

CHAPTER 1: INTRODUCTION

Chapter 1: Introduction (including miscellaneous comments about the Local Plan in general)

ID	Rep ID	Name. Organisation	Legally compliant	Duty to Co-operate	Sound	Positively prepared	Justified	Effective	Consistent with national policy	Hearing/ written rep	Supporting docs	Summary of representation	Proposed change to Local Plan	Council response	Contact details
Representations from Technical Stakeholders															
61981	LPPuD82	Braintree District Council	Y	Y	Y					W	N	[Summaries prepared by Council Officers but the full original representations will be available to the Inspector and for public view] Section 2 contains policies relating solely to Tendring District. It allocates the homes and jobs required for the plan period outside of the garden communities. It provides place shaping policies to guide development, to ensure the District's natural and built assets are enhanced and protected, communities are well connected and that design promotes healthy living, adaptability of homes and safety from flood risk. Whilst there are some alterations to Section 2 these do not raise issues on which Braintree District seeks to make comment. No comments are proposed in respect of Section 2.	No changes to the Local Plan suggested.	The Council notes these comments. Following the examination hearings on Section 1 of the Local Plan, the Local Plan Inspector concluded in his May 2020 letter that the North Essex Authorities of Tendring, Colchester Braintree had complied with the legal duty to cooperate.	Details only available to the local authority and the Inspector's Programme Officer.
1007301	LPPuD57	Essex County Council	Y	Y	N			X	X	H	N	The North Essex Authorities (Braintree, Colchester and Tendring) have worked collaboratively throughout the preparation of Section 1 and 2 of each Local Plan. ECC is a signatory to the 'Memorandum of Co-operation: Collaboration on Strategic Priorities in North and Central Essex', which has enabled the joint working on cross-boundary strategic priorities and matters through North Essex districts, and Chelmsford City Council. This has covered matters regarding ECC's role as Minerals and Waste Planning Authority, Local Education Authority, Highway Authority, Lead Local Flood Authority and lead advisors on Public Health. This has also included collaborative work in progressing the potential for three Garden Communities in North Essex to provide for growth in, and beyond the plan period. In responding to this consultation, ECC has ensured its representations and ongoing engagement with all three authorities has addressed the ECC's areas of responsibility consistent with national policy to enable sustainable development.	The ECC response to each Draft Publication Plan recommends several areas where clarification is sought to enable effective delivery and amendments to improve policy and explanatory text. ECC will work cooperatively with each local authority regarding our statutory roles (indicated above) and as a partner in the North Essex Garden Communities to ensure issues can be positively addressed prior to the submission of each Draft Publication Plan for examination. A Statement of Common Ground may need to be prepared at that time to address any outstanding issues.	Comments are noted.	Details only available to the local authority and the Inspector's Programme Officer.
1007301	LPPuD29	Essex County Council – Matthew Jericho	Y	Y	N			X		W	N	The Para 1.3.4.5 text needs to be updated to reflect adoption of new Essex and Southend-on-Sea Waste Local Plan in July 2017.	Replace the existing paragraph as follows: "1.3.4.5 Essex County Council is the waste planning authority for the District, and is responsible for preparing planning policies, and assessing applications for waste management development. The Essex and Southend-on-Sea Waste Local Plan (2017) is part of the statutory Development Plan which should be read alongside the Tendring Local Plan. It sets out where and how waste management developments can occur, and is the planning policy against which waste management development planning applications are assessed."	The Council deems this factual change to be appropriate and a modification is recommended.	Details only available to the local authority and the Inspector's Programme Officer.
1007301	LPPuD30	Essex County Council – Matthew Jericho	Y	Y	N			X		W	N	The Para 1.3.4.6 text needs to be updated to reflect adoption of new Essex and Southend-on-Sea Waste Local Plan in July 2017.	Replace the existing paragraph as follows: "1.3.4.6 The Essex and Southend-on-Sea Waste Local Plan allocates new waste development at Slough Farm, Ardleigh; Morses Lane, Brightlingsea; Sunnymead, Elmstead; and Heath Farms, north west of Alresford. The Waste Local Plan also identifies Areas of Search to meet the need for additional small scale waste management facilities. These Areas of Search are existing industrial estates within the district, and are located away from residential and other uses sensitive to amenity impacts such as schools, retail, leisure and office development. The Waste Local Plan would seek to focus any new proposals for waste management facilities, which support local housing and economic growth, within these Areas of Search. One is proposed in Tendring at Martell's Farm Industrial Area. The Waste Local Plan also designates Waste Consultation Areas at a distance of 250m around permitted waste management facilities and 400m around water recycling centres. Essex County Council must be	The Council deems this change to be appropriate and a modification is recommended.	Details only available to the local authority and the Inspector's Programme Officer.

1007304	LPPuD546	Highways England - Mark Norman	Y	Y	N			X		?	N	Most of the proposed allocations are either some way from the A120 or at a scale which is unlikely to result in a severe impact on the A120. The only real issue for Highways England is the proposed Garden Community on the eastern edge of Colchester. It is unclear on how it is proposed to access the existing A120. Depending on the type of junction, could impact on the free-flow of A120 traffic. For instance, if a grade separated junction was built, rather than an at-grade roundabout, the impact to traffic flow on the A120 would be less. This proposal will need to be modelled so a full understanding of the impact is obtained.	Undertake transport modelling for Colchester Tendring Garden Community.	The Garden Community was the subject of thorough examination as part of the Section 1 examination with Highways England in attendance to support the North Essex Authorities. Since these comments were submitted in 2017, the Essex County Council has secured Housing Infrastructure Fund (HIF) funding for a link road between the A120 and the A133, has undertaken consultation on options and, having agreed the route of the link road, are working with Ringway Jacobs to prepare the detailed planning application for submission by the end of 2020. No changes to Section 2 of the Local Plan are required in response to these comments and the matters raised have already been dealt with, as described above.	Details only available to the local authority and the Inspector's Programme Officer.
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Representations from Businesses, Landowners and Developers

None received.

Representations from Community Representatives

None received.

Representations from Members of the Public

None received.

The support for the Local Plan from Braintree District Council and Colchester Borough Council is welcomed and demonstrates the three Councils' commitment to working together in partnership and in line with the legal duty to cooperate. In his post-examination conclusions, the Local Plan Inspector for Section 1 of the Local Plan concluded that the North Essex Authorities had complied with the legal duty to cooperate. The acknowledgement from Chelmsford City Council and the constructive comments from Essex County Council and Historic England are also welcomed and some minor modifications are recommended below.

Suggested modification: Amend the wording of paragraph 1.13 as follows to address the comment from Historic England:

1.1.3 Our District has a diverse range of assets including its attractive landscapes, coastline, areas of nature conservation, maritime heritage, a wealth of heritage assets and both local and internationally important ports. Alongside some thriving settlements and successful businesses there are also some major challenges including unemployment, coastal erosion and the need to provide space for future developments, to meet the employment and housing needs of current and future generations.

Suggested modification: Amend the wording of paragraph 1.3.4.1 as follows, in line with the suggestion from Essex County Council:

1.3.4.1 ~~Our District is part of the county of Essex. Essex County Council as an administrative body is responsible for preparing Local Plans for Minerals and Waste. This is particularly relevant to Tendring District given our underlying geology, which plays a role in the sourcing of sand and gravels. The Minerals and Waste Local Plans sit alongside this Local Plan and together make up the Development Plan. Essex County Council is the Local Highway Authority, with a responsibility to manage and maintain the highway network, and the Local Transport Authority, with transport planning responsibilities for the administrative area of Essex. The Essex Local Transport Plan (2011) contains the Essex Transport Strategy (2011) and sets out the 15 year vision to improve travel in the county and underlines the importance of the transport network in achieving sustainable, long term economic growth and enriching the life of residents. It is supplemented by delivery strategies for public transport, highways, cycling and public rights of way. Essex County Council is also the Local Education Authority and Lead Local Flood Authority.~~

Suggested modification: Amend the wording of paragraph 1.3.4.5 as follows, in line with the suggestion from Essex County Council:

1.3.4.5 Essex County Council is the waste planning authority for the District, and is responsible for preparing planning policies, and assessing applications for waste management development. The Essex and Southend-on-Sea Waste Local Plan (2004-2017) is part of the statutory Development Plan which should be read alongside the Tendring local Plan. It sets out where and how waste management developments can occur, and is the planning policy against which waste management development planning applications are assessed. ~~A Replacement Waste Local Plan is currently being prepared and should be adopted in 2017/18. It will cover the period from 2017 to 2032.~~

Suggested modification: Amend the wording of paragraph 1.3.4.6 as follows, in line with the suggestion from Essex County Council:

1.3.4.6 The emerging Essex and Southend-on-Sea Waste Local Plan (~~the Replacement Plan~~) ~~proposes~~ allocates new waste development at Slough Farm, Ardleigh; Morses Lane, Brightlingsea; and Sunnymead, Elmstead; and Heath Farms, north west of Alresford. The ~~Replacement~~ Waste Local Plan also identifies Areas of Search to meet the need for additional small scale waste management facilities. These Areas of Search are existing industrial estates within the District, and are located away from residential and other uses sensitive to amenity impacts such as schools, retail, leisure and office development. The ~~Replacement~~ Waste Local Plan would seek to focus any new proposals for waste management facilities, which support local housing and economic growth, within these Areas of Search. One is proposed for Tendring, at Martell's Farm Industrial Area. The Waste Local Plan also designates Waste Consultation Areas at a distance of 250m around permitted waste management facilities and 400m around water recycling centres. Essex County Council must be consulted on all non-waste related development within these areas.