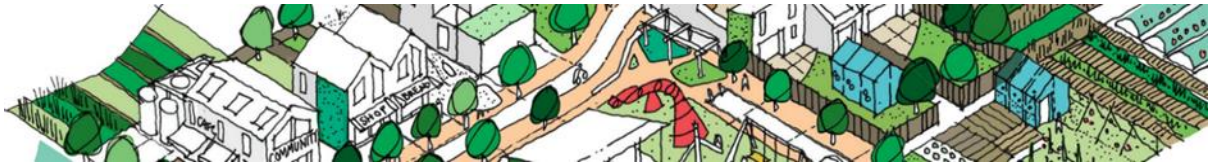
CD9



STRATEGIC POLICY-MAKING STATEMENT OF COMMON GROUND

Strategic Policy-Making Statement of Common Ground (SoCG) 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 of Common Ground (SoCG) has been prepared by Colchester City Council (CCC) and Tendring District Council (TDC) as the Local Planning Authorities in partnership with Essex County Council (ECC), in support of the Development Plan Document (DPD) prepared for the Tendring Colchester Borders Garden Community (TCBGC), in accordance with the National Planning Policy Framework 2021 (NPPF). It sets out a written record of progress made by strategic policy making authorities with strategic partners during plan making for cross-boundary strategic planning through the TCBGC DPD.

1.2 It documents the outcomes of effective co-operation between the Local Authorities and the strategic partners listed and highlights any issues that remain at the time of Submission of the Plan between any strategic partners and the approach to resolve these. It supports the submission indicating how the outcomes of co-operation in preparing the plan have informed and shaped a positively prepared and justified plan.

1.3 This SoCG takes account of the requirements set out in the NPPF and Planning Policy Practice Guidance as well as having regard to the advice provided by the Planning Advisory Service.

1.4 **Relationship with other documents**

The TCBGC DPD is a cross boundary Plan, the preparation and scope of which is required by a shared Strategic Local Plan adopted by TDC in January 2021 and CCC in February 2021 – The North Essex Authorities' Shared Strategic Section 1 Local Plan (Section 1 Local Plan). It is therefore the case that the key strategic matters between the Local Authorities and the strategic partners were addressed through the plan making procedures for the Section 1 Local Plan. The structure of this document reflects that the starting point for each Policy area of the DPD is the Section 1 Local Plan. It is not intended to revisit any of the issues which were addressed at that time resulting in the Adopted Plan, but simply refer to anything relevant for context enabling this document to focus on the issues which relate to the TCBGC DPD which is now the subject of Examination. It follows that, few if any, issues identified are truly defined as strategic, but are summarised in this SoCG to confirm the current position of all Statutory Strategic partners in respect of the TCBGC DPD.

1.5 In addition, the following documents are closely linked to this SoCG and should be read alongside it;

- The Tendring Colchester Borders Garden Community Development Plan Document Submission Duty to Cooperate Compliance Statement which sets out the process followed as part of the on-going cooperation with the relevant bodies regarding strategic cross-boundary matter;

- The Tendring Colchester Borders Garden Community Development Plan Document Submission Consultation Statement, which records the formal consultation undertaken to date and how the consultation responses have informed the Submission TCBGC DPD throughout the process including following the Regulation 18 consultation.

1.6 This SoCG is structured as follows:

Parties Involved
LPAs and other strategic bodies engaged in the SoCG.

Signatories
which might be related to specific issues and highlight where agreements have not been reached.

Strategic Geography
In a map with description and justification.

Strategic Matters
Matters raised by strategic bodies which may not be strategic issues but are important to the plan making including those which relate to any key infrastructure requirements, and relationships to other strategic issues.

Governance Arrangements
How the SoCG has been agreed and will be agreed and kept up-to-date.

Timetable / approach for agreement, review and update
As known or proposed related to LPAs plan timetables.

Other Issues
Other relevant Development Plans, Sustainability Appraisal / Strategic Environmental Assessment, Habitats Regulations Assessment, Relationship between SoCGs and facilitators.

2.0 Parties Involved

2.1 The Tendring Colchester Borders Garden Community is a cross-boundary project involving Colchester City Council, Tendring District Council and Essex County Council. The site straddles the Colchester City Council and Tending District Council boundary. The DPD is a joint DPD prepared by Colchester City Council and Tending District Council, with support from Essex County Council (hereafter, 'the Councils').

2.2 The Councils have engaged with the following strategic bodies on the production of the DPD:

- Environment Agency
- Historic England
- Natural England
- National Highways
- Sport England
- Essex County Council – as the Highway and Transportation Authority, including responsibility for the delivery of the Essex Local Transport Plan; Minerals and Waste Planning Authority; Lead Local Flood Authority; lead authority for Education including early years and childcare, Special Education Needs and Disabilities and Post 16 education; lead advisors on public health; and responsibilities for adult social care which takes account of the housing needs of older people and adults with disabilities
- Anglian Water (cover Colchester)
- Affinity Water (cover Tendring)

- Suffolk and North East Essex Integrated Care Board (formerly North East Essex Clinical Commissioning Group- note the NEECCG Group ceased to exist on 1st July 2022 and was replaced by the Suffolk and North East Essex Integrated Care Board (SNEE ICB) (with local delivery being via the North East Essex Alliance).
- The East Suffolk and North Essex NHS Foundation Trust (ESNEFT).

2.3 The Duty to Co-operate Compliance Statement and Consultation Statement detail other parties the Councils have engaged with as well as the approach and high-level outcomes of the engagement at all stages of plan making.

3.0 Signatories

3.1 A Joint Committee has been established, with elected representatives from the three partner Councils. This SoCG is signed on behalf of the three Authorities by the relevant Directors as indicated below:

Lindsay Barker Deputy Chief Executive and Executive Director Place	Colchester City Council
Gary Guiver Director of Planning	Tendring District Council
Steve Evison Director for Sustainable Growth	Essex County Council

3.2 The following partners are signatories to this Strategic SoCG:

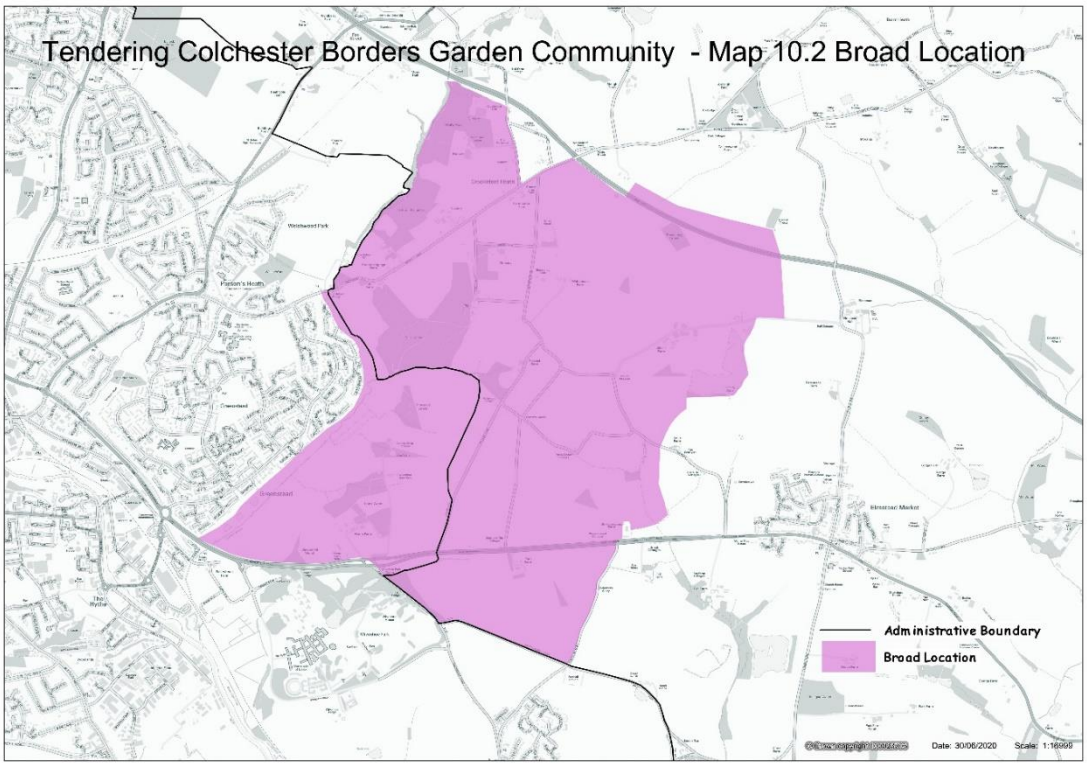
Adam Ireland	Environment Agency
TBC	Historic England
TBC	Natural England
TBC	National Highways
Roy Warren Planning Manager, South Team & Active Environments	Sport England
TBC for Suffolk and North East Essex Integrated Care Board	on behalf of: - North East Essex Clinical Commissioning Group - Abbeyfields and East Hill Primary Care Network - ColTe Primary Care Network - Colchester Medical Practice Primary Care Network

	- East Suffolk & North East Essex Foundation Trust (ESNEFT) - Essex Partnership University Foundation Trust (EPUT) and - East of England Ambulance Service NHS Trust (EEAST)
Phil Jones Growth Strategy Manager	Anglian Water
TBC	Affinity Water

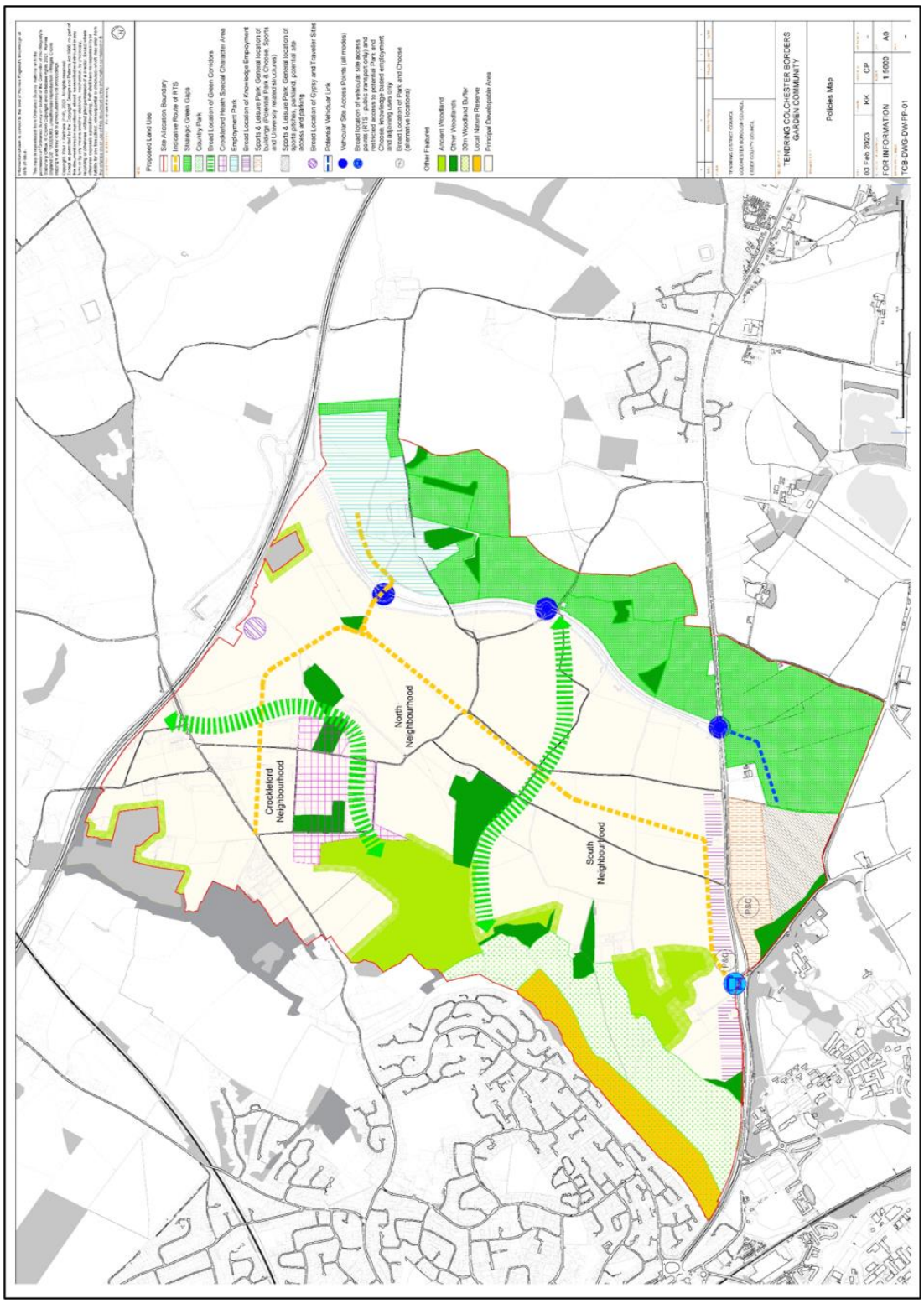
3.3 **Requests for signatures as identified have been made by the Councils but not all have been received at the time of submission. It is not anticipated that any parties will not be willing to sign this SoCG but additional time to secure the relevant persons signature is required. The signatures are provided in section 7 at the end of this SoCG. The position will be updated at the time of the Examination, or as required.**

4.0 Strategic Geography

4.1 The map, below, shows the broad location of the TCB Garden Community. The administrative boundary is shown, showing how the site is split between Colchester City Council and Tendring District Council. This broad location is included in the adopted Section 1 Local Plan, which is justification for the boundary in the DPD.



4.2 The proposed TCBGC lies to the eastern edge of the Colchester urban area and to the west of Elmstead Market. The boundary for the site allocation is defined by the DPD Policies Map, extract below:



4.3 The site borders the A120 and fields to the north and west of Crockleford Heath following the line of Salary Brook to the north-west, and to the south the A133, the University of Essex and

Knowledge Gateway Business/Science Park. The A120 defines the north-eastern edge. The Local Authority boundary of Colchester City and Tendring District cuts through the site in a deviating north-south direction. The residential neighbourhoods of Greenstead, Parsons Heath and St Johns are all in close proximity to the west of the site. However, Salary Brook and its valley presents a distinct separation between these residential areas and the western boundary of the broad area of search south of Bromley Road due to its sudden change in topography. Colchester City Centre is situated approximately 3.1km to the west of the Garden Community. The settlement of Wivenhoe is located approximately 1.5km to the south of the broad location. The area beyond the eastern extent of the Garden Community is more sparsely populated with a more rural character. The Principal Rural Settlement of Alresford is situated approximately 4.5km to the south-east of the site. The village of Elmstead Market is located approximately 1.2km away along the A133 is classed as a Key Rural Service Centre. The Smaller Rural Settlement, the village of Ardleigh is located approximately 2.8km along the A137 to the north-east. The hamlet of Crockleford Heath lies within the site boundary.

4.4 The Baseline Report prepared as part of the masterplanning process supporting the DPD details the geography of the site further.

5.0 Strategic Matters

5.0.1 This SoCG highlights the evidence of the cross boundary working on the Strategic matters relevant to the DPD production. Given that the adopted shared Section 1 Local Plan is by definition a strategic cross-boundary plan and the Councils have prepared a joint DPD, this demonstrates how Colchester, Tendring and Essex have jointly addressed cross-boundary strategic issues. The Section 1 Local Plan, which was prepared also with Braintree District Council, also demonstrates how cross boundary strategic concerns have been addressed with neighbouring Braintree District. The Council's Duty to Cooperate Statements that were prepared for the Section 1 Local Plan provide useful background information of the joint working on the Garden Community and throughout the preparation of the Section 1 Local Plan. (These are available to view on the Examination Website, for Colchester and Tendring Councils.)

5.0.2 This SoCG focuses on the joint working and areas of agreement during the preparation of the joint DPD on strategic matters. For each theme / section the Section 1 Shared Local Plan requirements are indicated as a starting point to illustrate agreement which has been achieved strategically, as part of plan making providing the framework for the DPD.

5.0.3 Given the relatively small area covered by the TCBGC DPD and its location within both Tendring District and Colchester City, the Councils consider that the strategic cross-boundary matters are limited. The sections below follow the chapter order in the TCBGC DPD and explain how strategic matters have been addressed in the preparation of the TCB DPD Plan and summarise the areas of common ground and any issues that remain between the parties as follows:

- Land uses and Spatial approach
- Nature
- Buildings, Place and Character
- Economic Activity and Employment

- Community and Social Infrastructure
- Movement and Connections
- Sustainable Infrastructure
- Infrastructure, Delivery, Impact Mitigation and Monitoring

5.1 Habitats Regulations Assessment (HRA)

5.1.1 Although not a section in the DPD, the Habitats Regulations Assessment is relevant to Plan making. Natural England have been engaged with the Habitats Regulations Assessment (HRA) which supports the DPD and have referred to the HRA as part of their Regulation 19 response. For ease of reference these are also summarised below with reference to the preparation of a SoCG with Natural England and the Councils to confirm the agreed approach in respect of the issues raised.

5.1.2 Natural England have been engaged in the HRA for the DPD. Place Services (consultants) have carried out the HRA on behalf of the Councils and met with Natural England to discuss the emerging draft HRA Screening report.

5.1.3 A key mitigation measure referred to in the HRA is the strategic Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). The Essex Coast RAMS Strategy Document was completed in January 2019 and has been adopted by the 12 Essex partner Councils. A Supplementary Planning Document was also prepared and adopted by the partner Councils. Natural England provided advice throughout the preparation of the Essex Coast RAMS and agreed with the approach taken and mitigation measures defined in the Essex Coast RAMS Strategy Document before it was finalised and adopted. Natural England and the Councils have confidence in the appropriateness and effectiveness of such a measure. The production and implementation of the Essex Coast RAMS (now re branded as Essex Coast Bird Aware) includes a commitment to regular monitoring, has the flexibility to adapt to findings and pre-empt impacts before they affect integrity, and is considered likely to provide an effective form of mitigation and avoidance for recreational pressures.

5.1.4 Natural England comments on HRA at Regulation 18:

> *Appropriate Assessment will be necessary to determine whether there will be Likely Significant Effects arising from the proposed development. We would like to draw attention to the importance of the submission DPD being updated to reflect the findings of the HRA Appropriate Assessment once this has been carried out and subsequent iterations of that report and agree with para 5.13 on p166 of the SA. It is reassuring that wintering bird surveys have been undertaken alongside the HRA of the DPD. Further wintering bird surveys will be required as part of any project level development proposals at application stage for each phase of the Tendring and Colchester Borders Garden Community.*
>
> *The HRA Screening Report (February 2022) considered the potential effects of the Garden Community relating to European Sites but was unable to rule out all potential significant effects relating to:* ***Impact on mobile features*** *(protected species, specifically SPA birds) outside European Sites (in relation to Stour and Orwell Estuaries SPA and Ramsar site, Colne Estuary SPA and Ramsar site and Abberton Reservoir SPA);* ***Recreational disturbance*** *(in relation to Stour and Orwell Estuaries SPA and Ramsar site, Colne Estuary SPA and Ramsar site, Hamford Water SPA, SAC and Ramsar site,*

Essex Estuaries SAC, Blackwater Estuary SPA and Ramsar site and Dengie SPA and Ramsar site);and ***Water quality*** *(in relation to Colne Estuary SPA and Ramsar site).* ***Air quality*** *–the projects' effects are not likely to be significant alone. However, in-combination effects with other plans and projects to European Sites cannot be ruled out. Therefore Appropriate Assessment will be necessary to determine whether there will be Likely Significant Effects arising from the proposed development in relation to the above aspects. We would like to draw attention to the importance of the DPD being updated to reflect the findings of the HRA Appropriate Assessment once this has been carried out and subsequent iterations of that report, and agree with para 5.13 on p166 of the SA, which states:* ***"****The next iteration of the plan will be subject to Appropriate Assessment to consider mitigation of the potential significant effects that could not be ruled out…. The full representation expands on the detailed considerations relevant to the Appropriate Assessment.*

5.1.5 Natural England comments on HRA at Regulation 19:

Natural England's comments relate to the delivery of mitigation required by Habitats Regulations Assessment/Appropriate Assessment (HRA/AA) in DPD Policy. Attention is drawn specifically to our (NE) advice on the HRA/AA of the potential effects of the DPD upon air quality at European Sites as this may require a more fundamental review.

Natural England said that the HRA/AA is specific about the need for traffic modelling to be undertaken to assess whether any mitigation for traffic-related impacts will be necessary (4.9.12). It would be reasonable for the Appropriate Assessment to consider in more detail the specific circumstances at the relevant European Site to establish whether mitigation is required as a consequence of the proposed development (alone or in combination).

It is unfortunate that the air quality monitoring information is not yet available, nor is there any traffic modelling information available which would offer a more solid basis for ruling in/out individual European Sites at HRA screening stage. As a result, the mitigation that is identified (4.9.12 and 4.9.13) does not provide mitigation per se; rather it requires traffic scoping modelling to establish whether there is the need for air quality monitoring which, in turn, may indicate that mitigation is required. In any event, the requirement for traffic scoping modelling to be undertaken ahead of each phase of the development does not appear in the text of any of the proposed Policies in the DPD. If traffic modelling is being identified as the tool to be used to establish whether mitigation will be required to avoid adverse effects on the integrity of European Site(s), the requirement for the modelling to be undertaken ahead of each phase of development needs to be clearly set out in DPD policy.

Natural England advises that the screening for air quality impacts should be revisited once there is traffic modelling information available to confirm which European Sites merit consideration (due to exceedance of relevant AADT triggers) when the DPD is considered "alone" and "in combination". Once that filter has been applied, consideration would shift to the Site-specific circumstances as outlined above. Only at this stage will it become apparent whether mitigation is likely to be required and, if required, the mitigation options available can then be identified, tested and embedded in DPD Policy.

5.1.6 The Councils are in discussion with Natural England with a view to agreeing an acceptable solution in respect of this issue to inform potential recommended modifications to the DPD. The parties are working together to prepare a Statement of Ground on this matter in advance of the Examination.

Strategic Body	Area of disagreement – matter to be resolved	Agreed Approach
Natural England	Approach to screening of air quality and delivery of mitigation as required by the HRA / Appropriate Assessment	Statement of Common Ground to be prepared

5.2 Sustainability Appraisal (SA)

5.2.1 Although not a section in the DPD, the Sustainability Appraisal (including Strategic Environmental Assessment) is relevant to plan making. Natural England have been engaged with the Sustainability Appraisal (SA) which supports the DPD and made comments at Regulation 18 stage, which have been addressed in the SA that supports the Submission Plan. Land Use Consultants (LUC) have carried out the SA on behalf of the Councils Sustainability Appraisal.

5.2.3 Natural England comments on SA at Regulation 18:

> *Comments about terminology and the importance of the Final SA reflecting the appropriate assessment. Natural England supports the precautionary approach in the HRA and it is reassuring that wintering bird surveys have been undertaken alongside the HRA of the DPD. Further wintering bird surveys will be required as part of any project level development proposals at application stage for each phase of the Tendring and Colchester Borders Garden Community coming forward to provide an up-to-date evidence baseline and to inform any further mitigation strategies that may be necessary.*
>
> *It appears as though the Sustainability Appraisal is based upon the options shown in the Key Diagrams, confirmation of which plan the SA is based on is sought, as the options differ significantly in terms of the quantum of open space the plans commit to. Figure 15 (Option 3) on p51 of the Options Document does not show the Bellway Homes Committed Development on the western edge. The cumulative impacts of the Bellway Homes committed development in conjunction with the preferred options should be considered within the SA. In table 4.3, p101 within the SA, 'Option 3a' appears to correspond to 'Option 3, Approach B' key diagram, rather than the 'Approach A' key diagram. Assuming this is correct, for clarity, the SA should in future revisions refer to option 3 as 'option 3, Approach A' and to option 3a as 'Option 3, Approach B' to make it clear which Key Diagram each of the options assessed within the SA is based on.*

5.2.4 East Suffolk and North Essex NHS Foundation Trust (ESNEFT) (Lawson Planning Partnership) comments on SA at Regulation 18:

> *This letter comprises representations regarding SA Objective 3: To improve health/reduce health inequalities, and SA Objective 8: To promote accessibility, ensure that development is located sustainably and makes efficient use of land, and ensure*

the necessary infrastructure to support new development. It requests amendments to establish a suitable sustainability appraisal framework to assess the potential impacts of the Plan, to recognise the need for additional secondary healthcare infrastructure to be provided, to support the new Garden Community and to mitigate its impacts. This may in part take the form of new on or off-site health care facilities or improvements and extensions to existing facilities and services, funded in part via developer contributions. These representations should be read in tandem with our representations on the draft Plan as set out in our separate letter of 25th April 2022.

5.2.5 All comments raised to the SA report supporting the Regulation 18 draft plan have been addressed and responded to by consultants LUC in the SA that supports the submission plan. Appendix A of the SA report includes a summary of all comments to the draft SA report and a response SA Appendix A.

5.2.6 East Suffolk and North Essex NHS Foundation Trust (ESNEFT) (Lawson Planning Partnership) comments on SA at Regulation 19:

In relation to Objective 3, ESNEFT request that the appraisal consider both on site and off site facilities. Not only the distance to a healthcare facility should be included, but its service capacity. In response to Representations raised to various policies in the DPD the Councils are preparing a SoCG with ESNEFT where these points can be addressed.

5.3 Land use and Spatial Approach

5.3.1 The Strategic Geography above describes and illustrates the location of the TCBGC which is the subject of the DPD. This section of the DPD takes forward the requirements of the Section 1 Local Plan in terms of the key land uses and spatial parameters within which the Garden Community is expected to be built**.** The key parameters are listed in DPD GC Policy 1 and identified below with each element expanded on further in GC Policy 1 but not repeated here;

- Delivery of circa 7,500 new homes with a range of shops, jobs, services and community facilities, including education *(see Part B below).*
- A new 'Salary Brook Country Park' incorporating land and woodland at and around the Salary Brook Local Nature Reserve *(see Part C below).*
- A 'Wivenhoe Strategic Green Gap' incorporating land north of Brightlingsea Road and west of Elmstead Road *(see Part D below).*
- An 'Elmstead Strategic Green Gap' east of the new A120-A133 Link Road *(see Part E below).*
- A Sports and Leisure Park to serve the local community and for the expansion of sports facilities for the University of Essex (see Part F below).
- Approximately 25 hectares of employment land in form of a new Business Park and a 'Knowledge-Based Employment' site *(see Parts G and H below).*
- Provision for the Rapid Transit System.
- A Gypsy and Traveller Site *(see Part I below).*

- A 'Park and Choose' facility *(see Part J below).*

5.3.2 Each of the broad requirements in GC Policy 1 is covered in more detail within that policy and other sections of the DPD and supported by a policies map.

5.3.3 This sets the overall parameters for the land use and spatial requirements stemming from the Section 1 Local plan where the strategic agreement was reached through that Plan Making process.

5.3.4 <u>GC Policy 1: Land Uses and Spatial Approach</u>
The Councils have worked with the strategic bodies in the preparation of the DPD. The comments received from the Strategic bodies to the Regulation 18 consultation are identified below:

NEECCG: Request amendment to detailed policy wording to include reference to health care in listed 'centre' facilities.

Natural England: Indicate support for section of Option 3 (approach A) as the preferred option, and the provision of detailed masterplans and design codes. They request further explanation of Strategic Green Gap Protection required.

Sport England: Suggest the DPD should identify any strategic sport and physical activity facility requirements. They also seek clarity to be provided on suitability of indoor or floodlit leisure facilities if Approach B is preferred and if this area is environmentally sensitive.

Essex County Council: Will continue to work with TDC/CCC to ensure consideration is given to access to green space; clarity is provided on safeguarded land for the expansion of the University; reference is made to Colchester Institute; and to finalise Park and Choose requirements as part of the current and ongoing Rapid Transit Service (RTS) operational planning.

5.3.5 The comments received from the strategic bodies to the Regulation 19 consultation are identified below:

Sport England: Generally support GC Policy 1 but consider there is a need to improve the wording to provide clarity on the scope of sports facilities that may be accommodated in the sports and leisure park to provide a clear steer on what will be acceptable (eg floodlighting / indoor facilities). An additional explicit requirement for a masterplan to be prepared for the sports and leisure park should be included in the policy. The proposed wording changes can be considered through the Examination and the parties will prepare a SoCG.

Historic England: Welcome the specific measures for the historic environment in part E of the Policy further amendment is requested to clarify that the assets referenced are "designated". It is further stated by HE that a further Historic Impact Assessment will be required to inform what is "appropriate" development (Part E of the policy). The proposed wording changes can be considered through the Examination and the parties will prepare a SoCG.

East Suffolk & North Essex NHS Foundation Trust (ESNEFT) (Suffolk and North East Essex Integrated Care Board) – ESNEFT: Acknowledge that many amendments in

response to matters raised at Regulation 18 stage have been made to the Submission draft plan. They have made further representations requesting further amendments to support the provision and maintenance of local healthcare infrastructure. They have put forward some suggested amendments to policy to address the issues raised. These can be considered further in a SoCG. The Councils are seeking to prepare a comprehensive SoCG on all related health issues raised collectively through the Suffolk and North East Essex Integrated Care Board on behalf of ESNEFT and others as identified under the strategic stakeholders above.

Affinity Water, Anglian Water and Essex County Council have indicated support for GC Policy 1.

Strategic Body	**Area of disagreement – matter to be resolved**	**Agreed Approach**
Sport England	Greater clarity on the scope of sports facilities and the requirement for a masterplan for the sports and leisure park	Statement of Common Ground to be prepared
Historic England	Clarification in Policy to confirm the heritage assets are designated.	Statement of Common Ground to be prepared
East Suffolk & North Essex NHS Foundation Trust (ESNEFT) Suffolk and North East Essex Integrated Care Board (SNEE ICB)	Amendments to Policy wording to make greater reference to health facilities, services and wellbeing.	Statement of Common Ground to be prepared with Suffolk and North East Essex Integrated Care Board on behalf of all Health partners including incorporating matters raised by ESNEFT

5.4 Nature

5.4.1 The Strategic Section 1 Local Plan establishes the main requirements under the theme of Nature for the DPD to deliver and expand on summarised as;

- Create distinctive environments which are based on comprehensive assessments of the surrounding environment and that celebrate natural and historic environments and systems, utilise a multi-functional green-grid to create significant networks of new green infrastructure including a new country park at the garden community, provide a high degree of connectivity to existing corridors and networks, and enhance biodiversity.
- Natural measures to avoid, protect and/or enhance wildlife areas within and surrounding the site such as Bullock Wood Site of Special Scientific Interest (SSSI), Ardleigh Gravel Pits SSSI, Wivenhoe Pits SSSI, Upper Colne Marshes SSSI and habitats sites of international importance.
- Measures to incorporate biodiversity creation and enhancement measures.
- A network of multi-functional green (and blue) infrastructure incorporating key elements of the existing green assets within the site and also including new community parks,

allotments, a new country park and the provision of sports areas and play areas with associated facilities.

- Provision of water and wastewater mitigation measures including the use of open space to provide flora and fauna rich sustainable drainage solutions.

5.4.2 As detailed in the Duty to Cooperate Statement, the Councils have worked with the Strategic bodies including Environment Agency and Natural England throughout plan preparation. They have engaged in the plan making process responding to Draft Plan at Regulation 18 stage and the Submission Plan at Regulation 19 stage.

5.4.3 <u>GC Policy 2: Nature</u>

The DPD seeks to provide for the natural environment as set out in the NPPF and have regard to guidance on Biodiversity Net Gain, Sustainable Drainage and provision for accessible natural green space. The comments received from the Strategic bodies to the Regulation 18 consultation are identified below:

> *Natural England* generally, support the proposal for three neighbourhoods that are interconnected but separated by multifunctional 'green wedges', which are connected and will function to provide a landscape setting for each neighbourhood, providing place-making benefits, green active transport routes and local areas of open space in close proximity to housing in line with Natural England's ANGSt standards, and any update to these standards that may be published in the forthcoming Green Infrastructure Framework.
>
> *Natural England* state that Spatial provision of Strategic Green Gaps is clear from the masterplan, however the explanation of how these Strategic Green Gaps will be protected from future development in planning policy within the Draft Plan is somewhat vague and lacking in detail.
>
> *Natural England* strongly support the proposal for a new Country Park within the Garden Village which will be beneficial for nature and for people. However, since Salary Brook LNR is already publicly accessible and serving the population of existing adjoining residential areas that this 19.5Ha would not necessarily count towards SANGs delivery. The total area proposed for the Country Park does not appear to have been quantified, however Natural England's SANGs space standard generally seeks to provide 8ha of SANGs per 1,000 people. According to our (NE) calculations (for 7,500-8,000 housing units, using 2.4 average occupancy multiplier, we estimate a population of 18,000-19,200.) For a population of 19,200 people at the rate of 8ha / person, we would expect to see a SANG with a minimum area of 154ha for the Garden Village.
>
> *Natural England* made a number of comments to the draft DPD, which are summarised by chapter. GC Policy 3 'Nature' should make reference to Natural England's ANGSt space standards and commit to a minimum quantum of 154ha of SANG provision, in addition to allocating the quantum of space allocated to other types of open space such as allotments etc. There exists an exciting opportunity for this development to set an exemplary standard in terms of multifunctional GI delivery within a landscape-led scheme. With this and the vision statement for the garden village in mind, Natural England would encourage a more ambitious target of 20-25% Biodiversity Net Gain (BNG) to be set for delivery.

Natural England suggest that the Tree Canopy cover level is targeted at whichever is the greater of the 10% gain or the 20% minimum tree canopy cover.

Natural England welcome the requirement for the strategic masterplan to include a landscape and Green Infrastructure Strategy for the whole site and to create GI connections beyond the site boundaries. They also agree that sensitive habitats and new and existing road corridors will require ecologically rich buffer landscapes and that minimum widths of these should be agreed and set out in an appropriate design code.

Sport England Welcome the requirements for a multi-functional green infrastructure network. Further comments suggesting coordination of the green infrastructure network with active and healthy environments will also be important to be reflected in policy. In addition comments relate to ensuring SuDs are required to maximise their potential as a destination for informal recreation to realise multi-functionality of these spaces.

Essex County Council Comments welcomed the approach to the DPD in respect of Nature and the environment. Specific comments are made recommending amendments to policy for clarity and consideration given to exceeding the Biodiversity Net Gain increase to 20%. Other detailed comments relate to green corridors, water management and specific reference to the designated sites.

NEECCG – Comments suggest that better links between the nature policy and Sustainable Infrastructure should be made in the DPD.

5.4.4 The Councils recognise the opportunity the Garden Community offers to enhance biodiversity and create new, linked habitat for wildlife. Green-blue infrastructure will be incorporated into the masterplan for the Garden Community. As part of the development of the masterplan ecologists considered opportunities for biodiversity net gain and these BNG requirements in the DPD are supported by the evidence. The Councils are continuing discussions with Natural England with a view to informing a SoCG to support the Examination.

5.4.5 The comments received from the strategic bodies to the Regulation 19 consultation are identified below:

Natural England submitted objections to the Regulation 19 DPD. Whilst they said they are pleased that proposed GC Policy 2: Nature specifically requires proposals to accord with NE SANG guidance, no information is provided in the DPD (or supporting documents) on overall size of Garden Community land take, size of likely developable area or amount of land that will be identified as Green Infrastructure. Without this information, NE is unable to establish whether SANG guidance can be met site wide and whether the policy requirement is deliverable in practice. Based on 7,500 dwellings, SANG provision would amount to around 145 ha of suitable natural greenspace.

Natural England also commented that reference is needed in the policy to the requirement for wintering bird surveys (HRA/AA reference 4.8.7), which only features in "justification" section of GC Policy 2: Nature and not in wording of this policy or any other policies in DPD. Policy 2 should be made more explicit.

5.4.6 The Councils are working with Natural England on a SoCG to address these issues and agree recommended modifications which may be considered through the Examination.

Both *Affinity Water* and *Anglia Water* as the two water companies covering the Garden Community have responded to the Regulation 19 Consultation and have indicated support for GC Policy 2. In addition Sport England also indicated support to this policy.

Essex County Council responded to support the policy but recommended the policy should specifically refer to the Essex Green Infrastructure Principles and Standards as endorsed by Natural England, and put forward other policy amendments for clarity.

5.4.7 The summary below highlights the matters under Nature where the identified key strategic bodies have any areas on disagreement. In each case the agreed approach to addressing this is also indicated.

Strategic Body	**Area of disagreement – matter to be resolved**	**Agreed Approach**
Natural England	Recommend amendments to the Policy to reflect the NE guidance on SANG and wintering bird surveys	Statement of Common Ground to be prepared
Essex County Council	Recommend amendments to the Policy to refer to the Essex Green Infrastructure Principles and Standards and minor wording changes for clarity and correction	Statement of Common Ground to be prepared

5.5 Buildings Places and Character

5.5.1 The Section 1 Plan sets out the requirements for the Garden Community to deliver high expectations in creating unique and distinctive buildings and neighbourhoods whilst still respecting the character and visual amenity of nearby towns, villages, historic buildings and character of the landscape.

5.5.2 The main requirements set out in Section 1 include:

- The creation of a unique and distinctive place that responds positively to local character and context to preserve and enhance the quality of existing places and their environment – including assets of historic value;
- Provide a mix of land uses and services with well-defined public and private spaces to create sustainable well-designed neighbourhoods;
- Well-designed and integrated public realm with high quality landscape design, street furniture and other distinctive features that help to create a sense of place;
- Integrates green infrastructure that creates spaces and places for healthy living, biodiversity recovery, play, noise, visual, heat and air quality mitigation, and natural SuDS;
- Creating streets and places that are overlooked and active and promote inclusive access;

- Development to be of appropriate densities which reflect both the context, place-making aspirations and opportunities for increased levels of development around centres and transport hubs;
- A mix of housing types and tenures including self and custom build and starter homes including a minimum of 30% affordable housing, phased through the development; and
- Protecting the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking.

5.5.3 The Councils have worked with these consultees on the evidence base for the Plan. Historic England requested a Heritage Impact Assessment (HIA) as part of the evidence base for the Plan and agreed to the brief prepared for consultants to complete this The agreed methodology for the HIA is in accordance with Historic England Advice Note 3: The Historic Environment and Site Allocations in Local Plans (HEAN 3). It is also informed by Historic England Good Practice Advice in Planning 1: The Historic Environment in Local Plans (HEGPAP1) and Historic England Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (HEGPAP3).

5.5.4 The evidence base includes two pieces of work commissioned by the Councils which examine the landscape impacts of the Garden Community: the TCBGC Environmental Audit Review, updated in 2022 and the Viewpoints Wireline Testing Document, completed in February 2023, which assesses the likely impacts and mitigation requirements for a number of key viewpoints towards the development site. An LVIA, HIA and Mitigation Strategy will be required as part of future Planning Applications.

5.5.5 An assessment of the hamlet of Crockleford Heath was commissioned by the Councils to understand the impact of the development on this settlement, considering its unique significance and special character. This study will be used to inform design coding for this neighbourhood within the Garden Community.

5.5.6 GC Policy 3: Place Shaping Principles

GC Policy 3 takes forward the requirements of Section 1 and has taken account of engagement with strategic and local stakeholders to establish Place Shaping Principles in GC Policy 3. The comments received from the Strategic bodies to the Regulation 18 consultation are identified below:

Historic England raised concerns about lack of technical evidence concerning the historic environment. They state this policy should be more detailed, specific and be informed by a mitigation strategy.

Essex County Council made the following comments - ECC will continue to work with TDC/CCC to ensure securing appropriate Design Codes, clarity on accessibility and space standards, reference to non-designated heritage assets, and the need to highlight key sustainable construction elements.

Sport England suggested that reference should be made to 'Active Design principles' and policy should be amended to explain how this should be considered. In addition it should be consistent with overall vision of the development to be 'A Place that is Healthy, Vibrant and Active'.

NEECCG indicated support for the policy in response to the regulation 18 consultation.

5.5.7 The comments received from the strategic bodies to the Regulation 19 consultation are identified below:

Sport England - The reference to the development achieving Active Design in part A of the policy is welcomed as this will contribute to delivering the wider vision for the Garden Community and would accord with Government policy in the NPPF. Sport England have requested amendment to the policy wording to reflect the NPPF more directly and for the DPD to be clear how "active design" can be achieved by developers. A few options / examples are given in the representation.

5.5.8 The Councils are preparing a SoCG with Sport England to seek to address these matters and agree recommended modifications for consideration as part of the Examination.

Historic England raises concerns that potential mitigation and enhancements are not included in the policy. They refer to Section 1 adopted local plan policy SP9 confirming that this evidence is needed to further inform the DPD. Whilst Historic England accepts a Heritage Impact Assessment (HIA) has been prepared (Turley's, February 2022), they believe it lacks proper consideration of what mitigation and enhancement measures might be required and how this/these could be achieved.

Historic England accepts that Part I: Planning Application Requirements of the Draft Plan, requires an LVIA, HIA and Mitigation Strategy prior to the determination of any planning application for the site. They believe that given the potential impacts identified within the HIA this could result in significant effects on Grade I and II listed buildings. They would prefer that this be undertaken now (prior to examination) rather than at the application stage. Historic England believes that this would satisfy the NPPF and PPG by making policies clear and unambiguous and with sufficient detail. They recommend that to achieve this a site-specific criteria is required, accompanied by a concept diagram. Historic England accept that if this is not feasible they would like to amend bullet point 2 of the policy to *"require that this work is prepared prior to the further masterplanning so that it can inform this work."* They believe that this will ensure the policy is effective in protecting and enhancing the historic environment (as per NPPF paragraph 190).

Whilst *Historic England* welcome the reference to heritage assets within Part I of the policy, they recommend that criterion 2 is revised to read, *"…significance of the Grade II* listed Elmstead Hall, the Grade I listed Church of St Anne and St Laurence and the Grade II listed Allen's Farmhouse, and the Round Barrows (Scheduled Monument) on Annan Road, and their settings*…" as their settings are not mentioned in the current DPD.

Historic England believes that there is potential for non-designated Heritage assets of equivalent significance to scheduled monuments within the plan area. Additional assessments are required to inform further masterplanning of the site to further inform the HIA. HE highlights that the GC plan area is close to two scheduled bronze age barrow cemeteries and suggests that there is potential for further archeological remains to be located within the GC plan area. Historic England would like this to be further investigated as part of the further HIA and mitigation strategy. They would like this done preferably prior to examination but understand this may not be feasible and would accept it head of any masterplanning so it could inform how development

would be located or protected. Historic England recommends that criterion 3 is expanded upon to reflect this, and in doing so helping the plan to set out a positive strategy for the historic environment.

Essex County Council have indicated support for GC Policy 3 and for clarity and consistency with other reference in the Draft Plan, recommended that reference is added to the "multifunctionality" of green infrastructure.

Strategic Body	**Area of disagreement – matter to be resolved**	**Agreed Approach**
Sport England	Clarification in Policy to be clear how active design can be achieved	Statement of Common Ground being prepared
Historic England	Further work on Heritage Impact Assessment and mitigation to inform Policy amendments or masterplanning.	Statement of Common Ground being prepared
Essex County Council	Add reference to the "multifunctionality" of green infrastructure for clarity and consistency with other references in the DPD.	Statement of Common Ground being prepared

5.5.9 GC Policy 4: Meeting Housing Needs

Section 1 of the Local Plan states that the North Essex authorities are committed to plan positively for new homes and to significantly boost the supply of housing to meet the needs of the area, including the need to provide a workforce for forecast jobs. To meet the requirements of national policy to establish the number and type of new homes, the authorities commissioned Peter Brett Associates to produce an Objectively Assessed Housing Need Study building on earlier work to meet the requirements of the NPPF to prepare a Strategic Housing Market Assessment (SHMA). Detailed analysis in the report suggests that a Housing Market Area comprising Braintree, Colchester, Chelmsford and Tendring Council areas forms a sound basis for assessing housing need. (Paras 4.2 and 4.3) Demographic projections are the starting point for assessing how much housing will be required across an area. Based on 2014 national projections covering the period 2013 to 2037, the conclusion reached is that the objectively assessed need across the Housing Market Area is 2,999 new homes a year over the period 2013 – 2037. The total requirement across north Essex, excluding Chelmsford City Council's area, is 2,186 new homes per year. This figure includes a figure of 550 new homes per year for Tendring. Calculation of housing need in the District is complicated by uncertainty arising from unattributed population change (UPC). (Paras 4.4 and 4.5)

5.5.10 As part of the Section 1 Local Plan, the Councils agreed and justified their individual housing targets. Studies on housing need formed part of the evidence base of the Section 1 Local Plan. The Inspector concluded that the housing requirement figures set out in Plan policy SP3 are soundly based (Inspector's report). Policy SP4 of the Section 1 Local Plan is set out below.

Section 1 Local Plan Policy SP4 Meeting Housing Needs

The local planning authorities will identify sufficient deliverable sites, developable sites and/or broad locations for their respective plan period, to meet the housing requirements in the table

below, and will incorporate additional provision to ensure flexibility and choice and competition for land.

Each authority will maintain a sufficient supply of deliverable sites to provide for at least five years' worth of housing, plus an appropriate buffer in accordance with national policy, and will work proactively with applicants to bring forward sites that accord with the overall spatial strategy and relevant policies in the plan. The annual housing requirement figures set out below will be used as the basis for assessing each authority's five-year housing land supply, subject to any adjustments in Section 2 of each plan to address any undersupply since 2013.

The authorities will review their housing requirements regularly in accordance with national policy requirements, and in doing so will have regard to the housing needs of the wider area.

Local Authority	*Housing requirement per annum*	*Total minimum housing requirement for the plan period (2013-2033)*
Braintree	*716*	*14,320*
Colchester	*920*	*18,400*
Tendring	*550*	*11,000*
Total	*2,186*	*43,720*

5.5.11 The Section 1 Local Plan recognises that Garden Communities need to be mixed and balanced communities and will be expected to provide 30% affordable housing (Para 4.6) and provide suitable sites for Gypsies and Travellers.

5.5.12 The Councils agree that the housing figures for each Council, including the affordable housing percentage, is set through the Section 1 Local Plan, which this DPD has to comply with.

5.5.13 The Councils have also agreed an MOU (as referred to in the Duty to Cooperate Compliance Statement) 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 during the Local Plan period regardless of the administrative boundary in which that delivery progresses.

5.5.14 Part G of GC Policy 4 provides for the requirement for a site to accommodate gypsies and travellers in accordance with Section 1 Local Plan and the evidence base relevant to that Plan. The need for additional Gypsy and Traveller pitches is established through the Gypsy and Traveller Accommodation Assessment 2017, which was commissioned jointly by Essex Authorities. This report informed the Policy requirement in the Section 1 Local Plan that the Garden Community include gypsy and traveller pitches, and those pitches will be shared equally between the Councils in terms on contributing to their future need.

5.5.16 The comments received from the Strategic bodies to the Regulation 18 consultation are identified below together with a brief summary of any response by the Councils and any amendments to the Plan:

Essex County Council - Indicate support for the policy was supported with ECC stating it will continue to work with TDC/CCC to ensure suitable residential care homes are referenced and consideration given to where best to locate specialist housing. It was also suggested clarity should be provided on the term 'disabilities.

5.5.17 Given that the strategic matters linked to housing provision are primarily about the requirement, principle of distribution the principles of which are established in the Section 1 Local Plan no specific strategic matters concerning housing have been raised by the Strategic Bodies to the Regulation 19 consultation or are relevant for this SoCG.

5.6 Economic Activity and Employment

5.6.1 As part of the work to assess housing requirements for the Section 1 Local Plan, an analysis of economic forecasts was undertaken together with demographic projections to establish the inter-relationship between population growth, forecasts of new jobs and the number of new homes needed to accommodate these levels of growth. Employment Land Needs Assessments were carried out by each authority which set out the amount of employment land that is required within the plan period.

5.6.2 The Section 1 Local Plan sets out the main requirements under the economic theme including:

- The DPD will allocate about 25 hectares of B use employment land within the garden community. This may include provision for office, research & development, light industrial and/or other employment generating uses towards the south of the site in proximity to the existing University of Essex and Knowledge Gateway and provision for office, research & development, industrial, storage and distribution uses towards the north of the site close to the A120.
- Provide and promote opportunities for employment within the new community and within sustainable commuting distance of it.
- Provide a mix of land uses and services with well-defined public and private spaces to create sustainable well-designed neighbourhoods.

5.6.3 The Councils commissioned work for the Section 1 Local Plan to explore the employment opportunities associated with the development of innovative Garden Communities based on the likely demographic profile of these new communities and to develop quantified scenarios for future employment growth. The consultants concluded that assuming political commitment and proactive delivery on the part of local authorities, Garden Communities had the potential to deliver one job per household, in line with the Garden Communities charter, and to support employment growth in surrounding areas.

5.6.4 An Economic and Employment Study was commissioned to support the Plan and this was prepared by Quod. The Councils have taken forward the recommendations in the study to allocate land in the north-east of the site for industrial business park uses, local centres comprising flexible E class uses, and up to 8 hectares of knowledge based employment (referred to in the study as knowledge gateway 2), which should support university-linked commercial space and/or higher density office and lab space, on a parcel of land in the south-west corner of the Garden Community.

5.6.5 GC Policy 5 Economic Activity and Employment

GC Policy 5 takes forward the principles and requirements of the Section 1 Local Plan seeking to ensure that the local economy will provide a wide range of new and exciting economic opportunities, maximizing opportunities from the adjacent University of Essex and capitalising on the success of the Knowledge Gateway. The comments received from the Strategic bodies to the Regulation 18 consultation are identified below:

Essex County Council: The policy was supported and ECC stated it will continue to work with TDC/CCC to ensure appropriate reference is made that draws on new evidence for 'growth sectors', on the detail to be included in an Economic and Employment Strategy, the detail for the process should there be a case to release employment allocations in the future, to ensure that this reflects "market dynamics and best practice, and the typical needs of retail and leisure occupiers such as maximising footfall, providing areas for outdoor tables and chairs, and facilitating meanwhile uses.

General support received from *Natural England* and *NEECCG.*

5.6.7 Given that the strategic matters linked to economic and employment provision are primarily about the requirement, principle of distribution and proportion of employment opportunities the principles of which are established in the Section 1 Local Plan no specific strategic matters concerning employment and economic activity have been raised by the Strategic Bodies to the Regulation 19 consultation or are relevant for this SoCG.

5.7 Community and Social Infrastructure

5.7.1 *Infrastructure Delivery Plans (IDP)*
To support the Section 1 Local Plan and the respective Council's Sections 2 Local Plans, Braintree District Council, Colchester Borough Council and Tendring District Council each prepared an Infrastructure Delivery Plan (IDP). The IDPs show the following:

- What infrastructure is required and how it will be provided (e.g. co-location, etc).
- Who is to provide the infrastructure.
- How will the infrastructure would be funded.
- When the infrastructure could be provided.

5.7.2 Infrastructure first is a garden community principle and the Councils agree that it is essential to understand the infrastructure required for the Garden Community and how this will be phased with housing and employment to provide a new community.

5.7.3 The main requirements of the Section 1 Local Plan for Community and Social Infrastructure are identified in the DPD as;

- Establishment of new neighbourhood centres of an appropriate scale and easily accessible by walking, cycling and public transit to the majority of residents of the Garden Community – each containing community meeting places.

- New secondary school, primary schools and early-years facilities.

- Measures for increasing capacity in, and accessibility to, primary health care – either through new infrastructure or the improvement, reconfiguration, extension, or relocation of existing medical facilities.

- Creation of healthy communities through the pattern of development, urban design, access to local services and facilities, and safe places for active play and food growing.

- The provision of new indoor leisure and sports facilities and/or contributions towards the improvement or expansion of existing facilities in the wider area.

- New community parks, allotments, a new country park and the provision of sports areas and play areas with associated facilities.

- An infrastructure delivery strategy and phasing plan that sets out how infrastructure, services and facilities will be provided.

5.7.4 *Health*

The NPPF indicates that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. The authorities will need to work with the NHS, Public Health and local health partnerships to ensure adequate provision and range of healthcare facilities to support new and growing communities. This will be particularly important given the ageing profile of existing and future residents. There is already a need for more and better quality health care facilities across North Essex with some areas having relatively poor access to health care facilities. Health objectives will also be delivered through providing safe, attractive and convenient routes for walking and cycling, and maximising participation in active modes of travel.

5.7.5 The Councils have engaged with the Clinical Commissioning Group (CCG), now the Integrated Care System (ICS), throughout plan preparation. To support the DPD, the Councils have prepared a Health Topic Paper (January 2023). This provides background information on the subject of health and wellbeing including the local context and key challenges and the current position on health infrastructure including GP practices operating above capacity.

5.7.6 *Education*

New development must provide for the educational needs of new communities and this is set out in more detail within the Infrastructure Delivery, Phasing and Funding Plan This will involve the expansion of existing schools where feasible, and the construction of new schools, together with provision for special educational needs, and early years and childcare places. Education requirements will need to be based on a strong understanding of future pupil numbers that are generated from the garden Community. A range of educational opportunities will need to be addressed as part of a sustainable growth strategy, including practical vocational training, apprenticeships, and further and higher education.

5.7.7 The Councils and the Lead Authority for Education (Essex County Council) agree that land and commensurate financial contributions are required for:

1. At least one, and up to two new secondary schools each on 7.9 hectares of suitable land allocated for education use.

2. At least five new primary schools, each with a co-located early years and childcare nursery and each on 2.1 hectares of suitable land allocated for education and childcare use.
3. At least five new 56 place stand-alone early years and childcare nurseries, each on 0.13 hectares of suitable land allocated for education and childcare use.
4. One new 30 place stand-alone early years and childcare nursery on 0.065 hectares of suitable land allocated for education and childcare use.
5. One new 26 place stand-alone early years and childcare nursery on 0.058 hectares of suitable land allocated for education and childcare use.

5.7.8 School requirements will be confirmed through bespoke demographic studies commissioned by the developer.

5.7.9 GC Policy 6 Community and Social Infrastructure
GC Policy 6 of the DPD relates to social and community infrastructure and covers:

A. Neighbourhood Centres
B. Community Buildings and Spaces
C. Education and Early Years and Childcare
D. Sports, Recreation and Open Space
E. Health
F. Stewardship

5.7.10 Comments received from Strategic bodies focused on parts D,C, D and E. Specifically, the policy promotes measures aimed at promoting health and wellbeing as developed through engagement with colleagues in the NHS and Sport England, taking into account 'healthy new towns principles' and 'active design principles'. Proposals for the development of the Garden Community must include a new Health and Wellbeing Hub to be provided in the early phases of development, as well as flexible space for health provision within centre and community buildings. Community and social infrastructure provision will need to be informed by a 'Demographic Study' that the Councils will have to approve before determining relevant planning applications.

5.7.11 The DPD requires developers to enter into early conversations with the local health stakeholders, including the North East Essex Health and Wellbeing Alliance, and other relevant partners to ensure that proposals reflect current health and social care models.

5.7.12 The DPD requires that the phasing of health facilities and services must be set out as part of future planning applications to explain how health provision will meet the needs of the community as it grows. Proposals must be accompanied by a 'Health Strategy' that sets out what health and wellbeing services will be provided, prepared in collaboration with key health stakeholders. This must include detail on the size of the health centre, the provision of and relationship to other flexible community space and any off-site mitigation to address the needs of the population.

5.7.13 Planning Applications must be supported by a Health Impact Assessment (HIA) prepared in accordance with the advice and best practice as published by Public Health England and locally through the Essex Planning Officers' Association HIA Guidance Note, using the most up to date guidance. Any mitigation measures identified in the HIA should be incorporated into the

proposed development. The comments received from the Strategic bodies to the Regulation 18 consultation are identified below:

NEECCG: The responses generally welcomed the commitment in the draft plan for health and wellbeing policies to be a high priority and for health stakeholder bodies and representatives to play a key active role in the ongoing design and consideration of the proposals as they move through the planning process. Specific comments included:

- Support for the overall vision, objectives and principles that related to promoting better health and wellbeing outcomes.
- Suggest that the policy on nature is more clearly linked to the policy on sustainable infrastructure.
- Support for the policy on Buildings, Places and Character as it reflected many of the principles related to healthy new towns.
- As well as supporting the policy proposals for Community and Social Infrastructure (Policy 6), NEECCG would like to explore ways of enabling provision of community hub spaces that would be flexible to enable health and wellbeing services to utilise.
- Support for securing funding which could provide opportunities to assist meeting healthcare service provision requirements.
- Support for promoting economic opportunities, including the creation of jobs for local people.
- A commitment to review a Health Impact Assessment.
- Welcomes reference made to a health and wellbeing hub being sited at the University of Essex Campus and suggests this could be part of early infrastructure to support initial residents of the Garden Community, prior to other facilities being provided.
- Highlighting current issues and existing capacity constraints in the Primary Care sector

East Suffolk and North Essex Foundation Trust (NHS) (ESNEFT) indicate general support for Policy 6 but request amendments to the policy to clarify requirement for all garden community developments to contribute to health provision including acute inpatient and outpatient facilities and improvements to acute healthcare services and facilities at Colchester Hospital.

Essex County Council (as Lead Authority for Education)

- Responded to the Regulation 18 consultation providing general support to Policy 6 and a commitment to continue work with TDC and CCC to ensure innovative provision of multifunctional community buildings and spaces, which could include the use and co-location of schools, early years and childcare facilities, libraries and healthcare facilities. This has been reflected in the updated Policy 6 Part C which sets a requirement for each neighbourhood to include at least one co-located primary school with early years and childcare facility and provision for stand-alone early years and childcare facility. Each secondary school site should be co-located with a primary school and early years and childcare nursery to provide for the option of an all through school.

- It was noted that the requirements for the number of schools and early years and childcare facilities may need to be refined and confirmed as part of the pre-application process and discussions with the developer(s) once the housing mix and demographic study outputs have been confirmed. It should be noted that land requirements for the secondary school alludes to the smallest size ECC would support. If only one secondary school was required, then the site area will be significantly larger.
- Planning Application Expectations should include the submission of a Land Compliance Study report for each education site in accordance with Section 4.2 of the ECC Developers' Guide to Infrastructure Contributions (specific reference is now included in GC Policy 6 Part C).
- The Councils and the Lead Authority for Education agree that additional space must also be provided for co-located Special Educational Needs (SEN) provision and any community uses being delivered by the school (specific reference is now included with GC Policy 6 Part C).
- The Councils and the Lead Authority for Education agree that proposals should have regard to the Essex County Council 'Developers' Guide to Infrastructure Contributions' and 'Garden Communities and Planning School Places' guide.

Natural England consider that the wording in the policy needs to be more explicit in respect of the phasing and trigger points for green infrastructure and restates the requirements for Strategic Accessible Natural Green Space (SANG) and request cross reference with policy 3 to ensure is captured as part of the community infrastructure that the development will deliver.

Sport England generally support the policy approach with comments seeking clarity in policy wording on a few specific matters including opportunities to explore shared use of school facilities, potential role of the University's existing and future sports facilities in meeting the needs of the development and the scope of financial contributions to cover activation costs as well as running cost of facilities.

5.7.14 The comments received from the strategic bodies to the Regulation 19 consultation are identified below:

Sport England: Broadly support GC Policy 6 but request that the policy needs some revision to take account of the planning implications of shared use of sports facilities on school sites; acknowledge the role of the University's sports facilities in meeting the needs of the development; ensure the Healthy Living and Play Strategy is informed by the evidence base and to secure community use of the school facilities.

5.7.15 The Councils are preparing a SoCG with Sport England to seek to address these matters and agree recommended modifications for consideration as part of the Examination.

Suffolk and North East Essex Integrated Care Board submitted representations seeking further collaboration through a Statement of Common Ground for the Examination building on the strong foundation provided through the Health Topic Paper. Comments on further work in relation to Health Impact Assessments form a key issue which will be relevant to the Statement of Common Ground being prepared

with the Councils to help inform the Examination and any recommended modifications as appropriate.

Raise a number of concerns regarding the policy wording in relation to health care. Concerns are summarised as placing reliance on existing health care facilities during the plan period; no mention of secondary and acute healthcare therefore not adequately highlighting all healthcare needs; the policy does not fully consider off site facility provision and request further flexibility around the Health and Wellbeing Hub – when it will be delivered and what it will contain. The Councils are preparing a Statement of Common Ground with to seek to address these matters and agree recommended modifications for consideration as part of the Examination.

The East of England Ambulance Service NHS Trust also raised an objection to the policy requesting specific reference to the Ambulance service and other emergency services.

Strategic Body	**Area of disagreement – matter to be resolved**	**Agreed Approach**
Suffolk and North East Essex Integrated Care Board (SNEE ICB)The East of England Ambulance Service NHS Trust	Clarification to ensure all healthcare needs are referenced and flexibility in respect around the Health and Wellbeing Hub. Issues linked to work and timing of Health Impact Assessment and timing of infrastructure delivery.	Statement of Common Ground to be prepared with Suffolk and North East Essex Integrated Care Board on behalf of all Health partners including incorporating matters raised by ESNEFT
Sport England	School site clarification, university requirements, Healthy Living and Play Strategy and community use of education facilities.	Preparing a Statement of Common Ground

5.8 Movement and Connections

5.8.1 *Infrastructure for transport*

North Essex is well placed in the context of connections by road, rail, air, and sea to the wider region and beyond, and these connections will need to be strengthened as part of developing sustainable transport networks. The A12 and A120 trunk road network form part of the Trans-European Network carrying international vehicular traffic. The Great Eastern Main Line (GEML) and branch lines, link the major towns and cities via a high capacity, high frequency rail line radiating from London. The strategically important London Stansted Airport lies to the west within a 60km radius of key urban centres in North Essex. Access via sea is provided by the port at Harwich.

5.8.2 The challenge is to provide North Essex with a sustainable transport system that provides good access to jobs and services, to support economic growth. Growth promoted through the new Local Plans, particularly via large scale new developments where delivery will extend beyond the plan period, provides an opportunity to prioritise, facilitate and deliver larger scale transport infrastructure projects that can significantly improve connectivity across and within

the area, and positively alter travel patterns and behaviour to reduce reliance on the private car.

5.8.3 The main requirements of the Section 1 Local Plan for Movement and Connections are identified in the DPD as:

- Details of the design and delivery of the A120-A133 Link Road and the Rapid Transit System (RTS) and how they will be integrated as part of the Garden Community.
- Delivery of the supporting transport infrastructure for the Garden Community.
- Measures for sustainable transport provision and targets for 'modal share' – i.e. aiming to change travel behaviour to reduce car use and maximise walking, cycling and use of public transit.
- Measures for ensuring sustainable transport measures are provided early, from the very first occupation of homes at the Garden Community.
- The network of footpaths, cycleways and bridleways to enhance accessibility within the site and to the adjoining areas – including the University, Hythe station and Colchester City Centre.
- Innovative strategies for the management of private car use and parking, including the promotion of car clubs and car sharing, and the provision of electric car charging points.
- Parking facilities and design approaches that can be adapted if levels of private car ownership fall.
- Park and ride facilities and other effective integrated measures to lessen the transport impacts of the proposed development on the strategic and local road network.
- Measures for delivering reliable high speed/ultrafast broadband at all new and existing property.
- Longer term transport interventions designed to minimise the impacts on the strategic and local transport network and that fully lessen any environmental or traffic impacts arising from the development.

5.8.4 Additional work has been undertaken by the Councils to review the approach to transport and movement, with a focus on defining and identifying necessary measures to secure modal shift to reduce reliance on the private car. This is set out in the Transport Evidence Base (Part 1 & Part 2, February 2023) which provides a detailed overview of the transport and movement implications of the Garden Community and includes a comprehensive mitigation strategy that has been developed to maximise opportunities for active and sustainable travel through:

- Inclusion of a range of measures on the Garden Community site and its immediate environs – both in relation to its overall design approach to create walkable neighbourhoods with good access to services and facilities, but also through the inclusion

of measures to promote active travel and use of public transport, including provision of Rapid Transit; and

- Measures on key connecting routes and integration with wider transport and movement networks and strategies.

5.8.5 The identified mitigation measures have been selected to align with the emerging Colchester Future Transport Strategy and Active Travel Essex programme. The measures included have been classified into five, not mutually exclusive, categories of schemes:

- Active travel
- Public transport
- Traffic management
- Highway capacity
- Travel planning

5.8.6 It is recognised that combinations of measures would need to be used together to mitigate impacts. Hence a series of 'route and area' packages have been developed which are aligned to the evidence on the unmitigated impact of the Garden Community. In this way, it is easier to establish the connection between packages of measures and severe transport impact.

5.8.7 <u>GC Policy 7 Movement and Connections</u>

The DPD seeks to ensure that the Garden Community will be a place where people have priority designed in a way which is people focused. The policy seeks to ensure it will also be a place connected by rapid, efficient and cost effective public transport, creating an environment where active and sustainable travel is a natural choice. It will be a place well connected with other local destinations including the City and town centres and the University. The comments received from the Strategic bodies to the Regulation 18 consultation are identified below:

Essex County Council as the highway and transportation authority, supports Chapter 8: Movement and Connections. The response noted that ECC has worked closely with Colchester City and Tendring District Councils to develop a place-based approach to achieving net zero carbon transport by 2050 for the Garden Community. The Draft Plan is in line and consistent with the current Essex Transport Strategy: the Local Transport Plan for Essex (LTP3).

National Highways- requested further scrutiny of the evidence to enable National Highways to confirm whether the Strategic Road Network can accommodate the proposed growth. Continued engagement with the Highway Authority (Essex County Council) and Councils to further consider the issues is agreed.

Sport England broadly support the principles set out in the policy.

Natural England indicate broad support to the approach outlined encouraging active and sustainable travel.

5.8.8 The comments received from the strategic bodies to the Regulation 19 consultation are identified below:

National Highways have raised concerns around traffic forecasting and Strategic Models in particular linked to the phasing of development. Further review of the

evidence base work needs to be undertaken. If the link road is to be delivered in two parts, impact on the highway network must be assessed for that time until the new junction is complete. Proposed working with the Councils to address noise and air pollution. Consideration should be given for a bespoke Policy on noise and air pollution.

5.8.9 The Councils are actively engaged with National Highways working together to address the issues raised and are preparing a SoCG to seek to address these matters and agree recommended modifications for consideration as part of the Examination.

Sport England and Essex County Council have indicated support for GC Policy 7.

Strategic Body	Area of disagreement – matter to be resolved	Agreed Approach
National Highways	Concerns around traffic forecasting and Strategic Models in particular linked to the phasing of development. Further review of the evidence base work needs to be undertaken.	Preparing a Statement of Common Ground (to also include the Highway Authority – Essex County Council)

5.9 Sustainable infrastructure

5.9.1 *Planning measures to address climate change mitigation and adaptation*

Addressing climate change is one of the core land use planning principles which the NPPF expects to underpin both plan-making and decision-taking. To be found sound, Local Plans will need to reflect this principle and enable the delivery of sustainable development in accordance with the policies in the NPPF. These include the requirements for local authorities to adopt proactive strategies to mitigate and adapt to climate change in line with the provisions and objectives of the Climate Change Act 2008, and co-operate to deliver strategic priorities which include climate change.

5.9.2 Colchester City and Tendring District Councils have declared climate emergencies and have Climate Action Plans that set out how the councils will mitigate and adapt to climate change and influence other organisations and residents. Colchester and Tendring Councils aim to achieve carbon neutrality by 2030.

5.9.3 This is supported by ECC who established the Essex Climate Action Commission in 2020 to promote and guide climate action in the county and move Essex to net zero by 2050. It is an independent, voluntary, and cross-party body bringing together groups from the public and private sector, as well as individuals from other organisations. The Commission published its report Net Zero: Making Essex Carbon Neutral in July 2021 and its recommendations are relevant to Essex County Council, Essex local authorities, parish and town councils, as well as Essex businesses, residents, and community groups. The report sets out a comprehensive plan for Essex to: reduce its greenhouse gas emissions to net zero by 2050 in line with UK statutory commitments; and to make Essex more resilient to climate impacts such as flooding, water shortages and overheating. The report covers a wide range of topic areas including land use, energy, waste, transport, plus the built and natural environments. The report's recommendations are now incorporated into a Climate Action Plan and a focused work programme over the coming years to ensure the effects of climate change can be mitigated.

5.9.4 Under the theme of Sustainable Infrastructure, some of the main requirements covered in this Plan, as set out in the policies of the adopted Section 1 Local Plan include:

- Measures to ensure environmental sustainability, including addressing energy and water efficiency.
- Water and wastewater and flood mitigation measures.
- Sustainable waste/recycling and minerals management facilities.
- Measures for delivering reliable high speed/ultrafast broadband at all new and existing property.
- Consideration of potential on-site mineral resources

5.9.5 *Water Supply and Wastewater*
The NPPF sets out that strategic policies are required to set out an overall strategy for the pattern, scale and design quality of places and making sufficient provision for infrastructure including water supply and wastewater. Plans should also take a proactive approach to mitigating and adapting to climate change taking into account the long term implications for water supply.

5.9.6 A Phase 1 Integrated Water Management Strategy (IWMS) was prepared in August 2017 to support the Section 1 Local Plan. The outcomes of the Phase 1 IWMS identified that water supply and wastewater generation for the TCB GC could be accommodated with infrastructure investment at Colchester Water Recycling Centre (WRC). To support the DPD, a Phase 2 IWMS has been prepared (April 2023) which identifies and determines specific water management measures to minimise water demands and provide integrated water management solutions for surface water and flood risk for the TCBGC.

5.9.7 The IWMS has been developed in collaboration and consultation with key partners, including Anglian Water, Affinity Water and the Environment Agency.

5.9.8 Within the IWMS a water balance assessment has been undertaken to characterise and quantify the water cycle flows anticipated from the proposed growth across the TCBGC and inform the identification of potential integrated water solutions. A wastewater assessment has been undertaken including a headroom capacity assessment of Colchester WRC to understand how much flow capacity is available within its current permit to discharge and how much additional wastewater can be accepted before a new permit will be required.

5.9.9 *Flood Risk and Coastal Change Management*
The NPPF is clear that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk and where development is necessary ensuring it is safe for its lifetime without increasing flood risk elsewhere.

5.9.10 As part of the evidence base for the Section 1 and Section 2 Local Plans, both Tendring and Colchester prepared Strategic Flood Risk Assessments.

5.9.11 A Phase 1 IWMS was prepared in August 2017 to support the Section 1 Local Plan. The outcomes of the Phase 1 IWMS identified that water supply and wastewater generation for the TCBGC could be accommodated with infrastructure investment at Colchester WRC. To support the DPD, a Phase 2 IWMS has been prepared (April 2023) which identifies and determines specific water management measures to minimise water demands and provide integrated water management solutions for surface water and flood risk for the TCBGC.

5.9.12 The IWMS has been developed in collaboration and consultation with key partners, including Anglian Water, Affinity Water and the Environment Agency.

5.9.13 The IWMS Stage 2 concluded that there are no major constraints to the TCBGC posed by sources of flood risk.

5.9.14 GC Policy 8: Sustainable Infrastructure

GC Policy 8 seeks to ensure that the Garden Community is a place where energy supply is sustainable, smart and futureproofed. It seeks to be designed to minimise climate change and to optimise resource efficiency and recycling. As a whole it seeks to ensure the infrastructure comes first and meets the needs of healthy and sustainable lifestyles. The comments received from the Strategic bodies to the Regulation 18 consultation are identified below:

Environment Agency: Suggest the DPD should indicate that developers should be required to submit a water efficiency calculator report. In addition state that water supply and wastewater treatment capacity should be provided and implemented ahead of development.

Essex County Council:

- Reference should be made to local skills required for development of sustainable infrastructure.
- Reference should also be made to lifetime emissions monitoring and performance not just at build, the term 'as built' does not convey this clearly enough.
- Amendment to policy required with regard to on-site mineral resources to provide clarity with regard to ground investigations and when Mineral Resources Assessments should be undertaken.

Natural England: Made comments including encouraging a more ambitious approach emphasising the provision of renewable energy. Plans should provide a positive strategy, identify areas for renewable energy, identify opportunities to draw energy from decentralised renewable or low carbon energy systems. Comments also indicated that the DPD should include minimum quantum of solar panels should be stated, and consideration to feasibility or solar and wind power generation. In addition suggest a stronger emphasis on district heat network provision.

The *Environment Agency* provided comments to the Regulation 18 Consultation specifically on a water efficiency calculator report have been taken on board.

5.9.15 The comments received from the strategic bodies to the Regulation 19 consultation are identified below:

The *Environment Agency* has been a stakeholder in the Stage 2 IWMS. The Environment Agency confirmed they have no further detailed comments to make in relation to the plan and reiterated general comments on flood risk and foul drainage capacity at the Regulation 19 stage. These were:

- Foul Drainage Capacity – there are three water recycling centres within proximity to the proposed site. Water supply and wastewater treatment capacity will be provided and implemented ahead of or at least before occupation without causing deterioration of any watercourse.

- Flood Risk – designated area boarders flood zone 2 and 3. There is a proposed green corridor between the flood zone and built development. Encourage and support development away from the flood zones in a sequentially sited area. Climate change should be reviewed to ensure development is built away from flood zones in future flood events.

Both *Affinity Water and Anglian Water* responded to the Regulation 19 Consultation. Both support the positive messaging regarding the water efficiency opportunities but request a revision to require a lower level of water usage litres per day to reflect the exemplar development proposed. Anglian Water made comments relating to the Infrastructure Delivery, Phasing and Funding Plan. It was suggested that Anglian Water are engaged with further at the earliest opportunity and this should include wastewater or sewerage as well as water supply. Reference to engagement with Anglian Water regarding connections to network and capacity enhancements is welcomed.

Regarding the justification section to GC Policy 8, *Anglian Water* recommended that the Drainage Plan and SuDS Management and Maintenance Plan are closely linked to the over-arching green and blue infrastructure framework so that multi-functional benefits and opportunities can be maximised.

5.9.16 A joint SoCG between both water companies will be prepared to address the suggestions made to GC Policy 8 (Sustainable Infrastructure).

Essex County Council supported the policy and recommended amendments to reiterate the need for certain requirements to be set out in the Green and Blue Infrastructure Plan and for the DPD to acknowledge that the Garden Community is located with the Essex Climate Action Commission's Climate Focus Area.

Strategic Body	**Area of disagreement – matter to be resolved**	**Agreed Approach**
Anglian Water and Affinity Water	Policy 8 – Part D Water Conservation and Wastewater	To agree wording through a joint SoCG
Essex County Council	Policy 8 - Part I - reiterate the need for requirements to be set out in the Green and Blue Infrastructure Plan; and DPD to acknowledge that the Garden Community is located with the Essex Climate Action	To agree wording through a joint SoCG

	Commission's Climate Focus Area.	

5.10 Delivery and Monitoring

5.10.1 *Chapter 10: Infrastructure Delivery, Impact Mitigation and Monitoring*
The DPD covers the requirements to ensure the TCBGC is supported by the required level of infrastructure. The main requirements covered in the DPD, as set out in the policies of the adopted Section 1 Local Plan include:

- All development must be supported by the provision of infrastructure, services and facilities that are identified to serve the needs arising from the development.
- An infrastructure delivery strategy and phasing plan that sets out how infrastructure, services and facilities will be provided.
- Comprehensive planning and development of the Garden Community, where each development phase is supported by suitable mechanisms to deliver the infrastructure both on and off-site.
- Providing new and improved transport (footways, cycle links, bridleways, roads) and communication infrastructure.
- Addressing education, healthcare, leisure and sports.
- Integrating a network of multi-functional green and blue infrastructure to create attractive and sustainable places.
- Ensuring adequate water and wastewater treatment capacity or infrastructure upgrades are in place prior to development proceeding.
- Planning consent and funding approval for the A120-A133 Link Road and Route 1 of the Rapid Transit System.
- Providing appropriate design and infrastructure that incorporates the highest standards of innovation in energy efficiency and technology to reduce impact of climate change, water efficiency (with the aim of being water neutral in areas of serious water stress), and sustainable waste / recycling management facilities.

5.10.2 <u>GC Policy 9: Infrastructure Delivery and Impact Mitigation</u>
This Policy sets out the requirements and mechanism for ensuring the TCBGC delivers the required infrastructure which is at the heart of sustainable development for the garden community.

5.10.3 The Councils will work collaboratively with a range of delivery partners to deliver the required infrastructure. To support the DPD the Councils have prepared an Infrastructure Delivery, Phasing and Funding Plan (IDP) which provides an update to previous infrastructure planning work done in relation to the Garden Community. The update sets out a range of requirements that are already known and continue to be needed (for example, new schools, health and

community facilities related to population growth), which are required by policy in the adopted Section 1 Local Plan and has shaped the policy development within the DPD.

5.10.4 The IDP draws together information across all types of infrastructure, showing what is required, how it will be provided; how it will be funded and when it will need to be provided to align with the phasing of the Garden Community. The IDP aligns with the outcome of the Strategic Masterplan work as well as addresses responses from strategic infrastructure providers to the Regulation 18 consultation and further consultation that was been undertaken by the Councils over the summer (2023).

5.10.5 The updated IDP work covers the following infrastructure areas:

- Schools and other educational facilities
- Social, community, health and wellbeing (including flexible community space to accommodate a range of local community groups and activities)
- Leisure and recreational facilities (including children's play, youth and sports facilities)
- Open space/green infrastructure
- Utilities
- Transport, including highways matters (including the potential need to address funding requirements for strategic improvements such as the A120-A133 Link Rd, and additional measures to secure modal shift, including investment in walking and cycling connections and facilities)
- Flood defences
- Emergency services
- Waste

5.10.6 The IDP is a living document subject to review and will be regularly updated. Proposals will be expected to deliver or contribute to the necessary infrastructure requirements of the Garden Community as identified by the Council's IDP, where such contributions are compliant with national policy and the legal tests.

5.10.7 Some infrastructure providers will fund and deliver infrastructure themselves. Other infrastructure will be funded by developers and landowners, secured by planning obligations or the CIL (if adopted) or its successor as part of the planning permission. On-site infrastructure provision will usually be secured by planning conditions or legal agreements. Off-site provision will usually be secured by legal agreements and through other financial contributions.

5.10.8 *Monitoring*

All Development Plan Documents require monitoring and this section of the DPD sets out the indicators which are appropriate to monitor the effectiveness of the DPD. The performance against these will be reflected in the Authorities Monitoring Reports. The indicators relate to the policy and SA objectives and this will inform the need for any early review of the DPD in whole or part.

5.10.9 The comments received from the Strategic bodies to the Regulation 18 consultation are identified below:

Natural England - Generally, the proposed monitoring indicators for objective 6 *'to value, conserve and enhance the natural environment, natural resources, biodiversity and geological diversity'* need to be more specific.

Essex Country Council:

- ECC is working with TDC and CBC to prepare an IDP.
- The monitoring framework should ensure that biodiversity net gain is monitored.

NEECCG: Indicate that the Policy text omits reference to the basis for key infrastructure in the form of ambulance, police and firefighting facilities.

ESNEFT - generally supportive with a request to amend the monitoring indicators linked to healthcare to recognise that access to healthcare is predicated on service capacity as well as the distance of residents to facilities.

Affinity Water - Comments relate to the need for developers / applicants to engage early with the water companies regarding water supply to manage the increased demand for water.

Sport England - Generally support the approach and suggest consideration also be given to an additional longer-term indicator for monitoring behaviour change influenced by the environment and impacts on active lifestyles.

5.10.10 The comments received from the strategic bodies to the Regulation 19 consultation are identified below:

East of England Ambulance Service NHS Trust Raise concerns regarding the omission of specific reference to all of the emergency services which comprise elements of key health infrastructure. Comments are also made in respect of the strategic masterplan assumptions and phasing informing the Infrastructure Delivery, Phasing and Funding Plan. These matters can be addressed as part of the Statement of Common Ground being prepared with the Councils.

Anglian Water welcomes the policy requirement to ensure developers work positively with other infrastructure providers throughout the planning process to ensure that the cumulative impact of development is considered and then mitigated, at the appropriate time, in line with their published policies and guidance. As outlined in the Infrastructure Delivery, Phasing and Funding Plan, Anglian Water publishes infrastructure charging schedule for connection to our water supply and wastewater networks. As most of the site is under the control of a master-developer, it is considered this should assist with preparing a consistent and efficient approach for planning and phasing infrastructure requirements across the site. We suggest that engagement with Anglian Water is undertaken at the earliest stage.

Strategic Body	**Area of disagreement – matter to be resolved**	**Agreed Approach**
Suffolk and North East Essex	Omission of reference to key infrastructure.	Statement of Common Ground to be prepared with Suffolk and North East Essex Integrated Care Board on behalf

Integrated Care Board (SNEE ICB) *East of England Ambulance Service NHS Trust*		of all Health partners including incorporating matters raised by ESNEFT

6.0 Other Matters

6.1 For completeness, reference to the other Development Plan Documents which apply are identified below.

6.2 **Waste Management**

Existing and emerging national legislation and policy (including the Waste and Resource Strategy for England and other measures in the Environment Act 2021) seeks to deal with waste more sustainably by reducing the amounts of waste being generated and managing it in a manner to reduce environmental impacts. This will require the adoption of Circular Economy principles where waste is designed out of systems, and resources and products are kept in use for as long as possible. This will lead to the adoption of more effective reuse, recycling and composting systems and a shift away from the more environmentally impactful waste treatment and disposal methodologies. As a result, these measures will all contribute positively to the net zero carbon commitment and the service will be looking to focus on these aspects more in the future.

6.3 The NPPF and National Planning Policy for Waste (NPPW) set the requirements for waste planning to contribute to achieving sustainable development including the prudent use of resources and minimising waste. The NPPW provides the strategic planning policy and framework for waste matters, such as preparing waste local plans; applying the waste hierarchy; the need for and provision of waste infrastructure; and the application of Areas of Search and Waste Consultation Areas policies to protect provision of waste infrastructure – all of which is reflected in the WLP.

6.4 Essex County Council is the Waste Planning Authority for Colchester and Tendring and are responsible for plan making and decision taking in respect of waste management development (county matters), monitoring of waste sites and enforcement.

6.5 The Essex and Southend-on-Sea Waste Local Plan was adopted in 2017. The Waste Local Plan (WLP) sets out where and how waste management developments can occur and is the planning policy against which waste management development planning applications are assessed. The WLP forms part of the statutory Development Plan for Colchester and Tendring councils.

6.6 Essex County Council is also the Waste Disposal Authority (WDA) for the county and has a statutory obligation to arrange for the disposal of controlled waste collected by the waste collection authorities (i.e. the 12 borough, city and district councils within Essex); and for places to be provided where the resident of Essex may deposit their household waste, and to arrange for the disposal of this waste.

6.7 The WDA works in partnership with the 12 Essex Waste Collection Authorities, through the Essex Waste Partnership - the umbrella collaborative arrangement to deliver the Joint Municipal Waste Management Strategy. A new strategy is being prepared with partners and scheduled for consultation late 2023.

6.8 Colchester and Tendring councils are the Waste Collection Authorities and are responsible for the collection of waste from properties and elsewhere. This includes household waste and any other wastes collected by, or on behalf, of councils, including street cleansing, and commercial and industrial waste.

6.9 The major waste treatment and disposal infrastructure currently in place for managing local waste has considered the anticipated waste growth levels resulting from the adopted Local Plans. This infrastructure is secured through contracting arrangements with private operators and is not operated or provided directly by ECC as the WDA. This approach is subject to periodic review and may change in the future leading to a need for additional waste infrastructure being provided directly by ECC.

6.10 The Waste Transfer Station serving Colchester and Tendring council areas is located off the A120 near Ardleigh and has a permitted design capacity of 115,000 tonnes per annum.

6.11 Essex County Council as the Waste Planning Authority and WDA have raised no objection to the DPD. The Infrastructure Delivery, Phasing and Funding Plan notes that considering the current usage of existing facilities and anticipated future waste arisings it is anticipated that there is sufficient capacity for the growth without the need for major investment in the network or the establishment of new bulking capacity to serve the local area. This position is predicated on the current per capita waste arisings and collection system architecture remaining unchanged.

6.12 Changes to services and consumer behaviour can lead to increased waste. Headroom capacity of local facilities will be reviewed periodically during the plan period to ascertain sufficient capacity remains to continue to meet the growth proposals, or whether per capita waste arising growth necessitate further investment in waste infrastructure.

6.13 Should upgrading of the current network be necessary, this could be delivered by either increasing the peak vehicle handling capacity of existing sites through infrastructural upgrade, or the development of larger replacement sites.

6.14 The Essex Joint Municipal Waste Management Strategy is currently subject to review and update. This work will include a review of existing Recycling Centres for Household Waste capacity levels and the infrastructure improvements required to maintain acceptable service levels. The output of this work will form the evidence base for future investment requirements for the waste services and facilities.

6.15 Any potential requirements for waste matters could be resolved in due course through determination of the planning applications and associated section 106 agreement(s).

6.16 **Minerals**

The NPPF outlines that minerals are finite natural resource, and it is essential there is sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the county needs. Minerals can only be worked where they are found and best use needs to be made of them to secure their long term conservation.

6.17 The NPPF emphasises the need to safeguard mineral resources and mineral infrastructure from being needlessly sterilised or infrastructure compromised by non-mineral related development.

6.18 Essex County Council is the Minerals Planning Authority for Colchester and Tendring and are responsible for plan making and decision taking in respect of minerals management development (county matters), monitoring of mineral sites and enforcement.

6.19 The Essex Minerals Local Plan was adopted in 2014 and is currently undergoing a review process. The role of the Minerals Local Plan (MLP) is to identify sites for the extraction of sufficient quantities of mineral within Essex to facilitate development over the Plan period. The MLP forms part of the statutory Development Plan for Colchester and Tendring councils.

6.20 The MLP promotes sustainable construction, the efficient use of minerals and includes Mineral Safeguarding Areas (MSA's) and Mineral Consultation Areas (MCA's). The MLP is supported by Mineral Site Restoration Biodiversity Supplementary Planning Guidance (June 2016) to promote and enhance biodiversity and habitat creation on mineral sites.

6.21 As outlined above, Essex County Council as the Minerals and Waste Planning Authority have worked in close partnership with the Councils to support the preparation and delivery of the DPD. GC Policy 8 includes Part H Minerals – Prior Extraction. This set out that proposals must be informed by a Minerals Resource Assessment, as required by the Minerals Planning Authority. Given the scale of the Garden Community and duration of construction, this can be undertaken in phases but must be completed ahead of any detailed Masterplanning for that phase to ensure the findings can influence the masterplan to ensure minerals are not unnecessarily sterilised by non-mineral development.

6.22 In their representation to the regulation 19 consultation, Essex County Council provided their strong support for policies provided in the Draft Plan which align with their priorities and commitments including requiring a Minerals Resource Assessment to ensure the prior extraction of minerals is coordinated through Masterplanning and the planning application process.

7.0 Governance Arrangements

7.1 The Councils have good working relationships with the parties listed in this SoCG and there has been active and ongoing engagement with them on plan preparation over a number of years.

7.2 Officers have negotiated the areas of agreement and this has been endorsed by the relevant Directors of the three Authorities and senior representatives from the parties listed.

7.3 The governance and management arrangements set out in this SoCG are key to its implementation and effectiveness. The Duty to Cooperate Statement also provides further details of the groups and organisations that the Councils take an active part in to address strategic cross-boundary issues, where many the parties mentioned in this SoCG are, and will continue to be, involved.

8.0 Timetable for agreement, review and update

8.1 This SoCG supports the Submission version - Regulation 19 Plan. It has been updated following the Regulation 19 consulted before the Plan is submitted. It may be appropriate to review it during the course of the examination.

8.2 The SoCG has been prepared alongside the final versions of the Duty to Cooperate Compliance Statement and the Consultation Statement, prior to the DPD being submitted both of which set out more detail to support the DPD and this SoCG.

9.0 Summary / Other issues / Specific Statements of Common Ground

9.1 It has been agreed that throughout this document specific Statements of Common Ground will be prepared to support the examination as follows.

Strategic Statutory Bodies	**Policy(ies)**
Natural England	GC Policy 2
Anglian Water and Affinity Water	GC Policy 8
Historic England	GC Policy 1 and 3
National Highways	GC Policy 7
Suffolk and North East Essex Integrated Care Board on behalf of all health partners including The East Suffolk and North Essex NHS Foundation Trust (ESNEFT) and East of England Ambulance Service NHS Trust	GC Policy 1, 6 and 9
Sport England	GC Policy 1, 3 and 6
Essex County Council	GC Policy 2, 3 and 8

10.0 Additional Statements of Common Ground identified as being required for the Examination

10.1 The need for and intentions to prepare SoCG with the key Strategic bodies has been identified throughout this document. In addition, although not Statutory Strategic bodies the Council's and / representations have identified additional parties and issues where it is intended to prepare a SoCG. There may be additional SoCGs identified, but in order to assist the Examination those currently identified are listed in the table below.

Representor / Party	**Policy(ies) / Issue(s)**
University of Essex	GC Policy 1, 2, 3 and 8
Latimer	GC Policy 1, 2, 3, 4, 5, 6, 7 and 8

10.2 Further SoCGs may be prepared in response to Matters, Issues and Questions at the request of the Inspector.

11.0 Signatures

11.1 For the Councils in relation to all matters:

Lindsay Barker – Deputy Chief Executive and Executive Director Place for Colchester City Council
Signature:

Date: 19.09.2023

Gary Guiver – Director of Planning for Tendring District Council
Signature:

Date: 21.09.2023

Steve Evison – Director for Sustainable Growth for Essex County Council
Signature:

Date: 21.09.2023

11.2 For the Strategic Statutory Bodies:

For the Environment Agency in relation to Nature and Sustainable Infrastructure:
Signature:

Date:

For Historic England in relation to Nature and Place Shaping Principles:
Signature:

Date:

For Natural England in relation to Nature:
Signature:

Date:

For the Suffolk and North East Essex Integrated Care Board in relation to Land Use, Community & Social Infrastructure and Infrastructure Delivery:
Signature:

Date:

For Sport England in relation to Land Use, Place Shaping Principles and Community & Social Infrastructure:
Signature:

Date:

For National Highways in relation to Movement &Transport
Signature:

Date:

For Anglian Water Services Limited in relation to Sustainable Infrastructure:
Signature:

Date:

For Affinity Water in relation to Sustainable Infrastructure:
Signature:

Date: