



TIPTREE JAM FACTORY PLAN

Version as found sound in Inspector's Report received

4 December 2012

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1. Introduction to Plan

- 1.1 This Plan has been prepared to review the planning policy for the Tiptree Jam Factory and adjoining land. It provides a policy framework in which planning applications for the area can be considered. It has been prepared in response to a particular local need to enable Wilkin and Sons to build a new factory in Tiptree.
- 1.2 The national planning policy context changed over the course of plan development. Initial work on the plan was carried out further to the provisions of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2004 as amended in 2008. The final stages were governed by the 2012 amendments to the Regulations issued in April 2012 and which replaced Local Development Frameworks with Local Plans. The adopted plan is part of the Colchester Borough Council Local Plan. Consultation on the plan included initial consultation by Wilkin and Sons in summer 2011 followed by formal consultation by Colchester Borough Council in Nov 2011-Jan 2012 and April-May 2012.

2. Background

- 2.1 The Tiptree Jam Factory is owned by Wilkin and Sons. The Wilkin family have farmed in the area for nearly 300 years and have been producing Tiptree preserves since 1885. Since production began in Tiptree the factory has been continually added to and refurbished. Today parts of it are over 100 years old and it has been increasingly challenging to make jam efficiently and to maintain the buildings to meet ever-more demanding food standards. A new factory is critical to enable the company to maintain its market position and to grow. The company has a long association with Tiptree and is a significant employer in the village. The company currently provides 270 full-time and 125 part-time jobs with about 80% of staff living in Tiptree and a further 10% within a distance of 10 miles. The labour force is expected to grow to 500 by 2030. The company farms about 320 hectares (800 acres) of land around Tiptree. Because of the strong links with the local area the company's preference is to build a new factory in Tiptree on land to the south-east of the existing factory. However because Wilkin and Sons has calculated that the costs of building a new factory in Tiptree exceed those of converting an existing building elsewhere in the County, they intend to part-fund factory construction with the development of new housing on the existing factory site and on land to the north of Factory Hill. This Plan therefore deals with the planning policy issues relating to the new factory and the associated housing development that is required to support it.

3. Location and Area Covered

- 3.1 Tiptree is located about 10 miles south-east of Colchester in north Essex. It is bisected by the B1022 Colchester to Maldon road and the B1023 Kelvedon to Tollesbury Road. It lies about 3 miles to the east of the A12 trunk road with access to it via junctions at Kelvedon, Feering and Rivenhall End. The nearest railway station is at Kelvedon, about 4 miles away.
- 3.2 The Tiptree Jam Factory is located to the south-east of the village on the south side of Factory Hill. This plan covers the existing factory site (Area A), land to the south-east of it extending to Tudwick Road (Area B) and land to the north of Factory Hill and east of Quince Court and Chapel Road (Area C). The map is attached as Appendix A.

4. Policy Context

- 4.1 The most relevant planning policy for the plan area is set out in national planning policy and in the Council's adopted planning documents. This DPD should be read alongside the other documents within Colchester's adopted Local Development Framework, which include the Core Strategy, Site Allocations and Development Policies DPDs, Proposals Map and Supplementary Planning Documents. Policies and allocations within these documents provide further guidance on policy for the area.
- 4.2 The Colchester Core Strategy adopted in 2008 identifies Tiptree as one of the main district settlements in the Borough which provide an important range of shopping, services and facilities to the surrounding hinterland and are expected to be the focus of limited new development. The Core Strategy therefore provides for a minimum of 680 new homes to be developed in Tiptree in the plan period to 2023 of which approximately 500 had been developed or permitted in 2006.
- 4.3 The Colchester Site Allocations Document adopted in 2010 provides for an additional allocation for housing and open space in Grange Road, Tiptree to meet the housing requirement identified in the Core Strategy. The existing Tiptree Jam Factory site is allocated as an employment policy area together with land to the south-east of it extending to Tudwick Road. The village settlement boundary bisects the existing factory site. The land to the north of Factory Hill is shown as countryside outside of the settlement boundary.
- 4.4 Wilkin and Son submitted a request for allocation of a greenfield site for housing during the initial Regulation 25 stage of consultation on the Site Allocations, but did not submit any supporting evidence concerning the requirement for enabling development. The council accordingly drafted its allocations for Tiptree on the basis of housing targets for

Tiptree and Sustainability Appraisal work. Wilkin and Sons submitted further evidence on the requirements for enabling development at the Regulation 27 submission stage for a smaller residential scheme. By this stage, however, the Council had produced what it considered to be a 'sound' plan and was not in a position to alter allocations unless this was required to make the overall document sound. Debate at the examination on Tiptree was focused on the level of new allocations it required, and the Inspector's conclusions reflect the view that the Council had made an appropriate allocation reflecting housing requirements and the findings of the Sustainability Appraisal. It is accordingly considered that while the Site Allocations DPD development process addressed the requirements of matching allocations to minimum housing targets for Tiptree, it did not address the detailed circumstances supporting enabling development for Wilkin and Sons.

- 4.5 At the national level the most relevant guidance is set out in the Plan for Growth, the National Planning Policy Framework and the provisions of the Localism Act. It is not the role of LDF documents to repeat policies set out in Government guidance but this Plan is consistent with the policies to promote sustainable housing and economic growth as set out in the aforementioned documents.
- 4.6 Government policy provides a context in which additional development in Tiptree can be considered. In his statement dated 23rd March 2011 the Minister of State for Decentralisation urged local authorities to make every effort to identify and meet the housing, business and other development needs of their areas and respond positively to wider opportunities for growth. This statement was in response to the Government's Plan for Growth which required local authorities to put in place development plans that are pro-growth. The National Planning Policy Framework published on 27 March 2012 seeks to boost significantly the delivery of new homes. It states that the housing supply in authorities with good delivery rates should include an additional allowance of 5% to ensure choice and competition for the market for land. At the same time the Localism Act is introducing a new type of development plan, the neighbourhood plan, which enables local communities and businesses to bring forward proposals for development in their areas, which as a minimum must meet Core Strategy requirements but can provide for additional development if there is local community support. This Plan is therefore being prepared in the context of new Government policy to provide for additional housing development in Tiptree to secure the retention and growth of a significant local employer.
- 4.7 The Plan is consistent with Colchester's Community Strategy approved in 2007 in which the vision for 2020 and beyond includes the Borough being renowned for sustainable economic growth.

5. Spatial Portrait of Tiptree

- 5.1 Tiptree is the largest village in Colchester Borough with a population of 7,516 at the time of the 2001 Census and is now estimated to have grown to 9,206. (CBC estimates) There are two main employment areas in the village at the Tower Business Park off Kelvedon Road and the Tiptree Jam Factory at Factory Hill. The 2001 Census indicates 3,700 work trips from Tiptree ward of which 23% remain in the ward with 12% and 11% respectively going to the adjoining Districts of Braintree and Maldon. There is a range of shops and services, mostly concentrated along Church Street, which serve the village and surrounding area. The village has four primary schools and a secondary school, which incorporates a sixth-form. The village is served by two main bus routes, the 75 between Maldon and Colchester and the 91 between Witham and Tollesbury. National Cycleway Network Route 1 between London and Ipswich passes through the village. Further residential development in Tiptree will add to demand for infrastructure, and Table 6d of the Core Strategy highlights that expansion of primary school facilities; sports pitches and allotments; and further Health Centre facilities would be expected to be delivered in the period to 2021.

6. Vision

Retention and expansion of Wilkin and Sons in Tiptree will promote the sustainable co-location of jobs and houses thereby minimising traffic impacts; support the community through the provision of open space and community facilities; and add to the stock of well-designed and sustainably constructed housing in Tiptree.

- 6.1 The aim of the Plan is to provide a planning framework which enables a new Jam Factory to be constructed in Tiptree, along with additional residential development.
- 6.2 The objectives of the Plan are:
1. To identify sites for residential development which enable the commencement of a significant start on a new Jam Factory in Tiptree by 2014
 2. To maintain a balance between housing and employment
 3. To provide a variety of house types, tenures and sizes within the development
 4. To promote high quality design and layout
 5. To promote active and healthy lifestyles

6. To provide high quality open space
7. To support and promote the growth of tourism
8. To protect and enhance the natural and historic environment
9. To facilitate the provision of the necessary community facilities and infrastructure to support the new development
10. To promote the highest practicable standard of resource and energy efficiency in new developments
11. To provide clear guidance for developers about adapting to or mitigating the harmful impacts of climate change

7. Planning Considerations

- 7.1 Part of the area covered by this Plan is already allocated as an employment policy area by the Site Allocations Document adopted in 2010. The main planning issues therefore relate to the redevelopment of the existing factory site and the greenfield land to the north of Factory Hill.
- 7.2 The primary justification for development of the greenfield land is that its development for residential purposes is required as enabling development to help fund construction of a new factory within Tiptree to avoid the need to relocate the business elsewhere. Wilkin and Sons have accordingly submitted viability information to substantiate the costs involved in constructing a new factory and the revenue anticipated from use of the company's land for residential development. This information has established a general case for enabling development, but it is appreciated that changing financial circumstances could change the detailed figures and alter Wilkin and Sons preferred course of action. Accordingly, approval for greenfield development needs to be clearly tied to construction of the factory to ensure that residential construction does not occur on its own leading to an unsustainable pattern of out-commuting and the loss of local jobs.
- 7.3 Parts of the existing factory are over 100 years old and the land has been subject to industrial processes for that period. There are therefore potential issues relating to contamination that will need to be addressed as part of any redevelopment. The existing factory site also has heritage interest with Trewlands Farmhouse and the adjacent wall being listed as Grade 2. These heritage assets will need to be protected and enhanced as part of any development proposal.
- 7.4 In terms of landscape setting and capacity the area was assessed by the Landscape Capacity Study of Settlement Fringes in 2005. The plan area fell within Landscape Setting Area 2 of the Tiptree fringes and was identified as having moderate landscape value and sensitivity and with limited capacity for development. The Site Allocations DPD allocated land for a new factory outside the Tiptree settlement

boundary which reduced the extent of separation between Tolleshunt Knights and Tiptree. Proposed factory schemes address this issue through the use of design and landscape measures and these will need to be confirmed through the planning application process.

- 7.5 Although the Tiptree sewage works has some capacity to accommodate new residential development Anglian Water has established that the sewerage network is in need of improvement. Alternative treatment facilities will therefore be required as part of any development of the plan area.
- 7.6 The plan area is accessible to the main built-up area of Tiptree by foot and cycle. The site is also accessible to the bus services that run through Tiptree with bus stops being located on both sides of Church Road just north of the junction with Factory Hill and Station Road. A transport assessment has indicated that development of the plan area can be accessed via a new roundabout junction to Factory Hill and that the traffic generated from the development of the plan area can be accommodated on the local road network with minor improvements.
- 7.7 Birch Wood, located within the plan area, is identified as an Essex Wildlife Site. The ground flora in the wood is suffering from recreational pressure and dense shading with large areas of bare and trampled ground, while in addition the understory is lacking in structure. A management plan will be required for the woodland to show how these issues can be addressed.
- 7.8 The Health Impact Assessment submitted as part of the Evidence Base for the plan has indicated capacity problems for health care provision in Tiptree. The proposal will accordingly be required to address this issue through contributions to be agreed toward the provision of premises and/or land for new healthcare floorspace.
- 7.9 Proposals for development within the plan area should be built to the highest possible standards of sustainable design and construction and should be in accordance with Core Strategy Policy ER1 relating to energy, resources, waste, water and recycling and with paragraphs 95, 96 and 97 of the National Planning Policy Framework. The proposals should also take into account the guidance set out in the Colchester Sustainable Design and Construction which will be a material consideration in making decisions on planning application within the plan area.
- 7.10 New development in the plan area should:
- Be built to a minimum of Code for Sustainable Homes lever 3 and BREEAM very good,
 - Minimise energy use in building design and construction to minimize climate change,
 - Conserve water,
 - Avoid waste,

- Protect and enhance biodiversity,
- Minimise flood risk.

7.11 Planning applications should include a statement on the potential implications of the development on sustainable design and construction. The statement should address demolition, construction and long term management.

7.12 An assessment of energy demand and carbon dioxide emissions of proposed major development will be required to explain the steps taken to reduce the energy needs of the development, to supply energy efficiently and make use of renewable energy. The feasibility of a combined Heat and Power system should be investigated.

8. Evidence Base

8.1 The Plan is supported by a range of specialist studies and reports which are published separately. These include:

- A Transport Assessment
- Contamination Reports
- Ecological Assessment
- Flood Risk Assessment
- Tree Survey
- Drainage Strategy
- Financial Viability Assessment
- Health Impact Assessment
- Landscape Strategy.

9. Options Considered

9.1 As part of the preparation of this plan 4 options have been considered and have been the subject of consultation. These are:

- Option 1: No change
- Option 2: Development of a new factory in accordance with the Adopted Site Allocations DPD
- Option 3: Visitor Centre and Thursday Cottage retained, main factory moved out of Tiptree
- Option 4: Redevelopment of the existing factory site for residential purposes, residential development on land to the north of Factory Hill, development of new factory to the south of the existing factory.

9.2 Following consultation on the options in 2011 and early 2012 the Council has selected Option 4 as the preferred option and this forms the basis of the proposals within this Plan.

9.3 The Proposals include:

- The redevelopment of the existing factory site for housing
- The residential development of land to the north of Factory Hill
- Public open space on land to the north of Factory Hill
- A new factory on land to the south of the existing factory on the employment site allocated in the Adopted Site Allocations Document

10. Sustainability Appraisal

10.1 A sustainability appraisal has been carried out of the Plan proposals and the options considered. This has been published separately. The conclusion of the appraisal in respect of the Plan proposals is:

“This option has positive impacts as a result of the retention of the factory in Tiptree but there are negative impacts as a result of the loss of greenfield land and the impact on Birch Wood. Wilkin and Sons is an important part of Tiptree’s culture and heritage and the loss of the factory would bring many adverse effects to the character and economy of Tiptree. This has been recognised by the adopted Site Allocations Document which allocates a site for a new factory to the south of the existing factory. The additional impact of this option therefore relates to the land to the north of Factory Hill. This option will require measures to mitigate the impact on Birch Wood.”

11. Consultation

11.1 The proposals included in this Plan have been the subject of extensive consultation between July 2011 and November 2012. A separate report setting out the details of the consultation and the responses supports this Plan.

11.2 In July 2011 Wilkin and Sons carried out its own consultation on the options. This included a local public exhibition, a facebook page and consultation with other organisations. In general terms some 98% of the 1475 responses received following the exhibition in Tiptree in July 2011 supported the development of new housing on land to the north of Factory Hill to enable the factory to remain in Tiptree. Details of the proposed scheme were amended in response to this consultation including the nature of the open space to be provided, the design of the new housing and the proposed style of the new factory.

11.3 At its 2 November 2011 meeting, the Council’s Local Development Framework Committee agreed that the Wilkin and Sons’ proposals could best be addressed through preparation of a development plan. Accordingly, consultation on the options under regulation 25 of the Town and Country Planning (Town and Country Planning) (Amendment) Regulations 2008 was carried out by the Council between November 2011 and January 2012. This included two local

drop-in sessions and meetings with Tiptree and Tolleshunt Knights Parish Councils and Maldon District Council and with the consultation material being available on the Council's website. 265 responses were received with 59.2% expressing a preference for Option 4.

11.4 The main issues raised during the consultation were:

- traffic impact on the local and wider road network, with access to the A12 through Feering and Kelvedon being a particular issue
- the impact on local services and facilities, particularly schools, doctors and dentists
- visual impact and impact on the countryside, particularly in the gap between the plan area and Tolleshunt Knights
- the impact on Birch Wood, which is a designated wildlife site.

11.5 Consultation on the Submission version of the Tiptree Jam Factory Plan ran from 2nd April 2012 to 11th May 2012. A total of 275 responses were received to the consultation. Of these 225 considered the Draft Submission Plan to be compliant/sound and 50 responses considered the Plan not to be compliant or sound. The submission document and all representations made were then submitted to the Planning Inspectorate in May 2012 for public examination in September 2012.

12. The Plan Proposals

12.1 The Council's Core Strategy promotes sustainable development to deliver jobs and houses subject to considerations of impact and capacity. It provides for the development of 680 housing units over the period 2001-2021, but these are minimum figures. Government policy encourages the development of additional housing beyond minimum levels, particularly when it has local support. In this instance, the Council considers that background work has demonstrated the sustainability, viability and deliverability of the proposal along with the provision of satisfactory mitigation for identified impacts and high levels of community support.

12.2 This Plan therefore proposes the allocation of land as set out in Option 4 above. This includes:

- The redevelopment of the existing factory site for housing
- The residential development of land to the north of Factory Hill
- Public open space on land to the north of Factory Hill
- A new factory on land to the south of the existing factory on the employment site allocated in the Adopted Site Allocations Document. This allocation will supersede that shown in the Site Allocations Document reducing the employment use from 8.95 ha to 4.52 ha.

12.3 The indicative number of dwelling units to be provided for the two residential sites is 250. This reflects the site's location at the edge of

the village adjacent to the countryside which precludes development at a higher density.

12.4 These allocations will be shown on the Proposals Map.

12.5 However in order to mitigate the social and environmental impact of the proposals there will be a need for the development to be accompanied by improvements to infrastructure and social and community facilities as set out in the Table below.

Table 1
Tiptree Jam Factory Plan – Infrastructure Improvements

Infrastructure	Provider	Timing	Further considerations
Provision of new roundabout on Factory Hill, footpath and cycleway improvements	Developer	Prior to construction of new factory and residential development	
Junction improvements at Factory Hill/Church Road/Station Road	Developer	Prior to occupation of new factory and residential development	
Primary School Improvements	ECC	To be determined	Contingent on demonstration of capacity and/or accommodation requirements
Improvements to Tiptree Health Centre	PCT	To be determined	
Additional Dentists Surgery	PCT	To be determined	Wilkin and Sons to provide land
Off-site planting and landscaping	Developer	Prior to completion of development	Maintenance to be secured through planning conditions
Provision of open space including children's play areas, allotments and ancillary car parking	Developer	Prior to completion of development	Management plan for Birch Wood required Maintenance to be secured through planning

Infrastructure	Provider	Timing	Further considerations
			conditions
Provision free of charge of Factory Hall for use as a Youth Club	Developer	Prior to residential development on the former factory site	

- 12.6 The developer will be required to make appropriate contributions to the improvement of the social and community facilities to be determined through section 106 agreements for the planning applications in accordance with Policy SD2 of the adopted Core Strategy.
- 12.7 The Plan provides a framework within which planning applications for development within the plan area can be considered. It will be for Wilkin and Sons to bring forward planning applications to set out the details of the proposals and subsequently to implement the development. The Council will monitor the progress of the development through its normal processes and will report this in its Annual Monitoring Report.

Policy TJF 1

The existing Tiptree Jam Factory Site and land to the north of Factory Hill, Tiptree is allocated for residential development to enable the development of a new Jam Factory on a site to the south of the existing Jam Factory. A site is also allocated for 4.5 hectares of open space on land to the north of Factory Hill. A buffer strip will be required between Chapel Road/Quince Court/Wood View and the new housing. Design and landscaping features will be needed to maintain separation between the new development and Tolleshunt Knights. A site for a new sewage treatment works will be provided to the west of the new factory site. The development will be required to contribute to infrastructure provision in accordance with the Councils adopted policies. This includes community infrastructure and open space and may include those items mentioned in Table 1 above. The total area of open space proposed in the plan will be expected to be provided in full to meet new community needs in Tiptree and to alleviate visitor pressure on Abberton Reservoir. The provision of affordable housing will reflect the importance of increasing the supply of affordable housing as covered in Core Strategy Policy H4 (Affordable Housing) balanced against viability considerations arising from enabling development.

The allocation of land to the north of Factory Hill for residential development is solely to enable the development of the new Jam Factory on the allocated site and will therefore not be permitted to proceed without the relevant landowner(s) first entering into a legal agreement with the Council to ensure that no residential

development can be commenced without a contract being entered into for the construction of the factory and an operational start being made in accordance with Section 56 of the Town and Country Planning Act 1990.

- 12.8 The National Planning Policy Framework requires local authorities to include a model policy within Local Plans to demonstrate that the presumption in favour of sustainable development has been taken into account.

Policy TJF2

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that applications can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole: or**
- Specific policies in that Framework indicate that development should be restricted.**