

COLCHESTER LOCAL PLAN  
**STATEMENT TO EXAMINATION**

**Main Matter 8 – West Colchester (Policies WC1 to WC5)**

- *Are the policies and site allocations for West Colchester justified by appropriate available evidence, having regard to national guidance, and local context, including the meeting the requirements of the CLP 1?*

**MRPP RESPONSE TO MAIN MATTER 8**

**POLICY WC1 – STANWAY STRATEGIC ECONOMIC AREA**

Further to the content of our 2017 representations, it is acknowledged that since these were made, planning permission has been granted for a retail park on the Stane Park Phase 2 site (see plan at Appendix 1), which is now under construction.

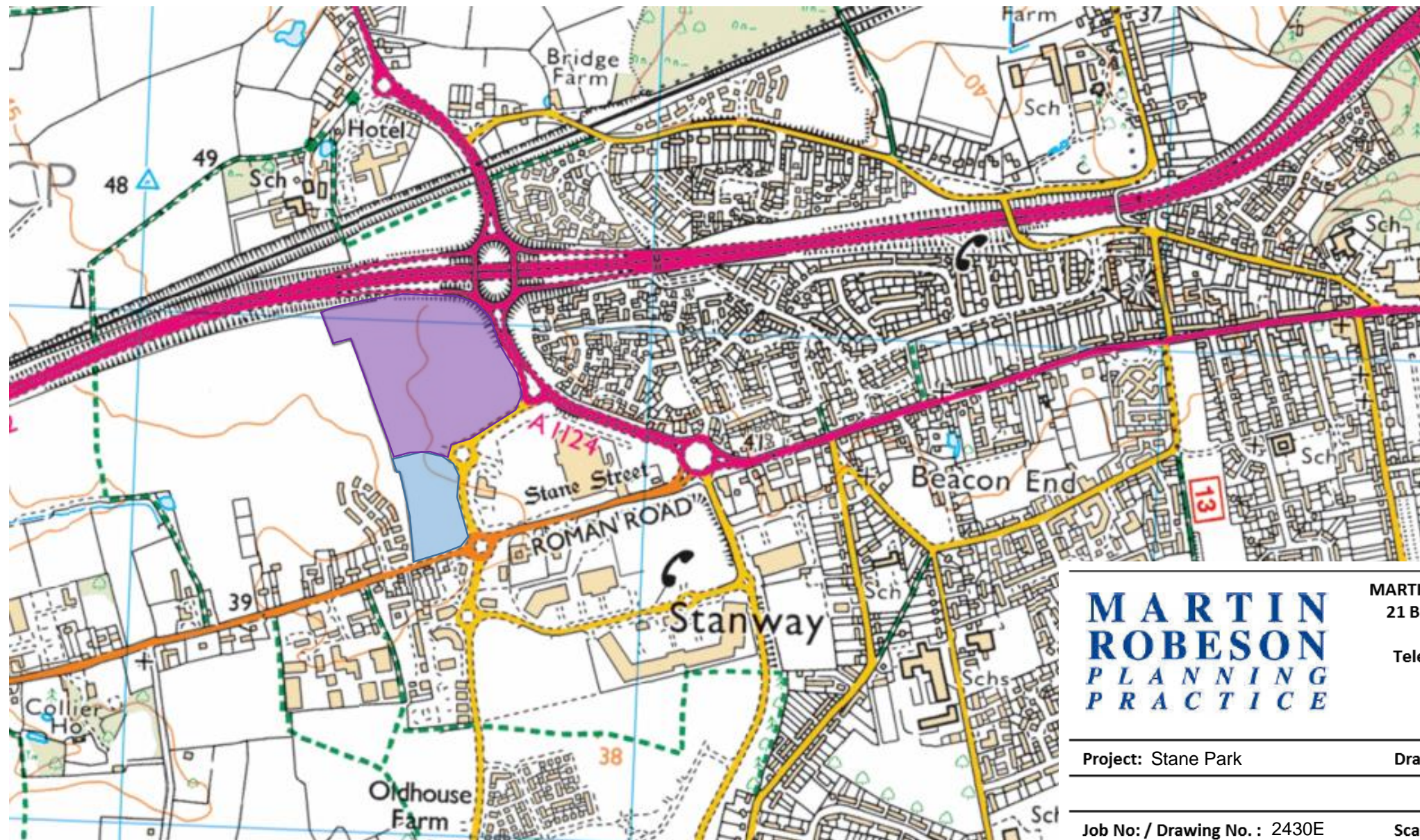
Policy WC1 and its associated Policies Map therefore need to be updated to reflect the Stane Park Phase 2 development coming forward and thus incorporate the site within the Tollgate District Centre. This is consistent with the inclusion of the Phase 1 leisure scheme within the Tollgate District Centre as indicated on the Publication Draft Policies Map.

As per our representations with respect of Matter 2, Policy SG3, it is therefore necessary to remove the employment allocation from the Stane Park Phase 2 site. Our previous representations (extract at Appendix 2) considered it appropriate to include the site within an additional zone within Policy WC1, Zone Three, to be designated for 'commercial uses'. Given the grant of planning permission for retail development including circa 9,000sqm (gross) of unrestricted retail floorspace and two supermarkets, it is now fully justified for the site to instead be included within Zone Two, the Tollgate District Centre. Our comments with respect of the nature of the Tollgate District Centre as an NPPF centre and amendments required to Policy WC1, including those in relation to Zone Two, nonetheless continue to apply.

The Plan as currently drafted is not therefore justified or effective, given it does not represent the current situation. Land at Stane Park cannot be allocated for employment purposes given the consent for and construction of the site for a retail park, which includes unrestricted 'town centre' type retailing and supermarkets.

**MRPP**

**6<sup>th</sup> April 2021**



## KEY

- Stane Park Phase 1
- Stane Park Phase 2

**MARTIN  
ROBESON**  
PLANNING  
PRACTICE

MARTIN ROBESON PLANNING PRACTICE  
21 Buckingham Street, London, WC2N 6EF

Telephone: 020 7930 0007 | Fax: 020 7930 4049

[www.martinrobeson.co.uk](http://www.martinrobeson.co.uk)

Project: Stane Park

Drawing Title: Location Plan

Job No: / Drawing No. : 2430E

Scale: NTS

Smaller scale development, either individually or in aggregate, is particularly important in the context of a historic centre like Colchester.

### **TOWN CENTRE USES: POLICY SG6**

This addresses the NPPF tests relating to sequential and impact assessmentS. The approach to sequential testing is NPPF consistent. However, the approach to impact assessment is inconsistent with National Guidance and not effective.

Firstly, criteria (i) and (ii) are not consistent with National Policy which is correctly set out in the Plan at paragraph 12.74. Secondly, it is not necessary to provide a character or amenity criterion as this is effectively picked up by more relevant policy elsewhere in the Plan. Thirdly, criterion (vi), b, is not consistent with National Policy as explained above as Tollgate is now a District Centre where proposals in it are exempt from assessment as set out in paragraph 26 of the NPPF. Fourthly, criterion (vi), c, is not necessary as this is captured by criteria (iv) and/or (v) and finally, there is scant evidence to support the identification of the thresholds at Table SG6. The NPPF default threshold is 2,500 sq.m gross. For centres of the scale of Colchester Town Centre and Tollgate (for which the Table should omit the reference to *“proposals within the Tollgate District Centre”*), the thresholds can justifiably be 2,500 sq.m for all forms of floorspace.

### **WEST COLCHESTER: STANWAY STRATEGIC EMPLOYMENT AREA AND POLICY WC1**

We support the text at paragraph 14.94. However, the remaining text fails to effectively and efficiently respond to the location’s significant opportunities and specific limiting constraints, as noted earlier in this representation in relation to the Spatial Strategy.

Fundamentally, the Tollgate Village decision has created a very significant, partly complementary to the town centre, retail and leisure destination at Stanway. The approach to drafting a policy for this area was misconceived when it was cast earlier in 2017, and is now even more at odds with the real world circumstances and opportunities that present themselves. These need to be fully understood and considered in respect of an overarching policy approach to economic development at Stanway.

The Tollgate Village commitment added to the pre-existing quantum of retail and leisure floorspace already in existence and under construction will create a very significant ‘place’ in Colchester’s settlement hierarchy. Our representations have already referred to the effectiveness of the Adopted Core Strategy’s approach at Policy SD1 (Table SD1 – Settlement Hierarchy) which refers to Stanway being at the top of the hierarchy i.e. *“Colchester Town and Stanway”*. But with recent growth and an even stronger commercial focus Stanway should now be given more specific recognition.

Policy relating to the Stanway Strategic Economic Area now needs to be fundamentally reviewed and reassessed. There are parts of the Area that now, in



terms of policy description and notation on the related Proposals Map, need to reflect the reality of the Tollgate Village commitment and the significance arising for other adjacent land that has strategic importance arising from its highly accessible location. The opportunities that such sites can afford need to be carefully reviewed if they are not to be squandered, sterilised or prejudice their strategic status.

In this context, whilst there can be zones identified to which specific policies can apply, the Area's role and function needs to be effective in securing the types of economic growth that can be delivered here.

Thus, for example, land at Stane Park, which is recognised as being highly accessible in terms of its location next to the A12 intersection but also well served by public transport facilities is nevertheless recognised as being constrained in any role providing traditional employment floorspace (see Table at Appendix 4 to the Employment Land Needs Assessment (2015)). The identified "*barriers to delivery*" arising from the need for significant A12 and other infrastructure improvements are real. Thus, the site should not be allocated for a use that will lead to it being at risk of either squandering its specific significance and/or sterilised as traditional employment uses will not come forward. Regard must be had to the NLP (2015) evidence base (ELNA 2015, Paragraph 8.46), that the site is not a favoured location for business because it is not within the existing cluster to the north of Colchester, i.e. at the Colchester and Severalls Business Parks. In addition, the juxtaposition between traditional employment development and the immediately adjoining residential area to the west, which the Plan proposes to extend northwards along the whole of the common boundary, would severely prejudice such opportunities.

Thus, the third paragraph of Policy WC1 needs to be amended to address these requirements and opportunities. It should refer also to "*commercial*" uses i.e. embracing all forms of economic development, for example, to include retailing.

Zone One needs to be reduced in extent to remove the land at Stane Park. The related criteria need to be altered to better facilitate economic growth. Criteria (i) should be deleted since any loss to facilitate non B Class development will be assessed against prevailing "*market signals*" etc., as set out in the amendment to Criterion (iv).

Criterion (ii) should be redrafted. It is inappropriate to require potential to be maximised. Being able to "*contribute to*" is effective. It is too specific and ineffective for new development to have to "*support the continued operation of existing employment uses within the economic area*". However, a criterion that requires development to support economic growth within Colchester could be justified and effective.

Criterion (iv) is too narrowly cast. It is inconsistent with National Guidance at paragraph 22 of the NPPF. The "*no reasonable prospect*" test should be applied by Authorities in the review of their plans to assess whether existing allocated land should be carried forward. That process forms part of this Local Plan. Allocations in the plan will then result from that work. The relevant and appropriate criterion for development

management is then the remaining test at paragraph 22, i.e. *“applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities”*.

It is wholly inappropriate for there to be a blanket policy not permitting *“main town centre uses”*. Such uses would be addressed against the amended criterion (iv) and Policy SG6 as redrafted.

With regard to the Policy for Zone Two, this must be entirely recast taking account of the need to redefine its extent following the Tollgate Village decision and the representations to Policy SC5. Those representations are extensive and are not repeated here. But the Policy relating to the amended Zone Two will need to treat the Tollgate District Centre as a NPPF centre and thus not require main town centre use proposals within it to be assessed in terms of impact on Colchester town centre or with regard to scale and type. Thus, the preamble and the criteria can be removed with a Policy that identifies only the designated area via the Proposals Map.

An additional zone needs to be introduced, Zone Three. This will be the Stane Park site. The Policy here will recognise the strategic opportunities provided by this sustainably located site being adjacent to the A12, well served by public transport, within the Stanway Growth Area and adjacent to the Tollgate Centre. It will explain the economic constraints to the delivery of traditional employment provision and designate it for commercial uses that have a beneficial synergy with relevant components of the Economic Area. It should otherwise be unconstrained to specific activity.

Finally, the policy text *“not permitting”* main town centre uses within Zone One is not consistent with National Policy and should be deleted. The correct test that should be applied by the Plan is as set out at its paragraph 12.74 (or as in paragraphs 24, 26 and 27 of the NPPF) and in which form Policy SG6 needs to be amended (as put in these representations).

## **POLICY SG7: INFRASTRUCTURE DELIVERY AND IMPACT MITIGATION**

The delivery of important and necessary infrastructure, particularly with regard to highways servicing and providing access to the Growth Areas, has been consistently difficult to achieve.

The Adopted Core Strategy’s Policy TA4 – Roads and Traffic provides that *“Development will need to contribute towards transport infrastructure to support the development itself, and to enhance the broader networks to mitigate impacts on existing communities”*. Table TA4 then identifies New Transport Infrastructure that is required to help facilitate development within the town centre, the North and Stanway Growth Areas and Generally. Table 6d sets out some further detail in terms of *“necessary”* projects, funding status and delivery body. For example, a *“necessary”* project such as the A12 (junction 26) improvements is identified as having a