

Comment

Consultee	Mr Kevin Coleman (1021494)
Email Address	[REDACTED]
Company / Organisation	Phase 2 Planning & Development Ltd
Address	270 Avenue West Skyline 120 Braintree CM77 8YG
Event Name	Tendring District Local Plan - Section 2 Main Modifications
Comment by	Phase 2 Planning & Development Ltd (Mr Kevin Coleman - 1021494)
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Please specify type of modification or associated document your comments relate to. Section 2 Proposed Main Modification

Main Modification Reference: 44.2

With the inclusion of the Proposed Main Modifications, do you consider the Plan is Sound? No

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

Enter your full representation here:

This representation is submitted on behalf of Mifield. In brief, whilst we support the reasoning to Modification D of Policy SAMU3 (which responds to the concerns that we raised at the Examination relating to the need for comprehensively planned development for the whole of the wider Oakwood Park area), the actual wording proposed in Modification D will not achieve the stated intention. We agree that the Modification is necessary to achieve Soundness, but as the proposed wording is insufficient, the Plan would remain not Sound on this issue. The Council and the Inspector will recall that the key issue in respect of Policy SAMU3 is that only part of the land bordered by Thorpe Road, Holland Road, and the railway is shown to be allocated, with the remaining area included within the settlement boundary but outside of the allocation. As per our

Hearing Statement, there is no disagreement between the parties that the additional 'white land' area created that will be in the settlement boundary but outside of the allocation will come forward for development at some point, and therefore, as per the stated reason for Modification D of Mod 44.2, it is important to ensure that development now takes in to account, and does not prejudice, the longer term potential of adjoining land.

The reasons why we say that Modification D will not achieve the stated objective, and therefore does not render the Plan sound, are threefold:

1. The rationale for Modification D rightly refers to the need for development now not to "prejudice" longer term development, whereas the actual wording of Modification D refers to "preclude". Preclude and prejudice do not have the same meaning. Under the Modification as currently proposed, the policy would only 'bite' if development now were to somehow prevent any form of development ever occurring on the neighbouring land, whereas a requirement not to "prejudice" longer term development has broader scope, as the proper wider development of the area may be adversely prejudiced even if it not wholly precluded.

2. In addition to the above, and as per our Hearing Statement, the Modification as proposed fails to address the fact that the criterion does not provide any clarity as to what the area of coverage of the "master planned" approach should be. In our view, in order to be Effective and to meet the objective of ensuring that adjoining land is not prejudiced, the Masterplan should cover the entirety of the area between Thorpe Road and the railway line, so that it can be seen how the proposed development on the allocation site both integrates with existing approved development to the east in 'phase 1' and does not prejudice future development in the 'phase 3' area on the west side. A Master planned approach which only looks internally within the boundaries of the allocation site itself serves little purpose.

3. Furthermore, and again as raised in our Hearing Statement, the Modification does not address the issue of when the Masterplan should be prepared, what its purpose is, and what its status is, all of which undermines the Effectiveness of the policy.

For these three reasons, Modification D does not 'deliver' on the reason given for its inclusion. A Modification is necessary to make the Plan sound, but the Modification needs to address the three deficiencies highlighted.

We therefore consider that either the amended wording put forward in our Hearing Statement is needed, or an alternative form of words that otherwise addresses the three issues above, is required before the Plan can be found sound.

If your representation is more than 400 words, please provide a brief summary here:

In brief, whilst we support the reasoning to Modification D of Policy SAMU3 (which responds to the concerns that we raised at the Examination relating to the need for comprehensively planned development for the whole of the wider Oakwood Park area), the actual wording proposed in Modification D will not achieve the stated intention. We agree that the Modification is necessary to achieve Soundness, but as the proposed wording is insufficient, the Plan would remain not Sound on this issue.

Please specify the changes needed to make the Plan sound:

The amended text as set out in our Hearing Statement was that the Master Plan requirements should become a separate policy criterion (rather than being tacked on to the end of a density criterion) and should state the following:

"Any applications for planning permission should accord with a Masterplan for the area which has been subject to prior consideration and approval by the Council as a Supplementary Planning Document. The Masterplan shall set out an overall development framework not just for the land within the SAMU3 allocation boundary, but shall also take in to account and provide a comprehensive planning framework for all of the area east of Thorpe Road, south of Holland Road, and west of the railway line, having regard to matters including land use, design principles, transportation and movement, green infrastructure, and the overall phasing of development. The Masterplan should be prepared in consultation with all relevant landowners."

Do you wish to be notified?

- . When the Inspectors' Report is published.
- . When the Plan is adopted.