

Third party submission from Jane Black

I was one of the group that worked on producing the Neighbourhood Plan and have also submitted objection comments to the application on behalf of the Wivenhoe Society, posted 20/05/22, 07/03/22, 12/05/21. Some of the points below are discussed in more detail in these submissions.

The Wivenhoe Neighbourhood Plan policies that are relevant to this application are WIV 29 which allocates the site, WIV 2 which sets conditions on development outside the settlement boundary and WIV 26 which mentions SUDS.

The application does not include all of the site allocation for dwellings in the WIV 29, but still proposes 120 dwellings and locates dwellings outside the settlement boundary which conflicts with WIV 2. The land ownership issues and the deed of dedication on part of the allocated site arose at an early stage in Taylor Wimpey's negotiations. At this stage the applicant could have discovered that it was possible to set aside a deed of dedication subject to conditions which could easily have been met. The application could have been deferred until the land ownership question had been resolved or contingent agreements could have been made with Colchester Council/ the landowner (claiming the site by adverse possession) to acquire the designated site in its entirety. It is not necessary for an applicant to own all the land at the time an application is made. I consider this application, which does not conform with the WNP, was brought forward prematurely, possibly to avoid potential changes to requirements on the proportion of affordable homes.

Taylor Wimpey argue that the usable area of their site is insufficiently large to accommodate 120 dwellings. One constraint is that posed by the pylons. This means a loss of around 0.2 hectares of the site allocated in the WNP. The physical building line needs to be set back 10 metres from the mature trees to the east but private amenity space could be provided on some of this strip. The documents are not clear about the precise physical nature of the drainage system to the east of the site which is claimed needs a 5 metre strip to accommodate it. A permeable cycle track could possibly make use of this strip or possibly some of it could be used for permeable parking spaces. The location of the water attenuation basin is an issue of Taylor Wimpey's own making. This could be located on the wildlife site. TW argue that the tree belt makes this impossible but the tree belt does not extend the full length of the WNP allocated site, or an easement could have been acquired to run a surface water drain across the strip to the south to an attenuation basin on the southeast corner of the wildlife site. It should also be noted that no recreational space/play area was required within the area allocated in the WNP site as this is immediately adjacent to the Henrietta recreational land.

The WNP specified 45 smaller properties as a minimum. The number of one or two bedroom properties could be increased. Respondents to the WNP favoured the provision of more smaller properties in Wivenhoe as the housing stock within the Parish is biased towards larger dwellings. At the time when the working group analysed the size distribution of dwellings we found that even if all of the 250 dwellings allocated in the Plan were one or two bedrooms the proportion of such homes relative to larger properties would still be lower than that for Colchester as a whole. For viability reasons it was thought necessary to allow for some larger properties. Not all the 4+ properties need to be detached. More properties could be terraced and some flats included.

The WNP SEA sets out various criteria against which the site allocations were assessed. One of these related to walking distance to buses and facilities. The WNP site provides for pedestrian access using two routes – across the Henrietta Close recreational space and via Richard Avenue. There is also a public footpath leading from the south of the WNP site to a post office at the Cross and to allotments. The Wimpey Taylor site proposals which shift the centre of gravity to the north increase the average walking distance of facilities compared to the WNP proposals. The agreement for an easement to allow a footpath/cycle path across the land to the south is to be welcomed but the location of this will affect walking distances and no map has been provided.

TW have done no formal analysis of what they are proposing using the criteria set out in the SEA including the criterion on efficient use of land. The SEA criterion was for a density of at least 30 dwellings per hectare on land allocated for housing. This included any incidental open space within the site. The WNP proposals involve a loss of

just over four hectares of agricultural land in return for 120 dwellings. The TW proposals show a much larger land take if incidental spaces are included.

James Firth in one of his documents describes the Wivenhoe Neighbourhood Plan as highly prescriptive. This was deliberate to attempt to deliver what the residents of Wivenhoe wanted and also, for the housing allocation policies, the intention was to make it entirely clear to potential developers what was expected so that they could decide how much to offer for a site avoiding later viability issues.

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