



Planning Statement

Land south of Kelvedon Road, Tiptree

Demolition of existing buildings on the site and redevelopment to provide 150 residential dwellings with access, link road to allow for potential future connections, associated parking, private amenity space and public open space.

Prepared on behalf Marden Homes Ltd.

January 2019

Site Name:	Land south of Kelvedon Road, Tiptree
Client Name:	Marden Homes Ltd.
Type of Report:	Planning Statement
Prepared by:	 Laura Dudley-Smith MA MRTPI – Senior Planner
Approved by:	 James Firth MSc MRTPI - Director
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1.0 Introduction

- 1.1 This planning statement has been prepared by Strutt & Parker on behalf of Marden Homes Ltd. to support a full planning application for the demolition of existing residential dwellings with associated outbuildings (Tower End and Ponys Farm) and erection of 150 dwellings with associated garaging, parking, public open space, landscaping, sustainable urban drainage system (SUDs) and roundabout to provide access from Kelvedon Road. The site will also provide a link road to allow for access through the southern boundary and onwards to Grange Road should this be required in the future. The application site is land south of Kelvedon Road, Tiptree. A Location Plan is provided with the application.
- 1.2 The purpose of this statement is to outline the planning proposals, along with the supporting statements and their findings to Officers, members of the public and other stakeholders. This statement also provides an overview of how the scheme is considered to comply with adopted planning policy at both a local and national level. This statement should therefore assist the Local Planning Authority in the determination of this planning application.
- 1.3 This planning application is supported by the following forms, plans and documents:
- Application Form
 - Planning Statement prepared by Strutt & Parker
 - Design and Access Statement prepared by Patrick Stroud Designs Ltd.
 - Health Impact Assessment prepared by Strutt & Parker
 - Architectural Plans prepared by Patrick Stroud Designs Ltd.
 - Transport Assessment prepared by Journey Transport Planning
 - Preliminary Ecological Assessment prepared by Eco-Planning UK
 - Flood Risk Assessment and Surface Water Drainage/SUDS Strategy prepared by Evans Rivers and Coastal
 - Archaeological Desk-Based Assessment and Walkover Survey prepared by Archaeological Solutions Ltd.
 - Phase I Geoenvironmental Assessment prepared by GEMCO
 - Arboricultural Impact Assessment, Tree Constraints Plan and Tree Protection Plan prepared by Underhill Tree Consultancy
 - Topographical Survey prepared by JTaylor Site Surveying Limited

- 1.4 The redevelopment of land south of Kelvedon Road has been guided by engagement with Tiptree Neighbourhood Plan and the recognition of needs for the local community through this process.
- 1.5 The Neighbourhood Plan and intentions for growth identified through this process also support the broad areas of growth for the west of Tiptree recognised by Colchester Borough Council in the emerging Local Plan.
- 1.6 This planning application supports both the emerging Tiptree Neighbourhood Plan and the emerging Colchester Borough Council Local Plan by demonstrating the deliverability of the site over a short time scale and its ability to meet the needs that have been recognised through the creation of these plans.

2.0 The Site

Description of the Site and Its Surroundings

- 2.1 The application site is located to the south of Kelvedon Road (B1023), which runs between Tiptree and Feering. The site sits outside of, but adjacent to, the defined settlement boundary of Tiptree in the adopted Colchester Local Plan Proposals Map.
- 2.2 The site measures 5.16 hectares and currently accommodates a residential dwelling, some gypsy accommodation, residential outbuildings and discussed scrub land. There is quite substantial tree and hedgerow planting along the majority of the site boundaries.
- 2.3 To the west, the site meets Tower Business Park, a site designated as an Employment Zone in the existing Colchester Local Plan. To the north, on the opposite site of Kelvedon Road there are some additional detached dwellings. To the south east, the site immediately abuts development currently being constructed, which is accessed from Grange Road. To the east the site neighbours a residential dwelling and a builders yard. In general, the site falls within an area comprising residential and small business uses in the majority in respect of its proximity to the village centre and transport connections.
- 2.4 The existing uses on the site are currently accessed from Kelvedon Road.
- 2.5 The site is within Flood Zone 1 (Gov.uk; Flood Maps for Planning; January 2019). The site is at a low risk of fluvial or tidal flooding and in accordance with the Technical Guidance that accompanies the NPPF, it is therefore suitable for all types of development from a flood risk perspective.
- 2.6 The site is not within any areas designated for their ecological or conservation importance. There are no listed buildings nearby.
- 2.7 The site is not currently in use as agricultural land.
- 2.8 A total of 39 trees and 9 groups have been identified as a result of the tree survey that has been completed. The majority of these are around the perimeters of the site, with some outside of the application area but have the potential to be impacted by the development. There are no high quality (Category A) trees on the site.

- 2.9 The site is less than 200 metres from Baynard Primary School, and within 500m of other convenience facilities at the junction of the B1023 and B1022 in the centre of the village. Beyond this junction, approximately 1km from the site are a wide range of local services and facilities including two large superstores, a medical centre, a library, a bank, café's, a community centre and other local businesses.
- 2.10 Bus stops immediately outside of the site, on Kelvedon Road, serve services that run regularly between Witham and Tollesbury, and therefore provide connections to London Liverpool Street by train from Witham. Other school services also provide access to Colchester. Other bus stops within walking distance of the site provide other regular bus services to Colchester
- 2.11 Tiptree is less than 10 miles from the main town of Colchester which offers extensive regional-scale services facilities, including retail, tourism and higher education establishments.
- 2.12 Further detail on public transport provision can be found in the accompanying Transport Assessment prepared by Journey Transport Planning.

Planning History

- 2.13 There is no directly relevant planning history for site.
- 2.14 Permission was granted for use of part the land for parking vehicles / trucks and storage of mowers in 1992 (ref: COL/92/0310) and this permission was renewed in 1997 (ref: COL/97/1580). Permission for two-storey side and rear extensions (F/COL/03/0351) and a boot room have also been granted (ref: 101741) more recently for the existing residential use on the site.
- 2.15 Permission has been previously granted for a conversion of a single storey garage into a residential annex (F/COL/06/1390) on part of the site. Another part of the site also had an application and appeal dismissed for the erection of one dwelling on highway related matters (ref: COL/94/1556 & T/APP/A1530/A/95/252398/P7).
- 2.16 Outline permission for residential development has since been accepted on land adjacent to the site at north and south of Grange Road for the erection of 103 dwellings with areas of Public Open Space, provision of a new roundabout access and other ancillary infrastructure and works including drainage provision (ref: 122134). A

Land south of Kelvedon Road, Tiptree

reserved matters application has been approved subsequently and construction of this development has commenced (ref: 151886). This site is included within the development boundary in the emerging local plan policies map.

3.0 The Proposals

3.1 The application is for the development of 150 residential dwellings, following the demolition of existing buildings on the existing residential landholding. It is proposed for the development to also be supported by the construction of a roundabout on Kelvedon Road, to not only manage vehicles entering and leaving the site, but also support future ambitions for the local community in terms of providing an alternative road route through from Grange Road to the B1033 (Kelvedon Road), and potentially on to the B1022 (Colchester Road) in the future.

3.2 The full planning application comprises the following proposals:

- Demolition of Tower End and Ponys Farm residential dwellings with associated outbuildings
- Redevelopment of the site to provide 150 dwellings
- Housing mix to provide 1, 2, 3 and 4 bedroom dwellings
- 30% affordable housing
- Mix of detached, semi-detached and terraced houses, and apartments
- Predominantly 2-storey accommodation with apartment blocks of 3 storey
- Provision of approximately 10% public open space across the site
- Amendment and upgrade of existing site accesses to provide one point of access
- Provision of buffer planting to neighbouring dwellings
- On-plot parking for all units and apartments in accordance with local policy requirements, with garaging and visitor parking
- Improved active site frontage along Kelvedon Road

Design and Layout

3.3 The scheme, as detailed on the accompanying Site Plan (Ref: 2018.190.002), shall provide 150 residential dwellings in the form of detached and semi-detached houses, alongside apartments.

3.4 A variety of housetypes will provide variation and articulation across the scheme, with broken rooflines as a result of storey heights which will range from 1.5 storeys to 3 storey blocks of apartments.

- 3.5 Every house shall have at least 50sqm of private garden space, with the majority of units also having undercroft parking or a garage.
- 3.6 43 apartments will be provided within three blocks that are spread across the site, in locations which allow them to cohesively sit amongst more traditional houses. This cohesiveness will also be protected through complementary design and use of materials. All upper floor apartments will also be provided with 5sqm balconies.
- 3.7 The proposed density of approximately 30 dwellings per hectare shall provide a scheme which is in keeping with the location of the site on the edge of this large village. The site will therefore provide a sensitive transition between Tiptree village and the more rural environment beyond to the west.
- 3.8 The proposed materials take precedent from the mixed character of Tiptree. The simple palette will include the use of brick, render and weatherboarding to allow for variety across the site, with plain tile or slate roofs.
- 3.9 All dwellings will have access to an enclosed private garden or balcony space (for apartments). The proposed Site Plan (Ref: 2018.190.002) demonstrates the ability of the site to meet local planning policy requirements, whilst still providing a high quality development that will be suited to the current market.

Open Space, Landscaping and Arboriculture

- 3.10 Approximately 0.6ha (12%) of open space will be provided within the development, with the majority of this situated centrally in the site and accessed from the main spine road, with small areas throughout the rest of the site that break up built form, provide attractive street frontages and aid the creation of a legible and permeable development.
- 3.11 The detailed layout of these spaces can be agreed at future detailed design stages by way of condition.
- 3.12 The open spaces within the site will also be suitable for accommodating Geocellular or modular soakaways in support of the proposed surface water drainage system. This may be in the form of dry features, or permanent waterbodies where this may add aesthetic and environmental value to the site.

- 3.13 Structural planting will provide a buffer along the boundary of the site that meets the existing residential dwelling set into the scheme. Existing planting, trees and hedgerows along the other site boundaries will be maintained and enhanced to ensure the site remains defined and screened amidst the wider landscape.
- 3.14 The retention and enhancement of planting across the site will also seek to protect and improve the biodiversity value of the site through providing habitats for specific ecological species
- 3.15 Trees of moderate quality will be retained where appropriate, particularly along the site boundaries. More centrally within the site, some trees will be removed but this loss will be more than offset by replacement planting of high quality trees as part of the proposals and supporting landscaping scheme.

Access

- 3.16 Engagement with Tiptree Neighbourhood Plan Group has identified a desire for any future Neighbourhood Plan to facilitate the potential delivery of a new through-route for vehicles which would allow those travelling between Maldon and Colchester via the surrounding villages to bypass the centre of Tiptree. This alternative route may utilise the B1022 (Grange Road) to the south of the site, and re-join to the north of the village.
- 3.17 The site has therefore been designed to allow such proposals to come forward in the future if required, with a spine road and access.
- 3.18 As a result of these discussions, the site the subject of this application has been identified as an opportunity to provide a roundabout within our clients landholding and highway land, and the main access road shall be built to full adoptable standards. Our client is willing to discuss the delivery of this with Essex County Council Highways and any other associated stakeholders.
- 3.19 The access and new roundabout would replace the two accesses that currently serve the existing dwellings.
- 3.20 A Transport Assessment has been prepared by Journey Transport Planning which accompanies this report.

- 3.21 The report confirms that the proposed roundabout access arrangement would be suitable to accommodate the traffic directly generated as a result of the proposals the subject of this planning application, but also allow for any increased useage in the future in association with potential future links through to Grange Road.
- 3.22 The access requirements for the site have been considered in the context of the guidance set out in the latest iteration of the Essex Design Guide 2018. Similarly, parking is to be provided in excess of the minimum 2009 Essex County Council Parking Standards.
- 3.23 Existing footpaths along Kelvedon Road provide access into the centre of Tiptree for pedestrians, and also in the opposite direction to Tower Business Park and the associated employment opportunities. The proposed roundabout will be designed to retain provide pedestrian routes that connect to these existing footpaths.

Ecology

- 3.24 A Phase 1 Ecological Survey of the site has been undertaken by Eco-Planning UK Ltd. and the associated report accompanies this planning statement.
- 3.25 The report concludes that the proposed development is within a zone of influence for: Tiptree Heath Site of Special Scientific Interest to the south west, Abberton reservoir to the east, Black Water RAMSAR to the south-east, Abberton Reservoir RAMSAR to the east. Therefore, a Habitat Regulations Assessment is required. Natural England advise that a suitable contribution to the emerging Recreational Disturbance Avoidance and Mitigation Strategy (R.A.M.S) from relevant planning applicants would enable the local authority to be able to reach a conclusion of “no likely significant effect”. The applicant is happy to discuss the requirements for contributions to the emerging R.A.M.S.
- 3.26 The wider site comprises several existing and former grazing paddocks of various sizes and management regimes, all of which have different wildlife potential, along with buildings which would need to be demolished. The Phase 1 Ecological Survey has identified a requirement for a number of additional species surveys, including reptiles, amphibians, bat and bird surveys. These surveys will then inform appropriate protection and enhancement procedures, where required. However, this initial survey work implies that there will be no major threats to endangered or protected species as

a result of the redevelopment of the site. Instead, the proposed development will offer opportunities to mitigate their loss and enhance the existing conditions on the site.

Contamination

- 3.27 A Phase 1 Geoenvironmental Survey of the site has been undertaken by GEMCO.
- 3.28 The report concludes that the site is suitable for the proposed residential end use, subject to limited further geoenvironmental investigation to confirm the assumptions and observations of the initial site survey.

Flood Risk and Drainage

- 3.29 A Flood Risk Assessment and Surface Water Drainage/SUDs Strategy has been prepared by Rupert Evans Rivers and Coastal.
- 3.30 This report confirms that the site is situated within Environment Agency Flood Zone 1 (lowest risk) and that therefore all uses of land are appropriate on the site.
- 3.31 The assessment also considers the possibility of groundwater flooding and the potential use of sustainability drainage techniques. The report confirms that the soil types will support the effective use of infiltration devices to drain into soakaways.

Community Engagement

- 3.32 Tiptree are at an advanced stage in the preparation of a Neighbourhood Plan for the village and surrounding areas. This application has therefore been influenced by discussions held with the relevant working group and seeks to support the intentions of the Plan in terms of delivering housing to the west and north of the village, which will in turn deliver a new vehicular route which will reroute through traffic away from the village centre.

4.0 Planning Policy

4.1 The following section considers the current planning policy position for Colchester Borough Council (CBC) and notes policies which are of particular relevance to the principle of this planning application.

Adopted Development Plan

4.2 The current adopted Development Plan for Colchester Borough Council consists of the Core Strategy (2008), Site Allocations (2010), Development Policies (2010) and the Local Plan Focussed Review (2014). These documents provide the statutory background for the determination of the planning application at a local level.

4.3 The 2010 Proposals Map that accompanies the Adopted Development Plan identifies the site as being outside, but adjacent to the defined settlement boundary of Tiptree. Part of the site is designated as an Employment Zone, and a small portion has a Gypsy and Traveller Allocation.

4.4 The Core Strategy (2008) includes Policy H1 which seeks to deliver 830 dwellings per year between 2001 and 2023. Policy H1 and the corresponding table H1a states that 680 of these dwellings will be delivered within Tiptree. This is the largest growth for any town or village outside of the town centre, albeit the majority of the homes had already been completed or permitted when the plan was written in 2006.

4.5 Tiptree is the largest settlement outside of Colchester Town and Table SD1 within the Core Strategy (2008) respectively identifies Tiptree as one of the three district settlements in the Borough, alongside West Mersea and Wivenhoe.

4.6 The Core Strategy (2008) pre-dates the National Planning Policy Framework (NPPF) (2018). It should be recognised that the NPPF allows some weight to be given to policies in Local Plans that predate the NPPF according to their degree of consistency with policies within the NPPF. The NPPF places great emphasis on meeting housing needs. It states that Local Plans should be based on adequate, up-to-date and relevant evidence; and should meet objectively assessed development requirements. Housing policies contained in the Core Strategy (2008) are therefore considered to be out of date and as such should be afforded little to no weight in the determination of this application.

- 4.7 The Development Policies (2010) were updated in July 2014 as a result of Colchester Borough Council's Focused Review of its Local Plan. An assessment of these Policies has been undertaken by CBC. Accordingly, these policies can be afforded some weight in the determination of this application, in consideration of their assessment against the NPPF (2018).
- 4.8 The Borough's most recent Annual Monitoring Report (December 2018) states that the Council will rely on the Council's most recently published Housing Land Position Statement (June 2018) for the current position on five-year housing land supply. This position statement states that Colchester Borough Council currently has a 5.18 year supply of deliverable housing sites. When allocations for the Emerging Local Plan are included, this increases to 6.51 years' worth of housing deliverable during the period 2018/19 to 2022/23.
- 4.9 The above supply is based on Colchester's most recent delivery projections and upon an OAHN of 920 dwellings per annum. It is stated in the AMR (2018) that this figure remains fit for purpose, despite the publication of the revised NPPF and PPG, updated population projections, and the consultation on the standard methodology which was ongoing at the time of publication. The consultation on the standard methodology found that the 2014 household-projections were more robust in calculating the OAN for local authorities in comparison to the 2016 household projections. As Colchester Borough Council previously used the 2016 household projections to calculate the OAN, it seems necessary to re-calculate using the 2014 household projections. This results in an OAN of 1,054 dwellings per annum. As a result of this revised figure, alongside an identical supply, a reduced five-year housing land assessment can also be presumed.
- 4.10 Moreover, given the current delay in the Examination of Section 1 of the Emerging Local Plan, the delivery of all of the proposed housing allocations cannot be assumed and therefore the weight that they hold as a whole cannot be significant in the determination of the Council's five year housing land supply.
- 4.11 An appeal dated 13th March 2018, in respect of Land off Bakers Lane, Braiswick (Ref: APP/A1530/W/17/3178656) also identified that Colchester Borough may not currently have sufficient deliverable sites to meet housing need. The appellants proof of evidence states that Colchester's five-year land supply is likely to be between 2.78 and 3.09 years (based on the DCLG standardised methodology).

- 4.12 The lack of five-year land supply as stated in this appeal (APP/A1530/W/17/3178656); the significant delay in the adoption of the emerging local plan; and the recalculation of the OAN using the 2014 household projections provides further confirmation that the Council's housing delivery policies are out-of-date. As Paragraph 73 of the NPPF makes clear, where policies are out-of-date, the presumption in favour of sustainable development applies.
- 4.13 To support the five year supply of housing for Colchester Borough, there is considered to be a strong justification in light of the above, confirms that Colchester Borough Council are in need for further residential development that can be delivered in sustainable location in the short-term, and land at Kelvedon Road represents a deliverable and achievable site in this regard. The delivery of such sites will be important in ensuring a consistent supply of housing where reliance is placed strategic scale garden communities in the emerging Local Plan in particular, and reducing the delivery and timing risks associated with such large scale development.

Other Material Considerations

Emerging Local Plan

- 4.14 Colchester Borough Council are currently in the process of progressing a new Local Plan which will *inter alia* be required to deliver the District's development needs – including housing – in full, and the unmet needs of neighbouring areas where reasonable and sustainable to do so.
- 4.15 The new Colchester Local Plan is set out in two parts. Part 1 of the emerging Local Plan relates to North Essex (Tendring, Colchester and Braintree) and their cross-boundary relationships and also includes strategic policies addressing this area. Part 2 of the Local Plan relates specifically to Colchester.
- 4.16 Of particular relevance to this application, Section 2 of the Emerging Local Plan has automatically proposed the designation of Tiptree as a sustainable settlement, based on its larger population, concentration of jobs, facilities, services and function. Tiptree is within the second tier of preferred growth below the main urban areas and Garden Communities. The plan recognises the ability of such settlements to provide essential services and facilities to their rural hinterlands

- 4.17 As a result, the Plan proposes the allocation of 600 homes to Tiptree, beyond existing commitments, within emerging Policy SS14. This policy also identifies particular broad areas of growth for the village, including to the north east, along Kelvedon Road, which this site therefore directly corresponds with. These areas of Neighbourhood Plan Preferred Directions of Growth are demarcated on the new Proposals Map for Tiptree (Policy SS14) that has been submitted for examination.
- 4.18 Both Part 1 and Part 2 of the Emerging Local Plan (2017-2033) were submitted to the Planning Inspectorate on the 9th October 2017. Section 1 of the Local Plan Examination ran from the 16th January 2018 to the 25th January 2018. An additional hearing session for Section 1 – Matter 1 took place on Wednesday 9th May 2018.
- 4.19 The Section 1 Examinations have since been suspended due to the Inspector's comments following the examination. The Inspector's post-hearing letter invited the North Essex Authorities (NEAs) to consider 3 options for taking the Section 1 process forward.
- 4.20 The NEAs have since confirmed that they wish to proceed with an alternative option and that the consideration of the revised evidence base and Sustainability Appraisal is programmed for mid-summer 2019, with further examinations taking place in Autumn 2019. Examination of the Colchester Borough Council Section 2 policies and allocations would then follow at a date to be advised by the Planning Inspectorate.
- 4.21 The NPPF states, at Paragraph 48, that decision-makers may allow weight to relevant policies in the emerging plans according to:
- The stage of the preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
 - The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - The degree of consistency of the relevant policies in the emerging to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 4.22 Due to the dismissal of Section 1 of the Emerging Local Plan at Examination, there is likely to be significant delay in the adoption of Section 2 of the Emerging Local Plan. As the Council are giving some weight to their emerging local plan allocations in their five-

year housing land supply calculations, it is vital that there is a provision for housing which can come forward in the short-term.

National Planning Policy

4.23 National policy is set out within the National Planning Policy Framework (NPPF).

Principles

4.24 One of the key guiding principles of the NPPF is a presumption in favour of sustainable development. The NPPF confirms there are three elements to sustainable development: economic, social and environmental.

4.25 Another core planning principle cited in the NPPF is that every effort should be made to meet identified housing need, and to respond to wider opportunities for growth.

The Presumption in Favour of Sustainable Development

4.26 The purpose of planning is to contribute to the achievement of sustainable development. The presumption in favour of sustainable development is a key tenet of the NPPF and states at Paragraph 11 that for decision-makers, the presumption in favour of sustainable development means:

- Approving development proposals that accord with the development plan without delay; and
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Delivering a Sufficient Supply of Homes (Section 5)

- 4.27 The NPPF, at Paragraph 59 recognises the need for a significant boost in the number of homes to be built; and requires a mix of housing that serves different groups in the community, and reflects local demand in terms of size, type and tenure.
- 4.28 The NPPF requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period).
- 4.29 The NPPF emphasises that applications for housing development should be considered in the context of the presumption in favour of sustainable development.
- 4.30 The NPPF states that if a Local Planning Authority's policy in respect of housing delivery are out-of-date – such as Policy HS1 of the Core Strategy (2010) - the presumption in favour of sustainable development applies, and decision-makers should grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF.

Neighbourhood Plan

- 4.31 We are aware that extensive work has been undertaken on the preparation of the Tiptree Neighbourhood Plan. Marden Homes Ltd. have engaged proactively throughout this process and as such, land south of Kelvedon Road has been recognised by both parties as a suitable location to encourage new housing development, due to its ability to meet a number of over-arching objectives of the community.
- 4.32 A general desire for development to be directed to the west of the village, in line with the broad areas of growth identified in the Colchester Borough Council emerging Local Plan was expressed early on the Neighbourhood Plan process, both by the local public through the consultation process (February 2018), and the Steering Group.
- 4.33 This location has also been recognised as a suitable location to deliver an alternative vehicular route for traffic through the village, as previously detailed within this statement. Land south of Kelvedon Road has therefore been identified as a critical component in the delivery of such an initiative.
- 4.34 This planning application seeks to help demonstrate the deliverability of the site in support of the Neighbourhood Plan which we understand is due for Draft publication

imminently. A robust and deliverable Neighbourhood Plan will then also in turn support the delivery of homes identified for delivery as part of the emerging Local Plan in order to meet the projected housing needs of Colchester over the next 10 to 15 years.

5.0 Planning Assessment

Principle of Development

- 5.1 As set out above, the emerging CBC Local Plan does hold a degree of weight for decision-making due to its advanced stage and having been submitted for examination, and within this land south of Kelvedon Road is identified as a Neighbourhood Plan Preferred Direction of Growth. This is further enforced by the support that is expected to be evident in the Draft Neighbourhood Plan that is due for publication imminently. This planning application is therefore submitted to demonstrate the deliverability of this site in the short term and provide direct support for these emerging local planning policies.
- 5.2 In terms of the adopted Local Plan, the site is immediately adjacent to the existing settlement boundary of Tiptree and the village is recognised as a sustainable location for growth.
- 5.3 Notwithstanding the above, recent appeal decisions imply that the Council are also unable to demonstrate a five-year housing land supply based on the appropriate OAHN, and that relevant housing policies would therefore be considered out of date. In this case, a presumption in favour of sustainable development should therefore be applied. Moreover, we also note that local authorities should identify highly sustainable and deliverable sites for the delivery of homes to meet recognised housing needs beyond their five-year supply, to provide a buffer and contingency for the potential delayed delivery of sites in a varying market.
- 5.4 The proposed location of development supports the intentions of the emerging Tiptree Neighbourhood Plan and the emerging Colchester Local Plan, which both specifically identify the north west of Tiptree as a preferred location for growth.
- 5.5 The key issue is therefore whether there are any adverse impacts of granting planning permission for the proposed development which would significantly and demonstrably outweigh the benefits of the scheme. The benefits and potential adverse impacts of the proposed development are explored further within this section.
- 5.6 The current site has clearly defined site boundaries, as well as a degree of built form on the site already, and is private land that offers no merit to the public. It is therefore considered that the site presents an opportunity for development that will have

significantly less impact on the landscape and countryside than other sites around the edge of Tiptree.

Employment Zone

5.7 The adopted Development Policies DPD (2014) is DP5: Appropriate Employment Uses and Protection of Employment Land and Existing Businesses states:

Sites and premises currently used or allocated for employment purposes will be safeguarded for appropriate employment uses. Any use that may have an adverse effect on employment generation will only be permitted where the Local Planning Authority is satisfied that:

- (i) The supply, availability and variety of alternative employment land is sufficient to meet borough and local requirements;*
- (ii) Evidence can be provided to demonstrate that no suitable and viable employment use can be found, or is likely to be found in the foreseeable future;*
- (iii) There would be substantial planning benefit in permitting an alternative use, for example in removing a use which creates residential amenity problems such as noise or odours;*
- (iv) There are demonstrable economic benefits to the area that would result from allowing redevelopment, for example by facilitating the Local Development Framework - Development Policies 23 retention of a business in the area through funding a new site or premises; and*
- (v) The traditional maritime character of the coastal areas would not be adversely affected.*

5.8 This policy is reflected in the emerging local plan (2017-2033) through Policy DM6: Economic Development in Rural Countryside. The emerging plan also carries forward the existing employment allocation of Tower Business Park as a Local Employment Area.

5.9 The more recent Colchester Employment Land Needs Assessment (2015) produced by Lichfields identified that the supply of employment space in the Borough's development pipeline comprises just under 77 hectares in net terms of undeveloped employment allocations with the supply concentrated particularly strongly within the Strategic Employment Zones at North Colchester, Stanway and the Knowledge Gateway. The report states that Colchester appear to have sufficient employment floorspace in quantitative terms to meet future needs up to 2032 under all scenarios of future growth. The site currently has no employment floorspace and it is apparent that there is little demand to protect this employment space for the future, especially given that demand and supply is greatest in Colchester Town and Northern Gateway Growth Area.

- 5.10 The report recognises that demand is greatest in the key centres and growth zones and respectively recommends the Borough's existing and future supply of employment space be concentrated in the areas of strongest market demand, including Colchester Town, the Northern Gateway and Strategic Employment Zones at Stanway and the Knowledge Gateway. These areas do not include Tiptree.
- 5.11 There are no business uses on site, despite the allocation as an Employment Zone since 2010 across the entire previous plan period. It is therefore not appropriate to continue to protect this land for employment uses. We also recognise that there is likely to be an opportunity to identify more appropriate land locally as part of the Neighbourhood Plan process.

Gypsy and Traveller

- 5.12 Policy H5 (Gypsies, Travellers and Travelling Showpeople) of the Core Strategy (2014) will identify sites for gypsy accommodation through suitable criteria and will determine applications in line with national policy as a material consideration. Policy DM11 of the emerging local plan (Policy DM11: Gypsies, Travellers, and Travelling People) identifies the sites within the borough that will accommodate pitches across the plan period up to 2033. It states the following:

"The need for 6 pitches by 2021 can be met by expansion of the existing site at Severalls Lane. The existing site has successfully operated since 2012 and is considered a sustainable location for small scale expansion. The need for the remainder of the plan period will be met through strategic sites and allocations within the Garden Communities, to be finalised through the process of agreeing detailed allocations and masterplans for those areas."

- 5.13 There is therefore clearly capacity for the loss of this small individual allocation to be mitigated through expansion at Severalls Lane and through the allocation of sites within the new Garden Communities. Sites of more than one or two pitches in size are also a more sustainable method of accommodating such land uses and providing appropriately serviced and managed sites for residents.

Layout and Design

- 5.14 The layout of the site has been developed over time, and has been influenced in particular by engagement with the Tiptree Neighbourhood Local Plan group. The scheme has evolved around the potential to provide a through-route from the north east to the south west of the site in the future, alongside the provision of community open spaces. The evolution of the scheme is detailed further in the accompanying Design and Access Statement.
- 5.15 A detailed Site Plan has been submitted as part of this planning application (Ref: 2018.190.002), and details how 150 units can be delivered on the site, alongside associated private amenity spaces, parking and areas of public open space.
- 5.16 The main access route through the site forms a main feature and landscaping and useable spaces alongside this route have therefore been designed to maximise its value to the wider scheme and create an attractive route in and out of the site for both vehicles and pedestrians alike.
- 5.17 Policy UR2 of the adopted Local Plan confirms that the Borough Council will promote high quality and inclusive design in all developments to make better places for both residents and visitors. Respectively, it is advised that developments are informed by context appraisals, and should create places that are locally distinctive, people-friendly, provide natural surveillance to design out crime, and which enhance the built character and public realm of the area.
- 5.18 The Design and Access Statement that accompanies this planning application advises on the appraisal of local context that has been undertaken, and the development of the scheme which has evolved as the overall land parcel has changed to ensure it continues to protect existing surrounding development, also as specific requirements for the site have been identified through engagement with the Neighbourhood Plan group.
- 5.19 As a result of the inclusion of a roundabout and main spine road through the site, this has supported the development of active street frontages, passive surveillance for areas of open space, and a distinctive and welcoming arrival into the site.
- 5.20 The site has been designed to provide active and attractive street frontages along the new access road, and also where the site directly fronts Kelvedon Road. This will therefore have a significant improvement to the sites relationship with Kelvedon Road and other existing development along this road than that experienced presently.

- 5.21 The development is considered to comply with Policy UR2 by providing high quality design which will enhance the character of the local area.
- 5.22 All units will be provided with private gardens or balconies/communal space for apartments, in excess of the standards set out in Policy DP16 of the adopted Local Plan Development Management Policies Document. Over 10% of the site will also be provided a useable open space in accordance with this policy.
- 5.23 Open space within the site will contribute to a strategic green network of open spaces across the Borough, in accordance with Policy PR1 of the adopted Core Strategy, and the specific uses of this space could be informed through more detailed assessments of local need during detailed design stages.

Housing Mix and Affordable Housing

- 5.24 The overall development will provide 6x 1-bed houses, 32x 2-bed houses, 28x 3-bed homes and 39x 4 bed homes. The development will also provide an additional 8x 1-bed apartments, 29x 2-bed apartments and 8x 3-bed apartments. This mix has been generated to provide predominantly smaller homes to meet the recognised needs of Tiptree and the wider Colchester area. This supports CBC's intentions to provide a range of housing types and tenure on developments across the Borough, as set out within Policy H4 of the adopted Core Strategy. The provision should provide an inclusive and accessible development for the local community.
- 5.25 In addition to there being a need for market housing within Colchester Borough Council, there is also a continuing need for the delivery of affordable housing in the Borough, as stated in the most recent Annual Monitoring Report (December 2018).
- 5.26 Policy DM8 of the emerging Local Plan provides a target of 30% affordable housing provision on sites in urban areas. In the interests of providing a scheme which support the ambitions of the emerging Local Plan, albeit ahead of its formal adoption, the proposed scheme can supply 30% affordable housing. As such, the proposals meet the requirements of Policy DM8 of the emerging Local Plan, whilst also exceeding the requirements of adopted Core Strategy Policy H4, which remains the relevant adopted planning policy at the time of this application.
- 5.27 The 45 affordable homes will comprise 8x 1-bed units, 29x 2-bed units, and 8x 3-bed units as a mixture of both flats and houses. The associated floorspaces are provided on

the accompanying accommodation schedule. The affordable units are identified on the accompanying Site Plan.

- 5.28 The applicant is willing to discuss the tenure split of the affordable units with CBC and agree a suitable provision of both social rented and intermediate housing.
- 5.29 The most recent Annual Monitoring Report for the Borough (December 2018) states that 134 affordable homes were delivered in the Borough in the year 2017 – 2018 compared with 100 affordable homes in 2016 – 2017. There is a need for both market and affordable housing in the Borough. The proposed development's contribution of up to 45 affordable homes will therefore make a significant contribution to the Borough's supply of affordable homes and ensuring that these continue to be delivered for future residents of the Borough, as well as those existing.

Transport, Parking and Accessibility

- 5.30 The issue of transport and accessibility are considered in detail as part of the Transport Assessment which has been prepared by Journey Transport Planning, and accompanies this planning statement.
- 5.31 The current uses on the site see two principle access taken from Kelvedon Road. The proposed scheme will condense these to one centrally located access point, which will connect to Kelvedon by a new roundabout.
- 5.32 319 car parking spaces shall be provided across the scheme, amassed by the following provisions:
- 1 space per apartment
 - 3 spaces per house with garage
 - 2 spaces per house
 - 25% visitor parking
- 5.33 Further detail on the parking provision is provided within the accompanying Transport Assessment, however the provision is considered to be of a standard that is appropriate for the site in respect of Essex County Council Vehicle Parking Standards, as required through Policy DP12 of the adopted Development Management Policies.

- 5.34 The proposed scheme also complies with the requirements of Policy DP12, all apartment blocks accommodate internal cycle parking, and houses will otherwise be able to provide on-plot storage space in garages, car ports and gardens. These spaces will also allow storage for refuse and recycling.

Flood Risk and Drainage

- 5.35 The site is within Flood Zone 1. As such, it is at the lowest risk of fluvial or tidal flooding in accordance with the Technical Guidance that accompanies the NPPF and is suitable for residential development from a flood risk perspective.
- 5.36 The emerging Development Plan (Paragraph 15.125) states that the overall aim of national policy and guidance on flood risk is to steer new development towards land on the lowest risk from flooding (Flood Zone 1).
- 5.37 As part of the proposals, swales and SUDs are proposed at the southern part of the site. These features are strategically located to work with the existing topography of the site in order to manage surface water runoff and to ensure the site manages surface water entirely within the site to reduce the risk of flooding elsewhere.
- 5.38 Further information on the flood risk and drainage proposed on site is included in the accompanying FRA prepared by Cannon Consulting Engineers.

Ecology

- 5.39 The development shall seek to conserve or enhance biodiversity interests where appropriate, in accordance with Policy DP21 of the adopted Local Plan. Initial ecological surveys have therefore been undertaken and have identified the potential for species habitats on the site in its existing use. The survey has therefore recommended additional species surveys which shall be undertaken in the appropriate survey seasons and to support the determination of this planning application where possible.
- 5.40 The outcome of these surveys will be able to inform a more detailed landscaping scheme to be developed during any future detailed design stages and agreed by way of condition. This will be able to include any specific species planting, bat and bird boxes and protection for reptiles.

- 5.41 It is expected that the scale of the proposals and provision of landscaping within the site will present an opportunity to enhance and improve the potential for ecological habitats across the site above and beyond the existing environment.

Arboriculture

- 5.42 Trees of moderate quality will be retained where appropriate, particularly along the site boundaries. More centrally within the site, some trees will be removed but this loss will be more than offset by replacement planting of high quality trees as part of the proposals and supporting landscaping scheme.
- 5.43 Further detail on the existing trees on the site are provided within the accompanying Arboricultural Impact Assessment which also makes recommendations to ensure the protection of the trees that are to be retained as part of the proposed scheme.
- 5.44 The replacement planting will respond to the Borough Council's encouragement of street trees and well-maintained landscaping to promote people-friendly streets (Core Strategy Policy PR2).

Loss of Agricultural Land

- 5.45 The site is not currently in agricultural use and will therefore not result in the loss of any agricultural land.

Health

- 5.46 An accompanying Health Impact Assessment (HIA) has been prepared by Strutt & Parker to accompany this application in line with Policy DP2 of the adopted Local Plan, which advises that such assessments will be required for all residential developments in excess of 50 units.
- 5.47 Given the modest scale of development in relation to the services and facilities that are offered in Tiptree and the wider Colchester area, it is not considered that the development will have any undue impact on local facilities, that will not be mitigated through appropriate obligations sought from the respective stakeholders as part of this planning application process.

Archaeology

- 5.48 Policy UR2 of the adopted Core Strategy confirms the desires of CBC to enhance Colchester's unique historic character and protect this from inappropriate development.
- 5.49 In respect of this, and in recognition of the rich archaeological history of Colchester, an Archaeological Desk-Based Assessment and Walkover Survey has been undertaken for the site.
- 5.50 The survey recognises that the site has limited potential for all archaeological periods but moderate potential for modern remain relating to the Kelvedon-Tiptree-Tollesbury Light Railway branch line that ran along the southern boundary of the site from 1904-1962.
- 5.51 Given this low potential on the site, it is anticipated that a watching brief arrangement would be suitable to ensure that anything uncovered on the site during development is dealt with and recovered appropriately if required, rather than a programme of further intrusive investigations.

Contamination

- 5.52 Policy DP1 of the adopted Development Management Policies requires that development proposals would undertake appropriate remediation of contaminated land where required.
- 5.53 To understand the potential risk of the site in this regard, a Phase 1 Geoenvironmental Assessment has been undertaken on the site. This assessment recommends precautionary limited intrusive investigation to confirm the initial conclusions that the site has low risks to human health and controlled waters relating to general soil quality and the potential for hazardous ground gases.

6.0 Conclusion

- 6.1 This planning application seeks full planning permission for the demolition of existing buildings on the site and redevelopment to provide 150 residential dwellings with access, link road to allow for potential future connections to Grange Road, associated parking, private amenity space and public open space.
- 6.2 This application is made in the context of housing need within Colchester Borough and the requirement to provide suitable sites for residential development to support the supply.
- 6.3 The site comprises a sustainable form of development which will provide housing to support Colchester's needs in the short term, in line with the growth intentions that have been set out within the emerging Tiptree Neighbourhood Plan and emerging Colchester Local Plan.
- 6.4 In the meantime however, until the adoption of the emerging planning policies for the area, we also draw reference to CBC being unable to identify a five year supply of land for housing, as confirmed in the recent appeal decision APP/A1530/W/17/2178656 and our own analysis of the Council's figures. The NPPF confirms that in the current situation of uncertain supply, applications should be considered on the basis of the presumption in favour of sustainable development as set out by the NPPF in Paragraph 11. It is considered that permission should be granted unless adverse impacts of granting permission would significantly outweigh the benefits.
- 6.5 Extensive technical work has been undertaken to support this planning application and to help demonstrate the deliverability of the site, and respectively the delivery of both market and affordable housing for Tiptree and the wider Colchester area in the short term, ahead of the emerging, but delayed, Local Plan.
- 6.6 The proposed development constitutes sustainable development and there are no material considerations or adverse effects that would suggest that development should be resisted in this case, let alone any which would significantly and demonstrably outweigh the benefits the development would provide. The development, as proposed, is deliverable and will provide considerable support for the emerging Local Plan and Neighbourhood Plan. As such, it is respectfully requested that the Council approve the application.