

# *Tendring* *District Council*



## **Independent Examination of Section 2 of the Tendring District Local Plan '2013-2033 and Beyond'**

### **TOPIC PAPER 2: HOUSING**

**September 2020**

## Contents

	Page No.
Executive Summary	3
Part 1 Meeting the housing requirement	5
Part 2 Alternative site proposals	19
Part 3 Providing a five-year supply of deliverable housing sites	30
Part 4 Affordable Housing	33
Part 5 Gypsies and Travellers	40
Part 6 Accommodation needs of particular groups	44
Part 7 Overall conclusions	50

## Executive Summary

This Topic Paper has been prepared by Tendring District Council for the purposes of the independent examination for Section 2 of the Tendring District Local Plan 2013-2033 Publication Draft – hereafter the ‘emerging Local Plan’. Acknowledging that a lot of circumstances will have changed in the three years since the publication and submission of the emerging Local Plan in 2017, the Inspectors appointed to undertake the Section 2 examination, in their advice note dated 19 August 2020, requested an updated housing position paper addressing the following:

- Whether the plan provides an adequate supply of land to meet the housing requirement (as identified within Part 1 as Modified) over the plan period.
- Whether the plan will provide a five-year supply of deliverable sites from its date of adoption.
- Whether the plan will make appropriate provision for affordable housing, accommodation for gypsies and travellers, accessible and adaptable housing, and housing to meet the needs of particular groups, such as (for example) disabled people, older people, and students.

This topic paper addresses these matters, drawing heavily upon the content of the Council’s updated [Strategic Housing Land Availability Assessment \(SHLAA\)](#) of May 2020 which was considered and endorsed by the Council’s Planning Policy and Local Plan Committee on 8<sup>th</sup> June 2020 are thereafter published on the Council’s website.

The information contained within the latest SHLAA forms the basis of a number of suggested amendments to the emerging Local Plan, in particular Policy LP1 and associated tables, aimed at ensuring the plan is brought up to date to reflect the latest position with regard to housing completions, grants of planning permission and updated assumptions about the delivery and timescales for allocated sites. The Inspectors are respectfully invited to consider the suggested amendments as potential main modifications to the plan before it proceeds to final adoption.

The information within the updated SHLAA and this topic paper demonstrates that the emerging Local Plan provides a more than adequate supply of land to meet the housing requirement of 550 dwellings per annum, or 11,000 homes over the period 2013 to 2033 as set out in Policy SP3 of the Modified Section 1 Local Plan – with an ‘oversupply’ or ‘headroom’ of around 1,600 dwellings. The headroom is such that the residual housing requirement for the period to 2033 could still be met and exceeded even if none of the sites allocated for housing and mixed use development in the Section 2 Plan and yet to obtain planning permission or a Planning Committee resolution to grant planning permission come forward within the revised timescales envisaged.

This paper also demonstrates that a large proportion of sites that have been promoted through representations or objections to the emerging Local Plan have either already obtained planning permission and are no longer contentious or have otherwise been the subject of planning applications that have been considered, refused or dismissed on appeal for good planning reasons or, by virtue of their scale or location, do not represent suitable or sustainable alternatives to the sites allocated in the plan.

The Council can also demonstrate a five-year supply of deliverable sites against the Policy SP3 housing requirement from the anticipated date of adoption, whether that be before April 2021, April 2022, April 2033 or any other date within a reasonable timeframe – even with conservative

assumptions about delivery and the application of a 'buffer' as required by the National Planning Policy Framework.

The Plan also makes appropriate provision for affordable housing with many of the larger 'committed' sites already the subject of section 106 legal agreements to deliver affordable units, a policy to deliver up to 30% affordable housing on large sites in the future and a commitment from the Council itself to deliver affordable housing to increase its own Council Housing stock.

The small need for additional gypsy and traveller pitches is already being met through existing commitments, with the requirement for more pitches to be planned for as part of the Tendring Colchester Garden Community.

Provision for accessible and adaptable housing and accommodation aimed at older and disabled residents is being delivered already on many of the committed development schemes in the district with the market very much alive to the needs and demands of the district's demography with policies in place to encourage future provision and a specialist in high quality accessible bungalow development being a lead developer promoting one of the largest housing and mixed-use allocations in the Section 2 Plan at Oakwood Park.

Working with Colchester Borough Council and the University of Essex on the Tendring Colchester Borders Garden Community, there is scope to deliver future accommodation for students and the Council is also working closely with Essex County Council and the NHS to explore the opportunities for delivering additional key worker housing to match the aspirations to make Tendring a hub for future public sector employment opportunities.

## Part 1: Meeting the housing requirement

- 1.1 The first of the Inspectors' requests is for the topic paper to address whether the plan provides an adequate supply of land to meet the housing requirement (as identified within Part 1 as Modified) over the plan period. To address this matter, the Council has structured this section of the paper to guide readers through a series of logical 'stages' that run through the various 'sources of supply' that will deliver and likely exceed the housing requirement, demonstrating clearly that the housing land position has strengthened considerably in the three years since the plan was published and submitted. These stages are as follows:

Stage 1: Housing requirement: Confirmation of the housing requirement for Tendring as set out in Policy SP3 in Section 1 of the emerging Local Plan which has been examined and found by the Inspector to be based on sound evidence with no recommendations for modification.

Stage 2: Actual dwelling completions: An update on the actual net dwelling stock increase that has been achieved between 1<sup>st</sup> April 2013 (the base date of the Local Plan) and 31<sup>st</sup> March 2020 and the corresponding reduction in the 'residual' number of homes required to the end of the plan period in 2033.

Stage 3: The Tendring Colchester Borders Garden Community: Clarification on the number of homes that the proposed Tendring Colchester Borders Garden Community is expected to contribute towards Tendring's housing requirement in the period to 2033 following the Inspector's conclusions on the soundness and deliverability of that proposal as part of the Section 1 examination.

Stage 4: Large site commitments: An update on the number of homes now expected to be delivered up to 2033 on large sites of 10 or more dwellings which already benefit from either planning permission or a Planning Committee resolution to grant planning permission.

Stage 5: Small sites and windfall sites: An update on the expected contribution towards housing delivery on sites of 9 or fewer dwellings in the remainder of the plan period to 2033 taking into account grants of planning permission, past delivery trends and the likelihood of small sites coming forward as 'windfalls'.

Stage 6: Housing and mixed-use allocations: Updated assumptions about the deliverability of sites specifically allocated in Section 2 of the emerging Local Plan for housing or mixed-use development but that are still to obtain planning permission or a Planning Committee resolution to approve and which may or may not still be the subject of unresolved objections.

Stage 7: Overall conclusions on meeting the housing requirement: The overall conclusions that demonstrate that the emerging Local Plan makes more than adequate provision to meet the housing requirement to 2033.

## Stage 1: Housing requirement

- 1.2 The housing requirement, for Tendring, for the period 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2033 is **550 dwellings per annum**, or a total **net dwelling stock increase of 11,000**. That figure is set out in Policy SP3 in Section 1 of the Local Plan which has already been examined. Throughout the lengthy examination of Section 1, the Inspector consistently concluded that the housing requirement figures for the North Essex Authorities, including for Tendring, are based on sound evidence and do not therefore require modification.
- 1.3 Following the first round of examination hearings in 2018 the Inspector, in his post-hearing letter dated 27 June 2018, stated, in paragraph 36: *“I have concluded above that 480dpa should be taken as the starting-point for assessing Tendring’s housing need. Applying the 15% market signals adjustment recommended in the OAHN Study produces a round figure of 550dpa, which I conclude is the objectively-assessed housing need for Tendring. For the reasons given above I find no need to increase that figure to meet future labour demand or help deliver a higher proportion of the affordable housing need, although the need for such an increase should be reconsidered when the Plan is reviewed.”*
- 1.4 He goes on to conclude: *“The housing requirement figures for each of the NEAs set out in submitted policy SP3 are the same as the figures which I have concluded represent their respective objectively-assessed housing needs. Accordingly, submitted policy SP3’s housing requirements are soundly based.”*
- 1.5 Following the second round of examination hearings in 2020 the Inspector, in his further post-hearing letter dated 15 May 2020 stated in paragraph 47: *“For these reasons [i.e. the reasons set out in detail in his letter], I conclude that neither the population and household projections and employment forecasts published since June 2018 nor recent evidence from market signals indicate that there has been a meaningful change in the housing situation that I considered in IED/011. Consequently, the Plan’s housing requirement figures remain soundly based.”*
- 1.6 In June 2020, after the Inspector had issued the above conclusions, the Office for National Statistics (ONS) published its 2018-based household projections. The Inspector first invited the North Essex Authorities to comment on whether or not the new projections represented a meaningful change in circumstances that might have implications for the soundness of the figures in Policy SP3 and, in September 2020, invited other participants in the examination to comment.
- 1.7 Whilst the Inspector will need to consider any comments received in coming to a final decision on the soundness of the Section 1 Plan and the housing requirements set out in Policy SP3, the North Essex Authorities have submitted expert evidence to the Inspector that demonstrates that the new projections make no impact on the Tendring (nor the Colchester) housing figure and do not represent a meaningful change. The remainder of this topic paper therefore assumes that the Inspector will agree with the Council and will confirm 550 dwellings per annum as the soundly-based objectively assessed housing need figure for Tendring.
- 1.8 If the Inspector comes to a different final conclusion ahead of any examination hearings for the Section 2 Plan, the Council will consider the implications on housing land supply and, if necessary, will prepare an addendum to this topic paper to deal with any issues that might arise.

Stage 2: Actual completions

- 1.9 Table LP1 in the 2017 Publication Draft explains that there had been an actual net dwelling stock increase of 1,374 between 1st April 2013 and 31st March 2017 which, when deducted from the requirement of 11,000 between 2013 and 2033, left a residual requirement of 9,626.
- 1.10 The Council is now in a position to update the actual new dwelling stock increase to reflect the completions recorded in the 2017/18, 2018/19 and 2019/20 financial years i.e. a further three years of data. The net dwelling stock increases for those three years were 565, 915 and 784 respectively – a total of 2,264. The updated actual net dwelling stock increase for the period 1<sup>st</sup> April 2013 and 31<sup>st</sup> March 2020 can therefore be updated to **3,638** – reducing the residual requirement for the period 2020 to 2033 to **7,362**.
- 1.11 As such, it is suggested that Table LP1 in the emerging Local Plan could be amended as follows to reflect the additional three years of completion data:

**Revised Table LP1: Housing Requirement for the period 1/4/13 – 31/3/33**

<b>A – Annual Net Dwellings Required – Reported Years from Base Date</b>	
2013/14 to 2032/33	550 x 20
<b>Total</b>	<b>11,000</b>
<b>B – Net Completions – Reported Years from Base Date</b>	
2013/14	204
2014/15	267
2015/16	245
2016/17	658
<u>2017/18</u>	<u>565</u>
<u>2018/19</u>	<u>915</u>
<u>2019/20</u>	<u>784</u>
<b>Total</b>	1,374 <u>3,638</u>
<b>C – Shortfall – Reported Years from Base Date</b>	
<b>Total</b>	<del>826</del> <u>212</u>
<b>D – Net dwellings from Base Date still required</b>	
<b>Total</b>	<del>9,626</del> <u>7,362</u>

### Stage 3: Contribution from the Tendring Colchester Borders Garden Community

- 1.12 As well as establishing the soundness of housing requirement for the North Essex Authorities, including the requirement of 11,000 homes 2013-2033 for Tendring, the Section 1 examination of the emerging Local Plan also considered, and concluded, on the soundness and deliverability of the proposals for new 'Garden Communities'.
- 1.13 The Inspector concluded that two of the three Garden Communities i.e. the West of Braintree and Colchester Braintree Garden Communities were neither viable nor deliverable and therefore did not meet the tests of soundness. The Inspector therefore recommended the removal of those Garden Communities from Section 1 of the Plan and, following agreement from each of the North Essex Authorities, their removal from the Plan formed part of the Main Modifications published for consultation in August 2020.
- 1.14 The third Garden Community i.e. the Tendring Colchester Borders Garden Community was however found to be viable, deliverable and sound and is retained within the Modified Section 1 Plan. In the plan, as submitted, it was envisaged that the development would deliver new dwellings both within the remainder of the plan period to 2033 and beyond with a total expectation of between 7,000 and 9,000 dwellings – of which 2,500 would be delivered in the period up to 2033. However, the Inspector concluded, in paragraph 264 of his 15 May 2020 letter: *“Based on the NEAs’ current housing trajectory, and taking into account my conclusions on the rate of housing delivery, the Tendring / Colchester Borders GC would deliver over 2,000 dwellings during the Plan period. That would make a worthwhile contribution to meeting the Plan’s overall housing requirement.”*
- 1.15 In the Inspector’s Main Modification MM18 to Policy SP7, it is stated that the Garden Community will deliver between 2,200 and 2,500 homes within the plan period. Modification MM30 to Policy SP8 explains that, for the plan period up to 2033, housing delivery from the garden community, irrespective of its actual location, will be distributed equally between Colchester Borough Council and Tendring District Council. Therefore, the amount of housing that can be attributed towards meeting Tendring’s housing requirement up to 2033 is between 1,100 and 1,250 units.
- 1.16 In its 2020 SHLAA, the Council has taken an even more cautious approach within the housing trajectory assumptions in Appendix 4 of that document and is assuming that only 2,000 dwellings (80% of the Inspector’s upper figure) will be delivered up to 2033 (of which 1,000 would count towards Tendring’s requirement). This is based on a conservative assumption that no more than 250 dwellings will be delivered at the Garden Community in any one year and that the first dwellings will be completed in 2025/26.
- 1.17 In conclusion, following the Section 1 Inspector’s conclusions on soundness, his Main Modifications and the Council’s trajectory in the 2020 SHLAA, it is expected that **the Tendring Colchester Borders Garden Community will contribute 1,000 homes towards the Tendring housing requirement to 2033, thus reducing the residual requirement from 7,362 to 6,362.** As this is based on the Section 1 Inspector’s conclusions and adds an additional level of caution, the Council does not expect this assertion to be contentious.

#### Stage 4: Contribution from Large Site Commitments

- 1.18 Table LP2 in the 2017 Publication Draft, as submitted, explained that large sites of 10 or more dwellings that had either obtained outline or detailed planning permission or a Planning Committee resolution to grant planning permission (subject to the completion of a section 106 legal agreement) (hereafter 'Large Site Commitments') were expected to deliver a net dwelling stock increase of 4,796, with 4,779 between 2017 and 2033 with a further 17 units post 2033.
- 1.19 Of the 4,779 expected within the remainder of the plan period between 2017 and 2033:
- 3,933 were expected to be completed between 1<sup>st</sup> April 2017 and 31<sup>st</sup> March 2023;
  - 746 were expected between 1<sup>st</sup> April 2023 and 31<sup>st</sup> March 2028; and
  - 100 were expected between 1<sup>st</sup> April 2028 and 31<sup>st</sup> March 2033.
- 1.20 The Council's 2020 SHLAA now demonstrates that, at April 2020 – three years on from the base-date of the Publication Draft, the total dwelling stock increase expected on Large Site Commitments can be revised to 6,462, with 5,800 expected between 2020 and 2033 and a further 662 post 2033.
- 1.21 Of the 5,800 expected within the remainder of the plan period between 2020 and 2033:
- 3,364 are expected to be completed between 1<sup>st</sup> April 2020 and 31<sup>st</sup> March 2025;
  - 1,942 are expected between 1<sup>st</sup> April 2025 and 31<sup>st</sup> March 2030; and
  - 494 are expected between 1<sup>st</sup> April 2030 and 31<sup>st</sup> March 2033.
- 1.22 **Deducting these 5,800 expected completions from the 2020-2033 residual requirement of 6,362 (having already taken into account the 1,000 homes expected at the Tendring Colchester Borders Garden Community) leaves a revised residual of just 562.**
- 1.23 The Council has generally taken cautious assumptions about delivery on the Large Site Commitments with 662 of the dwellings on Large Site Commitments expected to be delivered post 2033 i.e. beyond the current plan period. Therefore the Council is relying only on 90% of the 'committed supply' being delivered within the remainder of the plan period. If those 662 post 2033 dwellings were constructed quicker than expected and before 2033, the whole of the residual housing requirement could be met off the back of development at the Garden Community and Large Site Commitments alone.
- 1.24 The Large Site Commitments now include sites that are currently shown as housing or mixed-use allocations in the emerging Local Plan including:
- SAMU4: Rouses Farm (950 dwellings overall, of which 540 expected up to 2033);
  - SAMU5: Land South of Council Offices (280 dwellings);
  - SAH1: Greenfield Farm (42 dwellings);
  - SAH2: Land West of Low Road (300 dwellings);
  - SAH3: Robinson Road (under construction with 92 of a total 115 dwellings remaining);
  - MSA14: Land rear of 522-524 St. Johns Road
  - MSA14: Montana Roundabout

## Stage 5: Contribution from Small Sites and Windfall Sites

- 1.25 The National Planning Policy Framework states that Local Plans can include an allowance for 'windfall sites' in the ongoing five-year supply of housing land if there is compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Table LP2 in the 2017 Publication Draft, as submitted, explained that small sites and windfall sites were expected to deliver a net dwelling stock increase of 1,399 between 2017 and 2033. That estimate was based on a projection based on trends in both the supply of small housing sites and their delivery.
- 1.26 The model used to derive the small sites and windfall estimate has been updated in Appendix 2 in the Council's 2020 SHLAA and demonstrates that small sites with the potential for 9 or fewer dwellings have, and will continue to, make a significant contribution towards housing delivery. This is partly down to the dispersed geography of the district with a number of urban and rural settlements offering development opportunities at a variety of scales. **The updated calculation gives a revised estimate of 1,260 dwellings between 2020 and 2033.**
- 1.27 At April 2020, small sites with the benefit of planning permission alone have the capacity to deliver 724 dwellings and the potential to exceed the modest residual housing requirement of 562 units (having already taken into account the homes expected at the Tendring Colchester Borders Garden Community and on Large Site Commitments) – even if only 80% of these dwellings on small consented sites are actually completed. It could therefore be argued that the housing requirement to 2033 can be met without any site allocations in the Section 2 Local Plan at all. **Taking the updated small sites and windfall estimate of 1,260, calculated in Appendix 2 of the 2020 SHLAA, the residual housing requirement is expected to be exceeded by 698 dwellings without any contribution required from allocated sites.**
- 1.28 Therefore without having to allocate any additional land for housing Section 2 of the Local Plan, the housing requirement can be met and exceeded – a level of headroom or flexibility 6% above the full 2013-2033 requirement of 11,000 homes and almost 10% over the residual 2020-2033 requirement of 7,362.

## Stage 6: Contribution from Section 2 Housing and Mixed-Use Allocations

- 1.29 As explained in Stages 1-5 above, changes in the housing supply position since the submission of the emerging Local Plan have resulted in a situation by which the housing requirement for Tendring up to 2033 can be met, and exceeded, without the need to allocate any additional sites for housing in the Local Plan at all.
- 1.30 Excluding the contribution expected from the Tendring Colchester Borders Garden Community, the housing and mixed-use allocations in Section 2 of the 2017 Publication Draft, as submitted, were expected to deliver 3,199 dwellings in the period 2013-2033 to address an estimated supply gap that, at that time, stood at 2,198 dwellings – thus incorporating 1,001 dwellings worth of ‘headroom’ to help guard against the possibility of certain sites not coming for development as planned.
- 1.31 The supply from allocations, as set out in Policy LP1, comprised:
- 2,230 dwellings from ‘Strategic and Mixed Use Allocations’ (SAMU);
  - 464 dwellings from ‘Strategic Allocations for Housing’ (SAH); and
  - 505 dwellings from ‘Medium Sized Allocations’ (MSA).
- 1.32 As explained above, since 2017 an additional 2,264 dwellings have been built and a significant number of sites have obtained planning permission, with many of the allocated housing and mixed-use sites themselves becoming ‘Large Site Commitments’.

### SAMU Sites

- 1.33 The Council’s 2020 SHLAA identifies that two of the five ‘SAMU’ sites have become Large Site Commitments, these being:
- SAMU4: Rouses Farm (Clacton) – which now benefits from a Planning Committee resolution to grant permission 17/01229/OUT for 950 dwellings of which 540 (57%) are expected to be delivered before 2033; and
  - SAMU5: Land South of Council Offices (Weeley) – which now benefits from outline planning permission 19/00524/OUT for 280 dwellings, all of which are expected to be delivered before 2033.
- 1.34 One of the ‘SAMU’ sites ‘SAMU1 – EDME’ remains a mixed-use allocation in the emerging Local Plan but, as explained in the SHLAA, the Council is no longer placing any reliance on the potential 150 homes provisionally allocated to the site to meet the housing requirement to 2033. This is given the complexities of the site and the need for the dwelling numbers and density on any scheme to be determined by a design that conserves and enhance the historic and architectural character of its many assets.

### SAH Sites

- 1.35 All three of the ‘SAH’ sites have become Large Site Commitments, namely:
- SAH1: Greenfield Farm (Dovercourt) – which benefits from outline planning permission 17/01909/OUT for 42 dwellings, all of which are expected to be delivered before 2033;

- SAH2: Land West of Low Road (Dovercourt) – which benefits from outline planning permission 17/02168/OUT for 300 dwellings, all of which are expected to be delivered before 2033; and
- SAH3: Robinson Road (Brightlingsea) – which is already under construction with 92 of the total 115 dwellings permitted under application 17/01318/FUL remaining and expected to be built within the next 4 years – if not quicker.

#### MSA Sites

1.36 Of the 13 'MSA' sites, one (MSA3: Orchards Works site (Clacton)) has already been developed and two have become Large Site Commitments, namely:

- MASA4: Land rear of 522-524 St. John's Road (Clacton) which now benefits from outline planning permission 17/01964/OUT for 11 (net) dwellings, all of which are expected to be built before 2033; and
- MSA14: Montana Roundabout (Little Clacton) which benefits from full planning permission 16/00427/OUT for 30 dwellings, all of which are expected to be built within the next 4 years.

1.37 Of the remaining 10 MSA sites, the 2020 SHLAA explains that the Council is no longer relying on any of the following 5 for delivery in the plan period having concluded that they are either unlikely to be deliverable or that the evidence to support their deliverability is limited:

- MSA2: Cotswold Road (Clacton) – originally expected to deliver 12 dwellings;
- MSA5: Station Gateway (Clacton) – originally expected to deliver 60 dwellings;
- MSA7: Mayflower Primary School (Dovercourt) – originally expected to deliver 15 dwellings;
- MSA9: Old Town Hall Site (Walton) – originally expected to deliver 15 dwellings; and
- MSA10: Southcliffe Trailer Park (Walton) – originally expected to deliver 15 dwellings.

1.38 Site MSA8: Land at Harwich and Parkeston Football Club (Dovercourt) is now only expected to deliver 48 dwellings, as opposed to the original expectation of 89.

#### Remaining Housing and Mixed Use Allocations

1.39 Deducting the sites that have either become Large Site Commitments or are no longer expected to deliver homes within the remainder of the plan period 2020-2033, only the following seven sites are proposed to remain as housing and mixed-use allocations in the Section 2 Local Plan and are expected to contribute to housing supply:

- SAMU2: Hartley Gardens (Clacton);
- SAMU3: Oakwood Park (Clacton);

- MSA1: Land at Weeley Council Offices (Weeley);
- MSA6: Former Tendring 100 Waterworks Site (Clacton);
- MSA8: Land adjoining Harwich and Parkeston Football Club (Dovercourt);
- MSA11: Station Yard (Walton); and
- MSA12: Land at the Farm, Kirby Road (Walton).

1.40 In the 2017 Publication Draft Local Plan, as submitted, these six sites were together originally expected to deliver 2,740 dwellings, of which 1,490 were expected in the period up to 2033. Based on the revised trajectory within the Council's 2020 SHLAA and associated revisions to the expected contributions from these sites, they are now expected to deliver 2,867 dwellings in total of which just 894 are expected within the plan period to 2033.

1.41 However, as explained in Stages 1-5 above, the changes in the housing supply position since 2017 mean that the Council is no longer reliant on any of these allocations coming forward within the plan period to meet the remaining housing requirement to 2033 and, as such, deletion of any of these sites from the Local Plan would not result in the plan becoming unsound. However, the Council recognises the benefit of maintaining a healthy level of 'headroom' or flexibility in the supply to guard against the possibility that certain sites, including within the committed supply, do not come forward in the timescales envisaged. **The contribution of 894 dwellings from the seven remaining allocated sites increases the total planned supply to 12,592 dwellings – an over-supply of 1,592 which represents 14.5% flexibility over and above the full 2013-2033 requirement of 11,000 homes and 21.6% flexibility over and above the residual requirement 2020-2033 of 7,362.**

1.42 Of the seven sites listed above, the two 'SAMU' sites, Hartley Gardens and Oakwood Park represent the largest housing and mixed-use allocations in the Section 2 Plan in the form of urban extensions onto greenfield land on the edge of the district's largest town, Clacton on Sea. Given that these are likely to be the allocations that will come under the greatest level of scrutiny as part of the examination process, the Council proposes separate Topic Papers to set out, in more detail, the justification for allocating these sites over other alternative options and the progress towards, and revised timeframes for, delivery.

## Stage 7: Overall conclusions on meeting the housing requirement

1.43 Taking into account the significant changes in the housing supply position since 2017 when the emerging Local Plan was published and submitted, the analysis above and the evidence contained within the Council's 2020 SHLAA demonstrate the following:

- The housing requirement for Tendring in the period 2013 to 2033 is 11,000 homes as set out in Policy SP1 of the Modified Section 1 Local Plan – subject to the Inspector's final conclusions.
- Between 2013 and 2017, the net housing stock in Tendring has increased by 3,638 dwellings leaving a 'residual requirement' of 7,362 for the remainder of the plan period 2020 to 2033.
- The Tendring Colchester Borders Garden Community has been judged to be sound and deliverable by the Section 1 Inspector and is expected to deliver between 2,200 and 2,250 homes in the period 2020 to 2033 of which half would count towards Tendring's requirement. In its updated trajectory, the Council has made a conservative assumption that the development will deliver 1,000 dwellings in that period leaving 6,362 to be delivered through other sources of supply.
- Large site commitments are now expected to deliver 5,800 homes in the period 2020 to 2033, leaving just 562 to be delivered through the remaining sources of supply – with many of the sites allocated in the Section 2 Plan for housing and mixed use development having themselves obtained planning permission, or a Planning Committee resolution to grant permission.
- Small sites and windfall sites are predicted to deliver 1,260 dwellings in the period 2020-2033 meaning that the remainder of the housing requirement can be met and exceeded by 698 dwellings without the Local Plan having to allocate any additional land for housing or mixed use development.
- From the remaining sites originally allocated in Section 2 of the Local Plan as published and submitted in 2017 that are yet to obtain planning permission or a Planning Committee resolution to approve, the Council's updated housing trajectory estimates that 894 dwellings will be delivered between 2020 and 2033 – increasing the 'headroom' in supply to 1,592 – an over-allocation of 14.5% above the full 20 year requirement and 21.6% over the residual requirement 2020 to 2033.

1.44 To update the emerging Local Plan to reflect the latest housing position and the above conclusions, the Council suggests that the following amendments (shown with 'tracked' changes) could be made to Table LP2 and Policy LP1 in Chapter 5 'Living Places' which the Inspector may wish to consider as potential modifications:

**Table LP2 – Local Plan Housing Allocations**

Site	Total housing numbers	2018/19 <u>2020/20</u> to 2022/23 <u>2024/25</u>	2023/24 <u>2025/26</u> to 2027/28 <u>2029/30</u>	2028/29 <u>2030/31</u> to 2032/33	And Beyond	Reference
Sites of 10 or more Homes with Planning Permission (with/without s106)	4,796 <u>6,462</u>	3,933 <u>3,364</u>	746 <u>1,942</u>	100 <u>494</u>	17 <u>662</u>	
Sites of 9 or less homes/windfall	1,399 <u>1,260</u>	864 <u>680</u>	361 <u>419</u>	174 <u>161</u>	0	
<del>EDME Maltings</del>	450	0	0	450	0	SAMU1
<del>Hartley Gardens Village, Clacton</del>	1,700	0	300 <u>60</u>	300 <u>150</u>	1,100 <u>1,490</u>	SAMU2
<del>Oakwood Park, Clacton</del>	750 <u>918</u>	0	300 <u>195</u>	300 <u>240</u>	250 <u>483</u>	SAMU3
<del>Rouses Farm</del>	850	0	300	300	250	SAMU4
<del>Land South of Council Offices</del>	280	0	200	80	0	SAMU5
<del>Greenfield Farm</del>	164	0	100	64	0	SAH1
<del>Land West of Low Road</del>	300	0	100	100	100	SAH2
<del>Robinson Road</del>	400	0	400	0	0	SAH3
<del>Tendring Colchester Borders Garden Community</del>	3,500- 4,500	0	500 <u>625</u>	750 <u>375</u>	2,250- 3,250 <u>2,500- 3,500</u>	SP7
<del>Land at Weeley Council Offices</del>	24	0	0 <u>24</u>	24 <u>0</u>	0	MSA1
<del>Land off Cotswold Road</del>	12	0	12	0	0	MSA2
<del>Orchard Works site rear of London Road</del>	20	0	20	0	0	MSA3
<del>Land rear of 522-524 St. Johns Road</del>	43	0	43	0	0	MSA4
<del>Station Gateway development</del>	60	0	0	60	0	MSA5
<del>Former Tendring 100 Waterworks Site, Clacton</del>	90	0	90	0	0	MSA6
<del>Mayflower Primary School</del>	15	0	15	0	0	MSA7
<del>Land at adjoining Harwich and Parkeston Football club, Dovercourt</del>	89 <u>48</u>	0	0 <u>48</u>	89 <u>0</u>	0	MSA8
<del>Old Town Hall site</del>	15	0	15	0	0	MSA9
<del>Southcliffe Trailer Park</del>	15	0	15	0	0	MSA10
<del>Station Yard/Avon Works, Walton</del>	40	0	40	<u>0</u>	0	MSA11

Land at the Farm, Kirby Road, <u>Walton</u>	47	0	<del>0</del> <u>47</u>	<del>47</del> <u>0</u>	0	MSA12
<del>Montana Roundabout</del>	<del>35</del>	<del>0</del>	<del>35</del>	<del>0</del>	<del>0</del>	<del>MSA14</del>
TOTALS	<del>14,494-</del> <del>15,494</del> <u>14,089-</u> <u>15,089</u>	<del>4,797</del> <u>4,044</u>	<del>3,339</del> <u>3,490</u>	<del>2,491</del> <u>1,420</u>	<del>3867-</del> <del>4,867</del> <u>4885-</u> <u>5885</u>	
Total in Plan Period	<del>10,627</del> <u>8,954</u>					

1.45 The 'clean' amended version of Table LP2 would appear as follows:

Site	Total housing numbers	2020/20 to 2024/25	2025/26 to 2029/30	2030/31 to 2032/33	And Beyond	Reference
Sites of 10 or more Homes with Planning Permission (with/without s106)	6,462	3,364	1,942	494	662	
Sites of 9 or less homes/windfall	1,260	680	419	161	0	
Hartley Gardens, Clacton	1,700	0	60	150	1,490	SAMU2
Oakwood Park, Clacton	918	0	195	240	483	SAMU3
Tendring Colchester Borders Garden Community	3,500-4,500	0	625	375	2,500-3,500	SP7
Land at Weeley Council Offices	24	0	24	0	0	MSA1
Former Tendring 100 Waterworks Site, Clacton	90	0	90	0	0	MSA6
Land at adjoining Harwich and Parkeston Football club, <u>Dovercourt</u>	48	0	48	0	0	MSA8
Station Yard/Avon Works, Walton	40	0	40	0	0	MSA11
Land at the Farm, Kirby Road, Walton	47	0	47	0	0	MSA12
TOTALS	14,089-15,089	4,044	3,490	1,420	4885-5,885	
Total in Plan Period	8,954					

1.46 For Policy LP2, the tracked changes would be as follows:

**Policy LP 1**

**HOUSING SUPPLY**

*The Council will work with the development industry and other partners to deliver a minimum new homes increase of 11,000 (net) between 1 April 2013 and 31 March 2033 to support economic growth and meet objectively assessed requirements for future housing in the District. This supply of new homes will be delivered from the following sources:*

<b>Supply Source to March 2033</b>	<b>Totals</b>
<i>Net Dwelling Completions <del>2013-2017</del> <u>2013-2020</u></i>	<i><del>1,374</del> <u>3,638</u></i>
<i>Large Sites with Planning Consents (with/without signed S106 agreements)</i>	<i>4,779 <u>5,800</u></i>
<i>Small Sites with Planning Consents (with Trend Based Completions)</i>	<i><del>1,399</del> <u>1,260</u></i>
<i>Strategic Allocations – Mixed Use (SAMU Policies)</i>	<i><del>2,230</del> <u>645</u></i>
<i>Strategic Allocations – Housing (SAH Policies)</i>	<i>464</i>
<i>Medium Sized Allocations (MSA Policies)</i>	<i><del>505</del> <u>249</u></i>
<i>Tending Colchester Borders Garden Community</i>	<i>1,250 <u>1,000</u></i>
<i>Totals</i>	<i><del>12,004</del> <u>12,592</u></i>

**This Policy contributes towards achieving Objectives 1 and 6 of this Local Plan.**

1.47 The 'clean' amended version of Policy LP1 would appear like this:

**Policy LP 1**

**HOUSING SUPPLY**

*The Council will work with the development industry and other partners to deliver a minimum new homes increase of 11,000 (net) between 1 April 2013 and 31 March 2033 to support economic growth and meet objectively assessed requirements for future housing in the District. This supply of new homes will be delivered from the following sources:*

<b>Supply Source to March 2033</b>	<b>Totals</b>
<i>Net Dwelling Completions 2013-2020</i>	<i>3,638</i>
<i>Large Sites with Planning Consents (with/without signed S106 agreements)</i>	<i>5,800</i>
<i>Small Sites with Planning Consents (with Trend Based Completions)</i>	<i>1,260</i>
<i>Strategic Allocations – Mixed Use (SAMU Policies)</i>	<i>645</i>
<i>Medium Sized Allocations (MSA Policies)</i>	<i>249</i>
<i>Tendring Colchester Borders Garden Community</i>	<i>1,000</i>
<b>Totals</b>	<b>12,592</b>

**This Policy contributes towards achieving Objectives 1 and 6 of this Local Plan.**

## Part 2: Alternative site proposals

- 2.1 In response to the Publication Draft consultation in 2017, the Council received a number of representations from, or on behalf of developers and landowners promoting alternative sites for inclusion in the Local Plan for housing or mixed use development.
- 2.2 Some sites were promoted for inclusion in the Plan over and above the Council's proposed allocations, arguing that the housing requirement for Tendring should be increased above the 550 dwellings per annum set out in Policy SP3 in Section 1 of the Plan. However, as explained above, the Inspector for the Section 1 Plan has concluded that 550 dwellings per annum and 11,000 homes in total over the period 2013-2033 is based on sound evidence and no modifications to those figures in Policy SP3 are currently required.
- 2.3 Assuming that the SP3 requirement does not change, the only reasonable justification for needing to include any additional sites in the Local Plan over and above the Council's proposed allocations would have to result from one of the following scenarios:
  - 1) The Council has failed to demonstrate that the proposals in the Local Plan can deliver the housing requirement of 11,000 homes up to 2033 and additional sites are needed to address the shortfall;
  - 2) The Council has failed to demonstrate a five year supply of deliverable housing sites and additional sites (capable of delivery within five years) are needed to address the five-year shortfall;
  - 3) The Council has failed to incorporate a sufficient level of headroom or flexibility within the housing supply, thus leaving delivery vulnerable to under-delivery in the event that certain sites fail to come forward within the timescales envisaged; or
  - 4) The remaining housing and mixed-use allocations in the Plan (with a focus on Hartley Gardens and Oakwood Park) do not represent the most sustainable strategy for growth and other alternative sites offer a more sustainable strategy.
- 2.4 As explained in Part 1 of this topic paper above, scenario 1) is not considered applicable because the Council can demonstrate that it can meet the housing requirement of 11,000 homes comfortably – even if none of the remaining housing or mixed-use allocations come forward within the remainder of the plan period to 2033. Scenario 2) also does not apply as the Council can demonstrate a five-year supply, as explained in more detail in Part 3 of this paper. Scenario 3) ought not to be applicable because the level of headroom and flexibility is almost 1,600 homes – an increase of nearly 600 homes since the plan was submitted in 2017. Therefore, it is only scenario 4) that may or may not justify the inclusion of alternative sites i.e. as replacements for, rather than in addition to, Hartley Gardens or Oakwood Park.
- 2.5 Of the 80 or so alternative site proposals put forward by third party landowners and developers through formal representations at the publication stage, a significant number have already been the subject of planning applications that have either succeeded with grants of permission from the Council or on appeal, or have failed following rejection from the Council and, in some cases, dismissal on appeal. For those that have obtained planning permission, it may be that those

objectors no longer need to pursue their representations through the remainder of the examination process and, in some cases, the Council is suggested adjustments to the plan to reflect those consents.

#### Alternative sites that have become commitments

2.6 Of the 80 or so alternative site proposals, more than a quarter have obtained residential planning permission (or a Planning Committee resolution to approve) in whole or in part, either from the Council or on appeal – including some developments of a significant scale. They now form part of either the completed or committed supply and are listed below, with the relevant representation numbers, in order of size:

##### Large sites (10 or more dwellings)

- LPPuD263 – Land south of Long Road and west of Clacton Road, Mistley (Tending Farms Ltd) – Planning permission to increase from 300 to 485 dwellings allowed on appeal.
- LPPuD334 – Land south of Bromley Road, Parson's Heath (Gladman Homes) – Planning permission for 145 dwellings allowed on appeal.
- LPPuD302 – Land at Weeley Road, Great Bentley (G & M Lord & Son) – Planning permission for 136 dwellings allowed on appeal.
- LPPuD408 – Land off Burrs Road and Sladbury's Lane, Clacton (Mr. R. Giles) – Part of site granted planning permission, on appeal, for up to 132 dwellings.
- LPPuD153 – Additional land south of Harwich Road, Mistley (Hopkins Homes) – Planning permission for 100 dwellings allowed on appeal.
- LPPuD446 – Michaelstowe Farm, Ramsey Road, Dovercourt (Geisha, Mallett & Morford) – Planning permission granted for schemes of 41 and 14 dwellings (55 in total) on a significant portion of the site.
- LPPuD227 – Land at Lower Farm, Brightlingsea (Honace Ltd) – Planning application for a major mixed-use development including 41 dwellings and 104 holiday lodges has received a September 2020 Planning Committee resolution to approve.
- LPPuD466 – Land at Parkers Nursery, Frinton Road, Thorpe-le-Soken (Parkers Nurseries) – Planning permission granted for 6 dwellings (with permission for a further 10 granted on adjoining land).
- LPPuD255 – Land north of Clacton Road, Elmstead Market (Janet and William Scarlett) – Planning permission granted for 10 dwellings.

##### Small sites (9 or fewer dwellings)

- LPPuD290 – Land at Colchester Road, Thorpe-le-Soken (Mr. Burns) – Planning permission for 9 dwellings allowed on appeal.

- LPPuD462 – Rainbow Nursery, Weeley (Rainbow Nursery) – Planning permission granted for 9 dwellings.
- LPPuD389 – Land at Sparrows Corner, Great Oakley (Mr. Peter Avery) – Planning permission granted for 8 dwellings.
- LPPuD318 – Land off Rectory Road and Mill Lane, Weeley Heath (St. Osyth Beach Estate) – 6 bungalows have been built on the front part of the site.
- LPPuD364 – Land rear of 185 Thorpe Road, Kirby Cross (The Land and Planning Company) – Planning permission granted for 5 dwellings on part of the site with limited scope for further development beyond that.
- LPPuD451 – Land north of Hollyoak, Pork Lane, Great Holland (Mr. D. Akers) – Planning permission for 5 dwellings allowed on appeal.
- LPPuD419 – Thorpe Horseboxes, Thorpe-le-Soken (Thorpe Horseboxes) – Planning permission for 4 dwellings allowed on appeal.
- LPPuD459 – Land adjoining 2 and 3 Edwards Close, Little Clacton (Mr. Palmer) – Planning permission granted for 3 dwellings.
- LPPuD440 – Land at Clacton Road, Weeley Heath (Barrington Fuller, White) – Planning permission for 3 dwellings on part of the site approved.
- LPPuD452 – Land west of The Veldt, Little Clacton Road, Great Holland (Mr. A. Brown) – Planning permission granted for 3 dwellings.
- LPPuD455 – Land at Great Holland Nurseries, Great Holland (Mr. S. Watscham) – Planning permission granted for 2 dwellings.
- LPPuD221 – Land at Frating Road, Frating (Edward Gittins & Associates) – Planning permission for 2 dwellings allowed on appeal.
- LPPuD421 – Land east of Folkards Lane, Brightlingsea (Mr. S. Pitt) – Planning application for 2 dwellings allowed on appeal.
- LPPuD435 – Land rear of ‘The Laund’, Dairy House Lane, Bradfield (Mr. Garner) - Planning application for 1 dwelling allowed on appeal.

2.7 For some of these sites, it is suggested (where appropriate) that the settlement development boundaries shown on the relevant Policies Map or Local Maps are adjusted to reflect the extent of the consented or completed development. Apart from those sites where only part of the promoted site has obtained consent, the representations have, in the Council’s view, been resolved and may not require any further consideration as part of the examination process.

### Alternative sites to which the Council has no objection in principle

2.8 A further six alternative site proposals have not obtained planning permission but the Council does not hold a strong objection to either their allocation in the Local Plan or an adjustment to the settlement development boundary (as appropriate) to incorporate the site in question. These, listed in order of size, are:

- LPPuD338 and LPPuD300 – Land east of the Oakwood Park development, Clacton (Gladman Homes and Mifield Ltd) – Where there is no objection in principle to the development of the land as a logical longer-term phase of the Oakwood Park development but where delivery most likely to take place post 2033. A current planning application for 200 homes is under consideration but raises concerns over prematurity.
- LPPuD83 – Land at Foots Farm, Centenary Way, Clacton (Lorrimar Investments) - where the site already falls within the settlement development boundary for Clacton and where some of the land has been developed and where the remainder is the subject of a planning application for 122 dwellings has been submitted for consideration.
- LPPuD425 – Land north of 782 to 828 St. John’s Road, Clacton (Mr. O’Dell) – where the site already falls within the settlement development boundary for Clacton and where a planning application for 84 dwellings withdrawn despite Planning Committee resolution to approve in favour of a holiday park development – which has been commenced.
- LPPuD511 – Land adjoining Thorpe Maltings (Rosegrade Limited) – Heritage related enabling scheme involving 54 dwellings previously approved by the Council but permission was not implemented and has since lapsed. The Council would be open to considering a new enabling development scheme, on its merits and in line with the enabling development policies within the National Planning Policy Framework, but changes to the Local Plan to facilitate such a development are not considered necessary.
- LPPuD250 – Land between Weeley Road and the Admirals Farm development (Mr. & Mrs. Strutt) – Where development under construction to the north would make the inclusion of this land within the settlement development boundary a logical ‘rounding off’.
- LPPuD17 – Land west of Shop Road, Little Bromley (Anita Spall) – Where land forming the curtilage of existing dwellings had been included within the settlement development boundary at preferred options stage but was excluded at publication draft stage without clear reasons.

2.9 None of these sites represent realistic alternatives to Hartley Gardens and Oakwood Park sites (with the Gladman/Mifield Site being, if anything, dependent on the delivery of earlier phases of the Oakwood Park allocation).

### Alternative sites located in the open countryside or adjoining 'Other Rural Settlements'

2.10 More than a third of the alternative site proposals that are yet to obtain planning permission are located either in the open countryside beyond the defined settlement boundaries or adjoining the settlement development boundaries of the 'Smaller Rural Settlements' in the fourth tier of the 'Settlement Hierarchy' set out in Policy SPL1. A number of these sites have been the subject of planning applications that have been refused by the Council or also dismissed on appeal. These are listed below in order of size:

#### Large sites (10 or more dwellings)

- LPPuD217 – Land at the Lifehouse Spa and Hotel, Frinton Road and Station Road, Thorpe-le-Soken (Thorpe Hall Leisure) – Planning application for 200 dwellings refused by the Council and dismissed on appeal.
- LPPuD463 – Land west of Clacton Road, Weeley Heath (Kays) – Planning application for 120 dwellings refused by the Council and subsequently dismissed on appeal.
- LPPuD337 – Land off Wick Lane, Ardleigh (Gladman Homes) - Planning application for 118 dwellings refused by the Council and dismissed on appeal.
- LPPuD430 – Land west of Aingers Green (Gibbon Farms) – No applications submitted to date.
- LPPuD318 – Land off Mill Lane and Bentley Road, Weeley Heath (St. Osyth Beach Estate) – Planning application for mixed-use development including 80 dwellings refused by the Council.
- LPPuD305 – Land at Ideal Nurseries, Batemans Lane, Little Clacton (R. Cooledge) – No applications submitted to date.
- LPPuD254 – Land off Station Road/Clacton Road, Thorrington (St. John's College) – No applications submitted to date.

#### Small sites (9 or fewer dwellings)

- LPPuD464 – Land off Church Road, Thorrington (Phelan) – No applications submitted to date.
- LPPuD346 – Land behind 'Zakros', Windmill Road, Bradfield (Glyn Graves) – No applications submitted to date.
- LPPuD348 – Land west of Windmill Road, Bradfield (Mr. McMillan) – No applications submitted to date.
- LPPuD348 – Land east of Windmill Road, Bradfield (Mr. McMillan) – No applications submitted to date.

- LPPuD439 – Stagecoach Stud, Wix Road, Ramsey – Planning application for 9 dwellings refused by the Council and dismissed on appeal.
- LPPuD318 – Land off Rectory Road, Weeley Heath (St. Osyth Beach Estate) - No applications submitted to date.
- LPPuD436 – Land west of Station Road, Bradfield (D. McNair) - Planning application for 5 and 3 dwellings refused by the Council and the former dismissed on appeal.
- LPPuD431 – Land rear of the former Fat Goose Pub, Tendring (Mr. Richardson) – Planning application for 5 dwellings refused by the Council and dismissed on appeal, but part of site granted permission for 3 dwellings.
- LPPuD432 – Land at Wolves Lane, Tendring Green (Fairley & Sons (Farms)) – Planning application for 5 dwellings refused by the Council and dismissed on appeal.
- LPPuD429 – Land east of Seaview Avenue, Little Oakley (Mr. & Mrs. Cullen) – Planning application for 5 dwellings refused by the Council and dismissed on appeal.
- LPPuD468 – Land off Golden Lane, Thorpe-le-Soken (Mr. Stobbs) – Planning application for 5 dwellings refused by the Council and dismissed on appeal.
- LPPuD467 – Folly Farm, Frinton Road, Thorpe-le-Soken (Mr. & Mrs. Mowle) – Planning permission for 4 dwellings refused by the Council and dismissed on appeal.
- LPPuD465 – Land north of Rainbows End, west of Bromley Road, Frating (Norfolk Farms) – Planning application for 4 dwellings refused by the Council and dismissed on appeal.
- LPPuD215 – Land west of Springhill Close and east of Brook Street, Great Bromley (Mr. R. Peperell) – Planning application for 4 dwellings refused by the Council.
- LPPuD433 – Land at Pilcox Hall Lane, Tendring Heath (Mr. A. Black) – Planning application for 3 dwellings refused by the Council and dismissed on appeal.
- LPPuD454 – Land east of Pork Lane, Great Holland (Mr. M. Reid) – Planning permission for 3 dwellings refused by the Council.
- LPPuD450 – Land in Little Clacton Road, Great Holland (Ms. H. Hill) – Planning permission for 2 dwellings refused by the Council.
- LPPuD434 – Land north of Greenacres, Station Road, Bradfield (D. Mitchell Farms) - Planning application for 2 dwellings refused by the Council and dismissed on appeal.

- LPPuD453 – Land south of Larkswood, Kirby Road, Great Holland (Mr. Anson) – Planning application for 1 dwelling refused by the Council and dismissed on appeal.
- LPPuD514 – Land south of Hamilton Road, Great Holland (Mr. Sawyer) - Planning application for 1 dwelling refused by the Council and dismissed on appeal.

2.11 The location of these sites in the open countryside or adjoining settlements in the lowest tier of the settlement hierarchy, where access to job opportunities, local services and other infrastructure is limited means that they are not considered to be sustainable alternatives to the Hartley Gardens and Oakwood Park allocations in Clacton which are located adjoining a 'Strategic Urban Settlement' in the highest tier of the settlement hierarchy. Furthermore, the majority of the sites would accommodate only small numbers of dwellings and their exclusion from the Local Plan does represent a soundness issue in the context of ensuring the plan meets its objectively assessed housing requirements.

Alternative sites located within or adjoining 'Rural Service Centres'

2.12 Ten of the alternative site proposals yet to obtain planning permission are located either within or adjoining the settlement development boundaries of the 'Rural Service Centres' i.e. larger villages in the third tier of the 'Settlement Hierarchy' set out in Policy SPL1. A number of these sites have been the subject of planning applications that have been refused by the Council or also dismissed on appeal. These are listed below in order of size:

Large sites (10 or more dwellings)

- LPPuD213 – Land at St. Mary's Farm, Great Bentley (Moonlight Hollow Ltd) – No applications submitted to date.
- LPPuD262 – Land north of Colchester Road, Weeley (Taylor Wimpey) – Planning application for mixed-use development including 380 dwellings refused by the Council but no appeal was lodged.
- LPPuD293 – Land north of Thorrington Road, Great Bentley (City & Country) – Planning application for 75 dwellings refused by the Council and dismissed on appeal.
- LPPuD293 – Land west of Plough Road, Great Bentley (City & Country) – Planning application for 75 dwellings refused by the Council and dismissed on appeal. A further application for 75 dwellings was also refused by the Council and was due to be considered on appeal in 2020 but the appeal was withdrawn.
- LPPuD293 – Land south of Thorrington Road, Great Bentley (City & Country) – Planning application for 40 dwellings and other uses refused by the Council and dismissed on appeal.

- LPPuD272 – Land off Holly Way and Colchester Road, Elmstead Market (Wivenhoe Park Estates) – No applications submitted to date.
- LPPuD458 – Land north of Batemans Road and west of Weeley Road, Little Clacton (Messrs Barrington Fuller & Lee) – Planning application for 8 dwellings on front part of the site under consideration but, at the time of writing, yet to be determined.
- LPPuD460 – Land at Homestead Caravans, Weeley (Mr. Swinscoe) – Permission for B1 commercial use granted in 2015 but expired in 2018 and site continues to operate as a Caravan Centre.

#### Small sites (9 or fewer dwellings)

- LPPuD461 – Land at Thorpe Road, Weeley (Mrs. Hull) – Planning application for 3 dwellings refused by the Council.
- LPPuD420 – Land off Mill Street, Thorpe-le-Soken (Mr. Curtis) – Planning application for 1 dwelling refused by the Council and dismissed on appeal.

2.13 The location of these sites adjoining settlements in the third category of the settlement hierarchy, where access to some job opportunities, local services and other infrastructure allows for a modest increase in housing development. These settlements are however expecting significant levels of development from existing planning permissions already considered to represent more than a proportionate increase in housing stock and where there is no requirement nor desire to expand the settlements further. These sites are not considered to be sustainable alternatives to the Hartley Gardens and Oakwood Park allocations in Clacton which are located adjoining a 'Strategic Urban Settlement' in the highest tier of the settlement hierarchy.

#### Alternative sites located adjoining 'Smaller Urban Settlements'

2.14 Seven of the alternative site proposals yet to obtain planning permission are located either within or adjoining the settlement development boundaries of the 'Smaller urban Settlements' i.e. Frinton, Walton and Kirby Cross; Manningtree, Lawford and Mistley; and Brightlingsea in the second tier of the 'Settlement Hierarchy' set out in Policy SPL1. A number of these sites have been the subject of planning applications that have been refused by the Council or also dismissed on appeal. These are listed below in order of size:

#### Large sites (10 or more dwellings)

- LPPuD335 – Land at Grange Road, Lawford (Gladman Homes) – Planning application for 110 dwellings refused by the Council and dismissed on appeal.
- LPPuD88 – Land off Edenside and Bloomfield Avenue, Frinton/Kirby (The Burgess Estate) – Planning application for 85 dwellings refused by the Council and dismissed on appeal.

- LPPuD176 – Land at Brightlingsea Hall, Brightlingsea (Trinity College Cambridge) – No applications submitted to date.
- LPPuD422 – Land west of Trinity Road, Mistley (Mr. R. Brooks) – Planning application for 75 dwellings undetermined and no appeal against non-determination.
- LPPuD220 – Land adjoining Walton Mere, Walton (Silverbrook Estates) – Planning application for 16 dwellings refused by the Council.
- LPPuD423 – Land off Colchester Road, Lawford (Mr. R. Brooks) – Planning application for 15 dwellings undetermined and no appeal against non-determination.

#### Small sites (9 or fewer dwellings)

- LPPuD456 – Land rear of 176-178 Thorpe Road, Kirby Cross (Mr. D. Fairley) – Planning application for 7 dwellings refused by the Council and dismissed on appeal.

2.15 A number of these sites are located within designated ‘Strategic Green Gaps’ that are the subject of Policy PPL6. The sites at Edensise, Trinity Road and Colchester Road are all affected by the Strategic Green Gap designation and were excluded from the Local Plan principally on that basis. The site at Grange Road in Lawford was refused by the Council and later dismissed on appeal with particular concerns about the impact on ecology, heritage assets and landscape character.

#### Alternative sites in or adjoining ‘Strategic Urban Settlements or Garden Communities’

2.16 9 of the alternative site proposals yet to obtain planning permission are located either within or adjoining the settlement development boundaries of the ‘Strategic Urban Settlements’ i.e. Clacton and Harwich, or fall within broad location of the Tendring Colchester Borders Garden Community. These areas are in the highest tier of the settlement hierarchy set out in Policy SPL1 and Clacton is the location of the Hartley Gardens and Oakwood Park allocations. A number of these alternative sites have already been the subject of planning applications that have been refused by the Council or also dismissed on appeal. These are listed below in order of size:

#### Large sites (10 or more dwellings)

- LPPuD408 – Land off Burrs Road and Sladbury’s Lane, Clacton (Mr. R. Giles) – Part of site granted planning permission, on appeal, for up to 132 dwellings but remainder, with the potential for around 508 units is still being promoted through this representation.
- LPPuD299 – Land west of Cherry Tree Avenue, Clacton (St. Monica’s Trust) – No applications submitted to date. Capacity for around 300 homes.

- LPPuD314 – Land north of Rush Green Road, Clacton (Bloor Homes) – Planning applications for up to 276 dwellings refused by the Council and dismissed on appeal.
- LPPuD236 – Land south of London Road, Clacton (Land Logic Ltd) – Subject of a current planning application for 220 self-build dwellings yet to be determined.
- LPPuD285 – Land south of Centenary Way, Clacton (Ray Chapman Associates) – Planning application for 175 dwellings refused by the Council, initially allowed on appeal, then decision quashed following legal challenge, reheard and appeal later dismissed. Legal challenge to the later appeal decision rejected by the Courts.
- LPPuD427 – Land south of Rush Green Road, Clacton (Brown & Meek) – Planning application for 100 dwellings refused by the Council but no appeal lodged.
- LPPuD448 – Land at Church Hill, Ramsey (Mr. N. Neal) – Planning application for 71 dwellings refused by the Council and dismissed on appeal – with the impact on the setting of a Grade I listed church being a principal concern. Some small scale development has however been allowed on part of the site.
- LPPuD424 – Land at 112-118 Oxford Road, Clacton (Silverton Aggregates) – Planning application for mixed-use development including 60 dwellings refused by the Council and dismissed on appeal with the site forming part of a protected employment site.
- LPPuD426 – Land forming part of Earls Hall Farm Earls Hall Drive, Clacton (Lord & Hunt) – Planning application for 34 dwellings refused by the Council. Land to the south being developed for holiday units.
- LPPuD226 – Land at Crockleford Mill, Ardleigh (Mr. T. Parker) – No applications submitted to date but falls within the 'broad area of search' for the Tendring Colchester Borders Garden Community.

2.17 The majority of the sites in question are within or adjoining Clacton on Sea and therefore the representations do not challenge the principle of Clacton being the focus for a large proportion of planned growth, in line with the spatial strategy, the settlement hierarchy in the emerging plan and the strategic rationale for allocating land at Hartley Gardens and Oakwood Park.

2.18 Most of these do however fall within the designated 'Strategic Green Gaps' that are the subject of Policy PPL6 and are designed to protect the openness of land between settlements and neighbourhoods, avoid coalescence and protect the individual character of those settlements/ neighbourhoods and their landscape settings. The sites at Cherry Tree Avenue, Rush Green Road, London Road, Centenary Way and Sladbury's Lane are all affected by the Strategic Green Gap designation and are excluded from the Local Plan principally on that basis. The sites north of Rush Green Road and south of Centenary Way have been the subject of planning applications that were refused and later dismissed on appeal, with the Inspectors upholding the green gap policy. The Council is planning to prepare a separate Topic Paper to deal specifically with the principle rationale and location of the Strategic Green Gaps.

2.19 The remaining sites are not considered to be realistic alternatives to Hartley Gardens or Oakwood Park and their exclusion from the Local Plan does not in any way threaten its soundness. All have been the subject of refused planning applications and/or dismissed appeals with the exception of the land at Crockleford Mill which is part of the broad location for the Tendring Colchester Borders Garden Community and might, or might not, be considered for development as part of the separate Development Plan Document being prepared for that area.

#### Conclusions on alternative site proposals

- 2.20 At the publication stage of the plan-making process, the Council received more than 80 representations promoting alternative sites for inclusion in the Local Plan for housing or mixed use development. Many were put forward with an argument that the objectively assessed need for housing should be higher than the 550 dwellings per annum set out in Policy SP1 in Section 1 of the Plan; however the examination of Section 1 Plan has determined that the objectively assessed housing need is based on sound evidence and the Council is expecting the Inspector's final conclusions on soundness will confirm this to be the case.
- 2.21 In considering whether or not additional sites are required to meet the housing requirement, Part 1 of this topic paper demonstrates that the requirement can be met with a comfortable level of flexibility and headroom without the need for any additional land or, indeed, any of the remaining allocated sites coming forward in the revised timescales envisaged.
- 2.22 In terms of any of the alternative sites representing a more sustainable strategy than that proposed through the allocations in the Section 2 Plan, particularly the larger allocations at Hartley Gardens and Oakwood Park, it is considered that none of the alternative sites are required to make the plan sound – nor do they represent a more sustainable approach.
- 2.23 The majority of the alternative sites have either already obtained planning permission or are located in parts of the district that are remote from established built up areas or adjoin settlements in the lower tiers of the settlement hierarchy set out in Policy SPL1 of the plan. Many are also small sites whose exclusion from the Local Plan does not bring into question the plan's soundness or ability to deliver upon objectively assessed housing requirements.
- 2.24 The larger alternative sites that adjoin the settlements in the highest tier of the settlement hierarchy and are therefore comparable, in strategic policy terms, to the allocations around Clacton are excluded from the plan for sound planning reasons that relate either to the Council's Strategic Green Gap policy or other grounds that have been tested through the Development Management process and have been refused planning permission and, in some cases, dismissed on appeal.
- 2.25 Whilst it is of course the Inspector's decision as to whether examination time needs to be spent on considering the various alternative proposals, it is the Council's view that ability of the Plan to deliver the objectively assessed housing requirement is clearly demonstrated by the evidence contained within this topic paper and the 2020 SHLAA and that none of the alternative site proposals challenge the soundness of the plan's spatial strategy.

### Part 3: Providing a five-year supply of deliverable housing sites

- 3.1 The second of the Inspectors' requests is for the topic paper to address whether the plan will provide a five-year supply of deliverable sites from its date of adoption. In doing so, the Council relies on the trajectory assumptions and calculations set out within the 2020 Strategic Housing Land Availability Assessment (SHLAA).
- 3.2 Chapter 7 of the SHLAA sets out the Council's calculation of the five-year housing supply position as at 1st April 2020 based on two measures i.e. the objectively assessed housing need (OAHN) for 550 dwellings per annum, as set out in Policy SP1 of the Modified Section 1 Local Plan; and the local housing need figure generated using the government's 'standard method' which, in line with the National Planning Policy Framework (NPPF) is applicable to decision making in the absence of an up to date adopted plan.
- 3.3 Assuming that the emerging Local Plan will become the adopted Local Plan in due course and the Policy SP1 objectively assessed housing need of 550 dwellings per annum will become the adopted housing requirement, it will be against the Policy SP1 requirement that a five-year supply of deliverable housing sites will need to be measured. Therefore the figures relevant to this exercise, as extracted from the table in the SHLAA, are as follows:

**Table 2.1 – Five-Year Housing Supply Position – April 2020**

<b>Requirement 2020/21 – 2024/25</b>	2,750 (550 x 5)
<b>Shortfall 2013/14 – 2019/20</b>	212
<b>Sub-Total</b>	2,962
<b>Plus 5% buffer</b>	148
<b>Total Requirement</b>	3,110
<b>Supply from large site commitments</b>	3,364
<b>Supply from emerging allocations</b>	0
<b>Supply from small windfall sites</b>	680
<b>Total supply of Homes - Units</b>	4,044
<b>Total five-year supply of Homes - %</b>	130%
<b>Total supply of Homes – Years</b>	6.5

- 3.4 At an April 2020 base date, the Council can demonstrate a 6.5 year supply of deliverable housing sites against the objectively assessed housing requirement which includes an allowance for historic shortfall since 2013 and the 5% 'buffer' required by the NPPF. Even if the Council was required to revert a 20% buffer in response to historic under-delivery or under-

performance against the government’s ‘Housing Delivery Test’ (HDT) (which is not currently the case), then the five year requirement would increase to 3,554 and the supply of 4,044 dwellings would still represent a 5.7 year supply.

2021-based calculation

- 3.5 Because the Local Plan needs to identify a five year supply from the date of adoption and that date is currently unknown, the data within the 2020 SHLAA can be used to estimate the likelihood of a five-year supply if adoption took place after April 2021 or at another point further into the future.
- 3.6 If the Local Plan was adopted after April 2021 but before April 2022, it may be necessary to demonstrate a five-year supply from an April 2021 base date. Based on the evidence and trajectory contained within the SHLAA, it is expected that there will be a net dwelling stock increase of 550 in the 2020/21 financial year and the shortfall of 212 since 2013 will remain unchanged. The five year requirement for the period 2021-22 to 2025/26, before the addition of any buffer, would therefore continue to be 2,962. With a 5% buffer the requirement would continue to be 3,110 and with a 20% buffer the requirement would be 3,554.
- 3.7 Based on the trajectory in the 2020 SHLAA, the five years 2021-22 to 2025/26 are expected to yield net dwelling stock increases of 795, 1,033, 895, 771 and 941 – a total of 4,435. Taking the worst case scenario of needing 3,554 including a 20% buffer, a supply of 4,435 units would represent 125% of the requirement or a 6.3 year supply. These figures are set out in tabulated form below:

**Table 2.2 – Predicted five-Year Housing Supply Position – April 2021**

<b>Requirement 2021/22 – 2025/26</b>	2,750 (550 x 5)
<b>Shortfall 2013/14 – 2020/21</b>	212
<b>Sub-Total</b>	2,962
<b>Plus 20% buffer</b>	592
<b>Total Requirement</b>	3,554
<b>Total supply of Homes – Units</b>	4,435
<b>Total five-year supply of Homes - %</b>	125%
<b>Total supply of Homes – Years</b>	6.3

### 2022-based calculation

- 3.8 If, for whatever reason, adoption of the Local Plan were delayed until after April 2022, it may be necessary to demonstrate a five-year supply from an April 2022 base date. Again, using the evidence and trajectory contained within the 2020 SHLAA, it is assumed that there will be a net dwelling stock increase of 550 in the 2020/21 financial year followed by 795 in 2021/22 – a total of 1,345. Taken together, those two years will have delivered 245 above the annual requirement of 550 dwellings per annum (0 in 2020/21 and 245 in 2021/22) thus wiping out any historic shortfall accrued since 2013 and resulting in a small surplus of 33 units. The five year requirement for the period 2022-23 to 2026/27, before the addition of any buffer, would therefore be 2,717. With a 5% buffer the requirement would be 2,852 and with a 20% buffer the requirement would be 3,260.
- 3.9 Based on the trajectory in the 2020 SHLAA, the five years 2022-23 to 2026/27 are expected to yield net dwelling stock increases of 1,033, 895, 771, 941 and 842 – a total of 4,482. Again, taking the worst case scenario of needing 3,260 including a 20% buffer, a supply of 4,482 units would represent 138% of the requirement or a 6.9 year supply. These figures are set out in tabulated form below:

**Table 2.3 – Predicted five-Year Housing Supply Position – April 2022**

<b>Requirement 2021/22 – 2025/26</b>	2,750 (550 x 5)
<b>Shortfall 2013/14 – 2020/21</b>	-33 (a surplus)
<b>Sub-Total</b>	2,717
<b>Plus 20% buffer</b>	543
<b>Total Requirement</b>	3,260
<b>Total supply of Homes – Units</b>	4,482
<b>Total five-year supply of Homes - %</b>	138%
<b>Total supply of Homes – Years</b>	6.9

### Conclusions on five year supply

- 3.10 Based on the Council's evidence contained within the 2020 Strategic Housing Land Availability Assessment, if the Local Plan is adopted any time between now and April 2022, it should be able to demonstrate a five-year supply of deliverable housing land from the date of adoption – and this is based on the worst-case scenario of having to build a 20% buffer into the supply calculations as opposed to the standard 5%.

## Part 4: Affordable Housing

- 4.1 The third of the Inspectors' requests is for the topic paper to address whether the plan will make appropriate provision for affordable housing, accommodation for gypsies and travellers, accessible and adaptable housing, and housing to meet the needs of particular groups, such as (for example) disabled people, older people, and students. This part of the topic paper deals specifically with affordable housing.

### Affordable housing and the overall housing requirement

- 4.2 As part of the examination of the Section 1 Local Plan, the Inspector have consideration to whether or not the overall housing requirement of 550 dwellings per annum as set out in Policy SP1 would need to be adjusted to enable affordable housing needs to be fully met. A number of participants in the examination called for an increase to the objectively assessed housing need in light of the high need for affordable housing in Tendring. Paragraphs 26 to 33 of the Inspector's 27<sup>th</sup> June 2018 letter deal specifically with this issue.
- 4.3 In his conclusions, the Inspector acknowledged that income levels in Tendring are significantly lower than the national average and the projected need for affordable housing is consequently high. Depending on the assumptions are made about the proportion of household income that could reasonably spent on housing 30% or 35%, the affordable housing need in Tendring would range between 151 dwellings per annum as set out in the Strategic Housing Market Assessment Update (SHMA) of December 2015 and 278 dwellings per annum.
- 4.4 Whilst the Inspector was satisfied that there was a good prospect that Braintree and Colchester could meet their full affordable housing needs through their overall housing requirements, for Tendring he concluded that an affordable housing need of 278 dwellings per annum would represent around half of the objectively assessed need figure of 550dpa and that, even allowing for other sources of provision, such a high need would not be delivered by an affordable housing requirement of 30%, and there was no evidence to show that a higher percentage requirement would be viable.
- 4.5 Under those circumstances, the government's Planning Practice Guidance (PPG) advised that an increase in the overall housing requirement should be considered where it could help deliver the required number of affordable homes. In considering the arguments for such an increase, the Inspector concluded that Tendring's OAHN of 550dpa already required annual delivery to be more than double the annual delivery rates experienced in the district between 2010 and 2026 and that the need to make up for the historic shortfall that had accrued since the beginning of the period in 2013 would produce a substantial further increase in the required annual delivery rate, at least in the early years of the plan period. The Inspector found therefore that meeting that higher delivery rate would itself increase affordable housing provision significantly above that which would be derived from the OAHN alone. Given the scale of the uplift in delivery that was already required, the Inspector concluded that it seemed very unlikely that there would effective demand for an even higher level of overall housing provision.
- 4.6 In paragraph 33 of his letter, the Inspector concluded:

*“In these circumstances I consider that increasing the housing requirement for Tendring above 550dpa would be both unnecessary and ineffective in securing additional affordable housing provision in the foreseeable future. However, the need for such an increase should be considered again at the Plan’s next review, based on up-to-date evidence of affordable need and an analysis of market and affordable housing delivery in the early years of the Plan period.”*

- 4.7 The Inspector’s latest conclusions in May 2020 remain unchanged and the Council therefore believes there would be no benefit in increasing the supply of land in the Section 2 Local Plan over and above the current allocations to increase affordable housing delivery, particularly when the supply (as explained in Part 1 of this topic paper) already includes some 1,600 units of headroom.

#### The Council’s Housing Strategy

- 4.8 Recognising the high need for affordable housing, the Council on 15<sup>th</sup> September 2020 formally agreed its new ‘[Housing Strategy 2020-2025](#): Delivering homes to meet the needs of local people’ which contains objectives aimed at increasing the supply of affordable housing through a variety of means.
- 4.9 On 29<sup>th</sup> October 2019, the Council’s Planning Policy and Local Plan Committee was presented with a report containing recommendations from the Council’s (then) emerging Housing Strategy which highlighted the need to maximise the delivery of affordable housing in light of weak delivery in the past. That report forms the basis for much of the analysis below, with figures updated to reflect the latest position at an April 2020 base-date, in line with the 2020 Strategic Housing Land Availability Assessment (SHLAA) and the latest information in the new Housing Strategy.
- 4.10 The Housing Strategy reports that, at 1<sup>st</sup> May 2020, there were 1,958 households on the housing register with demand for affordable housing rising year on year since 2017. In expressing a choice about where they would prefer to live, 48% of the households on the register indicated Clacton as their preferred location, with 15% for Harwich and Dovercourt, 14% for the rural villages, 12% for the Frinton, Walton and Kirby area, 7% for Manningtree, Mistley and Lawford and 4% for Brightlingsea.
- 4.11 The Housing Strategy also provides an update on the number of affordable homes delivered over the previous 5 years (2016/16 to 2020/20) being just 165 units – demonstrating the known issues with low levels of delivery in the past. With delivery of affordable homes in the years 2013/14 to 2014/15 known to be 19 units, the total delivery of affordable housing from the beginning of the plan period in 2013 totals 184 units, well short of the projected need. The reasons for low delivery in the past include:
- low levels of housebuilding of all types in the early part of the Local Plan period (reflecting economic and housing market conditions of the time);
  - a high proportion of housebuilding on small sites that were below the Local Plan threshold for providing on-site affordable housing; and
  - a number of development sites being granted planning permission with either none or a lower number of affordable housing units than are required by the Local Plan.

- 4.12 One of the key actions in the draft Housing Strategy is to seek 30% affordable housing on eligible sites as set out in the emerging Local Plan Policy LP5 unless there are prudent reasons not to do so. Policy LP5 requires 30% of all homes on new housing developments of 11 or more units to be provided in the form of affordable housing or ‘council housing’ (i.e. owned and managed by the Council) to meet the needs of people and families with lower incomes who cannot afford to buy or rent property on the open market. The policy, as currently worded, also offers an alternative route by which developers can provide a minimum of 10% of homes for affordable housing alongside a financial contribution to the Council that can be used for building or acquiring property to meet affordable/council housing needs elsewhere.
- 4.13 In recent years however, the Council had taken a very flexible approach to the interpretation of Policy LP5 to secure a smaller number (often around 5%) of ‘gifted’ dwellings on development sites to be transferred to the Council or a nominated housing trust for a nominal price of £1. This was in response to government legislation introduced in 2016 which affected the rental model for affordable housing and which made it unviable for housing associations, or the Council, to acquire 30% (or even 10%) affordable housing from large development sites, at a discount, in the traditional manner. Whilst this approach was a pragmatic solution to the delivery of affordable housing at the time (and popular with developers), it has resulted in a large number of housing developments obtaining planning permission, either from the Council or on appeal, with a commitment to deliver only a small number of affordable housing units which, when totalled up, would fall short of meeting Tendring’s future needs.
- 4.14 Further changes to government legislation have now made it viable again for housing associations to build and acquire affordable housing and the Council’s latest Viability Study confirms that 30% affordable housing is achievable on the vast majority of development sites. Therefore, to ensure that the Council secures the maximum amount of affordable housing in the future, ‘gifted’ units will no longer be accepted as an alternative to the full 30% requirement. To strengthen Policy LP5 in this regard, the Council’s Planning Policy and Local Plan Committee has agreed that suggested amendments to the policy be put forward for the Inspectors’ consideration as potential modifications. These are set out below in tracked change form:

## Policy LP 5

### **AFFORDABLE AND COUNCIL HOUSING**

*To promote a mix of housing tenure in the District and address the housing needs of people and families with lower incomes who cannot afford to buy or rent housing on the open market, the Council will work with the development industry to provide new affordable ~~and council~~ housing.*

*For development proposals outside of the Tendring Colchester Borders Garden Community, involving the creation of 11 or more (net) homes, the Council will expect 30% of new dwellings, (including conversions) to be made available to Tendring District Council or its nominated partner(s) to acquire at a proportionate discounted value for use as affordable ~~or council~~ housing.*

~~As an alternative, the Council will accept a minimum 10% of new dwellings, (including conversions) to be made available to Tendring District Council or its nominated partner(s) to acquire at a proportionate discounted value for use as council housing alongside a financial contribution towards the construction or acquisition of property for use as council housing equivalent to delivering the remainder of the 30% requirement.~~

~~To avoid an over-concentration of affordable council housing in one location, no single group of affordable housing council houses will exceed ten dwellings and to ensure positive integration between the residents of affordable council housing and market housing, there should be no noticeable difference in the appearance or quality between dwellings to be sold on the open market and those to be acquired and managed by the Council or its nominated partner(s).~~

~~The size and type of affordable council housing will be specified by the Council on a case-by-case basis having regard to the latest housing needs register and will be the subject of negotiation between the Council and the developer or applicant.~~

~~Proposals that involve the provision of alternative forms of affordable housing will be accepted as long as they offer equal or greater benefit to the community in providing affordable housing, in perpetuity, for local people.~~

~~All planning applications that include residential development of 11 or more net dwellings must include an affordable housing statement.~~

**This Policy contributes towards achieving Objectives 1, 5 and 6 of this Local Plan.**

#### Projected affordable housing delivery

- 4.15 Whilst past delivery of affordable housing has been low, the situation is set to improve rapidly as construction commences and progresses on a greater number of larger development sites across the district and as registered providers such as housing associations, and the Council itself take a more active role in building new property. The table below lists the 'large site commitments' at April 2020 (i.e. sites of 10 or more dwellings with the benefit of either planning permission or a Planning Committee resolution to grant permission) that are expected to contribute towards affordable housing delivery in the remainder of the plan period to 2033, based on the trajectory assumptions in the 2020 SHLAA:

**Table 3.1 – Predicted supply of affordable housing 2020-2033 from ‘large site commitments’**

Reference	Site name	Total dwellings expected 2020-2033	Affordable homes
<b>CLACTON</b>			
17/01229/OUT	Rouses Farm, Clacton	540 (of 950)	108 (20%)
18/01800/DETAIL	Flint Grange, Clacton (U/C)	250	16 (gifted)
16/01250/OUT	Brook Park West, Clacton (U/C)	200	18 (gifted)
15/01351/OUT	Sladbury's Lane, Clacton	132	39 (30%)
19/00007/FUL	St. Helena Hospice site, Clacton	40	40 (100%)
18/00540/FUL	R/o 683 St. John's Road, Clacton	22	6 (30%)
17/01030/FUL	Lotus Way/Tamerisk Way, Jaywick (U/C)	10	10 (100%)
		<b>SUB-TOTAL</b>	<b>237</b>
<b>HARWICH &amp; DOVERCOURT</b>			
17/02168/OUT	Low Road, Dovercourt	300	90 (30%)
17/01909/OUT	Greenfield Farm, Dovercourt	42	1 (gifted)
17/01658/FUL	Williamsburg Avenue, Dovercourt (U/C)	50	50 (100%)
19/00917/OUT	Ramsey Road/ Mayes Lane, Ramsey	41	12 (30%)
		<b>SUB-TOTAL</b>	<b>153</b>
<b>FRINTON/WALTON/KIRBY CROSS</b>			
15/01234/OUT	Finches Park, Kirby Cross (U/C)	206 (remaining)	31 (part gifted, part 100%)
16/00031/OUT	Turpins Farm, Frinton/Kirby Cross	210	18 (gifted)
19/01269/DETAIL	Thorpe Road, Kirby Cross (U/C)	110	8 (gifted)
19/01116/FUL	Martello Site, Walton	53	53 (100%)
17/01988/FUL	Kirby Road, Great Holland	41	12 (30%)
16/01446/DETAIL	Orchard Gardens, Kirby Cross (U/C)	3 (remaining)	1 (gifted)
		<b>SUB-TOTAL</b>	<b>123</b>
<b>MANNINGTREE/LAWFORD/MISTLEY</b>			
17/01181/OUT	Long Road/Clacton Road, Mistley	485	73 (15%)
15/00876/OUT	Lawford Green, Lawford (U/C)	309 (remaining)	14 (gifted)
17/00943/DETAIL	River Reach (Phase 1), Mistley	74 (remaining)	9 (gifted)
18/01994/OUT	River Reach (Phase 2), Mistley	100	30 (30%)
15/01810/OUT	Stourview Avenue, Mistley	70	5 (gifted)
17/00004/OUT	New Road, Mistley	67	20 (30%)
		<b>SUB-TOTAL</b>	<b>151</b>
<b>BRIGHTLINGSEA (6 total)</b>			
17/01318/FUL	Colne Gardens (Phase 2), Brightlingsea	92 (remaining)	6 (gifted)
		<b>SUB-TOTAL</b>	<b>6</b>
<b>COLCHESTER FRINGE</b>			
17/00859/OUT	Bromley Road, Ardleigh/Colchester	145	43 (30%)
		<b>SUB-TOTAL</b>	<b>43</b>

RURAL AREAS			
18/00367/FUL	Cockaynes Lane (Phase 2), Alresford	84	11 (gifted)
17/00658/DETAIL	St. Andrew's Road, Alresford	45	2 (gifted)
16/01797/OUT	School Road East, Elmstead Market	62	5 (gifted)
18/01863/DETAIL	Charity Field, Elmstead Market	50	12 (25%)
18/01884/FUL	Church Road, Elmstead Market	41	8 (20%)
18/01307/DETAIL	Tye Road, Elmstead Market	32	2
18/01981/DETAIL	Station Field, Great Bentley	150	11 (gifted)
17/01881/OUT	Weeley Road, Great Bentley	136	40 (30%)
16/01912/DETAIL	Admirals Farm, Gt Bentley (U/C)	45 (remaining)	3 (gifted)
17/01759/DETAIL	Fusiliers Green, Great Bentley (U/C)	21 (remaining)	4 (gifted)
16/01999/OUT	Admirals Farm (Phase 2), Great Bentley	25	7 (30%)
15/01550/OUT	West of the Street, Little Clacton	98	7 (gifted)
17/01482/DETAIL	Henderson Park, Thorpe le Soken (U/C)	48 (remaining)	7 (gifted)
16/00838/OUT	Frinton Road/Lifehouse Drive, Thorpe	49	12 (25%)
19/00524/OUT	Barleyfieds, Weeley	280	84 (30%)
15/01080/OUT	Adj. Great Oakley Primary School	51	3 (gifted)
18/01845/DETAIL	Break of Day, Great Oakley	1 (remaining)	1 (gifted)
18/00194/FUL	Tokely Road, Frating (U/C)	68	68 (100%)
18/00163/FUL	Edwards Avenue, Thorrington (U/C)	29	1 (gifted)
18/00974/DETAIL	Badley Hall Farm, Great Bromley (U/C)	4	4 (100%)
18/00678/DETAIL	Station Road, Wrabness	18	1 (gifted)
		<b>SUB-TOTAL</b>	<b>293</b>
		<b>TOTAL</b>	<b>1,006</b>

4.16 These large site commitments are together expected to deliver just over 1,000 affordable homes between 2020 and 2033. Below is a table showing the number of affordable homes that are reasonably expected to be delivered at the Tendring Borders Garden Community and the seven Section 2 allocations that are still expected to deliver homes, in full or in part, before 2033.

**Table 3.2 – Predicted supply of affordable housing 2020-2033 from Local Plan site allocations**

Reference	Site name	Total dwellings expected 2020-2033	Affordable homes
SP7	Tendring Colchester Borders Garden Community	1,000 (of 7,000-9,000)	300 (30%) minimum
SAMU2	Hartley Gardens, Clacton	210 (of 1,700)	63 (30%)
SAMU3	Oakwood Park (Phase 2), Clacton	435 (of 918)	130 (30%)
MSA6	Waterworks Drive, Clacton	90	27 (30%)
MSA8	Land adj. Harwich & Parkeston FC	48	14 (30%)
MSA12	The Farm, Kirby Road, Walton	47	14 (30%)

MSA11	Station Yard/Avon Works, Walton	40	12
MSA1	TDC Council Offices, Weeley	24	7
		<b>TOTAL</b>	<b>567</b>

- 4.17 These allocations are together expected to deliver around 567 affordable homes between 2020 and 2033. Taken together, the large site commitments and allocations (or the 'planned supply') are expected to deliver around 1,573 affordable homes which, at an annualised average of 121 dwellings per annum over the remaining 13 years of the plan period 2020-2033 marks a significant step-change in provision from the 26 dwellings per annum average achieved in the first 7 years of the plan period 2013-2020. Delivery could be higher if the Tendring Colchester Garden Community delivers a higher proportion than 30% affordable housing with the involvement of one or more registered providers.
- 4.18 Further to the planned supply, the Council has an aspiration, as set out in the new Housing Strategy, to deliver a further 200 affordable units over the timescale of the strategy i.e. 2020-2025 comprising a further 100 units in Jaywick Sands (to add to the 10 units of key worker housing currently nearing completion) along with a further 100 units elsewhere in the district. This would utilise commuted payments secured through s106 legal agreements on some large development sites, borrowing against the Council's Housing Review Account and other sources of funding. An example could be the Future High Streets Fund which, if granted for Clacton Town Centre, could assist in delivering some additional key worker housing, as part of wider mixed-use development at the Electric Parade and Carnarvon Towers site in the centre of town.
- 4.19 From the above sources, there is a reasonable prospect of around 1,788 new affordable homes being delivered in the district over the remainder of the plan period 2020-2033 which would represent around 20% of the 8,954 homes expected to be delivered in total.

#### Conclusions on affordable housing

- 4.20 The above analysis demonstrates that through delivery on large site commitments, delivery on the Tendring Colchester Borders Garden Community and the Section 2 housing and mixed use allocations and through the Council's own programme of Council House building, the remainder of the plan period to 2033 will see a significant step change in affordable housing provision to what was achieved in the early part of the plan period. Whilst it is acknowledged that projected affordable housing need of between 151 and 278 dwellings per annum is not likely to be met in full, the provision that is being made through the Local Plan is what is considered to be realistic, viable and deliverable within the overall objectively assessed need for the district and what the market can be reasonably expected to deliver – as recognised in the Inspector's conclusions on the soundness of the OAHN figure.
- 4.21 Naturally, if the larger developments at the Garden Community, Hartley Gardens, Oakwood Park, Rouses Farms deliver quicker than the conservative estimates set out in the Council's updated housing trajectory, then affordable housing delivery could be even higher.

## Part 5: Gypsies and Travellers

- 5.1 Tendring is home to a relatively small number of gypsies and travellers compared to other districts in Essex, particularly those closer to London. To date, the accommodation needs of the handful of gypsy and traveller families has been met through grants of planning permission for additional pitches as and when required.
- 5.2 Paragraph 9 of the government's 2015 Planning Policy for Traveller Sites (PPTS) states: "*Local planning authorities should set pitch targets for gypsies and travellers as defined in Annex 1 and plot targets for travelling showpeople as defined in Annex 1 which address the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities*".
- 5.3 Paragraph 10 of the PPTS then states: "*Local planning authorities should, in producing their Local Plan:*
- a) Identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets*
  - b) Identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15*
  - c) Consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries)*
  - d) Relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density*
  - e) Protect local amenity and environment"*
- 5.4 Policy LP11 in the Section 2 Local Plan deals with matters surrounding gypsies and travellers and is essentially a criteria-based policy against which applications for new sites or pitches will be judged, alongside other relevant policies in the Local Plan. The Local Plan does not make any site-specific allocations to address future needs within the plan period because it is considered that the relatively small need in Tendring can be accommodated, comfortably, by existing planning permissions and through applications that come forward in the future to expand or intensify existing sites.
- 5.5 Only a handful of representations were received in relation to Policy LP11 and the strongest objection came from Mr. T. Buckley (LPPuD362) who went on to initially obtain a temporary planning permission (17/00507/FUL) until August 2019 for the change of use of land south of Gutteridge Hall Lane, Weeley for one gypsy pitch comprising one mobile home, one touring caravan, one day room and associated works. This was later made permanent through the approval of a subsequent application 17/00507/FUL.
- 5.6 Mr. Buckley's objection was primarily aimed at the findings and methodology of the Gypsy Traveller Accommodation Assessment (GTAA) produced for the Council by consultants Opinion Research Services (ORS). Opinion Research Services (ORS) are one of the country's leading consultants in the preparation of GTAAs and have produced assessments for all of the local planning authorities in Essex, as instructed by the Essex Planning Officers Association (EPOA).

They have adopted a consistent methodology and have updated the assessments to reflect the change in the definition of gypsies and travellers in the PPTS. A [2017 update](#) of the assessment summaries has been produced, with a September 2016 base date and this provides the most up to date evidence of the need for traveller pitches in Tendring.

- 5.7 The 2017 GTAA for Tendring identifies seven private gypsy and traveller sites containing and two sites subject, at the time, of undetermined planning applications. The consultants reported that it was not possible, despite multiple efforts, to interview the occupants of all sites to discuss future needs. The consultants also set out their efforts to establish communication with gypsy and traveller households living in bricks and mortar housing, but no contacts were identified. The reality of the situation is that there are a relatively small number of gypsies and travellers resident in the Tendring area and, as a consequence, the projected need for additional pitches is relatively low. There is a general preference amongst the travelling community to be located closer to London where there a greater range of work opportunities and the need for pitches is thus greater for authorities in the southern parts of Essex, such as Basildon and Epping.
- 5.8 The Tendring GTAA identifies a future need, to 2033, of just 1 pitch to meet the needs of travellers that do meet the 2015 PPTS definition, 2 pitches for those whose status is unknown/unclear and 3 pitches for those not meeting the 2015 definition. The GTAA confirms that there is no need for plots for Travelling Showpeople and that the need for any transit provision should be kept under review.
- 5.9 At the time of writing, the position in terms of gypsy and traveller provision in Tendring is as follows:

Site	Number of existing pitches	Number of additional pitches with planning permission
Esther Lee Stables, Crockleford Heath	1	1
Land adjacent to Pump Station, Elmstead Market	1	0
Woodfield Bungalow, Great Bentley	5	5
Spring Stables, Gutteridge Hall Lane, Weeley	3	5
Land south of Gutteridge Hall Lane	0	1
The Rose, The Street, Kirby le Soken	1	0
Land south of Gutteridge Hall Lane, Weeley	1	0
<b>Total</b>	<b>12</b>	<b>11</b>

- 5.10 With a total need of up to 6 pitches and planning permissions in place to deliver 11, it is clear that there is no need for the Council to make any specific allocations in the Local Plan to meet the future needs of gypsies and travellers. Furthermore, Policy SP8 in Section 1 of the Local Plan (as proposed for modification following the examination) states that the Tendring Colchester Borders Garden Community will incorporate around 2,200 dwellings within the plan period (as part of an overall total of between 7,000 -9,000 homes) and provision for Gypsy and Travellers which will be more clearly defined, in spatial terms, through the Development Plan Document (DPD) for that location. The additional provision through the DPD will enable the Tendring and Colchester to work together to meet longer-term pitch needs giving effect to requirement c) under paragraph 10 of the PPTS.

5.11 In response to comments received through the handful of representations received in relation to Policy LP11, the Council has some suggested amendments for the Inspectors' consideration as potential modifications, that aim update and simplify the policy. These are shown as tracked changes below:

## Policy LP 9

### TRAVELLER SITES

*Evidence contained in the Essex Gypsy and Traveller Accommodation Assessment (April 2017) identifies a projected need for two additional pitches in Tendring over the GTAA period to 2033 for Gypsy and Traveller households that meet the planning definition; a need for three additional pitches for Gypsy and Traveller households who do not meet the planning definition — if the potential need from 90% of unknown households is added to this the total need for non-travelling households could rise to five additional pitches. A breakdown of where this need should be addressed is set out in the table below.*

*Table 5.1*

<i>Additional need for Gypsy and Traveller households broken down by potential delivery method Site Status</i>	<i>Gypsy and Traveller Local Plan Policy</i>	<i>SHMA Housing Policy</i>	<i>Total</i>
<i>Meet Planning Definition (+10% Unknown)</i>	<i>2</i>	<i>0</i>	<i>2</i>
<i>Not meeting Planning Definition (+90% Unknown)</i>	<i>0</i>	<i>5</i>	<i>5</i>
<i>Total</i>	<i>2</i>	<i>5</i>	<i>7</i>

*Since the GTAA report was published, planning permission for five additional pitches to the south of Woodfield Bungalow, owned by a family of the households that do not meet the planning definition has been granted planning permission. The GTAA stated that if this site receives planning permission, the pitches may be used to meet the need for three additional pitches arising from households living on existing pitches adjacent to Woodfield Bungalow.*

*The GTAA also found that any need arising from unknown households — all of which could come from small family sites — could be met through intensification of existing sites.*

*Transit Provision: It is recommended that the situation relating to levels of unauthorised encampments should be continually monitored whilst any potential changes associated with Planning Policy for Traveller Sites (2015) develop.*

*Travelling Showpeople: There were no Travelling Showpeople identified in Tendring so there is no current or future need for additional plots.*

The projected future need for five gypsy and traveller pitches in Tendring up to 2033 as identified in the Gypsy and Traveller Accommodation Assessment (GTAA) can be met in full through sites that have already obtained planning permission and therefore this Local Plan does not allocate any specific sites for this purpose. It is proposed that further longer-term provision will be met as part of the Colchester Tendring Borders Garden Community. There is no current or future need for any plots for travelling showpeople in Tendring and therefore no land is allocated for this purpose.

~~In terms of un-met need when considering any proposals for additional traveller sites or pitches, the Council will consult the latest evidence of need contained in the most recent Gypsy and Traveller Accommodation Assessment and will only approve planning permission for proposals that can demonstrate, with evidence, a genuine need for the proposed level of provision. The Council will consider proposals~~ Any proposals for additional pitches to meet the needs of gypsies and travellers will be considered against criteria a) to h) below alongside other requirements in the Local Plan:

- a. sites must avoid any adverse impacts on any internationally, nationally or locally designated protected areas and must avoid areas prone to flooding;
- b. sites must have reasonable access to key facilities ~~(normally 1.5 miles/2.4km on foot or 15 miles/24km by public transport to including primary schools, doctors' surgeries, and convenience shops, 2 miles/3.2km on foot or 20 miles/32km by public transport to secondary schools and major employment sites);~~
- c. sites should, ~~where possible,~~ only utilise previously developed land or agricultural land of poorer quality and must recognise the scale of nearby communities;
- d. sites must ~~not exceed ten pitches in size and must make a minimum allowance of 250 square metres per pitch including~~ include suitable circulation and amenity space and a maximum of 350 square metres. Sites should normally be ~~3 miles/4.8km apart with scope for smaller sites to be closer than this;~~
- e. sites must comprise ~~flat~~ well drained ground and achieve safe access for large vehicles from the local road network and access to utilities;
- f. sites must be safe for children, achieve aesthetic compatibility with the surroundings, ~~with scope for visual and acoustic screening to~~ and protect the amenity of nearby residents; ~~and not impact on high grade utilised agricultural land;~~
- g. sites must be of a high quality design and landscaping, providing a good standard or residential amenity for their occupiers; and
- h. sites must be ~~linked to mains services~~ capable of being provided with appropriate drainage, water supply and other necessary utility services. For sewerage, a connection to the main sewer system will be preferable except when it is not feasible or practical to achieve.

**This Policy contributes towards achieving Objective 1 of this Local Plan.**

## Part 6: Accommodation needs of particular groups

- 6.1 This part of the topic paper addresses the ability of the emerging Local Plan to meet the accommodation needs for accessible and adaptable housing and housing to meet particular groups such as older and disabled people and students. It draws upon the analysis and recommendations contained within the December 2015 [Strategic Housing Market Assessment update](#) for the Braintree, Chelmsford, Colchester and Housing Market Area and highlights the policies in the Section 2 Plan for Tendring that aim to facilitate a mix of dwelling types to meet a wide range of needs.
- 6.2 Policy LP2 'Housing Choice' in particular states that *"The Council will support the development of bungalows, retirement complexes, extra care housing, independent living, starter homes, self-build and other forms of residential accommodation aimed at meeting the future needs of older and disabled residents as well as family housing. Support will also be given to innovative development proposals subject to consideration of other Local Plan policies."* It should be noted that none of the representations submitted at publication stage raise any direct objections to the content of Policy LP2 and the Council believes that the framework of policies in the Local Plan enable the market to bring forward a wide choice of accommodation types to meet different needs and demands.

### Older people

- 6.3 The Tendring district and the coastal towns of Clacton, Frinton and Walton and surrounding villages in particular have long been popular destinations for older people and those wishing to retire or approaching retirement age. As a consequence, the demographic make-up of the district is heavily weighted towards older people which brings many challenges in terms of health provision and the size of the working age workforce, but is also a factor that has long been a characteristic of the area and which adds to its appeal.
- 6.4 The 2015 Strategic Housing Market Assessment update (SHMA) identified in paragraph 6.3 that from the 2011 Census, 23.5% of households in the 'Housing Market Area' (HMA) (comprising Tendring, Colchester, Braintree and Chelmsford) were older person only households (households where all members are 65 or over) and, within the HMA, it was Tendring that recorded the largest proportion of older persons only households, at 32.6% - essentially a third of all households. The forecasts used in the SHMA would indicate the potential for a 44.5% increase in the older person population between 2015 and 2037 (paragraph 6.5).
- 6.5 Table 6.1 from the SHMA sets out the projected accommodation profile for older persons for the overall Housing market Area and identifies that the highest needs are likely to be fore private housing with 2 or 3 bedrooms:

Dwelling size	Owner-occupation	Private rented	Shared ownership	Social rent/ Affordable Rented	Total
One bedroom	9.7%	4.5%	0.6%	9.2%	24.0%
Two bedrooms	28.2%	2.1%	0.3%	3.7%	34.3%
Three bedrooms	34.9%	0.4%	0.0%	0.5%	35.8%
Four or more bedrooms	5.9%	0.0%	0.0%	0.1%	6.0%
<b>Total</b>	<b>78.6%</b>	<b>6.9%</b>	<b>0.9%</b>	<b>13.6%</b>	<b>100.0%</b>

Source: Braintree, Chelmsford, Colchester & Tendring Councils 2015 Strategic Housing Market Assessment

6.6 The market response from the housebuilding industry is very visible in Tendring with single storey bungalows with 2 or 3 bedrooms being particularly popular with older people and a very strong very characteristic within the local housing stock. Large parts of the district, including at Holland on Sea, Jaywick Sands, Kirby Cross, Walton on the Naze and the larger housing estates around Clacton and the district's other towns and villages are characterised by large numbers of bungalows.

6.7 The market continues to respond positively to this demand with significant proportion of new build development with many of the district's smaller to medium sized developments incorporating either a high proportion of bungalows or catering solely for that type of accommodation. Recent examples include:

- Gainsford Gardens, Holland on Sea/Clacton;
- Bramwood, Thorpe Road, Clacton;
- Orchard Gardens, Kirby Cross (nearing completion);
- Stonehall Gardens, Little Clacton; and
- Connaught Mews, Little Clacton.

6.8 There are also more bungalow-led developments in the pipeline expected to deliver within the remainder of the plan period including:

- 16/00421/FUL – Chicken Farm site, Thorpe Road, Clacton (81 units);
- 18/000662/FUL – Elm Farm, Clacton (under construction) (14 units);
- 17/02118/OUT – Martello Site (near Martello Tower), Walton (10 units);
- 18/01810/DETAIL – Meadow Close, Elmstead Market (under construction) (20 units);
- 17/00790/FUL – R/o 59 & 61 London Road, Little Clacton (30 units); and
- 18/00163/FUL – Edwards Drive/Avocet Place, Thorrington (29 units).

6.9 The Oakwood Park Phase 2 site allocated through Policy SAMU3 in the emerging Local Plan is also expected to deliver a significant number of single-storey units that address the specific requirements of older residents with the lead developer for that scheme, Scott Properties, being a specialist such development having delivered the Gainsford Gardens scheme in Clacton and the Edwards Drive scheme in Thorrington amongst others. The construction of bungalows offers

the opportunity for existing households to 'down-size' in the approach to retirement and releasing second hand family housing into the market for younger people and families.

- 6.10 As well as bungalows, the Council has supported many schemes for retirement apartments – particularly in the district's coastal towns within close proximity to town centres and seafronts. These include McCarthy & Stone's Victoria Gardens and Churchill's Cooper Lodge in Frinton; and McCarthy & Stone's Kingsman Court in Clacton. Many seafront properties have also been converted into apartments aimed at older residents.
- 6.11 It is considered that the policies in the emerging Local Plan are suitably flexible and encouraging to enable the market to deliver accommodation that meets the demands of older residents as evidenced by the nature of the many developments that have taken place or are otherwise in the pipeline.

#### Specialist accommodation

- 6.12 The SHMA (paragraph 6.8) highlights that given the dramatic growth in the older population and the higher levels of disability and health problems amongst older people, there is likely to be an increased requirement for specialist housing options moving forward.
- 6.13 Table 6.2 in the SHMA set out the supply, in 2014, of specialist housing for older people in the Housing Market Area representing a ratio of 123 units per 1,000 people aged 75 and over. Paragraph 6.10 in the SHMA identifies that the ratio varies between the different authorities within the HMA with 95 per 1,000 in Colchester, 107 in Tendring, 144 in Braintree and 151 in Chelmsford. Table 6.2 also shows the amount of specialist accommodation that would be required by the population in 2037 if the current rate of occupation was maintained. Applying that methodology, the SHMA projects a need for an additional 7,157 units of sheltered housing and 319 units of extra care housing across the HMA between 2014 and 2037. Increasing the ratio from 123 units to 170 units per 1,000 people aged 75 and over (in line with Strategic Housing for Older People tool developed by the Housing Learning and Improvement Network) would generate a high projected need of 10,370 units of sheltered housing and 2,631 units of extra care housing.
- 6.14 Applying the two scenarios indicate that the need for specialist accommodation could represent between 10.4% and 18% of the overall objectively assessed housing need for the HMA, although the authors of the SHMA advise (in paragraph 6.11) that it would be appropriate for the Councils to pursue the lower of the two figures which is based on current occupation patterns and which reflects evidence of higher than expected levels of vacancy amongst some of the HMA's sheltered housing stock.
- 6.15 Policy LP10 in Tendring's Section 2 Local Plan deals with care and independent assistant living. It gives support, in principle, for proposals for high quality care homes and extra-care housing in sustainable locations and also supports the provision of such accommodation within settlement development boundaries and within the mix of accommodation within residential and mixed-use developments. The policy also allows for proposals for care homes on land outside of settlement development boundaries but within a close proximity of existing settlements (800m

for settlements in the top two tiers of the settlement hierarchy in Policy SPL1 and 400m for settlements in the third tier) where they are safely accessible by foot.

6.16 A number of specialist developments have been built in recent years in different locations across the district including:

- Beaumont Manor Car Home, Kirby Cross (82 beds) (where planning permission is in place to deliver an additional 41 extra-care properties within the grounds;
- Beaumont House 60 unit extra-care housing complex, Walton (part of the wider Martello site/Hamford Park development);
- Mistley Manor, Mistley (83 rooms) built on the edge of the settlement of Mistley; and
- Rosebank Park, Dovercourt (70 units) extra-care development.

6.17 Planning permission has also been granted for a 60-unit extra care facility in Coppins Road, Clacton which is in the early stages of construction and which is being led by Essex Housing.

6.18 As with general housing aimed at older people, it is considered that the policies in the emerging Local Plan are suitably flexible and encouraging to enable the market to deliver accommodation that meets the specialist care needs of the population, as evidenced by the above-listed developments.

#### Accessible and adaptable housing

6.19 With a higher than average proportion of older and disabled residents in the Tendring area, there is a good argument for having more residential property that is easily accessible for people with mobility impairments and/or adaptable to people's changing mobility through the course of their life. The building regulations include two optional requirements in relation to access in residential property which can be specifically promoted through policies in the Local Plan:

- Requirement M4(2) which requires new dwellings to make reasonable provision for most people to access the building and to incorporate features that make it potentially suitable for a wide range of occupants, including older people, those with reduced mobility and some wheelchair users; and
- Requirement M4(3) which requires new dwellings to make reasonable provision, either at completion or at a point following completion, for a wheelchair user to live in the dwelling and for them to use any associated private outdoor space, parking and communal facilities that may be provided for the use of the occupants.

6.20 Policy SPL3 in the emerging Local Plan (which deals generally with 'Sustainable Design') already includes a requirement that, on housing developments of 10 or more dwellings, 10% of market housing should Building Regulations Part M4(2) compliant and, for affordable housing, 10% should be Part M4(2) compliant and 5% should be Part M4(3) compliant.

- 6.21 These requirements correspond broadly with the evidence in the SHMA that it could be expected that between 10.4% and 18% of the overall objectively assessed housing need for the HMA might be for households with specialist needs – appreciating that these requirements would apply to the general private and affordable housing stock as opposed to specific specialist accommodation such as care homes or extra-care provision. .
- 6.22 This requirement has been tested and confirmed as economically viable through the Council's viability assessments, however following a meeting of the Council's Planning Policy and Local Plan Committee on 8<sup>th</sup> June 2020 it was suggested, and agreed, that these requirements would be more logically presented as part of an amended version of Policy LP4 which is more specifically concerned with the design and layout of new housing development. Such amendments are put forward for the Inspectors' consideration when considering the content of Policies SPL3 and LP4.

### Students

- 6.23 Tendring is not, in itself, home to a significant number of students but it does share a boundary with Colchester and the University of Essex and through proposals for future expansion of the University and the Tendring Colchester Borders Garden Community, there is adequate scope for Tendring and Colchester Councils to work in cooperation to ensure that future developments cater, as appropriate, for any growing requirements for student accommodation – if need be through the preparation of the Development Plan Document for the Garden Community.

### Other accommodation needs

- 6.24 As well as addressing specific needs for older people, specialist accommodation, accessible and adaptable housing and students, the Inspectors may wish to note that the Section 2 Plan also includes policies for Self-Build and Custom-Built Homes (LP7) and Houses in Multiple Occupation (HMOs) and bedsits (LP11).
- 6.25 Policy LP7 is designed to encourage opportunities for constructing self-build and custom-built homes as part of the general mix of housing on large residential developments and for the one-for-one replacement of existing dwellings, subject to other Local Plan policy considerations. It also includes flexibility for the consideration of schemes beyond, but within a safe and walkable distance of the settlement development boundaries of the more sustainable settlements in the top three tiers of the settlement hierarchy in Policy SPL1 or through the redevelopment of vacant or redundant previously developed land, where demonstrated (where applicable) to be unviable for employment use. That said, the opportunities for building self-build and custom-built homes are plentiful in Tendring with planning consents, at April 2020, for single plot residential development standing at 186 (net) dwellings.
- 6.26 Policy LP11 corresponds with the Council's Article 4 Direction covering the whole district that requires the conversions of dwelling houses in Class C3 to an HMO in Class C4 to obtain planning permission. The policy allows for the creation of HMOs but seeks to direct them to town centre locations whilst avoiding 'over-concentrations' within close proximity and also seeks to ensure minimum standards of internal space and amenity are achieved. This is a response

to historic concerns about over-concentrations of poor quality HMOs and bedsits that detract from the social and economic objectives around rejuvenating town centres and tackling health and other social issues.

6.27 Neither Policy LP7 nor LP11 attracted any significant objections in principle within the representations submitted at publication stage.

## Part 7: Overall conclusions

7.1 This topic paper has addressed the Inspectors' particular questions around:

- Whether the plan provides an adequate supply of land to meet the housing requirement (as identified within Part 1 as Modified) over the plan period.
- Whether the plan will provide a five-year supply of deliverable sites from its date of adoption.
- Whether the plan will make appropriate provision for affordable housing, accommodation for gypsies and travellers, accessible and adaptable housing, and housing to meet the needs of particular groups, such as (for example) disabled people, older people, and students.

7.2 Part 1 of the paper demonstrates that the emerging Local Plan provides a more than adequate supply of land to meet the housing requirement of 550 dwellings per annum, or 11,000 homes over the period 2013 to 2033 as set out in Policy SP3 of the Modified Section 1 Local Plan – with an 'oversupply' or 'headroom' of around 1,600 dwellings. The headroom is such that the residual housing requirement for the period to 2033 could still be met and exceeded even if none of the sites allocated for housing and mixed use development in the Section 2 Plan and yet to obtain planning permission or a Planning Committee resolution to grant planning permission come forward within the revised timescales envisaged.

7.3 Part 2 demonstrates that a large proportion of sites that have been promoted through representations or objections to the emerging Local Plan have either already obtained planning permission and are no longer contentious or have otherwise been the subject of planning applications that have been considered, refused or dismissed on appeal for good planning reasons or, by virtue of their scale or location, do not represent suitable or sustainable alternatives to the sites allocated in the plan.

7.4 Part 3 demonstrates that the Council can identify a five-year supply of deliverable sites against the Policy SP3 housing requirement from the anticipated date of adoption, whether that be before April 2021, April 2022, April 2033 or any other date within a reasonable timeframe – even with conservative assumptions about delivery and the application of a 'buffer' as required by the National Planning Policy Framework.

7.5 Part 4 demonstrates that the plan also makes appropriate (and realistic) provision for affordable housing with many of the larger 'committed' sites already the subject of section 106 legal agreements to deliver affordable units, a policy to deliver up to 30% affordable housing on large sites in the future and a commitment from the Council itself to deliver affordable housing to increase its own Council Housing stock. The Council is also working closely with Essex County Council and the NHS to explore the opportunities for delivering additional key worker housing to match the aspirations to make Tendring a hub for future public sector employment opportunities.

7.6 Part 5 demonstrates that the small need for additional gypsy and traveller pitches is already being met through existing commitments, with the requirement for more pitches to be planned for as part of the Tendring Colchester Garden Community.

- 7.7 Part 6 explains how provision for accessible and adaptable housing and accommodation aimed at older and disabled residents is being delivered already on many of the committed development schemes in the district with the market very much alive to the needs and demands of the district's demography with policies in place to encourage future provision and a specialist in high quality accessible bungalow development being a lead developer promoting one of the largest housing and mixed-use allocations in the Section 2 Plan at Oakwood Park. It also explains how, working with Colchester Borough Council and the University of Essex on the Tendring Colchester Borders Garden Community, there is scope to deliver future accommodation for students.
- 7.8 The Council hopes that the information provided as part of this topic paper will assist the Inspectors in preparing for the examination of the Section 2 Plan and establishing the key issues that might require further discussion.