

# ***FINAL Colchester Borough Council (CBC)***

## ***Local Plan Examination of Section 2***

### ***Topic Paper 5***

#### ***Updates relating to the Middlewick Ranges Allocation – Policy SC2, supporting text and other relevant policies in the plan.***

#### **1.0 Overview**

- 1.1 Policy SC2 of the Section 2 Colchester Local Plan allocates land at Middlewick Ranges for up to 1,000 new dwellings. The allocation was supported by an evidence base proportionate to that stage of plan-making. It has always been recognised that further information was likely to emerge during the plan process that might be used to inform the examination. The Defence and Infrastructure Organisation (DIO) currently own the land utilising it for many years for Ministry of Defence (MOD) purposes. They have promoted the site for development through the Local Plan process having confirmed that it will be surplus to the DIO / MOD requirements and to be released for development during the plan period. This Topic Paper summarises the findings and implications of extensive further evidence work which has been carried out by the (DIO), working with the Council in respect of the proposed allocation at Middlewick Ranges Colchester as referenced in Policy SC2 of the Section.
- 1.2 This paper explains the further evidence which has been prepared, provides a summary of the key findings and the implications for the emerging Local Plan policy and where necessary identifies proposed minor modifications to the Plan wording. It also confirms that no issues arise as a result of this further work which affect the soundness of the Plan.
- 1.3 This Topic Paper draws on the evidence work from the DIO submitted to the Council in December 2020, which has been reviewed by the relevant Officers and technical experts including the Council's ecological consultant EECOS and Essex County Council (ECC) as Highway Authority. A review of the submitted transport evidence has been undertaken by the Highway Authority. Building on this work the DIO, ECC and CBC are progressing a Statement of Common Ground which will set out the impacts and opportunities for mitigation. It is anticipated this will confirm that the Highway Authority are satisfied that satisfactory access to the site and appropriate mitigation to the surrounding network can be achieved and suitable sustainable transport measures can also be provided as well as detailing further proposed modifications if these are considered necessary.
- 1.4 A full schedule of proposed minor modifications to the relevant plan policies and supporting text is set out in Appendix A to this Topic Paper.

## 2.0 Introduction

2.1 Since the submission of the Local Plan in October 2017 the Council have been working closely with the DIO and their supporting planning team to develop a fuller range of background information and evidence in relation to Middlewick Ranges.

2.2 The Ranges have been identified for closure as part of the Defence Estate Optimisation (DEO) Portfolio (a 25-year Ministry of Defence (MOD) estates plan). The strategic objectives of the DEO Portfolio include the investment in modern facilities, reduction of running costs and the release of surplus sites in support of Government housing policy. The DIO have recently advised CBC in a letter to the Chief Executive (dated 17/11/2020) that the disposal date for this site has been extended by a year to 2022. This extension allows for progression with the Local Plan allocation, the Local Plan Examination and the anticipated adoption of the Local Plan in advance of the disposal. This provides a more certain planning policy framework for any purchaser of the site. This extension of time also enables this to align with the provision of new Range facilities at the nearby Fingringhoe Ranges. Planning permission has been granted to facilitate this relocation and the provision of enhanced facilities for MOD purposes at nearby Fingringhoe. The ministerial statement from the 17th November 2020, (attached as Appendix 1 to the DIO [summary of evidence](#)) confirms that the disposal date has been extended.

2.3 The emerging Local Plan Policy SC2 for Middlewick Ranges states:

*'The allocation shown on the Policies Map is expected to deliver approximately 1000 new dwellings. The final number of dwellings will only be confirmed when full details of constraints are known. In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the area identified on the policies map which provides: (i) Up to 1000 new houses of a mix and type of housing to be compatible with surrounding development; (ii) Access and highway works on the local road network, including new junctions, to be agreed with The Highway Authority and delivered at the appropriate time commensurate with the development; (iii) Detailed ecological surveys and appropriate mitigation to enhance the ecology of the remaining areas of the Local Site including the provision of compensatory habitat to replace habitat lost to development; (iv) Strategic areas of public open space; (v) Delivery of enhancements to sustainable travel connectivity including public transport, cycling and walking infrastructure; (vi) Mitigation measures to address site contamination; and (vii) Provision for retention or diversion of any existing public rights of way within the site. A masterplan will be required to inform the detailed definition and mix of uses within the site.'*

2.4 The submission plan confirms the in principle acceptability for the allocation and identifies further assessment work required to support an application at Middlewick Ranges. That further work is described and identified in both Policy SC2 and the supporting text of the emerging Local Plan:

- Transport: *‘Vehicular access to the site, the impact of any development on the local road network and necessary mitigation, will need to be determined prior to any detailed scheme being submitted’.*
- Ecology: *‘Middlewick Ranges is a designated Local Wildlife Site (reference Co122)’.* The supporting text confirms that as a result of a Local Sites Review in 2015, the area designated has been extended. Additionally, the Council has made clear that the site supports at least one Protected Species, and therefore *‘... full ecological assessments will need to be undertaken for all Protected Species, Species of Principal Importance during the appropriate survey season’* due to the site's ecological sensitivity.
- Archaeology: *‘The site has the potential to contain archaeological finds therefore it will be necessary to complete archaeological investigations prior to the commencement of any development’.*
- Contamination: Due to the Ranges use for military activity including the use of firearms, there may be pockets of contamination that constrain the development in terms of land use or management, therefore an appropriate investigation into all potential sources of contamination will need to be carried out as part of any future development proposals.
- Open space and Green Infrastructure: New accessible green space would be needed, to provide green infrastructure for both new residents as well as existing users such as dog walkers, and to provide mitigation to reduce the incidence of new residents visiting protected coastal sites and the Roman River SSSI. In addition, the supporting text of SC2 identifies *‘Any future development at Middlewick Ranges will be expected to deliver enhancements to the public transport, walking and cycling infrastructure’.*

2.5 The evidence updates enable detail on some of these points to be expanded or updated. These can be addressed by minor modifications to the supporting text in paragraphs 14.53 – 14.66 and are set out in the schedule of proposed modifications in Appendix A to this Topic Paper.

2.6 As indicated at the time of drafting the Local Plan Policy supporting this allocation, the Council were aware of various constraints and opportunities which existed in relation to the allocation at Middlewick Ranges. A number of matters were raised in representations from stakeholders and the local community in response to the Publication Draft Consultation at Regulation 19. These are summarised below illustrating the challenges and opportunities which the Council and DIO have sought to address through the further evidence work (also summarised further below). In

addition to the detailed points listed, many of the objectors also refer to the general need for further evidence and more information regarding the proposals for the site;

- Impact on traffic and the existing local road network and the inability to cope with the additional capacity arising from this proposal. Specific routes mentioned included Mersea Road, Abbots Road, Old Heath, Berechurch Hall Road and beyond. These concerns also refer to the cumulative impacts of other development already committed elsewhere in the wider area;
- Impact on the Local Wildlife Site and biodiversity, with a recognition that the site is designated and of wildlife importance supporting many species and habitats including some protected species. The impact on the adjoining Local Wildlife Site at Birch Brook is also referred to;
- The loss of valuable open space and green infrastructure, enjoyed by local residents for recreation and for the benefit of health and wellbeing. Concerns are also raised about the impact on the existing public right of way (PROW) within the site boundary. Many representations request that the site should be a country park for the enhanced enjoyment of local residents;
- The housing is not needed as the Plan is providing enough elsewhere. Various lower numbers are suggested as being more appropriate than the 1000 proposed. Support is expressed for the allocation not being for a higher number of houses - i.e. 2000 (which is referenced in the supporting text as the number proposed in the original submission by the MOD);
- The location is not sustainable with examples given to support this point including the access to and frequency of bus services, the distance of the site from the major road network (A12 and A120) and the mainline railway station;
- The local infrastructure does not have the capacity to accommodate the additional development. Reference was made to; early years, primary and secondary education; healthcare – GP and hospital capacity; and community facilities. Essex County Council, Department for Education and the North East Essex Clinical Commissioning Group all requiring specific reference in the policy to the mitigation requirements to ensure adequate provision for education and healthcare.
- Impact on the water infrastructure including drainage, flooding concerns and sewage capacity;

- Concerns regarding the suitability of the site for housing development due to contamination both from Army use and the use of the site historically to bury carcasses of infected cattle;
- The impact of development of the site on the heritage assets including archaeological value

2.7 Although most of the representations raise objections, there are also some issues which are referred to in the responses which point to opportunities which are identified as being important to be addressed / considered as part of any development on this site. These are summarised briefly below;

- Parts of the site should be used as open space which should be enhanced and could potentially be managed by a body such as the Essex Wildlife Trust who have experience of doing this for the benefit of the local community and the wildlife interests;
- Provision of additional healthcare and education provision can be secured through the development including early years and primary education and financial contributions to cover all health and education requirements;
- Compensatory areas for biodiversity need to ensure wildlife corridors and links are provided;
- The types of housing delivered on the site may provide types in demand including affordable housing, independent living and bungalows for example.

2.8 In response to many of these matters, objections and opportunities, amendments to the text and Policy wording are recommended as set out in the schedule attached as Appendix A and referenced below in sections 3 and 4 of this Topic Paper.

2.9 In light of the representations received, the Council has collated more information through the DIO's evidence so that it has a better understanding of the constraints and opportunities and to demonstrate that the site can adequately accommodate up to 1000 houses together with the appropriate and timely delivery of supporting infrastructure, ecological mitigation, compensation and net gain. The submission draft of the Policy referred to the requirement for a masterplan. The further evidence work has also enabled the Council to be more prescriptive about the requirements and process for delivery of the masterplan. The schedule of proposed modifications attached as Appendix A sets out minor amendments in this respect.

### 3.0 Evidence Updates

3.1. In response to the recognised need for additional surveys and evidence to inform a future application and assist with the Local Plan preparation / examination, the DIO appointed a planning team to carry out extensive work to support and further inform the allocation the subject of Policy SC2 in the eLP. The following studies have been undertaken and comprise part of the evidence to underpin this allocation. These are all available on the Council's website under evidence base and the links to each are provided below;

- [Local Plan Evidence summary report](#) – a summary of the following evidence base reports and their findings December 2020 (JLL on behalf of the DIO)
- [Middlewick Ranges – Transport Overview](#) - *An overview report that compiles together the transport technical work undertaken in support of the proposed allocation of Middlewick Ranges in the Colchester Local Plan October 15, 2020 Prepared for: JLL, on behalf of DIO Prepared by: Stantec UK Limited*
- [Middlewick Ranges, Colchester Flood Risk, Surface and Foul Water Drainage Scoping Report](#) - *On behalf of Defence Infrastructure Organisation September 2018 PBA (now Stantec)*
- [Middlewick Ranges Local Plan Housing Allocation: Ecological Evidence Base Report-](#) *On behalf of Defence Infrastructure Organisation Nov 2020 Stantec*
- [Middlewick Ranges, Colchester Phase 1 Land Quality Assessment](#), *DIO Project No: FATS5/DIOCB3/230 Final Amec, Foster, Wheeler*
- [Middlewick Ranges Colchester Essex Archaeological Desk-Based Assessment](#) *October 2020 Wessex Archaeology*
- [Middlewick Ranges Utilities Summary](#) - *Stantec November 2020*
- [Middlewick Ranges Vision Document and Appendices](#) - *November 2020 JLL, Stantec, PRP*
- [Middlewick Ranges Consultation Report](#), *GL Hearn on behalf of the DIO December 2020*

3.2. The key findings of the work undertaken are summarised below. This work has been led by the DIO but there has been close collaboration and engagement with

the Local Planning Authority throughout its preparation. The DIO have also engaged with the local community in developing the evidence. Having considered the findings of the technical studies and the feedback from early engagement the DIO have also prepared a Vision Document illustrating opportunities for the site setting out a possible approach to its development. All the evidence referred to is available on the Council's website with the links provided to the full documents in the list above.

### **3.3 Ecology**

3.3.1 Ecological survey work was carried out by the DIO between 2017-2020 at Middlewick Ranges, both within the allocation boundary itself and land to the south which has the potential to provide land to compensate for any displaced habitats as well as opportunities to deliver Biodiversity Net Gain in line with emerging legislation (Environment Bill 2020). The proposals illustrated in the DIO's Vision Document indicate proposed Mitigation Land, south of the allocation site but within DIO ownership. Survey work has focussed on considerations that could act as a constraint on the extent and location of the developable area.

3.3.2 Middlewick Ranges is a Local Wildlife Site (LoWS) dominated by acid grassland primarily designated for this and its invertebrate populations, but with important scrub, scattered trees and copses and hedgerows. Birch Brook LoWS to the south of the site supports the brook itself and mixed broadleaf and wet woodland, with some characteristics of ancient woodland. The habitats within the site are of high (up to County) biodiversity value, including approximately 53 Ha of acid grassland. The site supports a range of protected species such as invertebrates, breeding birds and bats.

3.3.3 Survey work has found that the key ecological considerations for development at the site are:

- Internationally designated sites in the wider area (which include Abberton Reservoir Ramsar and Special Protection Area (SPA) Colne Estuary (Mid-Essex Coast Phase 2) Ramsar and SPA, Blackwater Estuary (MidEssex Coast Phase 4) Ramsar and SPA, and Essex Estuary Special Area of Conservation (SAC);
- Nationally Designated sites - Roman River Site of Special Scientific Interest (SSSI);
- Locally designated sites – Middlewick Ranges and Birch Brook Local Wildlife Sites (LWS)
- Acid grassland

- Broadleaved semi-natural woodland; Habitat suitable for roosting, foraging and commuting bats, including brown eared, pipistrelle and barbastelle species of bats. Terrestrial invertebrate habitat; and Breeding bird habitat (including that suitable for nightingales).

3.3.4 The key ecological considerations identified have been used to shape the indicative development footprint and concept masterplan included in the Vision Document, and to devise viable mitigation, compensation and enhancement measures. To that end, a bespoke Biodiversity Metric based on the DEFRA Metric beta version) has been completed which demonstrates that the proposals as detailed in the DIO evidence can achieve between a 9-16% net gain for biodiversity, depending on the scenario. CBC will be seeking a minimum 10% net gain through proposed modifications to the policy, which is in line with emerging government policy and proposed wording has been added to the policy to secure this as set out in the Modifications schedule appended to this Topic Paper.

3.3.5 The enhancements in the potential mitigation land have been designed to complement and allow military activities that may take place. The Council will require a legal mechanism to be identified as part of any planning application to ensure the biodiversity value of the mitigation land is managed and maintained in perpetuity. The Council will also require a suitable legal mechanism to be identified as part of any planning application to ensure the green infrastructure and accessible natural greenspace within the development footprint is managed appropriately for the long term via a suitable local management organisation.

3.3.6 The Council will require a masterplan detailing in the layout and design of the development proposals to be agreed prior to the submission of any planning application. The Council see the masterplan process as a way minimise the loss of acid grassland and habitat connectivity, create appropriate buffers to existing habitat and provision of substantial green corridors and walking routes within the built footprint of the development, that complement and enhance the existing Colchester Orbital. It will supported as appropriate by an agreed design code and/or parameter plans,

3.3.7 Consultation with the Council's Ecologist has been undertaken since 2017, most recently with EECOS, as the Council's ecological consultant. EECOS have reviewed and commented on the scope and content of the ecological evidence (which comprises the Ecological Evidence Base Report) and are satisfied that the key ecological constraints have been identified and are satisfied that the proposed general approach could secure the necessary



compensation measures and biodiversity net gain including the use of a bespoke metric. Amendments to the policy wording reflecting the approach and requirements are set out in the modifications schedule appended to this Topic Paper.

A schedule of proposed minor modifications to Policy SC2, the supporting text and other relevant policies to reflect the points summarised above are set out in full in Appendix A to this Topic Paper.

### **3.4 Sustainable Transport, impact on the highway capacity and site access**

3.4.1 Transport technical work was carried out by the DIO during 2019/20. A Transport Overview report is provided as part of the evidence. It amalgamates two technical notes prepared by Stantec in respect of the transport issues arising from the proposed allocation of Middlewick Ranges in the Colchester eLP. Consideration is given to the opportunities for sustainable transport, the local road network and the access to the site.

3.4.2 The site is located on the edge of the existing urban area and is a sustainable location surrounded on three sides by existing predominantly residential development and as such there are a number of opportunities to improve sustainable modes of transport within and beyond the site.

3.4.3 *Public transport* – There are three train stations located within Colchester (Colchester, Colchester Town and the Hythe) that give access to local and regional towns and villages, as well as mainline routes such as London and Norwich. Colchester Town Station is approximately 2km from the site, Hythe Station is approximately 3km from the site and Colchester Station approximately 4km from the site. There are currently bus stops in the vicinity of the site on Mersea Road and Old Heath Road with bus services running approximately 30-minute frequencies on both routes to the town centre Monday to Saturday, in addition to (less frequent) Sunday services. The development could provide support for local bus services to traverse the site and provide frequent and regular connections to the town centre, railway stations and any other identified and agreed destinations. There is also, potential for provision of bus stops within the site and upgrades to existing bus stops in the vicinity of the site (specification to ECC standards) and bus priority measures at key junctions.

3.4.4 *Cycling and Walking* – Colchester has a network of dedicated cycle links, on and off-road. Pedestrian links are more extensive, consisting of footways and footpaths as part of the PRow network. Lit footways are found along Mersea Road and Abbots Road. The Colchester Orbital provides a recreational route for cyclists and walkers at the perimeter of the town, substantially using existing roads and PRowS. The Orbital crosses the site. Within the site there is an existing network of PRowS including Footpaths and Bridleways that connect to the surrounding community and wider landscape, although many links in the wider landscape are fragmented. The main north-south PRowS have historically been diverted around the main firing ranges on the site. There are opportunities to enhance the cycling and walking network. The development would be expected to provide an extensive network of footpaths and cycleways within the site and connections at the boundaries to the wider external network. There is also the opportunity to make improvements to the external network of footpaths and cycleways in the vicinity of the site through provision of new sections of footway, cycleway and uncontrolled and controlled crossings.

3.4.5 The Site is in close proximity to several locally important roads. It is bounded by Abbot's Road, Mersea Road and Old Heath Road. These roads connect the site to the built up area of Colchester. There is currently one vehicular access point to the site on Mersea Road, which is located on the north western boundary. Abbot's Road and Mersea Road are identified locally as busy roads. However, the evidence work concludes that the highway network adjacent to the site is generally able to cope with the flows that use it during most times of the day outside of the traditional weekday peak periods. At these times the junctions can get busy, and queues and delays can occur. This was the subject of much feedback during consultation on proposals for the site, and so, to reflect this level of concern the DIO undertook further assessment of the local highway conditions.

3.4.6 The further assessment work confirmed that benefits to the local highway network could be gained with the opportunity for a new link to be provided between Mersea Road and Abbot's Road. This would provide an alternative route for some of the existing traffic currently using Abbot's Road between Mersea Road and Old Heath Road.

- 3.4.7 The further assessment work considers the location of possible site access junctions, which could facilitate this link through the site. It is suggested that the access junctions should be positioned as far south as practicable on Mersea Road, and as far east as practicable on Abbot's Road, to provide the maximum potential alternative to using the current road network. As part of this proposal, the way that the junctions are configured into the site has been proposed to re-balance traffic movements, encourage the use of the new link road to draw as much traffic as possible through the site and away from the western end of Abbot's Road and part of Mersea Road.
- 3.4.8 The assessment suggests that this may be achieved by changing the priority of Abbot's Road where it meets the site access, so that the eastern section of Abbot's Road turns into the site. The remaining section of Abbot's Road then "tees" off this new route. At the other end, a new roundabout on Mersea Road would have appropriate advanced directional signage directing traffic to use the new link road.
- 3.4.9 The transport technical work has benefitted from engagement with Essex County Council as the Highway Authority who have reviewed the submitted transport evidence. More detail regarding the likely impact of the development and what mitigation is likely to be required will be addressed and set out in a Statement of Common Ground between the DIO / ECC and CBC. This will also contain information regarding what improvements would be required to ensure the development would be accessible by more sustainable modes of transport such as public transport, cycling and walking. It is anticipated this will confirm that the Highway Authority are satisfied that satisfactory access to the site and appropriate mitigation to the surrounding network can be achieved and suitable sustainable transport measures can be provided.
- 3.4.10 The SoCG will also inform any proposed modifications to the policy wording or supporting text in respect of transport. These will be appended to the SoCG.

### **3.5 Archaeology and Heritage**

- 3.5.1 The DIO commissioned an archaeological desk-top study by Wessex Archaeology to assess the known and potential archaeological resources within the site and the surrounding area. The study has assessed the likely impacts of the redevelopment of the site for residential development. The study did not include intrusive archaeological investigations of the site. It was reviewed (as a Draft) by the Council's Archaeologist who confirmed that it identified a satisfactory approach to planning for the site at this stage. The assessment demonstrates the need for archaeological evaluation and it states "*that due to a lack of previous archaeological investigation, the presence, location and*

*significance of any buried heritage assets within the site cannot currently be confirmed on the basis of the available information. As such it is likely that additional archaeological investigations will be required by the Archaeological Advisor to Colchester District Council as part of the submission for any future planning application. It is also possible that a future management plan for the redoubt may be required as part of the planning permission. The need for, scale, scope and nature of any further assessment and/or archaeological works should be agreed through consultation with the statutory authorities.”* Reference to these requirements need to be reflected in the Local Plan and minor amendments to the supporting text and Policy and are recommended as set out in the schedule of Modifications appended to this Topic Paper. The assessment concluded that there is archaeological interest within the Site due to the potential for the presence of buried archaeological remains, in particular, relating to prehistoric, Roman and Civil war and World War 2 (WW2) defences. This is not uncommon in Colchester. Further investigations will be required at a planning application stage.

- 3.5.2 Although there are no listed structures within the site boundary, the study found that there are WW2 pill boxes located at the western and eastern edge of the site, along with gun emplacements, with a WW2 tank line crop mark connecting them.
- 3.5.3 In the south west corner of the site there are earthworks associated with the remains of a redoubt dating to the English Civil War.
- 3.5.4 There are additional archaeological features on the site boundary identified from crop marks, with more features of archaeological significance possible in the area south-east of the boundary.
- 3.5.5 Policy PP1 requires proposals to address potential archaeological significance through a pre-determination evaluation, with any findings reflected in a detailed mitigation strategy for further investigation. As a result, there is no need for duplicate reference to be included in the allocation policy, although a minor modification to the supporting text is proposed in paragraph 14.58. The findings may also be relevant to the masterplanning which will be required for the site. The proposed modifications referred to are set out in the schedule in Appendix A to this Topic Paper.

### **3.6 Contamination**

- 3.6.1 The Ministry of Defence appointed Amec Foster Wheeler to carry out a Phase 1 Land Quality Assessment of the site in June 2018. The purpose was to investigate the site for potential sources of contamination and the overall land quality to ensure it is suitable for redevelopment.
- 3.6.2 The report identified that a number of potential current and historical sources of contamination were at the site, namely, the firing ranges, the landfill located off-site by the eastern boundary, and the burial pits for burnt remains of animal carcasses and other waste associated with Foot and Mouth Disease outbreak in 2001.
- 3.6.3 Overall, the report concluded that the redevelopment of the site for commercial and residential end use is suitable. Any redevelopment of the site would require further investigations into the land quality and the associated potential risks to future site uses and buildings. This would require specific focus into the soil quality for proposed garden areas and open areas of landscaping. CBC's Environmental Protection Officers confirm that based on the information provided to date in the DIO Phase 1 Land Quality Assessment, the conclusions of the evidence (as far as contamination matters are concerned) are generally reasonable and they are satisfied at this point that the site could be made suitable for the proposed use(s). As identified, further detailed information on contamination risks will be required to support any planning application, including assessment of areas inaccessible during the 2018 site visit, together with any activity since the date of reporting e.g. fly tipping, continued MoD uses, etc. A minor amendment to the supporting text at paragraph 14.60 regarding these details is proposed as set out in the schedule of modifications appended to this Topic Paper. Initial observations are that it would appear that some remedial actions will be required to make the site suitable for the proposed use(s). It is not however considered that this will impact on the ability of the proposed development to be delivered on this site.
- 3.6.4 Policy ENV5 requires that development proposals on contaminated land, or where there is reason to suspect contamination, must include assessment in respect of contamination and any possible risks. This policy would apply to this site in considering any planning application for proposed development. Minor amendments to the supporting text are proposed as set out in the schedule in Appendix A.

### **3.7 Open Space, Green Infrastructure and Sport**

3.7.1 Middlewick Ranges is on the edge of the built up area of Colchester. Although owned by the MOD it has always provided open space to local residents and is a popular site for walkers. The PRow network has been diverted historically to accommodate the firing ranges. The Colchester Orbital, a circular walking and cycling route around the town's perimeter, runs through the north-west of the site and connects some of the town's key open spaces, heritage sites and PRow

3.7.2 As part of the development of the Vision, based on an indicative masterplan framework, the DIO carried out an Open Spaces quantitative assessment for the site, using the Colchester Open Space Quantity Standards. This assessment showed that the indicative scheme as proposed would meet or exceed the Council's Open Space quantity requirements. The Council agrees with that conclusion and it is acknowledged that detailed proposals forming part of a planning application will need to satisfy all the open space standards that are current at the time, in relation to quantity, quality and accessibility. Furthermore, the layout, configuration and type of green infrastructure and open space uses will be considered as part of the masterplanning for the site. The range of types of open space and green infrastructure which may be appropriate can be described further in the supporting text and these may include for example, Accessible Natural Green Space, playing pitches, parks and further cemetery use including a potential woodland cemetery if suitable and required. Although the policy as drafted references the need for a masterplan it is recommended that the wording be amended to provide greater clarity and assurance in respect of the necessity for a masterplan to be agreed with the LPA for this site prior to the submission of a planning application. In addition, further explanation guiding the expectations for the masterplanning is proposed as a modification to the supporting text in paragraphs 14.54 and 14.62 as well as the use of an appropriate design code and parameter plans to identify strategic guidelines. These proposed modifications to policy and the supporting text are set out in Appendix A to this Topic Paper.

### **3.8 Other matters**

3.8.1 Landscape character, setting and structure – the Middlewick Ranges site lies within the Southern Colchester Farmland Plateau (B3). It is an area of gently sloping plateau farmland bordered by Colchester fringes to the north and the wooded Roman River to the south. The character area including the site provides physical and visual separation between Colchester urban area and the Roman River Valley, as well as the village of Rowhedge. The landscape structure can be variable with unrelated land uses. The site itself is mainly comprised of grassland, including acid grassland, with hedgerows, mature trees and treelines. There are also significant groups of trees and woodland blocks around and within the Middlewick Ranges, including Birch Brook Wood,

a combination of mixed deciduous and wet woodland. The Rifle Ranges at the centre of the site are separated from the rest of the site by security fencing, around which one of the key PRow is diverted.

- 3.8.2 Substantial development within the overall character area could potentially be visually intrusive and have impacts on the wider landscape character, on minor roads or create recreational pressure on landscape and biodiversity assets. New development should respond to the historic settlement pattern, screen existing development, conserve and manage existing woodland and hedgerows, and use materials appropriate to local character. In order to help shape the proposed development and avoid the most significant effects an LVIA will be needed to inform the proposed masterplan and any subsequent planning application. Reference to this requirement is proposed as modification to Policy SC2 with further reference being provided in the supporting text at paragraph 14.59. This is illustrated in the scheduled of proposed Modifications in Appendix A to this Topic Paper.
- 3.8.3 Urban Character and land use – The urban character to the immediate north, west and east of the site is predominantly low-rise and substantially residential in character with properties of 1-2 stories with occasional 3-4 storey blocks of flats, with accompanying local services such as schools and shops. There are high-rise buildings at the University Essex on the eastern edge of Colchester, which rise to 14 storeys, but these are scarcely visible from the environs of the site, and do not form part of the setting. There are potential employment opportunities within Colchester and the surroundings, in nearby commercial, industrial, and educational developments. To the south, and south-east there is farmland.
- 3.8.4 Local area studies have also been undertaken by the DIO and their consultants to understand the character of five key local urban residential areas and to identify how varying building density, layout and alignment affect functionality, character and sense of place.
- 3.8.5 It is considered that many of the detailed matters summarised above will be relevant to the masterplanning for the development on the site. The proposed modifications referencing the requirement for a LVIA, and requirement for an agreed masterplan which will be expected to respond to any identified sensitivities, gives assurance that these matters will be addressed.

## **4 One Vision approach to potential master planning**

4.1 The DIO /Ministry of Defence Vision Document for Middlewick Ranges has been developed through a number of technical studies, including the evidence work identified in section 3 above. This work has been used to identify constraints and opportunities for development at the site and to identify how a development framework could be brought forward. It does not necessarily represent the optimum scheme for the site, but rather illustrates how the key constraints can be accommodated whilst delivering up to 1000 houses, supporting infrastructure and adequate mitigation / compensatory measures.

4.2 The key constraints and opportunities that the document identifies are:

- The WW2 pill boxes, and tank line form an important landscape opportunity. The Council believes they also represent an important heritage interpretation and visitor opportunity and will be referenced in the proposed amendments to the plan text / policy as a minor modification
- Retained landscape features and habitats need to be substantially buffered against proposed development
- The woodland and protected hedgerows on the site must be retained, managed and enhanced. The Council will seek to ensure this occurs in addition to any net gain or compensation areas and this will be referenced in the proposed amendments to the plan text / policy as a minor modification.
- Sustainable Drainage Measures can be provided to mitigate potential increases in flood risk arising from new development
- Appropriate buffer zones will be provided for the two Local Wildlife Sites (LoWS) to protect habitats.
- Extra High Voltage electricity pylons lie at the north of the site. There would be visual benefits to these being undergrounded but in the event that this is not feasible they would act as a constraint on the layout of development. This will be referenced in the proposed amendments to the plan text / policy as a minor modification.
- The existing network of PRoW will be retained. The Council will seek to retain and enhance PRoW within the development along with the route and character of the Colchester Orbital and will be referenced in the proposed amendments to the plan text / policy as a minor modification.
- Abbot's Road and Mersea Road are identified locally as busy roads with only one existing vehicular access point to the site.



- The redoubt which dates back to the English Civil War should be retained and its woodland landscape. The Council will seek enhancements to the setting where appropriate as part of the scheme and this will be referenced in the proposed amendments to the plan text / policy as a minor modification.
- Crop marks depict archaeological and undated linear features and possible track ways.

4.3. CBC confirms that measurable net gain as well as compensation and mitigation for ecological loss will need to take place. The Vision document identifies substantial proposed Ecological Mitigation and Enhancement Areas onsite as well as on adjoining land to the south of Birch Brook in MOD/DIO ownership. The ecological evidence goes into this in significant detail and EECOS (the Council's consultants) have confirmed their agreement with the scope and content of the Evidence work in relation to key ecological features as well as the proposed approach and rationale in delivering mitigation, compensation and biodiversity net gain.

4.4 It is acknowledged that it is important that appropriate mitigation and biodiversity net gain are achieved and maintained in the long term. Additional supporting text at paragraph 14.56 and minor amendment to the policy wording is proposed as a modification to provide greater assurance in respect of this issue. Appendix A illustrates the full schedule of proposed amendments to the policy and supporting text.

4.5 The Key Opportunities identified in the Vision document in relation to the site's character are:

- The creation of a substantial area of ecological net gain south of the site to off-set loss of existing acid grassland. Retention and enhancement of remaining habitat.
- Retain and enhance PRoW network and route of the Colchester Orbital wherever possible
- Enhance connectivity of bridleways to the south.
- Promote connectivity to existing and emerging pedestrian and cycle routes, to recreation spaces and sustainable transport.
- Enhance pedestrian / cycle crossing opportunities surrounding the site.
- Potential to create a new access and link across the site to serve the new development and re-routing of a proportion of existing traffic

- Enhance mini roundabouts at both ends of Abbot's Road, with the safeguarding of some DIO land at the western end (Mersea Road) to facilitate capacity improvements there.
- Creation of a local centre with a village green, community square and non-residential uses.
- Opportunities for new homes including a range of tenures
- Creation of new sports pitches for community use as part of a network of green infrastructure across the site.
- Retention, enhancement and promotion of heritage features, such as the redoubt.
- Creation of a strong east-west green corridor based around the tank line and pill boxes, as part of a network of green infrastructure across the site.
- Retain and enhance existing structural landscape features to provide substantial landscape buffers between the new and existing development and new development and existing habitat.
- Retain and enhance existing hedgerow network within the site and in the ecological mitigation and enhancement area
- Creation of a green infrastructure network within the new development, including existing and new hedgerows, green spaces and structural landscape features.

4.5 It is considered that many of the detailed matters identified as potential constraints and opportunities above will be relevant to the masterplanning for the development on the site. The proposed modifications referencing the requirement, approach and scope of a masterplan and other policies in the Plan will adequately cover these matters.

4.6 Consultation and Engagement -The DIO have undertaken consultation and engagement at various stages since the Submission of the eLP. A statement summarising the engagement, the feedback and the way in which this has informed the evidence and vision is referenced above and is available on the Council's website a link to the document is provided in the list above.

4.7. The DIO ran a public consultation exercise from Wednesday 10th July to Monday 5th August 2019, in which circa 540 people attended two public consultation exhibition events. 231 feedback forms were submitted during the consultation period.

4.8. Two consultation events were held by the DIO as part of an inclusive programme of engagement to inform, explain and involve stakeholders and members of the community including local residents and businesses:

- Wednesday 10 July 2019 (2pm to 8pm), RCCG Stillwater Centre, Grange Way and

- Saturday 13 July 2019 (10am to 3pm), Orchard Baptist Church, 23 Blackheath.

4.9. As well as local residents, a number of local businesses, community groups, key stakeholders and elected representatives attended the events to find out more about the proposals. These included:

- Will Quince MP (Conservative)
- Sir Bob Russell, High Steward
- Colchester Borough Council representatives
- North East Essex Clinical Commissioning Group (NEECCG)
- Colchester Civic Society
- Middlewick Ranges Association
- Birch Glen Neighbourhood Watch
- Abberton Rural Training
- Market Field School

4.10. *Consultation Feedback Analysis* - The consultation report indicates that a total of 231 written statements of feedback were received during the consultation window, which ran from the first event. This included a combination of paper feedback forms submitted at the events, afterwards by post, online and feedback by email. Transport and access issues were the most frequently raised theme, appearing in 141 written feedback forms. The majority of opinion was that the local road network would not be able to cope with a potential increase of people and vehicles. After transport and access concerns, the most frequently cited issue was ecological and environmental concerns due to the potential new development impacting habitats for wildlife. In terms of the feedback received, 73 feedback forms directly referenced a desire to turn the area into a 'country park' with no development. In total 121 feedback forms made reference to green space and parkland being included within the development proposals. In many cases respondents listed the species they had personally observed on the Middlewick Ranges, particularly where they believed these to be protected. The majority of respondents expressed their concerns towards development at the site, largely citing the impact upon the site's ecology and leisure space and concern for the ability of social infrastructure to cope with increased homes as primary issues for concern.

- 4.11 The Middlewick Ranges Consultation Report summarises the engagement and consultation which the DIO have undertaken and explains their findings from the evidence work and how that is helping to inform the Local Plan Examination.

## **5. Implications for the Local Plan**

- 5.1. Council officers have been engaged with the DIO planning and consultant team at various stages as the evidence updates have been prepared. The Council have published the final documents on the web site under Evidence Base. And links are provided in the list above. All these documents have been reviewed by CBC or its advisers. Whilst earlier iterations have been considered along this process, there is now an opportunity to reflect on this further information about the site and its opportunities and constraints. In light of this some minor modifications to the policy wording and supporting text are suggested to provide greater clarity in regard to the number of proposed dwellings and add further detail. A full schedule of proposed minor modifications to relevant policies and supporting text are provided in the schedule in Appendix A to this Topic Paper. Any modifications proposed in respect of transport will be appended to the Highway and Transport SoCG. It is not considered that any changes to address these matters have any implications on the soundness of the Plan.

## **6. Conclusion**

- 6.1. Considerable additional evidence is now available in relation to Middlewick Ranges. The evidence preparation has been led by the DIO planning consultant team, in discussion and collaboration with officers including at CBC, Essex County Highways and the Council's consultant Ecologist (EECOS). CBC officers have reviewed the evidence and are satisfied that, having regard to this stage of plan making, it further supports the proposed allocation at Middlewick Ranges under Policy SC2 for the purposes of the Local Plan. Additional comments in respect of the Highways matters will be provided in the Highway and Transport SoCG referred to above.
- 6.2. Fundamentally, it is agreed by both the DIO and CBC that the allocation at Middlewick Ranges (SC2) is capable of delivering up to 1000 houses, a range of supporting infrastructure including open space, education and health provision, as well as satisfactorily addressing the key constraints on the site, with appropriate mitigation including compensatory provision for biodiversity including net gain. In addition, a SoCG between the DIO, Essex Highway Authority and CBC will provide detail regarding the transport impacts and mitigation requirements and confirm agreement that there is the opportunity for satisfactory access to the site to be achieved, whilst also providing opportunities

for enhancement to the existing road network and improved benefits for sustainable transport alternatives. Further modifications to the relevant policies will be proposed if required to provide the necessary assurances in this respect, these will be included in the SoCG if required.

- 6.3. This further evidence provides the opportunity to add clarity and detail to the wording of Policy SC2 and to provide clearer guidance to reflect the constraints and opportunities which apply, with minor modifications to the relevant policies and supporting text to provide greater clarity and more robust wording as set out on the schedule in Appendix A to this Topic Paper. It is not considered that any changes to address these matters have any implications on the principle of the SC2 housing allocation or the soundness of the Plan.

## **Appendix A- Schedule of Proposed Modifications in relation to the Middlewick Ranges Allocation**

**New- text**

~~Deleted text~~

Moved text

Supporting text relevant Paragraphs

### *Land at Middlewick Ranges*

- 14.53 Middlewick Ranges is a 76ha site owned by the Defence Infrastructure Organisation, located between Mersea Road and Abbots Road on the south eastern boundary of urban Colchester. The site is well positioned to key services and is reasonably accessible by public transport. It is located approximately 2.5km to Colchester Town train station and there are buses serving Monkwick and West Mersea that provide regular services past this site. Middlewick Ranges is therefore considered to be sustainable in principle.
- 14.54 The Defence Infrastructure Organisation is disposing of a number of sites nationally including Middlewick Ranges. The site was **originally** proposed for the allocation of 2000 dwellings, however **as** there are a number of constraints at the site which ~~will~~ restrict the ~~final~~ number of dwellings that can be delivered at this location, **the allocation is for up to 1000 dwellings**. Given the ~~potential~~ constraints **and opportunities** associated with the site, there will be a requirement for a masterplanning approach working together with the MOD, **and any future landowners** to inform the best opportunities for delivering housing and supporting infrastructure, as well as ensuring the delivery of a development appropriate to its setting. **More guidance in respect of the approach, scope and requirements for masterplanning for this site are set out in paragraph 14.62 below.**
- 14.55 Vehicular access to the site, the impact of any development on the local road network and necessary mitigation, will need to be determined prior to any detailed scheme being submitted.
- 14.56 Middlewick Ranges is a designated Local Wildlife Site (reference Co122). The site was reviewed as part of a wider Local Sites Review in 2015 and as a result of the review the area designated has been extended. The **Ecological Evidence Report confirms that the habitats within the site are of high biodiversity value, including 53 Ha of acid grassland. The site supports a range of protected species such as invertebrates, breeding birds and bats.** ~~Council is aware that the site supports at least one Protected Species, therefore~~ Given the site's ecological sensitivity, full ecological assessments will

need to be undertaken **including** for all Protected Species, and Species of Principal Importance during the appropriate survey season **as part of any planning application**. The Council will also be seeking a minimum 10% biodiversity net gain on the development site, following application of the mitigation hierarchy, in line with emerging legislation (Environment Bill 2020). The Council will require a developer to commit to a suitable legal mechanism to ensure the long-term establishment, management and maintenance of the mitigation / compensation land for a minimum of 30 years and a strategy for the monitoring of key mitigation or compensation as part of the grant of any planning permission.

- 14.57 The area is a well-used recreational space, particularly with dog walkers. Any future development proposal will be expected to deliver new open space **as well as strategic green infrastructure** to meet the needs of existing and new residents in this part of Colchester, **to minimise subsequent footfall on the Essex coastal sites and nearby Roman River SSSI**, and provide substantial buffers to existing sensitive habitats. The range of typologies may include accessible natural greenspace, formal playing pitches, parks, green corridors and land for future cemetery use (including potential for a woodland cemetery), if suitable and required. The master planning process will need to inform further consideration in respect of the type, layout and configuration of open space and green infrastructure. A key requirement will be to ensure connectivity between green walking routes across the site and the existing Colchester Orbital, a circular walking and cycling route around the town's perimeter, which runs through the north-west of the Middlewick Ranges linking some of the town's key open spaces, heritage sites and PRow. The Council will seek to retain and enhance PRow within the development along with the route and character of the Colchester Orbital.
- 14.58 The site has archaeological interest due to the potential for the presence of buried archaeological remains, in particular, relating to prehistoric, Roman and civil war and World War 2 defences. The WW2 pill boxes, and tank line form an important landscape opportunity. The Council believes they also represent an important heritage interpretation and visitor opportunity. Further investigations will be required at a planning application stage, prior to the commencement of any development. **Policy PP1 (vi) will apply in this respect to any planning application on this site**. It is also possible that a future management plan for the redoubt may be required as part of the planning permission, which will need to be agreed with the Council.
- 14.59 In terms of local character, the site sits in an area of gently sloping open landscape bordered by Colchester to the north and the wooded Roman River to the south. It currently provides some physical and visual

**separation between the existing urban area and the Roman River Valley. ~~has the potential to contain archaeological finds therefore it will be necessary to complete archaeological investigations~~ Any development will need to minimise and mitigate potential impacts on the wider landscape, on adjoining minor roads and recreational pressure on the landscape and biodiversity assets. New development should respond to the existing settlement pattern, screen any existing visual intrusions, conserve and manage existing woodland and hedgerows, and use materials appropriate to local character. An LVIA will be required to inform the proposed masterplan and any subsequent planning application. Extra High Voltage electricity pylons lie at the north of the site. There would be visual benefits to these being undergrounded but in the event that this is not feasible they would act as a constraint on the layout of development.**

14.60 Development of Middlewick Ranges may be further constrained by pockets of contamination therefore an investigation into all potential sources of contamination will need to be carried out as part of any future development proposals **to be submitted as part of any planning application. Any investigation will need to include assessment of areas inaccessible during the 2018 site visit, together with any activity since the date of reporting including detail of any fly tipping, and continued MoD uses. Policy ENV5 will be relevant to any planning application in respect of this matter.**

14.61 The Middlewick Ranges site falls within Critical Drainage Area 01 (Old Heath Area) as defined in Colchester's Surface Water Management Plan (SWMP). Contributions will be sought towards the costs of delivering flood defence/flood management solutions within CDA 01 as set out in the SWMP.

~~Given the array of identified constraints, all requested surveys should be commissioned as soon as possible. This is necessary to help determine final housing numbers that can be delivered at Middlewick Ranges and to define the most suitable developable areas and land uses within the Middlewick Ranges site. As well as housing and open space, other suitable uses could include a cemetery extension or green cemetery.~~

14.62 **A Masterplan must be agreed with the Local Planning Authority prior to the submission of any planning application, , in order to inform the detailed definition and mix of uses within the site. The masterplan process should include engagement of the local community, use of design advice and review where available, and assessment frameworks such as Building for a Healthy Life or similar. The masterplan will be supported, as appropriate, with site wide parameter plans, design codes or design guidance**



- 14.63 Developer contributions will be sought **where required** towards the cost of ecological mitigation including the provision of compensatory habitat to replace habitat lost to development. Contributions will also need to be secured to remediate any on site contamination as part of the development of the site. Any future development at Middlewick Ranges will be expected to deliver enhancements to the public transport, walking and cycling infrastructure.

~~The Middlewick Ranges site falls within Critical Drainage Area 01 (Old Heath Area) as defined in Colchester's Surface Water Management Plan (SWMP). Contributions will be sought towards the costs of delivering flood defence/flood management solutions within CDA 01 as set out in the SWMP.~~

- 14.64 Development at Middlewick Ranges will be phased to start towards the middle of the plan period. This is necessary to enable **further detailed studies and technical work to be carried out to inform a comprehensive masterplan process as described above and to allow for appropriate engagement with all relevant parties including the local residents. This will also allow for the commencement of soil preparation for the required biodiversity mitigation, compensation and net gain allowing for the soil conditions to respond to changes in pH. which is imperative to the practical use of turves from the ranges to create new areas of acid grassland. This will help inform or refine the later stages of the net gain strategy. The masterplan will inform any subsequent planning application.**

## Policy SC2 (Middlewick Ranges Allocation)

### *Policy SC2: Middlewick Ranges*

The allocation shown on the Policies Map is expected to deliver approximately **up to 1000** new dwellings. ~~The final number of dwellings will only be confirmed when full details of constraints are known.~~ In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the area identified on the policies map which provides:

- (i) Up to 1000 new houses of a mix and type of housing to be compatible with surrounding development;
- (ii)** Access and highway works on the local road network, including new junctions, to be agreed with The Highway Authority and delivered at the appropriate time commensurate with the development
- (iii) Detailed ecological surveys, **and appropriate mitigation and net gain plans** to enhance the ecology of the remaining areas of the Local **Wildlife Site** ~~including the provision and to~~

- provide** of compensatory habitat to replace habitat lost to development **and a minimum of 10% biodiversity net gain;**
- (iv) Identification and commitment to a legal mechanism to ensure the long-term establishment, management and maintenance of the biodiversity mitigation/ compensation and net gain land and a strategy for the monitoring of key mitigation, compensation and net gain.**
  - (v) A detailed strategy and management plan, to be agreed with the Council, for Strategic areas of the existing and proposed green infrastructure and public open space network, including formal playing pitches, strategic green corridors, green buffers and structural landscape.**
  - (vi) A detailed Landscape and Visual Impact Assessment in order to minimise and mitigate potential impacts on the wider landscape and urban character.**
  - (vii) Delivery of enhancements to sustainable travel connectivity including public transport, cycling and walking infrastructure, including connection and enhancement to the Colchester Orbital;**
  - (viii) Mitigation measures to address site contamination; and**
  - (ix) Provision for retention or diversion of any existing public rights of way within the site and incorporation wherever possible into the green infrastructure network.**

~~A masterplan will be required to inform the detailed definition and mix of uses within the site.~~

**A Masterplan for the whole site is to be agreed with the Council prior to submission of any planning application. The masterplan must be informed by, or supported, as appropriate, by site wide parameter plans, design codes or guidance, and engagement with the local community, use of design advice and review where available, and assessment frameworks such as Building for a Healthy Life or similar.**