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22.204: MR|ts  
17 November 2022

By email only: [planning.policy@colchester.gov.uk](mailto:planning.policy@colchester.gov.uk)

Mr Andrew Seaman BA (Hons) MA MRTPI  
Tiptree Neighbourhood Plan Examiner

Dear Mr Seaman

### **Tiptree Neighbourhood Plan**

I write further to my letter dated 9<sup>th</sup> November 2022.

I have been advised by Colchester Borough Council that you have accepted the letter as part of your Examination, which I am grateful for.

Your letter of 1<sup>st</sup> November and the Parish and Boroughs responses were, yesterday, uploaded to the Borough Councils website. I didn't have sight of these when writing my letter to you due to the timing of these documents being uploaded. I have therefore now seen your question 3 to the Parish Council which goes to the heart of the issues I had raised in my letter to you. I have also seen that the Parish Council have provided you with a letter which appears to have been sent to Ms Bonnett on 24<sup>th</sup> August 2022 notifying of the Local Green Space designation, albeit the Parish Council haven't provided you with any cover note/narrative to explain the letter to Ms Bonnett.

It is highly material to note that in the Public Inquiry the Parish Council were asked if land owners had been contacted in relation to the Local Green Space designation. The response was that owners had not been contacted. The letter to Ms Bonnett was not disclosed. As part of my evidence I set out my understanding, consistent with the Parish Councils evidence, that the land owners had not been contacted. The Parish Council cross examined me on my evidence and did not seek to explore my position, instead taking my evidence as read.

I also wish to bring to your attention the extent of land ownership at Brook Meadows. This issue was discussed in the Public Inquiry with the Parish Council as part of the round table session on Section 106 matters. Those discussions included reference to the Register of Title, which I attach herewith. You will note in the Title Absolute Ms Bonnett is listed, consistent with the Parish Councils letter dated 24<sup>th</sup> August 2022, however there is in addition a Ms Pledger listed as a second owner. The Parish Council has not provided any evidence that Ms Pledger has been contacted, and as such the requirement in the NPPF that all landowners be contacted has not been met. The Parish Council are aware that Ms Pledger has since passed away, however, there is an executor – Ms Davidson – whom

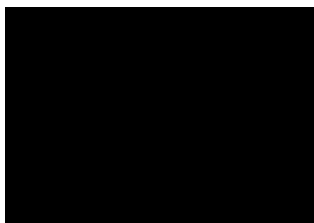
was party to the Section 106 which the Parish Council reviewed as part of the Public Inquiry. The evidence before you is that Ms Davidson has similarly not been contacted.

In my respectful submissions there remains significant unresolved issues in relation to the process by which the Local Green Space designation at Brook Meadows has been arrived at. I recognise that you have provided the Parish Council with an opportunity to respond to my letter. I entirely support that approach. Given the significance of the unresolved issues, I would like please to be given the opportunity to review and provide any final comments on the Parish Councils response in the spirit of assisting the Examination. It will clearly be for you to determine how you wish to proceed, but at this stage it seems clear that all land owners have not been contacted, and no plan has been prepared for the Local Green Space designation – which I respectfully submit is a process that must be followed and addressed before the neighbourhood plan proceeds further through Examination. I am happy to facilitate discussions with the land owners if it were to assist.

I hope that my further input is of assistance to you in progressing the Examination.

Kind regards.

Yours sincerely



**MICHAEL ROBSON BA (Hons) DipTP MRTPI**

Managing Director

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*Enc: Register of Title*