



Planning Statement Addendum – 190647



Land south of Kelvedon Road, Tiptree

Demolition of existing buildings on the site and redevelopment to provide 130 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.

October 2020

Land south of Kelvedon Road, Tiptree

Site Name:	Land south of Kelvedon Road, Tiptree
Client Name:	Marden Homes Ltd.
Type of Report:	Planning Statement Addendum
Prepared by:	 Laura Dudley-Smith MA MRTPI – Associate Director
Approved by:	 Andy Butcher MRTPI – Senior Associate Director
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Strutt & Parker, Coval Hall, Rainsford Road, Chelmsford, Essex CM1 2QF

ChelmsfordPlanning@struttandparker.com

Tel No: 01245 258201

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1.0 Introduction

- 1.1 This report is provided as a second addendum to support the planning statement accompanying application ref: 190647 which was submitted to Colchester Borough Council (CBC) in January 2019.
- 1.2 Following the submission, CBC commenced the statutory consultation process and a number of responses were received, including but not limited to:
 - CBC Policy
 - Tiptree Parish Council/Neighbourhood Plan Steering Group
 - CBC Urban Design
 - Environmental Health Officer
 - Essex County Council (ECC) SUDs
 - CBC Archaeology
- 1.3 Since these various responses were received, the planning application project team has been working on updates to the proposals to enable the various issues to be addressed and provide further clarification/information where appropriate. As a result, the number of homes proposed for the development has been reduced from 150 to 130 units as provided for in the letter submitted to CBC of 30th October 2020 which was supported by a pack of revised documents.
- 1.4 The additional time that has passed since the original submission also requires a further review/update on the status of both the emerging Neighbourhood Plan and CBC Local Plan and the weight to be given to these emerging plans in the determination of the planning application.
- 1.5 This addendum therefore summarises the key issues raised during the consultation process, with reference to the detailed associated updated technical reports, plans and surveys that make up this submission of additional information. This report also includes a commentary on the recent appeal decisions and current policy context for the determination of the application, with reference to the issue of prematurity raised by CBC in particular.
- 1.6 It is intended that this submission of additional details provides sufficient information to enable CBC to progress the application to a favourable determination.

2.0 Technical Update

Planning Policy

- 2.1 Colchester Borough Council (CBC) have most recently indicated that the application should be refused on the basis that it conflicts with the emerging Tiptree Neighbourhood Plan (TNP) and adopted policies of the current Development Plan, with no material considerations that outweigh this policy conflict. This is detailed within the Planning Policy Team Response dated 4th June 2020. CBC have stated that, in their view, the TNP should be given significant weight at the Regulation 16 stage and that the application is considered premature to the TNP until the Examiners Report has been received. CBC have stated that it ‘prejudges the final stages’ of the TNP and ‘undermines the plan-led approach’ (4 June 2020).
- 2.2 In a recent appeal in the Borough for land adjacent to 67 Braiswick Road, Braiswick (APP/A1530/W/20/3245754) it was confirmed that the Council does have a five-year housing land supply, but the assessment made by the Inspector removes some 397 units from the Council’s proposed supply, thus concluding that the current supply only “just meets the requirement”. As a result, the delivery of sites proposed for allocation, either directly or through a requirement for housing delivery via a Neighbourhood Plan, will be particularly important to ensure the Council continues to meet its housing needs in the meantime.

Prematurity

- 2.3 Paragraph 49 of the National Planning Policy Framework (NPPF) sets out the ‘*limited circumstances*’ where an argument that an application is premature is likely to justify a refusal of planning permission:
- a) *The development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and*
 - b) *The emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.*
- 2.4 In terms of criteria (a), Policy SG2 of the emerging Local Plan (eLP) allocates 600 new dwellings to be built over the plan period within Tiptree. TNP has been advanced on this basis. With the current scheme proposing 130 dwellings, this amounts to 21.6% of the total allocated to Tiptree in the eLP. The recent appeal, APP/A1530/W/19/3223010 for up to 200 homes at Barbrook Lane the Secretary of State (SoS) considered whether allowing development would be premature in advance of adoption of the TNP and found that dismissing the appeal on prematurity was not justified and contrary to the provisions of the NPPF. With the Barbrook Lane scheme being for up to 200 dwellings, a greater amount than the current proposal, it therefore logically follows that this is equally not an issue for a lower amount of dwellings, particularly given that the 135 hereby proposed form part of the overall 600

allocated to Tiptree under Policy SG2, proposed to be apportioned through the Neighbourhood Plan.

- 2.5 Critically, Policy TIP13 of the TNP proposes to allocate this application site and surrounding land for approximately 175 homes. This proposal for 130 new homes on the site would accord with the principle of this policy. It is important to note also that the allocation of this land in the TNP is for approximately 175 homes providing flexibility in the quantum of the amount of development. We are not aware of any substantive capacity studies that have resulted in this numerical allocation and this number should therefore not undermine the 'efficient use of land' (NPPF Para. 122).
- 2.6 In terms of criteria (b) of paragraph 49, the TNP recently underwent Regulation 16 consultation. It has been submitted for Examination, with an Examiner appointed. However, there is currently no published timescale for the Examination. Whilst the TNP is at a reasonably advanced stage, there are still outstanding objections, with many raised during the Regulation 16 consultation, and it is currently unknown whether the Examination will find TNP to be in accordance with the Basic Conditions to proceed to referendum and adoption or whether amendments are required.
- 2.7 The Government has updated the Planning Practice Guidance (PPG) on 25th September 2020 in response to the COVID-19 pandemic which included clarification that significant weight can be given to Neighbourhood Plans in decision-making where the Local Planning Authority has issued a decision statement detailing its intention to send the NP to referendum (reference ID: 41-107-20200925). Prior to reaching this stage, a NP cannot be afforded significant weight in decision making.
- 2.8 As a consequence, the TNP can only be afforded limited weight to the determination of this planning application at this time given that there is still the potential for amendments to be made as part of the Examination process. This is consistent with the SoS and Inspector in the Barbrook Lane and APP/A1530/W/20/3248038 (Maldon Road) appeal decisions.
- 2.9 In terms of the TNP, it is notable that within the Barbrook Lane decision, the Inspector and SoS both considered that the proposal would not cause any harm to local services, subject to certain necessary contributions provided within a Section 106 agreement. At paragraph 159 of the Inspector's report to the SoS, the Inspector confirmed that the figure of 600 dwellings to come forward as part of the TNP is not a maximum figure and that the scale of the proposal would not cause demonstrable harm to the settlement. The Inspector concluded, and SoS agreed, that a decision to grant planning permission would not be premature having regard to the tests under paragraph 49 of the NPPF.
- 2.10 In the Maldon Road decision, the Inspector considered that whilst up to 255 dwellings would be significant in the context of the 600 dwellings allocated in the TNP and could have some potential to undermine or predetermine some of the central decisions, that alone did not justify a reason for refusal. Combined with the TNP not being sufficiently advanced, this meant that a refusal on the basis of prematurity to the TNP was not accepted (paragraph 87).

- 2.11 These proposals for up to 200 and up to 255 dwellings related to sites that are not proposed for allocation in the emerging TNP. Nevertheless, the Inspectors and the SoS considered that neither development would not undermine the TNP or that the decisions to allow the appeals were premature. These decisions have effectively established that objections to this application on the grounds of prematurity would be unreasonable. Indeed, this proposal for 130 dwellings is for a site that is proposed for allocation in the TNP which can be given some weight in the decision.
- 2.12 In terms of the eLP, in the Barbrook Lane decision, the SoS stated at paragraph 13 that “only very limited weight can be given to the relevant housing policies in the eLP”. Since the SoS’s decision, the Examination into Section 1 of the eLP dealing with the overall housing requirements and spatial strategy for the North Essex Authorities (NEAs) has yet to be concluded having been ongoing for over three years. There are continuing uncertainties on the outcome and the Examination into Section 2 dealing with the Borough’s site allocations still needs to be undertaken. This is no timescale for the Examination of Section 2 and it is unclear whether the removal of the two Garden Communities and other amendments in Section 1, will require any amendments to Section 2. These uncertainties highlight that only limited weight can be given to the eLP at the current time. The Inspector in the recent Land off Maldon Road decision reached this conclusion, as have numerous other Inspector appeal decisions in the Borough and the NEAs.
- 2.13 The 130 dwellings proposed in this application represent 1.7% of the total 7,853 new dwellings proposed for allocation within the eLP, or 0.86% of the overall total of 15,063 over the plan period. The proposals are not therefore so substantial or significant to undermine the plan-making process and this view is consistent with the decisions of the SoS and Inspector in the Barbrook Lane and Maldon Road appeal decisions. It is pertinent to note that both of those two schemes proposed a higher number of dwellings than the current proposal, being 200 and 255 dwellings respectively.
- 2.14 It is also notable that within the Maldon Road appeal, the Council confirmed that should that appeal have been allowed for up to 255 dwellings, there would not have been any need to amend the eLP (paragraph 78). With the current scheme being for a lower amount of dwellings, it therefore follows that, should the scheme be approved, there would not be any need to amend the eLP. The proposed allocation within the TNP as referred to within eLP Policy SG2, alongside the identification of this area as a “Direction of Growth,” further reinforces the consideration of the site’s development within the eLP as existing, and thus no need for amendment should consent be granted.
- 2.15 In summary, the proposal is not so substantial, or its cumulative effect so significant, that granting planning permission would undermine the plan making process by predetermining decisions about the scale, location or phasing of new development that are central to the eLP. Indeed, no changes would be required to the eLP if permission was granted. There is, therefore, no justified rationale for refusing planning permission for this application on the basis that the scheme is premature to the eLP.

- 2.16 Indeed, the scheme is entirely in accordance with the eLP. Tiptree is identified in the eLP as a sustainable settlement, with Policy SG2 requiring new allocations totalling 600 dwellings within Tiptree. It is important to note this is a minimum number of new dwellings and not a maximum. The provision of 130 dwellings on the application site is therefore in accordance with the spatial strategy of the eLP.

Employment Land

- 2.17 The CBC Policy response (4th June 2020) also refers to the site's existing partial allocation as a Local Employment Zone in the development plan, and the intending continuation of this allocation in eLP. The site the subject of this application comprises an undeveloped 1.04ha of the overall allocation. The remaining allocation area is developed and makes up Tower Business Park.
- 2.18 The TNP proposes to allocate 1.5ha of new employment land and the CBC policy response confirms that the Council do not object in principle to this new allocation, which would offset the reduction of the Tower End employment zone allocation.
- 2.19 It is important to note that this approach to the allocation will be tested through the TNP examination. Regardless of this outcome, there remains issues with the delivery of the remaining Employment Zone as allocated. This part of the site has been allocated for employment purposes since the adoption of the 2008 Colchester Local Plan. In this time, the site has remained vacant and undeveloped for employment purposes, and there is no realistic prospect of employment development coming forward.
- 2.20 The undeveloped part of the allocation falls within two separate ownerships and does not adjoin the main road, being instead fronted by residential dwellings. Access would therefore need to be taken from the developed part of the employment allocation – Tower Business Park. The adjoining parcel of land has been developed to have built form along the entirety of the adjacent boundary and therefore does not provide an opportunity for extended development or through-access. The land does not have vehicular access.
- 2.21 There is therefore no reasonable prospect of the site being used for employment purposes as part of the larger allocation as there is limited or no opportunity for suitable vehicular access. Within the 4th June response, the Council has acknowledged the “level of constraints of the existing undeveloped portion of the Tower Business Park allocation” and the apparent conflict between the adopted and emerging Local Plan allocations in this regard.
- 2.22 The development of this land for residential purposes as part of a wider site, such as that the subject of this application, would therefore only result in the loss of undeliverable employment land which makes no contribution to the Councils provision, and thus how it may be replaced becomes insignificant.

Gypsy and Traveller Site

2.23 The CBC Policy response (4th June 2020) also refers to the potential loss of the Gypsy and Traveller pitch (Pony Farm) located within the site proposed for allocation under TNP Policy TIP13. We understand CBC have been working with TNP Steering Group in this regard to address these concerns. We understand for the conclusion of this to have been for an additional inclusion within the draft TNP policy to require the inclusion of an additional site either within the site, elsewhere in Tiptree, or elsewhere in the Borough.

2.24 Table 1 shows a breakdown of the allocated Gypsy/Traveller sites within Colchester Borough Council's adopted Local Plan (as shown at Policy SA H2) alongside respective site areas. The site areas have been recorded using the site boundaries defined on the associated adopted Proposals Maps, and the number of pitches on each site are those confirmed within Policy SA H2.

Table 1: Allocated Gypsy/Traveller sites and associated site and pitch sizes

	Gypsy/Traveller Site	Pitches Accommodated	Site in Hectares (approx.)	Average Pitch Size per Site (ha)	Average Pitch Size across the Borough (ha)
1	Severalls Lane, Colchester	12	2.19	0.18	0.15
2	Clearview, Rectory Road, Aldham	1	0.07	0.07	
3	Colt Farm, Tiptree	2	0.25	0.125	
4	Emmanuel, Kelvedon Road, Tiptree	1	Not available	Not available	
5	Nunns Farm, Lower Road, Layer Breton	1	0.4	0.4	
6	The Paddocks, Kelvedon Road, Tiptree	2	0.22	0.11	
7	Stableview, Newbridge Road, Tiptree	2	0.16	0.08	
8	Bridge Side, Turkey Cock Lane, Stanway	3	0.32	0.11	
9	Ponys Farm, Kelvedon Road, Tiptree	1	0.18	0.18	
10	Land adj. to Gwynlians, Kelvedon Road, Tiptree	2	0.14	0.07	

11	Orchard Place, Vernons Road, Chappel	3	0.28	0.09	
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2.25 Table 1 confirms that the application site at Pony’s Farm currently accommodates one pitch.

2.26 The present owner/occupier of Pony’s Farm is Mr N Taylor. Mr N Taylor has entered into an agreement with the applicant to vacate his plot, if planning permission is granted. We understand that Mr N Taylor intends to relocate onto the existing nearby gypsy and traveller site at Colt Farm, approximately 100m to the east. There will therefore be no net loss of pitches.

2.27 Policy H5 of the development plan - Gypsies, Travellers, and Travelling Showpeople - provides the criteria to assist in the identification of new sites. Policy H5 States the following:

“The Council will identify sites to meet the established need of gypsies, travellers and travelling show people in the borough.

The Council will seek to locates sites within reasonable proximity to existing settlements, and with access to shops, schools and other community facilities. Site should be also providing adequate space for vehicles and appropriate highway access. Any identified need for ‘transit’ (temporary) sites for gypsies and travellers will be met in appropriate locations related to the current working patterns of the travelling community.”

2.28 As Colt Farm has already been allocated through the Plan, it is evident that CBC view Colt Farm as an acceptable location for the provision of Gypsy/Traveller accommodation to replace that which would be lost in this development.

Average Pitch Size and Site Capacity

2.29 Table 1 also calculates the average provision of pitch space per allocated site (site size/number of pitches). Of the recorded sites, the average Borough pitch size is 0.15ha.

2.30 The table shows that of the 10 gypsy/traveller sites that were measured, 7 sites recorded average pitch sizes that are smaller than the average pitch size within the Borough. Three of the sites; Clearview, Stableview, and land adj. to Gwynlians, have average pitch sizes that are approximately half the Borough average.

2.31 The Council’s approach to the provision of pitches compared to the approximate area of the allocated sites across the Borough is inconsistent, with the majority of the sites accommodating pitches that are on average smaller than the Borough average of 0.15ha and some sites accommodating single pitches on sites that are much larger than the Borough average.

- 2.32 The calculations show that areas as small as 0.07ha can accommodate a single pitch, which is the average pitch size for both Clearview and Land Adj. to Gwynlians. If this pitch area is taken as the minimum size requirement for pitches across the Borough, in our view it should be considered acceptable to offset the loss of one pitch at one of the sites if it can be agreed with the relevant parties that the pitch can be accommodated for at another site.
- 2.33 Pony's Farm currently consists of 1 pitch on 0.18ha of land, and is one of 3 sites in the in the Borough that comprises a pitch area that is significantly larger than the Borough average of 0.15ha (0.4ha). The site is also significantly larger than the minimum pitch size in the Borough of 0.07ha.

Relocation to Colt Farm

- 2.34 We understand that the occupier of Pony's Farm, Mr Nelson Taylor, intends to relocate his current accommodation to Colt Farm. Colt Farm currently accommodates 2 pitches on 0.25ha of land, and has average pitch size of 0.125ha. Introducing a 3rd pitch would reduce the average pitch size to 0.08ha, which is still larger than the minimum accepted pitch size requirement.
- 2.35 Having regard to Designing Gypsy and Traveller Sites – Good Practice Guide (Communities and Local Government, 2008), a permanent pitch can vary in size and accommodate large extended families. As a minimum, a pitch should be capable of accommodating an amenity building, a large trailer and touring caravan, parking space for two vehicles and a small garden. At present, we understand that Colt Farm shares ample amenity buildings, play spaces and parking areas.
- 2.36 In this respect, the Policy Team have confirmed that they would not object to the relocation of the Pony Farm site to an existing site in principle. Again, whilst the full test of the approach for mitigation through the TNP remains outstanding, this acceptance goes some way in confirming the relocation of the Plot based on the information provided above.

Design and Layout

- 2.37 Arising from the initial consultation, comments were provided by CBCs Urban Design Officer. This resulted in a number of meetings to seek to address criticisms of the design and layout, leading to a new architect being instructed to re-design the scheme in its entirety.
- 2.38 There are a number of existing features that have influence on proposals for the development of the site. These include neighbouring existing residential and employment land uses, ecology, arboricultural constraints, and critically, the need to provide a through-road with sufficient design capacity for future connectivity to respond to the objectives of the TNP. Given the potential future capacity requirements of this road, this leads to substantial built infrastructure requirements in this regard.
- 2.39 This addendum is accompanied by an extensive new design pack, prepared by DAP Architects which includes:

- Design and Access Statement
- Proposed Site Layout
- Proposed Housing Mix Plan
- Proposed Storey Heights Plan
- Proposed Tenure Plan
- Proposed Refuse and Cycle Strategy
- Proposed Parking Strategy
- Proposed Materials Plan
- Proposed Boundary Treatment Plan
- Proposed Garden Areas Plan
- Proposed Street Scenes
- Detailed Floor Plans and Elevations for Apartments
- Detailed Floor Plans and Elevations for Housetypes

2.40 The revised plans and design and access statement seek to respond to the issues raised by CBC, whilst also still making best use of this sustainably located site and ensure its viable delivery. The comprehensive design review has led to a reduction in the number of units proposed to be delivered on the site to 130.

2.41 The overarching objectives have included the concealment of parking, the amount of which is in accordance with Essex Parking Standards, development of an “organic” layout with distinct character areas, pedestrian/cycle permeability throughout, to connect to existing footpaths and general conformity with guidance provided within the Essex Design Guide. Whilst full detail is provided within the accompanying Design and Access Statement, the following lists out the key highlights of the revised proposals:

- The new proposed site layout has been informed by extensive site and context analysis which can be found within documents 1 and 2. Leading to better design of house types and layout within the site, this in turn has allowed for a colourful and vibrant palette of materials and design details that have been applied across the entirety of the scheme.
- This has resulted in opportunities to connect to the wider area, including the south west where the dwellings address the boundary allowing connectivity between the new Grange Road site and this proposed development. The main spine road continues to the western boundary allowing opportunities to connect to potential future developments beyond.
- The new proposal is compliant with Essex Parking Standards and parking is predominantly located in parking courts or to the side of plots.
- Street design avoids long straight stretches, and invariably winds organically with the building line following this pattern and is combined with changes in surface materials, these combine to enable a natural reduction in vehicle speed.
- There is significant variation throughout the proposed scheme in relation to depth from the road edge to the front of the proposed dwellings to create visual interest and allow for variation of planting between.

- The three defined character areas provide three different solutions for footpath connectivity; footpaths run alongside the main road in Character Area 1, buffered by heading and tree lines, compromising neither vehicular nor pedestrian access. Shared surface roads in Character Area 2 encourage pedestrian use, while the pedestrian footpath through Character Area 3 to Kelvedon Road ensures that the whole site is more pedestrian orientated.
- Continuity of street frontage is an important aspect of the development and features heavily throughout, whether through a clear dwelling/garage relationship within Character Area 1 or accommodation above car parking different areas and linked carports in Character Area 2.
- Every dwelling is provided with the level of amenity required by its size, with many instances having far in excess of the required standard, this is in addition to the provision of a Public Open Space on the western boundary which is integrated with the green corridor that runs through the site and has been retained for its ecological diversity.
- Character Area 3, with its reduced density and arcadia style layout, softens the relationship of the proposed with the neighbouring site at The Gables.

Highways

2.42 The submitted Transport Assessment with the planning application confirmed the acceptability of vehicle movements resulting from up to 150 units and therefore, this revised scheme will remain acceptable in terms of impact on the local highway network. An updated assessment will be provided shortly to reappraise the new site layout in terms of network flows, tracking and junction capacities.

Landscape

2.43 In addition to the information submitted previously, a Landscape and Visual Impact Assessment has been provided to support the revised plans. This additional level of assessment has informed the layout and indicative landscaping for the new scheme, particularly in respect of considering the site's relationship with the public open space and the footpath which runs along the western boundary of the site.

2.44 In terms of the wider context, the proposals are assessed as having a Moderate to Slight Adverse Effect on the site itself, but, over time, this is expected to reduce to just a Slight Adverse Effect as the proposed mitigation measures, including retention and enhancement of existing landscaping will establish.

2.45 The assessment recognises that the proposed development forms a logical extension to the village and that it would be viewed against the existing backdrop of built form and changes to the village that have already seen the erosion of some of the key rural characteristics over time.

Archaeology

2.46 An initial consultation response from CBC Archaeology requested a field evaluation of the site prior to the determination of the application. As result, a programme of trial trenching was agreed with the Archaeology Officer and the works were completed in September 2020. The investigation entailed the excavation of fourteen trenches, and

none were found to contain archaeological features. The associated report, prepared by Archaeology South-East concludes an absence of archaeological remains within the proposed development area. The report provides full detail on the analysis and is submitted alongside this statement.

Arboriculture

- 2.47 Since the submission of this application, a Tree Preservation Order has been made on the site as a whole (TPO/03/19). A revised Arboricultural Impact Assessment accompanies this submission. The assessment of the trees on the site and an associated Arboricultural Constraints Plan has informed the revised layout for the site to ensure that as many trees are retained as possible, including low quality specimens where appropriate. Where some trees are proposed for removal in the interests of developing a deliverable scheme, this loss will be more than offset by new tree planting to be agreed as part of future detailed landscaping and planting proposals.
- 2.48 Overall, just 8 individual trees are to be removed out of 39 existing trees, and 4 of these proposed for removal are already dead. 2 groups out of 9 are to be removed.
- 2.49 Advice has also been provided regarding the protection of retained trees throughout the construction process and into the future.

Noise and Air Quality

- 2.50 The initial consultation response received from CBC's Environmental Health Officer advised on the implementation of a noise related condition, but also requested an Air Quality Impact Assessment (AQIA) given the size of the scheme proposed.
- 2.51 Subsequent liaison directly with Guy Milham, EHO, has confirmed that an AQIA will not be required on the basis of a condition being applied which refers to the provision of electric vehicle charging.

Ecology

- 2.52 Further appraisal work for the site has also been undertaken to assess ecological value, and ensure that development has minimal impact on the habitats of protected species. This has primarily resulted in the retention of existing waterbodies and established central hedgerow on the site due to the small recognised presence of Great Crested Newts and protected reptiles on the site.
- 2.53 Bat roost assessments of the buildings and trees proposed for removal have also been undertaken and confirmed no constraints in this regard.
- 2.54 Substantive ecological enhancement is also proposed to ensure that the habitats are both protected, enhanced and created.
- 2.55 Whilst additional surveys continue to be required once survey seasons allow, appropriate mitigation is considered achievable within the site as proposed, particularly at the point of detailed landscape design, post-determination.
- 2.56 Full detail is provided within the accompanying updated ecological reports.

Drainage

2.57 Consultation feedback from ECC as Lead Local Flood Authority required additional testing in relation to the previous assumptions made regarding the potential for infiltration on the site. An updated Flood Risk Assessment and Drainage Strategy report accompanies this submission. As soil types have been deemed unsuitable for the effective use of infiltration devices, it is now proposed that surface water be attenuated through the use of permeable paving and a detention basin prior to discharge into the local Anglian Water surface water sewer system.

3.0 Conclusion

- 3.1 This addendum provides an updated assessment of the planning policy position for the determination of this planning application following liaison with CBC and its policy team and in the context of recent relevant appeal decisions that directly relate to Tiptree and the consideration of the proposals as well as others that consider the weight that should be afforded to the emerging Local Plan.
- 3.2 The proposals have also been substantially revised, with a reduction in the amount of development and a new approach taken the layout and design of the scheme to address comments made since the planning application was first submitted.
- 3.3 Given para 49 of the NPPF, the outcome of the appeal decisions referred to, the current planning status of the site in terms of the proposed allocation in the TNP and the associated direction of growth included in the eLP, it is concluded that there are no grounds to refuse this application based on argument of prematurity.
- 3.4 The detailed comments made on the application form CBC and key stakeholders have also been taken into account in this revised submission and it is respectfully requested that CBC proceed to grant planning permission for the development.