PD9a

Tendring
District Council

Local Development Scheme (LDS) 2024-2027

February 2024

Table of Contents

1 Introduction 3

2 Background 5

3 Documents to be Prepared 6

4 Programme for Preparing Local Plan Documents 8

5 Local Plan Evidence Base and Methodology 11

6 Resources and Risk Assessment 18

7 Decision Making 20

1 Introduction

1.1 A Local Development Scheme is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) (link). This must specify (among other matters) the Development Plan Documents (i.e. Local Plans) which, once adopted, comprise part of the Development Plan for the area. Local Planning Authorities are encouraged to include details of other important documents that form (or will form) part of the Development Plan such as Neighbourhood Plans.

1.2 The Development Plan for an area comprises the combination of 'Strategic and Non-strategic Policies'. The NPPF requires that the Development Plan include strategic policies to address each Local Planning Authority's priorities for the development and use of land in its area.

1.3 Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period (in line with the presumption in favour of sustainable development). This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area (except insofar as these needs can be demonstrated to be met more appropriately through other mechanisms, such as brownfield registers or nonstrategic policies).

1.4 These strategic policies can be produced in different ways, depending on the issues and opportunities facing each area. They can be contained in:

a. joint or individual local plans, produced by authorities working together or independently (and which may also contain non-strategic policies); and/or
b. a spatial development strategy produced by an elected Mayor or combined authority, where plan-making powers have been conferred (London).

1.5 Non-strategic policies should be used by Local Planning Authorities and communities to set out more detailed policies for specific areas, neighbourhoods, or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving, and enhancing the natural and historic environment and setting out other development management policies.

1.6 The *Tendring District Local Plan 2013-2033 and Beyond: North Essex Authorities' Shared Strategic Section 1* is a joint strategic plan, which has now been adopted by Tendring District Council, Colchester City Council, and Braintree District Council (2021). The *Tendring District Local Plan 2013-2033 and Beyond: Section 2* contains Tendring specific policies and was adopted by the Council in January 2022.Together, these two sections make up the Local Plan for the Tendring District. The Local Plan must be reviewed and updated where necessary within a 5-year timeframe. The Council is also working with Colchester City Council and Essex County Council to prepare a Development Plan Document (DPD) for the Tendring Colchester Border Garden Community.

1.7 Local Planning Authorities must publicise and keep up to date their timetable for producing and updating their Local Plan. This information is contained within a Local Development Scheme. Local Development Schemes must also be produced in compliance with any data standard published by the Department for Levelling Up, Housings and Communities (DLUHC). A Local Development Scheme is expected to be reviewed and updated regularly to reflect if there are any significant changes in the timescales or the plans being prepared.

1.8 The Local Development Scheme (LDS) for Tendring sets out the Council's process and timetable for producing Planning documents. It sets out the anticipated timetable for consultation periods, examination (where applicable) and adoption of the various documents. Publication of the LDS ensures that stakeholders, including members of the public, Town and Parish Councils, landowners and developers, partner organisations and the Planning Inspectorate are kept aware of the indicative timetable the Council is working to, as this information can help them to organise their time and resources accordingly.

1.9 Section 38(6) of the Planning and Compulsory Purchase Act requires Local Planning Authorities such as Tendring District Council to make decisions on Planning applications in accordance with the 'Development Plan'. Councils have a duty to ensure their Local Plan is kept up to date, is prepared in accordance with the government's National Planning Policy Framework (NPPF) and positively promotes 'sustainable development' by identifying sufficient land for new homes and employment opportunities.

2 Background

Progress to Date and Future Programme Stages

Shared Section 1 Local Plan Progress to Date

2.1 In accordance with Regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 *Tendring District Local Plan 2013-2033 and Beyond: North Essex Authorities' Shared Strategic Section 1 Plan* was adopted by decision at the meeting of Full Council on Tuesday, 26 January 2021.

Section 2 Local Plan Progress to Date

2.2 *Tendring District Local Plan 2013-2033 and Beyond: Section 2* was unanimously agreed by Full Council for formal adoption on Tuesday, 25th January 2022.

TCBGC DPD Progress to Date

2.3 Following the regulation 19 consultation in the spring of 2023,The Tendring Colchester Borders Garden Community (TCBGC) Development Plan Document (DPD) was submitted for examination in September 2023, and examination hearings are expected to take place in the Spring of 2024.

Monitoring and Review

2.4 The Council will implement the Local Plan and monitor its effectiveness. The Local Plan will be reviewed and updated where necessary within a 5 year time frame, depending on any changes to national planning policy or the national planning system.

3 Documents to be Prepared

3.1 For the period 2024 to 2027, the following planning documents will be prepared or initiated:

Review of the Tendring District Council Local Plan

3.2 The Local Plan is the main Planning document for Tendring – setting out the strategy for growth for the period to 2033 and beyond, identifying specific sites for development, and including the policies that will be used in the determination of Planning applications.

3.3 The National Planning Policy Framework states that 'Policies in Local Plans and spatial development strategies should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary. Reviews should be completed no later than 5 years from the adoption date of a plan and should consider changing circumstances affecting the area, or any relevant changes in national policy.' As such, a review of the Local Plan needs to be undertaken and may involve updating a targeted set of policies following the same procedural process as the production of the Local Plan.

Tendring Colchester Border Garden Community DPD

3.4 The preparation of the TCBGC DPD has followed the same process as a Local Plan. However, this document contains only non-strategic policies - building upon the strategic policies in the Shared Section 1 Local Plan. The DPD is meant to provide significantly more implementation detail to Section 1 policies to further assist in facilitating the planning application process for the Garden Community.

3.5 Section 1 of the Publication Draft of the Local Plan, Policy SP8, states that no planning consent for development forming part of the Garden Community will be granted until the TCB DPD has been adopted and that the DPD will set out the nature, form, and boundary of the new community. The DPD has been produced in consultation with stakeholders and includes a concept masterplan showing the disposition and quantity of future land-uses.. It was produced alongside the master planning process and provides the framework for the subsequent development of more detailed masterplans and other design and planning guidance for the Tendring Colchester Borders Garden Community.

3.6 The DPD has now been submitted for examination, and the next stages of the process are in the hands of the Planning Inspector. Adoption is anticipated in late 2024.

CIL Charging Schedule

3.7 The proposals for development in the new Local Plan will need to be supported by investment in the necessary infrastructure. An Infrastructure Delivery Plan has already been prepared alongside the Local Plan and another is being prepared for the Garden

Community DPD. Infrastructure Delivery Plans identify each piece of infrastructure that is needed and set out the mechanism for delivering these items.

3.8 One source of funding infrastructure could be the Community Infrastructure Levy (CIL), which requires the adoption of a 'Charging Schedule' setting out how much money developers will be expected to contribute toward infrastructure provision from developments in using a formula based on £ per sqm of floorspace.

3.9 CIL is optional and not currently utilised by the Council in favour of bespoke Section 106 Agreements with developers. CIL could however be an alternative option, which the Council may consider. As such, it is included in the LDS programme with indicative timescales.

Tendring Neighbourhood Plans

3.10 The Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum (Town and Country Planning Act 1990 (as amended).

3.11 For further information on Neighbourhood Planning and process refer to the online guidance at https://www.gov.uk/guidance/neighbourhood-planning--2.

Authority Monitoring Report (AMR)

3.12 The Authority Monitoring Report (AMR) will be published annually to demonstrate how the Council's planning policies have performed over a 12-month period against a range of indicators contained within the Local Plan.

4 Programme for Preparing Local Plan Documents

Review of the Tendring District Local Plan	
Subject and scope	This document updates the Council's Local Plan to cover an extended period to 2041 and beyond, enabling the strategy for growth, planning policies and site allocations to be reviewed as necessary.
Geographical area	All of the Tendring District. The strategic policies for Tendring Colchester Garden Community are contained in the Shared Section 1 Plan and have been prepared in collaboration with Colchester and Essex Councils. These policies will be supported by a separate DPD, which will inform the planning applications process.
Chain of conformity	The relevant Planning Acts and Regulations Essex Minerals and Waste Plans National Planning Policy Framework (NPPF)
Indicative timetable for Future Review of Local Plan	
Issues and Options Consultation	Spring 2024
Consultation on Preferred Options draft Local Plan	Autumn 2024
Publication of Submission draft Local Plan	Spring 2025
Submission	Summer 2025
Examination and main modifications	Autumn 2025
Adoption	Early 2026

Tendring Colchester Garden Community Development Plan Document (DPD)	
Subject and scope	This document will contain more detailed non-strategic policies to guide development within the new Garden Community proposed at the Tendring/Colchester border. This DPD will be produced jointly with Colchester City Council and Essex County Council.
Geographical area	The Strategic Policies and broad location for the Garden Community is identified in the Section 1 Local Plan. The precise boundaries will be designated in the TCB DPD.
Chain of conformity	Tendring and Colchester Local Plans The relevant Planning Acts and Regulations Essex Minerals and Waste Plans National Planning Policy Framework (NPPF).
Indicative Timetable for TCB DPD Production	
Studies & Document Preparation	Winter 2020/21 – Winter 2021/22 (Completed)
Member approval of draft DPD	Spring 2022 (Completed)
Draft DPD Reg 18 Consultation	Spring 2022 (Completed)
Reg 19 Document Preparation	Summer 2022 - Winter 2022/23 (Completed)
Member approval of submission Draft DPD	Spring 2023 (Completed)

Submission DPD Reg 19 Consultation	Summer 2023 (Completed)
Submission of Reg 19 DPD and Summary of Comments Received to Secretary of State	Summer 2023 (Completed)
Examination in Public (EiP)	Spring 2024
Inspector's Report / Consultation on Modifications	Summer 2024
Adoption (Full Council)	Winter 2024
Timetable for review	This will be reviewed and updated as necessary.

Infrastructure Delivery Plan and CIL Charging Schedule (Optional)	
Subject and Scope	If needed this document would set out the Council's approach to using legal agreements and securing development contributions to deliver infrastructure, affordable housing, and other local benefits from development. The document could include the Council's Community Infrastructure Levy (CIL) charging schedule.
Geographical Area	All the Tendring District. Some areas of Tendring may be established as CIL exempt
Chain of Conformity	Relevant Planning Acts and CIL Regulations Emerging Local Plan National Planning Policy Framework (NPPF)
Indicative timetable for production	
Preparation of document	Spring 2024
Member approval for initial consultation	Summer 2024
Publication of document for consultation	Autumn 2024
Member approval for final consultation and submit the document for examination	Winter 2024
Submit documents and information to Secretary of State	Spring 2025
Independent examination	Summer 2025
Inspector's report	Autumn 2025
Adoption (Council)	Winter 2025
Timetable for review	The document will be reviewed regularly to determine whether or not any changes to the CIL timetable are necessary

Authorities Monitoring Report (AMR)	
Subject and Scope	This document will provide a high-level analysis of how the Council's planning policies are performing against a range of indicators.
Geographical Area	All the Tendring District.
Chain of Conformity	The content of the document should correspond with policies in the Local Plan.
Timetable for production – same process followed each year	
Preparation of document	Annually
Publication of the AMR	Summer following the end of each financial year.

Timetable for review	The Authority Monitoring Report is produced annually.

Timetable for Emerging Neighbourhood Plans		
Elmstead Neighbourhood Plan and NDO	To guide new development in the Parish of Elmstead and to create a Development Order for the old village hall site.	Examination underway. Potential referendum Summer 2024.
Ardleigh Neighbourhood Plan	To guide new development in Ardleigh Parish.	Examination underway. Potential referendum Spring/Summer 2024.
Brightlingsea Neighbourhood Plan	To guide new development in the Brightlingsea Parish area.	Neighbourhood area designated. Regulation 14 consultation possible during 2024.

Supplementary Planning Documents (SPD)		
Evidence	**Purpose**	**Relevance/Timescales**
Hartley Gardens SPD	To produce a comprehensive Development Framework and delivery strategy for the development of around 1,700 homes and associated development north of Clacton.	Potential adoption autumn 2024.
Jaywick Sands Design Guide SPD	To provide design guidance for replacement and new dwellings within the existing built-up area of Jaywick Sands.	Adopted February 2023.

5 Local Plan Evidence Base and Methodology

5.1 To comply with the relevant Planning Acts, Regulations and national policy contained within the NPPF, it is essential that the policies and proposals in Local Plans and the charging schedule in CIL are based on objective evidence. This can include surveys, technical studies, and consultants' reports. The Council has already compiled and prepared a significant amount of evidence, with updates undertaken where relevant to inform the Local Plan Examination. Further updates will be required to several areas to inform the review of the Local Plan.

Subject Area: Housing		
Evidence	**Purpose**	**Relevance/Timescales**
Demographic and Household Projections	To inform the preparation of a Strategic Housing Market Assessment and inform decisions on the 'objectively assessed need for housing'.	The last projections were produced in September 2016. Further expert advice may be required to inform the review of the Local Plan.
Strategic Housing Market Assessment (SHMA) / Local Housing Needs Assessment	To calculate the 'objectively assessed need' for housing and inform the approach to the size, type and tenure of housing needed.	This was undertaken in two parts: the objectively assessed housing needs study by Peter Brett Associates (November 2016) and the SHMA undertaken by HDH Planning and Development (December 2015). These will need to be updated as part of the Local Plan review.
Strategic Housing and Land Availability Assessment (SHLAA)	To assess the suitability, availability and deliverability of potential housing sites and inform the allocation of land for housing.	Undertaken by Council Officers. The SHLAA is updated annually in line with the financial year, and the last update was published in November 2023. Proposals submitted as part of the 'call for sites' consultation will be incorporated into the SHLAA.
Gypsy and Traveller Accommodation Assessment (GTAA)	To calculate the 'objectively assessed need' for sites and pitches for Travellers – as required by the government's Planning Policy for Traveller Sites (March 2012).	Undertaken by consultants ORS for all Essex authorities and completed in May 2017. An update was completed in 2018. A further review is currently under way.

Jaywick Sands Place Plan	To establish a framework for development aimed at regenerating Jaywick Sands	Work currently being undertaken by Council Officers and HAT Projects Limited. Further consultation was undertaken in 2023, with completion of the Place Plan anticipated in 2024.

Subject Area: Business		
Evidence	**Purpose**	**Relevance/Timescales**
Economic Development Strategy	To inform the overarching approach to economic development and job creation in the district.	Updated and approved by Cabinet July 2020. Consideration being given to a review in 2024 to be carried out alongside Employment Land Review.
Employment Land Review	To inform the allocation and protection of land for business and industrial use in terms of amount and location.	Completed 2019. An update will be required as part of the Local Plan review – with a focus on employment land needs to support job creation following Freeport designation.
Retail & Town Centre Study	To identify the need for additional retail units to meet residents' demands for goods and services and thus inform the allocation and protection of town centres and potential development sites.	Reviewed and updated in 2020 by Lambert Smith Hampton. A focussed update may be necessary to inform the review of the Local Plan.
Holiday Park Sector Review	To inform the allocation and protection of holiday parks in the district and advise on how they might need to develop in the future to reflect changing trends and demands.	The study was completed by Frontline Consultants in 2020. A partial review may be necessary for the Local Plan review.

Subject Area: Infrastructure		
Evidence	**Purpose**	**Relevance/Timescales**
Infrastructure Study	To assess the capacity of Tendring's infrastructure, including transport, health, education and utilities to inform decisions on where to locate future growth and provide the baseline evidence for use in seeking funding for improvements, including	Reviewed and updated 2021. Further evidence will be required as part of the Local Plan review.

	through Community Infrastructure Levy (CIL).	

Subject Area: Minerals
Essex County Council is the planning authority for minerals and it prepares the evidence needed to inform the content of the Minerals Local Plan. ECC are in the process of reviewing and updating the Minerals Local Plan, extending it to cover the period to 2040 – and a number of sites across the county have been assessed by independent consultants. An Issues and Options consultation is planned for February 2024, which will seek views on the sites and the way they have been assessed. No sites have been identified as preferred or non-preferred site allocations at this stage. Tendring District Council is a key consultee in the preparation of the Minerals Local Plan, and will continue to engage with ECC as the Plan emerges.

Subject Area: Defence, security, counter-terrorism & resilience
There is no need for any specific evidence to be prepared, but the Council will consult relevant bodies to ensure that plans for development do not impact upon the operations of any defence or security installations.

Subject Area: Environment		
Evidence	**Purpose**	**Relevance/Timescales**
Flood Risk Assessment (SFRA)	To identify areas at risk of flooding, measure the potential risks within different parts of the flood zone and inform the 'sequential approach' to locating development away from flood risk areas.	Completed March 2009. Local Plan allocations will generally avoid sites in Flood Zones 2 and 3. Review required ahead of next Local Plan review.
Landscape Character Assessment	To define the different characteristics of the district's landscape and help inform Planning decisions.	Completed 2001. Review within 15-20 years. Consider review.
Local Wildlife Site Review	To assess the wildlife value of all parts of the district and inform the identification of 'Local Wildlife Sites' (LoWS) deemed worthy of protection through the Local Plan.	Undertaken by Essex Ecological Services (EECOS) and completed in September 2009. Specific survey of land off Crestwood Meadow, Alresford undertaken in 2013 in response to requests from residents. A review of the District's LoWS may be undertaken as part of a broader ecological study to inform the Local Plan review.
Habitat Regulation Assessment	To assess the impact of proposals and policies in the Local Plan on habitats of international importance and advise the Council on how to avoid, minimise or mitigate any impacts.	Two reports were completed by consultants LUC in May 2017 for Shared Strategic Section 1 and in October 2018 for Publication Draft Section 2 of the Plan. An update considering the Main

		Modifications of Section 2 of the Local Plan was published in June 2021. The Local Plan review will require an updated HRA.

Subject Area: Historic Environment		
Evidence	**Purpose**	**Relevance/Timescales**
Heritage Impact Assessment	To assess in a structured process that the significance of historic assets are taken into account when developing and designing proposals for change.	HIA for TCBGC completed in 2022. An HIA will be required for the updated Local Plan.
Conservation Area Appraisals	To help inform decisions relating to development in Conservation Areas and to review their boundaries.	Conservation Area Appraisals are currently being reviewed, with public consultation events taking place in the affected areas. Anticipate adoption of the updated appraisals through 2024.

Subject Area: Health and well-being		
Evidence	**Purpose**	**Relevance/Timescales**
Open Space, Sport and Recreation Strategy	To establish quantitative and qualitative standards for open space, sport and recreation provision to inform policies in the Local Plan and the use of s106 or CIL money.	Reports were completed by consultants KKP in April 2017. A review of this document was undertaken in 2023.

Subject Area: Public safety from major accidents
There is no need for any specific evidence to be prepared, but the Council will consult relevant bodies, including the Highways Authority and Highways Agency, to ensure that plans for development do not create new or exacerbate existing accident black-spots, seeking, wherever possible, to address them.

Subject Area: Ensuring viability and deliverability		
Evidence	**Purpose**	**Relevance/Timescales**
Viability Testing	To assess the economic viability of Local Plan policies to ensure that development is viable and therefore realistically achievable. Also to inform decisions on setting CIL tariffs.	Reviewed and updated in 2019. Will need updating when Local Plan is reviewed.

Existing Evidence

5.2 The following documents remain part of the Council's Evidence Base, but will not need to be updated as part the Local Plan Review:

Evidence	Purpose	Relevance/Timescales
Housing Sizes in the Urban Areas of the Tendring District	A survey of house sizes in different parts of the district to inform the Council's policies in minimum space standards.	Undertaken by Council Officers and completed in August 2013.
Hotel and Guesthouse Retention Study	To inform the policies on protecting hotels and guesthouses in the district and advise on how they might need to develop in the future to reflect changing trends and demands	
Walton-on-the-Naze Regeneration Framework	To advise the Council on ways to regenerate the economy of Walton-on-the-Naze and inform relevant policies in the Local Plan.	Undertaken by consultants BNP Paribas and completed in January 2010.
Dovercourt Rediscovered	To advise the Council on ways to regenerate the economy of Dovercourt Town Centre and inform relevant policies in the Local Plan.	Reviewed and updated in 2019.
Haven Gateway Watercycle Study	To provide evidence to Haven Gateway authorities and utility companies about sewage treatment capacity to support plans for growth in the area.	Stage 1 report completed May 2008 and Stage 2 report completed November 2009. These reports will inform the Infrastructure Study.
Essex and South Suffolk Shoreline Management Plan	To set out a strategy for protecting different sections of the Essex and South Suffolk coast from flooding and coastal erosion to be implemented by the Environment Agency, working with its partners.	Completed in 2012. Review already being undertaken by the Environment Agency working with its partners.
Harwich Strategic Flood Risk Assessment (SFRA)	SFRA carried out specifically for Harwich in support of the Council's policies to promote regeneration in that area.	Level 1 report completed April 2008. Level 2 report completed August 2008.
Jaywick Strategic Flood Risk Study	SFRA carried out specifically for Jaywick Sands in support of the Council's policies to promote regeneration in that area.	Completed May 2008. The SFRA specifically for Jaywick Sands was updated in April 2015.

Landscape Impact Assessment	To test the potential landscape impact of development on a range of urban-edge greenfield sites and thus inform the allocation of sites for housing and other forms of development.	Stage 1 report completed April 2009. Stage 2 report completed March 2010. NPPF now attaches less weight to landscape impact issues and therefore no review is needed.
Strategic Green Gap Study	To review the Green Gap designations within the Local Plan.	Completed by LUC in 2020.
Historic Environment Characterisation Project	To define the different characteristics of the district's historic character and help inform decisions on local plan designations and planning applications.	Completed December 2008 by Essex County Council. Review within 15-20 years.
Geodiversity Characterisation Report	To assess the geo-diversity of the Tendring District – i.e. the composition of minerals below the ground.	Completed May 2009 by Essex County Council. Review within 15-20 years.

Sustainability Appraisal, Strategic Environmental Assessment and Habitats Regulation Assessment

5.3 As well as having to be based on robust but proportional technical evidence, Local Plans and some other planning documents must also be accompanied by a 'Sustainability Appraisal' incorporating a 'Strategic Environmental Assessment' and, where they are likely to affect sites of international importance for nature conservation, a 'Habitats Regulation Assessment'.

5.4 Sustainability Appraisal is a requirement under Section 19 of the Planning and Compulsory Purchase Act 2004 and must be undertaken for each stage of the plan-making process to ensure that the plan does everything it can to achieve sustainable development. Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social, and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

5.5 It is a requirement of both UK and European Law to appraise the sustainability and environmental effects of proposals in the Local Plan and other planning documents. Therefore, at key stages of the plan making process i.e. draft plan consultation and submission stages, the Council will also publish a Sustainability Appraisal incorporating the Strategic Environmental Assessment.

5.6 A Habitat Regulation Assessment, or ‘Appropriate Assessment’ as it is often called, is a requirement from the European Habitat Directive (92/43/EEC) and, for Tendring, will be necessary to assess the impact of any updated policies in the Local Plan.

6 Resources and Risk Assessment

6.1 In undertaking major projects such as the preparation of a Local Plan review, DPD or CIL Charging Schedule it is important to understand the resources needed and the potential risks along with the impact they could have on the process of plan preparation, consultation and examination.

Professional Officer Input

6.2 The preparation and review of the Local Plan and other planning documents will be led by the Council's Planning Policy Team. This team will work with and draw upon the knowledge, help and experience of other officers in the Council to ensure Planning Policy documents comply with and help to deliver corporate objectives. Through the legal Duty to Cooperate, there will also be strong input from officers from partner organisations such as Essex County Council, the Environment Agency, Highways England and the NHS. On the Tendring Colchester Borders Garden Community in particular, the Council are working jointly with Colchester City Council and Essex County Council in a partnership approach.

Financial Resources

6.3 The Council has allocated a budget for the review of the Local Plan, the production of SPD's and the Tendring Colchester Borders DPD in recognition of how important these documents are to the future of the district. The most significant costs are expected to be the commissioning and updating of technical studies in relation to the above projects and the cost of the Examinations in Public. The latter requires the Council to pay fees to the Planning Inspectorate, employ a 'Programme Officer' to administrate the examination process and employ, a number of specialist Planning consultants and/or lawyers to deal with the more specialised areas and issues of technical or legal complexity.

6.4 Any shared strategic elements across authorities will be paid for jointly by the relevant authorities.

Risk Assessment

Issue and level of Risk	Comment and proposed mitigation measures
Significant public opposition to the new Planning documents High Risk / Medium Impact	The preparation of the Tendring Colchester Garden Community DPD and the review of the Local Plan will be of considerable public interest. Through the Statement of Community Involvement (SCI), the Council has set out a programme of consultation and the Garden Community project is the subject of its own engagement strategy. This approach should mitigate the amount of misinformation and reduce objections to substantive issues. Proposals will also be based on a sound evidence base so that decisions can be justified in the examination of the plans.

Loss/turnover of staff Low Risk / High Impact	The Council has mechanisms to enable new staff to be employed either on a permanent or temporary basis in order to fill any vacancies. Additionally any strategic work with other authorities will enable shared resources and funding on mutually beneficial outputs.
Financial shortfall Low Risk / High Impact	The Council has allocated a budget to the preparation and review of planning documents in recognition of how important the Local Plan, the Garden Community DPD and supplementary planning documents will be to the future of the district. There is a risk that, due to general pressures on public finances, the funds available could be reduced or withdrawn, but the Council's commitment and its corporate objectives around the Local Plan and the Garden Community should ensure that the programme is properly resourced. Maintaining an up-to-date planning framework enables opportunities to attract external funding, generate economic growth and increase the revenue base of the district.
Changing political priorities High Risk / High Impact	The Planning Policy and Local Plan Committee oversees the preparation of the Local Plan and other relevant documents, with Councillors from all political groups, enabling the plan to proceed smoothly to the advanced stages of the process. A separate joint committee, with members from all three partner councils, has been established to offer similar stability to the process of preparing the Garden Community DPD.
Legal challenge Medium Risk / High Impact	There is a possibility of legal challenge to any planning document once a Council has reached a decision to adopt. By ensuring that all of the correct legal procedures are followed, including the duty to cooperate, the need for a Sustainability Appraisal and the need to undertake consultation in line with the planning regulations, the Council will aim to minimise the grounds upon which a legal challenge could be based.

7 Decision Making

7.1 The Local Plan is one of the Council's most important documents; it therefore requires endorsement by the majority of the Council's democratically elected Members. In March 2014, the Council agreed to set up a dedicated 'Local Plan Committee' made up of 15 elected Councillors to oversee the preparation of the new Local Plan and other planning documents. In 2019 the committee was replaced by the Planning Policy and Local Plan Committee. The table below sets out the different decision-making powers at different levels of the organisation that relate to the Local Plan and other planning documents.

Decision maker	Type of decision
Full Council Comprising all TDC Members	Approving the content and submission of the Local Plan, DPDs, and CIL Charging Schedule to the Secretary of State for examination by a government Planning Inspector. Formally 'adopting' the Local Plan, DPDs, and CIL Charging Schedule following confirmation, from the Planning Inspector, that they are legally compliant and sound.
Planning Policy and Local Plan Committee	Considering and approving the content of the Local Plan, DPDs, and CIL Charging Schedule at different stages as they emerge through the process including making recommendations to Full Council.
Cabinet	Commenting on the content of the Local Plan before recommendations are made to Full Council. Approving 'Supplementary Planning Documents' (SPD) and Neighbourhood Plans for public consultation and formal adoption.
Director of Planning in liaison with the Chairman of the Planning Policy and Local Plan Committee	Delegation by the Planning Policy and Local Plan Committee, as and when required, e.g. for changes to any planning documents aimed at improving consistency and correcting minor errors that do not in any way constitute a change in the thrust, meaning or interpretation of any policy or proposal and e.g. collaboration on evidence base for Local Plan preparation.