



Colchester Borough Council

**Independent Examination – Section 2 Colchester
Borough Local Plan 2017-2033**

Hearing Statement – Local Planning Authority

**Main Matter 9 – Sustainable Settlements (Policies SS1
to SS16)**

April 2021

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

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 (14720 new homes) and its timescale for delivery?

9.0 Introduction

9.0.1 The Council have prepared a separate hearing statement *'Introduction to Place Policies Matters 4 to 10'* which provides an overview of the site assessment and allocation process for the CLP Section 2. The statement also provides an update of planning permissions that have been decided since submission of the Plan in October 2017 in relation to emerging allocations of the CLP Section 2. The introductory statement should be read alongside this hearing statement.

9.0.2 All Sustainable Settlement policies SS1 to SS16 are consistent with the CLP Section 1. The 'Vision for North Essex' in the Colchester Local Plan Section 1 identifies that

'Sustainable development principles will be at the core of the strategic area's response to its growth needs... ' and that '... the undeveloped countryside and the natural and historic environment will be conserved and enhanced. Key to delivering sustainable development is that new development will address the requirement to protect and enhance the historic environment and settlement character'.

9.0.3 Policy SP3 in the CLP Section 1 states that *'Existing settlements will be the principal focus for additional growth across the North Essex Authorities area within the Local Plan period.'* It further provides clarity for each authorities Section 2 Plan: *'In Section 2 of its Local Plan each local planning authority will identify a hierarchy of settlements where new development will be accommodated according to the role of the settlement, sustainability, its physical capacity and local needs'.*

9.0.4 Each Sustainable Settlement policy provides the framework to guide development within that locality, either through direct allocations or by identifying where these will be delivered

through Neighbourhood Plans. The Spatial Strategy established through policy SG1 identifies Sustainable Settlements as being able to accommodate proportionate sustainable growth.

9.1 Policy SS1 - Abberton and Langenhoe

9.1.1 Abberton and Langenhoe are located to the south of the borough and were originally two settlements that have now effectively merged into one village with shared services and facilities which include a primary school, community shop and village hall. The village is fairly well connected via road being situated on the main road between Mersea and Colchester (B1025) with several bus stops along the route served by the service to Mersea. To the south, development opportunities are constrained due to being within the Coastal Protection Belt.

Justified by Evidence

9.1.2 The Settlement Boundary Review ([EBC 2.14](#)) identified the main constraints to development in Abberton and Langenhoe as access to facilities and services (secondary school, GP Surgery and sewerage/drainage capacity), being within the Coastal Protection Belt and the capacity of Langenhoe Community Primary School. The main opportunities being to consider linking the two settlements of Abberton and Langenhoe together into one boundary due to the location of the primary school and post office/shop being between the two settlements and the ability to sustain the key community facilities; and addressing car parking issues in the village, particularly around Langenhoe Community Primary School. As a result, the Settlement Boundary around the existing cluster of dwellings in Langenhoe has been removed in the CLP Section 2, leaving the main area of Abberton and Langenhoe as the Sustainable Settlement.

9.1.3 The Review considered three broad areas of growth: Broad Area 1 – Peldon Road; Broad Area 2 – East of Mersea Road; and Broad Area 3 – Glebe Lane. Within these areas, the Review considered four sites submitted through the Call for Sites and assessed through the Strategic Land Availability Assessment (SLAA) ([EBC 2.17](#)). Two sites were recommended as potential allocations, both at Peldon Road.

9.1.4 The Sustainability Appraisal (SA) ([CBC 2.2](#)) found that Abberton and Langenhoe are fairly well connected to the road network (B1025) and have a primary school, post office/shop and village hall. The Peldon Road sites represent appropriate growth and are a logical extension to the existing built-up area with the ability to contribute to continued sustainability of the key village services.

- 9.1.5 The Preferred Options included an allocation at Ashpark House, Peldon Road for 5 dwellings. Consultation responses raised concerns regarding access to the site. The [Preferred Options SA](#), found that the Policy SS1 allocations may have a cumulative negative impact on the Abberton Reservoir SPA/SSSI due to the Ashpark House site. The Settlement Boundary Review ([EBC 2.14](#)), through additional evidence as identified concerns over the achievement of sustainable access to the site. As a result, the Ashpark House site was removed from the Plan.
- 9.1.6 Policy SS1 allocates two sites for development at Peldon Road, land to the west for 50 dwelling and to the east of 5 dwellings. Both sites are required to contribute to provision of a new drop off/pick up point at Langenhoe Primary School and footpaths or pedestrian access to link the sites to the School.

Employment

- 9.1.7 Abberton and Langenhoe has one Local Employment Area at Pantiles Farm, Peldon Road. This allocation is retained from the current Adopted Local Plan which identifies the site as a Local Employment Zone (Site Allocations Development Plan Document). The site is located outside of the settlement boundary to the south. This is shown on the SS1 Policies Map and policy SS1 identifies the need for any future development proposals to comply with policy SG4.

Proposed Modifications

- 9.1.8 A modification is proposed to the SS1 Policies Map to identify the school fields as open space.
- 9.1.9 A factual update is also required to paragraph 14.130 to reflect the granting of planning permission (180874) to demolish the former Langenhoe Lion Public House and erect 3 dwellings and a single flat above a ground floor retail use (A1). This simply removes reference to a 'proposed' shop because it has already opened.
- 9.1.10 A modification is proposed to Policy SS1 to highlight the heritage assets close to the Land East of Peldon Road (see Draft Schedule of Recommended Modifications [CBC 1.6](#)). It is proposed to add the following text at the beginning of the policy:

Development must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the sites include the Grade II Pete Tye Hill and Old Cottage.

Delivery

9.1.11 Land to the West of Peldon Road – The Council have received a preliminary enquiry for this site and the site promoter has advised that a full planning application will be submitted in 2021/22 for 40 to 50 units, dependent upon further findings in relation to the site context. The promoter (a housebuilder) has confirmed that a planning application is expected to be submitted in 2021, with occupations expected between 2022/23 onwards.

9.1.12 Land to the East of Peldon Road – The Council have received a preliminary enquiry for this site also. The site promoter has also advised a preliminary assessment has been undertaken with Essex County Council Highways. The Site promoter has advised a planning application will be submitted in the next few months to dovetail the application at West of Peldon Road. The application will be for 5 units in accordance with policy SS1 and can be built out within 12 months from implementation. The site is in single ownership, infrastructure requirements of policy SS1 can be met including a new pedestrian access route from Peldon Road to Langenhoe Community Primary School. No physical works have been undertaken, but a topographical survey and transport statement have been completed.

Summary

9.1.13 Two small scale developments are proposed in Abberton and Langenhoe as per policy SS1. This is considered to represent proportionate growth and provides support to the existing facilities in the village. The allocations are considered deliverable and developable, a position which has been reinforced by the promoters and will contribute to delivering growth in the Plan period.

9.2 Policy SS2 - Boxted

9.2.1 Boxted Parish Council produced a Neighbourhood Plan that was made in 8 December 2016. It is part of the development plan and includes an allocation for residential development at Hill Farm 'at a density that respects the surrounding built-up area and its rural setting'. The Neighbourhood Plan also includes policies on maintaining separation from the urban area of Colchester, requiring landscape character assessments, protecting residential amenity, supporting provision of a community shop, requiring broadband provision, and addressing parking and transport assessment requirements.

Delivery

9.2.2 Following grant of outline permission at Hill Farm (170997) for 36 units, a reserved matters application (180540) was approved in February 2018. All pre-commencement conditions have been discharged, and the site is now well under construction, with completion scheduled for 2022.

9.3 Policy SS3 - Chappel and Wakes Colne

9.3.1 Chappel and Wakes Colne are two adjacent rural parishes containing a number of small settlements. Although separate Parishes they have a close inter-dependency in respect of shared community facilities split between the two settlements either side of the A1124. The Adopted Proposals Maps show a total of six settlement boundary areas, but in line with the Council's policy approach to consolidate village development in larger Sustainable Settlements, settlement boundaries are now only proposed for the two larger settlements. Chappel and Wakes Colne are considered to be Sustainable Settlements due to their reasonable accessibility, significantly enhanced by the railway station, and the presence of community facilities such as a primary school, a village hall, public house and a convenience store.

9.3.2 The area is defined by the River Colne and its flood plain, which bisects the area in an east-west direction, and by the A1124 and the railway line, which bisect the area in a north-south direction. The northern half of Chappel is within a Conservation Area.

Justified by Evidence

9.3.3 The Settlement Boundary Review ([EBC 2.14](#)) considered that environmental and physical constraints including flood risk and historic character suggested that only small scale development is appropriate which is also supported by the current infrastructure. Additionally, the forecast surplus of primary school places at 2019/20 is only likely to be able to support a very small amount of growth, before further expansion/improvements may be required.

9.3.4 The Review considered four broad areas of growth – Land to the south of Chappel, land to the west of Chappel Hill, land between Chappel and Wakes Colne, and land to the north and west of Wakes Colne, but the constraints noted above limited recommended areas to just land to the south of Chappel.

9.3.5 The Settlement Boundary Review considered five sites submitted through the Call for Sites and assessed through the Strategic Land Availability Assessment (SLAA) (June 2017 update [ECB 2.17](#)). Out of the sites assessed, it recommended the allocation of Swan Grove Chappel (1.74ha) (ref RNW 66) for 30 units. This self-contained site was considered to provide a logical extension to the settlement boundary.

9.3.6 Policy SS3 provides for 30 new dwellings at Swan Grove of a mix and type of housing to be compatible with surrounding development, with a single site access via Swan Grove, and with a design and layout which complements the adjacent listed buildings and their setting.

9.3.7 The Sustainability Appraisal (SA) ([CBC 2.2](#)) concludes that development of land off Swan Grove (to the east of Chappel Hill) represents a logical and sensible extension to the settlement boundary. The site adjoins the existing settlement boundary and is well related to existing services and facilities.

Delivery

9.3.8 The site promoter has advised that pre-application information has been sought and that a planning application will be submitted within six months. The site promoter considers that the site could deliver 15 houses in 2023/2024 and a further 15 in 2024/2025, and considers that up to 40 units could be delivered on the site if considered appropriate.

Summary

9.3.9 No modifications are proposed to Policy SS3 as the policy as submitted is considered to provide a sustainable, proportionate and deliverable allocation for Chappel and Wakes Colne.

9.4 Policy SS4 - Copford and Copford Green

9.4.1 Development is currently concentrated within 2 areas defined with settlement boundaries: Copford and Copford Green. Both are considered sustainable settlements given the proximity to Marks Tey train station, the main urban area of Colchester and the A12 and A120.

9.4.2 In the Copford settlement area, development has grown in a linear manner along London Road and extends southwards along School Road. Development also extends south-eastwards towards Stanway. In contrast Copford Green has developed in a triangular built form where development has grown around the School Road, Rectory Road and Church Road junction. It is much more rural in character and has a high concentration of older buildings which fall within a Conservation Area.

Justified by Evidence

9.4.3 The Settlement Boundary Review ([EBC 2.14](#)) identified the constraints and opportunities that apply to Copford and Copford Green including access to facilities and services, capacity at the Primary School and a Conservation Area designation covering part of the north-west of Copford Green.

9.4.4 The Review considered three broad areas of growth: Broad Area 1 – north-west, north and north-east Copford and land to the south of London Road; Broad Area 2 – land to the east of School Road; and Broad Area 3 – land between Copford and Copford Green. The potential to link Copford and Copford Green settlements was explored but it was considered that Copford Green has a very different, more rural character to Copford and therefore it was appropriate to retain two distinct development areas.

9.4.5 The Settlement Boundary Review considered eleven sites submitted through the Call for Sites and assessed through the Strategic Land Availability Assessment (SLAA) (June 2017 update [ECB 2.17](#)). Two sites were recommended as potential allocations: Land off Hall Road, Copford and Land East of Queensbury Avenue.

9.4.6 The Sustainability Appraisal ([CBC 2.2](#)) concluded that Copford represents a logical location for additional growth given its proximity to Marks Tey train station and the A12/A120. The allocated sites have been selected in response to a need to contribute to the continued sustainability of Copford without resulting in any coalescence of the two distinct settlements of Copford and Copford Green.

9.4.7 Policy SS4 provides for 70 dwellings East of Queensbury Avenue with access via Queensbury Avenue and/or London Road; and up to 50 dwellings on land west of Hall Road with a single site access via Hall Road.

Update since Submission of the CLP

9.4.8 A Neighbourhood plan area has been designated and it is anticipated that a Regulation 14 Draft Plan will be consulted on soon. The CLP does not anticipate that the Copford NHP will make any further housing allocations.

9.4.9 An outline application (201236) for up to 49 houses was submitted in 2020 for the Land West of Hall Road, Copford. This was subsequently withdrawn on 05/01/21.

9.4.10 A modification is proposed to Policy SS4 to highlight the heritage assets close to both of the allocated sites. It is proposed to add the following text at the beginning of the policy:

Development must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the two allocated sites include the Grade II Copford Place and stable, Brewers Cottage, Stanway Bridge and Brook Cottage.

9.4.11 A further minor modification is proposed to Policy SS6:

~~Delete reference in West of Hall Road, criteria (v) A design and layout which complements the listed buildings and their setting as well as any archaeological assets.~~

Delivery

9.4.12 East of Queensbury Avenue - The site promoter has advised that pre-application advice will be sought imminently and a planning application will be submitted in 2021. The promoter has also advised that the site is vacant and available for immediate residential development and can be delivered in the first 5 years of the Plan period. Topographical survey and arboriculture assessment have been commissioned and planning and flood risk/drainage advice sought.

9.4.13 West of Hall Road – the site promoter has advised that the site can be delivered within 2 years of granting outline planning permission, having regard to the need of securing reserved matters approval. There are no issues concerning viability, ownership or infrastructure that would prevent the site coming forward in accordance with the CLP Section 2 policies.

9.5 Dedham

- 9.5.1 Most of the Dedham parish area falls within the Dedham Vale Area of Outstanding Natural Beauty, which has been designated for its national importance in terms of its natural beauty and special qualities. The largest settlement within the parish is the historic village of Dedham with the smaller settlement of Dedham Heath and two smaller clusters of properties known as Lamb Corner and Bargate Lane.
- 9.5.2 The emerging Local Plan (Para 14.153) identifies that Dedham village has a range of services and facilities, including its own primary school, a GP, Post Office and a number of shops and services. Dedham is also a popular tourist destination, where the existing roads and car parks can struggle to cope with the additional traffic. The other settlement clusters within Dedham parish lack essential services and facilities and have limited safe walking and cycling access to them.
- 9.5.3 Because of its size and facilities, Dedham village is considered a sustainable settlement for the purposes of the spatial strategy. However, due to Dedham village's location within the AONB, it is constrained in terms of future development, and therefore no growth has been proposed for Dedham village during the plan period (CLP Section 2 paragraph 14.154). The Parish Council have indicated that they would support additional car parking, and applications which help address this issue will be supported where they meet other policy objectives (CLP Section 2 paragraph 14.155).
- 9.5.4 The Settlement Boundary Review ([EBC 2.14](#)) recommended that the residential allocations in Dedham Heath, initially included in the Preferred Option CLP were removed from the Local Plan as they were located within or adjacent to the Dedham Vale AONB, given the availability of additional residential land in areas of lower landscape value elsewhere in the Borough and the lack of proximity to services and facilities.

9.6 Policy SS5 Eight Ash Green

- 9.6.1 The Eight Ash Green Neighbourhood Plan was made in December 2019. It is part of the development plan and includes a site allocation for 150 new homes at Fiddlers Field over the plan period. The Plan also provides protection for green spaces, hedgerows, and footpaths, cycleways and bridleways which provide high amenity value in the local area. The plan also provides policies for prevention of coalescence with neighbouring settlements, flood risk and infrastructure requirements, including renewable energy.
- 9.6.2 A modification to Policy SS5 will confirm that all development proposals in Eight Ash Green will be determined against policies in the Eight Ash Green Neighbourhood Plan and any relevant Local Plan policies. A modification is also proposed to the supporting text to clarify that the Eight Ash Green Neighbourhood Plan has now been made (Draft Schedule of Recommended Modifications [CBC 1.6](#)).
- 9.6.3 In order to provide consistency among all made Neighbourhood Plans, policy map SS5 is also proposed to be modified to identify the Fiddlers Field allocation and settlement boundary. Although the Council consider it is made clear through the modified supporting text paragraph 14.149 that the allocation has been made in the Neighbourhood Plan and not the CLP Section 2 (Draft Schedule of Recommend Modifications [CBC 1.6](#)).

Delivery

- 9.6.4 Outline planning permission was granted for 150 dwellings at Fiddlers Field in October 2019 (planning application number 171529) subject to a Section 106 agreement. The Legal agreement has been completed and Bellway Homes have submitted Reserved Matters following a PPA. An application to vary the access details was approved in April 2020 (planning application number 192841). Following this, a number of pre-commencement conditions have been discharged in late 2020/early 2021 in relation to Sustainable Urban Drainage, Construction Traffic Management, Contamination and Archaeology. Bellway have confirmed that they intend to start on site as soon as the Reserved Matters application is determined which is expected shortly.
- 9.6.5 The site is considered to be deliverable within 5 years, as shown in Appendix 2 of Topic Paper 2 – Housing Matters (TP2), the site is forecast to deliver 50 units per annum from 2021/22 and be completed in 2023/24.

9.7 Policy SS6 - Fordham

9.7.1 Fordham is a linear settlement with a core concentration of development which has evolved over time, including a number of small estate type developments. Fordham is served by key community facilities including a primary school, village hall and playing field. Also within the village is a community orchard maintained by the local community as well as an area of community woodland managed by the Woodland Trust. Since the plan was submitted, the village shop/post office has closed (January 2019). This has been reflected in the proposed modification to paragraph 14.151. However, Fordham remains to be served by a primary school, village hall and public open spaces.

Justified by Evidence

9.7.2 The Settlement Boundary Review ([CBC 2.14](#)) considered three broad areas of search: Land east of Church Road between the Primary School and Fossets Lane / Allotments; Land opposite Moat Hall – this area is in the centre between the two parts of the village; and Land to the east of Plummers Road. The Settlement Boundary Review concluded that opportunities to expand Fordham are limited. It is already a long linear settlement which would be undesirable to further extend by ribbon development. The land to the north-east around Plummers Road is away from key constraints and is also the only area where sites have been submitted as part of the Call for Sites. Two sites were submitted off Plummers Road, but only partial development for up to 20 dwellings was recommended as being a suitable level of growth representing incremental growth to support the existing community.

9.7.3 Policy SS6 allocates land for up to 20 new dwellings, the mix and type to be informed by evidence including the Fordham Housing Needs Survey. Policy SS6 also requires provision of a new footway along the frontage/behind the existing hedgerow to provide safe pedestrian access from the site linking with existing footways and the rest of the village. This would further enhance connectivity through the village.

9.7.4 The Sustainability Appraisal ([CBC 2.2](#)) concludes that the site allocation is considered a logical and appropriate extension to the settlement and contributes to the continued sustainability of the village's key services.

Update since Submission of the CLP

9.7.5 An outline application (201140) has been submitted for Land east of Plummers Road, Fordham, for the erection of 17no. dwellings. This is currently pending a decision following archaeological surveys and is anticipated to be determined shortly.

Proposed Modifications to Policy SS6

9.7.6 Modifications are proposed to Policy SS6 supporting text as follows:

Modify text in paragraph 14.161 to provide updated position with regard to facilities:

'... Although spread out, it is well served by key community facilities including, a primary school, village hall, ~~convenience shop / post office~~ and playing field.'

9.7.7 To ensure that the policy gives appropriate protection to the historic environment the following minor modification is proposed to policy SS6:

Add criteria iv)

Conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the site include the Grade II Plummers Farmhouse, Grade II Thrifts Cottage and Plummers Green Monument.

9.7.8 A modification is also proposed to Policies Map SS6 to correct a mapping error to include the school playing fields as open space.

Delivery

9.7.9 A planning application is currently being determined (201140) for 17 dwellings on the site. The site promoter has advised that it is expected that 17 dwellings could be delivered by the end of 2022. There are no known concerns that would prevent the site coming forward and archaeology work has been undertaken to support the application.

Summary

9.7.10 Fordham remains to be served by a primary school, village hall and public open spaces. A small-scale development in Fordham as per policy SS6, is considered to provide support to the existing facilities and any future facilities in the village.

9.8 Policy SS7 - Great Horkesley

9.8.1 Great Horkesley is essentially linear in shape, having developed along the old Roman Road (now the A134) that radiates away from Colchester. Recently, development has spread westwards along a number of roads from the main road. The main core of the settlement is to the south and two smaller fragments to the north along the A134. Great Horkesley has a primary school and dental surgery within the main village and a petrol station, post office, village hall and several public houses along the A134. There is also a new community centre located on the playing fields, which was delivered as part of a recent new development.

Justified by Evidence

9.8.2 The Settlement Boundary Review ([EBC 2.14](#)) identified the main constraints to development in Great Horkesley as its location within the flood zone, sewage/drainage capacity and potential coalescence with the main Colchester urban area to the South. The main opportunities being connectivity to the facilities and services of the urban area of Colchester via sustainable travel options and the potential to enhance community facilities.

9.8.3 The settlement boundary around the small cluster of dwellings known as The Crescent, between the two areas of Great Horkesley is proposed to be removed as it supports no community facilities and is detached from the other parts of the village ([ECB 2.14](#)).

9.8.4 The Review considered three broad areas of growth: Broad Area 1 – Coach Road, Broad Area 2 – Nayland Road (east of A134) and Broad Area 3 – expansion west/southwards. Small scale expansion was also considered around School Lane. The Review considered 12 sites submitted through the Call for Sites and assessed through the Strategic Land Availability Assessment (SLAA) ([EBC 2.17](#)). Two sites were recommended as potential allocations, Great Horkesley Manor and School Lane.

9.8.5 The Sustainability Appraisal (SA) ([CBC 2.2](#)) found that Great Horkesley is well served by public transport and has key community facilities (notably a primary school and post office). The development of a brownfield site in School Lane will ensure additional community facility provision and the land adjacent to Great Horkesley Manor is considered a logical and appropriate extension to the settlement. Both allocations will contribute to continued sustainability of the key village services.

9.8.6 Policy SS7 allocates two sites for development – Great Horkesley Manor for 80 dwellings and School Lane for 13 dwellings.

Employment

9.8.7 Holly Lodge Farm is allocated as a Local Employment Area in Great Horkesley. This allocation is retained from the current Adopted Local Plan which identifies the site as a Local Employment Zone (Site Allocations Development Plan Document). A modification to include this on the SS7 policies map will be required, as this has previously been omitted. The site is located outside of the settlement boundary. Policy SS7 identifies the need for any future development proposals to comply with policy SG4.

Proposed Modifications

9.8.8 A modification will be required to Policies Map SS7 to include Local Wildlife Site CO173 – Aldercar Wood, which was previously omitted.

9.8.9 In response to a representation, a modification is proposed to criteria (ii) under School Lane to clarify the local aspirations of seeking improvements to the village hall and either a replacement Scout Hut or enhancement of community buildings. This proposed modification is shown in the Draft Schedule of Recommended Modifications ([CBC 1.6](#)).

9.8.10 A modification is proposed to Policy SS7 to highlight the heritage assets close to School Lane ([CBC 1.6](#)). This wording has been agreed with Historic England (See SCG3). It is proposed to update the following text at the beginning of the policy:

~~Development will safeguard the setting of the Church of England School building as a grade 2 listed building and other heritage assets on The Causeway~~ **must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the site include the Grade II Church of England School, School House and Oak Cottage.**

Delivery

9.8.11 The Great Horkesley Manor site has been granted permission for 80 dwellings in April 2020. A pre commencement condition has been discharged relating to archaeology in February 2021.

9.8.12 School Lane – There are two landowners for this site. Both have advised a planning application will be submitted within two to three years for 13 to 15 units. There are no known issues concerning viability, ownership or infrastructure requirements.

Summary

9.8.13 Policy SS7 is considered to provide sustainable, proportionate and deliverable allocations for Great Horkesley.

9.9 Policy SS8 – Great Tey

9.9.1 The village is situated north of the Roman River and is surrounded by largely flat arable land. The parish of Great Tey is a small rural community that contains a few local amenities including a village pub, a school and a church. The community originally developed at the southern end, as evidenced by the Conservation Area, with a newer small estate to the north and ribbon development along the main road through the village between Little Tey and Chappel.

Justified by Evidence

9.9.2 The Settlement Boundary Review identified that although Great Tey has a sufficient population to allow for small scale appropriate growth at a lower level to successfully support expansion of infrastructure and community facilities; large scale growth was not considered appropriate. Growth should be physically accommodated without compromising the existing settlement shape, form and character.

9.9.3 The Settlement Boundary Review ([EBC 2.14](#)) considered three broad areas of search: Broad Area 1 – Expansion to the southeast opposite development on Brook Road across from the pub and church; Broad Area 2 – Expansion to the south; and Broad Area 3 – Small amount of land behind churchyard, back gardens, farm and allotments.

9.9.4 The Settlement Boundary Review considered three sites submitted through the Call for Sites and assessed through the Strategic Land Availability Assessment (SLAA) (June 2017 update [ECB 2.17](#)). Two sites were recommended as potential allocations: Brook Road and Greenfield Drive. It was noted that as the Greenfield Drive site was submitted late it was not assessed as a broad area as part of the Settlement Boundary Review. However, based on settlement shape, level of growth and opportunities for expanding the playing fields it would make a sustainable addition to the village.

9.9.5 Policy SS8 allocates land for up to 40 new dwellings, 10 on Land on Brook Road and 30 on Land off Greenfield Drive.

9.9.6 The Sustainability Appraisal ([CBC 2.2](#)) concludes that Great Tey is a small rural community that contains a village pub, a school and a church. The allocations within the policy at 10 and 30 dwellings will deliver affordable housing within the village as well as provide enhanced public open space.

9.9.7 A Neighbourhood Plan is being prepared following the Area designation in June 2017. The Qualifying Body has carried out consultation and evidence gathering and is currently working on preparing a draft plan for Regulation 14 consultation. The NHP is not intending to allocate sites but will set out principles to guide development as allocated in the CLP.

9.9.8 The following minor factual amendment is proposed to paragraph 14.171 as follows:

'Bus services ~~82/83~~ operates between'...

9.9.9 It is also proposed that the following minor modification is made to Policy SS8:

Amend criteria (ii) (in relation to Land on Brook Road) as follows:

ii) Suitable design and screening/landscaping to **maintain and, where possible, enhance the character and setting of** ~~minimise and negative impact on~~ the adjacent Conservation Area and listed building (Rectory Cottage).

Amend the policy in relation to Greenfield Drive as follows;

Land off Greenfield Drive

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the **policy** area identified on the policies map which provides:

(i) 30 new dwellings with **pedestrian and cycle** access off Greenfield Drive (Harvesters' Way and/or Farmfield Road) **and vehicle access from Newbarn Road**; and

Delivery

9.9.10 The site Land off Brook Road, Great Tey has full planning permission for 15 units (planning reference: 192249), granted in 2020. Various pre commencement conditions have been discharged in relation to archaeology, surface water drainage and site maintenance.

9.9.11 The site identified as Land off Greenfield Drive has been subject to detailed work, a public consultation and discussions with the Council and Essex County Council as highway authority. The landowner has also been engaged in the Neighbourhood Plan process. These discussions have led to changes in the preferred access to the site and the location of the open space. These changes are reflected in the Recommended Modifications above. The site promoter has indicated that an outline application is anticipated early 2021. As per the policy, 30 dwellings can be delivered on site at a rate of 20 units per

annum. The site is likely to commence development in 2022/23. There are no known issues relating to delivery of the site.

Summary

9.9.12 The sites allocated in Great Tey represent logical extensions of the development boundary and proportionate growth that will not have insurmountable impacts on local infrastructure and service capacities. The allocations are deliverable within the Plan period.

9.11 Policy SS9 – Langham

9.11.1 Langham comprises the historic settlements of Langham Moor and St. Margaret's Cross, which are linked by School Road. A former World War II airfield lies between the two areas. The village contains a mixture of historic properties and farmhouses with more recent development. Dedham Vale AONB adjoins the village to the north and east, although it is separated by the A12 to the east. Facilities and businesses include a community centre and shop, a primary school, and two Local Employment Areas.

Justified by Evidence

9.11.2 The Settlement Boundary Review ([EBC 2.14](#)) found that some growth could be physically accommodated without compromising the existing settlement shape, form and character of Langham. Growth would however, need to be supported by appropriate levels of infrastructure. In particular, any new development would need to address concerns about existing drainage/sewage capacity at Langham.

9.11.3 The Review considered 5 Broad Areas for potential development: infill between A12 and Wick Road; infill south of School between the community centre, the employment zone and the existing settlement boundary; Langham Moor; land to the north of School Road; and development along Wick Road adjacent to the existing settlement.

9.11.4 Three sites emerged as the preferred sites for allocation following the Strategic Housing Land Availability Assessment review ([EBC 2.17](#)); two on School Road and one on Wick Road. The Review found that the sites recommended would deliver appropriate growth in Langham and are adjacent to the existing settlement boundary and well related to existing development. They also offer the opportunity to improve community facilities including a school car park, playing field extension and improved off road footpaths. The site on Wick Road for frontage development is supported by the Parish Council, as well as the principle of expansion along School Lane to the east of Powerplus, although in this instance a lower number to accommodate frontage development only was favoured by the Parish Council. The third site to the west of Powerplus along School Lane was not considered directly by the Parish Council as it was part of a much larger submission related to a potential new garden community. However it is considered to represent a logical extension to the settlement associated with the other sites proposed and together totals an increase of 85 dwellings which could be accommodated within Langham if phased over the plan period and adequately supported by infrastructure.

9.11.5 The call-for-sites and SLAA analysed and considered alternative sites submitted for Langham, and the Sustainability Appraisal ([CBC2.2](#)) identified eight sites which were considered reasonable alternatives for its exploration and assessment. The Sustainability

Appraisal concluded: The two settlement areas of Langham have a number of facilities including a community centre and shop, and a primary school with capacity. Langham's location and range of services it supports mean that both areas are considered suitable for limited proportionate growth. The Policy's allocations represent sensible extensions and additions in connecting the two settlements in order to contribute to the continual sustainability of the villages' key services. The policy reflects the requirements for addressing SWTP [Sewage Water Treatment Plant] capacity enhancements prior to commencement of development to satisfy the requirements by the Habitats Regulations.

9.11.6 The Council agreed a Langham Position Statement with Anglian Water and the Environment Agency ([EBC 4.65](#)) which noted that further work on required infrastructure needed to be phased in line with development. Policy SS9 accordingly includes a requirement that 'development should not commence until adequate waste water and sewage treatment capacity is available to serve the new housing.'

9.11.7 The number of houses allocated to Langham was reduced from 125 in the Preferred Options version of the plan to 80 in the Publication Draft. This reflected the decision to reduce the overall allocation for Langham in the light of consultation responses on infrastructure and local character. The School Road allocations went down from a previous total of 115 to 70 as follows: site to the east of the Powerplus site to accommodate 40 dwellings plus a car park for the school; site to the west of the Powerplus site to accommodate 30 dwellings plus an extension to the adjacent recreation ground.

Employment

9.11.8 Langham has two Local Employment Areas, helping to meet the requirement for rural sites in the Borough. Powerplus Engineering is on School Road, between the two residential allocations, and Lodge Lane lies outside of the settlement boundary to the south. The 2017 Employment Land Trajectory report ([EBC 3.3](#)) identified one hectare of additional land at Lodge Lane to be included in the portfolio of employment land allocations needed to provide a range and choice of supply to meet the needs of different types of occupiers, as well as greater flexibility to meet market requirements. The Policies Map will be modified to reflect this allocation, as the Langham Policies Map currently just shows the existing Local Employment Area.

Proposed Modifications

The Draft Schedule of Recommended Modifications ([CBC 1.6](#)) includes additional wording in SS9 to specify historic assets relevant to the Langham allocations and to clarify the provision of two sites on School Road as follows;

Amend Wick Road text –

(ii) Development must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the sites include the Grade II New House.

Amend School Road text-

Criteria (iii) to read

A design and layout which protects and enhances the listed building including suitable screening/landscaping to protect their setting. Development must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the sites include the Grade II School Farmhouse.

9.11.9 Given the reduction in the number of dwellings proposed for allocation, the policy's level of residential allocations is considered proportionate and no further modifications are proposed to the policy.

Deliverability

9.11.10 The School Road east site has full permission for 46 houses and a school car park, granted in December 2020 (ref 191830). Overall, while the proposal included 6 more houses than stipulated in the policy, the scheme was considered to meet the terms of the Policy SS9 landscape appraisal, design and layout criteria. In terms of the availability of adequate waste water and sewage treatment capacity, Anglian Water as statutory consultee and infrastructure provider in this regard has confirmed capacity will be available. However, as the policy requirement refers to this restriction being prior to "commencement", the permission included a condition to this effect. In order for any such condition to be discharged confirmation from Anglian Water / Environment Agency may be required at the appropriate time to confirm that the capacity is adequate. Anglian Water supplied such confirmation in January 2021 further to condition 21 of application 191830.

9.11.11 The site promoter for the School Road west site has indicated that they will be submitting a planning application imminently.

9.11.12 The site promoter for the Wick Road site confirmed they would be in a position to submit an application in summer 2021 with a view to gaining consent by the end of 2021/early 2022 and commencing development later in 2022.

9.12 Policy SS10 - Layer de la Haye

9.12.1 The historic village of Layer de la Haye is located approximately 2.5km south west of the urban area of Colchester. The village is well served by community facilities including a primary school, village shop, GP surgery, public open spaces and two public houses. Layer de la Haye is well connect via road to Colchester with bus stops also providing a sustainable travel option.

Justified by Evidence

9.12.2 The Settlement Boundary Review ([EBC 2.14](#)) identified that Layer de la Haye is constrained to the north and west by Chest Wood and Roman River Complex - a Local Wildlife Site (CO85) and to the south west by the water treatment works. The main opportunities being its location in relation to the town centre including being served by a number of buses between Colchester Town and other villages and the villages existing facilities.

9.12.3 The Review considered four broad areas of growth: Broad Area 1 – south west of Layer de la Haye; Broad Area 2 – south of Layer de la Haye; Broad Area 3 – centre of Layer de la Haye; and Broad Area 4 – Maltings Green settlement area. The settlement boundary around ribbon development in Malting Green is proposed for removal due to its small size, lack of facilities and physical separation from Layer village. Malting Green is not considered a sustainable location for future growth ([ECB 2.14](#)).

9.12.4 The Review considered nine sites submitted through the Call for Sites and assessed through the Strategic Land Availability Assessment (SLAA) ([EBC 2.17](#)). One site was recommended as a potential allocation – The Folley.

9.12.5

9.12.6 The Sustainability Appraisal (SA) ([CBC 2.2](#)) found that Layer de la Haye is well served by community facilities (primary school, village shop, GP surgery and two public houses). There are constraints around the village of natural conservation sites and the threat of coalescence. The allocated site for 35 dwellings ensures a sensible and proportionate extension of the village to support the continued sustainability of the area and existing facilities.

9.12.7 Layer de la Haye Parish Council, in their representation to the CLP Section 2, submitted a thorough review of the SA assessment carried out for Policy SS10. Layer de la Haye Parish Council have identified what they deem to be errors or ambiguity in many of the SA criteria. The Parish Council accept that some are less serious and some are possibly matters of opinion, however they believe that the site has received a more favourable assessment than they believe is justified.

9.12.8 The SA report ([CBC 2.2](#)) identifies, describes and evaluates the likely significant effects on the environment of the plan and reasonable alternatives. A clear and consistent methodology was applied at each stage of plan-making and all reasonable alternatives under consideration at each stage were assessed to the same level of detail, irrespective of whether the Council intended to take them forward as part of the preferred approach. Whilst Layer de la Haye Parish Council has identified concerns with the appraisal, the site allocation has been appraised consistently with the reasonable alternatives and so has not been given a more favourable assessment than alternative sites.

9.12.9 Policy SS10 allocates one site for development at The Folley for 35 dwellings. Paragraph 14.186 of CLP Section 2 identifies that land exists adjacent to the allocated site on which a rural exception site to provide for local needs could be delivered. There could be benefits to a comprehensive approach for both sites being brought forward together and discussions have been ongoing with the promoter and the Parish Council to secure an acceptable development.

Proposed Modifications

9.12.10 A factual update is required to paragraph 14.183 to remove reference to Layer de la Haye having a post office, which was contained in error.

9.12.11 A modification is proposed to policy SS10 to require a Minerals Resource Assessment which has been omitted from the policy. This is shown in the Draft Schedule of Recommended Modifications ([CBC 1.6](#)).

9.12.12 The Updated Habitat Regulations Assessment (HRA) identified that this site has moderate suitability to support qualifying bird species and a modification is recommended [see Updated HRA ([EBC4.70](#)), Matter 1 Hearing Statement paragraph 1.5.20, Introduction to Place Policies Hearing Statement paragraphs 1.23-1.24 and Statement of Common Ground with Natural England (SCG1)].

Delivery

9.12.13 The site promoter has advised there will be two outline planning applications submitted by April 2021 on behalf of the landowners. Subsequent reserved matters applications would be brought forward by the developer. Two applications are required as the wider site may be capable of delivering a total of 70 units (55 dwellings and 15 units as a Rural Exception Site). The site can be delivered within two to three years. There are no known issues for deliverability. The land is in single ownership and no specific infrastructure requirements would render development of the site unviable. Preliminary site

investigations have been undertaken to inform planning applications, including drainage, archaeology, contamination, ecology and transport assessments.

9.12.14 An approach is currently being discussed and agreed between the site promoter and the Council in regard to delivery of a rural exception site. As identified in paragraph 14.186 of the CLP Section 2, there are benefits to bringing the two proposals forward together comprehensively including access, community infrastructure, affordable housing delivery and design. A Statement of Common Ground (SoCG) is currently being explored. A further update can be provided during the hearing sessions if considered appropriate by the Inspector.

Summary

9.12.15 Policy SS10 is considered to provide a sustainable and deliverable allocation in Layer de la Haye. The possibility of a rural exception site adjacent to the allocation is also being considered to address the local housing need identified by the Parish Council.

9.13 Policy SS11 - Marks Tey

Introduction

- 9.13.1 Marks Tey is a linear settlement that, while being sustainably located has been fragmented by the railway and A12/A120, at the junction of which it sits. It has a range of amenities and facilities in different sections of the village, including a school, village hall and recreation ground, and retail facilities to the south of the A12. The railway station provides an interchange between the mainline to London and a branch service to Sudbury.
- 9.13.2 Development constraints in Marks Tey include the community separation resulting from the two roads and the rail line running through the village, with only limited pedestrian accessibility currently possible over these barriers. The road infrastructure in the area is due to be further developed over the plan period. The A12 is programmed in the Road Investment Strategy for widening between junction 19 at northeast Chelmsford and junction 25 at Marks Tey. This is committed for Road Investment Strategy (RIS2) with construction expected to start by 1 April 2025.
- 9.13.3 Also, as part of RIS2, the A120 Braintree to A12 scheme is one of the ‘pipeline projects’ announced that will undergo further analysis and design work for consideration for potential future investment. The A120 is a key, busy route for the local and national economy, which is single carriageway from Braintree to Marks Tey, with the result that users suffer lengthy delays and air quality and quality of life for residents in Marks Tey suffer as a result. Essex County Council is leading on the development of the options for a revised A120 route between Braintree and the A12 and have published their preferred route
- 9.13.4 Northeast of Marks Tey is affected by environmental constraints including the head of the Roman River valley and associated flood risk. There is a minerals and waste safeguarding zone around the historic brickworks, which is designated as a Site of Special Scientific Interest (SSSI). Marks Tey also contains a significant number of listed buildings, including the scheduled brick kilns and the Grade I Church of St Andrew.
- 9.13.5 As Marks Tey was identified as a potential site for a sustainable garden community at Draft Publication stage in 2017, no additional allocations or indicative broad directions for growth were proposed in the draft Local Plan and the Settlement Boundaries were currently left as existing. The Council’s Evidence Base, including the Strategic Housing Land Availability Assessment ([EBC 2.17](#)) and the Settlement Boundary Review (EBC 2.14) considered proposals for Marks Tey on this basis. In addition to this Local Plan, future development of the area will be guided by the Neighbourhood Plan being developed by Marks Tey Parish Council. The Parish Area has been designated as the Neighbourhood Plan Area and the Neighbourhood Plan has reached Regulation 16 stage.

9.13.6 The examination of Section 1 of the plan in 2020 proposed main modifications to remove the Colchester / Braintree Borders GC proposals from the Plan or the withdrawal of the Plan itself from examination. The NEAs pursued the first option, to make the Plan sound and legally compliant. The Strategic Plan for North Essex was formally adopted by a decision at Colchester Council's Full Council meeting on Monday 1 February 2021. The emerging Local Plan does not include a housing requirement figure to be delivered through the Marks Tey Neighbourhood Plan.

Proposed Modifications

9.13.7 Policy SS11 currently identifies that growth within the Marks Tey area will be guided by documents additional to the Local Plan. Since the removal of the Colchester / Braintree Borders GC proposals from the Plan, it is proposed that reference to The Joint Plan Development Plan document in the Policy be removed. Reference to the Marks Tey Neighbourhood Plan guiding the relationship between the existing community and the development of a Garden Community will also be removed. The proposed changes will be added to the *Draft Schedule of Recommended Modifications*

Neighbourhood Plan update

9.13.8 The 2017 Settlement Boundary Review identified the capacity for appropriate growth outside of the context of a garden community. At this time, large areas of land were being promoted/identified by landowners/developers for growth around Marks Tey. However, in their draft Neighbourhood Plan 2020, Marks Tey community identify that due to the unacceptable volume of traffic, congestion and traffic-related noise through the parish, they feel that strategic transport improvements should be delivered ahead of any new development coming forward in the parish. As a result, no sites or a direction of growth is identified in the draft Neighbourhood Plan. Development proposals coming forward in the parish which will lead to additional traffic movements along the Coggeshall Road shall be assessed in terms of their likely impact on residential amenity and on the Coggeshall Road street scene environments.

9.14 Policies SS12a, SS12b, SS12c: Mersea Island

Introduction

9.14.1 Mersea Island includes the main settlement of West Mersea which is defined as a Sustainable Settlement and the smaller settlement of East Mersea which is defined as an Other Village. Early development in West Mersea was concentrated around the harbour and nearby oyster pits. There has been significant expansion since, to the north and west. The coastal location around Mersea Island has a rich natural environment of high ecological and cultural importance. The Colne and Blackwater Estuaries are subject to a variety of environmental designations including European sites designated under the Habitats and Birds Directives. The Island is also home to significant tourism interest with this being important to the local economy. As well as the day visitors participating in water-based recreation, fishing, walking, cycling and informal recreation at West and East Mersea, the 6 caravan / holiday parks are also popular attractions increasing the seasonal population on the Island significantly. This brings with it a number of challenges for the local community and for the Council in managing the planning balance in this location. In addition to Policy SS12a which covers housing allocations in West Mersea, both of which have advanced and been granted planning consent – more details on these are provided below under Delivery. Policies also cover matters specific to Coast Road West Mersea (Policy SS12b) and matters related to Caravan Sites on Mersea island are covered by Policy SS12c.

9.14.2 West Mersea is a District Centre and supports a high number of key services and community facilities, including 2 supermarkets, a range of other shops and services, a primary school, community centre, Doctors Surgery, and a number of cafes, restaurants and public houses. West Mersea is undertaking a Neighbourhood Plan (NHP) which concluded its Regulation 14 consultation in December 2020. It is anticipated that the Qualifying Body will submit a Regulation 16 Plan in April 2021. The NHP does not make any additional housing allocations for West Mersea above and beyond those identified in Policy SS12a. It does however, seek to provide a local policy context on many detailed matters which relate to the development of the allocated sites. It also includes many other local policies related to key priorities for the local community. The Plan area for the Draft NHP only relates to West Mersea, although East Mersea Parish Council are engaged in the plan preparation for those matters which are relevant across the parish boundaries.

Policy SS12a- Housing Allocations

Justified by evidence

9.14.3 The Settlement Boundary Review ([EB2.14](#)) identified the constraints and opportunities which apply to Mersea Island. For West Mersea it concluded that due to the fact that the Island is heavily constrained by its coastal boundaries and the associated wildlife and landscape designations that come with an estuarine location future expansion is only really possible to the east of the town where previous development has left some opportunities to expand the settlement boundary. Two sites allocated at Dawes Lane and Brierley Paddocks each for 100 dwellings are further justified in the summary of the assessment in the Settlement Boundary Review. In the case of East Mersea the Settlement Boundary Review justifies that due to its size, lack of services and remoteness from the larger settlement of West Mersea on the Island it is designated as an Other Village and no sites are allocated.

9.14.4 The Preferred Options Local Plan allocated land at the two sites identified for a larger number of dwellings – 200 at Brierley Paddocks and 150 at Dawes Lane. The representations to the Preferred Options Plan raised a number of concerns linked to infrastructure capacity including concerns about the ability of the primary school and the doctor's surgery to cope with the additional demand. The reduction in housing numbers reflects the infrastructure capacity on Mersea and the need to consider alternative highway access to the 2 sites. The Primary School in West Mersea will need to expand to provide new places and the school has confirmed that there is scope to extend to meet the need. The total number of dwellings planned for Mersea Island was reduced to 200 in total with each site delivering up to 100 plus infrastructure / facilities as required. The Council considers that 200 dwellings is an appropriate level of growth for West Mersea over the plan period.

There are a number of representations against Policy SS12a. These raise concerns regarding the principle of development and the impacts on the infrastructure and in particular the capacity of facilities including the Primary School and the Doctors Surgery to cope with the additional demand. Securing appropriate mitigation and contributions to address the infrastructure needs are adequately covered by Policies SS12a, PP1 and SG7 and importantly through planning conditions and Section 106 agreements secured as part of the planning permissions which applies to both of the allocated sites as set out below. Some representations refer to detailed matters related to design, layout and local community requirements, which are best covered in the Neighbourhood Plan, with the Regulation 14 Draft including comprehensive draft policies on a wide range of local matters as well as aspirations important to the community.

9.14.5 Since the submission of the CLP planning permission has been granted for both of the allocated sites in West Mersea, the details of which are below.

SS12a	Dawes Lane, West Mersea	100	200351	Outline	07/10/2020
SS12a	Brierley Paddocks, West Mersea	101	192136 & 200960	Outline and Reserved Matters	04/05/2020 & 05/08/20

9.14.6 In the case of the site at Dawes Lane the resolution to approve outline consent on 7th October 2020 followed thorough consideration of the relevant matters including the Council being satisfied that the application being considered was fully compliant with the emerging CLP policies including Policy SS12a. The promoter has advised that further Reserved Matters applications are expected to be submitted in 2021, with house completions expected from 2023 onwards.

9.14.7 In the case of the site at Brierley Paddocks the resolution to grant outline consent in May 2020 was closely followed by a Reserved Matters application which was granted consent on 05/08/2020. Again, the Council were satisfied that the scheme being considered was fully policy compliant in respect of the emerging CLP. Since August 2020 the pre-commencement conditions have been discharged and the site has been set up ready for commencement.

Delivery

9.14.8 As indicated the two allocated sites have valid planning consents, with evidence referenced above to the progress since the resolutions to grant planning permission. This provides the Council with full confidence the there are no issues which will prevent the implementation and delivery of these permissions in a timely manner making the planned contribution to the housing supply as envisaged in Policies SS12a and SG3.

Policy SS12b: Coast Road

Justified by evidence

- 9.14.9 The Essex and South Suffolk Shoreline Management Plan (SMP)¹ has shown that the West Mersea coastal frontage is highly vulnerable to the effects of climate change and coastal processes. The overall intent of management for Mersea Island (in the SMP) is to sustain and support the viability of communities, tourism and commercial activities especially the important shellfisheries in the area, while creating new intertidal habitats and focusing flood and erosion risk management on frontages where it is most needed. The policy to achieve this intent is to maintain flood and erosion defence to all dwellings, key infrastructure and tourism facilities at risk of flooding and erosion, combined with a gradual increase of natural processes by realigning defences that are under pressure.
- 9.14.10 The SFRA ([EBC4.6](#)) reported (in its assessment of the two residential site allocations in West Mersea) that during extreme tidal events, areas of the island become at risk. A model simulation has been completed to determine the residual risk to the site in the event of a 0.5% AEP event + Climate Change. Results for the 0.5% AEP event including an allowance for climate change demonstrate that flood water may inundate the outskirts of Mersea Island to depths greater than 3.0m. This includes Coast Road.
- 9.14.11 Mersea Island is extremely rich and diverse with natural and cultural features. Part of Coast Road, West Mersea lies within the functional floodplain (flood risk zone 3b). It lies within the West Mersea Conservation Area and has a traditional maritime character.
- 9.14.12 The western end of Coast Road was designated as the West Mersea Waterside Area of Special Character in the Local Plan 2004 (Policy CE10) due to the unique character of this part of Mersea which has been strongly influenced by maritime, fishing and boating uses. Policy DP23 of the Adopted Local Plan carried forward the Waterside Area of Special Character. Policy DP23 states:
- "Proposals for all development and change of use on both the landward and seaward sides of Coast Road, West Mersea, will be expected to enhance the existing traditional maritime character of the West Mersea Waterside Area of Special Character, and its role as a major yachting, fishing and boating centre. Proposals*

¹ [EACG \(East Anglian Coastal Group\) - SMP 8](#)

which result in the development of existing undeveloped areas of foreshore will be refused."

- 9.14.13 It is therefore a long-standing principle that special consideration needs to be given to Coast Road, West Mersea due to its unique role, characteristics and special character.
- 9.14.14 Policy SS12b is clear as to what development will be supported in Coast Road. The policies map defines the Coast Road Special Policy Area. Policy SS12b protects the landscape character of the undeveloped coast, but also recognises that there are existing uses and a traditional maritime character that will be supported. The policy is consistent with Policy ENV2: Coastal Areas, which provides criteria for development within the Coastal Protection Belt and along the undeveloped coast.
- 9.14.15 The CLP Section 1 does not include any requirements relating to the coast or Mersea Island. The CLP Section 1 includes Policy SP2: Recreational disturbance Avoidance and Mitigation Strategy and the Vision recognises that North Essex will:
"continue to be an attractive and vibrant area in which to live and work, making the most of its rich heritage, town centres, natural environment, coastal resorts...."
- 9.14.16 The Environment Agency, in their representation to the Local Plan, put forward the case for applying a coastal change management area (CCMA) at Mersea Island. The Council has considered this, however, through work on the Statement of Common Ground, the Council and Environment Agency agree that a CCMA is not necessary (SCG2). The Council and the Environment Agency agree that the Coastal Protection Belt designation and Policy ENV2 will protect the borough's undeveloped coast and Policy SS12b will protect the traditional maritime character of Coast Road.
- 9.14.17 West Mersea Town Council submitted a representation that the protection of the seaward side of Coast Road is too vague. Policy SS12b states that new houseboats on historic vacant sites or houseboats of historical maritime significance may be acceptable. The concerns of West Mersea Town Council on the environmental hazard with respect to untreated sewage discharges and impact on habitats sites is understood and the Council shares these concerns. Policy SS12b makes it clear that new houseboats will only be acceptable subject to an installation method statement being submitted, which avoids impacts to saltmarsh habitats and meets other policy criteria. The Habitats Regulations must also be complied with and reference to habitats sites is included in Policy ENV1. Proposals for new houseboats, or any development, with likely significant effects to the Blackwater Estuary Special Protection Area and Ramsar site and Essex

Estuaries Special Area of Conservation, will be subject to an appropriate assessment under the Habitat Regulations and will need to demonstrate that development will not adversely affect the integrity of habitats sites.

9.14.19 Policy SS12b is considered to be sound and minor modifications are proposed to provide clarity as agreed in Statements of Common Ground with Natural England (SCG1), Historic England (SCG3) and Essex County Council (to be finalised). The Draft Schedule of Recommended Modifications includes the following modifications to Policy SS12b and supporting text:

- Amend criteria (ii) to read: Enhance ~~historic~~**heritage** assets, maritime uses, the traditional maritime character of Coast Road and the landscape character of the coast.
- Amend criteria (iii) to read: Can demonstrate no likely significant effects on adjacent European sites or ~~where impacts can be appropriately mitigated~~**provide mitigation in accordance with the Recreation Avoidance and Mitigation Strategy (RAMS).**
- Amend paragraph 14.202 to read: The current Essex and **South** Suffolk Shoreline Management Plan.

Policy SS12c: Mersea Island Caravan Parks

9.14.20 There are six caravan / holiday parks on Mersea Island which attract a significant increase in population during the seasonal occupancy of these sites. The caravan parks make a valuable and significant contribution to the supply of holiday accommodation for visitors to Mersea and the rest of the Borough, essential to the tourist economy locally. Along with other similar holiday parks throughout the country, there is increasing pressure to extend the length of the opening season when occupancy at these sites is permitted as well as the range of facilities and activities able to operate on the sites to help with business growth and retention. As these sites have the capacity to increase the population of Mersea Island significantly and they are located adjacent to internationally designated, environmentally sensitive European sites careful management is essential.

9.14.21 The Adopted Local Plan provided for two extensions to two existing caravan sites on Mersea Island, at Coopers Beach Holiday Resort and Waldegraves Holiday Park, which were supported by Core Strategy Policies Environment and Rural Communities and Development Policies DP21 (Nature Conservation) and DP23 (Coastal Areas). The CLP Section 2 does not provide any further extensions to any of the sites or parks but provides the policy context to safeguard them for this purpose and manage future pressure from growth or intensification.

9.14.22 The purpose of Policy SS12c is to provide the policy context for managing the change of use, intensification of the caravan parks including the leisure facilities which are linked to their business operation. The pressure for growth, intensification and changing uses on the caravan parks needs to be managed in a way which safeguards the permanent residents and communities of the Island as well as the integrity of the European designated sites. In addition, the policy seeks to ensure impacts from development associated with flood risk and water management are adequately managed and where necessary mitigated.

Justified by evidence

9.14.23 Paragraphs 9.14.10-9.14.12 above summarising relevant evidence underpinning the planning policy context for Mersea and Coast Road are also relevant to Policy SS12c. The underlying principle of the approach to Policy SS12c is consistent with that covered for the Borough's coastal areas in Policy ENV2. The concentration of caravan parks however is unique to Mersea Island with its very specific challenges described above. The Council's Hearing Statement for Matter 3 provides a thorough justification of the national and local evidence which underpins the approach in seeking to protect the integrity of the European sites and environmental qualities of the Island. Paragraph 3.37 of the Matter 3 Hearing

Statement refers to the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Strategy Document ([EBC4.69](#)) and Supplementary Planning Document (SPD) ([EBC4.68](#)). Modifications to a number of CLP Section 2 policies are recommended to provide adequate reference to the requirements in respect of the Essex Coast RAMS and in meeting the legislative requirements under the Habitats Directive and Habitats Regulations. The Essex Coast RAMS relates to residential development, although future work as part of the RAMS is expected to consider whether there are circumstances where the RAMS tariff can be applied to tourist accommodation. It is recommended that a minor modification is made to Policy SS12c as follows;

- Amend criteria (ii): Help protect the integrity of European sites and minimise disturbance to ~~migratory or over-wintering birds~~ **designated breeding and wintering species** using the sites; **Any future extensions to caravan parks will require their own HRA and where required Appropriate Assessment.** This wording has been agreed with Natural England (SCG1).

9.14.24 In respect of the policy approach to flood risk and water management, the Hearing Statement for Matter 19 sets out the relevant evidence which applies to the Island supporting the requirement for a Site Specific Flood Risk Assessment as well as the precautionary approach in relation to wastewater management. The coastal location of the caravan sites and their purpose as holiday accommodation attracts bathers in the summer months, requiring particular attention to water quality and the need to meet the requirements of the EU Water Framework Directive. Policy DM23 Flood Risk and Water Management provides appropriate requirements to ensure management of flood risk arising from any proposals at the Mersea Caravan Parks.

9.14.25 A number of representations raise concerns about the increase and intensification of use of the caravan parks on Mersea island. These relate to the length of occupancy, the impacts on the sensitive environment and the capacity of the infrastructure to cope with the increased population using these sites. Whilst Policy SS12c is drafted positively, as required by the NPPF, and does not preclude intensification or extension, it provides a clear policy framework for considering such proposals. These policy requirements, together with other policies in the CLP Section 2 provide adequate control to manage the sites effectively to safeguard the designated European sites, the amenity of Mersea island balanced with the benefits they bring to the local economy. The West Mersea Neighbourhood Plan may also provide the opportunity to add further to the policy context for managing the caravan parks in the future.

9.14.26 Policy SS12c is considered to be sound and minor modifications are proposed to provide clarity as agreed in the Statement of Common Ground with Natural England (SCG1):

- Amend criteria (ii): Help protect the integrity of European sites and minimise disturbance to ~~migratory or over-wintering birds~~ **designated breeding and wintering species** using the sites; **Any future extensions to caravan parks will require their own HRA and where required AA.**

9.15 Policy SS13: Rowhedge

9.15.1 Rowhedge was historically centred around the shipbuilding and fishing industries of the River Colne but now it is predominately a dormitory village with little local employment. It lies to the south-east of the borough, close to Colchester town. Rowhedge is constrained to the south and east by the River Colne, the coastal protection belt and a local wildlife site. The primary school is at capacity and there is no room for expansion on the existing site.

Justified by evidence

9.15.2 The Settlement Boundary Review ([EBC 2.14](#)) considered two broad areas of search and three SHLAA sites in Rowhedge. Broad area 1 - Expansion to the north and west, towards Donyland Farm/Birch Grove and Broad area 2 – Land to the south/east including the former port. Broad area 1 included all of the Call for Sites submissions. Part of the area lies within the Coastal Protection Belt. The Settlement Boundary Review ([EBC 2.14](#)) identified that the most fundamental issue with growth in this direction is the risk of coalescence with Colchester. It concluded that any development should be restricted to infill, and not take the edge of development any further north. Some of the land is also important for its landscape value which should be protected. Broad area 2 includes a site, which has now largely been developed.

9.15.3 Policy SS13 allocates land for 40 dwellings at Rowhedge Business Park. The Sustainability Appraisal (SA) ([CBC 2.2](#)) concluded that Rowhedge Business Site was more sustainable than the alternative sites considered and included the following reason for selecting the preferred site:

“Rowhedge benefits from its own primary school, GP surgery, village shop, public houses and open space provision. Rowhedge is considered a sustainable settlement in the sense that it has a number of key services available to its residents however it is also highly constrained by a number of natural and artificial barriers. The forthcoming committed development at Rowhedge Wharf and the exceptional constraints to expansion surrounding the village renders Rowhedge unsuitable for extensive new development in most directions. The Rowhedge Business Park however offers a site that utilises PDL; can be accommodated without causing coalescence with Colchester; does not result in landscape impact to the surrounding area, including the Colne Protection Belt; has better connectivity with the existing settlement than the alternative site; and due to its lower dwelling yield does not cause an unreasonable impact on local services and facilities.” ([CBC 2.2](#), pages 219-20)

9.15.4 Section 16.22 of the SA report ([CBC 2.2](#)) gives reasons for rejecting the alternative sites in Rowhedge.

9.15.5 At earlier stages of plan preparation, the Council was concerned about the loss of an employment site. However, evidence of marketing for alternative economic uses which was unsuccessful has been provided to the Council during the plan making process. This demonstrates the inherent unsuitability of the site for any enhanced role for employment. Paragraph 111 of the NPPF states: "*Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.*"

9.15.6 Development of Rowhedge Business Park would avoid coalescence with Colchester, which is an issue for alternative sites, and result in the redevelopment of brownfield land. The site promoter has sought to address improvements to health care provision identified as a key infrastructure problem in Rowhedge, through provision of land for a new GP surgery. In their representation to the CLP Section 2, the North East Essex Clinical Commissioning Group advised that provision of a new healthcare facility is currently being explored by North East Essex Clinical Commissioning Group as part of a Hub and Spoke Modelling exercise, however, no infrastructure has yet been formally approved for this community in isolation. A modification will be included in the Draft Schedule of Recommended Modifications to reflect that the provision of a new healthcare facility is under discussion:

9.15.7 Modification to Policy SS13 criteria (iv): "**Provision of A new healthcare facility, if required by North East Essex Clinical Commissioning Group** services to be agreed with the North Essex Care Commissioning Group."

9.15.8 Modification to paragraph 14.214: "**Provision of a new healthcare facility is currently being explored by North East Essex Clinical Commissioning Group as part of a Hub and Spoke Modelling exercise, however, no infrastructure has yet been formally approved for this community in isolation.**"

9.15.9 The site could accommodate approximately 100 dwellings in its entirety applying the standard density formula. However, given that a significant part of the site consists of woodland, a lower figure is more appropriate for the site. Furthermore, 40 dwellings is considered by the Council to be an appropriate and proportionate level of growth for Rowhedge given the size of the village and services available.

Delivery

9.15.10 The site promoter has advised that preparation work is underway for an outline planning application to be submitted in 2021. Reports and assessments to support the application were undertaken in 2019. The site promoter has advised that 40 dwellings can be built within 12-18 months from commencement. There are no issues concerning viability, ownership or infrastructure requirements that would prevent the site coming forward in accordance with the CLP Section 2 policies. There is a commitment from the landowner to deliver land for a healthcare facility and this is being explored by the North East Essex Clinical Commissioning Group

Summary

9.15.11 Policy SS13 is considered to provide a sustainable, proportionate and deliverable allocation for Rowhedge.

9.16 Policy SS14 - Tiptree

9.16.1 Tiptree is one of the largest settlements outside of Colchester approximately 15km away and is located on the south west boundary of the Borough and adjacent to Maldon District. The core of the village has seen development in a roughly triangular form largely due to its existing road network.

9.16.2 Tiptree has automatically been identified as a Sustainable Settlement due to its large population, and concentrations of jobs, facilities, services, and functions. Tiptree is a district centre as there many facilities including two supermarkets, four primary schools, a secondary school, community centre, library, Doctors' Surgery and a number of independent shops, cafes and restaurants. There are also strong road links to Colchester and nearby settlements both within and outside of the Borough and a regular bus service which connects Tiptree to Colchester and Maldon.

9.16.3 To the south west of Tiptree, is a separate cluster of housing in Tiptree Heath, which is an unsustainable location and therefore is considered as countryside. The Settlement Boundary at Tiptree Heath is proposed for removal due to its change in character and separation from the core area of Tiptree (see CBC Settlement Boundary Review 2017 ([EBC 2.14](#))). The removal of the settlement boundary is considered necessary as the character changes between the two settlements and the need to prevent coalescence between these settlements.

9.16.4 Since submission of the CLP Section 2, there have been a number of changes in the case of Tiptree. Most notably the granting of planning permission at appeal for 200 dwellings at Barbrook Lane (planning application reference: 182014). Another application, refusal of planning permission being upheld at appeal at Land South of Maldon Road (planning application reference: 192025) and Examination of the Tiptree Neighbourhood Plan. As a result, the Council have prepared a Topic Paper (TP6) to provide an update of planning matters in Tiptree and the implications of these. This Topic Paper should be read in conjunction with this section of the Hearing Statement.

Tiptree Neighbourhood Plan (NHP)

9.16.5 The Tiptree Neighbourhood Plan Area was designated in October 2014. Considerable consultation and evidence base work has been undertaken by the Steering Group for a number of years. A formal consultation on the draft neighbourhood plan took place in June/July 2019 (Regulation 14). Following consideration of all representations made to the formal consultation, the Tiptree NHP was submitted to the Council in March 2020.

The neighbourhood plan allocates sites for 625 dwellings and will make an important contribution to the borough's housing supply.

9.16.6 Following submission of the Tiptree NHP, the Council publicised the Plan and submission documents for a seven week consultation which ran from 20 June to 10 August 2020 ([Regulation 16 Consultation](#)).

9.16.7 The NHP was submitted to the Examiner in August 2020. The Examiner issued his [Final Report](#) on 9 October 2020; recommending that the Tiptree NHP **cannot** proceed to referendum. This is summarised in paragraph 5.2 of the Report.

*“Overall, I find the dominating reliance on community objectives within the SEA process, without proportionate and robust evidence to support the spatial strategy, to be flawed. Therefore, coupled with the inclusion of a route across land in an adjoining parish, I **conclude** that the plan does not meet the Basic Conditions or the legal requirements”.*

9.16.8 As the Plan cannot proceed to referendum, the Tiptree NHP has returned to the Regulation 14 stage in the plan making process. The Council have continued supporting the NHP Steering Group and have had a number of meetings since the Examiner's report was published (December 2020 as presented at Local Plan Committee).

9.16.9 The Steering Group and Parish Council remain committed to delivering the Tiptree NHP and have continued to engage a Planning Consultant to assist them. A brief to appoint an environmental consultant is currently being prepared to complete a Strategic Environmental Assessment (SEA) and additional work is being undertaken by the Steering Group and Planning Consultant to address the findings of the Examination. A project timetable is also currently being prepared by the Steering Group. The Council can provide a verbal update to the Inspector during the hearing sessions if it is considered this would be helpful.

9.16.10 Throughout the plan making process, it has been an aspiration of the NHP to safeguard an indicative route between the two land parcels which form the Highlands Nursey and Elms Farm allocation (see [Tiptree NHP](#) Policies TIP07, TIP12, TIP13 and TIP 14). This is to relieve existing traffic congestion within the centre of Tiptree and to provide alternative routes from Tiptree to the surrounding area and the A12. Although this area is outside of the Neighbourhood Plan area, it was considered by CBC officers, the Parish Council and their Planning Consultant that including reference to this aspiration within the neighbourhood plan and to indicate the opportunity to safeguard the route would be in accordance with the basic conditions, particularly as the plan and supporting evidence did not suggest that it was reliant on this for the delivery of the houses. The NHP Examiner

did not agree with this approach. Conversations have been ongoing between the Council, Tiptree Parish Council and Essex County Council Highways to explore this further and if there are any further provisions to be made in the CLP Section 2. An update and any proposed modifications if considered necessary regarding this matter can be provided at the hearing sessions, if required by the Inspector.

Proposed Modifications

- 9.16.11 Appendix 2 (to Topic Paper 6) will include a series of recommended modifications to Policy SS14, supporting text and Policies Map SS14. These will be included within the Draft Schedule of Recommended Modifications.
- 9.16.12 Broad areas of growth direction arrows were included within the CLP Section 2 as a tool to guide the consideration of planning proposals if progress on a Neighbourhood Plans was such that it had not defined the proposed site allocations more specifically within a reasonable timescale. At the time of writing the CLP Section 2, there was still a considerable amount of work to be undertaken for the Tiptree NHP including further site analysis and public consultation. As a result, three broad areas of growth arrows were included on Policies Map SS14.
- 9.16.13 The Policies Map SS14 is proposed to be amended to reflect the correct delineation of the latest Local Wildlife Sites (LWS) boundaries as identified in the evidence base and to delete the arrows indicating the direction of growth in the area covered by the updated LWS to the west of Tiptree. This area is also considered to have landscape and character importance to maintain the gap between Tiptree and Tiptree Heath as identified in the Maldon Road appeal decision. A further update will be required to Policies Map SS14 to identify Barbrook Lane as an existing commitment.
- 9.16.14 Additional wording is also proposed to paragraph 14.218 to identify Inworth Granges and Brook Meadows LWS as a constraint to development to the south west.
- 9.16.15 The Updated Habitat Regulations Assessment (HRA) identified that the sites allocated in the Tiptree NHP Regulation 16 edition (2020) have moderate suitability to support qualifying bird species and a modification is recommended [see Updated HRA ([EBC4.70](#)), Matter 1 Hearing Statement paragraph 1.5.20, Introduction to Place Policies Hearing Statement paragraphs 1.23-1.24 and Statement of Common Ground with Natural England (SCG1)].

Deliverability

- 9.16.16 The Neighbourhood Plan allocated two sites to the north-west of Tiptree for 625 dwellings ([Tiptree NHP](#) Policies TIP13 and TIP14). These are shown as one of the broad

areas for residential development in Policies Map SS14. Although site allocations remain subject to change as the Tiptree NHP returns to the Regulation 14 stage, there has been no evidence provided to suggest that the site allocations cannot be considered deliverable.

9.16.17 A full planning application was submitted to the Council in 2019 and is currently pending decision at Kelvedon Road, Tiptree for 130 dwellings (planning reference 190647). This forms part of the Tower End allocation in the [Tiptree NHP Policy TIP13](#). The application is due to be determined within the next few months. A verbal update on the status of this application can be provided during the hearing sessions if considered appropriate by the Inspector.

Summary

9.16.18 The approach of allocations for 600 dwellings to be made in the Tiptree NHP remains sound and deliverable. Despite the findings of the Tiptree NHP Examination in October 2020, the Tiptree NHP Steering Group remain committed to delivering a NHP and have been working in partnership with the Council and their appointed Planning Consultant upon return to the Regulation 14 planning stage.

9.17 Policy SS15 - West Bergholt

9.17.1 West Bergholt is a rural parish located approximately 1km to the north west of Colchester. The landscape surrounding the village is undulating farmland that is bounded to the south and west by the sloping valleys of the river Colne and St Botolph's Brook. To the north and east the arable farmlands are interspersed with small woodlands. There are ten local wildlife sites in the Neighbourhood Plan area, including Hillhouse Wood (owned and administered by the Woodland Trust). The village has 34 buildings listed for architectural merit. The only grade 1 listed building is the Church of St Mary in Hall Road, adjacent to Bergholt Hall.

9.17.2 West Bergholt has evolved into its current form through circumstances to meet local needs and demands. Historical development has resulted in the broad shape of the village in terms of houses and amenities provided to meet the needs of residents, and this has largely determined the shape of the settlement boundary which has remained unaltered for many years. The village had a largely agricultural heritage up until the mid-C20th, and included a brewery operating until 1989, when it was developed into houses and flats. It has a range of community facilities and infrastructure, such as a primary school, church, doctor's surgery, local shops including a chemist and two pubs.

West Bergholt Neighbourhood Plan (NHP)

9.17.3 Since the publication of the draft Local Plan, the West Bergholt Neighbourhood Plan has been 'made' in December 2019. It allocates land for housing providing for 120 dwellings as required by the CLP. It includes a policy framework to guide and meet all other development or community needs identified by the community in West Bergholt. It provides a planning policy framework and community aspirations recognising the characteristics and local distinctiveness of the settlement.

Proposed Modifications

9.17.4 Updates are proposed to the Policy and supporting wording to reflect the adoption of the West Bergholt Neighbourhood Plan (Draft Schedule of Recommended Modifications [CBC 1.6](#)).

Para 14.227: The West Bergholt Neighbourhood Plan **was made in December 2019.** ~~will~~ It allocates land for housing and **includes** ~~develop~~ a policy framework to guide and meet all other development or community needs identified by the community in West Bergholt.

Para 14.228: Delete the following text from the final sentence: ~~unless they are reviewed and amended through the West Bergholt Neighbourhood Plan.~~

Policy SS15: It is proposed to replace the entire policy with the following and to keep it consistent with the policy wording for the Boxted Neighbourhood Plan and other adopted neighbourhood plans.: **All development proposals in West Bergholt parish will be determined against and be required to comply with policies in the West Bergholt Neighbourhood Plan and any relevant Local Plan policies.**

9.17.5 In order to provide consistency among all made Neighbourhood Plans, policy map SS15 is also proposed to be modified to identify the allocations and settlement boundary as revised by the NHP. Although the Council consider it is made clear through the modified supporting text paragraph 14.227 that the allocation has been made in the Neighbourhood Plan and not the CLP Section 2 (Draft Schedule of Recommend Modifications [CBC 1.6](#)).

Delivery

9.17.6 Since submission of the CLP and Adoption of the NHP, planning applications for the two sites identified in the West Bergholt NHP (Sites A and B) have been submitted to the Council. This has resulted in some allocations being granted planning permission, and others with permissions pending, before the Section 2 Examination. These are identified below.

Allocations with Planning Permission

Policy	Site/Location	Number of Dwellings	Application Number	Application Type	Decision Date
SS15	West Bergholt*	13	181458	Outline	03/11/2020
SS15	West Bergholt*	41	191997	Full	09/032021

Section 2 Allocations with planning applications pending decision

Allocations with Planning Permission pending

SS15	West Bergholt*	18	201686	Outline
SS15	West Bergholt*	7	201925	Outline

* Please note these applications only account for part of the allocation

9.18 Policy SS16 – Wivenhoe

- 9.18.1 The Wivenhoe Neighbourhood Plan was made in May 2019. It is part of the development plan and includes site allocations for 250 new homes in Wivenhoe over the plan period, protection for valued natural areas such as University Marshes, Ferry Marsh and the River Colne and infrastructure requirements.
- 9.18.2 The neighbourhood plan allocations are shown on the CLP Section 2 policies map, but the allocations are made in the Neighbourhood Plan and not the CLP Section 2.
- 9.18.3 The Draft Schedule of Recommended Modifications ([CBC 1.6](#)) recommends a modification to Policy SS16 to confirm that all development proposals in Wivenhoe will be determined against policies in the Wivenhoe Neighbourhood Plan and any relevant Local Plan policies.
- 9.18.4 Four sites are allocated in the Wivenhoe Neighbourhood Plan: 25 dwellings and a residential care home at Land off Croquet Gardens, 120 dwellings at Land behind Broadfields, 25 dwellings at Land at Elmstead Road and 80 dwellings and a care home at Land behind the Fire Station.

Delivery

- 9.18.5 A viability study has been undertaken for Land off Croquet Gardens, which has confirmed the required infrastructure is available and the site can be brought forward. The landowner and developer confirm that the site can be delivered in the next 3-5 years in a single phase.
- 9.18.6 The developer of Land behind Broadfields carried out community consultation in February 2021 and a full planning application is expected to be submitted in spring 2021. The developer anticipates a delivery timescale between 2022-24, with the first homes going on sale in spring 2022.
- 9.18.7 Initial baseline site surveys have been undertaken, including tree surveys, preliminary ecology surveys, topographical surveys, phase 1 ground investigations and landscape assessment for both Land at Elmstead Road and Land behind Fire Station. Planning applications are expected to be submitted at the same time for both these sites; an outline application in late 2021 and reserved matters in 2022.