

## **Tiptree – Policy SS14**

### **Colchester Borough Council Response to Strutt & Parker Supplementary Hearing Statement**

The Statement below seeks to clarify points raised in the Strutt & Parker (S&P) Statement submitted on 26<sup>th</sup> April 2021. It does not repeat evidence already presented. Neither does it introduce new evidence. Each heading taken from the S&P Statement (in bold below) is addressed and in some instances grouped to avoid repetition.

**The broad areas of growth arrows, including their intention, are unclear.**

**Revised Broad Areas of Growth, including new Broad Area of Growth to North/North-East of Tiptree**

The Council do not contend that the arrows are unclear, rather that they no longer reflect the direction of growth in the proposed Neighbourhood Plan.

The Local Plan must be effective and continuing to include arrows showing a broad direction of growth which is unlikely to come forward in the Tiptree Neighbourhood Plan is not considered effective.

The Council have identified in Topic Paper 6 paragraph 2.9 that the intention of the arrows may be unclear as the Inspector of the Maldon Road Appeal concluded a different interpretation of the application of the arrows than was intended by the Council.

The Section 2 Local Plan does not state that each of the three broad areas of growth will be included within the Tiptree Neighbourhood Plan, nor does it state that more than one broad area of growth is to be selected.

The Maldon Road Appeal did not seek to determine if the broad direction of growth arrows were sound, this is a matter to be considered through the Local Plan examination.

**The Local Wildlife Sites' boundaries have been incorrectly drawn on the Policies Map**

**As a result of the boundary of the Local Wildlife Site being corrected, it is necessary to delete the Broad Areas of Growth arrows to the west of Tiptree**

It is agreed that the Policies Map is incorrect. Although the draft Review of Local Wildlife Sites was undertaken in 2015 the final report was not actually published until November 2017, after submission of CLP2, (EBC 4.2). This was a result of new site selection criteria being published by Essex Wildlife Trust in 2016;

<https://www.essexwtrecords.org.uk/sites/default/files/LOCALWILDLIFESITeselectIONCRITERIA2016.pdf>

The Local Plan leaves site allocations in Tiptree, to the Neighbourhood Plan. The Qualifying Body undertook their own Call for Sites in April 2017, as well as considering

those sites submitted to the Council. They also undertook several rounds of public consultation and developed their own evidence base. They were also seeking to comply with national policy. They judged the Brook Meadow site to be unsuitable because of its wildlife value. This rendered Peakes (the Bloor appeal site) unrelated to the preferred growth option for Tiptree.

When the Local Plan was submitted the Council considered it sound and one of the limbs of soundness is that a plan must be effective. Over 3 years has passed since its submission and the factual backdrop to the Plan has moved on since then. The arrows of growth in the submitted Section 2 Local Plan reflected the directions of preferred growth in the Tiptree Neighbourhood Plan which was emerging at that time. Since the submission of Section 2 further work has been carried out and Tiptree Neighbourhood Plan no longer proposes growth in a westerly direction. Continuing to include arrows showing a broad direction of growth which is unlikely to come forward in the Tiptree Neighbourhood Plan is no longer considered effective and so needs to be removed.

**Planning appeal decisions have established the importance of west and south-west of Tiptree in terms of landscape setting and impact of coalescence between Tiptree and Tiptree Heath**

It is a matter of fact that the appeal referred to was dismissed. Paragraph 147 of the decision notice states 'For the reasons explained in this decision, the proposed development would conflict with CS Policy ENV1, due to its location in the countryside, and also due to its adverse impact on the local landscape and townscape in causing coalescence between Tiptree and Tiptree Heath.'

The decision has wider impacts in that a smaller site, which seeks to address concerns about coalescence would restrict the number of dwellings that could be delivered. This coupled with the unsuitability of the adjacent site (Brook Meadow) means that 600 dwellings could not be delivered in those areas indicated by strict appliance of the arrows of growth shown in the Local Plan.

**Updates required to the reflect the latest position in respect of the Tiptree Neighbourhood Plan**

As set out above, modifications are proposed to reflect how the Neighbourhood Plan has advanced. When the Local Plan was submitted the Council considered it sound and one of the limbs of soundness is that a plan must be effective (i.e. deliverable over the plan period). Over 3 years has passed since its submission and the factual backdrop to the plan has moved on since then. The arrows of growth in the submitted section 2 reflected the directions of preferred growth in the Tiptree Neighbourhood Plan which was emerging at that time.

Since the submission of the Local Plan, further work has been carried out. This included a Call for Sites in April 2017 which resulted in over 60 sites being proposed for development in Tiptree. The resulting SHLAA took until March 2018 to complete. As a result of this work, other evidence base work and local consultation, the Tiptree Neighbourhood Plan no longer proposes growth in a westerly direction. Continuing to include arrows showing a broad direction of growth which is unlikely to come forward in the Tiptree Neighbourhood Plan is no longer considered effective and so needs to be removed.

**Requiring the TNP to include a detailed transport assessment with a view to confirming the provision of the first phases of a road between the B1022 and B1023.**

The Transport Paper submitted as an appendix to Topic Paper 6, demonstrates that work is continuing on the Tiptree Neighbourhood Plan and that it is seeking to address those issues identified in the examiner's report (where evidence does not already exist).

**The granting of planning permission for up to 200 dwellings at Barbrook Lane**

It is agreed that 200 dwellings at Barbrook Lane are shown in the housing trajectory as contributing to the housing supply. This is in addition to 600 units to be identified in the Tiptree Neighbourhood Plan (NP). This was correct at the time the housing trajectory was published (April 2020).

It may remain correct but will depend on the content of the NP. As the spatial strategy will need to be reviewed for the Tiptree Neighbourhood Plan it is currently unknown the full extent of the advantages and disadvantages of counting the 200 dwellings granted permission at Barbrook Lane towards the overall housing requirement of the neighbourhood plan.

The borough council's trajectory is updated regularly and reflects the most up to date information available. The Council are not reliant on 200 units in Tiptree to demonstrate an adequate supply of housing land. Whether Tiptree provides for 200 at Barbrook Lane, plus 400 or 600 additional units on sites to be identified, will be reflected in the trajectory. There is no double counting.

**Number of dwellings to be delivered through the Neighbourhood Plan to be expressed as a minimum**

This is agreed as set out in the Councils Topic Paper 6. The 600 units may include those delivered at Barbrook Lane.

It is appropriate to take this approach in Tiptree because it is the only NP outstanding that is seeking to allocate sites. The Council considers that this sets it apart from those NP's that have already been made and where the use of the term 'at least' or 'a minimum' is not considered necessary.

**Modifications**

Section 20(7c) of the Planning and Compulsory Purchase Act (2004), states that 'If asked to do so by the local planning authority, the person appointed to carry out the examination must recommend modifications of the document that would make it one that

- (a) satisfies the requirements mentioned in subsection (5)(a), and
- (b) is sound'

The Council are of the view that the proposed modifications will ensure the Plan is effective.