



# Colchester Local Plan Part 2 Examination



Hearing Statement Matter 9



Boyer

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# 1. INTRODUCTION

- 1.1 This Hearing Statement is submitted on behalf of Mr Andrew Mattin in respect of land at Livelihoods, London Road, Marks Tey.
- 1.2 Representations have previously been made on behalf of Mr Mattin to the following Local Plan consultations:
  - Call for Sites (2014)
  - Local Plan Issues and Options (2015)
  - Local Plan Preferred Options (2016); and
  - Local Plan Publication Draft (2017).
- 1.3 The previous representations have made comments on Policy SG1 Colchester Spatial Strategy, SG2 Housing Delivery, SG8 Neighbourhood Plans and SS11 Marks Tey, we have therefore focused on those policies and the questions asked by the Inspectors in relation to those main matters within our Hearing Statements.
- 1.4 As such, this Statement addresses Main Matter 9.

## **Site Context**

- 1.5 As set out in the previous representations, the land at Livelihoods, Marks Tey is a broadly rectangular parcel of previously developed land located to the south of London Road. It is set back from the highway to the rear of dwellings and is in close proximity to local services and commercial buildings. London Road runs parallel to the south of the A12 dual-carriageway. Agricultural land lies to the west, south-east and east of the land. Marks Tey Railway station is located north of the site, on the opposite side of the A12. This is accessed by a pedestrian walkway across the dual carriageway.
- 1.6 The principal use of the land is the storage of unoccupied caravans, with a small number of separate commercial units in small buildings and temporary structures. The site benefits from an existing access off London Road. Information has been provided to the Council through previous representations on the ability for a suitably designed access to be achieved on the site and this has been agreed in principle with Essex County Council.
- 1.7 Overall there continues to be no significant constraints to development at the site and as per the previous submissions, it is emphasised that the land is previously developed land and remains suitable and available for residential development either as a standalone allocation or as part of a wider allocation for the settlement.

## 2. MAIN MATTERS, ISSUES AND QUESTIONS

- 2.1 This Hearing Statement seeks to address the Inspectors questions in relation to Main Matter 9 Sustainable Settlements, to which we have previously commented on policy SS11 in relation to Marks Tey.

### **Main Matter 9 Sustainable Settlements**

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

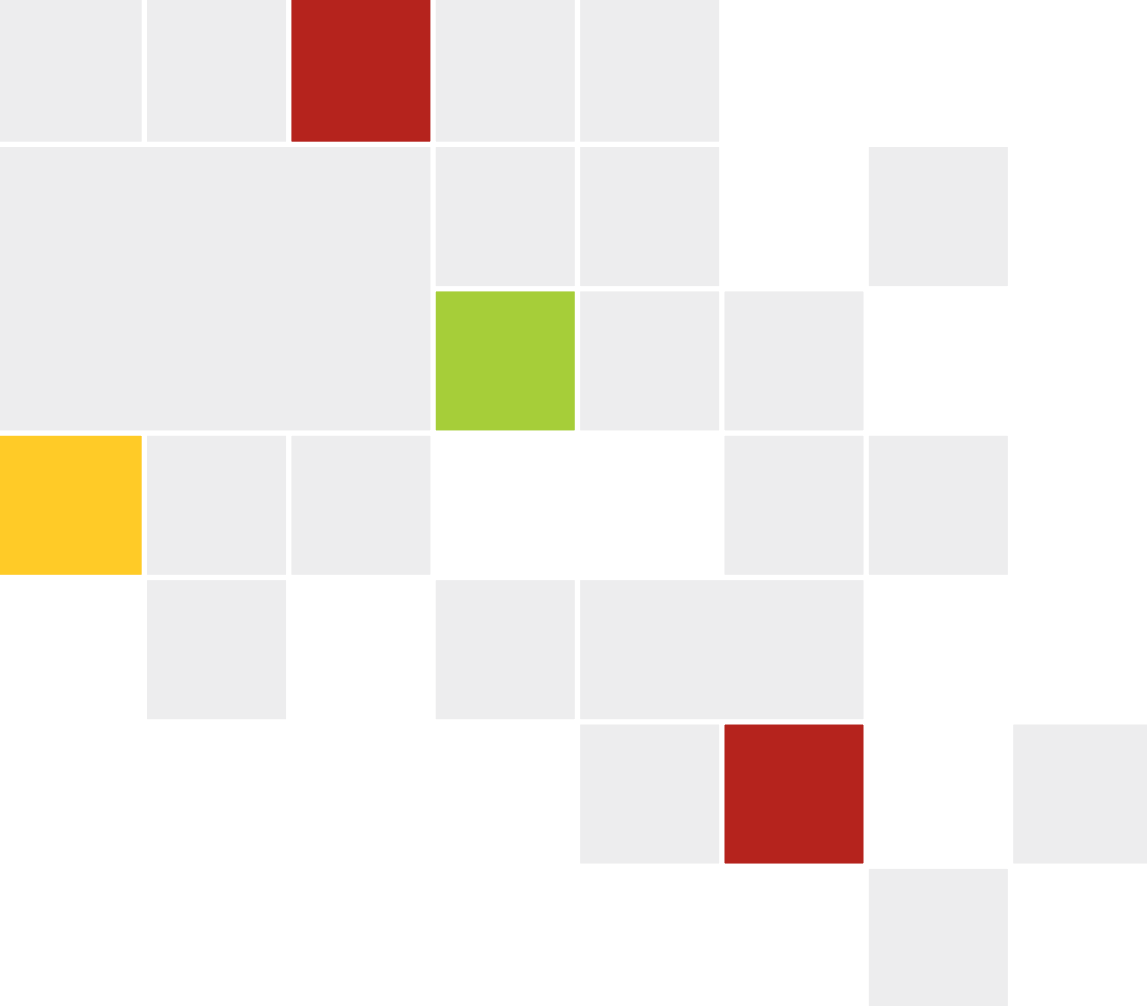
- 2.2 It is considered that the lack of housing allocation at Marks Tey, following the removal of the Garden Community, is not justified.
- 2.3 Marks Tey is rightly considered as a Sustainable Settlement with strong transport links and the Local Plan should be clear that it is a settlement where development can and should be accommodated. The Council should not be relying on the Neighbourhood Plan which although currently still in development does not provide any housing allocations. This is discussed in further detail below.

*Do the housing land site allocations within Sustainable Settlements show how they will contribute to the achievement of the housing requirement of the CLP Section 1 (14,720 new homes) and its timescale for delivery?*

- 2.4 The removal of the Colchester/Braintree Borders Garden Community significantly affects the housing strategy for Marks Tey. As a Sustainable Settlement, Marks Tey should be shown as somewhere capable of accommodating further development. The Local Plan currently shows the settlement with no allocations, and with the removal of the garden community in the vicinity, the Council are relying on the Neighbourhood Plan to bring forward development.
- 2.5 The Marks Tey Neighbourhood Plan is at an advanced stage, it has been submitted to the Council and is currently out for consultation following which it will be sent to an Inspector for Examination. It is notable that the Neighbourhood Plan does not currently include any housing allocations within its boundary area.
- 2.6 The Council are therefore not able to show that sustainable development at Marks Tey will contribute to the housing requirement nor are they able to properly consider timescales for delivery. It is considered that it is not sufficient for this high level of settlement to purely allow for allocations to be made through the Neighbourhood Plan.

- 2.7 The recent Topic Paper into Consequential Changes prepared by the Council and published in March states at paragraph 3.4 that the loss of the CBB Garden Community does not fundamentally weaken the approach of the Council's spatial strategy, which includes proportionate growth of 16 Sustainable Settlements. They go on to suggest at paragraph 3.6 that there is no need for all sustainable settlements to have allocated sites, however this is a concern and further clarification is needed on this as part of the housing delivery to ensure that Marks Tey is considered an appropriate settlement for housing delivery.
- 2.8 The lack of allocations at Marks Tey appears to be as a result of circumstance, resulting from the removal of the garden community as a result of the Section 1 Local Plan Examination rather than as a positive evaluation of the evidence base. It is suggested this rather undermines the Plan led-system advocated in the NPPF.
- 2.9 As noted above, Marks Tey is the only sustainable settlement in the Colchester Housing Provision Table which has no allocations. Small allocations of between 20 and 36 dwellings have been provided for settlements such as Boxted, Chappel and Wakes Colne, Fordham and Layer de la Haye, all of which are smaller, and could be considered less sustainable locations than Marks Tey.
- 2.10 It is also noted that Dedham has no allocations, however, the Council provides justification on why Dedham has not been the subject of any allocations, in the Topic Paper at paragraph 3.6. This is due to the policy constraints surrounding the village, however these do not exist for Marks Tey and it is suggested that further consideration of allocating land for housing at Marks Tey should be undertaken.
- 2.11 It is demonstrated within the representations previously submitted and in the Statement relating to Main Matter 2 that the site at Livelihoods, London Road, Marks Tey is suitable and available for residential development, either on its own or as part of a wider allocation. By allocating no land for housing in Marks Tey, the Council are missing an opportunity to bring forward a previously developed site at a sustainable location and therefore this requires further scrutiny at the Examination,





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