

# GUIDANCE NOTES

## & RESPONSE FORM

to accompany the Publication Draft Local Plan (2017)

**Please read these guidance notes before completing the response form**

### Introduction

Braintree District Council, Tendring District Council and Colchester Borough Council, have each published their own Publication Draft Local Plan for consultation. Section 1 is common to each plan. This response form can be used to respond to any part of the 3 Plans. It is important to specify which.

The 3 Plans have been published in order for representations to be made prior to submission of the documents to the Planning Inspectorate for examination. All representations will be examined by a Planning Inspector. The purpose of the examination is to consider whether the Plan complies with the legal requirements, the duty to co-operate and is sound.

**Each Local Plan has two parts:**

**Publication Draft Local Plan Section 1** - A set of strategic policies constructed in partnership between the three authorities and Essex

County Council. This means that the Section 1 policies are intended to apply across all three Local Authorities. These policies include those relating to Garden Communities, housing supply, employment, shopping and the environment. You can send your response to any one of the authorities as all responses to Section 1 will be collated. Only 1 response to the 3 authorities is required.

**Publication Draft Local Plan Section 2** - relates to the specific district, contains more detailed policies and is used to determine planning applications. If you wish to comment on the Tendring Publication Draft Local Plan Section 2 you should send your comments to Tendring District Council.

If you would like assistance in completing your representation or have any other questions about the Publication Draft Local Plan please contact the Planning Policy Team by email [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk) or by phone on 01255686177 and ask for Planning Policy.

**Tendring**  
District Council



**Local Plan**  
COLCHESTER BOROUGH



## Part A - Personal Details

Please note that it is not possible for representations to be considered anonymously. Representations will be published on the Council's websites and included as part of the Publication Draft Local Plan submission to the Inspector. Address and contact details will be removed from published responses. (Village/town shown).

The Council reserves the right not to publish or take into account any representations which it considers offensive or defamatory.

Please supply an email address if you have one as it will allow us to contact you electronically. Everyone who submits a representation will be added to the relevant consultation database (if not already included) so that we can keep you up to date with the plan. If you do not wish to be contacted in this way please state this clearly on the form.

If an agent or consultant has been engaged to act on your behalf please fill in both sets of details in full. Correspondence will be sent to the agent. If you are a landowner with an agent acting on your behalf, please ensure that your agent knows the site name and reference number which your site has been given.

## Part B - Representation

Please specify which section of the Publication Draft Local Plan your comments relate to, by choosing one of the following;

**Section 1** A response to this section will be reported to all 3 authorities.

**Section 2 Colchester**  
**Section 2 Tendring**  
**Section 2 Braintree** } These plans are specific to each authority.

Which part of the plan are you responding to (please use one form per submission):

**Paragraph:** for a representation on wording or paragraph content

**Policy:** for a representation on the wording or inclusion or omission of a policy

**Other:** for example a map inset number, site reference or the wording or content of tables or appendices

## Legal Compliance and Duty to Co-operate

If commenting on how the Publication Draft Local Plan has been prepared, it is likely that your comments will relate to a matter of legal compliance.

The Inspector will check that the Plan meets the legal requirements

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

- The Plan should be included in the current Local Development Scheme (LDS) and the key stages should have been followed.
- The process of community involvement for the Plan in question should be in general accordance with the Statement of Community Involvement (SCI).
- The Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (the Regulations). On publication, the LPA must publish the documents prescribed in the Regulations; making them available on its website and at its principal offices. It must also notify the Local Plan bodies (as set out in the Regulations) and any persons who have requested to be notified.
- The LPA must provide a Sustainability Appraisal Report. This should identify the process by which it has been carried out, baseline information used to inform the process and the outcomes of that process.
- LPAs will be expected to provide evidence of how they have complied with the Duty to Co-operate.
- Non-compliance with the duty to cooperate cannot be rectified after the Plan's submission. Therefore the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the Plan.

## Soundness

Soundness is explained in National Planning Policy Framework (NPPF) paragraph 182. The Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy.

More details and further guidance on what is meant by the term 'soundness' can be found below and at; [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

### Positively prepared

This means that the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

### Justified

The Plan should be the most appropriate strategy when considered against reasonable alternatives, based on a proportionate, robust and credible evidence base.

### Effective

The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities, sound infrastructure delivery planning and no regulatory or national planning barriers. It should be flexible to changing circumstances

### Consistent with national policy

The Plan should be consistent with national policy. Departure must be clearly justified.

If you think the content of the Plan is not sound because it does not include a policy where it should do, 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? If so it does not need to be included?
- Is what you are concerned with covered by any other policies in the Plan on which you are seeking to make representations or in any other Plan?
- If the policy is not covered, how is the Plan unsound without the policy?
- If the Plan is unsound without the policy, what should the policy say?

Using the spaces provided please give details of why you think the Publication Draft Local Plan is not 'sound having regard to the legal compliance, duty to cooperate and the four requirements set out above. You should try to support your representation by evidence showing why the Plan should be modified. **If your representation is over 100 words please include a summary of its main points in the box provided.**

It will be helpful if you also say precisely **how** you think the Plan should be modified. Representations should cover succinctly all information, evidence and supporting information necessary to support/justify the representation and suggested modification, as there will not normally be a further opportunity to make submissions based on the original representation made at publication.

Where there are groups who share a common view on how they wish to see a Plan modified, it would be very helpful for that group to send a single representation which represents the view. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

All the formal representations received during this stage will be submitted to and considered by the appointed independent Planning Inspector at the public examination on the Plan. The process is likely to include public hearings. The Inspector will determine the most appropriate procedure to adopt to hear those who choose to participate at this stage. If you would like to appear and speak at the hearings, please state this and explain in the space provided why you consider it is necessary that you participate.

Representations can be sent:

- Via the Council's online consultation portal: <http://tendring-consult.objective.co.uk/portal>
- Via a representation form which can be downloaded from the website and returned via email to [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk)
- or by post to:  
**Planning Policy,  
Tendring District Council  
Thorpe Road  
Weeley  
Essex  
CO16 9AJ**

For internal Use only	ID:		Rep No:	

## Draft LocalPlan

# RESPONSEFORM

Responses are encouraged via the council's online consultation system available on the website, see <http://tendring-consult.objective.co.uk/portal> However, this form can be returned electronically to [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk) or in hard copy if necessary to:

Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
**The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017**

This form has two parts:

Part A - Personal Details (that you cannot type in the boxes) and Part B - Your comments

## PART A

### 1. Personal Details

Mr

David

Wendon

Organisation   
(Where relevant)

20 Wivenhoe Rd

Alresford

Colchester

CO7 8AD

### 2. Agent's Details (if applicable)

Title

First Name

Last Name

Organisation

Address Line 1

Address Line 2

Address Line 3

Post Code

E-mail Address

Telephone Number

# PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

You do not need to return this form if you have completed a response using any of the Council's online systems for this consultation. Duplicates will not be considered

**Please specify which section of the Publication Draft Local Plan your comments relate to by choosing one of the following:**

Section1             Section2Tendring     

**Which part of the section are you responding to?**

e.g.Paragraph/Policy/Map/Other

**Do you consider the Local Plan is Legally compliant?**

      No

**Does it comply with the Duty to Co-operate?**

      No idea

**Do you consider the Local Plan is Sound?**

      No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positivelyprepared       Justified       Effective       Consistent with NationalPolicy

**Enter your full representation here:**

I don't agree with the Draft Local Plan as it stands. As a layman who has attended several of the Local Plan Public meetings, read and heard arguments debated on various aspects of the documents, I still find it impossible to break through the all the jargon. Hence I offer my comments in this format because I am in no position to argue whether the Local plan is sound, legally compliant etc.. What is clear is that the proposed development areas to meet the new housing are not clearly identified. Nowhere in the plan is there any mention of sheltered/assisted living accommodation that will allow residents to remain in their own community and free up larger properties.

**Tendring District Council Local Plan 2013-2033 and Beyond - Publication Draft**

In the document Alresford is identified as a Rural Service Centre and also as having wildlife centres and ancient woodland. Whilst there is no doubt about the latter I dispute it's classification as a service centre. It merely has two small general stores, two takeaways, a carpet shop and a railway station that a few commuters use. Hardly a dynamic service centre.

**Under sustainable places 3.2.1.3** It is stated that '*For Tendring District, seven villages are classed as 'Rural Service Centres' Alresford, Elmstead Market, Great Bentley, Little Clacton, St. Osyth, Thorpe-le-Soken and Weeley. For these settlements, the Local Plan identifies opportunities for smaller-scale growth. Some of these villages will accommodate a modest increase in housing stock, where appropriate, within the plan period. Proposed housing allocations are at a level that is fair, achievable and sustainable for each of the settlements concerned. These will make a meaningful contribution toward addressing local housing needs, supporting the village economy and assisting with the overall housing growth proposed for the District. If at any time during the plan period, there is an identified local need for affordable housing in any of these villages that cannot be fully addressed through the proposed housing growth in this Local Plan, the option of delivering additional housing through the 'rural exceptions policy' is available to Parish Councils working with landowners the District Council and/or another affordable housing provider.*

This has been questioned for all the villages throughout the public meetings both by Local and District Councillors. and the public. It also reads that despite the 40% growth destined for Alresford more can be added at the District Planner' whim. The local map of Alresford shows the enlarged settlement boundary without identifying the new developments.



**Policy SPL3 Part B: Practical Requirements states:-** *New development (including changes of use) must meet practical requirements. The following criteria must be met: access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate and not lead to an unacceptable increase in congestion;*

The planned development will caused an unacceptable increase in traffic congestion in Alresford and the surrounding area. Traffic is already at an unacceptable congestion level in Colchester and the approaches from Tendring and surrounding area. Further development cannot go ahead in Tendring without improvements being in place first.

**Table LP2 – Local Plan Housing Allocations** identifies numbers of homes with planning permission but not the sites. It then goes on to list other sites with SAMU references.

It makes it look as if there are no new homes allocated to Alresford, Gt Bentley and other villages where outline planning has been approved for numerous houses. Therefore making Alresford prime for growth even though the village will grow by 36% with the planning permissions already given.

### Connected Places- Transport

During the time this report has been produced Alresford had 4 busses an hour between Colchester and Brightlingsea via Wivenhoe, which reduced to 3 and then 2. Another operator has extended some busses from Wivenhoe during the day seemingly providing 4 busses an hour but since these two operators run within 1minute of each other in reality there is only a half hourly service. The infrequent evening and Sunday services are subsidised by ECC.

Alresford has a railway station but trains in general only stop hourly. Apart from a couple of early morning and evening trains that go through to/from London it is necessary to change to a London train at Colchester. It is not possible to shorten the journey time by changing at Wivenhoe, as the trains that stop at Alresford follow the Clacton to London trains which stop there, thus necessitating the extended journey to Colchester to wait and change trains.

### Delivering places

Again there is no mention that Alresford has outline planning permission for more than 280 homes thanks to the delay of the District Local Plan and the Government Inspector taking large development sites in isolation and finding in favour of them. Already the village is going to increase by 36%.

### Delivering Infrastructure

Road improvements are needed in advance of housing development. There has been no planning for this. A new road link from the east planned in the 70s had land reserved for it but Colchester Borough Council has subsequently allowed housing to be built on it. The area blighted by the proposed road has not recovered and remains run down, congested and polluted. Many travel by car simply there is no public transport to where they want to go, it is not integrated, not reliable or simply not sufficiently frequent to be available within a reasonable time of when they want to go. See earlier comments on transport.

The local map of Alresford show the enlarged settlement boundaries without identifying the new developments whereas the Brightlingsea map shows the housing allocations in orange.

## TDC Local Plan Section Two: Draft Publication (Regulation 19) Sustainability Appraisal (SA): Environmental Report - June 2017

Under Sites Explored in Rural Service Centres Page282 preferred allocations in rural service centres, Alresford sites are listed.

NEW	AL1	Cockaynes Orchard, South of Cockaynes Lane, Alresford CO7 8BT	Total: 145
NEW	AL2	Land North of Cockaynes Lane, Alresford CO7 8BT	Total: 70
NEW	AL3	Land South of St Andrew's Close, Alresford CO7 8BL	Total: 46
NEW	AL4	Land South of Wivenhoe Road and West of Church Road, Alresford CO7 8AX	Total: 176
NEW	AL5	Garden Land between Railway and Wivenhoe Road, Alresford CO7 8AQ	Total: 45
NEW	AL6	Land Adjacent to 2 Wivenhoe Road, Alresford (South of Wivenhoe Road)	Total: 145

All those sites were rejected but AL1, AL2 and AL3 sites, plus others not recorded in these documents, have received outline approval on appeal. The way that sites A4, AL5 and AL6 are included in this table without any reference to the 300 new houses

already planned in the main District Plan document, it could be taken as 3 suitable sites in Alresford to provide another 366 homes thus increasing the growth of the village by 79% rather than the already insensitive increase of 36%.

Alresford and other Tendring villages are being overwhelmed with houses already approved and will be totally destroyed without appropriate recording of the documents to show the houses already with planning permission in those localities.

There should be no further large scale development beyond that already with planning permission until additional medical facilities, schools, road and public transport schemes are undertaken.

### **West Tendring Colchester Fringes Garden Development**

This will do nothing to enhance the area and will only cause even more traffic congestion, particularly on the eastern approaches, and pressure on schools and health facilities.

## **THERE MUST BE INFRASTRUCTURE FIRST, THEN NEW HOMES.**

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**If your representation is more than 100 words, please provide a brief summary here:**

### **SUMMARY**

The Draft Development Plan as presented does not make it clear where the sites that have already got planning permission, and included in the housing numbers, are within the various communities. The maps show extended settlement areas but not all show the sites that already have planning permission. As a consequence it could be seen that sites that have been considered and already rejected, in the preparation of this plan, being included to make up the numbers without further consultation.

Growth of 300 new homes in a village (Alresford) that only has 840 existing residences is already too much, let-alone including the others in section2.

Too much emphasis is given to villages that happen to have a railway station and bus stop irrespective of the frequency of that public transport. None of the villages in Tendring have sufficient shops, services and public transport to be classified as a Rural Service Centre.

There needs to be allocated space for sheltered/assisted living accommodation in communities so long term residents can remain close to their friends, clubs etc. and free up their larger homes for families.

There needs to be a committed plan for improvement to road and public transport links, healthcare and schools so that it is in place before development commences.

The public consultation of this plan has been appalling. Anyone not following the process from early meetings could not understand the process, jargon or reasoning.

Originally each village was going to have up to 50 new homes. TDC and Government Inspectors have failed us.

There has been no public consultation or detail published on the Colchester/Tendring fringes. It may be beneficial to the University of Essex but it will not only have considerable impact on Wivenhoe and surrounding villages but also on the wider Tendring peninsular.

### **Please specify the changes needed to be made to make the Plan sound / legally compliant**

A committed plan for improvement to road and public transport links, healthcare and schools so that they are established before any development commences. Clearly identify the sites that already have planning permission.

Make provision for sheltered/assisted living accommodation.

**Do you wish to participate at the oral part of the examination?**

No

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan.**

Yes

**If yes which stage**

Issues and Options  PreferredOptions

Both

**Do you wish to be notified?**

- When the document is submitted for independent examination?
- When the Inspectors Report is published?
- When document is adopted?

**Yes notify me of all please.**

**Braintree & Tendring: Return by 5pm 28th July 2017**  
(response to section 2 Braintree and Tendring will not be accepted after this date. After this date response to Section 1 should be sent to Colchester Borough Council)

**Colchester: Return by 5pm 11th August 2017**