

Archived: 01 September 2021 17:47:40

From: [Paul Woods](#)

Sent: Tue, 6 Apr 2021 09:47:31

To: [Gary Guiver](#)

Subject: FW: Capital Housing Site, Phase 2, Patrick's Lane/Heron Way, Dovercourt.

Sensitivity: Normal

Attachments:

[SRH-Scan-21040115090.pdf](#); [SRH-Scan-21040115520.pdf](#)

Hi Gary

Not sure how much involvement you've had with these conversations about that bit of land in Dovercourt – but forwarding this email that has been sent to the Inspector fyi.

Paul

From: David Waller <[REDACTED]>
Sent: 01 April 2021 18:31
To: Paul Woods <[REDACTED]>
Subject: Fwd: Capital Housing Site, Phase 2, Patrick's Lane/Heron Way, Dovercourt.

For information in Eleanor's absence.

Begin forwarded message:

From: David Waller <[REDACTED]>
Date: 1 April 2021 at 18:04:33 BST
To: Andrea Copsey <[REDACTED]>
Cc: Storey Eleanor <[REDACTED]>
Subject: Capital Housing Site, Phase 2, Patrick's Lane/Heron Way, Dovercourt.

Dear Andrea,

I have been recommended to write to you by Eleanor Storey, Development Technician at Tendring District Council (TDC). Eleanor has been helpful in trying to establish what's happened with this site and has attempted to locate relevant files without success to date.

I would be most grateful if you could ascertain as to whether the Inspector would consider the above established brownfield site for inclusion in the Local Plan as a brownfield residential development site. It appears that this privately owned site is being put forward as Green Space despite there being no communication with the freeholders from TDC as regards a change of strategy for the property or them expressing a desire to acquire and remediate it as such.

We are not sure as to how the current proposed notation came to be as pre purchase and post purchase enquiries/communications/pre application made by Renaissance Investments Ltd (RI) suggested it would be recorded and treated as a brownfield residential development site. This, it was thought, was crystallised by the provision of an appropriate access road and services from the Phase 1 site.

I attach the latest current pre application that throws a lot more light on the situation together with my recent correspondence with Eleanor. Please accept my apologies as some of the communication is in chain form.

I think possibly with personnel changes the file for this site and it's various proposals has been misplaced and records not updated. I think Covid has also played a part more recently as this has held up RI's plans for the scheme for approximately 12 months.

RI were under the firm impression that the site was to be notated as a brownfield development site in accordance with national and local planning policy. We would be grateful if the Inspector could consider this request particularly in the context of the inward investment resultant from Harwich being in the Freeport East area which will increase pressure on certain brownfield sites to be redeveloped commercially, whilst those, such as this site located within an established residential area, to be developed to meet enhanced housing need.

Should you require any further information please do not hesitate to contact me.

Yours sincerely

David Waller. BSc (Hons) MRICS

Renaissance Holdings



From: David Waller <[REDACTED]>
Sent: 01 September 2021 15:21
To: Gary Guiver <[REDACTED]>
Cc: Matthew Lang <[REDACTED]> Office Renaissance Holdings <office@renaissanceholdings.co.uk>; Paul Maidment <[REDACTED]>
Subject: Re: Phase 2 Residential Development, Patrick's Lane.

Dear Gary,

Thank you very much for your response. I respond as per your paragraphs:

1, I'm sure that you will understand that I would like a reply on all the points relating as to how the current designation of the site came about. A great deal has been invested in the site in terms of the capital for it's acquisition, pre purchase enquiries, acquisition fees and the preparation and liaison on earlier pre application consultations etc. The feedback from pre purchase enquiries and earlier pre applications/meetings is contrary to that which is currently being intimated.

This site comprises the entire company's land bank and jobs are at risk of it's not developed as originally envisaged. Understandably it's not considered appropriate for the site to be unilaterally re zoned from brownfield land to local open space without any consultation process whatsoever with the landowner. I'm aware that this appears to have arisen due to the fact that inaccurate records were held by Tendring D C but the consequences of this shouldn't lie with the acquiring company thus there are important issues require resolution.

2, I understand that you must proceed prudently. From a broad macro perspective there is a significant housing shortage in the South East of England, which encompasses Tendring , and this is putting pressure on the green belt and resulting in escalating house prices and a shortage of homes to rent. It's appreciated that you have have insufficient evidence with regard to future housing provision and that there needs to be a further study undertaken now as part of the Local Plan review to ensure that there is an adequate supply of housing to facilitate, and not hinder, the new Freeport east initiative. If the review is immanent we can await this and make representations as appropriate?

3, Would it now be sensible for us to proceed with a full Strategic Flood Risk Assessment, taking into consideration flood mitigation measures, enabling us to ascertain as to how the site could be able to be developed subject to data resultant from the Local Plan review? This strategy would also enable an accurate view to be formed with regard to any exception test relating to community sustainability benefits from any flood defence works proposed to protect existing infrastructure.

4, I don't think we've received a formal pre application response as yet. It would seem premature to issue it at this stage given the fluidity of the situation. It maybe considered prudent to await the outcome of the studies detailed in paragraphs 2 and 3 above prior to pursuing a planning application.

I look forward to hearing from you.

Kind regards

David

David Waller
Renaissance Holdings

[REDACTED]

On 31 Aug 2021, at 11:22, Gary Guiver [REDACTED] > wrote:

David,

Thank you for clarifying the points on which you require my response.

I agree that looking to the future is the right thing to do and so I'm not going to comment any further on the designation of your land in the Local Plan and how that came about.

I can understand why you raise the point about short/medium term pressure for housing, and I totally admire your positivity around the economic and housing demands that might arise as a result of Freeport East in the short/medium term. Like you, I hope we do see a significant increase in economic activity and jobs in the Harwich area. However, we must proceed with caution and in an evidence-based manner, following a proper transparent process. Bathside Bay, as the principle tax site on the Harwich side of the Freeport area, has considerable constraints to overcome before its economic potential can be realised and I suspect that the shorter-term pressure for growth will be felt more on the Suffolk side where the tax sites are in a stronger position to deliver early.

I have insufficient evidence to suggest housing provision in the Local Plan and consented in the Harwich area (some 700+ dwellings) would be inadequate to meet a short/medium term increase in demand. I would argue that we have taken extremely conservative assumptions in our current trajectory about the delivery of these homes and there is considerable scope for the rate of development on these sites to be accelerated in response to demand over a 3-5 year period in which time there will be a clearer understanding of the potential economic impacts of Freeport and the need for additional housing allocations as part of a Local Plan review. Furthermore, for Tendring overall the Local Plan already over-allocates by some 1,600 units for the period to 2033 and we are currently able to demonstrate in excess of 6 years supply of deliverable housing sites against a 5 year requirement. I remain of the view that a Local Plan review is the most appropriate way to deal with any anticipated increase in housing need – particularly if the increase is expected to be significant, as major growth has to be coordinated with infrastructure provision and cumulative impacts have to be assessed. I do not think that Matthew should alter his pre-application advice.

For the purposes of your site, I am glad that we are at least in agreement that flood risk is one of the fundamental issues, irrespective whether the land is or isn't designated for open space. As part of the Local Plan review process, I would want a full review of the Strategic Flood Risk Assessment which might or might not result in changes to the categorisation of flood zones in certain areas – at which time we would also know more about the delivery timetable for Bathside Bay which, in itself, could have implications for flood zoning. As it stands however, any development proposed for sites in the Flood Zone is subject to the 'sequential' and 'exceptions' tests set out in the National Planning Policy Framework (which superseded PPS25 many years ago, but carried forward some of its main principles) and residential development is classed as a 'more vulnerable' use. The sequential test seeks to steer new development to areas with the lowest risk of flooding and the NPPF says that development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. Where this is not possible (which we argue it is), the exception test applies which requires development to provide wider sustainability benefits to the community that outweigh the flood risk and the development will be safe for its lifetime.

Having received the pre-application advice, you are of course welcome to submit a planning application ahead of a Local Plan review – but we will have to determine the application on the basis of current policies, of course weighing up all material planning considerations. If you are planning to do that, I would strongly advise that you liaise directly with the Environment Agency over the flood risk issues and you may wish to take soundings from Harwich Town Council.

Kind regards

Gary



From: David Waller <[REDACTED]>
Sent: 16 August 2021 09:21
To: Gary Guiver <[REDACTED]>
Cc: Matthew Lang <[REDACTED]> Office Renaissance Holdings <office@renaissanceholdings.co.uk>; Paul Maidment <[REDACTED]>
Subject: Re: Phase 2 Residential Development, Patrick's Lane.

Good morning Gary,
I hope you had an enjoyable weekend.

I would like your response on all the points I raised. I appreciate that you may need to liaise with colleagues on some of the issues. It's apparent that for a variety of reasons matters have got into somewhat of a pickle and from a Tendring D C operational standpoint a review may be prudent. It's recognised that mistakes and oversights occur. Ideally the key focus now should be as to how we target our energies in moving forward with solutions. From a logical standpoint, given the demands of Freeport East, it appears that there is going to be considerable short/medium term pressure for more housing within the Tendring locality that will exceed the provisions currently intimated in the emerging Local Plan.

Given the challenges associated with any brownfield site one could envisage a 3 - 6 month design time frame before an appropriately structured planning application could be submitted post the pre application stage. Even allowing for a reasonable time period for the planning application to be considered, a tender process and a build out program we would be looking at a period of at least 3 years before there would be any completed units. Given current challenges with skilled labour and material shortages this time frame could be longer.

I agree that the main question relates as to how we can deal with the flooding issue as this will potentially damage existing infrastructure and must be addressed. The flood maps are indicative and it's possible that given the rapid climate change we are now experiencing, the marginal level changes within localities topography, that more local housing and infrastructure could be put at risk. Once there has been a flooding incident the location can become blighted from a property sale/insurance standpoint effectively entrapping people within their homes because of negative equity/poor saleability.

It would now seem sensible for the principle of development to be considered as acceptable at the pre application stage subject to appropriate flood risk assessment, alleviation measures and a managed safe accessible open space provision. PPS25 is helpful in this regard. Para 2.65 highlights a case study in Rotherham that alleviates flood risk to existing infrastructure whilst regenerating brownfield land.

It is appreciated that the current Local Plan is at an advanced stage but it would appear sensible to include this brownfield site within the overall housing allocation now given the advent of Freeport East and the opportunity to redress the flood risk by way of a planning gain.

"Time and tide wait for no man"

I look forward to hearing from you.

Kind regards

David

David Waller
[REDACTED]

On 13 Aug 2021, at 10:49, Gary Guiver <[REDACTED]> wrote:

Morning David,

Do forgive me for just emailing you separately, I haven't ccd the others – as I just wasn't 100% sure which points you specifically needed my response on – and wanted to check.

It's a bit difficult for me to comment on discussions that took place historically and don't think I have much to add to what I have already said, but I can (and am happy to) advise as to the potential way forward.

Is the main question, what can we do about the flood risk issue?

Regards

Gary

From: David Waller <[REDACTED]>

Sent: 13 August 2021 10:24

To: Gary Guiver <[REDACTED]>

Cc: Matthew Lang <[REDACTED]> Office Renaissance Holdings <office@renaissanceholdings.co.uk>;

Paul Maidment <[REDACTED]>

Subject: Re: Phase 2 Residential Development, Patrick's Lane.

Good morning Gary,

I trust all is well.

I was just wondering as to whether you had had an opportunity to consider my earlier emails or as to whether you require any further information?

Kind regards

David

On 5 Aug 2021, at 14:31, David Waller <[REDACTED]> wrote:

Good afternoon Gary,

Apologies but I was out and about a fair bit yesterday so couldn't respond in detail.

I note your comments in your second paragraph and agree with them in the main. The only point of difference that we have relates to one of timing in that the Phase 2 scheme has been on the chocks since 2007. On the 15th February 2008 Stephen Kettle wrote to Matthew Lang clearly summarising discussions held in 2007 relating to the residential development that had been undertaken with Tendring Planning Department prior/post acquisition. I can only surmise that Matthew wasn't consulted with regard to the emerging local plan maybe because those who were formulating it mistakenly considered the land to be in the ownership of Tendring D.C. as per their incorrect records. Given the forgoing it's considered that this brownfield site should have been included in the emerging plan as a residential development site.

It's now appreciated that there will be benefits across the Freeport east region that will require an increase in infrastructure. Irrespective of the historical situation with the site and the Local Plan it's considered that it would be prudent to establish such demands at this juncture as the overall planning and development process can take years. As regards your final paragraph I can only comment in regards to the positive responses for residential development that were received pre purchase in 2007. Pre application responses made after that date gave confirmed that the freeholders wished the site to be represented as such within the Local Plan. The planning response was that residential development, subject to normal criteria, would be supported. At no time was there any consultation with the landowners or the agents to suggest this wouldn't be the case and that the private partly developed brownfield land was to allocated as open space.

We have made representations to the Inspectorate but we are unsure as to whether these have been incorporated in the emerging Local Plan or as to whether provision therein has been made to accommodate the needs of Freeport east. It would be appreciated if this site could be represented in any further consultative process.

As has been previously stated the aim of the scheme is to provide for appropriate housing, evaluate/alleviate flood risk for existing proposed local infrastructure and provide for an element of managed/sustainable local open space.

I look forward to hearing from with regard to this and my previous email when you have had an opportunity to consider matters further.

Kind regards

David

David Waller

[REDACTED]

On 4 Aug 2021, at 13:47, Gary Guiver <[REDACTED]> wrote:

Morning David,

Thank you for the emails and the information. I am grateful and I do understand the point you are making about Freeports.

As we discussed last week, this Council is working with its counterparts in East Suffolk and Babergh-Mid Suffolk and with Essex and Suffolk County Councils and the port owners and others on the Freeport East business case with consultancy support from WSP. I totally agree that the benefits of Freeport designation, when realised, could have real consequences for the housing market and accommodation needs – but the nature and scale of response will need to reflect the projected increase in jobs – which, across a wide Freeport area, might be different in Harwich, to Felixstowe, to Stowmarket etc. A review of the Local Plan, either in full or in part is potentially the best mechanism for adjusting the supply of housing land as appropriate and, as I mentioned in my earlier email, it would be within a few years with the process potentially commencing fairly shortly after the adoption of the current emerging plan.

I also explained in our phone call that we already have circa 700 dwellings with extant planning permission but yet to be built in the Harwich and Dovercourt area across a range of sites of different sizes and types that, based on our current trajectory, are expected to deliver fairly steadily over the next 15 years but which could be accelerated in response to increasing demand – including sites with the potential for an element of rented accommodation and sites within fairly close proximity of the port and A120. These sites have advanced through the planning process and are well placed to respond to any immediate uplift and therefore even if a Local Plan review takes a few years, I don't believe that housing delivery will be prejudiced in the shorter term – but this is something we can keep under close review.

On the history of the Local Plan and the designation of the land off Patricks Lane, the 2007 adopted Local Plan was the subject of issues and options consultation in 2001, first deposit consultation in 2004 and re-deposit consultation in 2005 with the consultations advertised in line with the relevant regulations and promoted through Estates Gazette and public notices and through contact with a number of planning agents (from my vague recollection). The current emerging Local Plan was the subject of consultation in 2015, 2016 and 2017 – Section 1 was adopted in January of this year and Section 2 is expected to be adopted by the end of the year – depending on the Inspector's final conclusions. It's just useful background, I hope, if you were minded to contact the Ombudsman.

Kind regards

Gary

Gary Guiver BSc(Hons) PGDipTP MRTPI MBA

Acting Director of Planning

Tendring District Council

[REDACTED]

From: David Waller <[REDACTED]>
Sent: 03 August 2021 17:02
To: Gary Guiver <[REDACTED]>
Cc: Matthew Lang <[REDACTED]>; Office Renaissance Holdings <office@renaissanceholdings.co.uk>; Paul Maidment <[REDACTED]>; Danny Collins <[REDACTED]>
Subject: Re: Phase 2 Residential Development, Patrick's Lane.

Hi Gary,

Sorry I forgot to say that Danny Collins at Savills forwarded on the below last Friday. I've only just had time to review it.

As Danny explains it's a HS2 is a different form of pump priming in that it's transport led. The dynamics would be similar to that of Freeport East. The study has detailed as to how the economic benefits drive the demands, and quantum, on infrastructure. This study details the timelines for the HS2 Phase 2b project that is scheduled to be completed in 2040 which commenced with GM Growth Strategies in 2017.

This demonstrates the importance of promoting this type of study at an early stage. All Freeports are going to be competing, in what is already a stretched workforce, for the same labour resources to build out their infrastructure so time is of the essence.

I look forward to hearing from you on the other points I have raised in my previous email.

Kind regards

David

Hi David,

Not much in the public domain but the Growth Strategy for Manchester Piccadilly can be found here:

https://assets.ctfassets.net/nv7y93idf4jq/4sSHKQVxGMQuM488IMsWqG/cdc77581d9f6ce8d407b07976a2417e0/17-1060_HS2_Growth_Strategy.pdf

Obviously it's not quite the same context as HS2 is about moving people and linking economic centres, whereas Freeport's are about economic activity, but the principle of considering how job growth and economic growth balances with housing growth and labour force is the same.

Also, FYI in many of our studies across the country we find that job growth is still very strong and growing faster than housing growth or allocations. We also find that in areas of slow economic growth, they are not capturing the full potential of the place or keeping pace with regional growth ambitious, and that can be for a range of factors.

Cheers

Danny

Danny Collins

David Waller

On 2 Aug 2021, at 17:07, David Waller <[REDACTED]> wrote:

Hi Gary,

Thanks for your prompt email which I noted after forwarding my last email.

As we discussed on Friday, in terms of the Flood Risk, the engineers we have consulted with advise that the risk emanates from the foot tunnel underneath the protective embankment. The tunnel is literally a breach in the dyke. This is what the proposed, and previous schemes, would rectify and that was, understandably, seen as a fundamental planning gain. I'm not sure what there is to be gained by not addressing this issue as to ignore it would put existing infrastructure and property at risk and could put the rectification funding obligation onto the public purse. In the interim it could cause insurance challenges for existing home owners.

I appreciate that the freeholders can seek full compensation from the Local Government Ombudsman and they will probably be no worse off in that event. That will result, however, in a sterile, partly developed brownfield site vulnerable to more fly tipping / littering etc, with no access, no sustainable maintenance plan that remains a flood risk with little prospect of a funding solution. I cannot see what the community gain is here. These points would have obviously been discussed and appraised in full, had the opportunity arisen, prior to the site being allocated, but due to errors and omissions they weren't.

It's appreciated that these issues, in the main, happened before your watch but it doesn't appear reasonable for the freeholders to have wait years to meet an immanent Freeport east demand. Where will the homes be for those required to build the infrastructure? Indeed as we have detailed within our pre application there is already a grave shortage of quality private rented stock within Tendring. I feel that other Freeport areas are ahead of the game in this regard and I'm fearful that the full benefits of the Freeport east status maybe lost.

I would appreciate your further thoughts.

Kind regards

David

David Waller

On 2 Aug 2021, at 16:05, Gary Guiver <[REDACTED]> wrote:

Hello David,

Sorry I missed your call and appreciate that you are resending the email.

Matt and I have discussed the proposal subsequent to our telephone discussion and we are of like mind – albeit Matt of course, in the context of pre-application advice must give you the straight policy position i.e. that the proposal is contrary to policy and a refusal would be expected. The flood zone issue, which I hadn't fully appreciated when we spoke, does present a significant hurdle and the NPPF tests are very difficult to meet.

What we discussed was both the scope for reviewing and changing the content of the Local Plan in response to Freeport designation and the circumstances under which an exceptional departure from Local Plan policies might be entertained – if a formal application were submitted.

In respect of the former (the Local Plan), I explained that a review of the Local Plan might be required within the next few years although the timing and nature of that review would reflect evidence of likely job creation and resulting housing demand – of which we will gain a greater understanding as the Freeport project progresses. Through a review, there would be an opportunity to revisit the justification for protecting the site for open space purposes and determining whether additional housing land would be required – although flood risk looks like an inherent issue which may still prove to be problematic.

In respect of the latter (the departure from policy), I set out some of the factors that would have to be addressed if there were any chance of arguing an exceptional case – for which overriding benefits would need to be demonstrated and local and political support would be essential. I hadn't appreciated the severity of the flood zone issue though when we spoke which does make it very difficult to envisage a planning application being supported as a departure – when the NPPF tests are so strict. So it may be that the Local Plan review route might be your better option.

Thought it would be useful just to clarify our position in case I don't get a chance to speak with you.

Regards

Gary

Gary Guiver BSc(Hons) PGDipTP MRTPI MBA

Acting Director of Planning

Tendring District Council

From: David Waller [REDACTED]

Sent: 02 August 2021 15:27

To: Matthew Lang [REDACTED]

Cc: Gary Guiver <[REDACTED]>

Subject: Re: Phase 2 Residential Development, Patrick's Lane.

Sorry Matthewthe below decided to send itself before I finished writingI will complete and resend.

Kind regards

David

David Waller

On 2 Aug 2021, at 15:25, David Waller <[REDACTED]> wrote:

Hi Matthew,

Thanks very much for coming back so promptly. I did try to call yourself and Gary jus5 now but you're both engaged. I'm not sure as to whether you have managed to discuss points of discussion that Gary and I ran through on Friday as yet as your latest email runs counter to the direction of travel we discussed.

David Waller

Renaissance Holdings
[REDACTED]

On 2 Aug 2021, at 13:45, Matthew Lang <[REDACTED]> wrote:

Hi David,

Many thanks for your email. I'm pleased you managed to discuss the matter with Gary Guiver. However, as I stated previously the purpose of the pre-application submission is to provide you planning advice based on the current local plan designations/planning policy.

At the current time I can only advise that we would not be able to support residential development on this site given that it is designated as safeguarded open space in the saved and emerging local plan and also situated within a Flood Zone 3. It therefore follows that residential development on this site would fail the sequential test requirements of the National Planning Policy Framework (2021) which aims to direct vulnerable development to areas in lower flood risk zones.

It is not my place to discuss the proposals with local councillors/members of the planning committee. It is advised that you/your team seeks to have those discussions separate from this pre-application submission.

Kind Regards

Matthew Lang BSc (Hons)
Planning Officer
Planning Department
Tendring District Council
Council Offices, Thorpe Road, Weeley, Essex, CO16 9AJ
[REDACTED]

Speaking with the Planning Service about building work or development? Have you spoken with our Building Control Service too? Our team can help you meet Government-set Building Regulations for the safe design and construction of buildings (including energy efficiency and access requirements). Email them on bcinspections@tendringdc.gov.uk or telephone 01255 686111, or look at our website via the following link [Building Control for more information](#).

COVID-19 : Our team is working hard to continue to process applications and respond to enquiries during this unprecedented time, and we apologise if you experience some delay to our usual service standards; your forbearance is much appreciated.

From: David Waller <[REDACTED]>

Sent: 02 August 2021 13:39

To: Gary Guiver <[REDACTED]>

Cc: Eleanor Storey <[REDACTED]> Office Renaissance Holdings <office@renaissanceholdings.co.uk>;

Matthew Lang <[REDACTED]>; Paul Maidment <[REDACTED]>

[REDACTED] Development, Patrick's Lane.

Good afternoon Gary,

I trust you had a good weekend.

Thank you very much for discussing with me the progress you're making with your Freeport east strategic planning in terms of updating the Local Plan.

As we discussed infrastructure will be required, to include housing, the degree of which will begin to crystallise once impact studies are underway.

Prior to the implementation of the above assessments, in the short term, I think your suggestion of Matthew Lang discussing the current scheme with planning committee members is an excellent one. The key benefits we talked about would be:

- 1, providing housing to meet the short, medium and long term demands of Freeport east on a brownfield site. There will be housing required for those building the infrastructure.
- 2, redressing the flood risk to property, roads and infrastructure in the vicinity of Patrick's Lane and Herons Way by way of flood attenuation measures to the pedestrian access way under the railway embankment as per our consultants recommendations.
- 3, improvements to the above pedestrian access way in terms of signage, lighting, surfacing, security and consideration as to how the northern green buffer between the railway and the A120 can be enhanced.
- 4, site clearance, demolition, decontamination and any other necessary remedial works to facilitate the provision of the development and safe accessible designated open space.

I have been shared this scheme with Paul Maidment of Savills who has been discussing areas of specific localised housing need with Essex County Council. Paul would be happy to discuss the progress he has made on this with Matthew to ascertain as to whether there is an opportunity to facilitate these demands within the scheme.

I have studied the Phase 2 plan in more detail and it should be possible to relocate/reconfigure the public open into a linear green buffer. I will liaise on this matter in more detail with our architects and report back.

Please do not hesitate to let me know if you require any further information.

Kind regards

David

David Waller



On 30 Jul 2021, at 10:19, David Waller <[redacted]> wrote:

Good morning Gary,

I trust you had an enjoyable break.

I was wondering as to what the best number would be to contact you on at 10.30 this morning.

The below came in from Danny Collins of Savills this morning which maybe of some help.

I look forward to discussing matters with you shortly.

Kind regards

David

Hi David,

Apologies for not coming back to you sooner.

As discussed Freeport's will have a major impact on the economic growth of the areas they will operate across. An impact that is likely to go beyond just the designated zones and is likely to change demand drivers for property in these areas. This is all part of the strategy to transform the economic base of our regions, tie into the governments levelling up agenda (which isn't just a north vs south agenda) and also respond to the future economic drivers post Brexit, and the importance our ports and international nodes will play in supporting our economy going forward.

With any major policy like this it's going to have potentially transformational impacts on the economy, growth opportunities and demand that would not have been predicted or expected from previous plans such as Local Plans.

New plans and growth strategies must be drawn up to ensure that the ports and their areas respond to this change and can capture the growth opportunities open to them (as has been done for HS2 with each station having a Growth Strategy). As part of their business cases Freeport's will have considered their potential economic growth potential. However some may not have considered the need to balance economic and job growth with housing growth.

Housing is crucial to unlock economic growth. Creation of new jobs, in high skilled or emerging sectors, need labour force. Without the right housing in the right locations, at the right price and of the right type, the labour market will be restricted. Without planning for both economic and housing growth we often see a miss match, resulting in potentially unsustainable commuting patterns to fuel the economic growth objectives. Providing a balance of housing and jobs can help create sustainable communities and support long term sustainable growth.

We have undertaken such analysis for major infrastructure projects across the country, including Ox-Cam Expressway, East West Rail, HS2 Growth Strategies at Manchester Piccadilly and Manchester Airport to name a few.

I would say that every Freeport location would need to consider its balance between economic and housing growth. In fact we are currently in discussions with Tees Valley Combined Authority to undertake a similar type of analysis. I don't know to what extent this has been considered to date, as you say many ports are keeping things close to their chest.

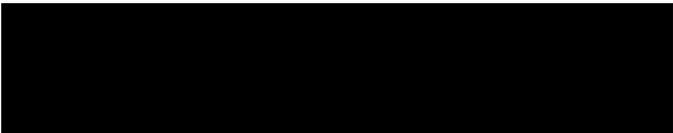
I would be happy to discuss this further if needed and provide examples of the type of growth strategy analysis which would be useful in this context.

Happy to discuss further if needed.

Cheers

Danny

David Waller



On 28 Jul 2021, at 10:12, David Waller < > wrote:

Good morning Matthew,
Another few days of hot weather up here. I hope you avoided the storms.
I had the below reply from Edward Farmer resultant from his discussions and correspondence with another Freeport key policy officer:

"I will look into this.

We had initially viewed the Freeport's tax zones as effectively replaying and SEZ benefits when they overlap, but I am unsure how thinking on this has progressed."

So, it looks like "work in progress", as discussed."

Edward went on to say:

"This Freeport has advisors "but whether this is Vivid/McKinsey or some of the others like Grant Thornton and E&Y who are also playing in this with some of the other Freeport's, I don't know.

Most Freeports are still playing their cards very close to their chests."

Personally I have chased up Vivid Economics twice now. If, and when, they make contact I will endeavour to establish as to how they built their macro model and as to the depth of their micro elemental data feeds. If their model is robust and capable of expansion, they have the relevant expertise, they maybe a more appropriate entity to deal with than the likes of Grant Thornton or E&Y who may focus more towards the promotion of tax benefits as opposed to urban planning. Vivid have been recently acquired by McKinsey and it's possible that their consultancy remit now lies elsewhere.

Another option, that may more appropriate, would be to consider engaging an Infrastructure Planning Department at one of key firms of Chartered Surveyors who have the necessary broad base of expertise.

I have contacted John Bowles at Savills who's department specialise in this area. By chance he has already had discussions with Gary Guiver regarding Bathside Bay container port on behalf of his client, Hutchinson Ports. Given Savills in house expertise and familiarity with Freeports, to include Freeport east, they maybe able to help to prepare the micro level of detail required to supplement the Local Plan.

I have copied John Bowles in on this and will discuss these matters further with Gary this coming Friday and let you know how things progress.

Kind regards

David

On 21 Jul 2021, at 17:37, David Waller <[REDACTED]> wrote:

Dear Matthew,

Thanks for your email.

I picked it up immediately after I sent my last email to Eleanor Storey.

I agree with you in that some of these matters fall outside your remit. With this in mind points raised in paragraphs 2 and 3 of my email sent at 12.04 today need to be responded to in full by the relevant officer at TDC as requested in paragraph 4. Please can you copy me in when this is forwarded?

The subsequent paragraphs appertaining to the pre app also need to be considered. I've not been able to assess as to how much progress Gary has been able to make as he was heading off on leave today. After my discussion with Eleanor Storey this morning I was under the impression that there hadn't been any funding made available from Freeport east at the current time to enable TDC to accurately assess its impact and as to how shortfalls in infrastructure can be addressed. Unfortunately it seems that the new Local Plan was mainly considered prior to the Freeport east announcement and is not going to be fully reflective of its impact and thus outdated in one of the key parts that's relevant to our pre application. As you will note from the email chain today a current and accurate up to date assessment is required to evaluate the proposal and this is going to take time and resource to glean.

May I suggest we resolve with your colleagues, if we can, the issue in para 2 above and then I can establish as to whether this still needs to be progressed with ombudsman.

It took a very long time to register the pre app and get it this far so I would rather not withdraw it. As per para 3 above there seems little point in evaluating the current proposals on the basis of a local plan that, "through no fault of its own", is now dated. May I suggest we leave things on hold for a while?

I've a phone call scheduled with Gary Guiver a week on Friday and will be discussing matters further with Edward Farmer in the interim so hopefully we will be able to map a way forward.

Kind regards

David

ps - as previously highlighted in absence of the flood defence we have proposed for the Patrick's Lane pedestrian tunnel there needs to be a TDC strategy to protect existing dwellings and infrastructure from flooding. Please can you confirm this is in hand?

David Waller

Renaissance Holdings

On 21 Jul 2021, at 15:54, Matthew Lang <[REDACTED]> wrote:

Many thanks for your emails David.

As I said I think these matters fall outside the scope of the pre-application submission. These are matters that need addressing at a more strategic/policy level.

I am happy to continue to provide you with a written response based on the current designations in the local plan. If you wish to pursue the other avenues you suggest below please let me know if you wish to withdraw the pre-app.

Kind Regards

Matthew Lang BSc (Hons)

Planning Officer

Planning Department

Tendring District Council

Council Offices, Thorpe Road, Weeley, Essex, CO16 9AJ

[REDACTED]

Speaking with the Planning Service about building work or development? Have you spoken with our Building Control Service too? Our team can help you meet Government-set Building Regulations for the safe design and construction of buildings (including energy efficiency and access requirements). Email them on bcinspections@tendringdc.gov.uk or telephone 01255 686111, or look at our website via the following link [Building Control](#) for more information.

COVID-19 : Our team is working hard to continue to process applications and respond to enquiries during this unprecedented time, and we apologise if you experience some delay to our usual service standards; your forbearance is much appreciated.

From: David Waller <[REDACTED]>

Sent: 21 July 2021 13:28

To: Matthew Lang <[REDACTED]>

Cc: Paul Maidment <[REDACTED]>; Office Renaissance Holdings <office@renaissanceholdings.co.uk>; Gary Guiver <[REDACTED]>

Subject: Re: Phase 2 Residential Development, Patrick's Lane.

Good afternoon Matthew,

Further to my last email I have now managed to speak to Eleanor Storey, who in Gary's (apologies for my oversight in using "Guy") absence at a meeting, was most helpful and seems to think there isn't any current funding available to appraise the demands of Freeport East.

I will be discussing this further with Gary together with one of my friends who was key in the instigation of Freeports and will then further matters as appropriate with Luke Hall the Minister for Regional Growth and Local Government.

Kind regards

David

David Waller

Renaissance Holdings

[REDACTED]

[REDACTED]

On 21 Jul 2021, at 12:04, David Waller <[REDACTED]> wrote:

Hi Matthew,

I think it's going to be hard work for those playing in The 100 Cricket today.

I appreciate the brief you have to work with but as you will have noted from the content of my earlier emails things have unfortunately got into somewhat of a pickle with this site due to circumstances outside our control. The site is a privately owned brownfield site that can be legally fenced off.

The current local plan designation for this site is considered to be incorrect. The reasons have been detailed in my previous emails to include the total absence of the required liaison with the sites owners bought about by Tendring District Council's defective record keeping across a range of departments. From the records Tendring DC relied on in the preparation of the local plan it appears this site wasn't even registered as being brownfield despite repeated

notifications. Until we provided copies records of previous pre applications , discussions and correspondence went astray.

I appreciate these issues occurred before your involvement but the record needs to be rectified by the relevant officers within the Council, or the ombudsman, if there is an insistence in retaining the current site designation. On a separate point the current local plan, because it's dated, makes no provision for the demands of Freeport east. The current advice from Tendring DC is that there are no proposals to take into consideration the impacts of a £5 billion inward investment coupled with the prospect of 13,500 jobs in the local plan which I find unusual.

I appreciate there needs to be funding to facilitate this and I will lobby for this at Ministerial level if it's not in place within a reasonable time frame. A base appraisal would suggest that the Freeport status will result in a requirement for possibly thousands of new homes together with associated infrastructure. Given these facts there seems little point in assessing the existing pre application under the auspices of the current out of date local plan.

I have copied Guy Guiver into this email and will establish from him what plans are in place to facilitate for the Freeport in Tendring.

In the interim could you liaise with your colleagues to ascertain as to whether the existing designation is to be retained and as to how given Tendring DC do not wish to acquire this brownfield land. It would also be useful for us to be given advice as to how this ties in with the National Planning framework recommendations appertaining to brownfield sites.

It's appreciated that, if and when, the local plan is updated to look ahead and reflect the demands of the Freeport status a review on the availability of local housing sites necessary to meet requirements will be required. Given this it may be best to delay the preparation of the pre application as matters may change given the forgoing?

Kind regards

David

David Waller

Renaissance Holdings
[REDACTED]

On 21 Jul 2021, at 10:47, Matthew Lang <[REDACTED]> wrote:

Hi David,

It is very hot here too! Bit of a coastal breeze though.

The Freeport matters you raise are issues to discuss with our Policy Team. The best contact would be Gary Guiver [REDACTED] to discuss these matters.

The aim of the pre-application submission is to assess the proposals based on the current local plan designations. I can't really comment on the funding/local plan review matters you raise below.

Kind Regards

Matthew Lang BSc (Hons)

Planning Officer

Planning Department

Tendring District Council

Council Offices, Thorpe Road, Weeley, Essex, CO16 9AJ
[REDACTED]

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From: David Waller <[REDACTED]>
Sent: 21 July 2021 10:44
To: Matthew Lang <[REDACTED]>
Cc: Office Renaissance Holdings <office@renaissanceholdings.co.uk>
Subject: Re: Phase 2 Residential Development, Patrick's Lane.

Good morning Matthew,
I trust you're still sweltering!

Just a quick update to advise that I'm now consulting with Freeport East. Tendring DC are listed as partners on their web site. If you have a point of liaison at the Council please can you let me know who it is?

I will also make contact with Luke Hall, the Minister for Regional Growth and Local Government, to enquire as to whether there is appropriate funding in place for all local authorities with Freeport status to make reflective updates to their local plans. This is an essential step to enable communities to accommodate/facilitate the incoming investment, jobs and infrastructure.

If the target of 13,500 new jobs is achieved that would offset Tendring's last recorded unemployment figures (6,520). The Freeport pump priming effect could result in several thousand heads of households being drawn into the locality who require homes/infrastructure for both themselves and their families. There will also be jobs that are created whilst the infrastructure is being developed.

As a qualified Urban Land Economist of almost 40 years standing I appreciate, as I'm sure you do, the complexities of this task. I also had direct, and negative, experience with the redevelopment of the London Docklands which suffered gravely from a lack of infrastructure planning.

I look forward to hearing from you as regards paragraph 2 will keep you posted.

Kind regards
David
David Waller
Renaissance Holdings

[REDACTED]

On 20 Jul 2021, at 08:14, Matthew Lang <[REDACTED]> wrote:

Many thanks for this information David.

No they are not one of the consultees I am waiting on, but many thanks for the information.

Older pre-apps probably won't be of any benefit in this instance. The proposal is being assessed in respect of the current local plan requirements/designations.

It is clear that this site is designated as safeguarded open space in the local plan with the majority of it situated within a Flood Zone 3 (High Flood Risk). They are the main constraints here.

Kind Regards

Matthew Lang BSc (Hons)

Planning Officer

Planning Department

Tendring District Council

Council Offices, Thorpe Road, Weeley, Essex, CO16 9AJ

[REDACTED]

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From: David Waller <[REDACTED]>
Sent: 20 July 2021 08:06
To: Matthew Lang <[REDACTED]>
Cc: Office Renaissance Holdings <office@renaissanceholdings.co.uk>
Subject: Re: Phase 2 Residential Development, Patrick's Lane.

Good morning Matthew,

Thanks once again for your reply.

I was wondering as to whether one of your consultees would be Freeporteast who have posted broad initial data to include:

- A shovel-ready opportunity, the first phase of which could commence very quickly
- 13,500 new jobs, an investment of over £500m in the Freeport and a GVA of up to £5.5bn over a 10-year period

There's a probability that, with lower levels of unemployment, Freeporteast will result in significant levels of inward migration. If a proportion of the incoming jobs are taken up by heads of households that will require there to be a significant increase in the number of local new homes of all types/tenures and together with associated infrastructure. Freeporteast may have more accurate information as regards timings for housing need. This would be useful data for us to have as there could be further build cost inflation brought about by local skill shortages.

Whilst liaising with the Planning Inspector earlier this year regarding this site and the emerging Local Plan it was confirmed by Tendring District Council that no central government funding had been made available to appraise the impact of Freeporteast from a planning perspective. I'm hoping that some form of adequate funding has now come through to enable the Local Plan to be updated to reflect the significant new inward investment?

Consultation with the Office for National Statistics may also be useful given the current estimates of 6 million EU nationals applying for settled status. It's believed that a significant number of these residents reside in the South East. There maybe more specific data available as to how this will affect housing demand in Essex?

In my more recent consultations with Tendring District Council it became apparent that there was some confusion in that, despite the earlier meetings, correspondence and pre applications, the Council mistakenly classified the subject site as being within their ownership. This has now been clarified and it's been confirmed that the Council do not wish to acquire this brownfield site for their own use.

We have some archived files on this site which should have additional information on earlier pre applications that I can retrieve, with some notice, if required.

Kind regards

David

David Waller

Renaissance Holdings
[REDACTED]

On 19 Jul 2021, at 12:48, Matthew Lang <[REDACTED]> wrote:

Hi David,

Yes the weather was lovely down here and the weekend was very enjoyable.

I have all the information I need at this stage. I am just waiting for some consultee responses before providing a written response on the acceptability of residential development here.

Kind regards

Matthew Lang BSc (Hons)

Planning Officer

Planning Department

Tendring District Council

Council Offices, Thorpe Road, Weeley, Essex, CO16 9AJ
[REDACTED]

web: www.tendringdc.gov.uk

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From: David Waller <[REDACTED]>

Sent: 19 July 2021 12:16

To: Matthew Lang <[REDACTED]>

Subject: Phase 2 Residential Development, Patrick's Lane.

Good morning Matthew

I trust you had an enjoyable weekend in this lovely weather.

I was wondering as to whether you needed any further information from me at this time?

I look forward to hearing from you.

Kind regards

David

David Waller
[REDACTED]