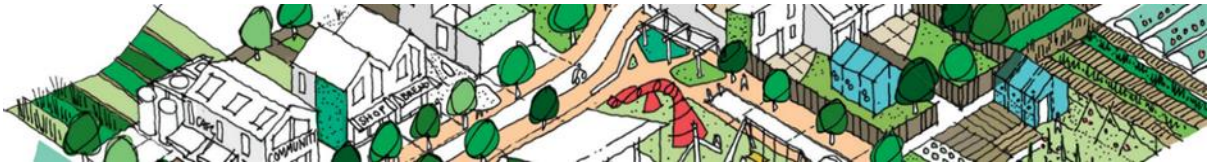

DUTY TO COOPERATE STATEMENT

Duty to Cooperate (DtC) Statement for the Submission Version of the:

Tendring Colchester Borders Garden Community Development Plan Document (DPD)

September 2023

Tendring District Council

Colchester City Council

Essex County Council

1.0 Introduction

1.1 This statement sets out how Colchester City Council and Tendring District Council have met the requirements of the duty to cooperate in preparing the Development Plan Document for the Tendring Colchester Borders Garden Community. It follows the suggested format contained in the August 2015 Planning Advisory Service Duty to Cooperate Statement Template.

1.2 This Statement provides an overview of how cooperative working was approached between the Councils and prescribed bodies. It should be read in conjunction with the Strategic Statement of Common Ground, which provides more detailed commentary on the topics and issues about which the Councils and prescribed bodies either agree or disagree.

1.3 Section 110 of the Localism Act transposes the duty to cooperate in to the Planning and Compulsory Purchase Act 2004 and introduces section 33A, which sets out a duty to cooperate in relation to the planning of sustainable development. The duty to cooperate applies to all local planning authorities, county councils and prescribed bodies, and requires that they must co-operate with each other in maximising the effectiveness with which development plan documents are prepared.

1.4 The Localism Act states that, in particular, the duty to cooperate requires that engagement should occur constructively, actively and on an ongoing basis during the plan-making process. It also states that regard must be had to the activities of other authorities where these are relevant to the local planning authority in question. National policy makes it clear that the Duty to Co-operate is not a 'duty to agree', but that every effort should be made to secure necessary cooperation before submission of a Local Plan to the Planning Inspectorate.

1.5 This plan is the Development Plan Document (DPD) for the Tendring Colchester Borders Garden Community (TCBGC). It adds further detail to the allocation of the Tendring Colchester Borders Garden Community that was made in the adopted Section 1 Local Plan. The Section 1 Local Plan sets the strategic context and the DPD must conform to the Section 1 Local Plan. The Section 1 Local Plan is a shared plan, shared between Colchester City Council, Tendring District Council and Braintree District Council. The format of this duty to cooperate statement primarily considers the Duty to Cooperate in the context of this joint approach and follows on from the cooperation as part of the Section 1 Local Plan, which remains relevant to this DPD. Through reference to the work undertaken for the Section 1 Local Plan, it tells the story of how joint work and cooperation has shaped the Section 1 Local Plan and subsequently this DPD.

1.6 The neighbouring authorities and prescribed relevant bodies for the purposes of section 33A of the Act, as set out by the Town and Country Planning (Local Planning) (England) Regulations 2012 are:

- Babergh District Council
- Braintree District Council
- Chelmsford City Council (within Strategic Housing Market Area)
- Maldon District Council

- Essex County Council
- Suffolk County Council
- Environment Agency
- Historic England
- Natural England
- The Mayor of London
- Highways England
- The Office of Rail Regulation
- Transport for London
- Integrated Transport Authority
- Civil Aviation Authority
- Homes England
- Suffolk and North East Essex Integrated Care Board
- The East Suffolk and North Essex NHS Foundation Trust (ESNEFT)
- Marine Management Organisation
- South East Local Enterprise Partnership

1.7 Paragraphs 24-27 of the National Planning Policy Framework (NPPF) 2021 outline the relevant planning policy issues to be considered under the duty to cooperate. Paragraph 24 states that: *"Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries".*

2.0 The Colchester and Tendring Strategic Context

2.1 Colchester and Tendring local authorities are located in northeast Essex, with good access to London, London Stansted Airport and the port of Harwich, which is within Tendring. The area lies within the County of Essex which falls within the southeast grouping for some issues. Colchester and Tendring council areas have boundaries with Braintree and Maldon districts within Essex County and with Babergh district within Suffolk County. Strong links were created between Colchester and Tendring and also with Braintree arising from the shared Section 1 Local Plan and the Tendring Colchester Borders Garden Community DPD.

2.2 The spatial structure of Colchester is defined by the urban area at the centre, surrounded by a rural hinterland with three smaller centres, Tiptree, West Mersea and Wivenhoe. Colchester City Centre serves as a centre not only for the city but for a much wider area of northeast Essex, with residents of Braintree, Maldon and Tendring districts travelling into the town to work, shop and use its community and leisure facilities.

2.3 Tendring is geographically unique in that, instead of having one main urban area surrounded by a handful of smaller settlements (which is often the case), it is a peninsula surrounding on three sides by water. With five urban areas quite separate from each other located on different parts of the coast and a large rural hinterland with 27 rural villages of varying size and character, the characteristics can vary significantly from one part of the district to another. The principal road links to the District are therefore governed in part by the geographic nature of Tendring as a peninsula, with the A133 serving routes between Colchester and Clacton and the A120 serving routes between Colchester and Harwich.

3.0 The process that has taken place – how the Duty has been met

3.1 Colchester City Council and Tendring District Council actively engage, at both member and officer level, with other local authorities and public bodies on strategic planning issues. In addition to discussions with individual authorities and bodies on particular issues, the Councils are members of and attend regular meetings of long-standing area-wide organisations such as the Essex Planning Officers' Association (EPOA), Essex Chief Executives Association, the Haven Gateway Partnership and the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) steering group.

4.0 Duty to cooperate with neighbouring authorities on Local Plan matters

4.1 **Babergh and Mid-Suffolk District Council**

The Councils work jointly with Babergh and Mid-Suffolk Council through the Haven Gateway Partnership, which considers cross-boundary/sub-regional employment and planning issues and includes all four authorities. Babergh and Mid-Suffolk District Council have submitted no representations to either the Regulation 18 or Regulation 19 consultations.

4.2 **Braintree District Council**

The Councils worked jointly with Braintree on the shared Section 1 Local Plan. Braintree District Council submitted a representation to the Regulation 19 Consultation in support of the DPD.

4.3 **Chelmsford City Council**

Chelmsford City Council worked closely with Braintree, Colchester and Tendring Councils as part of the Section 1 Local Plan and signed the Memorandum of Cooperation with those authorities and Essex County Council in June 2016. Chelmsford has collaborated with the three councils on a range of studies including Objectively Assessed Need (OAN) and Strategic Housing Market Assessment. These studies concluded that all four authorities are within the same Housing Market Assessment (HMA) area. All four authorities accordingly are relying on the same evidence base to inform their Local Plan targets. It did not, however, prove possible to align Chelmsford's local plan preparation schedule with that of the other three authorities so whilst Chelmsford was supportive of the Section 1 Local Plan it pursued development of its own separate plan slightly behind the delivery timetable of the other three North Essex authorities. Chelmsford City Council made no representations to either the Regulation 18 or Regulation 19 consultations.

4.4 **Maldon District Council**

Maldon's Local Plan was found sound in the Inspector's 29 June 2017 report. The Inspector noted that Maldon's Duty to Cooperate process focused on transport matters, which was considered justified given the circumstances. The OAN Study (July 2015, updated December 2015) along with the Strategic Housing Market Assessment Update (December 2015) produced for Braintree, Chelmsford, Colchester and Tendring concludes that an HMA comprising those four authority areas represents a sound basis for assessing housing need. In light of this evidence and Maldon's particular plan-making timetable, the Maldon Inspector considered that it was reasonable to regard Maldon district as one HMA for the purposes of the Maldon Local Plan (Please see Section 4B below for further discussion of the OAN issue).

4.5 Maldon District Council officers and members held a Duty to Co-operate meeting on 29 August 2017 with members and officers from Colchester Borough Council. Those in

attendance agreed that the HMA issues noted above did not raise any ongoing issues. Maldon raised issues around educational capacity, but in the absence of any further concerns on this point from Essex County Council as the lead authority for education, no further action was deemed to be necessary on this point.

4.6 Maldon District Council submitted no representations to the Regulation 18 or Regulation 19 consultations.

4.7 **Essex County Council**
Essex County Council (ECC) has worked closely with Colchester and Tendring Councils throughout the DPD plan making process following close working on the Section 1 Local Plan. ECC has been involved in the drafting of policy wording and the evidence base and have provided detailed commentary in response to plan consultations which has consolidated views from the full range of County functions, particularly those that are statutory ie transportation and highways; education; minerals; waste; flood and water management; public health. These representations have not raised any concerns around soundness, legal compliance or the duty to cooperate – instead suggesting amended wording to strengthen policies and ensure clarity.

4.8 Essex and Southend-on-Sea Waste Local Plan – ECC adopted a replacement Waste Local Plan (WLP) in July 2017. There are no outstanding Duty to Cooperate issues with the Councils.

4.9 Essex Minerals Local Plan - ECC adopted the Minerals Local Plan (MLP) in 2014. There are no outstanding Duty to Cooperate issues with the Councils.

4.10 **Suffolk County Council**
Suffolk's housing and employment housing market areas do not extend into Essex, but cross boundary issues are considered through the Haven Gateway Partnership which includes both Essex and Suffolk authorities. Additionally, the Sustainability and Transformation Partnership for north east Essex and east and west Suffolk, includes Colchester and Tendring within the area it covers. Braintree, Colchester and Tendring officers met with Suffolk authority officers in January 2017 to discuss the Suffolk Strategy Planning and Infrastructure Framework which was being prepared following a similar approach to the Greater Essex Growth and Infrastructure Framework. Suffolk County Council have made no representations to either the Regulation 18 or Regulation 19 consultations.

5.0 Co-operation with Cross Boundary Groups and Organisations

5.1 The following table sets out the groups and organisations that Colchester and Tendring take an active part in to address strategic cross-boundary issues.

Table 1: Colchester and Tendring Cross Boundary Groups and Organisations

Body	Member (M)/Officer (O) and Organisations working with CCC and TDC	Purpose
Tendring Colchester Borders Garden Community Project Team	O – Colchester, Tendring & ECC	The Project Team leads, manages and coordinates work streams relating to the policy progression of the DPD and

Body	Member (M)/Officer (O) and Organisations working with CCC and TDC	Purpose
		pre-application engagement relating to the Garden Community.
Tendring Colchester Borders Garden Community Joint Committee	M – Colchester, Tendring & ECC	The Partner Councils established the Joint Committee in 2022 which has initially dealt with the progression of the DPD and will further consider and determine future planning applications in relation to the Garden Community.
Tendring Colchester Borders Garden Community Members Steering Group	M – Colchester, Tendring & ECC	The Members Group continues the strong partnership working arrangements and provides political oversight of the delivery of the Garden Community.
Tendring Colchester Borders Garden Community Officer Steering Group	O – Colchester, Tendring & ECC	The Steering Group leads the project. It agrees budgets and recommendations from the various working groups and manages risk and overall project management.
Tendring Colchester Borders Garden Community Planning Working Group	O – Colchester, Tendring, ECC	The group oversees the development of the DPD, commissioning and signing off joint evidence base documents to support the DPD, community engagement and general project management.
Garden Community Masterplanning sub-group	O – Colchester, Tendring ECC	The group oversaw the development of a strategic masterplan for the Garden Community as an evidence base document to support the DPD.
Tendring Colchester Borders Garden Community Transport Working Group	O – Colchester, Tendring & ECC with National Highways	The group actions matters including commissioning and signing off evidence base in relation to the DPD and Garden Community, updates on strategic highway matters and transport and infrastructure text within the documents.
Tendring Colchester Borders Garden Community -	O – Colchester, Tendring & ECC	The group actions matters including commissioning and

Body	Member (M)/Officer (O) and Organisations working with CCC and TDC	Purpose
Economic Development / Employment Land Working Group		signing off evidence base in relation to the DPD and Garden Community, updates on economic development and employment land text within the documents, and development of employment land masterplanning.
Essex Garden Communities Group	O – Colchester, Tendring, ECC, Harlow, Epping Forest, Brentwood, Chelmsford, Rochford	Coordination on Essex wide Garden Community issues.
East of England Local Government Association	M	Advocates to further interests of the 52 local councils in the East of England
Haven Gateway Partnership	M/O	Advocacy and research supporting economic sub-region of North Essex and South Suffolk supporting economic sub-region of North Essex and South Suffolk.
Essex Housing Officers Group	O	Coordination on Essex wide housing issues
Essex Partnership for Flood Management	M	Meets quarterly to provide strategic overview of matters surrounding flooding in Essex.
Essex Coastal Forum	M/O	Discussion of Essex coastal issues.
Essex Chief Executives Association	O	Addresses Essex-wide governance issues
Essex Planning Officers' Association (senior planning officers) and Essex Planning Policy Forum (planning policy officers)	O	Meets quarterly to consider Essex-wide planning and planning policy issues
Essex Coast RAMS steering group	O	Officer group to oversee the delivery of the Essex Coast RAMS.

6.0 Strategic planning priorities

6.1 The adopted shared Section 1 Local Plan contains strategic policies for the three-authority areas including the Tendring Colchester Borders Garden Community. Each authority has then separately prepared a Section 2 Local Plan containing policies for their local area.

6.2 Given that the shared Section 1 Local Plan is, by definition, a strategic cross-boundary plan which the DPD must comply with, the focus of this Duty to Cooperate statement is on how Colchester and Tendring have jointly addressed the principal cross-boundary strategic concerns set out in Section 1. The following sections set out how the Local Plan's strategic Section 1 policies have been addressed through the DPD and managed on a strategic basis. The themes are aligned with Section 1 policies:

- **Housing** (Section 1 policy SP4: Meeting Housing Needs);
- **Employment** (Section 1 policy SP5: Employment);
- **Infrastructure** (Section 1 policy SP6: Infrastructure and Connectivity); and
- **Creating Quality Places** (Section 1 policy SP7: Place Shaping Principles).

6.3 Actions taken during the preparation of the Section 1 Local Plan provide context for the continuing cooperation between Tendring District Council, Colchester City Council and Essex County Council during the preparation of the DPD's policies. In particular, a 'Memorandum of Co-operation: Collaborative Working on Strategic Growth Priorities in North and Central Essex' was entered into, and signed by Tendring District Council, Colchester Borough Council and Essex County Council (along Braintree and Chelmsford Councils) in June 2016. Further details of actions taken prior to the adoption of the Local Plan can be found in the *Duty to Cooperate Statements* submitted to the Local Plan examination by Colchester City Council (link) and Tendring District Council (link).

Table 2: Housing

HOUSING
1. Strategic Planning Issue
Taking forward the requirements of the Section 1 Local Plan and taking into account the views of local people and other stakeholders, GC Policy 4 of the DPD sets out the Councils' expectation for new homes within the Garden Community to be of a high standard that will meet a variety of different needs and demands for people and families over the courses of their lives. It includes the Councils' expectations around housing mix, density, and space standards. Housing within the Garden Community should meet the need of different groups including the following: • Specialist Housing (for Older People and People with Disabilities) • Student Accommodation • Key Worker Housing • Families with children • Affordable Housing • Gypsies and Travellers • Self and Custom Build Homes
2. Evidence Base
Pre-2020 Evidence Base • Strategic Housing Market Housing Assessment Update (Braintree District, Chelmsford City, Colchester Borough and Tendring District) (December 2015) • Objectively Assessed Housing Need Study (Braintree District, Chelmsford City, Colchester

Borough and Tendring District) (July 2015 and November 2016 update)
- AECOM Garden Communities Concept Feasibility Studies (June 2017)
- Greater Essex Demographic Forecasts 2013 – 2037 – Phase 7 Main Report (May 2015)
- North Essex Local Plans Viability Assessment (Section 1) (April 2017)
- Colchester Economic Viability Study (June 2017)
- Colchester Gypsy and Traveller Accommodation Assessment Need Summary Report (May 2017)
- Tendring Economic Viability Study (June 2017)
- Tendring Gypsy and Traveller Accommodation Assessment Need Summary Report (May 2017)
- MOU agreed between CCC and TDC for the Section 1 Local Plan that the delivery of homes and jobs with the Garden Community will be shared equally in terms of the contribution made to housing requirement regardless of the administrative boundary in which that delivery progresses.

DPD Evidence Base

- Financial Viability Assessment Update (April 2023)

3. Strategic Partners

Core Partners

- Colchester City Council
- Tendring District Council
- Essex County Council

Duty to Cooperate consultees

- Chelmsford City Council
- Braintree District Council
- Maldon District Council
- Basildon District Council
- Uttlesford District Council
- Babergh District Council
- Mid Suffolk District Council

4. Actions required during the preparation of the DPD

Action: Establishing officer working groups to facilitate joint working between the Councils.
Partners: Colchester City Council, Tendring District Council, Essex County Council
Outcome: Established the officer working groups detailed in Section 3 B above, comprising representatives from each authority, which met regularly to progress the project.
- Project Team – weekly meetings
- Steering Group – fortnightly meetings
- Planning Working Group – fortnightly meetings
- Transport Working Group – fortnightly meetings
- Economic Development / Employment Land Working Group –fortnightly meetings
- Masterplanning sub-group

Date: Regular meetings between 2021-2023

Action: Establish a joint committee for TCBGC comprising elected members from each of the three Councils.
Partners: Colchester City Council, Tendring District Council, Essex County Council
Outcome: Tendring Colchester Borders Garden Community Joint Committee established with three members from Tendring District Council, three members from Colchester City Council, and two members from Essex County Council.
Date: Inaugural meeting held on 28th February 2022.

Action: Development of a joint evidence base on viability to ensure the policy requirements and affordable housing targets of the DPD are deliverable
Partners: Colchester City Council, Tendring District Council, Essex County Council
Outcome: Commissioning of GeraldEve to carry out economic viability assessment work for the Garden Community following Government guidance
Date: Report published April 2023

Action: Preparation of the Tendring Colchester Borders Garden Community DPD
Partners: Colchester City Council, Tendring District Council, Essex County Council
Outcome: A DPD for the site which allocates land for housing delivery, a percentage of which will be affordable housing, and site/s for Gypsy and Traveller pitches
Date: The Draft Plan was prepared through 2020-2021 and consulted in 2022. The Submission Version Plan was consulted in 2023. Meetings of the various officer groups were attended regularly by all three authorities throughout this period, and decisions were taken by the Joint Committee.

5. Outcomes from strategic working

The outcome from strategic working are:

- The completion of a range of housing evidence reports and viability studies using a consistent and robust methodology;
- Confidence backed up by the evidence that the housing objectives contained in the DPD can be delivered; and
- Evaluation, clarification and development of policy wording throughout the DPD in response to collaborative working with relevant bodies and in response to Reg.18 representations, supported by preparation of evidence base.

DPD Policies

The evidence contained within the housing reports and viability studies referenced above directly informed Local Plan policy, and subsequently DPD Policies.

- **GC Policy 1: Land Uses and Spatial Approach**
  Taking forward the requirements of the Section 1 Local Plan and taking into account the views of local people and other stakeholders, Policy 1 sets out the key land uses and spatial parameters within which the Garden Community is expected to be built. It also sets out the Councils' expectations for the information that will need to be submitted and approved ahead of the determination of any outline or detailed planning applications for development of the Garden Community. This will enable the Councils to ensure that development will achieve a comprehensive approach that delivers garden community principles and the Councils' high expectations for design and quality as set out in the Plan.

- **GC Policy 4: Meeting Housing Needs**
  This policy establishes the types and mix of housing required within the Garden Community, and ensures that the mix of dwelling types, sizes and tenure should reflected the latest available evidence from both Tendring District Council and Colchester City Council. The

policy is consistent with the Shared Section 1 Local Plan.
6. Ongoing cooperation • *How will the strategic issues be managed on an ongoing basis?* • *What are the mechanisms/structures being used to do this?* • *How will cooperation be monitored?*
Colchester City Council, Tendring District Council and Essex County Council will continue to work collaboratively through the existing officer and member groups and the Joint Committee, to ensure the DPD is reviewed in line with latest Government requirements and that any future Planning Applications are compliant with the shared policies contained within the DPD. The DPD sets out the monitoring indicators that will be used to assess the Plan's effectiveness and ensure that cross-boundary strategic issues such as housing needs are being met.

Table 3: Employment

EMPLOYMENT
1. Strategic Planning Issue
The Garden Community must provide and promote opportunities for employment within the new community, and within sustainable commuting distance. The Councils have high expectations for ensuring that residents of the Garden Community have access to a range of opportunities for employment, education and training across a variety of sectors with the aim of achieving a minimum of one job per household, either close to home or within a sustainable commuting distance. Creating opportunities for employment, education and training at the Garden Community, both throughout its construction and for the lifetime of residents as the community becomes established, is going to be critical to its success. The approach to maximising the economic potential of the Garden Community should be informed by the evidence base and discussions with education providers and businesses within different sectors. There will be an expectation that as many opportunities to create jobs at the Garden Community, and within a sustainable commutable distance, are followed up and delivered.
2. Evidence Base
Pre-2020 Evidence Base • North Essex Garden Communities Employment and Demographic Study (April 2017) • AECOM Garden Communities Concept Feasibility Studies (June 2017) • Greater Essex Infrastructure Framework 2016-2036 (February 2017) North Essex Local Plans Viability Assessment (Section 1) (April 2017) • SELEP Growth Deal and Strategic Economic Plan • SELEP Growth Deal and Strategic Economic Plan (full) • Objectively Assessed Housing Need Study (Braintree District, Chelmsford City, Colchester Borough and Tendring District) (July 2015 and November 2016 update) • Employment Land and Floorspace Aligned with November 2016 OAN (May 2017) • Colchester Employment Land Needs Assessment (January 2015)

- Colchester Employment Land Trajectory and Report (May 2017)
- Colchester Economic Viability Study (June 2017)
- Tendring Employment Land Review (May 2016)
- Tendring Employment Land and Floorspace (May 2017)
- Tendring Economic Viability Study (June 2017)

DPD Evidence Base

- Economic and Employment Study (December 2022)

3. Strategic Partners

Core Partners

- Colchester Borough Council
- Tendring District Council
- Essex County Council

Duty to Cooperate consultees

- South East Local Economic Partnership

4. Actions required during the preparation of the DPD

Action: Establishing officer working groups to facilitate joint working between the Councils.
Partners: Colchester City Council, Tendring District Council, Essex County Council
Outcome: Established the officer working groups detailed in Section 3 B above, comprising representatives from each authority, which met regularly to progress the project.

- Project Team – weekly meetings
- Steering Group – fortnightly meetings
- Planning Working Group – fortnightly meetings
- Transport Working Group – fortnightly meetings
- Economic Development / Employment Land Working Group –fortnightly meetings
- Masterplanning sub-group

Date: Regular meetings between 2021-2023

Action: Establish a joint committee comprising elected members from each of the three Councils.
Partners: Colchester City Council, Tendring District Council, Essex County Council
Outcome: Tendring Colchester Borders Garden Community Joint Committee established with 3 members from Tendring District Council, 3 members from Colchester City Council, and 2 members from Essex County Council.
Date: Inaugural meeting held on 28th February 2022.

Action: Development of a joint Economic and Employment Study Report, which sets out the evidence, analysis and recommendations which have informed the DPD policies
Partners: Colchester City Council, Tendring District Council
Outcome: Commissioning of Quod to carry out economic viability assessment work for the Garden Community
Date: Report published December 2022

Action: Preparation of the Tendring Colchester Borders Garden Community DPD

Partners: Colchester City Council, Tendring District Council
Outcome: A DPD for the site which allocates land for different kinds of employment and commercial sites and the future expansion of the University of Essex
Date: The Draft Plan was prepared through 2020-2021 and consulted in 2022. The Submission Version Plan was consulted in 2023. Meetings of the various officer groups were attended regularly by all three authorities throughout this period, and decisions were taken by the Joint Committee.

5. Outcomes from strategic working

The outcome from strategic working are:

- The completion of a range of employment evidence reports to inform the Section 1 Local Plan and subsequent DPD for the TCBGC;
- Confidence backed up by the evidence that the employment objectives contained in the DPD Policies can be delivered;
- Evaluation, clarification and development of Policy wording throughout the DPD in response to collaborative working with relevant bodies and in response to reg.18 reps, supported by preparation of evidence base;
- The promotion and encouragement of innovative approaches to growth which seek to enhance sustainability through delivery of well-located employment opportunities with good access to transport links and up-to-date digital connectivity.

DPD Policies

The evidence contained within the employment and economic evidence base documents listed above directly informed Local Plan preparation and policy, and subsequently DPD Policies.

- **GC Policy 1: Land Uses and Spatial Approach**
  Taking forward the requirements of the Section 1 Local Plan and taking into account the views of local people and other stakeholders, Policy 1 sets out the key land uses and spatial parameters within which the Garden Community is expected to be built. It also sets out the Councils' expectations for the information that will need to be submitted and approved ahead of the determination of any outline or detailed planning applications for development of the Garden Community. This will enable the Councils to ensure that development will achieve a comprehensive approach that delivers garden community principles and the Councils' high expectations for design and quality as set out in the Plan.

- **GC Policy 5: Economic Activity and Employment**
  This policy ensures that residents of the Garden Community will have access to a range of opportunities for employment, education, and training, by allocating approximately 25ha of employment land in the form of a new Business Park and a 'Knowledge-Based Employment' site, along with three Neighbourhood Centres. The policy calls for an Economic and Employment Strategy, and an Employment and Skills Plan to be developed in collaboration with the Councils, ensuring a cooperative approach between the three authorities and the developers.

6. **Ongoing cooperation**

Colchester City Council, Tendring District Council, and Essex County Council will continue to work collaboratively, through the existing officer and member groups and the Joint Committee, to ensure the DPD is reviewed in line with latest Government requirements and that any future Planning Applications are compliant with the shared policies contained within the DPD.

The DPD sets out the monitoring indicators that will be used to assess the Plan's effectiveness and ensure that cross-boundary strategic issues such as the need for employment land are being met.

Table 4: Infrastructure and Connectivity

INFRASTRUCTURE AND CONNECTIVITY
1. Strategic Planning Issue
All development must be supported by the provision of the infrastructure, services and facilities that are identified to serve the needs arising from the development. GC Policy 6 of the DPD requires that the Garden Community will be underpinned by a package of community and social infrastructure that is based on up-to-date evidence of need, to enable residents to meet the majority of their day-to-day needs. The Garden Community is an opportunity to explore, with service providers, new ways to provide and deliver the education, health and other community and social infrastructure needed to support the new community. Community and social infrastructure covers a wide range of facilities, such as health; education; sports, recreation and greenspace; places of worship; community halls; public houses and cultural infrastructure. Green and blue infrastructure, including the provision of Suitable Accessible Natural Greenspace (SANG), is another important element of community and social infrastructure – which is discussed below under Creating Quality Places. Taking forward the requirements of the Section 1 Local Plan and taking into account the views of local people and other stakeholders, GC Policy 7 of the DPD sets out the Councils' expectation for the Garden Community to be walkable, low traffic and livable. The Garden Community will be well placed in the context of connections by road, rail, air and sea to the wider region and beyond, but growth will create demand for additional road use with the associated need for new and upgraded infrastructure. The design of the Garden Community and its neighbourhoods will have a significant impact on the travel choices residents will make both within the community and beyond. The national and local transport policy framework focuses on achieving a high share of trips using sustainable and active modes. The developers of the site must demonstrate how this can be achieved. The Garden Community is an opportunity to address the climate emergency through high quality design and place making, by designing climate change mitigation and adaptation measures at an early stage and encouraging behavioural change at required by GC Policy 8. The Councils cannot anticipate every aspect of the technological changes and will adopt a flexible approach to innovation.
2. Evidence Base
Pre-2020 Evidence Base • Colchester Local Plan Modelling Support Transport Planning, April 2016 • Colchester Local Plan Traffic Modelling Technical Report, July 2016 • Colchester Local Plan Traffic Modelling Technical Report, July 2017 • Colchester Cycle Delivery Strategy • Colchester Infrastructure Delivery Plan • Tendring Local Plan Modelling Support, December 2015 • Tendring Local Plan Modelling Stage 2, September 2016 • Tendring Local Plan Modelling Stage 3, May 2017 • Tendring Infrastructure Delivery Plan • North Essex Garden Communities Access and Movement Study, May 2017

- Colchester Rapid Transit, Strategic Outline Business Case, September 2016
- Road Investment Strategy 1 (RIS 1), Highways England
- A12 and A120 Route Based strategies, Highways England
- A12 Chelmsford to A120 Widening Scheme, Highways England
- Essex Transport Strategy: The Local Transport Plan for Essex, 2011, Essex County Council
- A120 consultation material, Essex County Council
- Essex Cycle Action Plan, Essex County Council
- Greater Essex Growth and Infrastructure Framework, 2017
- Anglia Route Study, Network Rail, March 2016
- SELEP Growth Deal and Strategic Economic Plan
- SELEP Growth Deal and Strategic Economic Plan (full)
- Colchester Infrastructure Delivery Plan
- Tendring Infrastructure Delivery Plan
- Greater Essex Growth and Infrastructure Framework, 2017
- Commissioning school places in Essex 2016-2021
- Meeting the demand for school places in Essex – 10-year plan 2017-2026
- Suffolk & North East Essex Sustainability & Transformation Partnership Plan July 2017
- Mid-Essex Sustainability and Transformation Partnership Plan
- Colchester Digital Strategy

DPD Evidence Base

- Transport Evidence Part 1 Mode Share Targets (February 2023)
- Transport Evidence Part 2 Transport Measures (February 2023)
- Transport and Movement Framework Part 1 Baseline and Analysis (February 2022)
- Transport and Movement Framework Part 2 Vision and Principles (February 2022)
- Economic and Employment Study (December 2022)
- Review of University of Essex Land Requirements (November 2022)
- Health Topic Paper (January 2023)
- Open Space, Playing Pitch, Outdoor Sports and Built Facility – Overarching Strategy (February 2023)
- Infrastructure Delivery, Phasing and Funding Plan (February 2023)
- Financial Viability Evidence Update (April 2023)
- Integrated Water Management Strategy

3. Strategic Partners

Core Partners

- Colchester City Council
- Tendring District Council
- Essex County Council

Duty to Cooperate consultees

- Highways England
- Network Rail
- The Office of Rail Regulation

- Train Operating Company (Greater Anglia)
- Anglian Water Services
- Affinity Water
- Environment Agency
- Suffolk and North East Essex Integrated Care Board
- East of England Ambulance Service NHS Trust
- The East Suffolk and North Essex NHS Foundation Trust (ESNEFT)
- Community Health Partnerships
- Department of Health
- Essex County Council (as the Highway and Transportation Authority; Minerals and Waste Planning Authority; Lead Local Flood Authority; lead authority for Education; lead advisors on public health; and responsibilities for adult social care)
- Sport England
- Natural England

4. Actions required during the preparation of the DPD.

Action: Establishing officer working groups to facilitate joint working between the Councils
Partners: Colchester City Council, Tendring District Council, Essex County Council
Outcome: Established the officer working groups detailed in Section 3 B above, comprising representatives from each authority, which met regularly to progress the project

- Project Team – weekly meetings
- Steering Group – fortnightly meetings
- Planning Working Group – fortnightly meetings
- Transport Working Group – fortnightly meetings
- Economic Development / Employment Land Working Group –fortnightly meetings
- Masterplanning sub-group

Date: Regular meetings between 2021-2023

Action: Establish a joint committee comprising elected members from each of the three Councils
Partners: Colchester City Council, Tendring District Council, Essex County Council
Outcome: Tendring Colchester Borders Garden Community Joint Committee established with 3 members from Tendring District Council, 3 members from Colchester City Council, and 2 members from Essex County Council.
Date: Inaugural meeting held on 28th February 2022.

Action: The Councils have worked collaboratively with the Suffolk and North East Essex Integrated Care Board (SNEE ICB) having regular meetings to update each other on work relevant to the Garden Community and inviting representatives of the SNEE ICB to Planning Work Group meetings and masterplanning meetings. A health and wellbeing workshop was held in October 2021 as part of the engagement program which informed the DPD. A representative of the CCG attended fortnightly masterplanning and design sub group meetings.

Partners: Colchester City Council, Tendring District Council, Essex County Council, SNEE ICB
Outcome: The 10 NHS England Healthy Place Principles have been incorporated into the masterplan. Development of DPD policy wording regarding health, care, wellbeing and emergency care infrastructure.
Date: Ongoing through preparation of the DPD.

Action: The Councils and duty to cooperate bodies have worked collaboratively through a series of meetings and correspondence

Partners: Colchester City Council, Tendring District Council, Essex County Council, Sport England, Natural England and National Highways
Outcome: Evaluation, clarification and development of DPD Policy wording, evidence base and development of Strategic Masterplan
Date: Ongoing through the preparation of the DPD at draft and post reg.18 stages

Action: Development of a joint infrastructure evidence base to ensure the policy requirements and infrastructure provisions of the DPD are deliverable
Partners: Colchester City Council, Tendring District Council and Essex County Council
Outcome: Commissioning of several reports (listed above) to inform DPD Policies
Date: Reports published throughout 2022 and 2023

Action: Preparation of the Tendring Colchester Borders Garden Community DPD
Partners: Colchester City Council, Tendring District Council and Essex Country Council
Outcome: A DPD for the site which sets out the infrastructure requirements of the Garden Community
Date: The Draft Plan was prepared through 2020-2021 and consulted in 2022. The Submission Version Plan was consulted in 2023. Meetings of the various officer groups were attended regularly by all three authorities throughout this period, and decisions were taken by the Joint Committee.

5. Outcomes from strategic working

The outcome from strategic working are:

- The completion of a number of evidence base documents and reports (listed above) to inform the preparation of the DPD.
- Confidence, backed up by evidence, that the objectives contained in the DPD policies listed below can be delivered.
- Evaluation, clarification and development of Policy wording throughout the DPD in response to collaborative working with relevant bodies and in response to Reg.18 representations, supported by preparation of evidence base
- The integration of health and wellbeing objectives throughout the DPD
- Baseline school and early years and childcare requirements provided in policy
- The integration of active and sustainable travel objectives and requirements throughout the DPD and a range of transport mitigation measures
- The integration of green and blue multifunctional infrastructure throughout the DPD
- The need to assess prior extraction of minerals in accordance with the Essex Minerals Local Plan
- The production of an Infrastructure Delivery, Phasing and Funding Plan which draws together information on the range of infrastructure requirements needed to support future development and growth relating to the Garden Community.

DPD Policies

The evidence contained within the evidence base documents referenced above informed the preparation of the following DPD Policies.

- **GC Policy 1: Land Uses and Spatial Approach**
  Taking forward the requirements of the Section 1 Local Plan and taking into account the views of local people and other stakeholders, Policy 1 sets out the key land uses and spatial parameters within which the Garden Community is expected to be built. It also sets out the Councils' expectations for the information that will need to be submitted and approved ahead of the determination of any outline or detailed planning applications for development of the Garden Community. This will enable the Councils to ensure that development will

achieve a comprehensive approach that delivers garden community principles and the Councils' high expectations for design and quality as set out in the Plan.

- **GC Policy 2: Nature**
  The approach for the Garden Community is to protect and enhance the existing green-blue infrastructure network for the benefit of people and wildlife. Development will protect and enhance existing assets and ensure existing and new assets are incorporated into a well-connected green-blue infrastructure network.

- **GC Policy 6: Community and Social Infrastructure**
  This policy requires the delivery of local community services and facilities, including opportunities for joint provision and co-location to provide services which best meet people's needs, are accessible to all and which are multi-purpose and innovative. The community and social infrastructure needs of the Garden Community will be determined in accordance with detailed assessments and strategies, prepared by the developer in partnership with the Councils, key stakeholders and infrastructure providers having regard to up to date evidenced need, informed by bespoke demographic studies.

- **GC Policy 7: Movement and Connections**
  This policy establishes the expectation for the Garden Community to be walkable, low traffic and liveable. The policy contains requirements relating to:
  - Active travel
  - Public transport (including the Rapid Transit System)
  - Parking
  - Electric vehicle charging
  - Highways (including the A120-A133 Link Road)

- **GC Policy 8: Sustainable Infrastructure**
  Policy 8 requires the Garden Community to be an exemplar development that addresses the climate emergency, by creating energy efficient, sustainable buildings and places where communities can lead resilient and low carbon lifestyles, reducing the need to travel and a biodiverse landscape which incorporates carbon sequestration and natural flood management. There are detailed requirements relating to water conservation and wastewater, green and blue infrastructure, and digital connectivity. The prior extraction of minerals will also need to be assessed.

- **GC Policy 9: Infrastructure Delivery and Impact Mitigation**
  This policy requires that the Garden Community is supported by the required level of infrastructure and that it will be provided in timely, and where appropriate phased manner.

6. Ongoing cooperation

Colchester City Council, Tendring District Council, and Essex County Council will continue to work collaboratively, through the existing officer and member groups and the Joint Committee, to ensure the DPD is reviewed in line with latest Government requirements and that any future Planning Applications are compliant with the shared policies contained within the DPD. The Councils will continue to work closely with all relevant infrastructure providers to ensure delivery in accordance with the Infrastructure Delivery, Phasing and Funding Plan.

The DPD sets out the monitoring indicators that will be used to assess the Plan's effectiveness, as well as specific monitoring requirements regarding the management and delivery of transport

measures specified in GC Policy 7.

Table 5: Creating Quality Places

CREATING QUALITY PLACES
1. Strategic Planning Issue
The North Essex area has a great variety of natural environments, wonderful towns and villages, and heritage assets. It is critical that given the scale of new development proposed that high standards of place-making are incorporated within the Garden Community. Place-making also includes the network of green and blue infrastructure, including the provision of Suitable Accessible Natural Greenspace (SANG), which will provide essential infrastructure to the new developments and link the developments within the existing open space and natural environment.
2. Evidence Base
Pre-2020 Evidence Base • Garden Communities Concept Feasibility Studies Vol 1 – 3 (joint) • Integrated Water Management Plan (joint) • Colchester Borough Water Cycle Study • Tendring District Council Water Cycle Study • Colchester Borough Green Infrastructure Study • Tendring District Open Space Assessment Report • Tendring District Landscape Character Assessment • Colchester Borough Coastal Protection Belt Report **DPD Evidence Base** • Strategic Masterplan Framework (February 2023) • Crockleford Heath & Environs Character Appraisal plan (April 2023) • Viewpoint Wireline Testing Document (February 2023) • Integrated Water Management Strategy Phase 2 Main Report (April 2023) • Heritage Impact Assessment (February 2022) • Environmental Audit (February 2022)
3. Strategic Partners
Core Partners • Colchester City Council • Tendring District Council • Essex County Council **Duty to Cooperate consultees** • Anglian Water • Affinity Water

- Environment Agency
- Natural England
- Historic England
- Essex County Council as the Lead Local Flood Authority and advisor for green and blue infrastructure, and Minerals Planning Authority

4. Actions required during the preparation of the DPD.

Action: Establishing officer working groups to facilitate joint working between the Councils.
Partners: Colchester City Council, Tendring District Council, Essex County Council
Outcome: Established the officer working groups detailed in Section 3 B above, comprising representatives from each authority, which met regularly to progress the project.

- Project Team – weekly meetings
- Steering Group – fortnightly meetings
- Planning Working Group – fortnightly meetings
- Transport Working Group – fortnightly meetings
- Economic Development / Employment Land Working Group –fortnightly meetings
- Masterplanning sub-group

Date: Regular meetings between 2021-2023

Action: Establish a joint committee comprising elected members from each of the three Councils.
Partners: Colchester City Council, Tendring District Council, Essex County Council
Outcome: Tendring Colchester Borders Garden Community Joint Committee established with 3 members from Tendring District Council, 3 members from Colchester City Council, and 2 members from Essex County Council
Date: Inaugural meeting held on 28th February 2022

Action: Development of a joint evidence base, including Habitats Regulations Assessment and an Appropriate Assessment, to ensure the policy requirements of the DPD are deliverable and comply with relevant legislation
Partners: Colchester City Council, Tendring District Council, Essex County Council
Outcome: Commissioning of several reports (listed above) to inform DPD Policies.
Date: Reports published throughout 2022 and 2023.

Action: Preparation of the Tendring Colchester Borders Garden Community DPD
Partners: Colchester City Council, Tendring District Council, Essex County Council
Outcome: A DPD for the site which stipulates requirements of future planning applications with regards to the natural environment, heritage assets, places, and character.
Date: The Draft Plan was prepared through 2020-2021 and consulted n in 2022. The Submission Version Plan was consulted on in 2023. Meetings of the various officer groups were attended regularly by all three authorities throughout this period, and decisions were taken by the Joint Committee.

5. Outcomes from strategic working

The outcome from strategic working are:

- The completion of a number of evidence base documents and reports (listed above) to inform the preparation of the DPD;
- Confidence, backed up by evidence, that the objectives contained in the DPD policies listed below can be delivered;
- The integration of green and blue multifunctional infrastructure throughout the DPD;
- The need to assess prior extraction of minerals in accordance with the Essex Minerals

Local Plan;

- Evaluation, clarification and development of Policy wording throughout the DPD in response to collaborative working with relevant bodies and in response to Reg.18 representations, supported by preparation of evidence base.

DPD Policies

The evidence contained within the evidence base documents referenced above informed the preparation of the following DPD Policies.

- **GC Policy 1: Land Uses and Spatial Approach**

  Taking forward the requirements of the Section 1 Local Plan and taking into account the views of local people and other stakeholders, Policy 1 sets out the key land uses and spatial parameters within which the Garden Community is expected to be built. It also sets out the Councils' expectations for the information that will need to be submitted and approved ahead of the determination of any outline or detailed planning applications for development of the Garden Community. This will enable the Councils to ensure that development will achieve a comprehensive approach that delivers garden community principles and the Councils' high expectations for design and quality as set out in the Plan.

- **GC Policy 2: Nature**

  The approach for the Garden Community is to protect and enhance the existing green-blue infrastructure network for the benefit of people and wildlife. There are numerous natural and historic assets, such as ancient woodlands and hedgerows, and the Wivenhoe Park Registered Park and Garden, within or adjoining the Garden Community. Development will protect and enhance existing assets and ensure existing and new assets are incorporated into a well-connected green-blue infrastructure network.

- **GC Policy 3: Place Shaping Principles**

  Policy 3 sets out the Councils' expectation for the Garden Community to be unique and distinctive in its character and appearance, requiring masterplans and design codes to adopt progressive and innovative approaches to placemaking.

- **GC Policy 8: Sustainable Infrastructure**

  Policy 8 requires the Garden Community to be an exemplar development that addresses the climate emergency, by creating energy efficient, sustainable buildings and places where communities can lead resilient and low carbon lifestyles, reducing the need to travel and a biodiverse landscape which incorporates carbon sequestration and natural flood management. There are detailed requirements relating to water conservation and wastewater, as well as green and blue infrastructure. The prior extraction of minerals will also need to be assessed.

6. Ongoing cooperation

Colchester City Council, Tendring District Council, and Essex County Council will continue to work collaboratively, through the existing officer and member groups and the Joint Committee, to ensure the DPD is reviewed in line with latest Government requirements and that any future Planning Applications are compliant with the shared policies contained within the DPD. The Councils will continue to work closely with all relevant bodies to ensure legislative and policy requirements are achieved.

The DPD sets out the monitoring indicators that will be used to assess the Plan's effectiveness.

7.0 Conclusion

7.1 Colchester City Council and Tendring District Council consider that they have met the requirement of the duty to cooperate. As documented above, the Councils have engaged with the relevant bodies, from the outset, in an appropriate and meaningful way, and at every stage of the plan production process.

7.2 The Councils will continue to pro-actively co-operate with relevant bodies over the coming months prior to the Local Plan Examination, and subsequently through the implementation and delivery phases.