Appendix A ~ Schedule of Main Modifications

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Chapter 2 - Vision

Mod Ref	Part	Modification
MM1	Narrative	Amend page 16 'Community and Social Infrastructure' to read: The Garden Community will be known for its healthy and thriving community. It will have a variety of diverse community spaces, play spaces, great local schools and a network of sport, leisure, *health, and wellbeing facilities*. It will establish long term and participative stewardship of infrastructure from the outset.

GC Policy 1 - Land Uses and Spatial Approach

Mod Ref	Part	Modification
MM2	Part A	Amend first point of Part A, page 20: Delivery of circa 7,500 new homes with a range of shops, jobs, services, and community facilities, including education *and health and wellbeing provision* (see Part B below).
MM3	Part B	Amend fifth para, page 22: ….The councils will work with the University of Essex and other partners as appropriate, to deliver the key infrastructure (health, education, *ambulance, police, firefighting* and other community uses)….
MM4	Part B	Amend last sentence of first para, page 23: Accessibility to services and facilities *including those that support health and wellbeing*, utilities infrastructure and the Rapid Transit System will be key to determining the phasing of development in the 'Crockleford Neighbourhood'.

MM5	Part B	Amend last sentence of last para. page 21: Broad locations for two distinct but interlinked Neighbourhoods, referred to as the 'South and North Neighbourhoods' are shown on the Policies Map. The 'North and South Neighbourhoods' between them will accommodate around 6,000-6,500 new homes. Development within and across the two 'Neighbourhoods' will be phased to ensure housing development is aligned with infrastructure delivery~~, with an expectation that the early phases of development will begin in the 'South Neighbourhood'.~~
MM6	Part B	Amend first sentence of last para. page 22: *Subject to evidence-based work,* the 'South and North Neighbourhoods' *are to* ~~will~~ each be accessed independently from separate vehicular junctions on the new A120-A133 Link Road (as opposed to the A133 and A120 themselves) in order to give priority to the Rapid Transit System and active travel modes.
MM7	Part B	Amend first sentence of first para. page 23: The 'Crockleford Neighbourhood' will be developed as an individual community that is ~~physically separated from, but~~ connected by walking, cycling and other sustainable transport modes to the 'South and North Neighbourhoods' and the City of Colchester.
MM8	Part B	Amend last sentence of first para. page 23: Accessibility to services and facilities, utilities infrastructure ~~and~~, the Rapid Transit System *and other public transport services* will be key to determining the phasing of development in the 'Crockleford Neighbourhood.
MM9	Part E	Amend forth para. page 24: Land east of the new A120-A133 Link Road and the new 'Business Park' south of the A120, is designated as a Strategic Green Gap. This designation will provide protection to the open countryside to the east of the Garden Community; maintain the long-term physical and visual separation to Elmstead Market, and to assist in protecting

		the setting of the *designated* heritage assets of the *Grade I Listed* Church of St. Anne and St. Lawrence, *Grade II* Listed* Elmstead Hall, *and Grade II Listed* Allens Farmhouse and the Round Burrow.
MM10	Part F	Amend first para. page 25: Approximately 25 hectares of land south of the A133 and north of the proposed 'Wivenhoe Strategic Green Gap', is allocated on the 'Policies Map' for new a 'Sports and Leisure Park'. This will facilitate the enhancement of sports facilities required by the University of Essex as part of its plans for long-term expansion and will provide sports and leisure facilities which will be available for use by residents and clubs in the existing community, the proposed Garden Community and the University. *Where appropriate this will include the provision of indoor and outdoor floodlit facilities.*
MM11	Part F	Add new para. after second para. page 25: *Should the position of the A133 Park and Choose Facility be located south of the A133, its provision and position should be evidenced to demonstrate that it would not prejudice the expansion requirements of the University of Essex or the ability to meet the sports, leisure and open space requirements of the wider Garden Community.*
MM12	Part J	Amend last para. page 26: The 'Park and Choose Facility' will be brought forward alongside ~~early phases~~ *first residential phases* of development ~~to coincide with the first operation of~~ with the Rapid Transport System. It will have the ability to be expanded over time in response to future demand.
MM13	Part K	Amend last para. page 27: Each individual policy of this Plan specifies required supporting documents that must be submitted either prior to or in support of planning applications. A full list of these documents can be found at Appendix ~~4~~ *3*.

GC Policy 2 - Nature

Mod Ref	Part	Modification
MM18	Part A	Remove the last para. page 39 as follows from Part A: ~~Proposals will be required to provide an appropriate amount of Suitable Accessible Natural Greenspace (SANG), in accordance with Natural England (NE) guidance. This will reduce the amount of day-to-day recreational trips to the sensitive Essex coast. Proposals to incorporate the SANG within the new Country Park will be supported where they conform to the principles of the Strategic Masterplan and where evidence, including visitor surveys, is provided to demonstrate that the Salary Brook Local Nature Reserve has sufficient capacity to accommodate any increased visitor usage proposed in order to count towards SANG provision.~~ Create new Part B to read as follows: ***Part B: Suitable Alternative Natural Greenspace (SANG)*** *Proposals will be required to provide an appropriate amount of Suitable Alternative Natural Greenspace (SANG), in accordance with Natural England (NE) guidance. This will reduce the amount of day-to-day recreational trips to the protected habitat sites Essex coast. Proposals to incorporate SANG within the new Country Park will be supported where they conform to the principles of the Strategic Masterplan and where evidence, including visitor surveys, is provided to demonstrate that the Salary Brook Local Nature Reserve has sufficient capacity to accommodate any increased visitor usage proposed in order to count towards SANG provision. 10 The Council will work with Natural England, landowners and stakeholders to agree the extent of SANG provision for each phase of the Garden Community, which must link into a wider network of footpaths, green infrastructure and public open space. Proposals must demonstrate how SANG, and access to it, will be provided for each relevant phase of the development, including access to temporary SANG where required.*
MM19		Re-title the following sections: Part B: Integrating Green and Blue (water) Spaces into Built Form - Becomes *Part C* Part C: Protection of Biodiversity – Becomes *Part D*

		Part D: Biodiversity Net Gain – Becomes *Part E* Part E: Tree Planting – Becomes *Part F* Part F: Productive Landscapes – Becomes *Part G* Part G: Sustainable Drainage Systems and Blue Infrastructure – Becomes *Part H* Part H: Integration of A120-A133 Link Road Mitigation – Becomes *Part I* Part I: Planning Application Requirements – Becomes *Part J*
MM20	Part B (to become Part C)	Amend last para. page 39: A key principle and part of the distinctive character of the Garden Community will be the green-blue infrastructure network and celebration of the natural and historic environment. Proposals should take every opportunity to integrate green and blue spaces and will be required to demonstrate, both spatially and technically, how they have been integrated into the built form. Examples include: tree lined streets or streets that contain hedgerows appropriate to local character, habitats, and species; insect-attracting plants, hedgerows, log piles, and other places of shelter for wildlife refuge/hibernation within structural landscaping and open spaces; hedgehog friendly features in residential garden boundaries to create linked habitat; dark corridors for bat foraging; green walls and roofs and other measures of incorporating trees and plants into buildings; bat boxes, bricks or lofts and bird boxes; ~~green roofs~~ *dual purpose street furniture*; and Sustainable Drainage Systems (SuDS).
MM21	Part C (to become Part D)	Amend as follows: Part ~~C~~ *D*: Protection of Biodiversity Proposals will need to provide the following: • Are supported with appropriate ecological surveys where necessary. • Where there is reason to suspect the presence of a protected species (and impact to), or Species/Habitats of Principal Importance, proposals should be accompanied by an ecological survey assessing their presence and, if present, the proposal must be sensitive to, and make provision for their needs and demonstrate the mitigation hierarchy has been followed. • Will minimise fragmentation of habitats.

		• Maximises opportunities for the preservation, restoration, enhancement, and connection of natural habitats in accordance with the Local Nature Recovery Strategy or future replacements. *Before granting planning consent, wintering bird surveys will be undertaken at the appropriate time of year to identify any offsite functional habitat. In the unlikely event that significant numbers are identified, development must firstly avoid impacts. Where this is not possible, development must be phased to deliver habitat creation and management either on or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds.* Sensitive habitats should be buffered with additional planting or other agreed appropriate measures wherever possible to discourage access. Appropriate interpretation/signage will be required to help divert visitors away from sites that are sensitive to recreational disturbance, including the use of marketing and promotional material at the point of house sales. Ecologically rich buffer landscapes against existing and new road corridors will be required. The minimum widths of these will be agreed through an appropriate design code or similar.
MM90	GC Policy 2 Part D (to become Part E)	Remove last sentence of first point of Part on page 40: ~~As such an ambition is to achieve BNG of 15% on average across the whole masterplan.~~
MM23	Part E (to become Part F)	Areas for planting or regeneration ~~should~~ *will need to* be set out and agreed in the appropriate landscape and green-blue infrastructure strategies and management plans.
MM24	Part J (new part)	***Part J: Air Quality*** *Proposals that might lead to a deterioration in air quality or to an exceedance of the national air quality objectives, either by itself, or in combination with other development, will require the submission of an Air Quality Assessment to be carried out in accordance with industry best practice. This should address:* *a) The cumulative effect of further emissions and screening for air quality impacts.*

		b) Where identified as being required, the proposed measures of mitigation, using good design, technical solutions and offsetting measures that prevent the deterioration of air quality and ensure that National Air Quality Objectives are not exceeded. *c) The identification of measures to secure the safety and satisfactory quality of life for the future occupiers and existing residents. Development must not result in an increased exposure to poor air quality, including odour, fumes and dust, particularly where developments might be occupied or used by vulnerable people.* *The Air Quality Assessment must be informed by traffic scoping modelling for each relevant phase of development and is required to assess increases in traffic levels on routes that lie within 200m of European Sites whose qualifying features, or the habitats that support them, are sensitive to any related changes in air quality.* *All development proposals should promote a shift to the use of sustainable low emission transport modes, to minimise the impact of vehicle emissions on air quality.*
MM25	Part I (to become Part K)	Proposals must include a green-blue infrastructure plan, which demonstrates how the scheme reflects and complies with the Strategic Masterplan; the Colchester Tendring Open Space Strategy requirements; the Healthy Living and Play Strategy required by GC Policy 6; *appropriate biosecurity standards for sourcing, quarantining, and inspecting plant material supplied to the development required by GC Policy 8;* and demonstrate how green and blue spaces have been integrated into the built form.
MM26	Part K (was Part I)	Add: 7. Proposals must be supported by an Air Quality Assessment to be informed by traffic scoping modelling for each relevant phase of development in accordance with industry best practice.
MM27	Justification (page 46)	Add additional paragraph: *Where the surveys show that mitigation is required, development must be phased to deliver habitat creation and management either on- or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds*

GC Policy 3 - Place Shaping Principles

Mod Ref	Part	Modification
MM28	Part A	It will adopt a landscape led approach to design and build, follow healthy new towns principles, *in accordance with Sport England Active Design principles,* and *achieving* secured by design certification.
MM29	Part B	Provide for a network of integrated *multifunctional* green and blue infrastructure features.
MM30	Parts I and J	Re-title the following sections: Part I: Historic Environment - Becomes *Part H* Part J: Planning Application Requirements – Becomes *Part I*
MM31	Part H (was Part I)	Development that will lead to substantial harm to or total loss of significance of a listed building, conservation area, historic park or garden or important archaeological remains (including the setting of heritage assets) will only be permitted in exceptional circumstances where the harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss. Where development will lead to less than substantial harm this harm should be weighed against the public benefits of the proposal. Development affecting the historic environment should seek to conserve and enhance the significance of the heritage asset and any features of specific historic, archaeological, architectural or artistic interest. In all cases there will be an expectation that any new development will enhance the historic environment or better reveal the significance of the heritage asset unless there are no identifiable opportunities available. *Future development must take into account the results and recommendations of the Councils 'Heritage Impact Assessment', and must demonstrate that any negative impacts on the significance of the Grade II* Listed Elmstead Hall, the Grade I Listed Church of St Anne and St Laurence, the Grade II Listed Allen's Farmhouse and the Round Barrows (Scheduled Monument) on Annan Road, and their settings, have been avoided and if this is not possible minimised, through appropriate masterplan design. Proposals that would enhance or better reveal the significance of these assets will be considered positively. Specific mitigation measures must be identified through the preparation*

		of a further detailed Heritage Impact Assessment, and pre-determination Archaeological Assessment, which will inform and be submitted prior to the determination of any application at the site.
MM32	Part H (was Part I)	…… In all cases there will be an expectation that any new development will *avoid or minimise any conflict between preserving the significance of a specific heritage asset and any aspect of the proposal. It should* enhance the historic environment or better reveal the significance of the heritage asset unless there are no identifiable opportunities available.
MM33	Part I (was J)	2. A Heritage Impact Assessment and Mitigation Strategy is required to demonstrate the measures that can minimise harm and maximise the potential to enhance the heritage significance of *the Grade II* Listed* Elmstead Hall, the *Grade I Listed* Church of St Anne and St Laurence, *the Grade II Listed* Allen's Farmhouse *and* the Round Barrows (Scheduled Monument) on Annan Road, *and their settings.*"
MM34	Part I (was J)	4. Design & Access Statement *(incorporating an Active Design Assessment in accordance with Sport England Active Design Guidance).*

GC Policy 5 - Economic Activity and Employment

Mod Ref	Part	Modification
MM35	Part A	Amend first point of Part A: How delivery of the first phase of business accommodation ~~in each employment area~~ is tied to occupation of housing to provide an alignment between jobs and housing, and any future review of employment allocations will need to take account of market dynamics and best practice and avoid sterilisation of parcels of land.
MM36	Part A	Amend first point at top of page 72:

		Creation of the Rapid Transit System to enable a *fast* ~~rapid~~ commute for residents to and from all neighbourhoods within the Garden Community to key areas of employment, including the new A120 business park and centres as well as those outside of the Garden Community, such as the University of Essex, Colchester City Centre, Colchester General Hospital, ~~Colchester Business Park~~ and Colchester Sports Park.
MM37	Justification (page 74)	….the study also recommends the provision of *appropriate* flexible *Commercial, Business and Service uses and* office space concentrated in the North and South Neighbourhood Centres.
MM38	Justification	Insert additional sentence/para to justification page 76 to read: *Student and retired households are excluded from the ambition to achieve one job per household.*

GC Policy 6 – Community and Social Infrastructure

Mod Ref	Part	Modification
MM39	Narrative	Amend Para.1 page 78 to read: Ensuring the Garden Community is served by community services and facilities of the right type in the right location and delivered at the appropriate time, including *health and wellbeing*, schools and sports facilities; as well as access to health *ambulance, police and firefighting* services …
MM40	Part C	Amend third para. page 83: Vehicle free 'school zones' must be provided around schools, with the area around the main pupil entrance entirely traffic free ~~and away from streets and car parks,~~ connected by safe and direct walking and cycling routes to the Neighbourhood the school serves.

MM41	Part C	Amend third para. page 83: Vehicle free 'school zones' must be provided around schools, with the area around the main pupil entrance entirely traffic free and away from streets and car parks, connected by safe and direct walking and cycling routes to the Neighbourhood the school serves. All schools should be well connected to the natural environment to provide the option of providing forest school sessions, *and through their design and layout encourage health and wellbeing, especially physical activity (e.g. storage facilities to support cycling, and the promotion of informal physical activity as well as providing conventional sport and play facilities).*
MM42	Part C	Include after bullet point list as paragraph: *The capacity and quantum of schools and early years provision will be subject to an appropriate assessment of the need at the time of submission of future planning application(s).*
MM43	Part D	The sports and recreation requirements of the Garden Community, as set out in the ~~Colchester and Tendring Sports, Recreation and Open Space Strategy (2022)~~ *Colchester and Tendring Open Space, Playing Pitch, Outdoor Sports and Built Facility - Overarching Strategy (2023)* or any updates to this Strategy, must be met in full in terms of the typology, quantity, quality, and location of facilities provided.
MM44	Part D	The sports and recreation requirements of the Garden Community, as set out in the Colchester and Tendring Sports, Recreation and Open Space Strategy (2022) or any updates to this Strategy, must be met in full in terms of the typology, quantity, quality, and location of facilities provided. *Proposals will have regard to the potential role of the University's existing or future sports facilities in meeting the needs of the development in view of the close proximity of the University site and the strategic shared use facilities that are or could be provided to help meet the needs of residents of both the development and the University.* Opportunities should be taken to deliver multipurpose facilities well integrated into the built environment and well designed in terms of their landscape settings. The Councils will only consider offsite provision where it is well

		connected to the Garden Community and/or where it will deliver multiple benefits, including benefits to existing communities.
MM45	Part E	Amend from last para. page 83: Appropriate health and wellbeing services must be provided to new residents and occupiers of the Garden Community from first occupation. Proposals for the development of the Garden Community must *reflect national and local health related strategies, consider the evidence provided through relevant Health Impact Assessments including the joint strategic needs assessment (JSNA) and align with the outcomes within the overall 'Health Strategy' for the Garden Community, and are anticipated to* include: *• Enhancements to existing local facilities, including improvements to primary care provision and wider healthcare services and facilities including but not limited to those at Colchester Hospital which will support the provision of acute and community services.* • A new Health and Wellbeing Hub ~~to be provided in the early phases of development (potentially via a phased approach to delivery)~~ (underpinned by the most up-to date evidence base delivered via a phased approach). The facility shall be designed to deliver an integrated service for ~~patients- including a cluster of general practitioners, a wide range of diagnostic services and primary care treatment – to minimise the requirement for secondary care treatment at hospital.~~ *residents and include consideration of primary, community and acute services and* ~~it~~ should be located on an accessible site close to other community facilities *and transport infrastructure. Any approach to health and wellbeing will include facilities that provide regard to prevention and health improvement activities.* • Flexible space for health provision, located within the Neighbourhood Centres and community buildings. Developers must enter into early conversations with the local NHS Integrated Care Board through the North East Essex Health and Wellbeing Alliance~~, and other relevant partners to ensure that proposals reflect current health and social care models.~~ *which is the local place-based health partnership so to ensure that proposals reflect current health and social care models, local evidence and need. This partnership vehicle will also be key in supporting the development of the health impact assessment and health strategy for the GC.*

MM46	Part G	Amend point 3, page 85: 3. Proposals must be supported by bespoke demographic studies commissioned by the developer to provide a consistent evidence base for the planning of all social and community infrastructure, particularly schools *and healthcare facilities. These will also contribute to the health impact assessment.*
MM47	Part G	Amend point 6, page 85: 6. Proposals must be supported by a Healthy Living and Play Strategy, *which will be informed by the Colchester and Tendring Open Space, Playing Pitch, Outdoor Sports and Built Facility - Overarching Strategy (2023) or any updates to this Strategy.* This Strategy should demonstrate how the development will be designed to encourage active lifestyles, independence, and wellbeing, through the provision of sites, facilities, and informal opportunities for people to play, socialise, play sport, keep fit and have fun. *It must be co-ordinated with other relevant strategies for the development such as the Green Infrastructure Strategy, the Active Travel Strategy and the Active Design Assessment.*
MM48	Part G	9. Proposals for educational use/buildings should be accompanied by a 'Community Use Statement/*Plan' to be agreed by the authorities and which must be approved as part of any planning permission granted and secured by way of a Community Use Agreement through an appropriate legal agreement.*
MM49	Justification	Amend Justification Text: Para 2, Page 86 to read: "Community and social infrastructure covers a wide range of facilities, such as health; *ambulance; police; firefighting*; education; sports; recreation and greenspace; places of worship; community halls; public houses and cultural infrastructure..."
MM50	Justification	Insertion of new paragraph after Para 3, Page 88 to read: *The health strategy for the Tendring Colchester Borders Garden Community will be dependent on various factors including capacity in existing neighbouring primary care facilities, workforce recruitment, funding streams, NHS clinical and service strategies and NHS building design approaches. A comprehensive, evidence based HIA will be*

		carried out engaging with all local health and care partners and local communities to ensure that a robust view of need is assessed. The strategy shall be designed to ensure that health is designed into the Garden Community and that any new infrastructure delivers an integrated service for the population. A consideration on the wider impact of the development on key health stakeholders including Public Health, primary, secondary and acute inpatient and outpatient facilities, ambulance, police, firefighting and others within the local partnership will need to be taken into account and mitigation of any impact appropriately provided.

GC Policy 7 - Movement and Connections

Mod Ref	Part	Modification
MM51	Chapter 8 – Movement and Connections Illustrative Framework Plan	Page 93, amend footer: The location of specific land uses~~, facilities and activities~~ *and the movement and connection features* are illustrative and subject to further masterplanning *and Transport Assessment.*
MM52	Part A	Amend third point, page 95: Achieve filtered permeability, restricting the movement of general vehicular traffic between neighbourhoods. *This includes amendments to the existing adopted lanes within the site to control and/or restrict vehicular access so the routes can become strategic active travel corridors.*
MM53	Part A	Amend forth point, page 95: Demonstrate how modal share targets (the number of trips by walking, cycling, public transport and private vehicle) will be achieved, maximised and monitored in a phased approach *and how the targets reflect the ambitions for reducing car use over time* as outlined in the Tendring Colchester Borders Garden Community Transport Evidence Base Report 2023, and as reflected in the table below.

MM54	Part A	Amend third para. page 96: Proposals for the development of the Garden Community must include planning obligations to support and enable the phased delivery of transport infrastructure of a high standard of design, with the provision of key infrastructure and services for early phases of development to ~~ensure~~ *enable and encourage* sustainable travel patterns from first occupation.
MM55	Part C	Amend final point of Part C, page 98: 'Proposals must demonstrate how the development contributes to:... Ensuring that there is a convenient and high frequency ~~bus~~ public transport service operating that is aligned with the first phase of the Garden Community which will need to be appropriately funded by the developer.
MM56	Part J	Amend second para of Part J, page 105: ….. will be agreed and approved by the Councils and the Highway *Authorities* ~~Authority~~.
MM57	Part D	Amend first para. of Part D, page 99: All proposals will need to integrate with the RTS and demonstrate how the RTS can *serve* ~~provide a direct link to~~ each Neighbourhood Centre.
MM58	Part D	Amend third para. of Part D, page 99: It should be ready for operation during the first *residential parcels* ~~phase of the development~~ to influence sustainable travel behaviour and embed the use of the system and align with the Essex RTS operational model, including the phased delivery plan for services.
MM59	Part D	Amend second para. of Part D, page 99:

		Proposals should ensure the RTS will be, and will remain highly visible, serving residents of the Garden Community and beyond, and will be served by high quality stops/halts situated to maximise accessibility (including parking provisions for safe/secure/covered storage of cycles/scooters) *whilst providing for a fast service.*
MM60	Part D	Add new para. to end of Part D page 99: *Before any planning approval is granted for development forming part of the Garden Community a relevant permission must have been secured to provide for the connection from the A133 Section C of the RTS (delivered by ECC under the HIF programme) to both the Park and Choose Facility and the route of the RTS through the Garden Community.*
MM61	Part G	Amend forth point on page 101: How the design, location and amount of parking *seeks to avoid* ~~ensures that there is no resulting~~ overspill and inappropriate on-street parking which negatively impacts on…"
MM62	Part H	Amend first para of 'H.2' page 103: In developing travel plans for proposals within the Garden Community, such plans will be required to take account of the ~~necessary~~ *supporting Transport Assessment and* processes, measures and monitoring requirements set out within the Shared Section 1 Local Plan, this Plan, *and reflect the ambitions set out in the* supporting Strategic Masterplan and the transport evidence base for the Garden Community as well as all other relevant local and national policies and guidance.
MM63	Part I	Amend second point, page 104: *Subject to detailed modelling,* the Garden Community must *aim to* restrict vehicular connectivity between individual junctions of the 'Link Road', except for public transport and emergency vehicles, apart from the 'Link Road' itself".
MM64	Part I	Add new para. to end of Part I page 104:

		Before any planning approval is granted for development forming part of the Garden Community the full delivery of the A120-A133 link road must have secured planning consent and a commitment to full funding must be demonstrated.
MM65	Part J	Amend first para. page 105: The modal share targets will be actively monitored throughout the phasing of the development and upon full occupation via the Garden Community Travel Plan. *The monitoring approach will be agreed through the planning application.* This Travel Plan document/s will be developed ~~in accordance with~~ *to reflect* the latest best practice guidance and support the mode share ambitions set out in this Plan *and the supporting transport evidence.*
MM66	Part J	Add para to Part J, Page 105: *Both internal Garden Community neighbourhood and external modal splits will be measured and monitored, and robust management and oversight will be activated to see that the targets are met.*
MM67	Part K	Amend first para of Part K, page 105: Any planning permission granted for the development of the Garden Community will include planning obligations enabling the phased delivery of transport infrastructure. Some of these have been detailed *above and will be redefined based on the findings of the Transport Assessment.*
MM68	Part K	Amend first para of Part K, page 105: Notably, any planning permission granted for the development of the Garden Community will include a planning obligation enabling the phased delivery of transport infrastructure of a high standard of design, with the provision of key infrastructure for early phases of development to ~~ensure~~ *enable and encourage* sustainable travel patterns from first occupation in line with modal share targets agreed by the Councils and set out in the Transport Assessment provided by applicants.
MM69	Part K	Amend first point '1' of Part K, page 105:

		The Transport Assessment must include a Construction Logistics and Traffic Management Strategy that has regard to the latest best practice guidance and *the principles of the Healthy Streets for Life Assessment.* A copy of the results of the Healthy Streets for Life Assessment *should be provided at the appropriate stage of planning.*
MM70	Part K	Amend point '5g' of Part K, page 107: Targets which are monitored and submitted for approval *from the outset at a frequency as agreed with the Councils* and review by the Councils ~~annually from the outset~~; and of the operation of a Transport Review Group (TRG) including terms of reference".

GC Policy 8 - Sustainable Infrastructure

Mod Ref	Part	Modification
MM71	Part A	Part A, first para. page 117 to read: All buildings ~~must~~ *shall* be net zero in operation *at occupation or, in exceptional circumstances, have an agreed strategy to achieve net zero within five years of occupation,* and achieve net zero operational energy balance ~~onsite~~ *across the Garden Community.*
MM73	Part D	Part D, page 118 to read: All buildings must include water efficiency measures and seek to achieve water neutrality. All homes must include water saving measures and, as a minimum, meet the Building Regulations optional tighter water standard of 110 litres per person per day. *the Government's Environment Improvement Plan (Water Efficiency Roadmap) standard of 100 litres per person per day.* Proposals should submit a water efficiency calculator report to demonstrate compliance*, and developers are encouraged to demonstrate how they can go further utilising integrated water management and a fittings-based approach to minimise potable water use.*

		Non-residential development proposals must demonstrate that water efficiency measures and water reuse have been incorporated in proposals. Where significant non-domestic water use is required, a Water Resources Assessment should be submitted with the planning application following consultation with the relevant water company to ascertain water availability and feasibility of the proposed scheme. Proposals must include clear evidence on the approach to water conservation, including the potential for the re-use of greywater and rainwater capture and re-use and should also provide the infrastructure to support options for rainwater re-use in the building design, e.g. rainwater harvesting systems, water saving devices, greywater recycling or other agreed solutions. The Councils will require safe systems and measures to be implemented for all new development within the Garden Community.
MM74	Justification	Policy Justification to include a new sentence at the end of the second paragraph on page 121: *It should also be noted that the Garden Community is located with the ECAC Climate Focus Area (CFA). The principal objective of the CFA is to become net zero carbon – meaning that the amount of carbon emitted from the area is no higher than that absorbed. The Garden Community can contribute to the CFA targets.*

GC Policy 9 - Infrastructure Delivery, Impact Mitigation and Monitoring

Mod Ref	Part	Modification
MM75	Part A	Developers will need to make direct provision or contribute towards the delivery of relevant infrastructure as required by the development either alone or cumulatively with other developments, as set out in the *'Infrastructure Delivery, Phasing & Funding Plan' or* relevant Infrastructure Delivery Plan (IDP) and other policies in this Plan...
MM76	Part A	Amendment to fourth paragraph on page 129:

		"…including the A120-A133 Link Road and Rapid Transit System ~~in accordance with~~ *taking into account the conditions of* the Housing Infrastructure Fund".
MM78	Justification	Amend para 1, Page 129 to read: "The Garden community will require the provision of new physical infrastructure such as footways, cycleways, roads, and sewers; social infrastructure such as health, *ambulance, police, firefighting,* education and community facilities, and green infrastructure such as open and recreational spaces."
MM79	Justification	Amend second paragraph on page 130: "~~In negotiating~~ *Where* planning obligations *are required by planning policy and/or to mitigate the impacts of development but are not agreed for development viability reasons,* the Councils will require a fully transparent open book viability assessment and that all possible steps have been taken to minimise the residual level of unmitigated impacts. Developers may be required to enter into obligations that provide for appropriate additional mitigation in the event that viability improves prior to completion of the development, *provided the additional obligations are required to mitigate the impact of the development.*
MM80	Justification	Amend final paragraph on page 130: "The Councils have prepared an *'Infrastructure Delivery, Phasing & Funding Plan' which performs the role as the* 'Infrastructure Delivery Plan'...
MM81	Justification	Amend third paragraph on page 131: "Essex County Council, working with CCC and TDC, were successful in attracting funding under the Housing Infrastructure Fund (administered by Homes England) for ~~the~~ delivery of *the first phase of the* A120-A133 Link Road..."
MM82	Monitoring	Add additional paragraphs before the table of objectives & indicators: Monitoring is a way of assessing the effectiveness of a plan once it is adopted. It helps to identify if plan policies are not being implemented and whether an early review of the plan is required. Monitoring indicators for the **Plan** ~~will~~ reflect *a combination of policy requirements,* the indicators monitored in the Councils Authority Monitoring Reports

		(AMR) and ~~will be~~ *are* linked to the Sustainability Appraisal (SA) Framework. The table below outlines the Councils monitoring objectives ~~and will evolve over time as the monitoring indicators evolve.~~, *relevant Plan policies and monitoring indicators. The AMRs will be used to report the performance of the Plan as well as recommending any actions required to ensure the delivery of the DPD.* *Monitoring will be undertaken on an annual basis, with the result being published at the end of each calendar year within both Colchester City Council and Tendring District Council 'Authority Monitoring Reports' (AMRs). Information on the following objectives and indicators will be collated and assessed by the Councils. The AMRs will contain consistent information on the implementation of policies and the delivery of new development and supporting infrastructure. Where necessary the information will be tailored to the need of each separate Council and AMR approach. The monitoring will have a particular focus on the delivery of development, floorspace and land use change, alongside securing wider policy objectives in relation to infrastructure delivery.* *The Councils will also ensure that appropriate monitoring frameworks and approaches are established through the determination and approval of planning applications for the Garden Community, with the associated use of planning conditions and other control mechanisms such as S106 agreements to ensure that appropriate monitoring is undertaken and information provided as the Garden Community is built out.*
MM83	Monitoring	Monitoring Indicator of SA Objective 9 on page 134, to be updated as follows: Percentage of journeys to work, *to education (and other land uses)* by walking and cycling and percentage of journeys to work by public transport.
MM84	Monitoring	Monitoring Indicator of SA Objective 7 on page 133, to be updated as follows: *All permissions granted which affect a designated and/or non-designated heritage asset, and/or archaeology sites are in accordance with the policy* Recorded loss of listed buildings Grade I and II+ (by demolition), Scheduled Monuments or nationally important archaeological sites and assets on the Colchester Local List to development.

Glossary

Mod Ref	Part	Modification
MM85	Gypsies and Travellers	Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily *or permanently*, but excluding members of an organised group of travelling showpeople or circus people travelling together as such. In determining whether persons are "gypsies and travellers" consideration will be given to the following issues amongst other relevant matters: a) whether they previously led a nomadic habit of life b) the reasons for ceasing their nomadic habit of life c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.
MM86	Biodiversity Net Gain	Biodiversity Net Gain is an approach to development that leaves biodiversity in a better state than before. The Environment Act contains a new biodiversity net gain condition for planning permissions. To meet this requirement biodiversity gains will need to be measured using a *the* biodiversity metric *as specified in the Environment Act (or otherwise agreed).*
MM87	Community Facilities	Are buildings, which enable a variety of local activity to take place including, but not limited to, the following: Schools, Universities and other educational facilities; Libraries and community centres; Doctors surgeries, medical centres and hospitals, *including emergency, and acute inpatient and outpatient facilities;* Public houses and local shops; Museums and art galleries; Child care centres; Sport and recreational facilities; Youth clubs; Playgrounds; Cemeteries; and Places of worship.
MM88	Infrastructure	Infrastructure means any structure, building, system, facility and/or provision required by an area for its social and/or economic function and/ or well-being including (but not exclusively): footways, cycleways and highways; public transport; drainage and flood protection; waste recycling facilities; education and childcare; healthcare; *ambulance, police & firefighting facilities;* sports, leisure and recreation facilities; community and social facilities; cultural facilities; emergency services; green infrastructure; open space; affordable housing; broadband; facilities for specific sections of the community such as youth or the elderly.
MM91	Part A	Remove all references to Community Infrastructure Levy

	Justification	Point 1, Page 128: Enter into Section 106 agreements to make provisions to mitigate the impacts of the development where necessary or appropriate. Section 106 will remain the appropriate mechanism for securing land and works along with financial contributions ~~where a sum for the necessary infrastructure is not secured via CIL~~; and/or Second para, Page 129: The Councils ~~will~~ consider ~~introducing a Community Infrastructure Levy (CIL) and will implement such for areas and/or development types where a viable charging schedule would best mitigate the impacts of growth.~~ Section 106 ~~will remain~~ *to be* the appropriate mechanism for securing land and works along with financial contributions ~~where a sum for the necessary infrastructure is not secured via CIL~~. First and second para, Page 131: The Councils will seek contributions from developers to fund improvements to existing infrastructure and the environment and new infrastructure. Contributions will be made through *Section 106 agreements which address the provision of affordable housing and* ~~the Community Infrastructure Levy (if adopted), which applies a standard charge to developers to fund~~ supporting infrastructure such as transport, schools, community facilities and health facilities. ~~and/or Section 106 agreements which address the provision of affordable housing and more site-specific infrastructure requirements.~~ The necessary infrastructure requirements through the use of planning condition and/or planning obligation and/or financial contributions *will be* ~~through Community Infrastructure Levy (CIL) charges~~ in accordance with The Community Infrastructure Regulations 2019. 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.

MM91	Community Infrastructure Levy (CIL)	Remove all references to Community Infrastructure Levy ~~Community Infrastructure Levy (CIL)~~ ~~A mechanism by which Councils can set a standard charge on specified development in their area to pay for new infrastructure required to support growth.~~

Appendices

Mod Ref: MM89
Add 'Appendix 4'

Appendix 4: Section 2 Plan Status

For the purposes of all land within the Site Allocation Boundary of the Garden Community, all policies within the Tending District Council (TDC) and Colchester City Council (CCC) Section 2 Local Plans will be replaced by the **Tendring Colchester Borders Garden Community Development Plan Document (DPD)**. None of the Section 2 Plan policies will apply to land within the Site Allocation Boundary of the DPD.

With regard to the TDC Section 2 Local Plan the following policies will **NOT** apply to the Site Allocation Boundary of the Garden Community:

Policy SPL 1	MANAGING GROWTH
Policy SPL 2	SETTLEMENT DEVELOPMENT BOUNDARIES
Policy SPL 3	SUSTAINABLE DESIGN
Policy HP 1	IMPROVING HEALTH AND WELLBEING
Policy HP 2	COMMUNITY FACILITIES
Policy HP 3	GREEN INFRASTRUCTURE
Policy HP 4	SAFEGUARDED OPEN SPACE
Policy HP 5	OPEN SPACE, SPORTS AND RECREATION FACILITIES

	Policy LP 1	HOUSING SUPPLY	
	Policy LP 2	HOUSING CHOICE	
	Policy LP 3	HOUSING DENSITY AND STANDARDS	
	Policy LP 4	HOUSING LAYOUT	
	Policy LP 5	AFFORDABLE HOUSING	
	Policy LP 6	RURAL EXCEPTION SITES	
	Policy LP 7	SELF-BUILD AND CUSTOM-BUILT HOMES	
	Policy LP 8	BACKLAND RESIDENTIAL DEVELOPMENT	
	Policy LP 9	GYPSY AND TRAVELLER SITES	
	Policy LP 10	CARE, INDEPENDENT ASSISTED LIVING	
	Policy LP 11	HMO AND BEDSITS	
	Policy PP 1	NEW RETAIL DEVELOPMENT	
	Policy PP 2	RETAIL HIERARCHY	
	Policy PP 3	VILLAGE AND NEIGHBOURHOOD CENTRES	
	Policy PP 4	LOCAL IMPACT THRESHOLD	
	Policy PP 5	TOWN CENTRE USES	
	Policy PP 6	EMPLOYMENT SITES	
	Policy PP 7	EMPLOYMENT ALLOCATIONS	
	Policy PP 8	TOURISM	
	Policy PP 9	HOTELS AND GUESTHOUSES	
	Policy PP 10	CAMPING AND TOURING CARAVAN SITES	
	Policy PP 11	HOLIDAY PARKS	
	Policy PP 12	IMPROVING EDUCATION AND SKILLS	
	Policy PP 13	THE RURAL ECONOMY	
	Policy PP 14	PRIORITY AREAS FOR REGENERATION	
	Policy PPL 1	DEVELOPMENT AND FLOOD RISK	
	Policy PPL 2	COASTAL PROTECTION BELT	
	Policy PPL 3	THE RURAL LANDSCAPE	
	Policy PPL 4	BIODIVERSITY AND GEODIVERSITY	
	Policy PPL 5	WATER CONSERVATION, DRAINAGE AND SEWERAGE	

Policy PPL 6	STRATEGIC GREEN GAPS
Policy PPL 7	ARCHAEOLOGY
Policy PPL 8	CONSERVATION AREAS
Policy PPL 9	LISTED BUILDINGS
Policy PPL 10	RENEWABLE ENERGY GENERATION AND ENERGY EFFICIENCY MEASURES
Policy PPL 11	THE AVENUES AREA OF SPECIAL CHARACTER, FRINTON-ON-SEA
Policy PPL 12	THE GARDENS AREA OF SPECIAL CHARACTER, CLACTON-ON-SEA
Policy PPL 13	ARDLEIGH RESERVOIR CATCHMENT AREA
Policy PPL 14	SAFEGUARDING OF CIVIL TECHNICAL SITE, NORTH EAST OF LITTLE CLACTON/SOUTH OF THORPE-LE-SOKEN
Policy PPL 15	SAFEGUARDING OF HAZARDOUS SUBSTANCE SITE, SOUTH EAST OF GREAT OAKLEY/SOUTH WEST OF HARWICH
Policy CP 1	SUSTAINABLE TRANSPORT AND ACCESSIBILITY
Policy CP 2	IMPROVING THE TRANSPORT NETWORK
Policy CP 3	IMPROVING THE TELECOMMUNICATIONS NETWORK
Policy SAMU1	DEVELOPMENT AT EDME MALTINGS, MISTLEY
Policy SAMU2	DEVELOPMENT AT HARTLEY GARDENS, CLACTON
Policy SAMU3	DEVELOPMENT AT OAKWOOD PARK, CLACTON
Policy SAMU4	DEVELOPMENT AT ROUSES FARM, JAYWICK LANE, CLACTON
Policy SAMU5	DEVELOPMENT SOUTH OF THORPE ROAD, WEELEY
Policy SAH2	DEVELOPMENT LOW ROAD, DOVERCOURT
Policy SAE1	CARLESS EXTENSION, HARWICH
Policy DI1	INFRASTRUCTURE DELIVERY AND IMPACT MITIGATION

With regard to the CCC Section 2 Local Plan the following policies will **NOT** apply to the Site Allocation Boundary of the Garden Community:

SG1	Colchester's Spatial Strategy
SG2	Housing Delivery
SG3	Economic Growth Provision
SG4	Local Economic Areas

	SG5	Centre Hierarchy	
	SG6	Town Centre Uses	
	SG6a	Local Centres	
	SG7	Infrastructure Delivery and Impact Mitigation	
	SG8	Neighbourhood Plan	
	ENV1	Environment	
	ENV2	Coastal Areas	
	ENV3	Green Infrastructure	
	ENV4	Dedham Vale Area of Outstanding Natural Beauty	
	ENV5	Pollution and Contaminated Land	
	CC1	Climate Change	
	PP1	Generic Infrastructure and Mitigation Requirements	
	TC1	Town Centre Policy and Hierarchy	
	TC2	Retail Frontages	
	TC3	Town Centre allocations	
	TC4	Transport in Colchester Town centre	
	NC1	North Colchester and Severalls Strategic Economic Areas	
	NC2	North Station Special Policy Area	
	NC3	North Colchester	
	NC4	Transport in North Colchester	
	SC1	South Colchester Allocations	
	SC2	Middlewick Ranges	
	SC3	Transport in South Colchester	
	EC1	Knowledge gateway and University of Essex Strategic Economic Area	
	EC2	East Colchester / Hythe Special Policy Area	
	EC3	East Colchester	
	EC4	Transport in East Colchester	
	WC1	Stanway Strategic Economic Area	
	WC2	Stanway	
	WC3	Colchester Zoo	

	WC4	West Colchester	
	WC5	Transport in West Colchester	
	SS1	Abberton and Langenhoe	
	SS2	Boxted	
	SS3	Chappel and Wakes Colne	
	SS4	Copford	
	SS5	Eight Ash Green	
	SS6	Fordham	
	SS7	Great Horkesley	
	SS8	Great Tey	
	SS9	Langham	
	SS10	Layer de La Haye	
	SS11	Marks Tey	
	SS12a	West Mersea	
	SS12b	Coast Road West Mersea	
	SS12c	Mersea Island Caravan Parks	
	SS13	Rowhedge	
	SS14	Tiptree	
	SS15	West Bergholt	
	SS16	Wivenhoe	
	OV1	Development in Other Villages	
	OV2	Countryside	
	DM1	Health and Wellbeing	
	DM2	Community Facilities	
	DM3	Education Provision	
	DM4	Sports Provision	
	DM5	Tourism, leisure, Culture and Heritage	
	DM6	Economic Development in Rural Areas and the Countryside	
	DM7	Agricultural Development and Diversification	
	DM8	Affordable Housing	

	DM11	Gypsies, Travellers and Travelling Showpeople	
	DM12	Housing Standards	
	DM13	Domestic Development	
	DM14	Rural Workers Dwellings	
	DM15	Design and Amenity	
	DM16	Historic Environment	
	DM17	Retention of Open Space	
	DM18	Provision of Open Space and Recreation Facilities	
	DM19	Private Amenity Space DP16	
	DM20	Promoting Sustainable Transport and Changing Travel Behaviour	
	DM21	Sustainable Access to development	
	DM22	Parking	
	DM23	Flood Risk and Water Management	
	DM24	Sustainable Urban Drainage Systems	
	DM25	Renewable Energy, Water Waste and Recycling	

END.