

### APPENDIX 3 Local Plan Section 1 SWOT Analysis of Inspector's Options 1 & 2 July 2018 draft at 23.07.18

	OPTION 1	OPTION 2	COMMENT
	Remove Garden Communities from the Local Plan and proceed to examination of Section 2 with a partial review of the Local Plan in 2-3 years.	Undertake further work to address the Inspector's concerns about Garden Communities and complete the examination of Section 1 before proceeding to Section 2 at a later date.	Both options have advantages and disadvantages which the three NEA's must consider.
<b>Timetable</b>	<p>Section 1 modifications process completed by Summer 2019 after consultation and further examination</p> <p>Adoption of Section 2, following consultation and examination, in 2022</p> <p>Revised Plan Review process completed by 2025/26 if Garden Communities pursued assuming 2023 start date</p>	<p>Section 1 modifications process completed by Summer 2019 after consultation and further examination</p> <p>Adoption of Section 2, following consultation and examination, in Autumn 2020</p>	<p>Option 2 provides a clear and agreed strategy for long term housing growth by the middle of next year, with the Section 2 plans following on to adoption in 2020. Although the Local Plan is delayed by 9/12 months it still allows the garden communities to start delivering houses in 2023/24, and make a contribution of 7,500 homes in the plan period. Clearly, this Option relies on the evidence base and SA work being carried out properly and satisfying the Inspector after a further open examination.</p>
<b>Strengths</b>	<ul style="list-style-type: none"> <li>NEAs may be able to proceed to adopt a new Local Plan, fill the 'policy vacuum' that has existed (in Tendring) since 2011 and reduce the likelihood of continued speculative housing applications without settling the Garden Community issue.</li> <li>The review of the Local Plan can be 'partial' i.e. not starting from scratch, with the majority of policies and proposals confirmed as sound and capable of being 'carried forward' with limited cost.</li> <li>Removes some of the need to push forward Garden Communities and allows more time for them to be developed up in more detail and at a more manageable pace.</li> <li>Allows the Councils to fully take on board the requirements of the new NPPF when it comes to reviewing the plan. The key test for soundness becomes whether the plan is "an appropriate strategy" rather than the "most appropriate strategy"</li> </ul>	<ul style="list-style-type: none"> <li>There should be no requirement to include any additional sites in Section 2 of the Local Plan.</li> <li>Maintains the agreed NEA Garden Community policy that delivers the best prospects of high quality sustainable development over the longer term in North Essex.</li> <li>Keeps Garden Communities firmly on the NEA's and Government agenda and maintains the momentum for the garden community vision, partners and potential funding bodies.</li> <li>Although the Local Plan is delayed by 9/12 months it still allows the garden communities to start delivering houses in 2023/24, and make a contribution of 7,500 homes in the plan period (subject to the revised SA and evidence base being agreed by the Inspector).</li> <li>Avoids having to formally consult on the removal of Garden Communities by way of a main modification or alternative locations for major housing locations, both of which are likely to lead to further objections/hearing sessions.</li> <li>Provides more certainty and enables progress to be made with the Housing Infrastructure Funding bids to support early delivery of infrastructure and delivery of A12/120 improvements.</li> </ul>	<p>In contrast and in accordance with the Inspector's timetable Option 1 means that garden communities will not be able to make a meaningful contribution to housing in the plan period even if that remains the preferred option.</p> <p>This means that the North Essex Authorities will have to make alternative provision for further housing. We will all have to review our Section 2 plans to consider whether the existing allocations are still the most appropriate choices in the absence of garden communities. We will also need to identify the broad locations (at least) for a further 7,500 homes before 2033. Like Option 2, this will require further evidence base work and an updated SA, with the SA this time covering not only the changes to Section 1 but also to the Section 2s of the Local Plans.</p> <p>Our advice is that the work required to promote the revised Section 2s would take 12/18 months to prepare and to consult upon. Given that those promoting the garden communities are likely to object to the changes to Section 1 (and may submit planning applications) there may well be a need for an examination into a revised Section 1, before any Section 2 examination can be progressed. As a consequence, it is unlikely that a revised Section 2 could be progressed to adoption until 2022/3. In the meantime the authorities would become exposed to the risk of opportunistic appeals.</p>
<b>Weaknesses</b>	<ul style="list-style-type: none"> <li>If Garden Communities are removed from the Local Plan, the major modifications would be the subject of consultation and an updated sustainability assessment in their own right and could draw strong objections from landowners, developers, promoters and communities that support the Garden Communities concept. These objections would need to be re-examined, possibly requiring the examination to be re-opened, meaning the timetable will be no shorter than Option 2 to complete the Section 1 process.</li> <li>The SA work to accompany the removal of the garden communities would have to address the possibility of garden communities as one of the realistic alternatives. On the basis of the evidence to date the garden communities would perform better than an alternative strategy, and Councils may have to consider choosing a less environmentally acceptable alternative.</li> <li>Garden Communities will not form part of the Local Plan until a later date, if at all, and will not benefit from the clarity and certainty needed by funders to invest in the project in the shorter term.</li> <li>It would materially delay the start date for any new Garden Community, making it difficult for them to make a meaningful contribution to new houses in the period to 2033.</li> <li>Unless the plan period is shortened significantly the NEAs will need to review Section 2 Local Plans to consider whether the proposed strategy is most appropriate in the absence of Garden Communities. The NEAs</li> </ul>	<ul style="list-style-type: none"> <li>Risk that the Inspector is not satisfied by the updated evidence base and/or the sustainability assessment outcome and still finds the plan unsound.</li> <li>Some of the evidence base will start to go out of date if the examination is delayed for too long, bringing into question the soundness of some elements of the Section 2 Local Plans.</li> <li>Continued pressure from speculative developments, with claims from developers that the emerging Local Plan cannot carry any weight because it is unsound and likely to be subject to substantial changes.</li> <li>Further objections to the plan are likely to be received through the additional consultation required.</li> </ul>	<p>When any further plan is proposed, to deal with garden communities as the Inspector suggests or otherwise, it would then have to look forward 15 years from that point and would have to use the housing figures required by the emerging the new NPPF requirement – potentially a significant increase.</p> <p>If the North Essex Authorities are still of the view that Garden Communities is the preferred approach to meeting housing need over the long term then Option 2 has clear advantages over Option1.</p>

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	<p>would also need to consider whether to include additional housing sites outside of Garden Communities to meet the shortfall. Additional sites would require further evidence base and sustainability appraisal and would be likely to generate concerns amongst a new set of stakeholders.</p> <ul style="list-style-type: none"> <li>• The examination and adoption of Section 2 Local Plans will be delayed if additional housing sites are required).</li> <li>• Some of the evidence base will start to go out of date if the examination is delayed for too long, bringing into question the soundness of some elements of the Section 2 Local Plans.</li> <li>• In the absence of the garden communities in the emerging plan Housing Infrastructure Funding bids (for early delivery of infrastructure) will be lost. There may also be impacts on the timing, route and delivery of A12/120 improvements.</li> <li>• All of the evidence base for the garden communities would need to be updated for a new plan. Part of the costs and work to date would be wasted.</li> <li>• Any new local plan Section 1 will require an update of the Objectively Assessed Need for each authority which could result in an uplift of overall housing numbers.</li> <li>• When any further plan is proposed, whether it includes Garden communities or not, , it would have to look forward 15 years from that point which, together with the change in OAN will probably require significant revisions to Section 2.</li> </ul>		
<b>Opportunities</b>	<ul style="list-style-type: none"> <li>• Upon adoption, NEAs can ‘bank’ the majority of policies and proposals in the Local Plan and the partial review can be more focussed, concentrating on longer-term growth aspirations which may include Garden Communities.</li> <li>• Potential to re-introduce Garden Communities into the Local Plan as part of the partial review with the benefit of a greater level of evidence and detail, as is proposed to be developed through the DPDs, possibly dispensing with the need for further DPDs.</li> <li>• If Garden Communities are not pursued as an option then no need for a partial review of the Local Plans (since Section 2s will have been modified to include the additional housing sites required pre-2033).</li> </ul>	<ul style="list-style-type: none"> <li>• Opportunity to use the extra time to strengthen the NEA’s case for Garden Communities and evidence stronger commitment from government and statutory agencies such as Highways England and Network Rail .</li> <li>• Through undertaking further work there is an opportunity to address and reduce current objections and concerns over garden community approach.</li> </ul>	
<b>Threats</b>	<ul style="list-style-type: none"> <li>• Change of direction to NEA’s policy on Garden Communities, resulting in a loss of momentum from the collective work of the local authorities, and reputational damage both locally and at national level</li> </ul> <p>The level of objections to the plan may increase once the changes to Sections 1 &amp; 2 are agreed for public consultation as the alternatives to Garden Communities may involve development in more controversial locations.</p> <ul style="list-style-type: none"> <li>• There is a possibility that the good cooperation between the authorities might begin to wane if they start to take different positions, on the interim and longer-term approaches. The NEA’s may be required to review some of the evidence produced to demonstrate the Duty to Co-operate.</li> <li>• Landowners/promoters might make speculative applications for large scale developments without the need to secure early infrastructure and longer term stewardship, which are key principles of garden communities.</li> </ul>	<ul style="list-style-type: none"> <li>• The updated evidence might still fail to convince the Inspector about Garden Communities and the NEAs could be left without an up to date Local Plan.</li> <li>• The Councils’ reputations would suffer if, after all the additional work, the Inspector still concludes that Garden Communities are unsound.</li> </ul>	