

9th March 2018
12.604 / MC

15 De Grey Square
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By email to: Colchester Borough Council

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Dear Sir / Madam

Re: Wivenhoe Neighbourhood Plan – Submission Consultation February 2018

Representation on behalf of the East of England Co-operative Society

This submission is made on behalf of the East of England Co-operative Society in relation to their Cedric's Garage Site on the corner of The Avenue and De Vere Lane in Wivenhoe, which is proposed to be the subject of a site-specific policy in the Submission Stage of Wivenhoe's Neighbourhood Plan. This submission is made further to previous discussions and correspondence between the Society and the Parish Council in relation to this matter.

It is noticed that the Policy (WIV 21), specifically relating to the Cedric's Garage site, has altered slightly from the previous Pre-Submission stage of Consultation and now includes the following in respect of wording:

Submission Consultation - Policy WIV21: Cedric's Site

“Proposals for redevelopment of this site will be supported providing they are sympathetic in design and layout to the surrounding area. Proposals to include a mix of uses would be supported.”

The policy wording has removed previous references to the extant permission, which has been replaced with a greater focus on support for mixed use development. This is of considerable concern and we would suggest represents an unjustified material change to the policy.

The express reference to mixed use development triggers uncertainty as to how alternative, solely residential, proposals that would both reflect the site's existing consented use and accord with the Government's thrust for achievement of sustainable development would be viewed.

Further, as set out in previous representations, the East of England Co-operative Society, as owners of the site, have particular concerns that mixed use development (by definition including commercial elements) would not be economically viable. This view has been reached having regard to the particular circumstances of the site, including high costs involved in site clearance and remediation,



which are known to be required.

This economic viability has been both discussed with the Council and heavily referred to within previous representations submitted to the Parish Council during the course of the Neighbourhood Plan process.

We also consider that the supporting text is overly restrictive, and in particular, the following text:

“This site could also accommodate three-storey flats with businesses on the ground floor and dwellings above.”

We consider that this element of the supporting text is not consistent with National Planning Policy, particularly in respect of paragraph 21 of the NPPF, which requires policies to be “*flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances*”.

It is also considered that the restrictive nature of the policy, as currently worded, also fails to comply with paragraph 173 of the NPPF, which requires Councils to apply careful attention to viability and costs in plan-making and ensuring that plans are deliverable.

It is therefore requested that a more flexible approach to development of the site is included in the Plan, both in the policy wording itself, as well as supporting text, giving equal weight of support for either residential or mixed use developments.

In this regard, we propose, and would be grateful if you would be able to give consideration to the following wording:

“Policy WIV21: Cedric’s Site

This site currently benefits from extant permission for housing development. As such proposals for either any alternative residential or mixed use schemes sympathetic to the surrounding area would also be supported.”

Supporting Text - To remove the following:

“This site could also accommodate three-storey flats with businesses on the ground floor and dwellings above.”

It is in our view that the above suggested wording and removal of wording better reflects support for residential development, whilst ensuring that any future schemes for the site will be viable and deliverable. We consider that, without the above changes to the policy wording, the policy remains unjustified and inconsistent with National Planning Policy, therefore failing to meet the required test of soundness.

If you wish to discuss this further, please do not hesitate to get in contact using the details below.

We hope that you are able to adopt our suggested amendment in order to ensure the soundness of this Policy and the Plan as a whole.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Clarke', written in a cursive style.

Matt Clarke
Director, Head of Boyer Colchester

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