



Main Modifications to the Public Draft Colchester Local Plan: Section Two
Consultation - 4 October to 18 November 2021– Representation Summary

December 2021

Note for the Inspector

The table below summarises all of the representations submitted under the Main Modifications (MM) Consultation to the Colchester Section 2 Local Plan. The 'Change to the Plan' column covers points suggested by respondents and the 'Officer Comments' are intended to assist the Inspector with consideration of these representations.

Due to the volume of representations received for modifications associated with Middlewick Ranges, the residents / public comments have been summarised collectively, with every Representation number identified against the relevant MM number. All organisations, groups, and Statutory Consultees have been entered individually.

Please note the full version of every representation can be viewed, together with any accompanying attachments, via the [Consultation Portal](#) by selecting Main Modifications for the Historic Documents on the portal home page. A search on the representation number will lead straight to the full representation.

| Whole Plan | | | | |
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| Rep ID | Name/ Organisation | Summary | Changes to the Plan | Officer Comment |
| MM1 – Whole Plan | | | | |
| 8438 object | Dr Michael Monk | It appears that following the rejection of Part 1 of the Local Plan - West Colchester/Braintree Borders Community Settlement - there has been no revision of Part 2 of the Plan to take account of this. The Inspector's modifications are simply corrections to the text rather than an addressing of the underlying planning issues. | Inequity in housing allocation between village settlements should be re-assessed | The impacts from the adopted Section 1 Local Plan have been considered through Topic 1 – Consequential Changes. |
| MM2 – Whole Plan | | | | |
| No representations received | | | | |

Chapter 12 – Sustainable Growth Policies

| Rep ID | Name/ Organisation | Representation | Changes to the Plan | Officer Comment |
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| MM3 – Policy SG1 Colchester’s Spatial Strategy | | | | |
| 8219 object | Paul Dundas | <p>I am concerned about the deletion of the word “highly” in front of “accessible locations” in this main modification. If we are serious about transport modal shift and sustainable development all should be highly accessible either through existing methods or new as required by this plan.</p> <p>Accessible location is highly ambiguous. All locations are ultimately accessible by one means or another even by a one-way farm track so is really a quite meaningless term. Keeping the “highly” will enable a high standard of access to be thought about when detailed planning is brought forward including pedestrian, cycling etc.</p> | Re-instate the word "highly" in paragraph 2 | This modification has been included in response to a representation made to the publication draft and was considered in the hearing sessions during Matter 2 . |
| MM4 – Policy SG2 Housing Delivery | | | | |
| 8170 object | Copford with Easthorpe Parish Council | Housing Delivery timescale and numbers allocated to Copford with Easthorpe not appropriate given limited facilities within Parish area when compared to other locations. | <p>Change the allocation of homes for Copford with Easthorpe to ensure equitable numbers are given to this area.</p> <p>Ensure that the Transport Assessment and bespoke travel plans are detailed</p> | This matter was considered during the hearing sessions for Matter 2 and Matter 9 , specifically in regard to Copford. Together with Topic Paper 2 Housing Matters , these outline how the housing |

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| | | | and take into account local circumstances leading onto main roads, the numbers of homes leading onto roads is in line with guidance notes and does not exceed these numbers. Ensure adequate health provision is made | requirement figure is to be met through the Section 2 Local Plan. |
| 8938 object | Dr Michael Monk | Indefensible use of greenfield sites contrary to need and government policy. There is thus no justification for the arguably premature and irreversible development of many greenfield sites in more rural areas such as Hall Road Copford. Projected housing numbers show that Colchester Borough Council over-estimated the number of housing units required by 2033. Although 1350 units at West Tey, and another 200 at the former Sainsbury's site at Stanway have been removed, there will be 1299 more homes than the estimated requirement of 18400 for the period 2013-2033. In reality, that additional housing has, and will continue to come forward from the existing urban areas; in many cases brownfield sites, leaving greenfield untouched. The Inspector's Final Report has failed to take account of recent Government Planning Housing Policy, which has been outlined by the Prime Minister, restricting housing provision in the South East and redirecting new housing to the North of the UK. Again, the emphasis was on the preference for brownfield rather than greenfield sites. | None stated | This matter was considered during the hearing session for Matter 2 . With Topic Paper 2 Housing Matters , these outline how the housing requirement figure is to be met through the Section 2 Local Plan. |
| MM5 – Table Colchester's Housing Provision | | | | |
| 8171 object | Copford with Easthorpe Parish Council | The number allocated for Copford with Easthorpe is disproportionate to neighbouring areas and other parished areas of Colchester. Copford with Easthorpe is deemed 'sustainable' but has only two facilities, a pub and village school. Neighbouring areas with significantly | Change the allocation of homes for Copford with Easthorpe to ensure equitable numbers are given to this area. | This matter was considered during the hearing sessions for Matter 2 and Matter 9 , specifically in regard to |

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| | | <p>more facilities including local shops, garage, post office and school have a 'zero' allocation of homes.</p> <p>The Appendix SG2 shows 1 home built in Copford during 2017-2020 period this number is incorrect</p> | <p>Ensure that the Transport Assessment and bespoke travel plans are detailed and take into account local circumstances leading onto main roads, the numbers of homes leading onto roads is in line with guidance notes and does not exceed these numbers. Ensure adequate health provision is made</p> | <p>Copford. Together with Topic Paper 2 Housing Matters, these outline how the housing requirement figure is to be met through the Section 2 Local Plan.</p> |
| 8949 object | Copford with Easthorpe Parish Council | <p>The projected Housing Numbers for Colchester show that the Borough Council overestimated the number of housing units required by 2033, with this in mind and the recent government changes to reduce use of 'greenfield' sites it would seem that many of the required new homes could be built without significant use of existing greenfield sites such as Hall Road and East Queensberry. This does not appear in the modifications. As has already been pointed out the SG2 Appendix of homes built for Copford is incorrect, others are likely also to be wrong due to the time delay. This would give more than the required number of homes in the plan period. The fact that Copford has an allocation of 120 homes for a relatively small area of the Parish - Copford Green and Easthorpe are not included - makes the allocation even more disproportionate when compared to our neighbouring parish, particularly Marks Tey which has an allocation of zero.</p> | <p>None stated</p> | <p>This matter was considered during the hearing sessions for Matter 2 and Matter 9, specifically in regard to Copford. Together with Topic Paper 2 Housing Matters, these outline how the housing requirement figure is to be met through the Section 2 Local Plan.</p> |
| 8261 object | Jeremy Hagon | <p>An amendment to ADD 100 units to Stanway New Allocations total to reflect modification to WC2 by increasing Lakelands West from 150 to 250 dwellings should be reconsidered due to excessive housing</p> | <p>Retain existing allocations</p> | <p>Residential allocations in Stanway have been considered during the examination through</p> |

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| | | growth without required community and highways infrastructure in the Stanway area. | | Matter 8 . This modification is suggested following a Statement of Common Ground with CBC, ECC and O&H Properties. |
| 8313 object | Rhys Smithson | It is unclear whether the 400 dwelling housing allocation for Tiptree is incremental to or replaces the existing commitment to provide 326 dwellings. The public require certainty as to the final number. If the existing 326 dwelling commitment are unlikely to be delivered why are they not removed from the plan? | Clarification of the total dwelling allocations including existing and incremental commitments should be explicit. | This modification is intended to update housing figures. Table SG2 sets out how many homes have already been delivered, how many have planning permission and how many more are allocated. Each Place Policy outlines the residential housing figure to be provided by the relevant allocation/settlement. |
| 8442 object | Dr Michael Monk | There is a gross inequity in the allocation of housing numbers. Copford has an allocation of 120 homes with half of those proposed on greenfield sites. Marks Tey has 0 homes allocated despite being a more 'sustainable' village. | Reduction in housing allocation for Copford and fairer distribution across the Borough. No acceptance of building on greenfield sites. | This matter was considered during the hearing session for Matter 2 . With Topic Paper 2 Housing Matters , these outline how the housing requirement figure is to be met through the Section 2 Local Plan. |
| 8937 | Dr Michael Monk | Inequity in allocating housing numbers Inequity in allocating housing numbers – Copford has 120 homes, other sustainable village settlements West Bergholt more than twice the size of Copford drops from 120 to 50 homes, Great Horkesley drops from 93 to 13 and Langham from 80 to 40 | Housing provision Number for Copford with Easthorpe is disproportionate to neighbouring areas elsewhere in Colchester. | This matter was considered during the hearing session for Matter 2 . With Topic Paper 2 Housing Matters , these outline how the |

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| | | <p>Marks Tey has no housing allocations at all despite being most sustainable of the village settlements Since 1988 the number of Marks Tey dwellings have grown by 10% against 52% for Copford. On the Council's plans, Copford will be at 78%, at least, by 2033.</p> <p>Marks Tey has an imbalance between demographics and housing mix; the Primary School is undersubscribed and consequently is experiencing financial difficulties. Copford Primary School is heavily oversubscribed and already stretched beyond capacity.</p> | Should be a provision for housing made in Marks Tey | housing requirement figure is to be met through the Section 2 Local Plan. |
| 8867 object | David Hill | <p>The plan should consider allocations for development in Marks Tey to accommodate need arising from the settlement over the plan period. Currently the plan has only considered 24,000 homes or 0 homes as reasonable alternatives, this cannot be considered a sound approach for a settlement which is identified as being sustainable enough to accommodate new settlement scale development through the existing evidence base</p> | <p>The plan needs to assess the implications of smaller-scale development in Marks Tey and consider this against other sites allocated in the plan to ensure that the plan contains the "most appropriate strategy" otherwise it is not justified in line with the provisions of the Framework (2012)to Plan</p> | <p>Topic 1 Consequential Changes explored the implications to the Section 2 Local Plan as a result of the modifications made through examination of the now adopted Section 1 Local Plan.</p> <p>This matter was considered during the hearing session for Matter 2. Topic Paper 2 Housing Matters, outlines how the housing requirement figure is to be met through the Section 2 Local Plan.</p> |
| 8945 object | Andrew Waters | <p>Part 2 of the Local Plan was not revised following the rejection of Part 1 of the Plan (demise of West Colchester/Braintree Borders Community).</p> <ol style="list-style-type: none"> 1.Marks Tey has no housing allocations 2.Examination of process rather than an examination of the Planning Proposals. | None stated | <p>Topic 1 Consequential Changes explored the implications to the Section 2 Local Plan as a result of the modifications made through</p> |

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| | | <p>3. Projected housing provisions indicate over estimation of housing units required by 2033. No need for development of so many greenfield sites in more rural areas.</p> <p>4. Not possible to know current numbers on the books for each village or if figures are accurate and up to date</p> <p>5. Inequity in allocation for sustainable settlements.</p> <p>6. Final report sought to be amended to reflect emerging government policy to restrict housing provision in the overburdened South East and emphasis on using brownfield rather than greenfield sites. Several justifiable grounds to reduce or even withdraw housing allocation for Copford.</p> | | <p>examination of the now adopted Section 1 Local Plan.</p> <p>This matter was considered during the hearing session for Matter 2. With Topic Paper 2 Housing Matters, these outline how the housing requirement figure is to be met through the Section 2 Local Plan.</p> |
| 8948 object | Kay Barker | <p>Climate Change. More houses cannot be built without causing more pollution. The roads are not good now, so more traffic is not going to help. Saying people should cycle or walk is not an option for some people. Building Drs Surgeries is not an option either, we have not got enough doctors for the surgeries or hospitals now. The drainage in Colchester is not good. If sewerage is allowed to be put into the local rivers etc it adds even more to pollution. If more houses are allowed to be built we will have less green space than London.</p> | None stated | <p>The Council prepared a Hearing Statement Introduction to Place Policies Main Matters 4 to 10, this explains the process the Council followed in allocating sites.</p> |
| 8963 object | L&Q, Cirrus Land and G120 Land | <p>Middlewick Ranges - Do not believe dwellings will start to be delivered between 2025/26 given extent of work developer will need to go through given the constraints of the site.</p> <p>East Colchester/Tendring new community - concerns around delivery rates. DPD document has some way to go before it is finished. DPD is not likely to be adopted until mid/late 2023 at the earliest. Unrealistic to expect delivery of homes from 2024/25.</p> <p>New policy should be inserted which requires the Council to review the Local Plan early and against a set timetable</p> | None stated | <p>The Council is satisfied that delivery will commence on both Middlewick and the Tendring Colchester Borders Garden Community (TCB GC). There is no need for an early review.</p> |

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| 8978 object | Marden Homes Ltd | Reduction of units allocated to Tiptree unjustified. See attachment for further information. | None stated | This matter was considered during the hearing sessions for Matter 2 and Matter 9 , specifically in regard to Tiptree. Together with Topic Paper 2 Housing Matters , these outline how the housing requirement figure is to be met through the Section 2 Local Plan. The revision to Table SG2 helps clarify the position with regard to Tiptree. |
| 8985 object | Bloor Homes | Not considered modifications are necessary to make the Plan sound. Modification itself is not sound. Particular concern with Tiptree proposed figure changes. See attachment for further information. | None stated | This matter was considered during the hearing sessions for Matter 2 and Matter 9 , specifically in regard to Tiptree. Together with Topic Paper 2 Housing Matters , these outline how the housing requirement figure is to be met through the Section 2 Local Plan. The revision to Table SG2 helps clarify the position with regard to Tiptree. |
| 8989 support | Tollgate Partnership Limited | TPL support MM5 and MM8 which are consistent with the agreed Statement of Common Ground | None stated | Noted. |
| 9011 object | Jennifer Radford | Loss of flora and fauna to development. Need to respect history, value green spaces and stop becoming a modern urban jungle | None stated | The Council prepared a Hearing Statement Introduction to Place |

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| | | High street inaccessible, lack of parking, loss of local shops and seating places which collect more rubbish Town centre has become sad, dirty and unkempt Green spaces devalued, covered in concrete in pursuit of money Global warming, loss of more than 50% ecologically sensitive areas and open space Middlewick only space left on this side of town, green lung Where is individually of Colchester? | | Policies Main Matters 4 to 10 , this explains the process the Council followed in allocating sites. |
| MM6 – Policy SG3 Economic Growth Provision | | | | |
| No representations received | | | | |
| MM7 – Table SG3 Colchester Employment | | | | |
| 8328 Support | Marks Tey Limited (Strutt & Parker) | Main modification MM7 (Table SG3) to “Reinstatement of Employment Land at Marks Tey” is strongly supported, however it is noted that this needs to be reflected on the policies map also. | None stated | The Council will identify if any further revisions are required to the policies maps. |
| 8225 object | Paul Dundas | I am very concerned about the drastic reduction in employment land at Stanway. The modification MM7 features an alarming reduction of 20,506 square meters of office space and 36,454 square meters of industrial space. Overall, this represents a reduction in employment allocation of 91%. This is truly extraordinary if the intention to produce “sustainable” neighbourhoods is to be taken remotely seriously. | To re-instated as much employment land as practically possible in Stanway, and restore "mixed use" to Lakelands housing allocation. | The Council have prepared Topic Paper 3 Economic Growth Policies , which provides an update in relation to national policy changes and the evidence base. |
| 8260 object | Gerald Wells | Reinstatement of employment land at Marks Tey, this had been omitted previously and to reinstate this area it should have been clearly marked on the map on page 22. It has not been marked as such so the area it covers is not easily identified. | Provide an accurate map of the proposed changes | The Council will identify if any further revisions are required to the policies maps. |
| MM8 – SG4 Local Economic Areas | | | | |
| 8979 object | Marden Homes Ltd | Constraints to existing Local Employment Area not recognised within latest policy. See attachment for further information. | None stated | This is a site specific matter in Tiptree that has been raised through a planning application and the Tiptree |

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| | | | | Neighbourhood Plan (see Examiner's Report para 12.6). If considered necessary, the Inspector will address this in his Final Report. |
| 8990 support | Tollgate Partnership Limited | TPL support MM5 and MM8 which are consistent with the agreed Statement of Common Ground | None stated | Noted. |
| MM9 – Paras 12.49 and 150 | | | | |
| 8991 support | Tollgate Partnership Limited | TPL are supportive of MM9 and MM10 insofar as it removes any requirement for future proposals in for town centre uses within Tollgate District Centre to be subject to an impact assessment | None stated | Noted. |
| MM10 – Policy SG6 Town Centre Uses | | | | |
| 8992 support | Tollgate Partnership Limited | TPL are supportive of MM9 and MM10 insofar as it removes any requirement for future proposals in for town centre uses within Tollgate District Centre to be subject to an impact assessment | None stated | Noted |
| 8866 object | Churchman or Estates company PLC | MM10 is not consistent with National Policy nor justified by any exceptional circumstances. References to proposals (either in or edge of centre) being of an appropriate scale and type and maintaining or adding to the viability and vitality of the centre should be removed | Remove references within Policy SG6 that require proposals within centres or edge of centre to be of an appropriate scale and type or adding to its viability and vitality | This matter was considered through the Matter 2 hearing sessions and Topic Paper 4 – Retail and Town Centre Policies . |
| MM11 Table SG6 Impact Assessment Thresholds | | | | |
| 8993 object | Tollgate Partnership Limited | Question application of impact thresholds set out in Table 6 in practical terms | None stated | This matter was considered through the Matter 2 hearing sessions and Topic Paper 4 – Retail and Town Centre Policies . |
| MM12 – Policy SG7 Infrastructure Delivery and Impact Mitigation | | | | |

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| 8335 object | Essex County Council | <p>Policy SG7 omits a main modification that was agreed between Colchester Borough Council and Essex County Council as outlined in the Statement of Common Ground signed 9 April 2021 and published on the Section 2 Local Plan webpage. The agreed, but omitted modification to Policy SG7, is outlined in the SoCG under 'CBC Rep number 6203'. This would include additional text to the policy at the end of the 4th paragraph and will provide a clear reference to CIL.</p> | <p>Include additional text to Policy SG7 at the end of the 4th paragraph, and before the paragraph outlined in MM12, as below.</p> <p>“The Council may consider introducing a Community Infrastructure Levy (CIL) and may implement such for areas and/or development types where a viable charging schedule would best mitigate the impacts of growth. Section 106 will remain the appropriate mechanism for securing land and works along with financial contributions where a sum for the necessary infrastructure is not secured via CIL.</p> <p>For the purposes of this policy the widest reasonable definition of infrastructure and infrastructure providers will be applied. Exemplar types of infrastructure are provided in the glossary appended to this plan.”</p> | <p>The Council acknowledge this element of the modification agreed in the Statement of Common Ground with Essex County Council has been omitted in error.</p> |
| MM13 – Policy SG8 Neighbourhood Plans | | | | |

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| 8980 object | Marden Homes Ltd | Approach to Neighbourhood Plans unclear and overreliance on their role in the delivery of homes in Tiptree. See attachment for further information. | None stated | Previous wording had potential to cause ambiguity. Topic Paper 6 – Tiptree provides an update of the progress of the Tiptree Neighbourhood Plan since submission of the Local Plan. |
| 8986 object | Bloor Homes | Policy is now silent in how LPA will respond in event that a Neighbourhood Plan does not materialise – this is unsound. Not considered necessary to remove elements of policy SG8 for soundness. Modification not justified. Mechanism to account for situation where Neighbourhood Plan fails to be made important for Tiptree. See attachment for further information. | None stated | Previous wording had potential to cause ambiguity. Topic Paper 6 – Tiptree provides an update of the progress of the Tiptree Neighbourhood Plan since submission of the Local Plan. |
| 8966 object | Colchester United Football Club | We object to the revised wording to Policy SG8 contained within Main Modification 13, which removes the previous reference to responsibility falling to the LPA on all planning matters where a Neighbourhood Plan has failed prior to being made. | It is requested that the second paragraph of Policy SG8 be amended to read as follows: “Once a Neighbourhood Plan is made, this becomes part of the Development Plan. In cases where a Neighbourhood Plan has not been made, responsibility for all planning matters within that area will revert to the Local Planning Authority.” | Previous wording had potential to cause ambiguity. A NP on adoption becomes part of the Development Plan. Prior to that, decisions are the responsibility of the LPA based on adopted policy and weight afforded to emerging plans as set out in PPG. |

Chapter 13 – Environmental Assets Policies

| Rep ID | Name/ Organisati on | Representation | Changes to the Plan | Officer Comment |
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| MM14 – Para 13.3 | | | | |
| 7816 object | Annelies Barth | This section should be applied to the Middlewick Ranges - which implies no development should take place there. | See comments to Section 37 | Policies should not be read in isolation; the Development Plan is to be taken as a whole. When determining an application, all policies will be considered in the decision making process. |
| MM15 – Para 13.5 | | | | |
| No representations received | | | | |
| MM16 – Para 13.7 | | | | |
| No representations received | | | | |
| MM17 – Para 13.8 | | | | |
| 8981 object | Marden Homes Ltd | Further flexibility required regarding Biodiversity Net Gain. See attachment for further information. | None stated | This issue was explored through the Matter 3 Hearing Sessions. The modification has been agreed between the Council and the Environment Agency as set out in the Statement of Common Ground . |

| MM18 – Para 13.9 | | | | |
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| 8343 object | Essex County Council | <p>Paragraph 13.9 omits a modification agreed between Colchester Borough Council and Essex County Council as outlined in the signed Statement of Common Ground (SoCG) between the two authorities on 9 April 2021. The agreed, but omitted modification is outlined in the SoCG under 'CBC Rep number 6207'. This is a factual change to ensure consistency with legislation and the representation was made by ECC in 2017 at the Regulation 19 stage.</p> | <p>Change paragraph 13.9 to delete the word "Protected" at the beginning of the sentence; include additional text relating to a "Hedgerow Retention Notice"; and include reference to the "Hedgerows Regulations" as follows:</p> <p>"Hedgerows subject to a Hedgerow Retention Notice must be assessed by the Local Planning Authority's Landscape Officer against criteria set out in the Hedgerows Regulations 1997. Where a hedgerow is deemed to be 'Important' under the Hedgerows Regulations, the".</p> | <p>The Council acknowledge this element of the modification agreed in the Statement of Common Ground with Essex County Council has been omitted in error.</p> |
| 8935 object | Ava Wood | <p>The text recognizes that hedgerow loss is difficult to mitigate against as they cannot be easily recreated as either a landscape or ecological feature.</p> <p>The text should similarly acknowledge that the large swathes of Lowland Dry Acid Grassland at Middlewick Ranges is also difficult to recreate and loss would impact severely on the habitats supported</p> | <p>Add the following to paragraph 13.9 Similarly, the Lowland Acid Grassland on the Middlewick Ranges site is an important ecological feature, the loss of which would be difficult to recreate, given the range of diverse protected species it supports.</p> | <p>This issue was explored through the Matter 3 Hearing Sessions.</p> |

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| MM19 – Para 13.13 | | | | |
| No representations received | | | | |
| MM20 – Policy ENV1 Environment | | | | |
| 8395 Support | Anglian Water Services | Welcome the following; The inclusion of the requirement for 10% biodiversity net gain and its addition to Policy ENV1. The clarification that in making decisions the Council will seek to encourage development proposals which improve the quality of the water environment. Inclusion of the reference to the Anglian River Basin Management Plan. | In summary, the changes set out in the Main Modifications serve to increase the effectiveness and consequent soundness of the Local Plan. | Noted. |
| 8982 object | Marden Homes Ltd | Further flexibility required regarding Biodiversity Net Gain. See attachment for further information. | None stated | This issue was explored through Matter 3 during the Hearing Sessions. |
| 8914 | Natural England | It is a concern that the proposed wording for the policy indicates that the expectations in relation to mitigation and biodiversity net gain (BNG) for developments that have adverse effects on biodiversity are less stringent than for those developments that would not cause such adverse impacts. The key criteria to compare would be criterion (v) of the first section and criterion (iii) of the second section. The fact that criterion (iii) seems to set a lower bar means that there is also an inconsistency between the proposed wording of the policy and the proposed modification to paragraph 13.8 (MM17) which states that: “As a minimum 10% biodiversity net gain is required...”. Also, the specific wording proposed for criterion (iii) would mean that either “satisfactory biodiversity net gain” or “mitigation” are required to meet the criterion rather than both being required | None stated | This issue was explored through Matter 3 during the Hearing Sessions. The Statement of Common Ground between the Council and Natural England does not consider biodiversity net gain. |
| 8940 object | Ava Wood | Lowland Acid Grassland should be recognized as an irreplaceable habitat. | Policy Env1(D) Add the following words after “veteran trees” “And Lowland Acid Grassland” | This issue was explored through Matter 3 during the Hearing Sessions. |

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| MM21 – Policy ENV2 Coastal Areas | | | | |
| No representations received | | | | |
| MM22 – Policy ENV3 Green Infrastructure | | | | |
| 8397 Support | Anglian Water Services | ENV3 & CC1 - Policy ENV3. Additional support for green infrastructure measures to protect and enhance water bodies as this supports the existing SuDS policies. | In summary, the changes set out in the Main Modifications serve to increase the effectiveness and consequent soundness of the Local Plan. | Noted. |
| MM23 – Policy ENV5 Pollution and Contaminated Land | | | | |
| 8995 object | Geoffrey Johnson | I can't find any references to light pollution. For example, The Victory Pub in West Mersea has a substantial number of lights in its garden which are extremely noticeable when lit. They also appear to be lit well into the evening at times when there is no realistic possibility of any / many customers using the garden - eg damp mid November evenings. CBC needs a policy so it can determine what it considers an appropriate level of lighting on premises generally | None stated | This policy was explored through Matter 3 during the Hearing Sessions. |
| MM24 – Para 13.49 and additional footnote | | | | |
| 8401 support | Anglian Water Services | ENV3 & CC1 - 13.49 ,13.50 and Policy CC1. Specific targets for increasing tree canopy cover - nature based solutions are one element of Anglian Water's own pathway to get to net zero by 2030 | In summary, the changes set out in the Main Modifications serve to increase the effectiveness and consequent soundness of the Local Plan. | Noted. |
| 8452 object | Colchester Natural History Society | Modifications do not include the third element in the cited canopy-cover study: 'targets and strategies for increasing tree cover should be set according to species, size and age composition of the existing urban forest, based upon a ward/district level and land-use assessment' Current CBC targets are based upon an arbitrary ratio to the population, without preliminary land-use | We propose inclusion of the cited extract from the Canopy-cover study. Further, since elsewhere well-documented serious damage to biodiversity has been inflicted by 'wrong trees in the wrong | This policy and modification were considered through Matter 3 at the Hearing Sessions. An additional document (EBC 4.72) has been |

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| | | assessments. We propose inclusion of the cited extract from the Canopy-cover study. Further, since elsewhere well-documented serious damage to biodiversity has been inflicted by 'wrong trees in the wrong place' policies, MM24 should be revised. | place' policies, MM24 should be revised. | added to the Evidence Base to support this policy. The Council have also been approached by a number of developers to begin exploring how a Canopy Cover Assessment can be undertaken to meet this requirement. |
| 8975 | Mersea Homes | The proposed requirement for a canopy cover assessment is ineffectual as: <ul style="list-style-type: none"> • Additional burden to a planning application submission • NPPF continues to evolve in regard to this topic • Rigid and broad 10% quantitative increase in tree cover is ineffective | Delete paragraph and replace with: The Council will expect landscape assessments submitted with major planning applications to explore opportunities to increase the potential tree canopy coverage, in line with Government policy, whilst taking into account a site's characteristics | This policy and modification were considered through Matter 3 at the Hearing Sessions. An additional document (EBC 4.72) has been added to the Evidence Base to support this policy. The Council have also been approached by a number of developers to begin exploring how a Canopy Cover Assessment can be undertaken to meet this requirement. |
| MM25 – Policy CC1 Climate Change | | | | |
| 8404 support | Anglian Water Services | ENV3 & CC1 - 13.49 ,13.50 and Policy CC1. Specific targets for increasing tree canopy cover as this nature | In summary, the changes set out in the Main Modifications serve to | Noted. |

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| | | based solutions are one element of Anglian Water's own pathway to get to net zero by 2030 | increase the effectiveness and consequent soundness of the Local Plan. | |
| 8457 object | Colchester Natural History Society | Modifications do not include the third element in the cited canopy-cover study: 'targets and strategies for increasing tree cover should be set according to species, size and age composition of the existing urban forest, based upon a ward/district level and land-use assessment' Current CBC targets are based upon an arbitrary ratio to the population, without preliminary land-use assessments. We propose inclusion of the cited extract from the Canopy-cover study. Further, since elsewhere well-documented serious damage to biodiversity has been inflicted by 'wrong trees in the wrong place' policies, MM24 should be revised. | We propose inclusion of the cited extract from the Canopy-cover study. Further, since elsewhere well-documented serious damage to biodiversity has been inflicted by 'wrong trees in the wrong place' policies, MM24 should be revised. | This policy and modification were considered through Matter 3 at the Hearing Sessions. An additional document (EBC 4.72) has been added to the Evidence Base to support this policy. The Council have also been approached by a number of developers to begin exploring how a Canopy Cover Assessment can be undertaken to meet this requirement. |
| 8976 object | Mersea Homes | The proposed requirement for a canopy cover assessment is ineffectual as: <ul style="list-style-type: none"> • Additional burden to a planning application submission • NPPF continue to evolve in regard to this topic • Rigid and broad 10% quantitative increase in tree cover is ineffective | Delete paragraph and replace with: The Council will expect landscape assessments submitted with major planning applications to explore opportunities to increase the potential tree canopy coverage, in line with Government policy, whilst taking into account a site's characteristics. | This policy and modification were considered through Matter 3 at the Hearing Sessions. An additional document (EBC 4.72) has been added to the Evidence Base to support this policy. |

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| | | | | The Council have also been approached by a number of developers to begin exploring how a Canopy Cover Assessment can be undertaken to meet this requirement. |
| 8964 object | L&Q, Cirrus Land and G120 Land | Policy on climate change and the requirements to address it will be central to decision making in England in coming years. The built environment is a key cornerstone to addressing climate change whether through physical interventions or technology or how places are designed. We therefore believe that an early plan review is critical to ensure that Local Plan policy keeps pace with these changes and ambitiously seeks to address climate change in accordance with the Council's position on this having declared a climate emergency | None stated | The Local Plan is being examined under the transitional arrangements outlined in Annex 1 of the NPPF, it is considered the policy as proposed to be modified is meeting the requirements of the NPPF 2012. |

Chapter 14 – Place Policies

| Rep ID | Name/ Organisa tion | Representation | Changes to the Plan | Officer Comment |
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| MM26 – Policy PP1 Generic Infrastructure and Mitigation Requirements | | | | |
| 8405 support | Anglian Water Services | Policy PP1. Clarification that proposals must also demonstrate adequate water supply network enhancements. | In summary, the changes set out in the Main Modifications serve to increase the effectiveness and consequent soundness of the Local Plan. | Noted. |
| 8262 object | Jeremy Hagon | Mitigation to include requirements for contributions to the cost of infrastructure and/or community facilities should not be negotiable. Community facilities must additionally include installation of potentially life-saving publicly accessible defibrillators to all major developments of more than 10 dwellings and should be further agreed at the pre-planning stages including commitment for ongoing low-cost maintenance and minimal power provision. | Include installation of potentially life-saving publicly accessible defibrillators to all major developments of more than 10 dwellings. | <p>This policy was considered through Matter 4a during the Hearing Sessions.</p> <p>The Council's 2017 Infrastructure Delivery Plan (EBC 5.3) provided the evidence base for the specific infrastructure requirements in the Section 2 Local Plan. This was updated in April 2021 (EBC 5.13) and has been reflected in the modifications accordingly.</p> |

| MM27 – Policy TC1 Town Centre Policy and Hierarchy | | | | |
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| 8263 support | Jeremy Hagon | Policy TC1 should include shared mixed-use spaces and short-term uses should also include outdoor or outdoor covered spaces to provide wider range of diverse mix of uses | None stated | <p>This policy was considered through Matter 4b during the Hearing Sessions.</p> <p>The Council consider the policy as proposed to be modified reflects those uses that can be supported in a town centre in accordance with national policy and the updated use classes.</p> |
| 8903 object | Dorian Kelly | <p>Suggested Replacement Text:</p> <p>The Local Planning Authority will support proposals that positively contribute towards creating an attractive, vibrant and safe Town Centre that offers a diverse mix of uses, including shared mixed-use spaces and short-term uses including festival, arts and other events which encourage visitors and enhance tourism, and extend the time when the Town Centre is live subject to their impact on local amenity</p> | <p>Suggested Replacement Text: add the text shown in bold- The Local Planning Authority will support proposals that positively contribute towards creating an attractive, vibrant and safe Town Centre that offers a diverse mix of uses, including shared mixed-use spaces and short-term uses including festival, arts and other events which encourage visitors and enhance tourism, and extend the time when the Town Centre is live subject to their impact on local amenity</p> | <p>This policy was considered through Matter 4b during the Hearing Sessions.</p> <p>The Council consider the policy as proposed to be modified reflects those uses that can be supported in a town centre in accordance with national policy and the updated use classes.</p> |
| MM28 – Policy TC2 Retail Frontages | | | | |

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| No representations received | | | | |
| MM29 – Policy TC3 Town Centre Allocations | | | | |
| 8913 object | Dorian Kelly | <p>Vineyard Gate: DELETE " provide a residential-led " Replace with: "provide affordable homes, and an extension to the bus interchange, Reason: The original text is too prescriptive and will not permit changes of direction in the near future St. Botolphs: DELETE "Mixed use scheme providing cinema, hotel; restaurants cluster; retail; student accommodation; Creative Business Centre (1.86 ha) And replace with "Mixed use scheme including leisure, tourist and cultural facilities" Reason: The original text is too prescriptive ADD under "requirements" Retain existing public rights of access to homes and businesses to the north of the site</p> | <p>DELETE " provide a residential-led " Replace with: "provide affordable homes, and an extension to the bus interchange. DELETE "Mixed use scheme providing cinema, hotel; restaurants cluster; retail; student accommodation; Creative Business Centre (1.86 ha) And replace with "Mixed use scheme including leisure, tourist and cultural facilities"</p> | <p>This policy was considered through Matter 4b during the Hearing Sessions.</p> <p>The Council consider that the policy as proposed to be modified, accurately reflects the proposals for these Council led development schemes.</p> |
| MM30 – Policy TC4 Transport in Colchester Town Centre | | | | |
| No representations received | | | | |
| MM31 – Policy NC1 North Colchester and Several Strategic Economic Area | | | | |
| No representations received | | | | |
| MM32 Policy NC4 Transport in North Colchester | | | | |
| No representations received | | | | |
| MM33 – New Para 14.52 | | | | |
| No representations received | | | | |
| MM34 – Policy SC1 South Colchester Allocations | | | | |
| 8407 support | Anglian Water Services | <p>SC1-14.X. The inclusion of the ABRO site. Please see Anglian Water’s comments dated 27 October 2021</p> | <p>In summary, the changes set out in the Main Modifications serve to increase the effectiveness and consequent soundness of the Local Plan.</p> | <p>Noted.</p> |

| MM35 – Para 14.54 | | | | |
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| 8217 Object | Will Quince MP- | Housing is not needed, there is no justification of “opportunities” and concern over the potential wildlife and ecological damage caused by the proposals and the additional vehicles the proposals will bring to a heavily congested road network, specific examples of the potential opportunities of the proposals need to be clear. | Middlewick Ranges removed from the Local Plan. | Housing requirement- This matter was considered during the hearing session for Matter 2 . With Topic Paper 2 Housing Matters , these outline how the housing requirement figure is to be met through the Section 2 Local Plan. Topic Paper 5 is relevant to consideration of opportunities |
| 8501 | Essex Wildlife Trust (EWT) | Colchester BC has failed to provide the justification for destroying a nationally rare ecological habitat of very high distinctiveness in order to build houses in this location. Wholly exceptional reasons are required to justify such ecological destruction and this would invoke the principle of need. Given that Colchester BC has been delivering new housing in excess of housing need, there are clearly no wholly exceptional reasons to justify the allocation of a significantly important and highly sensitive designated ecological habitat for housing | The allocation of Middlewick Ranges should be removed from the plan entirely. | These matters were considered under Matter 6 refer to (CBC Hearing Statement Matter 6) EWT Hearing Statement Matter 6 Evidence Base for ecology EBC 7.4 (Stantec Report) |
| 8085 Object | Save Middlewic k Ranges Campaign Group | Allocation quota already reached when Middewick Ranges went into the LP2a1 - Is it reasonable to only assess one area of Colchester for alternative sites? - Green Infrastructure Strategy 2011 out of date. | No comment as we do not agree that there should be any development on the Middlewick Ranges and as promised a feasibility study should be undertaken to make the Middlewick Ranges into a country park and/or a | Housing requirement- This matter was considered during the hearing session for Matter 2 . With Topic Paper 2 Housing Matters , these outline how the housing requirement figure is to be met |

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| | | | nature reserve with a trust set up to manage this. Who are the opportunities for? Cycling paths can still allocated to the Wick but in a different way then by concrete | through the Section 2 Local Plan. The Green Infrastructure Strategy is only part of the relevant evidence base |
| 8351 Object | Colchester Green Party | The inspector has placed high ecological planning hurdles on the site which the MOD will not be able to easily comply with. The site is rich in wildlife and it is not possible to easily move it. Therefore, the site should be removed from the Local Plan. | Remove Middlewick Ranges from the Local Plan or start again. | These matters were considered under Matter 6 at the Hearing Sessions |
| 8749 Object | Enform | Incompatible with the ecological evidence base Housing target already exceeded so including development not justified. Detrimental infrastructure and access to green spaces for the 5 adjoining housing estates | The word opportunities needs to be removed due to the constraints. There is no opportunity under the current local and national policies. | Housing requirement- This matter was considered during the hearing session for Matter 2 . With Topic Paper 2 Housing Matters , these outline how the housing requirement figure is to be met through the Section 2 Local Plan. |
| 8767 Object | Eco Colchester | A review of LWS in 2015 by CBC increased the area at Middlewick; 1 year later included in local plan? The council exceeded housing target by 1000 homes, so this isn't necessary. Previous planning applications were refused on ecological grounds. - Contains Acid Grassland; subject to national biodiversity action plan - Over 600 species, some individually protected - Breeding Skylarks (rare and declining; National-Biodiversity Action Plan) - Essential buffer to Roman River SSSI | On the basis that the site has a high ecological value, the evidence base on which the decision was made was not adequate, the housing allocation target had been met without this sites inclusion, the site was added to the plan at the last minute without the appropriate consultation. We feel there is no | LWS review EBC 4.1 Housing requirement- This matter was considered during the hearing session for Matter 2 . With Topic Paper 2 Housing Matters , these outline how the housing requirement figure is to be met through the Section 2 Local Plan. |

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| | | <p>- Meets many SSSI criteria We can build on sites of ecological importance, but only in exceptional circumstances (National infrastructure projects). Building 1000 surplus houses doesn't qualify</p> | <p>alternative than to conclude that the inclusion of this site in the Local Plan is unsound. Given the potential constraints on the site we do not feel there is any development opportunity and so this wording should be removed</p> | <p>Matter 6 at the Hearing session considered Ecological evidence obo CBC and third parties</p> |
| 8807 Object | Butterfly Conservation | <p>Whilst we remain firmly opposed to any development on this site, we understand from personal communications with Natural England that they wish to be involved in the Defence Infrastructure Organisation's masterplanning process. This would appear prudent, given the high ecological status of the site and the proposals to acidify large areas of land to the south that are in proximity to existing SSSIs and using processes that threaten sensitive species e.g. Carabus monilis. In addition, this land forms the catchment area to Birch Brook that flows through the Upper Colne Marshes SSSI with potential adverse effects to this saltmarsh and the marine life of the Colne Estuary (Mid-Essex Coast Phase 2) Special Protection Area Suggest, consulting Natural England on masterplanning and key mitigation proposal to acidify soil using sulphur</p> | <p>We strongly believe that Policy SC2 is mutually exclusive to Policy ENV1: Environment "The Local Planning Authority will conserve and enhance Colchester's natural and historic environment,..." and should be withdrawn from the Local Plan.</p> | <p>Matter 6 at the Hearing session considered Ecological evidence obo CBC and third parties. This includes a statement from The Butterfly Conservation Group</p> <p>Policy ENV1 will also be relevant and the wording of SC2 is considered to reflect the matters appropriately.</p> |
| 8968 Object | Essex Field Club | <p>We do not believe that the inclusion of the Middlewick Ranges Local Wildlife Site (LoWS) in the Local Plan Housing Allocation is consistent with national policy and the National Planning Policy Framework, and therefore the Local Plan cannot be considered sound. SC2 should not have been allocated, nor allowed to remain in the plan and there should be no allocation of homes on the site.</p> | <p>Remove the Middlewick allocation from the Local Plan</p> | <p>Matter 6 at the Hearing session considered Ecological evidence obo CBC and third parties. This includes a statement from Essex Field Club</p> |

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| | | Otherwise, there is a high likelihood of legal challenge subsequent to adoption. | | |
| Object Rep numbers listed- refer to list below the summary of comments | | <p>Collective summary of points raised by representations - Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. Each can be seen in its entirety on the consultation portal (Comments from Statutory / specific Consultees / organisations are listed separately above);</p> <ul style="list-style-type: none"> • Inadequate Infrastructure including impact of additional traffic- capacity / congestion; • Traffic impact on the wider network • Impact on the biodiversity and local wildlife site- it is not possible to create Biodiversity Net Gain required or to mitigate ecological habitats; • Incompatible with the ecological evidence base • Conflict with Boris Johnson’s recent statement regarding building on greenfield sites; • Loss of open space / it should be a country park green infrastructure evidence is out of date • Lack of nearby employment • Impact on pollution • The houses are unnecessary • Inadequate capacity at foul sewer and treatment plant • Impact on Flood risk / surface water flooding from Birch Brook • Impact on historic / heritage of the area | <p><i>Comments from respondents referring to potential changes to the Plan - if the Site is to be developed the points below to be considered / addressed</i></p> <ul style="list-style-type: none"> • Infrastructure to be put in place before the houses are built; • Homes to be carbon neutral and include measure to off set climate impacts; • Create a southern bypass • Ensure consultation and early involvement of natural England in Masterplanning for the site | <p>Matter 6 at the Hearing session considered these issues. Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements.</p> |

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| Object Rep numbers listed | 7817, 7823, 7835, 7851, 7852, 7853, 7855, 7856, 7862, 7865, 7866, 7870, 7871, 7872, 7876, 7877, 7881, 7882, 7883, 7884, 7885, 7886, 7888, 7889, 7891, 7892, 7893, 7894, 7895, 7897, 7899, 7900, 7901, 7902, 7904, 7905, 7910, 7911, 7912, 7921, 7922, 7923, 7929, 7930, 7931, 7932, 7933, 7934, 7935, 7936, 7940, 7941, 7948, 7949, 7950, 7952, 7955, 7960, 7962, 7967, 7973, 7974, 7975, 7976, 7977, 7978, 7979, 7980, 7984, 7987, 7988, 7989, 7990, 7992, 7993, 7994, 7995, 7996, 7997, 7998, 7999, 8002, 8003, 8004, 8007, 8011, 8012, 8013, 8020, 8021, 8022, 8023, 8024, 8025, 8026, 8027, 8030, 8036, 8038, 8039, 8041, 8044, 8048, 8049, 8056, 8057, 8058, 8059, 8061, 8062, 8063, 8064, 8065, 8067, 8068, 8069, 8071, 8072, 8078, 8080, 8082, 8092, 8094, 8096, 8104, 8107, 8125, 8126, 8130, 8131, 8132, 8135, 8138, 8141, 8142, 8144, 8146, 8151, 8155, 8158, 8161, 8166, 8168, 8176, 8183, 8184, 8187, 8188, 8189, 8190, 8192, 8193, 8199, 8205, 8206, 8207, 8211, 8212, 8218, 8228, 8234, 8237, 8246, 8247, 8249, 8250, 8258, 8259, 8268, 8271, 8277, 8285, 8287, 8291, 8294, 8303, 8304, 8306, 8321, 8323, 8325, 8327, 8336, 8338, 8340, 8344, 8346, 8347, 8348, 8365, 8367, 8371, 8372, 8373, 8379, 8383, 8384, 8388, 8392, 8394, 8419, 8423, 8424, 8429, 8451, 8469, 8470, 8479, 8484, 8488, 8489, 8498, 8514, 8516, 8517, 8527, 8534, 8540, 8552, 8559, 8561, 8576, 8577, 8585, 8586, 8595, 8596, 8597, 8608, 8620, 8626, 8630, 8631, 8632, 8633, 8642, 8655, 8657, 8659, 8673, 8680, 8682, 8695, 8699, 8708, 8714, 8724, 8730, 8732, 8734, 8735, 8745, 8750, 8755, 8783, 8786, 8788, 8796, 8808, 8815, 8823, 8832, 8836, 8855, 8863, 8868, 8875, 8883, 8893, 8901, 8902, 8904, 8915, 8924, 8928, 8947 | | | |
| MM36 – Para 14.55 | | | | |
| 8087 Object | Save Middlewick Ranges Campaign Group | There is already a high level of pollution in the area and other developments in the area which have not been considered with regards to this development and acid grassland, trees, hedges and green land currently absorb so with this gone air pollution will be measuring higher without the 1000+ extra cars. The existing buffer for the current air pollution will be removed making air pollution worse in an area already exceeding legal limits. Traffic assessments were put in when the schools were on holiday and on teacher training days. A complaint was lodged at that time | Correct assessments of CO2 emissions (all toxins) need to be undertaken against the mitigation of the removal of this land will impact on the increase of CO2. Traffic impact assessments undertaken at the busiest times for Mersea Road and include all other developments going on the area, i.e flats on the Willows estate and Berechurch. | Transport assessment considerations are referred to in the SoCG between CBC, ECC and DIO. Transport evidence base EB7.3 Matter 6 at the Hearing session considered. Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements |
| 8172 Object | Copford with Easthorpe Parish Council | Transport Assessment 'Bespoke travel plans' are required where 'traffic constraints cannot be adequately achieved' Both allocated Copford sites have significant issues with access, one through a very narrow lane which does not allow for two | Change the allocation of homes for Copford with Easthorpe to ensure equitable numbers are given to this area. Ensure | This is relevant to Policy SS4 |

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| | | vehicles passing and pedestrians. Both sites open onto a very busy B1408 and both cannot accommodate the proposed number of homes when measured against guidance notes for road widths and homes leading on to these roads. The health effects on residents from increased noise and atmospheric pollution have not been adequately considered. | that the Transport Assessment and bespoke travel plans are detailed and take into account local circumstances leading onto main roads, the numbers of homes leading onto roads is in line with guidance notes and does not exceed these numbers. Ensure adequate health provision is made | |
| 8736 Object | Enform | Air pollution hotspots need to be reduced Congestion issues need resolving Flood issues need resolving | Mitigation will need to form part of the transport assessment to reduce impact on air pollution hotspots, increased traffic congestion and existing and increased flood issues on the existing roads network. | Transport assessment considerations are referred to in the SoCG between CBC, ECC and DIO. Transport evidence base EB7.3 Matter 6 at the Hearing session considered. Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements |
| 8754 | Eco Colchester | Colchester has 9 AQMA's; exceeding legal limits. Middlwick is a buffer, so the situation will only worsen. Flooding issues at 'Hythe' further constrains transport links out of this area. The potential distributor road running across the site to the T Junction at the end of Abbots Road should be rejected as it does not solve the congestion problem. All it will do is add another way to get to an | Plans are unsound and put Colchester residents at higher risk from effects of air pollution. Plans are not adequate to mitigate | Matter 6 at the Hearing session considered these issues Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements |

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| | | <p>existing junction that cannot cope with existing traffic.</p> <p>New and existing residents will be using their cars to access wide open green space also causing an increase in car use</p> | | <p>The Transport assessment considerations are referred to in the SoCG between CBC, ECC and DIO. Transport evidence base EB7.3</p> |
| 8223 Object | Will Quince MP | <p>Despite the drive towards increased sustainable transport infrastructure and the active travel agenda the increase in traffic is a concern particularly the impact on air pollution in an area which is already exceeding the legal limits</p> | <p>Remove Middlewick from the Plan</p> | <p>Matter 6 at the Hearing session considered these issues Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements</p> |
| Object Rep numbers listed; refer to list below the summary of comments | | <p>Collective summary of points raised by representations - Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees / organisations are listed separately above);</p> <ul style="list-style-type: none"> • Diverse environment should be preserved for future generations • Loss of wildlife and habitats (including irreplaceable habitats) • Infrastructure is inadequate • Traffic congestion / capacity impacts locally and wider network • Impact on air quality and pollution- Middlewick currently provides a buffer to adjoining AQMAs • Lack of an overall masterplan for South Colchester and managing traffic impacts • Impact on the open space which should be retained for local enjoyment | <p><i>Comments from respondents referring to potential changes to the Plan - if the Site is to be developed the points below to be considered / addressed</i></p> <ul style="list-style-type: none"> • Acknowledge installation of cycle lanes is impractical along some parts of routes • Assessments and Road infrastructure must take account of other developments in the area (eg Willows Estate and Berechurch). • Ensure CO2 emissions do not exceed the recommended levels | <p>Matter 6 at the Hearing session considered these issues Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements</p> <p>Transport assessment considerations are referred to in the SoCG between CBC, ECC and DIO. Transport evidence base EB7.3</p> <p>The Local Plan as a whole includes policies to</p> |

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| | | <ul style="list-style-type: none"> • Will increase CO2 emissions | <ul style="list-style-type: none"> • Any permission for development must be conditional on the road network being capable of the accommodating the additional traffic, and be masterplanned • Need to be realistic about modes of travel and modal shift • Modification to go further and indicate that that if the traffic constrains cannot be adequately addressed then the number of houses is not just scaled down but the site potentially removed altogether. • Mitigation will need to form part of the Transport Assessment to manage impact on air pollution and flood risk as well as congestion • Investigate the feasibility of a bridge for cyclists and pedestrians across the River Colne to help reduce the impact of development at Middlewick | <p>address issues such as pollution, air quality and contamination and provision of infrastructure</p> |
| Object Rep numbers listed; | 7801, 7804, 7807, 7820, 7821, 7822, 7841, 7858, 7859, 7856, 7867, 7878, 7896, 7903, 7906, 7913, 7924, 7937, 7942, 7945, 7951, 7953, 7956, 7963, 7969, 7981, 7982, 7985, 8000, 8005, 8006, 8008, 8014, 8028, 8037, 8047, 8073, 8079, 8081, 8091, 8097, 8108, 8109, 8115, 8139, 8143, 8153, 8167, 8177, 8186, 8194, 8208, 8231, 8238, 8245, 8248, 8251, | | | |

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| | 8254, 8264, 8270, 8280, 8286, 8292, 8295, 8305, 8322, 8326, 8352, 8358, 8368, 8386, 8390, 8393, 8398, 8400, 8426, 8434, 8453, 8471, 8480, 8506, 8518, 8528, 8535, 8541, 8553, 8562, 8578, 8587, 8591, 8598, 8604, 8609, 8625, 8634, 8636, 8643, 8661, 8662, 8665, 8676, 8677, 8683, 8684, 8698, 8700, 8707, 8725, 8733, 8736, 8753, 8758, 8759, 8761, 8789, 8797, 8809, 8816, 8824, 8833, 8837, 8842, 8846, 8856, 8869, 8876, 8884, 8894, 8905, 8916, 8923, 8929,. | | | |
| MM37 – Para 14.56 | | | | |
| 8090 Object | Save Middlewick Ranges Campaign Group | Wildlife site review in 2016 is unsound because is out-of-date and timings were not optimal. CIEEM guidance: “It is important that planning decisions are based on up-to-date ecological reports and survey data.” Why is there no mention of Local Wildlife Site, lowland acid grassland (UK Biodiversity Action Plan habitat) and protected species in the modifications? Natural England agree that the Ranges is on par with an SSSI. As a designated Land Priority Habitat, it also has certain European protections and plants invertebrate and bird species found in acid grassland are protected under the Wildlife and Countryside Act 1981. | As the mitigation for recreating acid grassland is not a proven science particularly to include the richness of the other plants that come with acid grassland and there is no guarantee that it will work, no development should start to take place or masterplan put in place, until it has been proven that acid grassland recreated is successful and is supporting the same rare species. This is important as what happens if it does not work? This area of the development also supports skylarks . | Matter 6 at the Hearing session considered Ecological evidence obo CBC and third parties Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements |
| 8102 Object | Save Middlewick Ranges Campaign Group | The Green Infrastructure Strategy 2011 is out-of-date, being ten years old. It refers to the Middlewick Ranges as a farmland plateau, not as a Local Wildlife site with rare acid grassland. Despite stated benefits to residents surrounding the proposed site in terms of greenspace, leisure and wellbeing, this just means even more disturbance and loss of natural habitat to the area itself. The buffer between the built-up housing surrounding it, the additional housing will create urban sprawl; one very large | The area should not have been allocated for housing in the first place. | Green Infrastructure only part of the evidence base. The LWS review EBC 4.1 provided the correct description of the site which post dates the green infrastructure strategy. The ecological evidence obo CBC and third parties |

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| | | housing estate, with little greenspace to share between existing and new residents. to development and sprawl | | is relevant |
| 7920 Object | Community Planning Alliance | <p>We are very concerned about the national ramifications should a site like this be considered appropriate for inclusion in the local plan. It is also concerning that the very high-risk proposed mitigation is considered acceptable. The site is a Local Wildlife Site and lowland acid grassland, undisturbed since the Crimean War and a rare and important remaining site in north Essex. The site hosts Protected Species. If this site is considered fair game, this sends a strong message to the public that nowhere is safe.</p> <p>See attachment for full representation.</p> | <p>SC2 should be deleted. The modifications do not provide sufficient assurances that the unique habitat can be recreated. It is a highly risky, unproven approach that puts not just the habitat but protected species at risk. Irreplaceable habitat is just that. A bespoke metric to attempt to recreate it should not be allowed. However, should the site remain in the plan, the following additional modification is required: "No development can commence on Middlewick Ranges (SC2) until a team of independent ecologists & wildlife experts, funded (but not managed) by the developer, are satisfied that the new acid grassland mitigation habitat has established to a satisfactory level."</p> | <p>The ecological evidence obo CBC and third parties is relevant</p> <p>Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements</p> <p>These matters were discussed in length at the hearing session</p> |
| 8502 Object | EWT | The wording of the Main Modifications lacks clarity due to the conflation of the terms 'mitigation' and | The allocation of Middlewick Ranges | Topic Paper 5 is relevant along with CBC Hearing |

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| | | 'compensation'. Negative impacts should always be avoided where possible, for example by deciding not to locate a project in a particular area. The Main Modifications also fail to adhere to the good practice principles for the application of Biodiversity Net Gain | should be removed from the plan entirely. | Statement The ecological evidence CBC is relevant and the Matter 6 third party statements |
| 8229 Object | Will Quince MP | Concerned that the ecology / wildlife reports prepared by Objectors for the EiP have been ignored. Concern whether the Inspector understands that the acid grassland is a nationally significant habitat. The Middlewick Ranges is one of the last remaining sites of Lowland Acid Grassland across our region. This grassland is a UK Biodiversity Action Plan habitat and priority for wildlife conservation. I'm concerned the Inspector hasn't recognised that this grassland is a nationally significant habitat - the Inspector seemingly accepts the developer's ecologist report submitted by the MOD / the DIO's Stantec ecology report - I'm concerned these disregard the 600 important species and grassland located on-site. | Take the Middlewick Ranges proposals out of the Local Plan. | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |
| 8757 Object | Enform | Incompatible with ecological evidence base, incompatible with local and national ecology policies, inadequate biodiversity safeguards, Inadequate comparable habitat and species mitigation policies | No development should take place in the area of the Local Wildlife Site Robust seasonal ecology surveys over minimum 3 years Like for like Biodiversity net gain To follow existing national and local ecology policies including Biodiversity Action Plans | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |
| 8774 Object | Eco Colchester | BAP habitat and species. Evidence base doesn't not reflect what is actually there. Irreplaceable habitat, can't be mitigated as no relevant proof. Acid Grass land, subject to national biodiversity action plan | Plan is unsound - IF however plans are passed (which would be wrongful in our view) the: | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological |

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| | | Breeding Skylarks; Red List species. Protected by The Wildlife and Countryside Act 1981 Over 600 species, some individually protected Essential buffer to Roman River SSSI with protected species. | - Seasonal surveys over a number of years and during mitigation actions. - No building until mitigation has reached previous standard. | evidence obo CBC is relevant and the Matter 6 third party statements |
| 8860 Object | Butterfly Conservation | 2021 invertebrate surveys have led Natural England to conclude that this site has merit in being considered as an extension of the existing SSSI. This leads us to conclude that the site contains irreplaceable habitats and species of principal importance and that the housing allocation for the Middlewick Ranges site should be withdrawn from the Local Plan | the housing allocation for the Middlewick Ranges site should be withdrawn from the Local Plan | Refer to Natural England response to the Modifications Consultation rep no 8921 Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |
| 8977 Object | Essex Field Club | Inclusion of Middlewick Ranges Local Wildlife Site is not consistent with national policy and the NPPF. Local Plan cannot be considered sound. SC2 should not be allocated. • The site would qualify as a Site of Special Scientific Interest if subject to specialists' surveys. We can provide new evidence as a result of 4 field meetings in 2021 which recorded 548 invertebrate species identifying five assemblages in favourable SSSI condition. • Acid grassland at Middlewick probably largest unfragmented area of this Priority Habitat surviving in Essex, CBC has responsibility for conserving this site. Biodiversity Net Gain does not apply to irreplaceable habitats | SC2 should not be allocated. | Refer to Natural England response to the Modifications Consultation rep no 8921 Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |
| Object Rep numbers listed; refer | | Collective summary of points raised by representations - Objections / concerns raised cover the following issues as well as some | <i>Comments from respondents referring to potential changes to the</i> | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological |

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| <p>to list below the summary of comments</p> | | <p>requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees / organisations are listed separately above);</p> <ul style="list-style-type: none"> • Impact on the wildlife species and habitats including rare species (UK Biodiversity Action Plan habitat 1) many of irreplaceable • Loss of LWS • Biodiversity net gain is not achievable • Take account of the expert ecology advice provided to EiP by objectors and not just rely on the Stantec evidence • Loss of open space / Green Infrastructure strategy is out of date • Loss of historic grassland and woodland / damage heritage and archaeology • The area should have SSSI status. Recent survey evidence has been submitted to NE who have advised it is “scientifically interesting” “has merit in being considered...” • Should be a nature reserve / country park (managed by egs- EWT / RSPB / CBC) • Inadequate infrastructure to support the development • Flood risk in the area • Loosing Middlewick will set a precedent to loosing other important open spaces in Colchester and elsewhere • Has been no consultation with residents • Houses are not needed | <p><i>Plan - if the Site is to be developed the points below to be considered / addressed</i></p> <ul style="list-style-type: none"> • Reduce the allocation area to the area currently fenced off to prevent over building on the larger allocation • Wait for the replacement habitat (acid soil / grassland) has worked before allowing building to take place • should the site remain in the plan, the following additional modification is required: “No development can commence on Middlewick Ranges (SC2) until a team of independent ecologists & wildlife experts, funded (but not managed) by the developer, are satisfied that the | <p>evidence obo CBC is relevant and the Matter 6 third party statements</p> <p>The masterplan requirements and policy SC2 seek to address many of the matters referred to.</p> <p>These matters were discussed in length at the hearing session</p> |
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| | | | <p>new acid grassland mitigation habitat has established to a satisfactory level.”</p> <ul style="list-style-type: none">• If development is agreed, it must be environmentally-led. The least and most minimal damage, and this damage be properly mitigated in a proven way and before development occurs.• Avoid building on the acid grassland as much as possible• Further protection offered - more than the wording affords here. We should also make specific reference to ensuring the highest protected areas areas are not built on and safe. A country park and wildlife corridor should be a minimum | |
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| | | | expectation for the area. | |
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| Object Rep numbers listed; | 7772, 7773, 7774, 7775, 7776, 7777, 7778, 7779, 7780, 7781, 7782, 7783, 7784, 7785, 7786, 7787, 7788, 7789, 7790, 7791, 7792, 7793, 7794, 7795, 7796, 7797, 7798, 7799, 7800, 7802, 7803, 7805, 7806, 7808, 7809, 7811, 7812, 7813, 7814, 7815, 7819, 7824, 7825, 7826, 7827, 7828, 7829, 7830, 7831, 7832, 7833, 7834, 7836, 7837, 7838, 7839, 7840, 7842, 7843, 7844, 7845, 7846, 7847, 7848, 7849, 7850, 7868, 7869, 7874, 7875, 7887, 7890, 7898, 7907, 7914, 7925, 7938, 7943, 7946, 7954, 7957, 7961, 7970, 7983, 7991, 8001, 8015, 8029, 8033, 8040, 8051, 8060, 8070, 8074, 8110, 8117, 8133, 8134, 8137, 8140, 8145, 8154, 8162, 8169, 8178, 8195, 8209, 8220, 8239, 8252, 8272, 8281, 8284, 8288, 8293, 8296, 8310, 8330, 8331, 8333, 8341, 8349, 8350, 8369, 8370, 8375, 8382, 8387, 8399, 8402, 8414, 8416, 8430, 8432, 8439, 8440, 8446, 8454, 8472, 8482, 8490, 8507, 8519, 8521, 8529, 8536, 8542, 8550, 8551, 8554, 8563, 8570, 8579, 8588, 8599, 8601, 8606, 8611, 8618, 8624, 8627, 8638, 8639, 8640, 8645, 8667, 8668, 8674, 8686, 8701, 8706, 8717, 8727, 8737, 8740, 8741, 8744, 8760, 8762, 8764, 8777, 8781, 8782, 8790, 8798, 8802, 8817, 8825, 8834, 8838, 8857, 8864, 8870, 8877, 8885, 8892, 8895, 8906, 8917, 8925, 8930, 8941, | | | |
| MM38 – Para 14.57 | | | | |
| 8769 Object | Eco Colchester | Impossible to deliver new open space on an open space. Development will reduce open space. Buffer zone for the Roman River SSSI. Development will reduce this. Site represents only substantial wildlife site for 5 large housing estates which border Middlewick Ranges in this part of Colchester. Substituting for alternative green space destroys ecological value. Rare acid grassland and the species it maintains, including protected species are those suited to acid grassland. The Colchester Orbital is designed to link green spaces. As the site will no longer be a green space but a housing estate it would not fulfil the criteria | This modification cannot be met and therefore makes the inclusion of developing Middlewick Ranges in the Local Plan unsound. | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |
| 8743 Object | Enform | This modification is not possible to achieve: 1. It is not possible to increase open space by building on the open space. 2. Alternative green space use degrades the ecological value of the site. 3. If the site is developed it does not meet the criteria for becoming part of the Colchester orbital as it will no longer be a green space. | To maintain the Local Wildlife value of the site, no development should take place on the area of acid grassland that connects to the Colchester Orbital. Alternative green spaces that degrade the natural | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |

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| | | | habitat should not be allowed. | |
| 8763 Object | Enform | This modification is not possible to achieve: 1. It is not possible to increase open space by building on the open space. 2. Alternative green space use degrades the ecological value of the site. 3. If the site is developed it does not meet the criteria for becoming part of the Colchester orbital as it will no longer be a green space | To maintain the Local Wildlife value of the site, no development should take place on the area of acid grassland that connects to the Colchester Orbital. Alternative green spaces that degrade the natural habitat should not be allowed. | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |
| 8230 Object | Will Quince MP | Concerned the type of green space areas instructed by the Inspector fall short of replacing the ecological and environmental diversity on the Middlewick Ranges. I'm also concerned these alternatives do little to replace the natural habitats of 600 rare species residing on-site. The site is a valued green space, used extensively by local people, and the modifications are insufficient in replacing this space for leisurely use and improving wellbeing. Finally, the Prime Minister's Party Conference Speech signalled a brownfield-first approach to new developments, and stated that housing shouldn't be developed on "green fields". This development runs counter to this | Take the Middlewick Ranges proposals out of the Local Plan. | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |
| Object Rep numbers listed; refer to list below the summary | | Collective summary of points raised by representations - Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees / organisations are listed separately above); | <i>Comments from respondents referring to potential changes to the Plan - if the Site is to be developed the points below to be considered / addressed</i> | The masterplan requirements and policy SC2 seek to address many of the matters referred to. |

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| <p>of comments</p> | | <ul style="list-style-type: none"> • Loss of only remaining green lung / buffer in this area of Colchester • Los of open space / should be a country park • Traffic impacts and capacity of network to take additional traffic • Impact on LWS and biodiversity and habitats and protected species • Contradicts Government drive to move away from greenfield developments • Impact on CO2 emissions • Conflicts with the Climate Change agenda • Impact on pollution and air quality • New open space will not meet the needs of the residents whose interest is nature and this will be at the expense of existing habitats and wildlife • New open space is not needed if the site is left undeveloped • Implications arising from the burial of cows following foot and mouth and associated contamination | <ul style="list-style-type: none"> • Ensure evidence base and masterplanning work adequately reflects full range of environmental considerations.' The Green Infrastructure Strategy 2011 is out-of-date, being ten years old. It refers to the Middlewick Ranges as a farmland plateau, not acid grassland. • Strengthen the wording to protect / enhance the existing dog walking • To maintain the Local Wildlife value of the site, no development should take place on the area of acid grassland that connects to the Colchester Orbital. Alternative green spaces that | <p>Transport assessment considerations are referred to in the SoCG between CBC, ECC and DIO. Transport evidence base EB7.3</p> <p>Matter 6 at the Hearing session considered. Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements</p> |
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| | | | <p>degrade the natural habitat should not be allowed.</p> <ul style="list-style-type: none">• The plans need to state that "The range of typologies must include accessible natural greenspace, formal playing pitches, parks and play space, green corridors and land for future cemetery use (including potential for a woodland cemetery), if suitable and required." The word 'may' in the plan, needs to be changed to 'must'. Also, some commitment to the actual percentage of these different areas need to be stated in the plans. | |
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| | | | Add the following words to paragraph 14.58 Anthropogenic pressures could additionally harm the quality of the habitat at the Birch Brook Wood LoWs. The developer will be required to address those impact as part of the mitigation strategy. | |
| Object Rep numbers listed; | 7810, 7818, 7879, 7908, 7909, 7915, 7926, 7939, 7944, 7947, 7958, 7959, 7971, 8016, 8034, 8050, 8075, 8083, 8095, 8099, 8111, 8119, 8127, 8128, 8129, 8147, 8156, 8164, 8175, 8196, 8201, 8210, 8221, 8240, 8253, 8273, 8275, 8279, 8289, 8311, 8332, 8337, 8339, 8354, 8355, 8377, 8381, 8389, 8403, 8415, 8421, 8431, 8435, 8436, 8437, 8443, 8444, 8458, 8468, 8473, 8481, 8483, 8499, 8520, 8530, 8537, 8543, 8555, 8564, 8580, 8589, 8600, 8607, 8612, 8613, 8621, 8628, 8641, 8644, 8646, 8663, 8669, 8675, 8679, 8688, 8704, 8710, 8712, 8718, 8723, 8729, 8738, 8742, 8747, 8769, 8791, 8799, 8803, 8810, 8818, 8826, 8835, 8839, 8844, 8858, 8871, 8878, 8887, 8896, 8907, 8918, 8931, 8942, 8955, | | | |
| MM39 – Para 14.58 | | | | |
| Object Rep numbers listed; refer to list below the summary of comments | | Collective summary of points raised by representations - Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees / organisations are listed separately above); <ul style="list-style-type: none"> • Ensure that the site is fully investigated (archaeology) in accordance with all appropriate requirements. • The archeological report ignores the historical social use of the Wick, which can be seen as old footpaths (some without numbers) crossing to lost places like Old Heath Port. Eg from Cherry Tree, Cabbage Hall Lane, across the Wick to Wick Rd of Speedwell, down a track to the Colne. • This is a site of historic interest. | <i>Comments from respondents referring to potential changes to the Plan - if the Site is to be developed the points below to be considered / addressed</i> The assurance that if any 'heritage assets' are found then this will not involve building a visitor centre over more valuable green land to attract a few visitors a year. | The wording in Policy SC2 is considered to address these points. Matter 6 at the Hearing session considered. Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements Evidence EB7.8 Archaeological Assessment |

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| | | <ul style="list-style-type: none"> • Why would management be required for the redoubt. • No trees should be touched there are many ancient trees which can't be touched. | | |
| Object Rep numbers listed | 8148, 8359, 8445, 8474, 8491, 8689, 8879, | | | |
| MM40 – New Para to be added | | | | |
| 8103 Object | Save Middlewick Ranges Campaign Group | High Voltage electricity pylons lie at the north of the site, how safe are these close to homes in terms of headaches, fatigues, anxiety, insomnia? Even more land disturbance would be needed if these pylons were to be transferred underground and this is a throw away additional comment as it is obvious a development would find this not feasible and too expensive | That there will be at least twice or three times the recommended area (but not legal) that any development would start from the pylons. | This matter can be considered further as part of the masterplanning |
| 8765 Object | Enform | Buffer Zone inadequate Access to green spaces for existing residents inadequate | This modification needs to be strengthened – Conserve and manage existing woodland and hedgerows needs 'and adjacent buffer zone to preserve existing biodiversity' needs to be added. | This matter can be considered further as part of the masterplanning |
| Object Rep numbers listed; refer to list below the summary | | Collective summary of points raised by representations - Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees / organisations are listed separately above); | <i>Comments from respondents referring to potential changes to the Plan - if the Site is to be developed the points below to be considered / addressed</i> <ul style="list-style-type: none"> • A full safety check to ensure that this | This matter can be considered further as part of the masterplanning Relevant EB includes EB7.5. Flood Risk |

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| <p>of comments</p> | | <ul style="list-style-type: none"> • High voltage cables overhead and potential impact on health within specific proximity of power line, also are an intrusion in the landscape • Concerns about run-off pollution into Birch Brook and wider flood risk concerns • Ecological mitigation is not achievable • Green Infrastructure strategy is out of date and wrongly refers to Middlewick Rages as a farmland plateau, not acid grassland. • Inadequate infrastructure • Loss of open space • Loss of LWS and impact on habitats and wildlife • Constraints will result in housing being concentrated in a small area of the site making it unsuitable for the area • Landscape impact | <p>area is safe to house 1,000 houses. To me, screening visual intrusion's would mean large areas of trees, not fields and large gardens to ensure as much greenery is kept as is possible. Also, developments taking place over a long period of time to avoid disruption.</p> <ul style="list-style-type: none"> • Any future housing should move it as far South as possible and enclose it so it cannot be seen surrounded by a Country Park. (Proposal referred to by Sir Bob Russell) <p>This modification needs to be strengthened – Conserve and manage existing woodland and hedgerows needs 'and adjacent buffer zone to preserve existing</p> | <p>EB7.7 Utilities summary</p> |
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| | | | biodiversity' needs to be added. | |
| | 7916, 8052, 8084, 8100, 8112, 8120, 8149, 8157, 8179, 8202, 8255, 8298, 8307, 8357, 8362, 8378, 8391, 8425, 8450, 8460, 8475, 8485, 8492, 8522, 8526, 8544, 8556, 8567, 8581, 8590, 8602, 8610, 8614, 8617, 8629, 8647, 8648, 8649, 8672, 8705, 8719, 8746, 8773, 8792, 8800, 8804, 8811, 8819, 8827, 8859, 8872, 8888, 8897, 8908, | | | |
| MM41 – Para 14.59 | | | | |
| 8766 Object | Enform | Inadequate policies on contamination | Based on this previous behaviour a clause needs to be added to ensure the MOD remains liable for future contamination issues for the next 30 years. | Refer to EB7.6 Land Quality Assessment |
| Object Rep numbers listed; refer to list below the summary of comments | | <p>Collective summary of points raised by representations - Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees / organisations are listed separately above);</p> <ul style="list-style-type: none"> • There is no mention of use of UXDs on the site and mention of of BSE contamination • Concern about fly-tipping will increase • The excavation of the buried contaminated cows will be admitted to and looked into / concern this could present a health risk • Inadequate policies on contamination | <p><i>Comments from respondents referring to potential changes to the Plan - if the Site is to be developed the points below to be considered / addressed</i></p> <ul style="list-style-type: none"> • The LP should include the specifics of contamination and that a risk assessments will be needed in respect of UXDs and BSE contamination not just desk top surveys. <p>A clause needs to be added to ensure the MOD remains liable for future</p> | <p>Matter 6 at the Hearing session considered. Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements</p> <p>EB7.7 Utilities summary</p> |

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| | | | contamination issues for the next 30 years. | |
| Object Rep numbers listed | 8213, 8456, 8493, 8678, | | | |
| MM42 – Para 14.60 and Para 14.62 | | | | |
| 8768 Object | Enform | On site flood management provisions need to be part of the proposed development. Increased sewage infrastructure and capacity needs to be improved and not put any further pressure on the existing infrastructure. | A condition of the planning would be that any new development does not increase the burdens on existing water and drainage infrastructure. Capacity must be increased at the sewage works to cope with the any new development. Flood management measures must form part of the development. This will include ensuring hard road surfaces, driveways and gardens are permeable to allow rain water to drain away. Soakaways are provided for each property to allow excess rainwater from roofs for example to drain away. A separate pipe network for rainwater run off be established so that it does not discharge with raw sewage into the environment. | This matter can be considered further as part of the masterplanning Relevant EB includes EB7.5. Flood Risk |

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| 8409 Support | Anglian Water Services | Support the changes to the wording in the Modification | | Noted. |
| Object Rep numbers listed; refer to list below the summary of comments | | <p>Collective summary of points raised by representations - Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees / organisations are listed separately above);</p> <ul style="list-style-type: none"> • Concern about serious road flooding along major network roads; • Concern about the Brook and also underground springs and flooding • Existing drainage system is inadequate for additional development • Impact of building on water filtering into the brook • Create a cemetery extension | <p><i>Comments from respondents referring to potential changes to the Plan - if the Site is to be developed the points below to be considered / addressed</i></p> <p>Should be modified to say all areas around the Middlewick Ranges including the status of the Hythe were the water pipes will come from and sewage.</p> <p>The developer must determine the additional impacts that will arise from any proposed development on Middlewick, and commit to a legal mechanism to ensure financial contributions commensurate with resolving these are determined at time of application. On site flood management provisions need to be part of the proposed development.</p> | <p>This matter can be considered further as part of the masterplanning</p> <p>Relevant EB includes EB7.5. Flood Risk</p> |

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| Object Rep numbers listed; | 8017, 8185, 8197, 8214, 8269, 8459, 8494, 8691, 8693, 8709, 8715, 8926, | | | |
| MM43 – New Para to be added | | | | |
| 8770 Object | Enform | This site was added to the Local Plan without adequate consultation with local community for a site of this complexity. This modification therefore needs to be strengthened to say. The masterplan process MUST include engagement of the local community. It is important to note that only one of the two consultations promised by the DIO, took place and a positive spin was put on the responses they received | This modification needs to be strengthened to say The masterplan process MUST include engagement of the local community. It is important to note that only one of the two consultations promised by the DIO, took place and a positive spin was put on the responses they received | The wording in Policy SC2 is considered to address these points. Matter 6 at the Hearing session considered. Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements |
| Object Rep numbers listed; refer to list below the summary of comments | | <p>Collective summary of points raised by representations - Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees / organisations are listed separately above);</p> <ul style="list-style-type: none"> • Lack of confidence about adequate community engagement • Communication to date very poor • Should not rely on all having access to a computer • Expect sustainable construction of any houses • Engagement needs to go beyond website and ensure wider community is engaged with | <p><i>Comments from respondents referring to potential changes to the Plan - if the Site is to be developed the points below to be considered / addressed</i></p> <p>Masterplan should include highways networks upgrades</p> <p>Wider public consultation is required that extends across the whole of Colchester as a minimum and be more widely accessible to the public than the previous public engagement exercises.</p> | The wording in Policy SC2 is considered to address these points. Matter 6 at the Hearing session considered. Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements |

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| | | | <p>Given the ecological significance of this site, the masterplan will be supported, as appropriate, with site wide parameter plans, design codes or design guidance, and detailed, i.e. phase 2 ecological assessment.</p> <p>The masterplan process MUST include engagement of the local community.</p> | |
| Object Rep numbers listed; | 7860, 8203, 8265, 8461, 8500, 8692, 8716, | | | |
| MM44 – Para 14.61 | | | | |
| 8772 | Enform | <p>This modification needs to be strengthened so that all additional costs incurred as a result of this development are paid for by the developer and not the Council tax payer.</p> | <p>This modification needs to be strengthened so that all additional costs incurred as a result of this development are paid for by the developer and not the Council taxpayer. The developer will be required to pay in full for the extra costs of this development including ecological mediation etc and flood management and sewage infrastructure. It should also be a condition that adequate accessible green space and public</p> | <p>The wording in Policy SC2 is considered to address these points. Matter 6 at the Hearing session considered.</p> <p>Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements</p> <p>This matter can be considered further as part of the masterplanning</p> <p>Relevant EB includes EB7.5. Flood Risk</p> |

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| | | | open space is made available to existing residents in the surrounding housing estates and should never have existing access reduced | |
| Object Rep numbers listed; refer to list below the summary of comments | | <p>Collective summary of points raised by representations - Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees / organisations are listed separately above);</p> <ul style="list-style-type: none"> • Lack of confidence that developers will come through with the necessary contributions • Wording should refer to a legal requirement rather than stating ... "will be sought..." • Infrastructure should include potentially life saving defibrillators • Importance of open space for enjoyment and health benefits • All references to ecology, habitat, education, community infrastructure, accessible green space appear to have been removed • Concern about contamination and verification of evidence • Concern that costs associated with this development are met by the developer and not the Taxpayer | <p><i>Comments from respondents referring to potential changes to the Plan - if the Site is to be developed the points below to be considered / addressed</i></p> <ul style="list-style-type: none"> • Staged payments and complete funding before start of last phase • Developer contributions will be a legal requirement for mitigation.... including ecological mitigation to ensure protected and section 41 species of flora and fauna present at Middlewick colonise the compensatory habitats successfully | <p>The wording in Policy SC2 and other policies in the Plan are considered to address these points. Matter 6 at the Hearing session considered.</p> <p>Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements</p> |

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| | | | <ul style="list-style-type: none"> • Include requirement for the inclusion of potentially lifesaving defibrillators <p>The developer will be required to pay in full for the extra costs of this development including ecological mediation etc and flood management and sewage infrastructure. It should also be a condition that adequate accessible green space and public open space is made available to existing residents in the surrounding housing estates and should never have existing access reduced</p> | <p>This matter can be considered further as part of the masterplanning</p> <p>Relevant EB includes EB7.5. Flood Risk</p> |
| Object Rep numbers listed; | 7880, 8042, 8204, 8241, 8266, 8302, 8463, 8495, | | | |
| MM45 – Para 14.63 | | | | |
| 8775 Object | Enform | <p>Biodiversity net gain, procedures and timescales need to be strengthened.</p> <p>The mitigation proposed is not appropriate for this site. The acid grassland is established and is of high quality primarily because it has been left undisturbed for at least 150 years. Minimal management has taken place during this period. It is inappropriate to take turves from the existing established site which</p> | <p>This modification needs to be substantially strengthened to state that no degradation of the existing site can take place until the mitigation has delivered 10% biodiversity net gain of</p> | <p>Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements</p> |

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| | | <p>will degrade at best or destroy at worst the existing site in the hope that they will establish to the same standard as the existing site. It is important to note that the proposed mitigation attempted at Minsmere had limited success and the circumstances are not the same. 1. Minsmere were attempting to create a new habitat without degrading or destroying an existing established habitat. 2. The Minsmere scheme had underlying conditions suitable for acid grassland. In effect they were restoring a habitat not creating one. The mitigation area under this scheme does not have those underlying conditions. 3. The Stantec report suggests that the mitigation could be achieved within 10 years even though the Minsmere scheme took 13 years. As stated, the Minsmere scheme is substantially different and had different and less complex objectives to this proposed scheme and the results were only partially successful.</p> | <p>the same type of habitat. Including habitat quality and species migration as that currently identified on the existing habitat.</p> | <p>Further modifications are for the Inspector to consider</p> |
| 8635 Object | Friends of Middlewick | <p>1. The ecological assessment underpinning Policy SC2 is fundamentally deficient and does not advance biodiversity objectives. The errors are so central to the site allocation that Policy SC2 is not supported by a robust and credible evidence base.</p> <p>2. The Inspector did not give reasons as to why the substantive biodiversity requirement in Para 14.63 was removed, and there is no identifiable case as to why the requirement was unsound or unlawful; the phrase should be reinstated.</p> | <p>The incorporation of language on biodiversity contained in para 14.63 that was earlier removed for clarity (in the words of the inspector). In the first instance that language should be put back in. To allay the concern for clarity, the Plan should adopt a construction parallel to the Inspector's modification on SPAs in relation to the protection of birds.</p> | <p>Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements</p> |
| 8503 Object | EWT | <p>The application of the Defra Metric is underpinned by a series of principles. Principle 2 states the following:</p> | <p>The allocation of Middlewick Ranges</p> | <p>Topic Paper 5 is relevant along with CBC Hearing</p> |

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| | | Avoid impacts on irreplaceable biodiversity - these impacts cannot be offset to achieve No Net Loss or Net Gain. Bespoke compensation is required when development destroys such a habitat. The land to the south, where it is proposed to recreate acid grassland, cannot be included in the net gain calculation. It must be treated as bespoke compensation and delivered separately from the net gain calculation. The mandatory 10% net gain must be delivered on the remainder of the site, which is unachievable | should be removed from the plan entirely. | Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |
| 8232 Object | Will Quince MP | Concerned the Inspector's modifications don't acknowledge the risk and difficulty of replacing the current grassland, and they seemingly ignore submissions throughout the Local Plan process from ecologists, who highlighted extreme concern at the loss of this habitat and the high risk of the mitigation proposed. There's no guarantee this acid grassland can be replaced. | Take the Middlewick Ranges proposals out of the Local Plan. | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |
| 8785 Object | Eco Colchester | The mitigation proposed is not appropriate for this site. The acid grassland is established and is of high quality primarily because it has been left undisturbed for at least 150 years. Mitigation attempted at Minsmere had limited success and the circumstances are not the same. | This modification needs to be greatly strengthened to state that no degradation of the existing site can take place until the mitigation has delivered 10% biodiversity net gain of the same type of habitat including independent ecological survey verification. Including habitat quality and species migration as that | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |

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| | | | currently identified on the existing habitat. | |
| 8969 Object | Essex Field Club | Where on the Ranges would these turves be removed and how would this be decided? Turves should not be removed. If turves are removed. This should be based on advise obtained from at least Essex Wildlife Trust, Essex Field Club and Colchester Natural History Society. | The text should specifically state that the turves would be removed from areas based on advice obtained from at least Essex Wildlife Trust, Essex Field Club and Colchester Natural History Society. In the unfortunate event that SC2 remains in the Plan, then it is far more likely that better quality acid grassland would develop naturally over time on compensation land if suitable substrate and conditions are provided. Turves should not be removed. | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements These matters can be considered further as part of the masterplanning |
| Object Rep numbers listed; refer to list below the summary of comments | | Collective summary of points raised by representations - Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees / organisations are listed separately above); <ul style="list-style-type: none"> Inadequate evidence was available on Biodiversity Net Gain which should have been requested at EiP- The ecological assessment underpinning Policy SC2 is fundamentally deficient and does not advance biodiversity objectives. The errors | <i>Comments from respondents referring to potential changes to the Plan - if the Site is to be developed the points below to be considered / addressed</i> Firm guarantees should be in place that demand mitigation is successfully completed (as verified by independent conservation | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |

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| | | <p>are so central to the site allocation that Policy SC2 is not supported by a robust and credible evidence base</p> <ul style="list-style-type: none"> • Green Infrastructure Strategy is out of Date-inadequate assessment • Lack of reference to Habitat loss • Should be protected as open space / country park for benefit of wildlife and local residents • Mitigation cannot be achieved and if left alone would not be necessary • Mitigation hierarchy has not been followed logically • Impact on the LWS • evidence is needed now to help inform the masterplan work, not in the middle of the next plan period. • Concern about more details re the removal of turves | <p>experts) before any development is allowed to begin.</p> <p>Allow the work to start at the beginning at the period to feed into any Masterplan work</p> | |
| Object Rep numbers listed; | 7917, 7927, 7964, 7972, 8018, 8053, 8086, 8101, 8114, 8121, 8150, 8159, 8160, 8180, 8222, 8242, 8256, 8276, 8299, 8312, 8334, 8353, 8360, 8366, 8396, 8408, 8427, 8428, 8447, 8462, 8465, 8476, 8486, 8496, 8508, 8523, 8531, 8538, 8545, 8557, 8582, 8592, 8603, 8615, 8619, 8650, 8654, 8656, 8670, 8681, 8685, 8697, 8720, 8731, 8739, 8748, 8780, 8793, 8801, 8805, 8812, 8820, 8828, 8860, 8865, 8873, 8880, 8889, 8898, 8909, 8932, | | | |
| MM46 – New Para to be added | | | | |
| 8105 Object | Save Middlewick Ranges Campaign Group | <p>DEFRA Metric 2.0 does not allow for irreplaceable distinctive habitats (because it is irreplaceable) and any updates and guidance with a new matrix will not be available until late 2022/23. The bespoke metric put forward by Stantec cannot be quantified. This is based on the proposed Environmental Bill which is currently under review and will not be ratified for a while yet. Middlewick is caught between future legislation coming out and what is in place now - it should not be part of any new legislation which is not certain.</p> | <p>That no development takes place until Defra has produced its guidance for the new matrix for developments and the environmental bill has been ratified.</p> | <p>Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements</p> <p>Further modifications are for the Inspector to consider</p> |

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| | | How can you put in modifications based on future uncertain legislation that is likely to change? This is not fair and transparent. | | |
| 8549 Support | CPRE (Essex) | <p>1. Middlewick Ranges provide such a rare and precious habitat, the proposed mitigation measures to replicate this off-site are critical in meeting the biodiversity net-gain.</p> <p>2. no guarantees that an acid grassland can be successfully re-created.</p> <p>3. The Inspector's modifications are to be welcomed in respect -</p> <p>requirement for a management company to look after the establishment of acid grassland at an alternative site.</p> <p>The timing of this will be crucial in relation to the development of the site.</p> <p>successful implementation of the mitigation measures and prevents premature destruction</p> | None stated | <p>Noted.</p> <p>The wording in Policy SC2 is considered to address these points. Matter 6 at the Hearing session considered.</p> <p>Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements</p> |
| 8233 Object | Will Quince MP | <p>I'm unconvinced the modifications are a reliable solution to replace the current protected acid grasslands and the management of such a replacement. There's no consideration for solutions should the management organisation cease trading or withdraw from the agreement. I'm concerned with the unreliability of the plans to replace this grassland. The DEFRA Metric 2.0 doesn't allow for irreplaceable distinctive habitats, as they're irreplaceable. There's also little evidence this kind of mitigation will work as it's experimental. Concerns were also raised by ecologists that the use of sulphur to conduct these plans will impact Birch Brook and wildlife in the area.</p> | Take the Middlewick Ranges proposals out of the Local Plan. | <p>Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements</p> |
| 8504 Object | EWT | Wording lacks clarity due to conflation of the terms 'mitigation' and 'compensation'. Wording is incorrect as distinction between mitigation and compensation | The allocation of Middlewick Ranges | <p>Topic Paper 5 is relevant along with CBC Hearing Statement The ecological</p> |

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| | | has not been made. Wording does not adhere to good practice principles for the application of Net Gain. Habitat of very high distinctiveness cannot be included in net gain calculation; it must be treated as bespoke compensation and delivered separately. To achieve good condition when recreating acid grassland will take 30 years. It is not possible to deliver the new acid grassland as an ecologically functioning habitat, with its associated invertebrate assemblage, in the required timeframe | should be removed from the plan entirely | evidence obo CBC is relevant and the Matter 6 third party statements |
| 8770 Object | Essex Field Club | Where on the Ranges would these turves be removed and how would this be decided? Turves should not be removed. If turves are removed. This should be based on advice obtained from at least Essex Wildlife Trust, Essex Field Club and Colchester Natural History Society. | We argue that all references in the Main Modifications Schedule to the Local Planning Authority making appropriate assessments relating to Habitats and biodiversity, agreeing ecological plans or making decisions to their satisfaction should be replaced with the addition of “with appropriate independent ecological advice” | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |
| Object Rep numbers listed; refer to list below the summary of comments | | Collective summary of points raised by representations - Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees / organisations are listed separately above); <ul style="list-style-type: none"> • Flawed Defra metric 2.0 does not include irreplaceable distinctive habitats | <i>Comments from respondents referring to potential changes to the Plan - if the Site is to be developed the points below to be considered / addressed</i> The Council will require the developer to enter | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |

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| | | <ul style="list-style-type: none"> • There is concern by ecologists that the use of sulphur along with any other chemicals to do this will have an effect on Birch Brook and the wildlife around this area. • Should demonstrate acid grassland can be replaced before any development • Concern if management company folds or does not act appropriately • 30 years is not sufficiently long term • Mitigation will not be effective • Irreplaceable damage to the LWS • Needs to be 5 years of monitoring habitats before decision to build is made • Environmental partner to manage areas to be chosen by independent agency- Not CBC or MOD • Concern about use of sulfur affecting birch brook and wildlife | <p>into an appropriate legal agreement to secure the long term (minimum 100-year) management and monitoring of retained protected habitats, the biodiversity mitigation, compensation and net gain land, by the nature conservation organisation, including a mechanism for funding and governance that ensures both the nature conservation value and local community interest. The landowner of the mitigation land will need to be party to such an agreement.</p> <p>State that the partner agency will be independently appointed. the acid grassland creation should first be undertaken and proven that it works before any master plan is put in place.</p> | |
| Object Rep numbers listed; | 7918, 7928, 7965, 7966, 8019, 8031, 8035, 8054, 8076, 8088, 8116, 8118, 8123, 8152, 8163, 8181, 8224, 8243, 8257, 8274, 8278, 8290, 8300, 8308, 8345, 8356, 8363, 8374, 8380, 8385, 8406, 8410, 8433, 8449, 8464, 8466, 8477, 8487, 8497, 8524, 8532, 8539, 8546, 8558, 8568, 8583, 8593, 8605, 8616, 8622, 8651, 8658, 8660, 8671, 8687, 8696, 8721, 8756, 8771, 8794, 8813, 8821, 8829, 8861, 8881, 8890, 8899, 8910, 8933, 8943, 8959, | | | |
| MM47 – Policy SC2 Middlewick Ranges | | | | |

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| 8921 Object | Natural England | <p>Middlewick Ranges not a nationally designated site, NE did not previously comment. Site is designated a Local Wildlife Site and the LPA will need to demonstrate it has had regard to statutory duty to conserve biodiversity when it develops masterplan and determines any planning application. Consideration to NPPF and relevant Local Plan policy including ENV1. Further comments include;</p> <ul style="list-style-type: none"> •Ensure consistency of wording in the term used to describe compensation/mitigation land, mitigation land and net gain land required.- define this area on the Policies Map •Consistency with wording around BNG- clarify to avoid ambiguity and confusion •Include preamble text about Mitigation hierarchy in the policy •Ensure sufficient evidence to support acid grassland turf can successfully be translocated •Update para 15.58 to reflect royal assent of Environment Bill | <p>Amend as indicated; Ensure consistency of wording in the term used to describe compensation/mitigation land, mitigation land and net gain land required.- define this area on the Policies Map</p> <ul style="list-style-type: none"> •Consistency with wording around BNG- clarify to avoid ambiguity and confusion •Include preamble text about Mitigation hierarchy in the policy •Ensure sufficient evidence to support acid grassland turf can successfully be translocated •Update para 15.58 to reflect royal assent of Environment Bill | <p>Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements</p> |
| 8548 Support | JLL obo DIO Defence and Infrastructu re Organisatio n | <p>Support the Modifications related to Middlewick but request a modification to policy in respect of timing of a masterplan- the DIO considers the wording to both should be amended to read: - “A Masterplan for the whole site is to be agreed with the Council prior to approval of any planning application.” (Our emphasis) The proposed change to the wording would increase the effectiveness of the policy. It currently refers to prior to submission of a planning application. Also seeks clarification on wording in criteria vi “The built footprint of the development has been sited to minimise the effects on protected</p> | <ul style="list-style-type: none"> •Amend the wording of the policy requiring a masterplan prior to approval in place of prior to submission •Amend criteria vi to add emboldened wording- criteria vi “The built footprint of the development has been sited to minimise the effects on protected | <p>Topic Paper 5 is relevant along with CBC Hearing Statement cover this point.</p> <p>The wording as drafted in the MM47 regarding the timing of a masterplan prior to submission should remain as it considered to offer greater certainty</p> |

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| | | habitats and species, within the context of the wider strategy of ecological mitigation and bio-diversity net gain. ” | habitats and species, within the context of the wider strategy of ecological mitigation and bio-diversity net gain. ” | Agree these wording improvements add clarity |
| 8505 Object | Essex Wildlife Trust | We reiterate that this is patently not sustainable and does not conform to the guidelines in the NPPF. The Main Modifications pertaining to Middlewick Ranges lack clarity, have misapplied Biodiversity Net Gain, and are unjustified. This renders the plan unsound. | The allocation of Middlewick Ranges should be removed from the plan entirely | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |
| 8726 Object | Eco Colchester | Re part vii) The Ecological evidence report has not demonstrated appropriate mitigation or that compensatory habitat can be provided. Specialist input at Appendix M asserts that the methods and outcomes of the acid grassland creation scheme undertaken at the RSPB Minsmere Nature Reserve are highly relevant to the compensatory acid grassland creation at Middlewick. However, cursory examination of the RSPB scheme shows that the aims, conditions and outcomes are quite different to those of the Middlewick, and this does not therefore provide sufficient evidence for the inclusion of Middlewick in the Local Plan. See the attached End note 2 | Middlewick should be removed from the plan as the Ecological evidence report has not demonstrated that analogous compensatory habitat for the habitats lost to development can be achieved | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements |
| 8448 | Colchester Natural History Society | See attached submission for full text. Officer summary: It is clear that in respect of Middlewick, specifically the acid grassland, neither CBC Policy ENV1 nor key components of ‘habitats and biodiversity’ in the NPPF can be met. Modifications should require Middlewick to be | . If the inspector is not minded to follow this recommendation, then we would draw on MM45, last sentence, and MM 47, final sentence. These | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant |

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| | | removed altogether from the Local Plan housing allocations. If the inspector is not minded to follow this recommendation, then we would draw on MM45, last sentence, and MM 47, final sentence. These both imply that mitigation, on or off-site, should be 'provided and fully functional' before any development takes place. This is an appropriate and necessary condition. | both imply that mitigation, on or off-site, should be 'provided and fully functional' before any development takes place. This is an appropriate and necessary condition. | and the Matter 6 third party statements |
| 8329 object | Colchester Cycling Campaign | First, there is no mention in the document (1 of the Governments latest cycling standards, LTN1/20(2). Instead, reliance is made on agreements between the Highway Authority and The Council. However, neither organisation has implemented LTN 1/20 and such agreements continue to yield infrastructure that fails to enable cycling for any but the hardiest. Let alone all eg 8-80 yrs, as aspired to in Gear Change (4). It should be made clear in the definitions that where improvements to cycling are referred to later, these improvements should follow the spirit of the letter of LTN 1/20, or its successor documents. Second, The Councils Cycling Delivery Strategy SPD (DM 21iii) and the Colchester Orbital (eg SC2iv/MM47) are references to inform cycling improvements. Yet the former is nearly 10 years old, pre LTN1/20, and seems to be routinely ignored, while the latter is primarily a leisure route. Although its clear that for the foreseeable future the Local Cycling Walking Infrastructure plan (LCWIP(12)) currently being drawn up will be the focus for strategic improvements to the utility cycling network, its not mentioned in the Local Plan, At the least , it should have a parity of esteem with the Cycling SPD and Colchester Orbital. | It should be made clear in the definitions that where improvements to cycling are referred to later, these improvements should follow the spirit and letter of LTN 1/20, or its successor documents | Noted - This matter can be considered further as part of the masterplanning |
| 8106 Object | Save Middlewck Ranges | There appears to have been an overlook by both Colchester Borough Council and the Inspector to | Until the soundness test is satisfied the Middlewick Ranges should be taken | Topic Paper 5 is relevant along with CBC Hearing Statement The ecological |

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| | <p>Campaign Group</p> | <p>recognise that Lowland Acid Grassland is a UK Biodiversity Action Plan habitat and as such is a top priority for wildlife conservation nationally. The process by which the site was assessed and identified as suitable does not meet the four soundness tests as set out in paragraph 182 of the NPPF.</p> <ul style="list-style-type: none"> - consistent with national policy - based on proportionate evidence - effective - positively prepared. | <p>out of the Local Plan The appropriate assessments (not desk top assessments) should be applied and correctly before it is put into the Local Plan. The Stantec report came in November 2019 with many inaccuracies as pointed out at the hearings and this was their responsibility to get right. There has been little consultation with regards to the development, the bare minimum and (which is hit and miss whether people actually pay attention or miss things published online and through Social Media). This is a consequence of Covid 19 but should not be used as an excuse to push ahead with development where there are so many issues. To make the Middlewick Ranges sound there have been up to 16 modifications to the LP, this is unusual in itself. The Save Middlewick Ranges Campaign considers that allowances</p> | <p>evidence obo CBC is relevant and the Matter 6 third party statements</p> |
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| | | | <p>have been made for this development because it is MOD/DIO land and that it could be repurposed away from housing to protect the environment for future generations. We now have an experienced solicitor on board and we will go or Judicial Review if necessary.</p> | |
| 8971 Object | Essex Field Club | <p>No masterplan could be developed which would be consistent with the NPPF or Policy ENV1.</p> <ul style="list-style-type: none"> • Alternative sites are available • Inclusion of Middlewick Ranges is not consistent with Policy ENV1 • Remove LoWS from its housing allocation • Acid grassland recreation in 10 years is not possible • Unclear where provisions listed in criteria x and xiii would be provided within the housing allocation, other parts of Middlewick or outside the LoWS | <p>If SC2 remains, then at the very least text needs to be added “No development can commence on Middlewick Ranges (SC2) until a team of independent ecologists are satisfied that the new acid grassland mitigation habitat has established to a satisfactory level, is fully functional and is supporting comparable invertebrate assemblages to those currently present at Middlewick Ranges.”</p> <p>If SC2 should remain, then the current text in the last paragraph of</p> | <p>Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements</p> |

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| | | | MM47 should be revised to add other essential surveys: “Before granting planning consent, full ecological surveys should be undertaken for all Protected Species, Species of Principal Importance, invertebrates to Natural England guidelines & Invertebrate Standard Advice for Essex and fungi during the appropriate survey seasons. | |
| Object Rep numbers listed; refer to list below the summary of comments | | <p>Collective summary of points raised by representations - Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees / organisations are listed separately above);</p> <ul style="list-style-type: none"> •This is not viable •Need to provide local employment •The classification as acid grassland has been overlooked •The site includes protected species under the Wildlife and Countryside Act •Modification re part vi) is incorrect. The built footprint has been sited on habitat areas that have not been adequately assessed •Ecological evidence has not demonstrated effective mitigation can be achieved | <p><i>Comments from respondents referring to potential changes to the Plan - if the Site is to be developed the points below to be considered / addressed</i></p> <ul style="list-style-type: none"> •Tackle the issue of no local employment in the masterplan •should be made clear in the definitions that where improvements to cycling are referred to later, these improvements should follow the spirit and letter of LTN 1/20, or its successor documents | <p>Topic Paper 5 is relevant along with CBC Hearing Statement The ecological evidence obo CBC is relevant and the Matter 6 third party statements</p> <p>The wording in Policy SC2 and other policies in the Plan are considered to address these points. Matters can be considered further as part of the masterplanning</p> |

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| | | <ul style="list-style-type: none"> •Loss of LWS •Surveys are out of date •Impact on air quality, water supply and management •Policy aims are not achievable •Concern about traffic impact •Loss of open space •No mention of the latest cycling standards LTN1/20(2) •Allocation is inconsistent with the LP ENV1 Policy of national policy •Concern about inadequate travel connectivity •Wording to be stronger to protect or enhance exiting habitat including a country park •Stronger wording regarding community led to develop better confidence •Houses are not needed at Middlewick •Contrary to the declared policy of Government | <ul style="list-style-type: none"> •Management company should be indefinitely and not 30 years | |
| | 7854, 7873,7919, 7968, 8032, 8045, 8046, 8055, 8077, 8089, 8124, 8136, 8165, 8182, 8191, 8215, 8216, 8226, 8244, 8301, 8309, 8361, 8364, 8376, 8412, 8422, 8455 ,8467, 8515 ,8525, 8533, 8547, 8560, 8569, 8571 ,8575, 8584, 8594, 8637, 8652, 8653, 8664, 8666, 8690, 8694, 8711, 8713, 8722, 8776, 8779, 8784, 8787, 8795, 8814, 8822, 8830, 8831, 8840, 8841, 8843, 8845, 8862, 8874, 8882, 8891, 8900, 8911, 8912, 8927, 8934, 8944, 8952, 8960, 8962. | | | |
| MM48 – Policy SC3 Transport in South Colchester | | | | |
| 7857 Object | Nicholas Chilvers | Time for Highways to examine and progress a dedicated southern circular route linking Stanway with the eastern garden community. There is currently a 'hotchpotch' of roads with numerous pinch points and junctions. The matter has never been addressed and should be. The Wick development will aggravate a dire situation. Some strategic thinking is needed instead of wishful thinking that 'sustainable transport is going to be the answer. They did it in 1930's as the old bypass north of the town | Build a dedicated southern circular road | Although this representation does not relate to the proposed main modification, Essex County Council have raised no requirement for a southern route linking Stanway to the Tendring Colchester Borders Garden Community. Strategic Transport Modelling evidence base |

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| | | | | includes EBC5.4 , ECB 5.5 and ECB 5.6 In addition Transport evidence base EB7.3 is relevant |
| MM49 – Policy EC1 Knowledge Gateway and University of Essex Strategic Economic Area | | | | |
| No representations received | | | | |
| MM50 – Policy EC2 East Colchester/Hythe Special Policy Area | | | | |
| No representations received | | | | |
| MM51 – Policy EC3 East Colchester Allocations | | | | |
| No representations received | | | | |
| MM52 – Policy EC4 Transport in East Colchester | | | | |
| No representations received | | | | |
| MM53 – Policy WC1 Stanway Strategic Economic Area and Tollgate District Centre | | | | |
| 8994 Object | Barton Willmore Planning obo Tollgate Partnershi p Limited | TPL are supportive of MM53 but question the continued usage of 'Zone 2' to describe Tollgate District Centre when this is not translated onto the Policies Map (neither is Zone 1 clearly shown on the Policies Map). The Policy describes Zone 2 as 'the area comprising Tollgate District Centre' and we would therefore question the appropriateness of using 'Zone 2' when the same area could simply be described as 'Tollgate District Centre' | question the appropriateness of using 'Zone 2' when the same area could simply be described as 'Tollgate District Centre' | The wording as drafted is considered appropriate and based on evidence at the matters 2 and 8 Hearing sessions. CBC Hearing statement Matter 2 and Hearing Statement Matter 8 EBC 3.11 Retail and Town centre update Topic Paper 4 is relevant. In addition the SOCG between CBC and the Tollgate Partnership |
| MM54 – Policy WC2 Stanway | | | | |

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| 8227 Object | Mr Paul Dundas | The change from a mixed-use sustainable development at Lakelands West to a housing only development is a backwards step and does not support or promote sustainable living. Please see word document for full submission. | Re-instate an element of employment use allocation at this site. | The wording as drafted is considered appropriate and based on evidence at the matters 2 and 8 Hearing sessions. CBC Hearing statement Matter 2 and Hearing Statement Matter 8 |
| 8267 Object | Mr Jeremy Hagon | Confirm agreement for delivery of primary school and nursery ahead of planning consent. Ensure adoption by LA's of other developments in the Stanway area prior to occupancy. Masterplan between developers across Stanway and the wider area to ensure provision of west-east cycle highway and link to Colchester Orbital. Delivery of highway improvements such as a roundabout connecting Warren Lane and Maldon Road should be delivered prior to occupancy | Confirm agreement for delivery of primary school and nursery ahead of planning consent. Ensure adoption by LA's of other developments in the Stanway area prior to occupancy. Masterplan between developers across Stanway and the wider area to ensure provision of west-east cycle highway and link to Colchester Orbital. Delivery of highway improvements such as a roundabout connecting Warren Lane and Maldon Road should be delivered prior to occupancy. | These matters are adequately covered by the Policy wording and are also relevant to the planning application stage |
| 8961 | Barton Willmore Planning obo O & H Properties Limited | O&H would question the need for such Wintering Bird Surveys in relation to land to the West of Lakelands as the Site is unsuitable for wintering birds and thus would not result in the loss of functionally linked land. | The HRA should be revisited and the requirement for wintering bird surveys in Draft Policy WC2 for the Site removed. | The requirement stems from the European Directive under the regulations and is fully justified by the HRA and legislative requirements. The SOCG between CBC |

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| | | | | and Natural England is relevant and also matter 1 at the hearing sessions addressed this point. CBC Matter 1 hearing Statement |
| M55 – Para 14.118 | | | | |
| No representations received | | | | |
| MM56 – Policy WC3 Colchester Zoo | | | | |
| 8922 Object | Historic England - East of England | The site incorporates Gosbecks Scheduled Monument as well as archaeological remains. Expect to see significant public benefit for historic environment in any proposed scheme, informed by Heritage Impact Assessment (HIA). Area under intensive cultivation, keen to see this taken out of cultivation and incorporated in adjacent Gosbecks Archaeological Park and within integrated conservation management plan. Expect to see this in Policy WC3 and within an integrated conservation management plan that preserves, interprets, promotes and makes accessible this important site as a whole. We would expect to see this stipulated in Policy WC3 | Expect to see this –(<i>ref to Gosbecks SM and reference to any scheme being informed by HIA in</i> Policy WC3 the same Scheduled Monument), and within an integrated conservation management plan that preserves, interprets, promotes and makes accessible this important site as a whole. We would expect to see this stipulated in Policy WC3 Schedule Ancient Monument reference throughout the plan should be updated to Scheduled Monument to ensure terminology is consistent with NPPF | Policy WC3 wording refers to the SM as drafted. The HIA evidence work will enable further information to be taken into account to inform future planning applications. Agree this is a correction to be checked and made throughout the Plan. |
| MM57 – Policy SS1 Abberton and Langenhoe | | | | |
| No representations received | | | | |
| MM58 - Policy SS4 Copford | | | | |

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| 8173 Support | Copford with Easthorpe Parish Council | This may be helpful in 'conserving' and 'where possible enhancing heritage assets | Change the allocation of homes for Copford with Easthorpe to ensure equitable numbers are given to this area. Ensure that the Transport Assessment and bespoke travel plans are detailed and take into account local circumstances leading onto main roads, the numbers of homes leading onto roads is in line with guidance notes and does not exceed these numbers. Ensure adequate health provision is made | This matter was considered during the hearing sessions for Matter 2 and Matter 9 , specifically in regard to Copford. Together with Topic Paper 2 Housing Matters , these outline how the housing requirement figure is to be met through the Section 2 Local Plan |
| 8939 Object | Dr Michael Monk | <p>Failure to consider the 'setting' of Listed Buildings We believe that the Inspector has failed in his duty to consider the desirability of preserving the setting of Listed Buildings and also of non-designated heritage assets. Hall Road and Keepers Cottage are non-designated heritage assets requiring special consideration in planning terms. Hall Road itself is an ancient and historic lane with protected status, of huge amenity value, and forming a boundary to the Roman River Valley Conservation Area.</p> <p>The NPPF is clear that such heritage assets require special consideration by planning authorities. We see no evidence that this consideration has been applied.</p> <p>See full representation for further details.</p> | Amend wording to consider the 'setting' of Listed Buildings in relation to sites allocated at Hall Road Copford | It is considered the policy wording allows for the "setting" of listed buildings to be considered. |

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| 8946 Object | Andrew Waters | Looking at the detail within the plan there is an opportunity either in the Plan or in the Planning Department to recognise that Hall Road Copford and Keepers Cottage Hall Road are non-designated heritage assets. The former was a protected Historic Lane. Secondly that the conservation area at Stanway Green should extend across the Roman River and the Parish Boundary to include the listed bridge, Brook Cottage, Copford Place, the greensward in front of Copford Place and arguably up to Brewers Cottage | None stated | These matters are better addressed through other mechanisms including the Local List and Conservation Area designations. The policy is appropriately worded at the Plan level |
| 8950 Object | Copford with Easthorpe Parish Council | The inclusion of Grade 2 listed buildings within MM58 SS4 is to be broadly welcomed but the Grade 2 listed Stanway Bridge, Swan Green Cottages, Shrub House and the Old Mill should also be included. In addition to protection for the settings of these listed buildings, 'setting' could be applied to beyond visual effects to include noise and pollution both of which will significantly increase with further development close to these locations | In addition to protection for the settings of these listed buildings, 'setting' could be applied to beyond visual effects to include noise and pollution both of which will significantly increase with further development close to these locations | It is considered the policy wording allows for the "setting" of listed buildings to be considered |
| MM59 – Policy SS5 Eight Ash Green | | | | |
| 8702 Support | Cllr Lewis Barber | The Neighbourhood Plan has been made and it identifies the settlement boundary for the village and identifies specific sites for housing allocations. To bring the policy into consistency and to ensure certainty for the role of the Neighbourhood Plan, the relevant modification should be amended and added to so that it is clear that proposals for development outside of the settlement boundary will not be supported unless the NP or other Local Plan policy specifically allows for it. This would bring the policy into line with that of the modification for Wivenhoe. | The Policy should be amended and added to so that it is clear that proposals for development outside of the settlement boundary will not be supported unless the NP or other Local Plan policy specifically allows for it. This would bring the policy into line with that of the modification for Wivenhoe. | Agree this approach to wording is appropriate and provides consistency with the approach for Wivenhoe where a NHP is made and allocates land for housing. |

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| MM60 – Policy SS6 Fordham | | | | |
| No representations received | | | | |
| MM61 – Policy SS7 Great Horkesley | | | | |
| No representations received | | | | |
| MM62 – Policy SS8 Great Tey | | | | |
| 8478 Object | Mr Matt Halls | <p>The new development is located on farmland which is considered the be green belt land. This sits outside the governments preferred guidance for the development of brown field sites or sites which are not virgin land.</p> <p>The village is also not sustainable due to: Lack of transportation links Poor infrastructure - poor water pressure and internet connectivity Electrical infrastructure with regular power outages during poor weather A lack of basic amenities.</p> <p>We see our government pushing the environmental agenda at COP26 conference to reduce our CO2 levels to net-zero, this development will rely on cars increasing our CO2 output.</p> <p>I would like to comment on the proposed planning application for this site. Which I note takes into consideration many of the residents concerns, highlighted in over 150 previous objection letters, previous resident meetings and questionnaires returns, these being:</p> <ol style="list-style-type: none"> 1, Access 2, Greenspace 3, Foot and cycleway traffic access | <p>Look to reduce the number of homes to a much smaller level to reduce impact on the surrounding area..... this should be sort in smaller allocation shared around the great Tey Parish not allocated in one location.</p> | <p>This matter was considered during the hearing sessions for Matter 2 and Matter 9, specifically in regard to Great Tey. Together with Topic Paper 2 Housing Matters, these outline how the housing requirement figure is to be met through the Section 2 Local Plan</p> |
| MM63 – Policy SS9 Langham | | | | |
| No representations received | | | | |

MM64 – Policy SS10 Layer de la Haye

No representations received

MM65 – Policy SS11 Marks Tey

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| <p>8572 Object</p> | <p>Edward Gittins & Associates</p> | <p>The LP acknowledges the need to cross-reference to the NP but the modified text does not fully convey NP Policy MT04. This NP Policy lends support in principle to development within the existing village settlement boundaries but also specifies that out of boundary development would be supported as an exception in association with environmental and community benefits as outlined below.</p> <p>*sensitively designed small-scale minor development on the edge of the defined settlement boundary for Marks Tey, and; *larger development schemes on the edge or well-related to the defined settlement boundary around Marks Tey</p> | <p>Accurate and full representation of the Marks Tey NP Policy MT04 must be included within the modified text as outlined in these representations; The wording of LP Policy SS11 does not therefore convey the NP policy provisions for larger as well as smaller schemes to also come forward as exceptions on the edge of the village. As noted, one of the reasons given for the Modifications to Policy SS11 is: "To clarify (the) role of the Neighbourhood Plan". On the strength of the above, we consider the matter needs clarification and therefore offer the following alternative wording: "The Marks Tey Neighbourhood Plan will provide the necessary policy guidance governing development within the</p> | <p>This matter was considered during the hearing sessions for Matter 2 and Matter 9, specifically in regard to Marks Tey. Together with Topic Paper 2 Housing Matters, these outline how the housing requirement figure is to be met through the Section 2 Local Plan</p> <p>The impacts from the adopted Section 1 Local Plan have been considered through Topic 1 – Consequential Changes.</p> |
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| | | | settlement boundaries for Marks Tey and Little Tey and, exceptionally and in association with environmental and community benefits, for small scale minor development or larger development schemes on or well-related to the settlement boundary for Marks Tey." | |
| 8965 Object | L Barton Willmore obo L&Q, Cirrus Land and G120 Land | we accept the modifications proposed as a result of the new settlement being removed from CLP1. However, we would suggest removing the word 'small' where referring to parcels of land that the Neighbourhood Plan can allocate. | we would suggest removing the word 'small' where referring to parcels of land that the Neighbourhood Plan can allocate | The impacts from the adopted Section 1 Local Plan have been considered through Topic 1 – Consequential Changes . |
| 9006 object | Dandara | The Neighbourhood Plan cannot be relied upon to deliver an appropriate housing provision, therefore as a preference the local plan should allocate sites to meet need. At the very least it should identify a figure for need for the Neighbourhood Plan to meet. | It is our view that the Plan should identify sites in Marks Tey. If it does not do this, then it should at the very least identify a number that the Neighbourhood Plan should be required to plan for. Given the sustainability of the settlement, this location should be viewed positively for development and could make a real contribution to the housing figures, | This matter was considered during the hearing sessions for Matter 2 and Matter 9 , specifically in regard to Marks Tey. Together with Topic Paper 2 Housing Matters , these outline how the housing requirement figure is to be met through the Section 2 Local Plan. The Marks Tey NP has been examined and is progressing to referendum |

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| | | | however, this has not been tested. | |
| MM66 – Policy SS12b Coast Road West Mersea | | | | |
| 8314 Support | Mr Rhys Smithson | None Stated | None Stated | |
| 8919 Object | Natural England | This policy (SS12b) applies to proposals for development on the seaward and landward side of Coast Road, West Mersea and sets out the criteria that such proposals would need to comply with. Criterion (iii) relates to the consideration of effects on adjacent Habitats sites and references the Essex Coast RAMS. As worded in the main modification, this policy would require that development either has no likely significant effect on the adjacent Habitats Site or that it provides mitigation in accordance with the Essex Coast RAMS. As these development proposals could include residential development, there is the potential for both direct impacts as well as in-combination impacts and it is recommended that the modified wording is amended by the deletion of “or” and insertion in its place of the words “and, where appropriate,” | As these development proposals could include residential development, there is the potential for both direct impacts as well as in-combination impacts and it is recommended that the modified wording is amended by the deletion of “or” and insertion in its place of the words “and, where appropriate,” | Agree this wording amendment is considered appropriate |
| 8996 Object | Mr Geoffrey Johnson | SS12b The “exceptional circumstances” paragraph in the Coast Road section should either be deleted or modified so the exceptional circumstances “OVERWHELMINGLY outweigh all other material considerations” In connection with Houseboats it should be made clear that any new or replacement houseboat or any modification to an existing Houseboat needs Planning Permission. One can’t put up a new house or modify an existing house in a Protected Area without permission so why could one do so with a Houseboat? CBC needs to have control over design, location and numbers for Houseboats on the Marsh. There is also no clarity to the expression “historical vacant sites”. Where are they, | The “exceptional circumstances” paragraph in the Coast Road section should either be deleted or modified so the exceptional circumstances overwhelmingly outweigh all other material considerations | This matter was considered at the Hearing session for Matter 9 which specifically included West Mersea and ref to Policy 12b Some of the comments relate to matters outside of the Local Plan process. |

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| | | how are they determined, what consultation is there in connection with an assertion that a site falls within the expression? If a Houseboat had been on a site (now unoccupied for say 30 years) for only a modest period of time does that qualify - even if the Marsh has shifted over time so that a new vessel would now damage it? There appears to be no reference to the Section 106 Agreement in connection with a specific portion of the Marsh, where the Agreement presumably remains in force . | | |
| MM67 – Policy SS12c Mersea Island Caravan Parks | | | | |
| 8411 Support | Anglian Water Services | SS12c- 14.206. Confirmation that all criteria must be met by development proposals including adequate wastewater treatment and sewage infrastructure capacity | In summary, the changes set out in the Main Modifications serve to increase the effectiveness and consequent soundness of the Local Plan. | Noted |
| MM68 – Policy SS13 Rowhedge | | | | |
| No representations received | | | | |
| MM69 – New Para 14.219 and Para 14.221 | | | | |
| 8235 Object | Tiptree Parish Council | Whilst generally supportive of this modification suggesting a few minor changes to more clearly express what the Neighbourhood Plan should be expected to achieve. | To 'consider' (rather than 'address') cross boundary issues (paragraph 1, line 1) This will include 'acknowledgement of' (inserted words) the additional traffic forecasts.... (paragraph 1, line 2) To support the delivery of 'at least' (inserted words) 400 houses (paragraph 2, line 4) | The policy and supporting text relating to Tiptree were considered in Matter 9 at the Hearing Sessions. The Council also prepared Topic Paper 6 – Tiptree , which explored issues since submission of the Local Plan. The Council consider it appropriate to update the supporting text as |

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| | | | | <p>proposed, in order to provide greater flexibility for this to be addressed through a Neighbourhood Plan or other planning mechanisms.</p> <p>It is considered appropriate to update this paragraph to include 'a minimum' of 400 homes, in accordance with MM71.</p> |
| 8315 Object | Mr Rhys Smithson | <p>The Tiptree Neighbourhood Plan was partly rejected because of proposals to develop a road which crossed local authority boundaries. If the goal of routing traffic around Tiptree village is to be achieved this road will need to be developed. It seems illogical to commence building a road which links the B1022 and B1023 when there is no certainty that it will ever be completed by building across local authority boundaries.</p> | <p>In principle I support the lower housing development allocation dependent upon the selection of suitable sites and the right mix of housing for the village.</p> | <p>Topic Paper 6 – Tiptree is relevant to this considered at the Hearing Sessions Matter 9.</p> |
| 8573 Object | Edward Gittins & Associates | <p>We do not consider the Modifications adequately deal with the implications of the changes arising from the recommendation of the Tiptree Neighbourhood Plan Inspector that the Neighbourhood Plan (NP) should not proceed to referendum and also an allowed Planning Appeal for 200 dwellings at Barbrook Lane.</p> <ul style="list-style-type: none"> • During the time the NP is awaited, the tightly drawn Tiptree settlement boundary as defined in Local Plan (LP) Policy SS14 constrains housing delivery. • Apart from the Barbrook Lane site, the Planning process is therefore hindering housing delivery rather than promoting it. | <p>Further modifications must be included to alleviate the current absence of a reasonable range of new housing sites in Tiptree and the dearth of available land generally. Modifications are required to reflect the absence of a NP and to address the deficiencies identified by the NP Inspector.</p> | <p>This matter was considered during the hearing sessions for Matter 2 and Matter 9, specifically in regard to Tiptree. Together with Topic Paper 2 Housing Matters, these outline how the housing requirement figure is to be met through the Section 2 Local Plan</p> |

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| | | Accordingly, it is considered that as a consequence, Modifications should have been put forward to alleviate the current absence of a reasonable range of new housing sites in Tiptree and the dearth of available land generally. | | |
| 8972 Object | ADP obo Mersea Homes | Update text to ensure that the evidence required to underpin the Neighbourhood Plan is proportionate to the scale of growth being considered (see attachment for full representation) | Update text to read: Infrastructure necessary to deliver the growth up to 2033 will need to consider cross boundary issues with neighbouring Local Planning Authorities and neighbouring Parishes. This will include acknowledgement of the additional traffic generation forecasts for the proposed new junction 24 onto the A12 as well as from the growth locations. With the northern growth location there is potential for a new road which would ultimately link the B1022 and B1023. The Tiptree Neighbourhood Plan will be expected to deliver the first phases of the road through a design which allows future completion/linkage | <p>This matter was considered during the hearing sessions for Matter 2 and Matter 9, specifically in regard to Tiptree. Together with Topic Paper 2 Housing Matters, these outline how the housing requirement figure is to be met through the Section 2 Local Plan.</p> <p>The Council consider it appropriate to update the supporting text as proposed, in order to provide greater flexibility for this to be addressed through a Neighbourhood Plan or other planning mechanisms.</p> <p>It is considered appropriate to update this paragraph to include 'a minimum' of 400 homes, in accordance with MM71.</p> |

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| 8973 Object | ADP obo Mersea Homes | Update text to reflect national planning policy and ensure that the housing figure has sufficient flexibility to be able to respond to the needs of the area. This change will also ensure consistency with Policy SS14 which applies 'minimum' housing figures (see attachment for full representation) | Update text to read: The Plan will allocate final site boundaries and will include a policy framework to support the delivery of at least 400 houses up to 2033 and to guide all other planning issues in the village | This matter was considered during the hearing sessions for Matter 2 and Matter 9 , specifically in regard to Tiptree. Together with Topic Paper 2 Housing Matters , these outline how the housing requirement figure is to be met through the Section 2 Local Plan |
| 8983 Object | Strutt & Parker obo Marden Homes | No adequate evidence that a link road is the only appropriate strategy. (See attachment for full representation) | We consider this matter should be left to the Neighbourhood Plan to explore, and it is entirely unjustified for the Local Plan to seek to insist the Neighbourhood Plan must seek to deliver a new link road. | This matter was considered during the hearing sessions for Matter 2 and Matter 9 , specifically in regard to Tiptree. |
| 8987 Object | Strutt & Parker obo Bloor Homes | Delivery of first phase of Link Road through the Neighbourhood Plan is premature fixing of the Neighbourhood Plan strategy, contrary to SEA regulations. Questionable whether there is potential for a new link road, no robust evidence to suggest deliverable. Lack of evidence that link road would be appropriate. See attachment for further information. | None stated - other than leaving ref to the link road to the Neighbourhood Plan. | This matter was considered during the hearing sessions for Matter 2 and Matter 9 , specifically in regard to Tiptree. |
| MM70 – New Para 14.222 | | | | |
| No representations received | | | | |
| MM71 – Policy SS14 Tiptree | | | | |
| 8236 Object | Tiptree Parish Council | Whilst generally supportive of this modification, I am suggesting a correction and a few minor changes to more clearly express what the Neighbourhood Plan should be expected to achieve. By way of correction, since the preferred direction of growth arrows are not | 1. Removal of the preferred direction of growth arrow to the south-west. | These matters were considered during the hearing sessions for Matter 2 and Matter 9 , specifically in regard to |

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| | | prescriptive but rather a reflection of the NP position the arrow to the south-west should be removed. The minor changes are detailed below. | Changes to text: 2. Within the preferred directions of growth shown on the Tiptree policies map, to the 'north and north west' (rather than 'south west and north/north west), subject to existing constraints.... (line 2). 3. This will include a 'strategic transport appraisal' (rather than a 'detailed transport assessment'). (point (iv), lines 4 & 5) | Tiptree. Together with Topic Paper 2 Housing Matters , these outline how the housing requirement figure is to be met through the Section 2 Local Plan Agree this is proportionate to the stage of planning and more appropriate wording |
| 8316 Support | Mr Rhys Smithson | None stated | None stated | |
| 8441 Object | Essex County Council | Essex County Council as the Highway Authority, request that the second sentence of part iv) to Policy SS14 is amended to clarify that the neighbourhood plan does not need to undertake a "detailed transport assessment", but rather a "strategic transport appraisal" is required and considered more appropriate. | Amend the second sentence of Policy SS14, iv) to read as below. "iv) ...This will include a strategic transport appraisal with a view to confirming provision of phased delivery of a road between the B1022 and B1023; | Agree this is proportionate to the stage of planning and more appropriate wording |
| 8574 Object | Edward Gittins & Associates | We do not consider the Modifications adequately deal with the implications of the changes arising from the recommendation of the Tiptree Neighbourhood Plan Inspector that the Neighbourhood Plan (NP) should not proceed to referendum and also an allowed Planning Appeal for 200 dwellings at Barbrook Lane. During the time the NP is awaited, the tightly drawn Tiptree settlement boundary as | Further modifications must be included to alleviate the current absence of a reasonable range of new housing sites in Tiptree and the dearth of available land generally. Adjustments to | This matter was considered during the hearing sessions for Matter 2 and Matter 9 , specifically in regard to Tiptree. Together with Topic Paper 2 Housing Matters , these outline |

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| | | <p>defined in Local Plan (LP) Policy SS14 constrains housing delivery.</p> <p>Apart from the Barbrook Lane site, the Planning process is therefore hindering housing delivery rather than promoting it. Accordingly, it is considered that as a consequence, Modifications should have been put forward to alleviate the current absence of a reasonable range of new housing sites</p> | <p>wording of modifications must be made in order to accord with National Policy</p> | <p>how the housing requirement figure is to be met through the Section 2 Local Plan</p> |
| 8967 Object | Lawson PP obo Colchester United FC | <p>We support one revision to Policy SS14 within Main Modification 71, which stipulates a 'minimum' new housing allocation figure, as this provides sufficient flexibility to favorably respond to additional, acceptable development proposals. We however object to part of Policy SS14 amended within Main Modification 71, that identifies that development outside of either the settlement boundary or the Tiptree Neighbourhood Plan will not be supported. Full details are contained within the Lawson Planning Partnership Ltd representation letter dated 11th November 2021</p> | <p>It is requested that the second paragraph of Policy SS14 is amended to read as follows: "Proposals for development outside of both the settlement boundary and settlement boundary defined by the Tiptree Neighbourhood Plan once adopted, will not be supported."</p> | <p>The Council consider that the wording proposed is appropriate.</p> |
| 8974 Object | ADP obo Mersea Homes | <p>Paragraph 113 of the NPPF explains that detailed transport assessments are required to assess planning application submission. It does not mention development plan documents</p> | <p>Update text to read: (iv) Set out the policy framework within the parish to guide the delivery of any infrastructure/community facilities required to support the development in accordance with the requirements of Policies SG7 and PP1. This will include a strategic transport appraisal with a view to confirming provision of the first</p> | <p>Agree this is proportionate to the stage of planning and more appropriate wording has been proposed.</p> |

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| | | | phases of a road between the B1022 and B1023; | |
| 8984 Object | Strutt & Parker obo Marden Homes | Object to the approach to Neighbourhood Plans unclear and overreliance on their role in the delivery of homes in Tiptree. We are particularly concerned at the removal of reference to broad direction of growth in a number of instances within the policy. The policy should however recognise a scenario where a Neighbourhood Plan is not delivered or is delayed. Colchester Borough Council will not be responsible for the delivery of a Neighbourhood Plan for Tiptree and it is therefore surprising that this policy is proposed to place such reliance on a factor which is out of the local planning authority's control. The current proposed modifications fail to allow for this scenario and fail to represent a sound strategy. | Retain the policy wording referring to the Broad areas of growth and the ref to 60 hes. | This matter was considered during the hearing sessions for Matter 2 and Matter 9 , specifically in regard to Tiptree. Together with Topic Paper 2 Housing Matters , these outline how the housing requirement figure is to be met through the Section 2 Local Plan. |
| 8988 Object | Strutt & Parker obo Bloor Homes | Support housing figure expressed as minimum. Reduction from 600 to 400 dwellings not considered sound. No evidence to justify dwelling reduction. Barbrook Lane appeal does not provide adequate justification. Modification in relation to link road is itself unsound. No evidence that link road is needed or is deliverable. Unjustified and inappropriate for Local Plan to seek to direct the Tiptree Neighbourhood Plan to provide a link road. See attachment for further information. | None stated - other than leaving ref to the link road to the Neighbourhood Plan. | This matter was considered during the hearing sessions for Matter 2 and Matter 9 , specifically in regard to Tiptree. Together with Topic Paper 2 Housing Matters , these outline how the housing requirement figure is to be met through the Section 2 Local Plan |
| MM72 – Policy SS15 West Bergholt | | | | |
| 8282 Object | West Bergholt Parish Council | Following the recent NEEB appeal decision for the land adjacent to Armoury Road, it was decided by the Planning Committee of West Bergholt Parish Council that a modification to MM72, Colchester's Policy SS15, would strengthen West Bergholt's | Replace entire policy with the following: The West Bergholt Neighbourhood Plan has been made and: | Agree this wording is appropriate and provides consistency with the approach for Wivenhoe where a NHP is made and allocates land for housing. |

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| | | <p>Neighbourhood Plan. It will also provide an approach consistent with other made Neighbourhood Plans in the existing Local Plan and provide greater clarity of the policy context for West Bergholt.</p> | <p>(i) Identifies the settlement boundary for West Bergholt; (ii) Identifies specific sites for housing allocations needed to deliver 120 dwellings (iii) Sets out policies needed to support this housing delivery i.e. housing mix, type of housing and density for each site allocated for housing; (iv) Identifies other allocations in the Parish, including employment and open space; and (iv) identifies the infrastructure requirements to support new development. Proposals for development outside of the settlement boundary will not be supported unless the Neighbourhood Plan or other Local Plan policy specifically allows for it. All development proposals in West Bergholt parish will be determined against and be required to comply with policies in the West</p> | |
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| | | | Bergholt Neighbourhood Plan and any relevant Local Plan policies. | |
| 8703 Support | Cllr Lewis Barber | The Neighbourhood Plan has been made and it identifies the settlement boundary for the village and identifies specific sites for housing allocations. To bring the policy into consistency and to ensure certainty for the role of the Neighbourhood Plan, the relevant modification should be amended and added to so that it is clear that proposals for development outside of the settlement boundary will not be supported unless the NP or other Local Plan policy specifically allows for it. This would bring the policy into line with that of the modification for Wivenhoe. | The relevant modification should be amended and added to so that it is clear that proposals for development outside of the settlement boundary will not be supported unless the NP or other Local Plan policy specifically allows for it. This would bring the policy into line with that of the modification for Wivenhoe. | Agree this approach to wording is appropriate and provides consistency with the approach for Wivenhoe where a NHP is made and allocates land for housing. |
| MM73 – Policy SS16 Wivenhoe | | | | |
| 8198 Support | Wivenhoe Society | MM73 rewrites policy SS16 Wivenhoe. This new wording is welcomed however the final paragraph states; All development proposals in Wivenhoe parish will be determined against and be required to comply with policies in the Wivenhoe Neighbourhood Plan and any relevant Local Plan policies. The Wivenhoe Neighbourhood Plan has been adopted by the Borough but the area is larger than Wivenhoe parish and this wording should be amended to read Proposal in the Wivenhoe Neighbourhood Plan Area | Wording should be amended to read Proposal in the Wivenhoe Neighbourhood Plan Area | Agree the suggested amendment is considered appropriate |
| MM74 – Para 14.246/Policies OV1 Development in Other Villages & OV2 Countryside | | | | |
| No representations received | | | | |
| MM75 – Policy OV2 Countryside | | | | |
| 7986 Object | Mr Neil Gilbranch | The policy states "small" rural exception sites will be supported on "appropriate" sites. This is subjective | The words Small and Appropriate should be defined objectively to | This was considered at the Hearing sessions for Matter 10 and Matter 14 . |

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| | | An application has previously been made in Copford which was not fully in compliance with CBC policy on numbers of affordable houses to be delivered and was subsequently withdrawn. It is important to understand the issue of scale and location in the context of this modification as this application may be resubmitted along with others with different scale and location. | avoid confusion with potential future applications regarding other Council policies on this matter. | It is consistent with national policy and Policy DM8. |
| 8317 Support | Mr Rhys Smithson | I support this in principle as it appears to provide Parish Councils with a greater say in the location of new developments. However, this will only work if it is supported at all stages of the planning process. | None Stated | Noted. |

Chapter 15 – Development Management Policies

| Rep ID | Name/ Organisati on | Representation | Changes to the Plan | Officer Comment |
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| MM76 – Policy DM1 Health and Wellbeing | | | | |
| 7861 Support | Sport England | The proposed modifications to policy DM1 directly respond to representations made by Sport England on the Publication Draft version of the Local Plan. The modified policy is therefore supported as it would now be considered to accord with Government policy in paragraph 92(c) of the NPPF (2021) and Sport England's 'Uniting the Movement' Strategy in relation to promoting active lifestyles | None stated | Noted. |
| 8174 Object | Copford with Easthorpe Parish Council | No provision is made for increased Health Provision and this will have a damaging effect on both Physical and mental well-being | Change the allocation of homes for Copford with Easthorpe to ensure equitable numbers are given to this area. Ensure that the Transport Assessment and bespoke travel plans are detailed and take into account local circumstances leading onto main roads, the numbers of homes leading onto roads is in line with guidance notes and does not exceed these numbers. | This matter was considered during the hearing sessions for Matter 2 and Matter 9 , specifically in regard to Copford. Together with Topic Paper 2 Housing Matters , these outline how the housing requirement figure is to be met through the Section 2 Local Plan. |

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| | | | Ensure adequate health provision is made | |
| MM77 – Policy DM2 Community Facilities | | | | |
| No representations received | | | | |
| MM78 – Policy DM3 Education Provision | | | | |
| No representations received | | | | |
| MM79 – Policy DM4 Sports Provision | | | | |
| 7863 Support | Sport England | The proposed modification to policy DM4 directly respond to a representation made by Sport England on the Publication Draft version of the Local Plan with respect to securing community use of school sports facilities. The modified policy is therefore supported as it would now be considered to accord with Government policy in paragraph 93(a) of the NPPF (2021). | None Stated | Noted. |
| MM80 – Policy DM5 Tourism, Leisure, Culture and Heritage | | | | |
| 8997 Object | Mr Geoffrey Johnson | DM5 Tourism Developments should of course be subject to the Relevant areas' Planning Policy. | None stated | When determining an application, all Development Plan policies will be considered in the decision making process. |
| MM81 – Para 15.32 and Policy DM6 Economic Development to Rural Areas and the Countryside | | | | |
| 8920 Object | Natural England | It is a concern that the proposed wording for the policy indicates that the expectations in relation to mitigation and biodiversity net gain (BNG) for developments that have adverse effects on biodiversity are less stringent than for those developments that would not cause such adverse impacts. The key criteria to compare would be criterion (v) of the first section and criterion (iii) of the second section. The fact that criterion (iii) seems to set a lower bar means that there is also an inconsistency between the proposed wording of the policy and the proposed modification to paragraph 13.8 (MM17) which states that: “As a minimum 10% biodiversity net gain is required...”. Also, the specific wording proposed for | Whilst noting that this main modification (to move the text from preamble to Policy) responds to one of our previous recommendations, a further minor modification might give more clarity to the meaning of the statement. This would be achieved by moving the second sentence to the | This was considered in Matter 3 and Matter 13 . Reordering the sentence structure as suggested is considered appropriate. |

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| | | <p>criterion (iii) would mean that either “satisfactory biodiversity net gain” or “mitigation” are required to meet the criterion rather than both being required.</p> | <p>end so that it would read as follows: Proposals in close proximity to a habitats site must demonstrate through HRA screening that the scheme will not lead to likely significant effects to the integrity of the habitats site. Where this cannot be ruled out a full appropriate assessment will be required to be undertaken. Additionally, any planning application within 400 metres of a habitats site must provide mechanisms to prevent fly tipping, the introduction of invasive species and vandalism</p> | |
| MM82 – Policy DM6 Economic Development to Rural Areas and the Countryside | | | | |
| No representations received | | | | |
| MM83 – Policy DM7 Agricultural Development and Diversification | | | | |
| No representations received | | | | |
| MM84 – Policy DM8 Affordable Housing | | | | |
| 8318 Support | Mr Rhys Smithson | <p>Affordable housing is a necessity if we are to provide all residents with the opportunity to live in an area close to family and friends and the area where they work. 30% should be a minimum requirement rather than a target to be met</p> | None stated | <p>Noted. Matter 14 at the Hearing session considered these issues. Topic Paper 2 is relevant along with the Matter 14 CBC Hearing Statement.</p> |
| MM85 – Para 15.49 | | | | |

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| No representations received | | | | |
| MM86 – Policy DM11 Gypsies, Travellers and Travelling Showpeople | | | | |
| 8413 Support | Anglian Water Services | DM11- 15.49. Confirmation that sites will be required to have water and sewage infrastructure and be connected to the mains sewer system. | In summary, the changes set out in the Main Modifications serve to increase the effectiveness and consequent soundness of the Local Plan | Noted. |
| MM87 – Policy DM12 Housing Standards | | | | |
| No representations received | | | | |
| MM88 – Policy DM13 Domestic Development | | | | |
| 8417 Support | Anglian Water Services | DM13-15.66. Inclusion of water efficiency as one of the ways in which the existing housing stock when it is extended or altered can help to address climate change given that water and wastewater provision uses energy. | In summary, the changes set out in the Main Modifications serve to increase the effectiveness and consequent soundness of the Local Plan. | Noted. |
| MM89 – Policy DM15 Design and Amenity | | | | |
| 7864 Support | Sport England | The proposed modifications to policy DM15 directly respond to representations made by Sport England on the Publication Draft version of the Local Plan. The modified policy is therefore supported as it would now be considered to accord with Government policy in paragraph 92(c) of the NPPF (2021) and Sport England's 'Uniting the Movement' Strategy in relation to promoting active environments including Sport England's Active Design guidance. | None Stated | Noted. |
| MM90 – Policy DM16 Historic Environment | | | | |
| No representations received | | | | |
| MM91 – Policy DM22 Parking | | | | |
| 8998 | Mr Geoffrey Johnson | DM22 There needs to be a policy for dealing with parking, not only at any new development but also in | None stated | |

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| | | the locality. In other words extra parking would be necessary at Kingsland Road, Barfield Road and High Street (Mersea) to accommodate the cars of those living in the new developments when they are shopping locally. | | |
| MM92 – Para 15.133 | | | | |
| 8342 Object | Mr Michael Lilley | I wish to object to the whole scheme (Middlewick) as CBC declared a Climate Emergency and then wants to convert green open space into Housing, causing more pollution and therefore makes a nonsense of the Climate Emergency. Birch Brook is already overflowing with excess rainwater and floods the back gardens of homes in Hillview Close, Rowhedge. When the area is concreted over, more surface water will have only one way to go and that's to Birch Brook. Adding to the flood risk further downstream. Building on open land is not the way to save the Planet. | Don't build on the land | Matter 6 at the Hearing session considered these issues. Topic Paper 5 is relevant along with CBC Hearing Statement and the Matter 6 third party statements . Relevant EB includes EBC 7.5. Middlewick Ranges Flood Risk and Drainage Scoping Report |
| MM93 – Policy DM23 Flood Risk and Water Management | | | | |
| 8418 Support | Anglian Water Services | DM23-15.139. The update to the position on Critical Drainage Areas identified by ECC and the consequent need to ensure that surface water flooding is considered in developments in and near these locations including the use of SuDS to deliver betterment for the existing and new communities. In summary, the changes set out in the Main Modifications serve to increase the effectiveness and consequent soundness of the Local Plan. | None | Noted. |
| MM94 – Policy DM25 Renewable Energy, Water, Waste and Recycling | | | | |
| 8420 Support | Anglian Water Services | DM25 15.149 and 15.150. Full reference to the Water Cycle Study. 15.151. Inclusion of the reference on higher water efficiency standards and the consequent importance of Building Regulations for water body quality In summary, the changes set out in the Main Modifications serve to increase the effectiveness and consequent soundness of the Local Plan. | None | Noted. |

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| MM95 – List of Policies Superseded by Section 2 of the Local Plan | | | | |
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