

Site Allocations DPD

Colchester Borough Council response to the representations which are the subject of hearings

February 2010

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Introduction

The following document provides a concise response by Colchester Borough Council to representations made to the Submission Site Allocations Development Plan Document by representors who have indicated they wish to attend the Examination in Public. It has been prepared in response to a request from the Inspector into the soundness of the document. The document needs to be read in association with the Regulation 30 (1)(e) statement prepared by the Council which is a summary of representations and Council views submitted to the Government along with the DPD on 30 November 2009.

Executive Summary

Edward Gittins & Associates

Sa 001/004

Paragraphs 1.4 – 1.5

The Site Allocations Submission Document is unsound in its present form but could be made broadly sound by amending some of the Town, District Centre, and Village Settlement boundaries. Far from encouraging an over provision of housing, this approach would allow for a limited number of further sites to come forward to provide the necessary flexibility and certainty in terms of housing land supply without materially conflicting with the Adopted Core Strategy. The main concerns are related to villages and the review of Village Envelopes, Tiptree and the new Settlement Boundary, and Colchester and the opportunity to identify sustainable smaller sites on the edge of the town.

CBC Response

The objector refers to housing provision in villages and considers that this is not founded on a robust and credible evidence base or consistent with national policy. The housing provision for Colchester Borough has been subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded “I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.” (paragraph 7.46 of CBC/EB/66a). There is certainty over housing in villages; the Core Strategy (CBC/EB/118) identifies in table H1 that 705 dwellings will be delivered in villages over the plan period. This figure is split between Marks Tey, West Bergholt, Great Horkesley and other villages; some of the 705 dwellings have already been completed. Regarding the evidence base, the Core Strategy Inspector concluded that the Core Strategy lacked analysis of rural district centres and villages and considered that a very limited amount of further growth may be possible without undermining the Core Strategy. However, she cautioned that “it would need to be supported by robust and credible evidence relating to the CS objectives.” (paragraph 7.6 of CBC/EB/066a). Consequently, a settlement boundary review and village survey was undertaken (CBC/EB/117). This review was informed by national studies and guidance, including PPS7 (CBC/NAT/004), PPS3 (CBC/NAT/002), Essex Rural Strategy (CBC/EB/009), Are Villages Sustainable? (CBC/NAT/049) and The State of the Countryside 2008 (CBC/NAT/070). The review provided an opportunity for the Council to apply overall policy for rural housing to the consideration of boundaries for each village. The review explains that the most up to date housing figures show that seven extra dwellings per year need to be found in the rural areas, above those permitted to satisfy the Core Strategy target (paragraph 3.16 of CBC/EB/117). The Council are confident that this shortfall will be met through the redevelopment of existing sites, infill development and affordable housing on rural exception sites, consistent with past trends and in accordance with PPS3. Furthermore, the prevailing view coming out of the parish consultation, which also forms part of the evidence base, was that village boundaries should be retained as they are given that LDF policies provide sufficient scope and flexibility for village needs to be met if necessary

outside of the village envelope. The Council's approach means that village settlement boundaries are largely unaltered except for the correction of drafting errors and the inclusion of a new community centre and affordable housing in Dedham. An approach that involved 'tidying up' village boundaries to include sites such as those put forward by the respondent on behalf of many clients was rejected due to the lack of need for additional greenfield sites in villages.

Since the Core Strategy was examined, further national support for increasing the supply of affordable rural housing through the effective delivery of rural exception sites has emerged through the Taylor Review (Living Working Countryside, July 2008) (CBC/NAT/066) and consultation arising from its recommendations: 'Guidance for local authorities for incentivising landowners to bring forward additional land for rural affordable housing on rural exception sites' (November 2009) (CBC/NAT/065). The consultation document notes that 'allowing rural exception sites to be used for market housing would be counter productive', but that incentives should be put in place to encourage landowners to put forward sites which could be used for affordable housing to meet local rural needs. (para 2, page 7) The focus therefore remains on making rural exception sites work effectively to deliver affordable housing rather than on relying on a trickle down approach potentially resulting from a more permissive approach to market housing in villages

The evidence base therefore does not support any significant boundary changes to facilitate additional housing outside of village envelopes. Additionally, over the plan period community led plans will provide further local evidence to advance the delivery of village affordable housing, employment and community facilities. The strategy for development in villages is therefore founded on a robust and credible evidence base, offers flexibility and is consistent with national policy.

Chapter 3 – Centres and Employment

Edward Gittins & Associates

Sa 001/024

Paragraphs 3.7, 3.12 & 3.14

There is strong support for the concept of Local Employment Zones but at the present time the approach to their selection is somewhat random and there is a need to standardise the approach to the selection of sites. The Submission Document does not provide clear guidance on how the boundaries for Local Employment Zones have been identified. Applying a restrictive approach to the extent of many of the proposed Local Employment Zone boundaries will limit the numbers of rural based jobs and is not consistent with the stated aim of Core Policy CE3. We address these concerns in separate site specific representations. There appears to be an inconsistency between the positive wording of Core Policy CE3 and the generally restrictive approach being adopted to the definition of Local Employment Zone boundaries / allocations. The restrictive approach is not justified and would not be effective in the promotion of rural employment.

CBC Response

The Council's strong support for the concept of Local Employment Zones is tempered by the need to have regard to the particular environmental impacts of rural employment proposals to ensure an appropriate balance between economic, social and environmental concerns in line with the provisions of Policy EC6 in PPS4 (CBC/NAT/067). This policy provides that local planning authorities should strictly control economic development in open countryside and provide a criteria based approach to guide the consideration of appropriate economic development proposals. The Council has followed this approach by setting forth broad principles guiding rural economic development in Core Strategy policies CE1 and 3 and by proposing more detailed criteria in Development Policies DP5 (Appropriate Employment Uses and Protection of Employment Land and Existing Businesses), DP8 (Agricultural Development and Diversification) and DP9 (Employment Uses in the Countryside). In line with the Core Strategy approach to the centres and employment hierarchy, the Council has accordingly allocated rural Local Employment Zones using the sustainability process on the basis that they are either established employment areas or it is considered that their economic benefits outweigh any disadvantages of developing outside established settlement boundaries. Proposals which have not met sustainability appraisal criteria or which have been submitted as a response to the submission document without any supporting sustainability appraisal information are not appropriate for designation as Local Employment Zones. Such proposals, however, could be considered on their merits through the planning application process using the criteria-based Development Policies. Where, after a thorough examination of the evidence the benefits were felt to outweigh costs, they would be expected to receive permission in line with Core Strategy Policy ENV2 as 'small-scale rural business leisure and tourism schemes that are appropriate to local employment needs, minimise negative environmental impacts and harmonise with the local character and surrounding natural environment.

Edward Gittins & Associates on behalf of Mr. A. Stevens

Sa 171/025

Paragraph 3.14 & Langham Inset map

The Local Employment Zone allocation at The Depot, Ipswich Road, should be extended to include the whole of the site. An enlarged allocation would enable the borders of the site to be set aside from development to provide structural landscaping. It will be difficult to find suitable uses for the rear of the site if the frontage area only is allocated. Most traffic will access and leave the site using the A12 slip roads.

CBC Response

See also response to SA001/024 above.

The sustainability appraisal (CBC/SUB/103a and CBC/SUB/103c) concluded that whilst this is a remote site as it is already in employment use and has a certificate of lawfulness for a sui generis use it should be allocated as a rural employment site. Existing buildings on the site should be re-used as part of redevelopment and any new build will need to demonstrate that it is not detrimental to the character and appearance of the Dedham Vale Area of Outstanding Natural Beauty and does not result in unacceptable intensification of the site.

Edward Gittins & Associates on behalf of Mr. C. Hart

Sa 172/026

Paragraph 3.14

The Site Allocations Submission Document is not sound but would be made sound by the allocation of a new Local Employment Zone for the Oak Farm site, Newbridge Road, Layer Marney. The current businesses based at Oak Farm are primarily Class B2 uses with associated storage. A Local Employment Zone allocation would safeguard existing local employment and provide opportunities for new or replacement commercial uses to occupy the premises. The site is directly comparable with other Local Employment Zones in terms of size and scale of operation.

CBC Response

See also response to SA001/024 above.

This site was put forward by the objector during the regulation 27 consultation. It has therefore not been considered by the local planning authority or subject to sustainability appraisal and public consultation. At this stage in the Development Plan Document process it is the responsibility of the person proposing an alternative option/site to make clear the effects of the change on the achievement of the objectives of sustainable development and to show that the proper procedures for sustainability appraisal and strategic environmental assessment have been undertaken (paragraph 5.3.7 of CBC/NAT/057). The local planning authority is not obliged to direct or assist, the onus is firmly on the promoter of the option/site to carry out the necessary further work to challenge the soundness of the DPD through the Examination process.

Edward Gittins & Associates on behalf of Stadia Trustees

Sa 173/027

Paragraph 3.14

The Site Allocations Submission Document is not sound but would be made sound by the allocation of a new Local Employment Zone for the Holly Lodge site, Holly Lane, Great Horkesley. A Local Employment Zone allocation would safeguard existing local employment and provide opportunities for new or replacement commercial uses to occupy the premises. The site is directly comparable with other Local Employment Zones in terms of size and scale of operation.

CBC Response

See also response to SA001/024 above.

This site was put forward by the objector during the regulation 27 consultation. It has therefore not been considered by the local planning authority or subject to sustainability appraisal and public consultation. At this stage in the Development Plan Document process it is the responsibility of the person proposing an alternative option/site to make clear the effects of the change on the achievement of the objectives of sustainable development and to show that the proper procedures for sustainability appraisal and strategic environmental assessment have been undertaken (paragraph 5.3.7 of CBC/NAT/057). The local planning authority is not obliged to direct or assist, the onus is firmly on the promoter of the option/site to carry out the necessary further work to challenge the soundness of the DPD through the Examination process.

Edward Gittins & Associates on behalf of Mr. M. Culham

Sa 174/028

Paragraph 3.14

The Site Allocations Submission Document is not sound but would be made sound by the allocation of a new Local Employment Zone for the Patterns Yard site, Nayland Road, West Bergholt. A Local Employment Zone allocation would safeguard existing local employment and provide opportunities for new or replacement commercial uses to occupy the premises. The site is directly comparable with other Local Employment Zones in terms of size and scale of operation.

CBC Response

See also response to SA001/024 above.

This site was put forward by the objector during the regulation 27 consultation. It has therefore not been considered by the local planning authority or subject to sustainability appraisal and public consultation. At this stage in the Development Plan Document process it is the responsibility of the person proposing an alternative option/site to make clear the effects of the change on the achievement of the objectives of sustainable development and to show that the proper procedures for sustainability appraisal and strategic environmental assessment have been undertaken (paragraph 5.3.7 of CBC/NAT/057). The local planning authority is not obliged to direct or assist,

the onus is firmly on the promoter of the option/site to carry out the necessary further work to challenge the soundness of the DPD through the Examination process.

Edward Gittins & Associates on behalf of Mr. M. Wheeler

Sa 175/029

Paragraph 3.14

The Site Allocations Submission Document is not sound but would be made sound by the allocation of a new Local Employment Zone for the Kingsford site, Colchester. A Local Employment Zone allocation would provide the additional confidence to proceed with the implementation of an existing planning permission for a Rural Business Centre. It would provide security for future businesses with the recognition of the appropriateness of employment uses on the site. The site is directly comparable with other Local Employment Zones in terms of size and scale of operation.

CBC Response

See also response to SA001/024 above.

This site was put forward by the objector during the regulation 27 consultation. It has therefore not been considered by the local planning authority or subject to sustainability appraisal and public consultation. At this stage in the Development Plan Document process it is the responsibility of the person proposing an alternative option/site to make clear the effects of the change on the achievement of the objectives of sustainable development and to show that the proper procedures for sustainability appraisal and strategic environmental assessment have been undertaken (paragraph 5.3.7 of CBC/NAT/057). The local planning authority is not obliged to direct or assist, the onus is firmly on the promoter of the option/site to carry out the necessary further work to challenge the soundness of the DPD through the Examination process.

Edward Gittins & Associates on behalf of Mr. P. Whitnell

Sa 176/030

Paragraph 3.14

The Site Allocations Submission Document is not sound but would be made sound by the allocation of a new Local Employment Zone for the Ruby's Barn site, Ipswich Road, Dedham. A Local Employment Zone allocation would safeguard existing local employment and provide opportunities for new or replacement commercial uses to occupy the premises. The site is already in use for Class B8 purposes. Local Employment Zone status could encourage more appropriate commercial uses falling within Class B1 and B2. The site is directly comparable with other Local Employment Zones in terms of size and scale of operation.

CBC Response

See also response to SA001/024 above.

This site was put forward as part of the regulation 25 consultation stage, however at the time the site did not have a certificate of lawfulness. As there

are no permanent buildings located on the site the site was not considered a reasonable option and so was not formally appraised as part of the sustainability appraisal, consistent with the approach the Council has taken to all proposed rural employment sites. A certificate of lawfulness was granted one week before the regulation 27 consultation; however the lawful use is 'B8 use for the storage of plant machinery and vehicles used ancillary to an off-site plant hire business (with no offices, direct sales or customer visits at this site)'. Therefore, this site should not be allocated as a rural employment site as it could lead to the erection of buildings and/or a more intensive use contrary to the approach the Council has taken to rural employment site [in particular policy ENV2 of the Core Strategy (CBC/EB/118) and policy DP9 of the submitted Development Policies DPD (CBC/SUB/102)].

Edward Gittins & Associates on behalf of Mr. Trevor Watling

Sa 178/032

Paragraph 3.14 & Boxted Inset map

The Site Allocations Submission Document is not sound but would be made sound by the amendment of the Local Employment Zone boundary at No. 63 Straight Road, Boxted, to incorporate the current operational area of the Tin Bins business. Local Employment Zone boundaries should not be solely based on the footprint of existing buildings but should reflect the boundaries where established or lawful uses can take place or otherwise strong physical boundaries. The revised boundaries would encompass the operational area of the business and enable access improvements.

CBC Response

See also response to SA001/024 above.

Previously the objector proposed the allocation of a significantly larger site to that now proposed. This larger site was subject to sustainability appraisal [CBC/SUB/103a and CBC/SUB/103c (site reference: 321)], which concluded that development of the site should remain small scale to ensure that it serves those living locally and does not give rise to high levels of in-commuting. A site of the size proposed would not be compatible with the character of the area and would adversely affect environmental quality and landscape character. Whilst the objector has revised the earlier proposal it is still significantly larger than the area covered by the existing buildings. It is considered that this revision is still inappropriate for this countryside setting and would be contrary to PPS7, which supports limited development in the rural areas consistent with local needs (paragraph 4 of CBC/NAT/004).

Edward Gittins & Associates on behalf of The Furniture Zone

Sa 179/033

Paragraph 3.14

The Site Allocations Submission Document is not sound but would be made sound by the allocation of a new Local Employment Zone for the Lampitts Farm site, Turkey Cock Lane, Eight Ash Green. A Local Employment Zone allocation would enable the business to plan with confidence and would provide security for the business with the recognition of the appropriateness of

employment uses on this site. The site is directly comparable with other Local Employment Zones in terms of size and scale of operation.

CBC Response

See also response to SA001/024 above.

This site was put forward by the objector during the regulation 27 consultation. It has therefore not been considered by the local planning authority or subject to sustainability appraisal and public consultation. At this stage in the Development Plan Document process it is the responsibility of the person proposing an alternative option/site to make clear the effects of the change on the achievement of the objectives of sustainable development and to show that the proper procedures for sustainability appraisal and strategic environmental assessment have been undertaken (paragraph 5.3.7 of CBC/NAT/057). The local planning authority is not obliged to direct or assist, the onus is firmly on the promoter of the option/site to carry out the necessary further work to challenge the soundness of the DPD through the Examination process.

Boyer Planning on behalf of AJC Contractors

[Sa 130/188](#)

Paragraph 3.14

The DPD does not provide certainty on the deliverability of appropriate employment land and needs to be more flexible and allocate sites for development that support local rural employment and are well related to existing settlements and transport networks. The DPD could be made sound by allocation the site at The Mullions, Nayland Road, Great Horkesley as a Local Employment Zone.

CBC Response

The Council's approach to the allocation of Local Employment Zone sites is considered justified and effective as it is based on approved Core Strategy policy CE3 which provides that the Site Allocations DPD will define sites that 'support and promote rural enterprise and local employment'. This designation was considered appropriate by the Inspector for the Core Strategy. She noted that Local Employment Zones will provide for small scale developments, including in rural developments' (para 7.56 of Inspector's Report CBC/EB/66a).

The Council's strong support for the concept of Local Employment Zones is tempered by the need to have regard to the particular environmental impacts of rural employment proposals to ensure an appropriate balance between economic, social and environmental concerns in line with the provisions of Policy EC6 in PPS4 (CBC/NAT/067). This policy provides that local planning authorities should strictly control economic development in open countryside and provide a criteria based approach to guide the consideration of appropriate economic development proposals. The Council has followed this approach by setting forth broad principles guiding rural economic development in Core Strategy policies CE1 and 3 and by proposing more

detailed criteria in Development Policies DP5 (Appropriate Employment Uses and Protection of Employment Land and Existing Businesses), DP8 (Agricultural Development and Diversification) and DP9 (Employment Uses in the Countryside). In line with the Core Strategy approach to the centres and employment hierarchy, the Council has accordingly allocated rural Local Employment Zones using the sustainability process on the basis that they are either established employment areas or it is considered that their economic benefits outweigh any disadvantages of developing outside established settlement boundaries. Proposals which have not met sustainability appraisal criteria or which have been submitted as a response to the submission document without any supporting sustainability appraisal information are not appropriate for designation as Local Employment Zones. Such proposals, however, could be considered on their merits through the planning application process using the criteria-based Development Policies. In cases where, after a thorough examination of the evidence the benefits were felt to outweigh costs, they would be expected to receive permission in line with Core Strategy Policy ENV2 as 'small-scale rural business leisure and tourism schemes that are appropriate to local employment needs, minimise negative environmental impacts and harmonise with the local character and surrounding natural environment'.

The site was submitted during the Regulation 25 stage of consultation on the Site Allocations DPD and was rejected for allocation through the sustainability appraisal process. The evaluation of the site found that it should not be formerly appraised since there were issues with access and it was considered that there were no substantial buildings on the site. This meant it did not constitute a reasonable option which accorded with PPS7, which promotes the re-use of rural buildings and avoids new development in the open countryside.

Fenn Wright

Listed incorrectly as SA 099/173 in original Regulation 30 (1) (e) report
Correct link – [SA142/173](#)

3.14

The document is unsound because it does not recognise the existing uses and local need for Haycocks Farm in West Mersea to be recognised as a Local Employment Zone.

CBC Response

The respondent considers the plan unsound but has not indicated which tests of soundness it fails. In the absence of any specific comments on soundness, the Council's approach to the allocation of Local Employment Zone sites is considered sound as it is based on approved Core Strategy policy CE3 which provides that the Site Allocations DPD will define sites that 'support and promote rural enterprise and local employment'. This designation was considered appropriate by the Inspector for the Core Strategy. She noted that Local Employment Zones will provide for small scale developments, including in rural developments' (para 7.56 of Inspector's Report CBC/EB/66a).

The Council's strong support for the concept of Local Employment Zones is tempered by the need to have regard to the particular environmental impacts of rural employment proposals to ensure an appropriate balance between economic, social and environmental concerns in line with the provisions of Policy EC6 in PPS4 (CBC/NAT/067). This policy provides that local planning authorities should strictly control economic development in open countryside and provide a criteria based approach to guide the consideration of appropriate economic development proposals. The Council has followed this approach by setting forth broad principles guiding rural economic development in Core Strategy policies CE1 and 3 and by proposing more detailed criteria in Development Policies DP5 (Appropriate Employment Uses and Protection of Employment Land and Existing Businesses), DP8 (Agricultural Development and Diversification) and DP9 (Employment Uses in the Countryside). In line with the Core Strategy approach to the centres and employment hierarchy, the Council has accordingly allocated rural Local Employment Zones using the sustainability process on the basis that they are either established employment areas or it is considered that their economic benefits outweigh any disadvantages of developing outside established settlement boundaries. Proposals which have not met sustainability appraisal criteria or which have been submitted as a response to the submission document without any supporting sustainability appraisal information are not appropriate for designation as Local Employment Zones. Such proposals, however, could be considered on their merits through the planning application process using the criteria-based Development Policies. In cases where, after a thorough examination of the evidence the benefits were felt to outweigh costs, they would be expected to receive permission in line with Core Strategy Policy ENV2 as 'small-scale rural business leisure and tourism schemes that are appropriate to local employment needs, minimise negative environmental impacts and harmonise with the local character and surrounding natural environment'.

The site has been submitted as a response to the submission stage of the Site Allocations DPD and has not previously been considered by the Council as a Local Employment site. At this stage in the Development Plan Document process it is the responsibility of the person proposing an alternative option/site to make clear the effects of the change on the achievement of the objectives of sustainable development and to show that the proper procedures for sustainability appraisal and strategic environmental assessment have been undertaken. The local planning authority is not obliged to direct or assist, the onus is firmly on the promoter of the option/site to carry out the necessary further work to challenge the soundness of the DPD through the Examination process.

Paragraph C3 of Annex C3 of the superseded PPS12 states that "those promoting an alternative site or sites should indicate how the sustainability appraisal process has been or is to be carried out prior to the consideration of the site/s at the examination."

It is stated on the Planning Advisory Service website that “A change, such as a new site, may be identified at a late stage in the development plan progress. In this case the promoter of the new site will need to collate the relevant sustainability appraisal information. You should allow sufficient time to consult with the public on the proposal and appraisal well in advance of submission.” (<http://www.pas.gov.uk/pas/core/page.do?pageId=152696>)

Paragraph 5.3.7 of the Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents states “given the frontloading inherent in the system, new sites should not be raised for consideration at submission or examination. However, in exceptional circumstances where a site is identified at a late stage in the DPD preparation process the promoter of the new site will need collate the relevant SA information in sufficient time to allow consultation with the public on the proposal and appraisal well in advance of the submission or examination” (CBC/NAT/057)

Clive Richardson on behalf of Wm. Wyatt Ltd.

Sa 080/140

3.14 & West Mersea map

The respondent has stated that the proposal to allocate the 0.4ha site at West Mersea along Coast Road as a Local Employment Site makes the plan unsound, as it not justified or effective. It is suggested that the Council has taken a unique approach by allocating such a small site for a very specific use and feel that this approach offers little flexibility of changing market conditions over the plan period. Furthermore the current approach does not reflect existing uses in the Conservation Area, consider the need for financial viability, does not acknowledge that permission has been granted for similar redevelopment schemes form employment to residential uses in this area and is not based on evidence that of any effective market demand for the uses proposed by the Council.

The site was used 10 years ago by a mechanical engineer with the rear area used as Peter Clark’s Boatyard however there are structural problems with the building, a lack of demand for boating related businesses and high rebuild and repair costs therefore respondent is seeking a new build on the site.

There are unresolved parking/highway issues which would be a problem for a commercial business in light of recently amended parking standards.

A new lease has recently been signed to retain the current boat industry on the majority of the site but agreement excludes the main building fronting Coast Road. The respondent has proposed redevelopment for residential use as the only financial viable option and claims that the draft policy is unsound as it fails to reflect existing uses in the Conservation Area, does not consider the need for financial viable redevelopment of former commercial uses for residential uses and is not based on sound market evidence for uses proposed by CBC.

Changes to the draft policy wording has been proposed to permit a wider range of uses typical of the Coast Road West Mersea Conservation Area that are financially viable including residential.

CBC response

The site in question, 128 Coast Road falls within the West Mersea Waterside Area of Special Character and is also located within the West Mersea Conservation Area (CBC/SUB/105). The area was designated as a waterside area of special character in the 2004 Local Plan due to the unique character of this part of West Mersea. Maritime, fishing, leisure and boating related uses have had a major influence on the character of this part of the town. The Council has proposed the allocation of the 0.40ha site at 128 Coast Road as a Local Employment Site to help sustain the local character of the area.

An application (ref 090256) to demolish the existing workshop and replace it with three commercial lock units suitable for waterside related A1, A2, A3, A4 and A5 use with three 2 bed apartments on the first floor was refused in 2008.

The application was refused on seven grounds and there has been several follow up discussions with the respondent to discuss viable future uses of the site. Potential suitable uses for the site were put forward following discussions between representatives from the Enterprise and Tourism, Spatial Policy and Development Control teams to the site owner via their planning consultant. The Council proposed 5 potential alternative uses which demonstrates that the Council has taken a flexible approach to the future use of the site, however the respondent has stated that these were financially unviable to meet demolition, site clearance and redevelopment costs. The respondent has suggested that the only viable use is residential development. Little evidence has been provided to the Council to demonstrate that all reasonable efforts have been made to market the site to prospective maritime/ boating related businesses or to support the claim that the site is no longer financially viable for current employment uses.

The respondent has also suggested that there is no demand for land for boat related uses such as chandlery, sail making or sailing school facilities to the front of the site. Again little evidence has been provided to the Council to support this claim. On the contrary, the Council has been made aware of boating related businesses within West Mersea who have shown a positive interest in developing this site for maritime related uses. In addition, West Mersea Yacht Club fully supports Development Policy DP23 (Coastal Areas) which aims to maintain the traditional maritime character of the West Mersea frontage with facilities for yachting, fishing and boat maintenance.

This justifies the proposal by the Colchester Borough Council to allocate this site as a Local Employment Site.

The Council is keen to conserve the unique character of this part of West Mersea and feel that allocating the land as a Local Employment Site will help retain that area's character by retain the businesses that help define that character.

Site 128 Coast Road falls within Historic Character Area 1.2 (HCA) in the draft West Mersea Seaside Heritage Report (CBC/EB/165). The whole area covered in this HCA stretches along the island's western coastline and possesses a multitude of historic assets associated with the island's maritime history representing both industrial (primarily oyster fishing) and leisure activities (primarily yachting). The area is a major tourist attraction with the appeal of locally harvested oysters, set within an environment boasting an array of historic assets, proving to be a major 'pull factor'. This part of West Mersea scored 3 in terms of its sensitivity to change. The report concluded from this that the Hard Area of West Mersea is highly sensitive to change and any loss of the historic assets in this part of West Mersea would greatly impact on the area. The Council therefore does not support proposals that could potentially impact negatively on or lead to a loss of the maritime character of this part of this part of West Mersea.

The Council is concerned that any additional allocation on this land for example for residential use could potentially lead to a conflict between established business uses and residential use with the eventual loss of the businesses and local employment opportunities and ultimately a loss of character.

CE1- Mixed Use Sites

Edward Gittins & Associates on behalf of Mr. P. Osborne

Sa 180/034

Paragraphs 3.14, 4.7 & Marks Tey Inset map

CBC Response

Refer to the general comments to the Edward Gittins & Associates representations on employment issues in the response to SA001/024 and the general comments on their housing issues preceding the response to SA154/006 below in the Housing section as well as to the specific response to SA180/034 in the Housing section.

Edward Gittins & Associates on behalf of Powerplus Engineering Ltd and The Whitnell Group

Sa 177/031

Paragraph 3.14 & Langham Inset map

The Site Allocations Submission Document is not sound but would be made sound by the amendment of the Local Employment Zone boundary at School Road, Langham. An enlarged Local Employment Zone is required to offset the space deficiencies on the existing site and to enable the businesses to grow. It is considered reasonable to make planned provision for safeguarding and promoting the rural economy by defining Local Employment Zones which take account of known space requirements of existing rural businesses.

Sa 177/035

Paragraphs 3.14, 4.7 & Langham Inset map

Representation sets out the various strands of a package scheme for which support is being sought through the Site Allocations Submission Document.

The proposals are presented in two parts but are dependent on one another; a new Business Park/Local Employment Zone served off the A12 (T); and an amended Settlement Boundary for Langham St. Margaret's Cross. Illustrative master plans and a Transport Assessment are provided. The proposed new Business Park/Local Employment Zone would extend to 4.24ha, it is strategically located, and would improve both A12(T) access and the available accommodation for firms currently based at School Farm Buildings. The amended Settlement Boundary at Langham St. Margaret's Cross would have a combined site area of 3.2ha and deliver approximately 114 market and affordable units. Overall the representations would provide a package of proposals which would secure commercial benefits for firms currently based at the School Farm Buildings and environmental benefits for local residents.

CBC Response

As noted in the general response to the Gittins representations above, schemes submitted following submission of the Site Allocations DPD have not had the benefit of public consultation or sustainability appraisal and accordingly have not been supported for inclusion. The submission of this significant mixed use scheme late in the Site Allocation process has generated high levels of concern in the Langham community that local residents were not given the opportunity to consider and comment on the scheme in advance of DPD submission. A public exhibition by the proponents of the scheme was held after the closing date for the consultation. The Council will seek to ensure their views are communicated through the Examination process.

The sustainability appraisal (CBC/EB/103a) recommended that the existing employment area on School Road be designated as a Local Employment Zone but did not find any justification for an expanded employment area, given the increased impacts that would arise.

Various sites and uses in Langham were submitted in respect of the Core Strategy but no changes were found necessary to incorporate the sites. The sites at Langham received the greatest number of representations in the alternative sites consultation. These highlighted many constraints on the development of these sites. (See Core Strategy Regulation 33 statement CBC/EB/164) The village presently has a rural character and development on the sites would result in negative impacts through increased levels of traffic, and the unsuitability of the area for development of this scale. Public transport provision is generally poor with no local rail stations. The lack of local shops and services means that any development would be likely to increase car dependency. The proposed developments would be of an insufficient scale to provide adequate local services and facilities that would avoid the need to travel into Colchester on a regular basis.

Although located in close proximity to the A12 trunk road the village of Langham is inappropriate for further employment development. Local employment opportunities already exist which provide for local employment need. Given the poor public transport accessibility to central Colchester or to

towns and villages further afield, additional industrial or warehousing employment uses would be inappropriate as it would result in dependency on the private car for employees' journeys to work. The disturbance in the form of noise, lighting and fumes caused by such uses and the additional traffic they generate would conflict with the residential amenity and in particular the rural character of the village. Given that office or light industrial uses would be likely to generate an even greater density of employees, the accessibility problems at Langham are an even greater constraint to such uses. The Core Strategy makes clear that B1(a) and B1(b) land uses should be considered primary land uses for mixed use centres and table CE1c indicates that the town centre will accommodate a significant amount of new office provision in accordance with the proposed sequential approach. Additional office development along with other employment (B use class) land will be provided within employment zones (Table CE1b). These strategic employment zones are designated as they are well located in relation to transport infrastructure and minimise impacts on other land uses. Further employment development at Langham would not be easily accessible by public transport and would have significant negative impacts on both the residential amenity and rural character of Langham, and the landscape and countryside value of the surrounding areas.

Chapter 4. Housing

Hanover Bloc

Sa 103/206

Section 4

The DPD is unsound because it fails to allocate land at London Road, Copford for the purpose of developing a retirement village for the Borough. Such a facility is needed to address a void in the underlying housing market for older people, and is consistent with the Council's Strategic Plan 2009-12, which contains a policy thrust designed to deliver quality housing and healthcare provision for older people.

CBC Initial Response

The Council accept that there is a need to provide specialist housing across the Borough for older people as well as other sectors of the Community as set out in Core Strategy Policy H2 (CBC/EB/118). However this need is expected to be delivered on sites which are considered to be appropriate for development such as within the existing settlement boundaries. The Council's approach to Settlement Boundaries and development on sites outside of these is clearly set out in the Core Strategy as well as the Settlement Boundary Review (CBC/EB/117) which is considered to be justified and effective. Part of the site is within the existing Copford Settlement Boundary but the vast majority is outside and therefore not considered appropriate. Specialised housing schemes outside of the existing village envelopes have not been allocated because there is no justification to treat them any differently to other residential development in the countryside and this approach is justified within the Council's Sustainability Appraisal (CBC/SUB/103a, 103b and 103c) which considered all reasonable options and alternatives as the Site Allocations document was formulated. Planning Policy Statements 3 (CBC/NAT/002) and 7 (CBC/NAT/004) both make provision for affordable housing developments outside of defined settlement boundaries which is reflected in the Adopted Core Strategy (CBC/EB/118). Planning Policy Statement Seven (CBC/NAT/004) outlines that development outside of existing settlement boundaries should be strictly controlled to protect the character of the countryside and a development of this scale is not considered to be effective and consistent with national policy.

Mersea Homes Ltd, on behalf of Mersea Homes and Countryside Properties

Sa 047/110

Paragraph 4.2

The current economic downturn is fundamentally changing the way in which housing delivery trajectories should be considered. Further text should be added to paragraph 4.2 to reflect this, and to allow an early explanation of the need for flexibility on this issue.

CBC Response

The current economic downturn is expected to result in lower housing delivery figures following a short time lag, but the lower figures will not in themselves generate the need to release more land, given that the downturn will have only delayed delivery of sites on the Housing Trajectory rather than eliminating them. Evidence about housing land supply and delivery was subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded 'I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.' (para. 7.46 of CBC/EB/66a). The Housing Trajectory has subsequently been updated and still shows a 15 year supply. The AMR for the 2008/09 (CBC/NAT/125) period showed that 1041 units were delivered during this period, which was affected by the economic downturn. Monitoring is carried out through the annual update of the Housing Trajectory and Strategic Housing Land Availability Assessment which feed into the Annual Monitoring Report. The Council's use of housing trajectories in feeding into an integrated review of housing delivery is accordingly considered to be justified and effective.

Rapleys on behalf of BRB Residuary

H1 and paragraphs 4.1- 4.11

[Sa 095/280](#)

The approach to allocating general 'predominantly residential' areas is not effective. Whilst it is understood that the designation does incorporate sites to deliver the 15 year housing supply, it is not clear from the current consultation document and the proposals map exactly where the identified housing development sites are located. Sites should be allocated specifically for residential development with clear boundaries.

CBC Response

The respondents have stated that policy H1 is not legally compliant, but have not clarified the exact basis for this view, other than to question its soundness on the basis of consistency with national policy. This issue is addressed below, and in all other aspects the Council considers the Site Allocations DPD is legally compliant.

The respondents consider that the DPD is not in conformance with PPS3 as it does not fully address the need to allocate sites to meet the requirement to deliver a fifteen-year housing supply. The Council has, however, demonstrated its consistency with national policy in PP3 through the Core Strategy Examination process. Evidence about housing land supply and delivery was subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded 'I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.' (para. 7.46 of CBC/EB/66a) The Housing Trajectory has subsequently been updated and still shows a 15 year supply. Monitoring is carried out through the annual update of the Housing

Trajectory and Strategic Housing Land Availability Assessment which feed into the Annual Monitoring Report. Parts of the greenfield urban extensions can be brought forward if necessary to speed up overall delivery (para. 9.1 of CBC/EB/66a).

Given the ability of the Council to meet its housing targets through designated sites, largely in regeneration and two new urban extensions, there has been no justification to specifically allocate further small sites in predominantly residential areas. Housing sites have been shown as predominantly residential to simplify the Proposals Map and to reduce the number of allocations. Exact site boundaries will be determined through the planning application process. This continues the procedure for allocations established by the Local Plan and is considered to provide a justified, effective, and consistent approach to housing allocation.

Barton Willmore on behalf of Gladedale

[Sa 016/071](#)

Paragraph 4.3 (Policy SA H1)

Enlarging the Railway Sidings, Halstead Road to incorporate Chitts Hill would assist the Council to meet its CS objectives set out in paragraph 4.3.

CBC Response

See also response to Barton Willmore representation on Policy SAH1, SA016/073

The Site Allocations DPD allocates sufficient land to meet the East of England Plan (CBC/REG14a) housing target, which will assist in meeting the two main housing objectives identified in the Core Strategy (CBC/EB/118). Evidence about housing land supply and delivery was subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded “I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.” (para. 7.46 of CBC/EB/66a). The 2009 update to the Strategic Housing Land Availability Assessment (CBC/EB/031b) identifies that the total housing requirement for 2001 – 2024 is 19,665 and the total land supply for this period is 21,834. Consequently there is no need to allocate any additional sites. Furthermore, whilst the objector has stated that the DPD is not legally compliant and is not sound (although the grounds have not been specified) they state that the allocation of the site they are promoting would ‘positively assist’ the DPD and do not specify how the DPD could be amended to make the DPD sound. Finally, the Site Allocations DPD is consistent with the Core Strategy which itself was considered consistent with national policy (see paragraph 8.5 of CBC/EB/066a).

Mrs Grant

[Sa 029/113](#)

Chapter 4, 4.7 & Langham Inset map

Housing provision in villages is not founded on a robust and credible evidence base. There is uncertainty surrounding the village housing distribution figures and there is not sufficient flexibility. The submission document is also

inconsistent with PPS3 in relation to housing availability figures. A systematic and comprehensive review of village settlement boundaries is required. The Langham village envelope should be amended to include land at the High St. and rear of Holmfield as identified on the supporting map.

Williamson Developments

Sa 030/112

Paragraph 4.7 & Langham Inset map

Housing provision in villages is not founded on a robust and credible evidence base. There is uncertainty surrounding the village housing distribution figures and there is not sufficient flexibility. The submission document is also inconsistent with PPS3 in relation to housing availability figures. A systematic and comprehensive review of village settlement boundaries is required. The Langham village envelope should be amended to include parcels A, B, and C shown on the supporting map.

CBC Response

The representations on the above two sites in Langham refer to housing provision in villages and considers that this is not founded on a robust and credible evidence base or consistent with national policy. The housing provision for Colchester Borough has been subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded “I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.” (paragraph 7.46 of CBC/EB/66a). There is certainty over housing in villages; the Core Strategy (CBC/EB/118) identifies in table H1 that 705 dwellings will be delivered in villages over the plan period. This figure is split between Marks Tey, West Bergholt, Great Horkesley and other villages; some of the 705 dwellings have already been completed. Regarding the evidence base, the Core Strategy Inspector concluded that the Core Strategy lacked analysis of rural district centres and villages and considered that a very limited amount of further growth may be possible without undermining the Core Strategy. However, she cautioned that “it would need to be supported by robust and credible evidence relating to the CS objectives.” (paragraph 7.6 of CBC/EB/066a). Consequently, a settlement boundary review and village survey was undertaken (CBC/EB/117). This review was informed by national studies and guidance, including PPS7 (CBC/NAT/004), PPS3 (CBC/NAT/002), Essex Rural Strategy (CBC/EB/009), Are Villages Sustainable? (CBC/NAT/049) and The State of the Countryside 2008 (CBC/NAT/070). The review provided an opportunity for the Council to apply overall policy for rural housing to the consideration of boundaries for each village. The review explains that the most up to date housing figures show that seven extra dwellings per year need to be found in the rural areas, above those permitted to satisfy the Core Strategy target (paragraph 3.16 of CBC/EB/117). The Council are confident that this shortfall will be met through the redevelopment of existing sites, infill development and affordable housing on rural exception sites, consistent with past trends and in accordance with PPS3 (CBC/NAT/002). Furthermore, the prevailing view coming out of the parish consultation, which also forms part of the evidence base, was that

village boundaries should be retained as they are given that LDF policies provide sufficient scope and flexibility for village needs to be met if necessary outside of the village envelope. The Council's approach means that village settlement boundaries are largely unaltered except for the correction of drafting errors and the inclusion of a new community centre and affordable housing in Dedham. An approach that involved 'tidying up' village boundaries to include sites such as those put forward by the respondent was rejected due to the lack of need for additional greenfield sites in villages.

The evidence base therefore does not support any significant boundary changes to facilitate additional housing outside of village envelopes. Additionally, over the plan period community led plans will provide further local evidence to advance the delivery of village affordable housing, employment and community facilities. The strategy for development in villages is therefore founded on a robust and credible evidence base, offers flexibility and is consistent with national policy.

Since the Core Strategy was examined, further national support for increasing the supply of affordable rural housing through the effective delivery of rural exception sites has emerged through the Taylor Review (Living Working Countryside, July 2008) (CBC/NAT/066) and consultation arising from its recommendations: 'Guidance for local authorities for incentivising landowners to bring forward additional land for rural affordable housing on rural exception sites' (November 2009) (CBC/NAT/065). The consultation document notes that 'allowing rural exception sites to be used for market housing would be counter productive', but that incentives should be put in place to encourage landowners to put forward sites which could be used for affordable housing to meet local rural needs. (para 2, page 7) The focus therefore remains on making rural exception sites work effectively to deliver affordable housing rather than on relying on a trickle down approach potentially resulting from a more permissive approach to market housing in villages.

Mr R. Cave

[Sa 031/089](#)

Chapter 4, 4.7 & Great Wigborough Inset map

A more thorough review is needed of village envelopes. Small village sites should be identified, such as land at Great Wigborough identified in red on the attached plan.

CBC Response

The Settlement Boundary Review and Village Survey (CBC/EB/117) is robust and credible and provides sufficient evidence to inform the Site Allocations DPD and ensure that it is justified. The review was informed by national studies and guidance, including PPS7 (CBC/NAT/004), PPS3 (CBC/NAT/002) and The State of the Countryside 2008 (CBC/NAT/070). The review explains that the most up to date housing figures show that seven extra dwellings per year need to be found in villages above those permitted to satisfy the Core Strategy target (paragraph 3.16 of CBC/EB/117). The Council are confident that this shortfall will be met through sites with extant planning permission and

redevelopment of existing sites, consistent with past trends. Some amendments have been made to a number of village envelopes principally to accommodate recent development. However, as the Core Strategy Inspector concluded that “I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.” (para. 7.46 of CBC/EB/066a), which is further supported by the 2009 update to the SHLAA (CBC/EB/031b), it is therefore not necessary for the Council to make any further changes to the village envelopes to facilitate additional housing in the countryside. Additionally, the prevailing view coming out of the parish consultation, which also forms part of the evidence base, was that village boundaries should be retained as they are given that LDF policies provide sufficient scope and flexibility for village needs to be met if necessary outside of the village envelope. Finally, over the plan period community led plans will provide further local evidence to advance the delivery of village affordable housing, employment and community facilities.

Edward Gittins & Associates on behalf of various landowners

CBC Response

Edward Gittins and Associates have submitted a large number of responses to the Site Allocations DPD for residential and employment sites lying outside settlement boundaries. The representations raise similar issues, so to avoid duplication, the Council provides general comments below followed by specific references as appropriate to individual sites. Detailed site specific issues such as highways impact or access to services have not been addressed given that fundamental policy issues have been raised in the first instance as the basis for the non-allocation of the proposed sites.

Additionally, reference should also be made to the Council’s response to Edward Gittins and Associates Joint Representations on housing (found in the Executive summary section, SA001/004) and employment (SA001/024).

General Comments

The responses for each site share as a basis the view that the Council’s approach to settlement boundary review is flawed and that individual sites should be considered on their merits for inclusion within revised settlement boundaries. This view, however, is not supported by any alternative sustainability appraisal work submitted by the respondents. The representations note various aspects for each scheme that could be considered favourably in sustainability terms, but have not incorporated these considerations into a full sustainability appraisal. Additionally, many of the sites are suggested on the basis that they adjoin existing development and would rationalise a boundary. An approach that involved ‘tidying up’ village boundaries to include sites such as those put forward by the respondent on behalf of many clients was however, rejected due to its incompatibility with the Core Strategy approach of focusing new greenfield development on urban areas and delivering new village sites for affordable housing on rural

exception sites. The Council therefore considers that its approach to site allocations is justified, effective and consistent with national policy and do not feel that the representations have provided sufficient evidence to support an alternative view.

In some cases, the respondents have taken issue with the rejection of the site at an earlier stage of consultation on the basis that it was outside the settlement boundary. This rejection, however, reflects the site's appraisal using consistent criteria based on Core Strategy principles. The Site Allocations documents were prepared in line with PPS12 and best practice, on the basis of sustainability appraisal work undertaken at each stage of consultation and an identical process was found sound by the Inspector for the Core Strategy (CBC/EB/103a, para 3.1). Sites for residential use outside settlement boundaries were not individually appraised given that such sites were considered not to be compatible with the Core Strategy policy of focusing new development within settlement boundaries. Whilst it is essential that alternatives are considered as part of the SA process only reasonable, realistic and relevant options should be considered (see paragraph 4.38 of PPS12, CBC/NAT/008a). The SA must be linked to the planning framework and so options that do not conform to national policy, the RSS (CBC/REG/14a) or the Core Strategy (CBC/EB/118) should not be considered as part of the SA as they are not reasonable, realistic or relevant options. Developing residential sites outside the settlement boundary of Colchester would not be in conformity with the RSS or Core Strategy.

In some cases the proposed sites had not previously been considered as part of the Site Allocations process. This means that local communities did not have the opportunity to consider the proposal and comment on it in advance of submission. The respondents state that the sustainability aspects of the proposal could be assessed after amendment of the settlement boundary to include the site. This fundamental concern needs to be addressed first, however, and the burden of proof lies with the applicant. This is contrary to the respondent's assertion that the Council should have carried out a full sustainability appraisal on all sites, irrespective of whether or not they were in accordance with the Core Strategy. This is true both for cases where the respondent feels that the Council's Sustainability Appraisal of the proposal at an earlier stage as well as for proposals that were submitted following submission. At this late stage in the Development Plan Document process it is the responsibility of the person proposing an alternative option/site to make clear the effects of the change on the achievement of the objectives of sustainable development and to show that the proper procedures for sustainability appraisal and strategic environmental assessment have been undertaken. The local planning authority is not obliged to direct or assist, the onus is firmly on the promoter of the option/site to carry out the necessary further work to challenge the soundness of the DPD through the Examination process.

Paragraph C3 of Annex C3 of the superseded PPS12 states that "those promoting an alternative site or sites should indicate how the sustainability appraisal process has been or is to be carried out prior to the consideration of

the site/s at the examination.” Although now superseded this statement sets out a clear and sensible approach the sentiments of which are still appropriate.

It is stated on the Planning Advisory Service website that “A change, such as a new site, may be identified at a late stage in the development plan progress. In this case the promoter of the new site will need to collate the relevant sustainability appraisal information. You should allow sufficient time to consult with the public on the proposal and appraisal well in advance of submission.” (<http://www.pas.gov.uk/pas/core/page.do?pagelId=152696>)

Paragraph 5.3.7 of the Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents states “given the frontloading inherent in the system, new sites should not be raised for consideration at submission or examination. However, in exceptional circumstances where a site is identified at a late stage in the DPD preparation process the promoter of the new site will need collate the relevant SA information in sufficient time to allow consultation with the public on the proposal and appraisal well in advance of the submission or examination”. (CBC/NAT/057)

Edward Gittins & Associates on behalf of Ivan Beales
Sa 154/006

Paragraph 4.7 & Colchester Inset map

There is a clear case for Colchester fringe sites to be assessed as part of the Site Allocations in determining the Colchester and Stanway Settlement Boundary. The inclusion of land at Berechurch Hall Road site would enable this site to contribute to wider housing needs, to the need for a range of alternative opportunities to complement the main Housing Growth Areas, and to the need for flexibility.

Edward Gittins & Associates on behalf of Colchester Golf Club
Sa 162/015

Paragraph 4.7 & Colchester Inset map

There is a compelling case for Colchester fringe sites to be assessed as part of the Site Allocations process as intended by the Core Strategy Examination Inspector and to reflect the emphasis in the East of England Plan for growth to be directed towards key centres. The definition of new Settlement Boundaries without detailed consideration of proposals on the edge of settlements is a grave omission. We request that this site at Braiswick is assessed as part of the Site Allocations DPD process and is included in the Colchester Settlement Boundary. The proposed amendment to the Core Settlement Boundary is consistent with the Core Strategy and justified as part of a review of Settlement Boundaries in order to make the Site Allocations Submission Document sound.

Edward Gittins & Associates on behalf of Mr. D. Miller
Sa 170/023

Paragraph 4.7 & Colchester Inset map

There is a compelling case for Colchester fringe sites to be assessed as part of the Site Allocations process as intended by the Core Strategy Inspector

and to reflect the emphasis in the East of England Plan for growth to be directed towards key centres. The review of the Colchester Settlement Boundary has concentrated on the Housing Growth Areas whilst smaller peripheral sites have been summarily rejected. In the case of the site at Ramparts Farm, Braiswick, the attributes of this site should be considered in the context of the contribution smaller urban fringe sites could make to providing greater flexibility and choice in terms of future housing provision. The site should be included in the adjoining predominantly residential notation.

CBC Response

The Core Strategy has focussed new greenfield development on larger urban extensions in order to ensure the delivery of the infrastructure needed to support new development. Smaller scale development is expected to be delivered within urban infill sites, and the urban area of Colchester continues to deliver such sites on a consistent basis. The Council submitted detailed and extensive information on its housing delivery, including small sites, during the Core Strategy examination. (See the Housing Topic Paper (CBC/EB/058) and response to Inspector's questions (CBCEB/106). On the basis of this information, the Inspector found that 'there is a realistic supply of this type and past completions on small sites are over 100 a year'. The Council did not submit precise information on the delivery of each individual site given the extensiveness of such a task, and on that basis did not include the small sites in its overall total. The Inspector concurred, however, that 'if this element were omitted, the minimum housing target would still be comfortably exceeded, demonstrating robustness in the housing land supply'. (para 7.38, CBC/EB/066a). The Council accordingly considers that small sites can be effectively and flexibly provided on infill sites within settlement boundaries and does not need to extend the settlement boundary of Colchester beyond the existing area of Colchester to provide them.

Edward Gittins & Associates on behalf of Poplar Nurseries

Sa 155/007

Paragraph 4.7 & Marks Tey Inset map

There is a compelling case for edge of village sites to be assessed as part of the Site Allocations process as intended by the Core Strategy Inspector and Core Strategy Policy ENV1. The absence of a proper review of Village Envelopes as part of the Site Allocations stage is a grave omission. A review should enable sustainable sites to come forward to secure essential flexibility in the delivery of rural housing over the Plan period. The proposed amendment to the Marks Tey Village Envelope is consistent with the Core Strategy and justified as part of a review of Village Envelopes in order to make the Site Allocations Submission Document sound.

Edward Gittins & Associates on behalf of Mr. P. Osborne

Sa 180/034

Paragraphs 3.14, 4.7 & Marks Tey Inset map

The Site Allocations Submission Document is not justified as it is not founded on a robust or credible evidence base, does not offer reasonable alternatives in terms of the distribution of housing in villages and has not provided

adequate reasons for largely retaining the existing village settlement boundaries. It is not effective due to uncertainty surrounding the village housing distribution figures, the failure to consider reasonable alternatives to the retention of existing Village Settlement Boundaries, and cannot be monitored due to the uncertainty surrounding village housing distribution figures. The Site Allocations Submission Document can be made sound through the promotion of a mixed use scheme at London Road, Marks Tey by the amendment of the Settlement Boundary to incorporate a further housing area and the definition of a Local Employment Zone on adjoining land

CBC Response

Although the respondents have questioned the ability of the housing target for Marks Tey to be delivered, including in particular the 32-unit site granted planning permission on London Road, they have not specified why they consider it to be undeliverable. The applicants/land owners went to considerable expense in submitting 4 planning applications and appeals before finally obtaining planning permission. This is not the action of someone unlikely to develop a site. The applications were submitted along with numerous studies and information including confirmation that affordable housing and other contributions would be provided. A S106 agreement was signed to that effect. Assuming there are just 28 additional units to be delivered over the 15 year period this equates to less than 2 per year.

The representation for Poplar Nurseries refers to the status of Marks Tey as a Principal Village in previous Colchester Local Plans, but that tier has been removed in the Core Strategy in view of the pre-eminent role the main settlement of Colchester plays in the Borough's settlement hierarchy. This approach was supported by the Core Strategy Inspector (see para. 7.27 of CBC/EB/066a)

Edward Gittins & Associates on behalf of NEEB Holdings Ltd.

Sa 160/013

Paragraph 4.7 & West Bergholt Inset map

There is a compelling case for edge of village sites to be assessed as part of the Site Allocations process as intended by the Core Strategy Inspector and Core Strategy Policy ENV1. The absence of a proper review of Village Envelopes as part of the Site Allocations stage is a grave omission. A review would enable sustainable sites to come forward to secure essential flexibility in the delivery of rural housing over the plan period. The proposed amendment to the West Bergholt Settlement Boundary is consistent with the Core Strategy and justified as part of a review of Village Envelopes in order to make the Site Allocations Submission Document sound.

Edward Gittins & Associates on behalf of Mr. A. Crowley

Sa 156/008

Paragraph 4.7 & Eight Ash Green Inset map

There is a compelling case for edge of village sites to be assessed as part of the Site Allocations process as intended by the Core Strategy Inspector and Core Strategy Policy ENV1. The absence of a proper review of Village Envelopes as part of the Site Allocations stage is a grave omission. A review

should enable sustainable sites to come forward to secure essential flexibility in the delivery of rural housing over the plan period. The proposed amendment to the Eight Ash Green Village Envelope is consistent with the Core Strategy and justified as part of a review of Village Envelopes in order to make the Site Allocations Submission Document sound.

CBC Response

The above two representations refer to the status of the relevant settlement as a Principal/Key Village in previous Colchester Local Plans, but that tier has been removed in the Core Strategy in view of the pre-eminent role the main settlement of Colchester plays in the Borough's settlement hierarchy. This approach was supported by the Core Strategy Inspector (see para. 7.27 of CBC/EB/066a).

Edward Gittins & Associates on behalf of Mr. Robert Davidson

Sa 157/009

Paragraph 4.7 & Peldon Inset map

There is a compelling case for edge of village sites to be assessed as part of the Site Allocations process as intended by the Core Strategy Inspector and Core Strategy Policy ENV1. The absence of a proper review of Village Envelopes as part of the Site Allocations stage is highly regrettable. A review would enable sustainable sites to come forward to secure essential flexibility in the delivery of rural housing over the plan period. The proposed site physically adjoins the existing Village Envelope and would provide a clear defensible line for the Settlement Boundary. The proposed amendment to the Peldon Village Envelope is consistent with the Core Strategy and justified as part of a systematic and comprehensive review of Village Envelopes in order to make the Site Allocations Submission Document sound.

CBC Response

The proposal for Peldon involves a mix of housing and community facilities including a village shop. ENV2 provides for favourable consideration of small-scale rural business schemes outside village boundaries subject to impact considerations, but they would need to be appropriate to meet village needs and would not be acceptable if contingent on the provision of market housing outside the settlement boundary. Additionally, policy SD3 provides that community facilities should be located in centres or other accessible locations to maximise community access, so the accessibility of the site to local residents is a key consideration. Further consideration of the site's potential to meet local community needs can be given through the community planning process, which Winstred Hundred Parish Council is currently undertaking. The proposal as it stands, however, does not accord with national, regional and Core Strategy policy on development outside settlement boundaries.

Edward Gittins & Associates on behalf of Mr. K. Denison

Sa 158/010

Paragraph 4.7 & Abberton and Langenhoe Inset map

There is a compelling case for edge of village sites to be assessed as part of the Site Allocations process as intended by the Core Strategy Inspector and Core Strategy Policy ENV1. The absence of a proper review of Village Envelopes as part of the Site Allocations stage is highly regrettable. A review would enable sustainable sites to come forward to secure essential flexibility in the delivery of rural housing over the plan period. The proposed site physically adjoins the existing Village Envelope, would provide a clear defensible line for the Settlement Boundary, and is sustainable with a wide range of community facilities and regular bus service connections. The proposed amendment to the Langenhoe Village Envelope is consistent with the Core Strategy and justified as part of a review of Village Envelopes in order to make the Site Allocations Submission Document sound.

Sa 158/011

Paragraph 4.7 & Peldon Inset map

There is a compelling case for edge of village sites to be assessed as part of the Site Allocations process as intended by the Core Strategy Inspector and Core Strategy Policy ENV1. The absence of a proper review of Village Envelopes as part of the Site Allocations stage is highly regrettable. A review would enable sustainable sites to come forward to secure essential flexibility in the delivery of rural housing over the plan period. The proposed site physically adjoins the existing Village Envelope, would provide a clear defensible line for the Settlement Boundary, and the form of development would provide an attractive entrance into the village. The proposed amendment to the Peldon Village Envelope is consistent with the Core Strategy and justified as part of a review of Village Envelopes in order to make the Site Allocations Submission Document sound.

Edward Gittins & Associates on behalf of Mr. R. Firth

Sa 159/012

Paragraph 4.7 & Fingringhoe Inset map

There is a compelling case for edge of village sites to be assessed as part of the Site Allocations process as intended by the Core Strategy Inspector and Core Strategy Policy ENV1. The absence of a proper review of Village Envelopes as part of the Site Allocations stage is a grave omission. A review would enable sustainable sites to come forward to secure essential flexibility in the delivery of rural housing over the plan period. The proposed amendment to the Fingringhoe Village Envelope is consistent with the Core Strategy and justified as part of a review of Village Envelopes in order to make the Site Allocations Submission Document sound.

Edward Gittins & Associates on behalf of M.& M. Parmenter

Sa 161/014

Paragraph 4.7 & Salcott Cum Virley Inset map

There is a compelling case for edge of village sites to be assessed as part of the Site Allocations process as intended by the Core Strategy Inspector and Core Strategy Policy ENV1. The absence of a proper review of Village Envelopes as part of the Site Allocations stage is a grave omission. A review would enable sustainable sites to come forward to secure essential flexibility in the delivery of rural housing over the plan period. The proposed

amendment to the Salcott Village Envelope is consistent with the Core Strategy and justified as part of a review of Village Envelopes in order to make the Site Allocations Submission Document sound.

Edward Gittins & Associates on behalf of Mr. & Mrs. M. J. Sutton

Sa 163/016

Paragraph 4.7 & Messing Inset map

There is a compelling case for edge of village sites to be assessed as part of the Site Allocations process as intended by the Core Strategy Inspector and Core Strategy Policy ENV1. The absence of a proper review of Village Envelopes as part of the Site Allocations stage is a grave omission. A review would enable sustainable sites to come forward to secure essential flexibility in the delivery of rural housing over the plan period. Messing is a medium sized village which has been sustained by modest levels of further village housing in the past and is capable of absorbing a limited amount of further housing in the future. The proposed amendment of the Messing Village Envelope is consistent with the Core Strategy and justified as part of a review of Village Envelopes in order to make the Site Allocations Submission Document sound.

Edward Gittins & Associates on behalf of Mr. & Mrs. C. Trollope

Sa 164/017

Paragraph 4.7 & Fingringhoe Inset map

There is a compelling case for edge of village sites to be assessed as part of the Site Allocations process as intended by the Core Strategy Inspector and Core Strategy Policy ENV1. The absence of a proper review of Village Envelopes as part of the Site Allocations stage is a grave omission. A review would enable sustainable sites to come forward to secure essential flexibility in the delivery of rural housing over the plan period. The proposed amendment of the Abberton Road, Fingringhoe Village Envelope is consistent with the Core Strategy and justified as part of a review of Village Envelopes in order to make the Site Allocations Submission Document sound.

Edward Gittins & Associates on behalf of Mr. D. White

Sa 165/018

Paragraph 4.7 & Chappel and Wakes Colne Inset map

There is a compelling case for edge of village sites to be assessed as part of the Site Allocations process as intended by the Core Strategy Inspector and Core Strategy Policy ENV1. The absence of a systematic and comprehensive review of Village Envelopes as part of the Site Allocations stage is highly regrettable. A review would enable sustainable sites to come forward to secure essential flexibility in the delivery of rural housing over the plan period. The proposed amendment of the Wakes Colne Village Envelope is consistent with the Core Strategy and justified as part of a review of Village Envelopes in order to make the Site Allocations Submission Document sound.

Edward Gittins & Associates on behalf of Mr. L. Whitnell

Sa 166/019

See also response under CE1 to associated representation for SA177/031

Paragraph 4.7 & Langham Inset map

There is a compelling case for edge of village sites to be assessed as part of the Site Allocations process as intended by the Core Strategy Inspector and Core Strategy Policy ENV1. The absence of a proper review of Village Envelopes as part of the Site Allocations stage is a grave omission. A review would enable sustainable sites to come forward to secure essential flexibility in the delivery of rural housing over the plan period, as well as undertaking any rationalisation of Village Envelopes which would secure long term defensible boundaries. There are opportunities to re-adjust the Village Envelope at School Road, Langham to better reflect housing or development potential close to the Envelope and to do so in association with a Local Employment Zone allocation. The proposed amendment of the Langham Village Envelope is consistent with the Core Strategy and justified as part of a review of Village Envelopes in order to make the Site Allocations Submission Document sound.

CBC Response

See main response to Housing representation by Edward Gittins & Associates in the Executive Summary section (SA001/004).

The primary argument made by the representations for the inclusion of the above seven sites is the association of the sites with existing development and the lack of encroachment into the open countryside. As noted above, this approach to regularising village boundaries has been rejected due to its incompatibility with the Core Strategy approach of focusing new greenfield development on sustainable urban areas and delivering new village sites for affordable housing on rural exception sites. The representations question the soundness of the plan without the inclusion of their sites, but have not submitted sustainability appraisal information to substantiate this view.

Barton Willmore on behalf of Gladedale

[Sa 016/070](#)

Paragraph 4.8

The DPD lacks clarity and transparency on the number of housing units that will be delivered by the sites in Policy SA H1 and how this relates to the overall requirement set out in CS H1. As such this paragraph and the related Policy SA H1 are unsound.

CBC Response

By relying on the Strategic Housing Land Availability Assessment (SHLAA) (CBC/EB/031) and annually updated Housing Trajectory rather than including housing numbers for individual sites in policy SA H1 the DPD is effective; it will remain deliverable, flexible and able to be monitored throughout the plan period. Including the number of housing units within policy SA H1 would be too prescriptive and over the course of the plan period could become out dated (as was the case in the Adopted Local Plan when minimum densities were introduced.) Instead the approach the Council has taken will ensure that a comprehensive picture of current housing land supply will be provided throughout the plan period, making the DPD deliverable, flexible and able to be monitored. The number of units the sites listed in policy SA H1 will deliver and how this relates to the overall housing target for the Borough is obvious

and transparent through the SHLAA and Housing Trajectory and future updates to these (CBC/EB/031, CBC/EB/031a, CBC/EB/031b are the SHLAA and two most recent updates).

The objector also considers that the DPD is not in accordance with paragraphs 60 and 61 of PPS3 (CBC/NAT/002) and paragraph 4.47 of PPS12 (CBC/NAT/008a). The Council has identified a five year supply of deliverable sites and are monitoring the supply of deliverable sites annually linked to the Annual Monitoring Report (CBC/EB125), as required by paragraphs 60 and 61 of PPS3 (CBC/NAT/002). Further, the Core Strategy Inspector stated in her binding report that “In my judgement it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery” (paragraph 7.46 of CBC/EB/66a). In terms of monitoring the overall DPD, this will be achieved by using the Core Strategy monitoring framework through the Annual Monitoring Report. The Core Strategy (CBC/EB/118), which this DPD is linked to, provides clear arrangements for monitoring and reporting as required by paragraph 4.47 of PPS12 (CBC/NAT/008a).

D Cookson on behalf of Mr McCarthy

[Sa 094/158](#)

Para. 4.9 & Chappel & Wakes Colne map

Paragraph is unsound as it needs to clarify that the affordable housing targets do not apply to Gypsy and Traveller sites. Gypsy and Traveller accommodation meets a specialist need therefore it would be unreasonable and unviable to make them subject to overall affordable housing requirements. This will add clarity when determining planning applications. Changes proposed to paragraph 4.9 to clarify this issue.

CBC Initial Response

The representation outlines that the Site Allocations document is not effective and not consistent with national policy because it fails to outline that gypsy and traveller sites are not subject to the affordable housing provisions. Paragraph 4.9 relates solely to Core Strategy Policy H4 (CBC/EB/118) which does not cover the gypsy and traveller community because this is covered in Core Strategy Policy H5. Policy SA H2 specifically outlines Core Strategy Policy H5 will provide the criteria to assist in site identification and determination of planning applications which is considered to be effective when dealing with the issue. The Core Strategy and Site Allocations Gypsy and Traveller Policies have been developed in line with Circular 01/06 (CBC/NAT/034) and are considered to be consistent with national policy and therefore satisfy the test of soundness. It is, however, accepted that the nature of private Gypsy and Traveller sites means they are unlikely to be able to viably and practically provide affordable units as part of the site. Social site provision is being developed at Severalls Lane, Colchester, as set out by adopted Core Strategy Policy H5 and Site Allocations Policy SA H2. It is proposed to add an additional paragraph to the explanatory text of Policy SA H2 to clarify this. Such a minor change is therefore supported by the Council in the interests of clarity.

Lambert Smith Hampton on behalf of BRB (Residuary) Ltd

Sa 118/244

SA H1, 4.11 & 4.9

DPD legally compliant and sound in terms of national policy but respondent questioning Effective test of soundness. BRB (Residuary) Ltd are supportive of the inclusion of 17 Railway Sidings, Halstead Road for housing.

The site is subject to a development brief and the respondent has stated that this is onerous and could constrain the deliverability of housing on the site. This makes DPD potentially unsound in terms of being effective particularly on deliverability grounds.

Development brief carries only limited weight as a material consideration. The rep includes a list of requirements to be met as part of the development brief which the respondent is suggesting could affect the viability of developing the site for residential development.

BRB (Residuary) Ltd would like the site to come forward earlier than the 2017-2021 phase indicated in the SHLAA.

The current development brief is the only block to the developing this site and making the DPD sound. The respondent has requested that the development brief needs to be reviewed or the supporting paragraphs reworded to say that development of the site is not dependent on the development brief.

CBC Initial Response

The Council adopted a Development Brief for this site in February 2006 and this provides further details and policy aspirations for the site. The allocation of the site has been rolled forward from the Local Plan and is still considered to be effective and deliverable over the plan period. The Housing Trajectory and the Strategic Housing Land Availability Assessment update 2009 (CBC/EB/031b) include the site and outline an indicative time for delivery. Although the site has been allocated since the Local Plan was adopted in March 2004 there has been no indication that it would be developed in the short term. The Council would support the early delivery of the site and this is reflected in the Development Brief although this does not carry the weight of an Adopted Supplementary Planning Document in the decision making process. The Council would welcome discussions to facilitate the delivery of the site as there may be areas to agree a Statement of Common Ground. The effectiveness of the Council's approach to Housing delivery and allocations was subject to thorough examination at the Core Strategy EIP with the outcome that the Inspector concluded 'I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.' (para. 7.46 of CBC/EB/66a)

Lawson Planning Partnership Ltd on behalf of owner of Sundowne, Dedham

Sa 150/250

Paragraphs 1.7, 1.8, 4.11- 4.21

The DPD makes no firm allocations for housing in rural areas to deliver the 435 identified as being needed by the evidence base. Too dependent on commitments and past trend 'windfall' development to meet rural housing target. Respondent considers approach unsound as it conflicts with national policy and does not represent the most appropriate plan led approach for delivering housing in the Borough. It may lead to a shortfall and the approach does not serve community interests.

Respondent is seeking the allocation of Sundowne, The Heath, Dedham to provide new residential development comprising mixed housing and tenure types that would positively enhance the area around Dedham Heath. Respondent suggesting that allocating this site represents amore appropriate strategy for meeting community needs for both market and affordable housing. There are few constraints on the site and it is well located to existing services and Dedham village.

Respondent has suggested that no residential sites within villages have been assessed as part of the Sustainability Appraisal process. Suggesting that the Council has refused to consider specific sites for residential development in smaller villages in the Borough thus failing in its duty to plan for the needs of all residents of Colchester.

Representation states that the evidence base does not accurately reflect the Borough's current housing situation. The evidence base is out of date as the SHMAA and SLAA cover up to 2008 The SHLAA only assesses 4 villages and fails to consider small sites. The evidence base is not credible or robust. This approach contradicts RSS policy SS4 on this matter.

Part of the site lies within the settlement boundary while the rest is contiguous to the settlement boundary of Dedham and complies with policy ENV2 in the Core Strategy therefore this negates the Council's rejection of the site as being suitable for residential development.

Currently the DPD does not show how the Council will meet its affordable housing needs in villages. The plan as currently drafted will not will not ensure the provision of open space and community facilities as required by policy.

The Council's strategy for delivering rural housing is not in accordance with PPS3. It also contradicts PPS7

CBC Initial Response

The objector refers to housing provision in villages and considers that this is not founded on a robust and credible evidence base or consistent with national policy. The housing provision for Colchester Borough has been subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded "I am satisfied that CBC is able to support its

housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.” (paragraph 7.46 of CBC/EB/66a). There is certainty over housing in villages; the Core Strategy (CBC/EB/118) identifies in table H1 that 705 dwellings will be delivered in villages over the plan period. This figure is split between Marks Tey, West Bergholt, Great Horkesley and other villages; some of the 705 dwellings have already been completed. Regarding the evidence base, the Core Strategy Inspector concluded that the Core Strategy lacked analysis of rural district centres and villages and considered that a very limited amount of further growth may be possible without undermining the Core Strategy. However, she cautioned that “it would need to be supported by robust and credible evidence relating to the CS objectives.” (paragraph 7.6 of CBC/EB/066a). Consequently, a settlement boundary review and village survey was undertaken (CBC/EB/117). This review was informed by national studies and guidance, including PPS7 (CBC/NAT/004), PPS3 (CBC/NAT/002), Essex Rural Strategy (CBC/EB/009), Are Villages Sustainable? (CBC/NAT/049) and The State of the Countryside 2008 (CBC/NAT/070). The review provided an opportunity for the Council to apply overall policy for rural housing to the consideration of boundaries for each village. The review explains that the most up to date housing figures show that seven extra dwellings per year need to be found in the rural areas, above those permitted to satisfy the Core Strategy target (paragraph 3.16 of CBC/EB/117). The Council are confident that this shortfall will be met through the redevelopment of existing sites, infill development and affordable housing on rural exception sites, consistent with past trends and in accordance with PPS3 (CBC/NAT/002). Furthermore, the prevailing view coming out of the parish consultation, which also forms part of the evidence base, was that village boundaries should be retained as they are given that LDF policies provide sufficient scope and flexibility for village needs to be met if necessary outside of the village envelope. The Council’s approach means that village settlement boundaries are largely unaltered except for the correction of drafting errors and the inclusion of a new community centre and affordable housing in Dedham. An approach that involved ‘tidying up’ village boundaries to include sites such as those put forward by the respondent was rejected due to the lack of need for additional greenfield sites in villages.

The evidence base therefore does not support any significant boundary changes to facilitate additional housing outside of village envelopes. Additionally, over the plan period community led plans will provide further local evidence to advance the delivery of village affordable housing, employment and community facilities. The strategy for development in villages is therefore founded on a robust and credible evidence base, offers flexibility and is consistent with national policy.

Since the Core Strategy was examined, further national support for increasing the supply of affordable rural housing through the effective delivery of rural exception sites has emerged through the Taylor Review (Living Working Countryside, July 2008) (CBC/NAT/066) and consultation arising from its recommendations: ‘Guidance for local authorities for incentivising landowners to bring forward additional land for rural affordable housing on rural exception

sites' (November 2009) (CBC/NAT/065). The consultation document notes that 'allowing rural exception sites to be used for market housing would be counter productive', but that incentives should be put in place to encourage landowners to put forward sites which could be used for affordable housing to meet local rural needs. (para 2, page 7) The focus therefore remains on making rural exception sites work effectively to deliver affordable housing rather than on relying on a trickle down approach potentially resulting from a more permissive approach to market housing in villages.

Mersea Homes Ltd, on behalf of Mersea Homes and Countryside Properties

[Sa 047/109](#)

Paragraph 4.20

The current economic downturn is fundamentally changing the way in which housing delivery trajectories should be considered. Further text should be added to paragraph 4.20 to reflect this, and to allow an early explanation of the need for flexibility on this issue.

CBC Response

The current economic downturn is expected to result in lower housing delivery figures following a short time lag, but the lower figures will not in themselves generate the need to release more land, given that the downturn will have only delayed delivery of sites on the Housing Trajectory rather than eliminating them. Evidence about housing land supply and delivery was subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded 'I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.' (para. 7.46 of CBC/EB/66a). The Housing Trajectory has subsequently been updated and still shows a 15 year supply. The AMR for the 2008/09 (CBC/EB/125) period showed that 1041 units were delivered during this period, which was affected by the economic downturn. Monitoring is carried out through the annual update of the Housing Trajectory and Strategic Housing Land Availability Assessment which feed into the Annual Monitoring Report. The Council's use of housing trajectories in feeding into an integrated review of housing delivery is accordingly considered to be justified and effective.

Mersea Homes Ltd, on behalf of Mersea Homes and Countryside Properties

[Sa 047/108](#)

Paragraph 4.21

The current economic downturn is fundamentally changing the way in which housing delivery trajectories should be considered. Further text should be added to paragraph 4.21 to reflect this, and to allow an early explanation of the need for flexibility on this issue.

CBC Response

The current economic downturn is expected to result in lower housing delivery figures following a short time lag, but the lower figures will not in themselves

generate the need to release more land, given that the downturn will have only delayed delivery of sites on the Housing Trajectory rather than eliminating them. Evidence about housing land supply and delivery was subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded 'I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.' (para. 7.46 of CBC/EB/66a) The Housing Trajectory has subsequently been updated and still shows a 15 year supply. The AMR for the 2008/09 period showed that 1041 units were delivered during this period, which was affected by the economic downturn. Monitoring is carried out through the annual update of the Housing Trajectory and Strategic Housing Land Availability Assessment which feed into the Annual Monitoring Report. Parts of the greenfield urban extensions can be brought forward if necessary to speed up overall delivery (para. 9.1 of CBC/EB/66a). The Council's use of housing trajectories in feeding into an integrated review of housing delivery is accordingly considered to be justified and effective.

ADP on behalf of Hills Residential

[Sa 117/226 & sa 117/228 & sa 117/229 & sa 117/230 & sa 117/231 & sa 117/232 & sa 117/233 & sa 117/234](#)

NGA 2, STA2, Para 4.20, 4.21, 5.124, 5.138, 5.153, 5.165, 5.166, 5.181, 5.182 & 5.200

There are eight individual representations on the sections of the document referred to above. In light of the current recession, all greenfield sites identified in the Site Allocations DPD should be able to begin housing development as soon as possible to maintain the Council's annual housing target. Minor changes to all the sections to remove any phasing requirements would make the document sound.

CBC Response

The respondents have submitted an extensive amount of supporting information outlining the complex factors driving the delivery of housing. It is agreed that the current economic downturn can be expected to result in lower housing delivery figures for the next monitoring periods, but the lower figures in the short term will not in themselves generate the need to change the phasing of greenfield land releases, given that the downturn will have only delayed delivery of sites on the Housing Trajectory rather than eliminating them.

PPS3 prioritises development on previously developed land (paras 36 and 40). The Core Strategy accordingly prioritises development in regeneration areas, with development on greenfield sites following later in the plan period and this approach was found sound by the Core Strategy Inspector (CBC/EB/66a, para 7.23). Given the Core Strategy priority given to development of brownfield regeneration sites, removal of the phasing requirement in paragraph 5.138 is not considered justified. The respondents argue that the early release of greenfield land would not prejudice the delivery of brownfield sites, but given that greenfield sites tend to be more attractive to

developers in all market conditions, it is considered appropriate to safeguard the development of brownfield land in advance of greenfield sites.

Evidence about housing land supply and delivery, including phasing, was subject to thorough examination at the Core Strategy EIP with the outcome that the Inspector concluded 'I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.' (para. 7.46 of CBC/EB/066a). Monitoring is carried out through the annual update of the Housing Trajectory and Strategic Housing Land Availability Assessment which feed into the Annual Monitoring Report. The most recently updated Housing Trajectory still shows a 15 year supply. The AMR for the 2008/09 period (CBC/EB/125) showed that 1041 units were delivered during this period, which was affected by the economic downturn. The AMR demonstrates that Colchester has already delivered 8,169 new homes between 2001/02 and 2008/09 at an average rate of 1,021 dwellings per year, which is well in excess of the 830 annualised rate needed between 2006-23 to achieve overall housing delivery targets. This high rate of delivery is accordingly considered to protect against lower delivery rates in later phases of the plan period and to address the respondent's view that both brownfield and greenfield housing delivery rates will be lower than recent 'pre-recession' levels.

Barton Willmore on behalf of Gladedale

[Sa 016/073](#)

[Policy SA H1](#)

See also response to Barton Willmore representation on Para 4.3 SA016/071 The Sustainability Appraisal is flawed in its assessment of sites and the conclusions reached for the Chitts Hill site are inconsistent with those on the adjoining Railway Sidings site. Also the SHLAA is not a credible evidence base as it was not prepared in accordance with the Practice Guide. The DPD is overly reliant on large PDL sites in the short/medium term particularly as the larger greenfield sites in the growth areas are not due to be released until 2016. With the economic recession, the DPD is not sufficiently flexible to provide an effective and deliverable supply of housing to meet Core Strategy requirements. In order for the DPD to be sound it needs to allocate the Chitts Hill site as an extension of the Railway Sidings, Halstead Road site.

CBC Response

This representation can be split into four key issues, which will be addressed in turn, the credibility of the sustainability appraisal (CBC/SUB/103a and CBC/SUB/103c), the credibility of the Strategic Housing Land Availability Assessment (SHLAA) (CBC/EB/031), the reliance on large previously developed sites in the short/medium term and the flexibility of housing supply. Firstly, the sustainability appraisal (CBC/SUB/103a) is not flawed. There are differences between the railway sidings site and the site the objector is promoting, Chitts Hill, because these sites are different; there are not inconsistencies in the sustainability appraisal. The railway sidings site has already been accepted through the granting of planning permission. The site

at Chitts Hill, on the other hand, has been considered by the previous two Local Plan Inspectors and Core Strategy Inspector and both Local Plan Inspectors considered that development of this site would be unacceptably intrusive and the site should not be allocated for development (paragraph 13.12 of CBC/EB066). The Council considered the Chitts Hill site as part of the Core Strategy (pages 22-23 of Core Strategy Matter 3 Hearing Statement) and these considerations are compatible with the findings of the sustainability appraisal (CBC/SUB/103a).

Regarding the credibility of the SHLAA (CBC/EB/031) the Core Strategy Inspector stated that “Clarification of the methodology and fieldwork was provided at the hearing by the consultant who prepared the SHLAA. Thus, while some criticisms are valid and should be remedied when the document is reviewed, I find that does not detract from the underlying evidence. The updated housing trajectory provides the necessary link between individual sites and the timescales involved. The SHLAA has taken a conservative view that does not assume increasing densities and makes a discount for non-delivery and is therefore robust.” The valid criticisms the Inspector referred to have been addressed in the 2009 update to the SHLAA (CBC/EB/031b).

Regarding the final two issues raised by the objector; the housing allocations are considered to be deliverable, flexible and are able to be monitored. Evidence about housing land supply and delivery was subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded “I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.” (para. 7.46 of CBC/EB/066a) The Housing Trajectory has subsequently been updated and still shows a 15 year supply. Monitoring is carried out through the annual update of the Housing Trajectory and Strategic Housing Land Availability Assessment which feed into the Annual Monitoring Report. Parts of the greenfield urban extensions can be brought forward if necessary to speed up overall delivery (para. 9.1 of CBC/EB/066a).

Boyer Planning on behalf of Mr A Sexton

Sa 149/239

SAH1

The respondent has submitted a request to amend the Boxted Cross Settlement boundary to include a 0.12 ha site which is located on the edge of the current Boxted Cross settlement close to the primary school and emerging employment area. The respondent is suggesting that the current settlement boundary does not have regard to the site context as the site in question is surrounded on 3 sides by built development and is currently vacant. The respondent is proposing including the site for small scale residential development.

CBC Response

The Council’s approach to rural housing allocation is justified and effective in that it is based on the approved Core Strategy. The housing provision for Colchester Borough has been subject to thorough examination at the Core

Strategy EiP with the outcome that the Inspector concluded “I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.” (paragraph 7.46 of CBC/EB/066a). There is certainty over housing in villages; the Core Strategy (CBC/EB/118) identifies in table H1 that 705 dwellings will be delivered in villages over the plan period. This figure is split between Marks Tey, West Bergholt, Great Horkeley and other villages; some of the 705 dwellings have already been completed. Regarding the evidence base, the Core Strategy Inspector concluded that the Core Strategy lacked analysis of rural district centres and villages and considered that a very limited amount of further growth may be possible without undermining the Core Strategy. However, she cautioned that “it would need to be supported by robust and credible evidence relating to the CS objectives.” (paragraph 7.6 of CBC/EB/066a). Consequently, a settlement boundary review and village survey was undertaken (CBC/EB/117). This review was informed by national studies and guidance, including PPS7 (CBC/NAT/004), PPS3 (CBC/NAT/002), Essex Rural Strategy (CBC/EB/009), Are Villages Sustainable? (CBC/NAT/049) and The State of the Countryside 2008 (CBC/NAT/070). The review provided an opportunity for the Council to apply overall policy for rural housing to the consideration of boundaries for each village. The review explains that the most up to date housing figures show that seven extra dwellings per year need to be found in the rural areas, above those permitted to satisfy the Core Strategy target (paragraph 3.16 of CBC/EB/117). The Council are confident that this shortfall will be met through the redevelopment of existing sites, infill development and affordable housing on rural exception sites, consistent with past trends and in accordance with PPS3. Furthermore, the prevailing view coming out of the parish consultation, which also forms part of the evidence base, was that village boundaries should be retained as they are given that LDF policies provide sufficient scope and flexibility for village needs to be met if necessary outside of the village envelope. The Council’s approach means that village settlement boundaries are largely unaltered except for the correction of drafting errors and the inclusion of a new community centre and affordable housing in Dedham. An approach that involved ‘tidying up’ village boundaries to include sites such as that put forward by the respondent with multiple edges bounding the village was rejected due to the lack of need for additional greenfield sites in villages.

The evidence base therefore does not support any significant boundary changes to facilitate additional housing outside of village envelopes. Additionally, over the plan period community led plans will provide further local evidence to advance the delivery of village affordable housing, employment and community facilities. The strategy for development in villages is therefore founded on a robust and credible evidence base, offers flexibility and is consistent with national policy.

Since the Core Strategy was examined, further national support for increasing the supply of affordable rural housing through the effective delivery of rural exception sites has emerged through the Taylor Review (Living Working Countryside, July 2008) (CBC/NAT/066) and consultation arising from its

recommendations: 'Guidance for local authorities for incentivising landowners to bring forward additional land for rural affordable housing on rural exception sites' (November 2009) (CBC/NAT/065). The consultation document notes that 'allowing rural exception sites to be used for market housing would be counter productive', but that incentives should be put in place to encourage landowners to put forward sites which could be used for affordable housing to meet local rural needs. (para 2, page 7) The focus therefore remains on making rural exception sites work effectively to deliver affordable housing rather than on relying on a trickle down approach potentially resulting from a more permissive approach to market housing in villages.

Whilst it is essential that alternatives are considered as part of the SA process only reasonable, realistic and relevant options should be considered (see paragraph 4.38 of PPS12, CBC/NAT/008a). The SA must be linked to the planning framework and so options that do not conform to national policy, the RSS (CBC/REG/14a) or the Core Strategy (CBC/EB/118) should not be considered as part of the SA as they are not reasonable, realistic or relevant options. Developing sites in smaller villages would not be in conformity with the RSS or Core Strategy.

Boyer Planning on behalf of Dishland Ltd
[Sa 148/242](#)

SAH1

DPD is not justified or effective as it fails to make provision for housing development within north east Colchester where there is good infrastructure capacity. The DPD is not an appropriate strategy and it lacks flexibility.

Representation seeks the allocation of 3.8ha of land at the Sports Ground, Bromley Road, Colchester for residential development (2.3 ha) with open space(1.6 ha) .

The site is currently partly used as playing fields however part of the site is also vacant private open space. A consultancy report undertaken by consultants on behalf of the landowners shows that there is an overprovision of playing pitches in the north east part of the Borough as well as a surplus of public open space but it did identify a deficiency in children's play areas. This proposal could help deliver this facility.

Developing the site would help improve open space provision and it is well located to existing retail, community facilities including schools and Town Centre bus routes.

This allocation for housing development is consistent with adopted Core Strategy objectives. There are few other reasonable size sites available in this part of Colchester that could be developed without encroaching into areas of open countryside.

Proposed change involves the deletion of the open space designation with a re-allocation for residential development.

CBC Response

The Site Allocations DPD is considered justified and effective as it is based on the spatial policy for housing allocations set forth in the adopted Core Strategy. The housing allocations are considered to be deliverable, flexible and are able to be monitored. Evidence about housing land supply and delivery was subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded 'I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.' (para. 7.46 of CBC/EB/066a) The Housing Trajectory has subsequently been updated and still shows a 15 year supply. Monitoring is carried out through the annual update of the Housing Trajectory and Strategic Housing Land Availability Assessment which feed into the Annual Monitoring Report. Parts of the greenfield urban extensions can be brought forward if necessary to speed up overall delivery (para. 9.1 of CBC/EB/066a). The respondents have not provided evidence to support the allocation of sites to meet a particular need to provide housing in the northeast section of Colchester above and beyond the housing allocations already identified in the Core Strategy for the urban area of Colchester.

The site is designated as Private Open Space on the submission Proposals Map and the Council supports its retention for this use in line with Core Strategy Policy PR1 (Open Space), Local Plan policy L2 (Private Open Space) and its intended replacement Development Policy DP15 (Retention of Open Space and Indoor Sports Facilities). Given the lack of an overriding justification to redevelop the site to meet housing need the loss of a community resource is not supported.

Fenn Wright

Sa 099/169

H1

The Site Allocations document is unsound because it does not allow for the growth of Peldon. The representation supports allocation of a site at Mersea Road, Peldon for residential development.

Sa 099/171

H1

The Site Allocations document is unsound because it does not allow for the logical expansion of Langenhoe. The representation supports allocation of a site at Park View, Abberton Road for residential development.

Sa 099/172

H1

The Site Allocations document is unsound because it does not allow sufficient allocation in West Mersea to allow for natural growth of the town. The representation supports allocation of land to the rear of Brierley Hall, East Road, West Mersea for residential development.

CBC Response

The respondent for the above three sites considers the plan unsound but has not indicated which tests of soundness it fails. In the absence of any specific comments on soundness, the Council contends that approach to rural housing allocation is sound in that it is based on the approved Core Strategy. The housing provision for Colchester Borough has been subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded “I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.” (paragraph 7.46 of CBC/EB/066a). There is certainty over housing in villages; the Core Strategy (CBC/EB/118) identifies in table H1 that 705 dwellings will be delivered in villages over the plan period. This figure is split between Marks Tey, West Bergholt, Great Horkelesley and other villages; some of the 705 dwellings have already been completed. Regarding the evidence base, the Core Strategy Inspector concluded that the Core Strategy lacked analysis of rural district centres and villages and considered that a very limited amount of further growth may be possible without undermining the Core Strategy. However, she cautioned that “it would need to be supported by robust and credible evidence relating to the CS objectives.” (paragraph 7.6 of CBC/EB/066a). Consequently, a settlement boundary review and village survey was undertaken (CBC/EB/117). This review was informed by national studies and guidance, including PPS7 (CBC/NAT/004), PPS3 (CBC/NAT/002), Essex Rural Strategy (CBC/EB/009), Are Villages Sustainable? (CBC/NAT/049) and The State of the Countryside 2008 (CBC/NAT/070). The review provided an opportunity for the Council to apply overall policy for rural housing to the consideration of boundaries for each village. The review explains that the most up to date housing figures show that seven extra dwellings per year need to be found in the rural areas, above those permitted to satisfy the Core Strategy target (paragraph 3.16 of CBC/EB/117). The Council are confident that this shortfall will be met through the redevelopment of existing sites, infill development and affordable housing on rural exception sites, consistent with past trends and in accordance with PPS3. Furthermore, the prevailing view coming out of the parish consultation, which also forms part of the evidence base, was that village boundaries should be retained as they are given that LDF policies provide sufficient scope and flexibility for village needs to be met if necessary outside of the village envelope. The Council’s approach means that village settlement boundaries are largely unaltered except for the correction of drafting errors and the inclusion of a new community centre and affordable housing in Dedham. An approach that involved ‘tidying up’ village boundaries to include sites such as that put forward by the respondent with multiple edges bounding the village was rejected due to the lack of need for additional greenfield sites in villages.

The evidence base therefore does not support any significant boundary changes to facilitate additional housing outside of village envelopes. Additionally, over the plan period community led plans will provide further local evidence to advance the delivery of village affordable housing, employment and community facilities. The strategy for development in

villages is therefore founded on a robust and credible evidence base, offers flexibility and is consistent with national policy.

Since the Core Strategy was examined, further national support for increasing the supply of affordable rural housing through the effective delivery of rural exception sites has emerged through the Taylor Review (Living Working Countryside, July 2008) (CBC/NAT/066) and consultation arising from its recommendations: 'Guidance for local authorities for incentivising landowners to bring forward additional land for rural affordable housing on rural exception sites' (November 2009) (CBC/NAT/065). The consultation document notes that 'allowing rural exception sites to be used for market housing would be counter productive', but that incentives should be put in place to encourage landowners to put forward sites which could be used for affordable housing to meet local rural needs. (para 2, page 7) The focus therefore remains on making rural exception sites work effectively to deliver affordable housing rather than on relying on a trickle down approach potentially resulting from a more permissive approach to market housing in villages.

Whilst it is essential that alternatives are considered as part of the SA process only reasonable, realistic and relevant options should be considered (see paragraph 4.38 of PPS12, CBC/NAT/008a). The SA must be linked to the planning framework and so options that do not conform to national policy, the RSS (CBC/REG/14a) or the Core Strategy (CBC/EB/118) should not be considered as part of the SA as they are not reasonable, realistic or relevant options. Developing sites outside the West Mersea settlement boundary would not be in conformity with the RSS or Core Strategy.

H2 – Gypsy and Traveller Accommodation

D Cookson on behalf of Mr McCarthy

[Sa 094/157](#)

Para. 4.12 & Chappel & Wakes Colne map

Paragraph is unsound as the policy does not make it clear that pitch provision in Colchester as set in the RSS is a minimum. Without this clarity the DPD is not in conformity with the RSS policy H3. Sections of 4.12 are now irrelevant as the approved RSS policy is the material consideration now.

An additional paragraph needed to explain that not all pitches will be available in 2009. If some of the proposed sites do not come forward or not enough pitches are secured additional pitches will be needed to address the shortfall and RSS minimum requirements. Without additional pitches the plan will not conform with the RSS. Changes were proposed to 4.12 to address these issues.

CBC Initial Response

The objector states that the policy is not effective or consistent with national policy. The policy is however, consistent with national and regional policy as it identifies a sufficient number of pitches to meet the minimum required level of provision for 2011 as specified in Policy H3 of the East of England Plan Single

Issue Review (CBC/REG/023). The delivery of Gypsy and Traveller sites will be closely monitored to ensure that the necessary minimum provision is met by 2021. The Government Office previously raised objections to this policy on the grounds that it did not fully take account of the RSS Single Issue Review (CBC/REG/023); however this was due to the timing of the Single Issue Review publication and the Submission DPD. As a result the Council have also proposed minor changes to the policy to make clear there will be a review of the pitch numbers to enable the identification of sites post 2011 (Go-East letter 20 Nov 2009 CBC/EB/159). This review will also provide flexibility to ensure sufficient pitches are provided in the Borough. The revised approach is supported by the Government Office who raise no other issues so the Council's approach is considered to be effective, justified and consistent with regional and national policy. The minor changes proposed are therefore considered largely unnecessary although it is accepted that the addition of the word minimum to paragraph 4.12 may help improve clarity. EERA have raised no issues of conformity with the Regional Spatial Strategy.

D Cookson on behalf of Mr McCarthy

[Sa 094/156](#)

Para. 4.14 & Chappel & Wakes Colne map

First sentence of paragraph 4.14 is unsound as the wording has been superseded by the RSS. Second sentence repeats 4.12 and is not needed. Both sentences to be deleted.

CBC Initial Response

The objector states that the policy is not effective or consistent with national policy. The Essex Gypsy and Traveller Accommodation Assessment (Fordhams, 2009) provides evidence on the need for pitches in Colchester. Having adequate regard to this evidence is appropriate and consistent with paragraphs 20 and 21 of Circular 01/06 (CBC/NAT/034), and paragraph 5.20 of the Single Issue Review into Gypsy and Traveller Accommodation in the East of England (CBC/REG/023). This approach is both effective and consistent with regional and national policy.

D Cookson on behalf of Mr McCarthy

[Sa 094/155](#)

Para. 4.18 & Chappel & Wakes Colne map

Paragraph 4.18 is unsound as it needs to reflect requirements in the RSS for consistency and clarity. Without it there is a lack of certainty and guidance for development management decisions. Local opposition is likely to be high with the risk that members will bow to local pressure to refuse planning applications.

It needs to be clear that capacity figures in the policy and paragraph 4.17 are guidelines and not mandatory. Some sites may be able to accommodate higher numbers subject to specific site conditions and lower design standards especially where there is public support and low impacts.

It also needs to be clear that this policy, its explanatory text and the criteria set out in Core Strategy policy H5 set the whole criteria for determining

planning applications. No proposal on allocated sites should be refused on the basis of policies in the Development Policies DPD. Suggested that this policy should be the only the only material policy guidance for determining applications on allocated sites. Applications on other sites for extensions or increases in capacity should be subject to the appropriate Core Strategy and Development Policies DPD. Two changes were proposed to SA H2 & paragraph 4.18

CBC Initial Response

The objector states that the policy is not effective or consistent with national policy. The wording of Policy SA H2 already makes reference to Core Strategy Policy H5 and the criteria used to assist in the identification of sites and the determination of planning applications.

Identifying the number of pitches for which sites are considered suitable is an effective approach in ensuring sufficient provision is made available for pitches in the borough. In the case of most of the sites the number of pitches listed is due to existing planning applications limiting the number of caravans permitted on the site. It would therefore be inappropriate and ineffective to assume that a greater number of pitches could be provided from these sites. As noted by paragraph 4.18 there may be scope for expansion of sites if this is found to be appropriate through securing planning permission. This approach is both effective and consistent with national and regional policy.

Mr Angus Forrest

[Sa 127/186](#)

SA H2

This Policy is unsound because at the time of publication of this DPD, site 11 (Orchard Place, Vernons Road, Chappel) had been refused planning permission and it does not therefore comply with the requirements for inclusion listed in paragraph 4.14. The site is not suitable as it does not comply with the criteria listed in H5 in the Core Strategy. The Council has not demonstrated that they have actively sought to identify suitable sites through a comparative exercise. This site was not identified in the Reg 25 consultation and the inclusion of this site appears reactionary to meet the numbers required by the RSS revision of July 2009 (CBC/REG/023).

Chappel Parish Council

[Sa 132/168](#)

SA H2

This Policy is unsound because at the time of publication of this DPD, site 11 (Orchard Place, Vernons Road, Chappel) had been refused planning permission and it does not therefore comply with the requirements for inclusion listed in paragraph 4.14. The site has never previously been mentioned for inclusion and there is no history of the Council considering suitable sites through due process.

D Cookson on behalf of Mr McCarthy

[Sa 094/154](#)

SA H2 & Chappel & Wakes Colne map

Policy H2 regarded as unsound as the Fordham Report 2009 has been superseded by the RSS, and paragraph 4.14 needs to express the number of pitches required as a minimum to avoid a shortfall should the selected sites not come forward. Minor rewording required – sites provided by 2021 (not ‘in’ 2021.) Wording changes needed to make the policy sound have been proposed to address these issues.

CBC Initial Response

The objectors state that the policy is not effective or consistent with national policy (for different reasons). The rationale behind the sites listed in Policy SA H2 is explained in paragraph 4.14 of the explanatory text, the Gypsy and Traveller Topic Paper (CBC/EB/116), and the Site Allocations Sustainability Appraisal (CBC/SUB/103a, 103b and 103c). Identifying the number of pitches for which sites are considered suitable is an effective approach in ensuring sufficient provision is made for pitches in the borough. In the case of most of the sites the number of pitches listed is due to existing planning applications limiting the number of caravans permitted on the site. It would therefore be inappropriate and ineffective to assume that a greater number of pitches could be provided from these sites.

The Essex Gypsy and Traveller Accommodation Assessment (Fordham, 2009) provides evidence on the need for pitches in Colchester. Having adequate regard to this evidence is appropriate and consistent with paragraphs 20 and 21 of Circular 01/06 (CBC/NAT/034), and paragraph 5.20 of the Single Issue Review into Gypsy and Traveller Accommodation in the East of England (CBC/REG/023). Policy SA H2 already acknowledges the need to meet the targets set by the East of England Plan Single Issue Review (CBC/REG/023).

The wording regarding 40 pitches in 2021 was intended to clarify that Colchester was required to have a total provision of 40 pitches by this year, rather than provide an additional 40 pitches over the current level of provision. It is proposed that this could be clarified by a minor change to the wording. Suggested wording: (requiring Colchester to ***have a total provision of not less than 40 pitches by 2021***).

The objector also states that the policy is not consistent with national policy. The delivery of Gypsy and Traveller sites will be closely monitored to ensure that the necessary minimum provision is met by 2021. The Government Office previously raised objections to this policy on the grounds that it did not fully take account of the RSS Single Issue Review (CBC/REG/023); however this was due to the timing of the Single Issue Review publication and the Submission DPD. As a result the Council have also proposed minor changes to the policy to make clear there will be a review of the pitch numbers to enable the identification of sites post 2011 (Go-East letter 20 Nov 2009 CBC/EB/159). This approach is supported by the Government Office who raise no other issues so the Council’s approach is considered to be effective, justified and legally compliant.

Wakes Colne Parish Council

Sa 053/124

Policy H2 & paragraphs 4.12-4.19

The inclusion of Orchard Place, Vernons Road, Chappel on the list of suitable sites for Gypsy and Traveller accommodation makes the policy unsound. The site was refused planning permission on 17th September 2009 for 6 pitches on the size of the site and highways issues. The site is accordingly not suitable for three pitches

CBC Initial Response

The Council's position with regards to the provision for Gypsy and Travellers is supported by the Gypsy and Traveller Topic Paper (CBC/EB/116) and the Site Allocations Sustainability Appraisal (CBC/SUB/103a, 103b and 103c). The planning application in July 2009 was refused on the number of pitches as opposed to the principal of the use on the site. The number of pitches in Policy SA H2 is lower than that proposed in the July 2009 planning application and therefore the allocation of the site is considered to be justified and effective when dealing with the need for Gypsy and Traveller sites across the Borough over the plan period. The delivery of Gypsy and Traveller sites will be closely monitored to ensure that the necessary provision is met before 2021 and takes account of the specific nomadic lifestyle of the Gypsy and Traveller Communities as indicated in Circular 01/06 (CBC/NAT/034). The Government Office raised objections to this policy on the grounds that it did not fully take account of the RSS Single Issues Review; however this was due to the timing of the Single Issue Review publication and the Submission DPD. As a result the Council have also proposed an early review of the pitch numbers to enable the identification of sites post 2011 (Go-East letter 20 Nov 2009 CBC/EB/159). This approach is supported by the Government Office who raise no other issues. The Council's approach is considered to be effective, justified and legally compliant.

Chapter 5. Urban Renaissance

Colchester Bus Users

Sa 113/201

Section 5

The definition and precise wording concerning transit corridors is inconsistent and should be clarified. It is unclear for what purpose a strip of land alongside the railway is to be safeguarded. Bus priority routes have been identified on the Proposals Map, but there is no mention of them in the Map Key, nor are they defined in para 5.82. The East Park and Ride was deleted from the Core Strategy on the basis that it was unsupported by evidence and could be in conflict with a Tendring P&R. The Bus Users Group supports a rail-based P&R system rather than a bus-based one. Para 5.83 appears to be written to suggest bus-based East P&R is LDF approved. Objections to road schemes at Greenstead Roundabout, Colne Causeway and North Station. Hythe Station improvements are of no relevance for Tendring and Colchester journeys and only serve London commuters. No site for a replacement bus station is shown

CBC Response

The Council are happy to revisit the wording used for transit corridor to be consistent and clarify paragraph 5.82 to be consistent with policy SA EC8.

In the Regional Transport Strategy (CBC/ REG/016) policy T2 public transport provision and the regional interchange centres states that a significantly enhanced level of public transport provision to, from and within Regional Interchange Centres (inc Colchester) will be sought.

There is a significant movement from the Tendring District for travel work by car (Core Strategy Transportation Topic Paper CBC/EB/060). There are approximately 8,800 trips of which 87% are by car. There is great opportunity to encourage transfer to public transport and support growth.

The strip of land alongside the railway is to be safeguarded for a bus based transit link. This is to cater for growth in east Colchester towards the end of the plan period and beyond. There are a number of known developments likely to come forward in this plan period which could prevent a transit corridor being delivered in the future to support growth. At this current time we are using the site allocation process to inform development and ensure that the transit corridor can be provided in the future.

It is envisaged that any measures implemented as part of the bus priority corridors shown on the Core Strategy proposals map would be delivered within the highway boundary or space negotiated with developers as land is bought forward for development.

The Regional Transport Strategy (CBC/REG/016) promotes the use of park and ride (para 8.55, para 8.101a) as a measure to help deliver the objectives

of the RTS, and policy T2 requires a significant change in the level of public transport provision. The agreed strategy for delivery for park and ride with ECC is to concentrate resources to deliver on the Northern site at Cuckoo Farm first. A planning application is expected to be submitted by ECC for this site in April 2010. With further growth in the east and the dominance of car trips from Tendring direction (Transportation Topic Paper CBC/EB/060) we believe that there will be the need for a second park and ride site in the future. It is our intention is to investigate this as similar towns to Colchester with park and ride systems e.g. Cambridge, York, Canterbury, Ipswich, and Norwich all operate with multiple sites to form a network of operation.

The operation and the fares of the rail network is tightly controlled through the DfT's franchise agreements. Currently there are no peak hour trains direct from Clacton to Colchester Town, and therefore to be attractive would require a significant investment in the operation of the line. The current peak hour return train is £8.80 from Clacton (National Rail Enquiries). Bus based park and ride works normally works on a frequency of between 7 and 10 minutes and would have a significantly lower fare.

Greenstead Roundabout – rewording of paragraph 5.87 has been agreed between the Council and Essex County Council which addresses the concerns (SA Change No. 46)

North Station Area - Capacity improvements in this area could include improving the capacity for buses as this is a key passenger transport route from the North Colchester Growth Area, and the park and ride, linking through to the town centre. Increasing the priority for buses in this area is covered in the North Station Masterplan Consultation Draft SPD.

St Botolphs Masterplan and replacement bus station - Colchester Borough Council and Essex County Council are currently working on plans to reduce traffic in the town centre and improve the operation of bus services and replacement of the bus station. There will be a consultation on this in the autumn of this year.

Chapter 5 - Town Centre and North Station

TC1 - Appropriate Uses within the Town centre and North Station

Bidwells on behalf of Glanmore Investments Ltd

[Sa 046/099](#)

SA TC1

Policy SA TC1 is not justified and not consistent with PPS6. The scope of the policy as currently drafted gives insufficient consideration to the potential of the Turner Rise District Centre. Core Strategy policy sets out that Urban District Centres should provide a more diverse mix of uses and suggests that intensification of centres will be supported. The location and characteristics of the Turner Rise District Centre ensures it is uniquely placed for a more positive and proactive policy approach to address the current vacancy rate of 30% which is reducing the centre's vitality and viability. Policy SA TC1 should be amended to state that a more diverse mix of retails and other uses will be acceptable.

CBC Response

7.1 Policy SA TC1 of the DPD refers to the Turner Rise Urban District Centre, which is identified in policy CE2b of the Core Strategy (CBC/EB/118). This is consistent with national policy; paragraph 2.15 of PPS6 (CBC/NAT003), which the objector refers to, states that the Core Strategy should set out the strategy for the network and hierarchy of centres. This general requirement has been carried forward in the new PPS4 (CBC/NAT/067). The objector considers that there is insufficient clarity regarding the town centre uses in the Turner Rise Urban District Centre. However, it would be too prescriptive to list the possible uses for this centre. The approach taken is the most appropriate strategy and the policy correctly refers to "a more diverse mix of uses" and policy CE2b of the Core Strategy (CBC/EB/118) expands on this saying that urban district centres could include community facilities, offices and housing. Retail is not precluded and in accordance with the Planning for Town Centres sequential approach (CBC/NAT/068) and indeed the objectors suggested wording change, retail can be acceptable on this site and indeed other centres, providing that it meets local needs and does not adversely impact on the vitality and viability of the town centre. The Inspector into the Core Strategy considered the approach in policy CE2b seeking a more diverse range of uses in district centres with improvements to the built character and public realm to be sound one that did not conflict with national or regional policy. (CBC/EB/066a, para 7.57)

DLP on behalf of Strategic Land Planning Trust

[Sa 078/139](#)

SA TC1

Respondent proposing that the Site Allocations DPD is not consistent with the Development Policies DPD and with the evidence base (2009 Hotel Study) in terms of the requirement for additional hotel bedrooms.

The respondent regards the Site Allocations as an inadequate response to the importance attached to immediate and future hotel needs identified in the Core Strategy and Development Policies DPD. They suggest that suitable sites need to be identified to ensure that the required number of beds described in the evidence base are deliverable. A failure to do this equates to not properly interpreting the commitment in the Core Strategy to delivering new hotel bedrooms to support the economy and tourism potential. It also fails to complement Policy DC10 or respond to the evidence that developers are still keen to invest in the Colchester area and a demand exists. They are critical that the current figure of 270-390 of hotel beds needed up to 2021 set out in TC1 is based on an earlier 2007 study and has not used the most up to date 2009 study outputs.

CBC Response

The respondent considers the DPD to be not legally compliant but has not clarified the reasons why. The Council considers that the DPD is legally compliant as it has been prepared in accordance with the LDS and SCI, has been subject to sustainability appraisal (CBC/SUB/103a), has had regard to national policy, conforms to the RSS (CBC/REG/014A) and has had regard to the Community Strategy (CBC/EB/010).

The respondents are the proponents of a scheme for a 87-bed hotel on Cymbeline Way which has been refused planning permission by the local authority on the basis that alternative suitable sites for hotel use were available in sequentially preferable locations as well as on its negative impact on the countryside and on highway safety. (Application number 073130) The Council noted that the site was not on previously developed land and would not contribute to a regeneration area or growth area, nor was it highly accessible to the town centre and public transport as it is outside of the defined settlement limits of Colchester and within the countryside. As such it is contrary to Policies SD1, CE1 and TA1 in the adopted Core Strategy. The respondents are appealing the Council's decision. The appeal site was submitted as an alternative strategic site and was accordingly given thorough consideration by the Inspector at the Core Strategy Examination who rejected its inclusion in the Core Strategy. (See Core Strategy Regulation 33 Statement on alternative sites consultation (CBC/EB/164)

The 2007 Hotel Study (CBC/EB/028 and CBC/EB/029) provided the evidence base for the adopted Core Strategy and its identification of an estimated need for 270-390 hotel bedrooms in Table CE1c. The table is clearly headed 'indicative' and is intended to highlight the forecast need for different types of employment floorspace rather than set precise targets. Hotels are listed as but one in a wide range of uses appropriate to Mixed Use Centres. Accordingly, allocating sites for hotel use only would preclude their use for other appropriate uses in a mixed use area and would set a precedent for providing specific allocations for other mixed uses. This would be contrary to PPS4 (CBC/NAT/067), which directs local authorities to identify a range of sites to facilitate a broad range of economic development, including mixed use. (para EC2.1h of PPS4 CBC/NAT/067) The Council is confident that its

strategy to secure mixed uses in sustainable locations will secure the level of hotel accommodation required. This is evidenced by ongoing work with stakeholders and the extremely strong current interest from developers in submitting planning applications for sites which are considered sequentially preferable to the out-of-centre site put forward by the respondents. The 2009 update to the Hotel Study (CBC/EB/029a) considered the site but did not recommend it for development for hotel purposes on the basis that it was not in a regeneration area and there were sequentially preferable alternative sites. The Council accordingly considers that its identification of the need for hotel bedrooms in the Core Strategy and the provision of mixed use allocations for the Town Centre in the Site Allocations DPD provides an effective approach to future hotel development which is deliverable, flexible and easy to monitor.

Chapter 5 - East Colchester

Environment Agency

Sa 058/279

5.48

The respondent is critical that the Site Allocation DPD was developed using unsound baseline evidence to assess water supply resources and sewer capacity. Evidence should have been taken from Stage 2 of the Water Cycle Study which has used detailed modelling about capacity of individual water supply areas and sewage treatment works across Colchester Borough.

It is recommended that an additional paragraph is added under section 5.116. Specific wording is to be agreed with Anglia Water but the paragraph should highlight that there is insufficient capacity at Colchester STW and the sewer network to cope with the projected growth. Discussions with Anglia Water are needed to identify a strategic solution to improvements to the STW and sewer network. Also need to tie in confirmation of Asset Management Period 5 (2009-2014) investment plans for Colchester. (CBC/EB/157)

CBC Response

Colchester Borough Council sat on the steering group for the Haven Gateway Water Cycle Study and influenced the development of this document. The Site Allocations DPD was developed using information from both phase 1 (EB110) and a draft of phase 2 of the Water Cycle study (CBC/EB/110b). A Phase 2 draft was released in January 2009 and this information was used in the development of the Site Allocations Submission document. The final Phase 2 report was only released publicly in December 2009 after the submission of the Site Allocations DPD to the Planning Inspectorate in November 2009. The Council therefore feel that they used the most current and available data available to them to ensure that water and sewerage related issues had been adequately considered in the Submission Site Allocations DPD.

At the suggestion of the Environment Agency, the Council met with Anglian Water (AW) representatives to discuss water and sewerage infrastructure and capacity issues at Colchester and Copford Sewage Treatment Works. As a result of this meeting a Statement of Common Ground has been prepared and agreed between Colchester Borough Council and Anglian Water. The Environment Agency have still to comment on the SOCG therefore although it has been agreed in principle at this stage by the AW it may be subject to further change. The changes to the text proposed relate to EA reps SA058/129 and SA 058/279 (CBC/SUB/110a) and have been agreed to provide confidence around the timetabling of the delivery of new residential and employment development in the Borough and the phasing of planned water and sewerage infrastructure treatment and systems capacity upgrades to serve the new development.

All the proposed text amendments to resolve the objections raised in the three reps from the Environment Agency have been set out in a draft Statement of

Common Ground (SOCG) between Colchester Borough Council and the Environment Agency. This has recently been sent to the Environment Agency for consideration and the Council are currently awaiting their comments. At this stage the EA have indicated that they would like to attend the EiP however if the EA agree with the changes proposed in the SOCG then they are unlikely to need to attend. Any wording changes agreed by the EA will need to be set out in a revised Schedule of Minor Changes for agreement at the EiP

Environment Agency

[Sa 058/189](#)

5.59

The Respondent objected to wording in paragraph 5.59 which states that residential development will be restricted to upper levels in flood zones (FZ) 2, 3a & 3b. FZ 3b is the functional floodplain and national policy does not recognise residential development as an appropriate use in FZ3b. Despite King Edward Quay (SAEC4) being a regeneration area, this does not justify overruling national policy

CBC Response

The Council fully agrees with the Environment Agency that it is inappropriate to propose residential development in the Functional Floodplain (FZ3b), as currently proposed in paragraph 5.59 of the Site Allocations DPD (ref EB/SUB/101) . The Council has put forward an amendment to the text in paragraph 5.59 which would remove reference to delivering residential development in Flood Zone 3b. The proposed change has been included as No. 20 in the Schedule of Minor Changes (ref CBC/SUB/101a). This change has been requested to ensure consistency with PPS25 and it also addresses the challenge made by EA that the DPD is not legally compliant as it stands.

All the proposed text amendments to resolve the objections raised in the three reps from the Environment Agency have been set out in a draft Statement of Common Ground between Colchester Borough Council and the Environment Agency. This has recently been sent to the Environment Agency for consideration and the Council are currently awaiting their comments. At this stage the EA have indicated that they would like to attend the EiP however if the EA agree with the changes proposed in the SOCG then they are unlikely to need to attend. Any wording changes agreed by the EA will need to be set out in a revised Schedule of Minor Changes for agreement at the EiP.

EC1 Residential development in East Colchester

Rapleys on behalf of BRB Residuary

EC1

[Sa 095/160](#)

Policy EC1 is unsound because it identifies land North of Magdalen Street for residential development based on the findings in the SHLAA, but the DPD and proposals map does not specifically allocate the site for residential

development. A precise boundary for housing development should be included on the proposals map.

CBC Response

Discussions have taken place with Rapleys with a view to preparing a joint development brief for the site. The Council has undertaken further work on the land take required to deliver a bus-based transit system alongside the railway and have supplied this to Rapleys to inform the development brief.

EC2 – Development in East Colchester

EC7 – University of Essex Expansion

Robert Needham

[Sa 093/152](#)

SAEC7 & Colchester Inset

The plan is not considered to be legally compliant. There is no credible evidence base to show that all reasonable alternatives have been exhausted e.g. land to the south west of the Undercroft is in effect a continuation of the valley feature. Development on the green field site is incongruous with the biodiversity of the area. Proposal also appears to breach Coastal Protection Belt policy. Respondent does not agree that recommended biodiversity or landscape enhancements are effective mitigation.

CBC Response

Firstly, the objector has not specified why the DPD is not legally compliant. The DPD is legally compliant; it has been prepared in accordance with the LDS and SCI, has been subject to sustainability appraisal (CBC/SUB/103a), has had regard to national policy, conforms to the RSS (CBC/REG/014A) and has had regard to the Community Strategy (CBC/EB/010).

The objector also considers the DPD to be neither justified nor consistent with national policy, although the objector does not specify what national policy this allocation is in conflict with. In terms of the consideration of alternatives, PPS12 (CBC/NAT/008a) is clear that alternatives must be reasonable and there is no point considering alternatives that are not realistic. The DPD must also be deliverable and so in the case of a site allocation the allocation needs to be supported by the landowner(s), without this support there can be little confidence in the site coming forward. This allocation is for academic expansion of the University of Essex. The University of Essex is a campus university and so unlike other uses, such as housing, there are very limited options. The whole of the university campus is located within Wivenhoe Park Local Wildlife Site and so an alternative site within the university grounds would be likely to have a greater impact on biodiversity and would not be as close to the university buildings as the allocated site. Grouping the academic buildings together has less of an impact in terms of biodiversity and landscape than more sporadic development, and also reduces the need to travel for staff

and students. This part of the campus is lower lying than land to the north and is therefore likely to be less visually intrusive. Furthermore, the LoWS Survey (CBC/EB/163) concluded that part of LoWS Co140 between the River Colne and the railway line is currently unmanaged, which has adversely altered the species assemblage and ultimately its ecological value. Policy SA EC7 of the DPD requires a comprehensive landscaping scheme and a biodiversity enhancement plan as part of development proposals and paragraph 1(vi) of PPS9 (CBC/NAT/005) recognises that in the absence of alternatives mitigation measures should be put in place where development would cause significant harm to biological and geological interests. The allocation falls within the coastal protection belt; as stated in the Core Strategy (CBC/EB/118) this designation protects the undeveloped coast from development that would adversely affect the open and rural character, historic features and sites of nature conservation importance. The allocation is adjacent to existing university buildings and not a remote allocation and importantly separation between the university and Wivenhoe is retained.

Wivenhoe Town Council

[Sa 021/078](#)

SA EC7

The Policy is unsound because there is a lack of evidence to support an allocation for additional land within the plan period within the Coastal Protection Belt. The Policy also conflicts with Core Strategy Policies ENV1 and KD1 as it lacks sufficient detail to ensure open countryside is retained between the University and Wivenhoe and to secure an effective strategic green corridor along the river.

CBC Response

The Site Allocations DPD has been founded on a robust and credible evidence base, of particular relevance to this representation is the sustainability appraisal (CBC/SUB/103a and CBC/SUB/103c) and the Assessment of Open Countryside and Settlement Report (CBC/EB/037b). The DPD does refer to the importance of retaining settlement separation between Wivenhoe and the University of Essex and references the Assessment of Open Countryside Settlement Report (CBC/EB/037b).

Andrew Martin on behalf of Wivenhoe Consortium

[Sa 122/277](#)

EC7

The policy providing University of Essex expansion is generally supported, however, there is justification to alter settlement boundaries to provide additional sports pitches, a golf course, residential units, and community uses.

CBC response

The representation states that funds are likely to be available to meet the expansion programme but that the residential development will help fund biodiversity and refurbishment works. Although the representation contends that the document is not consistent with national policy it does not actually

specify how. Indeed it acknowledges that the Council's previous response to the sport and recreation element accords with PPS7 which supports the principle of appropriate sport and recreational facilities in the countryside. No other national policy is referred to. The further reference to para 26 of PPS7 refers to the need for policies to address land use issues and opportunities in the countryside. The Core Strategy (CBC/EB/118) addresses this and policy PR1 and Table PR1 are particularly relevant (the table actually mentions sport and recreation facilities at the University)

The Council have formulated the Site Allocations DPD on a robust and credible evidence base. Those parts considered most relevant are the Sustainability Appraisal, PPG 17 Study (CBC/EB/040), the Essex Golf Report (CBC/EB/120) and the Wivenhoe Town Plan which has been adopted by the Council. A survey of residents conducted to inform the Wivenhoe Town Plan found that 87% wanted the green break between Wivenhoe and the University to remain.

There is not a need for further housing allocations. The allocations proposed are considered to be deliverable, flexible and are able to be monitored. Evidence about housing land supply and delivery was subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded 'I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base (CBC/EB/066a)

Option B is a new proposal which has not been submitted before and for which no sustainability appraisal or other evidence has been submitted.

EC8 – Transportation in East Colchester

Wivenhoe Town Council

[Sa 021/079](#)

SA EC8

The Policy is unsound because it is aspirational and does not reflect the evidence base available.

CBC Response

The Site Allocations DPD has been founded on a robust and credible evidence base and is not aspirational; of particular relevance to this representation is the sustainability appraisal (CBC/SUB/103a and CBC/SUB/103c) and ongoing work on the East Colchester Rapid Transport Corridor.

Colchester Natural History Society

[Sa 081/141](#)

SA EC8 & Colchester Inset map - East Colchester

The Wivenhoe Trail is not marked on Colchester Inset Map as a green link or mentioned in SAEC8. As part of the trail falls within the East Colchester Regeneration Area it needs extra protection. Additional wording proposed to secure and protect the Trail from adverse development.

CBC response

The respondent has stated that the failure to show the Wivenhoe Trail route on the Proposals Map and is suggesting that the lack of reference to it in Policy EC8 (Transportation in East Colchester) makes the Submission Site Allocations DPD unsound.

The Council supports the inclusion of the Wivenhoe Trail on the Proposal Map. The Wivenhoe Trail is an important walking and cycling route between Colchester, Essex University and Wivenhoe. An indicative route of the Wivenhoe Trail is shown as a Strategic Green Link in Key Diagram 1 (KD1) in the adopted Core Strategy (CBC/EB/118) and the need to enhance strategic green links such as the Wivenhoe Trail are recognised in policies TA2 (Walking and Cycling) and PR1 (Open Space) of the Core Strategy because of their value in providing sustainable access routes between urban Colchester and the surrounding villages/countryside. The omission of the Wivenhoe Trail from the Colchester Inset Submission Proposals Map (CBC/SUB/105) is a mapping error. A proposal to plot the Wivenhoe Trail along the east side of the Colne Estuary on the Proposals Map has been included in the Schedule of Minor Changes as change No 36 (CBC/SUB/101a).

The respondent has requested the inclusion of extra wording to policy EC8 to ensure that the green link between Colchester and Wivenhoe is retained and current surroundings protected from further adverse development.

The Council do not consider that any amendments are needed to policy EC8 in the Site Allocations DPD (CBC/SUB/101) to protect the Wivenhoe Trail and its environs from further adverse development. The Council feel that existing Core Strategy policy and proposed Site Allocations policies will ensure that the green link between Colchester and Wivenhoe will be retained and enhanced. Part of the Wivenhoe Trail extends into the East Colchester Regeneration/Growth Area covered by Core Strategy Policy EC2 Policy (Development in East Colchester) Point 3 of this policy identifies the need to provide public access to river frontages in this area for walking and cycling. Policy SA EC2 4c states that contributions for environmental improvements that help improve greenlinks in the East Colchester Regeneration Area will be required.

Site Allocation policy SA EC8 sets out the council's intention to secure improvements which benefit cyclists and pedestrians and the local environment as part of a wider package of public transport improvements between the Town Centre, The Hythe and Essex University. Further-more Policy ENV1 in the Core Strategy states that the network of strategic greenlinks which includes routes such as the Wivenhoe Trail will be protected and enhanced. Development along the route of the Wivenhoe Trail is already potentially limited by PPS25 (CBC/NAT/014) as the land on either side of it falls within Flood Zone 3 which restricts the type of development suitable within such an area. Finally there are a number of national (Upper Colne Marshes SSSI) and Local Wildlife Sites (CO140, CO142 CO148 and CO154)

which provide additional protection to habitats bordering the Wivenhoe Trail (CBC/EB/163).

For these reasons the Council has not proposed any amendments to policy EC8 in response to this representation.

Rapleys on behalf of BRB Residuary

EC8 and paragraphs 5.65-68, 7.79-7.87

Sa 095/159 & sa 095/161

The Council's proposals for the Eastern Transit Corridor route have not been the subject of appropriate levels of consultation and as a result are not sound or legally compliant. The Sustainability Appraisal submitted with the document does not discuss potential route, alternative options or assess the sustainability of the route proposed. The proposals map does not identify an area of safeguarded land adjacent to the specified proposed line, contrary to PPS12 which states that proposals maps must set out the areas where policy applies. No evidence has been provided to demonstrate that the Eastern Transit Corridor is deliverable.

CBC Response

In the Regional Transport Strategy (CBC/REG/016) policy T2 public transport provision and the regional interchange centres states that a significantly enhanced level of public transport provision to, from and within Regional Interchange Centres (inc Colchester) will be sought.

The strip of land alongside the railway is to be safeguarded for a bus based transit link. This is to cater for growth in east Colchester towards the end of the plan period and beyond. There are a number of known developments likely to come forward in this plan period which could prevent a transit corridor being delivered in the future to support growth and at this current time the Council are using the site allocation process to prevent development which could prohibit the transit corridor being provided in the future.

Further assessment and consultation will be required to secure funding using the DfT WebTag guidance for assessing transport schemes.

Chapter 5 - North Growth Area

Myland Parish Council

Sa 076/138

NGA; para's. 5.109, 5.112 & 5.114

Overarching comments as above.

Paragraph 5.112 Sustainability Appraisal is ineffective, lacking in clarity in intention in that baseline approved development areas must be completed before new sites are permitted to proceed. They feel that the SA is too subjective and open to abuse by developers to activate long standing planning consents not in accordance with current construction/development policy.

Paragraph 5.114 is ineffective due to significant omissions of facilities required in North Colchester and it lacks adequate force of intention due to the use of the verb 'considered'.

A number of changes to paragraphs 5.109, 5.112 & 5.114 to address the issues raised in their representation.

CBC Response

Paragraph 5.109 is clear and the timescales referred to are consistently applied throughout the document and reflect the Core Strategy. The Housing Trajectory and Strategic Housing Land Availability Assessment (CBC/EB/031b) provide more up to date data. The Sustainability Appraisal does n

The purpose of the Examination is to examine the Site Allocations DPD; the sustainability appraisal (CBC/SUB/103a) is part of the evidence base and also an integrated part of plan preparation; informing the evaluation of alternatives. The sustainability appraisal has been prepared in accordance with national guidance and has been subject to continued consultation. The sustainability appraisal (CBC/SUB/103a) is objective; it is informed by national and regional policy and local evidence base studies. Regarding the specific point made in the representation that the sustainability appraisal is open to abuse by developers, in accordance with the Core Strategy (CBC/EB/118) brownfield sites will be developed prior to greenfield sites and the supply of housing sites will be monitored to ensure that dwellings are being delivered in accordance with the RSS (CBC/REG/014A) and Core Strategy (CBC/EB/118) targets.

Policy SA NGA2 of the DPD includes a number of facilities that will be required as part of the development of the north growth area urban extension. It is not necessary to repeat this list in paragraph 5.114 of the DPD. Furthermore, the Myland Community Facilities Audit lists existing facilities and highlights those that have been lost in recent years and the draft SPD includes more detail on the type of uses that will be delivered in north

Colchester. The sustainability appraisal informs the DPD and the use of the verb 'considered' is appropriate to use in this document.

NGA1 – Appropriate Uses within the North Growth Area

Edward Gittins & Associates

Sa 001/003

SA NGA1, para's 5.107 - 5.114 & Colchester Inset map

The DPD does not offer reasonable alternatives and adequate provision for smaller sites to come forward. The absence of provision for strategic and other open space may require lowering of capacity within Housing Growth Areas and for this provision to be made up elsewhere. It is not flexible and does not reflect Core Strategy Policy H3 (Housing Diversity). Concern is expressed at the very substantial tracks of land allocated for Open Space and recreational uses in the Local Plan which are now within the North Growth Area. The Colchester Inset should demonstrate adequate provision for Open Space to meet the needs of pre-and-post 2021 growth. Smaller sites on the edge of Colchester could be released to provide a wider choice.

CBC Response

The housing allocations are considered to be deliverable, flexible and are able to be monitored. They are based on a robust and credible evidence base which has previously been thoroughly examined along with overall strategy which is focused on the Regeneration and Growth Areas. The Inspector states that the strategy is 'the most appropriate in all the circumstances. There is evidence that the growth areas have the capacity to accommodate the proposed levels of development' (CBC/EB/066a para. 7.23). The Housing Trajectory is updated regularly and shows a 15 year supply of housing land. Monitoring is carried out through the annual update of the Housing Trajectory and Strategic Housing Land Availability Assessment (CBC/EB/031b) which feed into the Annual Monitoring Report.

The land allocated as proposed open space has been allocated since at least 1995 in the Adopted Review Colchester Borough Local Plan. The allocation was subsequently rolled forward and expanded in the 2004 Local Plan (CBC/EB/011). None of this land has ever been in the ownership of the Council and therefore it's deliverability as open space was always unlikely. The majority landowners (Countryside Properties and the JB Trust) have both confirmed that they never had any intention of selling the land for open space purposes. Ms Gates confirms that her family bought the land for the trust in 1972 purely for its development potential. Countryside have been promoting the site since around 1988 (Local Plan inquiry/appeals 1991 and 2003.) They bought the land at Mile End on 23. 07.1992.

To include this land now as an open space allocation would make the DPD unsound because it would fail the test of soundness related to effectiveness. The Core Strategy Inspector referred to this land as 'privately owned green areas' (CBC/EB/066a, para 7.14) The Inspector was satisfied that 'there is

evidence that the Growth Areas have capacity to accommodate the proposed levels of development (para. 7.23). The developers have confirmed this.

New development in the North Growth Area will be expected to provide the facilities and infrastructure listed in Core Strategy Table 6d (CBC/EB/118). This includes strategic public open space, sport, recreation and youth facilities, which will be provided in accordance with adopted policies.

Boyer Planning Ltd on behalf of Colchester Golf Club

Sa 045/098

SA NGA1, Colchester Inset map

The DPD is unsound as it provides insufficient Green Links across the North Colchester Growth Area and as such fails to have regard to policies contained in the Adopted Core Strategy. The document is not effective or justified in that the Growth Area boundary fails to include adjoining land that will ensure a more effective form of development and will assist with the delivery of housing and other infrastructure. The DPD can be made sound by amending the Proposals Map to include a Green Link along the western side of the North Growth Area and amending the North Growth Area allocation to include part of the Golf Club land.

CBC Response

The Council supports the proposal to include additional land to the south west of the Colchester Golf Club within the North Growth Area Urban Extension (NGUAE). The Council has included an amendment to the boundary of the NGUAE to reflect this as No 40 in the Schedule of Minor Changes to the Proposals Map (CBC/SUB/105a). The respondents have confirmed that the inclusion of this change to the boundary of the NGUAE to include the Golf Club land addresses their original objection.

A draft SPD for the North Colchester Growth Area Urban Extension has recently been prepared to provide guidance to support the future development of the North Growth Area. The SPD is currently out for public consultation. Figure 8 in the SPD proposes a number of indicative Strategic Landscape Corridors and one of the proposed Strategic Landscape Corridors follow the suggested new green link route along the north eastern edge of the Colchester Golf Course proposed by the respondent on behalf of their client. The respondents support the current proposals in the draft SPD. However they still need to confirm with their client that proposals in the draft SPD satisfy their request for the provision of a new Strategic Green Link to separate the Golf Club from future housing and to maintain local landscape character. If Colchester Golf Club is happy with SPD proposals then the respondent has confirmed that this will remove the objection in relation to the failure to identify a green link to the north east of Colchester Golf Club on the Proposals Map.

Environment Agency

Sa 058/129

5.116

The respondent is critical that the Site Allocation DPD was developed using unsound baseline evidence to assess water supply resources and sewer capacity. Evidence should have been taken from Stage 2 of the Water Cycle Study which has used detailed modelling about capacity of individual water supply areas and sewage treatment works across Colchester Borough.

It is recommended that an additional paragraph is added under section 5.116. Specific wording is to be agreed with Anglia Water but the paragraph should highlight that there is insufficient capacity at Colchester STW and the sewer network to cope with the projected growth. Discussions with Anglia Water are needed to identify a strategic solution to improvements to the STW and sewer network. Also need to tie in confirmation of Asset Management Period 5 (2009-2014) investment plans for Colchester. (EB/157)

CBC Response

Colchester Borough Council sat on the steering group for the Haven Gateway Water Cycle Study and influenced the development of this document. The Site Allocations DPD was developed using information from both phase 1 (CBC/EB/110) and a draft of phase 2 of the Water Cycle study (CBC/EB/110b). A Phase 2 draft was released in January 2009 and this information was used in the development of the Site Allocations Submission document. The final Phase 2 report was only released publicly in December 2009 after the submission of the Site Allocations DPD to the Planning Inspectorate in November 2009. The Council therefore feel that they used the most current and available data available to them to ensure that water and sewerage related issues had been adequately considered in the Submission Site Allocations DPD.

At the suggestion of the Environment Agency, the Council met with Anglian Water (AW) representatives to discuss water and sewerage infrastructure and capacity issues at Colchester and Copford Sewage Treatment Works. As a result of this meeting a Statement of Common Ground has been prepared and agreed between Colchester Borough Council and Anglian Water. The Environment Agency have still to comment on the SOCG therefore although it has been agreed in principle at this stage by the AW it may be subject to further change. The changes to the text proposed relate to EA reps SA058/129 and SA 058/279 (CBC/SUB/110a) and have been agreed to provide confidence around the timetabling of the delivery of new residential and employment development in the Borough and the phasing of planned water and sewerage infrastructure treatment and systems capacity upgrades to serve the new development.

All the proposed text amendments to resolve the objections raised in the three reps from the Environment Agency have been set out in a draft Statement of Common Ground between Colchester Borough Council and the Environment Agency. This has recently been sent to the Environment Agency for consideration and the Council are currently awaiting their comments. At this

stage the EA have indicated that they would like to attend the EiP however if the EA agree with the changes proposed in the SOCG then they are unlikely to need to attend. Any wording changes agreed by the EA will need to be set out in a revised Schedule of Minor Changes for agreement at the EiP

Myland Parish Council Sa 076/137

SA NGA1, para's. 5.116, 5.117, 5.118, 5.1121, 5.125,& 5.137

John Dickinson Sa 015/221

Policy SA NGA1, Para 5.116, 5.117, 5.118

John Dickinson Sa 015/068

Para 5.125

The representations are opposed to the 2,200 new homes on greenfield land to west of Mile End Road. The proposed development land has been identified in the Green Infrastructure policy as an important green wedge to be protected. Myland PC state that the proposed development will place an intolerable burden on the local highway infrastructure and as an alternative propose sharing the development evenly across the rest of Colchester thereby reducing the site area and number of dwellings required in Myland.

The PC believe SA NGA1 is confusing by referring to Royal London Sports facility. Paragraph 5.116 needs to be amended for consistency and clarity with paragraph 5.109 in terms of housing numbers to be delivered.

Paragraphs 5.117 & 5.118 in relation to Severalls Hospital are out of date - amendments have been proposed which reflect the current situation.

The respondent states that paragraph 5.121 (SDP) is evidentially wrong and confuses two Turner Road sites; Turner Rise and Turner Village.

Paragraph 5.125 is legally inaccurate and ineffective. There is inconsistency in terms of the number of neighbourhood centres to be provided as identified in the Core Strategy and section 5.125. The PC is arguing that details are still being worked out through the masterplan process therefore this issue cannot be included in the policy at this stage. They have also suggested that the statement about new A12 junction is factually inaccurate.

The PC has proposed a number of changes to paragraph's 5.116, 5.118, 5.121 and 5.125 to address the issues raised in their representation.

CBC Response

The Council believe the document to be sound and legally compliant. Each comment is addressed in turn below;

Agree change to Policy SA NGA1 which will also necessitate a change at 5.123. Agree to change at 5.116 to reflect 5.109 but not the text suggested by Myland PC.

Paragraphs 5.117 and 5.118 are factually correct and require no change.

Paragraph 5.121 refers to 'a number of parcels of land.' The housing figures were correct at the baseline point. The paragraph could be reworded to reflect that the school has now opened.

Minor changes are proposed to paragraph 5.125 with regard to 'future proofing' the new A12 junction (CBC/SUB/101a). No other changes required. There is no need to repeat what is included in the Core Strategy. The Supplementary Planning Document is currently being consulted on.

Mersea Homes Ltd, on behalf of Mersea Homes and Countryside Properties

[Sa 047/104](#)

SA NGA1

Policy SA NGA1 does not set out a clear mechanism for implementation since the relationship between individual components of growth and the infrastructure required to serve it is unclear. It is not clear how committed infrastructure will be taken into account in determining the appropriate requirements for S106 agreements. The final paragraph of Policy NGA1 should be amended to remove the need for all proposals to contribute to delivery of infrastructure since judgements on whether a contribution is necessary can only be made once the nature of proposals and their potential impacts on infrastructure are known.

CBC Response

The Council concurs that precise agreement on the detail infrastructure requirements and planning contributions will require further work at the master planning and planning application stages, but it is justified and effective for the Council to make a general requirement for new development to contribute by either on site provision of infrastructure or financial contributions to provide certainty to the infrastructure planning process.

Mersea Homes Ltd, on behalf of Mersea Homes and Countryside Properties

[Sa 047/107](#)

Paragraph 5.119

Paragraph 5.119 relates the timing of development in the NGAUE to the delivery of the A12 junction. Delivery of the A12 junction is committed and will commence in November 2009, with completion of the Northern Approach Road also committed through legal agreements in place and due for completion in 2011/12. The timing of the NGAUE in the context of this policy should therefore only relate to the timing of this infrastructure and not to other considerations which are addressed in other policies.

CBC Response

The wording in paragraph 5.119 is considered to reflect the most appropriate strategy and provide flexibility as it reflects the overall timetable for

development of the North Growth Area set forth in the Core Strategy and in Site Allocations DPD policies NGA1-5. Infrastructure delivery issues are critical to the delivery of the North Growth Area and their timing needs to be considered in a co-ordinated and consistent manner.

Mersea Homes Ltd, on behalf of Mersea Homes and Countryside Properties

[Sa 047/106](#)

Paragraph 5.124

The economic circumstances which prevailed at the time of the publication of the Core Strategy have been superseded by unprecedented economic conditions. The Site Allocations document should recognise the need for greater flexibility and allow for the early and pre-emptive release of allocated sites to ensure that the overall trajectory of delivery is maintained.

CBC Response

The current economic downturn is expected to result in lower housing delivery figures following a short time lag, but the lower figures will not in themselves generate the need to release more land, given that the downturn will have only delayed delivery of sites on the Housing Trajectory rather than eliminating them. Evidence about housing land supply and delivery was subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded 'I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.' (para. 7.46 of CBC/EB/66a) The Housing Trajectory has subsequently been updated and still shows a 15 year supply. The AMR for the 2008/09 period showed that 1041 units were delivered during this period, which was affected by the economic downturn. The Site Allocations DPD accordingly is considered to provide sufficient flexibility to ensure the overall trajectory of delivery is maintained.

Statements of Common Ground between the Council and the respondents were agreed before the Core Strategy examination. These state that the timing of commencement of development should be determined with reference to the rate of delivery of housing across the Borough. (CBC/EB/093) The Inspector makes reference to these in paragraph 9.1 of her report and at para. 9.4 states that the 'Core Strategy will be subject to regular monitoring through the AMR...' (CBC/EB/066a). The rate of delivery is best monitored and managed through the AMR which remains a suitable method for capturing this information on a regular basis.

NGA2 – Greenfield Sites in North Growth Area

Tribal Property & Planning on behalf of London Asset Management

Sa 049/122

SA NGA2, 5.14

The document is unsound as the reliance of the current monitoring system is not effective and does not provide sufficient flexibility to ensure the achievement of the delivery of the necessary housing strategy for the Borough in accordance with national and regional policy. The current 5 year housing delivery plan is not based on a viable and realistic monitoring system.

The issues relate to the basis of measurement of 'provision' and the time delay of monitoring. The most recent AMR which covers the period April 07–March 08 is 19 months out of date. The housing slump which was acknowledged in the AMR has deepened over this time period and now makes the delivery of the targets questionable without the flexibility of greenfield land coming forward in the short term. While the HLAA suggests that there is an adequate amount of brownfield land with planning permission or allocated to meet pre 2106 targets, the issue of grant of consent cannot be relied upon to deliver the necessary targets, particularly where brownfield sites are constrained by infrastructure requirements which will impact on their viability under the current economic climate.

Extant planning permission may need to be re-negotiated in response to the current economic climate or are at risk from prohibitive infrastructure costs. Monitoring based on up to date assessments need to identify such issues rather than reliance on historic data. To be effective the Site Allocations monitoring process needs to be up to date and viable if targets are to be met.

Land at Axial Way which has been identified as a greenfield residential allocation is available, has no constraints and is deliverable in the short term to help meet RSS targets. The SA recognised this site as being appropriate.

The respondent has proposed changes to 5.124 to identify the need for more effective monitoring and Policy SANGA2 to reflect the need for effectiveness in deliverability to meet RSS targets, to include greenfield sites prior to 2016.

CBC Response

No change to policy is considered necessary to increase the effectiveness of housing delivery in Colchester, given that Colchester's housing delivery in recent years has consistently and significantly exceeded the minimum requirements of the East of England Plan. 1041 units were delivered in the 2008-09 period, well over the 830 annualised target, and this figure includes housing development within the period of economic downturn. (2009 AMR, CBC/EB/125) Delivery for the 2009-10 period will clearly be more greatly affected by the downturn, but the higher delivery of the previous seven years of the plan period means that an earlier release of greenfield land is not considered to be needed for targets to be met.

The housing allocations are therefore considered to be deliverable, flexible and are able to be monitored. Evidence about housing land supply and delivery was subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded 'I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.' (para. 7.46 of CBC/EB/066a) Delivery is monitored through the annual submission of the Annual Monitoring Report (CBC/EB/125) in accordance with Section 35 of the Planning and Compulsory Purchase Act 2004.

Myland Parish Council

[Sa 076/136](#)

SA NGA2, para. 5.126 & Colchester Inset map

Overarching comments as above.

Parts of the policy statement are inaccurate, ineffective and they are strongly opposed to the use of the statement 'A minimum of 2200 new dwellings'. The PC is suggesting that the net developable area for housing is less than the general calculations of 100ha suggested – there is a need to define the net developable area much more clearly. There is a need to define 2 neighbourhood centres in accordance with Core Strategy and paragraph 5.117. Policy currently does not reflect recently agreed land requirement of 70 000m² for a secondary school.

The PC proposed a number of changes to policy SANGA 2 in relation to the new developable area of available for housing, neighbourhood centres and the provision of a secondary school.

CBC Response

The Parish Council and Mr Dickinson do not specify why the policy and paragraph are unsound or not legally compliant. The Council are satisfied that it is both and no changes are required in relation to this rep.

Mersea Homes Ltd.

[Sa 047/100](#)

SA NGA2

The Core Strategy recognises that monitoring is required to ensure housing delivery is maintained. The suggested AMR mechanism will include a delay factor, since the lag between monitoring a fall in supply and the released delivery of housing is likely to be 3 to 4 years. Our assessments indicate that to support the delivery of 2,200 homes by 2023, development must commence after 2012 alongside completion of other sites in the North Growth Area and complementary to sites in the town centre. The current restriction must be lifted, since the AMR cannot act as an effective trigger and since no other basis can be demonstrated for holding back development of this area.

CBC Response

The requirement to rely on monitoring to guide consideration of the need for early greenfield land releases is an effective way of ensuring that any flexibility in the release of greenfield sites is supported by evidence. It is agreed that there is a time lag in monitoring, but it would in any case be inappropriate for short term variation to immediately be translated into a long term policy change that is not proved with time to be justified by the wider evidence base. The current economic downturn is expected to result in lower housing delivery figures following a short time lag, but the lower figures will not in themselves generate the need to release more land, given that the downturn will have only delayed delivery of sites on the Housing Trajectory rather than eliminating them. Evidence about housing land supply and delivery was subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded 'I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.' (para. 7.46 of CBC/EB/066a) The Housing Trajectory has subsequently been updated and still shows a 15 year supply. The AMR for the 2008/09 period (CBC/EB/125) showed that 1041 units were delivered during this period, which was affected by the economic downturn.

Statements of Common Ground between the Council and the respondents were agreed before the Core Strategy examination. These state that the timing of commencement of development should be determined with reference to the rate of delivery of housing across the Borough. The Inspector makes reference to these in paragraph 9.1 of her report and at para. 9.4 states that the 'Core Strategy will be subject to regular monitoring through the AMR...' (CBC/EB/066a). The rate of delivery is best monitored and managed through the AMR which remains a suitable method for capturing this information on a regular basis.

NGA3 – Employment Uses in the North Growth Area

Myland Parish Council [Sa 076/135](#)

SA NGA3, para. 5.126

Overarching comments as above.

Myland PC state that SANGA3 is not in accordance with the Sustainable Community Act 2007, or the Haven Gateway Employment Land Study, updated 2009. The Colchester Employment Land Survey, 2009, recognises that 55% of employment in the Borough takes place outside Employment Zones. The PC suggest that the thrust of the policy is wrong in that it only seeks to protect Employment Zones and concentrate all commercial development in the Town Centre. The PC identify 5 current failures in this policy in relation to the West Mile End development proposals a) the need to provide employment for 3,500-4,000 adults in this area, b) the need to minimise travel outside the development to help address current congestion problems, c) the aging population which will create the need for care facilities

with high associated employment rates, d) need to supplement section 106 tariff contributions with neighbourhood public facilities and e) greater flexibility needed to adjust lapsed B1 approvals to reflect particular circumstances of the West Mile End development.

The PC have proposed amendments to paragraph 5.126 to allow greater provision of a specified range of B1 uses in North Colchester to help the Council meet its sustainable communities/travel planning and community development policies and respect the particular needs of West Mile End .

CBC Response

The Council's approach to employment growth was set out in the adopted Core Strategy. The Inspector found 'that this variety of approaches, coupled with the impetus of the Haven Gateway Partnership, offers good opportunities for achieving the ambitious employment targets.' The report also concludes that 'the Core Strategy will provide an appropriate strategy for employment growth, supported by robust and credible evidence...' (para's 7.54 – 7.59 CBC/EB/066a) The Council's approach is considered to be legally compliant, and both justified and effective. No evidence has been put forward to undermine this. Monitoring takes place on a regular basis through the Annual Monitoring Report.

Mile End is well located between the Town Centre and the Strategic Employment Zone in North Colchester. It was not considered necessary or appropriate to allocate further land for employment purposes within West Mile End. This does not however prevent small scale proposals coming forward and indeed many businesses operate successfully within the home without the need for planning permission. Despite the recession a new business incubator centre and general office space is currently under construction at Colchester Business Park in North Colchester.

NGA 4 - Transport Measures in the North Growth Area

Myland Parish Council

[Sa 076/134](#)

SA NGA4, para's 5.133 & 5.134

Overarching comments as above.

The PC is critical that NGA 4 paragraphs 5.133 & 5.134 are insufficiently strong in promoting commuter cycling routes which makes them less effective. They also state that paragraph 5.134 is inaccurate as it should recognise Severalls Lane as an important bus route in the area. The paragraphs should be amended accordingly.

CBC Response

We welcome Myland Parish Council support for improving public transport and cycling routes to help deliver the growth area. Policy SA NGA5 Transport Infrastructure Related to the NGUAGE states that infrastructure will be linked to the release of greenfield land which includes a bespoke package of public transport, cycling and walking measures. The comments that Myland Parish

Council will be considered as a response to the North Colchester Master Plan SPD consultation process.

It is agreed that the text should be amended as a minor change to clarify “Severalls” as “Severalls/North Colchester Business Park”

Mersea Homes

[Sa 047/103](#)

SA NGA4

Policy SA NGA5 should be deleted and the NGAUE-specific items identified in an amended version of NGA4. At present no differentiation is drawn between projects which are already committed to be delivered, and those for which further investment might be required. Policy SA NGA4 should be reworded as set out on the attached page.

CBC Response

It is considered justified and effective to provide two policies on transport measures in the North Growth Area to ensure that the specific transport costs associated with the new greenfield development in the North Growth Area Urban Extension are highlighted separately in policy NGA5. They can then be easily linked to the planning obligations required of new development, in accordance with Core Strategy Policy SD2.

Mersea Homes Ltd, on behalf of Mersea Homes and Countryside Properties

[Sa 047/111](#)

Paragraph 5.138

It is not considered that early release of the greenfield element of the North Growth Area will prejudice the Council’s regeneration proposals on brownfield land and there is not evidence to justify this statement. An attached trajectory demonstrates the view that early release of the NGAUE is necessary to meet overall housing delivery requirements. Delivery of brownfield regeneration sites and greenfield sites can be complementary since they offer different products by virtue of their location and context. The viability of brownfield sites is also an absolute position, affected by the market rather than by competition. We do not consider that there is robust evidence to support the phasing statement set out in paragraph 5.138.

CBC Response

PPS3 (CBC/NAT/002) prioritises development on previously developed land (paras 36 and 40). The Core Strategy accordingly prioritises development in regeneration areas, with development on greenfield sites following later in the plan period and this approach was found sound by the Core Strategy Inspector (CBC/EB/066a, para 7.23). Given the Core Strategy priority given to development of brownfield regeneration sites, removal of the phasing requirement in paragraph 5.138 is not considered justified.

Evidence about housing land supply and delivery, including phasing, was subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded ‘I am satisfied that CBC is able to support its

housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.' (para. 7.46 of CBC/EB/066a). The Housing Trajectory has subsequently been updated and still shows a 15 year supply. The AMR for the 2008/09 period showed that 1041 units were delivered during this period, which was affected by the economic downturn. Monitoring is carried out through the annual update of the Housing Trajectory and Strategic Housing Land Availability Assessment which feed into the Annual Monitoring Report.

NGA5 – Transport Infrastructure in the North Growth Area Urban Extension

Myland Parish Council

[Sa 076/133](#)

[SA NGA5, para. 5.137 & Colchester inset map](#)

Overarching comments as above.

John Dickinson

[Sa 015/069](#)

[Para 5.137](#)

This paragraph is insufficiently strong in promoting green links routes. Furthermore, green links should be shown on the Proposals Map prior to adoption.

The PC is critical that NGA 5 does not adequately promote green links. Green links around Mile End have not been shown on the Proposals Map.

The PC have asked for the green links around Mile End to be shown on the Proposals Map and requested the inclusion of additional wording to paragraph 5.137 to ensure that greenlinks in Mile End are retained, enhanced and extended as part of future planning applications for the area.

CBC Response

The Parish Council's representation is not correct as three green links are shown on the Proposals Map within Mile End. These are expected to be added to as the proposals for development come forward. The rep does not specify why the DPD is not legally compliant or unsound.

Mersea Homes

[Sa 047/102](#)

[SA NGA5](#)

Policy SA NGA5 does not relate the overall infrastructure requirements of the NGA to the NGAUE, and therefore fails to be justified or effective. A number of projects identified in SA NGA5 are already subject to existing legal and/or financial commitment for which no contribution from the NGAUE is appropriate under the terms of circular 05/2005. We believe that a combined

Policy NGA4 and NGA5 would offer an effective and justified policy and would be sound on that basis.

CBC Response

It is considered justified and effective to provide two policies on transport measures in the North Growth Area to ensure that the specific transport costs associated with the new greenfield development in the North Growth Area Urban Extension are highlighted separately in policy NGA5. They can then be easily linked to the planning obligations required of new development, in accordance with Core Strategy Policy SD2.

Chapter 5 - Stanway

Andrew Martin on behalf of Mr R West

Sa 037/090

SA STA1 & paragraphs 5.147, 5.153 & 5.154

This Policy criterion 7 and the supporting paragraphs is unsound because the constraint imposed upon development is not justified by the evidence and fails to state that reasonable alternatives are available. This places unnecessary doubt on the implementation of the allocation and requires minor changes to the wording in relation to the disposal of sewage. The wording in paragraph 5.153 should acknowledge that the Master Plan SPD should have regard to detailed boundaries, boundary treatment and to provide some flexibility for further growth once further need is justified.

CBC response

The Policy and supporting text have been informed by the Haven Gateway Water Cycle Study (CBC/EB/110/a/b) which reports that the Copford STW is at consented capacity. Advice has also been sought from Anglian Water who have confirmed that they have no plans to increase the process capacity at Copford STW or to apply for an increase in DWF consent. The strategy for Colchester is looking to redistribute some of the catchment into the Colchester WwTW catchment and taking it into the Stanway network to relieve the load on Copford STW.

It is therefore suggested that a minor change is made to Policy SA STA1 (No.7) to read:

'Planning permission will not be granted for development unless it can be demonstrated that the wastewater treatment and sewerage infrastructure can accommodate the development within the confines of existing consents.'

For consistency paragraph 5.154 should also be amended to read;

'On a precautionary basis Policy SA STA1 makes it clear that development of this site cannot come forward until there is wastewater treatment and sewerage infrastructure capacity to cope with the development.'

Paragraph 5.147 should be amended to add the following sentence before the last sentence;

'Alternative means of sewage disposal to serve the allocated site would need to be agreed by both Anglian Water and the Environment Agency.'

It is not considered necessary to amend paragraph 5.153. There is sufficient flexibility within the wording and the proposed SPD will add detail.

The first two amendments (SASTA 1 & paragraph 5.154 have been agreed in principle by Anglian Water in a Statement of Common Ground however this

is still awaiting agreement by the Environment Agency. Also these changes have already been put forward as change numbers 18 & 19 in the Schedule of Minor Changes. The text change proposed to paragraph 5.147 will be included in the Schedule of Minor Changes for further consideration.

STA1 – Appropriate Uses within the Stanway Growth Area

Blue Sky Planning

Sa 055/213

SA STA1

The Policy is unsound because it does not reflect the potential of the Tollgate Urban District Centre within the growth area. In particular, retail development should be included in the Policy as an appropriate use.

CBC Response

The respondent acknowledges that adopted Core Strategy Policy CE2b provides that in Urban District Centres, including Tollgate, 'new retail proposals (including change of use to retail) will not be supported, unless they meet identified local needs and do not compete with the Town Centre'. The Inspector supported the Council's general approach to Urban District Centres, noting that 'policy CE2b seeks a more diverse range of uses with improvements to the built character and public realm and limits new retail development. I consider this is a sound approach that does not conflict with national or regional policies'. (CBC/EB/066a, para 7.57) The recently published PPS4 has continued this sequential approach and Policy CE2b is accordingly considered to be consistent with national policy in PPS4 policy EC5: site selection and land assembly for main town centre uses, which highlights the importance of 'ensuring that the scale of the sites identified and the level of travel they generate, are in keeping with the role and function of the centre'. In view of this clear policy justification for retail development allocations, inclusion of a variation to this policy in an amended Site Allocations policy for Stanway is not supported as it would result in an inconsistent and ineffective approach to retail development in the Borough.

Boyer Planning on behalf of Taylor Wimpey

STA1 and paragraphs 5.155-5.159

Sa 097/165

STA1 is supported in principle, but there is a lack of clarity in the policy as to the extent to which planning applications can be submitted on individual parcels of land within the Growth Area. While there are references to a masterplan and a joint Design Brief for two of the sites, STA1 identifies distinct considerations relating to each of the four allocation sites. Furthermore the sites are in separate ownership and it will be necessary to allow the submission of separate planning applications. Changes should be made to the policy to make it sound by clarifying the anticipated housing capacity of each of the sites, the nature of any further work (eg Masterplan or Design Brief) and the scope for planning applications to be submitted for individual parcels within the allocation.

CBC Response

Policy STA1 is considered to be justified and effective in that it provides for the co-ordinated and comprehensive development of several discrete sites within a distinct area sharing similar issues of access and infrastructure. Paragraph 5.166 of the Site Allocations DPD provides that a Master Plan will be the vehicle for achieving this comprehensive approach, and sets a target date of April 2011 for adoption of a SPD for the area (in accordance with the Councils Local Development Scheme). This accords with paragraph 18 of PPG3 which encourages local authorities to promote master plans as one of the appropriate tools and techniques needed to help achieve high quality design.

Preparation of a masterplan is intended to ensure the deliverability of the infrastructure and planning necessary to ensure a high quality sustainable development. It is not considered that further specification on the submission of planning applications is required in the Site Allocations document given that the master plan is likely to precede their consideration. The masterplan will set forth requirements relevant to all development sites irrespective of ownership considerations. Their delivery in any case will be predicated on close working between a number of public sector partners, in addition to the private sector partners on different sites. The initial work underway for masterplanning is based on this partnership approach to delivery and has included involvement and consultation with Essex County Council Highways, Minerals Planning, and Education, mineral site operators, and service providers.

The anticipated housing capacity of each site has been calculated in broad terms to inform the SHLAA. The capacity calculations are guided by PPS3 (CBC/NAT/002), the indicative densities provided in Table H2a of the Core Strategy, market information and densities appropriate to the edge of settlement location. These calculations underpin the allocations of the 4 new sites to meet the target of a minimum of 800 units in total within the Stanway area. In order to ensure flexibility it is not considered appropriate to include actual figures per site.

Boyer Planning on behalf of Taylor Wimpey

Paragraphs 5.155-5.159

[Sa 097/214](#)

The inclusion of the site between Dyers Road and Warren Lane is supported, but the guidance within these paragraphs is unsound because the phasing is too prescriptive. Potential changes in land ownership and the identification of a safeguard zone based upon the Minerals DPD, which is not due for adoption until 2012, mean it is inappropriate to impose phasing restrictions. The reference to Tree Preservation Orders should be omitted as these are protected by other Regulations and is a matter to be determined by the development control process.

CBC Response

See above response. The reference to Tree Preservation Orders is considered justified and effective in that it flags up an issue relevant to the local distinctiveness of the site which needs to be highlighted and safeguarded during the development process.

Indigo Planning on behalf of Sainsbury's

Sa 199/175

STA1

Sainsbury's strongly object to the allocation for new employment development in area d – Land off London Road under STA1. It is unclear on the accompanying Proposals Maps where the site is. The current consultation document is also inconsistent with the Sustainability Appraisal which recommends that the site is allocated as a District Centre and the existing Sainsbury's site is allocated as employment land. Sainsbury's agreed a land swap as part of the planning permission process to provide retail use on the new Sainsbury's site at land to the north of London Road and to provide employment uses on the existing Sainsbury's site. This should be reflected in all LDF documents. The site should be allocated for retail use and the adjacent Urban District Centre should be extended to incorporate the new store site. STA1 is currently unsound and does not take account of the council's previous decisions and recommendations on this site to approve a supermarket, nor allow for the necessary degree of flexibility.

CBC Response

The allocation of the proposed Sainsburys site on the Proposals Map for employment purposes reflects the current land use situation. The extant planning permission for a new store has not been implemented. It includes a S106 agreement securing the use of the existing site for employment uses when the new retail store opens. Sainsburys have signed and agreed to this. The allocation is considered to meet the effective test of soundness; Stanway is identified in the Core Strategy as a Strategic Employment Zone where new industry, warehousing and businesses will be encouraged to locate to meet the employment targets set out in the East of England Plan. Loss of land allocated for employment purposes would undermine this objective. The allocation is founded on a robust evidence base with particular reference being made to The Employment Land Review (CBC/EB/030) the Haven Gateway Employment Land Study (CBC/EB/001) and the North Essex Authorities Retail Study (CBC/EB/026, 027 and 027a) all of which were considered to provide 'a good evidence base underpinning the strategy...' by the Core Strategy Inspector (paragraph 7.54 of CBC/EB/066a). Policy SA STA3 is considered to incorporate adequate flexibility by permitting a range of uses and relocation.

STA2 – Phasing of Greenfield sites in the Stanway Growth Area

Boyer Planning on behalf of Taylor Wimpey

STA2

[Sa 097/166](#)

The policy is unsound as drafted because of its reference to Stanway Quarry. The proposal for a phased release is related to the Essex County Council Minerals DPD Issues and Options document which is at an early stage. The reliance on a document that has yet to be adopted calls into question the weight that can be given to the precise position of this buffer zone on the proposals map and the consequences which it has for restricting the release of land for housing on the Stanway allocations.

CBC Response

Inclusion of a buffer zone is justified by the need to take a precautionary approach to the constraints arising from expected future development. As noted in the response above, the Council has worked closely with a number of partners in the Stanway area to ensure a coordinated approach to delivery. This has included discussion with Essex County Council minerals planners and the operators of the quarry site, who have indicated their intent to pursue extension of the existing site. It is inherently difficult to rely on a decision that is taken in a parallel time frame rather than clearly preceding an allocation, but the Council feels that effective delivery of housing in the area can best be ensured by proceeding on the assumption that the anticipated minerals development will proceed as planned. The progress of the Minerals Development Document will of course be monitored and the Proposals Map will be revised as necessary to reflect the designation made by another plan.

Stanway Parish Council

[Sa 034/116](#)

SA STA2 & Colchester Inset

Councillor Scott – Boutell

[Sa 082/209](#)

SA STA2

Dr. C Joscelyne

[Sa 013/062](#)

SA STA2

The Policy is unsound and contradicts itself because it will enable greenfield sites to be used in preference to brownfield sites, as a consequence of development costs of brownfield land and meeting housing targets. The stand-off area for the quarry extension will not be available during the Plan period.

CBC Response

The housing allocations are considered to be deliverable, flexible and are able to be monitored. Evidence about housing land supply and delivery was subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded 'I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.' (para. 7.46 of CBC/EB/066a) The Housing Trajectory has subsequently been updated and still shows a 15 year supply. Monitoring is carried out through the annual update of the Housing Trajectory and Strategic Housing Land Availability Assessment which feed into the Annual Monitoring Report. Parts of the greenfield urban extensions can be brought forward if necessary to speed up overall delivery (para. 9.1 of CBC/EB/066a).

STA3 – Employment and Retail Uses in the Stanway Growth Area

Blue Sky Planning

STA3

[Sa 055/126](#)

The penultimate paragraph of STA3 does not accurately reflect Core Strategy policy and is contrary to national policy guidance in PPS6. It provides no framework against which the council will consider applications for retail uses in Stanway and does not provide a criteria based approach. Alternative wording suggested to allow new retail development provided that it meets an identified need and does not have a detrimental impact on the Town Centre, and to support intensification where the quality of the public realm and the built character is improved.

CBC Response

See above response to STA1 (SA055/213). Additionally, it is not considered that there are any circumstances specific to Stanway that would justify the introduction of additional criteria for retail applications given the criteria already provided at national level by PPS4 and the importance of avoiding duplication. Flexibility in the approach to retail in Stanway is provided by acknowledging the acceptability of limited ancillary retail development to other employment development and by the exception for small scale retail uses which would enhance the role of Stanway as a local centre meeting the day-to-day needs of the surrounding area.

Indigo Planning on behalf of Sainsbury's

[Sa 119/174](#)

STA3

Sainsbury's object to the allocation of the London Road Stanway site as set out under Policy STA3. The accompanying Proposals Maps are unclear as to where this allocation refers to, and the final paragraph in the policy text is also unclear. The policy is currently unsound and does not take account of the council's previous decisions on this site to approve a supermarket, nor allow for the necessary degree of flexibility. The site should be allocated for retail

use and the adjacent Urban District Centre should be extended to incorporate the new store site.

CBC Response

The allocation of the proposed Sainsburys site on the Proposals Map for employment purposes reflects the current land use situation. The extant planning permission for a new store has not been implemented. It includes a S106 agreement securing the use of the existing site for employment uses when the new retail store opens. Sainsburys have signed and agreed to this. The allocation is considered to meet the effective test of soundness; Stanway is identified in the Core Strategy as a Strategic Employment Zone where new industry, warehousing and businesses will be encouraged to locate to meet the employment targets set out in the East of England Plan. Loss of land allocated for employment purposes would undermine this objective. The allocation is founded on a robust evidence base with particular reference being made to The Employment Land Review (CBC/EB/030) the Haven Gateway Employment Land Study (CBC/EB/001) and the North Essex Authorities Retail Study (CBC/EB/026, 27 and 27a) all of which were considered to provide 'a good evidence base underpinning the strategy...' by the Core Strategy Inspector (paragraph 7.54 of CBC/EB/066a). Policy SA STA3 is considered to incorporate adequate flexibility by permitting a range of uses and relocation.

CgMS Ltd. on behalf of Mr. J. Warren

[Sa 043/096](#)

SASTA3, Colchester Inset map

The objector represents the owners of Stane Park. The content of Policy SA STA3 is generally supported but it is considered there are aspects which should be amended to make it 'sound' in terms of effectiveness. The policy should be amended to clarify that Stanway should accommodate 36,500sqm of office floor space as identified in Core Strategy table CE1c. The statement "no additional services and facilities will be required" is not explained or justified. Hotel uses should be included in the list of appropriate uses. In subparagraph (d), the words "including land within Stane Park", after business incubation space, should be deleted – there is no special characteristic of Stane Park which requires it to be provided on this site. The boundary of the Tollgate Urban District Centre shown on the Proposals Map should be amended to include the approved site for a new Sainsbury store to bring the allocation into line with PPS6.

CBC Response

The Council agrees with the proposed amendment suggested in respect of office floor space to ensure consistency between documents. The Council further agrees to remove the sentence about additional services and facilities from policy STA3 and insert it within the previous explanatory text with added justification. The intention being to clarify that proposals for restaurants and retail facilities in particular will need to be fully justified in view of the number of such establishments that already exist. A statement of common ground will be pursued to this effect.

The Council do not consider it necessary to amend the policy in respect of hotels. Reference is made to the evidence base and in particular (CBC/EB/028, 029 and 029a) National planning policy in PPS6 (CBC/NAT/003) states that planning authorities should take a sequential approach to site selection for town centre uses such as hotels. This requires that first, locations in town centres should be selected, then edge-of centre, then out-of-centre, with preference always given to well connected sites and those which can contribute to the regeneration of deprived areas. Stane Park is not a sequentially preferred site so the allocation of a hotel use as a secondary land use in employment zones remains most appropriate. It will be considered an acceptable location for new hotel development after consideration of sequentially preferable alternatives.

Stane Park was referred to in Policy SA STA3 (d) because the relevant planning application and part of the reason for a departure being approved was the provision of much needed incubator space. It is not specified if this is considered to be unjustified or not effective.

The allocation of the proposed Sainsburys site on the Proposals Map for employment purposes reflects the current land use situation. The extant planning permission for a new store has not been implemented. It includes a S106 agreement securing the use of the existing site for employment uses when the new retail store opens. Sainsburys have signed and agreed to this. The allocation is considered to meet the effective test of soundness; Stanway is identified in the Core Strategy as a Strategic Employment Zone where new industry, warehousing and businesses will be encouraged to locate to meet the employment targets set out in the East of England Plan (CBC/REG/022). Loss of land allocated for employment purposes would undermine this objective. The allocation is founded on a robust evidence base with particular reference being made to The Employment Land Review (CBC/EB/030) the Haven Gateway Employment Land Study (CBC/EB/001) and the North Essex Authorities Retail Study (CBC/EB/026, 027 and 027a) all of which were considered to provide 'a good evidence base underpinning the strategy...' by the Core Strategy Inspector (paragraph 7.54 of CBC/EB/066a). Policy SA STA3 is considered to incorporate adequate flexibility by permitting a range of uses and relocation.

STA4 – Transportation in Stanway Growth Area

Stanway Parish Council

[Sa 034/117](#)

SASTA4 & Colchester Inset

Councillor Scott – Boutell

[Sa 082/210](#)

SA STA4

Dr. C Joscelyne

[Sa 013/063](#)

SA STA4

The Plan is unsound because it is reliant on the completion of the Western Bypass but there are no guarantees to ensure its delivery within the plan period. Even if completed, its north/south orientation will do little to assist the local road network, which predominantly carries east/west traffic. The schools reorganisation by Essex CC will put further pressure on existing overloaded local network.

CBC Response

The housing allocations are considered to be deliverable, flexible and are able to be monitored. The Housing Trajectory is updated regularly and shows a 15 year supply of housing land. Monitoring is carried out through the annual update of the Housing Trajectory and Strategic Housing Land Availability Assessment (CBC/EB/031b) which feed into the Annual Monitoring Report. Not all new development is reliant on the Western Bypass being delivered and there is sufficient supply and flexibility to meet housing targets if it does not come forward. The developers however have indicated in a recent planning application to extend the planning permission relating to the road that they are keen to commence construction of the road. The agents for planning application 091379 (Terrence O'Rourke) state in an accompanying letter, dated 23.10.09, that 'O&H Properties ... remain fully committed to the implementation of the new road as soon as possible. ... A discharge of condition application has been submitted' ... and 'ECC sign off for the road is imminent.'

STA5 – Open Space in Stanway Growth Area

Stanway Parish Council

[Sa 034/246](#)

SA STA5

Councillor Scott – Boutell

[Sa 082/142](#)

SA STA5 & Colchester Inset map – Stanway

Dr. C Joscelyne

[Sa 013/064](#)

SA STA5

Mr K. Davis (attendance/WR not specified)

[Sa 022/081](#)

SA STA5

Plan is unsound and undeliverable in terms of strategic open space. Suggested that areas currently shown as Open Space on the Proposals Map are errors as they are working quarries up to 2022. Residents waiting for beneficial land restoration schemes from previous planning permissions for quarrying in Stanway therefore respondent questioning the likelihood of any open space coming on stream during plan period. The Waste processing at

the proposed MBT plant is likely to be in operation beyond plan period and as it is not operational yet and the respondent has stated that likelihood of land being available as open space is logically zero. Respondent also raised CBC's lack of control over mineral sites which limits our ability to ensure delivery. The land has no amenity value to residents and should not be included as open space

CBC Response

The issue of releasing open space has been a problem mainly resulting in the ongoing remediation works that Essex County Council have had to do to the area of the Quarry they previously land filled back in the 1980s. They have installed a gas extraction system but unlike Cory Environmental's (the current operator) systems, which are buried beneath the surface, Essex have put theirs above ground level with the result it is difficult to release the land for public use. This is something Tarmac are looking at to see how the land can effectively and properly be restored so it can be released.

In terms of the open space on the Cory area Tarmac envisage that areas may well be sufficiently restored to start handing over in 2 to 3 years and thereafter it would be a progressive release of areas over the coming years. Tarmac have confirmed by email dated 20.10.09 that 'given the plan period for the new LDF we certainly expect land to be released over that timescale and therefore I do not believe that there should be an issue of soundness that open space can be delivered during the plan period.'

Each of the new development sites will be expected to provide open space in accordance with policies contained in the existing Local Plan and the emerging Development Policies DPD (at least 10% of the gross site area.) The Council works closely with Essex County Council and seeks to ensure that it takes account appropriate County Council Plans and Strategies.

Chapter 5 - Tiptree

Cllr. Robert Long

Listed incorrectly as SA 100/181 in original Regulation 30 (1) (e) report

Correct link – [SA 100/180](#)

Paragraphs 5.183-84, 188

Tiptree and Tolleshunt Knights are two separate settlements with a ¾ mile natural barrier between them which should be protected from the ribbon development that is being proposed at the Wilkins site. Land at the back of their factory should be utilised for any extensions.

CBC Response

Inclusion of the Wilkins site as an Employment Zone in the table following para 3.14 of the Site Allocations DPD and on the submission Proposals Map is considered justified and consistent with national policy. The Sustainability Appraisal for the site (CBC/SUB/103a) considered that the proposal should be supported in principle in view of the important role Wilkin & Sons played in Tiptree's culture and heritage. Wilkin & Son is an iconic brand which is a significant contributor to the Colchester economy. It is accordingly appropriate for the Council to support its proposals for modernisation and further development to remain competitive, in accordance with PPS4 which provides that local authorities should support existing business sectors, taking account of whether they are expanding or contracting.' (EC2.1 b) The allocation is not considered to endanger the separation of the two settlements given that a significant area would still remain between them. The planning application process would be expected to ensure the provision of effective landscaping to provide a buffer between built development and the open countryside.

The agents for the site have submitted a letter to the Council providing a more detailed response to concerns raised during the consultation, which has been added to the reference documents list to inform the Examination process (CBC/EB/160).

Joe Caffery

[Sa 054/125 & sa 054/125a](#)

Paragraphs 5.183, 5.187, 5.191, 5.192, 5.194, 5.198 (TIP1) & summary in 1.19

The site allocations for Tiptree are considered unsound for a number of reasons. The proposed housing site at Grange Road is not considered sustainable. It is over the recommended 800 metre sustainability benchmark distance from the village centre and pedestrian road access to the centre is considered unsafe. Tiptree has a poor transport structure and no clear commitments to improved public transport have been made. A residential development would introduce additional traffic onto an unlit, unpaved rural road. The site is not sequential and is not adjacent to the existing settlement boundary. Additional infrastructure including a doctor's surgery, street lighting and footpaths should be delivered in advance of any further residential

development. There are no major employers in Tiptree likely to provide employment for the occupants of 70 new dwellings. Housing numbers in Tiptree have not been accurately recorded, so there is no shortfall requiring the allocation of a greenfield site. The public open space depends on residential development on land south of Grange Road and is not 'significant' at 0.6 ha.

CBC Response

The housing allocations for Tiptree in the Site Allocations are justified by a comprehensive evidence base and the strategic approach contained in the adopted Core Strategy. The Inspector for the Core Strategy considered the housing allocation for Tiptree to be sound as follows:

A small area of greenfield land for 140 dwellings is identified at Tiptree in table H1a. However, this is not a strategic allocation and, in order to make the CS sound, it should be subsumed within the overall allocation for Tiptree. This is the largest of the three rural District Centres and the only one with a secondary school. There are good local facilities although employment and public transport are limited. It has had recent housing growth and there is concern about additional traffic from further housing passing through Kelvedon and Feering parishes in Braintree District. Nevertheless, having visited the area at peak traffic times and heard and read the evidence I do not find that the level of new housing proposed for Tiptree would make the CS unsound. (CBC/EB/066a Para 7.1)

The level of housing allocations for Tiptree is considered commensurate with its status as a Rural District Centre. It is a minimum target rather than a maximum level which cannot be exceeded. Housing numbers have been carefully monitored and that is the reason only 70 new dwellings are proposed now as opposed to the 140 in the submitted Core Strategy. The Grange Road site was allocated for housing based on the Sustainability Appraisal, which found that 'the benefits a sport/leisure development will bring will outweigh the negative impacts of development on greenfield land and recommended that the site is allocated for a mixed-use development'. (CBC/SUB/103a, p.100) The SA appraised other sites for residential development in Tiptree and concluded that the Grange Road site was the most sequentially preferable site as it had previously been allocated for development for employment use, a use which was not considered deliverable within the Plan period.

The Inspector acknowledged the limits of transport infrastructure in Tiptree but considered it was sufficient to support the level of development proposed. Employment in Tiptree will be provided by support for expansion of the Wilkin & Sons sites and by allocations of employment land at Tower House and Kelvedon Road.

Irene Brunning

Sa 085/145

Para. 5.187 & Tiptree map

Respondent stated that the Site Allocation DPD is unsound as it does not make the best use of available land and requires an adjustment to the boundary in Tiptree. The respondent has proposed extending the settlement boundary to include land north of the north-west Grange Road boundary to the junction of Oak Road and Kelvedon Road. The respondent feels that the allocation of one large site is more likely to deliver a range of housing types and supports the re-allocation of the land at the corner of Kelvedon Road for residential.

CBC Initial Response

The housing allocations for Tiptree in the Site Allocations are justified by a comprehensive evidence base and the strategic approach contained in the adopted Core Strategy. The Site Allocations DPD is consistent with the Core Strategy which itself was considered consistent with national policy (see para. 8.5 of CBC/EB/066a). The Inspector for the Core Strategy considered the housing allocation for Tiptree to be sound as follows:

A small area of greenfield land for 140 dwellings is identified at Tiptree in table H1a. However, this is not a strategic allocation and, in order to make the CS sound, it should be subsumed within the overall allocation for Tiptree. This is the largest of the three rural District Centres and the only one with a secondary school. There are good local facilities although employment and public transport are limited. It has had recent housing growth and there is concern about additional traffic from further housing passing through Kelvedon and Feering parishes in Braintree District. Nevertheless, having visited the area at peak traffic times and heard and read the evidence I do not find that the level of new housing proposed for Tiptree would make the CS unsound. (CBC/EB/066a Para 7.1)

The Core Strategy indicated that the Site Allocations document would define the Settlement Boundaries across the Borough. The Tiptree Settlement Boundary has been defined through various rounds of public consultation as well as the production of the Settlement Boundary Review (CBC/EB/117). Land has been allocated in Tiptree for residential purposes to meet the minimum housing target within the Core Strategy. The Council's approach to residential sites in Tiptree is considered to be flexible and justified to ensure that the Core Strategy targets are met during the plan period and therefore no further residential sites are considered to be necessary.

Andrew Martin on behalf of Wilkin and Sons

Sa 121/177

TIP1 – 5.188 and 191

The Site Allocation DPD is sound in principle, subject to some amendments which will not undermine the Council's Housing Strategy and will allow continued investment and secure jobs in a long established and successful local firm. The representation seeks to amend policy TIP1 and the Tiptree

Proposals Map to include a further small housing and public open space allocation in Tiptree.

CBC Response

The representation seeks the allocation of additional land in Tiptree for residential development (180 dwellings). The rep does however acknowledge that sufficient sites have already been identified in Tiptree to accommodate the housing targets identified in the Core Strategy and the soundness of these allocations is not questioned although the effectiveness of the document is. The housing allocations are considered to be deliverable, flexible and are able to be monitored. Evidence about housing land supply and delivery was subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded 'I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.' (para. 7.46 of CBC/EB/066a) The Housing Trajectory has subsequently been updated and still shows a 15 year supply. Monitoring is carried out through the annual update of the Housing Trajectory and Strategic Housing Land Availability Assessment which feed into the Annual Monitoring Report. Parts of the greenfield urban extensions can be brought forward if necessary to speed up overall delivery (para. 9.1 of CBC/EB/066a).

The Site Allocations DPD is consistent with the Core Strategy which itself was considered consistent with national policy (see para. 8.5 of CBC/EB/066a).

Edward Gittins & Associates

Sa 001/005

SA TIP1, paragraphs 5.183 - 5.191 & Tiptree Inset map

The comparative analysis of various sites culminates in an arbitrary decision to allocate land off Grange Road by its inclusion within the new Settlement Boundary. The proposed housing allocation appears as a detached 'island' in relation to the existing built up area, is oddly shaped and happens to coincide with a single landownership boundary. Evidence base does not indicate how the site will be accessed. Alternative sites are readily available, including those which have scored more highly in the Sustainability Appraisal. Anomalies in the Settlement should also be removed to include established housing developed within the Settlement Boundary.

Edward Gittins & Associates on behalf of Mr. D. Clough

Sa 167/020

SA TIP1 & Tiptree Inset map

The Bull Lane site scored more highly in the Sustainability Assessment than the allocated site at Grange Road. The selection process and the logic of the Grange Road site is flawed and contrived. The delivery of capacity at Grange Road remains uncertain in view of access difficulties which has bedevilled its release for employment purposes. The Bull Lane site is well-related to the existing built-up area of Tiptree, will provide environmental benefits for the area, and would not result in material harm to the rural setting of Tiptree which has good defensible boundaries. The site should be included in the Tiptree

Settlement Boundary as part of the process of addressing the claim that the Site Allocations Submission Document in its present form is unsound.

Edward Gittins & Associates on behalf of Mr. D.Taylor

Sa 168/021

SA TIP1 & Tiptree Inset map

The definition of the new Tiptree Settlement Boundary has not been undertaken in a systematic and comprehensive way so as to provide a logical division between Tiptree's built-up area and its adjoining countryside in order to remove anomalies. The builder's yard which fronts onto Hall Road is a non-conforming use site that should logically be incorporated within the Settlement Boundary as it physically adjoins the established residential development. The site would accommodate one or two dwellings in close proximity to a primary school and the Colchester – Maldon bus service route along the B1022. The Settlement Boundary should be amended and provided for the detailed area at Maldon Road/West End Road. Attention is also drawn to a number of other anomalies which it is stated may be due to drafting errors.

Edward Gittins & Associates on behalf of Mr. R. Martin

Sa 169/022

SA TIP1 & Tiptree Inset map

The approach adopted to delivering future housing at Tiptree has not been based on a robust evidence base. The selection of land at Grange Road for inclusion within the Tiptree Settlement Boundary has not been arrived at by means of a logical evaluation process. The Grange Road housing land is not part of a package associated with the provision of Open Space and there is no logic for the inclusion of the Open Space area within the proposed Settlement Boundary. The site is divorced from the existing edge of the settlement and bears no logical relationship with the existing built-up area. The boundary has been drawn to accommodate and reflect an individual land ownership rather than by applying normal planning guidelines. The sieving system used to identify potential new sites in the Sustainability Appraisal is arbitrary and incomplete. The land at Peakes Farm is put forward as a sound peripheral site which represents a logical extension to the built-up area of the settlement.

CBC Response

The housing allocations for Tiptree in the Site Allocations are justified by a robust and comprehensive evidence base and the strategic approach contained in the adopted Core Strategy. The Inspector for the Core Strategy considered the housing allocation for Tiptree to be sound (*CBC/EB/066a Para 7.1*).

The Inspector for the Core Strategy found that the sustainability appraisal documents 'properly identify the process carried out' and were sound. (*CBC/EB/066a, para 3.1*) The Council used the same process for sustainability appraisal in developing the Site Allocations DPD. As part of the early stages of plan preparation for the Site Allocations DPD the option of developing the site in Grange Road as a mixed use sport, leisure, residential and employment development was appraised. No other options were

appraised in Tiptree at this early stage as this was the only mixed use site put forward.

This appraisal was published in the SA revised scoping report (CBC/EB/128a), which accompanied the regulation 25 consultation document; however no comments were made in relation to the appraisal of the Grange Road site, including no objections to the lack of alternatives considered in Tiptree. However, notwithstanding this, it was considered appropriate to appraise all options put forward for development on the edge of Tiptree to ensure that reasonable alternatives are considered. With the exception of land to the south of Wilkin's Jam Factory all sites on the edge of Tiptree were put forward for solely residential development. Therefore, the considerations are different for the Grange Road site, which is proposed as a mixed use development. The Grange Road site is further different from the other sites on the edge of Tiptree as it is the only site partly allocated in the Local Plan and so already accepted as appropriate for development in principle. The site is allocated in the Local Plan for employment purposes and the Local Plan Inspector considered that the site would "...tie the existing employment land at the Tower Business Park more effectively into the existing settlement pattern of Tiptree and would not lead to its coalescence with Inworth in the north" (paragraph 20.3.1 of CBC/EB/066).

Only two of the fifteen proposed housing sites were within 800 metres of the approximate centre of the rural district centre and not adjacent to a local wildlife site. However, after these appraisals were carried out housing completions data revealed that as at 31 March 2008 just under 500 dwellings were allocated and 173 units had planning permission in Tiptree. As this almost meets the 680 Core Strategy housing target the spatial policy team considered that there was only need to allocate one site for residential development and as the Grange Road site is the only site proposed as mixed use development it was considered that this was the most desirable site.

The housing allocations are considered to be deliverable, flexible and are able to be monitored. Evidence about housing land supply and delivery was subject to thorough examination at the Core Strategy EiP with the outcome that the Inspector concluded 'I am satisfied that CBC is able to support its housing trajectory by a robust and credible evidence base. ... it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery.' (para. 7.46 of CBC/EB/066a) The Housing Trajectory has subsequently been updated and still shows a 15 year supply. Monitoring is carried out through the annual update of the Housing Trajectory and Strategic Housing Land Availability Assessment which feed into the Annual Monitoring Report. Parts of the greenfield urban extensions can be brought forward if necessary to speed up overall delivery (para. 9.1 of CBC/EB/066a).

The level of housing allocations for Tiptree is considered commensurate with its status as a Rural District Centre. It is a minimum target rather than a maximum level which cannot be exceeded. The Sustainability Appraisal found that 'the benefits a sport/leisure development will bring will outweigh the

negative impacts of development on greenfield land and recommended that the site is allocated for a mixed-use development'. (CBC/SUB/103a, p.100) The SA appraised other sites for residential development in Tiptree and concluded that the Grange Road site was the most sequentially preferable site as it had previously been allocated for development for employment use, a use which was not considered deliverable within the plan period as established by The Employment Land Review (CBC/EB/030). The respondent acknowledges that the site has not been delivered since allocation in the 1980's but he fails to recognise that deliverability is not just about there being an 'interest' in the land. The very fact that there are access problems means it is not available now, it doesn't offer a suitable location for development now and it is an unlikely prospect that the site will be developed for employment purposes within the plan period let alone the next five years.

The Council also acted in accordance with national policy. PPS3 (CBC/NAT/002) para 44 states that local authorities should consider 'whether sites that are currently allocated for industrial or commercial use could be more appropriately re-allocated for housing development.' More recently PPS4 (CBC/NAT/067) has reinforced this approach by stating 'Existing site allocations should not be carried forward from one version of the development plan to the next without evidence of the need and reasonable prospect of their take up during the plan period. If there is no reasonable prospect of a site being used for the allocated economic use, the allocation should not be retained, and wider economic uses or alternative uses should be considered' (Policy SA EC2).

Since the representation was submitted planning approval has been granted for the sports pitches incorporating community use and a building incorporating toilet and changing facilities for both the football club and the local community. (ref. 091627).

The sustainability appraisal process involves assessing realistically deliverable sites, which ownership does have an effect on, but the Council has used planning criteria to discount areas of land which are inappropriate for development due to environmental constraints. In the case of Grange Road, the proponents put forward a larger area of land for development, but the sustainability appraisal stated that the full site should not be developed and that 'the boundaries of the site should be drawn to minimise encroachment to the west and land within the Tiptree Heath Complex Living Landscape designation should be avoided.' (CBC/EB/103a, p.100)

TIP1 – Residential sites in Tiptree

Tiptree Parish Council

[Sa 040/094](#)

SA TIP1

The Policy is unsound as there is not a need for more housing in Tiptree and the Grange Road site should not be included in the village envelope. Paragraph 5.183 should be changed from a minimum of 680 housing units to

a maximum. The Parish Council calculate 639 units have planning permission, leaving only 41 more units to be approved in the life of the Plan.

Policy SA TIP1 & paragraph 5.187

The Policy is unsound as paragraph 5.187 states that development of the Grange Road site will result in benefits for the community. However, the developer has made clear that the 1 community pitch will only be available to selected teams, not for community use so there is no community gain.

CBC Response

The housing allocations for Tiptree in the Site Allocations are justified by a comprehensive evidence base and the strategic approach contained in the adopted Core Strategy. The Site Allocations DPD is consistent with the Core Strategy which itself was considered consistent with national policy (see para. 8.5 of CBC/EB/066a). The Inspector for the Core Strategy considered the housing allocation for Tiptree to be sound as follows:

A small area of greenfield land for 140 dwellings is identified at Tiptree in table H1a. However, this is not a strategic allocation and, in order to make the CS sound, it should be subsumed within the overall allocation for Tiptree. This is the largest of the three rural District Centres and the only one with a secondary school. There are good local facilities although employment and public transport are limited. It has had recent housing growth and there is concern about additional traffic from further housing passing through Kelvedon and Feering parishes in Braintree District. Nevertheless, having visited the area at peak traffic times and heard and read the evidence I do not find that the level of new housing proposed for Tiptree would make the CS unsound. (CBC/EB/066a Para 7.1)

The level of housing allocations for Tiptree is considered commensurate with its status as a Rural District Centre. It is a minimum target rather than a maximum level which cannot be exceeded. The Grange Road site was allocated for housing based on the Sustainability Appraisal, which found that 'the benefits a sport/leisure development will bring will outweigh the negative impacts of development on greenfield land and recommended that the site is allocated for a mixed-use development'. (CBC/SUB/103a, p.100) The SA appraised other sites for residential development in Tiptree and concluded that the Grange Road site was the most sequentially preferable site as it had previously been allocated for development for employment use, a use which was not considered deliverable within the Plan period.

Lawson Planning Partnership Ltd on behalf of Colchester United Football Club

Sa 104/240 & sa 104/241

SA TIP1, Paragraphs 1.19, 4.1- 4.22, 5.183-5.193

Separate representations. Proposal fails all three tests of soundness as it is drafted. It has been demonstrated that the CUFC proposal for mixed use development at Grange Road represents a suitable strategy for meeting minimum housing provision in Tiptree while also delivering open space, recreational, and community facilities above that required by national and

local policy. The proposal will result in an appropriate and sustainable level and form of development over the plan period.

Request that the plan is amended prior to submission.

CBC Initial Response

The housing allocations for Tiptree in the Site Allocations are justified by a comprehensive evidence base and the strategic approach contained in the adopted Core Strategy. The Site Allocations DPD is consistent with the Core Strategy which itself was considered consistent with national policy (see para. 8.5 of CBC/EB/066a). The Inspector for the Core Strategy considered the housing allocation for Tiptree to be sound as follows:

A small area of greenfield land for 140 dwellings is identified at Tiptree in table H1a. However, this is not a strategic allocation and, in order to make the CS sound, it should be subsumed within the overall allocation for Tiptree. This is the largest of the three rural District Centres and the only one with a secondary school. There are good local facilities although employment and public transport are limited. It has had recent housing growth and there is concern about additional traffic from further housing passing through Kelvedon and Feering parishes in Braintree District. Nevertheless, having visited the area at peak traffic times and heard and read the evidence I do not find that the level of new housing proposed for Tiptree would make the CS unsound. (CBC/EB/066a Para 7.1).

The level of housing allocations for Tiptree is considered commensurate with its status as a Rural District Centre. It is a minimum target rather than a maximum level which cannot be exceeded. Housing numbers have been carefully monitored and that is the reason only 70 new dwellings are proposed now at Grange Road as opposed to the 140 in the submitted Core Strategy. The Grange Road site was allocated for housing based on the Sustainability Appraisal, which found that 'the benefits a sport/leisure development will bring will outweigh the negative impacts of development on greenfield land and recommended that the site is allocated for a mixed-use development'. (CBC/SUB/103a, p.100) The SA appraised other sites for residential development in Tiptree and concluded that the Grange Road site was the most sequentially preferable site as it had previously been allocated for development for employment use, a use which was not considered deliverable within the Plan period.

Mr R Williams

[Sa 146/203](#)

SA TIP1

The proposed allocation to extend the employment land at the Wilkins factory site is inappropriate as a modern, efficient factory employing fewer people should not need to double its area. The Factory Hill/Tudwick Road junction is a traffic hazard and needs re-designing. The decision not to build houses is supported.

CBC Response

The respondent has not questioned the soundness of the plan, including the allocation of the Wilkins employment site. He has flagged up potential issues concerning the extent of the employment development which would be addressed through the planning application process and additionally he is concerned that the acceptance of a residential scheme for any of the site would render the plan unsound. The Council, however, has not supported a residential allocation for the site.

TIP2 – Transport in Tiptree

Tiptree Parish Council

[Sa 040/093](#)

SA TIP2

The Policy is unsound because the proposed improvements to the infrastructure are required now, before any future development is considered. Paragraph 5.197 states the strategic access to the A12 from Tiptree is via Kelvedon and Feering; however, when travelling towards Chelmsford it is via the Braxted Road and this junction is in need of improvement.

SA TIP2 & paragraph 5.199

The Policy is unsound as paragraph 5.199 lists amenities that will be needed to improve the infrastructure within the life of the Plan. However, all of these amenities are required now, before any future development is considered.

CBC Response

The Council's policy to infrastructure is considered justified and consistent with national policy. Policy SD3 of the adopted Core Strategy provides that 'new development will be required to contribute towards the provision of community facilities to meet the needs of new communities and mitigate impacts on existing communities'. This accords with the requirements of PPS1 to 'ensure that infrastructure and services are provided to support new and existing economic development and housing'. (para 23(viii)). The Council recognises the importance of ensuring new development is supported by adequate infrastructure but recognises that it will require funding from the proceeds of development and that provision may need to be phased accordingly.

Chapter 6. – Public Realm Policies

Edward Gittins & Associates

Sa 001/002

Para. 6.17 & Colchester Inset map

Email clarifies that the respondent considers the open space allocation for the North Growth Area to be a Strategic Allocation and that it should therefore be formally allocated on the Proposals Map as part of the Site Allocations DPD in line with paragraph 6.14 and not through a subsequent Master Plan.

CBC response

Land in the North Growth Area has previously been allocated as existing and proposed open space. The existing open space is owned by the Council and is retained as open space on the proposals map and protected by Policy DP15 of the Development Policies DPD.

The land allocated as proposed open space has been allocated since at least 1995 in the Adopted Review Colchester Borough Local Plan. The allocation was subsequently rolled forward and expanded in the 2004 Local Plan (CBC/EB/011). None of this land has ever been in the ownership of the Council and therefore it's deliverability as open space was always unlikely. The majority landowners (Countryside Properties and the JB Trust) have both confirmed that they never had any intention of selling the land for open space purposes. Ms Gates confirms that her family bought the land for the JB Trust in 1972 purely for its development potential. Countryside have been promoting the site since around 1988 (Local Plan inquiry/appeals 1991 and 2003) They bought the land at Mile End on 23. 07.1992.

To include this land now as an open space allocation would make the DPD unsound because it would fail the test of soundness related to effectiveness. The Core Strategy Inspector referred to this land as 'privately owned green areas' (CBC/EB/066a, para 7.14) The Inspector was satisfied that 'there is evidence that the Growth Areas have capacity to accommodate the proposed levels of development (para. 7.23).

The Councils PPG17 Study (CBC/EB/040) has helped inform the production of the Development Plan documents.

Chapter 7. – Transport and Accessibility

Mersea Homes Ltd, on behalf of Mersea Homes and Countryside Properties

[Sa 047/105](#)

Paragraph 7.5

The delivery of the new A12 junction is subject to a known programme. Paragraph 7.5 should reflect this evidence and state that it will be delivered by March 2011.

CBC Response

The change suggested is noted but is not considered necessary to make the document sound, given that it is otherwise clearly stated in policy NGA4(a) that the new A12 junction will be delivered. ‘Tweaking’ of wording is not considered necessary to achieve soundness.

Mersea Homes

[Sa 047/101](#)

Paragraph 7.6

The successful CIF2 financial bid which will deliver the new A12 junction was predicated on ensuring that sufficient highways capacity would be delivered to support the North Growth Area Urban Extension (NGAUE). Paragraph 7.6 should be changed to reflect this evidence and state that the design of the new A12 junction has made prudent provision for the increased transport demands of the adopted Core Strategy.

CBC Response

The Council does not support the change, on the basis that it is not considered to be entirely in accord with the Statement of Common Ground agreed with the respondents and the Highways Agency for the Core Strategy. (CBC/EB/104) which stated that ‘the outcome of transport assessment work showed the development of NGAUE to require mitigation measures to the A12 eastbound off-slip at the proposed new junction 28, together with its associated diverge taper and roundabout entry. However, the exact nature, scale and timing of any improvements will be determined through a more detailed assessment as the planning application process develops.’

Peter Kay, Colchester Bus Users Support Group, 113/201

This representation has been dealt with in earlier sections of the document.

Chapter 9. Monitoring and Implementation

Barton Willmore on behalf of Gladedale

[Sa 016/072](#)

Paragraph 9.5

The DPD lacks clarity and transparency on the number of housing units that will be delivered by the sites in Policy SA H1 and how this relates to the overall requirement set out in the CS H1. This omission means that monitoring will neither be transparent or easily accessible and is not consistent with paragraph 4.47 of PPS12.

CBC Response

By relying on the Strategic Housing Land Availability Assessment (SHLAA) (CBC/EB/031) and annually updated Housing Trajectory rather than including housing numbers for individual sites in policy SA H1 the DPD is effective; it will remain deliverable, flexible and able to be monitored throughout the plan period. Including the number of housing units within policy SA H1 would be too prescriptive and over the course of the plan period could become out dated. Instead the approach the Council has taken will ensure that a comprehensive picture of current housing land supply will be provided throughout the plan period, making the DPD deliverable, flexible and able to be monitored. The number of units the sites listed in policy SA H1 will deliver and how this relates to the overall housing target for the Borough is obvious and transparent through the SHLAA and Housing Trajectory and future updates to these (CBC/EB/031, CBC/EB/031a, CBC/EB/031b are the SHLAA and two most recent updates).

The objector also considers that the DPD is not in accordance with paragraphs 60 and 61 of PPS3 (CBC/NAT/002) and paragraph 4.47 of PPS12 (CBC/NAT/008a). The Council has identified a five year supply of deliverable sites and are monitoring the supply of deliverable sites annually linked to the Annual Monitoring Report (CBC/EB/125), as required by paragraphs 60 and 61 of PPS3 (CBC/NAT/002). Further, the Core Strategy Inspector stated in her binding report that “In my judgement it has identified a fifteen year supply of housing land as required by PPS3 with a sufficient degree of flexibility in delivery” (paragraph 7.46 of CBC/EB/066a). In terms of monitoring the overall DPD, this will be achieved by using the Core Strategy monitoring framework through the Annual Monitoring Report. The Core Strategy (CBC/EB/118), which this DPD is linked to, provides clear arrangements for monitoring and reporting as required by paragraph 4.47 of PPS12 (CBC/NAT/008a).

Note: Representations from Mersea Homes, ADP for Hills and NTR Planning (formerly Tribal) for Royal London relate to Monitoring and Implementation but have already been covered sufficiently in earlier parts of the document.