

	OPTION 1	OPTION 2	OPTION 3
	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.	Withdraw Section 1 and Section 2 from examination and resubmit once further work to address the Inspector's concerns and consultation has been carried out.
Timetable	<p>The likely timetable depends on whether further hearing dates and further Sustainability Appraisal work is required. The two alternative timing scenarios are:</p> <p>A. Section 1 modifications process completed by Spring 2019 after further consultation (assuming there is no need for further hearing dates to consider the proposed modifications and the updated Sustainability Appraisal work).</p> <p>Adoption of Section 2, following consultation and examination, in early 2020 (assuming that there is no need to review spatial strategy of existing allocations and housing numbers).</p> <p>Adoption of Revised Plan Review in 2022 (as per the Inspector's suggestion).</p> <p>B. Section 1 modifications process (including further Sustainability Appraisal work) completed by Autumn 2019 after consultation and further examination.</p> <p>Adoption of Section 2, following consultation, further site allocations and examination, in Summer/Autumn 2021.</p> <p>Adoption of revised Plan Review in 2023/4 assuming 2021 start date.</p>	<p>Section 1 modifications process completed by Autumn 2019 after consultation and further examination</p> <p>Adoption of Section 2, following consultation and examination, winter 2020</p>	<p>Regulation 18 consultation process completed by end of 2019 (following Call for Sites and collection of evidence documents to support the new plans).</p> <p>Regulation 19 consultation process completed by end of 2020.</p> <p>Submission to Secretary of State early 2021.</p> <p>Examination of Local Plans in Spring 2021, adoption late 2022.</p>
Strengths	<ul style="list-style-type: none"> Best case is that it allows the NEAs 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, sooner than Option 2 (unless Section 1 examination needs to be re-opened). 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. Allows more time to develop the proposals for the Garden Communities. 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". 	<ul style="list-style-type: none"> Maintains the agreed NEA Garden Community policy that delivers the best prospects of high quality sustainable development over the longer term in North Essex. 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. 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. 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). Provides a comprehensive Plan to meet the housing need in the long term, providing the strongest plan to help protect against speculative development. 	<ul style="list-style-type: none"> Allows more time to develop the proposals for the Garden Communities if that remains the preferred approach. Garden Communities could form part of a resubmitted Local Plan if supported by further evidence base work and Sustainability Appraisal. The preparation of the resubmitted plan can fully take on board the requirements of the new NPPF. The revised NPPF test of soundness would apply, meaning that the plan must be "an appropriate strategy" rather than the "most appropriate strategy".
Weaknesses	<ul style="list-style-type: none"> The legal advice received by the NEAs indicates that further hearing dates are very likely, and the removal of the garden communities from the Local Plan will necessitate further Sustainability Appraisal work and a re-opened examination. A failure to re-open the examination is likely to lead to challenges from the site promoters. This means that the timetable is more likely to reflect that detailed at B above, limiting the speed at which a Local Plan can be adopted. 	<ul style="list-style-type: none"> Risk that the Inspector is not satisfied by the updated evidence base and/or the sustainability assessment outcome and still finds the plan unsound. Some of the evidence base will start to go out of date if the examination is delayed for too long, which could mean having to update evidence to support policies within the Section 2 Local Plans. 	<ul style="list-style-type: none"> There would be a substantial delay before the NEAs would have an up-to-date Local Plan and would be at continued and prolonged risk of speculative development until a plan was adopted. A new evidence base would be needed for a resubmitted plan. The existing evidence base will become increasingly out of date, even

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	<ul style="list-style-type: none"> Garden Communities will not form part of the Local Plan until a later date, if at all. A planning solution that, until now, has been thought to be worse will need to be pursued. It would materially delay the start date for any new Garden Community, limiting the contribution they can make to the provision of new houses in the period to 2033. 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. The risk of those improvements not coming forward, or being delayed, will need to be considered as part of the Section 2 SA. A large part of the evidence base for the Garden Communities would need to be updated for a new plan. Any review of Section 1 will require an update of the Objectively Assessed Need for each authority which could result in an uplift of overall housing numbers. That review would be carried out at an earlier point than under Option 2. 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 further revisions to Section 2. 	<ul style="list-style-type: none"> Risk that the timetable for producing the evidence required is longer than anticipated, causing further delay to both Section 1 and Section 2. 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. 	<p>where it does remain relevant, thus necessitating further updates to be undertaken.</p> <ul style="list-style-type: none"> Any new Local Plan will need to reflect the Objectively Assessed Need for each authority under the revised methodology which could result in an uplift of overall housing numbers. The NEAs would need to refresh the site selection exercise (including sites previously excluded) and re-appraise their suitability for allocation in the plan. There would be a substantial delay to the start date for any new garden community, or alternative strategic development included in the resubmitted plan. A resubmitted plan would need to look forward 15 years from that point which, together with the change in OAN, will require significant revisions to the existing Section 2 plans. Lack of planning policy certainty seriously jeopardises Housing Infrastructure Funding bids to support early delivery of infrastructure and delivery of A12/120 improvements. and government support.
Opportunities	<ul style="list-style-type: none"> 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. 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. 	<ul style="list-style-type: none"> 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. Through undertaking further work there is an opportunity to address and reduce current objections and concerns over garden community approach. There is scope to introduce additional policy wording to give increased certainty that developments will only progress once certain infrastructure is committed. 	<ul style="list-style-type: none"> Opportunity to use the extra time to strengthen the NEA's case for Garden Communities, and in doing so address and reduce current objections and concerns over garden community approach.
Threats	<ul style="list-style-type: none"> 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 including individual authorities promoting garden communities independently. If Garden Communities are removed from the Local Plan, the proposed modifications would be the subject of consultation and, based on advice received would require an updated Sustainability Appraisal, and could draw strong objections from landowners, developers, promoters and communities that support the Garden Communities concept. This could lead to a delay in Section 1 being found to be sound. 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. 	<ul style="list-style-type: none"> The updated evidence might still fail to convince the Inspector about Garden Communities and the NEAs might then have to revert to Option 1. The Councils' reputations would suffer if, after all the additional work, the Inspector still concludes that Garden Communities are unsound. 	<ul style="list-style-type: none"> Speculative developers will continue to make the case that if the Local Plan fails to meet all the growth required in the Plan period then other planning applications should be allowed. Landowners/promoters might make speculative applications for large scale developments without the NEAs having the policy support to secure early infrastructure and longer term stewardship. The withdrawal of the plan may result in reputational damage both locally and at national level. By withdrawing the plan the NEAs would be going back to the Regulation 18 stage. A new Regulation 18 consultation will be required on any resubmitted plan. Those consultation comments will need to be reviewed and inform further iterations of the plan, which will be subject to further consultation prior to submission. New examination hearings will be required. Substantial financial and personnel resources will be required to facilitate this. The resubmitted plan may attract strong objections which leads to a delay in the plan being found to be sound.

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	<ul style="list-style-type: none"> • If Garden Communities are not the chosen outcome of the Partial Review then there will be an immediate need to review Section 2 to deal with the consequences. • Speculative developers will continue to make the case that if the Local Plan fails to meet all the growth required in the Plan period then other planning applications should be allowed. • 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. If the garden communities are pursued, the principle of them would be determined by a different Inspector at a future examination. 		<ul style="list-style-type: none"> • If the NEAs start to take different positions on the interim and longer-term approaches there is a serious risk that the good cooperation between the authorities will break down. • The Duty to Co-Operate will continue to apply, but given the potential delay in re-submitting a plan, the backdrop to those discussions may shift. • There is the potential that the change of direction, results in a loss of momentum from the collective work of the local authorities.