

Gladman Developments Ltd

Colchester Borough Council - Section 2 Local Plan Examination

Matter 2 Hearing Statement



April 2021

Main Matter 2 - Sustainable Growth Policies (Policies SG1 to SG8)

- **Are the Sustainable Growth Policies justified by appropriate available evidence, having regard to national guidance, and local context, including Section 1 of the CLP?**

2.1 Gladman have concerns with regards to the Housing Delivery Policy SG2. This policy will require significant modifications to bring the Plan up-to-date with the most recent housing delivery supply evidence as provided by Colchester Borough Council (CBC) within their *Topic Paper 2 – Housing Matters*.

2.2 In regard to Policy SG8 (Neighbourhood Plans), CBC will need to carefully consider the role played by neighbourhood plans, which do not allocate a reasonable level of development, or any development, based on the assessed needs of Colchester. Gladman therefore consider that in order to be effective and justified, Policy SG8 should include text setting out the steps to be taken if areas with existing neighbourhood plans do not update their plans to reflect the latest development needs of the borough.

2.3 It is noted that since the submission of the CLP Section 2 in October 2017, neighbourhood plans for Eight Ash Green, West Bergholt and Wivenhoe have been 'made'. In October 2020, the independent examiner for the Tiptree NP concluded that *'the neighbourhood plan will not meet the Basic Conditions nor the legal requirements'*¹ and therefore should not proceed to referendum and has now returned to Regulation 14 stage. The Plan, as submitted to the independent examiner, included housing allocations totalling 625 dwellings across three sites (TIP13: Tower End – 175 homes, TIP14: Highland Nursery – 225 homes and TIP14: Elm Farm – 225 homes) which are anticipated to start delivering from the monitoring year 2025/26 onwards at an average delivery rate of 65 dwellings per annum. CBC must ensure a mechanism is in place in the event that the Tiptree Neighbourhood Plan does not progress to being 'made' as this will have a significant impact on housing delivery across the plan period with 625 dwellings at risk of not being delivered.

- **Is Colchester's spatial strategy and the distribution of development as set out in Policy SG1 supported by robust and up to date evidence and otherwise soundly based?**

2.4 Gladman are supportive of the hierarchy outlined in Policy SG1, with Colchester and its surrounding urban areas sitting at the top with the acknowledgement that the sustainable settlements outlined in the policy are also areas capable of accommodating growth and sitting equally with the new proposed Tendring / Colchester Garden Community in terms of its role in the settlement hierarchy. There is very little change to the spatial strategy as set out in the adopted Colchester Core Strategy (2008), with the focus for development in the most sustainable locations;

¹ Independent Examiners report on the Tiptree Neighbourhood Plan (9th October 2020), page 28

Colchester Urban Area, Sustainable Settlements and Other villages, with all remaining areas comprising the Countryside. The only additional new tier to the spatial strategy is the 'Garden Community' tier which will include the Tendring / Colchester Borders Garden Community only, following the removal of the Braintree / Colchester Borders Garden Community. This is a standalone second tier designated under the 'Urban Area of Colchester'. This fundamental approach fulfils the principles and objectives of sustainable development and is fully compliant with the NPPF.

- 2.5 It is supported that the main urban areas continue to play a key role in the accommodation of future development within the borough, this should not be at the expense of ensuring that the housing and employment needs of other settlements are met. Paragraph 55 of the Framework seeks to promote sustainable development in rural areas to maintain and enhance rural vitality and viability. It must also be remembered that the plan acknowledges in the Vision, that significant development has occurred in urban Colchester, and that the land supply is diminishing. It is essential therefore, that the needs of the sustainable rural settlements across the district, are assessed and meaningful growth apportioned to them to ensure their ongoing vitality and viability.
- 2.6 Gladman note the different spatial strategies for the component authorities within the Local Plan. With regard the specific provision of Policy SP2, Gladman note the acknowledgement of the Council that there is a diminishing supply of sites in the urban area of Colchester to meet identified needs. This has, at least in part, led to the proposals for the Garden Communities. An additional 1,200 units is then allocated to Rural District Centres, as well as limited proportionate allocations in smaller sustainable settlements across Colchester.
- 2.7 Gladman support Policy SG1 in recognising that the level of growth to be apportioned to a settlement will depend on the needs of that settlement and that in particular the diversification of the rural economy will be important. It will be important for the spatial strategies of the individual local plans to have these issues in mind when allocating sites and considering planning applications.
- 2.8 Gladman's experience is that the best way in which to ensure the delivery of housing targets is to maintain a good spread of sites and site typologies across the districts. Gladman would contend that there is an additional level of sites which could require further consideration by CBC to ensure they can meet their short and medium-term housing needs.

- **Does CLP Section 2 Policy SG2 make adequate provision to meet Colchester’s housing requirement as set out in CLP Section 1 (14,720 new homes) and its timescale for delivery within the plan period 2017 - 2033?**

- 2.9 The examining Inspector for the CLP Section 1 concluded in his Report², that the overall housing requirement of 14,720 new homes (920 dwellings per annum) for Colchester borough over the plan period 2017-2033 is soundly based. Therefore, there is no requirement for CBC to modify Policy SP3 of the CLP Section 2.
- 2.10 As currently drafted, CLP Section 2 Policy SG2 (Housing Delivery) does not make adequate provision to meet Colchester’s overall minimum housing requirement over the plan period (2017-2033). The examining Inspector for the CLP Section 1 concluded in his Post-Hearing letter to the North Essex Authorities on 15th May 2020, that two of the three proposed North Essex Authorities (NEAs) Garden Communities (Colchester Braintree Borders and West of Braintree) were unsound in terms of their justification and deliverability and therefore, the examining Inspector recommended their removal from the CLP Section 1 which all three NEAs agreed to, in order to progress the CLP Section 1 towards adoption.
- 2.11 As noted in Table: Colchester’s Housing Provision on page 72 of the Submission version of the CLP Section 2, 1,350 dwellings were originally anticipated to be delivered from the Colchester / Braintree Borders Garden Community up to the end of the plan period in 2033. These dwellings will now not be delivered following its deletion from the CLP Section 1. Furthermore, the Tendring / Colchester Garden Community was previously anticipated to deliver 1,250 dwellings until 2033 but this figure has now been amended to 1,075 dwellings in the recently issued *Topic Paper 2 – Housing Matters*. In addition, a site allocated for 200 dwellings in Stanway was allowed at appeal for a mixed retail and leisure development at the Tollgate Village (application ref: 150239). Therefore, a further 200 dwellings are reduced from the Council’s overall deliverable housing supply across the plan period.
- 2.12 It is noted from CBC’s Housing Trajectory (May 2017) that the Council anticipated an overall deliverable housing supply of 15,063 dwellings over the plan period, which equated to a surplus of +343 dwellings against the minimum overall housing requirement. With the deletion of the Colchester / Braintree Garden Community, the reduction of quantum of dwellings from the Tendring / Colchester Borders Garden Community and the Stanway allocation (200 dwellings), this overall total decreases significantly to 13,338 dwellings. Therefore, CBC are now required to find a minimum of 1,372 additional dwellings to meet their overall housing requirement over the plan period.

² Inspectors Report on the North Essex Authorities Section 1 Plan (10th December 2020), paragraph 35

- 2.13 In March 2021, CBC published *Topic Paper 2 – Housing Matters* which provides a detailed update on housing delivery in the borough since the submission of the Plan to the Secretary of State in October 2017. The Topic Paper outlines that as of 31st March 2020, 3,337 new dwellings have been delivered in Colchester Borough which results in a requirement of a minimum of 11,383 dwellings to be delivered by 2033. At paragraph 3.7 of the Topic Paper, a table is included which includes of breakdown of the components of the housing land supply for the remaining 13 years of the plan period. This is provided for clarity below:

Colchester Housing Land Supply	
Sites with PP	6174
Existing allocations without PP	1057
Garden Community	1075
New urban allocations	3031
Other new allocations	863
Neighbourhood Plan allocations	480
Rural Exception Sites	45
TOTAL	12,725

Table 1 – Colchester Housing Trajectory Components (2020 – 2033)

- 2.14 Table 1 above shows that there is a deliverable housing supply in Colchester borough of 12,725 dwellings for the remaining 13 years of the plan period (1st April 2020 – 31st March 2033). In addition to the 3,337 new homes already completed (1st April 2017 – 31st March 2020), this totals an overall housing deliverable supply of 16,062 new dwellings (2017-2033), which equates to a surplus of +1,342 dwellings above the minimum overall housing requirement (14,720 dwellings).
- 2.15 Gladman request clarification from CBC regarding the no. of dwellings anticipated to be delivered from the Tendring / Colchester Borders Garden Community until the end of the plan period (2033). *Topic Paper 1 – Consequential Changes* refers to a range of between 1,100 – 1,250 dwellings to be delivered whilst in *Topic Paper 2 – Housing Matters*, CBC includes a figure of 1,075 dwellings in Table 1 on page 3. Furthermore, in Appendix 2 (15 Year Housing Trajectory – October 2020), the overall quantum from the Tendring / Colchester Borders Garden Community up to 31st March 2033 is 1,050 dwellings. Therefore, there are currently three different figures provided for the Tendring / Colchester Borders Garden Community to be delivered on site by the end of the plan period. Gladman also note that first housing completions are anticipated from Tendring / Colchester Borders Garden Community from the monitoring year 2025/26, as demonstrated within the Housing Trajectory. This is now less than four years away and the submission of a planning application is still some way off. From experience, a planning application of this magnitude could take a few years to progress from validation to approval. Gladman contend that the delivery rates from this Garden Community may need to be revisited to provide a more realistic reflection of actual delivery.

- 2.16 Gladman do have slight concerns with the assumed timescales of the delivery for allocated and committed sites in the borough as set out in the 15 Year Trajectory – October 2020. Previous housing delivery in Colchester borough illustrate that housing completion rates achieved since the beginning of the plan period (1st April 2017) are lower than what is currently anticipated in the housing trajectory (*Appendix 2 of Topic Paper 2 – Housing Matters*) especially in relation to monitoring years 21/22 (1,343 dwellings), 22/23 (1,289 dwellings) and 23/24 (1,454 dwellings). The impact on anticipated future housing completions from the Covid-19 pandemic is currently unknown and the three national lockdowns over the course of the previous 13 months, as well as the knock-on financial effects on smaller / medium sized housebuilders will significantly influence whether these anticipated housing targets will be met.
- 2.17 In light of the above, the ‘Table of Colchester’s Housing Provision’ in Policy SG2 will require modifying to reflect the latest overall housing deliverable supply for Colchester borough, as set out in Topic Paper 2.
- **Does CLP Section 2 adequately address the needs for all types of housing and the needs of different groups in the community (as set out in paragraphs 50 and 159 of NPPF)?**
- 2.18 Yes, CLP Section 2 identifies a range of housing types for the needs of different groups in the community including students, older people, disabled people, gypsies, travellers and showpeople.
- 2.19 Policy DM8 (Affordable Housing) requires the provision of 30% of new dwellings on housing developments (10+ dwellings) to be affordable and normally provided on site. The urban area threshold is over 10 units, but a lower policy threshold of 6 or more dwellings in rural areas has been set to allow for the provision or contribution towards affordable housing in areas where larger schemes are very infrequent. This will provide a higher proportion of residents with the opportunity to buy a new home in the town / village in which they were brought up or want to live in.
- 2.20 In regard to students, the University of Essex 2019-2025 Strategy sets out that the University will expand from 14,000 students to a total of 20,000 by 2025, with approximately 17,000 students to be located on the Colchester campus itself. This demand is being delivered both on and off-campus by the University and by private developers. A number of student-based schemes have already been delivered / or are currently being built out across the borough.
- 2.21 Policy DM10: Housing Diversity of the Submission Plan covers housing diversity and requirements for housing for older people and specialist housing, self-build/custom housing, gypsies and travellers, students and hospice provision; and Policy DM11 contains more specific guidance for gypsies, travellers, and travelling show-people.

2.22 In relation to gypsies, travellers and travelling show-people, CBC instructed ORS to undertake a study for the need of a new transit site in Essex. Due to the ongoing Covid-19 pandemic and the national lockdowns put in place, site visits have been delayed and therefore the study has not been completed. This study is anticipated to be added as to CBC's evidence base once it has been finalised.

- **Does CLP Section 2 make adequate provision through site allocations to meet the housing requirement of for Gypsies, Travellers and Travelling Showpeople in Colchester?**

2.23 Gladman have no specific comments in response to this question.

- **Do CLP Section 2 Policies SG3 and SG4 make adequate provision to meet Colchester's economic growth requirements for the plan period and its timescale for delivery?**

2.24 Gladman have no specific comments in response to this question.

- **Are the retail policies (SG5, SG6 and SG6a) of CLP Section 2 which relate to Centre Hierarchy, Town Centre Uses and Local Centres justified by appropriate available evidence, having regard to national guidance, and local context, including CLP Section 1?**

2.25 Gladman have no specific comments in response to this question.

- **Does CLP Section 2 Policy SG7 provide a clear indication of how a decision maker should secure the necessary infrastructure provision to meet Colchester's economic growth requirements for the plan period?**

2.26 Yes, Gladman are satisfied that Policy SG7 (Infrastructure Delivery and Impact Mitigation) provides a clear indication of how the necessary infrastructure provision can be secured from developers on both large and small housing sites to ensure that there is sufficient appropriate infrastructure in place to accommodate new development.

2.27 The Infrastructure Delivery Plan includes all necessary infrastructure including education, transport, energy, leisure and green infrastructure, health, communications and water and drainage. As stated within Policy SG7, where a development proposal requires additional infrastructure, to be deemed acceptable, mitigation measures must be agreed with the local planning authority and the appropriate infrastructure provider. This may be in the form of financial contributions, on-site provision, off-site capacity, or the provision of land to the authority.