284 Object

Document Element: MM71 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

Summary:

This agreed ambition should not be altered. It is unacceptable to allow the DPD to circumnavigate national policy on this.

Full text:

This agreed ambition should not be altered. It is unacceptable to allow the DPD to circumnavigate national policy on this.

Change suggested by respondent:

Agreed with the original policy requirement on MM71.
Re MM72- Alignment with the Essex Design Guide is
needed

Legally compliant: No

Sound: No

Comply with duty: Yes

Attachments: None

338 Object

Document Element: MM71 (Main)

Respondent: Essex County Council (Nicola Melville, Lead Planning Officer - Climate Action) [192]

Summary:

The MM71 additional text to GC Policy 8, Part A is an unnecessary inclusion to what is already a robust policy and could inhibit the effectiveness of the policy in delivering net zero outcomes at the TCB Garden Community. The additional text is too broad and ambiguous for effective delivery, introduces elements of uncertainty into the policy, and, from experience, this type of wording will lead to confusion and protracted discission, and potential delay to the effectiveness of the development management process.

Full text:

Suggested amendment:
Replace the additional wording of:
'or, in exceptional circumstances,' with 'or, where evidence is provided that this is not technically feasible'
Delete the additional wording of:
'across the Garden Community' and reinstate 'onsite'.

Reason:
To ensure the effectiveness of the Policy by tightening a potential 'loop hole' which could lead to confusion and protracted negotiations during the Development Management process; and thereby impacting on delivery of clear, transparent and robust decision making.

Justification:
Whilst Essex County Council recognises and welcomes the considerable efforts made by the Inspector to achieve agreement between all parties on this matter, we are concerned that the additional text as proposed in MM71 is too broad and ambiguous for effective delivery, introduces elements of uncertainty into the policy, and, from experience, this type of wording will lead to confusion and protracted discission, and potential delay to the effectiveness of the development management process.

Specifically, the term "exceptional circumstances" is not defined within the policy and the term "across the Garden Community" could lead to the objectives of the policy (to facilitate net zero development) being set back until later phases of the Garden Community with no binding safeguards that later phases will indeed deliver an overall net zero development. We are concerned that the additional text to the policy will effectively act as an unnecessary brake on bringing forward net zero development at the Garden Community. We strongly consider, and this is supported by the robust evidence, that there is no need to delay building to net zero as it is achievable now.

As highlighted at the examination hearing sessions, the Essex evidence base (Report 1: Essex Net Zero Policy – Technical Evidence Base, July 2023) demonstrates that building to net zero standards is technically feasible with additional costs that are very marginal. Since the examination, the evidence base has been further strengthened with the publication of the Essex Net Zero Specifications Guidance and Supporting Information (July 2024). This guidance is aimed at supporting developers with the design and specifications of new homes which would result in compliance with the net zero policy approach outlined in the DPD.

As further evidence of the viability of net zero housing, we are aware that private housebuilders, practiced at building to these standards, are currently being attracted to Essex because of our strong approach towards 'net zero' homes; it is seen as a significant enabler.

As a leading authority on climate mitigation and adaptation, we wish to support our partner authorities in setting a strong clear policy that can act as a stimulus or magnet for innovation and progression in the construction sector. We therefore want to avoid 'muddying the waters' by introducing an element of uncertainty into the TCB policy. However, we acknowledge the Inspector wishes to introduce a measure of flexibility into the policy and suggest that alternative wording is used for 'exceptional circumstances'.

This suggested alternative wording will tighten the policy somewhat whilst still allowing an element of flexibility and we believe it will lessen the ambiguity and risk of protracted discussion at Development Management stages. Providing clear and precise policy wording is essential for efficient and effective decision-making and we believe the suggested amendment will help support this.

In summary, Essex County Council, along with the partner authorities, is committed to progressing new development in TCB that aligns with statutory climate targets, and we consider that the MM71 additional text in the policy is an unnecessary inclusion to what is already a robust policy and could inhibit the effectiveness of the policy in delivering net zero outcomes at the TCB Garden Community. The suggested amendment to the additional text is therefore put forward to assist the Inspector in finding a suitable way forward.

Change suggested by respondent:

Replace the additional wording of: 'or, in exceptional circumstances,' with 'or, where evidence is provided that this is not technically feasible'. Delete the additional wording of: 'across the Garden Community' and reinstate 'onsite'.

Legally compliant: Not specified
Sound: Not specified
Comply with duty: Not specified
Attachments:
ECC Climate and Planning Unit - Response to TCB Main Modifications Consultation - https://tcbgardencommunity.oc2.uk/a/33

385 Support

Document Element: MM71 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

Summary:

Latimer support the rationale of the changes proposed under MM71 and the need to reach net zero carbon in operation. However, the Councils should be aware of the impact of the ambition to reach zero carbon – in that it can take choice away from residents and end users by limiting their energy suppliers.

Full text:

Latimer support the rationale of the changes proposed under MM71 and the need to reach net zero carbon in operation. However, the Councils should be aware of the impact of the ambition to reach zero carbon – in that it can take choice away from residents and end users by limiting their energy suppliers.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

336 Support

Document Element: MM73 (Main)

Respondent: Anglian Water Services Ltd (Ms Tessa Saunders, Spatial Planning Advisor) [40]

Summary:

Anglian Water supports the proposed main modification to ensure the garden community is moving towards more ambitious water efficiency standards that reflect Garden City Principles and guidance - with new homes, as a minimum, meeting a water efficiency standard of 100 litres per person per day. There is an error in the main modification as the words "the Building Regulations optional tighter water standard of 110 litres per person per day." have not been struck through/deleted. Anglian Water supports the approach which is clearly set out in our Statement of Common Ground with TCB Garden Community.

Full text:

Anglian Water is strongly supports the proposed main modification to ensure the garden community is moving towards more ambitious water efficiency standards that reflect Garden City Principles and guidance; going beyond the current higher optional standard of 110 litres per person per day (l/p/d) to 100 l/p/d and encouraging the incorporation integrated water management measures that would provide opportunities to deliver even higher efficiencies. This is consistent with the proposed approach Anglian Water agreed with TCB Garden Community through the Statement of Common Ground.

However, there appears to be an error in presenting the main modification as the words "the Building Regulations optional tighter water standard of 110 litres per person per day." have not been struck through to demonstrate the modification intends for the 110 l/p/d standard to be replaced by 100 l/p/d, which may cause some confusion. We therefore endorse this particular sentence of the proposed main modification (MM73) to read:
"All homes must include water saving measures and, as a minimum, meet the Government's Environment Improvement Plan (Water Efficiency Roadmap) standard of 100 litres per person per day."

Change suggested by respondent:

-

Legally compliant: Not specified
Sound: Not specified
Comply with duty: Not specified
Attachments: None

386 Support

Document Element: MM73 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

Summary:

Latimer note that the modified policy does not seem to read correctly and now refers to both 100 and 110 litres of water per person per day. In principle, Latimer is content with the 100 litres of water per person per day ambition, but suggest the wording is clarified to avoid any ambiguity prior to adoption. With regards to the second part of the tracked changes under MM73, Latimer support this ambition.

Full text:

Latimer note that the modified policy does not seem to read correctly and now refers to both 100 and 110 litres of water per person per day. In principle, Latimer is content with the 100 litres of water per person per day ambition, but suggest the wording is clarified to avoid any ambiguity prior to adoption. With regards to the second part of the tracked changes under MM73, Latimer support this ambition.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

401 Support

Document Element: MM73 (Main)

Respondent: TCBGC Community Liaison Group [104]

Agent: Mrs Manda O'Connell [105]

Summary:

Along with these provisions for water efficiency, there should be included measures to deal with risk of flood and suitable drainage to avoid. This is being overlooked in the construction of RTS route down Clingoe Hill with the construction of huge water tanks to catch storm drain waters from the carriageway, to then be emptied into Salary Brook waterway, which is already flooded 4-5 months of the year in and beyond the underpass beneath Clingoe Hill. This will only get worse causing severe flooding without the necessary measures (ditching etc) to prevent.

Full text:

Along with these provisions for water efficiency, there should be included measures to deal with risk of flood and suitable drainage to avoid. This is being overlooked in the construction of RTS route down Clingoe Hill with the construction of huge water tanks to catch storm drain waters from the carriageway, to then be emptied into Salary Brook waterway, which is already flooded 4-5 months of the year in and beyond the underpass beneath Clingoe Hill. This will only get worse causing severe flooding without the necessary measures (ditching etc) to prevent.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

463 Support

Document Element: MM73 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

Summary:

MM73 – support Anglian waters representation.

Full text:

While we support a number of modifications suggested by statutory bodies such as natural England and sport England, we have listed numerous concerns where policy wording is being unnecessarily weakened to the extent it is no longer effective.

As noted there a small number of modifications we believe contradict one another with regards to effective transport planning, and require significant changes, or the omission of illustrative mapping with no planning purpose that obfuscate the policies they're intended to support.

We remain concerned that an evidence based approach has not been taken with regards to effective transport and movement, especially given the reasoning for main matter 63 which itself concludes the existing traffic modelling is fundamentally flawed. This, and other modifications require substantial changes that need additional evidence, and further consultation to constitute a proper plan making process.

We can only reiterate representations made at the examination in public that we believe too much detail has been pushed to later stages of the planning process, which is supported by the numerous reasonings suggesting policy must be loosened to allow for a wider flexibility.

Change suggested by respondent:

Strengthened policy wording to ensure policies are effective and not merely suggestive.

Updated traffic modelling and re-examination of transport and movement policies to form an effective, evidence based approach.

Completion of the full link road, to be operational before domestic development commences. (as promised in previous rounds of consultation, and removed without adequate opportunity for additional input)

Integrated phasing plan overview enshrined in policy. Updated viability study to confirm potential proposal is above viability threshold as currently queried in evidence base: financial viability study confirms a 15% profit on cost was approved during section 1, appropriate range reduced to 10-14% but the same document establishes liability at 9.65% - below acceptable thresholds and which we believe will only have fallen further due to changing economic circumstance. By the DPDs own evidence base's assertion – it does not meet the threshold to be viable.

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments:

scanned representation - https://tcbgardencommunity.oc2.uk/a/3w