LPA.

To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. The LPA will therefore ensure that the names of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspector.

Legal Compliance

You should consider the following before making a representation on legal compliance:

- The plan should be included in the LPA's current Local Development Scheme [LDS] and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for examination. If the plan is not in the current LDS it should not have been published for representations. The LDS should be on the LPA's website and available at its main offices.
- The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement [SCI] (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.
- The LPA is required to provide a Sustainability Appraisal [SA] report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- The plan should comply with all other relevant requirements of the PCPA and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended [the Regulations].

Soundness

The tests of soundness are set out in the National Planning Policy Framework (NPPF). Plans are sound if they are:

- **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 authorities 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 the NPPF and other statements of national policy, where relevant.

If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

General Advice

If you wish to make a representation seeking a modification to a plan or part of a plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria set out in the NPPF and referenced above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues they identify.

Where groups or individuals share a common view on the plan, it would be very helpful if they would make a single representation which represents that view, rather than a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at the hearing session(s) if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.

Part A – Personal Details

	1. Personal Details	2. Agent's Details *(if applicable)*
Title		Miss
First Name		Zainab
Last Name		Hussain
Job Title *(where relevant)*		Graduate Town Planner
Organisation *(where relevant)*		NHS Property Services Ltd
Address Line 1		10 South Colonnade
Line 2		Canary Wharf
Line 3		
Line 4		
Post Code		E14 4PU
Telephone Number		
Email Address		[redacted]

Responding:

☐ As an individual

☑ On behalf of an organisation

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Part B – Your Representation(s)

Please fill in a separate sheet for each representation you wish to make.

Name of Individual or Organisation: NHS Property Services Ltd

To which part of the Local Plan does this representation relate?
Please tick one and give the policy number or map title if relevant.

☐	Vision	
☐	Objectives	
X	Policy number:	**Draft Policy HP1: Improving Health and Wellbeing**
☐	Map title:	

Do you consider the Plan to be legally compliant?	✔	Yes	☐	No
Do you consider the Plan to be sound?	✔	Yes	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Please indicate, where relevant, which test(s) of soundness you consider have not been met (Positively Prepared, Justified, Effective, or Consistent with National Policy). If you wish to support the legal compliance or soundness of the Local Plan please also use this box to set out your comments.

Healthy Places

Part A of Draft Policy HP1 sets out the Council's commitment to making sure that new developments promote healthier lifestyles and the long-term prevention of avoidable illness. NHSPS welcomes and supports the inclusion of policies which seek to improve health and wellbeing, and the requirement for Health Impact Assessment (HIA) for all development sites delivering 50 or more dwellings, all development in Use Class C2 (Residential Institutions) and all non-residential developments delivering 1,000 square metres or more gross internal floor space as set out in Part A (a) of Draft Policy HP1.

There is a well-established connection between planning and health, and the planning system has an important role in creating healthy communities. The planning system is critical not only to the provision of improved health services and infrastructure by enabling health providers to meet changing healthcare needs, but also to addressing the wider determinants of health.

Health Infrastructure Provision

Part B of Draft Policy HP1 ensures the provision of medical and other healthcare services of the right type is provided in the right locations and at the right time to best meet the needs of the growing population, and sets out the implementation mechanism for healthcare infrastructure to be delivered alongside new development, especially for primary healthcare services as these are the most directly impacted by population growth associated with new development.

NHSPS welcomes the recognition of health infrastructure as essential infrastructure and supports the expectation that development proposals will make provision to meet the cost of healthcare infrastructure made necessary by the development within both allocated site and elsewhere across the District. NHSPS supports the process to determine the appropriate form of developer contributions to health infrastructure through consultation with relevant health partners and/or through the findings of HIA. This ensures that the assessment of existing healthcare infrastructure is robust, and that mitigation options secured align with NHS requirements.

We therefore consider Draft Policy HP1 to be positively prepared and effective and therefore sound.

Part B – Your Representation(s)

Please fill in a separate sheet for each representation you wish to make.

Name of Individual or Organisation: NHS Property Services Ltd

To which part of the Local Plan does this representation relate?
Please tick one and give the policy number or map title if relevant.

☐	Vision	
☐	Objectives	
X	Policy number:	**Draft Policy HP2: Community Facilities**
☐	Map title:	

Do you consider the Plan to be legally compliant?	✔	Yes	☐	No
Do you consider the Plan to be sound?	✔	Yes	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Please indicate, where relevant, which test(s) of soundness you consider have not been met (Positively Prepared, Justified, Effective, or Consistent with National Policy). If you wish to support the legal compliance or soundness of the Local Plan please also use this box to set out your comments.

Draft Policy HP2 focuses on the provision of new community facilities and redevelopment of existing community facilities. NHSPS welcomes the inclusion of wording regarding healthcare facilities where they are formally declared surplus to the operational requirements of the NHS estate, in line with our representation at early Regulation 18 stage (2025).

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In your representation you should provide succinctly all the evidence and information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Where a site is declared surplus to the operational requirements of the NHS or identified as surplus as part of a published estates strategy or transformation plan, we consider this will not be subject to the requirements listed under parts (b)-(c) of Draft Policy HP2. With this in mind, however, for the purposes of clarity in the interpretation of the policy, we request amendments to the policy wording in line with the below suggested amendments:

Proposed addition to Policy HP2:

"Where healthcare facilities are formally declared surplus to the operational healthcare requirements of the NHS or identified as surplus as part of a published estates strategy or service transformation plan, there will be no requirement to ~~retain any part of the site in an alternative community use,~~ *further meet the requirements under Parts (b.) or (c.) of the policy.*

Overall, we consider Draft Policy HP2 to be positively prepared and effective, and therefore sound but would recommend the addition of the suggested wording for the avoidance of doubt in the interpretation of the policy pertaining to the loss of existing healthcare facilities.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Only persons seeking a change to the Plan have a right to be heard at examination hearing sessions if they request to participate. The Inspector will determine the most appropriate procedure and who will be invited to participate in any hearing sessions.

☐ Yes ☑ No

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Part B – Your Representation(s)

Please fill in a separate sheet for each representation you wish to make.

Name of Individual or Organisation: NHS Property Services Ltd

To which part of the Local Plan does this representation relate?
Please tick one and give the policy number or map title if relevant.

☐	Vision	
☐	Objectives	
X	Policy number:	**Draft Strategic Policy DI1 (Infrastructure Delivery and Impact Mitigation)**
☐	Map title:	

Do you consider the Plan to be legally compliant?	✔	Yes	☐	No
Do you consider the Plan to be sound?	✔	Yes	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Please indicate, where relevant, which test(s) of soundness you consider have not been met (Positively Prepared, Justified, Effective, or Consistent with National Policy). If you wish to support the legal compliance or soundness of the Local Plan please also use this box to set out your comments.

Draft Policy DI1 states that all new development will be required to provide for the necessary on-site or off-site infrastructure requirements arising from the proposal. Supporting paragraph 10.8 includes health within the categories of necessary infrastructure.
Supporting paragraph 10.9 states that healthcare services and facilities are provided by the NHS Essex ICB and NHS England - East of England.

NHSPS supports the inclusion of health within the broad categories of necessary infrastructure, and welcomes the updated references to the ICB, following our response at Regulation 18 stage. We recommend that the Council continue its engagement with the NHS to further refine the identified healthcare needs and proposed solutions to support the level of growth proposed by the Local Plan, as identified in the IDP, prior to submission.

Healthcare providers should have flexibility in determining the most appropriate means of meeting the relevant healthcare needs arising from a new development. Where new developments create a demand for health services that cannot be supported by incremental extension or internal modification of existing facilities, this means the provision of new purpose-built healthcare infrastructure will be required to provide sustainable health services. Options should enable financial contributions, new-on-site healthcare infrastructure, free land/infrastructure/property, or a combination of these. It should be clarified that the NHS and its partners will need to work with the council in the formulation of appropriate mitigation measures.

NHSPS therefore consider Draft Policy DI1 to be positively prepared and effective, and therefore sound.

Evidence Base (Local Plan Viability Assessment)

The draft policy requirements identified in the Plan are supported by the Local Plan Viability Assessment (January 2026) and Update Note (August 2026). Having reviewed the report, we note that where contributions towards healthcare have been identified in the policy requirements for site-specific testing, the assessment does not include a specific allowance for contributions towards healthcare. The report tests a lump sum for S106 contributions of £7, 500 per unit (house and flats) on sites of 20 or larger, and £2,500 per unit on smaller sites, to cover site specific mitigation.

Without prejudice to any future representations the NHS or its partners may make on specific planning applications or applications for CIL funding, in our view the S106 headroom identified as part of the site-specific testing is generally sufficient to enable financial contributions to be secured for healthcare, and therefore we consider that overall the assessment of plan-wide viability demonstrates that policy requirements in relation to healthcare infrastructure contributions are deliverable.

Evidence Base (Infrastructure Delivery Plan)

The provision of adequate healthcare infrastructure is in our view critical to the delivery of sustainable development. A sound IDP must include sufficient detail to provide clarity around the healthcare infrastructure required to the level of growth proposed by the Plan, and to ensure that both planning obligations and the capital allocation process for the potential Community Infrastructure Levy (CIL) effectively support and result in capital funding towards delivery of the required infrastructure.

The IDP includes a separate health chapter, and demonstrates clear engagement with NHS Essex ICB in ensuring that the assessment of existing healthcare infrastructure is robust, and the mitigation options secured align with NHS requirements.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In your representation you should provide succinctly all the evidence and information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

N/A

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Only persons seeking a change to the Plan have a right to be heard at examination hearing sessions if they request to participate. The Inspector will determine the most appropriate procedure and who will be invited to participate in any hearing sessions.

☐ Yes ☑ No

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

NHS Property Services

Conclusion

NHSPS thank Tendring District Council for the opportunity to comment on the Local Plan Submission Version (Reg19). We trust our comments will be taken into consideration, and we look forward to reviewing future iterations of the Plan. Should you have any queries or require any further information, please do not hesitate to contact me.

NHSPS would be grateful to be kept informed of the progression of the Local Plan and any future consultations via our dedicated email address, town.planning@property.nhs.uk.

Yours faithfully,

Zainab Hussain
Graduate Town Planner

E: [redacted]

For and on behalf of NHS Property Services Ltd

Essex County Council Full Response to the Tendring District Local Plan 2026 – 2043 Submission Local Plan (Reg. 19) – September 2026

ECC Full Response, submitted 19 October 2026

Overall Summary Headlines

- ECC is supportive of the TDC Local Plan preparation and seeks to support a successful Plan making process, with the outcome of an up-to-date, NPPF compliant Local Plan (LP) being in place in a timely manner
- ECC is raising some soundness issues (primarily on effectiveness of policies) but also on conformity with national policy / the Development Plan, and seeks points of clarification, other updates and revisions to reflect wider changes in legislation etc. although these are capable of remedy through the forthcoming Statement of Common Ground and LP modifications

Duty to Co-operate

- The Duty, having been abolished in its formal regulatory form, is no longer considered at LP examination as a binary pass / fail test under current national planning policy but importantly, LPAs are still required (by NPPF) to cooperate closely in order to ensure effective planning (for strategic / cross-boundary matters and ensure necessary infrastructure delivery)
- ECC can confirm that TDC has fulfilled the NPPF cooperation and engagement requirements in all respects in its preparation of the Draft Plan

Infrastructure planning & delivery

- It is essential that all new development is supported by the required local and strategic infrastructure and ECC has worked closely with TDC in developing its IDP, which identifies the full range of infrastructure / facilities required to support planned growth
- ECC has led on the transport evidence base for TDC to provide a robust and comprehensive understanding of current transport network capacity / conditions; future impacts from planned growth; and accordingly, the required measures and mitigations
- This would include a range of existing transport infrastructure measures to manage it differently, infrastructure interventions / improvements and new / additional infrastructure and services, including active and sustainable transport in order to deliver a modal shift that can serve to manage transport network pressures
- ECC has also carried out rigorous work to assess the Draft Plan growth strategy against education provision, capacity and the requirements arising in future from planned growth (for EYCC; primary; secondary and SEND provision). ECC has also reviewed needs and future opportunities for improved over 16s learning and skills, and provided input to the Draft Plan in this matter
- In response, TDC has included the substantial new education facilities required within the respective LP site allocation policies, in order to secure the required land areas, together with requirements for financial contributions from developers
- As LLFA, ECC has reviewed flood risk infrastructure needs on site (often in the form of Sustainable Urban Drainage Systems (SUDs)) and off-site for those flood risk areas under its own remit, with other flood risk forms being the direct responsibility of other agencies (including the Environment Agency).

Coastal flood risk and management will continue to be an important issue for TDC (resting chiefly with the Environment Agency and TDC). In a related vein, ECC has reviewed needs for strategic green / blue infrastructure to serve larger new developments across Tendring District

Spatial Strategy

- ECC recognises that TDC's spatial options to accommodate the significant growth uplift required are relatively limited and TDC has tested and consulted on a range of potential approaches / variations on these
- As a stakeholder and consultee to the Tendring Plan process, ECC has a default position to protect Essex green space (a policy position agreed by ECC's new administration)
- Whilst significant growth at Harwich / Dovercourt and Weeley Green new GV are supported and their rationale considered strong, ECC is more cautious on the two larger GVs at Hare Green and Horsley Cross due to their relatively isolated locations, with limited access to existing key infrastructure, services and facilities. These factors result in challenges for successful, timely delivery of the necessary supporting infrastructure, services and facilities when needed. These points introduce questions / challenges on sustainability and placemaking for these planned new settlements
- Accordingly, overall, ECC:
    - Supports many elements of the spatial strategy
    - Raises important cautionary points on the two larger new GVs of Hare Green and Horsley Cross (sustainability; infrastructure; placemaking)
    - Accordingly, ECC Is raising some points of soundness in respect of effectiveness of the proposed policies on these which are considered to need strengthening across a range of different subject areas
    - In response, ECC identifies and confirms a very important need for significant further work, collaboration and ongoing commitment on these proposals, with a range of partners, to plan for them, a key stage of which will be the new Plan documents that TDC states will be prepared for them. All partners involved need a lasting, shared commitment to secure their successful delivery, in the best interests of all involved. This is also in recognition that these will be long term developments, planned and delivered over this Plan period, and the ensuing Plan period

Education (including early years and childcare; primary, secondary SEND and post 16 education / skills)

- ECC raises only one substantive soundness issues in this regard and clarification is raised on a number of points
- The ECC response provided on the previous LP version (Preferred Options) has been mostly taken onboard with the required changes, particular
- Additional school provision required for proposed strategic site allocations (under 'SAM' policies, chiefly SAMU8 and SAMU9 for the two larger new GVs, in the form that is necessary (specifying use classes of land) and the necessary areas of land is now included in the relevant site allocation policies
- The key point ECC is reiterating now is that when school sites become redundant for their current educational use that there should be no restrictive policy requirement for such sites to be preferred for other / alternative community related use(s) since their disposal is likely to enable other / alternative educational provision
- Other changes requested to remove specific references to numbers of forms of entry where new schools are to be provided for specific site allocations; also, those referencing ECC requirements on safe and convenient access to schools
- Needs for new SEND provision have been identified overall in terms of scale from the planned growth

- At the previous LP stage ECC provided a substantial body of helpful input on post 16 education (in terms of needs generated and where future provision may be expanded and otherwise provided) and is also pointing to the need for Employment, Skills and Supply Chain Strategies for qualifying developments

Highways and Transportation (including Active / Sustainable & Passenger Travel)

- ECC raises no substantive soundness issues in this regard, subject to the comprehensive mitigations identified by the above evidence work
- This position carries recognition of the scale of challenge in ensuring successful delivery of a significant package of measures (particularly for transport and education provision) to mitigate planned growth and ensure sustainable development and successful placemaking
- This will require positive engagement and significant work between TDC, ECC, site promoters and others in order to plan and ensure successful delivery of the required infrastructure, services and other interventions to enable the growth strategy, particularly in relation to the two larger new Garden Villages
- ECC recommends a number of policy and other text wording additions / changes to ensure that the Plan is sound in terms of being fully effective and in some places to ensure consistency between the various policies
- Essex Highways has overseen and supported the evidence base for the Plan, working collaboratively with TDC (and National Highways) on an ongoing basis to assess the spatial growth strategy, identify transport network issues and impacts and the necessary interventions to provide effective mitigations in response
- This work has now reached its culmination, resulting in clear findings and conclusions, with the required recommendations to manage growth sustainably and to ensure transport network impacts are not severe (in respect of the key NPPF test)
- The evidence work references the NPPF's up to date "vision-led" approach to transport planning, rather than simply 'predicting and providing' new / additional road-based transport infrastructure (including a focus on road building) to accommodate forecast traffic growth

Minerals and Waste

- ECC raises no substantive soundness issues in this regard subject to essential Plan modifications to state where a Mineral Resource Assessment, Waste and Mineral Infrastructure Impact Assessment is necessary in accordance with the adopted minerals and waste local plans
- ECC will raise this early with TDC as a matter to address in the forthcoming SoCG for the examination Inspector's consideration. All such sites have been marked clearly in red text within the full ECC response and thus highlighted for TDC's consideration

Housing Growth

- ECC raises no substantive soundness issues in this regard
- ECC is supportive of the fact that TDC is planning appropriately both to meet its required homes provision level (in line with the current standard method of calculation) and enabling a five-year housing supply (as required by NPPF). EXX is also supportive generally of the proposed policies, including those of particular interest to ECC's responsibilities (supported and specialist homes) subject to a number of revisions (of a non-fundamental nature)
- ECC is recommending that careful consideration is given towards a more planned, proactive policy approach in relation to small (and windfall) sites, given the NPPF requirement for these small sites to provide no less than 10% of the Plan's overall new homes provision. This would also provide the twin

benefits of providing greater confidence in meeting overall homes provision and would assist / guide Plan users / applicants in bringing forward such proposals

Economic Growth

- ECC raises no substantive soundness issues in this regard
- An important need to dedicate further consideration, engage and develop plans and strategies for employment and economic prosperity for the new Garden Villages has been flagged and this will need to align with the above engagement and further work on transport and related infrastructure measures

Sustainability

- This subject area is related closely with the matters outlined above, particularly around the growth strategy and infrastructure planning / provision
- ECC has worked closely with TDC in providing and articulating its evidence base work in relation to sustainable homes that are low cost to heat, cool, durable and healthy for occupiers
- TDC is taking this forward through its LP policies covering these matters, particularly Policies PPL10a and PPL10b. The Draft Plan also includes Policy PPL10c to promote clean / renewable energy generation, this may help promote lower cost energy for users and energy security more widely

Green and Blue Infrastructure (GBI) and BNG

- ECC raises no substantive soundness issues in this regard
- A number of non-contentious policy modifications are recommended to ensure greater policy effectiveness, appropriate GBI provision and connectivity and to ensure effective linkages with the Essex Local Nature Recovery Strategy (LNRS)
- ECC has also reviewed needs for strategic green / blue infrastructure to serve larger new developments across Tendring
- The Draft Plan proposes a Biodiversity Net Gain requirement of 20% (the overall national statutory requirement being 10%) which ECC endorses in view of the value to environmental quality and nature recovery

Flood and Surface Water Management

- ECC raises no substantive soundness issues in this regard (one wording addition is recommended to help enable effective design and delivery of SuDS and effective drainage for new developments for the key Flood Risk policy)
- ECC provided comments on this matter for earlier LP drafts. These have been taken on board and incorporated

Water Efficiency and Water Supply

- ECC maintains its position on this matter as Draft Plan Policy PPL5 does seek to promote water efficiency for clean (potable) water in new homes but proposes a water use limit of 100 litres per person per day, with ECC seeking an industry standard limit of 85 litres (per person per day). An effective evidence base is in place for this lower limit and the region is well recognised as in severe water supply stress
- There is recognition, nevertheless, that TDC has arrived at this position by reviewing developments costs carefully across the board and balancing these across the overall viability assessment and that development viability is more challenging across Tendring than in other North Essex locations

Specialist and Supported Housing (including Adult Social Care)

- ECC raises no substantive soundness issues in this regard; a number of revisions sought through earlier LP iterations have largely been addressed
- A limited number of minor wording revisions are now sought to two policies and other paragraph text, plus a request to introduce a measure to monitor delivery of Specialist and Supported Housing (SSH) delivery against evidence base identified needs

Health and Wellbeing

- ECC raises no substantive soundness issues in this regard; ECC position supportive of Plan content and approach
- TDC has also prepared a local health and wellbeing evidence base with the North East Essex Alliance and ECC in its lead advisor role for Public Health (together with input from the Town and Country Planning Association)
- Submission Plan helps to address the obesogenic environment (encouraging healthier foods) by seeking to limit the number of new / additional hot food takeaway outlets, particularly in locations where younger people gather, including near schools

Stewardship

- ECC raised points on this at the previous LP stage in that the LP does not set out any kind of principles or framework for stewardship as a whole, although it is recognised that can be done through other planning documents
- For the new GVs and other larger / strategic developments, this will be particularly important and for Hare Green and Horsley Cross, the appropriate vehicle under which to develop that work will be the new Plan documents that will be prepared for them
- ECC can provide support and expertise on this matter, drawing on previous work on a number of new Garden Communities and other strategic developments across Greater Essex

Whole Plan Viability

- ECC raises no issues in this regard (such as any concerning the TDC work not being up-to-date, comprehensive or robust)
- Up-to-date viability assessment of the draft policies in the Draft Plan that adheres to Planning Practice Guidance (PPG) and is considered robust
- Assessment also has regard to locally prepared evidence in this subject area, such as the viability evidence and inputs that supports the EPOA climate change policies to ensure high quality, sustainable, durable and healthy homes that are cost effective to heat and to keep cool in hot weather

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Table 1 provides a more full, detailed response following the format and layout of the Draft Plan.

Rep ECC No.	Submission LP Reference Section Policy / Para / page	Is the Plan 1.Legally Compliant Y/N 2.Sound Y/N	Reason 1. Positively prepared 2. Justified 3. Effective 4. Consistent with National Policy	Recommended modification needed to make the Plan legally compliant and/or sound	Participation at examination? Y/N
	SECTION 1 INTRODUCTION				
	1. Introduction	N/A	Amendment necessary to reflect LTP status There needs to be a more overt section on the Essex Local Transport Plan (LTP) much like the Minerals Local Plan Waste Local Plan etc. given the LTP is as much a statutory document as the Minerals Local Plan.	Additional Modification: Add additional text section in section 1 with its own subheading (Essex Local Transport Plan) – Introduction, to reference and explain role, status and key aims of LTP, in line with those already provided for other documents (such as Minerals Local Plan). This would reflect the statutory status of the LTP and provide space to explain its role, purpose, aims etc.	N
	Para 1.19	N/A	Factual Update A new version of the National Planning Policy Framework (NPPF) has been published in August 2026. Within paragraph 1.19, reference is only made to the previously issued NPPF, in 2024	Additional Modification: Update the text to reference the latest iteration of the NPPF will ensure accurate, up to date information is provided by the local plan regarding NPPF updates.	N
	Para 1.24	N/A	Revision to reference the Waste Strategy for Essex (WSfE) and clarify respective roles, responsibilities etc. There is currently no reference to the WSfE. Section 1.14 needs updating. This section mixes responsibilities, which could cause confusion (WLP, WMP, WCA and WDA). The opening paragraph gives the impression that there is existing capacity at waste infrastructure for household waste – it may be that there is sufficient treatment capacity, however this is not the case for waste	Add the following text to existing text. Additional Modification: **Essex County Council (ECC) is the Waste Disposal Authority (WDA), and all 12 district, borough and city councils in Essex, including Tendring District Council, are the Waste Collection Authorities. Together, they form the Essex Waste Partnership (EWP) and have jointly adopted the Waste Strategy for Essex 2024–2054 (WSfE). This sets out a joint framework to transition to a circular economy, aiming to reduce, reuse, and recycle more to protect the environment.**	N

			infrastructure such as RCHWs and WTS (including transportation/bulking etc).	**<u>As the Waste Disposal Authority, ECC has responsibility for the infrastructure required to support the management of Local Authority Collected Waste. Planned housing and population growth create additional demand on this infrastructure. Through the updated ECC's Developers' Guide to Infrastructure Contributions (June 2026) an approach to developer contributions for waste management was incorporated. This includes a requirement to mitigate any adverse impact of new developments on existing waste infrastructure. This infrastructure includes, but is not limited to transfer stations, depots and associated logistical infrastructure, waste treatment facilities.</u>** **<u>Waste infrastructure Impact Assessment (WIIA) – all developments should consider the impact of proposed developments on existing waste facilities.</u>**	
	Para 1.34 - LGR	N/A	NB LGR withdrawn for Greater Essex.	The Local Plan should be positively prepared independent of any LGR considerations given this change in context.	N
	SECTION 2 VISION & OBJECTIVES				
	2 Vision and Objectives Vision for the Tendring District 2nd paragraph	1. Y 2. Y	Greater effectiveness Garden Villages - *Designed to the highest standards, these villages will embody best practices in urban design and placemaking, setting a benchmark for future developments in Tendring*. Given Garden Village status this section should include landscape as a key practice in designing these areas along with urban design and placemaking.	Additional Modification Add in wording regarding **<u>landscape-led approach</u>** to garden villages as well as best practices in urban design and placemaking.	N

	2. Vision and Objectives Tendring Colchester Borders GC (1st paragraph) Rural Heartland	1. Y 2. Y	Greater effectiveness General Comment: This needs a more overt mention of Rapid Transit System in the Tendring Colchester Borders GC part of the vision, given the importance (and benefits) of this intervention. Rural heartland: Need to highlight the role in which Transport can plan in connecting communities with key services and/or bringing services to residents Rural heartland: need to recognise that car travel is an acceptable and viable option in more rural areas which are not served well by passenger transport and are too far to walk or cycle	Additional Modifications Add text reference as recommended (in previous column) at the penultimate paragraph of the Vision for TCBGC, to reflect the significant role of this intervention Add text references as recommended (in previous column) at the appropriate part of the Vision for Rural Heartland	N
	Objectives for the Plan 2.2 -2.14	1. Y 2. Y	3. Effective There are 11 overarching objectives outlined for the plan. However, there are none to do with protecting the landscape. This is especially important to include given that there are two National Landscapes in Tendring.	Consider adding an objective to the Local Plan regarding the importance and protection of Tendring's valued landscapes and landscape character. This could potentially form a new / additional part of existing objective 8 (Biodiversity and green and blue infrastructure)	N
	Para 2.10 And referenced in para 7.44	1. Y 2. N	4. Consistency with national policy Objective 7 does not include an accurate or clear description of what the historic environment encompasses (as referenced in the NPPF) and fails to include archaeology. The examples provided as elements of the District's historic environment should be rewritten and improved. For example, other types of assets have a setting (not	Minor modification: Rewrite Objective 7 to provide a more comprehensive and accurate reflection of what the 'historic environment' is. It is recommended that archaeological deposits are included within this objective. The historic environment includes buildings, monuments, sites, areas, landscapes, archives, museums and artefacts, as well as intangible heritage such as traditions, events, culture and character. The Glossary of the NPPF	N

			just historic buildings), it is not clear what is meant by "links", and it is not clear why both "heritage" and "heritage assets" are included. Archaeology is not mentioned. Whilst it is understood that there is no need to reproduce guidance/definitions contained within the NPPF, the Glossary contains useful definitions of heritage assets and the historic environment.	contains useful definitions of heritage assets and the historic environment that could be drawn upon. Also include this revised description in para 7.44.	
	SECTION 3 SUSTAINABLE PLACES				
	Point 3.4	N/A	Edit needed (to correct typo error) A typographical error within paragraph 3.4 creates inaccurate information.	Edit only The figure of **£271,00** should be amended to **£271,000** for accuracy.	N
	3. Sustainable Places Para 3.7	1. Y 2. Y	**General Comment to improve effectiveness:** Need to ensure that the B1033 and B1027 are highlighted as key routes in conjunction with the strategic road network as these routes will serve as important distributor functions Need to mention the transport challenge within rural areas and how more flexible demand responsive services can assist in bringing residents to services and/or vice-a-versa **Minor Comment:** Paragraph 3.7 – Colchester is a City Authority	Additional Modifications In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends revised text. **Recommended paragraph text changes:** Add reference to A1033 and B1027 as key routes necessary to effective functioning of the strategic road network. Add reference to the transport challenge within rural areas and that more flexible demand responsive passenger transport services can assist in bringing residents to services and/or vice-a-versa. **Minor Comment:** Paragraph 3.7 – Correct existing text reference to refer to Colchester as a City Authority.	No
	Sustainable Places Para 3.51 – spatial growth strategy	1. Y 2. Y	ECC needs to point to its (relatively recent) policy stance, as agreed by the new administration that development on	Main modification:	N

			undeveloped, greenfield or Green Belt land and valued green spaces should be avoided wherever possible and minimised. Accordingly, it is necessary to note that as a stakeholder and consultee to the Tendring Plan process, ECC has a default position to protect Essex green space.	Reference a commitment to avoid / minimise any development on undeveloped / green land through the TDC LP	
	Garden Communities and Garden Villages - 3.50 – 3.53 / Glossary	1. Y 2. Y	Greater effectiveness While the concept of these is supported, there is no description of what exactly garden communities / garden villages are and what is expected from such proposals.	Additional Modification (Glossary) For the avoidance of doubt, Garden Communities / Garden Villages should be added to the glossary with a definition of what they are. This might draw helpfully on the well-established Garden Community principles. Also add definition of 'Landscape-led'.	N
	Para 3.72	1. Y 2. Y	Greater effectiveness It is positive to see guidance provided within **Sustainable Design, point 3.72,** regarding early use of design review tools to strengthen the policy and ensure that high-quality designs are developed in line with part **DP4: The Design Process** of the NPPF (whilst recognising that this Plan will be examined under NPPF 2024). ECC would also encourage direct reference to the Essex Quality Review Panel to provide applicants with a clear understanding of all of the review tools available to them.	Additional Modification Including direct reference to the (well established) Essex Quality Review Panel would further encourage and enable the high-quality design of developments by encouraging applicants to utilise all review tools available. Suggested wording: 'The Council encourages early use of design review tools and frameworks, particularly in large scale and mixed-use developments, including Building for a Healthy Life, Sport England's Active Design Principles, Essex Design Guide's Healthy Places checklist, and Homes England's toolkit, to ensure high-quality, healthy and sustainable design outcomes. **Large scale developments should also have access to and make use of the Essex Quality Review Panel.** In assessing applications, the Council will have regard to the outcome from these processes, including any recommendations made by design review panels.'	N

	Policy SPL3: Sustainable Design and supporting text paragraphs 3.70-3.73 Point A.	1. Y 2. Y	Greater effectiveness Policy SPL3 provides a framework for the delivery of sustainable and healthy places. Paragraphs 3.70-3.73 are particularly supported as they recognise the contribution of GI to healthy lifestyles, active travel, biodiversity enhancement, ecological connectivity and climate resilience. The inclusion of references to Sport England's Active Design Principles, the Essex Design Guide, Natural England's GI Framework, the Essex GI Standards and the Essex Local Nature Recovery Strategy (LNRS) is particularly welcomed and reflects many of the principles promoted through the Essex GI Standards and the newly published Essex GI Planning Guidance (2026). The Essex Green Infrastructure Planning Guidance (2026) builds upon the Essex Green Infrastructure Standards (2022) and provides practical guidance on how Green and Blue Infrastructure should be interpreted and delivered through Local Plan preparation, masterplanning, development management, planning applications and long-term stewardship. The guidance supports a consistent, coordinated and policy-compliant approach to the delivery of multifunctional Green and Blue Infrastructure and should be read alongside the Essex Green Infrastructure Standards and relevant national and local planning policy.	Main Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Add a new criterion after existing criterion (e): ***f. Development should contribute to a multifunctional Green and Blue Infrastructure network that supports Biodiversity Net Gain, ecological connectivity, climate resilience, health and wellbeing and, where appropriate, the priorities of the Essex Local Nature Recovery Strategy.*** Or alternatively amend (existing) criterion (d): Suggested wording: *"the design and layout of the development maintain or enhances important existing site features of landscape, ecological, heritage or amenity value* ***and contributes, where appropriate, to multifunctional Green and Blue Infrastructure, Biodiversity Net Gain, ecological connectivity and Essex Local Nature Recovery Strategy priorities."***	N

			However, there is an opportunity to strengthen Part A by more explicitly recognising the role of Green and Blue Infrastructure, BNG and ecological connectivity in delivering high-quality places and supporting Essex LNRS priorities.		
	Policy SPL3 Part A, Point E	1. Y 2. Y	Greater effectiveness There is opportunity to strengthen Policy **SPL3, Part A(e)** by emphasising the importance of the utilisation of hard and soft landscaping.	Main Modification Add text to point E of Policy SPL3 Strengthening the wording of the policy will provide further clarity of guidance regarding landscaping elements and will align with Chapter 14: Achieving well-designed places of the NPPF. Suggested wording: 'Boundary treatments and hard and soft landscaping are designed as an integral part of the development***, providing accessible, multi-functional green infrastructure, that reflects*** the function and character of the development and its surroundings. The Council will encourage the use of locally distinctive materials and/or locally occurring and characteristic hedge species.'	N
	Policy SPL3 Part B, Point F.	1. Y 2. Y	3. Effective/4. Consistent with National Policy ECC suggests further explanation of the terms used to strengthen this policy and encourage safe design, having regard to pedestrians and cyclists. There is opportunity to enhance Policy **SPL3 Part B(f)**, to ensure that the design requirements surrounding access are clear and specific. When comparing policy SPL3 with other local plan policies and the NPPF (TR4),	Main Modification Revise point F to include the following: Suggested wording: 'access to the site is safe and practicable, ***with clear and legible pedestrian, cyclist and vehicular routes*****,** and the highway network will, following any required mitigation, be able to safely accommodate the additional traffic the proposal will generate and not lead to severe traffic impact'.	N

			the draft version of SPL3 appears quite brief and limited regarding its clarification to the term 'safe and practicable'.		
	Policy SPL3 Part B, Point G.	1. Y 2. Y	3.Effective / 4. Consistent with National policy) ECC would encourage providing specific guidance on improving safety and access for those with mobility impairments to strengthen **Policy SPL3, Part B(g)**. When comparing this policy to the NPPF (TR4) and other local plans, the draft version of Policy SPL3, point B appears brief.	Main Modification ECC recommends further refinement of the policy regarding safety and access. Revise point G to include the following: Suggested wording: 'the design and layout of the development maintains and/or provides safe and convenient access for those **with limited mobility, such as disabled and older people, and minimising the scope for conflict between pedestrians, cyclists and vehicles.'**	N
	Policy SPL3 Part B, Point K.	1. Y 2. Y	3. Effective/4. Consistent with National Policy It is positive to see reference to private amenity space within SPL3, and the requirement for this space to meet 'residents' needs' and reflect 'the dwelling size and local character'. However, there is potential to quantify amenity space requirements to strengthen these policies. Additionally, there is potential to strengthen the policy to provide more detailed requirements for private amenity space. There is thought that the phrases 'appropriately sized' and 'well-designed' are vague and can lead to misinterpretation.	Main Modification Providing a clearly defined policy requirement on amenity space standards is important to ensure high-quality homes are provided, and to support the health and wellbeing of residents. Revise point k to include the following: ECC suggests the following wording. 'Development must provide **clearly defined, safe and accessible** private amenity space that meets residents' needs and reflects the dwelling size and local character, together with adequate waste and recycling storage, and vehicle and cycle parking (including electric vehicle provision) in accordance with the latest EPOA Parking Guidance'. ECC would suggest that either the Essex Design Guide's amenity standards are referred to or a bespoke approach is developed. In the context of the need for homes and amenity space the following suggestion is considered a balanced approach:	N

				• 5sqm of private amenity for 1-2 person apartments and an additional 1sqm for each additional occupant. • Housing garden sizes – minimum of 25 sq.m of amenity space per dwelling for 1 bed houses, minimum of 50 sq.m of private amenity space per dwelling for 2 bed houses, and for houses containing 3 or more bedrooms, a minimum of 100sqm unless agreed with the Council for bespoke and innovative design approaches Further explanation regarding the term 'private amenity', and whether this makes reference to internal and external space, will provide clarity to the requirements of internal and external amenity spaces within developments.	
	Policy SPL3 Part B, Point K Policy SPL3 Part B, Point K		3. Effective There is also opportunity within **Policy SPL3 Part B(k)** to provide additional guidance in regard to the standards of internal spaces of dwellings within a development. ECC would suggest the policy can provide further clarity on the scope of 'private amenity space', and whether this makes reference to both internal and external space. Lack of clear guidance surrounding the quality of internal space could potentially lead to developments that less effectively utilise internal space.	Main Modification Providing an additional point regarding standards of internal accommodation would strengthen Policy SPL3 and ensure developments are of high-quality Revise point k to include the following. Suggested wording for an additional point: '**<u>buildings and structures are designed to provide high standards of internal accommodation regarding the size, and arrangement of internal space</u>'.**	N
	Policy SPL3 Part C – Point M	1. Y 2. Y	3. Effective Referencing specific design features within Policy **SPL3 Part C(m)**, would be encouraged. When comparing Policy SPL3 to other local plans, privacy and separation is often brought into this type of policy with additional references to	Main Modification Revise part C point m by adding the following text. Suggested wording: 'The development will not have a materially damaging impact on amenities of occupiers of nearby properties by **<u>having regard to privacy and</u>**	N

			details such as the position of windows and layout of rooms to reduce the impact on neighbouring amenity, Policy SPL3 lacks clarity and appears brief. Having regard to specific design features would strengthen the policy and communicate effectively how neighbouring amenity can be protected.	**<u>separation, daylight and other amenities, considering building orientation, window positioning, internal room layout, and land and floor levels.</u>'** A subset of policy points could also be developed alongside this theme covering: • Householder extensions being subordinate to the existing building in terms of size, scale or height. • Incorporates a roof profile sympathetic to the existing building • Maintains adequate spacing between buildings and an acceptable outlook from surrounding dwellings. This approach avoids adverse impacts on the sunlight/daylight received by neighbouring properties. The impact can be assessed in terms of the use of affected rooms and living conditions, existing and alternative light sources and the scale and space around the affected dwelling.	
	SECTION 4. HEALTHY PLACES				
	4. Healthy Places Para 4.5	1. Y 2. Y	Greater effectiveness **General Comment:** Need to highlight the role by which active travel (walking and cycling) can lead to better health outcomes.	Additional Modification Add reference in the text to better health outcomes arising from active travel (walking and cycling).	No
	Policy HP1: Improving Health and Wellbeing Chapter 4: Healthy Places Paragraphs 4.1-4.5 and Policy HP1 Pages 48-51	1.Legally Compliant Y 2. Sound Y	Greater effectiveness ECC Adult Social Care (ASC) welcomes the strengthened focus on inclusive health and wellbeing outcomes within Policy HP1. The policy now includes specific reference to safe, inclusive and accessible places for older people and	Minor modification required. In line with previous comments, ECC suggests that "disabled residents" is amended to "residents with disabilities".	N

			people with disabilities, encourages social interaction and wellbeing, and includes reference to the Environments for Ageing and Dementia Design Assessment Toolkit (EADDAT). ECC ASC also welcomes the references to the Essex Design Guide and inclusive communities within the supporting text. These additions address ASC's previous comments regarding inclusive and accessible environments, dementia-inclusive design principles, social interaction and wellbeing, and the role of healthy places in supporting independence and reducing health inequalities.		
	Policy HP1: Improving Health and Wellbeing HP1 Part A point d.	1. Y 2. Y	Greater effectiveness Policy HP1 recognises the relationship between health, active lifestyles, active travel, biodiversity, public open space, and environmental quality for healthy place-making. The policy aligns with the Essex Healthy Places Guidance, Sport England Active Design Principles and wider health objectives of the Plan. Multifunctional Green and Blue Infrastructure plays an important role in delivering many of these outcomes, including opportunities for physical activity, access to nature, biodiversity enhancement, climate resilience and social wellbeing. It is recommended that criterion (d) is strengthened to explicitly recognise the role of multifunctional Green and Blue	Main Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Suggested wording for criterion (d): "Developments should contribute towards the expansion of the biodiversity network and the protection *of the environment* ***by incorporating the existing network to provide high-quality, accessible and multi-functional green infrastructure*** as appropriate to further promote health and wellbeing*;"* And/or an extra sentence in the supporting text: ***"Multifunctional Green and Blue Infrastructure can make a significant contribution to physical and mental health, active lifestyles, ecological***	N

	Policy HP1 Part A, Point G		Infrastructure in supporting health and wellbeing outcomes. This would strengthen links between health, biodiversity and Green Infrastructure delivery and improve consistency with Objectives 4 and 8 and Policy HP5. (3. Effective/4. Consistent with National Policy) It is positive to see reference to healthy living environments within Policy **HP1 Part A(g)** and guidance for developments to promote this internally and externally. However, there is opportunity to strengthen this policy by referencing specific design elements such as orientation and outdoor amenity space. There is thought that the phrase 'good quality housing' is vague and could be enhanced.	***connectivity, climate resilience and access to nature and should be integrated into the design of new development wherever appropriate."*** Having regard to specific design elements would strengthen the policy and effectively communicate how a healthy living environment can be promoted. Suggested wording: 'Development should provide **high-quality site layouts and housing that** promote a healthy living environment now and in the future **through orientation and internal layout that maximise access to daylight, access to open green spaces, and adequate outdoor private amenity space'.**	
	Policy HP2 Community Facilities	1. Y 2. N	3. Effective Comment and recommended change: ECC contends that in some cases and circumstances where it may be necessary for a school site to be disposed of this will reflect current / future identified education requirements and the optimal approach towards meeting provision for that particular area. The NPPF (2024) states that: '100. It is important that a sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative	Main Modification In line with para 6.84, ECC recommends that a similar caveat to that pertaining to healthcare facilities must be added i.e. **alternative community use will not be required if a school site has been declared surplus and sale proceeds will be invested in education and its provision.**	Y

			approach to meeting this requirement, and to development that will widen choice in education. They should: a) give great weight to the need to create, expand or alter early years, schools and post-16 facilities through the preparation of plans and decisions on applications; and b) work with early years, school and post-16 promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.' Similarly, new spatial growth strategies that may serve to shift where local / growing populations are concentrated and therefore educational demand is similarly concentrated and required may necessitate such changes in provisions, as paragraph 101 suggests: '101. To ensure faster delivery of other public service infrastructure such as health, blue light, library, adult education, university and criminal justice facilities, local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted. Significant weight should be placed on the importance of new, expanded or upgraded public service		

			infrastructure when considering proposals for development.' This would also reflect the Government's Industrial Strategy 2025, with its clear focus on infrastructure for education; health; and justice		
	Policy HP5: Open Space, Sports and Recreation Facilities and supporting text paragraphs 4.27-4.31	1. Y 2. Y	Greater effectiveness Policy HP5 provides for the delivery of open space, sport, recreation and Green and Blue Infrastructure provision. policy appropriately recognises the role of open space in supporting biodiversity enhancement, ecological connectivity, the Essex LNRS, Areas of Particular Importance for Biodiversity, Strategic Combined Opportunity Areas and long-term stewardship. The inclusion of management and maintenance requirements and opportunities for landscape-scale biodiversity enhancement is particularly supported. For additional clarity, paragraph 4.29 could be strengthened by recognising that open spaces should form part of a wider multifunctional Green and Blue Infrastructure network contributing to biodiversity enhancement, ecological connectivity, active lifestyles, climate resilience, sustainable drainage and Essex Local Nature Recovery Strategy priorities. This would reinforce the multiple environmental, social and health benefits expected from open space provision and improve consistency with Policy SPL3, Policy PPL4, the Essex	Additional Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Amend paragraph 4.29 to include: *"Although the evidence base identifies deficits in some open space typologies, addressing these solely through new provision can be challenging, particularly where land availability is constrained or where new facilities would not significantly improve accessibility. Accordingly, the Local Plan encourages a pragmatic approach that prioritises enhancing the quality, connectivity and usability of existing spaces, ensuring they remain accessible and fit for purpose.* ***Open spaces should form part of a wider multifunctional Green and Blue Infrastructure network that contributes to biodiversity enhancement, ecological connectivity, active lifestyles, climate resilience, sustainable drainage and Essex Local Nature Recovery Strategy priorities.*** *Opportunities to improve walking and cycling links to existing open spaces are strongly supported. "*	N

			Green Infrastructure Standards, Essex Green Infrastructure Planning Guidance and the Essex Local Nature Recovery Strategy.		
	SECTION 5. LIVING PLACES				
	Policy LP2: Housing Choice Chapter 5: Living Places Paragraphs 5.23-5.24	1.Legally Compliant Y 2. Sound Y	Wording correction ECC Adult Social Care (ASC) welcomes the inclusion of the Essex Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA) within Tendring District Council's evidence base, the supporting text and policy wording. Policy LP2 now recognises that housing mix should be informed by SSHANA evidence where relevant and supports delivery of a broader range of specialist and supported housing types. ECC ASC considers that the policy appropriately reflects identified specialist and supported housing needs and addresses the matters previously raised regarding the recognition of specialist and supported housing within the overall housing mix	Minor modifications required. Strategic Policy LP2: Change wording, from 'independent living accommodation' to 'supported living': The Council will support the delivery of a diverse range of housing types and tenures to meet identified needs across the community, including bungalows, retirement housing, extra care housing, ~~independent~~ **supported** living ~~accommodation~~, starter homes, self-build and custom-build housing, family housing and accommodation for armed forces veterans and other groups with specific housing and support needs.	N
	Policy LP3 Point a	1. Y 2. Y	Greater effectiveness There is opportunity to enhance Policy **LP3 Point A** regarding the term 'good accessibility'. ECC would question the clarity of this term. The current wording has the potential to leave the specifics of what is deemed good accessibility up for interpretation, which could result in developments that do not align with the	Main Modification: Strengthening the wording of the policy will help to achieve developments that provide positive accessibility to local services and align with the NPPF (TR4). Suggested wording for point a: **'Safe, legible pedestrian and cyclist routes, waiting facilities for active transport, and a development layout**	N

			original intention, or the quality expected, of the Local Plan.	**<u>that provides access</u>** to local services by all users regardless of mobility, **<u>with appropriate rest points'</u>**.	
	Policy LP4: Development Layout & Design Chapter 5: Living Places Paragraphs 5.26-5.31	1.Legally Compliant Y 2. Sound Y	Wording correction ECC Adult Social Care (ASC) welcomes the inclusion of inclusive design principles within Policy LP4 and the supporting text. The policy now requires developments to demonstrate how the needs of a diverse range of people have informed site design. ECC ASC also welcomes the references to inclusive design, age-friendly environments, dementia-inclusive design and the Essex Design Guide, Building for a Healthy Life, Active Design Principles, Essex Healthy Places, Livewell Accreditation, Manual for Streets. These additions address ASC's previous comments regarding inclusive design, accessibility and dementia-inclusive environments and support the delivery of inclusive and accessible environments that promote independence and support inclusive communities.	Minor modifications required. Paragraph 5.24: consider including reference to Essex Design Guide, including guidance relating to accessible, adaptable and dementia-inclusive design. Paragraph 5.29: amend to say 'dementia **inclusive** design' rather than dementia friendly design – dementia inclusive design is now the preferred term. Non-strategic Policy LP4: amend to say 'dementia **inclusive** design'. Paragraph 5.24: consider including reference to Essex Design Guide, including guidance relating to accessible, adaptable and dementia-inclusive design.	N
	Chapter 5: Living Places Paragraphs 5.32-5.37	1.Legally Compliant Y 2. Sound Y	ECC Adult Social Care (ASC) welcomes the inclusion of reference to the Essex Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA) within Policy LP5. The policy now recognises that affordable housing provision should include appropriate specialist and supported housing where this is supported by identified need.	Check suggested typo error in para 5.37	N

			ECC ASC considers that these additions address ASC's previous comments regarding the need for affordable housing provision to reflect identified specialist and supported housing needs across the district. Typographic error Query on a possible typo error: in paragraph 5.37 in that should the last sentence read 'In certain exceptional circumstances.....the transfer of a **lower** number of homes to the Council (NB This currently says "low").		
	Policy LP4 Point d	1.Legally Compliant Y 2. Sound Y	3.Effective There is also opportunity to strengthen Policy **LP4 Point D**, to ensure that the design requirements surrounding inclusive design are clear and specific. When comparing Policy LP4 with other local plan policies and the NPPF (TR4), the draft version of LP4 can appear less clear surrounding the term 'inclusive'. ECC suggests further explanation of the term to strengthen this policy and encourage inclusive design, having regard to what is required of inclusive design and who it serves.	Main Modification Suggested wording for point d: 'Development proposals should incorporate high-quality, inclusive design and layout principles that create safe, accessible and welcoming places for all users **(particularly for groups vulnerable to crime or fear of crime, such as women and girls, and those of limited ability, disabled and older people).** Schemes should minimise opportunities for crime and anti-social behaviour by ensuring good natural surveillance of both public and private spaces from buildings and streets, providing clear definition between public and private spaces and convenient access for emergency services. Development should demonstrate how the needs of a diverse range of users have informed site design, including gender-inclusive considerations relating to personal safety and movement through places, and neuro-inclusive considerations relating to legibility, navigation, movement, accessibility and sensory environment.	N

				ECC suggests further explanation of the term to strengthen policy and align with Chapter 14: Achieving well-designed places of the NPPF.	
	Policy LP4 Point h		3. Effective Regarding Policy **LP4 Point H**, ECC would encourage clear and specific requirements surrounding 'high standards of architecture'. When comparing Policy LP4 with the NPPF (DP3), Policy LP4 appears brief and limited regarding its clarification of high standards of architecture. *'sense of place'* is mentioned within the policy wording but has no description for Plan users of what this means.	Main Modification: Suggested wording for point h: 'Deliver new dwellings **and a site layout that are well considered, visually attractive and characterful,** which respect local character **to establish and maintain a strong sense of place'.** Additional modification: For the avoidance of doubt, 'Sense of Place' should be added to the glossary.	N
	Policy LP10: Care, Independent and Assisted Living, Secure Institutions Chapter 5: Living Places Paragraphs 5.58-5.66	1.Legally Compliant Y 2. Sound N	3. Effective ECC Adult Social Care (ASC) welcomes the broadened scope of Policy LP10 and the inclusion of a wider range of specialist and supported housing and accommodation types. The supporting text now references the Essex Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA) and recognises a range of accommodation types including residential care and nursing homes, extra care housing, retirement living and supported living for people with disabilities and mental health needs.	Recommended Modification Paragraph 5.59 change wording to: '…broad range of supported and specialist housing and accommodation across Tendring…' Amend Policy LP10 to strengthen the link between delivery of specialist and supported housing and the needs identified within the Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA). Consider renaming Policy LP10 from "Care, Independent and Assisted Living, Secure Institutions" to "Supported and Specialist Housing and Accommodation" to better reflect the terminology used within SSHANA and the wider	N

			ECC ASC also welcomes the references to the Essex Design Guide, the ECC Extra Care Design Guide, supported living design guidance and inclusive and dementia inclusive design principles. These additions address a number of ASC's previous comments regarding specialist and supported housing provision, inclusive design and design quality. However, ASC's previous comments have only been partially addressed. Whilst the policy recognises a wider range of specialist and supported housing and accommodation types and references relevant design guidance, it does not clearly set out how delivery of specialist and supported housing and accommodation should respond to the needs identified within the Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA), including the scale, tenure and type of accommodation required across different population groups over the plan period. In addition, the policy title continues to refer to **"**Care, Independent and Assisted Living, Secure Institutions", which does not fully reflect the broader range of specialist and supported housing and accommodation types recognised within the policy and SSHANA evidence.	range of accommodation types recognised within the policy. **Suggested wording:** ***Developments for supported and specialist housing and accommodation should demonstrate how the proposed provision responds to the needs identified within the Essex Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA) or successor evidence*.**	

	Policy LP10: Care, Independent and Assisted Living, Secure Institutions	1. Y 2. Y	Greater effectiveness The emphasis on wellbeing, accessibility, inclusive design and dementia-friendly environments is supported. Opportunities exist to further recognise the contribution that well-designed Green and Blue Infrastructure, landscape design and access to nature can make towards physical health, mental wellbeing, social interaction, independence and quality of life for residents. To strengthen the policy consider adding the following wording after the first paragraph on page 95. This would reinforce the health and wellbeing objectives of the policy and align with Policy HP1, Policy HP5, the Essex Design Guide and wider Green Infrastructure objectives within the Plan This policy is welcomed, however ECC would recommend that policy wording includes information on designing landscapes and outdoor spaces for those in care, independent and assisting living, secure institutions.	Main Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. *"Development must provide a high-quality, safe, inclusive and accessible environment that supports residents' independence, wellbeing and dignity through the application of appropriate accessible and adaptable design principles.* **Development should, where appropriate, incorporate high-quality landscaping and multifunctional Green and Blue Infrastructure, including accessible gardens, sensory planting, seating areas, walking routes and opportunities for nature connection, to support health, wellbeing, social interaction and independent living.** Where relevant …" Designing landscapes for these spaces should be added to policy wording, for example: Designing landscapes for these spaces is essential for encouraging people to use them. Good design also depends on understanding the needs of the people who will use the space. This could include: accessible routes, contact with nature, seating and shelter, sensory planting, space for activities, resident involvement etc.	N
	SECTION 6. PROSPEROUS PLACES				
	PP1	1. Y 2. Y	Greater effectiveness "Retail Policy Areas" appears to refer to the "Primary Shopping Areas" identified in PP4, while the interactive mapping tool uses "Area name". The terminology is inconsistent and potentially ambiguous.	Additional Modification – wording consistency Use consistent terminology for Primary Shopping Areas throughout the Plan and interactive mapping tool.	N

	Prosperous Places Policy PP6	1. Y 2. Y	Greater effectiveness Need to ensure that the Harwich Port / Freeport East is highlighted as a prosperous place given its important function for employment and supporting the economy Policy PP6 needs to be strengthened to ensure robustness / effectiveness	Main Modifications to Policies Add reference to highlight that the Harwich Port has importance as a prosperous place and to wider prosperity given its important function for employment and supporting the economy PP6: **EMPLOYMENT SITES** Need to ensure that this policy highlights the importance of employee/staff travel planning to ensure staff travel to the site by the most sustainable means possible (https://www.essex.gov.uk/planning-land-and-recycling/planning-and-development/travel-plans/workplace-travel-plans)	No
	PP6 and PP7 Point a	1. Y 2. N	3. Effective The approach to considering non-employment uses risks placing too much weight on historic market performance. Past demand, vacancy and take-up may reflect the economic and property market cycle and may not represent future demand, particularly where regeneration or investment is planned.	Main modification Revise point a of policy as follows: Require proposals for non-employment uses to consider forward-looking evidence as well as historic performance, including economic and property market cycles, future market potential and planned regeneration or investment.	N
	PP7	1. Y 2. Y	Point of consistency / completeness PP7 does not identify the employment land proposed as part of the mixed-use allocation at SAMU1 or SAMU2 but does mention Harwich Valley. It would be helpful to have reference to undertaking Environmental Colour Assessments in sensitive locations to ensure development is grounded into the surrounding countryside.	Main Modification (only for consistency / completeness) Amend PP7 to reference approximately 25 Hectares of employment land at SAMU1 and up to 7 ha of employment land at SAMU2. Addition to policy wording about undertaking these assessments and choosing the right colours for large scale buildings. For example: **For sensitive locations an Environmental Colour Assessment should be undertaken in accordance with LI Technical Information Note 04/2018 'Environmental Colour Assessment' in order to determine the range / palette of colours used to inform and guide choices in relation to the**	N

				introduction of colour on buildings, structures, materials, hard surfaces and soft planting to ensure the development is read in context with its environment and in keeping with landscape character.	
	Policy PP12 & Para 6.85	1. Y 2. N	3. Effective ECC recommends that the current text here needs strengthening to ensure it is effective as part of the LP requirements and recommended approach for applicants / developers	Main Modification Suggested wording/upgrading of existing text in document that is currently proposed, as follows: Add requirement for Employment, Skills and Supply Chain Strategies for qualifying developments as below: **Employment, Skills and Supply Chain Strategies are required for developments of a significant scale. In accordance with Section 5.6 of the Essex Developers' Guide to Infrastructure Contributions, residential developments of 50 dwellings or more, and employment developments providing 2,500 sqm (GIA) or more of floorspace, will be required to submit an Employment, Skills and Supply Chain Strategy.** **The strategy should seek to maximise local employment opportunities, apprenticeships, workforce development, and supply chain participation, while supporting the skills needed to realise the personal and economic aspirations of local residents and businesses.** **The strategy should be agreed by all relevant parties prior to the commencement of development, including any groundworks.**	No
	Prosperous Places Policy PP12	1. Y 2. N	3. Effective Policy PP12 needs to be strengthened to ensure robustness / effectiveness Need to ensure there is sufficient coverage for the role that travel planning	Modifications to Policies: PP12: **EDUCATION AND SKILLS** Need to ensure that school travel plans are required for all new and expanding schools/colleges to ensure pupils travel to the education establishments by the most sustainable means possible	No

			can play with respect to employee and school travel plans	(https://www.essex.gov.uk/planning-land-and-recycling/planning-and-development/travel-plans/school-travel-plans)	
	Strategic Policy PP14: Priority Areas for Regeneration	1. Y 2. Y	The policy already recognises the importance of Green Infrastructure in supporting regeneration and environmental quality. Including a reference to urban greening would reflect the particular opportunities available within town centres, seafronts and regeneration areas where measures such as street trees, planting, rain gardens, pocket parks and other nature-based solutions can contribute to environmental quality, climate resilience, biodiversity enhancement and place-making.	This can be covered by additional wording to penultimate paragraph of Policy CP1 Sustainable Travel and Active Travel, so that the requirement includes extensions / new and expanding schools/colleges In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Additional Modification: Suggested wording to second paragraph of policy: "These areas will be a focus for investment in social, economic and physical infrastructure and initiatives to improve vitality, environmental quality, social inclusion, economic prospects, education, health, community safety, accessibility**, urban greening** and green infrastructure."	N
	SECTION 7 PROTECTED PLACES				
	7. Protected Places Policy PPL1 & para 7.3	1. Y 2. N	3. Effective AS LLFA (and statutory consultee) ECC notes that Policy PPL1 references (in final two paragraphs) the need for sufficient flood storage capacity and use of nature-based solutions but Policy PPL1 does not mention SuDS at all and para 7.3 does not refer to SuDS guidance, i.e. the ECC SuDS Design Guide (February 2020) Correction of these deficiencies is necessary to ensure LP effectiveness	Main Modification Add reference to use of SuDS in Policy PPL1. Recommended wording below: All major development proposals must consider the potential for new Green and Blue Infrastructure to help mitigate potential flood risk and include such Green and Blue Infrastructure and nature-based solutions **including SuDS** where appropriate, in accordance with Policy PPL4 of this Local Plan. Add reference to SuDS Design Guide to paragraph 7.3. Recommended wording below:	No

				The Local Plan's strategic objective for Water and Climate Change is "To reduce the risk of all types of flooding by securing the appropriate location and design of new development (incorporating SuDS where appropriate), having regard to the likely impact of climate change, including coastal change." **When considering design and use of SuDS reference to the Essex County Council SuDS Design Guide (latest version) is recommended.**	
	Paras 7.11-7.15 / Policy PPL3 Overarching Point on evidence base (landscape)	1. Y 2. N	2 Justified This section is sparse with only references the Tendring Landscape Character Assessment (LCA) (2001) as the landscape evidence base supporting the local plan here. ECC notes that a 2026 LCA has been prepared as an updated evidence base. This is a particularly significant subject area given there are two National Landscape areas within the district.	Additional Modification The updated 2026 landscape evidence base work should be relied upon and referenced. Consideration might be given to Landscape Sensitivity Assessment for the strategic site allocations, if necessary. This is particularly pertinent around garden village locations, larger allocation sites and National Landscapes areas. References should be amended / updated accordingly to refer to the latest LCA evidence work	N
	Biodiversity and Geodiversity Para 7.16	1. Y 2. Y	Update / correction European legislation is referred to as well as Natura 2000. This is out of date. The Conservation of Habitats and Species Regulations 2010 has been superseded by the Conservation of Habitats and Species Regulations 2017 (as amended). These now form part of the UK national network of sites for nature protection.	Additional Modification Refer to 'The Conservation of Habitats and Species Regulations 2017 (as amended)' instead of 'The Conservation of Habitats and Species Regulations 2010'. "European legislation requires the establishment of Special Protection Areas" ECC proposes removing reference to 'European' and change to: "**National legislation**…." ECC proposes removing reference to Natura 2000.	N

				ECC proposes that the authority advises that these now form part of the UK national network of sites for nature protection.	
	Biodiversity and Geodiversity Para 7.17	1. Y 2. Y	Update / correction - As with the point made for para 7.16: Incorrect terminology in relation to the Conservation of Habitats and Species Regulations 2017 (as amended) and the established Habitats Regulations Assessment process: "If significant impacts are identified, an 'Appropriate Assessment' may be necessary to assess whether the proposals would adversely affect the integrity of a site, having regard to its conservation objectives."	Additional Modification Proposed change to: Where Likely Significant Effects are identified, an 'Appropriate Assessment' will be necessary to assess whether the proposals would adversely affect the integrity of a site, having regard to its conservation objectives."	N
	Biodiversity and Geodiversity Para 7.19	1. Y 2. Y	Update / correction "Habitats Regulations Assessment (HRA) and Suitable Alternative Natural Greenspace (SANG) Suitable Alternative Natural Greenspace (SANG) is a concept developed almost 20 years ago"	Additional Modification Proposed correction / change to: Removal of "Habitats Regulations Assessment (HRA) and" Remove duplicated text: 'Suitable Alternative Natural Greenspace (SANG)'	N
	Biodiversity and Geodiversity Para 7.24	1. Y 2. Y	Greater effectiveness Local Geological Sites (LoGS) are not mentioned within the text and should be included in accordance with the new NPPF N1 and N6.	Additional Modification ECC requires additional text: **The Council has worked with GeoEssex to identify X NO. Local Geological Sites (LoGS) within the District.**	N
	Strategic Policy PPL4 BIODIVERSITY AND GEODIVERSITY	1. Y 2. N	3. Effective "… there should be no significant impacts upon any protected species, including European Protected Species. " Non-significant impacts should also be identified. This is necessary in order that the LPA has certainty of all likely impacts, not just those that are significant, from	Main Modification ECC recommends adding additional text forming 2 new paragraphs, to set out a clearly stated requirement to be placed after the existing 4th paragraph. Proposed text: **The Council will require the submission of an ecological report, of adequate quality, to enable the authority to make an informed decision and**	N

			the development and can issue a lawful decision with any mitigation and compensation measures needed to make the development acceptable.	**to demonstrate compliance with legislation and policy. This should include sufficient seasonal surveys to establish the likely presence of protected and priority species and the extent to which they will be affected by the proposed development. Where found to be present and affected, proposals should seek to minimise harm and maximise benefits for biodiversity.** **As a minimum, there should be no significant impacts upon any protected species, including European Protected Species. Schemes should consider (and include provision, as may be relevant for) the preservation, restoration or re-creation of priority habitats, ecological networks and the protection and recovery of protected and priority species populations.**	
	Strategic Policy PPL4 BIODIVERSITY AND GEODIVERSITY	1. Y 2. Y	The policy's latter part states "Proposals for new infrastructure and major development should consider the potential for enhanced biodiversity, appropriate to the site and its location, including, where appropriate, within Green Infrastructure" All developments should provide a proportionate level of enhancement in accordance with the NPPF and should not be restricted to new infrastructure and major development. It would be helpful to clarify what might be defined as an enhancement.	ECC recommends that it would be helpful if further clarification of this paragraph is provided. e.g. set out or indicate circumstances where / when 20% net gain should be secured for new infrastructure and major development, as well as providing further clarity how biodiversity enhancements could be provided for these and other developments, such as establishment of ecological networks and delivery of high distinctiveness habitats.	N
	Strategic Policy PPL4 BIODIVERSITY AND GEODIVERSITY	1. Y 2. Y	Final paragraph: "To help with the increase in biodiversity, all new development should consider the installation of bird and bat boxes, swift and bee bricks, log piles, hibernacula,	Main Modification For the avoidance of doubt and improve any ambiguity, ECC recommends that the word 'hedgehog' is added before the word 'houses' as follows:	N

			and hedgehog highways/fencing and houses."	To help with the increase in biodiversity, all new development should consider the installation of bird and bat boxes, swift and bee bricks, log piles, hibernacula, and hedgehog highways/fencing and **hedgehog** houses.	
	Water Conservation, Drainage and Sewerage Paras 7.39 – 7.42	1. Y 2. Y	Greater effectiveness It is suggested that some, or all, of the following evidence be reviewed and included within the 'Justification' section for higher standards for water efficiency. The water efficiency targets for buildings outlined in Strategic Policy PPL5 exceed current Part G Building Regulations, so detailing the extensive evidence from government bodies, Essex County Council and industry stakeholders which recommends stricter efficiency requirements will be valuable to establish why such an approach is necessary for Tendring. Among the emerging evidence which encourages more stringent standards than those in Part G is the Water Ready report, published in 2024 by the Future Homes Hub. This report recommends that water stressed areas adopt 90 l/p/d by 2030 and 80 l/p/d in water stressed areas by 2035. The Shared Standards in Water Efficiency for Local Plans was published in June 2025 as part of a joint initiative developed by Natural England, the Environment Agency, and water companies endorsed by Water	Minor Modification – Text Addition Consider adding some of the supporting evidence in the policy justification text section of *Water Conservation, Drainage and Sewerage*. This will strengthen the argument for the adoption of residential water use targets that are more stringent than building regulations.	N

			Resources East to support Local Planning Authorities (LPAs) to deliver sustainable growth. The water company partners are Anglian Water, Cambridge Water, Essex and Suffolk Water and Affinity Water. The Shared Standards provide advice and evidence to Local Planning Authorities (LPAs) on how they can secure higher water efficiency standards for new homes and commercial developments. The Shared Standards document is a regional piece of work which encompasses Essex and its level of water stress in its evidence-based recommendations. It sets out model policy for local plans to adopt, which provides targets for both residential and non-residential buildings. These include a target of 85 l/p/d for new residential development. For new non-residential buildings, the target is full credits within the 4 categories for the BREEAM standard within a minimum score of 3 credits within WAT01 Water Consumption issue category, or an equivalent standard set out in any future update to BREAAM. The applicant will be required to justify and evidence why full credits is not possible/viable for the development. The Water Strategy for Essex (2024) is also valuable piece of evidence which highlights the need for a stringent policy		

			approach to address water scarcity in Essex. It brings together literacy, shares data and challenges from a range of partners on natural flood management and water conservation, and water scarcity and quality issues for the next 30 years at the county level and focuses on 30 recommendations linked to reducing demand water; changing land use for water; and future water supply options.		
	Strategic Policy PPL5 WATER CONSERVATION, DRAINAGE AND SEWERAGE	1. Y 2. Y	Potentially not fully effective The 100-l/p/d target that is outlined in this section is lower (i.e. less stringent) than recommendations from best practice evidence. It is recommended that a more ambitious target be adopted in light of the evidence below and the status of Essex as an area of extreme water stress. Essex is one of the most water stressed counties in the UK. Research published in The Case for Water Smart Housing by PublicFirst in January 2025, found that 12,300 of the additional homes local authorities needed to plan for will be undeliverable (annually) this parliament due to water scarcity - a total of 61,600 over five years. In response to the need to ensure future water security, evidence is emerging which encourages more stringent standards than those in Part G. The Water Ready report, published in 2024 by the Future Homes Hub, recommends that	Recommended Main Modification: The 100-l/p/d target that is outlined in this section is lower than recommendations from best practice evidence. It is advised that a more ambitious target be adopted in light of the evidence in the comment and the status of Essex as an area of extreme water stress. The Shared Standards in Water Efficiency for Local Plans report described in the comment provides evidence derived recommendations for LPAs to develop local plan policies. It is suggested that Tendring adhere to these more stringent requirements: • Require new homes to be more water efficient than standard, recommending an efficiency of between 85 and 95 litres per person per day (l/p/d).	Y

			water stressed areas adopt 90 l/p/d by 2030 and 80 l/p/d in water stressed areas by 2035. The Shared Standards in Water Efficiency for Local Plans was published in June 2025 as part of a joint initiative developed by Natural England, the Environment Agency, and water companies endorsed by Water Resources East to support Local Planning Authorities (LPAs) to deliver sustainable growth. The water company partners are Anglian Water, Cambridge Water, Essex and Suffolk Water and Affinity Water. The Shared Standards provide advice and evidence to Local Planning Authorities (LPAs) on how they can secure higher water efficiency standards for new homes and commercial developments. It is recommended 'that LPAs include Local Plan Policies that: Require new homes to be built to more stringent standards for water efficiency than the optional Building Regulations (part G) standard of 110 litres per person per day (l/p/d). Evidence indicates that a design standard of up to 85 litres/person/day (l/p/d) for residential developments is feasible. Annex C provides information on this.' (p. 3)		
	Strategic Policy PPL6 STRATEGIC GREEN GAPS	1. Y 2. Y	Greater effectiveness Policy wording states that strategic green gaps *Will be protected* … but does not describe or indicate how.	Main Modification Information should be included in policy wording which explains how strategic green gaps will be	N

				protected, i.e. whether development will be set back, or if countryside gaps will be left open etc.	
	Para. 7.45	1. Y 2. Y	Greater effectiveness The section lacks mention of some of the most significant archaeological remains within the District which are internationally recognised and protected as a Site of Special Scientific Interest (SSSI)	Additional Modification It is recommended that the following paragraph is included in the Historic Environment section to ensure that the internationally recognised Palaeolithic remains at Clacton are included within the description of significant assets within the District. **"Tendring has extensive areas of archaeological sites known from aerial photography ranging in date from the prehistoric period through to Second World War defence structures. Clacton is of international importance as Britains only Lower Palaeolithic type locality, giving its name to the Clactonian stone tool industry. It is also significant for the rare finding of a wooden spear. The deposits are protected through designation as a Site of Special Scientific Interest (SSSI) in three areas along the coast. Artefact and fossil bearing deposits have been observed in foreshore and cliff exposures, and beneath developed and open ground inland."**	N
	Non-strategic Policy PPL8 CONSERVATION AREAS AND REGISTERED PARKS AND GARDENS	1. Y 2. N	Effectiveness This only mentions conservation areas in the wording but does not mention Registered Parks and Gardens.	Main Modification There are four registered parks and gardens in Tendring district and these (i.e. reference to registered parks and gardens) should be added to the policy wording outlining how these and their setting will be protected.	N
	PPL9 and PPL9a	N/A	Minor presentational point Consider changing the policy numbers to PPL9a (Listed Buildings) and PPL9b (Non-designated Heritage Assets) to be consistent with formatting.	Suggested policy renumbering	N
	PPL9a	1. Y	4. consistent with national policy	Main Modification	N

		2. N	Not consistent with national policy, regarding proposals that would result in harm or substantial harm to non-designated heritage assets.	Proposals that result in harm to non-designated heritage assets, and proposals that result in substantial harm (or total loss) should be clearly separated and defined in terms of planning judgement. The demolition and subsequent loss of non-designated heritage assets should be strongly discouraged and only considered in exceptional circumstances.	
	Renewable Energy Generation and Energy Efficiency Measures Operational Energy and Carbon In Homes and Buildings 7.59	1. Y 2. Y	Typo error 'Except in some very special **circumstance** retrofitting' Typo. Bold should be 'circumstances'. The text in this section does not address the benefits of retaining and retrofitting historic buildings, which should be promoted.	Typo. Error to correct The word in Bold text (previous column) should be 'circumstances' (i.e. it needs to be made plural) Reusing existing historic buildings is an effective way of reducing carbon emissions and avoiding waste due to their embodied carbon and their construction from often local, traditional materials.	N
	Renewable Energy Generation and Energy Efficiency Measures Operational Energy and Carbon In Homes and Buildings 7.61	1. Y 2. Y	Greater effectiveness 7.61 The evidence underpinning Policy PPL11 for Essex is available on the **Essex Energy & Carbon Policy page** of the Essex Design Guide (EDG) and is supplemented by each Essex LPA's local plan evidence base.' The evidence underpinning Policy PPL11 is actually listed on the 'Essex Energy & Carbon Evidence' page of the Essex Design Guide and it is recommended that the wording in the selected be updated to reflect this.	Additional Modification Update wording to state that the evidence is available on the 'Essex Energy & Carbon Evidence' page of the Essex Design Guide.	N
	Renewable Energy Generation and Energy Efficiency Measures	1. Y 2. Y	Greater effectiveness / update needed 'The Building Regulations 2021 (**including the proposed Future Homes Standard 2025**) do not adequately address operational energy efficiency or	Additional Modification Update of text is necessary to acknowledge publication *Approved Document L: Energy and greenhouse gas emissions* in March 2026, which	N

	Operational Energy and Carbon In Homes and Buildings 7.63		operational carbon emissions from new development.' [bold added] *Approved Document L: Energy and greenhouse gas emissions* represents the previously referred to Future Homes Standard and was published in March 2026 in two volumes. The text should be updated to reflect this. Document L still does not adequately address operational energy efficiency or operational carbon emissions from new development, so no other changes need to be made to the argument.	represents the previously referred to Future Homes Standard. Recommended update: "The Building Regulations **2026 (which confirm the Future Homes Standard)** do not……"	
	Embodied Carbon and Circular Economy in Homes and Buildings 7.69	1. Y 2. Y	Greater effectiveness / update 'The Building Regulations 2021 (**including the proposed Future Homes Standard 2025**) do not currently address embodied carbon emissions from new development.' [bold text added here by ECC] *Approved Document L: Energy and greenhouse gas emissions* represents the previously referred to Future Homes Standard and was published in March 2026 in two volumes. The text should be updated to reflect this. Document L still does not address embodied carbon emissions from new development, so no other changes need to be made to the argument.	Additional Modification Update text to acknowledge publication *Approved Document L: Energy and greenhouse gas emissions* in March 2026, which represents the previously referred to Future Homes Standard. Recommended update wording: "The Building Regulations **2026 (which confirms the Future Homes Standard)** do not……"	N
	Strategic Policy PPL10b	1. Y 2. Y	Greater effectiveness 'b. Mid and high rise residential (over 11m): ≤500 kgCO2e/m2 (GIA) or follow NZCBS*** limits **when available**;	Minor changes (updates) necessary Version 1 of the official standard of the UKNZCBS was published in April 2026, available here. The wording should be updated to reflect this and ensure the referenced evidence is current.	N

			c. Non-residential buildings: offices ≤600 kgCO2e/m2 (GIA); education ≤500 kgCO2e/m2 (GIA); and retail ≤550 kgCO2e/m2 (GIA); or follow NZCBS limits **when available**; and; d. For building services, meet the global warming potential refrigerant limits set out in NZCBS. […] ***NZCBS = UK Net Zero Carbon Building Standards **(pilot launched September 2024)**.' [bold added] The above in bold is out of date. Version 1 of the official standard of the UKNZCBS, available here, was published in April 2026. The wording should be updated to reflect this and ensure the referenced evidence is current.	Recommended updates: 'b. Mid and high rise residential (over 11m): ≤500 kgCO2e/m2 (GIA) or follow NZCBS*** limits ~~**when available**~~; c. Non-residential buildings: offices ≤600 kgCO2e/m2 (GIA); education ≤500 kgCO2e/m2 (GIA); and retail ≤550 kgCO2e/m2 (GIA); or follow NZCBS limits ~~**when available**~~; and; d. For building services, meet the global warming potential refrigerant limits set out in NZCBS. […] ***NZCBS = UK Net Zero Carbon Building Standards **(published April 2026)**.' [bold added]	
	SECTION 8 CONNECTED PLACES				
	General – Addressing of comments from Reg 18 Consultation	1. Y 2. N	Not fully effective (consistency across policies) The Submission version has incorporated the majority of the County Council's transport comments and is accordingly stronger and more effective than the Reg 18 publication. The principal remaining issues are mainly around measurable transport outcomes (mode share in particular), stronger safeguarding of active travel corridors and stronger alignment with freight and logistics	**Alignment with Connected Places and Strategic Polices** • General point of consistency, ensure that policy aspects which are stated in Strategic Site Policies are reflected in the Connected Places Policies e.g. RTS facilities and Public Rights of Way Consistency is also needed with Strategic Site Policies in terms of the structure having a defined structure e.g. some mention access and movement and others mention transport improvements	No

			aspects particularly given the proximity to Harwich International Port. **LTP Alignment** • Chapter 8 now contains extensive references to "A Better Connected Essex (LTP4)" as the emerging plan as opposed to the 2011 version which is now significantly out of date. • Policy CP1 now explicitly references LTP4. • Transport priorities from LTP4 are summarised in detail **Stronger wording within Policies** ECC had requested that stronger wording was inserted into the policies for example, reduced car dependency (acknowledging the rural challenge aspect. However, there are some aspects which still require further strengthening in. Please refer to specific comments provided below as applicable to Policies CP1, CP2 and CP3 respectively		
	General – Summary of transport impacts as identified in the Local Plan submission version	N/A for this comment but this is provided on an advisory basis	See Summary of impacts **Summary of Transport Impacts from the Local Plan Submission** The proposed Submission Local Plan represents the largest growth programme in Tendring's history, with over 18,000 new homes planned between 2026 and 2043, alongside major employment growth linked to Freeport East, Bathside Bay, a new Garden Community in partnership with Colchester City Council	No specific changes identified as necessary.	Yes, if needed

			and three new Garden Villages. The transport implications are therefore significant in a number of ways The Plan argues, necessarily, that housing growth on this scale can only be justified (and delivered sustainably) if accompanied by major investment in roads, public transport, walking and cycling infrastructure. New development is expected to fund or deliver transport improvements through planning obligations and infrastructure contributions. The plan focusses much of the growth around the A120 and A133 corridors linking Colchester, Hare Green, Horsley Cross, Harwich/Freeport East. The plan acknowledges that upgrades in both highway and sustainable travel (walking, cycling and public transport) measures are required as well as connection to the A12 Junction 29 Ardleigh Crown Interchange. The plan also now acknowledges more strongly the role which Rail can play with improvements being supported at Clacton, Kirby Cross, Great Bentley, Thorpe-Le-Soken and Manningtree Stations. Harwich and Freeport East are seen as significant areas of development and should be highlighted as such in Prosperous Places (as recommended in comments on Section 7) as it is a major centre for growth through Freeport East,		

			Offshore wind infrastructure, logistics and port expansion at Bathside Bay. There are a number of challenges associated with the delivery of plan and transport infrastructure: • **Congestion and Journey time reliability** from base conditions to growth scenarios and without infrastructure improvements (A120, A133, approaches to Harwich and Local distributors for urban areas such as Clacton this is likely to be worsened. • **Deliverability**, major transport improvements require investment and collaboration with developers, central government investment, National Highways, ECC themselves and Freeport East • **Timing** infrastructure should be delivered before or alongside growth however there is a concern around infrastructure (particularly highways) keeping pace with development In summary the key issues with the transport infrastructure are not associated with the actual measure itself as it can be demonstrated that the growth impacts can be mitigated, rather it is whether they can be funded and delivered timely enough to keep pace with the scale of development within Tendring		

	8. Connected Places Para 8.3	1. Y 2. N	3. Effective **General Comment:** Need to place more emphasis on the role which tourism can play in Tendring and the potential seasonal patterns of traffic particularly during the summer months	Add to paragraph text (as new second sentence) to provide a new reference to impact of seasonal transport pressure impacts generated by tourism Suggested wording: In order to help support the principles of sustainable development, it is important to ensure that everyone living in, working in, or visiting the Tendring District is able to travel and communicate efficiently. **Seasonal transport pressures arising from tourism can be significant and these require a range of responses in order to manage and mitigate their impacts.** Effective telecommunications can reduce the need to travel and thereby help to reduce congestion on the roads, making journeys more efficient and convenient.	No
	Policy CP1 Paragraph 8.3	1. Y 2. N	3. Effective Regarding Policy **CP1 paragraph 3 (bullet point 1)**, ECC would encourage clear and specific requirements surrounding 'safe' walking routes that aligns with Policy **LP4 Point B** There is opportunity within **Policy CP1 paragraph 3 (bullet point 3)** to enhance guidance regarding access to public transport. When comparing Policy CP1 with the NPPF (TR4), Policy CP1 appears brief and limited regarding its guidance to public transport connectivity.	Main Modification Aligning this policy to Policy LP4 will provide consistency within policies and will reinforce high-quality design regarding accessibility. Suggested wording: 'include proposals for safe, direct and attractive walking and cycling routes, **that are adequately lit, highly legible and directly overlooked,** and link to existing networks and are not impeded by infrastructure provided for other forms of transport' Strengthening the wording of the policy will provide further clarity of guidance regarding public transport access and will align with Chapter 15: Promoting Sustainable Transport of the NPPF. Suggested wording: 'provide good walking and cycling connections to public transport nodes and interchanges, **with layouts and densities which**	N

				<u>maximise catchments for public transport services,</u> ensuring integration between modes'.	
	Policy CP1	1. Y 2. N	Not fully effective: **Stronger wording within Policies** ECC had requested that stronger wording was inserted into the policies for example, reduced car dependency (acknowledging the rural challenge aspect. However, there are some aspects which still require further strengthening CP1: **SUSTAINABLE TRANSPORT AND ACTIVE TRAVEL** • While mode share is mentioned in CP1 there is no reference to targets and monitoring of mode share particularly within Garden Communities – this policy requires strengthening • Further strengthening in policy CP1 to require mobility hubs (which are not necessarily related to EV Charging (maybe some misunderstanding of the infrastructure and the specific requirements) • Need explicit commentary to ensure LCWIP routes are going to be protected/safeguarded • No mention of the positive role that Demand Responsive Transport services can play in rural areas • Need to highlight the need for undertaking healthy streets	Main Modification Add additional references and requirements to Policy CP1 as recommended in previous column	No

			assessment particularly in school areas • No mention of BSIP and Bus Priority within CP (despite it being highlighted in the SAE3) Make reference to the emerging LTP4's street typologies under the proposed place and movement approach		
	Policy CP2	1. Y 2. N	Not fully effective: **Stronger wording within Policies** ECC had requested that stronger wording was inserted into the policies for example, reduced car dependency (acknowledging the rural challenge aspect. However, there are some aspects which still require further strengthening	Main Modification Add additional references and requirements to Policy CP2. This could be inserted into final policy paragraph in context of lorry parking and logistics more widely CP2: **IMPROVING AND MAINTAINING THE TRANSPORT NETWORK** No specific mention of last mile logistics particularly in the context of larger developments with online deliveries etc.	No
	Policy CP3	1. Y 2. Y	Greater Effectiveness The policy does not address / state the need for early engagement with telecommunications providers.	Main Modification Add new wording to require developers to engage with telecommunications providers at an early stage of the planning and design process, enabling appropriate digital infrastructure to be planned and incorporated from the outset.	N
	Policy CP3	1. Y 2. N	Not fully effective: Stronger wording within Policies ECC had requested that stronger wording was inserted into the policies for example, reduced car dependency (acknowledging the rural challenge aspect. However, there are some aspects which still require further strengthening	Main Modification Add additional references and requirements to Policy CP3 as recommended in previous column	No

			CP3: **IMPROVING THE TELECOMMUNICATIONS NETWORK** • No mention of using communications network to provide information to the travelling public e.g. mobility as a service and other services such as digital demand responsive transport systems and booking these electronically all of which require clear and reliable communications networks • Reducing the need to travel through infrastructure to enable home working where relevant		
	8. Connected Places	1. Legally compliant: Y Sound: **Y** (subject to addressing the above outstanding Transport comments)	**Positively Prepared:** The transport evidence base prepared by Essex Highways recognises that the Submission Plan plans positively for and accommodates TDC's full identified development needs. Its findings state that provided the mitigation packages are provided that Tendring can accommodate the proposed quantum of homes and jobs. However, a balance of transport infrastructure measures is required ranging from walking cycling and wheeling to significant highway infrastructure upgrades on the Strategic Road Network **Justified:** The transport evidence base uses the North Essex Model (NEMo), specific local junction modelling tested through a range of scenarios (i.e. baseline assessment, with/without mitigation	No specific changes essential in response	Yes

			measures and with mitigation measures plus sustainable transport interventions. The modelling work was developed with DfT modelling criteria in mind with appropriate mitigation measures subject to their funding and investment **Effective:** As stated above the mitigation measures range from walking, cycling and wheeling to provide infrastructure projects on the Strategic Road Network specifically: • A12 Junction 29 Improvements • A133 corridor improvements (supporting the associated infrastructure for the Tendring/Colchester Borders Garden Community) • Rapid Transit proposals (supporting the associated infrastructure for the Tendring/Colchester Borders Garden Community) • Horsley Cross Improvements (supporting Garden Village proposals) • Mobility Hubs identification to support sustainable travel modes • Active Travel schemes including walking and cycling infrastructure **Consistent with Policy:** The transport evidence base provided by Essex Highways references the NPPF's up to date "vision-led" approach to transport planning. Rather than simply predicting and providing (including a		

			focus on road building) to accommodate forecast traffic, the Plan seeks to: • Promote sustainable transport. • Improve public transport. • Encourage walking and cycling. • Manage traffic impacts. • Avoid severe residual transport impacts The transport evidence base provided by Essex Highways concludes that with the mitigation measures (including sustainable transport infrastructure) that the cumulative impact of the planned growth can be managed acceptably (subject to necessary funding provision). In summary, the plan is felt to be positively prepared to meet the housing and employment needs, justified through the strategic and local junction modelling and is consistent with national policy through the promotion of sustainable transport measures. However, the risk for examination lies around the effectiveness test for key infrastructure projects, such as the A12 Jct 29, A133 Corridor Improvements, RTS implementation but also the funding and phasing of the infrastructure through various funding sources such as ECC, National Highways and Central Government.		
	SECTION 9. DELIVERING PLACES				

	SECTION 9. DELIVERING PLACES	1.Legally Compliant Y 2.Sound N	2. Justified 3. Effective 4. Consistent with national policy ECC as MWPA ('minerals and waste planning authority') maintains the need for TDC to have regards to the requirements of WLP Policy 2, WLP Policy 4 and MLP Policy S8. These seek to safeguard existing, allocated and permitted waste management uses and ensure that the district maintains employment land capable of hosting waste management facilities respectively. The MWPA have reviewed the potential site allocations in the draft Plan and have provided a list of relevant designations and specific minerals and waste facilities which would potentially be affected in Appendix One (including a summary of safeguarding requirements) and Mineral Safeguarding Areas (MSA), Mineral Consultation Area (MCA) and Waste Consultation Area (WCA) GIS maps in Appendix Two. The MWPA further notes that allocations in areas safeguarded for minerals and/ or waste implications is not a barrier to development in of itself but there could be impacts on the deliverability of sites. For the purposes of clarity, the MWPA has applied its safeguarding criteria but this has been carried out blind with regards to what the allocations are for	Main modifications required: The MWPA had provided this information in an earlier consultation event and has now re-run the assessment to capture any amendments to the allocations that may have been made. The following standing text should be added to the 'Delivering Places' Chapter of the Local Plan associated with the allocating policy of those sites which have minerals and/ or waste safeguarding implications. Allocations within a Minerals Safeguarding Area over 5ha should include the following text: ***Minerals*** ***X. The area of land associated with the allocation that lies within an MSA exceeds the threshold upon which safeguarding provisions are applied by the Development Plan. Therefore, a Minerals Resource Assessment (MRA) is required as part of a planning application to establish the practicality and environmental feasibility of the prior extraction of mineral such that the resource is not sterilised where this can be avoided. Early engagement with the MWPA is advised.*** Development within 250m of existing. allocated or permitted minerals infrastructure should include the following text: ***Minerals*** ***Due to the proposed allocation passing through a Mineral Consultation Area, a Mineral Infrastructure Impact Assessment (MIIA) is required as part of the planning application. The MWPA has designed a generic schedule of information requirements that should be addressed as relevant through an MIIA and the***	N

			and when they are intended to be delivered. TDC should include in its evidence base, prior to submission, how the provisions and requirements of minerals and waste safeguarding have factored into the site assessment and selection methodology to demonstrate that the suite of proposed allocations reflects the wider Development Plan. Please see Appendix One and Appendix Two for a list of relevant sites and a summary of safeguarding requirements.	***detail to be provided should be in proportion to the nature of the proposed application. Early engagement with the MWPA is advised.*** Allocations within 400m of existing. allocated or permitted waste infrastructure **Waste** ***Due to the allocation passing through a Waste Consultation Area, a Waste Infrastructure Impact Assessment (WIIA) is required as part of the planning application. The MWPA has designed a generic schedule of information requirements that should be addressed as relevant within the supporting evidence of any application which falls within a Waste Consultation Area. The detail to be provided should be in proportion to the nature of the proposed application. Early engagement with the MWPA is advised.***	
	Paras 9.3-9.4	1. Y 2. Y	Greater effectiveness Smaller housing sites are expected to provide 10% of the housing requirement under new NPPF – as referenced in para 5.10 of the LP document. This would provide greater clarity and guidance for applicants in bringing these proposals forward for consideration. This may also help provide a housing buffer in case of potential undersupply form site allocations	Main Modification – new policy ECC recommends consideration of a more positively prepared policy for (small) sites less than 10 homes, rather than as a note, to better support the aim of providing 10% as smaller windfall sites aligned to the NPPF (to reflect and emphasise national policy, as explained in section 5.10 of the LP) ECC is not recommending any specific wording at this point until this matter has been considered further. If it is supported, ECC will be willing to provide support and assistance to TDC in drafting a suitable policy	N
	Strategic Policy SAMU2: Development at Hartley Gardens, Clacton (Paragraphs 9.8-9.12 and Policy SAMU2)	1. Y 2. Y	Greater effectiveness The allocation provides a strong framework for delivery of multifunctional GI and BNG, through a comprehensive master-planned approach. The policy	Main Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Suggested wording:	N

	SAMU2 g.		appropriately requires a connected multifunctional Green Infrastructure network, habitat enhancement, BNG delivery, connectivity and integration of SuDS and landscape features. For consistency with the wider environmental framework of the Plan, consider strengthening criterion (o) or Masterplanning Principle (n) to reference the Essex Local Nature Recovery Strategy (LNRS). Active travel network could be more positively planned for.	*"Ensure no net loss of biodiversity and deliver a net gain in accordance with Policy PPL4a, as well as securing positive benefits to biodiversity through the restoration, enhancement and creation of appropriate semi-natural habitats within and through the site to maintain, restore and create functional ecological networks* ***and the priorities and opportunity areas identified within the Essex Local Nature Recovery Strategy."*** Instead of just the connection of walking and cycling routes, the policy should place the development of an integrated and permeable multi-user active travel network at the forefront of policy e.g. Active Travel, Public Transport then private vehicular routes should be the priority to support modal shift and sustainable travel aligned to national policy.	
	SAMU2 N.	1. Y 2. Y	Greater Effectiveness This misses reference to multifunctional SuDS networks.	Main Modification Strengthen policy and alignment with NPPF by adding reference to the creation of multifunctional SuDS networks. Add wording to point N of policy.	N
	SAMU2 P.		Missing reference to the Design and Placemaking PPG – out in draft currently, to be adopted imminently. This will supersede the National Design Guide, National Model Design Code and design process and tools PPG.	Additional Modification To support consistency with forthcoming policy updates, ECC recommends updating SAMU2 l. policy to reference the Design and Placemaking PPG.	N
	Strategic Policy SAMU3: Development at Oakwood Park, Clacton (Paragraphs 9.13-9.16 and Policy SAMU3)	1. Y 2. Y	Greater effectiveness The policy could provide greater clarity regarding the role of Green and Blue Infrastructure, BNG, and delivery of Essex LNRS priorities. This would improve consistency with the wider environmental policies of the Local Plan	Additional Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Strengthen criterion (m) or include an additional criterion requiring landscape, open space and drainage feature to form part of an integrated Green and Blue Infrastructure network. Suggested new wording:	N

	SAMU3 j.		and provide greater certainty regarding delivery of wider environmental benefits. Development proposals should also be supported by a Green and Blue Infrastructure and Landscape Framework (which may form part of a Design and Access Statement, Masterplan or Landscape Strategy) demonstrating how public open space, landscape features, sustainable drainage, habitat creation, BNG, ecological connectivity and active travel routes will be planned, delivered and managed as a multifunctional network. This would provide greater certainty regarding the delivery and long-term management of Green and Blue Infrastructure and improve consistency with the wider environmental policies of the Plan. This could better support and align with Active Travel policy.	**"Development should deliver a multifunctional Green and Blue Infrastructure network incorporating public open space, sustainable drainage, habitat creation and active travel routes that contribute to Biodiversity Net Gain, ecological connectivity, climate resilience and, where appropriate, the priorities of the Essex Local Nature Recovery Strategy."** Instead of just where necessary, the policy could be strengthened by prioritising enhancements to public transport, cycle, pedestrian and bridleway infrastructure to support modal shift and sustainable / active lifestyles. Note SAMU5 and SAMU6 has a stronger focus on active and sustainable transport (SAMU5 i. / SAMU6 h.)	
	Strategic Policy SAMU4: Development at Rouses Farm, Jaywick Lane, Clacton (Paragraphs 9.17-9.21 and Policy SAMU4)	1. Y 2. Y	Greater effectiveness The allocation provides a positive framework for the delivery of housing, community facilities, education provision and public open space through a master-planned approach. The policy includes requirements for landscape buffers, active travel connections, public open space and a water and drainage strategy, which provide a good basis for environmental enhancement. There is an	Additional Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Additional Modification: Strengthen criterion (h), or add a new criterion, to recognise the role of multifunctional Green and Blue Infrastructure. Suggested wording: **"Public open space, landscaping and drainage features should form part of an integrated**	N

			opportunity to strengthen the policy by more clearly recognising the role of multifunctional Green and Blue Infrastructure in delivering BNG, and wider nature recovery objectives. This would provide greater certainty regarding the environmental benefits delivered through the site and improve consistency with the wider environmental policies of the Local Plan. Development proposals should also be supported by a Green and Blue Infrastructure and Landscape Framework (which may form part of the masterplan or supporting planning documentation) demonstrating how public open space, landscape buffers, sustainable drainage, habitat creation, BNG and active travel connections will be integrated and delivered through a coordinated landscape-led approach .This would help ensure that the proposed public open space, landscape buffers and drainage features operate as a connected multifunctional Green and Blue Infrastructure network and provide greater certainty regarding delivery and stewardship.	**multifunctional Green and Blue Infrastructure network that contributes to Biodiversity Net Gain, ecological connectivity, climate resilience, active travel and the priorities of the Essex Local Nature Recovery Strategy."**	
	Strategic Policy SAMU5: Development off Deane's Lane and Oakley Road, Dovercourt (Paras 9.22-9.26 and Policy SAMU5)	1. Y 2. Y	Greater effectiveness The strategic allocation contains a strong environmental framework and appropriately addresses strategic open space, Suitable Alternative Natural Greenspace (SANG), Functionally Linked Land, Biodiversity Net Gain, ecological mitigation, active travel connectivity and	Additional Modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Additional Modification: Suggested wording: new criterion	N

			Essex Local Nature Recovery Strategy (LNRS) priorities. The requirement for an overarching masterplan provides a clear mechanism for coordinated delivery of environmental infrastructure. For additional certainty, the masterplan requirements could include an explicit requirement to demonstrate how strategic open space, SANG, Biodiversity Net Gain, ecological mitigation, drainage features, active travel routes and habitat creation are planned and delivered as an integrated multifunctional Green and Blue Infrastructure network.	***"The masterplan shall demonstrate how Green and Blue Infrastructure, open space, biodiversity enhancement, sustainable drainage, active travel and LNRS priorities will be delivered as a connected multifunctional network with appropriate long-term stewardship arrangements."*** *And to criterion (n)* *"Development proposals must be designed to enable and support the habitat priority measures identified within the Strategic Opportunity Areas set out in the Essex Local Nature Recovery Strategy (LNRS),* ***whilst avoiding harm to important biodiversity assets and ecological networks."***	
	Para 9.29 (supporting SAMU6)	1. Y 2. Y	2. Justified The validity of the justification is questioned for fewer homes due to 'housing demand and market strength further from Colchester' given the relative / increased distances for the Hare Green and Horsley Cross Garden Villages respectively and the direct train connection available in Weeley to Colchester.	It is suggested that there may be stronger justifications in this regard.	N
	Strategic Policy SAMU6: Development of Weeley Green Garden Village (Paragraphs 9.27-9.33 and Policy SAMU6)	1. Y 2. Y	Greater effectiveness The policy provides a comprehensive framework for delivery of a Garden Village in Weeley and includes strong requirements relating to strategic open space, Green and Blue Infrastructure, SANG provision, BNG, active travel, infrastructure phasing and delivery of Essex LNRS priorities. To provide greater certainty regarding delivery, the masterplan requirements could include	Main modification In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Suggested wording: new criterion: ***"The masterplan shall demonstrate how Green and Blue Infrastructure, strategic open space, biodiversity enhancement, sustainable drainage, active travel and Essex LNRS priorities will be delivered as an integrated multifunctional***	N

			an explicit requirement to demonstrate how strategic open space, SANG, Biodiversity Net Gain, ecological mitigation, drainage features, active travel routes and habitat creation will function as a connected multifunctional Green and Blue Infrastructure network. This would strengthen the relationship between environmental infrastructure, nature recovery and long-term place-making objectives.	***network with appropriate long-term stewardship and management arrangements."*** *And to criterion (l)* *"Development proposals must be designed to enable and support the habitat priority measures identified within the Strategic Opportunity Areas set out in the Essex Local Nature Recovery Strategy (LNRS),* ***whilst avoiding harm to important biodiversity assets and ecological networks."***	
	SAMU7 b. / LP3	1. Y 2. Y	3. Justified Densities appropriate to an urban setting (such as this site) should be better justified to be considered effective. 30dph given elsewhere for urban to suburban densities for SAMU3 g.	Main modification Non-Strategic Policy LP3 should go further to define appropriate densities for where suburban or urban settings are referenced to inform 'Delivering Places' policies for allocated sites. This will assist Plan users / applicants	N
	Para 9.42-9.43 (supporting SAMU8)	1. Y 2. Y	Format / Plan presentation ECC supports the wider context to the strategic housing approach, but (to improve the LP order) this allocation policy could come earlier in this section and before the Weeley Green SAMU6 policy to introduce the three new Garden Villages.	Additional Modification – no change to Plan content Move Policies SAMU8 and SAMU9 forward in the Delivering Places section and group the Garden Village allocations together as the most strategic scale of development proposed.	N
	SAMU8: Development of Hare Green Garden Village	1. Y 2. Y	Whilst significant growth at Harwich / Dovercourt and Weeley Green new GV are supported and their rationale considered strong, ECC is more cautious on the two larger GVs at Hare Green and Horsley Cross due to their relatively isolated locations, with limited access to existing key infrastructure, services and facilities. These factors result in challenges for successful, timely delivery of the necessary supporting	Main Modification: ECC recommends that wording is added to this policy / supporting text to reference these considerations and the need got a concerted, collective response by all parties involved, from landowners, promoters and developers, local authorities, other public agencies and private sector partners	N

			infrastructure, services and facilities when needed. These points introduce questions / challenges on sustainability and placemaking for these planned new settlements In response, ECC identifies and confirms a very important need for significant further work, collaboration and ongoing commitment on these proposals, with a range of partners, to plan for them, a key stage of which will be the new Plan documents that TDC states will be prepared for them. All partners involved need a lasting, shared commitment to secure their successful delivery, in the best interests of all involved. This is also in recognition that these will be long term developments, planned and delivered over this Plan period, and the ensuing Plan period Significant infrastructure interventions / improvements will be essential in order to support development sustainably at the scale promoted and the costs involved will similarly be very significant.		
	SAMU8: Development of Hare Green Garden Village A1	1. Y 2. Y	Greater effectiveness A1 does not explicitly recognise blue infrastructure and its contribution to placemaking. Strengthen alignment with national policy and provide additional emphasis on design quality. Strengthen focus within the policy on the A120 growth corridor as a whole, with the	Main Modifications Reference blue infrastructure, including Tenpenny Brook, alongside green infrastructure in point A1. Suggested additional wording to strengthen policy requirements: *The development of the new Garden Village will be built to **the highest** standards of design and layout, drawing on its context and set within a strong **multifunctional** green **and blue** framework with a new neighbourhood centre at its heart.'*	N

			rapid transit link expansion extending from the TCBGC, to Hare Green Garden Village and then on to Horsley Cross.	*'…and potential for connectivity to the future Tendring Colchester Borders Garden Community**, Hare Green Garden Village,** Colchester and Manningtree, Lawford and Mistley.'*	
	SAMU8: Development of Hare Green Garden Village A1	1. Y 2. Y	Greater effectiveness A1 does not distinguish adequately between village and neighbourhood centres, which perform different roles and functions.	Main Modification Provide appropriate wording in point A1 to distinguish clearly between the intended roles and functions of the village centre and neighbourhood centres.	N
	SAMU8: A2 Development of Hare Green Garden Village	1. Y 2. Y	Greater effectiveness A2 does not explicitly address landscape opportunities and constraints as part of masterplanning. Part A2 (or G: Other requirements) – the development could benefit from additional information regarding a robust Landscape and Visual Impact Assessment (LVIA) being required and produced and a landscape-led framework being provided to ensure that the development is sensitive to the landscape character of the area.	Main Modification Provide appropriate wording in point A2 to require the masterplanning process to respond positively to identified landscape opportunities and constraints. Add reference to a requirement for a robust Landscape and Visual Impact Assessment (LVIA) being produced and a landscape-led framework being provided	N
	SAMU8 B.5	1. Y 2. Y	Greater effectiveness Lack of clarity for what is intended by 'appropriate densities'.	Main Modification Revise point B5 to include the following: Non-Strategic Policy LP3 should go further to define appropriate densities for specific settings to inform 'Delivering Places' policies for allocated sites.	N
	SAMU8: D7 Development of Hare Green Garden Village	1. Y 2. Y	Consistency / completeness SAMU8 refers to a 14 ha. employment allocation through PP7, but this does not appear in Table 6.1.	Additional modification – correction only Amend Table 6.1 and/or the relevant policy references to ensure the 14 ha. employment allocation is identified consistently throughout the Plan.	N
	SAMU8: Development of Hare Green Garden Village	1. Y 2. N	3. Effectiveness Allocation of employment land alone does not ensure timely delivery or the	Main Modification Add revisions to policy part E / supporting text to include the following additional requirements and considerations:	N

	E		establishment of a successful employment location alongside the new community. This requires a more proactive approach and actions	Require an Economic Strategy and Delivery Framework setting out the approach and commitments to establishing the employment location and securing economic benefits alongside housing delivery, covering: • A critical mass of employment floorspace delivered in the initial phase of development • Availability of serviced land parcels • Stimulating sectoral demand through quality placemaking and futureproofed infrastructure • Inward investment and marketing activity for development land / serviced plots / available floorspace • Delivery of Grow-on Space • Occupier incentives • Touchdown space in neighbourhood centres providing business facilities that are not available at home • Generating footfall and facilitating meanwhile and evening uses in the village centre • Business and innovation support • Employability and skills initiatives • Access to employment and training • Monitoring and management	
	SAMU8: Development of Hare Green Garden Village D7	1. Y 2. Y	Greater effectiveness D7 does not sufficiently address the need for premises capable of accommodating businesses of different sizes and at different stages of growth.	Main Modification Revise point D7 to include the following: Require a mix of unit sizes and typologies, including Grow-on Space.	N
	SAMU8: Development of Hare Green Garden Village	1. Y 2. Y	Greater effectiveness	Main Modification Revise part E to include the following:	N

	E		Sustainable transport requirements do not sufficiently recognise the role of Great Bentley railway station.	Include public transport connectivity to Great Bentley railway station.	
	Strategic Policy SAMU8: Development of Hare Green Garden Village (Paragraphs 9.42-9.50 and Policy SAMU8)	1. Y 2. Y	Greater effectiveness Hare Green Garden Village provides a significant opportunity to deliver landscape-scale Green and Blue Infrastructure, nature recovery, ecological connectivity, SANG provision, ecological mitigation, Essex LNRS delivery, nature-based solutions, active travel, open space provision and long-term stewardship. The policy contains strong requirements relating to multifunctional GI, BNG, ecological connectivity and landscape-led placemaking and is considered positively prepared, justified, effective and consistent with national policy. For additional clarity, the comprehensive planning framework and masterplan should demonstrate how the GI network, Open Space, Sport and Recreation Strategy, BNG delivery, ecological connectivity, sustainable drainage, active travel and Essex LNRS priorities are integrated and delivered through a coordinated landscape-led approach with long-term stewardship arrangements. For consistency with other strategic allocations, consideration could also be given to strengthening Principle 17 and Requirement 22 to reference the Strategic Opportunity Areas identified in	Main Modification Revise point 17 to include the following: In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. Suggested wording to point 17: *"The Green Infrastructure network shall be planned at a landscape scale, aligned with the Essex Local Nature Recovery Strategy, **including relevant Strategic Opportunity Areas**, supporting ecological connectivity, **Biodiversity Net Gain, nature recovery objectives** and include long-term management arrangements."*	N

			the Essex LNRS. This would provide additional certainty regarding delivery of landscape-scale habitat networks, ecological connectivity and LNRS priorities.		
	SAMU9 Development of Horsley Cross Garden Village	1. Y 2. Y	Whilst significant growth at Harwich / Dovercourt and Weeley Green new GV are supported and their rationale considered strong, ECC is more cautious on the two larger GVs at Hare Green and Horsley Cross due to their relatively isolated locations, with limited access to existing key infrastructure, services and facilities. These factors result in challenges for successful, timely delivery of the necessary supporting infrastructure, services and facilities when needed. These points introduce questions / challenges on sustainability and placemaking for these planned new settlements In response, ECC identifies and confirms a very important need for significant further work, collaboration and ongoing commitment on these proposals, with a range of partners, to plan for them, a key stage of which will be the new Plan documents that TDC states will be prepared for them. All partners involved need a lasting, shared commitment to secure their successful delivery, in the best interests of all involved. This is also in recognition that these will be long term developments, planned and delivered over this Plan period, and the ensuing Plan period	Main Modification: ECC recommends that wording is added to this policy / supporting text to reference these considerations and the need got a concerted, collective response by all parties involved, from landowners, promoters and developers, local authorities, other public agencies and private sector partners	N

			Significant infrastructure interventions / improvements will be essential in order to support development sustainably at the scale promoted and the costs involved will similarly be very significant.		
	SAMU9	1. Y 2. Y	Correction to cross-reference The policy incorrectly references map SAMU7.	Additional modification – correction only Correct the reference to the appropriate SAMU9 map.	N
	SAMU9 A1	1. Y 2. Y	Greater effectiveness A1 does not adequately distinguish between village and neighbourhood centres, which perform different roles and functions.	Main Modification Revise point A1 to include the following: Clearly distinguish between the intended roles and functions of the village centre and neighbourhood centres.	N
	SAMU9 A SAMU9 A1	1. Y 2. Y	Greater effectiveness A1 does not explicitly recognise blue infrastructure and its contribution to placemaking. Strengthen alignment with national policy and provide additional emphasis on design quality.	Main Modification Revise point A1 to include the following: Reference blue infrastructure, including Holland Brook, alongside green infrastructure. '*The development of the new Garden Village will be built to* ***the highest*** *standards of design and layout, drawing on its context and set within a strong* ***multifunctional*** *green* ***and blue*** *framework with a new neighbourhood centre at its heart.'*	N
	SAMU9 A SAMU9 A1	1. Y 2. Y	Greater effectiveness A1 emphasises connectivity with Hare Green Garden Village despite Clacton-on-Sea's higher position and role in the settlement hierarchy. Strengthen focus on the A120 growth corridor as a whole, with the rapid transit link expansion extending from the TCBGC, to Hare Green Garden Village and then on to Horsley Cross.	Main Modification Amend A1 to place greater emphasis on connectivity with Clacton-on-Sea as well as Hare Green Garden Village. *'…and potential for connectivity to the future Tendring Colchester Borders Garden Community,* ***Hare Green Garden Village,*** *Colchester and Manningtree, Lawford and Mistley.'*	N
	SAMU9 A2	1. Y 2. Y	Greater effectiveness	Main Modification Revise point A2 to include the following:	N

			A2 does not explicitly address landscape opportunities and constraints as part of masterplanning.	Require the masterplanning process to respond positively to identified landscape opportunities and constraints.	
	SAMU9 B.5	1. Y 2. Y	Greater effectiveness Lack of clarity for what is intended by 'appropriate densities'.	Main Modification Revise point B5 to include the following: Non-Strategic Policy LP3 should go further to define appropriate densities for specific settings to inform 'Delivering Places' policies for allocated sites.	N
	SAMU9 D	1. Y 2. N	3. Effectiveness Allocation of employment land alone does not ensure timely delivery or the establishment of a successful employment location alongside the new community. This requires a more proactive approach and actions	Main Modification Revise part D to include the following: Require an Economic Strategy and Delivery Framework setting out the approach and commitments to establishing the employment location and securing economic benefits alongside housing delivery, covering: • A critical mass of employment floorspace delivered in the initial phase of development • Availability of serviced land parcels • Stimulating sectoral demand through quality placemaking and futureproof infrastructure • Inward investment and marketing activity for development land / serviced plots / available floorspace • Delivery of Grow-on Space • Occupier incentives • Touchdown space in neighbourhood centres providing business facilities that are not available at home • Generating footfall and facilitating meanwhile and evening uses in the village centre • Business and innovation support • Employability and skills initiatives	N

				• Access to employment and training • Monitoring and management	
	SAMU9 D	1. Y 2. Y	Greater effectiveness The quality and attractiveness of the employment environment depend in part on employees having access to green space and complementary amenities.	Main Modification Revise part D to include the following: Require convenient walking access to green spaces and amenities for employees.	N
	SAMU9 D7	1. Y 2. Y	Greater effectiveness D7 does not sufficiently address the need to accommodate businesses of different sizes and at different stages of growth.	Main Modification Revise part D to include the following: Require a mix of unit sizes and typologies, including Grow-on Space**.**	N
	SAMU9 E	1. Y 2. Y	Greater effectiveness High-frequency public transport connectivity to Manningtree railway station will provide an important sustainable connection to the wider rail network.	Main Modification Revise part E to include the following: Retain, support and seek to ensure provision of the proposed high-frequency public transport connection to Manningtree railway station.	N
	SAMU9 E.9	1. Y 2. Y	Cross reference needed for consistency The supporting vision document references a new direct cycle link between the Horsley Cross Garden Village and Manningtree Station. There is no reference in the Transportation policy section currently to support this.	Additional modification - Editing point only Ensure consistency between the allocation policy and vision documents.	N
	SAMU9 E	1. Y 2. N	3. Effectiveness The B1035 has the potential to create severance within the development and impede sustainable movement.	Main Modification Revise point E10 to include the following: Amend E10 to explicitly require measures to address severance caused by the B1035, including safe and convenient walking, wheeling and cycling connections.	N
	SAMU9 G.22	1. Y 2. Y	3. effectiveness - Improved wording needed Use of the term 'Avoidance' is unclear messaging.	Main Modification Revise point G22 to include the following: ECC recommends improved wording as follows: '**Protection** and or/enhancement of biodiversity assets…'	N

	Strategic Policies SAH1, SAH2, SAH6, SAH7, SAH8, SAH9 and SAH11	1. Y 2. Y	Greater effectiveness The housing allocations include positive requirements relating to open space provision, landscaping, biodiversity enhancement, active travel and compliance with the wider environmental framework of the Local Plan, including Policies PPL4 and PPL4a. Collectively, the allocations provide an appropriate basis for delivering sustainable development and environmental enhancement. However, there is variation in the extent to which individual allocations explicitly reference Green and Blue Infrastructure, ecological connectivity and Essex LNRS. For consistency across the strategic housing allocations, consider including a standard requirement that development proposals demonstrate how Green and Blue Infrastructure, open space, landscaping, Biodiversity Net Gain and ecological enhancement measures contribute to ecological connectivity, climate resilience and, where appropriate, the priorities and Strategic Opportunity Areas identified within the Essex LNRS.	Main Modifications Revise relevant part of each policy to include the following: in order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. New criterion ***"Development proposals should deliver multifunctional Green and Blue Infrastructure that contributes to Biodiversity Net Gain, ecological connectivity, climate resilience and relevant Essex Local Nature Recovery Strategy priorities."***	N
	SAH2 Heritage j.	1. Y 2. Y	Greater effectiveness There are a number of heritage assets, not just Blue House Farmhouse, that have the potential to be affected	Main Modification Revise point j to include the following: Change to **'development proposals must conserve, and where appropriate, enhance the significance and setting of heritage assets that have the potential to be affected'**	N
	Strategic Policies SAE1 (Carless Extension),	1. Y	Greater effectiveness	Main Modification	No

	SAE2 (Freeport East, Bathside Bay and A120 Corridor), and SAE3 (Collierswood Farm Strategic Business Park)	2. Y	The employment allocations support economic growth in strategically important locations and are supported by the wider environmental policies within the Local Plan. Given the scale of the allocations and their potential interaction with sensitive landscapes, habitats and ecological networks, there is an opportunity to reinforce the role of Green and Blue Infrastructure in creating high-quality employment environments and contributing to biodiversity enhancement and climate resilience. It is recommended to include a consistent requirement that development proposals demonstrate how Green and Blue Infrastructure, landscaping, sustainable drainage, tree planting, habitat creation and BNG are incorporated into site design and contribute to ecological connectivity and Essex LNRS priorities where appropriate.	In order to ensure / provide additional LP effectiveness in these requirements, ECC recommends additional text. **Additional Modification:** Suggested new wording: ***"Development proposals should incorporate multifunctional Green and Blue Infrastructure that contributes to Biodiversity Net Gain, ecological connectivity, climate resilience and the delivery of relevant Essex Local Nature Recovery Strategy priorities."***	
	SAE2	1. Y 2. Y	Correction needed "Centurian Park" is incorrect.	Additional Modification - Edit only Correct the reference to "Centurion Business Park"**.**	N
	SAE2	1. Y 2. Y	Greater effectiveness The policy's references to A120 planning conditions may be affected by the pending Section 73 application. Also, missing reference to Horsley Cross Garden Village.	Main modification Review and, where necessary, update references to the A120 planning conditions to reflect the outcome of the Section 73 application. '….strategic locations along the A120 corridor supported by housing and mixed-use development in Harwich and Dovercourt, at the Tendring Colchester Borders Garden Community, the proposed Hare Green Garden Village **and Horsley Cross Garden Village.'**	N

	SAE3 part 1	1. Y 2. Y	Greater effectiveness The policy does not explicitly address employee access to green spaces and complementary amenities.	Main Modification Revise policy part 1 to include the following: Require convenient walking access to green spaces and amenities for employees**.**	N
	SAE3 part 1	1. Y 2. Y	Greater effectiveness The examples of employment provision do not explicitly identify Grow-on Space, which would help accommodate businesses at different stages of growth.	Main Modification Revise policy part 1 to include the following: Include Grow-on Space within the examples of the required mix of employment unit sizes and typologies**.**	N
	SECTION 10 DELIVERING INFRASTRUCTURE				
	Section 10 Policy DI1 (second paragraph)	1. Y 2. N	3. Effective Policy does not reference the IDP as a key information source to inform proposals under the policy. Policy DI1 would be made more robust and effective if this is added.	Main Modification Revise second paragraph of policy to include the following: Add reference in policy to the latest updated version IDP as a key information source to inform development proposals, with this as a starting point on infrastructure requirements in each case. Suggested wording is set out below (NB this aligns with equivalent policy in Colchester CC Submission Plan). Developers will be expected to contribute towards the delivery of relevant infrastructure **as required and supported by up-to-date evidence from appropriate sources including the Infrastructure Delivery Plan (IDP) and any subsequent updated evidence**.	N
	SECTION 11 MONITORING & REVIEW				
	11. Monitoring and Review Table 11.1	1. Y 2. N	Not fully effective ECC recommends a limited number of specific additions to the planned LP monitoring to help ensure effective operation of the Plan, monitor, manage	Additional Modifications required Add a new reference to fourth row of Table 1 supporting Objective 6 (Sustainability) as follows: Updated assessments of the following:	No

			approach to address the following two points: No mention within Table 11.1 of the role in quantified monitoring of mode share targets particularly in Garden Villages and the proposed Garden Community at Tendring Colchester Borders. No mention of the importance of monitoring mode share through residential, employer and school-based travel plans ECC Adult Social Care welcomes the inclusion of a comprehensive monitoring framework to assess delivery of Local Plan objectives. The housing objective seeks to provide homes of sufficient variety in terms of site, size, type, tenure and affordability to meet the needs of a growing and ageing population. Whilst the monitoring framework includes indicators relating to overall housing delivery, housing supply and self-build provision, it does not include any indicator relating to the delivery of Specialist and Supported Housing (SSH). The Supported and Specialist Housing Needs Assessment (SSHNA) identifies a need for specialist and supported housing provision across the Plan period. In the absence of a specific monitoring	• monitoring of mode share targets particularly in Garden Villages and the proposed Garden Community at Tendring Colchester Borders • monitoring mode share through residential, employer and school-based travel plans Amend Table 11.1 to include a monitoring indicator relating to the delivery of Specialist and Supported Housing (SSH) against identified need as set out within the Supported and Specialist Housing Needs Assessment (SSHNA).	

			indicator, the framework does not provide a mechanism to assess whether identified SSH needs are being met through delivery of the Local Plan.		
	Chapter 11 – Monitoring and Review Table 11.1 Provision of infrastructure and community facilities (Connected Places/ Sustainable Places/ Healthy Places/ Prosperous Places)	1. Y 2. Y	Greater effectiveness The monitoring framework does not currently include an indicator that measures the implementation and effectiveness of Policy HP1. Monitoring the number of Health Impact Assessments submitted alongside qualifying planning applications will provide an indication of compliance with the policy, ensure health considerations are being incorporated into the planning process, and support the delivery of Strategic Objective 5 and 6 (Healthy and Prosperous Places). It will also provide evidence of how the Local Plan is contributing to the National Planning Policy Framework's objective of creating healthy, inclusive and safe communities and promoting healthy lifestyles through the planning system.	Recommended additional modification indicator to include: **Indicator:** Number of planning permissions issued for an application that has been accompanied by a HIA	N
	GLOSSARY (Appendix A)				
	Appendix A – Glossary of Terms	1. Y 2. N	4. Not Consistent with National Policy: The wording does not clearly distinguish between LPA functions and County Matters, creating potential conflict with the statutory planning framework.	With respect to 'all development', the Local Plan should make it clear that this does not apply to the County Matters of Minerals and Waste development. The MWPA recommend that a definition of "All development" added to the Glossary to make this clear.	N
	Appendix A – Glossary of Terms	*1. Y* *2. Y*	*Please note that within representations on several policies (set out within the overall table of ECC reps at the*	*NB Do not treat this as a representation in itself – it is only included as a helpful pointer to several*	

	This is not a further representation		*appropriate place for each policy in turn) recommendations have been made to make additions to the glossary to clarify / define particular terms relevant to those policies*	*comments made on recommended additions to the Glossary*	

Comments on other documents

Document	Section / reference / page no. etc.	Comments
Tendring Reg 19 Infrastructure Delivery Plan	Chapter 6: Green Infrastructure/Open Space and Leisure	ECC welcomes the inclusion of a GI/Open Space chapter and the references to the Essex Local Nature Recovery Strategy (LNRS), Local Nature Reserves, ANGSt accessibility standards, SANG provision, RAMS mitigation, open space standards and strategic Green and Blue Infrastructure. The IDP provides a strong framework for identifying GI requirements arising from growth. As a future enhancement, updates to the IDP may wish to consider referencing Essex LNRS Areas of Particular Importance for Biodiversity (APIBs) beyond Nature Reserves, and LNRS Strategic Opportunity Areas, habitat banks and other Natural England's GI Framework Standards to help inform future GI investment priorities, BNG delivery and nature recovery opportunities.
Infrastructure Delivery Plan (IDP)		ECC Adult Social Care (ASC) welcomes the inclusion of a dedicated Adult Social Care section within the Infrastructure Delivery Plan (IDP). The IDP now references the Essex Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA) and recognises the need for a range of specialist and supported housing and accommodation types, including extra care housing, supported living, residential care and nursing care. The IDP also recognises the implications of planned growth and the Garden Villages for future specialist and supported housing needs. However, ASC's previous comments have only been partially addressed. Whilst the IDP now references SSHANA and identifies specialist and supported housing need, supported and specialist housing and accommodation is not recognised as a distinct infrastructure category within the infrastructure schedules. The IDP also does not clearly set out delivery expectations, phasing or infrastructure triggers to support delivery of identified specialist and supported housing and accommodation needs over the plan period. **Recommended Modification** / Change Amend the Infrastructure Delivery Plan (IDP) to recognise and include coverage of Supported and Specialist Housing and Accommodation as a form of social infrastructure. Consider including a dedicated Supported and Specialist Housing and Accommodation section within the infrastructure schedules, informed by the Supported and Specialist Housing and Accommodation Needs Assessment (SSHANA), which identifies delivery expectations, infrastructure requirements and, where appropriate, delivery triggers and phasing associated with planned growth.
IDP		ECC welcomes the IDP – supports the Garden Community focus with infrastructure delivery to support. Extension of the Colchester Rapid Transit route supported.

		Define what is meant by a mobility hub. This could be done practically through a new addition to the LP Glossary, for example Walking and Cycling – identification of A120 trunk road restricting safe crossing points. Given focus of Garden Villages along this corridor this is essential to support the plan's aims of prioritising AT and public transport access. Recommend identification of crossing point enhancements required to support the A120 Growth Corridor and Garden Village proposals. Horsley Cross – Manningtree Greenway (SAMU9) and Horsley Cross – Hare Green Greenway (SAMU8 and SAMU9) Referenced in IDP but not reflected in allocation policy. Recommend reflecting Horsley Cross – Manningtree Greenway and Horsley Cross – Hare Green Greenway in SAMU8 and SAMU9 policy respectively.
Tendring Infrastructure Delivery Plan Regulation 19 Tendring Local Plan	Chapter 6 Green Infrastructure/Open Space and Leisure – Table 6.2 Need for open space	No open space provision for site allocations SAH1 SAH6 SAH9 included. This appears to contradict the statement set out in policy HP5 which states sites of 3-10 hectares should have at least 10% of the gross site area as public open space.
TDC IDP	Chapter 11	The ideally requires updating in chapter 11 for policy alignment (a separate document is being attached to the ECC response to provide this detailed information). This document aligns with other recent IDP responses (e.g., Rochford)
Tendring Local Plan Review: Integrated Sustainability Appraisal (ISA)	Various	This refers to 2001 Landscape Character Assessment and not the updated 2026 work; concerns that the assessment of landscape on sites could be outdated due to the use of this out-of-date report and due to no landscape evidence base other than LCA. Missed opportunity for sensitivity or capacity studies that would help to guide this document. "*The site is not within a broad area that is highly sensitive to development, as per the Landscape Character Assessment (2001), nevertheless a degree of uncertainty is highlighted at this stage, pending any further evidence on specific impacts.*" Highlights the importance of further evidence base.
Horsley Garden Community Strategic Vision document	Intro, vision and conclusion.	References relationship with Colchester Tendring Borders Garden Community, but no reference to interrelationship with closer proposals for Hare Green Garden Village or Weeley Green Garden Village – viability considerations and need for the Garden Villages to compliment and support each other's objectives and coordinated extension of the Rapid Transit System. Vision p.7: 'Enhanced bus routes to improve connectivity' and 'Sustainable travel links to Colchester, Manningtree, Stansted and Harwich' – evidence base lacking to support Cycle link to Manningtree Rail Station in Local Plan policy for SAMU9. Conclusion: Plan Should not describe the Garden Community as 'detached' in nature.

		Improve alignment and provide additional detail within policy SAMU9 to support the strategic vision for Horsley Cross. Strengthen alignment with Hare Green Garden Village policy SAMU8, with both allocations reliant on extending the Rapid Transit links from the Colchester Tendring Borders Garden Community.

Appendix One

ECC as MWPA maintain the need for TDC to have regards to the requirements of the Essex and Southend-on-Sea Waste Local Plan Adopted July 2017, Policy 2 and WLP Policy 4 and the Essex Minerals Local Plan Adopted July 2014, Policy S8. The MWPA have reviewed the potential site allocations in the draft Plan and have provided a list of relevant designations and specific minerals and waste facilities which would potentially be affected and these are in **bold** in the tables below. Maps of each of these sites in bold are set out in Appendix Three.

Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Housing Allocations	MSA1	Durite Works, Valley Road	2.804795	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA10	Land south of Weeley Road	5.412605	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	**MSA11**	**Land west of Parsons Hill**	**2.257852**	**N/A**	**N/A**	**N/A**	**Great Bromley WRC**	**Map 1**
Housing Allocations	**MSA12**	**Land south of Hall Road**	**1.299048**	**MSA S&G - less than 5ha**	**N/A**	**N/A**	**Great Bromley WRC**	**Map 1**
Housing Allocations	MSA13	Land west of Main Road	1.765107	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA14	Land east of Kirby Road	1.383754	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA15	Land north east of Wix Road	4.331283	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA16	Land south of Orchard Close	2.459915	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA17	Land north of Walton Road	0.857147	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA19	Land west of Manningtree Road	0.66	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA2	Land adjacent Branscombe Close, Frinton	2.183826	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA20	Land south of Shop Road	0.9	N/A	N/A	N/A	N/A	N/A

Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Housing Allocations	**MSA21**	**Land east of Heckfords Road**	**4.104433**	**MSA S&G - less than 5ha**	**N/A**	**MLP CfS A68 Crabtree Farm**	**N/A**	**Map 2**
Housing Allocations	MSA22	Haulage Depot, Heath Road	0.77	N/A	N/A	N/A	N/A	N/A
Housing Allocations	**MSA23**	**Land at Avocet Place**	**4.184517**	**MSA S&G - less than 5ha**	**N/A**	**MLP CfS A74 Thorrington**	**N/A**	**Map 3**
Housing Allocations	MSA24	Land east of Bentley Road	4.753645	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA25	Land south of Mill Lane	1.371811	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA26	Land south of Colchester Road	1.158376	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA28	Land North of Rectory Road	2.152049	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA29	Land at Weeley Council Offices Thorpe Road	0.812849	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA3	Affinity Water, Mill Hill	2.126653	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA30	Former Tendring Hundred Waterworks Site	2.296397	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA31	Land adjoining Harwich & Parkeston Football Club, Main Road,	0.629792	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA32	Station Yard and Former Avon Works, off Station Road	1.173857	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA33	Well House Site, Chestnut Way,	0.462869	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	**MSA34**	**Vicarage Field, Church Road**	**1.417846**	**MSA S&G - less than 5ha**	**N/A**	**Brightlingsea Quarry - ESS/39/13/TEN**	**N/A**	**Map 4**
Housing Allocations	MSA35	Land North of Robinson Road	1.311773	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A

Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Housing Allocations	MSA36	Land North of Wix Road	1.464737	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA37	Land East of The Street	1.740479	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA4	Crisp Malting, School Lane, Mistley	1.886594	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA5	Brightlingsea Telephone Exchange, 16 New Street	0.089544	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	MSA6	Land at Pannell Palce	1.237619	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	**MSA7**	**Land south-west of Colchester Main Road**	**3.960665**	**MSA S&G - less than 5ha**	**N/A**	**Wivenhoe Sunnymead - ESS/17/18/TEN**	**N/A**	**Map 5**
Housing Allocations	MSA8	Land adj Village Hall, Harwich Road	0.981385	N/A	N/A	N/A	N/A	N/A
Housing Allocations	MSA9	Land west of Windmill Road	1.638974	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	SAH1	Land at Vicarage Farm	4.407874	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	SAH11	Land North of Lifehouse Spa & Hotel	6.08892	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	SAH2	Land north of Thorpe Road, Kirby Cross	32.83864	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	**SAH6**	**Land east of Cockaynes Lane**	**6.70298**	**MSA S&G - whole site**	**Less than 5 hectares**	**Wivenhoe Sunnymead - ESS/17/18/TEN**	**N/A**	**Map 5**
Housing Allocations	**SAH7**	**Land east of Admirals Green and north of Weeley Road**	**10.29467**	**MSA S&G - whole site**	**6.6 ha**	**N/A**	**N/A**	**Map 6**

Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Housing Allocations	SAH8	Land east of Amerells Road	4.581315	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Housing Allocations	SAH9	Land south of Clacton Road	7.272193	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Mixed Use Allocations	**SAMU2**	**Hartley Gardens**	**162.4996**	**MSA S&G - 36 ha**	**17 ha**	**N/A**	**N/A**	**Map 7**
Mixed Use Allocations	**SAMU3**	**Oakwood Park**	**48.98368**	**MSA S&G - 37 ha**	**33 ha**	**N/A**	**Yard 6 Inert Waste Recycling - ESS/16/19/ TEN**	**Map 8**
Mixed Use Allocations	**SAMU4**	**Rouses Farm**	**43.02126**	**MSA S&G - 35 ha**	**21 ha**	**N/A**	**N/A**	**Map 7**
Mixed Use Allocations	**SAMU5**	**Land off Deane's Lane and Oakley Road**	**125.57**	**MSA S&G - 6.7 ha**	**Less than 5 hectares**	**N/A**	**N/A**	**Map 9**
Mixed Use Allocations	SAMU6	Weeley Green Garden Village	52.87	MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Mixed Use Allocations	**SAMU7**	**Saltings Quarter, Riverside Avenue**	**3.72**	**N/A**	**N/A**	**N/A**	**Manningtree WRC**	**Map 10**
Broad Locations GV	**SAMU8**	**Hare Green Garden Village**	**496.7741**	**MSA S&G - 301 ha**	**234 ha**	**CfS A69 Frating Hall & A68 Crabtree Farm**	**N/A**	**Map 11**
Broad Locations GV	**SAMU9**	**Horsley Cross Garden Community**	**453.7134**	**MSA S&G - 325 ha**	**285 ha**	**N/A**	**N/A**	**Map 12**
Employment Allocations		**Extension to Gorse Lane Industrial Estate, Telford Road, Clacton**		**MSA S&G less than 5 ha**	**N/A**	**N/A**	**Yard 6 Inert Waste Recycling - ESS/16/19/ TEN**	**Map 13**

Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Employment Allocations		**Land at Harwich Valley, East of Pond Hall Farm, Dovercourt**		**N/A**	**N/A**	**N/A**	**Harwich & Dovercourt WRC**	**Map 14**
Employment Allocations		Land at Stanton Europark, Parkeston		N/A	N/A	N/A	N/A	N/A
Employment Allocations		**Crown Business Centre, Old Ipswich Road, Ardleigh/Colchester**		**MSA S&G less than 5 ha**	**N/A**	**Crown Quarry - ESS/57/04/TEN**	**Crown Quarry - ESS/07/17/TEN - Inert Waste Recycling**	**Map 15**
Employment Allocations		**Policy SAE3 - Collierswood Farm A120 Strategic Business Park**		**MSA S&G - 78 ha (whole site)**	**67 ha**	**Martells Quarry ESS/27/20/TEN & ESS/29/20/TEN, CfS A72 Martells**	**A120 WTS - ESS/18/20/TEN**	**Map 16**
Employment Allocations		Land North of the A120, Harwich Road, Parkeston		N/A	N/A	N/A	N/A	Map 14
Employment Allocations		Land to the North of Colchester Rd, Weeley (Weeley Car boot site)		N/A	N/A	N/A	N/A	N/A
Employment Sites		Mercedes Building, Bathside Bay, Harwich		N/A	N/A	N/A	N/A	N/A
Employment Sites		Plough Road Business Centre		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Kirby Cross Trading Estate		N/A	N/A	N/A	N/A	N/A
Employment Sites		Harmers Foundry, Walton		N/A	N/A	N/A	N/A	N/A
Employment Sites		Rice Bridge Industrial Estate		N/A	N/A	N/A	N/A	N/A
Employment Sites		Sato UK Ltd Valley Road Dovercourt		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A

Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Employment Sites		Durite Works Valley Road Dovercourt		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Europa Way Industrial Estate		N/A	N/A	N/A	N/A	N/A
Employment Sites		**Morses Lane Industrial Estate**		**MSA S&G - 7.2 ha (whole site)**	**Less than 5 hectares**	**N/A**	**Eastern Waste Disposal - ESS/04/11/ TEN**	**Map 17**
Employment Sites		Shipyard Estate		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		**Lawford Dale Industrial Estate**		**MSA S&G - 13 ha**	**11 ha**	**N/A**	**Ticks Haulage WTS - ESS/44/07/ TEN, The Works WTS - ESS/61/03/ TEN, Lawford RCHW - CC/TEN/05/ 03, Manningtree WRC**	**Map 18**
Employment Sites		Mistley Marine, Northumberland Wharf		N/A	N/A	N/A	N/A	N/A
Employment Sites		Mistley Port & Quay		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Ford Road Industrial Estate		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Oakwood and Crusader Business Park		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A

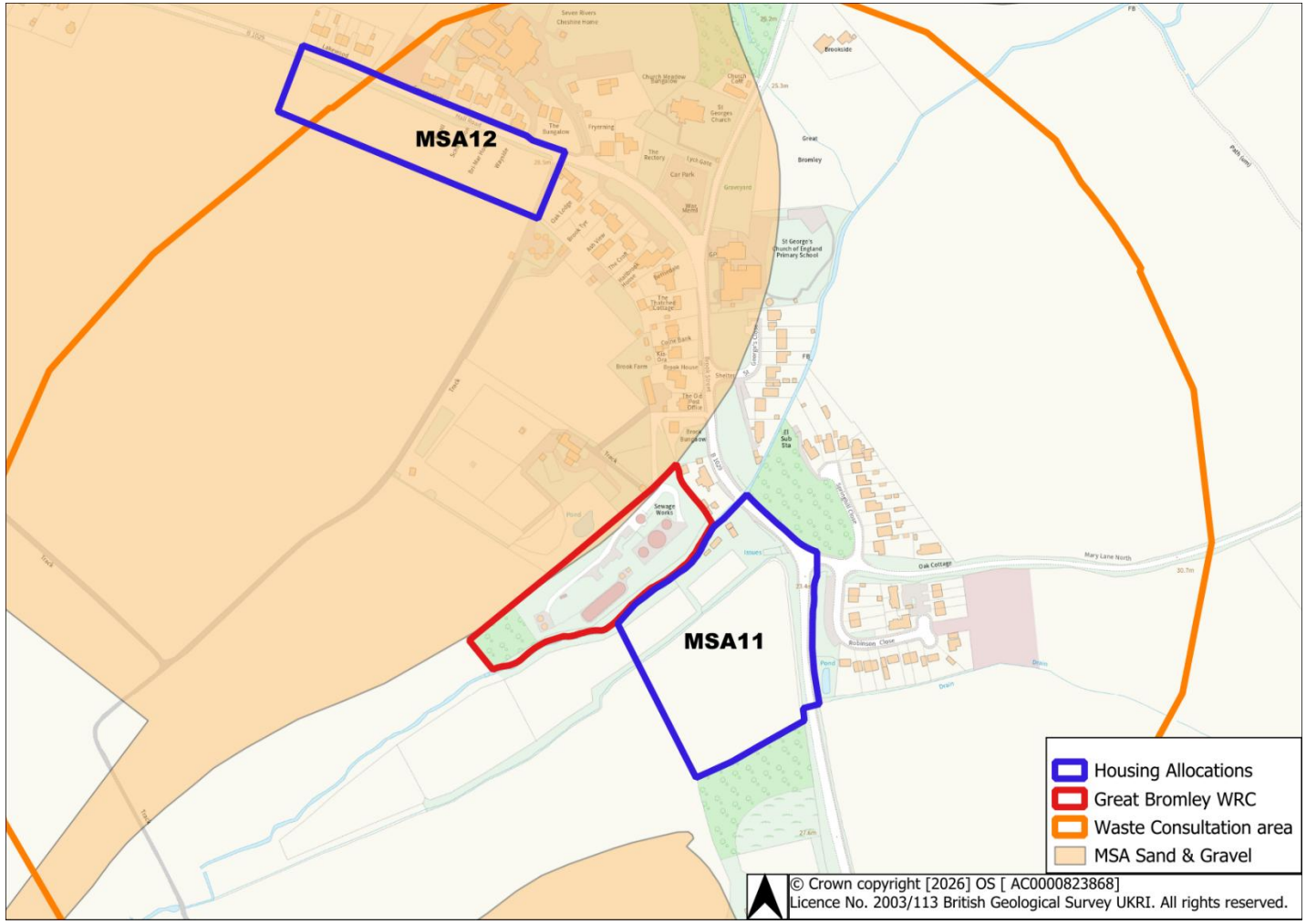
Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Employment Sites		Gorse Lane Industrial Estate		MSA S&G - less than 5ha	N/A	N/A	Yard 6 - ESS/16/19/ TEN	Map 19
Employment Sites		Vallybridge Road Industrial Estate		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Oxford Road Industrial Estate		MSA S&G - 9.4 ha (whole sites)	Less than 5 hectares	N/A	N/A	Map 20
Employment Sites		Mannheim Auctions and The Book Service, Frating		MSA S&G - 30.4 (whole site)	30 ha	MLP CfS - A68 Crabtree Farm	N/A	Map 21
Employment Sites		A Smith and Van Monster, Colchester road, Frating		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Martells Pit Ardleigh		MSA S&G - 10.4 (whole site)	10 ha	Martells Quarry MLP CFS - A72, A73, A87 Nationwide Metal Recycling - ESS/54/17/TEN Collins Skip Hire - ESX/47/93/TEN	Martells Quarry - ESS/53/17/ TEN, ESS/61/19/ TEN, ESS/27/20/ TEN, ESS/29/20/ TEN	Map 22
Employment Sites		Dedham Road, Ardleigh		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Land Southwest of Horsley Cross		MSA S&G - 8ha	7.4 ha	N/A	N/A	Map 23
Employment Sites		Lanswood Park Business Centre, Elmstead		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		Oak Business Park, Beaumont		N/A	N/A	N/A	N/A	N/A

Allocation Type	Site Ref	Site Address	Hectares (Ha)	Mineral Safeguarding Area	100m residential buffer	Mineral Consultation Area	Waste Consultation Area	Map
Employment Sites		Hall Farm, Church Road, Little Bentley, CO7 8SD		MSA S&G - less than 5ha	N/A	N/A	N/A	N/A
Employment Sites		**Systematic Business Park, Old Ipswich Road, Ardleigh, CO7 7QL**		**MSA S&G - less than 5ha**	**N/A**	**Crown Quarry - ESS/57/04/TEN**	**N/A**	**Map 24**
Employment Sites		**Carless Parkeston**		**N/A**	**N/A**	**N/A**	**Harwich & Dovercourt WRC**	**Map 25**
N/A		**Bathside Bay**	**N/A**	**N/A**	**N/A**	**MLP - F4 Port of Harwich**	**N/A**	**Map 26**
N/A		Walton Mere		N/A	N/A	N/A	N/A	N/A

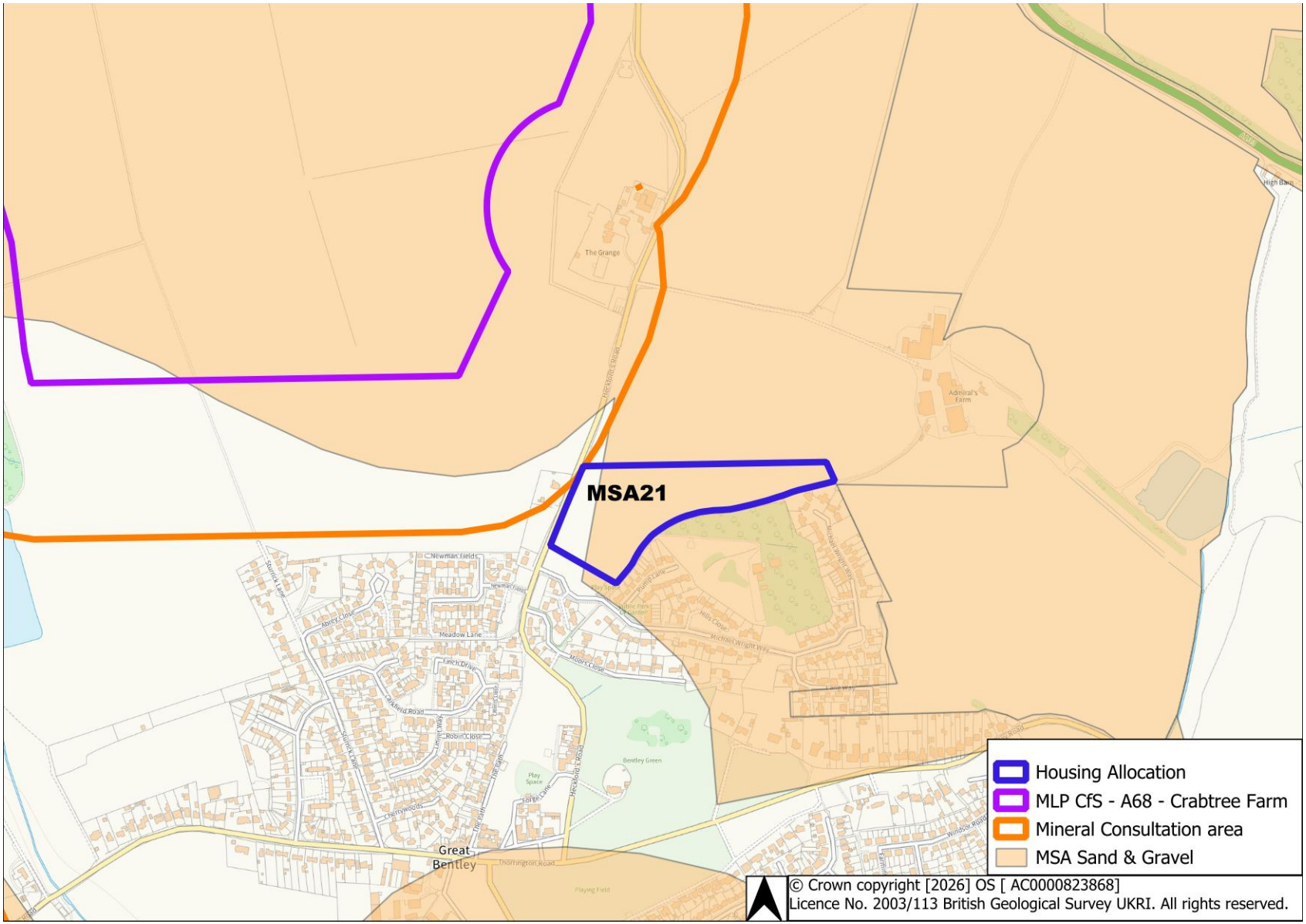
Appendix Two

The MWPA have reviewed the potential site allocations in the draft Plan and have provided a list of relevant designations and specific minerals and waste facilities which would potentially be affected and these are in **bold** in the tables above (Appendix One). Maps of each of these sites in **bold** are set out below.

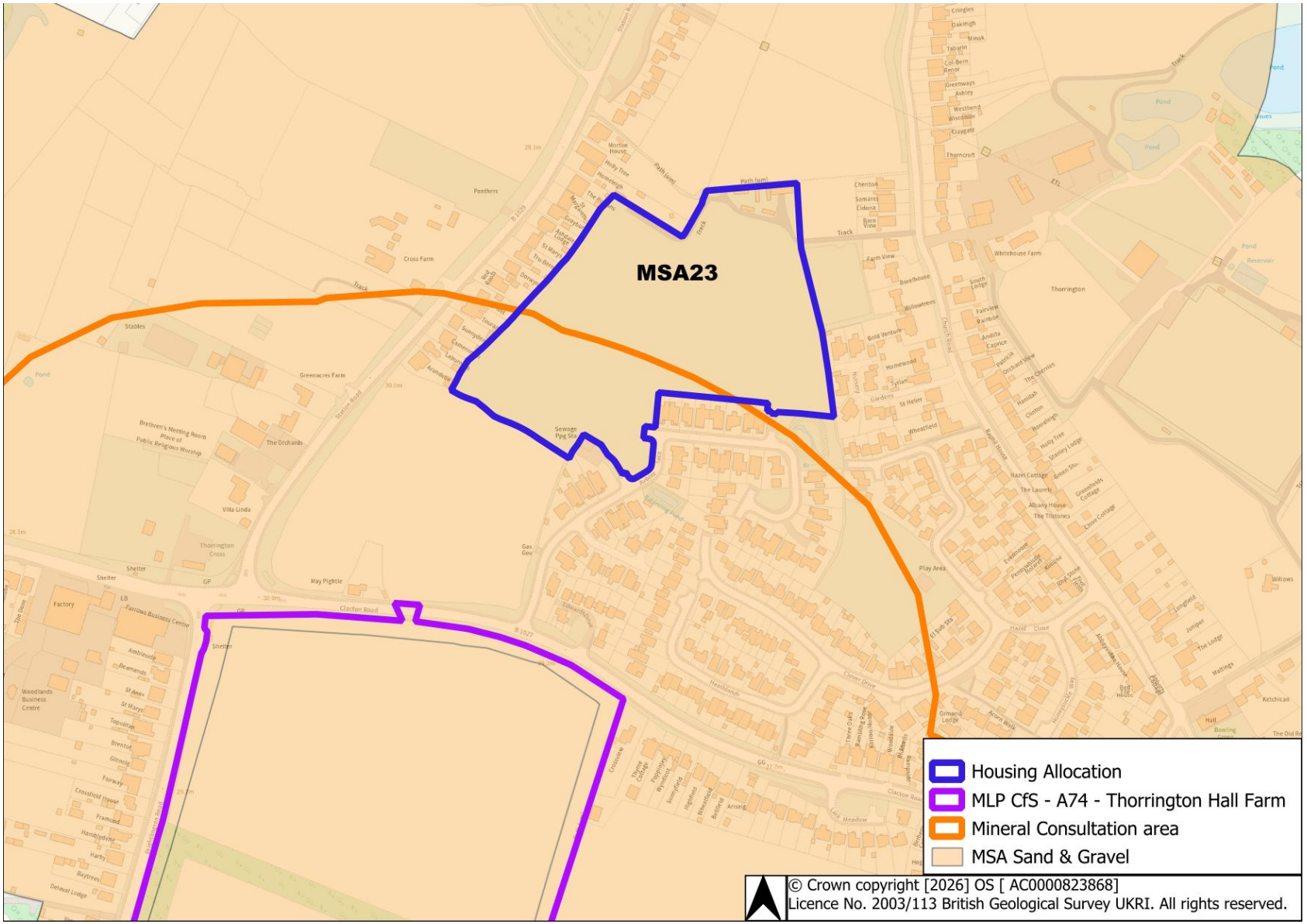
Map 1 - MSA11 Land west of Parsons Hill and MSA112 Land south of Hall Road



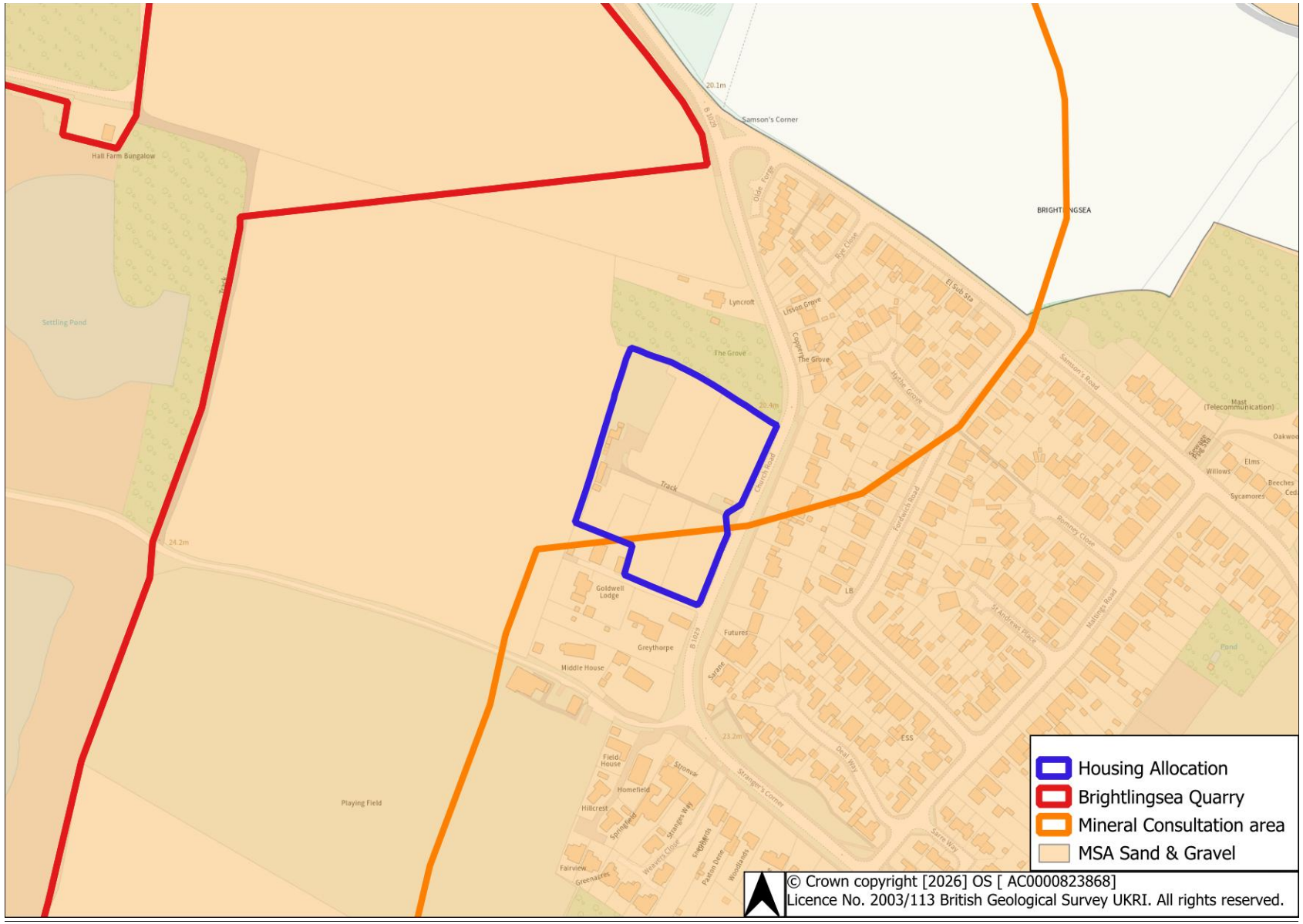
Map 2 - MSA21 Land east of Heckfords Road



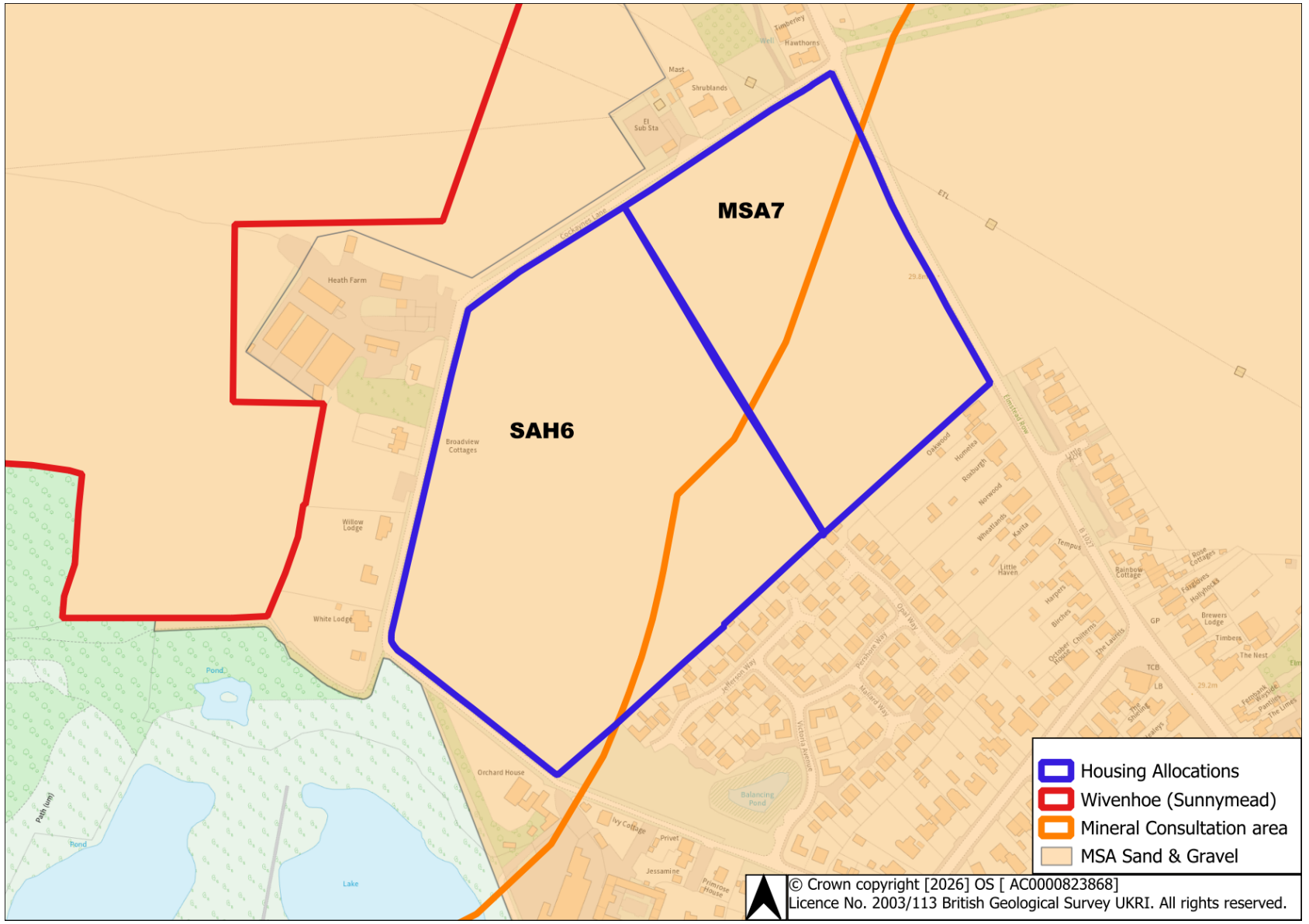
Map 3 - MSA23 Land at Avocet Place



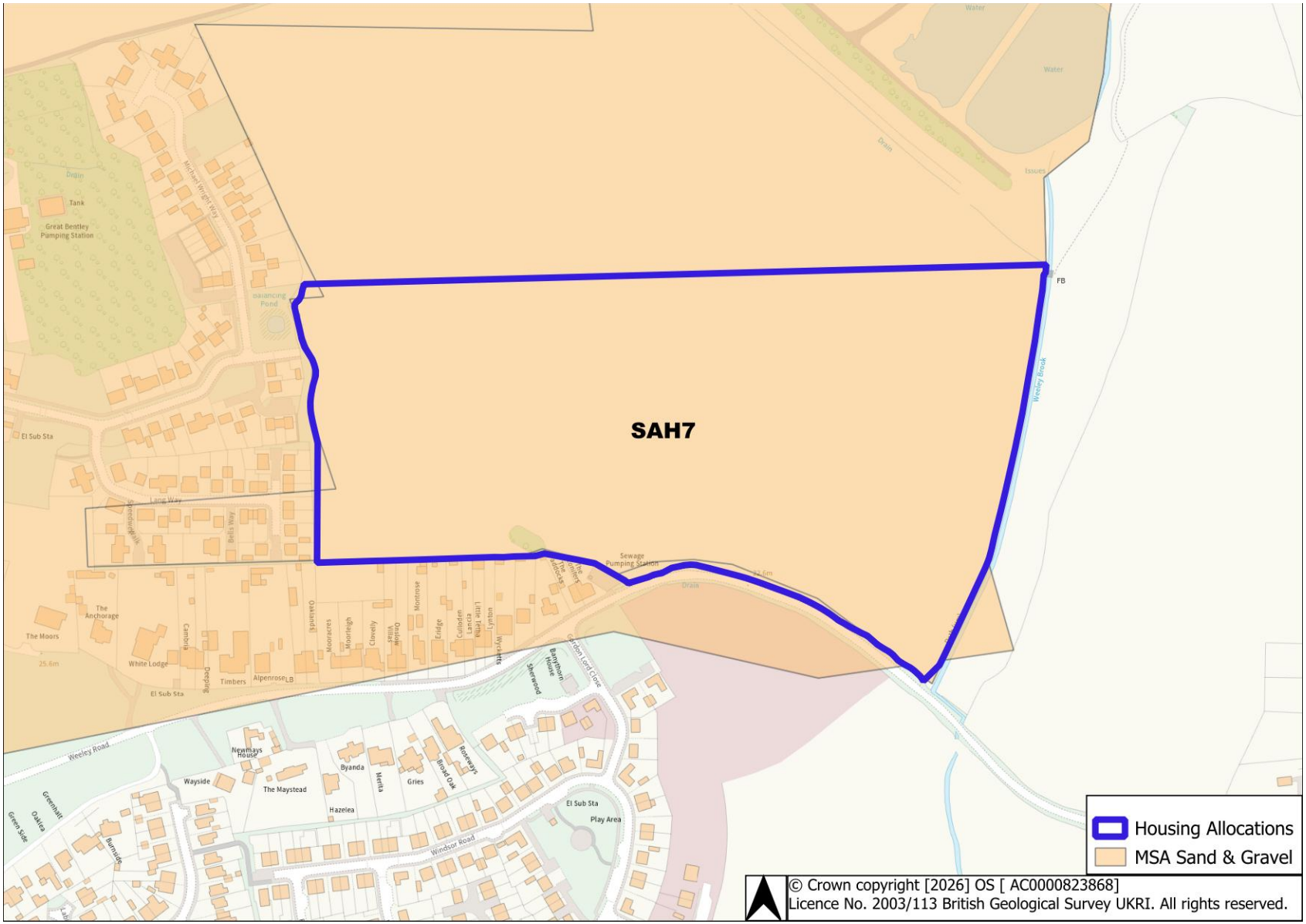
Map 4 - MSA34 Vicarage Field, Church Road



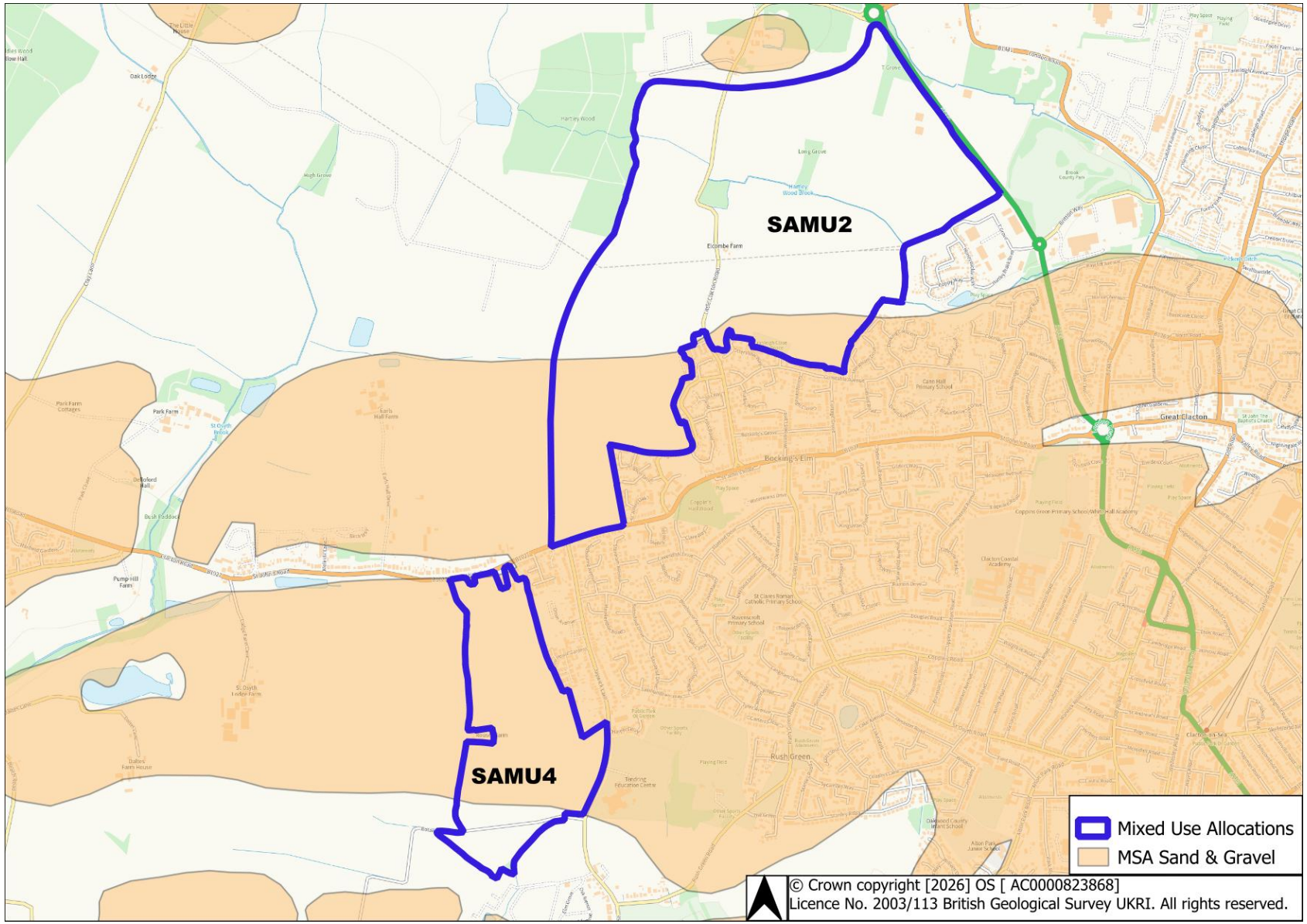
Map 5 - MSA7 Land south-west of Colchester Main Road and SAH6 Land east of Cockaynes Lane



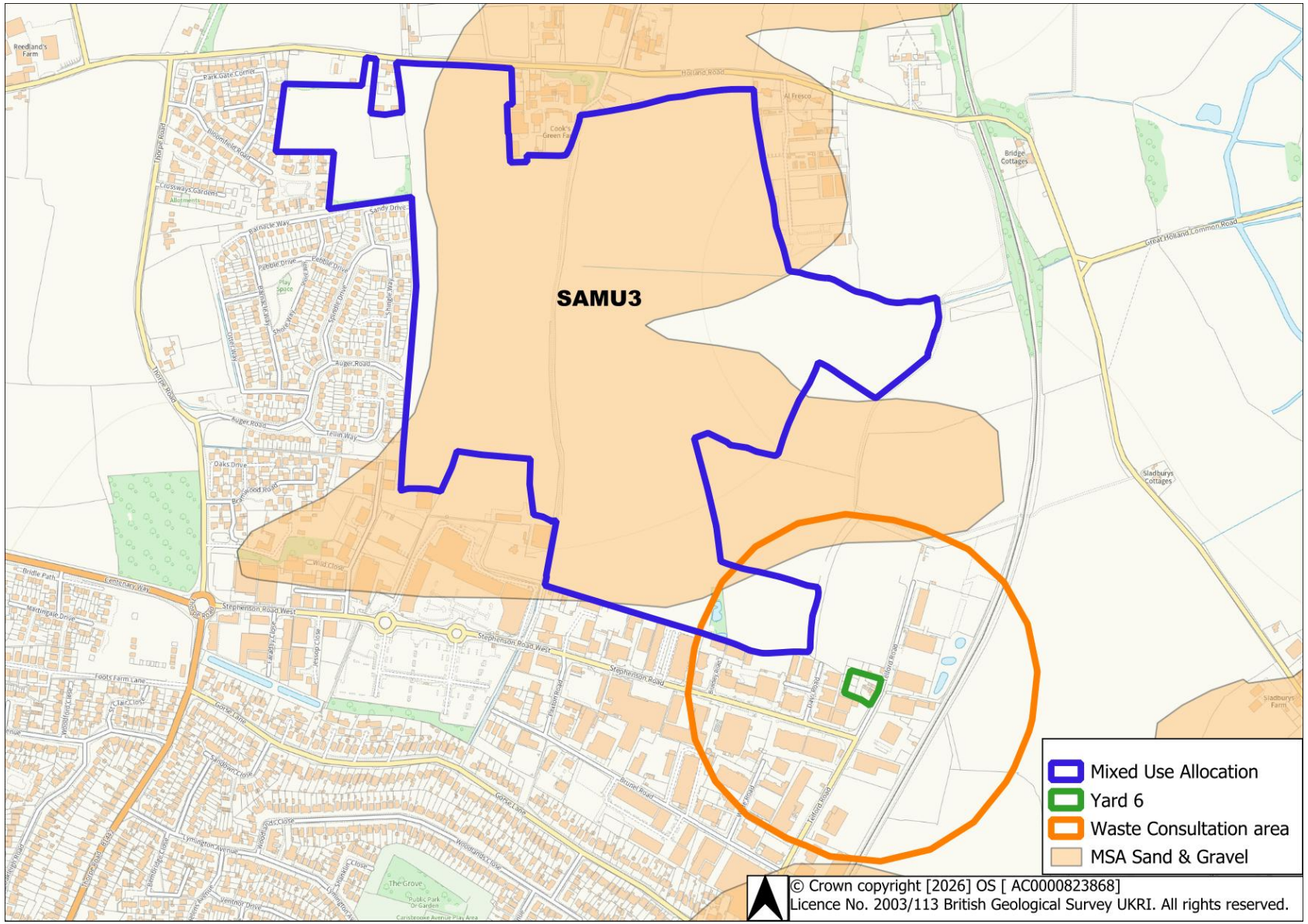
Map 6 - SAH7 Land east of Admirals Green and north of Weeley Road



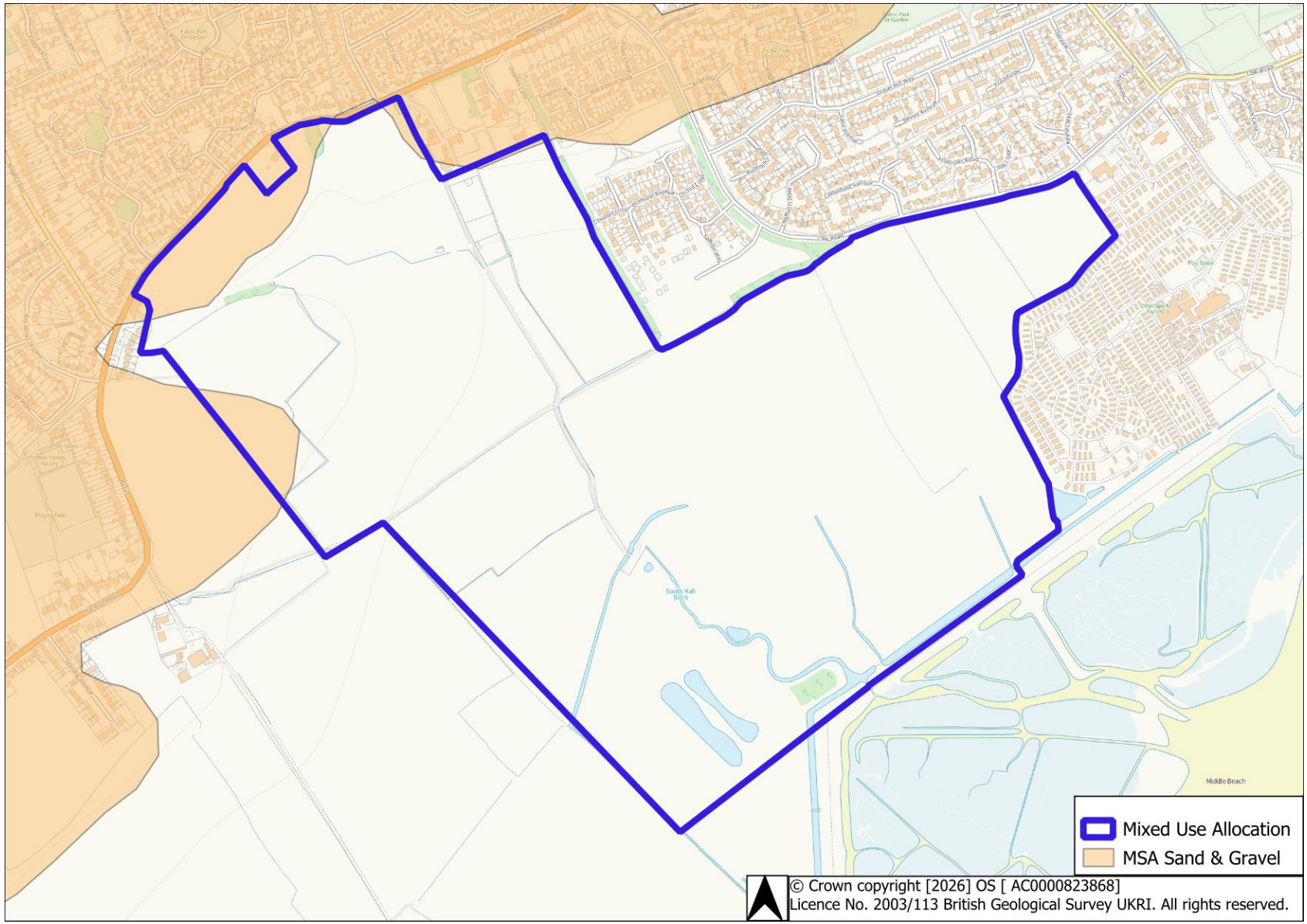
Map 7 - SAMU2 Hartley Gardens and SAMU4 Rouses Farm



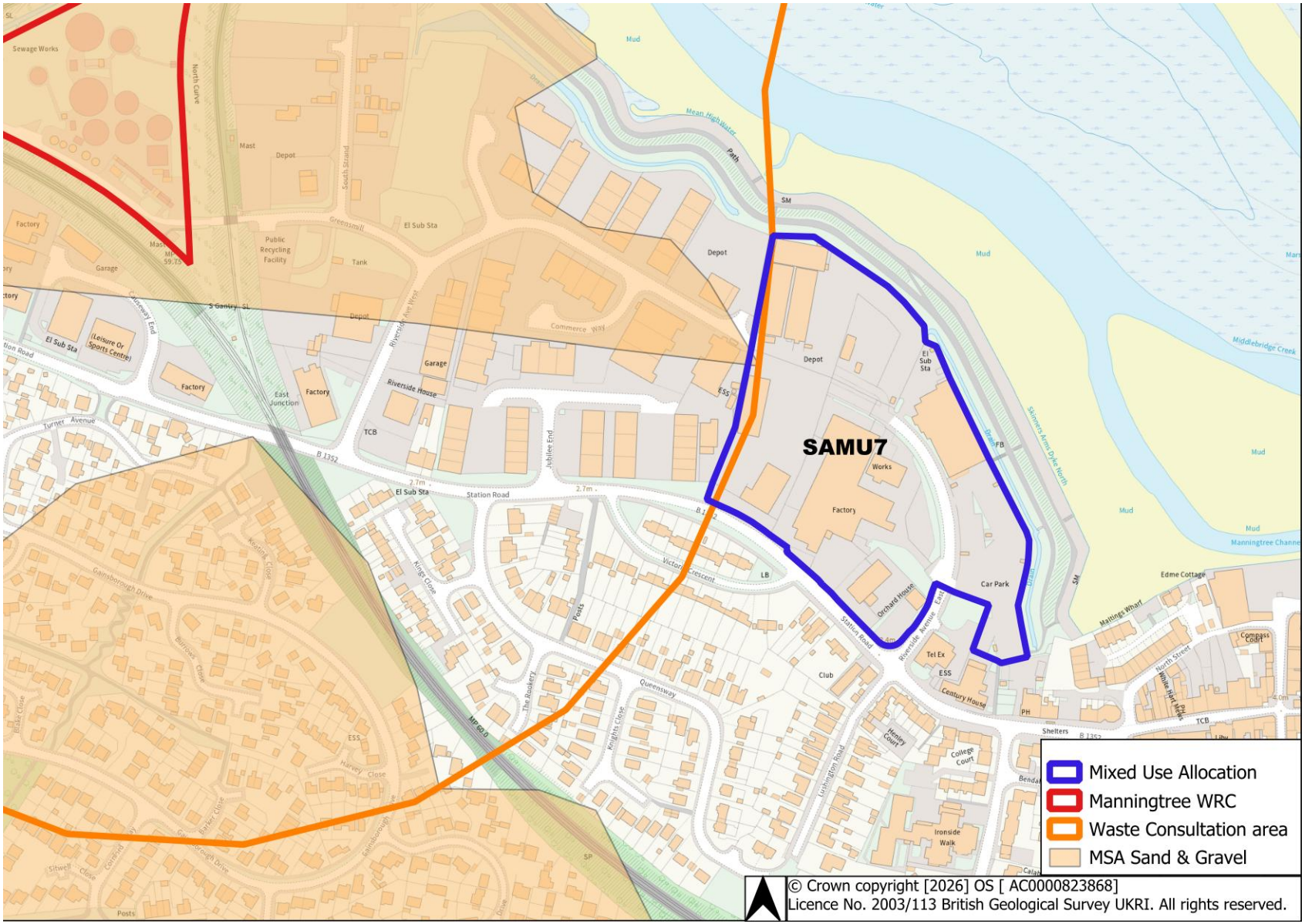
Map 8 - SAMU3 Oakwood Park



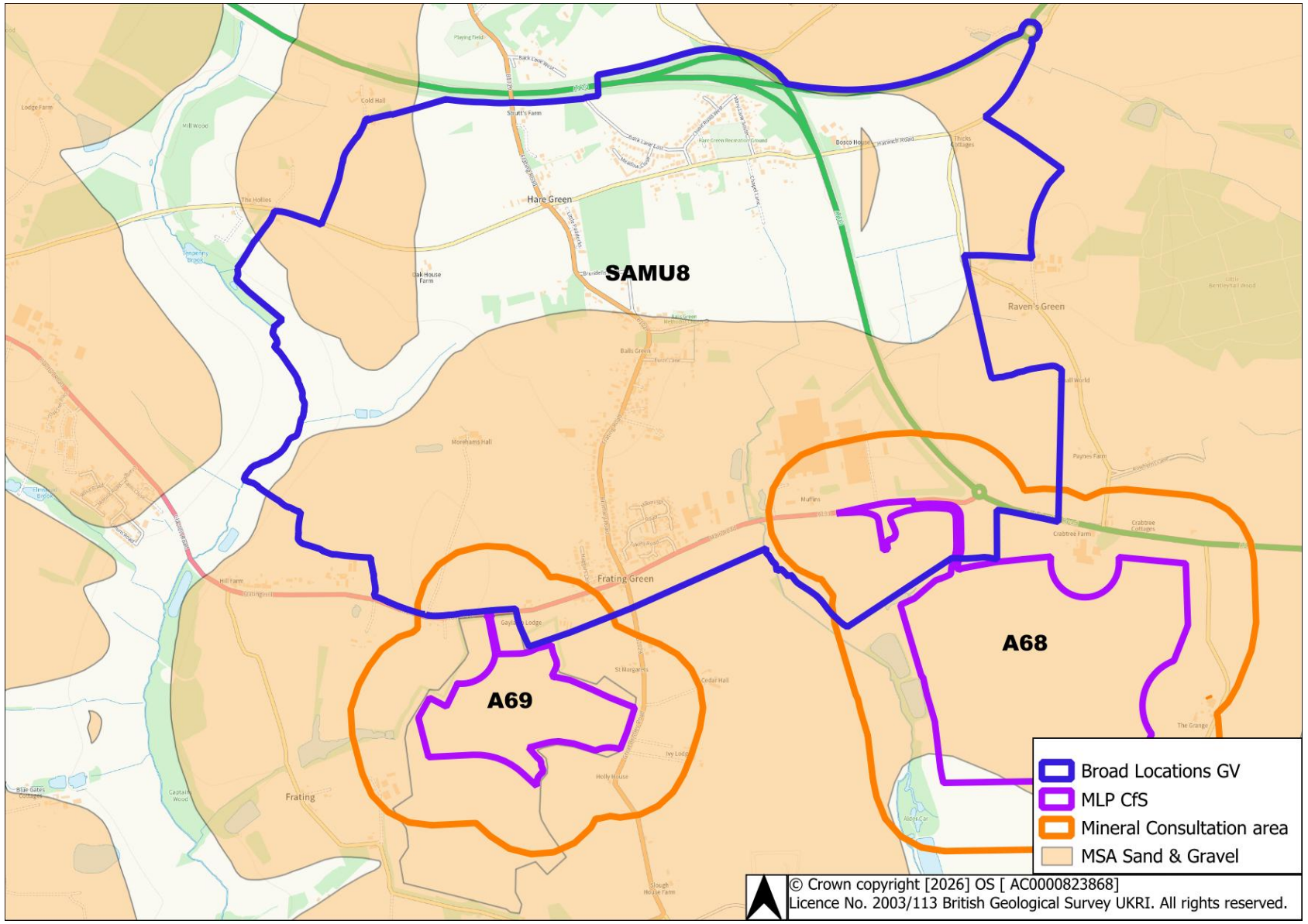
Map 9 - SAMU5 Land off Deane's Lane and Oakley Road



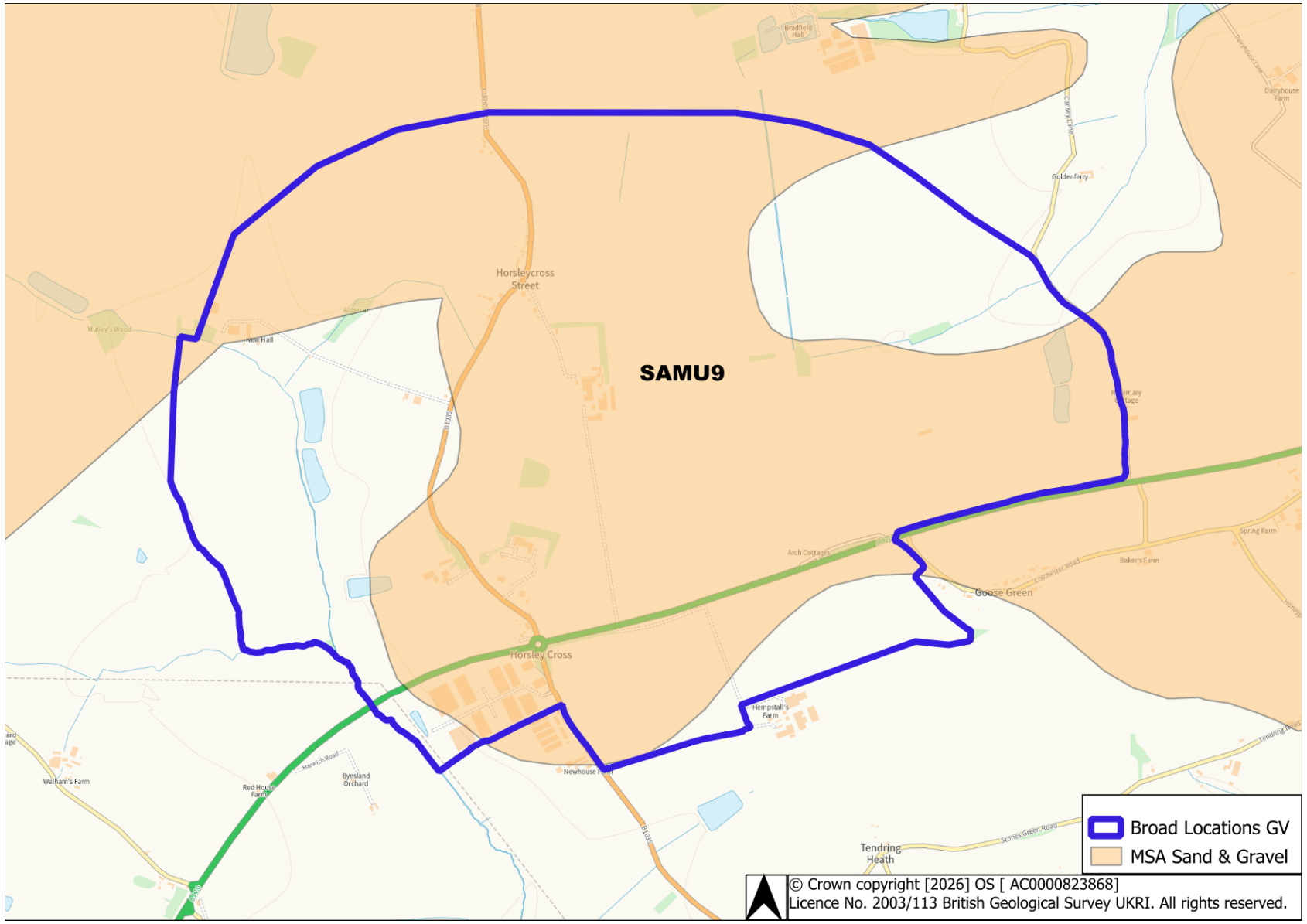
Map 10 - SAMU7 Saltings Quarter, Riverside Avenue



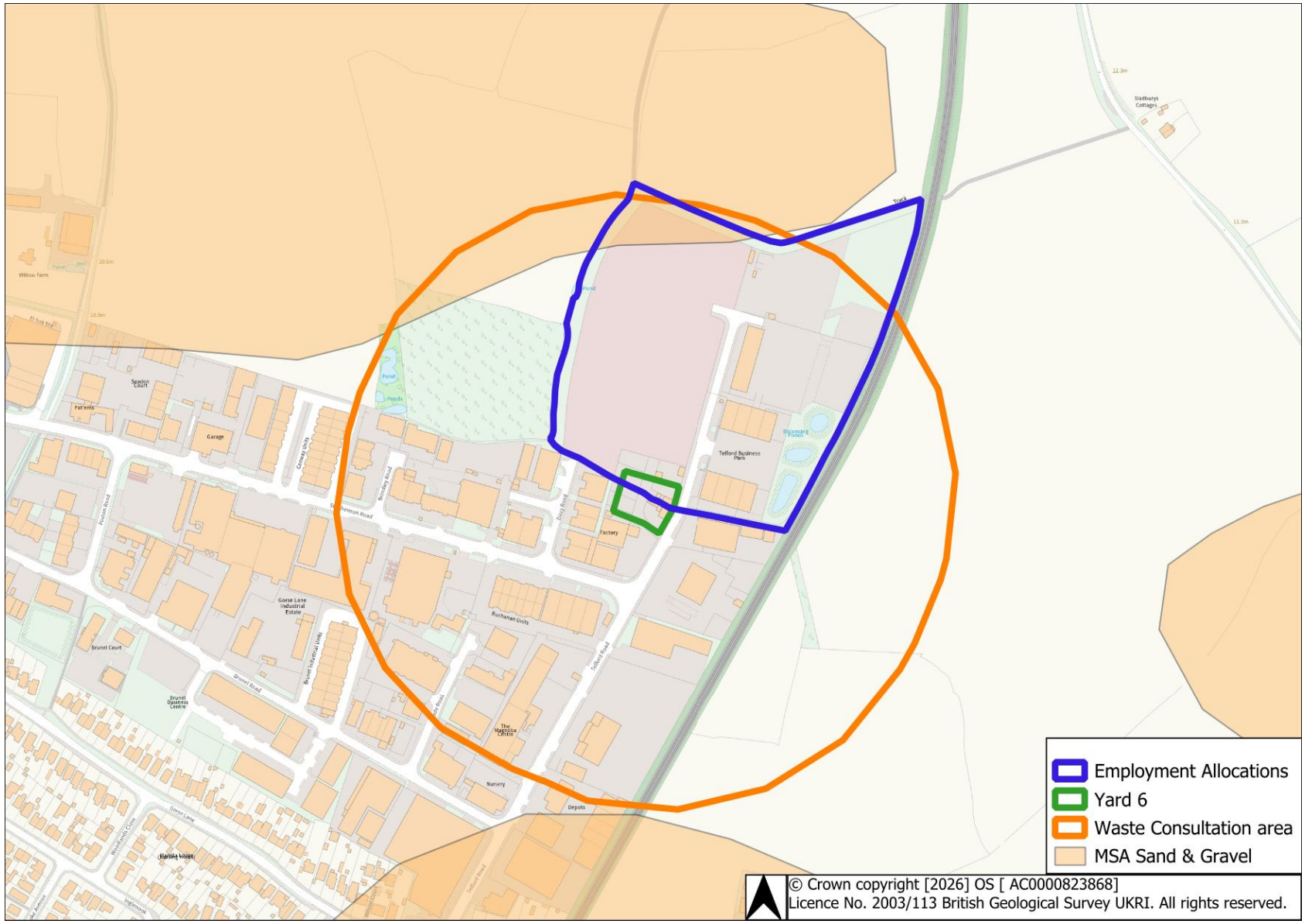
Map 11 - SAMU8 Hare Green Garden Village



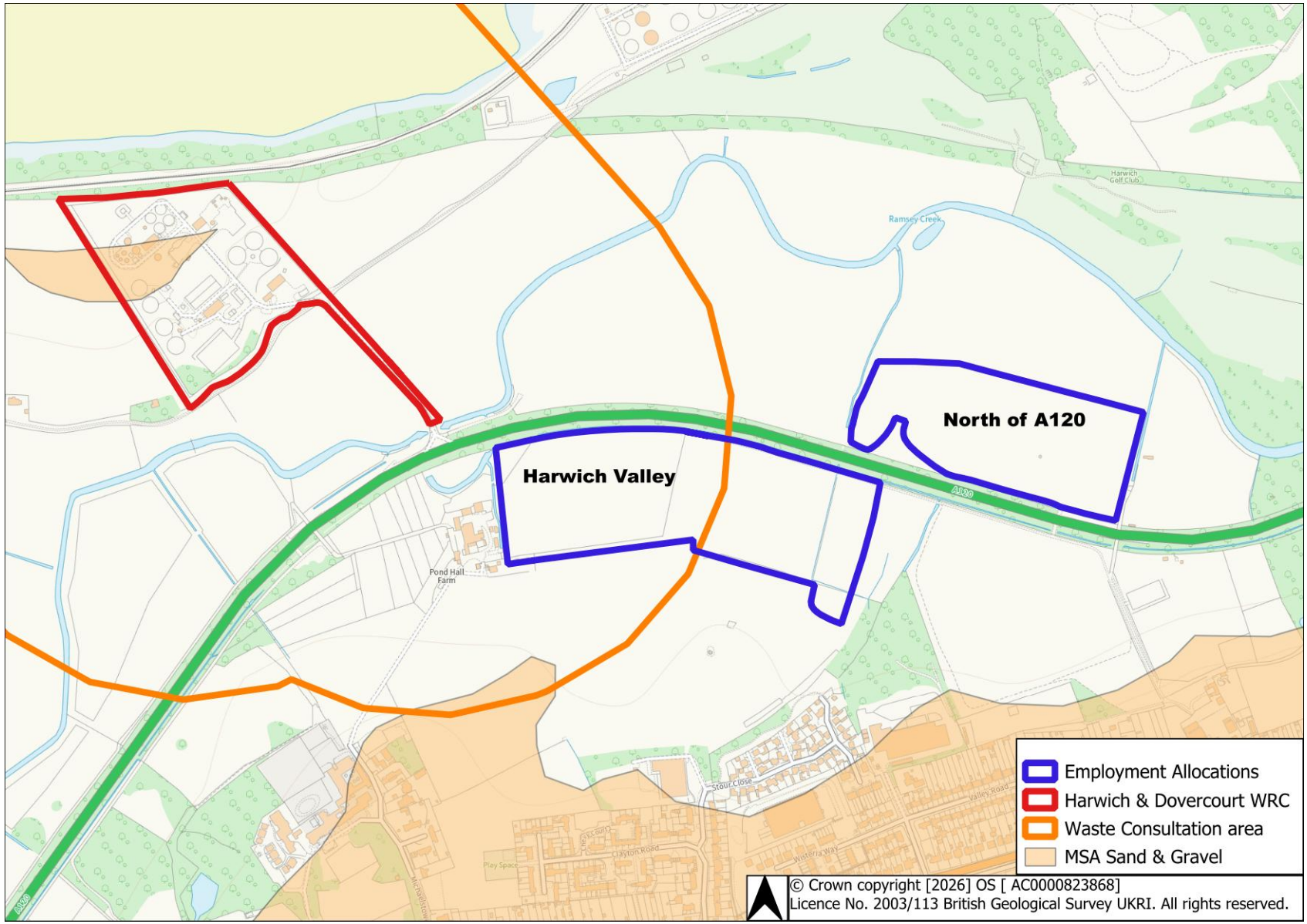
Map 12 - SAMU9 Horsley Cross Garden Community



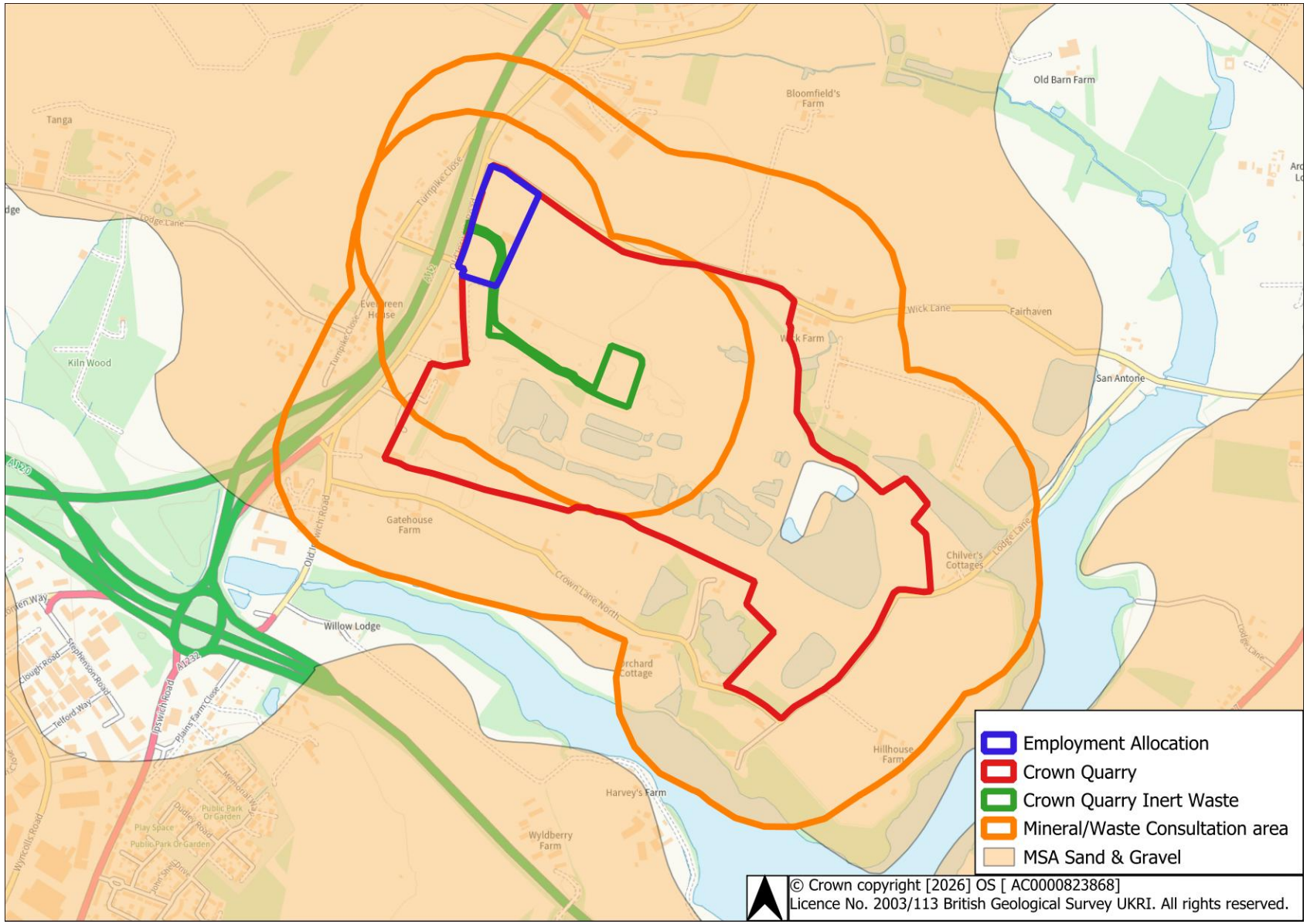
Map 13 - Extension to Gorse Lane Industrial Estate, Telford Road, Clacton



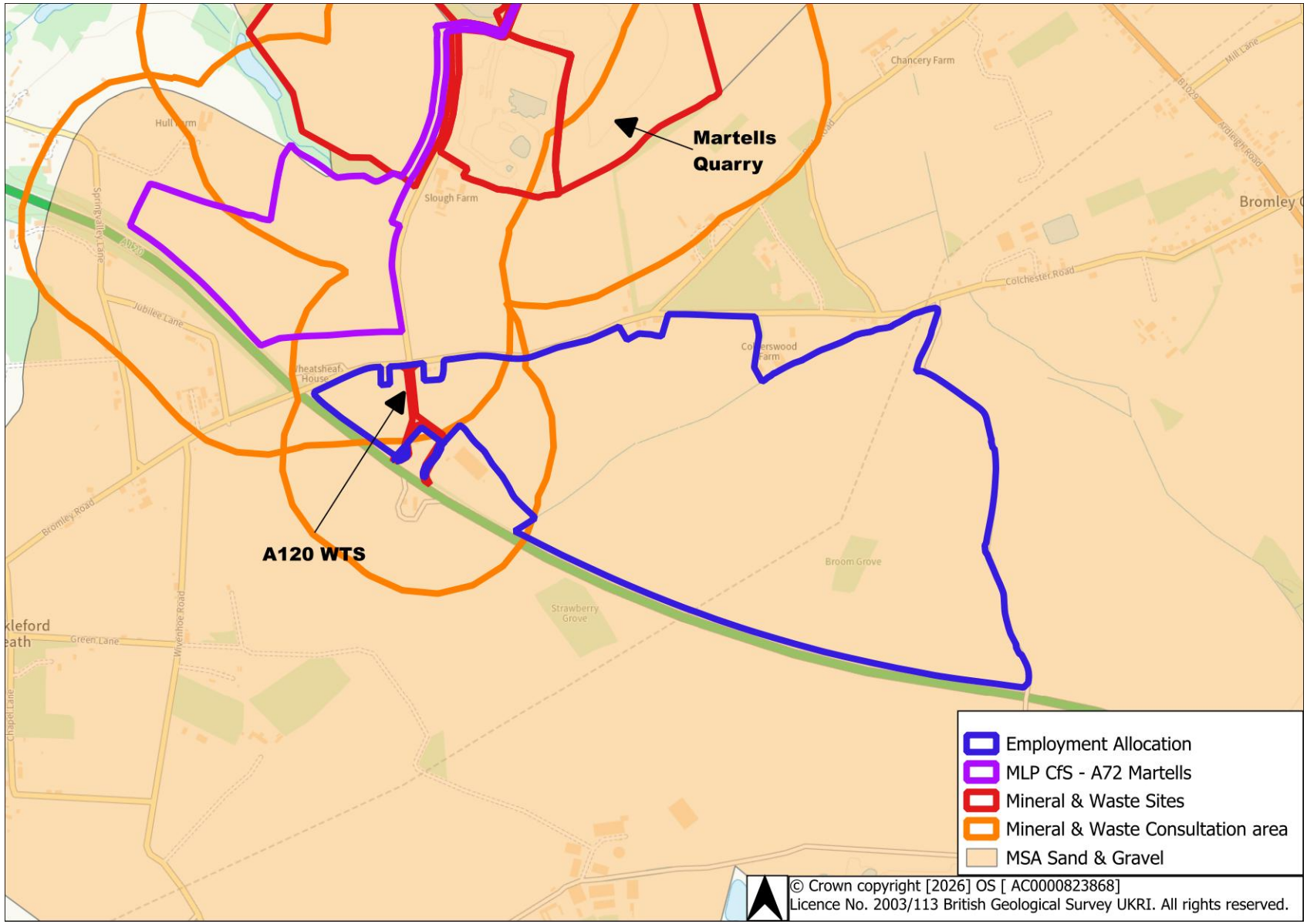
Map 14 - Land at Harwich Valley, East of Pond Hall Farm, Dovercourt



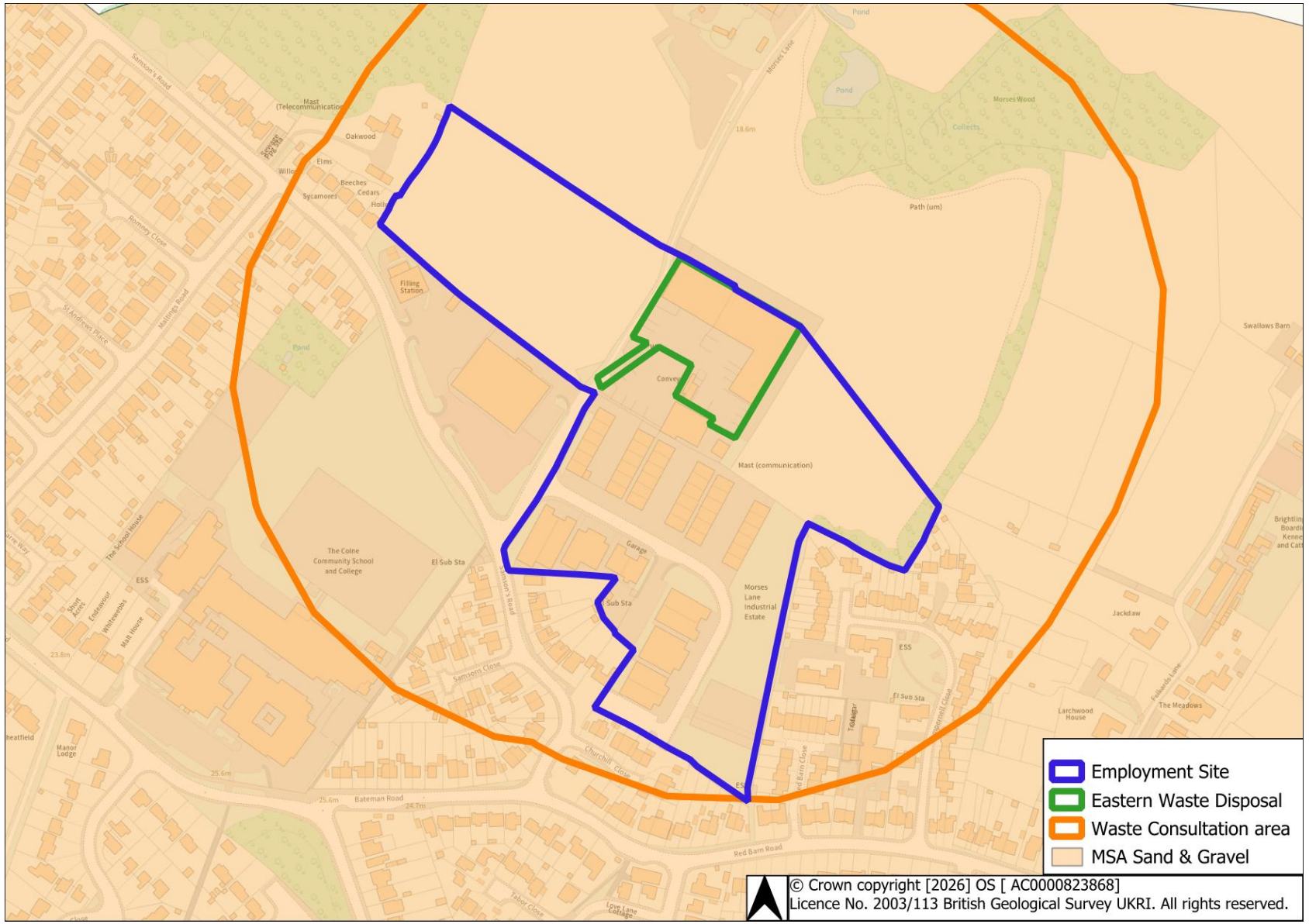
Map 15 - Crown Business Centre, Old Ipswich Road, Ardleigh/Colchester



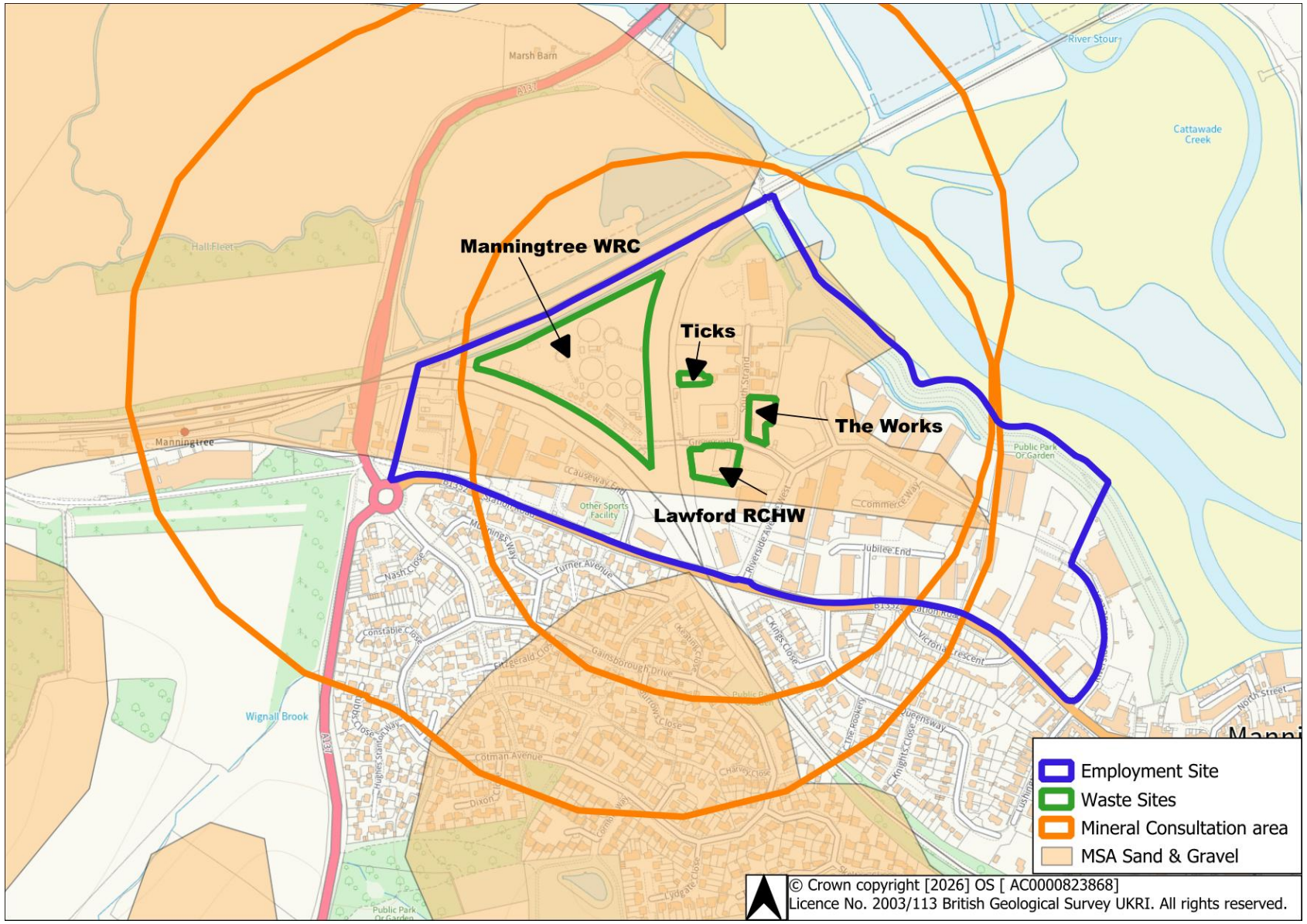
Map 16 - Policy SAE3 - Collierswood Farm A120 Strategic Business Park



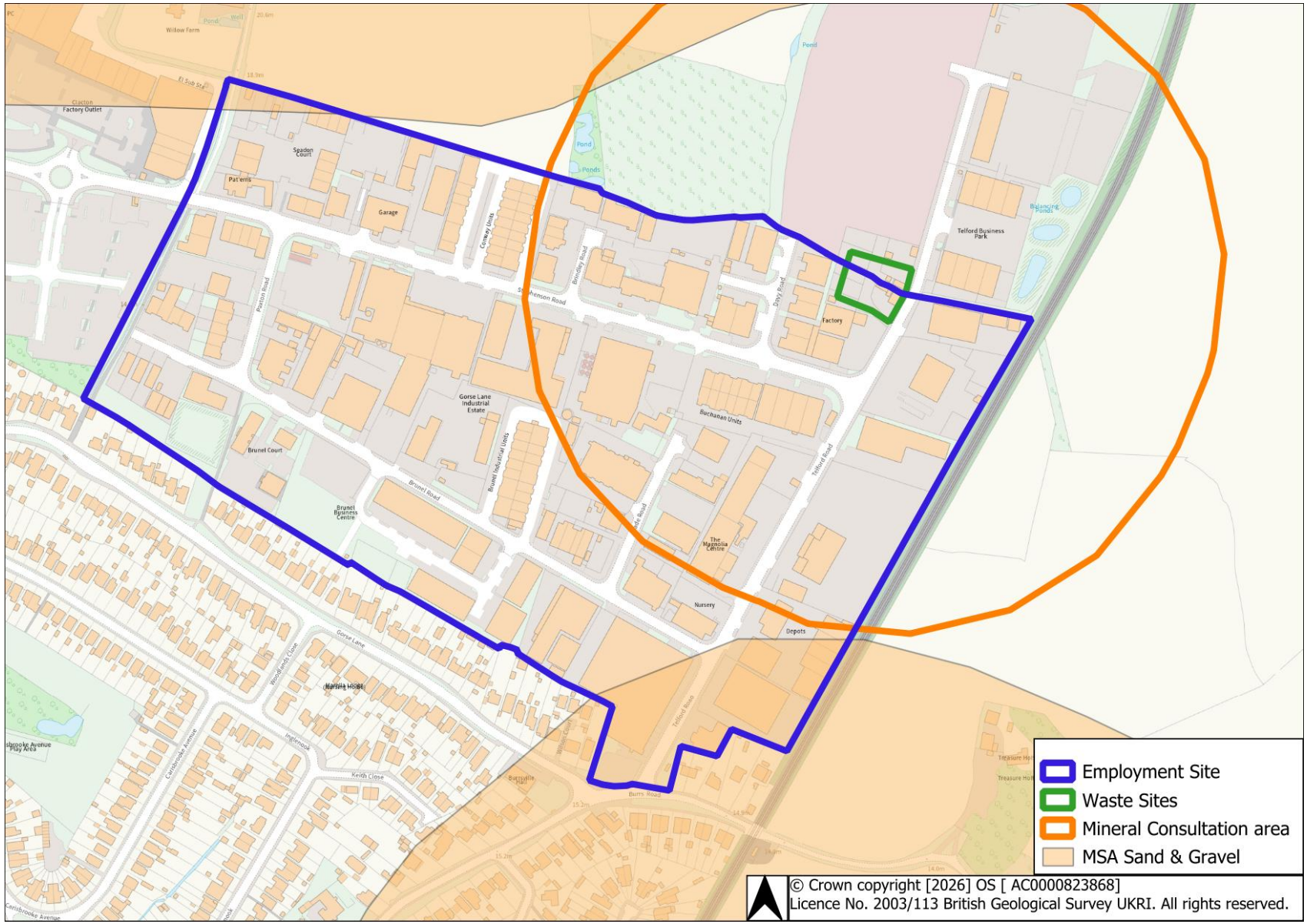
Map 17 - Morses Lane Industrial Estate



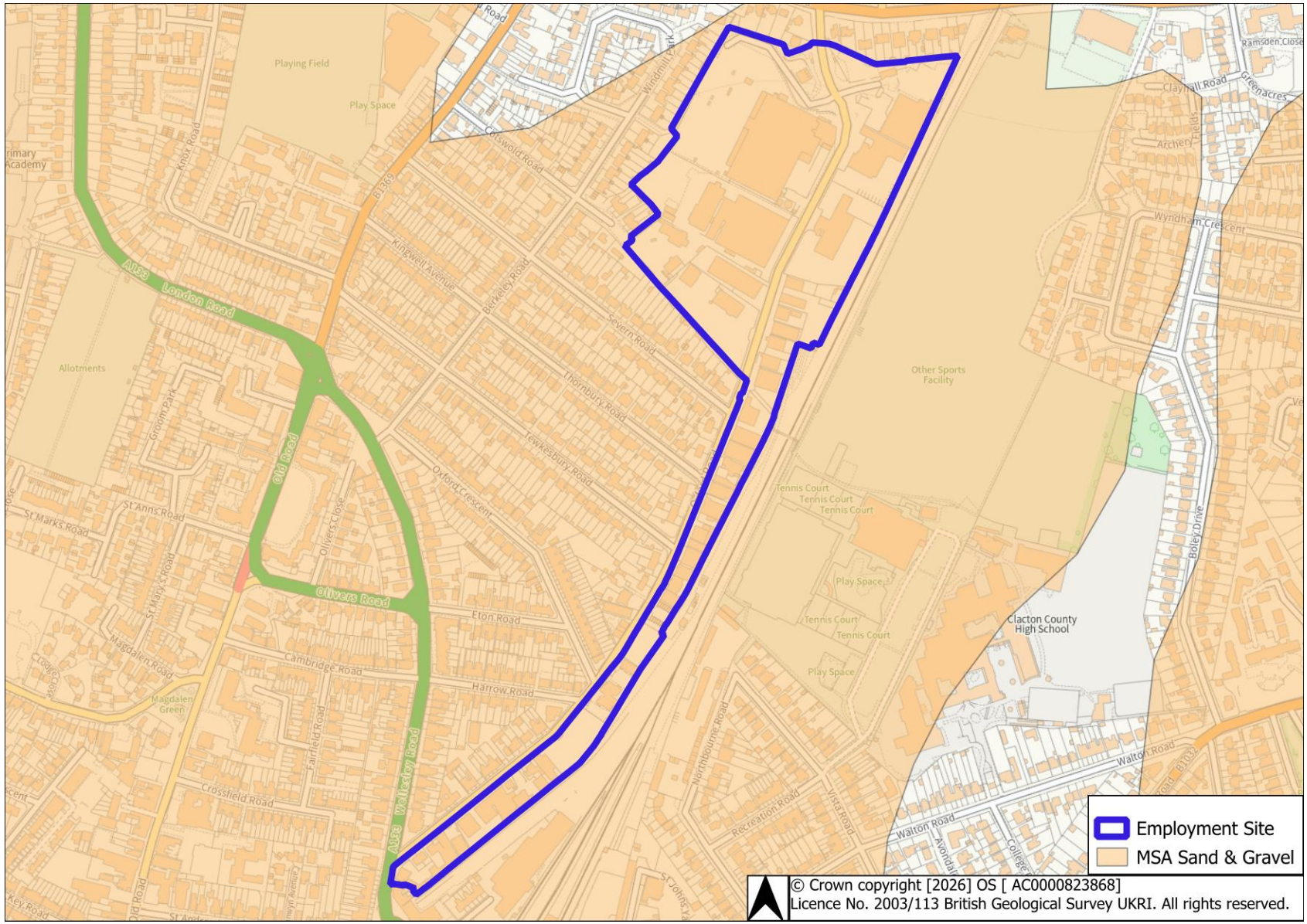
Map 18 - Lawford Dale Industrial Estate



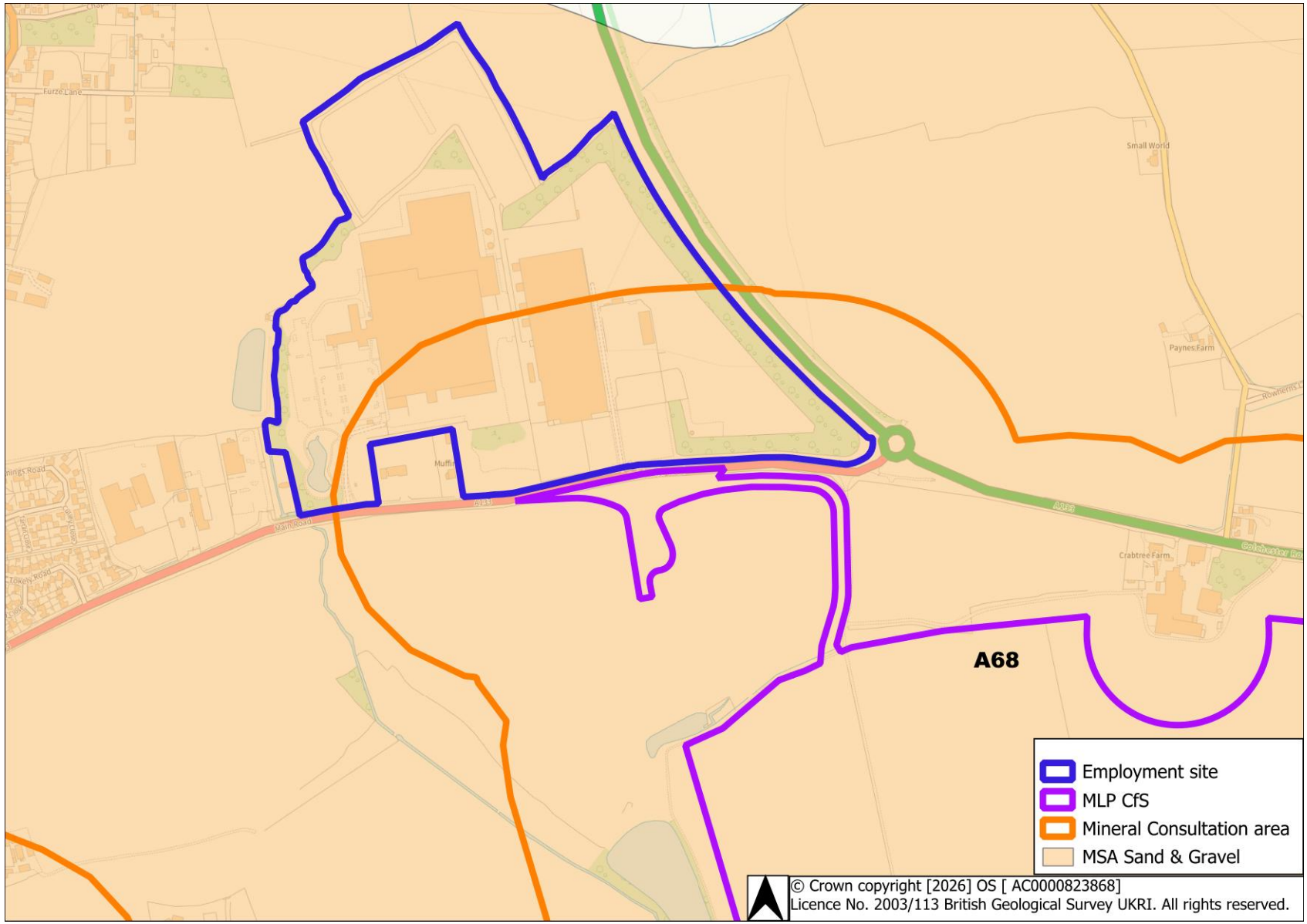
Map 19 - Gorse Lane Industrial Estate



Map 20 - Oxford Road Industrial Estate



Map 21 – Oxford Road Industrial Estate



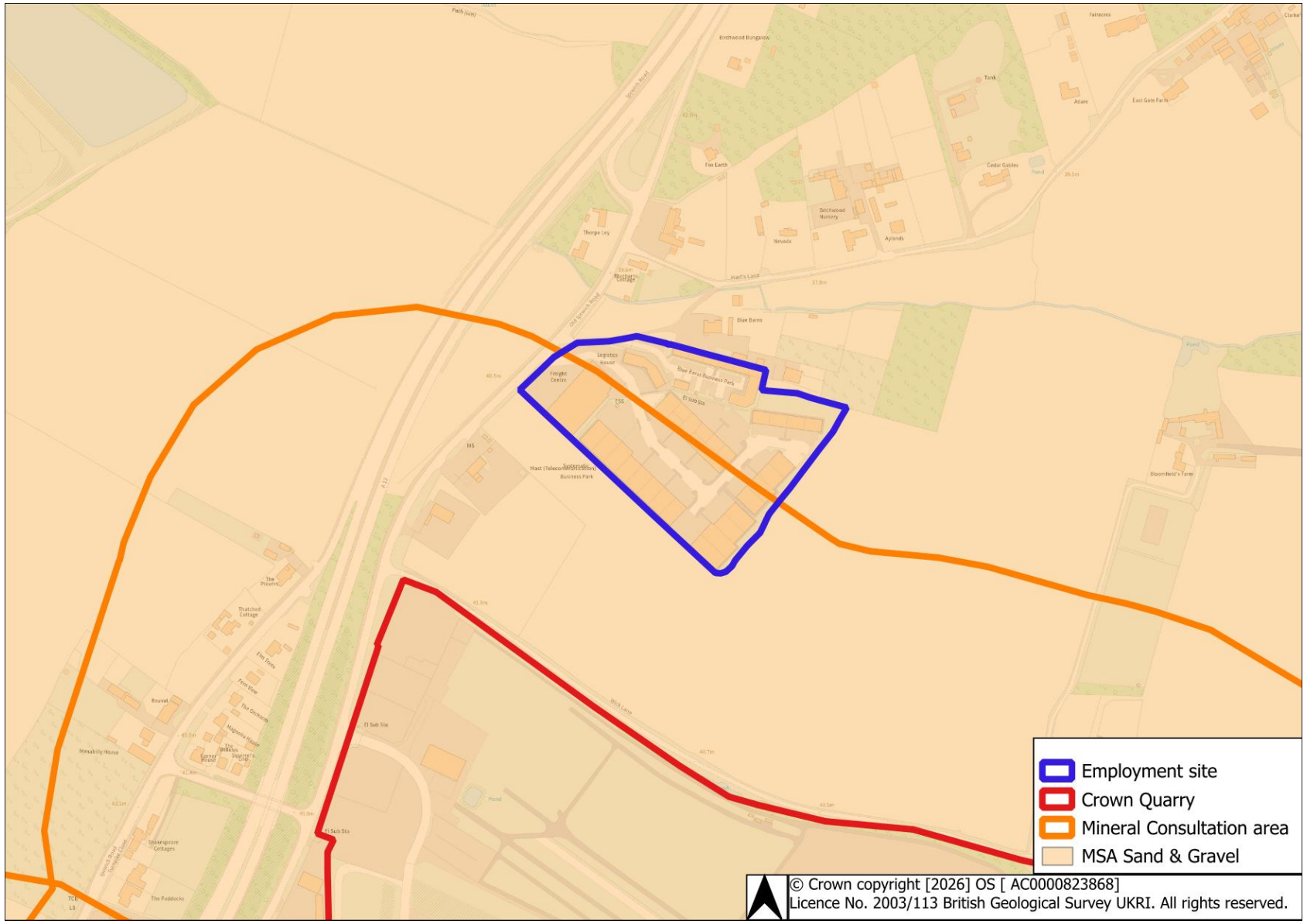
Map 22 - Mannheim Auctions and The Book Service, Frating



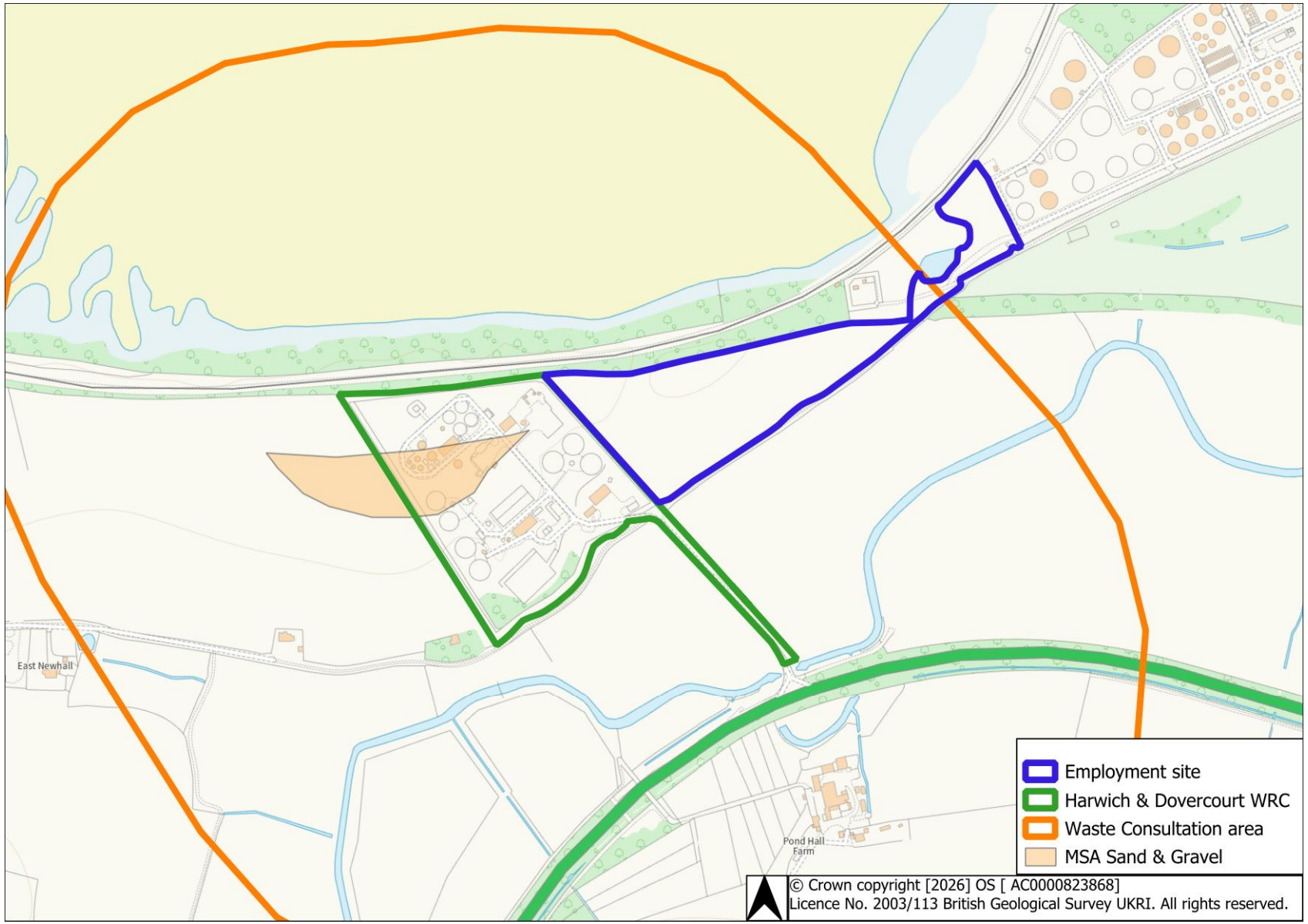
Map 23 - Land Southwest of Horsley Cross



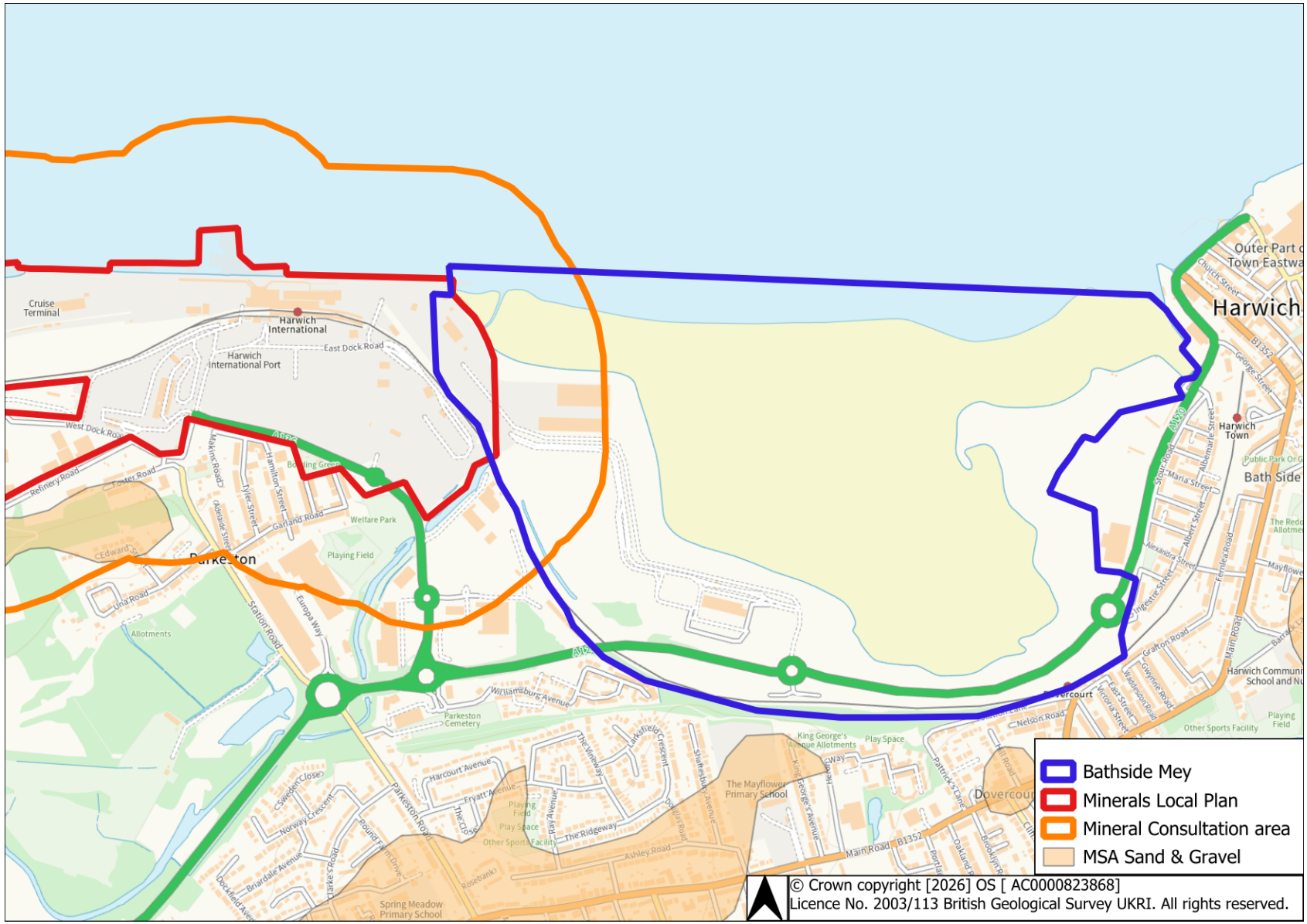
Map 24 - Systematic Business Park, Old Ipswich Road, Ardleigh, CO7 7QL



Map 25 - Carless Parkeston



Map 26 - Bathside Bay



Date: 19 October 2026
Enquiries to: Georgia Teague
Tel: 01473 265054
Email: [redacted]

Suffolk County Council

Sent via email to: planning.policy@tendringdc.gov.uk

Dear Planning Policy Team

Tendring Local Plan Regulation 19 (Submission) consultation

Thank you for consulting Suffolk County Council on the Submission version of the Tendring Local Plan.

As you will be aware the new plan-making system provided by the Levelling Up and Regeneration Act 2023, and the November 2025 Commence and Update Local Plan (CULP) guidance, does not include the Duty to Co-operate. It has been advised[1] that Local Planning Authorities should continue to collaborate across their boundaries, including on unmet development needs from neighbouring areas and Inspectors should continue to examine plans in line with the policies in the NPPF on 'maintaining effective co-operation'.

Generally, SCC supports the Submission version (Reg 19) of the Tendring Local Plan. However, we consider there are some matters that require further evidence for the Plan to be considered sound in accordance with paragraph 36 of the National Planning Policy Framework (NPPF 2024). This response will set out where SCC considers the Plan not to be sound, explain which of the tests of soundness have not been met and provide details of additional evidence required to make it sound.

Education

SCC has the statutory responsibility for education in Suffolk and has a duty to ensure there are sufficient school places to meet the needs of the population now and in the future. This is achieved by accounting for existing demand and new approved housing developments (including those that have not yet commenced or completed). SCC, therefore, produces and annually updates a five-year pupil forecast of future school rolls, and uses 95% capacity for school place planning to accommodate variables which cannot be forecast (e.g. parental preference, in-year admissions, contingency planning, and accommodation of pupils arising from development of less than 10 dwellings).

Any development proposal near the border with Suffolk should include consideration as to whether or not any resulting demand for school places will result in demand being placed upon Suffolk schools. As education provision is a form of strategic infrastructure, cross-boundary impacts should be considered as part of the plan-making process. Please see the Section 106 Developer's Guide

[1] https://www.gov.uk/government/publications/local-plan-examinations-letter-to-the-chief-executive-of-the-planning-inspectorate-november-2025

to Infrastructure Contributions in Suffolk[2] for further information on the county council's approach to seeking education and other infrastructure contributions.

It is suggested that the soundness of the plan could be strengthened by including consideration for cross boundary impacts of educational provision. This would be in conformity with national policy, NPPF (2024 version) paragraph 24 which states that "Effective strategic planning across local planning authority boundaries will play a vital and increasing role in how sustainable growth is delivered, by addressing key spatial issues including meeting housing needs, delivering strategic infrastructure and building economic and climate resilience".

SAMU7: Redevelopment of Saltings Quarter, Riverside Avenue – 40 dwellings
Based on SCC's latest pupil yield calculation this development would yield 13 primary pupils and 6 secondary pupils. The development is adjacent to the catchment areas for Brooklands Primary School and East Bergholt High School in Suffolk. Brooklands Primary is forecast to exceed 95% capacity during the current forecast period. 20% of students on roll attend from out of county based on the January 2026 census data. East Bergholt High School is not currently forecast to exceed 95% capacity during the forecast period. 17% of students on roll attend from out of county based on the January 2026 census data.

MSA3: Affinity Water, Mill Hill, Manningtree – 80 dwellings, and MSA4: Crisp Malting, School Lane, Mistley – 50 dwellings
Based on SCC's latest pupil yield calculation, MSA3 would yield 26 primary pupils and 12 secondary pupils, and MSA4 would yield 16 primary pupils and 8 secondary pupils. The developments are adjacent to the catchments area for Brooklands Primary School and East Bergholt High School in Suffolk. Brooklands Primary is forecast to exceed 95% capacity during the current forecast period. 20% of students on roll attend from out of county based on the January 2026 census data. East Bergholt High School is not currently forecast to exceed 95% capacity during the forecast period. 17% of students on roll attend from out of county based on the January 2026 census data.

Transport

SCC, as the Local Highway Authority for Suffolk, has a duty to ensure that roads are maintained and safe as well as providing and managing flood risk for highway drainage and roadside ditches.

SCC, as the Local Highway Authority for Suffolk acknowledges and supports the opportunity to explore solutions for the A137 Manningtree underpass/ level crossing area, including measures to improve accessibility for pedestrians and cyclists, as set out in Policy CP2 Improving and Maintaining the Transport Network and paragraph 8.27.

I hope that these comments are helpful. SCC is always willing to discuss issues or queries you may have. If there is anything that I have raised that you would like to discuss, please use my contact information at the top of this letter.

Yours sincerely,

Georgia Teague
Senior Planning Officer (Growth)
Growth, Highways & Infrastructure

[2] https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/section-106-planning-obligations/developers-guide-to-infrastructure-contributions-in-suffolk

14731 Support

Document Element: Vision for the Tendring District
Respondent: Colchester City Council
Date received: 15/10/2026 via Web

Summary:

Colchester City Council (CCC) welcomes the opportunity to comment on Tendring District Council's (TDC) Regulation 19 Local Plan and values the long-standing positive working relationship between the two authorities. Through ongoing engagement and regular discussions, CCC is familiar with the proposals contained within the Submission Version Plan. CCC supports the Regulation 19 Plan and considers it to be sound, having been positively prepared, justified, effective and consistent with national planning policy. Looking ahead, both councils remain committed to working collaboratively on cross-boundary matters, including the preparation of a Statement of Common Ground to support the examination and strategic alignment.

Full text:

Colchester City Council (CCC) would like to thank Tendring District Council (TDC) for the opportunity to comment on the Regulation 19 draft of their Local Plan. Our councils have worked closely together over many years on strategic planning matters and CCC remains committed to maintaining this relationship. We are aware of the proposals contained within Tendring's Submission Version Plan, informed by regular meetings between our two authorities.

CCC express support for TDC's Regulation 19 Plan and believe that the Submission Version plan meets the soundness tests having been positively prepared, justified, effective and consistent with National Planning Policy.

Looking ahead, both authorities are committed to continue to work together on cross boundary issues to prepare a Statement of Common Ground. This will support the effective progression of each council's Local Plan towards examination and ensure continued alignment on strategic matters.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

Planning Policy
Tendring District Council
Town Hall
Station Road
Clacton-on-Sea
CO15 1SE

Your ref: -
Our ref: -
Date: 28th September 2026
Please ask for: Ian Johns
Customer Services: 03330 162 000
Direct dial: [redacted]
Email: [redacted]

Dear Sir/Madam

Regulation 19 Consultation about the Tendring District Council Local Plan Review

Thank you for consulting East Suffolk Council about the Tendring District Council Local Plan Review Submission Version (Regulation 19) consultation.

Please be advised that East Suffolk Council has no comments to make in response to this consultation. However, the Council appreciates being consulted about the Local Plan Review and would be grateful to be kept informed of progress with the Local Plan.

Yours faithfully,

[redacted]

Ian Johns | Planner (Policy)
East Suffolk Council

15 October 2026

Planning Policy
Tendring District Council
Town Hall
Station Road
Clacton on Sea
CO15 1SE

BY EMAIL ONLY
planning.policy@tendringdc.gov.uk

Essex Wildlife Trust

Abbotts Hall Farm, Great Wigborough
Colchester, Essex, CO5 7RZ
T 01621 862960
E enquiries@essexwt.org.uk
www.essexwt.org.uk

Essex Wildlife Trust provides advice to Local Planning Authorities to inform planning decisions in respect of potential ecological impacts from development. If the applicant or any other interested party requires additional information on the advice we have provided, any such queries should be directed to the Planning Case Officer who will seek further information from us where appropriate and necessary.

Tendring District Local Plan Review 2026–2043 and Beyond – Submission Version (Regulation 19) consultation

Dear Planning Policy Team,

1. Introduction and summary of representations

Thank you for consulting Essex Wildlife Trust ("the Trust") on the Submission Version of the Tendring District Local Plan Review 2026–2043 and Beyond. The Trust is the county's leading nature conservation charity and manages over 100 nature reserves across Essex; within Tendring district these include Colne Point (part of the Colne Estuary SSSI), Howlands Marsh (part of Colne Estuary SSSI), Weeleyhall Wood SSSI, Skippers Island (part of Hamford Water SSSI), Wrabness Local Nature Reserve, Copperas Wood nature reserve the John Weston nature reserve (part of Hamford Water SSSI) and the Naze Discovery Centre at Walton-on-the-Naze. We have a long-standing role in identifying and monitoring Local Wildlife Sites in Tendring and responded to the Issues and Options consultation in April 2025.

Our comments are focused on whether the Plan is legally compliant and sound, that is, positively prepared, justified, effective and consistent with national policy. Our representations concern the Plan's impacts on wildlife, habitats and biodiversity. We do not comment on the overall housing requirement, which is set by the standard method, but on how and where growth is planned and on the robustness of the environmental evidence supporting it.

The Trust welcomes a number of positive features of the Plan, including:

- the commitment in Strategic Policy PPL4a, and in the individual strategic allocation policies, to 20% Biodiversity Net Gain, which the Trust requested at Issues and Options;
- the references throughout the site allocation policies to the Essex Local Nature Recovery Strategy (LNRS) and its Strategic Opportunities;
- the inclusion in Policy PPL4 of requirements, advised by Natural England, for functionally linked land surveys (including nocturnal surveys) and for Suitable Alternative Natural Greenspace (SANG) in accordance with Natural England's 2021 guidelines;
- the requirement in Policies SAMU8 and SAMU9 that replacement habitat for wintering birds be provided and fully functional before development affects SPA birds;

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- the exclusion of Local Wildlife Sites from the site selection process (ISA Annex C, Reason 4).

However, the Trust considers that the Plan, as submitted, is **not legally compliant** and **not sound**. Our principal concerns are:

- **Habitats Regulations Assessment.** The Appropriate Assessment does not provide a lawful basis to conclude that the Plan will not adversely affect the integrity of the Colne Estuary, Hamford Water and Stour and Orwell Estuaries Special Protection Areas, Ramsar sites and associated Special Areas of Conservation. Policies have been screened out by relying on policy wording, four carried-forward strategic allocations have not been re-assessed, and mitigation for functionally linked land and recreational disturbance is deferred without the certainty the law requires.
- **Sustainability Appraisal.** The detailed site appraisals for several allocations, including the new Brightlingsea sites, have not been published; the Carless Extension and the carried-forward strategic allocations have not been appraised at site level; and the biodiversity baseline is out of date.
- **Garden Villages.** Hare Green (around 4,500 homes) and Horsley Cross (around 6,000 homes) are allocated as broad areas without boundaries, and contain or adjoin ancient woodland, Local Wildlife Sites and priority habitats that the policies do nothing to protect.
- **Tourism and the coast.** The Plan promotes holiday villages in wooded, water-feature settings and the extension of holiday parks on an internationally designated coast, without the safeguards required by national policy. The Trust's continuing objection to the holiday park application at Lower Farm, Brightlingsea illustrates the consequences.
- **Evidence base.** The Plan relies on a Local Wildlife Site review carried out in 2008 and an ancient woodland list last reviewed in 2012, and there is no strategic evidence on functionally linked land, SANG or ecological networks.

Each representation below identifies the policy or document concerned, the legal requirement or test of soundness that is not met, and the modification the Trust seeks. A summary table of modifications is provided in Section 13.

2. Legal and national policy context

The version of the NPPF against which the Plan should be examined. Paragraph 1.19 of the Plan refers to the NPPF of December 2024, as amended in February 2025. A new NPPF was published on 17 August 2026. Annex A of the 2026 NPPF applies it to plans prepared under the Town and Country Planning (Local Planning) (England) Regulations 2026, while "other plans" are to follow the December 2024 Framework and its transitional arrangements. As the Plan is being prepared under the 2012 Regulations, the Trust understands that it will be examined against the December 2024 NPPF, and our references to NPPF paragraph numbers below are to that version unless stated otherwise.

The relevance of the 2026 NPPF. Annex A of the 2026 NPPF states that development plan policies materially inconsistent with its national decision-making policies should be given "very limited weight" unless examined against the 2026 Framework. Several of those policies bear directly on this Plan:

- Policies N1(2) and N2(3) allow plans to require biodiversity net gain above the statutory minimum only for specific site allocations, where fully justified and deliverable, and direct decision-makers not to give weight to other policies requiring higher gains.
- Policy N6(2) requires the refusal of development resulting in the loss or deterioration of irreplaceable habitats unless there are wholly exceptional reasons and a suitable compensation strategy. The 2026 NPPF identifies saltmarsh as an irreplaceable habitat alongside ancient woodland and ancient and veteran trees.
- Policy N2(1)(f) requires integrated nest boxes ("Swift bricks") to be built into new development unless there are compelling technical reasons why they cannot be.
- Policy N6(1)(a)(ii) anticipates Environmental Delivery Plans and the Nature Restoration Levy under Part 3 of the Planning and Infrastructure Act 2025.

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The Trust advises that the Council should take these policies into account now, so that the protections in the Plan are not undermined in decision-making shortly after adoption. In particular, the 20% Biodiversity Net Gain requirement should be written into every site allocation policy (see Section 6).

Legislation. The Trust's representations on legal compliance and soundness draw on the following:

- the Conservation of Habitats and Species Regulations 2017 (as amended), in particular regulations 63, 64 and 105, under which a land use plan may be given effect only after the plan-making authority has ascertained that it will not adversely affect the integrity of a habitats site, having consulted Natural England and had regard to its representations;
- the Environmental Assessment of Plans and Programmes Regulations 2004 and section 19(5) of the Planning and Compulsory Purchase Act 2004, which require an environmental report identifying, describing and evaluating the likely significant effects of the plan and of reasonable alternatives;
- section 40 of the Natural Environment and Rural Communities Act 2006, as strengthened by the Environment Act 2021, which places a duty on the Council to consider what action it can properly take to further the general biodiversity objective and to have regard to the Essex Local Nature Recovery Strategy (published in October 2025);
- Schedule 7A of the Town and Country Planning Act 1990 (mandatory biodiversity net gain);
- the Wildlife and Countryside Act 1981, including section 28G (the duty to take reasonable steps to further the conservation and enhancement of Sites of Special Scientific Interest);
- section 58 of the Marine and Coastal Access Act 2009 (regard to the South East Marine Plan) and section 85 of the Countryside and Rights of Way Act 2000, as amended (the duty to seek to further the purposes of National Landscapes).

NPPF (December 2024). The principal paragraphs relied on are paragraph 32 (relevant and up-to-date evidence), paragraph 36 (the tests of soundness), paragraph 187 (contributing to and enhancing the natural environment), paragraph 188 (the hierarchy of sites and allocating land of least environmental value), paragraph 192 (identifying, mapping and safeguarding ecological networks, and promoting the conservation of priority habitats and the recovery of priority species), paragraph 193 (the mitigation hierarchy, Sites of Special Scientific Interest and irreplaceable habitats), paragraphs 194 and 195 (habitats sites), and the policies on coastal change, which require plans to identify Coastal Change Management Areas where the coast is likely to be affected by physical change.

Effective cooperation. Although the Duty to Cooperate no longer applies, the Inspector will still examine whether the Council has cooperated effectively on cross-boundary strategic matters. For biodiversity these include the Colne Estuary and Stour Estuary, which are shared with Colchester City Council and Babergh District Council, the Essex Coast RAMS, the catchments of any strategic SANG, and the Tendring Colchester Borders Garden Community.

3. Legal compliance: Habitats Regulations Assessment

Representation: the Plan is not legally compliant with regulation 105 of the Conservation of Habitats and Species Regulations 2017, and is not sound (justified, effective).

Tendring's coast is almost entirely designated as part of the National Site Network: the Colne Estuary SPA and Ramsar site, Hamford Water SPA, SAC and Ramsar site, the Stour and Orwell Estuaries SPA and Ramsar site, and the Essex Estuaries SAC. The Habitats Regulations Assessment – Appropriate Assessment (Place Services, version 1.3, August 2026) concludes that the Plan will not have an adverse effect on the integrity of any habitats site, alone or in combination. The Trust does not consider that conclusion can lawfully be reached on the assessment as it stands, for the following reasons.

3.1 Policies screened out by relying on mitigation. The AA correctly states (paragraph 3.5.1) that, following *People Over Wind and Sweetman v Coillte Teoranta* (C-323/17), mitigation measures cannot be taken into account at the screening stage. It also states (paragraph 4.6.1) that it is not sufficient to rely on a general policy aimed at protecting habitats sites. However, Appendix 1 screens out the following policies on precisely that basis:

- **PP10 Camping and Touring Caravan Sites and PP11 Holiday Parks**, on the grounds that the policies require compliance with the Habitats Regulations to be demonstrated;

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- **PP15 Walton Mere**, which allocates land for floating homes, houseboats, a boating lake, a new sea wall and commercial uses directly adjoining Hamford Water, and which the AA screens out expressly "with these measures embedded";
- **PPL12c Protection of the Naze**, which promotes coastal protection works and eco-tourism beside Hamford Water;
- **PPL2 Coastal Protection Belt**, which sets an "adaptive approach" to coastal protection.

Each of these policies has a credible pathway to a likely significant effect, through recreational and direct disturbance, loss of functionally linked land or changes to coastal processes. They should be screened in and assessed.

3.2 Strategic allocations not re-assessed. Appendix 2 of the AA does not screen Policies SAMU1 (Tendring Colchester Borders Garden Community), SAMU2 (Hartley Gardens, 1,870 homes), SAMU3 (Oakwood Park, 925 homes) or SAMU4 (Rouses Farm, 950 homes), on the basis that they were allocated in the previous Local Plan and that "minor amendments have been secured to the policy wording to ensure up to date SANG consideration". These allocations, totalling around 7,500 homes in Tendring's supply, are being re-allocated in a new plan, alongside some 7,400 additional homes and following the adoption of the revised Essex Coast RAMS in June 2026. Their effects must be assessed in combination with the rest of the Plan. Hartley Gardens alone comprises around 163 hectares of open arable land, precisely the type of land the AA elsewhere identifies as potential functionally linked land.

3.3 Mitigation relied upon that is not in the Plan. The AA (paragraphs 4.9.13, 4.10.33 and 4.14.2) states that wording on SANG and functionally linked land has been included in "all" SAMU and SAH policies for sites of more than 100 dwellings. That is not correct:

- Policies SAMU1, SAMU3 and SAMU4 contain no reference to SANG, functionally linked land or the Essex Coast RAMS, and SAMU2 contains only a general clause on habitats sites;
- Policy SAE3 (Collierswood Farm), screened in for functionally linked land, contains only a RAMS clause;
- the medium site allocations screened in by the AA, including MSA7 (functionally linked land) and MSA6, MSA33, MSA34 and MSA35 in Brightlingsea (within 1 km of the Colne Estuary), have no site policies at all.

An Appropriate Assessment cannot rely on safeguards which the Plan does not contain.

3.4 Functionally linked land: deferral without certainty. No wintering bird data have been gathered for any allocation; all surveys are deferred to masterplanning or application stage. Deferral of detailed assessment to a later stage is permissible only where the competent authority can be confident that the necessary mitigation will be achievable in practice. For allocations on the scale of Hare Green and Horsley Cross (together some 10,500 homes on predominantly open farmland within the Essex Coast RAMS Zone of Influence), that confidence cannot exist without evidence of the extent of functionally linked land and of the availability of replacement habitat.

3.5 Compensation treated as mitigation. The site allocation policies require functionally linked land to be "avoided, mitigated or compensated for", and Policy PPL4 requires replacement land to be managed for SPA birds. Where the loss of functionally linked land would adversely affect site integrity, the provision of replacement habitat elsewhere is a compensatory measure. Compensatory measures cannot be taken into account in the Appropriate Assessment; they arise only if the derogation tests in regulation 64 are met. The wording should be amended so that it does not suggest otherwise.

3.6 Qualifying features and thresholds. Table 9 of the AA omits Curlew and the wider waterbird assemblage for the Colne Estuary SPA, despite these being central to the functionally linked land issue at Brightlingsea. The AA also treats land as likely to be functionally linked only where it supports more than 1% of the site population (paragraph 4.9.6). That is a useful guide but not a legal threshold: land supporting fewer birds can be functionally linked where it provides a regular high-tide roost or hard-weather refuge. The 2008 Local Wildlife Site Review identified exactly such roosting land at Brightlingsea on Lower Farm Marshes.

3.7 SANG need not quantified. Policy PPL4 requires SANG for developments of 500 or more dwellings and for 10–499 dwellings within 1 km of a habitats site. Applying Natural England's standard of 8 hectares per 1,000 new residents and the Plan's own average household size of 2.2 persons, the allocations of 500 or more dwellings

outside the Garden Community imply around 296 hectares of SANG at full build-out, including around 106 hectares at Horsley Cross and 79 hectares at Hare Green. No SANG land has been identified, and the AA (paragraph 4.10.13) leaves the identification of strategic SANG to the Council at a later date, pending SANG guidance that is described as "forthcoming". The AA should demonstrate that SANG of this scale is deliverable before concluding that adverse effects can be avoided.

3.8 Natural England. Paragraph 4.8.1 of the AA states that Natural England will be consulted during the public consultation. Regulation 105(2) requires the Council to consult Natural England for the purposes of the assessment and to have regard to its representations. The AA's conclusion is therefore provisional, and the Trust asks that Natural England's views, and any resulting changes, are published before submission.

3.9 Other matters. The Trust also notes that:

- tourism attractions and visitor accommodation are outside the Essex Coast RAMS tariff (AA paragraph 4.10.20), yet the AA does not assess the tourism growth promoted by Policies PP8 to PP11;
- the effects of storm overflow discharges to the Colne and Stour estuaries from Water Recycling Centres identified as lacking capacity (Great Bromley, Manningtree and St Osyth) are not considered;
- the "Iterative Plan Review" on which the AA relies (paragraph 4.1.10) is not reflected in the Plan's monitoring framework;
- the in-combination assessment should confirm that the emerging Colchester City Local Plan is included;
- the AA contains drafting errors which undermine confidence that it has been finalised for this Plan, including references to the "Local Plan Full Update" and "the Proposed Development", inconsistent screening totals (six policies and 45 sites in the summary; eight policies and 43 sites at paragraph 3.4.1), and a reference to major development as "(<9 units)".

Modification sought. The AA should be revised before submission to screen in and assess Policies PP10, PP11, PP15, PPL2 and PPL12c; assess SAMU1–SAMU4 in combination with the rest of the Plan; correct its account of the mitigation embedded in the Plan; be informed by strategic evidence on functionally linked land and SANG (see Section 12); and record Natural England's advice. The policy changes needed to embed mitigation are set out in the sections that follow.

4. Legal compliance: Sustainability Appraisal and the biodiversity duty

Representation: on the documents made available, the Integrated Sustainability Appraisal does not meet the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 in respect of biodiversity, and the Plan is not justified.

The Trust has reviewed the Integrated Sustainability Appraisal (ISA) Environmental Report (Regulation 19, August 2026) and its Annexes A and B (Baseline and Contextual Review, August 2026), both of which are marked DRAFT in the consultation library, together with the ISA Interim Report Annex C: Site Assessments (January 2026). A Regulation 19 sustainability appraisal report should be a finalised proposed submission document. Should a final Environmental Report address the points below, the Trust would be pleased to narrow this representation accordingly.

4.1 Allocations without a published detailed appraisal. Tables 12 and 13 of the Environmental Report give summary scores for the new Medium Site Allocations, including MSA29 to MSA37, and refer the reader to Annex C for the detailed assessments. However, the Annex C published for this consultation is the January 2026 Interim Report prepared for the Regulation 18 Preferred Options, and it contains no detailed assessment of:

- Medium Site Allocations MSA29 to MSA37, including MSA35 Land North of Robinson Road, Brightlingsea, which abuts Big Lake on the Lower Farm site. The Environmental Report's only commentary on MSA35 (paragraph 5.5) is that it forms "a logical extension of the settlement northwards" outside the Coastal Protection Belt; its relationship to Big Lake, the adjoining woodland and the functionally linked land at Lower Farm is not considered;
- Strategic Employment Allocations SAE1 (Carless Extension) and SAE2 (Freeport East, Bathside Bay and the A120 Corridor), which do not appear in the employment site summary (Table 14);

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- the carried-forward Strategic Allocations SAMU1 to SAMU4, together with all land on the edge of Clacton, Ardleigh, Elmstead and the Garden Community, which was sieved out of the site appraisal because it was already allocated (Reasons 5, 7, 8 and 9).

Consultees cannot test summary scores without the detailed assessments behind them. The likely significant effects of the Plan as submitted have therefore not been fully identified, described, evaluated and published as regulation 12 and Schedule 2 of the 2004 Regulations require.

4.2 Scoring which understates effects on biodiversity. The ISA framework scores the loss of functionally linked land to a habitats site as a minor negative ("–"), the same score as a site adjacent to a Local Wildlife Site, even though such a loss may adversely affect the integrity of an internationally designated site. The Horsley Cross allocation is recorded as containing "two areas of Ancient Woodland" and four areas of deciduous woodland priority habitat, yet scores only "–" for biodiversity features on the assumption that these could be integrated into the development. Objective 7 then awards every site a positive score ("+" or "++") for Biodiversity Net Gain, which is a statutory minimum every development must meet. The effect is that every allocation receives a positive biodiversity score, whatever its ecological baseline. Policy SAMU5, which borders Hamford Water SPA and its saltmarsh, scores only "?" for wildlife designations, although the framework's own criteria indicate a significant negative effect.

4.3 An out-of-date baseline. The draft baseline in Annexes A and B:

- describes the Essex LNRS as "forthcoming" and "not yet prepared", although it was published in October 2025 and the Plan's site policies rely on its Strategic Opportunities;
- relies on the 2015 River Basin Management Plan, the UKCP09 climate projections, *Biodiversity 2020* and the "Habitats Regulations 2019";
- states that all fifteen Sites of Special Scientific Interest in Tendring meet a Public Service Agreement target of 95% favourable condition, a target which no longer exists, without current unit condition data;
- contains no inventory of priority habitats, no data on priority species such as Turtle Dove, Curlew or Fisher's Estuarine Moth, no mapping of ecological networks, and no information on wintering birds or functionally linked land;
- states that the Colne Estuary is the only National Nature Reserve in the District, whereas paragraph 7.24 of the Plan identifies both the Colne Estuary and Hamford Water.

4.4 Reasonable alternatives. NPPF paragraph 188 requires plans to allocate land of least environmental value. The ISA records ancient woodland at Horsley Cross, and predominantly Grade 1 agricultural land and around six areas of priority woodland at Hare Green. The Trust has not been able to find an appraisal comparing alternative locations for the Garden Villages which weighs these constraints, and asks the Council to identify where this is set out.

4.5 The biodiversity duty. Section 40 of the Natural Environment and Rural Communities Act 2006, as amended, requires the Council to consider what action it can properly take to further the general biodiversity objective, and to have regard to the Essex LNRS. The Plan's references to the LNRS are welcome. However, protection of the LNRS Areas of Particular Importance for Biodiversity and Strategic Combined Opportunity Areas appears only in Policy HP5 (Open Space, Sports and Recreation Facilities), not in the biodiversity policy, and the Trust asks the Council to confirm that these areas are shown on the Policies Map so that they can be applied in decision-making.

Modification sought. A final Environmental Report should be published which includes detailed appraisals of all allocations in the Submission Plan, including MSA29–MSA37, SAE1–SAE2 and SAMU1–SAMU4; updates the biodiversity baseline; scores the loss of functionally linked land and irreplaceable habitat as significant negative effects; removes the automatic positive score for statutory Biodiversity Net Gain; and sets out the comparison of reasonable alternatives for the Garden Villages.

5. Strategic Policy PPL4: Biodiversity and Geodiversity

Representation: Policy PPL4 and its supporting text (paragraphs 7.16–7.29) are not sound, being neither effective nor consistent with national policy.

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The Trust supports the intent of Policy PPL4 and welcomes, in particular, the protection given to Local Wildlife Sites, ancient woodland, protected verges and veteran trees; the requirement for functionally linked land assessment within 10 km of a habitats site, including desk study of five years of local records and nocturnal wintering bird surveys; the requirement that replacement land be managed in perpetuity without public access; the requirement for SANG to meet Natural England's 2021 guidelines; and the principle that Biodiversity Net Gain on SANG must be demonstrably additional. However, the policy contains drafting errors and omissions which would undermine its effectiveness.

5.1 Misstatement of the derogation tests. Paragraph 7.17 states that the Council will only grant permission where there would be no adverse effects "unless there is considered to be an overriding public interest (such as the port expansion at Bathside Bay, Harwich) – in which case a compensatory habitat must be provided". This omits the requirement that there be no alternative solutions, and omits the word "imperative". It risks encouraging the argument, already advanced at Lower Farm, Brightlingsea, that the commercial benefits of a development can outweigh harm to a habitats site. Paragraph 7.16 also refers to the Conservation of Habitats and Species Regulations 2010 and to "Natura 2000", rather than the 2017 Regulations (as amended) and the National Site Network, and states that Marine Protected Areas exist offshore beyond 12 nautical miles, whereas the Blackwater, Crouch, Roach and Colne Marine Conservation Zone lies inshore.

5.2 A single test for different designations. Policy PPL4 states that Ramsar sites, SPAs, SACs, Marine Conservation Zones, National Nature Reserves and SSSIs "will be protected from development likely to have an adverse effect on their integrity". The tests differ. Habitats sites are subject to the sequence in regulations 63 and 64; SSSIs are subject to the test in NPPF paragraph 193(b). The policy should set out each test correctly.

5.3 No test for irreplaceable habitats. NPPF paragraph 193(c) requires development resulting in the loss or deterioration of irreplaceable habitats to be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. Policy PPL4 contains no such test. Nor does it require a buffer to ancient woodland; we recommend a buffer of at least 50 metres, consistent with the Woodland Trust's recommended minimum for development, but significantly larger where evidence supports the need, unless the applicant can clearly demonstrate that a smaller buffer would avoid harm; the Natural England and Forestry Commission standing advice minimum of 15 metres applies to root protection only and is insufficient protection from new development. Saltmarsh, which fringes much of Tendring's coast and is now identified as irreplaceable in the 2026 NPPF, should be named. This omission is significant given that the Horsley Cross allocation contains ancient woodland (Section 10).

5.4 Protected species. The policy states that "as a minimum, there should be no significant impacts upon any protected species". This falls short of the legal position. Surveys and any necessary mitigation must be in place before determination, and where European protected species are affected the Council must be satisfied that a Natural England licence is likely to be granted.

5.5 Conflicting tests. The policy protects Local Wildlife Sites from development "likely to have an adverse impact", but a later paragraph states that where development would harm biodiversity, permission may be granted "in exceptional circumstances, where the benefits of the development demonstrably outweigh the harm caused". It should be made clear that the latter does not weaken the protection given to Local Wildlife Sites.

5.6 Functionally linked land. The requirement for "an equivalent amount of land" to be managed for SPA birds is not evidence-based; the area and quality of replacement habitat depend on the species and on the function the land performs. The policy should require replacement habitat to be secured, and fully functional, before development affects SPA birds, as Policies SAMU8 and SAMU9 already do. Where the loss of functionally linked land would adversely affect site integrity, the policy should state that replacement habitat is compensation and is available only where the derogation tests are met (see Section 3.5).

5.7 Greenspace thresholds. Natural England's advice issued with the Essex Coast RAMS in 2018 expected developments of 100 or more dwellings within the Zone of Influence to provide high-quality, semi-natural greenspace, including circular walks of 2.7 km and dog off-lead areas. Policy PPL4 requires no on-site provision for developments of 10–499 dwellings more than 1 km from a habitats site, although the AA (paragraph 4.10.15) expects accessible natural greenspace in such cases. That requirement should be added. SANG should be

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required to be open before the first occupation of the development it serves, and managed in perpetuity (a minimum of 80 years).

5.8 Features for wildlife. The policy states that development "should consider" bird and bat boxes, Swift and bee bricks, log piles, hibernacula and Hedgehog highways. The Trust asks that these be required, in line with Policy N2(1)(f) of the 2026 NPPF for Swift bricks, together with dark corridors for light-sensitive species such as bats, and a lighting criterion within the policy itself (the reference is currently only in supporting paragraph 3.71).

5.9 Responsibility for HRA. The statement that "applications must be supported by a Habitats Regulation Assessment" should be amended to make clear that applicants must provide the information needed for the Council, as competent authority, to carry out the assessment.

Modification sought. Amend Policy PPL4 and paragraphs 7.16–7.17 as set out above, including separate tests for habitats sites, SSSIs, irreplaceable habitats and Local Wildlife Sites; an ancient woodland buffer; a correct statement of the derogation tests; replacement habitat for functionally linked land secured before impact; accessible natural greenspace for developments of 100 or more dwellings; and mandatory wildlife features.

6. Biodiversity Net Gain, the Local Nature Recovery Strategy and monitoring

6.1 Strategic Policy PPL4a: Biodiversity Net Gain in Tendring
Representation: the Trust supports the 20% requirement, but Policy PPL4a is not sound as drafted, being neither effective nor justified.

The Trust strongly supports the Council's decision to require 20% Biodiversity Net Gain, which we requested at Issues and Options. In the context of the nature and climate emergency, development should deliver more than the statutory minimum, with gains strategically targeted through the Essex LNRS and secured for the long term. However:

- the policy states that the 20% will be delivered "within the development site", and in the following sentence that it "may be met at an off-site location or via the purchase of credits". The two statements conflict and should be reconciled by requiring as much of the gain as possible on site, in accordance with the statutory biodiversity gain hierarchy;
- the Trust has not been able to locate viability or deliverability evidence supporting a district-wide 20% requirement, as NPPF paragraph 32 requires. This should be published;
- under Policies N1(2) and N2(3) of the 2026 NPPF, gains above the statutory minimum may be required only for specific site allocations. A district-wide requirement is therefore at risk of being given very limited weight in decisions. The 20% requirement already written into Policies SAMU5 to SAMU9, the SAH policies and SAE3 is robust in this respect, and should be added to Policies SAMU1 to SAMU4 and to new site policies for the Medium Site Allocations;
- off-site gains should be delivered within Tendring wherever possible, prioritising the Strategic Opportunities identified in the Essex LNRS and land adjoining existing designated sites, and should never double-count land already provided as SANG or as replacement habitat for functionally linked land;
- the requirement to secure significant on-site and off-site gains for at least 30 years should appear in the policy itself, not only in supporting paragraph 7.34 and the clause on monitoring fees.

The Trust notes the Council's support for habitat banks, particularly on land adjoining sites designated for nature conservation, within Strategic Green Gaps, and within LNRS Strategic Opportunity areas.

6.2 Policy HP5 and the Essex Local Nature Recovery Strategy
Representation: the Plan is not effective in applying the Essex LNRS.

Policy HP5 (Open Space, Sports and Recreation Facilities) states that the Council will protect and enhance the Areas of Particular Importance for Biodiversity identified in the Essex LNRS and safeguard the Strategic Combined Opportunity Areas. The Trust strongly supports this commitment, but it is located in the wrong policy: as drafted, it may be read as applying only to proposals involving open space. It should be moved to Policy PPL4 so that it applies to all development, and these areas should be shown on the Policies Map.

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6.3 Chapter 11: Monitoring and Review
Representation: the monitoring framework is not effective (NPPF paragraph 36(c)).

The only biodiversity-related indicator in Table 11.1 is the delivery of projects within the Essex Coast RAMS. There are no indicators for:

- Biodiversity Net Gain delivered, on site and off site, and its condition over the 30-year period;
- the loss of, or harm to, Local Wildlife Sites, ancient woodland and priority habitats;
- the area of SANG provided, and whether it was open before occupation;
- the area and condition of replacement habitat for functionally linked land;
- the condition of Sites of Special Scientific Interest in the District;
- the "Iterative Plan Review" of HRA mitigation on which the Appropriate Assessment relies (paragraph 4.1.10).

Modification sought. Reconcile the on-site and off-site wording of Policy PPL4a; publish evidence for the 20% requirement; insert the 20% requirement into every site allocation policy; move the LNRS protections from Policy HP5 to Policy PPL4; and add the indicators above to Table 11.1, with triggers for review.

7. The coast

Tendring's estuaries and coast are of international importance for wintering and breeding birds, including Dark-bellied Brent Goose, Redshank, Black-tailed Godwit, Avocet, Ringed Plover and Little Tern, and Hamford Water is designated as a Special Area of Conservation for Fisher's Estuarine Moth. The Trust considers that the Plan does not plan positively for the coast's wildlife or for the effects of coastal change on its habitats.

7.1 Strategic Policy PPL2: Coastal Protection Belt, and coastal change
Representation: the Plan is not consistent with national policy on coastal change, and is not effective.

Policy PPL2 is a landscape policy which protects the open character of the undeveloped coast. The Trust supports it. However, paragraph 3.67 of the Plan states that the Plan does not designate any Coastal Change Management Areas, deferring the matter to future reviews. National policy requires plans to identify as a Coastal Change Management Area any area likely to be affected by physical changes to the coast, and Policy F9 of the 2026 NPPF ties decisions on development in such areas directly to that designation.

The Plan also contains no policy on:

- coastal squeeze, by which saltmarsh and intertidal mudflat are lost as sea levels rise against fixed defences;
- safeguarding land for managed realignment and the creation of new intertidal habitat, consistent with the Essex and South Suffolk Shoreline Management Plan;
- the protection of saltmarsh as an irreplaceable habitat;
- the disturbance effects of increased public access along the King Charles III England Coast Path, which paragraph 7.9 welcomes without reference to the habitats sites it passes.

7.2 Non-strategic Policy PPL12c: Protection of the Naze
Representation: Policy PPL12c is not sound (justified, effective) and was not lawfully screened in the HRA.

The Naze is a Site of Special Scientific Interest designated largely for its geology, and includes the Trust's John Weston Nature Reserve and Naze Discovery Centre. Paragraph 7.92 and criterion (c) refer to the "John Western Local Nature Reserve", which should be corrected to the John Weston Nature Reserve. The Trust shares the Council's concern for the Naze, but the policy's emphasis on strengthening protection "from coastal erosion" may conflict with the SSSI's geological interest, which depends on active cliff exposure, and could affect sediment supply to the Hamford Water frontage. Criterion (d), supporting eco-tourism, should be tied to the avoidance of disturbance to Hamford Water. The HRA screened the policy out without stated reasons (Section 3.1).

7.3 Non-strategic Policy PP15: Walton Mere
Representation: Policy PP15 is not sound (effective) and was not lawfully screened in the HRA.

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The Trust welcomes the policy's support for saltmarsh creation and its reference to the LNRS. However, the allocation of floating homes, houseboats, a boating lake, a tidal sluice, a new sea wall and commercial uses on the edge of the Walton Backwaters creates clear pathways to disturbance of the qualifying birds of Hamford Water SPA, and to changes in water quality and coastal processes. The HRA screened the policy out "with these measures embedded", contrary to *People Over Wind*.

Modification sought. Identify Coastal Change Management Areas, and add a coastal policy (or criteria within PPL2) to safeguard land for managed realignment and intertidal habitat creation, to treat saltmarsh as irreplaceable habitat, and to require coastal access proposals to avoid disturbance to habitats sites. Amend Policy PPL12c to reconcile coastal protection with the SSSI's geological interest and Hamford Water, and correct the name of the John Weston Nature Reserve. Add to Policy PP15 requirements for a project-level Appropriate Assessment, construction outside the wintering period, controls on lighting, noise and boat movements, and no net loss of saltmarsh.

8. Tourism policies and Lower Farm, Brightlingsea

8.1 Strategic Policy PP8 and Non-strategic Policies PP10 and PP11
Representation: Policies PP8, PP10 and PP11 and paragraphs 6.76–6.78 are not sound, being neither effective nor consistent with national policy (NPPF paragraphs 188 and 194), and PP10 and PP11 were not lawfully screened in the HRA.

The Trust recognises the importance of tourism to Tendring's economy. However, new tourism development must be strategically planned and located where it will have least impact on the District's internationally important coast. The Plan does the opposite:

- Policy PP8 supports new marinas, boat harbours and yacht havens and outdoor recreation on the coast, "subject to other relevant policies", with no specific safeguards for habitats sites.
- Paragraph 6.77 states that the Council will support new holiday villages "located preferably in a predominantly wooded and undulating landscape setting with water features". Woodland, wetland and lakes are among the most wildlife-rich habitats in the District, and many are Local Wildlife Sites or priority habitat. This wording steers tourism development towards land of high environmental value, contrary to NPPF paragraph 188.
- Policy PP11 supports the extension of any existing holiday park onto adjoining undeveloped land outside settlement boundaries. Many of Tendring's holiday parks adjoin the Colne Estuary, Hamford Water and the open coast.
- Policies PP10 and PP11 ask applicants within 1.5 km of a designated site to "seek the advice of Natural England". Seeking advice is not a policy test, the 1.5 km distance is unexplained, and functionally linked land, Local Wildlife Sites, priority habitats and lighting are not mentioned.
- Visitor accommodation is not covered by the Essex Coast RAMS tariff, and the recreational effects of tourism growth have not been assessed in the HRA.

8.2 Lower Farm, Brightlingsea (application 23/01196/FUL)

The Trust's continuing objection to the proposed holiday park, retirement lodges and leisure development at Lower Farm, East End Green, Brightlingsea demonstrates why these policies need to be strengthened. The Trust objected to the application in October 2023 and December 2024, and maintains its objection. The site lies approximately 135–150 metres from the Colne Estuary SPA, Ramsar site, SSSI and National Nature Reserve; includes Robinson Road Ponds Local Wildlife Site (wet woodland and reedbed priority habitats); and adjoins Lower Farm Marshes Local Wildlife Site, which the 2008 Local Wildlife Site Review records as "an important high water roosting and resting site for wildfowl and waders". The application land supports wintering Curlew, a notified feature of the SPA's waterbird assemblage, along with Gadwall, Woodcock and Meadow Pipit, and breeding Skylark. Local naturalists have regularly recorded flocks of 20–40 Curlew from the public right of way at Stoney Lane, well above the 1% threshold of around 4 birds, based on BTO WeBS counts showing that the mean peak curlew count for the Colne Estuary SPA for the years 2018/19 to 2022/23 was 389.

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The Trust understands that the applicant now accepts that the land is functionally linked to the SPA, that an adverse effect on its integrity cannot be ruled out, and proposes compensation. In those circumstances the law is clear, and the application must be refused:

- **The integrity test is failed.** Under regulation 63(5) of the 2017 Regulations, the Council may agree to a project only after ascertaining that it will not adversely affect the integrity of the site, leaving no reasonable scientific doubt. Replacement habitat elsewhere is compensation and cannot be taken into account at this stage.
- **There are alternative solutions.** Government guidance states that an alternative need only achieve the same overall objective and be financially, legally and technically feasible, and that if one appears feasible the project must be rejected. The objective is the provision of tourism and retirement accommodation in Tendring, not development of this particular site. Alternatives include the upgrading and extension of existing holiday parks, which Policy PP11 supports; and the housing allocations in the Plan, which meet the District's requirement in full. The Trust's position is that the site is unsuitable for development of any kind, given its functional link to the Colne Estuary SPA, and that the need for tourism accommodation can be met in full at other locations.
- **There are no imperative reasons of overriding public interest.** Although reasons of a social or economic nature may be considered for an SPA, Government guidance states that the project must be essential, must have benefits for the public "not just benefits for private interests", and that projects with "short-term or very localised benefits" are less likely to qualify. A privately promoted holiday park is discretionary commercial leisure development; its benefits are principally private and its public benefits are modest and local. Nothing in the Local Plan's strategy depends on it. The contrast with Bathside Bay, a nationally significant port project for which imperative reasons were accepted, is instructive.
- **Compensation cannot be weighed in the planning balance.** Compensation arises only if the alternatives and IROPI tests are met. It cannot be used to secure consent that would otherwise be unlawful, and the Council cannot weigh the economic benefits of the scheme against the harm to the SPA. Were the Council nevertheless minded to grant permission under regulation 64, it would first be required to notify the Secretary of State, and the Trust would ask to be informed so that it can make representations.

The proposal would also cause harm to Robinson Road Ponds Local Wildlife Site, contrary to Policy PPL4; to the Colne Estuary SSSI and NNR (NPPF paragraph 193(b)); and result in a significant net loss of biodiversity, including grassland used by breeding Skylark. Although the site lies outside the Coastal Protection Belt, its lodges, decking, lighting and leisure uses would cause material harm to the undeveloped estuary landscape and its dark skies, contrary to Policy PPL3.

The Trust raises this application here because the Plan, as drafted, would make such proposals more likely to succeed: paragraph 6.77 favours exactly this type of wooded, water-feature setting; Policy PP11 was screened out of the HRA; and paragraph 7.17 misstates the derogation tests (Section 5.1).

Modification sought. Delete from paragraph 6.77 the preference for "a predominantly wooded and undulating landscape setting with water features". Add to Policies PP8, PP10 and PP11 criteria that new or extended tourism development will not be supported where it would result in the loss of, or harm to, Local Wildlife Sites, priority habitat or functionally linked land; that a project-level HRA will be required within the Essex Coast RAMS Zone of Influence; and that imperative reasons of overriding public interest will not be available for private tourism development. Replace the 1.5 km "advice" clause with these requirements.

9. Tendring Colchester Borders Garden Community and strategic allocations SAMU2–SAMU7

The ecological safeguards in the strategic allocation policies are uneven. The newer policies (SAMU5 to SAMU9) contain clauses on SANG, functionally linked land, the LNRS and 20% Biodiversity Net Gain. The carried-forward policies (SAMU1 to SAMU4) contain few or none, although together they account for around 7,500 homes in Tendring's supply.

9.1 Strategic Policy SAMU1: Tendring Colchester Borders Garden Community

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Representation: Policy SAMU1 is not effective, and the Garden Community has not been re-assessed in the HRA or in the ISA site appraisal.

The Trust recognises that the detailed requirements for the Garden Community are set out in the Development Plan Document adopted in 2025 and in saved Section 1 Policies SP8 and SP9, and welcomes the Salary Brook Country Park and the Wivenhoe and Elmstead Strategic Green Gaps. However, Policy SAMU1 contains no reference to the HRA mitigation on which the DPD relies, and the Garden Community has not been re-assessed in combination with the very substantial new growth proposed nearby at Hare Green, Horsley Cross and Collierswood Farm (SAE3), or against the revised Essex Coast RAMS (2026). It is also the only strategic allocation without a 20% Biodiversity Net Gain requirement.

Modification sought: cross-refer in Policy SAMU1 to the DPD's HRA mitigation (including early delivery of the country park and SANG, RAMS contributions and wintering bird surveys with phasing), require 20% Biodiversity Net Gain, and assess the Garden Community in combination with the rest of the Plan.

9.2 Strategic Policy SAMU2: Hartley Gardens, Clacton (1,870 homes)
Representation: not sound (effective, consistent with national policy).

Hartley Wood (Local Wildlife Site Te80) is ancient woodland on the north-western edge of the allocation. The policy protects "veteran trees, hedgerows and other important landscape features" but sets no buffer to the ancient woodland. Pickers Ditch runs along the southern edge; the 2008 Local Wildlife Site Review recommended a grassland or scrub buffer at least 50 metres wide on either side of it, whereas the policy asks only that the corridor be "expanded and integrated". There is no requirement for SANG, wintering bird surveys or RAMS contributions, although Policy PPL4 requires SANG at this scale and the site comprises around 163 hectares of open arable land.

Modification sought: an undeveloped buffer to Hartley Wood of at least 50 metres (larger where evidence supports it); a minimum 50-metre semi-natural corridor along Pickers Ditch; and clauses on SANG, functionally linked land and RAMS consistent with SAMU5 to SAMU9.

9.3 Strategic Policies SAMU3: Oakwood Park (925 homes) and SAMU4: Rouses Farm (950 homes)
Representation: not sound (effective) and not assessed in the HRA.

Neither policy contains any requirement relating to biodiversity, habitats sites, SANG, functionally linked land, RAMS or Biodiversity Net Gain. Although planning permission has been granted at Rouses Farm, paragraph 9.21 explains that the policy is retained in case further applications are made. Both sites exceed the 500-dwelling threshold at which Policy PPL4 requires SANG.

Modification sought: add the standard ecological clauses used in SAMU5 to SAMU9 to both policies.

9.4 Strategic Policy SAMU5: Land off Deane's Lane and Oakley Road, Dovercourt (1,650 homes)
Representation: not sound (effective, justified).

This allocation directly adjoins Hamford Water SPA, SAC and Ramsar site and its saltmarsh. The Trust welcomes the policy's requirements for SANG, functionally linked land, the LNRS and 20% Biodiversity Net Gain. However, the HRA's conclusion that direct disturbance can be avoided depends on built development being kept well back from the designated site; the AA notes that visual disturbance is unlikely beyond about 300 metres and that noise should be kept below 55 dB at the site boundary. None of this is in the policy.

Modification sought: require an undeveloped buffer between built development and Hamford Water, informed by the AA's 300-metre reasoning; sensitive lighting and noise limits; construction programmed outside the wintering period near the designated site; wintering bird surveys to inform the masterplan (not left to individual applications); SANG to be open before first occupation; and land to allow for the landward migration of saltmarsh as sea levels rise.

9.5 Strategic Policy SAMU6: Weeley Green Garden Village (900 homes)

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Representation: Policy SAMU6 is not sound (effective, consistent with national policy) because it does not address recreational impacts on Weeleyhall Wood SSSI.

The Trust supports the policy's ecological clauses, including 20% Biodiversity Net Gain, alignment with the LNRS and the provision of strategic open space. However, the Trust is seriously concerned about the effects of 900 new homes on Weeleyhall Wood Site of Special Scientific Interest. The wood is ancient woodland and a Trust nature reserve just slightly over 1km from the allocation, well within walking distance of the new homes. The ISA records that the allocation lies within the SSSI's Impact Risk Zone, but neither the ISA nor the policy considers recreational pressure on the wood.

A new population of around 2,000 residents, many of them dog owners, would be able to walk to the reserve in 15 minutes or so, and would substantially increase visitor numbers. From the Trust's experience of managing the site, the likely impacts include:

- dogs being walked in the wood between 1 March and 1 July (when dogs are not permitted in order to protect ground-nesting birds);
- dogs off lead during the rest of the year, when they must be kept on a lead;
- trampling of the ancient woodland ground flora and erosion of paths;
- noise disturbance to breeding birds and other wildlife;
- littering, den building and other damage to the woodland structure.

The Trust does not have a full-time warden on site to manage these pressures.

Weeleyhall Wood is not part of the National Site Network, so the Essex Coast RAMS does not apply to it. NPPF paragraph 193(b) states that development likely to have an adverse effect on an SSSI should not normally be permitted. The Council also has a duty under section 28G of the Wildlife and Countryside Act 1981 to take reasonable steps to further the conservation and enhancement of the SSSI's features. Paragraph 7.19 of the Plan recognises that SANG can mitigate recreational pressure on SSSIs as well as on habitats sites. Policy SAMU6, however, requires SANG only "where necessary" and only in relation to Habitats Sites. The 1km distance in Policy PPL4 relates to smaller developments near habitats sites. At 900 dwellings, Policy PPL4 requires SANG regardless of distance, and recreational pressure on a SSSI woodland reserve slightly over 1km away is a foreseeable effect that should be planned for. The impacts would be compounded by other growth at Weeley and Weeley Heath, including the consented Barleyfields development and Medium Site Allocations MSA24, MSA25 and MSA29.

The associated capacity upgrades to the A133 between Weeley and Frating should also be assessed for their effects on nearby ancient woodland, including Weeleyhall Wood.

Modification sought: amend Policy SAMU6 to require:

- an assessment of recreational impacts on Weeleyhall Wood SSSI, alone and in combination with other development at Weeley and Weeley Heath, to inform the masterplan;
- on-site SANG, designed in accordance with Natural England's guidelines to be attractive to dog walkers (including circular walks and a dogs-off-lead area), located to draw visitors away from the wood, and open before first occupation;
- a financial contribution, secured through a planning obligation, towards the management of recreational pressure at the SSSI. This would cover wardening and ranger time, signage, access management and fencing, and monitoring of visitor numbers and ground flora condition, with arrangements for review if monitoring shows harm;
- information for new residents on the seasonal dog restrictions and responsible access.

The Trust will be seeking Natural England's advice on the appropriate scale of mitigation. It asks the Council to work with Natural England and the Trust to agree the mitigation package before the masterplan is approved.

9.6 Strategic Policy SAMU7: Saltings Quarter, Manningtree (40 homes)

The Trust welcomes the requirements for river restoration, ecological enhancement and 20% Biodiversity Net Gain. The site adjoins the Stour and Orwell Estuaries SPA. The AA's assumption that waterbirds there are

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"habituated" to disturbance is not supported by evidence, and the policy should require construction timing and lighting controls to protect the estuary's wintering birds.

10. Hare Green and Horsley Cross Garden Villages (SAMU8 and SAMU9)

Representation: Policies SAMU8 and SAMU9 are not sound, being neither justified, effective nor consistent with national policy (NPPF paragraphs 188, 192 and 193), and their assessment in the HRA and ISA does not provide a sound basis for allocation.

The Garden Villages at Hare Green (around 4,500 homes and 70–80 hectares of employment land) and Horsley Cross (up to 6,000 homes and 50–60 hectares of employment land) are the largest new proposals in the Plan, and together are expected to deliver 3,400 homes before 2043. The Trust notes several of their requirements: 20% Biodiversity Net Gain; alignment of green infrastructure with the LNRS; new country parks; wintering bird surveys; and the requirement that any replacement habitat for SPA birds be "provided and fully functional before any development takes place". However, the Trust has serious concerns.

10.1 No defined boundaries. Each Garden Village is identified only within a "broad area", and both policies refer to "Map SAMU7", which is the map for the Saltings Quarter in Manningtree. The boundary and quantum of development are left to a future Supplementary Plan, plan review or successor mechanism. It is not possible for the HRA or the ISA to assess, or for consultees to comment on, the effects of development whose extent is undefined. Yet 3,400 homes from these sites are counted in the housing supply to 2043.

10.2 Ancient woodland and Local Wildlife Sites. The ISA records that the Horsley Cross area contains "two areas of Ancient Woodland" and four areas of deciduous woodland priority habitat, and that the Hare Green area contains around six areas of deciduous woodland priority habitat. Appendix C of the Plan lists ancient woodland and Local Wildlife Sites in the Frating and Great Bromley area, including Frating Hall/Captains Woods, Hockley Farm Wood, Church Road Wood and Mill Wood, with Boudge Hill Wood also on the ancient woodland inventory. Neither policy names any of these woodlands, sets a buffer to them, or applies the irreplaceable habitats test in NPPF paragraph 193(c). The ISA's assumption that ancient woodland "could be expected" to be integrated into development is not an adequate basis for allocating a site containing irreplaceable habitat. Woodland of this kind in Tendring supports priority species, and the farmland, hedgerows and scrub of the Tendring plateau are important for Turtle Dove, Skylark, Yellowhammer and Brown Hare.

10.3 Functionally linked land. Both areas are predominantly open arable land within the Essex Coast RAMS Zone of Influence, and both are screened in by the HRA for potential loss of functionally linked land supporting SPA birds such as Golden Plover, Lapwing and Dark-bellied Brent Goose. No wintering bird surveys have yet been carried out; they are deferred to the preparation of the planning framework. Without them, the Council cannot be confident that sufficient replacement habitat will be available (Section 3.4), and land that proves to be of importance to SPA birds could not lawfully be built on.

10.4 SANG. At full build-out, Natural England's standard of 8 hectares per 1,000 residents implies around 79 hectares of SANG at Hare Green and around 106 hectares at Horsley Cross. No land has been identified. The requirement that replacement habitat be functional before development should be extended to SANG.

10.5 Water quality. Each Garden Village is to be served by a new Water Recycling Centre. Their discharge points, and whether they would discharge to watercourses draining to the Colne Estuary or the Stour Estuary, are not known. The HRA notes that Hare Green drains via Tenpenny Brook and Bentley Brook to the Colne Estuary SPA and the Essex Estuaries SAC. Bentley Brook is itself a Local Wildlife Site (Te50) supporting Water Vole.

10.6 Land of least environmental value. The ISA records that the Hare Green area is predominantly Grade 1 agricultural land and that both areas contain priority or irreplaceable habitat. The Plan does not explain why these locations were preferred to alternatives of lower environmental value, as NPPF paragraph 188 requires.

Modification sought. Before these allocations can be found sound, the Council should: define their boundaries on the Policies Map, with corrected map references; map the ancient woodland, Local Wildlife Sites and priority habitats within and adjoining them, and add to each policy a requirement for their retention with buffers of at least

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50 metres to ancient woodland (larger where evidence supports it) and the application of the irreplaceable habitats test; carry out wintering bird surveys of the allocation areas now; identify SANG land and require it to be open before first occupation; and confirm the discharge points of the new Water Recycling Centres and assess them in the HRA.

11. Strategic housing, medium site and employment allocations

11.1 Strategic Housing Allocations SAH1–SAH11
Representation: the SAH policies are broadly sound, subject to two modifications needed for effectiveness and legal compliance.

The Trust notes the consistent template used in the SAH policies, which require 20% Biodiversity Net Gain, the retention and enhancement of features of ecological value through the mitigation hierarchy, alignment with the LNRS, SANG where necessary, and the protection of functionally linked land. However:

- the stronger wintering bird clause, requiring surveys before approval and replacement habitat to be fully functional before any impact on SPA birds, appears only in Policies SAH1 and SAH9. It should also be included in Policies SAH6 (Cockaynes Lane, Alresford) and SAH11 (Thorpe-le-Soken), both of which the HRA screened in for functionally linked land, and in Policy SAH2 (Kirby Cross, 450 homes);
- the words "avoided, mitigated or compensated for" should be replaced by "avoided or, where avoidance is not possible, mitigated", for the reasons given in Section 3.5.

11.2 Medium Site Allocations MSA1–MSA37
Representation: the Medium Site Allocations are not sound (effective, justified), because they have no site policies.

The Plan identifies 36 Medium Site Allocations, totalling around 1,240 homes, by map only. Section 6.8 of the ISA Environmental Report explains that they have no policies "due to their size and comparatively less complex nature". The Trust does not agree in the case of the following sites, which the HRA has screened in or which adjoin sensitive habitats:

Site	Homes	Ecological concern
MSA35 Land North of Robinson Road, Brightlingsea	25	Abuts Big Lake on the Lower Farm land to the east across Stoney Lane and woodland to the north; within 1 km of the Colne Estuary SPA; cumulative effects with the Lower Farm holiday park application
MSA33 Former Wellhouse Site and MSA34 Vicarage Field, Brightlingsea	60 and 30	Within 1 km of the Colne Estuary SPA
MSA6 Land at Pannell Place, Brightlingsea	20	Within 1 km of the Colne Estuary SPA
MSA7 Land south-west of Colchester Main Road, Alresford	40	Screened in by the HRA for functionally linked land
MSA17 Land north of Walton Road, Kirby-le-Soken	10	Within 1 km of Hamford Water
MSA28 Land north of Rectory Road, Wrabness	30	Within 1 km of the Stour Estuary; near Wrabness woodland Local Wildlife Sites

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Site	Homes	Ecological concern
MSA3 Affinity Water, Manningtree and MSA4 Crisp Malting, Mistley	80 and 50	Adjoining or close to the Stour and Orwell Estuaries SPA; Manningtree WRC lacks capacity

MSA35 deserves particular mention. The site map (page 306 of the Plan) shows the allocation close to Big Lake, on the private Lower Farm land, with woodland to the north. 25 homes only metres away from the lake would introduce lighting, noise and domestic cats to the lake margins and woodland. Combined with the holiday park proposed at Lower Farm, which would also affect Big Lake and which the Trust is contesting, this would erode the tranquil land that buffers the Colne Estuary SPA. The ISA's only commentary is that the site forms "a logical extension of the settlement northwards".

Modification sought: site policies for each of the sites in the table, requiring SANG or accessible natural greenspace in accordance with Policy PPL4, wintering bird surveys where the site has been screened in, buffers to adjoining habitats, and 20% Biodiversity Net Gain. For MSA35, the policy should require a substantial undeveloped and unlit buffer to Big Lake and the northern woodland, wintering bird and protected species surveys, and assessment of cumulative effects with the Lower Farm proposals.

11.3 Strategic Policy SAE1: Carless Extension, Harwich
Criterion (a) states that if significant effects are likely, "an appropriate mitigation strategy should be submitted". The correct test is whether an Appropriate Assessment can conclude that there will be no adverse effect on the integrity of the Stour and Orwell Estuaries SPA and Ramsar site. Criterion (d) should identify the adjacent wildlife sites, including Ramsey Ray Local Wildlife Site (Te115).

11.4 Strategic Policy SAE2: Freeport East, Bathside Bay and the A120 Corridor
The consented container terminal at Bathside Bay depends on compensatory habitat at Hamford Water. The policy should require that compensation to be secured, delivered and functioning, and monitored, before the phases of development it compensates for. Further A120 works, including dualling between Hare Green and Horsley Cross and widening towards Ramsey, should be assessed for nitrogen deposition on Stour and Copperas Woods SSSI and other ancient woodland, as well as on the SPA.

11.5 Strategic Policy SAE3: Collierswood Farm A120 Strategic Business Park (78 hectares)
The HRA screened this site in for functionally linked land, but the policy contains only a RAMS clause. The ISA records deciduous woodland priority habitat on the site, and the policy itself notes that the LNRS identifies a need for woodland habitat enhancement here. The Trust notes the 20% Biodiversity Net Gain requirement.

Modification sought: add a wintering bird survey and replacement habitat clause matching Policies SAMU8 and SAMU9, a requirement to retain woodland with buffers, and an assessment of effects on nearby ancient woodland, including Bullock Wood SSSI.

11.6 Drafting errors. Policies SAMU8 and SAMU9 refer to "Map SAMU7"; Policy SAH11 refers to "Map SAH9/10"; and Policies SAMU6 and SAMU9 refer to employment land allocated by "Policy PPL7" (Archaeology) rather than Policy PP7. These should be corrected so that the policies can be applied with certainty.

12. Local Wildlife Sites, priority habitats and species, and the evidence base

Representation: the Plan's ecological evidence base is not proportionate or up to date, so the Plan is not justified (NPPF paragraph 32) and is not consistent with NPPF paragraph 192, which requires plans to identify, map and safeguard components of local ecological networks.

12.1 Local Wildlife Sites. Local Wildlife Sites are the backbone of Tendring's ecological network and of the emerging Local Nature Recovery Network, and the Trust welcomes their protection in Policy PPL4. However, Appendix C reproduces, unchanged, the 124 sites identified in the Tendring District Local Wildlife Site Review

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2008 (EB7.3.3), which was surveyed in 2008 and finalised in September 2009. That review stated that the network "should not be static" and recommended that sites be reviewed on a four-year cycle. Seventeen years later, there has been no review. In that time there have been substantial changes in agricultural practice, coastal management and the Local Wildlife Site selection criteria. Some sites may have been lost or degraded, others may now qualify, and the potential Local Wildlife Sites identified in 2008 have not been resurveyed. The Plan cannot demonstrate that its allocations avoid sites of county importance without current information.

12.2 Ancient woodland. Table C.2 of Appendix C is sourced to "Natural England, February 1992, reviewed June 2012". The current Ancient Woodland Inventory should be used, and small ancient woodlands of less than two hectares, which the inventory has historically omitted, should be checked, particularly within and around the Garden Villages.

12.3 Recommendations of the 2008 Review not carried forward. Several recommendations of the 2008 Review bear directly on the current allocations but are not reflected in the Plan, including:

- a grassland or scrub buffer at least 50 metres wide on either side of Pickers Ditch, now on the edge of the Hartley Gardens allocation (SAMU2);
- a survey of winter high-tide roosting activity before the development of fields adjoining the Colne Estuary at Brightlingsea;
- the identification of Lower Farm Marshes (Te51) as an important high-water roost for wildfowl and waders feeding on the adjacent SSSI.

12.4 Priority habitats and species. The Plan contains no inventory or map of the habitats and species of principal importance listed under section 41 of the Natural Environment and Rural Communities Act 2006, and no policy on priority species beyond the general clause in Policy PPL4. Tendring is of particular importance for species including Turtle Dove, Curlew, Skylark, Water Vole, Little Tern and Fisher's Estuarine Moth, and for priority habitats including coastal and floodplain grazing marsh, coastal saltmarsh, wet woodland, reedbed and lowland meadow. None of these is considered specifically in site selection or in the site allocation policies. In particular, Turtle Dove, which has declined severely in the United Kingdom and for which the farmland, hedgerows and scrub of north-east Essex remain an important stronghold, should be considered in the planning of the Garden Villages.

12.5 Missing strategic evidence. For a Plan proposing growth on this scale on predominantly greenfield land around an internationally designated coast, the Trust would expect the following evidence to be in place before examination:

- a district-wide wintering bird and functionally linked land survey of the allocation areas, which the HRA's approach effectively requires;
- a SANG strategy identifying the location, catchment, quantity and delivery of SANG;
- an updated Local Wildlife Site review and ecological network map aligned with the Essex LNRS;
- a green infrastructure strategy prepared in accordance with Natural England's Green Infrastructure Framework, to which the Plan does not refer;
- current unit condition data for the District's SSSIs, particularly the estuarine SSSIs exposed to coastal squeeze.

Modification sought. The Council should commit, in the Plan and its monitoring framework, to an updated Local Wildlife Site review and the use of the current Ancient Woodland Inventory before or shortly after adoption; carry the 2008 Review's site-specific recommendations into the relevant allocation policies; add a priority habitats and species policy (or criteria within PPL4); and prepare the strategic evidence listed above.

13. Summary of modifications sought and participation in the examination

The table below summarises the main modifications the Trust considers necessary to make the Plan legally compliant and sound. Each is explained in the section indicated.

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Section	Policy or document	Modification sought	Legal compliance / soundness
3	Habitats Regulations Assessment	Screen in and assess PP10, PP11, PP15, PPL2 and PPL12c; assess SAMU1–SAMU4 in combination; correct the account of embedded mitigation; base conclusions on functionally linked land and SANG evidence; record Natural England's advice	Legal compliance (regulation 105)
4	Integrated Sustainability Appraisal	Finalise the Environmental Report; publish detailed appraisals of MSA29–MSA37, SAE1–SAE2 and SAMU1–SAMU4; update the biodiversity baseline; correct scoring of functionally linked land, irreplaceable habitat and Biodiversity Net Gain; set out alternatives to the Garden Villages	Legal compliance (SEA Regulations); justified
5	PPL4 and paragraphs 7.16–7.17	Separate tests for habitats sites, SSSIs, irreplaceable habitats (including saltmarsh) and Local Wildlife Sites; ancient woodland buffer; correct derogation tests; functionally linked land replacement secured before impact; greenspace for 100+ dwellings; mandatory Swift bricks and wildlife features; lighting criterion	Effective; consistent with national policy
6	PPL4a, HP5, Chapter 11	Reconcile on-site and off-site wording; publish evidence; 20% in every allocation	Effective; justified

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Section	Policy or document	Modification sought	Legal compliance / soundness
		policy; move LNRS protections to PPL4; biodiversity monitoring indicators	
7	PPL2, PPL12c, PP15	Identify Coastal Change Management Areas; safeguard land for intertidal habitat; protect saltmarsh; reconcile Naze protection with the SSSI and Hamford Water; safeguards for Walton Mere	Consistent with national policy; effective
8	PP8, PP10, PP11, paragraph 6.77	Delete preference for wooded, water-feature settings; exclude Local Wildlife Sites, priority habitat and functionally linked land; require project-level HRA; state that IROPI is not available for private tourism development	Effective; consistent with national policy
9	SAMU1–SAMU7	Ecological clauses for SAMU1–SAMU4; Hartley Wood and Pickers Ditch buffers; Hamford Water buffer, lighting and noise limits at SAMU5; recreational impact assessment, SANG and a financial contribution towards the management of Weeleyhall Wood SSSI at SAMU6; construction and lighting controls at SAMU7	Effective; legal compliance
10	SAMU8, SAMU9	Define boundaries; protect ancient woodland, Local Wildlife Sites and priority habitat with buffers; wintering bird surveys now; identify SANG; assess new	Justified; effective; consistent with national policy

Section	Policy or document	Modification sought	Legal compliance / soundness
		WRC discharges; or identify as broad locations for a future plan	
11	SAH, MSA and SAE policies	Wintering bird clause for SAH2, SAH6 and SAH11; site policies for MSA3, MSA4, MSA6, MSA7, MSA17, MSA28 and MSA33–MSA35; buffer to Big Lake at MSA35; corrections to SAE1–SAE3	Effective; justified
12	Evidence base and Appendix C	Updated Local Wildlife Site review and Ancient Woodland Inventory; priority habitats and species policy; strategic functionally linked land survey; SANG strategy; green infrastructure strategy	Justified; consistent with national policy

Participation in the examination. The Trust may wish to participate in the hearing sessions on the Habitats Regulations Assessment, the natural environment policies, the coast and tourism policies, and the Garden Village and Brightlingsea allocations.

The Trust would welcome the opportunity to discuss these representations with the Council, and to work with officers on the Local Wildlife Site review and the strategic evidence described above, with a view to agreeing a Statement of Common Ground before submission.

Kind regards,

[redacted]

Annie Gordon
Conservation Planning Officer
Essex Wildlife Trust
T: 01621 862953

19 October 2026

Planning Policy Manager
Tendring District Council
Town Hall
Station Road
Clacton on Sea
CO15 1SE

BY EMAIL ONLY
[redacted]

Essex Wildlife Trust

Abbotts Hall Farm, Great Wigborough
Colchester, Essex, CO5 7RZ
T 01621 862960
E enquiries@essexwt.org.uk
www.essexwt.org.uk

Essex Wildlife Trust provides advice to Local Planning Authorities to inform planning decisions in respect of potential ecological impacts from development. If the applicant or any other interested party requires additional information on the advice we have provided, any such queries should be directed to the Planning Case Officer who will seek further information from us where appropriate and necessary.

Dear Paul,

Tendring District Local Plan Review 2026–2043 – Submission Version (Regulation 19): addendum to Essex Wildlife Trust's representations

Thank you for your query about the version of Annex C of the Integrated Sustainability Appraisal (ISA) referred to in the Trust's representations of 15 October 2026. In preparing our response we referred to the ISA Interim Report Annex C: Site Assessments (January 2026), prepared for the Regulation 18 Preferred Options, rather than the Environmental Report Annex C: Site Assessments (August 2026), which forms part of the Regulation 19 submission. We apologise for the error, and are grateful to you for drawing it to our attention.

We have now reviewed the August 2026 Annex C. We would be grateful if this addendum could be read alongside our representations, and the corrections below substituted for the text indicated. In summary:

- the August 2026 Annex C contains detailed assessments of the new Medium Site Allocations MSA33 to MSA37, and our statement that these had not been appraised is withdrawn;
- Medium Site Allocations MSA29 to MSA32 are allocations carried forward from the adopted Local Plan (Environmental Report, Table 20) and, like Strategic Allocations SAMU1 to SAMU4, have not been re-appraised at site level. Strategic Employment Allocations SAE1 and SAE2 are also not appraised in Annex C. Our representation on these allocations is maintained;
- Policy SAMU5 is scored as having a significant negative effect on wildlife designations in the August 2026 Annex C, and our statement that it scored only "?" is withdrawn;
- the Trust welcomes the revisions made to identify ancient woodland more consistently, made in response to our comments at Regulation 18. These reveal that the Collierswood Farm allocation (SAE3) contains ancient woodland and that MSA34 Vicarage Field, Brightlingsea adjoins ancient woodland, which strengthens our representations on those sites;
- the August 2026 Annex C still does not identify the relationship between MSA35 Land North of Robinson Road, Brightlingsea and the adjoining lake, woodland and functionally linked land at Lower Farm.

The Trust's overall conclusions on legal compliance and soundness are unchanged.

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Corrections by section:

Section 1 (Introduction and summary), "Sustainability Appraisal" bullet. Replace the bullet (which currently begins "The detailed site appraisals for several allocations, including the new Brightlingsea sites, have not been published") with:

> ***Sustainability Appraisal.*** *Allocations carried forward from the adopted Local Plan (SAMU1–SAMU4 and MSA29–MSA32) and two strategic employment allocations (SAE1 and SAE2) have not been appraised at site level; the appraisal understates effects on functionally linked land and priority habitat; and the biodiversity baseline is out of date.*

Section 4, introductory paragraph. Replace the reference to "the ISA Interim Report Annex C: Site Assessments (January 2026)" with "the ISA Environmental Report Annex C: Site Assessments (August 2026)".

Section 4.1. Replace the whole of section 4.1, from the heading "4.1 Allocations without a published detailed appraisal" to the end of the paragraph beginning "Consultees cannot test summary scores…", with:

> ***4.1 Allocations not appraised at site level.*** *The Trust welcomes the detailed assessments of the new Medium Site Allocations MSA33 to MSA37 in the August 2026 Annex C. However, Annex C contains no site assessment of:*

- Strategic Allocations SAMU1 to SAMU4 and Medium Site Allocations MSA29 to MSA32, which are carried forward from the adopted Local Plan (Environmental Report, Table 20);
- Strategic Employment Allocations SAE1 (Carless Extension) and SAE2 (Freeport East, Bathside Bay and the A120 Corridor).

> *Land on the edge of Clacton, Ardleigh, Elmstead and the Garden Community was also sieved out of the appraisal because it was already allocated (Reasons 5, 7, 8 and 9). These allocations are being re-allocated in a new plan, alongside around 7,400 additional homes and following the adoption of the revised Essex Coast RAMS in 2026. Their likely significant effects, alone and in combination, must be identified, described and evaluated as regulation 12 and Schedule 2 of the 2004 Regulations require.*

Section 4.2. Delete the final sentence ("Policy SAMU5, which borders Hamford Water SPA and its saltmarsh, scores only "?" for wildlife designations…") and replace with:

> *The Trust welcomes the significant negative scores now given to Policies SAMU5 and SAMU8 for wildlife designations, informed by the HRA. However, the scoring remains inconsistent elsewhere. MSA7 (Land south-west of Colchester Main Road, Alresford) is screened in by the HRA for potential loss of functionally linked land, yet scores "0/?" for wildlife designations, although the framework scores the loss of functionally linked land as a negative effect. MSA35 (Land North of Robinson Road, Brightlingsea) is recorded as "adjacent to deciduous woodland Priority Habitat", yet scores "0" for biodiversity features, although the framework scores a site adjacent to priority habitat as a negative effect.*

Section 4, "Modification sought". Replace "including MSA29–MSA37, SAE1–SAE2 and SAMU1–SAMU4" with "including SAMU1–SAMU4, MSA29–MSA32 and SAE1–SAE2", and insert "; corrects the inconsistent scoring of MSA7 and MSA35" after "removes the automatic positive score for statutory Biodiversity Net Gain".

Section 11.2, table. Replace the entry for MSA33 and MSA34 with two entries:

Site	Homes	Ecological concern
MSA33 Former Wellhouse Site, Brightlingsea	60	Within 1 km of the Colne Estuary SPA
MSA34 Vicarage Field, Brightlingsea	30	Adjoins ancient woodland (The Grove) to the north; within 1 km of the Colne Estuary SPA

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Section 11.2, paragraph on MSA35. Replace the final sentence ("The ISA's only commentary is that the site forms 'a logical extension of the settlement northwards'.") with:

> *Annex C (Table 73) records that the site is adjacent to deciduous woodland priority habitat and within the Impact Risk Zone of a nearby SSSI and habitats site, and that it lies within a landscape area highly sensitive to development (Brightlingsea Coastal Slopes). However, it scores the site as neutral for biodiversity features and does not identify the adjoining lake, the functionally linked land at Lower Farm or the cumulative effects with the holiday park application.*

Section 11.2, "Modification sought". Add: "For MSA34, the policy should require an undeveloped buffer to the ancient woodland at The Grove of at least 50 metres (larger where evidence supports it), consistent with section 5.3."

Section 11.5 (SAE3 Collierswood Farm). Replace "The ISA records deciduous woodland priority habitat on the site" with "Annex C records that the site includes an area of ancient woodland (also deciduous woodland priority habitat), an irreplaceable habitat". In the modification sought, replace "a requirement to retain woodland with buffers" with "a requirement to retain the ancient woodland, with a buffer of at least 50 metres (larger where evidence supports it), and other woodland with buffers, and the application of the irreplaceable habitats test in NPPF paragraph 193(c)".

Section 13, summary table, row 4 (Integrated Sustainability Appraisal). Replace "publish detailed appraisals of MSA29–MSA37, SAE1–SAE2 and SAMU1–SAMU4" with "appraise SAMU1–SAMU4, MSA29–MSA32 and SAE1–SAE2; correct the scoring of MSA7 and MSA35".

Section 13, summary table, row 11. After "buffer to Big Lake at MSA35", insert "; ancient woodland buffers at MSA34 and SAE3".

The remainder of section 4, including our comments on the scoring of the Horsley Cross allocation, the Biodiversity Net Gain scoring and the baseline in Annexes A and B, is unaffected. The August 2026 Annex C records the ancient woodland and priority habitat at Horsley Cross and Hare Green in the same terms as our representations, so sections 10.2 and 10.6 also stand.

We would be grateful if you could confirm that this addendum will be forwarded to the Inspector with the Trust's representations. Please do not hesitate to contact me if you have any further questions.

Kind regards,

[redacted]

Annie Gordon
Conservation Planning Officer
Essex Wildlife Trust
T: 01621 862953

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19.10.2026

Tendring Local Plan Regulation 19 Consultation

Anglian Water Response

1. Anglian Water Services

Anglian Water is the water and water recycling provider for over 6 million customers in the east of England. The region we serve, is the driest in the country, receiving less rainfall than other regions. Our region is prone to both drought and flooding — 28% of land is low-lying. It is also rapidly growing – home to three of the fastest-growing cities in the UK, Cambridge, Peterborough and Milton Keynes – alongside a thriving agricultural and burgeoning green energy industry, all of which have significant demands for water and drainage.

As a long-term, purpose-driven business, we are planning sustained investment over decades, to build resilience against a changing climate, deliver essential investment in water and sewerage infrastructure, alongside protecting and enhancing the environment: all of which will create jobs and bolster the local economy. Our 'Blueprint for Growth' sets out how we are undertaking a practical approach to growth in now and long-term (May 2026) growth-manifesto.pdf

2. Anglian Water and Local Plans

Anglian Water is the statutory sewerage undertaker for the administrative area of Tendring District Council and a statutory consultee under The Town and Country Planning (Local Planning) (England) Regulations 2012. Anglian Water wants to proactively engage with the local plan process to ensure the plan delivers benefits for residents and businesses in the area, and in doing so protect the environment and water resources. As a purpose-led company, we are committed to seeking positive environmental and social outcomes for our region.

3. Commentary on Tendring Local Plan – Submission Version (Reg.19)

Anglian Water welcomes the opportunity to comment on the Tendring Local Plan – our representations are as follows:

Vision	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No
Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible. Anglian Water broadly supports the overall Vision and welcomes the inclusion of innovative and sustainable design into new exemplar Garden Villages to ensure they are thriving and resilient communities. This reflects the Garden City Principles set out by the Town & Country Planning Association and aligns with the approach taken through the Tendring and Colchester Borders Garden Community DPD. It also means, that intervening innovation and evidence can be utilised to make this new generation of Garden Villages in Tendring more resilient and sustainable.	

Playbooks have been developed by Enabling Water Smart Communities to bring together key evidence, recommendations, case studies and practical resources from the programme into a single planner-friendly guide to help create water-smart, climate-resilient places. https://www.ewsc.org.uk/lpa-playbook

We note that the Vision now contains the outcomes expected to be obtained by new development. We are supportive of the approach that distils the vision into a series of expectations and delivered through policies within the Plan including to ensure developments mitigate and adapt to the effects of climate change. Our Thriving East report identifies that the future outlook for Essex includes high climate change impact Objective 4: Infrastructure Provision with the second lowest rainfall projections, the highest average temperatures in the region, and above average population increase. It is therefore important that future growth is resilient to the challenges arising from climate change impacts.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Objective 4: Infrastructure Provision	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water supports this objective which aligns the delivery of growth with infrastructure. We agree with the inclusion of flood risk management infrastructure and to ensure adequate capacity in the foul water sewerage infrastructure (which should address both our WRCs and networks).

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Objective 9: Water and Climate Change	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water continues to support this objective and consider SuDS to be an essential component of all new housing and employment development to manage surface water run-off and flood risk, but also as part of an integrated water management approach. We agree that coastal change is also an important matter to address in terms of managing development within the Coastal Protection Belt. We welcome the inclusion of water efficiency within this objective to help sustain water resources and help to reduce the volume of wastewater needed to be conveyed and treated by our sewerage infrastructure.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None		
Strategic Policy SPL1 MANAGING GROWTH		
Do you consider the Plan to be legally compliant?	☒ ☐	Yes No
Do you consider the Plan to be sound?	☒ ☐	Yes No
Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible. Anglian Water is supportive of the settlement hierarchy set out in Policy SPL, where the focus for growth is at the Strategic Urban Settlements, including Clacton-on-Sea, Harwich and Dovercourt, and Colchester – namely the Tendring and Colchester Borders Garden Community (TCBGC) - and at three new Garden Villages that will provide up to 10,000 homes as a result of land and infrastructure constraints in other areas. These new Garden Villages will continue to deliver homes beyond the plan period and must be supported by new infrastructure. We have previously raised concerns regarding growth at some Smaller Rural Settlements that either have no public sewer network, or the settlement (i.e. Little Bentley) is served by a very small WRC with a descriptive permit, meaning that it is not designed to accommodate incremental growth. If proposals come forward that are dependent on connecting to the public sewer network, we will object as there is a risk that incremental housing growth within or close to the WRC catchment could exceed the capacity of these small WRCs and potentially cause environmental harm. However, we consider that requirements in Policy PPL5 will adequately address these concerns.		
Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None		
Strategic Policy SPL2 SETTLEMENT DEVELOPMENT BOUNDARIES		
Do you consider the Plan to be legally compliant?	☒ ☐	Yes No
Do you consider the Plan to be sound?	☒ ☐	Yes No
Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible. Anglian Water previously requested that the policy was modified to provide a positive framework for the delivery and operation of essential utilities infrastructure including pipelines for water supply. However, if planning permission is sought for our infrastructure, we consider that it can be justified as being required outside of settlement boundaries. The publication of the new NPPF 2026 also clarifies that in terms of decision-making NDMP W4: water infrastructure provides substantial weight to providing capacity needed to serve proposed development and existing users. It is noted that the Garden Villages (note there is text missing for reference to Horsley Cross) will also be the subject of future Supplementary Plans to facilitate comprehensive planning frameworks for both new communities. We support this approach and will liaise as appropriate		

with the Council when these documents are prepared. Further evidence will continue to be developed, including our Drainage and Wastewater Management Plan for the period 2030-2055 which will take account of planned growth and is due to be published in 2028.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Non-strategic Policy SPL3 SUSTAINABLE DESIGN	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Part B: Anglian Water supports part l. of the policy to ensure that development does not increase flood risk and should incorporate sustainable drainage systems (SuDS) appropriate to the development. Anglian Water endorses the management of surface water through the drainage hierarchy and requires a SuDS first approach. Further advice can be found on our website:

Surface Water Risk Management

Under Ofwat's Code for Adoption Agreements, surface water drainage assets can be presented to sewerage companies for adoption. Since 1 April 2020, this includes SuDS which are considered to be sewers. Anglian Water has published design and construction standards for SuDS which must be followed if developers apply to have their proposed SuDS scheme adopted by us.

Sustainable surface water drainage

Part C: Anglian Water notes that part o. of the policy refers to ensuring the health, safety or amenity of occupants of proposed development is not harmed by pollution from an existing or committed use. Anglian Water supports this clause which reflects the 'agent of change' principle. We also welcome the update to the supporting text (para. 3.74) to reference safeguarding of existing wastewater infrastructure by not introducing sensitive receptors in locations where unacceptable amenity impacts such as odour may arise.

We agree that all new development should incorporate climate change adaptation measures, and we welcome the supporting text in paragraph 3.75 to provide appropriate cross references for applicants in terms of the requirements of Policies PPL1 (Development and Flood Risk) and PPL5 (Water Conservation, Drainage and Sewerage) in delivering climate resilient and sustainable development.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

None

Strategic Policy LP1 HOUSING SUPPLY	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes

	☐ No

We consider that the Water Cycle Study (August 2026), produced in alignment with the Colchester Water Cycle Study, is an important element in the evidence base to help inform the appropriate phasing of sites to align with infrastructure delivery, and policy response in terms of sustainable use of water resources, and infrastructure capacity for wastewater treatment. It identifies wastewater infrastructure opportunities and capacity constraints for new proposed sites in the draft Local Plan and makes recommendations for suitable policy measures to avoid harm to the environment and our customers.

Anglian Water is committed to enabling sustainable growth and is collaborating with external stakeholders to find solutions to capacity challenges at our water recycling centres. We are working to secure policy and regulatory change that allows water companies to better support growth, for example by allowing us to invest strategically to create new capacity ahead of growth materialising, and by changing charging rules to allow for developer contributions to new infrastructure.

Anglian Water continues to work closely with Defra's Ministerial Water Delivery Taskforce, regulators, local planning authorities, and other key stakeholders to resolve ongoing challenges around growth in our region. These challenges are set out in our Blueprint for Growth. This includes working to bring forward a strategy to address dry weather flow capacity at Colchester WRC, so it has sufficient capacity to enable current and future growth (including growth identified in the Tendring Local Plan and the Tendring and Colchester Borders Garden Community DPD).

As a result of our engagement with the Taskforce, in the summer 2026, Anglian Water shared with local planning authorities, our approach on strategic sites (500+ homes) as we recognise that certain sites, while having more limited existing capacity at our water recycling centres and within our wastewater networks, remain sustainable in wider planning terms and important contributors to housing need. Therefore, these strategic sites may appropriately come forward over a longer time horizon as infrastructure investment is identified and delivered over subsequent asset management periods (AMPs).

In such cases, a phased approach to strategic sites allocated in a Local Plan would enable us to plan and deliver any required infrastructure investment in a timely and coordinated manner, ensuring our existing customers and the environment are protected. Given the scale of these sites, we fully appreciate that the build-out of strategic sites will occur over an extended period, with phased connections to the wastewater network. It is recognised that delivery of strategic sites could span several asset management periods (AMPs - five-year investment cycles), allowing development trajectories to inform future business planning and investment strategies. Anglian Water is, therefore, supportive of the principle of development at sustainable locations. However, to ensure that connections are appropriately phased and environmentally robust, we will recommend that appropriate planning conditions are imposed, so development is phased with in step with delivery of the required sewerage/drainage infrastructure.

Anglian Water would also expect a robust strategy for integrated water management on strategic sites to ensure that the most efficient use of water resources can be facilitated through the reuse of surface water run-off attenuated by SuDS and/or grey water reuse. Further advice can be found on the Enabling Water Smart Communities website with playbooks bringing together the key evidence, recommendations, case studies and practical resources from the programme into a single planner-friendly guide to help create water-smart, climate-resilient places.

We are currently working with government and stakeholders on developing guidance to provide a consistent framework for seeking options and solutions to managing wastewater constraints that are impacting development. The aim is to help bring forward smaller sites where there are existing capacity constraints at our WRCs and wastewater networks. Updates on this process will be shared with local planning authorities when it is finalised.

Future investment in wastewater and drainage infrastructure is informed by our Drainage and Water Recycling Management Plan (DWMP). Our next DWMP for the period 2030-2055 (due to be published in 2028) will address dealing with challenges such as asset health, climate change and population growth. Using this information, we conduct a risk assessment for three different timescales: the short- (5yr), medium- (15yr) and long-(25yr +) term. The outputs from these allow us to develop 'best value' investment solutions to meet our obligations in subsequent Price Reviews. Whilst we have provided options for delivering new wastewater infrastructure (water recycling centres) for the new garden communities at Horsley Cross and Hare Green, it is possible that alternative solutions may evolve over time and as further evidence emerges – including through the new DWMP.

References:
https://www.anglianwater.co.uk/siteassets/household/corporate/growth-manifesto.pdf?ct=1782461110043

https://www.ewsc.org.uk/lpa-playbook
https://www.anglianwater.co.uk/corporate/strategies-and-plans/drainage-wastewater-management-plan

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Non-strategic Policy LP3 HOUSING DENSITY AND STANDARDS

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water welcomes reference to utilities infrastructure and associated easements in clause f. as a comprehensive approach to all utilities infrastructure, particularly below ground pipes and cables. Our existing infrastructure is protected by easements and should not be built over or located where access for maintenance and repair could be restricted. We expect the design and layout of new development to locate our existing pipes in highways or public open space. If this is not possible, a formal application to divert Anglian Water's existing assets may be required.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Non-strategic Policy LP4 DEVELOPMENT LAYOUT & DESIGN

Do you consider the Plan to be legally compliant?	☒ ☐	Yes No
Do you consider the Plan to be sound?	☐ ☒	Yes No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Part c. - Anglian Water agrees that surface water management considerations should be incorporated from the earliest stages of the site layout and masterplanning. However, we do not support the approach that SuDS must be implemented for housing schemes comprising 10 or more dwellings as the cumulative impact of minor developments discharging to surface water sewers could present capacity challenges. Existing surface water networks have been designed for the existing catchments and will not have any significant residual capacity. For new surface water connections to an existing surface water sewer Anglian Water will need to ensure the surface water hierarchy has been followed and applicants can demonstrate that no other option is feasible.

We strongly endorse SuDS for all new development proposals, an approach that has been taken forward by several emerging local plans including the Colchester Local Plan (Policy EN8a). Furthermore, this is inconsistent with Policy SPL3 Sustainable Design Part B which states that "*Proposals should incorporate sustainable drainage systems (SuDS) appropriate to the scale and nature of the development…*".

The Water Cycle Study and SFRA recommend that developments manage surface water through the provision of SuDS with no threshold suggested.

WCS: 9.1.3 SuDS and surface water management: All new developments to provide separate surface water drainage systems and incorporate SuDS in accordance with the updated national SUDS standards and good practice guidance. Require SuDS to attenuate surface water runoff for flood risk purposes and be expected to manage, and where possible improve water quality, particularly nutrient discharge.

SFRA: 10.0 Guidance on Future Developments:

10.10.2 – Promote SuDS to mimic natural drainage routes improving water quality: SuDS design proposals must demonstrate how site-specific constraints have been assessed and mitigated, and how the design delivers multi-functional benefits including landscape integration, biodiversity enhancement, recreational and amenity value, leisure opportunities, and the protection or enhancement of heritage assets, in line with the Environment Act 2021 and Essex GI Strategy.

11.0 Concluding Statement: Surface water flooding is identified as a widespread and significant residual risk across the district, particularly during intense rainfall events and under future climate change scenarios. The SFRA emphasises the critical role of Sustainable Drainage Systems (SuDS), green infrastructure, and natural flood management measures in reducing runoff, managing exceedance pathways, increasing storage capacity, and delivering wider benefits such as biodiversity enhancement and climate resilience.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

c. incorporate surface water management considerations from the earliest stages of site layout and masterplanning. Surface water issues must be fully addressed and effectively managed across all development proposals **in accordance with the drainage hierarchy**. ~~For housing schemes~~

~~comprising 10 or more dwellings, s~~ **S**urface water must be managed through the implementation of Sustainable Drainage Systems (SuDS), in line with the latest best practice and current policy requirements, including any future updates or revisions to such standards;		
Strategic Policy PPL1 DEVELOPMENT AND FLOOD RISK		
Do you consider the Plan to be legally compliant?	☒ ☐	Yes No
Do you consider the Plan to be sound?	☐ ☐	Yes No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water is supportive of the policy to ensure development appropriately responds to the risk of flooding from all sources. We agree with the requirement for development proposals to be accompanied by a Flood Risk Assessment in the circumstances listed in the policy.

However, as previously raised, we request that **all** new development proposals should include new green and blue infrastructure to help mitigate potential flood risk, which can include the provision of SuDS (see our response to Policy LP4). Furthermore, this is inconsistent with Strategic Policy PPL4 Biodiversity and Geodiversity, which requires all new development to include new green and blue infrastructure, and Strategic Policy PPL5 Water Conservation, Drainage and Sewerage, which states "New development should include Sustainable Drainage Systems (SuDS)".

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

All ~~major~~ development proposals must consider the potential for new Green and Blue Infrastructure to help mitigate potential flood risk and include such Green and Blue Infrastructure and nature-based solutions where appropriate, in accordance with Policy PPL4 of this Local Plan.

Strategic Policy PPL2 COASTAL PROTECTION BELT		
Do you consider the Plan to be legally compliant?	☒ ☐	Yes No
Do you consider the Plan to be sound?	☒ ☐	Yes No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water has critical infrastructure within the coastal protection belt which includes some of our water recycling centres – essential for treating wastewater from existing communities and future growth. Therefore, we welcome the policy exception for development that has a compelling functional or operational requirement to be located within this designation. However, it should be noted that water recycling centres are utilitarian, functional assets that have infrastructure designed for a specific purpose, to treat wastewater to the required standard set by the discharge permit. There are limitations to how the design of wastewater infrastructure can reflect the surroundings beyond landscaping.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Water Quality – paragraph 7.27	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☐ Yes ☒ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water notes that this paragraph references the WRCs that do not sufficient capacity to accommodate the additional growth in the Local Plan. However, Appendix C of the Water Cycle Study states that St Osyth will have 8% capacity after growth (470 homes) which is inconsistent with 6.2.1/6.2.11 of the WCS that states that St Osyth would be at/exceed dry weather flow limits. Our assessment would support the former assertion that there would still be DWF headroom once local plan growth has been considered. The WCS section 8.9 goes on to state that there is approximately 880 dwelling capacity, which again confirms there is sufficient DWF capacity to accommodate the proposed growth.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

The WCS findings should be reviewed to ensure they are consistent and represented appropriately in the Local Plan.

Strategic Policy PPL4 BIODIVERSITY AND GEODIVERSITY	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water supports the policy requirement for all new development to be designed to include new green and blue infrastructure. The multifunctional benefits of this provision include improvements to water quality and helping to minimise flood risk through SuDS.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

Strategic Policy PPL4a BIODIVERSITY NET GAIN IN TENDRING	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☐ Yes ☒ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water objects to the proposed 20% Biodiversity Net Gain (BNG) requirements in this policy. Whilst we recognise the intention behind targeting a higher net gain requirement than the

mandatory 10% for strategic sites such as the SAMUs, we are concerned that applying the new target to Anglian Water infrastructure developments would not achieve the intended outcomes.

BNG requirements cannot be met onsite for projects where Anglian Water is not the landowner as 30-year habitat management cannot be guaranteed. For example, linear pipeline schemes frequently cross multiple landownerships. These projects often have minimal impact on biodiversity, but when the full length of a pipeline scheme is considered, BNG requirements are already significant. In cases where Anglian Water is the landowner, scope for achieving BNG onsite is limited by the needs of site operations and the need to consider future infrastructure upgrades. Furthermore, there is no justification in the supporting text to support the reasoning behind the 20% uplift, and this only references the need to deliver the minimum statutory 10% uplift in BNG. Whilst a 20% uplift might be viable for other development types where onsite BNG is feasible (such as strategic mixed use/housing allocations).

The additional BNG units required under this proposal for water/wastewater infrastructure, would need to be sourced offsite, increasing costs to our customers and extending the timelines to deliver new water infrastructure. This additional burden does not consider the significant biodiversity and nature recovery benefits being delivered by our proposed infrastructure upgrades and WINEP schemes in AMP8 – which will help to deliver sustainable growth and improve the ecological quality of catchments and aligns with the Government's 25 Year Environment Plan ambitions and wider agenda.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

We request that the Council reconsiders the impact of 20% BNG for all development types, and the impacts this requirement would have on the viability and timely delivery of essential infrastructure to support the Council's growth ambitions. We suggest that essential infrastructure improvements where there is no scope for BNG onsite should be exempt from the new 20% BNG requirement and only the mandatory 10% BNG should be met where development proposals qualify for BNG.

Strategic Policy PPL5 WATER CONSERVATION, DRAINAGE AND SEWERAGE

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☐	Yes
	☒	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Water Efficiency:

Anglian Water is generally supportive of the policy in principle, such as the policy requirements for non-residential buildings to meet the specifications outlined for the BREEAM water calculator credits in clause 1.b. However, whilst the water efficiency standard of 100 litres per person per day (l/p/d) in clause 1a is moving in the right direction, we recommend that the Council introduces more robust water efficiency standards that can help make development across the district more water efficient and allow sustainable growth, to align with the **Shared Standards for Water Efficiency in Local Plans** **.** It is clear from the statement in the supporting text (paragraph 7.39) that Tendring experiences the lowest average rainfall in the country. As well as managing risks to the environment, tighter water efficiency measures may also reduce the need for water

companies to restrict supply for non-domestic growth, alongside other initiatives. Whilst Anglian Water is not the statutory water supply undertaker, as the statutory sewerage provider and partner to the Shared Standards in Water Efficiency for Local Plans guidance, we support tighter water efficiency standards, which help reduce the operational and capital carbon required to deliver infrastructure, and to pump and treat wastewater flows from new development.

The Shared Standards for Water Efficiency in Local Plans was published in June 2025. These Shared Standards set out a collaborative and collective approach by Anglian Water, Cambridge Water, Essex & Suffolk Water, Affinity Water, the Environment Agency and Natural England, with the full endorsement of Water Resources East (WRE) as part of strengthening the Regional Water Resources Plan for Eastern England. It recommends that Local Planning Authorities (LPAs) include tighter water efficiency standards in Local Plan policies to support a clean and sustainable supply of water - essential for growth and nature recovery.

The Shared Standards recommend that LPAs include Local Plan Policies that:

- Require new homes to be built to more stringent standards for water efficiency than the optional Building Regulations (part G) standard of 110 litres per person per day (l/p/d). Evidence indicates that a design standard of up to 85 litres/person/day (l/p/d) for residential developments is feasible (a range between 85-95 l/p/d should be considered subject to viability).
- Require new, extended or redeveloped non-domestic development to aim to achieve full credits in the BREEAM water calculator.
- Require new major non-domestic developments to include water saving measures and water reuse in their design.

These standards provide guidance and local evidence to help LPAs make a case that more stringent water efficiency policies are justified, feasible and viable as part of Water Cycle Studies and Integrated Water Management Plans that effectively manage a range of challenges across the water environment and aid nature recovery. Local Plans have a significant role in helping to deliver the sustainable use of water resources and address shorter-term water scarcity issues. LPAs can help ensure the risk of harm to habitats and deterioration to water bodies due to water scarcity is minimised by setting more ambitious, tighter water efficiency standards for new residential and non-domestic developments in local planning policy.

Tighter water efficiency standards that can be justified by evidence set out in the annexes supporting Shared Standards. The evidence is extensive and demonstrates, inter alia, that:

- The Water Resource Management Plans (WRMPs), prepared by water companies, in the Shared Standards area demonstrate that a there are significant challenges in meeting predicted domestic and non-domestic growth in water demand whilst also meeting statutory environmental obligations.
- Water efficiency is needed for protected sites and wider nature recovery. Of the 239 SSSIs in the Shared Standards area, 96 at time of writing, have water abstraction identified as an active pressure. Many have measures in place to address these pressures linked in many cases to the plan-led approach. The Shared Standards complement or support the delivery of those measures.
- At present it is feasible to achieve a total consumption of 85 l/p/d by taking a fittings-based approach using product types outlined in the Shared Standards Annex C - Section C2, which can be achieved at relatively low cost. In addition, water companies offer incentives to developers to build water efficient homes. These are tied into water

company Business Plans that are published every five years, with the latest being published in 2025 alongside WRMPs.

The Shared Standards also complement the activities set out by the Water Strategy for Essex, which include setting ambitious policies for water efficiency and resilience for new homes and non-residential development within Local Plans(EWS26) and requiring the provision of grey and rainwater reuse systems for all new developments (EWS27). The Shared Standards provides the evidence to help support Local Planning Authorities establish these ambitious policy requirements.

The Water Cycle Study makes a recommendation of including 85 l/p/d in some allocations to significantly improve available capacity at WRCs across the TDC area. We would also direct the Council to other emerging Local Plans within Essex that are including water efficiency standards of 85 or 90 l/p/d (Colchester, Chelmsford, Castle Point) and the adopted Uttlesford Local Plan, which includes a water efficiency policy requiring development to meet 90 l/p/d. In addition, we would encourage developers to have regard to the playbooks developed by Enabling Water Smart Communities to bring together the key evidence, recommendations, case studies and practical resources from the programme into a single planner-friendly guide to help create water-smart, climate-resilient places.
https://www.ewsc.org.uk/lpa-playbook

Anglian Water supports clauses 2 and 3 to demonstrate that fixtures and fittings, or any reuse elements are verified and fully implemented.

SuDS:

Anglian Water supports the requirement for SuDS in all new development – we agree with the 'SuDS first' approach, consistent with the surface water drainage hierarchy. It is essential for the effective management of our operational risk that we ensure the risk posed from surface water drainage is clearly understood and demonstrated by developers. We request the policy sets out a requirement that no surface water is discharged to a foul sewer or a combined sewer via a new connection. Where proposals include a redevelopment of a brownfield site or changed surface area draining to a combined sewer via an existing connection, Anglian Water will use opportunities presented by new development to reduce exposure to pollution risk in the existing sewer network. As such, we expect new development to exploit all practicable opportunities set out in the surface water drainage hierarchy to reduce surface water flow to the combined sewer network, in terms of volume and discharge flow rate.

Sewerage:

In terms of wastewater treatment, we agree with the policy requirement to ensure applicants can demonstrate that there is adequate provision available in our networks and our receiving WRCs to accommodate and treat wastewater flows arising from the development. Some measures may need to be provided on site as part of the enhancement to the foul and/or surface water networks to incorporate wastewater flows from the proposed development. In addition, a development will also need to secure a sustainable point of connection to our surface water, foul or combined network.

As previously raised, we will object to new proposals that seek to connect to our small WRCs with descriptive permits that are only designed to serve the small number of properties within their catchment and not designed to accommodate additional cumulative growth. These 'descriptive works' (i.e. at Tendring Green and Little Bentley) are therefore unlikely to be suitable to accommodate future growth. Our position statement on descriptive works should be

considered in the context of such new development in these locations – meaning that a private sewage treatment solution would be preferable.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

- A water efficiency standard between 85 litres per person per day (l/p/d) and 95 l/p/d for new residential development is included within the policy.
- All surface and foul water flows should be separated. Under no circumstances will surface water be permitted to discharge into a separate foul sewer or to a combined sewerage system via a new connection. Existing surface water connections to a combined sewer through redevelopment of a brownfield site, should provide betterment in terms of reduced flows to the combined sewer network.

Strategic Policy PPL10c RENEWABLE ENERGY INSTALLATIONS

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water supports this policy which should assist in facilitating the delivery of renewable energy schemes. Anglian Water is always looking for ways to reduce our carbon emissions, with renewable energy as a key step towards our ambitious goal of becoming a carbon neutral business. Renewable energy schemes also help to provide energy security and resilience for our critical infrastructure.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Non-strategic Policy PPL12c PROTECTION OF THE NAZE

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Paragraph 7.94 - Anglian Water notes that the supporting text identifies that our Walton-on-the-Naze WRC is in the Naze coastal landscape. The WRC is critical infrastructure for the treatment of wastewater for the communities of Walton-on-the-Naze, Frinton-on-Sea, Kirby Cross, Kirby le Soken and Great Holland. Anglian Water will have representation at the Naze Management Board set up by the Council to address coastal erosion risk to the Naze coastal landscape.

Anglian Water is currently preparing the next Drainage and Water Recycling Management Plan (DWMP) for 2030-2055. Our DWMP will set out how we are planning for the future of drainage and water recycling across our region. While there is still more work to do to understand how we reach our long-term goals, we've started to map out how we will keep our services reliable as our

population grows and weather becomes more extreme. Addressing these challenges will continue to develop as we work with others, use better data, and build a fuller picture of the challenges ahead, including coastal erosion risk.

Anglian Water supports the policy aims to work with partners and landowners to continue to strengthen the current and future protection of the Naze from coastal erosion, given its multifunctional benefits, including as a location for critical utilities infrastructure. Development proposals at Walton-on-the-Naze WRC, should they require planning consent, would be subject to determination by Essex County Council, as the waste planning authority.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Non-strategic Policy PPL13 ARDLEIGH RESERVOIR CATCHMENT AREA

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water supports this policy for the protection of Ardleigh Reservoir and its operation. The reservoir is a source of water supply for both Anglian Water and Affinity Water and is overseen by the Ardleigh Reservoir Committee that represents both water companies.

Anglian Water has a programme of investments for delivery in AMP8 across Tendring District. This includes a water pipeline transfer from Colchester advanced water reuse scheme to Ardleigh Reservoir which will be partly within Tendring district. We would seek a supportive policy framework to help facilitate the delivery of our infrastructure projects, so they are delivered in a timely manner to enable future growth to proceed.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAMU1 DEVELOPMENT AND DELIVERY OF TENDRING COLCHESTER BORDERS GARDEN COMMUNITY (TCBGC)

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water is committed to enabling sustainable growth and is collaborating with external stakeholders to find solutions to capacity challenges at our WRCs. We are also working to secure policy and regulatory change that allows water companies to better support growth, for example by allowing us to invest strategically to create new capacity ahead of growth materialising, and by changing charging rules to allow for developer contributions to new infrastructure.

Anglian Water continues to work closely with Defra's Ministerial Water Delivery Taskforce, regulators, local planning authorities, and other key stakeholders to resolve ongoing challenges around growth in our region. These challenges are set out in our Blueprint for Growth. This includes working to bring forward a strategy to address dry weather flow capacity at Colchester WRC, so it has sufficient capacity to enable current and future growth (including growth identified in this emerging Colchester Local Plan and the Tendring and Colchester Borders Garden Community).

Our approach to strategic sites should enable growth to come forward alongside a phased approach to infrastructure delivery to support the Garden Community. Anglian Water is proactively working with the Council and stakeholders to address the capacity challenges at Colchester WRC, which is a key focus for growth, including delivery of TCBGC. Anglian Water has responded to the hybrid planning application for the new garden community, including homes, employment, schools, community facilities, open space, and major transport infrastructure, which seeks outline permission for the overall development and full permission for the first phase and supporting infrastructure works.

Anglian Water supports the principle of the proposed development, subject to revisions to drainage strategy documents to reflect the agreed approach and engagement with the developer to date. Conditions have been recommended to ensure that temporary connections are appropriately identified and development thresholds applied. Anglian Water continues to work with its regulators to plan appropriate investment within the catchment as part of the next business planning cycle (2030–2035).

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAMU2 DEVELOPMENT AT HARTLEY GARDENS, CLACTON

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water has responded to the consultation on the supplementary planning document (SPD) for Hartley Gardens and we support the comprehensive masterplan approach required by the policy to support this. Our response indicated that is currently no capacity to accommodate wastewater flows from new growth at Clacton-Holland Haven WRC. However, a growth scheme has been identified in our PR24 Business Plan for Clacton-Holland Haven WRC for delivery in AMP8 (2025-2030). We are currently reviewing growth forecasts for all 2025-2030 growth schemes to understand the current delivery need and capacity required and prioritising them based on associated risks at each site.

Jaywick WRC has limited capacity and would not be able to accommodate the full quantum of growth proposed for the Site, without a future growth scheme being planned for, in subsequent Asset Management Periods (AMPs). Whilst there may be potential for parts of the site to connect to the Jaywick network and WRC, specific advice would need to be obtained through the submission of a pre-planning enquiry (PPE) to obtain a detailed desktop assessment, for foul

drainage connections. This will utilise our approach to strategic sites, to enable growth to be phased appropriately.

Anglian Water supports the policy requirement for the provision of sufficient utility infrastructure which is consistent with Policy PPL5 and supporting text in 9.11. We also welcome the principles for inclusion in the masterplan for the site, that include a sustainable drainage system across the site, and the need to demonstrate how a phased approach to development can deliver the required infrastructure.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAMU3 DEVELOPMENT AT OAKWOOD PARK, CLACTON

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

It is noted that 900 homes are proposed as an extended mixed-use development. The plan must be read as a whole and therefore policies, including new Strategic Policy PPL5 Water Conservation, Drainage and Sewerage, will apply. As indicated in our response to SAMU2, there is currently no capacity to accommodate wastewater flows from new growth at Clacton-Holland Haven WRC. However, a growth scheme has been identified in our PR24 Business Plan for Clacton-Holland Haven WRC for delivery in AMP8 (2025-2030). We are currently reviewing growth forecasts for all 2025-2030 growth schemes to understand the current delivery need and capacity required and prioritising them based on associated risks at each site.

This SAMU would be assessed through our approach to strategic sites, to enable growth to be phased appropriately, once a PPE is submitted by the developer.

We support the policy requirement for early engagement with Anglian Water to secure the necessary upgrades to both treatment infrastructure and network – this should inform a foul drainage assessment for the site.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAMU4 DEVELOPMENT AT ROUSES FARM, JAYWICK LANE, CLACTON

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

This site is proposed for up to 950 homes and associated community facilities. It is noted that the site has planning consent for phases one and two (417 dwellings). The site is adjacent to St Osyth WRC and Jaywick WRC catchments. Our response to the planning application for the first two

phases of the site stated that flows would be directed to St Osyth WRC. As indicated for SAMU2. Jaywick WRC has limited capacity and would not be able to accommodate the full quantum of growth proposed for the SAMU4 (and potentially later phases of SAMU2), without a future growth scheme being planned for, in subsequent Asset Management Periods (AMPs). Specific advice would need to be obtained through the submission of a pre-planning enquiry (PPE) to obtain a detailed desktop assessment, for foul drainage connections. This will utilise our approach to strategic sites, to enable growth to be phased appropriately – including for connections into the network. This SAMU would be assessed through our approach to strategic sites, to enable growth to be phased appropriately, once a PPE is submitted by the developer.

We support the policy requirement for early engagement with Anglian Water to secure the necessary upgrades to both treatment infrastructure and network – this should inform a foul drainage assessment for the site.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAMU5 DEVELOPMENT OFF DEANE'S LANE AND OAKLEY ROAD, DOVERCOURT

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

This SAMU makes provision for approximately 1,650 homes. The site is extensive and includes Anglian Water surface water sewers, surface water discharge points, and rising mains (pressurised sewers) through the site. These assets should be incorporated within public open space or highways, and therefore the requirement for at least 50ha of strategic open space, provides an opportunity for a design layout to avoid build over of our assets (including permeable paving/SuDS).

This SAMU would be assessed through our approach to strategic sites, to enable growth to be phased appropriately (including connections into the network), once a PPE is submitted by the developer.

The PPE will identify whether there are sustainable points of connection (SPoC) into our network by using a complexity matrix that presents several factors for assessment including pollution risks and storm overflow spills, surcharges of our network, existing flood potential and excess surface water flooding. Our engineers will identify a sustainable point of connection to our network (or sustainable points of connection depending on phasing) to avoid these constraints.

We support the policy requirement for early engagement with Anglian Water to secure the necessary upgrades to both treatment infrastructure and network – this should inform a foul drainage assessment for the site. We also welcome the policy requirement to ensure the appropriate safeguarding of our existing assets for future maintenance.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAMU6 DEVELOPMENT OF WEELEY GREEN GARDEN VILLAGE	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water notes that a further 900 homes are proposed as an extended mixed-use development. The plan must be read as a whole and therefore policies, including new Strategic Policy PPL5 Water Conservation, Drainage and Sewerage, will apply. As indicated in our response to SAMU2, there is currently no capacity to accommodate wastewater flows from new growth at Clacton-Holland Haven WRC. However, a named growth scheme has been identified in our PR24 Business Plan for Clacton-Holland Haven WRC for delivery in AMP8 (2025-2030). We are currently reviewing growth forecasts for all 2025-2030 growth schemes to understand the current delivery need and capacity required and prioritising them based on associated risks at each site.

This SAMU would be assessed through our approach to strategic sites, to enable growth to be phased appropriately (including connections to the network), once a PPE is submitted by the developer.

The site is on the very edge of the north west of the WRC catchment where sewers will be sized according to the current development in Weeley. A PPE is strongly advised to ensure that sustainable points of connection are appropriately phased and environmentally robust. .

We support the policy requirement for a masterplan for the site – ideally this would be prior to the planning application and require engagement with relevant stakeholders and the local community. Early engagement with Anglian Water is welcomed, to secure the necessary upgrades to both treatment infrastructure and network – this should inform a foul drainage assessment for the site that aligns with infrastructure phasing and delivery.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAMU7 REDEVELOPMENT OF SALTINGS QUARTER, RIVERSIDE AVENUE, MANNINGTREE	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

As evidenced in the Water Cycle Study, there is currently no capacity available at Manningtree WRC, and no growth scheme identified to increase dry weather flow headroom at the WRC in AMP8 (2025-2030). Growth in this WRC catchment should be phased for delivery later in the Local Plan period to allow further investment at the works to be delivered from 2030.

We support the policy requirement m. to ensure adequate wastewater management **and** capacity must be demonstrated in consultation with Anglian Water. This is supported in paragraph 9.41

which states that early engagement with Anglian Water will be necessary to confirm wastewater treatment and network capacity requirements.

Regarding the policy requirement for surface water, we support the statement that it must not be discharged to the combined sewer network. Anglian Water will only accept flows to a combined sewer network from an existing connection where betterment is attained. We support the amendment to this policy which sets out measures for any existing surface water connections to a combined sewer through redevelopment of a brownfield site, to provide betterment in terms of reduced flows to the combined sewer network.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

A minor change to include the word 'and' in policy clause m. to read:

Adequate wastewater management **and** capacity must be demonstrated, including proposed phasing or alternative solutions…

Strategic Policy SAMU8 DEVELOPMENT OF HARE GREEN GARDEN VILLAGE

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☐	Yes
	☒	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

As advised in our previous consultation responses, the development of Hare Green Garden Village at Frating/Great Bromley/Hare Green would need sufficient sewerage infrastructure to serve the development. Currently, the Great Bromley WRC has a long linear catchment serving these villages but does not have capacity to accommodate this level of growth, as it was designed to serve the existing communities and small-scale growth normally associated with the scale of these settlements.

Garden Villages will only be successful if significant new infrastructure (including sewerage infrastructure) is delivered ahead of new homes. This SAMU would be assessed through our approach to strategic sites, to enable growth to be phased appropriately, once a PPE is submitted by the developer. Options may include a separate WRC and network to serve the quantum of growth proposed for the Garden Village, if existing infrastructure is insufficient to address the scale of development. Whilst we have provided options for delivering new wastewater infrastructure (water recycling centres) for the new garden communities such as Hare Green, it is possible that alternative solutions may evolve over time and as further evidence emerges – including through the DWMP.

Anglian Water agrees, that similar to the approach taken by Tendring and Colchester Borders Garden Community, the Garden Villages should embrace Garden Community Principles and be comprehensively planned through a Supplementary Plan to be prepared containing the relevant policies to facilitate the new community and supporting infrastructure required.

Anglian Water supports the inclusion of policy clause 17 to ensure a network of green infrastructure is provided at a landscape scale and aligned with the Essex Local Nature Recovery Strategy. We are also supportive of policy clause 20 which aligns with our approach to helping support the delivery of strategic sites. This positively aligns with the Enabling Water Smart

Communities framework, and we would encourage developers to have regard to the playbooks developed by Enabling Water Smart Communities to bring together the key evidence, recommendations, case studies and practical resources from the programme into a single planner-friendly guide to help create water-smart, climate-resilient places.
https://www.ewsc.org.uk/lpa-playbook

We note the policy requirement for a new water recycling centre which we have previously referenced as a requirement. We have set out in our submission that a new Drainage and Water Recycling Management Plan is currently in preparation for the period 2030-2055, which will set out strategies for the short-, medium- and long-term. We suggest that the policy includes flexibility to allow for alternative strategies to be brought forward and agreed to the satisfaction of the Council, and in consultation with the Environment Agency and Anglian Water.

We agree with policy clause 25 that the highest standards of innovation in water efficiency – with the aim of being water neutral in areas of serious water stress – is promoted. However, this is inconsistent with Policy PPL5, where we have requested that the water efficiency standard should align with the recommendations in the Shared Standards in Water Efficiency for Local Plans evidence.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

To take account of other potential medium-long term strategies that might emerge through the DWMP, we suggest the policy clause 20 is amended to state:

20. The delivery of smart, innovative and sustainable water efficiency/re use solutions that fosters climate resilience and a 21st century approach towards water supply, water and wastewater treatment and flood risk management. This will include the construction of a new Water Recycling Centre to serve the new community**, unless alternative solutions are agreed to the satisfaction of the Council and in consultation with the Environment Agency and Anglian Water**. Delivery of development shall be phased in accordance with provision of the necessary water and wastewater infrastructure.

Strategic Policy SAMU9 DEVELOPMENT OF HORSLEY CROSS GARDEN VILLAGE

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☐	Yes
	☒	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Similar to Hare Green Garden Village, Anglian Water has advised in our previous consultation responses, Horsley Cross Garden Village of is not in a location close to an existing WRC catchment and will require a wastewater treatment solution specifically for this settlement.

Garden Villages will only be successful if significant new infrastructure (including sewerage infrastructure) is delivered ahead of new homes. This SAMU would be assessed through our approach to strategic sites, to enable growth to be phased appropriately, once a PPE is submitted by the developer. Options may include a separate WRC and network to serve the quantum of growth proposed for the Garden Village, if existing infrastructure is insufficient to address the scale of development. Whilst we have provided options for delivering new wastewater infrastructure (water recycling centres) for the new garden communities such as Horsley Cross, it is

possible that alternative solutions may evolve over time and as further evidence emerges – including through the DWMP.

Anglian Water agrees, that similar to the approach taken by Tendring and Colchester Borders Garden Community, the Garden Villages should embrace Garden Community Principles and be comprehensively planned through a Supplementary Plan to be prepared containing the relevant policies to facilitate the new community and supporting infrastructure required.

Anglian Water supports the inclusion of policy clause 17 to ensure a network of green infrastructure is provided at a landscape scale and aligned with the Essex Local Nature Recovery Strategy. We are also supportive of policy clause 20 which aligns with our approach to helping support the delivery of strategic sites. This positively aligns with the Enabling Water Smart Communities framework, and we would encourage developers to have regard to the playbooks developed by Enabling Water Smart Communities to bring together the key evidence, recommendations, case studies and practical resources from the programme into a single planner-friendly guide to help create water-smart, climate-resilient places. https://www.ewsc.org.uk/lpa-playbook

We note the policy requirement for a new water recycling centre which we have previously referenced as a requirement. We have set out in our submission that a new Drainage and Water Recycling Management Plan is currently in preparation for the period 2030-2055, which will set out strategies for the short-, medium- and long-term. We suggest that the policy includes flexibility to allow for alternative strategies to be brought forward and agreed to the satisfaction of the Council, and in consultation with the Environment Agency and Anglian Water.

We agree with policy clause 25 that the highest standards of innovation in water efficiency – with the aim of being water neutral in areas of serious water stress – is promoted. However, this is inconsistent with Policy PPL5, where we have requested that the water efficiency standard should align with the recommendations in the Shared Standards in Water Efficiency for Local Plans evidence

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

To take account of other potential medium-long term strategies that might emerge through the DWMP, we suggest the policy clause 20 is amended to state:

20. The delivery of smart, innovative and sustainable water efficiency/re use solutions that fosters climate resilience and a 21st century approach towards water supply, water and wastewater treatment and flood risk management. This will include the construction of a new Water Recycling Centre to serve the new community**, unless alternative solutions are agreed to the satisfaction of the Council and in consultation with the Environment Agency and Anglian Water**. Delivery of development shall be phased in accordance with provision of the necessary water and wastewater infrastructure.

Strategic and Medium Housing Allocations	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water considers that proposals for these allocations will need to have regard to all relevant policies in the Local Plan, including the new Strategic Policy PPL5 Water Conservation, Drainage and Sewerage, which should adequately address the sewerage and drainage needs of these allocation policies, should the amendments we have sought are included.

We support policy references that require the applicant to demonstrate adequate wastewater capacity to the satisfaction of Anglian water and the Council, and where this is reinforced by measures to reduce capacity measures on the receiving WRC.

The Tendring Water Cycle Study has outlined where there are capacity concerns at our WRCs – although some inconsistencies have been noted (e.g. in relation to capacity at St Osyth WRC). In addition, we advise early engagement with Anglian Water to identify whether there are sustainable points of connection (SPoC) into our network. Our engineers will identify a sustainable point of connection to our network (or sustainable points of connection depending on phasing) to avoid these constraints.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAH1 DEVELOPMENT AT VICARAGE FARM OFF MAIN ROAD AND SOUTH OF A120, HARWICH

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☐	Yes
	☒	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water is supportive of policy clauses k. and l. to ensure that surface water drainage strategies are controlled to pre-development levels or better and prioritisation of SuDS and water efficiency measures to reduce pressure on the WRC. However, in terms of clause j. we agree with the first part which is in accordance with the drainage hierarchy, but in this area of Harwich/Dovercourt, there is no combined sewer network. We advise that the policy is amended to refer to the surface water network, where we would need to make an assessment of available capacity through submission of a pre-planning enquiry. We would not permit new surface water connections to a combined sewer network.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

Amend clause j. to remove reference to the combined sewer network:

Surface water must be attenuated and discharged to an on-site receiving waterbody, not to the ~~combined~~ **surface** sewer network, unless it can be robustly demonstrated that no alternative option exists;

We encourage further review of other policies that mention combined sewer in a similar context, as we consider most new sites on greenfield that if unable to attenuate or discharge to a

waterbody, would then most likely discharge to a surface water sewer in accordance with the drainage hierarchy. The WCS also advises on where combined sewers are located.

MSA1 Durite Works, Valley Road, Harwich

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

The site has a sewer pumping stations adjacent to the boundary. There should be at least 15m from the pumping station boundary to the nearest residential curtilage within the site to avoid any odour issues. Further advice can be found on our website https://www.anglianwater.co.uk/developing/planning--capacity/asset-encroachment

It is considered that Policy SPL3 should apply to ensure that the amenity of any occupants or users of the proposed development will not be materially harmed by any pollution from an existing or committed use.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

None

MSA11 Land west of Parsons Hill, Great Bromley

Do you consider the Plan to be legally compliant?	☒	Yes
	☐	No
Do you consider the Plan to be sound?	☒	Yes
	☐	No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

There are no separate policy requirements for the medium site allocations and therefore we consider proposals for these sites must be consistent with policies in the plan. However, we have previously identified that the proximity of this site to Great Bromley WRC, therefore would expect an odour assessment to be submitted to ensure that sensitive receptors such as future residents on the site are not impacted by odour from our WRC and appropriate mitigation is provided on site, where necessary. Advice on asset encroachment can be found on our website https://www.anglianwater.co.uk/developing/planning--capacity/asset-encroachment

It is considered that Policy SPL3 should apply to ensure that the amenity of any occupants or users of the proposed development will not be materially harmed by any pollution from an existing or committed use.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.

None

MSA23 Land at Avocet Place, Thorrington	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

The site has a sewer pumping stations adjacent to the boundary. There should be at least 15m from the pumping station boundary to the nearest residential curtilage within the site to avoid any odour issues. Further advice can be found on our website https://www.anglianwater.co.uk/developing/planning--capacity/asset-encroachment

It is considered that Policy SPL3 should apply to ensure that the amenity of any occupants or users of the proposed development will not be materially harmed by any pollution from an existing or committed use.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy SAE3 COLLIERSWOOD FARM A120 STRATEGIC BUSINESS PARK	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Whilst Anglian Water welcomes the policy requirement in Section 3 that the application must demonstrate adequate wastewater treatment capacity. We note that the site is adjacent to a constrained vacuum sewer network which is part of the Great Bromley WRC catchment. Alternative options may evolve if the site is brought forward in conjunction with the Tendring and Colchester Borders Garden Community, but further assessment would need to be considered at the point the site comes forward. We agree that key infrastructure should be delivered and land safeguarded, where necessary in accordance with the Infrastructure Delivery Plan, and an infrastructure phasing strategy should be prepared to support the masterplan or planning application (Section 6).

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

Strategic Policy DI1 INFRASTRUCTURE DELIVERY AND IMPACT MITIGATION	
Do you consider the Plan to be legally compliant?	☒ Yes ☐ No
Do you consider the Plan to be sound?	☒ Yes ☐ No

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

Anglian Water welcomes this policy to ensure that infrastructure delivery is provided in step with development. The policy should also consider that where appropriate, development may need to be phased to align with the delivery of essential infrastructure. Anglian Water is funded in different ways to deliver infrastructure within our region. For example, we are unable to accept developer funding to upgrade our WRC's (Water Recycling Centres). Therefore, we cannot currently be requisitioned to upgrade a WRC at a developer's cost, although such opportunities are being explored. WRC upgrades must be delivered through our 5-yearly Business Plan investments and agreed with our regulators.

We agree that the delivery or the capacity of essential infrastructure must be confirmed by the provider or acceptable mitigation provided. Where this is not possible, development should be phased by condition of a planning permission or by prior agreement with the developer to ensure the delivery of infrastructure at the appropriate time.

On large strategic developments that are being delivered over the plan period and beyond, improvements to essential infrastructure and phasing should be addressed in masterplans. This requirement should also apply to future phases of developments where either a full or reserved matters planning application is required. We consider that such measures are appropriate and fundamental to our investment programmes and future priorities for infrastructure delivery to support sustainable growth - providing the flexibility to include contributions to utilities infrastructure, should this be required in the future.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. None

4. Conclusion

Anglian Water is generally supportive of the Tendring Local Plan to 2043. We consider that the Plan is well set out with policies we support in relation to infrastructure provision, managing flood risk, surface water and wastewater. We recognise the challenges for meeting the significant uplift in housing requirements and the infrastructure required to deliver sustainable growth within the Local Plan period and beyond, and we hope our proposed amendments to policies will help ensure an infrastructure-led approach to delivering key strategic sites can be secured.

15026 Object

Document Element: Strategic Policy PPL5
Respondent: Affinity Water
Date received: 19/10/2026 via Web

Summary:
Affinity Water supports sustainable development but considers Policy PPL5 should require stronger water efficiency standards. The Infrastructure Delivery Plan identifies additional potable water infrastructure needs arising from planned growth, reinforcing the importance of reducing demand at source. Affinity Water supports a target of 85 litres per person per day, consistent with the emerging South East Shared Standards for water-stressed areas. More ambitious standards are achievable and supported through Affinity Water's Environmental Incentives Common Framework. Strengthening the policy would reduce pressure on water resources, support environmental protection and drought resilience, limit future infrastructure requirements, and provide a more justified approach.

Full text:
Affinity Water supports the Council's commitment to sustainable development. However, Policy PPL5 should be strengthened to require a higher water efficiency standard for new residential development.
The Council's evidence base demonstrates that planned housing and employment growth will require additional water infrastructure. Chapter 3 of the Tendring Infrastructure Delivery Plan identifies potable water infrastructure requirements associated with future residential and employment growth, highlighting the need for additional infrastructure to support development.
Affinity Water considers that the Plan does not maximise opportunities to reduce water demand at source. Demand reduction is a key component of long-term water resource resilience and should complement infrastructure investment. Affinity Water supports the emerging South East approach seeking delivery of 85 litres per person per day (l/p/d) in new residential development, where feasible and viable. This position is supported by the Shared Standards in Water Efficiency for Local Plans, developed collaboratively by water companies, the Environment Agency and Natural England for the seriously water-stressed eastern region. The Shared Standards recommend a consistent policy approach requiring new homes to achieve water consumption of between 85 and 95 l/p/d, supported by evidence on need, feasibility and viability.
Neighbouring authorities are also progressing more stringent water efficiency policies through their emerging Local Plans, demonstrating a clear regional direction of travel and the importance of a consistent cross-boundary approach. Affinity Water would encourage Tending District Council to adopt an equally ambitious standard to avoid an inconsistent policy position within the same water-stressed region.
Affinity Water's position is further supported by Ofwat's Environmental Incentives Common Framework (EICF), which provides financial incentives for developers delivering homes with significantly reduced water consumption. Affinity Water currently offers incentive payments for developments achieving water efficiency levels of 81-90 l/p/d and below 80 l/p/d, demonstrating that standards substantially below Building Regulations requirements are achievable and supported by the water industry.
A higher water efficiency standard would:
• Reduce pressure on water resources and abstraction;
• Support environmental protection and resilience;
• Reduce future infrastructure requirements; and
• Improve long-term drought resilience.
The Plan is not fully justified or effective as it does not demonstrate why a more ambitious standard has not been pursued despite the water infrastructure challenges identified in the evidence base. The proposed approach would better support climate adaptation, resource efficiency and sustainable growth objectives

Evidence Base References
• Tendring District Local Plan Review 2025-2042 – Policy PPL 5: Water Conservation, Drainage and Sewerage
• Tendring Infrastructure Delivery Plan (August 2026), Chapter 3: Water and Drainage, including Tables 3.1-3.6 relating to potable water and wastewater infrastructure requirements arising from growth

Evidence Base Support
https://www.affinitywater.co.uk/developing/eicf
https://www.anglianwater.co.uk/siteassets/developers/new-content/p--c/shared-standards-in-water-efficiency-for-local-plans.pdf

Change suggested by respondent:

Affinity Water requests that Policy PPL 5 be amended as follows:
"All new residential development shall be designed to achieve the highest practicable standards of water efficiency. Development should achieve a potable water consumption target of 85 litres per person per day, where feasible and viable, through the incorporation of water-efficient fixtures and fittings, rainwater harvesting, greywater recycling and other demand management measures."

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

FREEPOST N TO T
T: 0800 915 2497
email: contact@n-t.nationalgrid.com
www.nationalgrid.com/n-t

Tendring District Council
Planning Policy
Town Hall
Station Road
Clacton-On-Sea
CO15 1SE

15 October 2026

By email

Dear Sir / Madam

Tendring District Council Local Plan 2026-2043 and Beyond Regulation 19 Consultation: Consultation response submitted on behalf of National Grid (Norwich to Tilbury Project)

This response has been submitted on behalf of National Grid in relation to the Norwich to Tilbury Project (Planning Inspectorate Reference EN020027).

About National Grid

National Grid Electricity Transmission plc owns, builds and maintains the national high-voltage electricity transmission system throughout England and Wales.

The transmission network connects the power from where it is generated to the regional Distribution Network Operators (DNO) who then supply businesses and homes.

National Grid holds the Transmission Licence for England and Wales, and their statutory duty is to develop and maintain an efficient, co-ordinated and economical system of electricity transmission and to facilitate competition in the generation and supply of electricity, as set out in the Electricity Act 1989.

National Grid is working to build a cleaner, fairer, and more affordable energy system that serves everyone, powering the future of our homes, transport, and industry. The Norwich to Tilbury Project would support the UK's net zero target through the connection in East Anglia of new low carbon energy generation, and by reinforcing the local transmission network.

The Norwich to Tilbury Project comprises reinforcement of the transmission network between the existing Norwich Main Substation in Norfolk and Tilbury Substation in Essex, via Bramford Substation, the new East Anglia Connection Node (EACN) Substation and the new Tilbury North Substation.

The reinforcement is needed because the existing transmission network, even with current upgrading, will not have sufficient capacity for the new renewable energy (a substantial proportion of which would be generated by offshore wind) that is expected to connect to the network over the next 10 years and beyond. Completion of the Project, together with other new reinforcements across the country, will meet this future energy transmission demand both in East Anglia and across the UK.

The Norwich to Tilbury Project is a Nationally Significant Infrastructure Project (NSIP), and National Grid is seeking development consent under statutory procedures set by government. NSIPs are projects of certain types, over a certain size, which are considered by the government

to be of national importance, hence permission to build them needs to be given at a national level, by the relevant Secretary of State (in this case the Secretary of State for Energy Security and Net Zero). Instead of applying to the local authority for planning permission, the developer must apply to the Planning Inspectorate for a Development Consent Order (DCO) that would grant development consent.

On 29 August 2025, National Grid submitted its application for development consent to the Planning Inspectorate. The Examining Authority closed the project examination on 10 August and is now drafting their recommendation to the Secretary of State for Energy Security and Net Zero, who in turn will decide on whether development consent should be granted for the Project. A decision is expected from the Secretary of State in February 2027.

Tendring District Council Local Plan Regulation 19 Consultation 2026

In accordance with the proposals presented in the Regulation 18 Consultation the Norwich to Tilbury Project would interact with the proposed allocation of two Local Green Spaces at 'Harwich Road Allotments' and 'Fishing Lake north of Colchester Road', protected lane at Wick Lane and the rolling forward of an existing employment allocation at Crown Business Centre, Old Ipswich Road. The response to the Regulation 18 Consultation also noted the proximity of the Project to the following proposed allocations:

- Housing Allocation MSA20: Land south of Shop Road, Little Bromley
- Strategic Allocation – Mixed Use Allocation SAMU9: Horsley Cross Garden Village
- Strategic Allocation – Mixed Use Allocation SAMU8: Hare Green Garden Village

Following a review of the Regulation 19 Consultation materials National Grid considers that these interactions remain the most relevant.

We do not consider that there are any substantive changes of relevance to our Regulation 18 consultation. For ease of reference, we have summarised our previous representation below.

Harwich Road Allotments Local Green Space

The Tendring Local Plan Regulation 19 Consultation maintains the proposal to extend the existing allotments at Harwich Road, and allocating this area as Local Green Space. This designation accords with the policy designation afforded to this site in the adopted Ardleigh Neighbourhood Plan (October 2024). The Ardleigh Neighbourhood Plan describes this site as former *glebe land* (historically attached to the village church). Although it is no longer glebe land, the Ardleigh Neighbourhood Plan notes it retains many of the undeveloped qualities that it would historically have held as glebe land.

An existing UKPN 33kV overhead line is proposed to be undergrounded through the area of land which the allotments will be extended into, as illustrated in Figure 1.

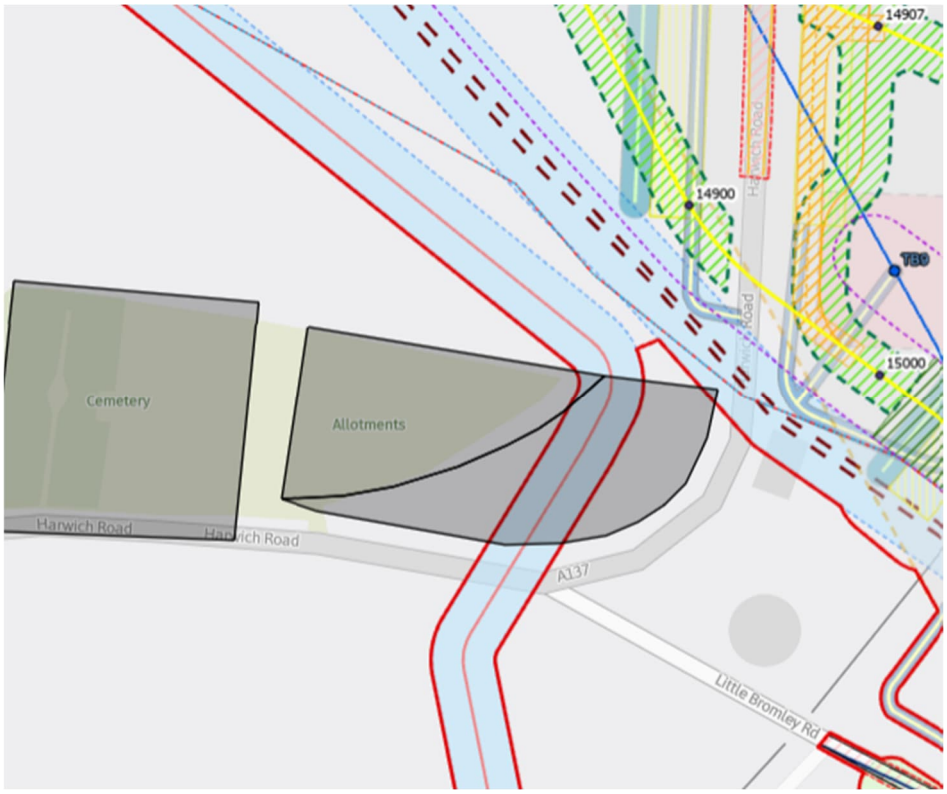

Figure 1: Interaction of the Harwich Road Allotments Local Green Space with the Norwich to Tilbury Project.

Proposed Policy HP5: Open Space, Sports and Recreation Facilities references Local Green Spaces and states that these areas *'will be given extra protection'* and that their *'loss in whole or part will not be permitted over the time-frame of this Local Plan'.* The works to underground the UKPN 33kV overhead line will require temporary disruption to this area as the undergrounding works take place. However, there would be no permanent loss of this Local Green Space, given that the works would be temporary and the UKPN 33kV overhead line would be secured underground. The land affected by construction works would be reinstated to its previous condition and use'

Fishing lake north of Colchester Road Local Green Space

The Tendring Local Plan Regulation 19 Consultation proposes allocating a fishing lake north of Colchester Road as Local Green Space. This proposed policy designation accords with the Ardleigh Neighbourhood Plan. The Norwich to Tilbury Project will oversail this Local Green Space. This will not result in the permanent loss of the Local Green Space as it will remain accessible beneath the overhead lines following the completion of works. However, it will preclude fishing activity at the lake safety reasons. The interaction between the Project and the fishing lake (based on the Ardleigh Neighbourhood Plan) are displayed in Figure 2.

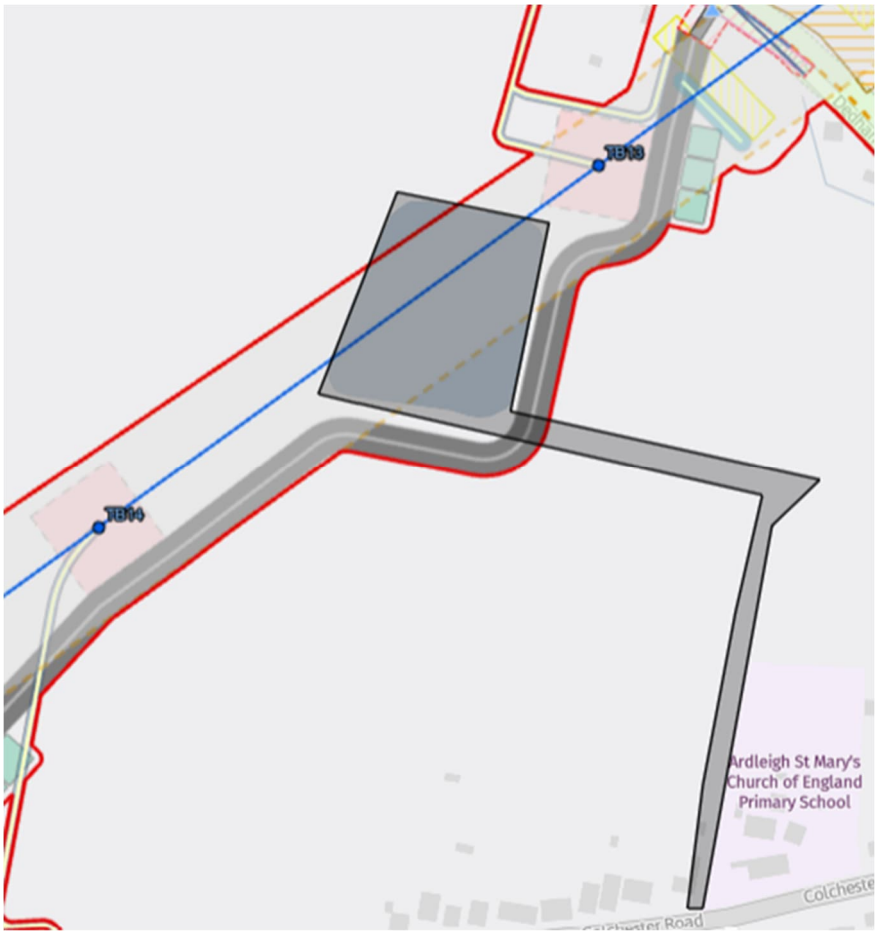

Figure 2: Interaction of the Fishing lake north of Colchester Road Local Green Space with the Norwich to Tilbury Project.

The designation of the site (and that at Harwich Road) as Local Green Space affords a similar of protection as Green Belt Policy. The interaction between the existing fishing lake and the Project was subject to relevant representations during the Examination of the Project.

As previously set out in our Regulation 18 submission whilst this Local Green Space will not be lost, its primary function as a fishing pond will, on the grounds of safety, be terminated by the Project.

Crown Business Centre, Old Ipswich Road

The Tendring Local Plan Regulation 19 Consultation proposes rolling forward an employment allocation, the Crown Business Centre, from the adopted Tendering Local Plan. This employment allocation is identified in Policy PP7 of both the adopted Local Plan and the Regulation 19 Consultation document.

The Norwich to Tilbury Project would oversail this proposed allocation in its northeastern corner. There is no permanent development within the site beyond this. Areas of the proposed allocation are also going to be utilised as a temporary haul route. The land affected by construction works

would be reinstated to its previous condition and use. The interaction between the site and the Project are displayed in Figure 3 below.

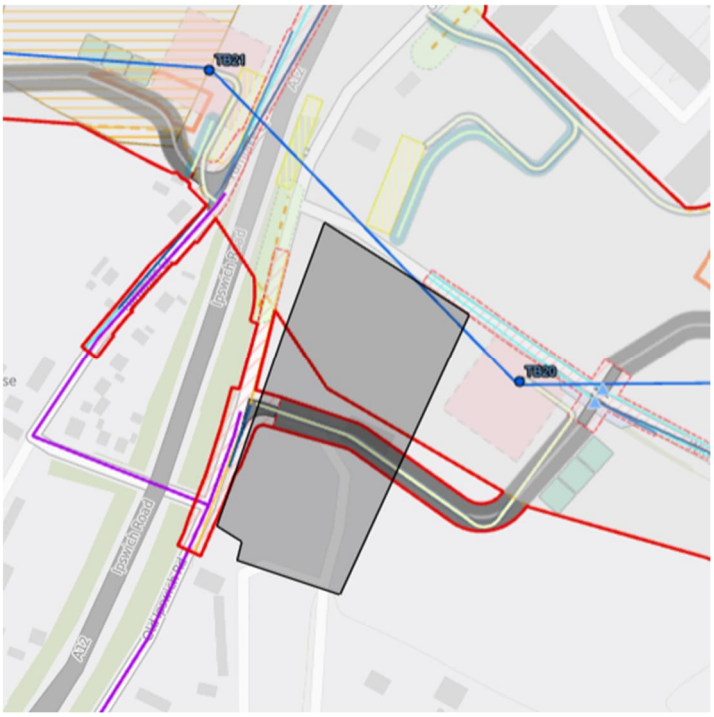

Figure 3: Interaction of the Crown Business Centre with the Norwich to Tilbury Project.

National Grid has actively engaged with the promoters of developments to the north and south of Wick Lane near the junction with the old Ipswich Road. Through those discussions modifications have been agreed to the arrangements for all developments such that co-existence is possible.

Proposed Allocations Nearby the Project

There are several proposed allocations located in close proximity to the Project's Order Limits, as follows:

- Housing Allocation MSA20: Land south of Shop Road, Little Bromley, which proposes 17 dwellings.
- Strategic Allocation – Mixed Use Allocation SAMU9: Horsley Cross Garden Village, which proposes a housing led mixed use development including up to 6,000 dwellings across plan periods.
- Strategic Allocation – Mixed Use Allocation SAMU8: Hare Green Garden Village, which proposes a housing led mixed use development including up to 4,500 dwellings across plan periods.

National Grid acknowledges that there is no direct interaction between the above sites and the Norwich to Tilbury Project. We would request that we are kept informed of any changes to these proposed site boundaries through the Local Plan Examination.

There should be no reason why the allocations referred cannot be successfully developed alongside the Norwich to Tilbury Project. However, in order to ensure that this is the case and that

developers are aware of the matters to consider when developing in proximity to overhead lines, National Grid strongly recommends that the relevant policies refer to both the Electricity Safety, Quality and Continuity Regulations 2002 and National Grid's Design Guidelines for Development Near Pylons and High Voltage Overhead Power Lines which will assist the developers in this regard. In addition to this National Grid is willing to meet with both the LPA and the site developers to discuss the development of the sites to ensure a mutually beneficial outcome.

I trust that that above information is of interest. Should you have any queries, please contact [redacted]

Yours faithfully,

[redacted]

Kevin Roeton
Senior Consents Manager (Onshore Planning)
National Grid

FAO: Planning Policy Team
Tendring District Council
Email: planning.policy@tendringdc.gov.uk

Mrs Heather Gurden
Strategic Designing out Crime Manager
Essex Police HQ
Springfield, Chelmsford
Essex, CM2 6DN

12th October 2026 n

To Whom it May Concern,

Re: Tendring Local Plan Regulation 19

The 'Essex Police – Designing out Crime Office' (DOCO), welcomes the opportunity to comment on the Tendering Local Plan Regulation 19 and would wish to raise the below points for consideration.

The DOCO previously provided comments during the Regulation 18 stage and welcomes the opportunity to comment on the current draft Local Plan regulation 19. The observations below are intended to support the effective implementation of the proposed policies and help ensure future development is designed to minimise crime and anti-social behaviour while creating safe, secure and sustainable communities.

Non-strategic Policy SPL3 Sustainable Design

The DOCO welcomes paragraph H, which requires measures to minimise opportunities for crime and anti-social behaviour (ASB). It is recommended that developments seek a Secured by Design accreditation to help ensure schemes are safe, secure and sustainable.

Non-strategic Policy HP1 Improving Health and Wellbeing

The DOCO welcomes Part A (f), which promotes safe, inclusive and accessible places that support wellbeing. Early consultation with the DOCO is recommended to provide Crime Prevention Through Environmental Design (CPTED advice), local crime trend analysis and proportionate crime prevention measures.

Non-strategic Policy HP5 Open Space, Sports and Recreation Facilities

The DOCO welcomes paragraph 4.24, which promotes attractive, safe and accessible parks and green spaces. Early engagement with the DOCO is recommended to help ensure public spaces are safe, inclusive and aligned with the Violence Against Women and Girls (VAWG) objectives. This approach would also support the requirements of the NPPF and Policy P70 TR4 (Street Design, Access and Parking), particularly paragraph (c).

Non-strategic Policy LP4 Development Layout and Design

The DOCO welcomes paragraphs (b) and (d), which reference safety and the prevention of crime and Anti-Social Behaviour (ASB). Consultation with the DOCO is recommended to support the delivery of safe, sustainable and cohesive communities through good design.

Strategic Policy CP1 Sustainable Transport and Active Travel

The DOCO welcomes the requirement for safe, direct and attractive walking and cycling routes. To ensure this objective is met it is recommended that there is early consultation with the DOCO to ensure routes and associated public spaces are designed to be safe, accessible and secure.

10 Delivering Infrastructure

Essex Police welcomes the inclusion of this provision within paragraph 10.8 of the IPD. The Strategic Planning Team will submit separate representations in relation to future police infrastructure and funding requirements associated with planned growth and development.

If you have any queries in relation to the above observations for the Tendring Regulation 19 Local Plan, please contact the Essex Police Designing Out Crime Team designingoutcrime@Essex.police.uk

Yours Faithfully



Heather Gurden AD Cert ED&CP, LCGI, MSyl, CAS
Strategic Designing Out Crime Officer *(SDOCO)*
HQ Local Policing Support Unit
Email: designingoutcrime@Essex.police.uk

14733 Support

Document Element: Strategic Policy SPL1
Respondent: National Landscape Office
Date received: 15/10/2026 via Web

Summary:

Care will be needed in development allocations in Harwich and Dovercourt, Manningtree, Lawford and Mistley, and Wrabness to result in the conservation and enhancement of the natural beauty of both the Suffolk and Essex Coast and Heaths AONB/National Landscape and Dedham Vale National Landscape as required by Section 85 of the CROW Act 2000 (as amended by LURA 2023).

Full text:

The Suffolk and Essex Coast and Heaths AONB/National Landscape and Dedham Vale National Landscape are valued for their natural beauty and special qualities including landscape and scenic quality, relative wildness and tranquillity, and natural and cultural heritage. An AONB/National Landscape is of national importance and designated under the National Parks and access to the Countryside act (1949). Any proposed allocation and future development proposals, either within the National Landscapes or their settings, will need to result in the conservation and enhancement of their natural beauty as required by Section 85 of the CROW Act 2000 (as amended by LURA 2023). Particular care will need to be taken with allocations in Harwich and Dovercourt, Manningtree, Lawford and Mistley, and Wrabness.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14740 Object

Document Element: Non-strategic Policy PP11
Respondent: National Landscape Office
Date received: 15/10/2026 via Web

Summary:

The number, size and character of the chalets at Wrabness Beach north of Wall Lane should be restricted in order to conserve and enhance in order to conserve and enhance the natural beauty, landscape character and special qualities of the designated area, in line with identified criteria.

Full text:

The National Landscape Team believes the traditional chalets at Wrabness beach north of Wall Lane, should be identified within this or other suitable policy, as holiday accommodation of particular character and sensitivity that sits within both the Suffolk and Essex Coast and Heaths National Landscape and the Coastal Protection Belt where support for proposals that expand the footprint or substantially change the character of the chalet or extend the line of chalets onto adjoining undeveloped land should be restricted. This is in order to conserve and enhance the natural beauty, landscape character and special qualities of the designated area. Within the foreshore of the estuary adverse impacts cannot be mitigated or enhanced through planting. We suggest the local authority identifies suitable criteria against which any proposals are determined .
This is to ensure it meets the criteria for NPPF Policy N4: Protected Landscapes in order to ensure 'Development proposals within Protected Landscapes...are sensitively located and designed to avoid harm to the statutory purposes and special qualities of the Protected Landscape. Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas...' and N5: Maintaining the character of the coast.

Change suggested by respondent:

We suggest the local authority identifies suitable criteria against which any proposals for change to the traditional chalets and their setting on the foreshore at Wrabness can be determined against, taking into account their sensitive setting within the National Landscape

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14766 Object

Document Element: Strategic Policy PP14
Respondent: National Landscape Office
Date received: 16/10/2026 via Web

Summary:

Allocations for housing and employment within the National Landscapes or their settings needs to be carefully framed to ensure the sensitivity of the National Landscape is taken into account. In relation to Strategic Policy PP14 Priority Areas of Regeneration, the National Landscape Team has concerns in relation to Harwich Old Town (and the associated Freeport East proposals) which have the potential for significant effects on the Suffolk and Essex Coast and Heaths National Landscape due to their proximity to the designation and the scale of any proposals.

Full text:

Allocations for housing and employment within the National Landscapes or their settings needs to be carefully framed to ensure the sensitivity of the National Landscape is taken into account. In relation to Strategic Policy PP14 Priority Areas of Regeneration, the National Landscape Team has concerns in relation to Harwich Old Town (and the associated Freeport East proposals) which have the potential for significant effects on the Suffolk and Essex Coast and Heaths National Landscape due to their proximity to the designation and the scale of any proposals.

Change suggested by respondent:

The policy needs to acknowledge the proximity of the National Landscape and the need to conserve and enhance the natural beauty and special qualities of this national designation.
Suggested additional wording:
'... the Council will seek to conserve and enhance the natural beauty and special qualities of the National landscape, minimising impacts on the landscape and seeking appropriate enhancements in keeping with the enhanced duty identified in Section 85 of LURA 2023'.

This is needed in order to ensure the policy is in keeping with NPPF Policy N4: Protected Landscapes, and therefore to make it sound, in particular 'Development proposals within the setting of Protected Landscapes should be sensitively located and designed to avoid or minimise adverse impacts on the Protected Landscape'.

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14904 Object

Document Element: Strategic Policy PPL3
Respondent: National Landscape Office
Date received: 19/10/2026 via Web

Summary:

TDC policy in relation to Protected Landscapes needs strengthening and articulated in a separate policy or policies to fully express NPPF Policy N4 Protected Landscapes and make the proposed Local Plan sound.

Full text:

The National Landscape team do not agree this policy is sound as it does not fully reflect the scope and importance of Protected Landscapes identified in the National Planning Policy Framework (NPPF). Tendring District Council (TDC) is fortunate to contain parts of two Protected Landscapes within its boundaries. The NPPF identifies a separate Policy N4: Protected Landscapes which confirms the importance of these landscapes. The Tendring District Council (TDC) Proposed Local Plan needs to more closely reflect the intention in Policy N4 particularly in relation to:
'1. Development proposals within Protected Landscapes should be limited in scale and extent and sensitively located and designed to avoid harm to the statutory purposes and special qualities of the Protected Landscape...'
2. Proposals for major development within Protected Landscapes should be refused other than in exceptional circumstances...
4. Development proposals within the setting of Protected Landscapes should be sensitively located and designed to avoid or minimise adverse impacts on the Protected Landscape.'
We propose that TDC creates a separate policy or policies for the Protected Landscapes within its boundaries as Colchester City Council has proposed in its Reg 19 Local plan submission.

Change suggested by respondent:

We propose a similar policy and justification to Colchester City Council's proposed Reg 19 policy, which is as written in full below. This would need adapting to include Suffolk and Essex Coast and Heaths National Landscape:

Policy LC2: Dedham Vale National Landscape

Development proposals within the Dedham Vale National Landscape must conserve and enhance its natural beauty, special qualities and statutory purpose. Development proposals within the setting of the National Landscape must be

sensitively located and designed to avoid or minimise adverse impacts on its natural beauty, special qualities, accessibility and setting.

To achieve this, development proposals must demonstrate that they:

a. Conserve and enhance the natural beauty, special qualities, and statutory purpose of the National Landscape, demonstrating a positive contribution through proportionate and evidence-based assessment; and
b. Avoid significant adverse effects on the tranquillity of the National Landscape and good quality night/dark skies, taking account of guidance in the Dedham Vale National Landscape Lighting Design Guide (2023) and avoiding unnecessary artificial lighting; and
c. Avoid significant adverse effects on the character, quality of views within, into and out of the National Landscape, and distinctiveness of the National Landscape or threaten public enjoyment of these areas, including by increased motorised vehicle movement and adverse impacts to water resources or through cumulative effects of development; and
d. Support the wider environmental, social and economic objectives as set out in the relevant adopted Management Plan for the Dedham Vale National Landscape and Stour Valley (including successor management plans), and associated guidance; and
e. Meet the statutory duty to further the purpose of the National Landscape, as defined by Section 245 of the Levelling Up and Regeneration Act 2023.
Where Policy LC2 applies, a Landscape and Visual Impact Assessment (LVIA) or other proportionate landscape assessment must be provided, having regard to the nature and sensitivity of the proposal, and evidence provided by that assessment and any evidence and/or advice provided by the Dedham Vale National Landscape Partnership in determining whether the development meets the requirement of criteria (a)-(e).

Applications for major development within the boundary of, or affecting the setting of, with regards to visual, landscape and experiential impacts, the Dedham Vale National Landscape, will be refused other than in exceptional circumstances, as set out in national policy. Where such circumstances are demonstrated, the proposal must be shown to be in the public interest. This includes consideration of the need for the development, alternative options, and the extent of any detrimental impacts on the landscape and its setting, including visual, landscape and experiential effects.

Where exceptional development is suitable, all reasonable steps must be taken to avoid harm. Where this is not possible, impacts must be minimised and mitigated. Compensation will only be considered as a last resort where residual impacts remain and must demonstrably contribute to the conservation and enhancement of the National Landscape.

Proposals within the setting of the National Landscape should incorporate sensitive siting and design of infrastructure, including undergrounding of new electrical and communication equipment to conserve and enhance the natural beauty and special qualities of the area.

Justification
National Landscapes (also referred to as Areas of Outstanding Natural Beauty) are designated by the Government for the purpose of ensuring that the natural beauty of the finest landscapes in England and Wales are conserved and enhanced. The statutory purpose of this designation is to conserve and enhance the Dedham Vale National Landscape. The purpose of this policy is to ensure that development conserves and enhances the natural beauty, special qualities and statutory purpose of the Dedham Vale National Landscape, including its setting, through a robust and evidence-based approach.

In December 2023, a new duty came into force in Section 245 of the Levelling-up and Regeneration Act (2023) stating that ‘relevant authorities must seek to further the purposes’ of the designated landscape. This overrides and strengthens the previous duty to ‘have regard’ to the purposes. This policy reflects that strengthened duty by requiring development proposals to clearly demonstrate how they further the purpose of the National Landscape.

The Dedham Vale National Landscape has been designated for its national importance in terms of landscape and scenic quality, biodiversity and cultural heritage and is further enhanced through its close association with the works of artist John Constable. The quality of the landscape is defined by its natural beauty and special qualities and the integration of the man-made elements within it, and the primary aim of the designation is to conserve and enhance its natural beauty. The policy therefore requires that development proposals conserve and enhance the natural beauty and special qualities of the National Landscape, including tranquillity, landscape character, visual amenity, and public enjoyment.

Potential impacts on the National Landscape will be considered in relation to their individual and cumulative effects, including incremental change arising from multiple developments over time.

As a typically rural landscape, the skies above are of regional importance to residents within and surrounding the landscape. The protection of dark skies and tranquillity is a key characteristic of the National Landscape, and development should avoid unnecessary artificial lighting and minimise light pollution, having regard to relevant guidance including the Dedham Vale National Landscape Lighting Design Guide (2023). In addition, it is important to protect skies that could qualify for International Dark-Sky Association (IDA) accreditation at a later date.

The Council will consult and have regard to advice from the Dedham Vale National Landscape Partnership where development proposals are located within, or have the potential to affect the setting of, the National Landscape. The

Partnership has specialist knowledge of the area's natural beauty, character, and special qualities, and provides guidance through the Dedham Vale National Landscape and Stour Valley Management Plan and associated documents.

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14926 Support

Document Element: Strategic Policy SAMU7
Respondent: National Landscape Office
Date received: 19/10/2026 via Web

Summary:

The National Landscape team welcomes recognition of the proximity of the Suffolk and Essex Coast and Heaths National Landscape in this policy. However, we suggest that the phrase 'where possible' is removed from the policy at item (g) in order for the policy to be compliant with the NPPF Policy N4: Protected Landscapes and the enhanced duty under Section 245 of LURA 2023. The duty also applies to functions undertaken outside of the designation boundary which affects land within the Protected Landscape.

Full text:

The National Landscape team welcomes recognition of the proximity of the Suffolk and Essex Coast and Heaths National Landscape in this policy. However, we suggest that the phrase 'where possible' is removed from the policy at item (g) in order for the policy to be compliant with the NPPF Policy N4: Protected Landscapes and the enhanced duty under Section 245 of LURA 2023. The duty also applies to functions undertaken outside of the designation boundary which affects land within the Protected Landscape.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

14961 Object

Document Element: Strategic Policy SAE1
Respondent: National Landscape Office
Date received: 19/10/2026 via Web

Summary:

The National Landscape team welcomes reference in the policy to the extended National Landscape. However this should read the Suffolk and Essex Coast and Heaths National Landscape. Reference should also be made to the enhanced duty required by LURA 2023 in relation to National Landscapes not just mitigation of impacts. The enhanced duty also applies to settings of the National landscape.

Full text:

The National Landscape team welcomes reference in the policy to the extended National Landscape. However this should read the Suffolk and Essex Coast and Heaths National Landscape. Reference should also be made to the enhanced duty required by LURA 2023 in relation to National Landscapes not just mitigation of impacts. The enhanced duty also applies to settings of the National landscape.

Change suggested by respondent:

The policy should read Suffolk and Essex Coast and Heaths National Landscape.
In (b) the policy should read 'assessment of any impact on the landscape character and National Landscape special qualities should be undertaken and where impacts are identified, mitigation measures, including appropriate enhancements to the National Landscape, should be submitted including structural landscaping at the southern boundary;

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14966 Object

Document Element: Strategic Policy SAE2
Respondent: National Landscape Office
Date received: 19/10/2026 via Web

Summary:

The discussion and policy should make reference to the policy area likely being in the setting of the Suffolk and Essex Coast and Heaths Landscape to the north. The policy should add a paragraph at the end referencing the need for a Landscape and Visual Impact Assessment for any major infrastructure including an assessment of the impacts on the SECHNL natural beauty and Special Qualities' and how any necessary steps can be taken, as necessary, to fulfil the enhanced duty under LURA 2023.

Full text:

The discussion and policy should make reference to the policy area likely being in the setting of the Suffolk and Essex Coast and Heaths Landscape to the north. The policy should add a paragraph at the end referencing the need for a Landscape and Visual Impact Assessment for any major infrastructure including an assessment of the impacts on the SECHNL natural beauty and Special Qualities' and how any necessary steps can be taken, as necessary, to fulfil the enhanced duty under LURA 2023.

Change suggested by respondent:

Add paragraph to say:
Any infrastructure improvements in addition to those which already benefit from planning permission will require a Landscape and Visual Impact Assessment including an assessment of the impacts of the proposals on the SECHNL natural beauty and special qualities, and how steps can be taken, as necessary, to both mitigate effects and to fulfil the enhanced duty for Protected Landscapes under LURA 2023.

Legally compliant: Yes
Sound: No
Appear exam: Written Representation
Attachments: None

14974 Support

Document Element: Objectives for the Plan
Respondent: National Landscape Office
Date received: 19/10/2026 via Web

Summary:

Please provide a summary in appendix of the Local Plan that recognises this.

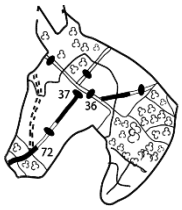
Full text:

For the avoidance of doubt landscape is not just a heritage asset and should be viewed in a more holistic, living way. The European Landscape Convention, to which the UK is a signatory, defines it as follows:
The Convention defines landscape as “an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors”. It also provides that each Party shall undertake “to recognise landscapes in law as an essential component of people’s surroundings, an expression of the diversity of their shared cultural and natural heritage, and a foundation of their identity”.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None



Essex Bridleways Association
Registered Charity **801530**

Essex Bridleways Association (EBA)
Cross-Cutting Representation on the Tendring Local Plan Review 2026-2043 (Regulation 19 Submission Version)

Essex Bridleways Association (EBA) welcomes the positive approach taken throughout the Local Plan towards healthy communities, active lifestyles, countryside access, green infrastructure and Public Rights of Way. We particularly support the recognition of bridleways as green corridors, the protection of bridleways and footpaths within the rural landscape, and Policy CP1's requirement to enhance connectivity to existing PRoW, including bridleways, and to create new links to improve access to the wider countryside.

The Plan presents Tendring as a predominantly rural district characterised by villages, hamlets, coastline, estuaries, National Landscapes and an extensive countryside. It also plans for substantial growth through new housing allocations, strategic urban extensions and Garden Villages.
EBA believes this creates a significant opportunity to strengthen the role of Public Rights of Way, bridleways and Multi-User Routes (MURs) as part of the District's long-term infrastructure and placemaking strategy.

A key consideration is the publication of Active Travel England's *Rural Design Guide for Active Travel (2026)*. The guidance recognises that rural communities require approaches that differ from urban areas and emphasises the need for development to connect settlements, services, green infrastructure and the wider countryside through attractive, accessible movement networks.
EBA considers these principles particularly relevant to Tendring. New development should not simply provide internal roads, footways and cycleways but should also be integrated into the surrounding landscape through connected networks of PRoW, bridleways and MURs.

The Local Plan repeatedly promotes active lifestyles, health improvement and increased physical activity. This is particularly important in Tendring where health inequalities and physical inactivity are recognised challenges.
Equestrian activity contributes directly to these objectives. Horse riding is a recognised form of moderate physical activity and provides significant physical and mental health benefits. It is also an activity that attracts participation from groups who may be less likely to engage in other forms of exercise.
EBA therefore considers that access to safe off-road riding opportunities should be regarded as part of the wider health and wellbeing agenda rather than solely a recreational issue.

The Plan contains positive references to PRoW, bridleways, countryside access and green infrastructure. However, these themes are not always carried through consistently into the

active travel and infrastructure delivery framework. Walking and cycling are frequently referenced, whereas Multi-User Routes are not explicitly recognised despite their ability to support walkers, wheelers, cyclists and horse riders while also contributing to recreation, tourism, health and environmental objectives.
EBA is also aware that the existing bridleway network within Tendring is relatively limited and fragmented and in some locations reliant on sections of road network that have become increasingly difficult to use safely because of traffic growth. This increases the importance of securing improvements wherever opportunities arise through development.
The proposed Garden Villages offer significant opportunities for strategic route creation, but smaller and medium-sized allocations should not be overlooked. Opportunities for mitigation and enhancement should therefore be considered in relation to both strategic and non-strategic development.

Whilst the Plan contains strong policy support for improving access to the countryside and enhancing PRoW connectivity, greater clarity is required regarding delivery. PRoW, bridleways and MURs should be recognised as infrastructure assets capable of receiving developer funding and forming part of the Infrastructure Delivery Plan, masterplans and future design codes. This should include opportunities for:

- enhancement of existing Public Rights of Way and bridleways;
- delivery of new Multi-User Route links;
- improved access to the countryside and coast;
- safe road crossings and route connections; and
- integration of access networks into strategic developments and Garden Villages.

Recommendation
EBA supports the overall direction of the Local Plan. However, given Tendring's strongly rural character, the scale of planned growth and the principles set out within Active Travel England's *Rural Design Guide for Active Travel (2026)*, the Plan would be strengthened by explicitly recognising Multi-User Routes as part of the District's transport, green infrastructure and placemaking framework and by providing greater certainty regarding their delivery through infrastructure planning and strategic development. **This would improve the effectiveness of the Plan and strengthen its consistency with national policy and guidance relating to active travel, healthy communities, countryside access and sustainable placemaking.**

Sally McManus
Bridleway Development Officer

14981 Support

Document Element: Non-strategic Policy HP2
Respondent: Theatres Trust
Date received: 19/10/2026 via Web

Summary:

We welcome inclusion of this policy, which provides strong protection for Tendring's valued cultural facilities in line with paragraph 98 (2026) of the previous NPPF (2024), and Policy HC6 of the new NPPF (2026).

Full text:

We welcome inclusion of this policy, which provides strong protection for Tendring's valued cultural facilities in line with paragraph 98 (2026) of the previous NPPF (2024), and Policy HC6 of the new NPPF (2026).

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

Planning Policy

From: Ben Green [redacted]
Sent: 09 October 2026 15:58
To: Planning Policy
Subject: Tendring District Local Plan Review 2026–2043 and Beyond Regulation 19 representation on behalf of the Woodland Trust

Follow Up Flag: Follow up
Flag Status: Completed

Tendring District Local Plan Review 2026–2043 and Beyond
Regulation 19 representation on behalf of the Woodland Trust

1. Introduction and overall position

The Woodland Trust welcomes the opportunity to comment on the Submission Version of the Tendring District Local Plan Review. Our representation focuses on ancient woodland, ancient and veteran trees, wider tree and woodland protection, biodiversity net gain, ecological connectivity, green infrastructure, climate resilience and equitable access to nature.

We support the Council's ambition to deliver sustainable, infrastructure-led development and welcome the recognition of biodiversity, green and blue infrastructure and the Essex Local Nature Recovery Strategy throughout the Plan. In particular, we strongly support the proposed 20% biodiversity net gain requirement and the intention to create connected, multifunctional green infrastructure within new communities.

However, these ambitions need to be supported by clearer and more enforceable policy requirements. Trees, woodland and ecological networks should shape the location, capacity, layout and phasing of development, rather than being treated primarily as landscaping or mitigation after development parameters have been established.

Our principal concern is that Policy PPL4 does not adequately distinguish the protection of irreplaceable habitats from the wider balancing exercise applied to other biodiversity interests. Further modifications are also required to secure appropriate buffers, early ecological and arboricultural assessment, meaningful canopy expansion, habitat-sensitive access provision and funded long-term stewardship.

The Woodland Trust considers that the policies addressed in this representation require modification to be effective and consistent with national policy. Where development capacity or delivery assumptions depend on unresolved ecological constraints, there are also questions of justification. Our objections are targeted at these matters and should not be interpreted as an objection to sustainable development in principle or to every allocation.

2. Policy PPL4: a distinct and unambiguous test for irreplaceable habitats

Policy PPL4 should contain a separate operative provision for ancient woodland and ancient and veteran trees. Their inclusion alongside Local Wildlife Sites, protected verges and riparian biodiversity risks obscuring their distinctive status as irreplaceable habitats.

This concern is compounded by the subsequent provision allowing biodiversity harm in exceptional circumstances where development benefits demonstrably outweigh the harm and mitigation or

compensation is provided. Without an explicit distinction, this broader balancing provision could be interpreted as applying to ancient woodland and ancient or veteran trees.

The Plan must make clear that these habitats are subject to the more stringent test of wholly exceptional reasons and a suitable compensation strategy. Ordinary housing need, employment benefits, landscaping proposals or biodiversity gains elsewhere should not be presented as sufficient, in themselves, to satisfy that test.

We request the following additional wording:

> **"Development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and ancient or veteran trees, will be refused unless wholly exceptional reasons exist and a suitable compensation strategy is secured. The general biodiversity balancing provisions of this policy do not replace this test. Compensation, replacement planting and biodiversity net gain will not be treated as substitutes for avoiding harm to irreplaceable habitats."**

Supporting text should explain that ancient woodland comprises much more than its standing trees. Its soils, fungi, ground flora, seed bank, deadwood, hydrology and ecological continuity are integral to its value. Retaining trees while damaging these underlying features does not amount to protecting the habitat.

"Deterioration" should expressly encompass indirect effects, including soil compaction, root damage, drainage changes, pollution, nitrogen deposition, artificial lighting, recreational pressure, garden encroachment, invasive species and fragmentation.

Protection must apply regardless of whether a woodland or tree is recorded on an inventory, designated as a Local Wildlife Site or covered by a Tree Preservation Order. The glossary should also expressly include ancient trees within its definition of irreplaceable habitats and distinguish ancient and veteran trees from the broader category of aged trees.

3. Ancient woodland buffers and ancient and veteran tree protection

The Plan should establish clear buffer requirements at allocation and masterplanning stages. Leaving these matters until detailed applications risks fixing development capacities that cannot subsequently accommodate adequate protection.

The Woodland Trust seeks a **minimum 50-metre semi-natural buffer between development and ancient woodland**, measured from the woodland boundary, with larger buffers where necessary to address the scale, nature and pathways of potential impacts.

This is the Trust's requested local policy standard, rather than a claim that 50 metres is a universal statutory minimum. The national standing advice's minimum 15-metre woodland buffer addresses root damage and should not be interpreted as sufficient to resolve every indirect impact.

For ancient and veteran trees, the Plan should require a protective buffer with a radius of at least 15 times the stem diameter, or extending five metres beyond the canopy edge, whichever provides the larger area. Wider protection should be required where site-specific assessment identifies additional impacts.

We request:

> **"Development adjacent to ancient woodland must provide a semi-natural buffer of at least 50 metres. Larger buffers will be required where assessment identifies impacts**

extending beyond this distance. Ancient and veteran trees must be retained with protective buffers of at least 15 times their stem diameter, or five metres beyond the canopy edge, whichever is greater. Buffers must be identified before development layout and capacity are finalised and secured for long-term ecological management."

Buffers should exclude buildings, roads, parking, private gardens, construction compounds, material storage and incompatible infrastructure. They should not become convenient locations for drainage features that alter woodland hydrology or introduce polluted runoff.

Public access should be permitted only where compatible with ecological protection. High-intensity recreation, dog-exercise areas and heavily used routes should be directed elsewhere. Where appropriate, buffers should connect to wider habitat networks, but their primary purpose must remain protection of the irreplaceable habitat.

4. Spatial strategy, allocations and the adequacy of ecological evidence

The protection of irreplaceable habitats must influence site selection, not simply development management. An allocation should not establish a development expectation that depends on harmful encroachment into woodland, tree buffers or supporting habitat.

The Council should provide a transparent ecological constraints and opportunities schedule for each strategic allocation, medium-sized allocation and broad location for growth. This should identify:

- Ancient woodland and potential unrecorded ancient woodland.
- Ancient, veteran and notable trees.
- Priority habitats, Local Wildlife Sites and ecological corridors.
- Relevant hydrological connections and pollution pathways.
- Required buffers and construction exclusion areas.
- Essex Local Nature Recovery Strategy priorities.
- Recreational pressure and access-management requirements.
- Land needed for habitat creation, canopy expansion and long-term management.

Inventories should be supplemented by proportionate field surveys and local records. An absence of mapped features should not be treated as evidence that no constraint exists.

The Plan's ancient woodland schedule should be checked against the latest available inventory and local evidence. Its stated historical source and review dates make it particularly important that allocation screening is not dependent on an outdated list.

Site capacities, infrastructure corridors and development trajectories should reflect the land required for avoidance, buffers and green infrastructure. Where these requirements materially reduce the developable area, the allocation should be amended accordingly.

We request:

"Development capacities and infrastructure layouts must be informed by ecological and arboricultural constraints. Where appropriate avoidance measures, buffers and habitat protection cannot be accommodated, the developable area and capacity must be reduced, the allocation boundary amended or the site omitted."

For broad locations such as Hare Green and Horsley Cross, detailed boundaries may appropriately follow through subsequent planning frameworks. Nevertheless, the Local Plan must establish the essential

environmental safeguards now. Later masterplanning should refine an environmentally acceptable proposal, not determine whether fundamental conflicts can be overcome.

5. Site-specific modifications: Hartley Gardens and other strategic growth

Hartley Gardens, Policy SAMU2

The Plan identifies ancient woodland at Hartley Wood to the north-west of the Hartley Gardens site. This warrants an explicit site-specific safeguard rather than reliance solely on general biodiversity and landscape provisions.

We welcome the proposed retention of important landscape features and the connected green infrastructure approach. However, Policy SAMU2 should expressly require protection of Hartley Wood from both direct loss and indirect deterioration.

We request:

> **"Development must avoid direct or indirect deterioration of Hartley Wood ancient woodland. The masterplan must identify and secure a minimum 50-metre semi-natural buffer, with a larger buffer where required by ecological, hydrological, air-quality or recreational-impact assessment. Development capacity, drainage, lighting, access and infrastructure must be designed around these requirements. Alternative recreational provision must prevent increased pressure from causing deterioration of the woodland."**

This does not presume that the allocation overlaps the woodland or that harm is inevitable. It responds to the relationship identified in the Plan and seeks an enforceable requirement to demonstrate that development can proceed without deterioration.

The assessment should address construction effects, drainage changes, increased recreational demand, traffic-related pollution and cumulative impacts. The relationship between Hartley Brook, Pickers Ditch, retained trees and woodland hydrology should inform drainage design.

Garden communities and garden villages

Policies SAMU1, SAMU6, SAMU8 and SAMU9 should secure landscape-led development in which retained habitats and trees form the starting point for design.

New country parks and green corridors should provide genuine nature-recovery opportunities while directing recreational demand away from sensitive habitats. Incorporating an existing woodland into a country park should not automatically imply that increased access, new paths or visitor infrastructure are ecologically acceptable.

The Plan should clarify how its environmental requirements operate alongside the separate development plan framework for the Tendring Colchester Borders Garden Community, avoiding uncertainty over applicable standards and stewardship responsibilities.

Collierswood Farm, Policy SAE3

We welcome the recognition of woodland-specific habitat enhancement opportunities. However, retaining existing trees and hedgerows "where possible" should be replaced with a stronger retention-first requirement.

The masterplan should identify retained trees, habitat corridors, woodland enhancement areas, buffers and canopy requirements before building footprints, service areas and transport infrastructure are fixed. Lighting, noise and air-quality measures should protect ecological receptors as well as residential amenity.

6. Policy PPL4a: retain 20% biodiversity net gain and strengthen delivery

The Woodland Trust strongly supports the proposed 20% biodiversity net gain requirement. This should be retained as a clear minimum requirement for qualifying development, supported by the Plan's evidence and viability assessment.

The opening wording should be revised to remove ambiguity between an expectation of delivery within the development site and the subsequent allowance for off-site provision. It should distinguish the statutory biodiversity gain objective from the additional local policy requirement.

We request:

> **"Development subject to mandatory biodiversity net gain must deliver a minimum 20% biodiversity net gain, calculated using the statutory biodiversity metric and secured through appropriate planning mechanisms. Delivery must follow the applicable biodiversity gain hierarchy, support the Essex Local Nature Recovery Strategy and strengthen coherent ecological networks."**

The policy should also clarify that statutory biodiversity credits are a last-resort mechanism for meeting the mandatory biodiversity gain objective. They should not be presented as an automatic means of satisfying the additional local uplift. Any arrangements for the locally required gain must be clearly defined and enforceable.

A viability concern should not, by itself, establish that the biodiversity gain hierarchy has been exhausted. The policy should require evidence of the delivery options considered and distinguish any proposed flexibility in the additional local requirement from statutory obligations.

BNG must remain separate from the protection of irreplaceable habitats. Neither a positive metric result nor off-site habitat creation makes otherwise unacceptable woodland or ancient-tree harm acceptable.

Habitat banks should be selected for ecological suitability and strategic contribution, not simply land availability or price. Woodland creation should be supported where appropriate, but must not replace valuable grassland, wetland, coastal habitat or functionally linked land.

Management arrangements should specify habitat condition targets, delivery milestones, funding, monitoring and remedial action. The statutory minimum management period should be recognised, while **at least 50 years of management and monitoring should be sought for woodland creation and other slow-establishing habitats**, where justified and secured through appropriate mechanisms.

7. Tree retention, construction protection and replacement

Policies PPL3, SPL3 and LP4 should establish a consistent retention-first approach. Existing trees should influence development design from the outset, rather than being assessed after layouts have become difficult to change.

Applications affecting trees should be supported by proportionate early arboricultural assessment, including a tree survey, Arboricultural Impact Assessment, Tree Retention Plan, Tree Protection Plan and, where necessary, an Arboricultural Method Statement.

Surveys should identify ancient, veteran and notable trees, including those in hedgerows, historic parkland, orchards, field boundaries and urban settings. Newly identified ancient and veteran trees should be recorded through appropriate inventories, and the Council should consider Tree Preservation Orders where justified.

Construction protection must address soil compaction, excavation, changes in ground levels, trenching, service installation, storage and vehicle movements. Protection should be installed before site clearance or enabling works, with professional supervision at relevant stages.

Notable trees should receive explicit recognition as valuable ecological, cultural and landscape assets and as part of the future veteran-tree resource. Decay features, cavities and deadwood should not automatically be treated as reasons for removal.

Where ordinary tree loss is demonstrably unavoidable, replacement should follow a size-based standard, such as the Bristol Tree Replacement Standard or an equivalent locally adopted approach. Replacement should reflect the scale and value of the loss, rather than relying on one-for-one sapling counts.

Replacement trees must have adequate rooting space, suitable species selection, funded establishment and replacement of failures. Planting should maintain benefits within the affected locality wherever practicable. These provisions must not be used to justify loss of ancient woodland or ancient and veteran trees.

8. A firm 30% canopy-cover requirement for new development

The Plan should move beyond general support for tree-lined streets and introduce a measurable canopy-cover requirement.

The Woodland Trust requests that new development be designed to achieve at least 30% tree canopy cover, with a clear policy requirement for major residential, mixed-use and non-residential schemes. This should be embedded in Policies SPL3, LP4 and PPL4 and reflected in strategic allocation requirements.

A canopy standard measures the intended outcome more meaningfully than a planting count. Numerous small ornamental trees should not be treated as equivalent to retaining mature trees or providing sufficient space for large-canopy species.

We request:

> **"Major development must retain existing trees and be designed to achieve at least 30% tree canopy cover across the application site. Applications must provide a canopy assessment showing existing cover, retained cover and projected cover at an agreed establishment horizon, normally 30 years after completion. Delivery must be supported by adequate rooting space, suitable species selection, funded management, monitoring and replacement of failures."**

The calculation should use a clearly defined site boundary and avoid double-counting overlapping crowns. Projections must reflect realistic growth, site conditions, species characteristics and likely management.

The standard should be addressed at outline and masterplanning stages. It should not be deferred until reserved matters, when streets, utilities and building positions may leave insufficient space.

Where existing canopy exceeds 30%, the target must not become permission to reduce it. Retention and protection requirements should continue to apply independently.

Any departure should require robust site-specific justification, demonstrating that reasonable design alternatives have been exhausted. Exceptions should be narrowly defined, particularly where valuable open habitats would be harmed by planting. Routine claims about density, parking or infrastructure should not displace a requirement that could have been accommodated through earlier design.

The Plan should also establish canopy baselines and improvement objectives for existing settlements, prioritising places with low tree cover, limited access to nature and environmental disadvantage. The 3-30-300 principle can support this approach, but should complement rather than dilute the explicit new-development canopy requirement.

9. Green infrastructure, woodland access and tree equity

Policies HP1, HP5, LP4 and PPL4 should collectively secure accessible, connected and ecologically functional green infrastructure.

We welcome the tiered open-space requirements. However, the quantity of open space alone does not demonstrate access to nature, adequate shade or habitat connectivity. Formal sports provision, amenity grassland, drainage infrastructure and woodland have different functions and should not be treated as interchangeable.

The Plan should use the Woodland Trust's Access to Woodland Standard to identify deficiencies and guide provision:

- Accessible woodland of at least two hectares within 500 metres of homes.
- Accessible woodland of at least 20 hectares within four kilometres of homes.

These should be complemented by an objective of accessible natural greenspace of at least two hectares within 300 metres of homes, with safe and inclusive routes.

New woodland and planting should prioritise areas of access deficiency and low canopy cover. Where suitable data is available, Tree Equity mapping should inform investment, with a Tree Equity Score of at least 75 sought as a local improvement benchmark.

The Council should also consider supporting planting benchmarks of five trees per dwelling and five trees per 1,000 square metres of non-residential floorspace where appropriate and deliverable. Such benchmarks must supplement, not replace, canopy and retention standards.

An Urban Greening Factor could provide an additional tool for major development, particularly in denser locations. It should reward retained mature trees, large-canopy planting and biodiverse multifunctional infrastructure, rather than cosmetic landscaping.

10. Nature recovery, landscape and climate adaptation

The Essex Local Nature Recovery Strategy should influence allocation decisions, infrastructure planning, habitat banks and development design. References to having regard to the Strategy should translate into identifiable spatial requirements and measurable delivery.

The Plan should map ecological networks and relevant opportunity areas, including opportunities for woodland expansion, natural regeneration, hedgerow restoration and riparian habitat enhancement.

Policy PPL6 should recognise that Strategic Green Gaps can contribute to nature recovery as well as settlement separation. Enhancement must remain sensitive to landscape character and existing habitats.

Policies PPL1 and PPL5 should require drainage and flood-risk assessment to address effects on woodland soils, rooting environments, groundwater and natural drainage patterns. No tree felling is necessary for development to damage woodland through altered hydrology.

Nature-based solutions should be integrated into green and blue infrastructure, including appropriate riparian planting, wet woodland, soil restoration and floodplain habitat restoration. They should complement, not replace, necessary flood-risk assessment and infrastructure.

In Tendring's coastal and estuarine landscapes, woodland creation must follow a habitat-sensitive approach. Tree planting should not compromise saltmarsh, valuable grassland, bird habitat, open landscape character or coastal adaptation opportunities.

11. Recreation, pollution, lighting and cumulative effects

Recreational mitigation must avoid transferring pressure from coastal habitats to ancient woodland or other sensitive sites.

SANG design should provide attractive alternatives while protecting existing ecological assets. Paths, parking, lighting and intensive dog-walking provision should not be placed within woodland buffers where they would cause deterioration.

The Plan should retain the distinction between recreational mitigation and biodiversity net gain. Where both are delivered on the same land, additional biodiversity gains must be demonstrable rather than assumed.

Policies SPL3, CP1, CP2 and SAE2 should require assessment of pollution, nitrogen deposition, dust, lighting, noise and fragmentation wherever credible pathways to sensitive habitats exist. Assessment should include cumulative effects from housing, employment development and associated infrastructure.

Distance thresholds used for particular assessment purposes should not be interpreted as universal limits beyond which ecological effects can be disregarded.

Lighting strategies should protect woodland edges, hedgerows and dark ecological corridors. Active-travel routes should improve connectivity without requiring harmful lighting, surfacing or vegetation clearance within sensitive habitats.

12. Infrastructure delivery, stewardship and monitoring

Policy DI1 should explicitly include ecological protection, woodland buffers, canopy delivery, habitat management and recreational mitigation within essential infrastructure requirements.

Its exceptions for development proceeding without full mitigation require an express safeguard. A general benefits or viability balance must not override statutory obligations or the specific national policy test for irreplaceable habitats.

We request:

> **"The exceptions in this policy do not disapply statutory environmental requirements or the specific protection afforded to irreplaceable habitats. Development must not proceed where essential ecological protection or mitigation has not been secured and delivered at the stage necessary to prevent harm."**

Management arrangements should identify ownership, responsible organisations, funding, inspection, reporting and corrective-action mechanisms. Stewardship must remain effective through development phasing and any transfer of land or management responsibility.

The monitoring framework should include:

- Loss or deterioration of ancient woodland and ancient or veteran trees.
- Delivery and condition of protective buffers.
- Trees retained, lost, planted and successfully established.
- Existing and projected canopy cover, including progress towards 30%.
- Hedgerow condition and ecological connectivity.
- BNG delivery and achievement of habitat condition targets.
- LNRS-aligned habitat restoration and creation.
- Woodland and natural-greenspace accessibility.
- Effectiveness of recreational mitigation.
- Compliance with funded management arrangements.

Each indicator should have a baseline, target, reporting frequency, responsible body and remedial trigger. Monitoring must measure ecological outcomes, not simply permissions granted or contributions secured.

13. Principal modifications requested and conclusion

The Woodland Trust requests that the Council:

1. Insert a separate irreplaceable-habitat test into PPL4 and clarify that general biodiversity balancing does not replace it.
2. Require minimum 50-metre ancient woodland buffers, wider protection where necessary and appropriate ancient and veteran tree buffers.
3. Ensure ecological constraints shape allocations, capacities and infrastructure before development expectations are fixed.
4. Add an explicit Hartley Wood safeguard to SAMU2.
5. Retain the minimum 20% BNG requirement and clarify its relationship with statutory gain, credits and off-site delivery.
6. Secure longer management periods for woodland and other slow-establishing habitats.
7. Introduce retention-first tree protection and size-based replacement standards.
8. Require at least 30% canopy cover in new major development, with realistic projections and enforceable delivery.
9. Strengthen woodland access, tree equity and connected green infrastructure.
10. Translate LNRS priorities into spatial requirements and measurable outcomes.
11. Protect woodland hydrology and sensitive habitats from recreation, pollution and cumulative effects.
12. Prevent DI1 exceptions from weakening essential environmental safeguards and introduce outcome-based monitoring.

These modifications would reinforce the Plan’s existing environmental ambitions while improving clarity, effectiveness and consistency with national policy. They would help ensure that development delivers lasting nature recovery and accessible green infrastructure without sacrificing the irreplaceable habitats and established trees on which those outcomes depend.

Yours faithfully,

Ben Green
Regional External Affairs Officer - Central
Telephone: [redacted]
Email: [redacted]

The Woodland Trust, Kempton Way, Grantham, Lincolnshire, NG31 6LL
0330 333 3300
woodlandtrust.org.uk

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15014 Support

Document Element: Strategic Policy PPL4
Respondent: RSPB
Date received: 19/10/2026 via Web

Summary:

The Draft Local Plan contains several policies which recognise the need to apply a precautionary approach to any developments with the potential to impact sites legally protected for their ecological importance. The RSPB supports this approach and considers it particularly important given the proximity of several proposed allocations to the Stour and Orwell Estuaries SPA and Ramsar site, Hamford Water SPA, SAC and Ramsar site, and Colne Estuary SPA and Ramsar site.

Full text:

The Draft Local Plan contains several policies which recognise the need to apply a precautionary approach to any developments with the potential to impact sites legally protected for their ecological importance. The RSPB supports this approach and considers it particularly important given the proximity of several proposed allocations to the Stour and Orwell Estuaries SPA and Ramsar site, Hamford Water SPA, SAC and Ramsar site, and Colne Estuary SPA and Ramsar site.

Change suggested by respondent:

-

Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None

15018 Object

Document Element: 12 Policies Maps, Policies Map – Key
Respondent: RSPB
Date received: 19/10/2026 via Web

Summary:

The interactive map appears to show some settlement development boundaries extending into the Stour and Orwell Estuaries SPA and Ramsar site (Manningtree, Mistley, Parkeston). We assume this is either a mapping artefact or reflects administrative boundaries rather than any intention to identify designated habitat for future development. Nevertheless, given the importance and sensitivity of these designated sites, clarification would be welcomed to ensure there is no ambiguity regarding the status or intended treatment of these areas.

Full text:

The interactive map appears to show some settlement development boundaries extending into the Stour and Orwell Estuaries SPA and Ramsar site (Manningtree, Mistley, Parkeston). We assume this is either a mapping artefact or reflects administrative boundaries rather than any intention to identify designated habitat for future development. Nevertheless, given the importance and sensitivity of these designated sites, clarification would be welcomed to ensure there is no ambiguity regarding the status or intended treatment of these areas.

Change suggested by respondent:

No overlap of settlement development boundaries with the Stour and Orwell Estuaries SPA/Ramsar site.

Legally compliant: No
Sound: No
Appear exam: Written Representation
Attachments:

Manningtree Settlement Development Boundary.png
Mistley Settlement Development Boundary.png
Parkeston Settlement Development Boundary.png

15029 Support

Document Element: Strategic Policy SAMU7
Respondent: RSPB
Date received: 19/10/2026 via Web

Summary:

The Stour and Orwell Estuaries SPA/Ramsar site is a significant constraint on development due to its internationally important wintering bird populations. Several allocations, including Saltings Quarter, the Carless Refinery Extension and Crisp Malting, are in very close proximity to habitats used by qualifying features and proposals would need to be designed very carefully to increase the likelihood that adverse effects on the integrity of the SPA/Ramsar site can be ruled out. Proposals will need to be supported by robust assessments which examine potential disturbance from both construction and operational phases of development.

Full text:

The Stour and Orwell Estuaries SPA and Ramsar site supports internationally important populations of wintering waterbirds and this represents a significant environmental constraint for development proposals located close to the estuary.

The RSPB notes that the red-line boundaries of several allocations, including Saltings Quarter, the Carless Refinery Extension and Crisp Malting, are in very close proximity to habitats used by qualifying features of the Stour and Orwell Estuaries SPA/Ramsar site. The successful delivery of these allocations will depend upon careful design and a thorough understanding of the potential impacts on internationally important bird populations from the outset. Potential impact pathways may include construction-related disturbance arising from noise, lighting, dust and visual activity. Particular consideration should also be given to the long-term presence and prominence of human activity in these areas once development is occupied and in use, and the potential disturbance this may cause to qualifying SPA and Ramsar species.

The allocation at Wrabness gives rise to a somewhat more indirect impact pathway. Whilst the development itself may not directly affect the most sensitive estuarine habitats, the short walking distance between the site and the estuary foreshore could increase recreational use of areas regularly used by qualifying SPA and Ramsar species. The Plan and supporting HRA should therefore provide confidence that the strategic mitigation measures identified within the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) are sufficient to address any localised effects arising from the allocation, or identify whether any additional site-specific measures may be required.

Change suggested by respondent:

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Legally compliant: Yes
Sound: Yes
Appear exam: Not specified
Attachments: None