

To : Andrea Hill
The Chief Executive
Colchester Borough Council
Town Hall
Colchester
Essex
CO1 1LZ

Dear Madam

PUBLIC INQUIRY INTO OBJECTIONS TO THE SECOND DEPOSIT DRAFT OF THE COLCHESTER BOROUGH LOCAL PLAN

1. I was appointed by the then Secretary of State for the Environment, Transport and the Regions to hold a public inquiry into objections to the Second Deposit Draft of the Colchester Borough Local Plan. The Inquiry was held between 24 April 2001 and 5 February 2002, and sat for a total of 39 days. A pre-inquiry meeting was held on 11 January 2001. Before, during and after the Inquiry I made a series of accompanied or unaccompanied site visits to all of the sites that were the subject of objection.

2. The Borough Local Plan comprises an introduction and five sections. The introduction sets out the Plan's overall strategy in two short chapters, together with a third chapter setting out an overall development control policy (DC1), which is to apply throughout the Borough. Section A, "Resources", contains topic chapters with policies concerning the coast and estuaries, the countryside, the urban environment (and archaeology) and pollution. Section B, "Infrastructure" contains topic chapters with policies on the provision of community facilities, higher education, leisure and tourism, transport and utilities. Section C, "Development," sets out the Plan's main proposals in three chapters on housing, employment and town centre and shopping. Policies are both general and site-specific. New housing, employment and retail proposals are contained here and are shown on Inset Maps for Colchester/Wivenhoe, Tiptree, West Mersea and each village with a defined settlement boundary. Some of these site-specific proposals are amplified in Section D, "Area" containing chapters on East Colchester and The Hythe Regeneration Area, the Colchester Army Garrison Regeneration Area, the Mile End district of Colchester, Stanway and Tiptree. Section E contains a chapter on monitoring and implementation. The Policies are inter-related and the Plan should thus be read as a whole.

3. In November 2000 the County Planning Authority issued a Statement of Conformity confirming that the Second Deposit Version of the Plan is in general conformity with the Essex & Southend-on-Sea Replacement Structure Plan.

4. The First Deposit Version of the Plan was placed on deposit from 8 February to 22 March 1999. Representations were received resulting in 1,356 objections to specific aspects of the Plan and 337 representations of support. Following consideration of these objections, the Council placed the Second Deposit Version of the Plan on deposit from 22 September to 3 November 2000. Further representations were received resulting in 331 additional objections to specific aspects of the Plan and 126 more representations of support. However, before and after the inquiry opened the Council approved a total of 178 Proposed Changes in three separate schedules, which resulted in 1 objection being withdrawn conditional on the Plan being changed as proposed by the Council. The Proposed Changes attracted 51 objections and 51 representations of support. Prior to and during the course of the Inquiry some 223 objections have been unconditionally withdrawn; the matters they raised are thus no longer before me and I do not deal with them in my Report. Of the total number of 1,776 objections considered, 237 were heard at the inquiry and 1,539 were dealt with by means of written representations.

5. In my consideration of all objections I have had regard to submissions made by or on behalf of the various objectors and the Council, and to all other material considerations, including current Planning Policy Guidance (PPGs) and Circulars where appropriate. I have also had regard to those representations in support. I have had regard to ministerial and local authority decisions taken after the inquiry was closed but before the report was completed. Where possible, I have incorporated the effects of these decisions into my report. However, I may not be aware of all of the changes that could affect the contents of this report and the Council will need to take any such changes into account in their consideration of my recommendations. Likewise, the Council will need to take into account any PPG, Circular or other Government Advice published subsequent to the completion of my Report.

6. Unless otherwise stated, reference to Government Policy as set out in Circulars or PPGs relates to the versions that were extant at the close of the Inquiry. I have, however, taken into account the revised PPG17 (Planning for Open Space, Sport and Recreation) and its daughter document “Assessing Needs and Opportunities: A Companion Guide to PPG17”, which were published in July and September 2002 respectively. The Council will need to have regard to any subsequent revisions to Government Policy that may occur prior to the adoption of the Plan.

7. My report follows the sequential layout of the Plan. In each case I present a brief summary of the objection, together with my comments and conclusions, and recommendation.

Main Issues

8. The main policy issues in my Report concern the sufficiency of land allocated for housing development coming forward during the plan period; the dependency of major new housing and employment areas upon the delivery of key transport investments; policies for the protection of the open countryside and the rural/urban fringe, together with the use of the latter for leisure and wildlife protection; policies and proposals for the provision of out of centre retailing; and definitions of affordable housing and the proportion of general market housing to be set aside for such provision. It should not be overlooked that the objections received in connection with these matters formed a small proportion of the total received overall. The greatest number of those concerned land in Wivenhoe, for which planning permission was granted in line with a Local Plan policy relating to that site, after the inquiry had closed.

Housing Land

9. I have concluded that in overall terms the Replacement Structure Plan requirement of the provision 11,000 new dwellings within Colchester Borough between 1996 and 2011 is likely to be met. This figure would comprise housing allocations made by this Local Plan on urban brownfield sites and greenfield sites on the periphery of urban settlements, together with others ‘rolled forward’ from the current adopted Local Plan, and previously-developed land identified in the Urban Capacity Study and an earlier ‘brownfield study’ contributing towards windfall sites coming forward at the same rates as in the past.

10. However, despite the Council's recent resolution to grant planning permission for the regeneration of Ministry of Defence premises at The Garrison, which would result in the provision of more than 2,600 units overall, I express my reservations at the ability of these sites to deliver the 1,600 houses allocated by the Local Plan by the end of its lifetime. This is based on my concerns that new housing cannot be made available in significant quantity while The Army, whose operational requirements are paramount, remains in occupation of its present premises.

11. Nevertheless, my concerns in this matter are not so strong that they warrant the release of the large-scale greenfield sites, put forward as replacements for this potential shortfall, at Marks Tey, to the west of Tiptree and around the periphery of the built-up area of Colchester/Stanway. Firstly, my concerns may prove unfounded. Secondly, according to my estimation, the shortfall may only be of the order of 200 units, far smaller than some of the replacement sites proposed by objectors. Thirdly and most importantly, the release of greenfield sites, in advance of the largest brownfield site in the Borough showing that it can provide its full complement of housing within the plan period, would be totally contrary to the sequential approach set out in paragraph 30 of PPG3. The Local Plan contains a requirement that a housing land supply review be carried in 2004 to monitor a situation such as this. I recommend that such an exercise be delayed until 2006. Allocations made in the current adopted Local Plan, which have been 'locked-up' for several years, are now bringing forward new houses in significant numbers as past infrastructure restraints have been resolved, so that there is currently a healthy supply of housing available for immediate development.

New Housing & Employment Allocations

12. The second largest development area, housing land at the former Severalls Hospital in North Colchester and the adjoining Cuckoo Farm employment allocation, is dependent upon a new junction being provided from the adjoining A12 trunk road. The latter area may also include a new community stadium that would rehouse the local professional football club and a park-and-ride terminal for an express bus service to the town centre. The significance of this junction is that an alternative siting, promoted by the current Local Plan, failed to materialise, thereby postponing development potential in the area. I reach the conclusion that the junction siting, put forward by this Local Plan, is more likely to be put into effect. Therefore, I feel confident in confirming these allocations.

Countryside & Leisure Policies

13. In many respects, I found the countryside policies, and those associated with the countryside in the leisure chapter, the least satisfactory in the Local Plan. The general countryside policy seems weakly worded in comparison with its Structure Plan counterpart (Policy C5). Policies concerning national statutory designations (an AONB) and local designations are combined together in flagrant disregard of what is stated in the second sentence of paragraph 4.16 of PPG7. Other advice in the same paragraph of the PPG has also been ignored. Existing local designations have not been examined critically and new ones have been added without any obvious justification. Finally, a policy on Country Parks and Wildlife Areas was added to the Leisure and Tourism chapter of the Second Deposit Version that appears to have been a reaction to a number of objections to the First Deposit Version. Once more, the reasoning for this seems

rather thin. As a result, I recommend the deletion of that policy (L5a) and of Policy CO4 (Areas of Strategic Open Land) and the complete rewriting and recasting of Policies CO1 and CO2. With a more strongly worded general countryside policy, the need for additional local designations should be reduced.

Out of Centre Retailing

14. The policies on out-of-centre retailing, which had been the subject of significant alteration by pre-inquiry changes, were thrown into further confusion by a decision of the First Secretary of State to refuse planning permission, after the Local Plan inquiry had closed, for an application he had ‘called in’ for a large-scale ‘do-it-yourself’ retail outlet. After examining the implications of this decision, I confirm that other allocations that are made for the retailing of bulky goods be retained. Having done so, I recommend that the Council looks carefully at the type of operation that is permissible in out-of-centre retailing, having regard to the sequential approach of PPG6. The terms ‘bulky goods’ and ‘retail warehousing’ seem to be used for much of the time as synonyms and at other times as something different. In addition, I recommend that one of the bulky goods retailing allocations be deleted from the identified town centre regeneration sites, largely because it is not in the town centre. I also recommend that a food superstore, which is the anchor store to a local shopping centre in a modern residential area of Colchester, be reincorporated into the local shopping centre designation.

Affordable Housing

15. I recommend that the definition of affordable housing be revised in accordance with advice in Circular 06/98. I appreciate that, in current market conditions, low-cost owner-occupied housing is unlikely to be affordable to those in greatest housing need. Accordingly, I recommend that the definition of what constitutes affordable housing in Colchester be varied throughout the lifetime of the Local Plan. There is existing Supplementary Planning Guidance on the topic of affordable housing and I suggest that it be expanded and updated to cover this issue. I confirm that the guideline for the proportion of general market housing, to be the starting point for provision of affordable housing, should be 25%. Adjoining Essex districts already have this figure contained within their adopted Local Plans and it would be anomalous if Colchester’s equivalent requirements were any lower.

16. Attention is drawn to the fact that my recommended modifications to policies in the Plan may also necessitate consequential modifications to supporting text and/or the Proposals Map. These consequential modifications are not necessarily noted in my report, and the Council will thus need to identify and incorporate them in the Plan during the final stages of the Plan preparation process.

17. A complete set of documents submitted in connection with the Inquiry is held by the Head of Environmental Policy, and may be inspected at the offices of the Colchester Borough Council at Angel Court, High Street, Colchester, Essex, CO1 1ZE.

18. A copy of this letter has been sent for information to the Head of the Development Plans Branch of the Government Office for the East of England, Heron House, 49-53 Goldington Road, Bedford, MK40 3LL, and to the Planning and

Development Division of the Office of the Deputy Prime Minister, Eland House,
Bressenden Place, London SW1E 5DU.

19. I wish to express my thanks for the help and co-operation I received throughout the Inquiry; Paul Shadarevian, Barrister acting on behalf of the Local Planning Authority, and the Colchester Borough Council officers were unfailingly courteous and considerate. I must also thank Susannah Guest, Planning Officer at the Planning Inspectorate, for her initial drafting of certain complex sections of my report and for her attendance and support at some of the more technically demanding inquiry sessions. Finally, and by no means least, throughout the inquiry and my reporting period I was very ably assisted by my Programme Officer, Peter Braithwaite to whom in particular I wish to express my sincere thanks for his constant good humoured support and unstinting hard work.

Yours faithfully

A handwritten signature in black ink, appearing to read 'J. Cumie'. The script is cursive and fluid, with the first letter 'J' being large and prominent.

Inspector

cc : Government Office for the East of England, Heron House, Bedford.
Office of the Deputy Prime Minister, Eland House, London SW1.

1	CHAPTER 1 - INTRODUCTION.....	9
1.1.	PARAGRAPH 1.17 STRATEGY	9
2	CHAPTER 2 - LOCAL PLAN STRATEGY.....	10
2.1.	PARAGRAPHS 2.2, 2.3, 2.4 & 2.8 GROWTH AND THE ENVIRONMENT	10
2.2.	PARAGRAPHS 2.12 & 2.15(I) STRATEGIC OBJECTIVES	10
2.3.	PARAGRAPH 2.15(II) SEQUENTIAL APPROACH TO HOUSING DEVELOPMENT	12
2.4.	PARAGRAPH 2.15(VI) VILLAGE ENVELOPES	12
2.5.	PARAGRAPH 2.15(VII) WIVENHOE	13
2.6.	PARAGRAPH 2.15(XI) TRANSPORT	14
3	CHAPTER 3 - OVERALL DEVELOPMENT CONTROL POLICY DC1	15
3.1.	PARAGRAPH 3.2 & PROPOSED CHANGE 62 POLICY BACKGROUND	15
3.2.	PARAGRAPH 3.6 TRANSPORT	15
3.3.	PARAGRAPH 3.8 DEVELOPMENT AFFECTING THE ROAD NETWORK.....	15
3.4.	PARAGRAPH 3.20 LOCAL SHOPPING CENTRES	16
3.5.	POLICY DC1 DEVELOPMENT CONTROL CONSIDERATIONS – GENERAL	16
3.6.	CRITERION DC1(A) POLLUTION	17
3.7.	CRITERION DC1(B) LOCAL DISTINCTIVENESS.....	17
3.8.	CRITERION DC1(C) PUBLIC TRANSPORT	18
3.9.	CRITERION DC1(D) HIGHWAY NETWORK	18
3.10.	CRITERION DC1(E) RURAL RESOURCES	19
3.11.	CRITERION DC1(F) LOSS OF OPEN SPACE	19
4	CHAPTER 4 - COAST & ESTUARIES	21
4.1.	PARAGRAPH 4.7 & PROPOSED CHANGE 123 RECREATIONAL ACTIVITY ON THE COAST.....	21
4.2.	PARAGRAPH 4.9 & PROPOSED CHANGE 124 RECONCILING RECREATION WITH WILDLIFE CONSERVATION ALONG THE COAST AND ESTUARIES.....	22
4.3.	POLICY CE1 THE OPEN & UNDEVELOPED COASTLINE.....	22
4.4.	POLICY CE2 RISK OF FLOODING.....	23
4.5.	POLICY CE3 COASTAL PROTECTION	24
4.6.	PARAGRAPH 4.23 RESIDENTIAL HOLIDAY SITES	25
4.7.	POLICY CE4 & PROPOSALS MAP RESIDENTIAL HOLIDAY SITES – EXPANSION OF COOPER’S BEACH CARAVAN PARK, EAST MERSEA	25
4.8.	POLICY CE5 OCCUPANCY RESTRICTIONS FOR CARAVANS	26
4.9.	POLICY CE7 ROWHEDGE & WIVENHOE (FIRST DEPOSIT VERSION)	27
4.10.	PARAGRAPHS 4.33-4.33u, POLICY CE8 1 & PROPOSED CHANGES 1, 63 & 65 COOKS SHIPYARD REGENERATION AREA, WIVENHOE & ROWHEDGE REGENERATION AREA.....	28
4.11.	PARAGRAPHS 4.33n, 4.33q & 4.33r, POLICY CE8 2 & PROPOSED CHANGES 64, 125 & 126 ROWHEDGE HIGH STREET & WIVENHOE QUAY.....	38
4.12.	PARAGRAPH 4.46 & PROPOSED CHANGE 2 WEST MERSEA WATERSIDE	40
4.13.	PARAGRAPH 4.46(A) & PROPOSED CHANGE 3 WEST MERSEA WATERSIDE	40
4.14.	PARAGRAPH 4.47 & PROPOSED CHANGE 4 WEST MERSEA WATERSIDE	40
4.15.	POLICY CE9 & PROPOSED CHANGE 5 WEST MERSEA WATERSIDE.....	41
5	CHAPTER 5 - COUNTRYSIDE	42
5.1.	POLICY LPS1 LOCAL PLAN STRATEGY	42
5.2.	POLICY N99 NEW POLICY	42
5.3.	POLICY CO1 RURAL RESOURCES	44
5.4.	POLICY CO2 & PROPOSED CHANGES 127 & 128 DEDHAM VALE AONB & COUNTRYSIDE CONSERVATION AREAS	45
5.5.	POLICY CO4 AREAS OF STRATEGIC OPEN LAND.....	54
5.6.	POLICY CO5 & PROPOSED CHANGES 6, 66, 67 & 68 HABITATS.....	59
5.7.	POLICY CO6 PROTECTED SPECIES.....	68
5.8.	POLICY CO7 PROTECTED LANES.....	70
5.9.	POLICY CO8 & PROPOSED CHANGES 7, 70 & 71 AGRICULTURAL LAND.....	70
5.10.	POLICY CO10 & PROPOSED CHANGE 129 AGRICULTURAL DIVERSIFICATION	72
5.11.	POLICY CO11 DEDHAM	75
5.12.	POLICY CO12 NEW STABLES OR EXTENSIONS TO EXISTING STABLES	76
5.13.	POLICY CO13 RESIDENTIAL ACCOMMODATION FOR EXISTING STABLES.....	77

6	CHAPTER 6 - URBAN ENVIRONMENT & ARCHAEOLOGY	79
6.1.	PARAGRAPHS 6.9 TO 6.15 INC & POLICY UEA1 DESIGNATION & CHARACTER OF CONSERVATION AREAS.....	79
6.2.	POLICY UEA2 & PROPOSED CHANGES 8 & 72 BUILDINGS AND ALTERATIONS WITHIN CONSERVATION AREAS	79
6.3.	PARAGRAPH 6.17A & PROPOSED CHANGE 48 DEMOLITIONS WITHIN CONSERVATION AREAS	80
6.4.	POLICY UEA3 & PROPOSED CHANGE 130 DEMOLITIONS WITHIN CONSERVATION AREAS	80
6.5.	POLICY UEA4 DEMOLITION OF LISTED BUILDINGS	81
6.6.	POLICY UEA5 & PROPOSED CHANGE 10 ALTERING LISTED BUILDINGS	81
6.7.	POLICY UEA6 LISTED BARNs OR AGRICULTURAL BUILDINGS	82
6.8.	POLICY UEA7 & PROPOSED CHANGE 73 PROTECTING BUILDINGS ON THE LOCAL LIST.....	83
6.9.	PARAGRAPH 6.35 DEVELOPMENT AFFECTING SCHEDULED ANCIENT MONUMENTS	83
6.10.	PARAGRAPH 6.37 & PROPOSED CHANGE 11 DEVELOPMENT AFFECTING SCHEDULED ANCIENT MONUMENTS	84
6.11.	POLICY UEA12 & PROPOSED CHANGE 12 DESIGN	85
6.12.	PARAGRAPH 6.53 INFILLING WITHIN EXISTING RESIDENTIAL AREAS ON MERSEA ISLAND	86
6.13.	POLICY UEA13 INFILLING & BACKLAND DEVELOPMENT	86
6.14.	POLICY UEA14 DEVELOPMENT, INCLUDING EXTENSIONS, ADJOINING EXISTING OR PROPOSED RESIDENTIAL PROPERTY	87
6.15.	PARAGRAPH 6.66 GREENLINKS.....	88
6.16.	PARAGRAPH 6.67 & PROPOSED CHANGE 131 GREENLINKS	89
6.17.	POLICY UEA15 GREENLINKS	89
6.18.	PARAGRAPH 6.70 INCIDENTAL AREAS OF URBAN OPEN SPACE.....	93
6.19.	PARAGRAPH 6.71 INCIDENTAL AREAS OF URBAN OPEN SPACE.....	93
6.20.	POLICY UEA16 INCIDENTAL AREAS OF URBAN OPEN SPACE	93
6.21.	PARAGRAPH 6.76 AREAS OF SPECIAL CHARACTER.....	94
6.22.	POLICY UEA22 AREAS OF SPECIAL CHARACTER	95
7	CHAPTER 7 - POLLUTION & LAND RESOURCES	96
7.1.	POLICY P1 POLLUTION (GENERAL)	96
7.2.	POLICY P3 DEVELOPMENT IN FLOODPLAINS & WASHLANDS	96
8	CHAPTER 8 - COMMUNITY FACILITIES & INFRASTRUCTURE PROVISION.....	98
8.1.	PARAGRAPH 8.6 INFRASTRUCTURE & COMMUNITY FACILITIES PROVISION	98
8.2.	PARAGRAPH 8.9 COMMUNITY BENEFITS (GENERAL)	99
8.3.	POLICY CF1 INFRASTRUCTURE & COMMUNITY FACILITIES PROVISION	99
8.4.	POLICY CF4 RETAINING KEY COMMUNITY FACILITIES & SERVICES.....	100
8.5.	PARAGRAPH 8.20 EDUCATION – GENERAL	100
8.6.	PARAGRAPH 8.20A EDUCATION – GENERAL.....	101
8.7.	POLICY CF5 REUSING SURPLUS EDUCATION FACILITIES.....	101
8.8.	PARAGRAPH 8.26 & PROPOSED CHANGE 132, POLICY CF7 & PROPOSED CHANGES 13 & 121 NEW SCHOOL FACILITY PROVISION	102
8.9.	PARAGRAPH 8.35 & PROPOSED CHANGE 14, POLICY CF11 CEMETERY PROVISION	105
9	CHAPTER 9 - UNIVERSITY OF ESSEX & COLCHESTER INSTITUTE	107
9.1.	POLICY UC1 THE UNIVERSITY OF ESSEX	107
10	CHAPTER 10 - LEISURE, RECREATION & TOURISM.....	108
10.1.	PARAGRAPH 10.1 INTRODUCTION	108
10.2.	NEW POLICY N99 GENERAL AVIATION	108
10.3.	NEW POLICY N99 COLCHESTER ZOO	109
10.4.	PARAGRAPH 10.3 & PROPOSED CHANGES 15 & 16 LEISURE, RECREATION AND TOURIST OBJECTIVES	109
10.5.	POLICY L1 LEISURE FACILITIES.....	110
10.6.	PARAGRAPHS 10.15 & 10.16 PUBLIC OPEN SPACE	111
10.7.	PARAGRAPH 10.16A & PROPOSED CHANGE 17 PUBLIC OPEN SPACE	111
10.8.	PARAGRAPHS 10.22 & 10.28, PROPOSED CHANGES 18 & 19 OPEN SPACE PROVISION WITHIN NEW DEVELOPMENT	112
10.9.	PARAGRAPH 10.17A FENCING OF OPEN SPACE WITH PUBLIC ACCESS FROM RAILWAY LINES.....	112
10.10.	POLICY L2 & PROPOSED CHANGES 21 & 133 LOSS OF PRIVATE OPEN SPACE.....	113
10.11.	POLICY L3 & PROPOSED CHANGES 22, 75 & 134 PROTECTION OF EXISTING OR PROPOSED PUBLIC OPEN SPACE	115

Table of Contents

10.12.	POLICY L4 & PROPOSED CHANGES 23, 24 & 76 PROVISION OF NEW PUBLIC OPEN SPACE	117
10.13.	POLICY L5 OPEN SPACE PROVISION WITHIN NEW RESIDENTIAL DEVELOPMENT	124
10.14.	PARAGRAPH 10.28A & PROPOSED CHANGE 20; POLICY L5A & PROPOSED CHANGE 25 COUNTRY PARKS & WILDLIFE AREAS	125
10.15.	POLICY L8 ALLOTMENTS.....	129
10.16.	PARAGRAPH 10.37 EXTENSION OF COLNE RIVERSIDE WALK	129
10.17.	POLICY L10 GOLF FACILITIES	130
10.18.	POLICY L14 & PROPOSED CHANGES 26, 77 & 135 FOOTPATHS, CYCLEWAYS & BRIDLEWAYS...	130
10.19.	PARAGRAPH 10.56 & PROPOSED CHANGE 136 WORMINGFORD AIRFIELD	131
10.20.	POLICY L15 SPORTS CAUSING NOISE OR DISTURBANCE	132
10.21.	POLICY L16 & PROPOSED CHANGES 27, 28 & 29 COMMUNITY SPORTS STADIUM (COLCHESTER UTD. F.C.)	132
10.22.	POLICY L17 ARTS PROVISION IN MAJOR DEVELOPMENT	134
10.23.	PARAGRAPH 10.69 TOURIST & VISITOR FACILITIES	134
10.24.	POLICY L18 TOURIST & LEISURE FACILITIES	134
11	CHAPTER 11 - TRANSPORT	136
11.1.	PARAGRAPH 11.3(L) & PROPOSED CHANGE 30 TRANSPORT STRATEGY.....	136
11.2.	POLICY T1 PEDESTRIAN NETWORKS IN NEW DEVELOPMENTS	136
11.3.	POLICY T2 & PROPOSED CHANGE 137 CYCLE PARKING REQUIREMENTS	136
11.4.	PARAGRAPH 11.26 & POLICY T3 GREEN COMMUTER PLANS.....	138
11.5.	PARAGRAPH 11.30 INTEGRATED PUBLIC TRANSPORT	139
11.6.	PARAGRAPH 11.33 ACCESS TO PUBLIC TRANSPORT FOR THE DISABLED	139
11.7.	POLICY T5 PUBLIC TRANSPORT.....	140
11.8.	POLICY T6 PROMOTING RAIL FREIGHT.....	141
11.9.	POLICY T7 TRAFFIC MANAGEMENT	141
11.10.	PARAGRAPH 11.44 NEW ROADS TO BE CONSTRUCTED DURING THE LOCAL PLAN PERIOD.....	142
11.11.	POLICY T8 HAULAGE DEPOTS	143
11.12.	POLICY T9 LORRY PARK AT CUCKOO FARM	144
11.13.	PARAGRAPHS 11.50(i) & (ii) & PROPOSED CHANGE 138, PARAGRAPH 11.51 & PROPOSED CHANGE 31 & POLICY T10 CAR PARKING OUTSIDE COLCHESTER TOWN CENTRE	145
11.14.	PARAGRAPH 11.52 & PROPOSED CHANGE 139 & POLICY T11 PUBLIC OFF-STREET CAR PARKING	146
12	CHAPTER 12 - UTILITIES	148
12.1.	PARAGRAPH 12.5 WATER SUPPLIES.....	148
12.2.	POLICY UT1 OFF-SITE SERVICE INFRASTRUCTURE	148
12.3.	PARAGRAPH 12.8 & PROPOSED CHANGE 32 OVERHEAD POWER LINES	149
12.4.	PARAGRAPH 12.9 & PROPOSED CHANGE 33 OVERHEAD POWER LINES	149
12.5.	PARAGRAPH 12.10 & PROPOSED CHANGE 34 OVERHEAD POWER LINES	149
12.6.	POLICY UT3 & PROPOSED CHANGES 35, 36 & 37 TELECOMMUNICATIONS DEVELOPMENT ...	150
12.7.	PARAGRAPH 12.15 & PROPOSED CHANGE 140 TELECOMMUNICATIONS DEVELOPMENT	151
12.8.	POLICY UT4 TELECOMMUNICATIONS DEVELOPMENT	151
13	CHAPTER 13 - HOUSING.....	153
13.1.	PARAGRAPH 13.5 & PROPOSED CHANGE 141 HOUSING OBJECTIVES	153
13.2.	PARAGRAPH 13.7 & PROPOSED CHANGE 142 STATUS OF STRUCTURE PLAN HOUSING REQUIREMENTS	155
13.3.	PARAGRAPH 13.8 (FIRST DEPOSIT VERSION) & PROPOSED CHANGE 39 DELETION OF ALL OF PARAGRAPH 13.8 BY SECOND DEPOSIT VERSION	155
13.4.	PARAGRAPHS 13.9 TO 13.16, PROPOSED CHANGES 143-152 (INCLUSIVE) POLICY H1 & TABLE 4 (INTRODUCTION) HOUSING ALLOCATIONS.....	156
13.5.	PARAGRAPHS 13.9 TO 13.16 & PROPOSED CHANGES 143-152 (INCLUSIVE) HOUSING ALLOCATION & LOCATION STRATEGY AND HOUSING LAND SUPPLY	156
13.6.	POLICY H1, TABLE 4 & INSET C1 PROPOSED HOUSING ALLOCATIONS AT ABBERTON – LANGENHOE	164
13.7.	POLICY H1, TABLE 4 & INSET D3 PROPOSED HOUSING ALLOCATIONS, BOXTED CROSS	166
13.8.	POLICY H1, TABLE 4 & INSET E21 INCLUSION OF LAND WITHIN VILLAGE ENVELOPE, WORKHOUSE HILL, BOXTED.....	167
13.9.	POLICY H1, TABLES 3 & 4 & INSET D4 PROPOSED HOUSING ALLOCATIONS, CHAPPEL & WAKES COLNE	168

Table of Contents

13.10.	POLICY H1, TABLE 4 & INSET C3(A) PROPOSED HOUSING ALLOCATIONS, CHOATS CORNER ..	169
13.11.	POLICY H1, TABLE 4 & COLCHESTER INSET PROPOSED HOUSING ALLOCATIONS, BRAISWICK, COLCHESTER.....	171
13.12.	POLICY H1, TABLE 4 & COLCHESTER INSET PROPOSED HOUSING ALLOCATIONS, CHITTS HILL, COLCHESTER.....	173
13.13.	POLICY H1, TABLE 4 & COLCHESTER INSET HOUSING ALLOCATION, LAND SOUTH SIDE OF CLARENDON WAY, COLCHESTER.....	174
13.14.	POLICY H1, TABLE 4 & COLCHESTER INSET HOUSING ALLOCATION, BT SITE OFF COWDRAY AVENUE, COLCHESTER	175
13.15.	POLICY H1, TABLE 4 & COLCHESTER INSET HOUSING ALLOCATION, BY-PASS NURSERIES SITE, COWDRAY AVENUE, COLCHESTER	175
13.16.	POLICY H1, TABLE 4, COLCHESTER INSET & PROPOSED CHANGES 120 & 163 HOUSING ALLOCATION, THE GARRISON, COLCHESTER.....	176
13.17.	POLICY H1, TABLE 4 & COLCHESTER INSET PROPOSED HOUSING ALLOCATIONS, HYTHE HILL, COLCHESTER.....	177
13.18.	POLICY H1, TABLE 4 & COLCHESTER INSET HOUSING ALLOCATION, R/O MAGDALEN STREET, COLCHESTER.....	178
13.19.	POLICY H1, TABLE 4 & COLCHESTER INSET PROPOSED HOUSING ALLOCATIONS, LAND SOUTH OF BERECHURCH HALL ROAD, MAYPOLE GREEN, COLCHESTER	179
13.20.	POLICY H1, TABLE 4, COLCHESTER INSET & PROPOSED CHANGES 120 & 165 HOUSING ALLOCATION, FORMER SEVERALLS HOSPITAL, BOXTED ROAD, MILE END, COLCHESTER	182
13.21.	POLICY H1, TABLE 4 & COLCHESTER INSET PROPOSED HOUSING ALLOCATIONS, FORMER BRAISWICK FRUIT FARM, MYLAND LODGE & OLD ROSE GARDENS, MILE END ROAD, MILE END, COLCHESTER.....	184
13.22.	POLICY H1, TABLE 4, COLCHESTER INSET & PROPOSED CHANGE 162 HOUSING ALLOCATIONS, FORMER MYLAND HOSPITAL AND LAND WEST OF COLCHESTER GENERAL HOSPITAL, MILL ROAD, MILE END, COLCHESTER	186
13.23.	POLICY H1, TABLE 4 & COLCHESTER INSET PROPOSED HOUSING ALLOCATION, LAND R/O FORMER OXLEY PARKER SCHOOL, MILL ROAD, MILE END, COLCHESTER	187
13.24.	POLICY H1, TABLE 4, COLCHESTER INSET & PROPOSED CHANGE 41 PROPOSED HOUSING ALLOCATION, ROYAL LONDON INSURANCE SOCIETY'S FORMER SPORTS GROUND, MILL ROAD, MILE END, COLCHESTER	188
13.25.	POLICY H1, TABLE 4, COLCHESTER INSET & PROPOSED CHANGE 43 PROPOSED HOUSING ALLOCATIONS, LAND BOUNDED BY A12, NAYLAND ROAD & BOXTED ROAD, MILE END, COLCHESTER.....	190
13.26.	POLICY H1, TABLE 4 & COLCHESTER INSET PROPOSED HOUSING ALLOCATION, LAND WEST SIDE OF SEVERALLS LANE, MILE END, COLCHESTER	192
13.27.	POLICY H1, TABLE 4, COLCHESTER INSET & PROPOSED CHANGES 120 & 164 HOUSING ALLOCATION, TURNER VILLAGE, TURNER ROAD, MILE END, COLCHESTER	194
13.28.	POLICY H1, TABLE 4 & COLCHESTER INSET PROPOSED HOUSING ALLOCATIONS, FINGRINGHOE ROAD, OLD HEATH, COLCHESTER	195
13.29.	POLICY H1, TABLE 4 & COLCHESTER INSET PROPOSED HOUSING ALLOCATIONS, NORTH SIDE OF HARWICH ROAD, PARSON'S HEATH, COLCHESTER	196
13.30.	POLICY H1, TABLE 4 & COLCHESTER INSET, PROPOSED HOUSING ALLOCATION, GOSBECKS FARM, GOSBECKS ROAD, ROMAN FIELDS, COLCHESTER	199
13.31.	POLICY H1, TABLE 4 & COLCHESTER INSET POSSIBLE HOUSING DEVELOPMENT, ST JULIAN GROVE, COLCHESTER	201
13.32.	POLICY H1, TABLE 4 & COLCHESTER INSET PROPOSED HOUSING ALLOCATION, LAND ADJ CLAREMONT HEIGHTS, ESSEX HALL ROAD, OFF STATION WAY, COLCHESTER	201
13.33.	POLICY H1, TABLES 3 & 4 & INSET D5 PROPOSED HOUSING ALLOCATIONS, LONDON ROAD, COPFORD	202
13.34.	POLICY H1, TABLES 3 & 4 & INSET E5 PROPOSED HOUSING ALLOCATIONS, COPFORD GREEN.....	204
13.35.	POLICY H1, TABLE 4 & INSET C2 INCLUSION OF LAND SOUTH OF MANNINGTREE ROAD, DEDHAM WITHIN VILLAGE ENVELOPE	205
13.36.	POLICY H1, TABLE 4 & INSET D6 PROPOSED HOUSING ALLOCATIONS, DEDHAM HEATH.....	206
13.37.	POLICY H1, TABLE 4 & INSET E2 PROPOSED HOUSING ALLOCATIONS, BARGATE LANE/LONG ROAD, DEDHAM.....	207
13.38.	POLICY H1 & TABLE 4 PROPOSED HOUSING ALLOCATIONS, MEETING LANE, EAST MERSEA.....	207
13.39.	POLICY H1, TABLE 4 & INSET C3(B) PROPOSED HOUSING ALLOCATIONS, EIGHT ASH GREEN	208
13.40.	POLICY H1, TABLE 4 & INSET E1 PROPOSED HOUSING ALLOCATIONS, ABBERTON ROAD, FINGRINGHOE	210

Table of Contents

13.41.	...POLICY H1, TABLE 4 & INSET D10 PROPOSED HOUSING ALLOCATIONS AT HIGH PARK CORNER, FINGRINGHOE	211
13.42.	POLICY H1, TABLE 4 & INSET D7 PROPOSED HOUSING ALLOCATIONS, FORDHAM	212
13.43.	POLICY H1, TABLE 4 & INSET D8 PROPOSED HOUSING ALLOCATIONS, FORD STREET	213
13.44.	POLICY H1, TABLE 4 & INSET C5 HOUSING ALLOCATION ON LAND AT TILE HOUSE FARM, GREAT HORKESLEY	215
13.45.	POLICY H1 & TABLE 4 PROPOSED HOUSING ALLOCATION, BOXTED CHURCH ROAD, GREAT HORKESLEY	219
13.46.	POLICY H1, TABLE 4 & INSET D9 PROPOSED HOUSING ALLOCATIONS, GREAT TEY	220
13.47.	POLICY H1, TABLE 4 & INSET E9 HOUSING ALLOCATION, LAND ADJOINING 'MARELS', SCHOOL LANE, GREAT WIGBOROUGH	222
13.48.	POLICY H1, TABLE 4 & INSET E10 INCLUSION OF LAND AT HARDY'S GREEN WITHIN THE VILLAGE ENVELOPE	223
13.49.	POLICY H1 & TABLE 4 PROPOSED HOUSING ALLOCATION, HECKFORD BRIDGE	224
13.50.	POLICY H1, TABLE 4 & INSET D11 PROPOSED HOUSING ALLOCATION, LANGHAM MOOR	224
13.51.	POLICY H1, TABLE 4 & INSET D15, PROPOSED HOUSING ALLOCATIONS, ST MARGARET'S CROSS, LANGHAM	225
13.52.	POLICY H1, TABLE 4, INSET C4 & PROPOSED CHANGE 153 PROPOSED HOUSING ALLOCATION, BRICKWALL FARM, BIRCH ROAD, LAYER-DE-LA-HAYE	227
13.53.	POLICY H1, TABLE 4 & INSET C4 OTHER PROPOSED HOUSING ALLOCATIONS, LAYER-DE-LA-HAYE – MALTING GREEN	229
13.54.	POLICY H1, TABLE 4 & INSET C6(A) PROPOSED HOUSING ALLOCATION, LAND BETWEEN LONDON ROAD AND COGGESHALL ROAD AND NORTH OF COGGESHALL ROAD, MARKS TEY	231
13.55.	POLICY H1, TABLE 4 & INSET C6(A) OTHER PROPOSED HOUSING ALLOCATIONS, NORTH OF A12 AND WEST OF MARKS TEY ROUNDABOUT, MARKS TEY	233
13.56.	POLICY H1, TABLE 4 & INSET C6(B) PROPOSED HOUSING ALLOCATIONS, RAILWAY STATION & NORTH LANE, MARKS TEY	235
13.57.	POLICY H1, TABLE 4 & INSET C6(A) & (B) PROPOSED HOUSING ALLOCATIONS, SOUTH OF A12, MARKS TEY	237
13.58.	POLICY H1, TABLE 4 & INSET D13 HOUSING ALLOCATION, SCHOOL ROAD, MESSING	239
13.59.	POLICY H1, TABLE 4 & INSET D13 OTHER PROPOSED HOUSING ALLOCATION, SCHOOL ROAD, MESSING	240
13.60.	POLICY H1, TABLE 4 & INSET E20 PROPOSED HOUSING ALLOCATIONS, MIDDLE GREEN	240
13.61.	POLICY H1 & TABLE 4 PROPOSED HOUSING ALLOCATION, WITHERS FARM, PEARTREE HILL, MOUNT BURES	242
13.62.	POLICY H1, TABLE 4, INSET D14 & PROPOSED CHANGE 40 HOUSING ALLOCATION, LAND AT ST IVES FARM, PELDON	243
13.63.	POLICY H1, TABLE 4 & INSET D14 OTHER PROPOSED HOUSING ALLOCATIONS AT PELDON	246
13.64.	POLICY H1, TABLE 4 & INSET D16 HOUSING ALLOCATION, ROSE LANE, SALCOTT	247
13.65.	POLICY H1, TABLE 4 & INSET D16 OTHER PROPOSED HOUSING ALLOCATIONS, SALCOTT	248
13.66.	POLICY H1, TABLE 4 & INSET E18 PROPOSED HOUSING ALLOCATION, SMYTHE'S GREEN	249
13.67.	POLICY H1, TABLE 4 & COLCHESTER INSET HOUSING ALLOCATION, PHASE 2 OF RESIDENTIAL DEVELOPMENT AT CHURCH LANE, STANWAY	250
13.68.	POLICY H1, TABLE 4 & COLCHESTER INSET PROPOSED HOUSING ALLOCATION, LAND BETWEEN DYERS ROAD & WARREN LANE, STANWAY	251
13.69.	POLICY H1, TABLE 4 & COLCHESTER INSET PROPOSED HOUSING ALLOCATION, LAND EAST SIDE OF WINSTREE ROAD, STANWAY	252
13.70.	POLICY H1, TABLE 4 & INSET E19 PROPOSED HOUSING ALLOCATION, SWAN STREET	253
13.71.	POLICY H1, TABLE 4, TIPTREE INSET & PROPOSED CHANGE 78 HOUSING ALLOCATION, GROVE ROAD, TIPTREE	254
13.72.	POLICY H1, TABLE 4, TIPTREE INSET & PROPOSED CHANGE 79 HOUSING ALLOCATION, GAFFNEY OF TIPTREE, NEWBRIDGE ROAD, TIPTREE	255
13.73.	POLICY H1, TABLE 4 & TIPTREE INSET OTHER PROPOSED HOUSING ALLOCATIONS IN NEWBRIDGE ROAD, TIPTREE	256
13.74.	POLICY H1, TABLE 4 & TIPTREE INSET PROPOSED LARGE-SCALE HOUSING ALLOCATIONS, WEST SIDE OF TIPTREE	258
13.75.	POLICY H1, TABLE 4 & TIPTREE INSET PROPOSED HOUSING ALLOCATION, LAND AT WINDMILL HILL, TIPTREE	262
13.76.	POLICY H1, TABLE 4 & TIPTREE INSET PROPOSED HOUSING ALLOCATION, TIPTREE HEATH PRIMARY SCHOOL, MALDON ROAD, TIPTREE	263
13.77.	POLICY H1, TABLE 4 & TIPTREE INSET PROPOSED HOUSING ALLOCATION, LAND AT HALL ROAD, TIPTREE	263

Table of Contents

13.78.	POLICY H1, TABLE 4 & TIPTREE INSET PROPOSED HOUSING ALLOCATION, LAND WEST OF BULL LANE, TIPTREE.....	264
13.79.	POLICY H1, TABLE 4 & INSET C8 PROPOSED HOUSING ALLOCATIONS, WEST BERGHOLT.....	265
13.80.	POLICY H1, TABLE 4 & WEST MERSEA INSET HOUSING ALLOCATION ON LAND ON THE NORTH SIDE OF EAST ROAD, WEST MERSEA	267
13.81.	POLICY H1, TABLE 4 & WEST MERSEA INSET OTHER PROPOSED HOUSING ALLOCATIONS AT WEST MERSEA.....	272
13.82.	POLICY H1, TABLE 4 & COLCHESTER INSET PROPOSED HOUSING ALLOCATIONS, WIVENHOE... ..	274
13.83.	POLICY H1, TABLE 4 & INSET D17 PROPOSED HOUSING ALLOCATIONS, WORMINGFORD	279
13.84.	PARAGRAPH 13.17 & POLICY H2 SPECIALIST SHELTERED HOUSING ACCOMMODATION	280
13.85.	PARAGRAPHS 13.18 & 13.19 & POLICY H3 CONVERSIONS TO FLATS/BEDSITS	281
13.86.	PARAGRAPH 13.20 AFFORDABLE HOUSING	282
13.87.	PARAGRAPHS 13.21, 13.22 & 13.23 AFFORDABLE HOUSING.....	282
13.89.	PARAGRAPH 13.24A AFFORDABLE HOUSING	287
13.88.	PARAGRAPH 13.24 & PROPOSED CHANGE 42 AFFORDABLE HOUSING.....	283
13.90.	PARAGRAPH 13.24B AFFORDABLE HOUSING	288
13.91.	POLICY H4 AFFORDABLE HOUSING.....	290
13.92.	PROPOSED NEW POLICY H4A ‘ONE-OFF’ PRIVATE DWELLINGS ON LARGE HOUSING DEVELOPMENTS.....	292
13.93.	POLICY H5 Low-Cost Rural Housing.....	292
13.94.	POLICY H6 GYPSY CARAVAN SITES	293
13.95.	PARAGRAPH 13.34 & POLICY H7 (FIRST DEPOSIT VERSION) NON-RESIDENTIAL USES IN RESIDENTIAL AREAS.....	294
13.96.	PARAGRAPHS 13.35 & 13.36 & PROPOSED CHANGE 154 RURAL HOUSING PROVISION	294
13.97.	POLICY H8(FIRST DEPOSIT VERSION) RURAL HOUSING PROVISION	295
13.98.	PARAGRAPH 13.37 & PROPOSED CHANGES 155, 156 & 157; POLICY H9 & PROPOSED CHANGE 158 DEVELOPMENT WITHIN VILLAGE ENVELOPES.....	296
13.99.	PARAGRAPHS 13.38, 13.39 & 13.40, POLICY H10 & PROPOSED CHANGE 159 MINOR VILLAGES & HAMLETS	297
13.100.	PARAGRAPHS 13.41 TO 13.43B (INCLUSIVE) & POLICY H11 EXTENSIONS TO DWELLINGS IN THE COUNTRYSIDE.....	298
13.101.	PARAGRAPHS 13.44 & 13.45; PARAGRAPHS 13.45A, B AND C & POLICY H12 ; PROPOSED CHANGES 160 & 161 REPLACEMENT DWELLINGS IN THE COUNTRYSIDE	299
13.102.	POLICY H13 AGRICULTURAL & FORESTRY WORKER DWELLINGS	300
13.103.	PARAGRAPHS 13.51 TO 13.53 (INCLUSIVE) & POLICY H14 REMOVAL OF AGRICULTURAL WORKER OCCUPANCY CONDITIONS	301
13.104.	POLICY H15 EXTENSIONS TO GARDENS IN THE COUNTRYSIDE.....	301
13.105.	PARAGRAPH 13.59(A) HOUSING DENSITY POLICY	302
13.106.	PARAGRAPH 13.60(A) & PROPOSED CHANGE 39 HOUSING DENSITY POLICY	302
13.107.	PARAGRAPH 13.60(B) HOUSING DENSITY POLICY	303
13.108.	TABLE 3 SETTLEMENT CLASSIFICATION – STANWAY	303
13.109.	TABLE 3 SETTLEMENT CLASSIFICATION – GREAT HORKESLEY	304
14	CHAPTER 14 - EMPLOYMENT	305
14.1.	PARAGRAPH 14.4 EMPLOYMENT OBJECTIVES.....	305
14.2.	PARAGRAPH 14.6 & TABLE 5 EMPLOYMENT ZONE DISTRIBUTION	306
14.3.	PARAGRAPH 14.7 AND PROPOSED CHANGE 45 RE-USE OF PROPOSED CUCKOO FARM COMMUNITY STADIUM FOR EMPLOYMENT PURPOSES	307
14.4.	PARAGRAPH 14.7, PROPOSED CHANGE 44 & TABLE 6 LAND BETWEEN NAYLAND ROAD & BOXTED ROAD (‘THE BOXTED TRIANGLE’), MILE END.....	307
14.5.	PARAGRAPH 14.10 EMPLOYMENT ZONE PROVISION.....	309
14.6.	PARAGRAPH 14.14 TYPES OF EMPLOYMENT WITHIN EMPLOYMENT ZONES	309
14.7.	POLICY EMP1 EMPLOYMENT LAND PROVISION & APPROPRIATE USES	310
14.8.	TABLE 6 EMPLOYMENT LAND PROVISION	312
14.9.	POLICY EMP1 PROPOSED BUSINESS/SCIENCE PARK, STANE STREET, STANWAY.....	314
14.10.	POLICY EMP1 EXTENSION OF EMPLOYMENT ALLOCATION, FLÄKTWOODS (FORMERLY WOODS OF COLCHESTER), TUFNELL WAY, BRAISWICK.....	315
14.11.	TABLE 6 ALLOCATION OF THE COWDRAY CENTRE AS AN EMPLOYMENT ZONE.....	316
14.12.	POLICY EMP2 DEVELOPMENT OUTSIDE EMPLOYMENT ZONES.....	316
14.13.	POLICY EMP3 FINGRINGHOE BALLAST QUAY	317

Table of Contents

14.14.	PARAGRAPHS 14.29A TO 14.35 AND PROPOSED CHANGES 166, 167 & 168 EMPLOYMENT USES IN THE COUNTRYSIDE	318
14.15.	POLICY EMP4, PROPOSED CHANGE 46 & TABLE 5 EMPLOYMENT USES IN THE COUNTRYSIDE.	318
14.16.	POLICY EMP5 & PROPOSED CHANGES 47, 169 & 170 FREESTANDING RURAL BUSINESS SITES ..	320
14.17.	POLICY EMP7 DEVELOPMENT OF EXISTING EMPLOYMENT SITES IN THE COUNTRYSIDE.....	323
15	CHAPTER 15 - TOWN CENTRE & SHOPPING	325
15.1.	POLICY LPS1 LOCAL PLAN STRATEGY	325
15.2.	POLICY TCS1 & PROPOSED CHANGES 49, 84, 85, 88, 89, 91 AND 92 PROTECTING THE VITALITY & VIABILITY OF COLCHESTER TOWN CENTRE.....	325
15.3.	POLICY TCS2 & PROPOSED CHANGES 94 & 95 NEW COMPARISON SHOPPING PROVISION.....	329
15.4.	POLICY TCS2A & PROPOSED CHANGES 80, 97, 98, 99, 100, 101 & 102 FOOD SHOPPING IN THE URBAN AREA.....	332
15.5.	POLICY TCS3 CHANGES OF USE FROM RETAIL	335
15.6.	POLICY TCS4 & PROPOSED CHANGE 103 MIXED USE AREAS 'A'	336
15.7.	POLICY TCS10 & PROPOSED CHANGES 104, 105, 106, 107 & 108 RETAIL DEVELOPMENT OUTSIDE COLCHESTER TOWN CENTRE	337
15.8.	POLICY TCS11 & PROPOSED CHANGES 51, 109, 110 & 111 RURAL, DISTRICT & LOCAL SHOPPING CENTRES	347
15.9.	POLICY TCS12 SHOPPING IN VILLAGES & THE COUNTRYSIDE.....	352
15.10.	POLICY TCS14 ELIMINATING UNNECESSARY MOTOR VEHICLE MOVEMENTS.....	353
15.11.	POLICY TCS15 PRIVATE NON-RESIDENTIAL PARKING FOR COMMERCIAL DEVELOPMENT	354
15.12.	POLICY TCS 21 PRESERVING THE TOWN CENTRE'S ROLE.....	355
15.13.	POLICY TCS23 CINEMA DEVELOPMENTS.....	355
15.14.	POLICY TCS24 & PROPOSED CHANGE 83 PROPOSED REGENERATION AREAS	357
16	CHAPTER 16 - EAST COLCHESTER & THE HYTE.....	362
16.1.	PARAGRAPHS 16.9 & 16.10 COMPREHENSIVE DEVELOPMENT STRATEGY	362
16.2.	PARAGRAPH 16.18 TIDAL BARRIER AT THE HYTE.....	362
16.3.	PARAGRAPH 16.19(d) & PROPOSED CHANGE 171 LEVELS & TYPES OF COMMUNITY/SOCIAL/EDUCATION CONTRIBUTION IN THE RIVER COLNE REGENERATION AREA	363
16.4.	PARAGRAPHS 16.20 & 16.21 MIXED USE DEVELOPMENT IN THE RIVER COLNE REGENERATION AREA	363
16.5.	PARAGRAPH 16.21A TRANSPORT FACILITIES WITHIN THE RIVER COLNE REGENERATION AREA.	365
16.6.	PARAGRAPH 16.22 CAR-FREE RESIDENTIAL DEVELOPMENTS.....	366
16.7.	PARAGRAPH 16.24 URBAN DESIGN IN THE RIVER COLNE REGENERATION AREA.....	366
16.8.	POLICY ECH1 & PROPOSED CHANGE 172 RIVER COLNE REGENERATION AREA	367
16.9.	PARAGRAPH 16.24A KEY AREAS WITHIN THE RIVER COLNE REGENERATION AREA	369
16.10.	PARAGRAPH 16.24B & POLICY ECH2 AREA 1 – THE FORMER MOLER WORKS SITE	370
16.11.	PARAGRAPH 16.24C, POLICY ECH2A & PROPOSED CHANGES 173 & 174 AREA 2 – FORMER GASWORKS SITE, HYTE QUAY.....	371
16.12.	PARAGRAPH 16.24D & POLICY ECH2B; PROPOSED CHANGES 52, 175 & 176 AREA 3 – ALBANY LAUNDRY SITE & ADJACENT LAND OFF HAVEN ROAD.....	372
16.13.	PARAGRAPH 16.24E & PROPOSED CHANGE 53; POLICY ECH2C AREA 4 – THE HYTE CONSERVATION AREA	373
16.14.	PARAGRAPH 16.24F & POLICY ECH2D AREA 5 – KING EDWARD QUAY & ADJACENT SITES ...	374
16.15.	POLICY ECH3 (FIRST DEPOSIT VERSION) SITES FRONTING THE RIVER COLNE	374
16.16.	PARAGRAPH 16.28 & PROPOSED CHANGE 54 PROTECTING AND ENHANCING THE NATURAL ENVIRONMENT.....	375
16.17.	POLICY ECH8 MAGDALEN STREET SPECIAL POLICY AREA	375
16.18.	PARAGRAPH 16.33 & POLICY ECH11 PAXMANS SOCIAL CLUB	376
16.19.	POLICY ECH11 WILSON MARRIAGE CENTRE.....	377
17	CHAPTER 17 - COLCHESTER GARRISON.....	379
17.1.	PARAGRAPH 17.4(A) OBJECTIVES FOR THE GARRISON REGENERATION AREA.....	379
17.2.	PARAGRAPH 17.8 & PROPOSED CHANGE 55 GARRISON REGENERATION AREA	379
17.3.	PARAGRAPH 17.9 (H) RESIDENTIAL CAPACITY OF GARRISON REGENERATION AREA.....	380
17.4.	PARAGRAPH 17.9(H) LOCAL SHOPPING FACILITIES WITHIN GARRISON REGENERATION AREA ...	381
17.5.	POLICY G1 GARRISON REGENERATION AREA	382

18	CHAPTER 18 - MILE END.....	383
18.1.	PARAGRAPH 18.3 THE SECOND PHASE OF THE NORTHERN APPROACHES TRANSPORT STRATEGY ...	383
18.2.	PARAGRAPH 18.4 ENHANCING THE ENVIRONMENT	383
18.3.	PARAGRAPH 18.5 OBJECTIVES	384
18.4.	PARAGRAPH 18.7 & PROPOSED CHANGE 177 COMMUNITY & INFRASTRUCTURE REQUIREMENTS FOR NEW DEVELOPMENT	384
18.5.	PARAGRAPH 18.9(ii) REMOVAL OF TRAFFIC FROM MILE END ROAD & TURNER ROAD	385
18.6.	PARAGRAPH 18.9(iii) EXPRESS BUS SERVICES FROM NORTH COLCHESTER	386
18.7.	PARAGRAPH 18.10 OVERALL TRANSPORT IMPROVEMENTS	386
18.8.	POLICY ME1 COMMUNITY & INFRASTRUCTURE REQUIREMENTS	387
18.9.	POLICY ME1(A) MYLAND HOSPITAL SITE & LAND WEST OF THE COLCHESTER DISTRICT GENERAL HOSPITAL.....	389
18.10.	POLICY ME1(B) SEVERALLS HOSPITAL RESIDENTIAL ALLOCATION & CUCKOO FARM EMPLOYMENT ZONE.....	389
18.11.	POLICY ME1(C) EASTERN END OF CUCKOO FARM.....	390
18.12.	POLICY ME1(D) WINDFALL SITES	391
18.13.	PARAGRAPH 18.11 HIGH WOODS COUNTRY PARK EXTENSION	391
18.14.	PARAGRAPH 18.12 COMMUNITY SPORTS STADIUM	392
18.15.	PARAGRAPH 18.13 CUCKOO FARM (SOUTH OF THE A12) EMPLOYMENT ZONE.....	393
18.16.	PARAGRAPH 18.13(B) LANDSCAPED BUFFER ALONGSIDE THE A12	393
19	CHAPTER 19 - STANWAY	395
19.1.	PARAGRAPH 19.3 & PROPOSED CHANGES 56 & 57 OBJECTIVES.....	395
19.2.	PARAGRAPH 19.9 LAND BETWEEN ESSEX YEOMANRY WAY & SOUTH OF CHURCH LANE.....	396
19.3.	POLICY STA2 LAND BETWEEN ESSEX YEOMANRY WAY & SOUTH OF CHURCH LANE.....	397
19.4.	PARAGRAPH 19.10(A) & PROPOSED CHANGE 112 RECREATIONAL ZONE SOUTH OF CHURCH LANE.....	398
19.5.	PARAGRAPH 19.12 & PROPOSED CHANGE 178 RECREATIONAL ZONE SOUTH OF CHURCH LANE	399
19.6.	PARAGRAPH 19.13 & POLICY STA3 RECREATIONAL ZONE SOUTH OF CHURCH LANE	399
19.7.	POLICY STA4 & PROPOSED CHANGE 58 PEARTREE ROAD MIXED USE AREA	400
20	CHAPTER 20 - TIPTREE.....	402
20.1.	PARAGRAPH 20.2 OBJECTIVES	402
20.2.	PARAGRAPH 20.6 & POLICY TIP2 TIPTREE BOOK SERVICES (T.B.S) SITE.....	402
20.3.	PARAGRAPHS 20.7 & 20.8 & POLICY TIP3 EMPLOYMENT LAND	404
20.4.	PARAGRAPH 20.9 & PROPOSED CHANGES 59, 60 & 61 NEWBRIDGE ROAD INDUSTRIAL DEVELOPMENT LIMIT	406
20.5.	PARAGRAPH 20.10, TABLE 9 & PROPOSED CHANGE 113; PARAGRAPH 20.11, TABLE 10 & PROPOSED CHANGES 114, 115, 116, 117, 118 & 119 OPEN SPACE	407
20.6.	TIPTREE INSET & PROPOSED CHANGE 122 AMEND BOUNDARY OF PREDOMINANTLY RESIDENTIAL AREA	409
21	CHAPTER 21 - IMPLEMENTATION AND CONTROL	411
21.1.	SCHEDULE 2 EXTRA REQUIREMENTS TO POLICY AREAS.....	411

1 Chapter 1 - Introduction

1.1. PARAGRAPH 1.17 *Strategy*

Objection 0453 / 01491 Landowners Promoting Marks Tey Market Town

KEY ISSUE

- The historic town centre of Colchester is already overstretched by peripheral expansion of the urban area. Therefore, further growth should be concentrated in new self-contained settlements, such as could take place at Marks Tey.

CONCLUSION

1.1.1. While growth is likely to be concentrated for the foreseeable future in the urban area of Colchester/Stanway, I could see little evidence that facilities in the Town Centre were overstretched to the extent that its historic fabric was being harmed. Concentration of development within the existing urban area is likely to remain the most sustainable form of development by reducing the risk of wasteful patterns of journeys to work. At the same time, accessibility to the Town Centre is likely to encourage its historic fabric to be put to sound uses in financial terms, thereby keeping the core of the longest continually occupied urban centre in Britain in good heart. I recommend that no alterations be made to the Local Plan in response to this objection.

RECOMMENDATION

1.1.2. I recommend that no modification be made to the Local Plan.

2 Chapter 2 - Local Plan Strategy

2.1. PARAGRAPHS 2.2, 2.3, 2.4 & 2.8 *Growth and the Environment*

Objection

0651 / 01595

English Heritage

0583 / 01365

Myland Parish Council

KEY ISSUES

- The Local Plan should not give the impression that protection of the environment is necessarily a constraint upon growth and prosperity.
- There is little evidence in the Local Plan of a proper balance being struck between housing and employment growth and protection of the environment, as far as the area covered by Myland Parish Council is concerned.

CONCLUSION

2.1.1. Paragraph 2.2 of the Second Deposit Version makes the additional point that some development can be consistent with conservation and enhancement of the environment. To my mind in overall terms the Local Plan strikes the correct balance between encouraging growth and renewal in the right places and protecting the existing fabric and natural resources of the Borough. I am satisfied that the Council is especially mindful of the need to protect its historic heritage from which the locality derives substantial revenues from tourism and leisure activities. Therefore, I see no need to amend the Local Plan in response to English Heritage's objection.

2.1.2. Turning to that of Myland Parish Council, I accept that significant volumes of new housing and employment land are to be concentrated within its boundaries but environmental measures are also proposed to assimilate these within the existing urban and rural surroundings. These are discussed at greater length at Chapter 18 of my report. The section of the Northern Approaches Road across Mill Road has already been constructed without an underpass. Therefore, no changes are recommended with regard to this objection.

RECOMMENDATION

2.1.3. I recommend that no modification be made to the Local Plan.

2.2. PARAGRAPHS 2.12 & 2.15(i) *Strategic Objectives*

Objections

0238 / 01507

George Wimpey Plc & Booker Plc

0297 / 00514

Environment Agency

0453 / 01493

Landowners Promoting Marks Tey Market Town

KEY ISSUES

- No reference is made in the 11 strategic objectives set out in paragraph 2.12 of the function of the Local Plan to provide for the future needs of housing, employment and other forms of development, except in the context of constraints.
- The objectives should allow for new forms of large-scale mixed development outside the main built-up area of Colchester.

- The strategy should also include mention of the need to minimise water use and to reduce pollution levels and amounts of waste materials.
- Paragraph 2.15(i) should say that the Local Plan is in conformity with the adopted Structure Plan, not that it broadly complies.

CONCLUSION

2.2.1. I agree with the first objectors that the role of the Local Plan, as a means of enabling much needed development to proceed, is couched in somewhat grudging terms in paragraph 2.12. However, I am satisfied that paragraph 2.15(i) spells out with some precision the requirements for housing and employment land set by Structure Plan requirements and for other forms of development, such as relocation of Colchester United's football ground. Paragraph 2.15(i)'s wording on the Local Plan's conformity with the Structure Plan may not be in accord with the usual form of words. Nevertheless, the important fact is that a certificate of conformity with the adopted Essex and Southend-on-Sea Structure Plan has been granted for this Local Plan by the appropriate authority. In these circumstances, I see no need to change the wording of paragraphs 2.12 and 2.15(i) in response to the objection of George Wimpey Plc & Booker Plc.

2.2.2. Turning to the objection of Landowners Promoting Marks Tey Market Town, paragraph 65 of PPG3 recognises that not all development can take place within urban areas. However, the Council has undertaken an exercise where it has indicated to my satisfaction that the existing urban area has the capacity to accommodate almost all of the additional housing required to meet Structure Plan targets. In these circumstances, it is hardly surprising that the provision of large-scale mixed development outside the Colchester urban area does not form part of the Local Plan strategy. To do otherwise would be in direct contradiction of clear-cut advice set out in paragraph 30 of PPG3. This states that local plans should follow a search sequence starting with re-use of previously-developed land and buildings within urban areas identified by the urban housing capacity study, then urban extensions and only finally new development around nodes in good public transport corridors. Local plans should seek only to identify sufficient land to meet the housing requirement set as a result of structure plan processes. In doing so a local plan does not need to consider all the land in its area; the search should only extend to provide sufficient capacity to meet the agreed housing requirement. I am satisfied that Colchester BC's approach has been completely in accord with this well-publicised government advice. In contrast, PPG3 emphasises that large-scale housing provision outside the main urban area, as proposed by the objectors, should only be promoted as a last resort. I am firmly of the opinion that this is not necessary for the duration of this local plan's lifetime. Therefore the objection fails.

2.2.3. Finally, I agree with the Environment Agency that the need to cut down waste, reduce air pollution and minimise water usage are highly desirable objectives, the latter especially so in a very dry part of the country. However, it seems to me that these are best achieved through the implementation of the Agency's own statutory powers, and through planning powers that are vested in the County Council rather than the lower tier authority. To restate these matters in the Local Plan strategy would, in my judgement, have little if any practical impact upon the everyday control of these matters. Therefore, I recommend that the Local Plan remain unchanged in response to this objection.

RECOMMENDATION

2.2.4. I recommend that no modification be made to the Local Plan.

2.3. PARAGRAPH 2.15(ii) Sequential Approach to Housing Development

Objections

0460 / 00968	C F Anderson & Sons Ltd
0461 / 00995	Mr M Hollingsworth
0462 / 00987	ADCO Group Limited
0581 / 01340	Royal Eastern Counties School

KEY ISSUE

- Paragraph 2.15(ii) should indicate that the creation of urban villages on large landholdings is also a sustainable means of contributing towards the sequential approach of new housing development in addition to the redevelopment of brownfield sites, which tend to be smaller.

CONCLUSION

2.3.1. Three of the objectors have land holdings at Marks Tey, outside the main built-up area of Colchester/Stanway and therefore in a less sustainable location than the main housing allocations proposed in the Local Plan. The fourth objection relates to disused playing fields adjoining Council owned sportsfields in north Colchester and is therefore eminently suited to such uses. Even if the Local Plan were to be amended in the manner suggested by the objectors, I cannot find any way in which their own site-specific arguments would be enhanced by adopting their suggestions within the Local Plan strategy. Indeed, it may be argued that the main Local Plan development allocations at The Garrison and Severalls Hospital are urban villages in their own right on large landholdings without the term being specifically mentioned in the plan's overall strategy. To my mind the important consideration is that new housing allocations in the Local Plan should follow the sequential approach of PPG3. The objectors' sites would not accord with this approach, unlike the main sites proposed in the plan. Therefore, I am satisfied that there is no need to amend the Local Plan in response to these objections.

RECOMMENDATION

2.3.2. I recommend that no modification be made to the Local Plan.

2.4. PARAGRAPH 2.15(vi) Village Envelopes

Objection

0440 / 00905	The Colchester Meeting Room Trust
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KEY ISSUE

- Further emphasis should be placed upon the significance of village envelope boundaries. These should be clearly demarcated and follow recognisable physical features on the ground. It should be made clear, in additional paragraphs and a Local Plan Strategy policy, that development appropriate to a rural settlement will be acceptable within envelopes, and that these will include activities and uses normally found in a village. This will differentiate villages more clearly from open countryside, where there will be a widespread presumption against most forms of development. There is no need for tight boundaries around villages when no similar constraints are placed around Colchester, Stanway and Tiptree.

CONCLUSION

2.4.1. The objectors appear to see a role for village envelopes in the Local Plan rather different from that of the document before me or its predecessors, upon which so many of the boundaries of village envelopes in the current plan are based. The objectors seem to be arguing for the inclusion of all village activities within an envelope. On the other hand, I and the Council look upon envelopes as the means of identifying those limited areas of land inside rural settlements where general housing can be accommodated without causing harm to the existing fabric of a village and preventing its expansion into more open areas, which would bring about undesirable sprawl. It may be that the objectors consider that a more lenient approach to village boundaries could allow uneconomic rural services to revive. My experience is that the opposite is frequently the case. Occupiers of new houses in villages often travel to towns by car for their goods and services and for employment so that the local economy does not benefit. On the other hand, by expanding village envelopes to take in all potential village land, the opportunity to provide sites for rural exceptions affordable housing, which could meet a genuine local need, would be lost, because such sites should not be identified in local plans. This would be contrary to the advice in paragraph 4 of Annex B to PPG3. I do not therefore recommend that any alterations be made to the Local Plan with regard to this objection.

RECOMMENDATION

2.4.2. I recommend that no modification be made to the Local Plan.

2.5. PARAGRAPH 2.15(vii) Wivenhoe**Objection**

0242 / 01123

Landmatch Ltd (prev. Lafarge)

KEY ISSUE

- Further housing land is required in Wivenhoe, bearing in mind its status as one of the principal urban centres in the Borough.

CONCLUSION

2.5.1. Paragraph 2.15(vii) indicates that housing provision will continue to be made at Wivenhoe to meet outstanding commitments. However, the settlement is identified as having limited facilities, which should be protected. The main thrust of the Local Plan is that most new housing development should be concentrated in Colchester/Stamway to maximise use of existing main urban facilities and not to place an undue burden upon services in smaller centres, such as Wivenhoe, that may become overstretched. In these circumstances, I fully endorse the Council strategy of directing new housing away from smaller less sustainable developments towards the urban core of the Borough. For these reasons, I do not consider that a firm proposal to expand the built-up area of Wivenhoe onto greenfield sites should be included within a general strategy for Colchester as a whole and the objection is rejected.

RECOMMENDATION

2.5.2. I recommend that no modification be made to the Local Plan.

2.6. PARAGRAPH 2.15(xi) Transport**Objection**

0583 / 01365

Myland Parish Council

KEY ISSUE

- The objective in paragraph 2.15(xi) of reducing dependency on the private car does not apply in Myland Parish, which is very poorly served by public transport. An underpass should replace the proposed junction between Mill Road and the Northern Approaches Road.

CONCLUSION

2.6.1. The fact that the objector considers that proposed alternative transport facilities in North Colchester would be insufficient to dissuade car owners to reduce the usage of their vehicles is to my mind no reason to decry the general approach of the objective set out in paragraph 2.15(xi). The section of the Northern Approaches Road across Mill Road has already been constructed without an underpass. Therefore, no changes are recommended with regard to this objection.

RECOMMENDATION

2.6.2. I recommend that no modification be made to the Local Plan.

3 Chapter 3 - Overall Development Control Policy DC1

3.1. PARAGRAPH 3.2 & PROPOSED CHANGE 62 *Policy Background*

KEY ISSUE

- Replacement of the words “*is unlikely to*” in Line 3 of paragraph 3.2 with “*may not*”.

CONCLUSION

3.1.1. The suggested wording in Proposed Change 62 is simpler and clearer. Therefore, it is to be preferred.

RECOMMENDATION

3.1.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 62.

3.2. PARAGRAPH 3.6 *Transport*

Objection

0583 / 01365

Myland Parish Council

KEY ISSUE

- The objective in paragraph 3.6 of reducing dependency on the private car does not apply in Myland Parish where the segregated bus track along the proposed Northern Approaches Road would not run near existing residential areas. A more visionary approach towards public transport is required within the Parish if car owners are to be persuaded to leave their vehicles at home.

CONCLUSION

3.2.1. The fact that the objector considers that proposed alternative transport facilities in North Colchester would be insufficient to dissuade car owners to reduce the usage of their vehicles is to my mind no reason to decry the general approach of the objective set out in paragraph 3.6. Therefore, I do not recommend that any changes be made to the paragraph.

RECOMMENDATION

3.2.2. I recommend that no modification be made to the Local Plan.

3.3. PARAGRAPH 3.8 *Development Affecting the Road Network*

Objection

0127 / 00161

Colchester Cycling Campaign

KEY ISSUE

- Reference to “*traffic*” in the paragraph should be confined to private vehicular traffic and should exclude cycling, walking and public transport.

CONCLUSION

3.3.1. The paragraph refers to traffic considerations in the round. While policies in the transport chapter and elsewhere are designed to reduce the dependence on the private car, highway traffic in its totality includes cycling, walking and public transport. Consequently, I can see no sound reason for altering this paragraph in the manner suggested by the objector.

RECOMMENDATION

3.3.2. I recommend that no modification be made to the Local Plan.

3.4. PARAGRAPH 3.20 *Local Shopping Centres*

Objection

0583 / 01365

Myland Parish Council

KEY ISSUE

- The closure to through traffic of Nayland Road between Defoe Crescent and Fords roundabout will undermine shops' viability and lead to the closure of retail premises fronting that road, contrary to the objective of paragraph 3.20 to protect the role of local shopping centres in outer Colchester.

CONCLUSION

3.4.1. The objectors provide no evidence to back up their assertion that the closure of a section of Nayland Road to through traffic will lead to the closure of local shops. The shops in question may lose their car-borne passing trade. Equally, the shopping environment may be more conducive to catering for local needs by the removal of the bulk of the traffic so the effect of this road closure could well be neutral overall. In any event, these considerations cannot affect the general aims of this policy which, from their general tone, the objectors seem to support. Consequently, there is no need to change this paragraph.

RECOMMENDATION

3.4.2. I recommend that no modification be made to the Local Plan.

3.5. POLICY DC1 *Development Control Considerations – General*

Objections

0331 / 00590

Colchester & East Essex Co-operative Society Ltd

0453 / 01496

Landowners Promoting Marks Tey Market Town

0460 / 00977

C F Anderson & Sons Ltd

0461 / 01332

Mr M Hollingsworth

0462 / 00993

ADCO Group Limited

0573 / 02091

The Secretary of State for Health

0581 / 01337

Royal Eastern Counties School

KEY ISSUES

- The Policy as a whole is unduly prescriptive, setting rigid criteria against which all proposals will be assessed.
- The Policy is too general to secure sustainable development, one of the main aims of the Local Plan.

CONCLUSION

3.5.1. The policy sets out general criteria against which most applications for planning permission are to be judged. To my mind it is useful to have this in one place in a wordy document, such as a Borough-wide Local Plan, rather than most prospective applicants having to trawl through page after page to find the relevant section of the written statement that relates to their particular proposal. In my opinion, the policy is not unduly prescriptive as it sets out, in the Second Deposit version, in the introductory sentence, that proposals for development will only be permitted if they satisfactorily meet ... criteria *where relevant* (my emphasis). Therefore, only relevant criteria need to be taken into account and none of these is, in my estimation, expressed in a rigid form such as numerical standards. In these circumstances, I do not accept the arguments that the plan is unduly prescriptive.

3.5.2. At the other extreme, it is argued that the Policy does not go far enough in promoting sustainable development, one of the key objectives of the plan. Although sustainability is not expressly referred to in the Policy, it is clear that the criteria directly impinge on such considerations, for instance (a) preventing pollution, (c) promoting means of transport other than the private car, (e) protecting cultural, historic, ecological or rural resources and (f) protecting open space and recreational facilities. Taking these matters into account, I see no need to alter the Local Plan in response to these objections. Objections to the individual criteria will be considered in the following paragraphs.

RECOMMENDATION

3.5.3. I recommend that no modification be made to the Local Plan.

3.6. CRITERION DC1(a) *Pollution*

Objection

0242 / 01124

Landmatch Ltd (prev. Lafarge)

KEY ISSUE

- The criterion does not define 'harm'

CONCLUSION

3.6.1. The word "unacceptable" was inserted into the Second Deposit version. I am satisfied that this amendment meets the objectors' fears. Even though unacceptable harm is not quantified anywhere, the revised Policy makes it clear that mere harm in itself will not be sufficient reason for withholding planning permission on pollution grounds.

RECOMMENDATION

3.6.2. I recommend that no modification be made to the Local Plan.

3.7. CRITERION DC1(b) *Local Distinctiveness*

Objections

0600 / 01617

Bellway Estates

0602 / 01616

Countryside Strategic Properties Plc

0604 / 01619

Stanway School/Persimmon Homes

KEY ISSUE

- The requirement in the criterion, to enhance local distinctiveness, is vague and unrealistic.

CONCLUSION

3.7.1. Alterations to the Second Deposit Version, making such considerations applicable “*where necessary*”, mean that local distinctiveness only has to be taken into account in those parts of the Borough that enjoy their own special local characteristics. They do not apply across the board. Paragraph 18 of the current version of PPG1 exhorts local planning authorities to promote or reinforce local distinctiveness and criterion (b) of Policy DC1 is merely reflecting that approach. Therefore, I see no need to change this criterion in response to these objections.

RECOMMENDATION

3.7.2. I recommend that no modification be made to the Local Plan.

3.8. CRITERION DC1(c) *Public Transport***Objection**

0242 / 01124

Landmatch Ltd (prev. Lafarge)

KEY ISSUE

- The requirement in criterion (c)(i) of the First Deposit Version, that all new residential development be served by buses, was unreasonable.

CONCLUSION

3.8.1. Criterion (c)(ii) of the rewritten criterion (c) of the Second Deposit Version requires developments to be located and designed to provide high levels of accessibility to public transport. This seems to me to be more realistic than its predecessor and would appear to satisfy the concerns of the objector, although the objection has not been formally withdrawn. Therefore, I recommend that no change be made to the Second Deposit Version.

RECOMMENDATION

3.8.2. I recommend that no modification be made to the Local Plan.

3.9. CRITERION DC1(d) *Highway Network***Objection**

0238 / 00354

George Wimpey Plc & Booker Plc

KEY ISSUE

- Reference to improvements to the highway network should include those that arise out of the implementation of planned developments, in addition to those included within the County road hierarchy.

CONCLUSION

3.9.1. For the most part, planned improvements to the County road network, such as developments in North Colchester and the Stanway Western by-pass, would result from contributions made by the large-scale developments taking place or likely to take place in

these areas. In a general development control policy statement it does not seem necessary to me to differentiate between those County road improvements funded solely out of public money and those implemented wholly or in part through new developments. Therefore, I do not recommend that any alterations be made in response to this objection.

RECOMMENDATION

3.9.2. I recommend that no modification be made to the Local Plan.

3.10. CRITERION DC1(e) *Rural Resources*

Objection

0238 / 00354

George Wimpey Plc & Booker Plc

KEY ISSUE

- No definition is given as to what constitutes rural resources. Therefore, the phrase is meaningless and should either be defined more rigorously or be deleted.

CONCLUSION

3.10.1. The second bullet point in paragraph 1.4 of the most recent version of PPG7 requires sustainable development in the countryside to maintain or enhance its character, including safeguarding the distinctiveness of landscapes, its beauty, the diversity of wildlife, village quality and best farmland. Chapter 5 of the Local Plan endeavours to achieve these objectives, but expanding “important rural resources” into the definition set out in the PPG would, in my opinion, make criterion DC1(e) excessively unwieldy. A cross reference to the relevant policies in Chapter 5 is made in paragraph 3.13 of the supporting text and that seems to me to be sufficient on this matter. I therefore recommend that no amendment be made to the Local Plan on this point.

RECOMMENDATION

3.10.2. I recommend that no modification be made to the Local Plan.

3.11. CRITERION DC1(f) *Loss of Open Space*

Objections

0242 / 01124

Landmatch Ltd (prev. Lafarge)

0570 / 01267

Marconi Property Limited

0581 / 02194

Royal Eastern Counties School

0604 / 01619

Stanway School/Persimmon Homes

KEY ISSUES

- Loss of open space may be acceptable if alternative provision of equivalent community benefit or better is made available.
- Replacing little used open space facilities, facilities that were never open to the public or facilities where there is a surplus of provision, is unjustified.

CONCLUSION

3.11.1. I am not very happy with the wording of criterion (f) where phrases such as “acceptable to the Council” are vague and are not repeated elsewhere in the Policy. However,

most of the objectors have site specific objections that are raised in another place in this document, and it would seem most appropriate to deal with those concerns under those headings. Paragraph 3.14 of the explanatory text points out that the Leisure, Recreation and Tourism Chapter contains detailed policy guidance on the provision and protection of open space. In this specialised area, these more specific policies should provide the detailed guidance to be followed. To my mind criterion (f) can simply be looked upon as flagging up open space standards, and the loss of open space and other recreational facilities, as issues that should be examined in greater detail elsewhere. In these particular circumstances, I recommend that no action be taken in response to these objections.

RECOMMENDATION

3.11.2. I recommend that no modification be made to the Local Plan.

4 Chapter 4 - Coast & Estuaries

4.1. PARAGRAPH 4.7 & PROPOSED CHANGE 123 *Recreational Activity on the Coast*

Objection

0694 / 01730

Mersea Forum

KEY ISSUES

- Replacement of paragraph 4.7 with Proposed Change 123 which states, “*Pressures created by both land and water-based recreation along the Borough’s coastline can usually be reconciled with its conservation objectives. Most of the coast is within the European and International designated sites shown on the Proposals Map, and is therefore subject to a consent process for plans and projects which, under the Habitats Regulations 1994, includes a formal procedure embodying the precautionary principle. The remaining parts of the coast include other areas sensitive for their nature conservation value and defined by national or local designations. Here, application of the precautionary principle, while not mandatory, is a useful guide to inform decision-making so as to secure sustainable development. The aim of the policies in the plan should be to balance and reconcile interests and contain adverse impacts of development through appropriate management measures. Where such policies provide scope for additional facilities for recreational use of coastal areas, it will be necessary to assess the impact of a proposal on the local environment, cumulatively with other developments and existing facilities. Doing so is part of the wider process of assessing the capacity of the local environment to accommodate further recreation.*”
- Overemphasis is given to protection of wildlife and natural beauty over outdoor recreational pursuits along the Borough’s coasts and estuaries. Where there are disputes between the two, these should be settled by means of an independent tribunal.

CONCLUSION

4.1.1. The matters contained in this paragraph are land-use management matters that for the most part are outside the scope of statutory development control. Where planning permission is refused for new recreational development along the coast and estuaries where natural beauty and wildlife conservation issues arise, then the Planning Inspectorate would act as an independent tribunal in resolving disputes of this type if the matter were taken to appeal. In these circumstances, I see no need for the paragraph, as rewritten by Proposed Change 123, which sets out these potential conflicts succinctly, to be further amended.

RECOMMENDATION

4.1.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 123.

4.2. PARAGRAPH 4.9 & PROPOSED CHANGE 124 Reconciling Recreation with Wildlife Conservation along the Coast and Estuaries

KEY ISSUE

- Consequent amendments to paragraph 4.9 arising out of Proposed Change 123.

CONCLUSION

4.2.1. Proposed Change 124 would bring about the following changes to paragraph 4.9; the deletion of criteria (a), and (b) and the insertion of the following:-

- (a) *“To balance and reconcile interests where possible.”*
- (b) *To protect the European Sites. A development likely to have a significant effect on a Site can only be permitted if assessment shows that it will not adversely affect the Site’s integrity, unless there are no alternatives to the proposal and the development must be carried out for imperative reasons of overriding public interest. In such circumstances compensatory measures will be required as a condition of any consent.”*
- (c) *“To protect the other International, National and local sites of nature conservation importance, including Ramsar Sites, Sites of Special Scientific Interest, National and Local Nature Reserves and Sites of Importance for Nature Conservation from development likely to have a detrimental effect on a site; and to use a precautionary approach when there is doubt about the impact of proposal.”*

Existing criteria (c), (d) and (e) would be renumbered (d), (e) and (f). This Proposed Change would explain the relationship between coastal development, especially for recreation, and the protection of the natural environment more fully and is therefore to be welcomed.

RECOMMENDATION

4.2.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 124.

4.3. POLICY CE1 The Open & Undeveloped Coastline

Objections

0264 / 01752	Glynian (Leisure Parks) Ltd
0333 / 00632	Mr R Jaques
0335 / 00634	R G Bond
0336 / 00635	Keith Parsons
0337 / 00636	P Rendall
0338 / 00637	Mrs M K Hardy
0339 / 00638	Pamela Lucie-Smith
0341 / 00640	Katherine Wood
0342 / 00641	Mr Steve Warin
0343 / 00642	Paula Jane Warin
0344 / 00631	I M Roca

KEY ISSUES

- The Seaview Holiday Park, Seaview Avenue, West Mersea should be taken out of the Coastal Protection Belt and its northern area of land should be allocated for residential development, possibly as retirement homes, numbering about 80 units, for the over 55's. This would cater for the growing needs of an ageing population, thereby freeing up general housing for the community at large. It would also enable the communal facilities available to occupiers of the Holiday Park to be used by the elderly residents of permanent housing.
- Cook's Shipyard, Wivenhoe should be included within the undeveloped coastline, thereby protecting the site from future redevelopment.

CONCLUSION

4.3.1. There is no indication in Glynian Ltd's representations that the release of the land at Seaview Holiday Park would help to address any perceived shortfall of housing required to meet Structure Plan targets. This matter was considered by my predecessor in his 1995 report of the inquiry into objections to the Review of the adopted Colchester Local Plan. He stated at paragraph 1.338 that, *"There is a significant difference in appearance terms between a site containing relatively small-scale caravan structures in a landscaped setting, and the more intensive and permanent development, which would result from the erection of houses."* He went on to say that any perceived closeness of this site to the present built-up area of West Mersea was *"not therefore a sound reason for committing the site to residential development, the visual impact of which is bound to be far greater than is the case with the existing permitted use."* I concur wholeheartedly with my colleague on these points and to my mind there has been no significant change in planning circumstances during the intervening period that warrants as a departure from this approach, especially as the elevated position of the objection site makes it appear prominent in its surroundings. As then, I consider that the entire Seaview Holiday Park is properly included within the undeveloped coastline and that Glynian Ltd's objection should fail.

4.3.2. The objections of Mr R Jaques, R G Bond, Keith Parsons, P Rendall, Mrs M K Hardy, Pamela Lucie-Smith, Katherine Wood, Mr Steve Warin, Paula Jane Warin and I M Roca will be considered in conjunction with those lodged against Policy CE8 below.

RECOMMENDATION

4.3.3. I recommend that no modification be made to the Local Plan.

4.4. POLICY CE2 Risk of Flooding

Objections

0225 / 00313

Essex County Council (Planning)

KEY ISSUE

- Policy CE2 should apply to all new development, not just new housing.

CONCLUSION

4.4.1. To my mind it is unrealistic to preclude all forms of development in areas that are liable to flood. PPG25, published during the course of the Local Plan inquiry, emphasises the amount of unsuitable housebuilding that has taken place in recent times on flood plains. Therefore, the Policy is right, in my view, to stress the importance to avoid sites for new

housing that are at risk of flooding. There may some forms of development that could be required to enhance areas that are inherently susceptible to repeated inundations such as wetland wildlife habitats. The Council, in its representations, suggests the addition of two further sentences to this Policy to overcome this problem and I recommend that the plan be modified to accommodate this additional wording.

RECOMMENDATION

4.4.2. I recommend that the Local Plan be modified in Policy CE2 by the addition of the following sentences:- *“Other forms of development will only be permitted if it can be shown that it is essential for the proposed development to be located within an area at risk from flooding. In addition, any necessary remedial flood defence measures will be implemented without detriment to any other areas.”*

4.5. POLICY CE3 Coastal Protection

Objections

0101 / 00129	Mr Simon Banks
0186 / 01144	Mr S P Vince
0228 / 00441	West Mersea Town Council

KEY ISSUES

- Special attention should be paid to protect Mersea Island from flooding, particularly the footpath that runs around its periphery and the area around the causeway linking the island to the mainland.
- Any proposed development abutting the seashore, including sea walls, should not be approved unless accompanied by a full hydrodynamic survey.
- Saltmarsh is being lost between rising sea levels and fixed sea defences.

CONCLUSION

4.5.1. Coastal defences are essentially a matter for the Environment Agency and a statutory Local Plan can have little impact on the form that coastal protection in the Borough will take. Policy CE3 merely reflects the latest thinking that soft engineering methods may be more appropriate, in areas of low population density, to the more traditional hard engineering approach which would be retained for the more urban sections of coastline, including parts of Mersea Island. “Managed retreat”, arising from soft engineering and rising sea levels in eastern England, may well bring about an expansion of saltmarsh and other wetland habitats along the Blackwater and other estuaries. Trials of this sort are already underway. Large enough projects close to the seashore would require environmental assessment, which would include matters such as risk of coastal flooding. Since the issues raised by the objectors are largely outside the scope of the Local Plan, and are covered by the statutory functions of other public bodies, I see no reason to recommend any amendments to the Plan in response to these matters.

RECOMMENDATION

4.5.2. I recommend that no modification be made to the Local Plan.

4.6. PARAGRAPH 4.23 *Residential Holiday Sites*

Objection

0310 / 00533
0310 / 02189

Leisure Great Britain plc
Leisure Great Britain plc

KEY ISSUE

- Paragraph 4.23 states that development ancillary to existing caravan and camping sites will be generally unacceptable, whereas paragraph 4.24 and Policy CE4 in the Second Deposit version allow for improvement of existing facilities in certain circumstances.

CONCLUSION

4.6.1. The contradiction between paragraph 4.23 and the revised contents of the second deposit version's Policy CE4 was clearly overlooked. Deletion of the second sentence of paragraph 4.23 will clear up this point, although it will not overcome the objectors' concerns that paragraph 4.24's assertion that each case will be treated on its merits offers inadequate policy guidance. That matter will be addressed below.

RECOMMENDATION

4.6.2. I recommend that the Local Plan be modified by the deletion of the second sentence of paragraph 4.23.

4.7. POLICY CE4 & PROPOSALS MAP *Residential Holiday Sites – Expansion of Cooper's Beach Caravan Park, East Mersea*

Objection

0310 / 00535

Leisure Great Britain plc

KEY ISSUES

- Conditions on Cooper's Beach Caravan Park, based for the most part on the 1960 Model Standards deriving from the Caravan Sites and Control of Development Act of the same year, are too cramped to meet the requirements of present day mobile home residents. To prevent the area of the caravan site, as delineated on the Proposals Map, from expanding onto an ancillary football pitch and other recreational facilities designated as open coast, condemns the site to sub-standard conditions for the foreseeable future, leading to an inevitable decline in its status. This is contrary to the advice in PPG21, "Tourism", especially paragraph 8 of Annex B, which encourages the development and enhancement of existing caravan/mobile home parks.
- Requiring the applications for new ancillary recreational facilities to be treated on their own merits provides inadequate guidance.

CONCLUSION

4.7.1. It must not be forgotten that Cooper's Beach Caravan Park lies within the general area of the Open Coast to which Policy CE1 applies. Whilst this might not have the status of Heritage Coast, the 'HC' (holiday caravan) designation on the Proposals Map is very much an isolated enclave within an area where strict coast and countryside policies apply. Therefore, the land adjoining Cooper's Beach outside its Proposals Map designation can be looked upon as a "*particularly sensitive area*" where the provisions of redeveloping and improving existing caravan parks, as encouraged by paragraph 8 of Annex B to PPG21, do not have full

effect. Re-allocating the football pitch and other land to the west of the existing site would give a strong presumption in favour of large-scale expansion of the site for holiday mobile home purposes, increasing its area by approximately one third.

4.7.2. The Council in its representations has not ruled out the possibility of some limited increase in the area of the site and additional ancillary facilities to provide a total leisure package, in return for improved landscaping and a less harsh edge to the park. However, it considers that such proposals should be dealt with on their own merits. Given the sensitivity of the site, adjoined by open coastline to the east and west, and by the hamlet around East Mersea church and open countryside to the north and the Blackwater Estuary/open sea to the south, I am satisfied that that is the correct approach. Some incremental expansion of mobile home pitches onto adjoining land and the provision of further ancillary facilities may well be acceptable but a wholesale enlargement of the site onto land, whose openness is important for its own sake, should not take place unless it can be demonstrated that significant improvements can be made to the environment of the caravan park and its surroundings as a whole. Because of the isolated nature of the HC designations, and the importance of the open coast and countryside adjoining them for wildlife habitats (identified in Policy CO5 of Chapter 5), agriculture and outdoor pursuits, I am satisfied that the Council is right in taking a restrictive line on its existing holiday caravan sites, as set out in Second Deposit Version Policy CE4, and that this should remain unchanged.

RECOMMENDATION

4.7.3. I recommend that no modification be made to the Local Plan.

4.8. POLICY CE5 *Occupancy Restrictions for Caravans*

Objections

0101 / 00127	Mr Simon Banks
0228 / 00439	West Mersea Town Council
0310 / 00534	Leisure Great Britain plc
0694 / 01735	Mersea Forum

KEY ISSUES

- Seeking agreement to restrict accesses to the Blackwater estuary, as required by the final paragraph of the policy, is likely be difficult to enforce. It could be clearer if it were restricted to the core period of the beginning of November to the end of March.
- Imposing a blanket prohibition on static caravan occupation between 1 December and 28/29 February at holiday home sites on Mersea Island is unrealistic when several planning permissions already exist, which have more generous occupancy periods.

CONCLUSION

4.8.1. The policy seeks to prevent leisure homes on Mersea Island being occupied throughout the year for three reasons, to prevent the caravans/mobile homes from becoming permanent homes, to give permanent residents adjoining these leisure parks a period of peace and tranquillity for most of the winter period and to protect the wintering grounds/breeding areas of sensitive wildlife, especially birds. Restricting any new planning permissions to a period of occupancy excluding December, January and February may achieve all of these objectives but it may be that the reason for giving peace and quiet to permanent residents would not equate to bird life overwintering periods.

4.8.2. The difficulty is devising a form of words for the policy that would encompass all circumstances that would not become meaningless. The problem is further complicated by the fact that the policy would bite on relatively few planning applications ie proposals to extend occupancy periods for existing static caravan/mobile home parks on Mersea Island. Many of these are likely to be for expansion of existing sites, which already have conditions attached which do not comply with the requirements of the policy. In my judgement, it would be anomalous, as well as unenforceable, to have varying periods of vacancy on different areas of mobile home pitches within the same camp site, simply because they were granted planning permission at different times. To my mind the existing policy is too simplistic. It is right to say that occupancy periods should not be extended where there are overarching wildlife habitat considerations, but the question of consistency within individual sites has to be maintained otherwise, in my judgement, the policy, if properly enforced, would become unworkable. I therefore recommend that the policy be amended to take account of this and to permit extensions/alterations to existing caravan sites to retain their existing occupancy conditions where it can be shown that this would cause no appreciable harm to wildlife habitats or residential amenity. The question of access to the estuary is essentially a private land use matter. However, the likelihood is that when the caravan sites are closed to their residents access to the estuary would be restricted in any event. Therefore, the final paragraph of the policy can remain.

RECOMMENDATION

4.8.3. I recommend that the Local Plan be modified:-

- (a) by the addition to paragraph 4.28 of the sentence, *“An exception would be where a particular site already enjoys more lenient occupancy periods and it can be demonstrated that the interests of wildlife and adjoining occupiers are not adversely affected by these more generous periods of occupation being applied to alterations and extensions to the existing site.”*
- (b) by the addition of a sub-paragraph after criterion (b) of Policy CE5 to read as follows:- *“Less restrictive conditions in line with existing occupancy conditions will be imposed on alterations and extensions to existing caravan sites on Mersea Island where it can be shown that those existing conditions have not given rise to conflict with wildlife interests or the amenities of adjoining permanent residents.”*

4.9. POLICY CE7 Rowhedge & Wivenhoe (First Deposit Version)

Objections

0459 / 00932
0503 / 01027

CPRE(Essex)
Topsail Charters Ltd

KEY ISSUES

- The policy is too vague with regard to the Wivenhoe riverside frontage.
- Any development on the Wivenhoe frontage should be limited to two storeys in height.

CONCLUSION

4.9.1. To the extent that Policy CE7 of the First Deposit version was deleted from the Second Deposit Version, it can be said that the concerns of these two objectors have been

satisfied. However, the objections have not been withdrawn. In these circumstances, there is no action to be taken.

RECOMMENDATION

4.9.2. I recommend that no modification be made to the Local Plan.

4.10. PARAGRAPHS 4.33-4.33u, POLICY CE8 1 & PROPOSED CHANGES 1, 63 & 65 ***Cooks Shipyard Regeneration Area, Wivenhoe & Rowhedge Regeneration Area***

Objections

0003 / 00003	Ms Margaret Britton
0004 / 00004	Mrs E M Morrison
0005 / 00005	Mr R Mallett
0007 / 00007	Ms Carla Payne
0011 / 00012	Mr Richard Edwardson
0011 / 02165	Mr Richard Edwardson
0015 / 00017	Mr W L Brett
0017 / 00019	Mrs Patricia M Smith
0017 / 01976	Mrs Patricia M Smith
0018 / 00020	Mr Martin Miller
0019 / 00021	Mr I A Hooke
0020 / 00022	Mr D H V Brogan
0022 / 00024	Mrs P C Brett
0024 / 00028	Mrs D Matthews
0027 / 00031	Susannah Bradley
0028 / 00032	Shirley Blakemore
0033 / 00037	Mr & Mrs M Keen
0034 / 00038	Mr D Williams
0034 / 02206	Mr D Williams
0036 / 00042	Mr R Howard
0038 / 00043	Mrs A Howard
0039 / 00044	Mrs E Price
0040 / 00045	Mr D Price
0040 / 01993	Mr D Price
0043 / 00049	Ms R Christian
0044 / 00051	Mrs Helen Chambers
0051 / 00059	Mrs S M Usher
0059 / 00070	Ms Jane Cole
0060 / 00071	Mrs Susan G Miller
0076 / 00088	Mr Bryan Judge
0079 / 00091	Mr Henry Ditmore
0081 / 00094	Mrs Anne Bryson
0096 / 00115	Mr J M Burgess
0109 / 00140	Ms Hazel Judge
0114 / 00257	Mrs B May
0137 / 00183	Mr & Mrs J Robertson
0139 / 00187	Mr C Richards
0164 / 00231	Mr E Kraft
0164 / 02176	Mr E Kraft
0168 / 00235	Ms Robina Taplin
0169 / 00236	Ms Nancy Taplin
0170 / 00237	Mr Sam Taplin
0171 / 00238	Mr J Ashworth
0172 / 00239	Mr Guy Taplin
0172 / 02151	Mr Guy Taplin
0182 / 00249	Mrs M Davies
0183 / 00250	Mr S R Davies
0184 / 00251	Ms Auriol Ashworth

0185 / 00252	Mrs Hilary Lazell
0185 / 01978	Mrs Hilary Lazell
0187 / 00254	The Shipyard Project
0187 / 02256	The Shipyard Project
0188 / 00255	Mr R Packer
0191 / 00258	Mr David Morters
0192 / 00259	Mrs Nina Morters
0193 / 00260	Mr D E Hilton-Bowen
0194 / 00261	Mrs M J Hilton-Bowen
0195 / 00262	Mrs J Kennerdale
0222 / 00304	Mr B F Gant
0226 / 00406	Mr Peter Hill
0231 / 00334	Mrs V K Baxter
0236 / 00344	Wivenhoe Carers Association
0265 / 00426	Mr P W Lang
0265 / 02174	Mr P W Lang
0267 / 00428	Dr Elaine Jordan
0268 / 00429	Mrs Jan Sinclair
0268 / 02078	Mrs Jan Sinclair
0288 / 00462	Ian Hunter
0289 / 00463	Richard Mundy
0290 / 00464	Jane Hughes
0300 / 00487	M J Goodwin
0301 / 00488	G B Sinclair
0301 / 01926	G B Sinclair
0302 / 00489	Julia Cleave
0304 / 02457	Ramblers Association
0304 / 02458	Ramblers Association
0305 / 00501	Leonore Davidoff
0306 / 00502	David Lockwood
0307 / 00503	A Stinson
0321 / 00551	Olga Kovalenko
0328 / 00580	Mr Walker
0333 / 00619	Mr R Jaques
0333 / 02075	Mr R Jaques
0333 / 02077	Mr R Jaques
0334 / 00620	Anglesea Road Residents' Association
0334 / 02214	Anglesea Road Residents' Association
0335 / 00621	R G Bond
0336 / 00622	Keith Parsons
0337 / 00623	P Rendall
0337 / 02182	P Rendall
0338 / 00624	Mrs M K Hardy
0339 / 00625	Pamela Lucie-Smith
0340 / 00626	Carol Munn-Giddings
0341 / 00627	Katherine Wood
0342 / 00628	Mr Steve Warin
0343 / 00629	Paula Jane Warin
0344 / 00630	I M Roca
0344 / 02175	I M Roca
0345 / 00652	Thomas Roberts
0345 / 02083	Thomas Roberts
0345 / 02099	Thomas Roberts
0354 / 00674	Mr D B Anderson
0355 / 00677	Wivenhoe Town Council
0358 / 00679	Mrs J Sayer
0359 / 00680	Mr A P Davis
0360 / 00681	Mr & Mrs R Hardy
0362 / 00683	Matthew James Stephens (aged 9½ in 1999)
0367 / 00689	Dr E J Wake
0371 / 00693	Mr J Greening
0372 / 00694	Ms M Reid

0375 / 00697	Mrs G Strudwick
0375 / 02205	Mrs G Strudwick
0377 / 00700	Mrs N Stephens
0377 / 02215	Mrs N Stephens
0378 / 00701	Mr G Stephens
0378 / 02216	Mr G Stephens
0382 / 00706	Dilly Meyer
0420 / 00824	Mrs Catherine Packer
0443 / 00880	Ms J Olorenshaw
0457 / 00913	Mr M Leech
0489 / 01012	Mr & Mrs B J Floyd
0500 / 01023	E Kentridge
0501 / 01024	J Krikler
0502 / 01025	Mr D V Smith
0503 / 01028	Topsail Charters Ltd
0511 / 01045	Lucy Margetts
0512 / 01047	Mr E Gray
0530 / 01106	Lexden Restorations
0530 / 02412	Lexden Restorations
0540 / 01129	David Sanders
0554 / 01149	Mrs J Pettitt
0644 / 01553	The Wivenhoe Society
0652 / 01611	Mr R C Floyd
0689 / 01719	A Powell & S Perrin
0695 / 02125	Wivenhoe Forum
0730 / 01805	Joan Tayler
0732 / 01807	Mrs O Jaques
0732 / 01928	Mrs O Jaques
0734 / 01809	Ms S Fisher
0735 / 01810	Mr & Mrs Andras
0736 / 01811	Ms C Rumble
0737 / 01812	Mrs M Collett
0738 / 01813	Mr N Muir
0739 / 01939	Mr J R Pendle
0740 / 01815	Mr C E Longland
0741 / 01816	Mr K Plummer
0742 / 01817	Mr I Middleton
0743 / 01818	Ms V Middleton
0746 / 01821	Chris Tanner
0748 / 01822	Joyce Gray
0748 / 02040	Joyce Gray
0749 / 01823	K J Owden
0751 / 01825	Z Paunovic
0752 / 01826	Mr John S Williams
0752 / 02041	Mr John S Williams
0753 / 01827	J H Gidman
0755 / 01829	Mrs A Carlin
0756 / 01830	Mrs S Glasspool
0757 / 01831	M Harvey
0758 / 01832	Mr W P Burgess
0759 / 01833	M Lewis
0761 / 01835	Mr & Mrs R Sheldon
0765 / 01838	Mrs R Burch
0772 / 01944	R J Stow
0773 / 01845	Mr & Mrs Richards
0775 / 01847	R & S Gray
0776 / 01848	Ms P Marsden
0778 / 01850	Mr Richard Hayward
0779 / 01851	Mr Clive Dawney
0788 / 01860	J W Blackwood
0789 / 01861	Ms Lynda A M Brown
0790 / 01862	Miss A Jones

0791 / 01863	Mr T Puttfarken
0795 / 01867	Ms H Saunders
0797 / 01869	Mr J Braim
0799 / 01871	Mr A E Hamilton
0801 / 01873	Mr D McCaskay
0808 / 01880	Mr M Cobbin
0809 / 01881	Mr C Parlett
0810 / 01882	Mr E Smith & Miss S Harland
0813 / 01885	Mr S J Heath
0815 / 01887	Ms A Popkin
0816 / 01888	Mr L V Jessup
0817 / 01889	Mr & Mrs A Petrie
0818 / 01890	Mr L Pettican
0819 / 01891	Dr C Cowen
0820 / 01892	Mrs P Coventry
0821 / 01893	Mr B V Horrigan
0822 / 01894	Mr R Green
0823 / 01895	Mr L Eunson
0838 / 01971	Associated British Ports
0841 / 01977	Eliza Kentridge
0867 / 02140	Martin Barrell
0871 / 02152	Philip Davis
0875 / 02163	Carla J Payne
0876 / 02164	P F Walker
0879 / 00263	Mr & Mrs Ward
0879 / 00305	Mr & Mrs Ward
0879 / 02170	Mr & Mrs Ward
0879 / 02171	Mr & Mrs Ward
0879 / 02172	Mr & Mrs Ward
0881 / 02179	Mr C J Andrews
0893 / 02254	K & J Alston
0898 / 02280	Pamela Rieber
0902 / 02328	Mark Leech

KEY ISSUES

- The former Cook's shipyard site at Wivenhoe should not be redeveloped for residential purposes until other housing developments along the waterfront have been fully implemented and their impact on the locality, including road traffic and education and health facilities, assessed. This would be likely to preclude large-scale housing development on the site.
- The site should include public open space, for which there continues to be a shortage in this part of Wivenhoe, to make the river frontage available to the community at large. Some objectors consider that the entire site should be designated as public open space.
- Access to the site for construction vehicles is tortuous using narrow and congested metalled roads fronted by small-scale housing close to the back edge of highways with narrow or non-existent footways. The most direct route is via Anglesea Road but, as this is unmade, it is also wholly unsuitable as a means of access to the site either by construction vehicles or by traffic generated by the development upon its completion. Therefore, delivery of building materials to the site should be by water from the estuary. Anglesea Road should not be made up as this would undermine the structural integrity (including drainage) of the Victorian housing facing onto it and the bridge over the Colchester-Clacton railway line and would erode its use as a peaceful traffic-free by-way by pedestrians and cyclists.

- The single main approach road to and from Wivenhoe, which is already congested, would become overloaded.
- The site would be prone to flooding and an important wildlife habitat would be lost on marshland. Building on former marshland would involve noisy pile driving to provide adequate foundations.
- No development should take place on the site except to the south-west of Walter Radcliffe Way.
- The site should cater for local maritime and business interests such as provision of a marina and facilities for commercial fishing. The quay and jetty should be retained.
- Other brownfield sites in East Colchester and The Hythe should be developed first.
- No development on the site should be more than two storeys high.
- Sheltered residential accommodation for the elderly should be provided on the site.
- The redevelopment of Cook's Shipyard would set an unsatisfactory precedent for further building on open riverside frontages.
- Associated British Ports should not be expected to make financial contributions towards the provision of a pedestrian and cycle bridge between Rowhedge and Wivenhoe if this is found to be feasible.

CONCLUSION

General

4.10.1. Policy CE8 and its predecessors in the First Deposit Version have generated more objections than any other policies in the Local Plan. Apart from two from Associated British Ports and one from Wilkin & Sons Ltd, all relate to the Cooks Shipyard site at Wivenhoe. Concerns about this have led to deletion of a general policy for development on Wivenhoe and Rowhedge riverside frontages (Policy CE7) and its explanatory text and its replacement by paragraph 4.33 and Policy CE8 1 and 2. Policy CE8 2 is a fairly simple policy designed to protect existing waterside commercial uses in Rowhedge High Street and on Wivenhoe Quay from residential change of use or redevelopment. Only two objections have been received with regard to that, one from Wilkin & Sons Ltd, the other from Associated British Ports. These objections, the supporting paragraphs (4.33n and 4.33r) and Proposed Changes 64, 125 and 126 are dealt with in Section 4.11 of my report below.

4.10.2. Policy CE8 1 and its explanatory text are far more complex. They endeavour to provide guidance to new forms of riverside development at Rowhedge Port Regeneration Area and Cook's Shipyard, Wivenhoe. The former is more diverse, the requirements are fairly general and the Council's approach has attracted little or no observation. The latter is site specific, is very detailed and has been subject to numerous amendments, including the First and Second Schedule of Proposed Changes and others made during the course of the inquiry itself. Most importantly of all, despite the raft of objections submitted to the public inquiry, including joint verbal submissions made on behalf of local residents by The Shipyard Project and Anglesea Road Residents' Association for alternative forms of development, outline planning permission has been granted by the local planning authority after the closure of the inquiry for the erection of houses, flats, a restaurant, offices, a fishermen's store and a WC, together with refurbishment of the existing wet dock, jetty, slipway and waterfront and the reconstruction of St John's Road and Walter Radcliffe Way, subject to conditions and a

section 106 obligation. This is a very material consideration in determining the final shape that this part of the Local Plan should take. I also note the observation, made at the end of the decision notice, that Policy CE8 1 has the status of Supplementary Planning Guidance at the time that decision was taken and that versions of the policy, which make specific reference to open space in the east of the site, have no planning status.

4.10.3. It is not for me to comment on this chronology of events but one matter is certain. By granting planning permission there is little point in debating the general form of development that Cook's Shipyard should take. That is effectively settled. The only need for a specific policy for this site now is in the event that the form of development already granted planning permission does not, for whatever reason, proceed and that the salient features of that development are carried through to any further grants of planning permission. Paragraph 4.33 and Policy CE8 sit uncomfortably with the rest of Chapter 4. Indeed, Chapter 4 is overall a rather odd chapter in that it contains site specific policies relating to Wivenhoe, Rowhedge and Mersea Island, which seem more at home with the area policies found at the rear of the plan, alongside general policies relating to the open coast, covering matters such as wildlife habitats, which have more in common with Chapter 5 on the Countryside. Although I am not making any specific recommendation on this point, perhaps the Council could look again at the sequence of its policies in Chapter 4 before the final adoption of the Local Plan. The general policies could be combined with those in Chapter 5 in a Coast and Countryside Chapter, while site-specific policies for Wivenhoe/Rowhedge and Mersea could be transferred to new area chapters.

4.10.4. Of greater importance is how to deal with paragraph 4.33 and Policy CE8 1 following on from the grant of outline planning permission for the redevelopment of Cook's Shipyard. The Council's very detailed site-specific approach was in marked contrast with that adopted for regeneration areas in Chapter 15. Policy TCS24 merely identifies regeneration areas and paragraph 15.97 says that development briefs will be prepared for each of the seven sites. It is unclear to me why a more precise set of requirements for both Cook's Shipyard and Rowhedge was set out in the main body of Chapter 4. However, with the former largely overtaken by events, but the latter likely to provide continuing guidance for much if not all of the plan period, the two should be disentangled, Cook's Shipyard by the reconstitution of a Policy CE7, albeit one very different from that found in the First Deposit Version, and Rowhedge by a simplified form of Policy CE8 1 and supporting text, taking into account the sole objection of Associated British Ports.

Cook's Shipyard

4.10.5. It is clear from the preceding paragraphs that the local planning authority, in its grant of outline planning permission, has incorporated some aspects of the objectors' points and has rejected others, especially those that envisaged some or all of the site being designated as public open space. To my mind the simplest approach would be to distil the salient points from the planning permission and section 106 obligation and incorporate these into a new Policy CE7. It is quite likely that this policy could be redundant long before the plan is adopted if the planning permission has been implemented in whole or in part. In that case, I would recommend that the Policy CE7 that I set out below be deleted altogether and any reference in the explanatory text to both Cook's Shipyard and Rowhedge Regeneration Area be removed as far as Cook's Shipyard is concerned. It is also likely that all of the explanatory text, relating to Cook's Shipyard in isolation, could also be excised. Because of the complicated nature of all of this, I recommend the deletion of all of paragraphs 4.33-4.33u and Policy CE8 1 and the insertion of my recommendation below. This should only be followed in the event of the failure of the planning permission for Cook's Shipyard being put into effect.

Rowhedge Regeneration Area

4.10.6. The objection by Associated British Ports with regard to Rowhedge Regeneration Area relates to one point, the possibility of financial contributions towards a pedestrian/cycle bridge between Wivenhoe and Rowhedge in paragraph 4.33l. The aim of the paragraph, to provide a sustainable pedestrian and cycle link to Wivenhoe Railway station is laudable. On the other hand, to my mind the means of achieving this, by examining the feasibility of such a link and requesting financial contributions towards it depending on the outcome of an overall study of alternative modes of transport, is tenuous in a situation where the provisions of a Local Plan are meant to provide certainty. This is compounded by the fact that Policy CE8 2 is meant to restrict the possibility of domestic uses in Rowhedge High Street, thereby reducing the numbers of potential residents in the settlement who could use the bridge for onward travel by rail. In these circumstances, I accept the objectors' viewpoint and I recommend that the paragraph be deleted, although this does not mean that the possibility of providing a footbridge between Rowhedge and Wivenhoe cannot continue to be explored in the context of an alternative travel study.

RECOMMENDATION

4.10.7. I recommend that the Local Plan be modified by the deletion of paragraphs 4.33 to 4.33u and Policy CE8 1 and the insertion of the following:-

“COOKS SHIPYARD & ROWHEDGE PORT REGENERATION AREAS

- 4.33 *The waterside areas of Wivenhoe and Rowhedge both contain maritime sites that have ceased to operate in their original function. It is necessary to plan and promote possible redevelopment to the benefit of their respective communities. Whilst the two sites have many similarities, they also have unique issues and features which are examined in the following text.*
- 4.33a *By directing development to the developed coastline it is important to ensure that the unique waterfront characteristics of Rowhedge and Wivenhoe are not overwhelmed by major new developments, be they related to water recreation or any other use. Development briefs will be prepared for sites in Rowhedge Port Regeneration Area to provide detailed guidance as appropriate.*
- 4.33b *Located at the eastern end of Wivenhoe's waterside frontage, the Cooks Shipyard site has remained largely undeveloped since business ceased on the site in 1987. A service road for the Colne barrier and the Wivenhoe Sailing Club's clubhouse cuts across the site and was constructed as part of the two developments in the early 1990s. Following a boundary change, the whole of the site is now within Colchester's area.*
- 4.33c *Located at the south east of the village, Rowhedge Wharf has until recently been used as a commercial wharf. It is currently being used as a solely land-based transport and distribution centre. The closure of Colchester Harbour makes it important to set out the planning criteria for any future development of this important site.*
- 4.33d *A suitable balance and mix of uses should be one of the prime policy objectives for both Cooks Shipyard and Rowhedge Wharf. The mixed use approach embraces the principles of sustainability by locating new build on already developed 'brownfield' sites. This approach is crucial in reducing development pressure on Greenfield sites elsewhere in the Borough and building on the local community.*

4.33e *Finally it is important to stress that, although the plan seeks to promote redevelopment of these two sites, the sensitive character of the local environment means that not all land is suitable or proposed for built development.*

OBJECTIVES

- *Promote the optimum redevelopment of the regeneration areas*
- *Promote the vitality and viability of the respective settlements*
- *To promote sustainable forms of development*
- *To implement a mix of uses compatible with the location and character of each settlement*
- *Optimise the riverside location of both sites, including securing public access*
- *Encourage environmental quality which will enhance the character of each settlement and this part of the Colne and Roman River Valleys*
- *Secure a standard of environmental and visual quality, which will enhance the character, and setting of each settlement*
- *Protect and enhance the adjacent nature conservation and landscape quality.*

WIVENHOE

4.33f *A development brief for the site was adopted as supplementary planning guidance (SPG) for the site in 1990; this was based on the wholly residential allocation in the adopted plan. Significant changes in national planning guidance, the introduction of sustainable development principles, and the increasing focus placed on coastal issues have since made it necessary to withdraw the SPG and to reconsider the possible types of development for this site.*

4.33g *The issue of traffic generation is of particular importance to the site given its narrow and tortuous access roads, which run through high-density residential areas. It is essential therefore to minimise the levels of both commercial and private vehicle movements. The total amount of development and its precise use will largely be determined by the impact of traffic through Wivenhoe. This can only be determined through a traffic impact assessment. Particular emphasis will be placed upon the impact of any proposal to the flow of traffic through Anglesea Road, which is at the present inadequate and will not support any significant increase in traffic without improvement. Any additional traffic should not follow this route. In view of the difficult nature of the access roads for heavy vehicles, agreements will be sought as part of any permission to require construction materials to be brought to the site by alternative routes and/or methods.*

4.33h *The site's close proximity to the rail network, the Sustrans National Cycleway route (Wivenhoe Cycleway) and frequent bus services provide an ideal opportunity to encourage car free residential development in line with the principles of the Transportation Chapter and specifically Policy T4 on car-free residential development. This would assist in reducing traffic generation, but some provision will need to be made in order to provide for minimal visitor car parking and servicing for the site. The Council is also keen to promote pedestrians and cycling routes into and through the site. All proposals will be required to take account of these objectives.*

4.33i *The river frontage to the site is a major and important feature, which will provide significant opportunities to maximise the site's maritime links and provide a major public amenity for the village. A requirement of any development proposal for the site*

will be to secure the retention and beneficial future management of the slipways and jetty, and the guarantee that the quay and wet dock area will be committed to unrestricted public pedestrian access including the provision of facilities for, and use by, local fishermen.

ROWHEDGE

- 4.33j *The site is accessible by two roads, the High Street and a private haul road. The High Street is at present heavily trafficked and also extensively used for car parking. Any significant increases in traffic volume along it will be unacceptable in terms of pedestrian and highway safety. The High Street will therefore only allow for minimal vehicle access to any future development. However it is the intention of the Council to promote pedestrian and cycle routes from the High Street and village into and through the site.*
- 4.33k *The private haul road is currently being used by the transport company as the main route to and from the warehousing on the docks. The main access to any new development will be routed along this road. The use of this road as the main access to any development will require assessment of its impact to Old Heath. Increased traffic generation along this route may therefore require improvements in Old Heath.*
- 4.33l *Any proposal will need to address the future of Rowhedge Pits, which are designated a Site of Importance for Nature Conservation. At present local residents use the pits for informal recreation. Sensitive management in the future will provide a major opportunity to maximise their recreation potential for the local community, and optimise the nature conservation value of the area. Applications will need to demonstrate via a masterplan how they will maximise the potential integration of this important area.*

REQUIREMENTS FOR BOTH SITES

Access to the River

- 4.33o *Due to their prominent riverside location, redevelopment of either site provides the opportunity to maximise the potential for riverside access for the public. Both developments will be required to incorporate a satisfactory means of promoting and providing public access to the river.*

Footpaths

- 4.33p *It will also be a requirement of any scheme to keep existing public footpaths. Where this is not practical in the context of a proposal, diversion of the line of the public footpath may be acceptable providing a satisfactory alternative alignment incorporating key features such as riverfront access or passage across the site is retained. This will be subject to the standard statutory procedures.*

Landscape, Design and Conservation

- 4.33q *The importance of the Wivenhoe waterside in terms of its architectural value and its unique character is emphasised by the designation of the Wivenhoe Conservation Area of which the site forms part. Although Rowhedge Wharf is not within Rowhedge Conservation Area, it adjoins it, and occupies a prominent position in the landscape.*

Therefore the design and layout of any proposal must be compatible with the character of the surrounding area and urban and valley landscape. The impact on the skyline of both settlements will be particularly important. Proposals must also comply with the policies on development within Conservation Areas in the Urban Environment and Archaeology namely UEA1, UEA 2, UEA 3, the general principles for design and the Essex Design Guide for Residential and Mixed Use Areas (adopted as Supplementary Planning Guidance in 1997). The proximity of the Colne SSSI will be important in determining the type and impact of any development. Proposals must not prejudice the integrity of the SSSI.

TRANSPORT

- 4.33s *Proposals will be required to demonstrate how the proposed traffic generation can be accommodated on the local highway network and its likely impact on residential amenity. The study will also need to show how the levels and types of vehicle movements will be managed, bearing in mind the particular uses proposed.*
- 4.33t *Development proposals will also be required to demonstrate how they will minimise private car traffic. This may be shown by providing evidence of matching proposed uses to existing local need and providing safe routes of desire lines for cyclists and pedestrians, including routes to bus stops. The design of any vehicular streets will be required to follow the traffic calming and safety principles of the Essex Design Guide for Mixed Use and Residential Areas.*

USES

- 4.33u *The preferred use for both sites is an integrated mixture of uses including residential, business (B1), community facilities and small-scale leisure/tourism facilities specifically linked to the riverside locations with access to the waterfront. The possible impact on the amenity of the existing and new residential uses will need to be considered. The provision of social housing is required on both sites as part of a mixed scheme, although the specific type and amount will depend upon the assessed needs in the respective communities. At the Rowhedge Regeneration Area the plan also seeks to promote additional shopping facilities to serve the village. Further guidance on the development of Rowhedge is set out in supplementary planning guidance.*
- 4.33v *All applications will be required to provide sufficient detail, to demonstrate how the proposals would fit with and contribute towards the strategic objectives and development criteria concerning the provision of river access, the maintenance of public rights of way, the relationship with the adjoining built fabric, private motorised road traffic minimisation and calming and the maintenance of a balance of uses.*

POLICY CE7 COOK'S SHIPYARD, WIVENHOE

Development proposals for the site of Cook's Shipyard, Wivenhoe, as defined on the Proposals Map, will be required to meet the following criteria:-

- (a) *provide a comprehensive, balanced and integrated mix of uses for the whole site;*
- (b) *preserve or enhance the character of the river frontage;*

- (c) *minimise the need for private car usage, having regard to the mix of uses on the site;*
- (d) *provide or allow for sustainable and managed public access to the river frontage;*
- (e) *retain and manage for public use the existing wet dock, slipways and jetty;*
- (f) *maintain building heights generally at or below three storeys with third floors normally being contained within roofspaces;*
- (g) *protect the adjoining SSSI during construction work and thereafter;*
- (h) *protect the site's reptile population;*
- (i) *provide social housing at the rate of 25% of orthodox residential units on the site;*
- (j) *provide a fisherman's store/wc;*
- (k) *provide for the retention of shipyard artefacts;*
- (l) *provide access to and from the site via Valley Road/Belle Vue Road.*

POLICY CE8 1 ROWHEDGE REGENERATION AREA

Development proposals for Rowhedge Port Regeneration Area, as defined on the Proposals Map, will be required to meet the following criteria:-

- (a) *provide a comprehensive, balanced and integrated mix of uses for the whole site;*
- (b) *preserve and enhance the character of the river frontage;*
- (m) *minimise the need for private car usage, having regard to the mix of uses on the site;*
- (n) *provide or allow for sustainable and managed public access to the river frontage."*

4.11. PARAGRAPHS 4.33n, 4.33q & 4.33r, POLICY CE8 2 & PROPOSED CHANGES 64, 125 & 126 Rowhedge High Street & Wivenhoe Quay

Objection

0838 / 01972
0863 / 02122

Associated British Ports
Wilkin & Sons Ltd

KEY ISSUES

- There should not be an overall masterplan for Rowhedge High Street.
- The requirement of Policy CE8 2, to preclude all changes of use or redevelopment of commercial buildings on Wivenhoe Quay for residential occupation, is unreasonable, as this could, in some instances, reduce the volume of unsuitable heavy goods vehicle movements through narrow streets.
- Proposed Change 64 would insert the sentence "*The impact on the historic skyline of both settlements will be particularly important.*" After the word "*landscape*" at the end of line 6 of paragraph 4.33q.

- Proposed Change 125 would delete the fourth sentence of paragraph 4.33n and replace it with the following:- *“The importance of commercial uses is not a particular issue at Wivenhoe Quay, as the only one remaining is the now underused warehouse premises of Messrs Wilkin and Son located at the extreme western end. Indeed, it may be preferable in amenity terms if this commercial use were replaced, as it is now effectively surrounded by residential development following the redevelopment of Wivenhoe Port. Care will be required to ensure that any change of use or redevelopment does not prejudice the historic character of the Quay. It is felt, however, that the public house, Nottage Institute and Royal British Legion, all located in the central part of the quay between Anchor Hill and Rose Lane, provide important local community facilities and should not be lost.”* Proposed Change 125 continues by inserting the words *“the central part of”* between the words *“and”* and *“Wivenhoe”* in the final sentence of paragraph 4.33n.
- Proposed Change 126 would amend Policy CE8 2 to read as follows:- *“Along Rowhedge High Street, and that part of Wivenhoe Quay between Anchor Hill and Rose Lane, proposals for change of use or redevelopment of existing commercial uses, to residential, will be resisted.”*

CONCLUSION

4.11.1. Proposed Changes 125 and 126 would effectively meet the concerns of Wilkin & Son’s objection to paragraph 4.33n and Policy CE8 2 by reducing the effect of the policy so that it no longer bites on Messrs Wilkin & Son’s premises at Wivenhoe Quay. I am fully in favour of any measures that will reduce the movement of heavy goods vehicles through the narrow streets of this part of Wivenhoe. However, it is apparent, from the representations made on their behalf, that the objectors envisage redevelopment of the site for housing purposes. This would involve demolition of the existing buildings, which would require conservation area consent. I am recommending that the proposed changes can proceed on the understanding that they allow the existing buildings to be redeveloped for residential **or** that they be used for housing accommodation. These proposed changes should not be taken as an indication that consent will be automatically forthcoming for the present premises’ demolition. It only means that planning permission will be granted for some form of residential use on the site.

4.11.2. Turning to the objection of Associated British Ports, the Council accepts that the masterplan approach is inappropriate for Rowhedge High Street because of its fragmented pattern of landholdings. The impact of Proposed Changes 125 and 126 is to break up the Wivenhoe Quay designation also. In these circumstances, I see no need to retain paragraph 4.33r, especially as a very detailed approach to development of both Rowhedge High Street and Wivenhoe Quay is set out in paragraphs 4.33o-q and 4.33s-u, to which no objections have been raised. These requirements have been further amplified in 4.33q by Proposed Change 64 requiring protection of the skyline of both settlements. The only site to which the masterplan approach was appropriate was Cook’s Shipyard. The outline planning permission, which has been granted by the Council, can effectively be looked upon as the masterplan of that site whether the planning permission is implemented or otherwise. In these particular circumstances, I can see no objection to the removal of paragraph 4.33r.

RECOMMENDATION

4.11.3. I recommend that the Local Plan be modified in accordance with Proposed Changes Nos 64, 125 and 126 and by the deletion of paragraph 4.33r.

4.12. PARAGRAPH 4.46 & PROPOSED CHANGE 2**West Mersea****Waterside****KEY ISSUE**

- Proposed Change 2 deletes the last sentence of paragraph 4.46.

CONCLUSION

4.12.1. The Proposed Change clarifies the paragraph.

RECOMMENDATION

4.12.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 2.

4.13. PARAGRAPH 4.46(a) & PROPOSED CHANGE 3**West Mersea****Waterside****KEY ISSUE**

- Proposed Change 3 deals with seasonal parking problems at West Mersea Waterside.

CONCLUSION

4.13.1. Proposed Change 3 [paragraph 4.46(a)] reads as follows:-

“Traffic congestion, and in particular lack of public car parking provision, are long-standing problems in Coast Road. Where, therefore, development can be approved under this policy and where site conditions allow, appropriate provision for further seasonal public car parking as part of that development will be sought by means of a section 106 agreement.”

I am satisfied that the insertion of this paragraph would meet the concerns of the Mersea Forum with regard to seasonal car parking in West Mersea.

RECOMMENDATION

4.13.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 3.

4.14. PARAGRAPH 4.47 & PROPOSED CHANGE 4**West Mersea****Waterside****KEY ISSUE**

- Proposed Change 4 deletes the third bullet point of paragraph 4.47 and inserts two replacement bullet points to read, *“provision will be made for limited additional residential development”* and *“to make provision for further open space..”*

CONCLUSION

4.14.1. The Proposed Change clarifies the paragraph.

RECOMMENDATION

4.14.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 4.

4.15. POLICY CE9 & PROPOSED CHANGE 5**West Mersea Waterside****Objection**

0694 / 01737

Mersea Forum

KEY ISSUE

- The word “*refused*” in criterion (b) should be replaced by “*resisted*”.

CONCLUSION

4.15.1. Proposed Change 5 would result in the deletion of the first two lines of criterion (c) and their replacement with the following:-

“With regard to the boatyard/storage and other related maritime uses and sites: -

The expansion or development of existing premises/sites for this type of use will only be permitted where:-”

There would be no change to points (i) (ii) and (iii). At the end of the policy the following would be added.

“2. The redevelopment of, or change of use of sites/premises will only be permitted where:-

(i)The new use or development will contribute towards, and be compatible with, the special traditional maritime character of the area and;

(ii)There is a proven need for it to be located in or on the premises concerned.”

4.15.2. I am satisfied that this Proposed Change would meet the objectors’ concerns, as the wording was agreed after discussion with the Mersea Forum.

RECOMMENDATION

4.15.3. I recommend that the Local Plan be modified in accordance with Proposed Change No 5.

5 Chapter 5 - Countryside

5.1. POLICY LPS1 Local Plan Strategy

Objection

0651 / 01582

English Heritage

KEY ISSUES

- Whether an additional objective should be included referring to the man-made dimension of the landscape in terms of archaeology, parks and gardens and other historic features such as hedgerows and green lanes.
- Whether objective c) should be reworded to remove any apparent conflict between development needs and environmental protection.

CONCLUSION

5.1.1. In response to the objection by English Heritage, several alterations were made to the Second Deposit Draft. I note the wording of the first objective in the Second Deposit Draft has been expanded to state “*and to safeguard the historic character of the countryside*”. The objectives contain the broad areas that the plan is seeking to address. These combine with other relevant policies, in particular CO7, CO3, CO5 and UEA 11, in seeking to protect individual features such as hedgerows and parks and gardens of historic interest. I am satisfied that collectively the changes made in response to this objection appear appropriate. As the Plan should be read as a whole, I am satisfied that there is sufficient reference and provision to the protection of the man-made dimension of the landscape.

5.1.2. Objective c) of Chapter 5: Countryside was amended in the Second Deposit Draft through the replacement of the word “*balance*” with the phrase “*to reconcile*” so as to remove any implication of conflict between development needs and environmental protection. I am satisfied that this amendment has fully addressed this element of the objection.

RECOMMENDATION

5.1.3. I recommend that no modification be made to the Local Plan.

5.2. POLICY N99 New Policy

Objection

0459 / 01006

CPRE(Essex)

KEY ISSUE

- An additional policy should be included regarding the promotion of planting of spinneys, copses and larger-scale woodland in appropriate locations.

CONCLUSION

5.2.1. CPRE (Essex) notes that, whilst the promotion of a woodland strategy for the Borough is promoted through the objectives of the Leisure, Recreation and Tourism chapter, it is not positively supported by an individual Policy. The issues regarding tree planting would appear to fall into two categories, those related to the contribution of woodlands to landscape and

habitat value and those related to the contributions to leisure and recreational activities. Paragraph 5.22 of the Second Deposit Draft was expanded to state that the Council “*will encourage planting where appropriate*”. Whilst this has highlighted the objector’s concern, it does not address the request for a separate policy. Furthermore, being contained within the written justification to Policy CO5, the encouragement of tree planting where appropriate will only apply to sites of international and national importance and other specified sites. Objective (h) of paragraph 10.3 of the Leisure, Recreation and Tourism Chapter is concerned with promoting a woodland strategy for the Borough. In itself this objective would appear vague. I am unsure as to whether it is referring to a strategy to promote woodlands or to promote schemes for the retention and management of woodlands. I note that no additional explanation is included within Chapter 10.

5.2.2. Policy NR9 of the Replacement Structure Plan is concerned with enhancing woodland and tree cover through measures, such as grant-aided schemes, and taking opportunities provided by new development proposals. In the written justification, reference is made to the future production of a Forestry Strategy for Essex setting out the County Council’s long-term aims and policies. The Structure Plan also specifically mentions that there will be opportunities to consider the integration of new trees, hedgerows and woodlands during the preparation of local plans. PPG7 also makes reference to the importance of increasing woodland cover and the benefits associated with well-planned and managed woodlands.

5.2.3. The Council has not provided a detailed reasoning for suggesting that a separate policy would be unnecessary. I would recommend that, having regard to my above conclusions, the Council reconsider its stance to the promotion of tree planting and a woodland strategy for the Borough. In the first instance, reference to a woodland strategy in the objectives for Chapter 10 is potentially confusing and lacks detailed explanation. In the second instance, the Council has acknowledged that tree planting will be encouraged where appropriate but in relation to maintaining and enhancing habitats. Taking into account all the information before me, I am of the opinion that it would be reasonable for the Council to formulate a policy that would address their approach to the promotion of tree planting, where appropriate, throughout the Borough.

5.2.4. The objector has highlighted that such a policy could enhance the amenities of the Borough, in particular in Stanway. Stanway has been the subject of substantial and continuing expansion in recent years in the form of new residential and commercial development. As a result, its urban edge may in places appear quite harsh, although this situation may improve as landscaping softens its impact and existing allocations are implemented in full. However, the situation may recur as large-scale developments proposed elsewhere in this plan, notably in North Colchester and on the present and proposed Garrison sites, come on stream. These concerns reinforce my stance that the addition of a new Borough-wide policy for tree planting is appropriate.

RECOMMENDATION

5.2.5. I recommend that the Council reconsider their approach to the promotion of tree planting in the Borough with particular attention to the clarification of the unsubstantiated Objective (h) of paragraph 10.3 of Chapter 10 and with a view to creating a policy that would elucidate their approach to the promotion of tree planting across the whole Borough.

5.3. POLICY CO1 Rural Resources

Objection

0440 / 00867

The Colchester Meeting Room Trust

KEY ISSUES

- Whether Policy CO1 and paragraph 5.7, which seek to resist non-essential development in the countryside, fail to accord with paragraph 5.3, which states that community and recreation uses may be permitted outside Village Envelope limits.
- Whether Policy CO1 fails to accord with PPG7 with regard to resisting ‘non-essential countryside development’.

CONCLUSION

5.3.1. The intention contained in paragraph 5.7 and the wording of policy CO1 is clearly in accordance with PPG7 and objective (b) in Chapter 5 Countryside. The paragraph and policy require strict control over development in the open countryside, at the same time focusing development, for which a countryside location is not essential, towards existing towns and villages. The Council has acknowledged, through paragraph 5.3, that there may be situations in which community and recreation uses might be permitted outside the Village Envelopes. These would be the exception to the Policy and would be judged on the individual location and all material considerations of the circumstances of the application, for example the level of community need for the proposal. I consider the written justification in combination with the policy is clear in its overall intent. To avoid excessive detail in local plan policies, I do not consider it necessary in this case to duplicate such an exception within the policy wording. I am satisfied that, reading the Plan as a whole, there is consistency between Policy CO1 and paragraphs 5.7 and 5.3. I am also satisfied that the policy accords with PPG7 with regard to re-use of existing rural buildings. Paragraph G2 of Annex G to PPG7 states that applications for re-use or adaptation of a rural building will be primarily considered on whether the nature and extent of the new proposed use would be acceptable in planning terms. Policy CO1 limiting development in the open countryside to protect its open and undeveloped character would be such a consideration.

5.3.2. The Council has stated that Policy CO1 is intended to be a broad Borough-wide policy. Whilst the alternative policy wording suggested by the objector would, in the main, duplicate the existing wording, I find merit in the initial premise that “*The countryside will be protected for its own sake*”. Support for this approach is found in PPG7 at paragraph 2.14. I am of the opinion that, in the light of my following recommendations in relation to Policies CO2 and CO4, Policy CO1 should be strengthened in its general approach to maintain strict control over development across all of the countryside in the Borough. The policy is aimed at discouraging development in the countryside and, as such, it is appropriate for it to be phrased in a negative manner. I do not consider that, as currently worded, the policy completely reflects the commitment to restrict non-essential development in the countryside. Emphasising the need to protect the countryside would also, in my judgement, go as far as is possible within the confines of a statutory land-use plan, of maintaining nebulous concepts of traditional rural values. I therefore recommend that Policy CO1 be modified accordingly.

RECOMMENDATION

5.3.3. I recommend that the Local Plan be modified by strengthening Policy CO1's approach to the strict control of development in the open countryside. This would be achieved by the addition of further opening sentences, *"There will be a continuing commitment to the protection of the open countryside in the Borough for its own sake. Such protection will be likely to mitigate, as far as possible, against any adverse impact upon existing landscape character and to maintain traditional rural qualities."*

5.4. POLICY CO2 & PROPOSED CHANGES 127 & 128 AONB & Countryside Conservation Areas

Dedham Vale

Objections

0557 / 01153	Suffolk County Council
0559 / 01690	Banner Homes Ltd
0460 / 00970	C F Anderson & Sons Ltd
0461 / 00996	Mr M Hollingsworth
0462 / 00986	ADCO Group Limited
0581 / 01336	Royal Eastern Counties School
0286 / 00831	House Builders Federation
0238 / 01474	George Wimpey Plc & Booker Plc
0414 / 01614	Prowting Projects Ltd
0310 / 02188	Leisure Great Britain plc
0632 / 01509	Elvanite
0456 / 00912	Mr I Sutherland
0557 / 01165	Suffolk County Council
0090 / 00107	Prowting Plc & The Barbour Family
0090 / 00216	Prowting Plc & The Barbour Family
0315 / 00540	Messrs R E, J & A Pulford
0316 / 00543	Messrs S & A H Pulford
0600 / 01615	Bellway Estates
0418 / 01688	Mr C F & Mrs M P Jowers
0423 / 00838	Mr & Mrs F G Diggle
0423 / 01718	Mr & Mrs F G Diggle
0653 / 01620	AMEC Development Ltd
0607 / 01431	Messrs. Lennox
0405 / 01555	Edward Gittins & Associates

KEY ISSUES

- Proposed Change 127 would replace the joint Countryside Conservation Area/residential designation on the Proposals Map at the junction of Berechurch Road/Layer Road with a wholly residential notation.
- Proposed Change 128 would add the following sentence to the end of Policy CO2:- *"Particular attention will be given to conserving and enhancing the natural beauty of the Dedham Vale AONB."*

Policy Issues

- Whether the policy conflicts with PPG7 and is inappropriate with regard to the extent of its coverage.
- Whether the policy is sufficient to protect AONB or Special Landscape Areas (SLAs).

- The policy should be reworded to avoid arbitrarily restricting development on all land outside the urban areas without reference to a qualitative method of assessment.
- Built-up areas diminish the value of Countryside Conservation Areas and should be excluded from the designation.
- Whether the policy as worded would clash *inter alia* with Policy CE4 in relation to Cooper's Beach Holiday Park.
- Whether the policy is an accurate reflection of PPG7 concerning not just landscape character but also land use and human activity.

Site Specific Issues

- An error has occurred on the Proposals Map by identifying Land at Haven Quay as a CCA.
- The Proposals Map should be amended to delete the CCA designation from the Berechurch Hall Road/Layer Road junction.
- The boundary of the Dedham AONB should be extended southwards to include areas of value.
- Whether the area of the Stour Valley, upstream from the Dedham Vale AONB, should be designated as a Special Landscape Area.
- Land at Gosbecks Farm should be deleted from the CCA notation.
- Sites near Chitts Hill should be deleted from the CCA notation.
- Land to the west of Hall Road, Copford should be deleted from the CCA notation.
- Land to the east of Choats Corner and west of Eight Ash Green, including a bridleway, should be designated as a CCA.
- Land at Essex Hall (Claremont Heights) should be deleted from the CCA notation.
- Land known as Cymbeline Meadow should be deleted from the CCA notation.

CONCLUSION

5.4.1. Several objectors stated that it was inappropriate for one policy to combine protection of the whole countryside of the Borough with provision for special degrees of protection for specified AONBs, which are designated under separate legislation. Objection was also raised to the use of the word "especially" in the policy. I wholly concur with the objector that its inclusion results in an obscure and thus inadequate policy. The Council has acknowledged that AONBs should be afforded greater priority and importance over other local and rural designations. Accordingly they proposed Inquiry Change 128 which would add the following sentence to the end of Policy CO2 "*Particular protection will be given to conserving and enhancing the natural beauty of the Dedham Vale AONB.*" As a simple statement of intent, this additional sentence would appear to add very little of material value to the policy. Furthermore, I do not consider Proposed Change 128 satisfactorily addresses the concerns of the relevant objectors.

5.4.2. I am of the opinion that the wording of the policy, even if Proposed Change 128 is adopted, is an unsatisfactory reflection of PPG7 paragraph 4.16. National guidance categorically states that local designations carry less weight than national designations and the same policies should not be applied to both. Local Plan policies as a matter of course should offer reasonable certainty, in reaching decisions, about the differing weight to be accorded to countryside designations within a hierarchy. I consider the most acceptable and reasonable method of ensuring this would be to separate national and local designations from each other in different discrete policies. Having examined all the evidence before me, I have not been made aware of any unique circumstances in this Borough which would explain why such an approach should not be considered appropriate. I therefore recommend that this policy be deleted; subsequent paragraphs of the section will expand on this reasoning in more detail. In general terms, this policy would greatly benefit from being separated out into its three constituent parts: protection of the landscape character and traditional rural qualities of the countryside of the Borough; protection afforded to AONBs and finally protection afforded to Countryside Conservation Areas. In this way, separate policies should have the opportunity to provide more appropriate and sufficient protection to both AONBs and CCAs as Suffolk County Council is concerned to achieve.

5.4.3. As Paragraph 5.7 of the Second Deposit Draft explains, Policy CO1 relates to the consideration of applications for new development or change of use in the countryside of the Borough. This policy is specifically concerned with safeguarding and enhancing the Borough's rural resources. My recommendations to revised Policy CO1 would further strengthen protection of rural qualities that would include landscape. Whilst I note the Council's approach to general protection of landscape character, I concur with an objector that Policy CO1 should recognise that, in areas of countryside where special considerations do not apply, it will not necessarily be appropriate to seek to prevent any change to landscape character having regard to the various development needs of the area. In such circumstances, the objector suggests that the objective is to mitigate as far as possible for any adverse impact on landscape character and I adopt that approach in my recommendation, with regard to Policy CO1, at 5.3.3 above.

5.4.4. I further recommend that the remaining elements of Policy CO2, regarding protection of AONBs and CCA, should be more clearly differentiated. I recommend that a revised Policy CO2 should exclusively address the protection of AONBs and a new policy CO2a be created to encompass local countryside designations.

AONB Issues

5.4.5. Suffolk County Council is concerned that inadequate control over development in the AONB and Stour Valley could impact on the integrity of the broader landscape of the Valley as a whole. Provisions introduced in the Countryside and Rights of Way Act 2000 place a duty on the relevant authority, when exercising or performing any functions in relation to, or so to affect, land in the AONB, to have regard to the purpose of conserving and enhancing the natural beauty of the AONB. The written justification clearly makes reference to the non-statutory management plan for the AONB, which forms Supplementary Planning Guidance.

5.4.6. A Ministerial Statement of 13 June 2000 changed the planning status of AONBs, confirming that they should share the highest status of protection in relation to landscape and scenic beauty. Accordingly, it is expedient that this increased strength of protection and intention, that development within AONBs will be strictly controlled to preserve and enhance their natural beauty, be reflected in the written justification and policy wording of revised Policy CO2. There could also be the opportunity to broaden the scope of this revised policy to cover the protection of views from development outside, but near, to the AONB. In

conclusion, I recommend that the Council produce a revised Policy CO2 dealing solely with Areas of Outstanding Natural Beauty and that the wording of the written justification and policy be altered accordingly.

CCA Issues

5.4.7. I note the helpful comments regarding the history of, and justification for, CCAs in the Council's Core Document 221. Essex County Council has supported this approach and the Second Deposit Draft has received a certificate of conformity with the Adopted Structure Plan. It has been stated that part of the review and roll-forward process of the Structure Plan, in the light of new Regional Planning Guidance, will involve a landscape character assessment of Essex and Southend-on-Sea.

5.4.8. Several objectors have expressed great concern that CCAs have not been the subject of a rigorous review and formal assessment in accordance with PPG7. Structure Plan Policy NR4 reiterates national guidance by stating that landscape character assessments should be prepared for District areas. Whilst brief mention is made to a landscape assessment currently being undertaken by the Borough Council in paragraph 5.8 of the Plan, no further details are given as to how this could be used to inform a process of rigorous review. I would strongly recommend the Council, as part of, or resulting from, its landscape character assessment, to undertake a thorough review of all the CCA boundaries inline with national and structure plan guidance, and indeed in line with their own intention to review boundaries as set out at paragraph 5.11. Such a review must be careful to make explicit the criteria on which landscape characteristics are to be assessed. The Council considers that it has fulfilled the requirement to indicate the special local features of the CCAs, which would require an additional layer of protection. I am not completely satisfied that this is the case. This should hopefully be adequately addressed and clarified by the completion of the formal assessment of the qualities of the countryside. Accordingly, I recommend that CCAs require a thorough review and justification, to maintain their status in this Local Plan and, even more so, their possible carrying forward into its successor.

5.4.9. PPG7 clearly states that the character approach to examining the countryside is descriptive and not an additional layer of countryside protection or designation. The planning system has a presumption in favour of development. In the light of my recommendation to strengthen Policy CO1, I would see minimal additional value in future local countryside designations that could run the risk of unduly restricting appropriate development. PPG7 warns that local countryside designations could result in acceptable development and economic activity being restricted without identifying the particular features of the local countryside that need to be respected or enhanced. Without a comprehensive and consistent review there is a danger that CCAs, as designated, could be contrary to national guidance.

5.4.10. An objector draws specific attention to the CCA at Abberton, which includes a substantial part of the built-up area within which development has previously been granted. The objector requests that, as the inclusion of such areas diminishes the value of CCAs, they should be excluded. The Council considers that villages form part of the countryside and should not be excluded.

5.4.11. Whilst villages undoubtedly form an integral part of the countryside, the very fact that some have been identified as having village boundaries would suggest that they are considered appropriate for development subject to the provisions of Policy H9. Landscape character would be a material consideration in any development proposal within a village envelope. As currently worded, I consider the inclusion of built-up areas in CCAs is potentially inappropriate: local countryside designations could restrict development within

village envelope boundaries, which is otherwise appropriate. I note that in current Structure Plan Policy NR4 there has been a slight shift in emphasis relating to Special Landscape Areas (SLAs) – I am aware that CCAs and SLAs within the Borough share generally common boundaries. The Structure Plan policy states that SLAs, where defined in adopted Local Plans, will be taken to identify areas where conservation or restoration of existing landscape character should be given high priority. If the wording in this Plan were changed to reflect the Structure Plan more closely, this could allow for a degree of compatibility. A change in emphasis could then respect that development in village envelopes could be appropriate so long as higher priority is paid to conservation and enhancement of landscape character within the settlement boundaries. There is also the confusion arising in villages designated as Conservation Areas and included within a Countryside Conservation Area. The test set out in section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 applies in the former but not the latter.

5.4.12. Turning to the last issue related to the general policy, as set out in my recommendations at paragraph 5.3.3 above, this would now be more appropriately dealt with under Policy CO1. The objector notes that landscape character also includes land use and human activity. Whilst I note the Council has referred to safeguarding of the historic character of the countryside and to its natural, social and cultural elements, I agree that some benefit could come from defining these aspects more clearly. I have made similar comments in connection with Policy CO1, where these matters are addressed.

5.4.13. I do not find any of the objectors' suggested alternative wordings to be totally adequate. Furthermore, I do not find the relevant wording in the Second Deposit Draft to be adequate or appropriate. Taking into account the substantial elements of my recommendations, I will give no further guidance on suggested wording other than to highlight once more all the relevant points made within my conclusions.

5.4.14. I note that an objector has suggested that the proposed boundaries of the CCAs should remain provisional until the landscape assessment is completed. I am not persuaded that such an approach would be consistent with the Structure Plan.

5.4.15. In conclusion, whilst I am not convinced of the total merit of the Countryside Conservation Area approach, I accept that it accords with the Structure Plan. I support the commitment by both the County and Borough Councils to undertake landscape character assessments. Whilst I may not have covered each of the objectors' concerns in the same degree of detail, I am satisfied that my recommendations have addressed the substantive elements of all the objections to this policy, insofar as it is practicable to do so at this time.

Compatibility with Policy CE4

5.4.16. The Council states there is no conflict between policy CO2 and policy CE4. This report is not the appropriate means to discuss the potential merits of a possible planning application in relation to the expansion of Cooper's Beach Holiday Park. I have addressed the consistency between policies CE4 and CO5 in paragraph 4.7.2 of this report and concluded in that case that no conflict exists. Having examined Policy CE4 in relation to the existing wording of CO2 in the Second Deposit Draft I am satisfied that no conflict exists. I consider that the separation of Policy CO2, as per my recommendations, should result in a clearer indication of the relationship between CCA and Holiday Camp designation. Whilst I am not promoting the exact wording of a new policy, I am content that it should not contain any wording or policy principle that would conflict with Policy CE4.

Site Specific Issues

5.4.17. In the light of all my above comments, I consider that decisions regarding the value of certain sites, with a view to determining whether they should be afforded an additional layer of protection, should be more appropriately left to the detailed and comprehensive landscape character assessment. In respect of the specific sites below, I have taken into account all the representations and information before me and have drawn a conclusion in relation to each site. In those cases where I have considered that no changes in circumstances have occurred, which would indicate that the site should be deleted, I must stress this is not a judgement on the original merit of that designation. Furthermore, in cases where I have recommended that a site should not be included as a CCA, this is not an indication that the site does not contain inherent value, should the Council choose not to accept my detailed recommendations. My cautious approach is a reflection of the potential uncertainty of the value of this policy and its designations, having regard to the limited nature of the assessment and subsequent review of local countryside designations carried out in the preparation of this plan, in comparison with the forceful advice set out in PPG7.

Land at Haven Quay, Haven Road

5.4.18. I note that Map 17c of the Second Deposit Draft addressed an error in the Deposit Draft Proposal Map that identified this land as a CCA against the recommendation of the Planning and Transportation Committee that had granted approval for a waste processing plant. I am satisfied that the correction in Map17c, as attached to Council Response to objection 632/1509, has fully addressed this objection.

Berechurch Hall Road/Layer Road

5.4.19. Proposed Change 127 requires that the Proposals Map be amended to delete the CCA designation from the joint residential/ CCA designation of longstanding housing at the junction of Berechurch Hall Road with Layer Road. In response to an objection from Michael Howard Homes 293/1765, this area would be shown as solely residential in accordance with Map 41 of the Inquiry Changes August 2001 document. I support Inquiry Change 127.

Dedham Vale AONB

5.4.20. The objector contends that the boundary of the AONB should be extended southwards from Langham village to the boundary of the A12 so as to include land of value, in particular two areas worthy of preservation: Kiln Wood and the area of land bounded by Perry Lane, Wick Road, Birchwood Road and the A12 known as Mott's Farm, at Langham. I concur with the Council that AONBs are a national designation and, as such, changes to the AONB boundary are beyond the remit of a Local Plan. Whilst I appreciate the objector's concern to seek stronger policy protection for the area of land identified, I am not in a position to make a recommendation on the merits of an extension to the AONB boundary. For this reason, I consider it prudent that I do not make any initial comment or general statement regarding the potential suitability of the suggested areas for AONB status, which may come about by other means. The objector specifically mentions two sites that he considers worthy of additional protection due to their nature conservation value. The Council has clarified that the nature conservation value of Kiln Wood has been recognised in a SINC designation. In response to the objector's claim, that the Mott's Farm area has not been cultivated for 20 years and may also possess nature conservation significance, I believe there could be some merit in assessing this site with a view to determining whether such wildlife habitat value exists and whether the site is worthy of an appropriate designation. I note from the objector's map that there may have been a slight confusion with the southern extent of the AONB boundary. Regardless of

this, my comments concerning any future alteration to AONB boundaries, and the merits of the land that such a proposal would encompass, would still apply.

Stour Valley

5.4.21. Suffolk County Council has objected to the failure of the Plan to provide policy provision to protect Special Landscape Areas (SLAs) adequately. Land in the Stour Valley, upstream from the Dedham Vale AONB, is specifically identified as an omission from the SLA. The objector contends that the current CCA designation affords the area a lower level of protection and is inconsistent with the SLA designation on the Suffolk side of the Vale.

5.4.22. I am satisfied that the area of land identified by Suffolk County Council will be covered with a CCA designation, the boundaries of which are broadly consistent with the Essex County Council SLA designation. Essex County Council appears content that the Borough Council's approach is in accordance with the intention of the Structure Plan. With regard to my other recommendations, I would consider the level of protection offered to CCAs to be consistent with that provided for SLAs through Structure Plan Policy NR4. I note that GO-East has not highlighted that a problem in consistency would arise. Core Document 221 suggests that the Joint Structure Plan authorities' reluctance to accept the Panel's recommended wording was due to their concern that, in the absence of comprehensive character assessments, SLAs should not be deleted and result in an absence of planning guidance in the matter. In the light of my recommendation to retain CCA designations, subject to the findings of the landscape character assessment, and the Council's assertion that CCA boundaries closely follow SLA boundaries, I am satisfied that an absence of specific planning guidance in the Local Plan on these SLA sites within Colchester Borough will not, in practice, give rise to any significant difficulties or confusion.

5.4.23. I therefore recommend that no change be made to the Plan subject to Borough-wide landscape character assessment to inform the retention or extension of all CCA designations.

Land at Gosbecks Farm

5.4.24. The objector contends that the reasons for inclusion of this site within the CCA designation are no longer justified. It would certainly appear from the objector's evidence that events since the initial designation of this site have led to the release from CCA designation of an adjacent site. The objector further claims that the reason for the initial designation of land up to the boundary of Gosbecks Road was on the basis of providing a firm, logical, and easily identifiable boundary. Whilst the merit of clearly defined boundaries would be acknowledged in most cases, I do not believe it should be at the price of including land undeserving of designation. When applied to larger tracts of land, such a broad-brush approach would weaken the basis of the policy. PPG7 warns against unduly restricting acceptable development. I strongly urge the Council to take this fully into account when completing the review of CCA boundaries. I would not want to pre-empt that assessment nor would I want to prejudice its findings in anyway. Therefore, having noted my concerns and the history associated with adjacent sites in the area, I am satisfied that the Council will take this into account in its landscape assessment of this site. I am satisfied that I have addressed the objector's concern on this matter as far as is currently practicable.

Land at Chitts Hill

5.4.25. The objector argues that the land identified as an individual site, with the road to West Bergholt forming the eastern boundary at Chitts Hill (objection 315/540), does not have a landscape character or rural quality that warrants designation as a CCA. The Council

identifies the land as north of the A12 on the edge of Eight Ash Green. With regard to my previous comments and recommendations regarding CCAs, I am not persuaded that evidence has been presented which has identified a significant change in circumstances that would warrant the deletion of this site. I therefore recommend that the site be retained in the CCA designation, subject to a Borough-wide landscape character assessment to inform the review of all CCA designations.

5.4.26. The objector contends that the area of land south of the railway line at Chitts Hill should be removed from the CCA designation. Evidence from committee reports, dating from the early 1990's, suggests that the "*Chitts Hill site is less sensitive in relation to the [Colne] valley*". The objector also contends that their proposed development of the site, as opposed to its current set-aside use, would make a greater contribution to the landscape of the valley than if the site were retained as CCA. Whilst the objector comments that proposed benefits would off-set the loss of the CCA, this would appear to be a matter of detail more appropriate to consideration of a planning application. This would essentially depend upon whether a proposal to release this site for housing development is successful. This matter is dealt with elsewhere in my report. Otherwise, its future inclusion should be dependent upon the Borough-wide assessment of landscape classification and no amendment to its current status need take place in the interim.

Land to the west of Hall Road, Copford

5.4.27. The objector claims that the site is undistinguished and that it includes some of the built-up areas of Copford. As such a revision to the CCA boundary has been suggested. However, the objector has not shown that there have been any significant changes, since the CCA was last reviewed, to support an amendment to its boundary. I therefore recommend its retention subject to a Borough-wide landscape character assessment to inform the review of all CCA designations.

Land east of Choats Corner and west of Eight Ash Green

5.4.28. This issue encompasses three individual objections and relates to two identified sites in the area, that being land to the east of Choats Corner, Eight Ash Green and land to the west of Eight Ash Green, along the eastern boundary of which is a bridleway. In effect, the objectors are suggesting a continuous strip, between Choats Corner and Eight Ash Green and to an area south of Heath Road, be designated as a CCA.

5.4.29. The Council states that the land does not sufficiently accord with the principles for designation as a CCA. I consider that to recommend the inclusion of this site in the designation at this juncture could prejudice the outcome of any future landscape assessment. The objectors are concerned that the area identified as a green wedge between Choats Corner and Eight Ash Green be retained. My recommendations with regard to Policy CO1 should afford stricter control over development to sites in the open countryside and ensure that the countryside is protected for its own sake.

5.4.30. An associated issue is the lack of any notation attributed to the bridleway on the west side of Fordham Heath. The bridleway would appear to have been acknowledged by the Council and identified at the 1991 Local Plan Inquiry as part of Fordham Heath. Eight Ash Green Parish Council has confirmed that the land is registered in their name as common land. Pertaining to my comments above, I do not consider that this bridleway should be designated as a CCA. The Council is correct to state that the bridleway would be protected under its own legislation. The notation identifying parts of Fordham Heath is based on nature conservation interests. None of the roads surrounding the southern part of the Fordham Heath SINC have

been incorporated in this designation. I am not persuaded that all the roads should be included and, for the sake of consistency, I recommend that the bridleway is not included within the Fordham Heath SINC designation.

5.4.31. In the light of all the evidence before me, and other relevant recommendations, I am not satisfied that I have sufficient information to recommend that this site be designated as a CCA. I am satisfied that it will be protected through revised Policy CO1 and should then be subject to a proper evaluation through the landscape character assessment for the Borough. Furthermore, I have recommended that the Council looks to undertaking an evaluation of what contribution such sites could make to the urban form and urban areas in relation to potential designations of strategic gaps or green wedges.

Land at Essex Hall (Land at Claremont Heights)

5.4.32. The objector contends that no justification has been given for the alteration of the CCA boundary to include any part of the Essex Hall site. It is alleged that the site was specifically excluded from the River Colne CCA, as the area's previous land use and form related to an urban activity. It was included within an Area of Development Opportunity in the 1984 Adopted Central Area Local Plan. In an appeal decision letter, the Inspector commented that this site had "*considerable affinity with the topography, openness and rural qualities*" of the adjoining meadow land, which is designated as a CCA. He also noted that it is in a sensitive and important location at the edge of the urban area. Taking all of this information into consideration, I am not persuaded that there have been any intervening changes in circumstances that would affect such a judgement. Consequently, I recommend that the CCA notation remains on this site, subject to a Borough-wide landscape character assessment to inform the review of all CCA designations.

Land known as Cymbeline Meadow

5.4.33. The site at Cymbeline Meadow adjoins the above site at Essex Hall. The objector contends that the site does not have any landscape or rural character worthy of a CCA designation. I note that in two previous appeal decisions, on land bordering the north-eastern edges of this site, the Inspectors have made reference to the pastoral landscape and its relationship with the Colne River Valley and that it is in a sensitive and important location at the edge of the urban area. Whilst the Inspectors made further comments in their decision letters, I regard that they relate specifically to the harm upon landscape character that would have been brought about by the particular scheme under consideration. Regardless of this, as in the above case, I am not aware of any significant change in circumstances that would override these considerations. Accordingly, I recommend the retention of the CCA designation on this site, subject to a Borough-wide landscape character assessment to inform the review of all CCA designations.

RECOMMENDATION

5.4.34. That the plan is modified as follows:-

- (a) that the Plan is modified in accordance with Proposed Change 127;
- (b) that Proposed Change 128 does not proceed and that Policy CO2 is deleted;
- (c) that references, where appropriate, to the protection of landscape character and traditional rural qualities be relocated to the written justification and policy wording of Policy CO1;
- (d) that the Council produce a revised Policy CO2 dealing solely with Areas of Outstanding Natural Beauty and that the wording of the written justification and

policy be altered accordingly, taking into account those factors highlighted in my conclusions;

- (e) that a new Policy CO2a be produced to address local countryside designations, in particular Countryside Conservation Areas, and that the wording of the written justification and policy takes into account those factors highlighted in my conclusions;
- (f) that the Countryside Conservation Area designation is subjected to a thorough review so as to justify its function and retention as a local countryside designation;
- (g) that all sites listed under 'Site Specific Issues' be appraised, along with the rest of the Borough, in a Landscape Character Assessment;
- (h) that the site identified as Mott's Farm, St Margaret's Cross, Langham be assessed with regard to its value to nature conservation.

5.5. POLICY CO4 Areas of Strategic Open Land

Objections

0603 / 01913	Arriva Plc
0041 / 00047	Rydon Homes
0286 / 00830	House Builders Federation
0440 / 00868	The Colchester Meeting Room Trust
0460 / 00978	C F Anderson & Sons Ltd
0461 / 01333	Mr M Hollingsworth
0462 / 00992	ADCO Group Limited
0581 / 01336	Royal Eastern Counties School
0440 / 00877(447/887)	The Colchester Meeting Room Trust
0235 / 00341	Wivenhoe Conservative Party
0355 / 00675	Wivenhoe Town Council
0644 / 01552	The Wivenhoe Society
0543 / 01133	R Schofield
0671 / 01666	Equity Estates/Lindmar Trust/Mrs R Burwood
0672 / 01669	Climate Changer Software Limited
0672 / 01670	Climate Changer Software Limited
0458 / 00915	Mr D Hearn
0546 / 01139	Mr P Berriman
0546 / 02195	Mr P Berriman
0447 / 00887	Wyncoll Trustees
0608 / 01435	Mr M N Southgate
0600 / 02329	Bellway Estates
0569 / 02145	Cants of Colchester/James Bartholomew Trust
0589 / 01380	R F & E S West
0569 / 01247	Cants of Colchester/James Bartholomew Trust
0672 / 01671	Climate Changer Software Limited
0671 / 01667	Equity Estates/Lindmar Trust/Mrs R Burwood
0238 / 01475	George Wimpey Plc & Booker Plc

KEY ISSUES

Policy Concerns

- Policy CO4 and its supporting text are contrary to PPG7 paragraph 4.16.
- Whether the wording of the policy requires clarification in relation to the role of Areas of Strategic Open Land.

- Policy CO4 should not seek to identify any Area of Strategic Open Land without making any assessment of landscape character.
- Policy CO4 should be incorporated into Policy CO2.
- Whether paragraph 5.17 requires clarification in relation to tree planting.

Site Specific Issues

- Land between Wivenhoe Park, the River Colne, the Brightlingsea Road and the edge of the Wivenhoe residential area should be designated an Area of Strategic Open Land.
- Designations of sites at Stanway and Eight Ash Green (including Stane Park) as Areas of Strategic Open Land should be deleted.
- Sites at Bullock Wood and adjoining land should be deleted as an ASOL.
- Sites at Mile End (including the Boxted Triangle), Great Horkesley, Boxted and Langham should be deleted as Areas of Strategic Open Land.

CONCLUSION

Policy Issues

5.5.1. PPG7 is quite clear regarding its view on local countryside designations; only when normal planning policies are reasonably believed to be incapable of providing necessary protection should such local designations be maintained or extended in local plans. My recommendations with regard to policies CO1 and CO2 have been concerned to strengthen the general approach to development in the countryside and to clarify differences in policy approach for more specific levels of protection. In the main, I consider these two policies, in combination with all other relevant policies affecting the countryside, are capable of protecting the rural setting of the town and preventing development that would otherwise facilitate the coalescence of adjoining settlements. An objector has also commented that, in the light of other policies concerning open space designations in the plan, Policy CO4 is superfluous.

5.5.2. PPG7 further states that when development plans are reviewed, existing local countryside designations should be rigorously considered in relation to their function and justification. Core Document 221 provides useful information about the history of ASOL designation and its relationship to CCAs. However, I am not persuaded that these local countryside designations have been supported by sufficient justification. In my site specific examination later in this section, it could appear that certain areas of ASOL have been justified more for their value in protecting the setting of an adjacent SSSI, rather than the setting of the town.

5.5.3. I am aware of the provision in PPG7 for the designation of strategic gaps or green wedges based on a sound and formal assessment of the contribution of sites to urban form and urban areas. I am not persuaded that the Council has undertaken such an exercise in order to justify the retention of Policy CO4. However, I acknowledge, and have commented elsewhere, that there are areas of the Borough where such a strategic approach would be of considerable merit. I urge the Council, however, not to use such an approach as an arbitrary means in effect to re-designate all the areas currently identified as ASOLs as strategic gaps or green wedges. Land within ASOLs, CCAs or subject to no specific countryside designation should be examined critically to identify where land between settlements should be kept open to prevent them from merging. The Planning Green Paper, "Delivering a Fundamental Change", highlights at paragraph 4.17 the principle of local authorities working together in

the future to produce land use frameworks. The edge of the urban area is close to the Borough boundary on the eastern side. Just beyond the Borough's eastern boundary within Tendring District are villages and other settlements, which have been the subject of significant growth in recent times. I am firmly of the opinion that an assessment of potential strategic gaps undertaken jointly with Tendring District Council would be of considerable merit for the future sub-regional planning of land use in this area.

5.5.4. Several objectors have raised concern that ASOLs have been identified without any assessment of their landscape character. Paragraph 5.16 explains that ASOLs are not designated on the basis of interesting landforms, attractive landscape characteristics or important nature conservation interests. I have previously noted the Council's commitment to undertake a landscape character assessment for the Borough. I have also recommended that the Council consider a formal assessment of sites that could justifiably contribute to strategic gap designation. Under these circumstances, I am satisfied that any future designation of strategic gaps would be on the basis of a comprehensive and appropriate landscape assessment.

5.5.5. A comprehensive assessment would also aim to ensure that future local countryside designations did not unduly restrict acceptable development. Designations that have not been sufficiently assessed and justified could prejudice the achievement of other planning objectives. In the broad sense, such policies could unduly restrict the successful attainment of sustainable development objectives. An objector has suggested that to meet Colchester's future housing requirements will inevitably require an element of greenfield land take. In view of sustainable patterns of development, it is therefore suggested that land at the edge of the existing urban area could make an important contribution to future development needs. An approach that unduly restricted the options for sustainable development patterns, and was not based on a proper consideration of the value and future use of land areas, could be contrary to national and strategic guidance. Furthermore, as another objector stresses, the lack of ASOL designations in other parts of the Borough could weaken wider rural restraint policies. I am satisfied that my combined recommendations regarding policies CO1, CO2 and CO4 should strengthen the Borough-wide rural policy position overall.

5.5.6. Whilst I note the list of supporters to Policy CO4, and others who actively promote sites for inclusion in the designation, I am not persuaded of the need to provide an additional layer of countryside protection for much of the areas designated as ASOLs. Moreover, I do not consider that adequate justification and assessment has been made for the designation of ASOLs in accordance with guidance in PPG7. In the light of all the evidence before me, I therefore recommend that Policy CO4 be deleted.

5.5.7. As I have recommended the deletion of CO4 and a significant degree of revision to CO2, I do not consider it appropriate that the two policies should be combined as suggested by an objector. I consider that the principles of CO4 are already contained sufficiently in Policy CO1 through my recommended changes to that policy. I have also suggested that the Council could undertake a review in the future, which sought to identify areas deserving of being designated as strategic gaps or green wedges. The format and location of a policy for these potential designations would then be a matter for a future review. I see no need to comment further on this particular issue.

Paragraph 5.17

5.5.8. An objector has suggested that this paragraph is confusing, and would seem to imply that ASOLs should be used for informal recreation or tree planting. It would appear to me that the intention of paragraph 5.17 is permissive in suggesting those land uses that might be

appropriate to ASOL land. This would not lead to negative effects on agricultural operations, affect the profitability of the land or create managerial and associated financial problems. Nevertheless, as part of my recommendation to delete policy CO4, paragraph 5.17 would also require deletion.

Site Specific Issues

5.5.9. I have considered all the site-specific evidence before me. However, in line with my above recommendation to delete Policy CO4, I also recommend that the site-specific designations and the Proposals Map be altered accordingly. The site-specific objections cover four main areas, the failure to designate land between Wivenhoe and the University of Essex, and the unreasonable designation of Land at Stanway and Eight Ash Green, Land at Bullock Wood and land adjoining, and Land at Mile End, Great Horkesley, Boxted and Langham. In the interests of consistency, all the site specific designations are recommended for deletion.

Land Between Wivenhoe and the University of Essex

5.5.10. The objectors identify an area of land between Wivenhoe Park, the River Colne, the Brightlingsea Road and the edge of the Wivenhoe residential area, which they contend should be designated as ASOL. Wivenhoe Town Council has highlighted the pressure on this area from development of part of the University's campus and the potential creation of a railway station. The objectors' concern is to preserve the green wedge between Wivenhoe and Colchester. Notwithstanding my recommendation to delete CO4, there would appear to be evidence that would support the exclusion of this area of land from the CO4 designation in any event. It is open countryside and thus subject to revised policy CO1 and is entirely covered with CCA and Coastal Protection Belt designations. Furthermore, the area identified for possible designation by one objector encompasses SSSI, SINC and open space designations. Therefore, there is no need for this additional layer of protection.

Land at Stanway and Eight Ash Green (incorporating Stane Park)

5.5.11. Multiple objections have raised concerns over five sites within the Stanway – Eight Ash Green area. The first site is located to the north and east of Halstead Road in Eight Ash Green. The objector contends that this site does not contribute to the setting of Colchester and its development would not lead to the coalescence of Eight Ash Green with Stanway. The Council appears to be concerned with establishing a clear edge to the urban area. However, the Council has acknowledged that the character of existing development in this area was that of a “*loose scatter*”. The railway and A12 trunk road together form a strong visual and physical barrier between the two built-up areas. Notwithstanding my recommendation to delete this policy and its designations, I do not have adequate evidence before me to suggest that this site requires an additional layer of countryside protection over and above a general requirement to maintain rural openness.

5.5.12. The second site consists of a triangular site to the north of the railway and south of Halstead Road, Eight Ash Green. Having granted permission for hotel use on part of the site, the Council would appear to have accepted the principle of development. The remaining part of the site would consist of land between the hotel and a major road junction. I concur with the objectors that this set of circumstances, in themselves, completely undermines its designation. The third site is a triangular area of land bordered to the north by the railway, to the east by Halstead Road and to the south by the A12. The objectors contend that the site is inherently inappropriate for ASOL designation as it is surrounded by high impact infrastructure. The fourth site is land south of the A12 known as the Stane Park site, linked to employment objections 671/1668 and 672/1672. The final site is land at Wyvern Farm

(linked to objections 589/1380 and 696/1745 – allocation for employment purposes subsequently unconditionally withdrawn). I note that the Council has considered an element of this objection to be a new objection to the Second Deposit Stage and have chosen to render it invalid. It would appear to me the main issue at stake here is whether there is sufficient reason to designate the identified site as an ASOL, which is connected to other objections relating to employment use on the site. The site history has been used to indicate that this site has previously been considered an appropriate site for development. However, I note that a previous Inspector commented that the accepted need for a lorry park and HGV driver facility did not outweigh the high degree of harm this would cause to this important stretch of countryside.

5.5.13. Whilst I appreciate the Council's opinion that all these sites together form a strategic gap, I am concerned that this could effectively create a blanket designation. It would not be appropriate to include land that did not fulfil the function of the policy. Having examined the individual merit of each site, I have commented that in certain cases the basis for their continued designation would appear less than clear. From all the evidence before me, I am not persuaded that these areas of land have been rigorously assessed or require additional protection above the normal restraining effects of rural planning policies.

Land at Bullock Wood and adjoining land

5.5.14. Five objections have highlighted five sites in this area that designate most of the Bullock Wood and adjacent land an Area of Strategic Open Land. In more specific terms, the objection sites relate to those parts of the ASOL, which are not covered by the SSSI or Country Park/Wildlife designations.

5.5.15. The first two sites are located to the north and south of the railway line at Parsons Heath at the edge of the urban area. The site to the north of the railway line is smaller and triangular in shape. The site to the south was proposed for ASOL designation in the Second Deposit Draft; this site backs onto the Welshwood Park Road housing estate. It is suggested that the land does not contribute to the setting of the town or to preventing coalescence. The Council considers these sites to contribute to the open countryside setting of Colchester and values the area as forming a clear distinction between urban and countryside areas. As the sites are to be located in open countryside, they will therefore be afforded considerable protection under revised Policy CO1.

5.5.16. The third site is land at 66 Parsons Heath, located in the south corner of the Bullock Wood and adjoining land designated as an ASOL. It is also located adjacent to the two sites above. I have no comment to make on the merit of individual planning applications. However, what they strongly indicate is that existing countryside policies appear to be of sufficient weight to preclude residential development on this site. I note that letters have been received in support of ASOL designations on these sites. However, a substantial element of that concern was based on the supporting role of these sites for the Bullock Wood SSSI. Other policies in the countryside chapter deal specifically with the protection of species and habitats important for nature conservation.

5.5.17. The final two sites are land between Buildings Farm and Bullock Wood and an area of land located on the northern boundary of the Bullock Wood and adjacent land ASOL adjacent to the eastern boundary of the Bullock Wood SSSI notation. It is claimed that neither of these sites performs the functions as outlined in the policy and therefore is inappropriately designated. Notwithstanding my recommendation to delete Policy CO4, I consider these sites have strategic importance from their location on the border between Colchester Borough and Tendring District, where settlements in the latter District impinge closely upon the biggest

urban area in North-East Essex. As such I would recommend the considerable merit of both Councils jointly assessing these areas with a view to looking at their appropriate and strategic long term land use.

Land at Mile End (incorporating Boxted Triangle site), Great Horkesley, Boxted and Langham

5.5.18. Several objectors have raised concerns over the future land use of the area known as the Boxted Triangle. I note that the objection by Arriva Plc (603/1913) has been conditionally withdrawn. In Map 11 of the Second Deposit Draft, the ASOL was extended over the majority of the site. Map 13a, in line with a planning permission, then designated the south western part of the site for residential use, the remainder of the site to the north still being under ASOL notation. The objector contends that, due to the ownership of the land, there is potential to improve and widen the existing Nayland Road and to reserve the land to the south and north of the A12 for an interchange and also reserve land for a dedicated bus corridor. The Council states that the site forms part of a belt of attractive countryside along the northern edge of the built up area of Colchester. It forms part of a narrow green wedge between Mile End and Great Horkesley, a green wedge fragmented by the A12 northern bypass.

5.5.19. I agree that the Council does not appear to have carried out an adequate assessment of the site to justify its addition to the ASOL designation as shown in Map 13a. For matters of consistency I recommend this site be deleted as an ASOL. However, taking into account my conclusions on related objections to this site, and the comments of a previous Inspector regarding its landscape character contribution to the locality, I would suggest that this area would have merit in being properly scrutinised as a potential future strategic gap or green wedge.

RECOMMENDATION

5.5.20. I recommend that the Local Plan be modified by deleting Policy CO4 and paragraphs 5.16 to 5.17 and that the Proposals Maps be modified accordingly.

5.6. POLICY CO5 & PROPOSED CHANGES 6, 66, 67 & 68

Habitats

Objections

0388 / 00729	English Nature
0459 / 01008	CPRE(Essex)
0242 / 00379	Landmatch Ltd (prev. Lafarge)
0262 / 00420	The Hills Building Group
0297 / 00516	Environment Agency
0416 / 00817	Essex Wildlife Trust
0660 / 01696	Colchester Natural History Society
0660 / 01697	Colchester Natural History Society
0659 / 01660	J J Heath
0388 / 00742	English Nature
0439 / 02248	I Melrose Esq
0310 / 02193	Leisure Great Britain plc
0607 / 01558	Messrs. Lennox
0659 / 01649	J J Heath
0083 / 00096	Mr C N Gooch
0510 / 01151	ABX & SM Fenwick and Bypass Nurseries Ltd
0570 / 01265	Marconi Property Limited

KEY ISSUES

- Proposed Change 6 would delete the words “*before development commences*” from the end of Policy CO5.
- Proposed Change 66 would delete the final sentence of paragraph 5.19.
- Proposed Change 67 would extend the boundary of SINC G18 to include the open grassland to the west of West Bergholt Heath.
- Proposed Change 68 would add the international designations of Special Protection Areas, Special Areas for Conservation and Ramsar Sites to the Proposals Map.

Policy Issues

- Whether paragraph 5.19 correctly interprets the concepts of critical environmental capital and constant natural capital.
- The presumption that loss/mitigation is acceptable, in the second paragraph of the policy, should be removed.
- Mention should be made to the long-term protection of features through appropriate management.
- The wording of the second paragraph of Policy CO5 is complex and weaker than is needed.
- The first paragraph of the policy is imprecise, over-protective and does not accord with PPG9.
- A reference to promoting the establishment of local nature reserves should be included.
- Reference should be made to the possibility of transferring localised environmental stock to alternative locations.

Biodiversity Action Plans

- Clarification of those groups involved in the drafting of Biodiversity Action Plans should be made.
- The written justification should be altered to provide a clearer definition of the general purpose of the Biodiversity Action Plans and the five flagship species should be highlighted.

Proposal Map Alterations

- Certain listed sites have been omitted, in part or whole, from the Proposals Map (W1, W14, W16, W23, W56, G2, G5, G6, G15, G35, G37, M12, M18 & M20).
- Minor mistakes have been made in boundary alignments of some SSSIs on the Proposals Maps.
- An error has occurred in the representation of the SSSI between St Andrews Church and Marks Tey station.

Site Specific Issues

- The SINC boundary for the West Bergholt Heath area should accord with the site file in the Colchester Borough Council Biological Records Centre.
- Whether the Policy as worded could conflict with Policy CE4 in relation to Cooper's Beach Holiday Park.
- The site known as Cymbeline Meadow should be deleted from the SINC designation.
- Land adjacent to Salary Brook and near Dunnock Way should be deleted from the SINC designation.
- Land at Old Heath, Donyland should be deleted from the SINC designation.
- Land at The Moors, Spurgeon Street should be deleted from the SINC designation.
- Whether the SINC at land south of Cowdray Avenue is inappropriate in its extent.

CONCLUSION

Policy Issues

5.6.1. I note that, through discussions with the Council, the range of English Nature's objections with regard to 0388/00729 would appear to have been reduced. I shall deal in less detail with those issues identified in the original representation but which have not been reiterated in further representations. English Nature contend that paragraph 5.19 misinterprets the valuable concepts of critical environmental capital and constant natural assets. The Plan as written states that the definitions of concepts are dependent upon the type of designation rather than the idea of replaceability. I support the deletion of the final sentence of paragraph 5.19 as proposed by Proposed Change 66. However, changes made to the text of paragraph 5.19 in the Second Deposit Draft would still contain the misinterpretation of the concepts. I therefore agree with the objector that a return to the text of this paragraph from the Deposit Draft Plan, omitting the final sentence of that text, would provide a more appropriate interpretation and should not lead to the potential for undervaluing non-statutory wildlife sites and the loss of irreplaceable habitats.

5.6.2. The second paragraph of the policy has an implicit presumption that loss/damage coupled with mitigation is acceptable. The objector contends that the policy should reflect that the degree of protection should be judged against the relative value of the site and suggests wording accordingly. The Council has acknowledged the value of some parts of the alternative wording proposed by the objector. Within Council response 388/729, paragraph 3.2 contains proposed minor amendments to the wording of the second paragraph of the policy. In combination with Proposed Change 6, I am satisfied that these changes have encompassed the principal elements of the objector's suggested wording. For the purpose of clarity I recommend that the second paragraph of Policy CO5 should read as follows:

"Development and land use changes likely to have an adverse effect upon the following sites will not be approved unless it can be clearly demonstrated that there are reasons for the proposal which outweigh the need to safeguard the substantive nature conservation interest in the site. Where development is permitted and is likely to cause damage, such damage will be kept to a minimum. Where this is not possible, appropriate mitigating measures will be sought before planning permission is granted. The creation of new habitats will be required as early as possible in the development process and in some cases this may be before

development commences. Such measures will include the creation of habitats of equal quality elsewhere within the site or the Borough as a whole.”

5.6.3. In the original objection 388/729 it was suggested that additional wording be included in the second paragraph of the Policy stating that *“mitigating measures and long term management proposals will be sought”*. This does not reappear in the objector’s suggested wording for that paragraph in the further written representations. As such, I have not sought to address this matter in detail. That said, the objector refers to PPG9 paragraph 23 with regards to encouraging the management of features of the landscape which are of major importance for wild flora and fauna. I consider the wording in the policy regarding *“appropriate mitigation measures”* to be reasonable. This provision should enable the Council to consider long-term management proposals if they were considered appropriate.

5.6.4. I note that the objection of CPRE (Essex) has been unconditionally withdrawn. I consider the changes to the second paragraph of CO5 in the Second Deposit Draft, which would fully satisfy this objection, are reasonable.

5.6.5. The above recommendation, regarding the alterations to the second paragraph of CO5, partially addresses the concern that the first paragraph does not explain that there may be material factors sufficient to override the nature conservation considerations where development would be likely to adversely affect those sites listed. I acknowledge that such an exception is not included in the first paragraph relating to internationally and nationally important habitats. The relevant Structure Plan Policy NR6 makes provision for circumstances where there is no alternative solution and where the development is necessary for imperative reasons of overriding public interest. PPG9 does not categorically state that development likely to be detrimental should be refused but that, in the case of SSSIs, it will be subject to special scrutiny. I recommend that the Council considers rewording the first paragraph of Policy CO5 to make it a closer reflection of the intentions in PPG9 and the Structure Plan. I would draw the Council’s attention to a list of model policies for nature conservation included in the representations of objection 388/729 relating to ‘National Sites’. A suggested alternative wording from that model policy could be:

“Development that would adversely affect wildlife habitats of international or national importance will not be permitted unless the reasons for the development clearly outweigh the nature conservation value of the site itself and the international or national policy to safeguard the network of such sites.”

5.6.6. The objection, which also stated that the first paragraph is imprecise and over protective, does not give any further indication of the reasons for this. I have recommended above a change to the wording that would hopefully address the element of the objection related to alleged over-protection. If the Council accepts my recommendations, I consider the modified policy would be satisfactory.

5.6.7. I note that Paragraph 5.18 of the Second Deposit Draft contains the sentence *“Locally important sites include Local Nature Reserves; these will be promoted where appropriate in consultation with English Nature.”* I consider this fully satisfies that element of the objector’s concern. The second element of this objection is concerned that SINC sites, which may be at risk from neglect or intensification of agricultural use, could be protected by measures which bring about appropriate management. It is suggested that, in such cases, localised transfer of environmental stock may be considered as a means of securing long-term protection of important habitats. The site-specific element of objection 262/420 will be dealt in the subsequent relevant section below. In summary, I consider the objector is concerned that proposals for nature conservation have no adequate means of site-specific implementation, as

there are no mechanisms for management or funding. The Council has responded that SINC designation is non-statutory and, as such, the local planning authority has little control if the sites are destroyed. The Council contends that conditions giving rise to designation have often occurred as a result of neglect or through the absence of direct management. Attention was drawn to the countryside management service and the strong links to the British Trust for Conservation Volunteers, who undertake various management tasks in consultation with landowners. Furthermore, reference to the principle of appropriate management and agreements is contained in paragraphs 5.20 and 5.21. With regard to the issue of transferring environmental stock, I deal with habitat relocation in paragraph 5.7.1 below, in which I acknowledged the Council's position that relocation would only be considered as the final option in relation to protected species. The second paragraph of CO5 has been extended in the Second Deposit Draft to include the possibility of relocation of habitats. I concur with the Council's stance on this matter and endorse the changes made through the Second Deposit Draft.

Biodiversity Action Plans (BAPs)

5.6.8. With regard to the key points concerning BAPs, paragraph 5.20 has been expanded in the Second Deposit Draft through the inclusion of the words "*English Nature ... and a number of other groups*" to clarify the wider extent of parties engaged in the drafting of BAPs. Whilst this list is not exhaustive, I consider it would be a good opportunity for the Council to indicate the range of organisations involved in the process. I would therefore recommend that "*including the farming community*" be added after the word "*groups*" in paragraph 5.20. I consider this approach would satisfy this aspect of the objection.

5.6.9. The last two sentences of paragraph 5.20 of the Second Deposit Draft have been altered to clarify the general purpose of BAPs. Whilst the alterations did not follow the exact wording as suggested by the objector, I am satisfied that the changes have addressed the principal concern. However, I do consider that some element of the objectors proposed wording is slightly clearer. In conclusion, I recommend that "*endangered species of flora and fauna*" be replaced with "*endangered species and habitats*" in the second to last sentence of paragraph 5.20 to aid clarity.

5.6.10. Turning to the issue of whether the five flagship species identified in the BAP for the Borough should be included in the Local Plan, I consider it reasonable that the Council has made reference to the source of information for these flagship species. I do not consider it would be appropriate to include a list of the five flagship species identified in the BAP without an associated detailed clarification of why they had been identified and what that identification implied. The appropriate location for that information is in the BAP. I note that paragraph 5.20 of the Second Deposit Draft has referred to the targets included in the BAP and this reference is repeated in paragraph 5.27. To avoid excessive detail in the local plan I consider the approach taken in the Second Deposit Draft is reasonable.

Proposals Map Alterations

5.6.11. Several objectors have highlighted 14 sites which are claimed to have been wholly or partially omitted from the Proposals Map: W1, W14, W16, W23, W56, G2, G5, G6, G15, G35, G37, M12, M18 & M20. In response, the Council has subsequently amended the Proposals Map in the Second Deposit Draft with regards to 8 of those sites (W1, W14, W56, G5, G6, G15, G35 & G37). Site W23, due to its size, was not included on the Proposals Map, and was thus subsequently included in the list of SINCs on page 36 of the Second Deposit Draft. Site M12, whilst being shown on the Proposals Map, was difficult to see against other designations, and was thus included in the list on page 36 of the Second Deposit Draft.

5.6.12. With regard to two further sites, the Council stated that due to the size of the SINC's they had not appeared on the Proposals Map. For the sake of clarity it is proposed that sites W16 & G2 be added to the list set out on page 36 of the Second Deposit Draft. I endorse that proposal.

5.6.13. Turning to M18, Hythe Marshes SINC, this has been subsumed within an employment zone on the Proposals Map. The local planning authority considers it necessary to provide permanent high water at The Hythe, presumably on the basis that unsightly mudflats exposed at low tide are unlikely to assist physical regeneration on the part of private investors. The Second Deposit Version of paragraph 16.18 makes an undertaking that an environmental assessment will be carried out before any barrier can proceed. This would assess the benefits of physical and economic regeneration against any potential loss of natural habitat. Bearing in mind the non-statutory nature of the SINC, on the understanding that the Environmental Assessment procedure will be rigorous and fully take into account the wildlife habitat and potential of the site in its present form, I do not consider it necessary to wash over the employment allocation with the SINC designation. It seems to me that, with proper, robust and objective environmental assessment, the result should be the same whether the site is shown on the Local Plan as a SINC or not.

5.6.14. M20 Essex University SINC has been subsumed within "UE" allocation. It is subject to another objection – 660/1635 and 1696. Relevant objections to the omission of the SINC designation are 660/1696, 659/1660, 416/817 and 388/742. Their content is discussed in Chapter 9 below.

SSSI Boundaries

5.6.15. English Nature has highlighted several minor mistakes in boundary alignment for SSSIs. Accordingly they have submitted 19 citation maps showing the correct boundaries for the SSSIs and international sites – some maps have more than one correction shown. The Council has stated that corrections have been made to the Proposals Maps and will be included in the adopted Plan and Proposals Maps. From the information I have available, I support these changes and note the Council's intention to alter the Plan and Maps before adoption. Furthermore, Proposed Change 68 states that the Council will include on the Proposals Map the international designations for SPA, SAC and Ramsar sites. Again, I fully endorse Proposed Change 68.

St Andrews Church and Marks Tey Station SSSI

5.6.16. I note the Council has stated that it will amend Village Envelope Plan C6(A) to show the correct boundary of this SSSI at Brickworks Cottages, Church Lane. However, I disagree with the Council that Inset C6(B) correctly shows the SSSI boundary to the east of Marks Tey. Indeed, in their objection English Nature has also highlighted this very boundary as being incorrect. I therefore support the observation that the eastern boundary, as represented on C6(B), does not appear completely consistent with the boundary on the English Nature citation maps. I am concerned that, in the same document that the Council stated it would amend the maps in accordance with English Nature's corrections, they then appear content that a boundary that should have been highlighted for correction was accurate. I reiterate my recommendation that the Council alters the Proposals Maps in accordance with *all* the corrections identified by English Nature in their objection. I consider this would then satisfy this particular objection.

Site Specific Issues

West Bergholt Heath

5.6.17. Proposed Change 67 sought to extend the boundary of SINC G18 at West Bergholt Heath to include the open grassland to the west. I have no evidence for or objection against the proposed change and I therefore endorse Proposed Change 67.

Cooper's Beach Holiday Park

5.6.18. The objector states that there is a lack of clarity regarding whether Policy CO5 as worded would conflict with Policy CE4 in relation to Cooper's Beach Holiday Park and potential extensions thereto. This report is not the appropriate means to discuss the potential merits of a possible planning application in relation to Cooper's Beach Holiday Park, but to examine the policy context in which a decision would be made. Having examined Policy CE4, in relation to both the existing wording in the Second Deposit Draft and my recommended rewording of Policy CO5, I am satisfied that no conflict exists. As currently worded, Policy CO5 is concerned with proposals likely to be detrimental to SSSIs. As recommended for change it would relate to proposals that would adversely affect a SSSI. Following the same principle, Policy CE4, as currently worded, states that proposals will only be permitted where they would result in a significant benefit to the local environment and/or to the site itself. A development that would be detrimental to the SSSI could be refused under both policies. A development proposal that enhanced the local environment and/or the site and thus would not adversely affect the SSSI, subject to other material considerations, could be permitted under both policies. I find the policies complement each other. Whilst I have recommended the rewording of parts of Policy CO5, I do not consider that this would bring about any conflict with between CO5 and CE4.

Cymbeline Meadow

5.6.19. The objector contends that the site known as Cymbeline Meadow, Colchester does not merit designation as an SINC as it does not provide a wildlife habitat and does not contain any significant ecological value worthy of protection or retention. Green Links run through the site, and a small part is designated as a SAM. I am firmly of the opinion that the site forms a valuable tract of open land running close to the core of urban Colchester. Whilst the Council acknowledges that the conservation value of individual compartments varies across the whole site, I accept that it is considered important as part of the wildlife corridor running through Colchester's built-up area. On the evidence I have before me, I am of the opinion that the site is important for nature conservation, especially in relation to river corridor features. I therefore recommend no change to the plan in relation to this aspect of the objection.

Salary Brook and Dunnock Way SINC

5.6.20. Whilst the objector acknowledges that the area is attractive, it is suggested that it is intensively managed grassland that has no importance for nature conservation. The objector states that the area has recently been reseeded and has been fertilised and sprayed to produce a grass crop. The original proposal for the designation of Salary Brook SINC was on the basis of its damp grassland, open water and woodland habitats. I note that a survey of the site took place in 1995, which, although incomplete, identified 52 species of flowering plants and grasses. That survey is now seven years old and the Council admits that the remaining grassland section had not been surveyed. Whilst I acknowledge the importance of protecting the area adjacent to Salary Brook in order to maintain the corridor, I am unsure of the value of including an area of intensively managed grassland. In the light of the nature of evidence

before me, I would recommend that the Council undertakes a new and complete survey of the whole site, as shown on the Proposals Map, to ascertain whether the whole site or certain parts of it still merit designation as an SINC.

Land at Old Heath, Donyland

5.6.21. The objector has claimed that the SINC designation is not supported by adequate justification and does not reflect the current site condition. It would appear from the evidence before me that the two species listed under the justification for designation are, in the case of the Great Green Bush Crickets, not particularly scarce in this part of Essex and, in the case of sites for breeding snipes, do not appear to be listed elsewhere. I also note that the landowner has begun the process of restoring the land to agricultural use, which is likely to involve the loss of 'rushy pasture land'. I note the statement in paragraph 5.21 that the "*list of nature conservation sites will be kept under review and sites may be added or deleted if circumstances change*". In accordance with this, I recommend the Council reconsider the appropriateness of this site for designation as an SINC.

Spurgeon Street

5.6.22. An element of the site has an extant Certificate of Lawfulness for use of the land for the deposit of inert refuse or waste materials. The objector accepts that some parts of the site have wildlife habitat value but contends that the extent of the area identified as being of importance is not a true reflection of the value of the site, and requests that the designation be altered accordingly. The objector suggests that, in line with an element of residential development on the site, consideration could be given to the retention and management of the remainder of The Moors for nature conservation. The objector provided evidence from a consultant that the higher area of land suggested for development would not harm its overall wildlife habitat if this part of the site were to be deleted from the SINC. The Council has completed its own ecological assessment of the site and found several species that are rare, at least locally, including numerous insects. Judging by the strategic location of the land within the Regeneration Area, and the SINC and Open Space designations, I am minded to recommend no change to the Plan, as the area that the objector has highlighted is integral to the maintenance of the habitats and species of the whole site. Having regard to the recent Council survey of the objection site, I consider it prudent to take a precautionary approach and leave the extent of the SINC as it is.

Cowdray Avenue

5.6.23. The objector stated that evidence submitted to a public inquiry concerning this site in August 1997 established that a different area would satisfy nature conservation interest. I do not have a detailed site history before me, nor do I have the exact circumstances and wording of the appeal decision letter. It would appear that the Inspector found it reasonable, on the evidence before him/her that, in relation to that particular scheme, the nature conservation element of the whole area could be satisfied by the area as indicated on the objector's map. The appeal was allowed. Although the permission is, on current information, as yet unimplemented, I consider that the relationship between the developable land and the area of nature conservation interest would indicate that the SINC designation has been significantly reduced in merit. Whilst I appreciate the Council's concern to retain this area for nature conservation if the permission remains unimplemented and thus expires, I believe the existence of that appeal decision must remain an overwhelmingly material consideration in assessing any future development proposals on this site. I would stress that, as soon as development commences on the site, the designation on the Proposals Map should alter accordingly through the next review of the Plan.

5.6.24. The Council suggests that showing the SINC allocation does not inhibit implementation of the valid planning permission, but that, if the permission granted on appeal should expire, the Council would wish to see the open space and SINC designations remain. I have insufficient information regarding the specific terms of the appeal case and decision, or the conditions imposed at that time, to be able to reach an all-encompassing conclusion. Therefore, with the precautionary principle in mind, I recommend that the site retains its SINC designation as a reflection of the current land use, but that this be altered as soon as practicable if or when a valid planning permission is implemented. I would recommend a reference be included to the planning permission at Bypass Nurseries, Cowdray Avenue in the Local Plan to highlight the individual circumstances relating to this site.

Bull Meadow LNR & Heath Road SINC

5.6.25. Bull Meadow Local Nature Reserve and Heath Road SINC have been omitted according to English Nature (Objection 388/742). The objector provides no more detailed information on these matters and the Council has not made any specific response. However, reference is made to Bull Meadow LNR as one of a chain of sites along the Colne stretching from Colchester through Wivenhoe to Brightlingsea in representations opposing designation of land at Wivenhoe as a country park. Elsewhere in these representations it is described as having parking facilities at Leisure World, picnic tables and an area of less than 15 hectares. If the sites have been designated as an LNR or SINC then they should be identified on the Proposals Map. The Council may have omitted these sites, for specific reasons, for example their size precludes sensible identification on the map or they may be known by another name and already be identified – in which case they could either be listed in a similar way to other SINC designations or ignored altogether. Otherwise, I recommend that these be shown on the map as a LNR and SINC respectively. I do not make a specific recommendation on these points, but I leave the Council to take the appropriate action in the light of my comments.

RECOMMENDATION

5.6.26. That the Plan is modified as follows:-

- (a) that Proposed Change 66 is not proceeded with but that paragraph 5.19 returns to the wording of the Second Deposit Draft Plan but with the omission of the final sentence;
- (b) that the second paragraph is not modified in accordance with Proposed Change 6 but should follow the wording as recommended in paragraph 5.6.2 of this report;
- (c) that the first paragraph of Policy CO5 be reworded to reflect the intentions of PPG9 and the Structure Plan more closely; this is set out at paragraph 5.6.5;
- (d) that “*including the farming community*” be added after the word “*groups*” in paragraph 5.20;
- (e) that “*endangered species of flora and fauna*” be replaced with “*endangered species and habitats*” in the second to last sentence of paragraph 5.20;
- (f) that sites W16 & G2 be added to the list set out on page 36 of the Second Deposit Draft;
- (g) that the factual changes to the Proposals Maps be made in accordance with the correct citation maps as contained in objection 388/742;
- (h) that the Plan be modified in accordance with Proposed Changes 67 and 68;
- (i) that a new and complete survey be undertaken of land at Salary Brook and Dunnock Way, as shown on the proposals map, to ascertain whether the whole site or certain parts of it would merit designation as an SINC;
- (j) that the Council re-evaluates Land at Old Heath, Donyland with regard to SINC designation in the light of an alleged changed circumstance; and

- (k) that reference be made to the planning permission at Bypass Nurseries, Cowdray Avenue with regard to the SINC designation.

5.7. POLICY CO6 & PROPOSED CHANGE 69 Protected Species

Objections

0659 / 01633	J J Heath
0660 / 01634	Colchester Natural History Society
0262 / 00419	The Hills Building Group
0297 / 00515	Environment Agency

KEY ISSUES

- Whether the reference to relocation of threatened habitats is sensible and acceptable.
- Reference should be made to the possibility of transferring environmental stock to alternative locations.
- Reference to PPG9 and other specified protected species should be included in the written justification.

CONCLUSION

5.7.1. Objectors have argued that there is a lack of evidence relating to the success and viability of relocation schemes, and that recent planning decisions have ruled out the possibility of relocation as an option. In response, the Council has stated that relocation could represent a final viable option when faced with the inevitable loss of a habitat. There will be situations where other material considerations will override nature conservation interests. Under these circumstances, it could prove prudent to have, as a last resort, provision for habitat relocation. Paragraph 5.27 highlights that the Council will consult with English Nature on the “*best ways to safeguard the wildlife interest in respect of proposed development likely to affect the habitats*” of protected species. English Nature and the Council might identify that, in certain circumstances and where appropriate, relocation could be a viable option. I am not of the opinion that the Council’s position on this matter, as stated in their response, has been made plain in the wording of the policy and the written justification. As the policy is currently written, I accept that it could result in relocation schemes of questionable success. I am satisfied that habitat relocation could be a viable last option in appropriate cases, and consider that the policy wording and written justification should be altered to reflect and explain this.

5.7.2. An objector has suggested that a more appropriate condition would be to request a site of equivalent quality be presented freehold with sufficient funds for its management by a conservation organisation or the Council. In relation specified sites, Policy CO5 provides for the creation of equal quality habitats as an appropriate mitigating measure. As paragraph 5.27 states that the Council will consult closely with English Nature on the best ways to safeguard the wildlife interest, I consider that this, through the combination of CO5 & CO6, should provide for the most appropriate measures being identified.

5.7.3. Objection 262/419 would appear to relate in general to Policy CO5 regarding Sites of Importance for Nature Conservation. Indeed, as the suggested additional wording regarding localised transfer of environmental stock is specifically related to SINC sites, I have dealt with it accordingly under that policy. The above paragraph outlines my recommendation regarding the relocation of habitats where development would affect protected species. The

second paragraph of Policy CO5 provides for the creation of new habitats where it is not possible to formulate appropriate mitigating measures with regard to the specific sites identified.

5.7.4. A new sentence has been added to paragraph 5.23a of the Second Deposit Draft which reads “*Protected species most likely to be affected by development and land use changes include badgers, bats, barn owls, water voles, great crested newts and reptiles such as the common lizard, grass snake, adder and slow worm*”. This change would partially satisfy the objector’s concern that whilst certain species receive individual mention, other protected species have not, in particular otters and water voles. Whilst I acknowledge the Council’s intention to clarify the written justification, I consider that the inclusion of such a long and incomplete list is of little additional value. Indeed, such lists can induce the danger of misinterpretation that a higher degree of protection would be awarded to those species named. I also note that the list included in 5.23a is partially repeated in 5.27, I find this unnecessary. PPG9 makes individual reference to the additional protection awarded to badgers and bats and, as such, I find the reflection of this in the written justification to be appropriate. In conclusion, I would recommend that the first sentence of paragraph 5.23a is deleted and that the second sentence is altered to reflect a more general approach to the potential harm from development to any protected species specified in legislation. I suggest wording on the following lines:- “*Proposals for development or land use changes may potentially harm or interfere with protected species or their habitats, for example bat roosts, barn owl nesting sites or badger setts*”. I would also recommend that consideration be given to the removal of the list in the first sentence of paragraph 5.27 and that it be reworded to clarify that various species are subject to different levels of protection. Should the Council not accept this recommendation, I consider that there would be no sound reason why the inclusion of the word ‘*otter*’ in the list at paragraph 5.23a, which would satisfy this element of the objector’s concerns in full, should not proceed.

5.7.5. I concur with the Environment Agency that to highlight PPG9 as a reference source would be valuable as it describes the main statutory conservation obligations. I note and endorse Proposed Change 69 which, for reasons of clarity, would delete the words “*destroy or seriously disturb the habitats of migratory birds or protected species included in Schedules 1, 5 and 8 of the Wildlife and Countryside Act*” after “*would*” in line two of the policy, and replace with the words “*adversely affect protected species*”.

RECOMMENDATION

5.7.6. I recommend that the Local Plan be modified as follows:-

- (a) the final sentence of the second paragraph be altered to clarify the Council’s approach to the relocation of habitats, stressing that it will only be considered as a final option in appropriate circumstances, and that the written justification be amended accordingly;
- (b) the first sentence of paragraph 5.23a be deleted, and that the second sentence of paragraph 5.23a be altered to reflect that proposals for development may potentially harm or interfere with protected species and their habitats, and that the first sentence of paragraph 5.27 be deleted and rewritten to clarify that species have different levels of protection;
- (c) the written justification be altered to include a reference to PPG9;
- (d) the Local Plan be modified in accordance with Proposed Change No 69.

5.8. POLICY CO7 Protected Lanes

Objections

0213 / 00300	British Horse Society Eastern Region
0352 / 00671	Mr Martin Knowles

KEY ISSUES

- The word “*motor*” should be inserted before “*traffic*” in the final line of the Policy.
- Olivers Lane should be included in Policy CO7 and on the Proposals Map.

CONCLUSION

5.8.1. Whilst I acknowledge that the Replacement Structure Plan refers to the control of vehicular traffic using protected lanes in the written justification, I also note that Policy NR5 does not contain a subsequent qualification of the word “*traffic*”. The objector contends that the definition of traffic in relation to highways would include motor traffic and other groups, for example walkers, riders and cyclists, whose increase is not considered to be detrimental to the lane. I am not of the opinion that the suggested additional wording would add anything of material value to the Policy. Furthermore, I do not consider its exclusion would adversely affect the aims and implementation of the Policy. I am satisfied that the policy as worded is clear in its intention.

5.8.2. Essex County Council is the body responsible for the designation of Protected Lanes. This matter would appear a concern to be resolved between Colchester Borough Council as the main landowner, the County Council as Highway Authority and the individual objector. As such I consider the objection relating to the exclusion of Olivers Lane from the Policy is a matter more appropriately dealt with at the County level. Until, and unless, this matter is positively resolved in favour of the objector I can only recommend that no modification be made to the Plan and the Proposals Map.

RECOMMENDATION

5.8.3. I recommend that no modification be made to the Local Plan.

5.9. POLICY CO8 & PROPOSED CHANGES 7, 70 & 71 Agricultural Land

Objections

0866 / 02137	V Hopwell
0428 / 00847	DEFRA (formerly MAFF)
0624 / 01468	George Wimpey Plc
0242 / 00378	Landmatch Ltd (prev. Lafarge)

KEY ISSUES

- Proposed Change 7 would delete the word “*always*” from the final line of paragraph 5.29 and would insert the words “*in accordance with GPDO 1995*” (*sic*).
- Proposed Change 71 would delete the word “*irreversible*” from line 1 of Policy CO8.
- Proposed Change 70 would insert “*(a)*” between “*unless*” and “*there is*” in line 4 of Policy CO8 and would insert the following after “*development*” in line 4 of the policy:-
“*and, (b) a suitable site of lower grade land is unavailable or has an environmental value which is recognised by a statutory landscape, wildlife, historic or archaeological*”

designation. In cases where land is in ALC Grades 1,2 and 3a, where there is an overriding need for the development and where there is a choice between sites of different grades, development should be directed to land of the lowest grade first."

- The wording of paragraph 5.29 should be altered to reflect the General Development Procedure Order correctly.
- Whether the word "*irreversible*" should be included before "*loss*" in the first sentence of the Policy.
- The Policy fails to accord with guidance in PPG7.

CONCLUSION

5.9.1. I note that objection 866/2137, which has been unconditionally withdrawn, has been addressed in full by Proposed Change 7. I support the intention of the change, but would highlight that Proposed Change 7, as written in the February 2001 document, is incorrect in its reference to "GPDO". The correct reference is to the "GDPO". I recommend a change to the wording accordingly.

5.9.2. The first sentence of Policy CO8 was qualified in the Second Deposit Draft with the inclusion of "*irreversible*" before the word "*loss*". This initially appeared to acknowledge the objector's concern that the policy should take into account development with the ability to restore land to its former best and most versatile quality classification. In response to objection 225/314, Proposed Change 71 then proposed to delete "*irreversible*" from the Policy. I endorse Proposed Change 71 as I consider that the inclusion of the word "*irreversible*" would unreasonably weaken the policy.

5.9.3. George Wimpey Plc (and DEFRA in their unconditionally withdrawn objection) have argued that Policy CO8 does not accord with advice in PPG7, through a failure to acknowledge that there are circumstances when the need for development and the lack of alternative sites will necessitate the loss of agricultural land. Proposed Change 70 directly addresses all the issues raised by both objectors. Whilst Proposed Change 70 is an accurate interpretation of PPG7 (prior to amendment arising from a Parliamentary Answer by Nick Raynsford MP on 21 March 2001), I would recommend that the Council takes the opportunity, in the light of the up-dated guidance, to re-examine the wording of the policy especially with regard to guidance on accommodating development on previously-developed sites and on land within the boundaries of existing urban areas. Notwithstanding this recommendation, I would support Proposed Change 70 as an improvement upon the policy as worded in the Second Deposit Plan. I would highlight that for grammatical clarity the words "*unless*" and "*(a)*", in the first sentence of the policy as proposed to be changed by Proposed Change 70 should be exchanged so as to associate the provision of an exception to both criteria (a) and (b).

RECOMMENDATION

5.9.4. I recommend that the Local Plan be modified in accordance with Proposed Change No. 7 with "GDPO" replacing "GPDO", Proposed Change 70 with the exchange of the words "*unless*" and "*(a)*" and in accordance with Proposed Change 71, but that, in the light of up-dated guidance in PPG7, the Council should reconsider the wording of Policy CO8 and its written justification.

5.10. POLICY CO10 & PROPOSED CHANGE 129 *Agricultural Diversification*

Objections

0293 / 00472	Michael Howard Homes
0108 / 01532	R W R Browning
0428 / 00846	DEFRA (formerly MAFF)
0304 / 00498	Ramblers Association
0304 / 00495	Ramblers Association
0253 / 00400	Dedham Vale Society
0308 / 01547	East of England Tourist Board
0694 / 01740	Mersea Forum

KEY ISSUES

- Proposed Change 129 would add the words “(subject also to Policy EMP4)” after “and B8” in line 4 of paragraph 5.37.
- Whether criterion (a) should be clarified with regard to the blanket exclusion applied to new buildings.
- Whether the criteria of the policy are too restrictive.
- Greater guidance should be given for criterion (b) landscape and habitat creation schemes.
- Whether additional wording regarding the creation of Public Rights of Way would strengthen paragraph 5.38.
- Whether the policy should be strengthened in regard to the impact of commercial developments on the countryside.
- The Policy should be strengthened by a clear indication that some forms of diversification are not acceptable.
- Whether tourist accommodation is viewed as less appropriate than other diversification uses.
- Whether the policy needs clarification in relation to the definition of viability and its relevance to farms that are no longer viable but wish to diversify.

CONCLUSION

5.10.1. Criterion (a) would appear to preclude the erection of additional new buildings for agricultural diversification schemes. Firstly, the wording of criterion (a) and the written justification in paragraph 5.37 are potentially unclear. It is not totally evident as to whether the phrase ‘additional new buildings’ relates to diversification proposals that only propose new buildings, or to proposals for new buildings subsequent to an initial successful application for farm diversification. I am mindful that PPG7 (as amended by a Parliamentary Answer given by Nick Raynsford MP on 21 March 2001) clearly states that “*New buildings, either to replace existing buildings or to accommodate expansion of enterprises, may also be acceptable provided that they satisfy sustainable development objectives and are of a design and scale appropriate to their rural surroundings*”. On this basis I do not consider it appropriate for Policy CO10 to include what appears to be a blanket ban on new buildings associated with farm diversification schemes. I appreciate the Council’s reasoning for the existence of the exclusion and their reluctance to see the policy weakened. However, as the Plan should be read as a whole, I consider that other policies should restrict new development

in the countryside to a minimum. I can see merit in parts of the alternative wording suggested by the objector in that *“any new non-agricultural buildings should be essential to the diversification scheme”*. I recommend the Council consider an alternative form of wording for this criterion which would remove the blanket exclusion of new appropriate buildings and make alterations to the written justification accordingly.

5.10.2. This Policy and associated criteria are aimed specifically at the partial diversification of farms. The objector has suggested that the criteria are too restrictive. In the previous paragraph I have recommended that the blanket policy on refusal of new additional buildings for diversification schemes be removed from criterion (a). I consider that the reference to *“maximum use of existing buildings”* in criterion (a) is associated with a proposal for farm diversification rather than measuring existing usage levels. In practical terms, the Local Planning Authority should come to a reasonable view as to whether maximum use of existing buildings has been made. As all applications are judged on their individual circumstances, there is little benefit in providing further detail on this point in the Plan. Paragraph 5.36 of the Second Deposit Draft relating to landscape schemes contained in criterion (b) was expanded through the inclusion of the words *“Any scheme will be appropriate to the size and scale of the proposed development”*. I consider this approach to be reasonable. I note that objection 428/846 pertaining to criterion (b) has been unconditionally withdrawn presumably on the basis of the above additional wording. With regard to the final criterion, I consider it entirely reasonable, regardless of other overall increases in traffic that the objector highlights.

5.10.3. Paragraph 5.38 has been strengthened in the Second Deposit Draft by the inclusion of a reference to public rights of way. I support this change and consider that the objection has been fully satisfied.

5.10.4. The Ramblers Association is concerned to protect the countryside from the impact of commercial development on the environment and visual amenity. The Plan should be read as a whole. In particular, Policies DC1 and CO1, combined with Policy CO10 and its written justification, provide adequate protection from adverse impact upon the rural environment and its visual amenity. The Council highlights that the written justification states that the needs of the countryside, conservation and neighbouring residential properties cannot be set aside. I find that to alter the policy or written justification would create unnecessary duplication.

5.10.5. Dedham Vale Society expressed support for the statement in paragraph 5.35 that not all forms of diversification would be acceptable and that the needs of the countryside and neighbouring residential properties would not be set aside. They comment that this should be taken through into the Policy statement. The Policy criteria and the written justification combine to give a good indication of uses, which would be considered inappropriate or unacceptable, especially paragraphs 5.34-5.37. As I commented in the above paragraph, the Plan should be read as a whole. Any application for a diversification scheme would be judged against all relevant policies in the Plan, including DC1 relating to general development control policy. I consider the use of the word *“appropriate”* in the Policy statement is an adequate representation of the discussion of acceptable forms of diversification in the written justification. I consider the current wording of the policy contains sufficient provision for the statements included in the written justification. I therefore recommend no change to the wording of the policy in response to this objection.

5.10.6. With regard to the seventh issue listed above, the objector is concerned that tourist accommodation is viewed as less appropriate than other uses listed in paragraph 5.37. In its response, the Council clarified that if a proposal for tourist accommodation satisfied the criteria of the Policy, subject to general development control and other material

considerations, it would be granted. The suitability of the scheme would be judged on its merits and would not be refused solely on the grounds that it was for tourist accommodation. I consider this approach to tourist accommodation to be reasonable. In the light of the Council's subsequent explanation, the existing wording of paragraph 5.37 would appear to be somewhat confusing. At present, the written justification seems to be establishing a loose hierarchy of appropriate uses that are considered to represent different levels of suitability. The wording as written does not, in my view, reflect the Council's intention (as stated in their response) that the reasoned justification reflects the need to ensure that any tourist accommodation farm diversification schemes are carefully sited and designed as they may be located in sensitive areas and give rise to increased traffic generation and people movement. It would follow from such an interpretation that the appropriateness of a proposal for tourist accommodation would be related to the specific circumstances of a particular location and not to the general suitability of the tourist accommodation use. The blanket statement in the written justification does not reflect the Council's intention. I recommend that the Council reconsiders the wording of paragraph 5.37 with a view to explaining more clearly its particular concerns, with regard to tourist accommodation and its appropriateness, in relation to a specific site rather than as a use in general.

5.10.7. Turning to the last issue, the objector is concerned about the relevance of the policy in retaining the agricultural viability of holdings where farms are no longer viable. The Council has clarified that the suitability of a diversification project, to make a 'non-viable' farm more economically feasible, would be assessed under the criteria of the Policy. Furthermore, if the operator of a smallholding were seeking to diversify, he or she would be subject to other policies. I concur with these points. The objector has gone on to suggest that a clearer definition of 'viable' could be a use which provides 75% of the farmer's income. In its response, the Council comments that diversification is intended to bolster the economic viability of the farm unit and not to replace the agricultural basis of its function. I agree that the suggested definition would be against the spirit of the policy.

5.10.8. Proposed Change 129 adds "(subject also to policy EMP4)" after "B8" in the second sentence of paragraph 5.37. I endorse this change for reasons of increased clarity.

5.10.9. In the light of the amendment to PPG7 which has replaced the text of paragraph 3.4 of PPG7, I would recommend that the Council takes the opportunity to reconsider the wording of Policy CO10 and its written justification to take account of the importance that the Government attaches to effective planning for sustainable farm diversification projects.

RECOMMENDATION

5.10.10. I recommend that the Local Plan be modified as follows:-

- (a) that criterion (a) be altered to *exclude* the blanket ban on new buildings associated with farm-diversification schemes and the written justification be altered accordingly;
- (b) that the Council reconsider the wording of paragraph 5.37 with a view to explaining more clearly their particular concerns with regard to tourist accommodation and its appropriateness in relation to a specific site rather than as a use;
- (c) in accordance with Proposed Change 129; and
- (d) that the Council reconsider the wording of Policy CO10 and the written justification in the light of the amendment to PPG7 (paragraph 3.4B); this should include a cross-reference to Policy EMP4, as suggested by Proposed Change 129.

5.11. POLICY CO11 Dedham

Objections

0459 / 01009	CPRE(Essex)
0308 / 01546	East of England Tourist Board
0308 / 00504	East of England Tourist Board
0253 / 00397	Dedham Vale Society

KEY ISSUES

- Whether it is unrealistic to aim to “direct” tourists to other less heavily visited areas.
- Paragraph 5.40 should make a reference to the seasonal aspect of large numbers of visitors.
- Whether the Policy inappropriately restricts the provision of additional visitor facilities that could increase overnight stays and their associated benefits and help to reduce certain detrimental effects.
- The Policy requires clarification with regard to restrictions on developing existing facilities.

CONCLUSION

5.11.1. Paragraph 5.40 in the Second Deposit Draft has been altered by replacing the word “directing” with “encouraging” to acknowledge that it was unrealistic to attempt to ‘direct’ tourists to other less heavily visited areas. As the alternative wording was the suggestion of the objector, I am satisfied that this has fully met the objection.

5.11.2. Turning to the second issue listed above, the Second Deposit Draft also noted that tourists would be encouraged to “*either visit at less busy times or to visit less well used areas*”. The East of England Tourist Board proposed alternative policy wording which would seek to decrease the number of short-stay day visitors and would consider small-scale proposals for accommodation with the aim of lengthening visits. Such wording would appear to be slightly at odds with the intentions of the policy, which are to avoid a significant increase in visitor numbers and the impact of traffic on Dedham and the surrounding countryside. I have no evidence before me to suggest that longer-staying visitors would not have cars for instance. I do not consider that the suggested wording would be entirely consistent with the aims of the policy. I note from the Council’s response that it is understood that an agreement has been reached with the objector that the most appropriate way to address the points they have raised is through the Dedham Vale Visitor Management Group rather than the Local Plan. If this is the case, I leave it to that forum to discuss any additional concerns.

5.11.3. Whilst indicating general support for the Policy, Dedham Vale Society is concerned to restrict any significant increases in existing stand-alone facilities. Paragraph 5.40 explains that ‘stand-alone’ facilities are those that would offer totally new opportunities and that might attract visitors who might not otherwise have visited Dedham and the surrounding countryside. I concur with the Council that to include the wording “*or significantly increase existing facilities of this nature*” after “*stand-alone facilities*” could prove too restrictive in the future management of the development of the area. Any application for development, which would involve the significant increase in an existing facility, would be judged on its merits and material considerations, such as impact on increasing numbers of visitors and traffic, would be taken into account. I am not satisfied that the proposed wording would add

anything of material value to the policy, and indeed would be concerned that it could be detrimental in the long term.

RECOMMENDATION

5.11.4. I recommend that no modification be made to the Local Plan.

5.12. POLICY CO12 *New Stables or Extensions to Existing Stables*

Objections

0213 / 00342	British Horse Society Eastern Region
0405 / 01182	Edward Gittins & Associates
0514 / 01411	R G Hodge

KEY ISSUES

- The wording of criterion (e) should be amended to widen the application of the Policy to byways.
- Criterion (a) should be amended to more adequately reflect PPG7 with the addition of the wording ‘*or buildings*’ after ‘*residential property*’.
- An additional criterion should be included stating that more favourable consideration will be given to applications which involve the use of existing buildings.

CONCLUSION

5.12.1. Criterion (e) of policy CO12 has been expanded in the Second Deposit Draft with the inclusion of the word “*byways*”. I am satisfied that this additional wording meets the objector’s concern in full.

5.12.2. It is suggested by the objector that the proposed additional wording for criterion (a) would more closely reflect the intention of PPG7 to utilise opportunities to re-use rural buildings. It is further suggested that this would accord with Policy UEA6 (ii) regarding the conversion of Listed Buildings.

5.12.3. Whilst PPG7 encourages the re-use and adaptation of existing rural buildings for business re-use, it confers much stricter controls on their conversion for residential purposes. PPG7 acknowledges that in certain circumstances re-use of an existing building for residential use could be appropriate where it forms a subordinate part of a scheme for business use. I acknowledge the intention of criterion (a) to avoid isolated or sporadic development by ensuring that maximum advantage is taken of existing residential properties. However, I consider the policy as worded is unduly restrictive. As written, the policy excludes the opportunity for the re-use of an existing building, with residential use as subordinate to the equestrian establishment use, where material considerations show such a proposal to be beneficial, subject to other relevant policies in the plan. The associated residential conversion should be subsequently covered by an occupancy condition in the granting of planning permission.

5.12.4. I note objection 514/1411 regarding a criterion stating a more favourable approach to the use of existing buildings has been conditionally withdrawn. I concur with the Council that such a criterion would be unduly restrictive bearing in mind that it does not automatically follow that the re-use of an existing building on one site would be preferable to the establishment of an entirely new structure elsewhere.

5.12.5. In conclusion, I recommend the that Council reconsiders the wording of the policy and the written justification to reflect that, only in exceptional circumstances and subject to other policies in the plan, would a proposal for the re-use of existing buildings for the use of a new equestrian establishment, of which residential use would be a subordinate part, be appropriate.

5.12.6. Policy UEA6(ii) is specifically related to Listed Buildings and, as such, there is a presumption that such buildings are worthy of protection for their own sake. Policy UEA6 should aim to propose measures that would be pursued to safeguard the continued well-being of historic buildings and, in particular, to give encouragement to the satisfactory re-use of neglected historic buildings. I consider both policies as currently worded are generally consistent regardless of other matters.

RECOMMENDATION

5.12.7. I recommend that the Local Plan be modified by the rewording of Policy CO12 to explain that only in exceptional circumstances will proposals, which aim to develop new equestrian facilities through the re-use of existing buildings that include a subordinate element of residential use, be considered favourably.

5.13. POLICY CO13 *Residential Accommodation for Existing Stables*

Objections

0405 / 01181

Edward Gittins & Associates

KEY ISSUE

- Reference to size of accommodation in relation to the needs of the business should be deleted as it is inappropriate.

CONCLUSION

5.13.1. The objector contends that it is not appropriate for the policy to specify that accommodation would be the minimum size required to meet the needs of the business as the planning system is not geared to decide what the accommodation needs are of persons working with horses. Rather, it is argued the size of the dwelling should be considered in relation to its impact.

5.13.2. The principle that dwellings should be of a size commensurate with the established functional requirement has been established with regard to agricultural workers dwellings in PPG7 Annex I, paragraph I11. Criterion (d) of Policy CO13 states that, where residential use is permitted, a standard occupancy condition will be attached. Policy CO1 is concerned to restrict development that does not need a countryside location. In conclusion, I consider it a reasonable approach to impose a similar principle regarding dwellings commensurate with the established functional requirements to residential accommodation for existing equestrian establishments. It is beyond the scope of the development plan and thus this report to comment further on the details of how the Council would assess the needs of an equestrian business in relation to this specific matter. All applications for development for residential use would be subject to Policy DC1 in any event. Therefore, all relevant material considerations, including the impact of a proposed dwelling, will be taken into account when determining an application.

RECOMMENDATION

5.13.3. I recommend that no modification be made to the Local Plan.

6 Chapter 6 - Urban Environment & Archaeology

6.1. PARAGRAPHS 6.9 TO 6.15 INC & POLICY UEA1 Designation & Character of Conservation Areas

Objections

0227 / 00311
0528 / 01089
0698 / 01766

Mr Simon Gladas
RIBA Colchester Chapter of Chartered Architects
Mersea Island Society

KEY ISSUES

- Seaview, Fairhaven and Empress Avenues, West Mersea should be designated as a conservation area.
- The test in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is not whether development in conservation areas causes harm but whether it preserves or enhances the character or appearance of such areas.
- The West Mersea Waterside Conservation Area should be extended.

CONCLUSION

6.1.1. With regard to the objections of Mr Gladas and the Mersea Island Society, paragraph 4.3 of Planning Policy Guidance 15 makes it clear that the powers to designate new or review existing conservation areas under section 69 of the 1990 Act lies outside the scope of the local plan framework. While the local plan states that no new conservation areas are proposed, this statement does not bind the local planning authority in its future actions. Equally though, the local plan is not the proper mechanism for designating new or extending existing conservation areas. Therefore, I do not recommend that any action be taken in respect of these objections.

6.1.2. Turning to the RIBA's objection, I agree that it would be preferable to couch Policy UEA1 in the same terms as section 72 of the 1990 Act. However, the Council is still under a statutory obligation to comply with section 72 and I note that the amendments to the second deposit plan were made to meet the objections of English Heritage who were otherwise satisfied with the policy. In these circumstances, I see no need to interfere with this policy and supporting text any further.

RECOMMENDATION

6.1.3. I recommend that no modification be made to the Local Plan.

6.2. POLICY UEA2 & PROPOSED CHANGES 8 & 72 Buildings and alterations within Conservation Areas

Objection

0528 / 01090

RIBA Colchester Chapter of Chartered Architects

KEY ISSUES

- Deleting "and" in criterion (c) and inserting "and/or".
- Amend criterion (c) to read "*..which contribute to the character or appearance*"

- Policy UEA2, as set out in the second deposit version as amended by Proposed Changes 8 and 72, gives insufficient flexibility for new development in conservation areas.

CONCLUSION

6.2.1. Some of the criticisms of this policy, that it is not on all fours with section 72 of the 1990 Act, apply as they do to Policy UEA1. However, the local planning authority is still obliged to apply the statutory test. Therefore, I do not regard an emphasis on harm to a conservation area to be fatal to the wording of the policy when examples of such unacceptable damage are set out in its five criteria. I accept the Council's arguments that architectural details, which are significant in a conservation area, should be kept wherever possible. Therefore, I recommend that the local plan be modified in accordance with Proposed Changes 8 and 72.

RECOMMENDATION

6.2.2. I recommend that the Local Plan be modified in accordance with Proposed Changes Nos 8 and 72.

6.3. PARAGRAPH 6.17a & PROPOSED CHANGE 48 *Demolitions within Conservation Areas*

KEY ISSUE

- Insertion of word "*normally*" after 'should' in second line.

CONCLUSION

6.3.1. Proposed Change 48 would insert the word "*normally*" into paragraph 6.17a, itself introduced into the Second Deposit Version, in response to an objection by RMPA Services, which was subsequently unconditionally withdrawn. Introduction of this word would reduce certainty to the Local Plan and the proposed change should not, therefore, proceed.

RECOMMENDATION

6.3.2. I recommend that Proposed Change No 48 be not proceeded with.

6.4. POLICY UEA3 & PROPOSED CHANGE 130 *Demolitions within Conservation Areas*

Objections

0528 / 01091

RIBA Colchester Chapter of Chartered Architects

KEY ISSUES

- The policy on the demolition of unlisted buildings in conservation areas is unduly prescriptive and should accord with the advice in PPG15 that broad criteria on proposals to demolish listed buildings should apply.

CONCLUSION

6.4.1. Proposed Change 130 would delete criterion (a) of Policy UEA3 and insert the following:-

“demolition and/or redevelopment of the existing building would make a positive contribution to the wider aim of preserving and enhancing the character of the conservation area”.

I am satisfied that this revised wording would meet the objectors’ concerns in full.

RECOMMENDATION

6.4.2. I recommend that the Local Plan be modified in accordance with Proposed Change No130.

6.5. POLICY UEA4 Demolition of Listed Buildings

Objections

0514 / 01050
0528 / 01092

R G Hodge
RIBA Colchester Chapter of Chartered Architects

KEY ISSUES

- Insufficient weight is given in the policy to the fact that the demolition of a listed building is a matter of national as well as local concern and there could be conflict between the two if local community benefits are said to arise.
- There is no need for this policy as the presumption against the demolition of listed buildings is set out in PPG15. If such a presumption needs expressing, it should be contained within a general policy on listed buildings.

CONCLUSION

6.5.1. There seems to me to be no harm in reinforcing in a Local Plan’s policies and supporting text the presumption against demolition of listed buildings set out in government guidance, especially in Colchester and the surrounding villages where listed buildings play such an important part in the character of the Borough’s built fabric. This presumption against demolition is so strong that, in my judgement, any local benefits are unlikely to arise in practice. For these reasons, I see no need to amend the Local Plan in response to these objections.

RECOMMENDATION

6.5.2. I recommend that no modification be made to the Local Plan.

6.6. POLICY UEA5 & PROPOSED CHANGE 10 Altering Listed Buildings

Objections

0528 / 01093
0891 / 02239

RIBA Colchester Chapter of Chartered Architects
National Car Parks Ltd

KEY ISSUES

- The Policy should not contain explicit references to the harm to be caused to listed buildings by alterations.
- Reference to the need to enhance listed buildings when altered, contained in criterion (a), should be deleted.

CONCLUSION

6.6.1. Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990 imposes a duty on local planning authorities “to have special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest which it possesses”. I am satisfied that criterion (a) of this policy, shorn of the words “*and enhance*” by Proposed Change 10, would satisfy this test. The other criteria in this policy are not, in my judgement, in contradiction to this test and can therefore remain unchanged. The policy should therefore proceed in accordance with Proposed Change 10, which would meet the objection of National Car Parks Ltd in full.

RECOMMENDATION

6.6.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 10.

6.7. POLICY UEA6 *Listed Barns or Agricultural Buildings*

Objections

0253 / 00401	Dedham Vale Society
0633 / 01518	Boxted Parish Council
0528 / 01094	RIBA Colchester Chapter of Chartered Architects
0304 / 00494	Ramblers' Association
0308 / 01433	East of England Tourist Board

KEY ISSUES

- Re-use of listed barns or other agricultural buildings for residential purposes in the countryside should not be permitted in any circumstances.
- It is not made clear what “community uses” are and why they are preferable to other re-uses of listed rural buildings.
- Overemphasis is given to the re-use of rural listed buildings for employment purposes. This can give rise to the introduction of noisy activities and/or uses that generate excessive traffic, thereby undermining quiet enjoyment of the countryside.
- Inadequate priority is given to the re-use of rural listed buildings for tourist purposes.

CONCLUSION

6.7.1. I am satisfied, from my reading of Policy UEA6 and the supporting text in their entirety, that use of listed barns and other isolated agricultural buildings in the countryside as dwellinghouses will only be permitted in exceptional circumstances ie when all the other alternatives have been exhausted and in situations where the residential conversion allows the important elements of the listed building to be preserved. Therefore, I do not consider that the Local Plan requires amendment in response to the objections of the Dedham Vale Society or Boxted Parish Council. Criterion (b) seems to me to meet the objections of the Ramblers' Association to prevent excessive traffic generation from new uses of old buildings in the countryside.

6.7.2. With regard to the RIBA's concerns over community uses, it is considered good practice to look upon community uses, usually halls for use for public purposes, to be considered preferable to other uses, notably residential conversions, because the original fabric can normally be kept intact for the most part by the retention of large internal spaces.

In these circumstances, I see no need to delete reference to community uses in the Policy. The Policy indicates, in criteria (iv) and (v), that use as holiday accommodation is generally preferable to full-blown residential conversion as a means of preserving rural listed buildings. As the latter is the primary aim of the Policy I consider that it goes as far as it can in promoting tourism. Consequently, I recommend that no action be taken in response to the objection of the East of England Tourist Board.

RECOMMENDATION

6.7.3. I recommend that no modification be made to the Local Plan, except to point out that in (v) it is grammatically more correct to use the word “*criterion*” rather than “*criteria*”.

6.8. POLICY UEA7 & PROPOSED CHANGE 73 *Protecting Buildings on the Local List*

Objections

0514 / 01049
0528 / 01095

R G Hodge
RIBA Colchester Chapter of Chartered Architects

KEY ISSUES

- A policy that claims to give protection over the alteration or demolition of buildings, which are not, in themselves, capable of such protection, is misleading.
- There are no locally listed buildings in Colchester Borough and there is no intention to designate any. Therefore, the policy is unnecessary.
- Proposed Change 73 would insert the words “*where appropriate*” after “*evaluation*”.

CONCLUSION

6.8.1. In the absence of any locally listed buildings, and any intention on the local planning authority’s part to make any such designations in the Borough in the foreseeable future, I see no need for this policy or its supporting text. If Policy UEA7 is to be deleted then Proposed Change 73 cannot proceed.

RECOMMENDATION

6.8.2. I recommend that Policy UEA7 and its supporting text be deleted and that Proposed Change No 73 be not proceeded with.

6.9. PARAGRAPH 6.35 *Development Affecting Scheduled Ancient Monuments*

Objections

0225 / 00315
0659 / 01632

Essex County Council (Planning)
J J Heath

KEY ISSUES

- The text supporting Policy UEA8 should make clear that, where development is proposed which could affect an Ancient Monument, the need to obtain Scheduled Monument Consent from the relevant authority takes precedence over the grant of planning permission.

- The paragraph should be expanded to make clear that, on sites of archaeological interest, excavations and preservation do not give rise to loss of biodiversity in areas which may also be important as natural habitats.

CONCLUSION

6.9.1. Paragraph 6.37a of the Second Deposit Version inserts the following:-

“Development affecting the more important national sites, which are designated as Scheduled Ancient Monuments, will require Scheduled Ancient Monument consent. This is decided by the Secretary of State for Media, Culture & Sport on advice from English Heritage. The preferred option for scheduled sites and other sites of national importance is that remains should be preserved in situ.”

6.9.2. I am satisfied that this amendment incorporated in the Second Deposit Version meets Essex County Council’s concerns in full.

6.9.3. With regard to the objection from J J Heath, I am satisfied that natural habitats, subject to both national and local designations and those not specifically identified as such, are given suitable protection by policies set out in the countryside chapter of the Local Plan, irrespective of whether or not they are also of archaeological significance. Making reference to matters of biodiversity in this section of the Local Plan would, in my judgement, render it unnecessarily complicated. Therefore, I do not recommend that the Local Plan is amended in response to this objection.

RECOMMENDATION

6.9.4. I recommend that no modification be made to the Local Plan.

6.10. PARAGRAPH 6.37 & PROPOSED CHANGE 11 Development Affecting Scheduled Ancient Monuments

Objections

0225 / 00316

Essex County Council (Planning)

KEY ISSUES

- The paragraph should set out how the County Council maintains a Sites and Monuments Record for Ancient Monuments in Colchester Borough Council as a whole.
- Proposed Change 73 requires the addition of the words “*where appropriate*” at the end of the second sentence.

CONCLUSION

6.10.1. Paragraph 6.36 of the Second Deposit Version inserts the following:-

“The sites and monuments record is an important source of identifying archaeological sites. To improve further knowledge of the archaeological resource in Colchester Town Centre English Heritage are financing the establishment of an urban archaeological database. The resultant strategy will inform subsequent reviews of the Local Plan. The County Council has also completed surveys of Dedham and Wivenhoe, which may be adopted as SPG. The Shopping and Town Centre Chapter contains a specific policy relating to the Town Wall.”

6.10.2. I do not consider that a Local Plan is the appropriate means whereby procedures for obtaining information on Ancient Monuments should be specified in great detail. Paragraph

6.36 sets out a snapshot of current archaeological activity and I see no need for it to do any more, especially as it may be overtaken by events during the Plan's lifetime. In these circumstances I see no need to recommend any further alterations to the Second Deposit Version in response to Essex County Council's objection. The words "*where appropriate*", emanating from Proposed Change 11, are suggested by English Heritage. Their addition would reduce the risk of unnecessary detailed archaeological investigation and therefore seem apt.

RECOMMENDATION

6.10.3. I recommend that the Local Plan be modified in accordance with Proposed Change No 11.

6.11. POLICY UEA12 & PROPOSED CHANGE 12

Design

Objections

0528 / 01096	RIBA Colchester Chapter of Chartered Architects
0624 / 01467	George Wimpey Plc
0583 / 01365	Myland Parish Council

KEY ISSUES

- Proposed Change 12 would delete all the words after "*building itself*" in the first sentence of the Policy and would start a new sentence with the words "*New developments should*" before the word "*further*".
- Criterion (e) may be interpreted as excluding modern high quality building materials.
- Requiring private open spaces on new developments to be properly maintained, as set out in criterion (g), is unreasonable.
- The formation of a flat junction between Mill Road and the Northern Approaches Road is totally at variance with the precepts of this policy.

CONCLUSION

6.11.1. Proposed Change 12 would clarify the policy and is therefore to be commended. I do not interpret criterion (e) as precluding modern building materials provided they are of a high standard. Therefore, I see no need to amend that section of the Policy in response to George Wimpey plc's objection. However, I consider the future maintenance of new open space to be outside the province of a Local Plan. The local planning authority may cite maintenance agreements being acceptable under the terms of Circular 1/97 but these apply to the small proportion of planning permissions to which a section 106 obligation is attached. Requiring the future maintenance of land is, in the vast majority of cases, unreasonable and reference to it should be deleted. I therefore accept the premise of the RIBA's objection. The flat junction between Mill Road and the Northern Approaches Road is already in place. Whatever my views concerning its appearance, I do not intend to recommend any amendment to the policy on design in response to the objection from Myland Parish Council about this matter.

RECOMMENDATION

6.11.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 12 and by the deletion of the words "*and properly maintained*" in criterion (g).

6.12. PARAGRAPH 6.53 *Infilling Within Existing Residential Areas on Mersea Island*

Objection

0101 / 00126
0228 / 00837

Mr Simon Banks
West Mersea Town Council

KEY ISSUE

- The paragraph fails to take into account a requirement to keep residential densities below 8 dwellings per acre on Mersea Island, owing to its proximity to Bradwell Nuclear Power Station. Development at densities greater than this would be out of keeping with existing residential development on the Island.

CONCLUSION

6.12.1. Policy UEA22, as amended in the Second Deposit Version, would expand the Areas of Special Character designated in the Borough to include parts of West Mersea not considered suitable for conservation area status. It may be that the need to protect this area from unsympathetic development, particularly to save trees which are the subject of Tree Preservation Orders, may reduce the number of dwellings that the locality can accommodate. However, paragraph 58 of the recently issued PPG3 makes clear that densities of less than 30 dwellings per hectare are to be regarded as inefficient and 8 dwellings per acre is significantly less than that figure. Any special characteristics of West Mersea should be maintained as far as possible with a minimum density of 30 dwellings per hectare.

6.12.2. The main reason put forward by the objectors for advancing a density much lower than that figure is the proximity of the nuclear power station directly opposite West Mersea on the south side of the Blackwater Estuary. No origin for the figure of 8 dwellings per acre is given but lower densities may have been the norm to minimise the possibility of nuclear contamination to a significant body of population in the event of an accident and to reduce the numbers requiring evacuation in an emergency from a settlement with restricted access onto the mainland. Bradwell Nuclear Power Station is due to be decommissioned in the early part of the plan period so that the risk of nuclear accidents, whilst not minimised, is reduced. I can see no reason to lower residential densities on Mersea Island in the absence of any evidence that the existing or decommissioned power station would pose a significant threat to a population housed at a density equivalent to other urban areas in the Borough. Therefore, I recommend that no action be taken in respect of these objections.

RECOMMENDATION

6.12.3. I recommend that no modification be made to the Local Plan.

6.13. POLICY UEA13 *Infilling & Backland Development*

Objections

0460 / 00939
0461 / 00940
0462 / 00941

C F Anderson & Sons Ltd
Mr M Hollingsworth
ADCO Group Limited

KEY ISSUE

- Policy UEA 13 fails to make any mention of the design considerations to be given to redeveloping existing brownfield sites to significantly higher residential densities. Therefore the policy should be modified or deleted altogether.

CONCLUSION

6.13.1. The premise of the policy is that infilling can take place within existing residential areas which, by definition, would give rise to an increased density. The local planning authority has to have regard to the provisions of PPG3, which strongly advises against overprovision of parking, especially where public transport provision is good. However, infilling should not be in a form or intensity by which the character of an existing area is lost and/or the amenities of existing residents suffer unduly. It seems to me that the policy strikes the right balance between making the best use of existing areas of housing and minimising harm to current residential occupiers. In these circumstances, I see no need to amend this policy in response to these objections.

RECOMMENDATION

6.13.2. I recommend that no modification be made to the Local Plan.

6.14. POLICY UEA14 *Development, Including Extensions, Adjoining Existing or Proposed Residential Property***Objections**

0528 / 01097

RIBA Colchester Chapter of Chartered Architects

KEY ISSUE

- The policy is unduly prescriptive and fails to encourage good design, contrary to paragraphs 13 to 20 inclusive and Appendix A of PPG1.

CONCLUSION

6.14.1. I agree in general terms with the objectors. I have no difficulty with the Policy being set out in negative terms as this gives some degree of certainty to its provisions. Moreover, I fully endorse the first criterion, which allows for innovative high-standard design solutions in addition to the more orthodox approach of designing house extensions to harmonise with the character of the original building. However, I am firmly of the opinion that the level of detail, controlling, in particular, the dimensions of residential extensions, is excessive and inappropriate in a statutory development plan. In my judgement, couching policies of this sort according to narrowly defined formulae is unduly rigid. The policy should confine itself to bringing to the attention of intending developers the main determinants of the acceptability of new development adjoining existing housing; design, relationship to existing development, outlook, sunlight and daylight, and privacy. The detailed methods whereby these standards are to be maintained should be set out elsewhere.

6.14.2. Consequently, where I do not agree with the objectors is that any supplementary planning guidance produced to elaborate on this policy should also be withdrawn. In my experience, simple and attractively presented supplementary guidance on house extensions is more accessible and more easily understood and accepted by the public at large than detailed formulae deeply embedded in a wordy Local Plan. In my judgement, guidance of this sort is more likely to be supported by decision-makers in general than unduly prescriptive standards in an adopted plan. To my mind the Supplementary Planning Guidance “Extending Your House?”, produced by Colchester Borough Council Planning Services in April 2001 (Core Document 20), is a good example of an easily comprehensible set of guidelines that are accessible to householders and it gives clearly illustrated examples. It is unclear from the document what consultation was undertaken prior to its publication. If this was minimal or non-existent then to my mind it should be looked upon as a consultation document only. If, after consultation, it were amended to take

into account the nature and quantity of objections received from interested parties then, in my experience, it is likely to be accorded as much weight by decision-makers as equivalent policies in an adopted Local Plan.

6.14.3. I therefore recommend that the first sentence of the policy remains intact and that criterion (a) remains in place. All of criteria (b), (c) and (d) after their first sentences should be removed and criterion (f) should be deleted altogether, as requirements to increase on-site parking requirements in line with increasing the size of dwellings would appear to run contrary to the advice in PPG3 and PPG13 of the requirement to adhere to minimum parking requirements only. The requirements of garden areas and how parking could be accommodated could then be set out in the supplementary guidance. This would need to be revised, in any event, to deal not only with house extensions, but also with the relationships between new developments and existing or proposed housing.

RECOMMENDATION

6.14.4. I recommend that the Local Plan be modified by deleting Policy UEA 14 of the Second Deposit Version and the following Policy UEA 14 being inserted in its place:-

“An extension to a building, or a new building adjoining existing or proposed residential buildings, will not be permitted where:-

- (a) the development would be poorly designed or out of character with the appearance of the original building;*
- (b) the proposal leads to the creation of a cramped appearance or terracing effect of detached or semi-detached properties;*
- (c) the proposal has an overbearing effect on the outlook of neighbouring properties;*
- (d) the proposal leads to an unreasonable loss of natural daylight or sunlight to a habitable room (including kitchen) of the adjoining property;*
- (e) the proposal leads to undue overlooking of neighbouring properties.”*

6.14.5. I also recommend that the supplementary planning guidance “Extending Your House?”, published in April 2001 (Core Document 20), be expanded to give additional advice on the relationships between new buildings adjoining existing or proposed residential buildings. Such expanded guidance should be given widespread public consultation and the views of the consultees fully taken into account prior to its adoption.

6.15. PARAGRAPH 6.66

Greenlinks

Objection

0604 / 01577

Stanway School/Persimmon Homes

KEY ISSUE

- It is unrealistic to expect the whole of an area of open land to be managed as open space where it is crossed by a Greenlink.

CONCLUSION

6.15.1. Paragraph 6.67 makes clear that the retention of greenlinks has to be balanced against making the best use of urban land. In addition, dimensions set out in that paragraph are looked upon as ideals and links between open spaces can be quite restricted. By the same token, I also consider the management of the whole open space to be an ideal, rather than an

essential component of such a designation. The important consideration is that viable areas of open land, linking existing open spaces, over which the public has access free from traffic, are maintained within urban areas. Taking this into account, I see no need to recommend modification of the Local Plan in response to this objection.

RECOMMENDATION

6.15.2. I recommend that no modification be made to the Local Plan.

6.16. PARAGRAPH 6.67 & PROPOSED CHANGE 131 *Greenlinks*

Objections

0213 / 00357	British Horse Society Eastern Region
0459 / 01010	CPRE (Essex)
0602 / 01576	Countryside Strategic Properties Plc

KEY ISSUES

- The words “*walking, riding and cycling*” should replace “*both cycling, bridleways and footpaths*” in the third sentence of the paragraph.
- The constituent parts of a Greenlink, set out in paragraph 6.67, are unduly prescriptive. Greater variety in the character and appearance of greenlinks is to be encouraged.
- The dimensions of an ideal greenlink, set out in paragraph 6.67, are unrealistic in the redevelopment of brownfield sites.

CONCLUSION

6.16.1. The revised wording of the British Horse Society is incorporated in the Second Deposit Version. This, together with Proposed Change 131, inserting the words “(*see also policy L14*)”, which ties the greenlink concept to the bridleways’ policy in the leisure chapter, would seem to me to meet the British Horse Society’s objection in full. The ideal greenlink set out in paragraph 6.67 is just that, an ideal. In practice, it seems to me, a great deal of variety in these links will stem from what can be negotiated as new development facilitating these links comes forward. It is also apparent to me that the Council recognises in this paragraph the balance that has to be struck between making the best use of urban land, including re-cycled sites, and providing a greenlink which is of the optimum size. This pragmatic approach would seem to me to bring about what CPRE (Essex) and Countryside Strategic Properties plc are seeking to achieve without changing the paragraph’s wording. I therefore recommend that no changes be made in response to these two objections.

RECOMMENDATION

6.16.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 131.

6.17. POLICY UEA15 *Greenlinks*

Objections

0055 / 00064	Royal London Mutual Insurance Society
0127 / 00204	Colchester Cycling Campaign
0416 / 00804	Essex Wildlife Trust
0546 / 01161	Mr P Berriman

0573 / 01319	The Secretary of State for Health
0581 / 01347	Royal Eastern Counties School
0607 / 01430	Messrs Lennox
0614 / 01443	Mr & Mrs P Mecklenburgh
0630 / 01501	Mr Roger Deeble
0685 / 01707	Philip Morant School
0833 / 01246	RMPA Services

KEY ISSUES

- Allocating a greenlink along the track between Mill Road and Severalls Lane could prejudice the proper comprehensive development of the locality, especially if it is to be 80m wide.
- The greenlink concept should be extended to quiet country lanes and a cycleway should be provided from The Hythe to Rowhedge to run parallel to the Wivenhoe trail.
- Where greenlinks are to cross sites designated as being of significance for nature conservation, the latter considerations should take precedence.
- The existing public footpath at Braiswick Lane should not be expanded to a greenlink, as this is incompatible with the use of the adjoining land as commercial farmland, which is of no nature conservation value.
- Greenlinks on brownfield sites should not be overambitious and should be capable of implementation. These considerations apply especially to the land to the west of the District Hospital and in redevelopment of The Garrison.
- A flexible approach to the provision of a greenlink across the former playing fields to the Oxley Parker School is necessary if the site is to be properly developed.
- A proposed greenlink across Cymbeline Meadow is incompatible with its continued use for agriculture.
- The proposed greenlink from Tower Lane to Severalls Lane North should run through Council owned land, rather than its boundary with Oakwood Stables, Severalls Lane, where extant planning permissions preclude its provision.
- Redevelopment of the Garrison should permit the creation of a greenlink, which would also act as a new cycleway between Colchester Town Centre and its southern suburbs.
- Designation of a greenlink across part of the Philip Morant School Playing Fields would be unreasonable, as it would give public access to private playing fields that are of no nature conservancy interest.

CONCLUSION

6.17.1. Paragraph 6.66 describes greenlinks as “*open spaces within the urban area..., open spaces of local importance and links between them*”. They are said in paragraph 6.62 to enhance the pedestrian and cycle network and their functions in paragraph 6.60 are said to be to encourage the movement of plants and animals along open corridors of land, the movement of people for informal recreation and as major linear and landscape features crossing the urban area. Paragraph 4.1 of the Technical Paper 4A (Revised) dated January 2001 helpfully indicates that implementation of this network will be by means of the planning process and by means of its own land management initiatives. I take this to mean that, where development or redevelopment is to take place on the lines of greenlinks designated on the Proposals Map,

they will be incorporated into the development. Elsewhere, greenlinks will be achieved by negotiation with landowners or through purchase by the Council by agreement. These factors are taken into account in considering the objections set out above.

6.17.2. On that basis, several of these objections can be fairly summarily dismissed. In few instances do the objectors state that greenlinks are inappropriate in the overall context of their proposed development. They object to an 80m greenlink as cutting too wide a swathe through their development and that the line of the greenlink, as shown on the Proposals Map is in the wrong place to allow for the optimum development of their land as they see it. Paragraph 6.67 makes it clear that an 80m wide greenlink is an ideal that is unlikely to be achieved in every instance. I take the view that the dimensions and form each link will take will be a matter of negotiation between the developer and the local planning authority in each instance and the policy itself sets no limitation as either a maximum or a minimum width for these links. Moreover, because of the nebulous state of such links, I am firmly of the opinion that their routes as shown on the proposals map should be looked upon as diagrammatic only and not following fixed lines where crossing new developments. This is to give maximum flexibility to the final form of developments that incorporate greenlinks. In my judgement, this interpretation of the Policy and the supporting text would satisfy the objections of the Royal London Mutual Insurance Society, the Secretary of State for Health, RMPA Services and, although not relating to land allocated for development in the Local Plan, the Royal Eastern Counties School.

6.17.3. Rather different concerns apply to Mr and Mrs Mecklenburgh's objection. Because I consider the line of the Greenlink between Tower Lane and Severalls Lane to be diagrammatic I do not intend to require the Proposals Map to be modified, although the local planning authority may choose to if it so wishes. However, I consider that a greenlink based on an existing public footpath and crossing land in the Council's control is much more likely to come to fruition than one based on a field boundary and crossing land in the control of unwilling freeholders. I do not accept the arguments that a greenlink through commercially developed land would be inherently unattractive. Modern business parks are normally developed with limited coverage by buildings and high standards of landscaping. In that respect they can provide better wildlife corridors and more attractive areas for people to move through than housing built at ever higher densities. Consequently, I do not recommend that any modification be made to the Local Plan in response to this objection but I strongly urge the Council to re-examine the line of the Greenlink as and when development proposals come forward, on the basis of its more obvious location along the route of an existing public footpath.

6.17.4. Where greenlinks are to be achieved by negotiation, the objection by the present landowners to their designation is final. I can see no sound reason why a properly managed greenlink should be automatically incompatible with commercial farming but, if the present landowners are not prepared to accommodate such a link across their land, the proposals will be incapable of being put into effect. However, the links across the Cymbeline Meadows and along Braiswick Lane are important to the network and should proceed if the landowners have a change of heart or if the Council acquires the areas of land concerned. Therefore, the objections by Mr Berriman and Messrs Lennox fail.

6.17.5. A rather different state of affairs exists at the Philip Morant School. The Council says in paragraph 3.1 of its written statement that the Greenlinks policy is the main component of its strategy to promote biodiversity in the Colchester/Stamway built-up area but nowhere is this expressly stated in either the policy or its explanatory text. The most that can be said is that, according to paragraph 2.7 of the revised Technical Paper (Core Document 27A), "*The*

creation of new connections between urban habitats is also seen as an integral part of the Colchester Biodiversity Action Plan, which provides specific recommendations and proposals for the urban areas within the Borough". It seems from the Council's statement of case that it has accepted that this greenlink cannot be used for the movement of people for leisure purposes. A public footpath close by would seem to serve that purpose. The Council's case is therefore predicated solely upon the school playing fields and their margins providing a wildlife corridor from the countryside towards the town centre and linking into the Garrison development. No other example is provided by the Council of a greenlink designated essentially on wildlife conservancy grounds. The multi-purpose nature of the links, set out in paragraph 6.60, is stressed in respect of the other greenlinks. Because of the restricted role that this proposed greenlink would play, I do not consider that it should be designated a greenlink at all. In these circumstances, I recommend that the greenlink across the Philip Morant School Playing Fields be deleted from the Local Plan. If a replacement is sought, the public footpath should take its place.

6.17.6. To my mind a more constructive way forward would be for negotiations to take place between the local authority, wildlife groups and the various educational establishments in the locality with significant areas of open land (not just the Philip Morant School) so that marginal areas of land might be set aside to encourage biodiversity in line with the Action Plan referred to in paragraph 2.7 of revised Technical Paper 4A. Such matters are wholly outside the purview of a Local Plan but they might bring about results that are beneficial both to the natural history of the area and to the education of the pupils of the different schools that would be involved.

6.17.7. With regard to the objection by Colchester Cycling Campaign, the concept of 'Quiet Lanes' is addressed in paragraph 11.41a of the Transport Chapter of the Second Deposit Version. It is the Council's intention to proceed with a cycle track alongside the existing public footpath from The Hythe to Rowhedge, but as this is being pursued outside statutory land-use planning powers, there is no need for this to be incorporated in the Local Plan. Therefore, I do not propose any amendments to the Local Plan in response to this objection. The objection of the Essex Wildlife Trust, concerning the relationship between greenlinks and sites of nature conservation interest is essentially a detailed land management matter, which to my mind is outside the powers of a Local Plan to prescribe. Therefore, I do not recommend that any action be taken in respect of this objection. Finally, Mr Deeble's proposed cycleway/greenlink across the Garrison land, while very helpful, is at a level of detail that is inappropriate for inclusion in a Local Plan which is intended to provide only a broad brush for the future uses of this land. Therefore, I do not propose any modifications in response to his objection.

RECOMMENDATION

6.17.8. I recommend that no modification be made to the Local Plan other than the deletion of the proposed greenlink across the Philip Morant School Playing Fields. Discussions should take place between interested bodies and representatives of the school and other educational establishments in this part of Colchester with the intention of creating joint havens for wildlife within the precincts of these premises that would be of benefit for both nature conservation and the education of students.

6.18. PARAGRAPH 6.70***Incidental Areas of Urban Open Space*****Objection**

0453 / 01497

Landowners Promoting Marks Tey Market Town

KEY ISSUE

- The emphasis in the paragraph on the need to recycle existing urban land is so important that it should be made one of the main objectives of the Local Plan set out in paragraph 2.12.

CONCLUSION

6.18.1. The need to recycle existing urban land before looking at greenfield sites is a constant theme of this Local Plan. Indeed, the major housing allocations are predicated upon the redevelopment of existing brownfield sites. Therefore, I see no need in re-emphasising this objective elsewhere in the Local Plan.

RECOMMENDATION

6.18.2. I recommend that no modification be made to the Local Plan.

6.19. PARAGRAPH 6.71***Incidental Areas of Urban Open Space*****Objection**

0162 / 00222

Stanway Parish Council

KEY ISSUE

- Supplementary Planning Guidance would give inadequate protection to incidental areas of urban open space. Such areas should have the full protection of a statutory Local Plan.

CONCLUSION

6.19.1. There are two difficulties with meeting the requirements of this objection. The first is that these sites are likely, for the most part, to be too small to be capable of being identified on the Proposals Map, even within urban insets. The second is that the full extent of these areas is not yet recognised and it would be wrong, in my opinion, to delay the adoption of this Local Plan until such time as a thorough survey has been carried out. I am satisfied that a non-statutory survey, implemented with the full co-operation of the local community, would carry almost as much weight as policies that have undergone the full rigour of development plan scrutiny. Therefore, I do not recommend that any alteration be made to the Local Plan in response to this objection.

RECOMMENDATION

6.19.2. I recommend that no modification be made to the Local Plan.

6.20. POLICY UEA16***Incidental Areas of Urban Open Space*****Objections**

0304 / 00499

Ramblers Association

0546 / 01162

Mr P Berriman

0162 / 00223

Stanway Parish Council

KEY ISSUES

- Any Supplementary Planning Guidance produced under this policy should have the same status as the Local Plan.
- Land at Braiswick should not be identified as being an incidental area of urban open space.
- Emphasis should be given in the policy to 'Local Urban Areas'.

CONCLUSION

6.20.1. For the reason given in response to the objection by Stanway Parish Council discussed in paragraph 6.19.1 above, I do not consider that Supplementary Planning Guidance on this matter should be downgraded if all of the interested bodies have participated fully in its preparation. Therefore, I do not consider that there is any need to alter the Local Plan in response to the Ramblers' Association objection. Mr Berriman is being premature in objecting to the land at Braiswick designated as a possible area of urban open space in a document that has not yet been produced. Therefore, no amendment is necessary in response to that objection. Finally, in response to the Parish Council, Stanway is recognised, along with Tiptree, Wivenhoe and West Mersea, as an urban area in its own right in paragraph 6.71 and is differentiated from Colchester. In these circumstances, I see no need to refer to 'Local Urban Areas' in Policy UEA16.

RECOMMENDATION

6.20.2. I recommend that no modification be made to the Local Plan.

6.21. PARAGRAPH 6.76***Areas of Special Character*****Objection**

0583 / 01358

Myland Parish Council

KEY ISSUE

- The area covered by Myland Parish Council should be designated an Area of Special Character.

CONCLUSION

6.21.1. Four urban areas are identified in paragraph 6.76 which are recognised as possessing positive physical traits that are worthy of maintenance, even if these do not justify conservation area status. These are Fitzwalter and St Clare Roads, Lexden; Welshwood Park, Colchester; Stanway Green and part of West Mersea adjoining the Conservation Area. What all these areas have in common is a small area and uniformly high standards, which set them apart from most of their surroundings. I do not doubt that the Mile End area is physically removed from Colchester Town Centre, with the River Colne and its floodplain in particular maintaining a wide swathe of open land between the two and that open land, including a country park, separates it from suburban development to the east. I also accept the dominance of health establishments in the area, which has been significantly reduced with the closure or reduction in size of mental hospitals. However, from my visits to the locality during the course of the inquiry I did not find any semblance of homogeneity or distinctiveness in the nature of this large and varied area that warranted the designation of Mile End as an Area of Special Character. This contrasts markedly with the four areas designated by paragraph 6.76. Therefore, I do not recommend that any action be taken in response to this objection.

RECOMMENDATION

6.21.2. I recommend that no modification be made to the Local Plan.

6.22. POLICY UEA22 *Areas of Special Character***Objection**

0242 / 00381

Landmatch Ltd (prev. Lafarge)

KEY ISSUE

- Insertion of the word “*Permanent*” at the beginning of the second sentence of the policy before the word “*development*”.

CONCLUSION

6.22.1. The objectors are large-scale operators in mineral extraction where, with proper control, the physical impact of their activities is transient. They are, in my judgement, unlikely to be operating within any of the designated areas of special character that are, for the most part, attractive predominantly residential areas. Changes in such areas are, by definition, likely to be permanent. Therefore, there seems to me to be no need to change the wording for the odd occasion where a temporary use or development could be permitted which would not harm the area’s distinctive characteristics. For these reasons, the objection should not succeed.

RECOMMENDATION

6.22.2. I recommend that no modification be made to the Local Plan.

7 Chapter 7 - Pollution & Land Resources

7.1. POLICY P1 Pollution (General)

Objection

0286 / 00828

House Builders Federation

KEY ISSUE

- The word “*significantly*” should be inserted between “*to*” and “*harm*” in the first sentence of the Policy.

CONCLUSION

7.1.1. The question of ‘harm’, in the pollution to be controlled by this policy, is defined in legislation largely outside the powers of statutory Town and Country Planning. Therefore, I am of the opinion that the addition of the word “*significantly*” makes no difference to the way the policy would operate in practice. Consequently, I recommend that no amendments be made to the Local Plan in response to this objection.

RECOMMENDATION

7.1.2. I recommend that no modification be made to the Local Plan.

7.2. POLICY P3 Development in Floodplains & Washlands

Objections

0242 / 00380

Landmatch Ltd (prev. Lafarge)

0297 / 00506

Environment Agency

0297 / 00513

Environment Agency

0297 / 01157

Environment Agency

0297 / 01426

Environment Agency

KEY ISSUES

- Mineral extraction and other similar developments can improve floodplains, coasts and wetlands by, for example increasing floodplain capacity and biodiversity.
- New policies should be introduced pointing out the shortage of water in the driest part of England, the unacceptability of culverting of natural watercourses and the use of more sustainable methods of foul and surface water drainage. Specific points are made regarding the drainage of two housing allocations in Colchester identified in Table 4 of Chapter 13, By-pass Nursery Site and St Peter’s Street.

CONCLUSION

7.2.1. With regard to the objection by Landmatch Ltd, this essentially refers to mineral extraction, which is a matter outside the purview of this Local Plan. Turning to the proposed new policies of the Environment Agency, the questions of recycling water in a dry part of the country and using more sustainable forms of drainage are addressed at Policy UT1 and its supporting text of Chapter 12 of the Local Plan Second Deposit Version. With regard to the need to maintain and improve biodiversity in and adjoining watercourses, this is addressed in my recommendations on Policy CO5 and its supporting text set out in paragraphs 5.6.1 to 9 and 5.6.28 above. There is no need to amend this chapter on these points. Objection 0297 /

1157 from the Environment Agency makes detailed points about two housing allocation sites in Colchester. Although no doubt important in the subsequent development of the two sites, they do not appear to be of a magnitude that either precludes the two sites from residential development or that significantly restricts the quantum of development that can take place on either area of land. These are matters that are more properly addressed through the medium of the development control process and I do not recommend that any action be taken in response to this objection.

RECOMMENDATION

7.2.2. I recommend that no modification be made to the Local Plan.

8 Chapter 8 - Community Facilities & Infrastructure Provision

8.1. PARAGRAPH 8.6 Infrastructure & Community Facilities Provision

Objection

0440 / 00876

The Colchester Meeting Room Trust

KEY ISSUE

- Paragraph 8.6 only encourages the provision of churches and other places of worship in conjunction with new large-scale development. A new policy should be included in the Local Plan encouraging the provision of new places of worship provided they meet the general criteria set out in Policy DC1.

CONCLUSION

8.1.1. The local planning authority has not, in my opinion, advanced any good reason why a policy for the provision of new places of worship, unconnected with substantial new development, is inappropriate in itself. I appreciate that existing facilities will be protected by Policy CF4 and that residential buildings may be given planning permission for change of use to accommodate small religious groups. However, that does not allow for the erection of new places of worship within the existing urban fabric. Traditionally, churches are found in rural areas and in Eastern England this can often be in isolated locations. I am not suggesting that this pattern should be repeated in the future. Nevertheless, I see no good reason why new places of worship, particularly for congregations outside mainstream Christianity and for other well-established world religions, should not be catered for in established urban areas if the amenities of those localities are properly maintained. Such an approach would accord with the December 1999 version of PPG12 which, at paragraph 4.13, requires local planning authorities, in preparing development plans, to consider the likely impact of planning policies on different groups in the population, such as ethnic minorities and religious groups. I therefore recommend that the Local Plan be amended, to accord in general with the objection made by The Colchester Meeting Room Trust, in the form set out below.

RECOMMENDATION

8.1.2. I recommend that the Local Plan be modified:-

- in accordance with additional text at the end of the Chapter 8 to read:- ***PLACES OF WORSHIP** Places of religious worship play an important part in providing community facilities in the Borough. Such facilities will be permitted in appropriate locations, including residential areas, having regard to the character of the surroundings and the need to protect the amenities of nearby residents, in accordance with the criteria set out in Policy DC1.*
- In accordance with an additional policy, Policy CFxx, to read:- *“New Places of Worship will be permitted within existing settlement boundaries, including residential areas, provided the criteria for assessing new development, set out in Policy DC1, are met.”*

8.2. PARAGRAPH 8.9 Community Benefits (General)

Objections

0460 / 00971	C F Anderson & Sons Ltd
0461 / 00997	Mr M Hollingsworth
0462 / 00985	ADCO Group Limited

KEY ISSUE

- A threshold of ten residential units before contributions are made towards community facilities is arbitrary and not backed by empirical evidence. The examples given in the text are non-specific and unhelpful. Requiring contributions from ‘windfall’ sites just above ten units is likely to deter smaller sites from coming forward.

CONCLUSION

8.2.1. Paragraph 8.9 follows closely the advice set out in Paragraph B16 of Annex B to Circular 1/97, which warns against setting out precise requirements or imposing rigid formulae in development plan policies concerning the contents of planning obligations. This is because planning obligations must be related to individual proposals if they are to be considered fairly and reasonably related in scale and kind to the proposed development, as required by paragraph B2. It seems to me that paragraph 8.9 strikes an appropriate balance between indicating the circumstances in general where a contribution towards community facilities is likely to be required, while avoiding the imposition of rigid standards which may not be justified in each case. I therefore recommend that no alteration be made to the Local Plan in response to these objections.

RECOMMENDATION

8.2.2. I recommend that no modification be made to the Local Plan.

8.3. POLICY CF1 Infrastructure & Community Facilities Provision

Objections

0453 / 01498	Landowners Promoting Marks Tey Market Town
0514 / 01415	R G Hodge

KEY ISSUES

- Policy CF1 is too general. By equating itself too closely to large-scale developments it discourages the bringing forward of smaller redevelopment sites in conflict with the Plan’s avowed aim of encouraging the re-use of recycled land.
- Policy CF1 encourages public bodies to use the development control system as a means whereby they can extract community facilities in conjunction with the grant of planning permissions that would otherwise be unacceptable.

CONCLUSION

8.3.1. The advice on the relationship between planning obligations and development plans, set out in paragraph B16 of Circular 1/97, means that any general policy on the provision of new community benefits provided in association with the grant of planning permission for new development, has to be couched in fairly general terms. I am satisfied that the explanatory text leading up to Policy CF1, particularly paragraph 8.7, reiterates the fundamental points made in the Circular that a planning obligation must fairly and reasonably

relate to proposed development and that it must be in scale with the proposal. I am firmly of the opinion that adherence to these principles would prevent the abuses of planning gain as a means whereby a 'wish list' of desirable community facilities can be provided in return for the grant of planning permission for unsatisfactory development.

8.3.2. If the community requirements are in scale with the proposal then there seems to me to be no sound reason why small-scale redevelopments should not take place as they have in the past. Such developments are unlikely to create much of an additional burden on the community at large and each case, as explained in paragraph 8.2.1 above, has to be treated on its own merits, so that in many instances contributions by such sites are likely to be small. It is not, however, as stated in paragraph 8.2.1 of my report above, the role of the Local Plan to set out hard and fast rules on such matters. Therefore, I see no need to amend the Local Plan in response to these objections.

RECOMMENDATION

8.3.3. I recommend that no modification be made to the Local Plan.

8.4. POLICY CF4 *Retaining Key Community Facilities & Services*

Objection

0440 / 00869

The Colchester Meeting Room Trust

KEY ISSUE

- A further criterion is to be added to the circumstances allowing for the loss of a community facility – where removal of the existing facility improves the environment for nearby residents.

CONCLUSION

8.4.1. Criterion (b) seems to me to be the crucial test to be applied in this policy. If it can be shown that there is no demand for the facility in question then its loss is unlikely to be of much significance. The likelihood is that where a community facility is harming residential amenity it is flourishing. In these circumstances, this does not seem to me to be a sound reason for seeking its removal but for applying palliative measures that would allow the facility to co-exist more comfortably with its residential neighbours. For these reasons, I do not recommend that the Local Plan be amended on this point

RECOMMENDATION

8.4.2. I recommend that no modification be made to the Local Plan.

8.5. PARAGRAPH 8.20 *Education – General*

Objection

0895 / 02276

Persimmon Homes

KEY ISSUE

- Greater flexibility should be incorporated into this paragraph to permit developments, other than education or community facilities, which bring about improvements in the latter.

CONCLUSION

8.5.1. By encouraging development, for purposes other than education and community purposes on surplus education land, the links with the original purpose for allocating that land are lost and the clear connections between education land and a general requirement to increase its availability to the community at large is broken. For these reasons, I do not accept the objector's arguments on this point.

RECOMMENDATION

8.5.2. I recommend that no modification be made to the Local Plan.

8.6. PARAGRAPH 8.20a *Education – General***Objection**

0895 / 02277

Persimmon Homes

KEY ISSUE

- Paragraph 8.20a, introduced by the Second Deposit Version, should allow for alternative forms of development, where educational land and/or buildings become surplus to requirements, to improve educational facilities in overall terms by bringing about improvements to education premises elsewhere.

CONCLUSION

8.6.1. I find, as I do at paragraph 8.5.1 above, that the suggested amendments make the links between alternative developments and improved educational facilities on unrelated sites too remote. There may be individual instances where that approach is appropriate but this should not be seen as being the line to be adopted except in special circumstances. For these reasons, I do not recommend that any amendment be made to the Local Plan in response to this objection.

RECOMMENDATION

8.6.2. I recommend that no modification be made to the Local Plan.

8.7. POLICY CF5 *Reusing Surplus Education Facilities***Objections**

0162 / 02282

Stanway Parish Council

0729 / 01942

Mary Revell

KEY ISSUE

- The amendments made to Policy CF5 by the Second Deposit Version make it easier to develop school playing fields, as no definition is given of alternative community purposes or what would constitute equal or greater benefit to educational or community facilities.

CONCLUSION

8.7.1. I accept that the amendments to Policy CF5 broaden its scope to encompass community facilities as well as education but to my mind the important consideration is that any loss of educational facilities should result in alternative provision being made to the local community as a whole, either on the site of the former educational premises or close at hand. With ever-changing demographic patterns, it is likely that there will be parts of the Borough

where demand for education, including playing fields, will contract as birth rates drop or remain low. The policy as amended would seem to me to provide for premises that are no longer required for education being made available to the community at large, either on site or nearby. Any tightening of such an approach would strike me as unreasonable and possibly result in redundant sites standing unused and derelict, a situation that is likely to be more harmful to a local community. Therefore, I recommend that no action be taken in response to these objections.

RECOMMENDATION

8.7.2. I recommend that no modification be made to the Local Plan.

8.8. PARAGRAPH 8.26 & PROPOSED CHANGE 132, POLICY CF7 & PROPOSED CHANGES 13 & 121 *New School Facility Provision*

Objections

0162 / 00226	Stanway Parish Council
0228 / 00822	West Mersea Town Council
0286 / 02470	House Builders Federation
0386 / 00712	Essex County Council (Planning & Admissions)
0386 / 00714	Essex County Council (Planning & Admissions)
0573 / 02090	The Secretary of State for Health
0833 / 01226	RMPA Services
0839 / 02474	O & H Holdings Ltd
0861 / 02441	Barratt Eastern Counties
0861 / 02460	Barratt Eastern Counties

KEY ISSUES

- No schools are specifically mentioned in Policy CF7 in Stanway as requiring new facilities despite the volume of new housing under construction or proposed around Church Lane.
- There is no mention made of new facilities for the primary school on Mersea Island in Policy CF7.
- The redevelopment of the Garrison may not justify the provision of a new primary school.
- Full provision for both a 240 and 420 place primary school is required for the Garrison redevelopment.
- Residential redevelopment of Myland Hospital requires a 210 space primary school while Turner Village requires a 420 place primary school.
- There is no need for a new primary school at Turner Village.
- The formulae for contributions by housebuilders towards education are biased in favour of large houses, as the tariffs do not differentiate between small and large units.
- Whilst the principle of housebuilders making contributions towards educational facilities is accepted, the prescriptive nature of the Policy as set out in Proposed Change 132 and the supporting text is unreasonable and contrary to the spirit of Circular 1/97. To comply with that advice the Policy and supporting text should allow for contributions to be made on a case by case basis, having regard to the main thrust of the Circular, that moneys

emanating from planning obligations should fairly and reasonably relate to the scale of development proposed.

CONCLUSION

8.8.1. Policy CF7 and its supporting text have been the subject of several alterations, additions and rewrites, not only in the Second Deposit Version and the first, second and third sets of proposed changes but also in a Council Proof of Evidence dated 20 November 2001, supported by Technical Papers from Essex County Council dated 11 January 2002. Since the publication of Proposed Change 121 in the Second Schedule of proposed changes, Policy CF7, as it appears in the Second Deposit Version identifying specific schools and locations for educational investment, has been replaced by a policy simply requiring housebuilders to provide facilities in line with formulae set out in the supporting text. On that basis the site-specific objections of Stanway Parish Council, West Mersea Town Council, RMPA Services, Essex County Council and the Secretary of State for Health can be said to be met. The outstanding objections are therefore those of Barratt Eastern Counties, the House Builders' Federation and O & H Holdings.

8.8.2. It would appear from the format of the Council's written statement on this matter that it regards the revised Policy set out there and the supporting text as supplanting everything that has gone before. This was received very late in the Local Plan proceedings, November 2001, and the technical papers to substantiate this reworked part of the Local Plan did not appear until 11 January 2002, less than a month before the inquiry finally closed. Because this was all received at comparatively short notice, I am disinclined to accord it as much weight as the Council would like. I shall consider these outstanding objections as relating to Proposed Change 132 from the Third Schedule of proposed changes, which repeats the new Policy CF7 from Proposed Change 121, together with revised supporting text in paragraphs 8.26 and 8.26a. The further revisions set out in the Council's statement will be considered as a material consideration in support of the direction that the Council would ideally like its approach to the provision of new educational facilities to take.

8.8.3. I find the Council's approach on this matter confusing and inconsistent. In Policy CF1 and its supporting text it rightly points to the firm advice in Circular 1/97 against the inclusion of policies in development plans including rigid prescriptive rules in the provision of community facilities. Educational facilities are just one of the categories of community investment that can be funded by new house building, although arguably the most important. Nevertheless, the Circular does not differentiate in the general approach that should be taken towards the funding of new educational facilities from other new community investment and nor should the Council. Instead, the Council makes no mention of Circular 1/97 in either the revised policy or supporting text and its general approach of applying rigid formulae flies in the face of the advice in Circular 1/97 on the role of development plans in affecting the genesis of planning obligations.

8.8.4. I appreciate that the Borough Council's approach has arisen out of close co-operation with Essex County Council, as the local education authority, but this does not prevent it, in my judgement, from being fundamentally flawed or misconceived. The Council argues that it makes developers' likely contributions towards new school provision more certain and transparent. It also claims that this approach is unlikely to be overtaken by events. This may be more likely than the previous 'wish list' approach in the Second Deposit version of CF7, but enshrining rigid monetary formulae in a Local Plan seems to me to be just as likely to become quickly out of date. The correct approach seems to me to be that the whole policy and supporting text should be firmly wedded to the Circular 1/97 approach of developer

contributions towards educational facilities being fairly and reasonably related in scale and kind to the proposed development.

8.8.5. It may well be that contributions towards educational establishments will be of the order set out in Proposed Change 132 but the likelihood is that these requirements are likely to change markedly in monetary terms, if in no other respect, throughout the plan period. I therefore recommend that a current range of criteria be incorporated in Supplementary Planning Guidance. This would be what it says it is, guidance and not a set of mandatory rules to comply with in every respect. It would also allow for frequent updating of the various thresholds that the local planning authority and local education authority are jointly aspiring to at any moment in time without being enshrined in the straitjacket of a statutory development plan. Even in the paragraph in Circular 1/97 on the relationship between planning obligations and development plan policies, paragraph B16 of Annex B, it is stated that the existence of plan policies should not preclude negotiation on proper and appropriate planning obligations in relation to individual proposals. It goes on to say that it is useful for local people and developers to have some indication of what might be expected but, since planning obligations must be directly related to individual proposals if they are to be given any weight, it is not acceptable to set out precise requirements or to impose rigid formulae.

8.8.6. Therefore, my approach, set out in my recommendation below, is to move Policy CF7 and its explanatory text towards the general approach in the Circular of flexibility, while ensuring that contributions towards educational facilities fairly and reasonably relate to the scale and type of new development proposed. This results in the adoption of some if not all of the suggested wording of the outstanding objectors (which in many respects is not so far removed from that of the Council), while recommending the production of Supplementary Planning Guidance from time to time that would set out the local authorities' starting point upon which negotiations could take place on a case-by-case basis.

RECOMMENDATION

8.8.7. I recommend that Proposed Changes 13, 121 and 132 be not proceeded with. I further recommend that the Local Plan be modified as follows:-

- (a) The deletion of paragraph 8.26 and the insertion of the following:- *“The Local Plan makes provision for new, or expansion of existing, primary and secondary school facilities to serve areas of new residential development. Developers of housing schemes will be expected to contribute to any extra school capacity in direct relationship to their development where there is insufficient capacity in relation to catchment areas as defined in current national guidance. In each case the precise level and type of contribution will be the subject of negotiation between the local planning authority, the local education authority and the prospective developer (or developers where new or expanded schools would serve large-scale new housing allocations). The developer will be expected to make a contribution, fairly related in scale and kind to the proposed development, to the cost of meeting that additional need, provided that the local education authority proposes to utilise that contribution as part of its capital spending programme to make such a provision within a reasonable period of time. The likely scale of contributions, including a minimum threshold for triggering off contributions, will be set out in Supplementary Planning Guidance which will be updated from time to time during the lifetime of the plan.”*
- (b) The deletion of Policy CF7 and the insertion of the following:- *“The Plan makes provision for new, or expansion of existing, primary and secondary school*

facilities to serve areas of new residential development. Developers will be expected to contribute to any extra school capacity required in direct relationship to their schemes where there is insufficient capacity based on current national guidelines. Negotiations between the relevant authorities and the prospective developer or developers will take place in each case on the basis that the developer's contribution/developers' contributions is/are fairly related in scale and kind to the proposed development. The starting point for such negotiations will be based on Supplementary Planning Guidance, produced jointly by the local planning authority and the local education authority, setting out the contributions that the latter will expect. This Supplementary Planning Guidance will be issued and updated at regular intervals throughout the plan period."

8.9. PARAGRAPH 8.35 & PROPOSED CHANGE 14, POLICY CF11 Cemetery Provision

Objections

0101 / 00125	Mr Simon Banks
0228 / 00459	West Mersea Town Council
0440 / 00872	The Colchester Meeting Room Trust
0833 / 02390	RMPA Services

KEY ISSUES

- There is likely to be an unspecified shortage of space for burials in the Borough by the end of the plan period.
- No mention is made of a proposal for a green cemetery on Mersea Island.
- Reference to expanded cemetery provision on the Garrison Private Finance Initiative site is premature and Proposed Change 14 should not proceed.

CONCLUSION

8.9.1. With regard to the objections of Mr Banks and the West Mersea Town Council, the Second Deposit Version of paragraph 8.35 and Policy CF11 makes reference to cemetery provision at West Mersea. The revised explanatory text at paragraph 8.35 also states that the Council sees advantages in woodland and other green cemeteries. Therefore, while their objections have not been withdrawn, I am satisfied that their concerns have largely been met by the Second Deposit Version. The Colchester Meeting Room Trust does not specify how and when a shortage of burial space within the Borough is likely to arise. Nevertheless, the Council does not explain why Policy CF11 is restrictive in its identification of sites, while the explanatory text identifies more locations, with the inclusion of the Garrison by Proposed Change 14, than are set out in the Policy. It would seem more logical to me that the explanatory text should indicate where the sites for new cemetery provision are likely to be found and that the policy should be more generally framed. This would accord with the Council's approach in paragraph 8.35, where it shows that it is prepared to approve further provision for burial land subject to normal development control criteria. General mention of the Garrison as a site for the expansion of the adjoining cemetery can also be included in paragraph 8.35, with more specific advice being incorporated in the Garrison chapter, Chapter 17. That would seem to meet the objection of RMPA Services who objected to the specific mention of 4ha of cemetery land in Proposed Change 14. In the light of these considerations, I set out my recommended modifications below.

RECOMMENDATION

8.9.2. I recommend that Proposed Change No 14 be not proceeded with. I further recommend that the Local Plan be modified as follows:-

- (a) The deletion of paragraph 8.35 and the insertion of the following:- *“This policy indicates the general principles to be applied to new and expanded cemetery provision. Specific provision is likely to be made during the plan period at Tiptree (adjacent to the United Reform Church, Chapel Road), at West Mersea and in Wivenhoe. Additional cemetery provision will also take place in association with the Garrison redevelopment as adjuncts to the existing adjoining cemetery. More detailed indication of this provision is set out in Chapter 17. However, there is no specific reason why other private open land cannot be used for cemetery purposes, provided the requirements of general development control Policy DC1 and other relevant Local Plan policies, notably Policy P1, are met. Some environmental benefits may arise out of new burial provision in the form of woodland and other green cemetery sites.”*
 - (b) The deletion of Policy CF11 and the insertion of the following:- *“New Cemeteries and other burial places will be permitted on existing private undeveloped land, provided the criteria for assessing new development set out in Policy DC1, and the requirements of other relevant Local Plan policies are satisfied.”*
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9 Chapter 9 - University of Essex & Colchester Institute

9.1. *POLICY UC1* *The University of Essex*

Objections

0036 / 00040	Mr R Howard
0514 / 01398	R G Hodge
0659 / 01631	J J Heath
0660 / 01635	Colchester Natural History Society

KEY ISSUES

- Land to the west of the university campus, which is partly wetland with a rich biodiversity and is designated as a SINC, should be removed from the University's designation on the Proposals Map, which would allow for its development for academic and allied purposes. It should be designated as a nature reserve instead.
- Development of the land for university purposes would further erode the narrow neck of open land between Wivenhoe and the built-up area of Colchester.

CONCLUSION

9.1.1. The designation of this area for university purposes is longstanding and ties in with the regeneration proposals for East Colchester and The Hythe discussed in Chapter 16 below. While development of the site for university and allied purposes may result in some disruption of the wetland ecosystem that has given rise to its designation as a SINC, it would not, in my judgement, be difficult, in what is likely to be a low density form of development, to preserve and maintain the salient and important features of the wetland habitat. In particular, in a highly respected academic institution the preservation of the natural features of their site ought to be in the forefront of the authority's mind. Similarly, a low-profile development in an open setting ought to allow the restricted gap between Colchester and Wivenhoe to remain largely unimpaired. For these reasons, I recommend that no alterations be made in response to these objections.

RECOMMENDATION

9.1.2. I recommend that no modification be made to the Local Plan.

10 Chapter 10 - Leisure, Recreation & Tourism

10.1. PARAGRAPH 10.1 Introduction

KEY ISSUE

- PPG17 “Sport and Recreation”, dated September 1991, was replaced by PPG17 “Planning for Open Space, Sport and Recreation” and its daughter document “Assessing Needs and Opportunities: A Companion Guide to PPG17” in July and September 2002 respectively ie after the inquiry had closed but before this report was completed.

CONCLUSION

10.1.1. Where relevant, the later government guidance will take precedence over its predecessor. Reference will also made by me, where necessary, to a later reprinted version of Chapter 10, designed to overcome the confusing paragraph numbering scheme of the Second Deposit Version.

RECOMMENDATION

10.1.2. I recommend that, wherever necessary, the Local Plan be modified in accordance with the advice contained in PPG17 “Planning for Open Space, Sport and Recreation” dated July 2002 and its daughter document “Assessing Needs and Opportunities: A Companion Guide to PPG17” of September 2002. The necessary revisions will, wherever possible, be pointed out in my recommendations below.

10.2. NEW POLICY N99 General Aviation

Objection

0161 / 00220

General Aviation Awareness Council

KEY ISSUE

- The Local Plan should contain a policy on general aviation emphasising the benefits of private flying not only as a leisure activity but also as an economic benefit to the local community and as a means of providing training for future commercial pilots.

CONCLUSION

10.2.1. Existing provision for flying activities within the Borough is essentially confined to leisure facilities. Expansion of these to general aviation or the creation of new facilities within the Borough would largely depend on noise patterns for which, there is, in my opinion, adequate guidance given in Policy DC1, in addition to published government advice. In any event, there is a substantial provider of general aviation services, including pilot training, just outside the Borough’s boundaries at the Earls Colne airfield in Braintree DC, which, in my opinion, caters for local needs overall. In these circumstances, I see no need to introduce a specific new policy to the Local Plan on this point.

RECOMMENDATION

10.2.2. I recommend that no modification be made to the Local Plan.

10.3. NEW POLICY N99**Colchester Zoo****Objection**

0618 / 01447

Colchester Zoo Limited

KEY ISSUE

- As one of the leading tourist and leisure attractions in Essex, Colchester Zoo should be given a specific allocation on the Proposals Map as being set aside for zoological purposes.

CONCLUSION

10.3.1. The Zoo is located in a sensitive countryside location within the Roman River Valley and comparatively close to the south-western edge of the built-up area of Colchester with its important archaeological sites. The Council has obviously adopted a flexible attitude to the zoo's development in the past; otherwise it would not be the attractive tourist draw it undoubtedly is. However, if it were to be specifically set aside for zoological garden purposes, to my mind it would be difficult for the local planning authority to resist expansion, which could conflict with the other important constraints upon development that continue to apply to this site. For these reasons, I am not convinced that a specific allocation for Colchester Zoo should be added to the Local Plan.

RECOMMENDATION

10.3.2. I recommend that no modification be made to the Local Plan.

10.4. PARAGRAPH 10.3 & PROPOSED CHANGES 15 & 16
Recreation and Tourist Objectives
Leisure,**Objection**

0304 / 00496

Ramblers Association

KEY ISSUES

- Proposed Change 15 would insert the word "*public*" in front of "*open space*" in lines one and five of objective (f) of paragraph 10.3.
- Proposed Change 16 would add a new objective (i), inadvertently missed out of paragraph 10.3 of the Second Deposit Version, to read as follows:- "*To safeguard existing and promote new country parks and wildlife areas, in order to provide diverse opportunities for outdoor recreation in a countryside setting, close to where people live.*"
- The proposal for a woodland strategy at objective (h) of paragraph 10.3 should be made a policy, including provision of public access.

CONCLUSION

10.4.1. Proposed Change 15 clarifies objective (f) and is therefore to be welcomed. Safeguarding and promotion of country parks and wildlife areas is a legitimate leisure objective. Therefore, no objection can be raised to Proposed Change 16. I set out below at paragraphs 10.14.4 to 7 inclusive why this need not be achieved through a Local Plan policy. The lack of a policy towards tree planting/woodland strategy, identified by the Ramblers Association, was also recognised by CPRE (Essex) in an objection raised to the countryside strategy (459/1006). At paragraphs 5.2.3 and 5.2.4 of my report above, I set out the reasons

why I agree with that objector and, for the sake of consistency, I repeat below my recommendation why objective (h) of paragraph 10.3 should be amplified into a Borough-wide policy. That policy could make reference to public access to new woodlands under the provisions of the Countryside and Rights of Way Act 2000.

RECOMMENDATION

10.4.2. I recommend:-

- (a) that the Local Plan be modified in accordance with Proposed Changes Nos 15 and 16.
- (b) that the Council reconsider their approach to the promotion of tree planting in the Borough with particular attention to the clarification of the unsubstantiated Objective (h) of paragraph 10.3 of Chapter 10 and with a view to creating a policy which would elucidate their approach to the promotion of tree planting across the whole Borough.

10.5. POLICY L1

Leisure Facilities

Objections

0101 / 00124	Mr Simon Banks
0228 / 00312	West Mersea Town Council
0061 / 00072	Colchester Rovers Cycling Club

KEY ISSUES

- The list of facilities in Policy L1 fails to mention a hard play area in West Mersea, extensions to current sports fields there, improved access for water craft or provision of a swimming pool.
- No provision is set out in Policy L1 for BMX bicycle riding facilities.

CONCLUSION

10.5.1. A multi-games area for West Mersea has been added to Policy L1(ii) of the Second Deposit Version. Public open space provision to the north-east of Suffolk Avenue, West Mersea has been added to Policy L4 of the Second Deposit Version. Waterside activities at West Mersea are dealt with in Proposed Changes to the Coast and Estuaries Chapter (Chapter 4), set out in Chapter 4 of my report above. The Council states that the provision of a public swimming pool on Mersea Island would be unviable. Given its limited permanent population, I have no reason to disagree with that assertion. Therefore, no changes are recommended to the Local Plan regarding the objections of Mr Banks or the West Mersea Town Council.

10.5.2. Turning to Colchester Rovers Cycling Club's objection, BMX bicycle facilities are already provided in King George V playing fields in Colchester. Paragraph 10.12a of the Second Deposit Version (paragraph 10.13 of its reprinted form) makes it clear that the list of sports facilities in Policy L1 is not meant to be exhaustive. Any proposals for BMX biking facilities can therefore be judged on their own merits, having regard to the general criteria set out in Policy DC1 and any site-specific considerations. Therefore, I am satisfied that the Local Plan does not require alteration in response to this objection.

RECOMMENDATION

10.5.3. I recommend that no modification be made to the Local Plan.

10.6. PARAGRAPHS 10.15 & 10.16 *Public Open Space*

Objections

0453 / 01500

Landowners Promoting Marks Tey Market Town

KEY ISSUE

- The open space requirements of paragraphs 10.15 and 10.16 (paragraphs 10.17 and 10.18 of the renumbered version) are unachievable in areas of piecemeal development. They are only likely to be met in the context of a large-scale planned development such as a new settlement at Marks Tey.

CONCLUSION

10.6.1. I agree that it is easier to achieve open space and playing field standards in the context of large-scale newly planned developments than in the incremental changes of piecemeal redevelopment. However, emphasis in the Local Plan is on re-use of previously developed land rather than expansion of urban areas into the countryside as envisaged by the objectors. This approach fully accords with government guidance set out for instance in PPG3. The development of a type proposed by the objectors should not be permitted only because the Council's open space standards can be met. Therefore, I recommend that no action be taken in respect of this objection.

RECOMMENDATION

10.6.2. I recommend that no modification be made to the Local Plan.

10.7. PARAGRAPH 10.16a & PROPOSED CHANGE 17 *Public Open Space*

Objections

0412 / 00785

Sport England

0872 / 02153

Sport England

KEY ISSUE

- Policies L2 and L3 fail to give sufficient emphasis to playing fields and sports pitches as a specific type of open space.
- Addition of the wording "*that one of the following will be met*" to the end of the main paragraph 10.16a (paragraph 10.19 of the renumbered version) and before any of the four criteria.

CONCLUSION

10.7.1. Sport England, as Central Government's main advisers on the adequacy of public and private playing field provision, is satisfied that, if one of the criteria set out in paragraph 10.16a is met, loss of playing field facilities may be acceptable. I am not in a position to mount any arguments to the contrary. Therefore, I recommend that Proposed Change 17 be accepted.

10.7.2. The Council wishes to insert additional wording in paragraph 10.16a (paragraph 10.19 of the renumbered version) to meet the concerns of Sport England that playing fields/sports pitches are a particular form of open space that requires special consideration. I have no difficulty in acceding to that request, which appears to satisfy Sport England's first objection in full.

RECOMMENDATION

10.7.3. I recommend:-

- (a) that the Local Plan be modified in accordance with Proposed Change No 17;
- (b) that the Local Plan be modified by inserting a new third sentence in paragraph 10.16a to read as follows:- *“The term ‘playing field’ specifically relates to sports pitches, greens, courts, tracks and all other such areas used for formal sports activities.”*

10.8. PARAGRAPHS 10.22 & 10.28, PROPOSED CHANGES 18 & 19 Open Space Provision within New Development

KEY ISSUE

- The final sentence, which should have been added to paragraph 10.22 of the Second Deposit Version, was wrongly added to paragraph 10.28.

CONCLUSION

10.8.1. Proposed Changes 18 and 19 rectify that situation.

RECOMMENDATION

10.8.2. I recommend that the Local Plan be modified in accordance with Proposed Changes Nos 18 and 19.

10.9. PARAGRAPH 10.17a Fencing of Open Space with Public Access from Railway Lines

Objection

0296 / 01775

Railtrack PLC

KEY ISSUE

- Land allocated as public open space adjoining railway lines should be properly fenced.

CONCLUSION

10.9.1. Paragraph 10.17a of the Second Deposit Version (paragraph 10.33 of the renumbered chapter) adds text on this point. However, it makes reference to The Moors, which is unnecessary, and to Railtrack plc, which will be wound up by the time of plan's adoption. I therefore recommend the deletion of the final sentence of the paragraph and replacement of reference to Railtrack with "The relevant rail infrastructure body".

RECOMMENDATION

10.9.2. I recommend that the Local Plan be modified by deletion of the third sentence of paragraph 10.17a and by deletion of the word "Railtrack" at the beginning of the second sentence of the paragraph and insertion of the words *"The relevant rail infrastructure body"*.

10.10. POLICY L2 & PROPOSED CHANGES 21 & 133 Loss of Private Open Space

Objections

0201 / 00270	Mrs Sylvia Vince
0203 / 00272	Mrs C Wargent
0287 / 00461	Mr D Harris
0567 / 02357	Painters Corner Residents Association
0567 / 02358	Painters Corner Residents Association
0567 / 02407	Painters Corner Residents Association
0567 / 02408	Painters Corner Residents Association
0567 / 02467	Painters Corner Residents Association
0583 / 02376	Myland Parish Council
0604 / 01573	Stanway School/Persimmon Homes
0653 / 01621	AMEC Development Ltd
0729 / 01804	Mary Revell
0729 / 01943	Mary Revell
0729 / 02366	Mary Revell
0729 / 02455	Mary Revell

KEY ISSUES

- Proposed Change 21 would have referred Policy L2 back to the criteria set out in paragraph 10.16a (paragraph 10.19 of the renumbered version).
- Proposed Change 133 rewrites Policy L2 to read as follows:- *“Permission will not be granted for any change of use to any other purpose of a private playing field, sports ground or open space defined on the Proposals Map as ‘private open space’, unless, in the case of playing fields, the proposal complies with one of the following requirements:-*
 - (a) there is evidence, from a fully quantified assessment, of a surplus of playing field provision in the area; or*
 - (b) the development is for a small part of the area which would not affect overall usage; or*
 - (c) alternative provision to at least the same standard is to be made nearby; or*
 - (d) the development is for another sports facility, the provision of which would, overall, be beneficial to sport.”*
- School playing fields should not be lost to housing development.
- The reliance on compliance with a single criterion of paragraph 10.16a and Policy L2, as rewritten by Proposed Change 133, considerably waters down the effectiveness of the Policy as a whole, compared with the First Deposit Version, which precluded loss of designated private open space unless there was equivalent reinstatement nearby. The need to retain private open space in the area covered by the Myland Parish Council is especially strong to cater for the rapid growth in the local population within the plan period.
- The Policy as originally drafted gave insufficient flexibility for the development of redundant school playing fields.
- The Policy is unacceptably restrictive as it fails to take account of changed circumstances concerning areas of former private open space, notably at Essex Hall adjoining Claremont Heights, off Station Way, Colchester, which can now be developed for other purposes.

- Unwanted private open space should be bought up as public open space by the local authority. This approach would be especially appropriate for the Legion Field, Barfield Road, West Mersea.

CONCLUSION

10.10.1. The objections cover a range of issues, which are mutually incapable of resolution in favour of any objectors. Mr D Harris, on behalf of Thomas Lord Audley School, Stanway School/Persimmon Homes and AMEC Developments all look upon Policy L2 as being unduly restrictive with regard to loss of existing or former playing fields. None of these objectors have made any further observations in amplification of their objections following the changes introduced by the Second Deposit Version and Proposed Changes 17, 21 and 133, largely on the initiative of Sport England. To the extent that only one of the criterion set out in Proposed Change 133 now has to be met before private open space can be released for other purposes, the policy can now be said to be more flexible than as drafted in the First Deposit Version, although none of the objections has been formally withdrawn. For the most part the blanket opposition to loss of private playing fields has been removed by the Proposed Changes and, if implemented, to my mind these changes would meet the objections of Mr Harris and Stanway School/Persimmon Homes.

10.10.2. AMEC Developments argue that circumstances have changed in recent times to enable the private open space allocation to be removed from land at Essex Hall. I do not agree. Condition 9 of the outline planning permission granted in 1984 for the residential development, now known as Claremont Heights, required the retention of this land to be laid out as open space for the residential development. I can find no change in circumstances in the intervening period. Indeed, there has been confirmation in an appeal decision, dated 23 February 1998, that retention of this land as amenity space in conjunction with the adjoining residential development is the correct approach. Therefore, I do not recommend that any action be taken in response to this objection.

10.10.3. I fully understand the concerns of the Painters Corner Residents Association, Mary Revell on behalf of the Irvine Road Residents' Association and Myland Parish Council that Proposed Change 133, requiring only one criterion to be met of Policy L2 to be met before paying fields can be released to other use. However, these changes have been introduced at the instigation of Sport England, a standard consultee concerning playing field development. Moreover, that body's approach very much accords with paragraph 15 of the new version of PPG17 where four criteria for acceptable development of playing fields are set out. Paragraph 13 of the document sets out what I regard as a robust approach to loss of open space. It states that the new land and facility should be at least as accessible to current and potential new users and at least equivalent in terms of size, usefulness, attractiveness and quality. It goes on to say that wherever possible, the aim should be to achieve qualitative improvements to open spaces, sports and recreational facilities. To my mind reworded Policy L2 is fully in accord with this approach. Read in conjunction with revised PPG17, and subject to the normal intervention of Sport England, I am satisfied that playing fields will only be lost where alternative genuinely accessible improved sporting facilities are to be put in place. Whilst the wording of Proposed Change 133 may not satisfy the objectors, to my mind revised Policy L2 will only result in private playing fields being developed where there is a demonstrable net improvement in sporting provision to the community at large. This would apply equally to those parts of Colchester covered by Myland Parish Council where an apparent surplus of playing field provision would need to be balanced against a rapid expansion in population.

10.10.4. Turning finally to the objections of Mrs Vince and Mrs Wargent, these essentially revolve around control over open space rather than retention. I notice that the Council's specific designation of Legion Field as private open space has the support of a number of West Mersea residents. This, together with the general powers afforded by revised Policy L2, should maintain the availability of an adequate supply of open space in West Mersea for the foreseeable future, even if not all of the land is in public ownership. Therefore, I do not recommend that any action be taken in response to these two objections.

RECOMMENDATION

10.10.5. I recommend that the Local Plan be modified in accordance with Proposed Change No 133 and that Proposed Change No 21 be not proceeded with.

10.11. POLICY L3 & PROPOSED CHANGES 22, 75 & 134 Protection of Existing or Proposed Public Open Space

Objections

0315 / 00541	Messrs R E, J & A Pulford
0315 / 02250	Messrs R E, J & A Pulford
0316 / 00544	Messrs S & A H Pulford
0316 / 02246	Messrs S & A H Pulford
0447 / 02355	Wyncoll Trustees
0529 / 01105	Simons Estates
0546 / 01159	Mr P Berriman
0546 / 02197	Mr P Berriman
0567 / 02411	Painters Corner Residents Association
0567 / 02468	Painters Corner Residents Association
0570 / 02089	Marconi Property Limited
0581 / 01339	Royal Eastern Counties School
0607 / 01428	Messrs. Lennox
0607 / 02080	Messrs. Lennox
0608 / 02253	Mr M N Southgate
0673 / 01673	Lattice Property Holdings
0685 / 01709	Philip Morant School
0729 / 02367	Mary Revell
0729 / 02417	Mary Revell
0729 / 02456	Mary Revell
0910 / 02416	Cllr K Jones

KEY ISSUES

- Proposed Change 22 would have added the words *“unless the proposal complies with the requirements of para. 10.16a”* to the end of the policy.
- Proposed Change 75 would have added the words *“unless in the case of playing fields, the proposal complies with the requirements of paragraph 10.16a”* to the end of the policy.
- Proposed Change 134 rewrites Policy L3 to read as follows:- *“Permission will not be granted for the development of sites allocated on the Proposals Map as existing or proposed ‘public open space’, or ‘country parks and wildlife areas’, for any other purpose. Unless, in the case of playing fields, the proposal complies with one of the following requirements;*
 - (a) *there is evidence, from a fully quantified assessment, of a surplus of playing field provision in the area; or*

- (b) *the development is for a small part of the area which would not affect overall usage; or*
 - (c) *alternative provision to at least the same standard is to be made nearby; or*
 - (d) *the development is for another sports facility, the provision of which would, overall, be beneficial to sport.”*
- Land at Chitts Hill should not be safeguarded as proposed public open space or as a country park or wildlife area.
 - Land north of St John’s Road should not be safeguarded as a proposed country park and wildlife area.
 - In allocating the land at By-pass Nurseries, Cowdray Avenue as public open space in the First Deposit Version, reference should have been made to past residential planning permissions granted on the site.
 - Land between Braiswick and Mile End Road (Braiswick Fruit Farm) should not be safeguarded as proposed public open space or as a country park and wildlife area.
 - Land at The Moors should not be safeguarded as a proposed country park and wildlife area.
 - Land at Bullock Wood should not be safeguarded as a proposed country park and wildlife area.
 - Land at Cymbeline Meadows should not be safeguarded as proposed public open space or as a country park and wildlife area.
 - Land at the former Oxley Parker School Playing Fields, The Philip Morant School and the former British Gas Sports Ground, Bromley Road should not be safeguarded as proposed areas of public open space.
 - The reliance on compliance with a single criterion of paragraph 10.16a and Policy L3, as rewritten by Proposed Change 134, considerably waters down the effectiveness of the Policy as a whole, compared with the First Deposit Version, which precluded loss of designated playing fields in public open space unless there was equivalent reinstatement nearby.

CONCLUSION

10.11.1. The objections regarding the provision of public open space at Chitts Hill, Braiswick Fruit Farm and Cymbeline Meadows were met in part by the replacement of their designation as country park and wildlife areas in Policy L5a of the Second Deposit Version. I discuss the merits of these designations in Section 10.14 below and reach the conclusion that the policy should be deleted. If that recommendation is accepted, then for the sake of consistency the words “*or ‘country parks and wildlife areas’*” should be deleted from Proposed Change 134 and the objections of Messrs R E, J & A Pulford, Messrs S & A H Pulford, Wyncoll Trustees, Mr P Berriman, Marconi Property Limited, Messrs. Lennox and Mr M N Southgate should succeed.

10.11.2. The objections of Philip Morant School, Royal Eastern Counties School (the former Oxley Parker School playing fields) and Lattice Holdings (the former British Gas Sports Ground) all relate to safeguarding of their sites in the event of their designation as

public open space, not to Policy L3 as such. I shall discuss their objections to public open space designation in Policy L4 in the following section of my report. No action will be taken in response to these objections. Similarly, there is no need to respond to Simons Estates objections regarding past planning permissions at By-pass Nurseries. This was made in connection with the site's designation as public open space in the First Deposit Version, an allocation that was deleted in the Second Deposit Version.

10.11.3. The objections of Painters Corner Residents Association, Mary Revell and Cllr K Jones are essentially the same as those raised in paragraph 10.10.3 above with regard to private open space and Policy L2. In addition to the safeguards set out in that paragraph, there is the further check against loss of playing fields in existing public open space that accountability to the local community at large brings. Moreover, the special place of playing fields within the overall provision of open space, the concern of Cllr Jones in wishing to seek retention of the Second Deposit Version, is to my mind fully addressed in the additional wording proposed at Sport England's behest for paragraph 10.16a (paragraph 10.19 of the renumbered version) and recommended for adoption at 10.7.3 of my report above. This seems to me to be as far as I can go in meeting these objectors' concerns. Therefore, I recommend that the Local Plan be modified by Proposed Change 134, subject to deletion of reference to country parks and wildlife areas.

RECOMMENDATION

10.11.4. I recommend that the Local Plan be modified in accordance with Proposed Change No 134 subject to the deletion of the words , "*or 'country parks and wildlife areas'*" and that Proposed Changes Nos 22 and 75 be not proceeded with.

10.12. POLICY L4 & PROPOSED CHANGES 23, 24, 74 & 76 Provision of New Public Open Space

Objections

0084 / 00099	Mr M J Robards
0090 / 00106	Prowting Plc & The Barbour Family
0092 / 00109	Mr & Mrs G W Prowse
0098 / 00118	Mr N Clark
0101 / 00143	Mr Simon Banks
0114 / 00147	Mrs B May
0117 / 00150	Mr L & Mrs M Hollingworth
0119 / 00152	Mrs J C Chisnall
0131 / 00175	Mr Martin Jones
0162 / 01459	Stanway Parish Council
0180 / 00247	Mrs M Edwards
0181 / 00248	Mr David Edwards
0212 / 00283	Mr & Mrs R J Lee
0218 / 01367	Tiptree Parish Council
0242 / 01125	Landmatch Ltd (prev. Lafarge)
0244 / 00383	Mrs C R Beech
0245 / 00384	Mr C S T McKeever
0250 / 00389	Mr & Mrs Stokell
0315 / 00542	Messrs R E, J & A Pulford
0316 / 00545	Messrs S & A H Pulford
0405 / 00780	Edward Gittins & Associates
0437 / 01211	The James Bartholomew Trust
0487 / 01005	Mrs P L Robards
0491 / 01014	Huguette Savoie
0510 / 01537	ABX & SM Fenwick and Bypass Nurseries Ltd
0546 / 01160	Mr P Berriman

0570 / 01266	Marconi Property Limited
0581 / 01338	Royal Eastern Counties School
0607 / 01429	Messrs. Lennox
0644 / 01146	The Wivenhoe Society
0673 / 01674	Lattice Property Holdings
0678 / 01681	Tiptree Development Forum
0678 / 01716	Tiptree Development Forum
0685 / 01708	Philip Morant School
0839 / 00319	O & H Holdings Ltd

KEY ISSUES

- Proposed Change 23 would add the following sites to the list of areas of public open space:- Camulodunum Way; Gaffney's Site, Tiptree; Lordswood Road; Priory Street and St Ives Farm, Peldon.
- Proposed Change 24 would add proposed Public Open Space near Broadlands to the Proposals Map.
- Proposed Change 74 would change the public open space figure for Tiptree in Table 1 to 1.69 hectares.
- Proposed Change 76 would delete "*Warriors Rest and land adjoining, Tiptree*" from the list of public open space sites.
- Insufficient land at Tiptree has been identified as public open space, including land at Rosemary Crescent for which planning permission has been granted in the past for residential development. In particular, open space provided in connection with new housing has not been allocated and land purchased by public subscription is no longer available to the community.
- Land at Chitts Hill should not be designated as public open space.
- Land to the rear of 241-301 Mile End Road should not be designated as public open space.
- Land to the north of the Glebe Playing Field, West Mersea should be given top priority for public acquisition.
- Land at Rectory Road, Wivenhoe should be given top priority for acquisition as public open space or as a country park.
- Calculations of public open space provision should differentiate Stanway from the built-up area of Colchester.
- Land at Rectory Road, Wivenhoe should not be designated as public open space.
- Land at Brierley Hall Farm, West Mersea should be allocated as public open space in connection with the designation of adjoining land for housing purposes.
- Land between Braiswick and Mile End Road (Braiswick Fruit Farm) should not be allocated as public open space.
- Land at By-pass Nurseries, Cowdray Avenue should not be allocated as public open space.
- Land at The Moors should not be allocated as public open space.

- Land at the former Oxley Parker School Playing Fields should not be allocated as public open space.
- Land at Cymbeline Meadows should not be allocated as public open space.
- Land at the former British Gas Sports Ground, Bromley Road should not be allocated as public open space.
- Open space provision in Tiptree as shown in Table 9 of the First Deposit Version should not read 1.27 hectares per 1,000 population; it should read 0.61 hectares.
- Additional public open space in Tiptree should be provided on land beside Brook Meadow, land adjoining Villa Farm, West End Lane, land at the Old Chicken Farm, Bull Lane, land in Park Lane opposite Gaffneys' premises and land on Barbrook Lane to the rear of 'Cerney'.
- Land at Philip Morant School should not be allocated as public open space.
- Land at Stanway Pit should not be allocated as public open space.

CONCLUSION

General

10.12.1. Policy L4 is merely a list of areas of public open space with appropriate designations on the Proposals Map. Therefore, in situations where references to sites have been deleted but objections have not been withdrawn then it can be assumed that the objections have been complied with. A number of sites were transferred from Policy L4 to Policy L5a in the Second Deposit Version [Chitts Hill, Rectory Road (Wivenhoe), adjoining Bullock Wood, north of St John's Road, Braiswick Fruit Farm, The Moors, south of Cowdray Avenue, Cymbeline Meadows and Stanway Pit] but objections to public open space designations remain outstanding. I am satisfied that, as the relevant public open space allocations have been deleted by the Second Deposit Version, the objections of Prowting plc and the Barbour Family, Landmatch Ltd, Messrs R E, J & A Pulford, Messrs S & A H Pulford, the James Bartholomew Trust, ABX & S M Fenwick and Bypass Nurseries Ltd, Mr P Berriman, Marconi Property Limited, Messrs Lennox and O & H Holdings Ltd have been met. The objection of Mr and Mrs G W Prowse has also been satisfied in that the Second Deposit Version of the Proposals Map deletes the public open space designation to the rear of 241-301 Mile End Road and reinstates its residential use. No further action is necessary in respect of this objection.

10.12.2. The Wivenhoe Society objected to the public open space provision at the Redland Site (Rectory Road) arguing that it should be designated a Country Park instead. This was agreed to by the Council in the Second Deposit Draft with the introduction of Policy L5a, whose merits are discussed in sub-section 10.14 of my report. This objection will therefore be treated as supporting that Policy. Many objections were received regarding the perception that the First Deposit Plan failed to give priority to the site's allocation as public open space. Most of these were unconditionally withdrawn following the publication of the Second Deposit Version but those of Mr N Clark, Mrs B May, Mr L & Mrs M Hollingworth, Mrs J C Chisnall, Mr Martin Jones, Mrs M Edwards, Mr David Edwards, Mr & Mrs R J Lee, Mrs C R Beech, Mr C S T McKeever, Mr & Mrs Stokell and Huguette Savoie were not. In the absence of any public open space designation on this land to promote or enhance, these objections will also be treated as indications of support for the Policy L5a designation at the Redland site and no further consideration of these objections will be given with respect to Policy L4. Table 1 recognises that the urban area of Colchester and the bulk of the built-up

area of Stanway Parish make up a continuous urban mass, for the purposes of calculating the adequacy of public open space provision, even if the two may have been historically and administratively separate until comparatively recent times. Changing the labels is not going to alter the fact that Colchester and Stanway now constitute one unbroken built-up area. In my opinion, movement across the old administrative boundary of the former Borough Council and the Lexden & Winstree RDC, to reach public open spaces on either side of a line that has few physically distinguishing features on the ground, will take place as a matter of course. Therefore, I do not intend to recommend any modifications in response to the objection of Stanway Parish Council.

10.12.3. “Planning for the Future Provision of Public Open Space & Country Wildlife Areas”, issued in July 2001 (Core Document 142) makes it clear that the Borough Local Plan has been and remains the key instrument for addressing the planning of public parks and green spaces. The Local Plan process has provided the overall policy framework and strategic plan for the provision of new open spaces since 1988. The Second Deposit Version has, wisely in my view, abandoned a system of ranking the acquisition of open space and implementation of open space standards; this is essentially a question of management and finance. Nevertheless, in view of its historical role, I have looked at the outstanding site specific objections not only in strict statutory land-use planning terms but also in the light of the long-standing role that the Local Plan has played in this particular authority in determining the corporate planning of future public open space provision.

Tiptree

10.12.4. Table 1 of the Second Deposit Version changes the open space provision for Tiptree from 1.27 hectares per thousand population to 0.60. This is lower than the objectors’ figure of 0.61. Therefore, the first objection of the Tiptree Development Forum has been met. To address this serious shortfall, in comparison with the Council’s long-established standard of 2.83 ha (the old National Playing Fields Association of six acres per 1,000 population plus one per 1,000 added on by the former Ministry of Housing & Local Government), the Development Forum identifies five sites, mainly around the edge of the present built-up area of Tiptree, which would substantially satisfy that standard. However, the Forum has no control over any of the sites it has put forward. Indeed, the owners of the sites concerned have objected to the sites being promoted for public open space provision without their knowledge or agreement. In these circumstances, I consider it highly unlikely that any would become available during the lifetime of the Local Plan. Moreover, being sited on the edge of the settlement the suggested locations are not best placed to meet shortages that are most keenly felt in the middle of the built-up area. In any event, with the provision of new public open space, mainly in association with the largely completed housing allocation at Grove Road, Tiptree’s figure has risen to 1.69 hectares per thousand population, according to Proposed Change 74, which I endorse. For these reasons, I recommend that no action be taken in respect of the Development Forum’s second objection.

10.12.5. Mrs Robards also points to a general shortage of public open space in Tiptree, the Parish Council queries the exclusion of Rosemary Crescent from the First Deposit Version of Policy L4 but Mr Robards expresses concern that any public open space allocation there may not be capable of implementation because of the existence of old outline planning permissions that might still be put into effect. He objects to the failure of the Local Plan to identify a number of small existing open spaces. Finally, the Parish Council strongly disapproves of the community at large being denied access to land at Thurstable School, which was purchased by public funds. Land at Rosemary Crescent was added to the Second Deposit Version of Policy L4. The Council has long supported this public open space designation. However, following investigations into the planning history of the site, it was

found to be still subject to an extant planning permission for residential development. Consequently, on 15 November 2001, outline planning permission was granted once more for housing development on this site. In these circumstances, I have no alternative but to recommend the deletion of Rosemary Crescent/Rectory Road, Tiptree from Policy L4. Some replacement for its deletion would result from the addition of the Gaffneys' site identified in Proposed Change 23. Therefore, I accept its inclusion into Policy L4. No complaint has been received to the deletion of the land adjoining the Warrior's Rest. Therefore, I have no objection to the adoption of Proposed Change 76 either. The other sites listed by Mr Robards are too small for identification, under the provisions of paragraph 10.16 (10.18 of the renumbered version), in the Local Plan, being less than 0.2ha in area. Finally, the question of the availability of land within the curtilage of Thurstable School to the community at large is essentially a matter for the school authorities. Policy CF5 seeks protection of those facilities but the Borough Council is not the education authority and cannot therefore have much leverage in its day-to-day usage. Consequently, I do not recommend that any amendments be made to the Local Plan in response to the objections of Mr and Mrs Robards or the Tiptree Parish Council.

West Mersea

10.12.6. With regard to the objection of Mr Simon Banks, the Second Deposit Version of Policy L4 incorporates both land to the north of the Glebe Playing Field, Colchester Road in addition to land to the north-east of Suffolk Avenue to be provided in conjunction with a proposed housing allocation. I have already explained, at paragraph 10.12.3 above, why I support the Council's deletion of different priorities of open space provision in the Second Deposit Version. In these circumstances, this version of the Local Plan goes as far as it can in meeting Mr Banks's objection. Turning to the proposal of Edward Gittins & Associates for additional public open space at Brierley Hall Farm, this would undoubtedly contribute towards the remaining serious shortfall in open space provision in West Mersea, in comparison with the Council's long-established standards. However, such provision would only be made in conjunction with a housing allocation and I explain in Chapter 13 of my report why I consider that to be inappropriate. Therefore, I do not consider that any action should be taken in response to Mr Gittins's objection in favour of additional public open space, which would not come forward in the absence of housing development on this site.

Peldon

10.12.7. No specific objections were received associated with the addition of St Ives Farm, Peldon to Policy L4 by Proposed Change 23. Nevertheless, several objections were submitted in connection with the partly residential allocation contained in the Second Deposit Version and I agree with these for the reasons set out in Chapter 13 of my report. The public open space provision is an integral part of that proposal. Therefore, in the interests of consistency, reference to St Ives Farm, Peldon in Proposed Change 23 should not be incorporated into the adopted Local Plan. For the same reasons, reference to Peldon in paragraph 10.33 (10.36 of the renumbered chapter) should also be removed. No objections were received to the other public open space allocations in Colchester contained in Proposed Changes 23 and 24. I recommend their inclusion and deletion to references to public open space provision in Peldon below.

Colchester

Former British Gas Sports Ground, Bromley Road

10.12.8. The objectors, Lattice Property Holdings Ltd, object to the site's designation as public open space, arguing that its reclassification as private open space could allow the

land's long term future to be re-assessed. The combined effects of Policies L3 and L4 would be to fossilise the land from other uses which would be unreasonable, as the objectors do not consider that the Council has the financial resources to purchase the site as it is. To maintain a greater degree of flexibility concerning its future, the site should be transferred to Policy L2 to reflect its current status as a private sports field, with no access available to the public at large. Moreover, being hemmed in on three sides by housing means that the site would do little as a public open space to provide visual relief to the surrounding urban environment. There have been no significant changes since the adoption of the current Local Plan, which allocates the site as private paying fields. Indeed, the uncertainty this change of status has engendered has undermined the confidence of the present sports club occupants from staying on the site.

10.12.9. The objectors rely heavily on the draft replacement PPG17 in support of their stance. However, in my opinion, the newly issued approved replacement PPG17 gives considerable support to the Council's change from private to public open space designation in the Local Plan before me. Paragraph 11 states that sports and recreational facilities, which are of high quality or of particular value to a local community, should be recognised and given protection by local authorities in plans. To my mind that is precisely the approach that has been adopted here. The Council has identified the St John's Ward, in which the site is located, as suffering from a particularly acute shortage of public open space, which this designation would only partly address. Having identified this need the Council has, correctly in my view, changed the status from private to public open space, reflecting the need for the local community to gain admittance to open space, including sports facilities, for which access is currently denied. The fact that the site is adjoined by urban development on three sides in my judgement increases the need to maintain this land as a 'green lung', in an area where such features are in short supply; making it publicly accessible would enhance its role in this regard.

10.12.10. The objectors stress the need for certainty arising out of Local Plan procedures. Designating this land as public open space certainly flags up the Council's firm intentions that it wants to purchase this land to contribute towards remedying a marked deficiency in open space provision in the locality. Bearing in mind the Council's admirable record of acquiring open space for use by the whole community and its use of the Local Plan procedure as a means of identifying key sites, I see no reason to support the objectors' stance that the local authority would not be able to put this allocation into effect. For these reasons, I support the Local Plan's identification of the Bromley Road Sports Ground as public open space and the objection of Lattice Property Holdings Ltd is rejected.

Philip Morant School, Norman Way

10.12.11. On 1 December 1999 planning permission was allowed on appeal for the formation of a new access road to Philip Morant School and Sixth Form College and an internal road for dropping off, collection and additional parking on the grassed area to the north of Norman Way. The objectors assert that the area of land, the subject of the decision, should be deleted from the proposed Irvine Road public open space. The Council argues, on the contrary, that the public open space allocation should be confirmed and that this would amount to a changed circumstance that would enable any renewal of planning permission to be properly resisted if and when the current permission, which it considers was wrongly granted, expired.

10.12.12. I do not agree with either argument. The area of land, the subject of this appeal decision, forms a small part of the public open space designation. The Inspector identified, at paragraph 9 of his decision, that the land has the appearance of open space to

which the public has access. He observed at paragraph 12 that the access road would occupy the east side of the land and would not have any substantial effect on the treed area on the west side. He concluded on this point by saying that, having regard to the Council proposals for the incorporation of adjoining allotments into the overall area of public open space now designated by Policy L4, he did not consider that construction of the proposed access road would amount to a serious loss of an important area of informal open space. By the same token, I do not consider that the site of the approved access road would amount to a serious loss of potentially usable public open space.

10.12.13. In these circumstances, I see no contradiction between the implementation of the planning permission granted on appeal and the public open space designation incorporating this site. Because of its small size in relation to the overall public open space allocation, I am firmly of the opinion that any renewal of the extant permission would not amount to a substantial departure from the provisions of the development plan. At the same time, I would look with extreme disfavour upon any attempt by the local planning authority to circumvent the appeal decision. By confirming the designation of this land as public open space, I am not providing the Council with a *carte blanche* to refuse renewal of the current planning permission if it expires. I have no reason to doubt that there is a pressing need for new access arrangements for the school, which is the principal issue upon which the Inspector, quite properly in my view on the evidence before him, allowed the appeals. The main reason why the permission has not been subsequently implemented appears to be the complicated pattern of land ownership by various public bodies in the locality. If this could be unscrambled by the disposal of the relevant land to allow the access road to proceed, it may free revenues that could enable the remainder of the public open space provision to be effected. Under these particular conditions, I somewhat reluctantly recommend that no alteration be made to the Local Plan in response to this objection.

Former Playing Fields of the former Oxley Parker School, Mill Road

10.12.14. This objection is complicated by the fact that, unlike the other Policy L4 objection sites in the built-up area of Colchester, there is also a specific proposal that this site be released for housing purposes. That matter is considered under Chapter 13, but the combined impact of Policies L3 and L4 would be that, if the objection to the public open space designation fails, the housing proposal should not succeed in any circumstances. This is reinforced by paragraph 14 of the newly issued replacement PPG17 which states that parks, recreation grounds, playing fields and allotments must not be regarded as ‘previously developed land’ as defined in Annex C of PPG3. It goes on to say that even where land does fall within the definition of ‘previously developed’, its existing and potential value for recreation and other purposes should be properly assessed before development is considered. Consequently, while the former school building frontage onto Mill Road has been redeveloped residentially, the open space potential of the former playing fields to the rear has to be assessed, even if the former school site as a whole is considered to be recycled land.

10.12.15. The objectors’ arguments in favour of release of the land from its public open space allocation hinges upon a surplus of 7.94 hectares over the “7 acre NPFA/MHLG standard” in Mile End Ward, upon which the addition of 1.5 more hectares at the objection site would have little effect one way or the other. The other main argument is that the Council has little chance of acquiring the site for public open space purposes. In these circumstances, the land would simply lie fallow and would be likely to harm the character and appearance of the area. In further representations dated 10 December 2001, the objectors point to confusion between public open space and playing field provision. If this site is seen as contributing towards the latter, then the release of the much larger Royal London Mutual Insurance

Society's playing fields and indoor sports facilities nearby is inconsistent with this Borough-wide shortage.

10.12.16. The fact remains that this area of land was last used for playing field purposes. It adjoins other sports fields owned by the Council, including premises occupied by Colchester Rugby Club. Although the area of the objection site is small, to my mind it would make a valuable additional contribution to playing field provision abutting land already in the Council's control in a sector of open space for which there is a Borough-wide shortage overall. I am not able to comment upon the Royal London Mutual Insurance Society allocation, against which there is no duly made objection submitted by this objector. However, other objectors, notably Myland Parish Council, point to the greater pressure upon open space/playing field provision resulting from the substantial increase in population arising from new residential allocations made by this Local Plan coming forward in this part of Colchester during the plan period. In these circumstances, I consider it important that potential areas of usable public open space/sports field, such as the objection site, should be retained wherever possible. Bearing in mind the Council's past record of open space acquisition in conjunction with Local Plan allocations, to my mind this is not a remote possibility for this site if the possibility of housing development has been severely curtailed by the provisions of the new PPG17.

10.12.17. However, I do agree with the objector that there is some confusion over whether the site is considered public open space or playing fields. The Proposals Map showing the Rugby Club ground as private open space and the rest of the Mill Road Sports Ground as public open space amplifies this confusion, even though the Council owns all of the land. To partly overcome this inconsistency, I would strongly recommend that all of Mill Road Sports Ground, together with the objection site, be included as public open space with sportsfield designation because of its present or future intended public ownership or control. However, these considerations do not meet the Royal Eastern Counties' School's objective of removing the public open space designation from land to the rear of the former Oxley Parker School. I am firmly of the opinion that this allocation should remain for the reasons set out in the preceding paragraphs.

RECOMMENDATION

10.12.18. I recommend:-

- (a) that the Local Plan be modified in accordance with Proposed Changes Nos 23 (with the exception of "*St Ives Farm, Peldon*"), 24, 74 and 76;
- (b) that the Local Plan be modified in the final sentence of paragraph 10.33 by deletion of the words "*Great Horkesley, Messing and Peldon*" and their replacement by the words "*Great Horkesley and Messing*."
- (c) that the Local Plan be modified by the deletion of "*Rosemary Crescent/Rectory Road, Tiptree*" from Policy L4.

10.13. POLICY L5 *Open Space Provision Within New Residential Development*

Objections

0286 / 00826
0624 / 01464

House Builders Federation
George Wimpey Plc

KEY ISSUES

- The policy should make clear that commuted maintenance payments from residential developers are only appropriate for small areas of open space provided for the benefit of the development itself.
- The proposed formula for calculating the relevant sums for assessing developer contributions towards the provision of open space in new residential development should be included in the policy.

CONCLUSION

10.13.1. As I state in paragraph 8.3.1 above, the advice on the relationship between planning obligations and development plans, set out in paragraph B16 of Circular 1/97, means that any policy, concerning the provision of new community benefits provided in association with the grant of planning permission for new development, has to be couched in fairly general terms. I am satisfied that the explanatory text leading up to Policy CF1, particularly paragraph 8.7, reiterates the fundamental points made in the Circular that a planning obligation must fairly and reasonably relate to proposed development and that it must be in scale with the proposal. It therefore follows that other policies, such as L5, are not the places in which to set out rigid formulae for the calculation of commuted sums for open space provision. Equally, while I accept that most commuted payments relating to maintenance of play areas etc in a new residential development are likely to be on a small scale, there may be occasions when this is not the case. The test will remain that set out by Circular 1/97, "Are the undertakings required in connection with the new development in scale with the proposal?" The main policy on commuted payments for the provision of new community facilities, Policy CF1, accepts that premise and I am satisfied that the general approach of paragraph 10.27 (paragraph 10.31 of the renumbered chapter) follows that line. Consequently, I do not consider that it needs restating again in Policy L5. Therefore, I do not recommend that any action be taken in response to these two objections.

RECOMMENDATION

10.13.2. I recommend that no modification be made to the Local Plan.

10.14. PARAGRAPH 10.28a & PROPOSED CHANGE 20; POLICY L5a & PROPOSED CHANGE 25 Country Parks & Wildlife Areas

Objections

0090 / 02292	Prowting Plc & The Barbour Family
0242 / 02325	Landmatch Ltd (prev. Lafarge)
0315 / 02249	Messrs R E, J & A Pulford
0315 / 02251	Messrs R E, J & A Pulford
0316 / 02245	Messrs S & A H Pulford
0316 / 02247	Messrs S & A H Pulford
0447 / 02354	Wyncoll Trustees
0546 / 02196	Mr P Berriman
0546 / 02260	Mr P Berriman
0570 / 01945	Marconi Property Limited
0570 / 01961	Marconi Property Limited
0590 / 02275	Chalkwell Lodge Limited
0602 / 02242	Countryside Strategic Properties Plc
0607 / 02010	Messrs. Lennox
0607 / 02079	Messrs. Lennox
0608 / 02252	Mr M N Southgate
0608 / 02257	Mr M N Southgate

0762 / 02198	Mrs S Gordon
0839 / 01975	O & H Holdings Ltd
0850 / 02105	Albany Rental Supplies Ltd
0900 / 02326	Cadman (Contracts) Ltd
0905 / 02359	Wesleyvale Ltd

KEY ISSUES

- Proposed Change 20 would insert the following wording after the third sentence in paragraph 10.28a (paragraph 10.30 in renumbered Chapter 10):- *“In planning the provision of country parks and wildlife areas, the Council will have regard to the guidelines and standards provided by English Nature in a Space for Nature (1996).”*
- Proposed Change 25 would alter the Proposals Map to show public open space at Church Lane, Stanway as a Country Park and Wildlife Area.
- Land at Chitts Hill should not be designated a Country Park and Wildlife Area.
- Land at Rectory Road, Wivenhoe (Wivenhoe Redlands Site) should not be designated a Country Park and Wildlife Area.
- Land north of St John’s Road should not be designated a Country Park and Wildlife Area.
- Land between Braiswick and Mile End Road (Braiswick Fruit Farm) should not be designated a Country Park and Wildlife Area.
- Land at The Moors should not be designated a Country Park and Wildlife Area except in conjunction with allocation of part of the site for residential development.
- Land at Cymbeline Meadows should not be designated a Country Park and Wildlife Area.
- Land at Bullock Wood should not be designated a Country Park and Wildlife Area.
- Land at Distillery Pond should not be designated a Country Park and Wildlife Area.
- Land at Stanway Pit should not be designated a Country Park and Wildlife Area.
- Land at Donyland – Old Heath Pits should not be designated a Country Park and Wildlife Area.
- Land to the rear of the Quality Hotel (formerly the Mill Hotel – also known as “The Willows”) should not be designated a Country Park and Wildlife Area.

CONCLUSION

10.14.1. The final objection listed above by Wesleyvale Ltd (0905 /2359) relates to an area wrongly allocated on the Proposals Map as a Country Park and Wildlife Area. The site is correctly identified in Policy L4 as land to the rear of the former Mill Hotel allocated as public open space. No duly made objection was received in connection with this allocation which must therefore stand. In these circumstances, I do not intend to pursue this objection any further, since any recommendation that I might make could not satisfy the objector’s concern.

10.14.2. The genesis of the Country Park and Wildlife Area Policy L5a and its supporting paragraph 10.28a (10.30 in the renumbered Chapter 10) is somewhat unclear. Most of the sites appeared in the list of sites allocated for public open space in Policy L4 of

the First Deposit Version under Priority A and B. Following a series of objections, mainly in support of land at Rectory Road, Wivenhoe being designated as country park, (Colchester Borough Local Plan First Deposit Draft Schedule of Representations Excluding Housing Chapter – Core Document 135), many of these were transferred to a new list of Country Park and Wildlife Areas in new Policy L5a in the Second Deposit Version. Policy 10.28a states that these areas will provide opportunities for outdoor recreation in a countryside setting and to provide a wider opportunity of conserving the natural environment and providing educational opportunities close to where most people in the Borough live. It goes on to say that in many instances these objectives could be achieved by management agreements with the landowners and other stakeholders. It is not clear whether these areas are designed to meet a perceived shortage of open space in their locality. If they are intended to do so, neither the policy nor the explanatory text expressly says so. A further complication is that several of the proposed sites are indicated as incorporating important wildlife habitats identified in Chapter 5. It is unclear whether the specific features of these designations are compatible with their being opened up to the public. Certainly, the policy and its supporting text are silent on this matter.

10.14.3. Paragraph 10.28a (as amended by Proposed Change 20) concludes by saying that the Technical Paper 6 on Public Open Space & Country Parks & Wildlife Areas (Core Document 153) provides a more detailed explanation of the allocation of the individual sites listed in the policy. This states, in general terms at paragraph 4.1, that there is a shortage of open space for informal countryside recreation and nature conservation. It admits at paragraph 4.4 that the provision of country parks and wildlife areas is not based upon calculations derived from areas per head of thousand population. The remainder of the section on Country Parks and Wildlife Areas (which is less than one side of A4 paper overall in length) does not to my mind elucidate any new explanation of the identification of the sites set out in Policy L5a.

10.14.4. The overall impression is one of a hastily conceived and ill thought out policy and explanatory text, which receives little additional support from its Technical Paper. “Assessing Needs & Opportunities – A Companion Guide to PPG17” was published by the Office of the Deputy Prime Minister in September 2002. It concedes that it is only a guide of what it considers to be good practice, which may not be exhaustive. However, a constant theme throughout the examples given, and a continuous thread running through the document, is the need to get the community at large and stakeholders involved in determining the future pattern of open space. The document is not necessarily at variance with what the Council is trying to provide. Paragraph 2(ix) of the Annex to the new PPG17 lists “accessible countryside in urban fringe areas” as an open space that may be of public value. This equates to what the Council is endeavouring to achieve with this paragraph and policy. There is no direct equivalent in PPG17’s daughter document, although to my mind the typology, set out in Annex A (paragraphs A4 on country parks and paragraphs A5 and A6 on natural and semi-natural green spaces), comes close.

10.14.5. Consequently, my difficulty is not with the thinking behind the policy and the associated designations but with the status of them in the context of a statutory land use development plan where certainty, imposed by section 54A of the 1990 Act as amended, is the order of the day. I note that paragraph A6 of Annex A to “Assessing Needs” states that, *“Broadly speaking, planning for new natural green space in established urban areas has to be largely opportunity-led.”* In my opinion, that applies equally to circumstances such as those to be covered by most of the sites listed in Policy L5a. In that regard, I find the approach and information contained in “Planning for the Future Provision of Public Open Space & Country Park and Wildlife Areas” of July 2001 (Core Document 142) to be more

helpful than Technical Paper 6. It lists the impressive amount of land acquired by agreement by the Council as open space since 1986, especially during the 1990's, much of it unconnected directly to adopted development plan allocations. It is also noteworthy that the document makes little reference to the Local Plan before me with regard to wildlife areas and country parks. In addition, it indicates that powers exist under section 39 of the Wildlife and Countryside Act 1981 and section 16 of the Countryside and Rights of Way Act 2000 to make management agreements for the conservation of natural beauty and wildlife habitats and to provide access to the public.

10.14.6. To my mind all of this points the way forward. Providing access to the countryside for the public for informal recreation in the urban fringe is a legitimate objective for a local authority but I am firmly of the opinion that the statutory rigidity of the identification of sites in a Borough-wide Local Plan is not the appropriate means of achieving this, especially bearing in mind the lack of consultation on this matter beforehand. In these circumstances, the strength of opposition of many of those affected by these designations is unsurprising. The general approach should be a dialogue with landowners, wildlife interests such as English Nature and Essex Naturalist Trust, farming and landowning organisations such as National Farmers Union, Country Landowners Association and the Farming and Wildlife Advisory Group and other interested groups (Ramblers Association, British Horse Society, local cycling associations) to see what can be achieved by agreement. Setting out a wish list in the form of a Local Plan policy is in my judgement unlikely to bring this about. The proposals associated with housing allocations could still be achieved through negotiation associated with the grant of planning permission, while the High Woods Country Park extension designation would be maintained by Policy ME2 of Chapter 18. There seems no need to me why the attendant countryside and wildlife areas need to be enshrined in a Local Plan.

10.14.7. At paragraph 5.5.20 I recommend the deletion of Policy CO4, but at paragraph 5.5.3 I give support for the identification of strategic gaps which are likely to remain free of development for the foreseeable future. I also indicate that a joint approach with Tendring DC may be appropriate. Several of the Policy L5a sites lie within possible strategic gaps and paragraph 1.17 of "Assessing Needs" exhorts Councils to work in close co-operation with their neighbours in making open land available to the community at large. I am satisfied that all of these matters could be put in hand, in accordance with the sanction of newly published government advice and using recently enacted legislation, without waiting for the authority of the cumbersome procedures of Local Plan adoption. Therefore, I recommend that paragraph 10.28a and Policy L5a be deleted with consequent modifications to the Local Plan elsewhere.

RECOMMENDATION

10.14.8. I recommend that the Local Plan be modified by the deletion of paragraph 10.28 and Policy L5a and by the consequent deletion to references to Countryside and Wildlife Areas in paragraphs 10.27 and 10.17a and Policy L3 and the designations identified on the Proposals Map. I also recommend that Proposed Changes 20 and 25 do not proceed.

10.15. POLICY L8 Allotments**Objections**

0514 / 01414
0567 / 02454

R G Hodge
Painters Corner Residents Association

KEY ISSUES

- Criterion (b) should be expanded with the addition of the words “*and cannot be redesignated as open space or green link*”.
- A new criterion (c) should be added requiring that lack of need does not arise through poor management of the allotment, the threat of theft and vandalism or the charging of excessive rent.

CONCLUSION

10.15.1. The policy as set out in the Local Plan protects allotments from development unless other alternative facilities are genuinely made available or it can be shown that the facility is no longer needed. It may be that a redundant allotment is in a location where it could become part of an open space or green link. Equally, there may be times when it cannot make such a contribution towards the community at large. In addition, I do not consider it is part of the role of a Local Plan to look behind policies and search for ulterior motives for the abandonment of allotments. To my mind the policy is properly framed so that the onus remains upon those who wish to develop allotments to demonstrate that they are genuinely no longer required or that proper replacements are to be provided. In my judgement, this is far as the policy can go. Therefore, I do not recommend that any alterations be made to the Local Plan in response to these objections.

RECOMMENDATION

10.15.2. I recommend that no modification be made to the Local Plan.

10.16. PARAGRAPH 10.37 Extension of Colne Riverside Walk**Objection**

0659 / 01650

J J Heath

KEY ISSUE

- The paragraph, as written in the First Deposit Version, suggests that riverside walks could follow both banks of the river, with potentially harmful effects on important wildlife habitats.

CONCLUSION

10.16.1. The Second Deposit Version amends the paragraph to make it clear that the route of the riverside walk shown on the Proposals Map is purely indicative and that its final configuration will take wildlife considerations into account. I am satisfied that these amendments meet the objector's concerns.

RECOMMENDATION

10.16.2. I recommend that no modification be made to the Local Plan.

10.17. POLICY L10 Golf Facilities**Objection**

0651 / 01597

English Heritage

KEY ISSUE

- The damage done to archaeological sites and historic houses and gardens by golf course developments should be emphasised in Policy L10 and its supporting text.

CONCLUSION

10.17.1. For golf course proposals to succeed they not only have to satisfy the criteria contained in Policy L10 but also those in general Policy DC1. Criterion (e) of that policy provides protection to the historic fabric and paragraph 3.13 of the explanatory text indicates that this includes listed buildings, scheduled ancient monuments encompassing archaeological sites, and historic parks and gardens. With these safeguards in place, I see no need for these concerns to be restated once more, even though I accept that the impact of golf courses, upon archaeological sites and historic grounds in particular, is not, in my experience, very happy. Nevertheless, I do not recommend that any modification be made in response to this objection.

RECOMMENDATION

10.17.2. I recommend that no modification be made to the Local Plan.

**10.18. POLICY L14 & PROPOSED CHANGES 26, 77 & 135
Footpaths, Cycleways & Bridleways****Objection**

0078 / 00090

British Horse Society

KEY ISSUES

- The objector considers that insufficient attention is paid to the promotion of new bridleways or improvement to the existing network in Policy L14 and its supporting text.
- Proposed Change 135 would add “(see paragraph 6.67 supporting Policy UEA15)” to the end of the final sentence of paragraph 10.51.
- Proposed Changes 26 and 77 would replace criterion (d) of Policy L14 of the Second Deposit Version with the following:- “do not have an adverse effect on nature conservation, wildlife and historic features.”

CONCLUSION

10.18.1. The objector’s main concern is that insufficient emphasis is placed in the Local Plan upon the promotion of enlargement and enhancement of the system of bridleways throughout the Borough, in contrast to other local authorities in Essex and Hertfordshire. To some extent, the Council has remedied this by changes to the Second Deposit Version and by the cross-reference to the policy and supporting text on greenlinks, set out in Chapter 6, which is introduced by Proposed Change 135. However, the creation of new bridleways from the existing network of footpaths etc is essentially a management matter for the Highway Authority, Essex County Council, in which the Borough Council can only play a more

restricted role. In practice, I consider it likely that further elaboration of Policy L14 and its supporting text, in the manner suggested by the objector, would have little impact on the ground. I therefore recommend that the policy and explanatory text only be modified to the extent set out in the Proposed Changes.

RECOMMENDATION

10.18.2. I recommend that the Local Plan be modified in accordance with Proposed Changes Nos 26, 77 and 135.

10.19. PARAGRAPH 10.56 & PROPOSED CHANGE 136 Wormingford Airfield

Objection

0610 / 01510

Essex & Suffolk Gliding Club

KEY ISSUES

- The text in paragraph 10.56 of the Second Deposit Version is inaccurate. The text should be strengthened to allow for safeguarding of existing aerodrome facilities from inappropriate development.
- Proposed Change 136 would replace paragraph 10.56 with the following:- *“Wormingford Airfield is used by Essex & Suffolk Gliding Club for glider flying and training. As an unlicensed aerodrome, the Civil Aviation Authority recommends the protection of obstacle limitation surfaces around the runways by reference to an unofficial safeguarding map. The Club has lodged an unofficial safeguarding map for Wormingford Airfield with the Council. The map is used as a basis for an agreed consultation procedure on certain types of planning application.”*

CONCLUSION

10.19.1. Proposed Change 136 would rectify the inaccuracies identified by the objectors. It does not go as far as the objectors would like in that any safeguarding of the airfield is essentially on an unofficial basis considering its lack of official recognition by the Civil Aviation Authority. An unofficial safeguarding map has been prepared and development in the locality is the subject of consultation between the local planning authority and the airfield. Given the remote rural nature of the site on the edge of the Dedham Vale AONB, and the Council’s general awareness of the airfield operators’ concerns, it does not seem to me that safeguarding requires strengthening beyond the arrangements set out in Proposed Change 136. I fully endorse that modification.

RECOMMENDATION

10.19.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 136.

10.20. POLICY L15 Sports Causing Noise or Disturbance

Objection

0253 / 00413

Dedham Vale Society

KEY ISSUE

- The policy is supported but it should be expanded to encompass the intensification of existing noisy sports uses.

CONCLUSION

10.20.1. Whether intensification of an existing use amounts to a material change of use requiring planning permission is a question of fact and degree and is often difficult to determine one way or the other. I am satisfied that Policy L15 is so restrictive in its wording that it would bite in those situations where intensification of a noisy sport constituted a material of use. In these circumstances, I see no need to alter the policy in response to this objection.

RECOMMENDATION

10.20.2. I recommend that no modification be made to the Local Plan.

10.21. POLICY L16 & PROPOSED CHANGES 27, 28 & 29 Community Sports Stadium (Colchester Utd. F.C.)

Objections

0127 / 00168

Colchester Cycling Campaign

0311 / 00536

Mr Stephen Barnes

0514 / 01418

R G Hodge

0623 / 01463

Gunter Klaphake

0633 / 01517

Boxted Parish Council

KEY ISSUES

- Large-scale leisure facilities, such as football stadia, should be central and accessible to all, not just private cars; in that regard the Garrison or Tollgate would be a better location.
- The proposed stadium would be situated in a non-sustainable, greenfield location.
- The stadium should be sited where public transport links would be better.
- There is a lack of consultation and information on this matter.
- Roads in Boxted would be overloaded by traffic generated by the siting of the stadium at Cuckoo Farm, in conjunction with the proposed commercial and residential development on adjoining land.
- Proposed Change 27 would delete the second and third sentences of paragraph 10.61. It would add, "*as defined on the proposals map*" in Line 2 after "*the A12*".
- Proposed Change 28 would add a further paragraph 10.61a (added to paragraph 10.61 in the renumbered chapter) to read as follows:- "*Should the development not proceed for any reason, the site will provide for a significant extension to the Cuckoo Farm (south of*

the A12) Employment Zone. Development will therefore be expected to conform to Policy EMP1.”

- Proposed Change 29 would add the following new paragraph to Policy L16:- “*Should this development not proceed future development will accord with Policy EMP1.”*

CONCLUSION

10.21.1. Proposed Changes 27 to 29 set out the scenario should the proposed community stadium at Cuckoo Farm not proceed. The site would be subsumed into the adjoining employment land designation. To a large extent this explains some of the uncertainty surrounding this site, as it indicates what would happen in the event of the stadium not proceeding.

10.21.2. The objections for the most part revolve around the sustainability of the proposed stadium's siting on a greenfield site, well removed from Colchester Town Centre and from current public transport corridors. I have considerable sympathy with the objectors on these points. Paragraph 37 of PPG13, “Transport” states that, where leisure and recreation developments, which generate large amounts of travel are proposed and which will not be well served by public transport, the local planning authority should consider the extent to which the proposal needs to be in the proposed location, pay particular attention to the scale, layout, parking and access arrangements and seek measures to increase access to the site by sustainable transport modes and the use of traffic management and appropriate parking policies near to the site.

10.21.3. It would not appear, from the Council's responses to the objectors' observations, that an exercise, of the type outlined in the preceding paragraph, has yet been undertaken. I note that paragraph 10.61 was amplified in the Second Deposit Version to make it clear that the stadium would not proceed if the proposed new interchange onto the A12 trunk road was not in place. Moreover, the site would adjoin the northern terminus of the proposed ‘park-and-ride’ bus facility. It is unclear whether that would pre-date or post-date the stadium or whether it would be an adequate measure to increase access to the site by a sustainable transport mode.

10.21.4. However, Policy L16 has been carefully worded. It merely says that the plan provides for the relocation of the football ground to a site at Cuckoo Farm, not that the football ground will be relocated to a specific allocation. In view of the number of imponderables, notably whether direct access onto the A12 will be provided, I am satisfied that this is the correct approach. It may also be the case that, when the principles of paragraph 37 of PPG13 are applied to a specific proposal, it is found to be wanting in some fundamental respect, in which case it should not proceed. On this understanding, I am prepared to allow the policy through unscathed, despite the objections of Colchester Cycling Campaign, Mr Stephen Barnes, R G Hodge and Gunter Klaphake. With regard to the objection of Boxted Parish Council, it is inevitable that existing local roads would become more heavily used when major events are held at a large new venue. However, at the very least the stadium would not proceed without an access onto the A12 trunk road, which should be the main approach for private cars approaching the stadium other than from the built-up area of Colchester. I do not consider that the prospect of additional traffic on the present road network in Boxted is sufficient grounds for deleting the stadium proposal from the Local Plan.

RECOMMENDATION

10.21.5. I recommend that the Local Plan be modified in accordance with Proposed Changes Nos 27, 28 and 29.

10.22. POLICY L17 *Arts Provision in Major Development*

Objection

0624 / 01465

George Wimpey Plc

KEY ISSUE

- The wording of the policy is unduly onerous. The Council should only seek to include arts and crafts features in major new developments, not insist in their provision.

CONCLUSION

10.22.1. The likelihood is that, in an historic town such as Colchester, a major new development should make some contribution to the visual arts if it is to be successfully assimilated into its surroundings. For these reasons, I see no reason for the effects of Policy L17 to be diluted as suggested by the objector.

RECOMMENDATION

10.22.2. I recommend that no modification be made to the Local Plan.

10.23. PARAGRAPH 10.69 *Tourist & Visitor Facilities*

Objection

0127 / 00167

Colchester Cycling Campaign

KEY ISSUE

- Paragraph 10.69 should be expanded to encourage the provision of a Youth Hostel, especially in relation to National Cycle Route 1.

CONCLUSION

10.23.1. Paragraph 10.68 of the Second Deposit Version adds the example of youth hostel to the list of facilities that would encourage tourism and leisure in the Borough. Whether any new hostel would be sited close to National Cycle Route 1 would depend on a number of factors, which this Local Plan cannot second-guess. In these circumstances, I am satisfied that the Second Deposit Version goes as far as possible in meeting the objector's concerns.

RECOMMENDATION

10.23.2. I recommend that no modification be made to the Local Plan.

10.24. POLICY L18 *Tourist & Leisure Facilities*

Objections

0285 / 01395

The J T S Partnership

0651 / 01598

English Heritage

0651 / 02130

English Heritage

KEY ISSUES

- The policy should be rewritten to reflect the encouragement given to the expansion of tourist and leisure facilities set out in paragraph 10.68.
- Neither the First nor the Second Deposit Versions gives adequate protection to the historic environment by the development of new or expanded tourism and leisure facilities.

CONCLUSION

10.24.1. While the text in paragraph 10.68 is generally supportive of new tourism and leisure facilities, the emphasis in Policy L18 is one of caution. I do not necessarily see any obvious discrepancy in this. Some of the most attractive parts of the Borough, the open countryside and the coast and the historic heritage, are the very features that generate tourist activity and a more positively worded policy could be more likely to harm those assets than one that identifies the pitfalls of excessive encouragement of tourism. I am happy with the Council's approach that its general development control policy, DC1, should steer new tourist and related facilities, such as hotels, to urban sites where their impact on their surroundings, in general terms is less likely to be harmful to the more attractive locations which tend to be the major tourist draws. Therefore, I recommend that no change be made in response to the objection from the J T S Partnership.

10.24.2. Turning to the English Heritage objections, it seems to me self-evident that many of the tourist related features, which are historic buildings in their own right, would be protected by the policies designed to preserve the historic fabric of the Borough contained, for the most part, in Chapter 6 of the Local Plan. To repeat this protection here also would seem to me to complicate the Local Plan unnecessarily. Therefore, I see no need to accede to the modifications requested by English Heritage in this instance.

RECOMMENDATION

10.24.3. I recommend that no modification be made to the Local Plan.

11 Chapter 11 - Transport

11.1. PARAGRAPH 11.3(I) & PROPOSED CHANGE 30 Transport Strategy

KEY ISSUE

- Add to the end of objective (I) “*and to ensure commercial freight facilities are sited in sustainable locations.*”

CONCLUSIONS

11.1.1. Proposed Change 30 has been advanced at the suggestion of Essex County Council Highways Department.

RECOMMENDATION

11.1.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 30.

11.2. POLICY T1 Pedestrian Networks in New Developments

Objections

0127 / 00166	Colchester Cycling Campaign
0304 / 00497	Ramblers Association

KEY ISSUES

- ‘Green Niches’ should be introduced into some residential areas to minimise ‘rat-running’ by motorists.
- The Policy should be expanded to include the provision of safe pedestrian routes in existing developed areas.

CONCLUSION

11.2.1. There are policies elsewhere in the Local Plan designed to reduce car dependency and to make residential areas more attractive by restricting movements of private vehicles by means of traffic management schemes. In addition, it is difficult to introduce new safe pedestrian routes in existing developments when there is no leverage arising from the need for planning permission to bring about such desirable outcomes. In these circumstances, I recommend that no alterations be made in response to these objections.

RECOMMENDATION

11.2.2. I recommend that no modification be made to the Local Plan.

11.3. POLICY T2 & PROPOSED CHANGE 137 Cycle Parking Requirements

Objections

0127 / 00165	Colchester Cycling Campaign
0296 / 00475	Railtrack PLC
0304 / 00493	Ramblers Association
0441 / 01108	McCarthy & Stone (Dev) Ltd
0528 / 01098	RIBA Colchester Chapter of Chartered Architects

KEY ISSUES

- Major planning applications should be looked upon as a means of financing new cycling provision on existing main roads.
- An asphalt cycle track should be built through Highwoods Country Park.
- 20mph speed restrictions should be applied to all urban single carriageway roads and the same speed restriction should apply to main roads, such as Ipswich Road, that carry significant volumes of cycle traffic.
- Cycle parking should be provided for houses without garages to the same standards as for flats and garages should be built with increased width to accommodate cycles.
- Off-site cycle parking should not normally be required in connection with new development in town centre locations.
- The separation of pedestrian and cycle routes should be made a policy.
- The requirement to provide cycle parking should not be extended to sheltered residential accommodation for the elderly.
- The policy on cycle parking requirements would result in the imposition of inflexible standards and requires clarification.

CONCLUSION

11.3.1. Proposed Change 137 would result in the deletion of Policy T2 and the insertion of the following:-

“In areas of new development a convenient and safe cycle environment will be secured to provide direct and attractive access by cycle. Within development sites appropriate priority for cyclists, and the provision of appropriate cycle parking facilities, will be required. Where on-site provision is not feasible and/or not desirable, applicants will be required to sign a legal agreement to ensure equivalent provision at a public site.”

I am satisfied that this would meet the objections of the RIBA raised in the last key issue set out above.

11.3.2. With regard to the other objections, seeking improvements to cycle lanes/cycleways by raising levies from planning permissions for major developments would fly in the face of advice that there should be a direct connection between a development's impact and the benefits to be achieved through a planning obligation. The provision of a cycle track through Highwoods Country Park should be achieved through a medium other than a statutory development plan. Likewise, the separation of pedestrian and cycle routes is a matter for highway design rather than a policy in a Local Plan. The question of special speed restrictions on main roads carrying heavy cycle flows is a matter for a number of other agencies, including the Highway Authority and the police, and cannot be imposed through the medium of a Local Plan. It may be that enlarged garages may allow for cycle provision in new or existing housing areas, but this is a matter that is more appropriate to informal guidance on the layout of new housing areas or supplementary guidance on residential extensions rather than a statutory policy in a Local Plan. For the most part, the question of precise cycle parking standards for various classes of development, and the contribution to be made to cycle parking by town centre schemes, have been the subject of Supplementary Planning Guidance. Policy T2, revised by Proposed Change 137, would retain the flexibility

whereby objections to some contributions towards town centre cycling provision and cycling provision in sheltered accommodation for the area could be taken into account. I am satisfied that the amended Policy should not be further changed so as to bring about a blanket prohibition on such provision at this stage, particularly as Essex-wide standards are likely to be produced in the near future. For these reasons I recommend that no alterations be made to the Local Plan in response to the objections from Colchester Cycling Campaign, Railtrack PLC, the Ramblers Association and McCarthy & Stone (Dev) Ltd.

RECOMMENDATION

11.3.3. I recommend that the Local Plan be modified in accordance with Proposed Change No 137.

11.4. PARAGRAPH 11.26 & POLICY T3 *Green Commuter Plans*

Objections

0127 / 00169	Colchester Cycling Campaign
0462 / 02259	ADCO Group Limited
0847 / 02032	GHP Group Ltd
0849 / 02035	S Cooper Esq
0850 / 02037	Albany Rental Supplies Ltd
0851 / 02051	Colchester Tractors Ltd
0504 / 01029	Tesco Stores Ltd

KEY ISSUES

- The threshold for generating a requirement for a green commuter plan for major new developments in paragraph 11.26 should be fixed at new employment generation of 30 people.
- That threshold should be restored to 100 people and 50,000 sq ft as in the First Deposit Version.
- Policy T3 should be deleted as it is more appropriate for inclusion in a Local Transport Plan.

CONCLUSION

11.4.1. The threshold of 30 people, put forward in the Colchester Cycling Campaign's objection, is accepted in paragraph 11.26 of the Second Deposit Version. With regard to the restoration to the First Deposit Version's cut-off points of 100 people and 50,000 sq ft, argued by ADCO Group Ltd, GHP Group Ltd, S Cooper, Albany Rental Supplies Ltd and Colchester Tractors Ltd, the reduction to 30 people and 1,500m² was suggested, among others by GO-East. That organisation would wish to see a degree of consistency in development plan standards across the Eastern Counties. It has indicated that these figures strike the right balance between ensuring that significant commercial developments are subject to green transport considerations, while avoiding such a burden being placed on small businesses, where issues of this type would be difficult to assess. Therefore, I do not recommend that any action be taken in response to these objections.

11.4.2. Tesco Stores Ltd states that Policy T3 should be deleted altogether, arguing that it is vague and that it would sit more comfortably in a local transport plan. The policy relates to new developments, rather than transport plans in themselves. As new developments trigger the need to assess their "green credentials" then, in my opinion, it is perfectly appropriate that

this matter should be addressed in a statutory development plan. I accept that the details of the form such plans should take is inappropriate, to provide the maximum flexibility for each case. This is especially important as the concept of the Green Commuter Plan is still in its infancy. For these reasons I do not propose any amendments with respect to Tesco Stores Ltd's objection.

RECOMMENDATION

11.4.3. I recommend that no modification be made to the Local Plan.

11.5. PARAGRAPH 11.30 *Integrated Public Transport*

Objections

0453 / 01499

Landowners Promoting Marks Tey Market Town

KEY ISSUE

- Paragraph 11.30 should be reworded so that public transport should be seen to be at the core of the Local Plan settlement pattern rather than simply an alternative that endeavours to coax motorists out of their cars.

CONCLUSION

11.5.1. I am satisfied that Chapter 11 of the Local Plan, together with other documents, produced by the Borough Council and other agencies, which are in the public domain, demonstrate the crucial role that public transport must play in creating more sustainable patterns of development for the future. In these circumstances, I recommend that no action be taken in response to this objection.

RECOMMENDATION

11.5.2. I recommend that no modification be made to the Local Plan.

11.6. PARAGRAPH 11.33 *Access to Public Transport for the Disabled*

Objections

0647 / 01560

Colchester Community Transport Scheme

KEY ISSUE

- The Local Plan makes minimal mention of the problems for the disabled of gaining access to public transport.

CONCLUSION

11.6.1. It seems to me that paragraph 11.33 identifies the problems of the disabled gaining access to public transport satisfactorily for the purposes of a Local Plan which is primarily a town planning document. The question is more properly addressed fully in an up-to-date transport document, "Colchester's New Transport Strategy" (Core Document 166) and I am satisfied that it does not require any further elaboration here. Therefore, I do not see any need for further action in response to this objection.

RECOMMENDATION

11.6.2. I recommend that no modification be made to the Local Plan.

11.7. POLICY T5 Public Transport**Objections**

0238 / 01476	George Wimpey Plc & Booker Plc
0242 / 01384	Landmatch Ltd (prev. Lafarge)
0286 / 00825	House Builders Federation
0296 / 00476	Railtrack PLC
0450 / 00897	Safeway Stores Plc

KEY ISSUES

- Commercial and residential developers should only contribute towards provision of public transport where that relates directly to the development concerned, in accordance with the provisions of Circular 1/97.
- Development adjoining operational railway land is inherently expensive and developers should not be expected to make contributions towards public transport provision over and above that which is inherent in the scheme.

CONCLUSION

11.7.1. The Policy could be interpreted as being open-ended and requiring both commercial and residential developers to make contributions towards public transport provision whether or not they benefited from the schemes in question. However, the Second Deposit Version inserted a sentence in paragraph 11.37 requiring provisions for public transport associated with new development to satisfy the tests set out in Circular 1/97. With this caveat in place, I am satisfied that the concerns of George Wimpey plc and Booker plc, Landmatch Ltd, the HBF and Safeway Stores are met.

11.7.2. With regard to the objection of Railtrack plc, it seems to me that schemes at railway stations that encourage further passenger use are all the more likely to increase its revenue as the train operating companies are required to run more trains to meet additional demands. In these circumstances, to say that development at railway stations is prohibitively expensive is unduly short sighted and no alterations to the Local Plan should be made in response to this objection.

RECOMMENDATION

11.7.3. I recommend that no modification be made to the Local Plan.

11.8. POLICY T6 *Promoting Rail Freight*

Objections

0296 / 00791	Railtrack PLC
0453 / 00908	Landowners Promoting Marks Tey Market Town
0650 / 01567	Booker Plc

KEY ISSUES

- Policy T6 should be amended to meet the requirements of rail infrastructure and freight operators.
- Policy T6, in conjunction with Policies T8 and T9, does not go far enough in encouraging the use of rail for handling freight. In particular, Marks Tey should be developed as a major road/rail freight interchange.

CONCLUSION

11.8.1. The Second Deposit version of the Local Plan was amended to ensure that the requirements of Railtrack and freight operators were taken fully into consideration in the implementation of this Policy. Therefore, I am satisfied that the concerns of Railtrack plc or its successors have been met.

11.8.2. The other two objections promote the suitability of Marks Tey in particular as a rail freight distribution centre, especially as it adjoins the junction of the A12 and A120 trunk roads. There are, however, considerable constraints on capacity on the double-track railway between Shenfield and Colchester, which the London to Ipswich multi-modal study of GO-East and the assessment of the Strategic Rail Authority will need to address. This is apart from the strong probability that any facility of this sort would be likely to be sited in an area where the gaps between settlements are narrow and merging of urban areas could arise if this type of development were to proceed. The expansion and enhancement of rail freight facilities at new and existing rail-served sites, developed in conjunction with the interested rail operators, seems to me to be the most productive way forward and I do not recommend that any action be taken in response to the objections of the Landowners promoting Marks Tey Market Town or Booker plc.

RECOMMENDATION

11.8.3. I recommend that no modification be made to the Local Plan.

11.9. POLICY T7 *Traffic Management*

Objections

0127 / 00192	Colchester Cycling Campaign
0648 / 01561	Colchester Rotary Club

KEY ISSUES

- 20 mph speed limits should be applied to all single-carriageway roads without separate cycle facilities.
- Traffic light controlled junctions are preferable to roundabouts because they are more cyclist friendly.

- Private cars should not be precluded from entering Colchester Town Centre on any occasions if required for the transport of the disabled and/or visually impaired.

CONCLUSION

11.9.1. Restricting all single-carriageway roads without cycle tracks to a 20mph speed limit would probably require changes in national legislation and cannot be confined arbitrarily to the administrative area of one Local Plan. Roundabouts may well be less friendly to cyclists in general terms than traffic lights but the requirements of road users as a whole need to be looked at before a particular form of traffic management is adopted. Such matters are outside the purview of a statutory land-use development plan. With regard to the Rotary Club's objection, criterion (a) of Policy T7 makes specific mention of the needs of the disabled. Exemptions to traffic bans for the disabled and partially sighted, when streets are closed to general traffic, are more a matter for discussion with the traffic authorities, including the police, on a case-by-case basis, rather than seeking preferential treatment for these groups through the medium of a Local Plan. Therefore, I do not recommend that any alterations be made in reply to these objections.

RECOMMENDATION

11.9.2. I recommend that no modification be made to the Local Plan.

11.10. PARAGRAPH 11.44 *New Roads to be Constructed during the Local Plan Period*

Objection

0123 / 00157	Mrs Mary Hargreaves
0228 / 00455	West Mersea Town Council
0299 / 00485	F R Harrington

KEY ISSUES

- The paragraph should refer to the link road in West Mersea between The Glebe and West Road.
- The Colchester Eastern Approaches Road should be restored by the Local Plan. (Mr Harrington expanded this objection at the inquiry into the provision of a light rail rapid transit system for the built-up area of Colchester).

CONCLUSION

11.10.1. Paragraph 11.44 of the Second Deposit Version was amended to read:-

“In addition, a scheme to link Oakwood Avenue and Colchester Road at Glebe Corner, West Mersea has been proposed but is unfunded. When funds become available, the Council will undertake further consultation before any scheme proceeds.”

This may not go far enough to meet the objections of Mrs Hargreaves and the West Mersea Town Council but it seems to me to represent a realistic recognition that the proposed link road in West Mersea may not proceed during the current plan period due to a shortage of funds, which as a scheme emanating from Essex County Council as Highway Authority, is outside the Borough Council's control. Therefore, I do not consider that the Local Plan requires any further amendment in response to these objections.

11.10.2. Turning to the objection of Mr Harrington, the same considerations apply to the Eastern Approaches Road. The scheme has been abandoned by the County Council as Highway Authority and it would be wrong for the lower-tier authority, which has no final say in the matter, to try to force the County Council's hand by reintroducing a road in a Local Plan which it has no intention of proceeding with. Mr Harrington exhorts the local planning authority to take a long-term view similar to the visionaries among the great Victorian civil and mechanical engineers, but, unfortunately in a Local Plan prepared under the current legislation, the timescale has to equate to that imposed by the County Council Structure Plan and it has to be in general conformity with that document. The long-term approach may well find scope for a fast and frequent light rail system, designed to get a significant proportion of car users onto an attractive alternative means of transport and indeed the Council's witness was not averse to such an idea, particularly as a means of tying the University of Essex more closely into the urban fabric of Colchester. However, notions of such a system are very much at an embryonic stage at the time of writing this report and it seems to me that there is very little that can be done to the Local Plan to hasten its development. I am not, therefore, recommending any amendments in response to this objection on this matter.

11.10.3. Nevertheless, I would flag up various matters for future consideration at this juncture. As proposals for major new developments come forward, consideration may be given to the incorporation into such schemes of breaks/paths, which could allow for some form of high-density public transport option being provided at a future date. If a link to the University and its business park is proposed then the nature conservancy interests of the land likely to be affected should not be ignored. I do not agree that the 'heavy rail' link to Colchester Town Station should be lightly discarded. At present, it is underused but it ought to play a significant part in the short to medium term in the regeneration of East Colchester and it may be that two forms of rail system on the same track bed are not necessarily incompatible. Finally, I have seen the Variable Level Rail System in Kuala Lumpur, together with the 'Skytrain' in Bangkok. The carrying of light rail systems on concrete columns may be acceptable as a means of alleviating chaotic traffic conditions in large city centres in South-East Asia, which were subject to the boom-and-bust economics of the 1990's. However, I am firmly of the opinion that they would sit most uncomfortably in the historic centre of Britain's longest continually occupied town.

RECOMMENDATION

11.10.4. I recommend that no modification be made to the Local Plan.

11.11. *POLICY T8 Haulage Depots*

Objections

0238 / 01477
0453 / 00907

George Wimpey Plc & Booker Plc
Landowners Promoting Marks Tey Market Town

KEY ISSUES

- Policy T8 should be more specific, making reference to Marks Tey being the suitable location most suitable location at the junction of the A12/A120.
- The Policy should be amended to preclude development of haulage depots in areas of designated as Strategic Open Land by Policy CO4.

CONCLUSION

11.11.1. Policy T8 makes it clear that development of haulage depots should take place as close as possible to the primary road network of the A12 and A120 to minimise unnecessary heavy vehicle movements through existing urban areas. Marks Tey, may in general terms, satisfy these requirements but it is by no means the sole possible location. As a result, I see no need to make the policy more site specific. Elsewhere in my report I recommend that Policy CO4 be deleted. Therefore, there should be no requirement to exclude haulage depots from Strategic Open Land as I consider that this category of countryside designation should be deleted from the Local Plan altogether. Consequently, I do not recommend that any amendment be made to the Local Plan in response to these objections.

RECOMMENDATION

11.11.2. I recommend that no modification be made to the Local Plan.

11.12. POLICY T9 Lorry Park at Cuckoo Farm

Objections

0238 / 01478
0453 / 00906
0617 / 01446

George Wimpey Plc & Booker Plc
Landowners Promoting Marks Tey Market Town
Tech-Nauto Limited

KEY ISSUES

- The major lorry park should be sited at Marks Tey adjoining rail freight facilities.
- The major lorry park should be sited at Stanway.
- The major lorry park should be sited close to the proposed junction of the A134 with the A12 without specifying its precise location.

CONCLUSION

11.12.1. The transport chapter is couched in general terms with no site-specific contents other than the identification of new road facilities programmed for implementation during the plan period. This policy therefore sits most uncomfortably with the rest of the chapter. Large-scale commercial and other development will take place at Cuckoo Farm only when and if a new access is formed onto the A12. The Cuckoo Farm Lorry Park is in the general area of search for haulage depots set out in Policy T8 above. The Mile End chapter emphasises the need for development to follow on from a new junction on the A12. If there is to be any specific mention of the lorry park it should be there. However, the chapter is silent on the proposed Park-and-Ride facility. I consider that it should remain so with regard to the lorry park also, especially as the masterplan for the area's development shows the lorry park to the north rather than the south of the A12. Because of the general uncertainties about its precise location, I recommend that Policy T9 and its supporting text be deleted from the Local Plan.

RECOMMENDATION

11.12.2. I recommend that the Local Plan be modified by the deletion of paragraph 11.49 and Policy T9.

11.13. PARAGRAPHS 11.50(i)& (ii) & PROPOSED CHANGE 138, PARAGRAPH 11.51 & PROPOSED CHANGE 31 & POLICY T10 Car Parking outside Colchester Town Centre

Objections

0102 / 00133	Mr & Mrs F M Langton
0127 / 00164	Colchester Cycling Campaign
0127 / 00191	Colchester Cycling Campaign
0144 / 00197	Mrs K A Slinger
0145 / 00198	Mr J N Slinger
0440 / 00875	The Colchester Meeting Room Trust
0504 / 01033	Tesco Stores Ltd
0514 / 01413	R G Hodge
0528 / 01099	RIBA Colchester Chapter of Chartered Architects
0582 / 01349	Colchester Economic Forum

KEY ISSUES

- Paragraph 11.50(i) does not specify where the park ride car parks are to be sited. One should be at Stanway and one in Ipswich Road near the A12 interchange.
- There should be no park and ride facilities designated in the Local Plan as it will encourage further use of private cars and further erode the viability of rural bus services.
- There should be fewer car spaces approved in new developments to encourage car pool schemes.
- Proposed Change 138 would delete the third sentence of paragraph 11.50(ii) and insert the following:-

“Colchester Borough Council has been working with the Essex districts and the County under the auspices of the Essex Planning Officers Association, to develop a countywide approach to parking standards, including disabled parking. A consultation draft ‘Vehicle Parking Standards’ was published in January 2001, the final document will be adopted by the County as Essex standards and by Colchester Borough Council as supplementary planning guidance.”

- Proposed Change 31 would insert the words, “*which will cover residential development*” between the words “*standards*” and “*a*” in the third sentence of paragraph 11.51.
- Policy T10 should specify that any park and ride proposals involving commuted payments by developers should comply with Circular 1/97.
- On-street residents’ car parking provision should be removed in conservation areas.
- The Local Plan is unbalanced in that it favours sustainability in favour of economic growth. This is especially marked in its unrealistic restrictions on private car usage by the introduction of park and ride and the limitation of off-street parking.

CONCLUSION

11.13.1. A sentence on car sharing arrangements has been added by the Second Deposit Version to the end of sub-paragraph 11.50(ii), which, I am satisfied, meets the second objection of the Colchester Cycling Campaign. Paragraph 11.51a, introduced by the Second Deposit Version, makes it clear that commuted sums for park and ride have to satisfy the tests imposed by Circular 1/97. Therefore, the objection of Tesco Stores Ltd is met. I am also

convinced that the changes introduced by Proposed Change 138 satisfy the points raised by the RIBA and the Colchester Meeting Room Trust.

11.13.2. It seems unrealistic to me to expect the bulk of car owners attracted to Colchester Town Centre not to use their vehicles for at least part of their journeys. The introduction of a park and ride scheme seems to me the best means of keeping cars out of the town centre and reducing congestion in the historic centre. For these reasons, I do not propose to recommend the deletion of Policy T10 and its supporting paragraphs. At the time of writing this report, it is clear that sites for park and ride facilities are likely to come forward in conjunction with new large-scale developments. It would be wrong for a general policy of this sort to identify where such large-scale development should take place, solely on the availability of park and ride facilities. Therefore, these will be examined on a site specific basis elsewhere in the plan. Residents' controlled car parking provision to some extent removes some of the clutter of parked vehicles from streets where on-site parking facilities is limited. To my mind total removal of kerbside parking from residential parts of conservation areas is unrealistic. Finally, it seems to me that the overall tenor of the Local Plan is not weighted excessively in favour of notions of sustainability against economic growth. Policies in the transport chapter and elsewhere are designed to curb the use of the private car, not to discourage car ownership. This approach is fully in line with government policy as expressed recently in the Urban White Paper, PPG13, PPG3 and elsewhere where unrestrained use of private vehicles in large towns is seriously discouraged. For these reasons, I do not recommend that any amendments to the Local Plan be made in respect of the first objection of the Colchester Cycling Campaign, Mr and Mrs Langton, Mr and Mrs Slinger, Mr Hodge or the Colchester Economic Forum.

RECOMMENDATION

11.13.3. I recommend that the Local Plan be modified in accordance with Proposed Changes Nos 31 and 138.

11.14. PARAGRAPH 11.52 & PROPOSED CHANGE 139 & POLICY T11 **Public Off-Street Car Parking**

Objections

0061 / 00073	Colchester Rovers Cycling Club
0440 / 00874	The Colchester Meeting Room Trust
0504 / 01034	Tesco Stores Ltd
0528 / 01100	RIBA Colchester Chapter of Chartered Architects

KEY ISSUES

- There should be no additional car parking provided at or near Marks Tey railway station. Instead, a new railway station with ample public car parking provision should be built at Stanway.
- To prevent conflict with occupiers of adjoining residential properties, adequate off-street parking provision should be made at places of worship and other local community facilities. The word 'public' should be deleted from Policy T11.
- Clearer guidance should be given for the required parking standards for new development in Tiptree shopping centre.

- Policy T11 is merely a statement of intent and should give clear guidance as to what future requirements are likely to be.
- Proposed Change 139 would add the following to the end of paragraph 11.52:-

“Further detail on the parking issues at these sites will be carried out in transport policy work through the ‘Future Moves’ initiative”.

CONCLUSION

11.14.1. I am satisfied that Proposed Change 139 would satisfy the concerns expressed by the RIBA in the fourth bullet point. Planning permission has been granted and implemented for a large new foodstore in the centre of Tiptree. Therefore, I see no need to amend the Local Plan in response to the objection of Tesco Stores Ltd. Policy T10 deals with car parking outside town centres. Within town centres, where pressure upon the limited land supply is greater, it is important that parking should be largely concentrated in public car parks. This includes provision for places of worship, which are normally most intensively used early on Sunday mornings when demands for other town centre activities such as shopping, are low. Therefore, I do not recommend that any action be taken in response to the Colchester Meeting Room Trust’s objection. Finally, with regard to the objection of Colchester Rovers Cycling Club, as explained at paragraph 11.8.2 above, the demand for a railway station/park and ride facility at Stanway is dealt with elsewhere on a site-specific basis and it should not bring about amendment to a general policy on public car parks. Nevertheless, expansion of car and cycle parking at both the existing station at Marks Tey and any new station at Stanway need not necessarily be mutually exclusive.

RECOMMENDATION

11.14.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 139.

12 Chapter 12 - Utilities

12.1. PARAGRAPH 12.5 Water Supplies

Objections

0297 / 00478 Environment Agency
0459 / 00918 CPRE (Essex)

KEY ISSUE

- Paragraph 12.5 should be amended to require adequate water supplies being available in an area of low rainfall before new developments, especially for housing development, are permitted.

CONCLUSION

12.1.1. A new sentence has been added to paragraph 12.5 of the Second Deposit Draft to read, *“Before granting planning permission, it will be necessary to establish that there is an adequate available water capacity.”* I am satisfied that this amendment satisfies the concerns of both objectors.

RECOMMENDATION

12.1.2. I recommend that no modification be made to the Local Plan.

12.2. POLICY UT1 Off-Site Service Infrastructure

Objection

0453 / 01502 Landowners Promoting Marks Tey Market Town

KEY ISSUE

- The policy should allow for recycling of water within new developments, rather than treatment off-site if the circumstances are appropriate as at Marks Tey. This would be more sustainable.

CONCLUSION

12.2.1. Paragraph 12.5 of the Second Deposit Plan has been expanded to include the following sub-paragraph. *“In considering proposals, encouragement will be given to sustainable forms of drainage wherever practical and visually acceptable. Advice on best practice can be sought from the Environment Agency. Examples can include reedbeds and swales.”* Policy UT1 is expanded to include the following sentence, *“Encouragement will be given to use sustainable forms of drainage wherever practical and visually acceptable.”* I am satisfied that these amendments satisfy the concerns of this objector.

RECOMMENDATION

12.2.2. I recommend that no modification be made to the Local Plan.

12.3. PARAGRAPH 12.8 & PROPOSED CHANGE 32 Overhead Power Lines**KEY ISSUE**

- Deletion of final sentence of paragraph in accordance with Proposed Change 32.

CONCLUSION

12.3.1. The matters covered in the final sentence of paragraph 12.8 are amplified in Proposed Change 34.

RECOMMENDATION

12.3.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 32.

12.4. PARAGRAPH 12.9 & PROPOSED CHANGE 33 Overhead Power Lines**KEY ISSUE**

- Deletion of “*National Grid Company (NGC)*” and insertion of “*the National Grid*” in accordance with Proposed Change 33.

CONCLUSION

12.4.1. The proposed change is a more accurate description of the organisation concerned.

RECOMMENDATION

12.4.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 33.

12.5. PARAGRAPH 12.10 & PROPOSED CHANGE 34 Overhead Power Lines**KEY ISSUE**

- Amplification of reasoning why the undergrounding of high-tension overhead electricity transmission lines should be required only in exceptional circumstances.

CONCLUSION

12.5.1. Paragraph 12.10 would be expanded by the following wording:- “*In view of the substantial practical, technical and cost disadvantages currently being experienced, the under-grounding of high voltage power lines (275kv and above) will only be sought in exceptional circumstances. The Borough Council will expect careful line routing to be the most appropriate way to minimise the impact of high voltage power lines.*” This is the same wording as the proposed change with the exception of the word “*usually*”, a synonym for the word “*normally*”, a word frowned upon in development plans where certainty is expected.

RECOMMENDATION

12.5.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 34 with the deletion of the word “*usually*”.

12.6. POLICY UT3 & PROPOSED CHANGES 35, 36 & 37 Telecommunications Development

Objections

0253 / 00392 Dedham Vale Society
0304 / 02368 Ramblers Association

KEY ISSUES

- The words “*outside and far enough beyond so as not to be obtrusive to*” should be inserted in Policy UT3 in place of “*away from*”.
- The word “*New*” and words “*on grounds of amenity*” would be added to the beginning and end of the first sentence of the policy, in accordance with Proposed Change 35.
- Proposed Change 36, which would delete criterion (d), “*sites used for informal or formal recreation including playing fields, playgrounds and public open spaces*” should not go ahead.
- The words “*and there are not substantial practical, technical and cost disadvantages in doing so.*” would be added to the end of the final paragraph of the policy by Proposed Change 37.

CONCLUSION

12.6.1. Proposed Changes 35 and 37 follow on from the changes made in the explanatory text to paragraphs 12.8 and 12.10 by Proposed Changes 32 and 34 respectively. The control over development within Areas of Outstanding Natural Beauty has been considerably strengthened since the Local Plan was published by section 85 of the Countryside & Rights of Way Act 2000. This states that, in exercising or performing any functions in relation to land in any Area of Outstanding Natural Beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area. Subsections 2 and 3 make clear that this applies to public bodies including local authorities, Ministers of the Crown and any statutory undertaker. In these circumstances, I see no need to add the words “*outside*” or “*so as not to be obtrusive*” to Dedham Vale Area of Outstanding Natural Beauty. The other categories are of lesser significance or are protected by other policies in any event, such as Policy UEA11 regarding historic gardens. The need for the additional words, suggested by the Dedham Vale Society, does not seem to me, in these circumstances, to have been made out.

12.6.2. Turning to the objection of the Ramblers Association to Proposed Change 36, the scientific evidence of health hazards from electro-magnetic fields generated by high-tension overhead electricity transmission lines is at present inconclusive. Formal and informal recreation sites tend to be used for relatively short periods, so exposure to the public at large from such fields is unlikely to be as great as in residential areas where the Council is, correctly in my view, adopting a more cautious approach by retaining criterion (e) of the policy. I therefore recommend that Proposed Change 36 should proceed.

RECOMMENDATION

12.6.3. I recommend that the Local Plan be modified in accordance with Proposed Changes Nos 35, 36 and 37.

12.7. PARAGRAPH 12.15 & PROPOSED CHANGE 140 Telecommunications Development

Objections

0610 / 01439

Essex & Suffolk Gliding Club

KEY ISSUE

- Paragraph 12.15 should be expanded to acknowledge the protection given against unsuitable telecommunications equipment around Wormingford Airfield by an unofficial safeguarding map.

CONCLUSION

12.7.1. Proposed Change 140 adds additional text to the paragraph to read as follows:- *“Wormingford airfield is used by the Essex & Suffolk Gliding Club for glider flying. The Council has agreed an unofficial safeguarding map for this operational aerodrome. Telecommunications development within the safeguarding area will be expected to have regard to the interests of air safety.”* I am satisfied that this additional wording meets the objectors’ concerns in full.

RECOMMENDATION

12.7.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 140.

12.8. POLICY UT4 Telecommunications Development

Objections

0449 / 00892

British Telecommunications Plc

0677 / 01679

One 2 One Personal Communications Ltd

0363 / 00685

Orange Personal Communications Services Limited

0682 / 01695

Vodafone Ltd

0253 / 00393

Dedham Vale Society

0213 / 00286

British Horse Society Eastern Region

KEY ISSUES

- There should be a presumption in favour of the granting of planning permission for telecommunications equipment.
- There should be a policy objective linking telecommunications to transport to give a wide choice to different modes for all.
- The policy fails to take proper account of the special needs and technical problems of telecommunications development.
- Avoidance of the Area of Outstanding Natural Beauty, conservation areas, countryside conservation areas, SSSIs and Historic Parks and Gardens is unduly prescriptive.
- Control over airfields for new equipment unnecessarily duplicates local planning authority powers under the Town and Country Planning (General Development Procedure) Order 1995.

- The words “*and the immediate surrounding area*” should be added to the end of the paragraph after the criteria in Policy UT4.
- A criterion should be added precluding new telecommunications equipment from being accessed by means of a public footpath or bridleway.

CONCLUSION

12.8.1. The second deposit draft introduces a presumption in favour of telecommunications development at the beginning of the policy, while a second sub-paragraph after the criteria, inserted by the second deposit draft, recognises the technical and operational constraints of the telecommunications industry. I am satisfied that these amendments to the first deposit draft satisfy the first and third issues set out above.

12.8.2. With regard to the other points raised, it is difficult, in a policy designed to control the siting of telecommunications equipment, to link this to the merits of other modes of communication and transport. I am happy for such considerations to be given under the general precepts for seeking the most sustainable forms of development, as set out in Chapter 2 of the Local Plan. Concerning areas of restraint, PPG8, revised as recently as August 2001, recognises the need to safeguard areas of particular environmental importance. The first paragraph after criterion (d) only requires special protection to be given to such areas, not a blanket prohibition of telecommunications equipment. Indeed, legislation concerning listed buildings, conservation areas and the Area of Outstanding Natural Beauty imposes a duty upon the local planning authority to have special regard to these designations. In these circumstances, I am satisfied that Policy UT4 strikes the right balance.

12.8.3. Paragraph 50 of PPG8 points out that it is a requirement of the prior approval procedure that aerodrome operators be notified of proposed masts within 3km of their sites. Therefore, the revisions to paragraph 12.15 and Proposed Change 140 are not automatically duplicated by powers available elsewhere. Adding the words “*and the immediate surrounding area*” to the paragraph after criterion(d) is superfluous when the setting of listed buildings, conservation areas and the Area of Outstanding Natural Beauty are as important as the designations themselves. Finally, it is unreasonable to preclude maintenance of telecommunications equipment from private access shared with public footways and bridleways. Telecommunications equipment is as legitimate a land use as agriculture in the countryside and private farm tracks, used by agricultural machinery and vehicles, frequently also serve as public footpaths and bridleways. Using similar rights of way for the less frequent needs of the telecommunication industry is unlikely, in my opinion, to give rise to major conflict with walkers or equestrianism. For these reasons, I do not recommend that any action be taken in response to the objections of One 2 One Personal Communications Ltd, Orange Personal Communications Services Limited, Vodafone Ltd, the Dedham Vale Society or the British Horse Society (Eastern Region).

RECOMMENDATION

12.8.4. I recommend that no modification be made to the Local Plan.

13 Chapter 13 - Housing

13.1. PARAGRAPH 13.5 & PROPOSED CHANGE 141 Objectives

Housing

Objections

0569 / 01252	Cants of Colchester/James Bartholomew Trust
0569 / 01254	Cants of Colchester/James Bartholomew Trust
0570 / 01268	Marconi Property Limited
0570 / 01275	Marconi Property Limited
0573 / 01302	The Secretary of State for Health
0625 / 01482	J A & C A Watts
0660 / 01702	Colchester Natural History Society
0678 / 01683	Tiptree Development Forum

KEY ISSUES

- Objective (a) should recognise that Colchester, as a regional centre, should make more of a contribution to housing land supply than the requirements of the Structure Plan during the life of this Local Plan.
- Objective (e) should be clarified, so that sites are well related to good public transport provision and employment opportunities.
- Objective (e) should be amplified to allow for the redevelopment of surplus or underused employment land for residential purposes, which the division of housing and employment into separate topics in this Local Plan does not permit.
- There should be a reference to paragraph 7.21 in objective (e).
- Proposed Change 141 would add “*See also Economy of Land Use paragraph 7.21(b)*” to the end of objective (e).
- An additional objective should be added that in villages and local rural centres, new housing should only be provided to meet locally generated demand.
- An additional objective should be added that some provision be made for low-density executive housing.

CONCLUSION

13.1.1. Proposed Change 141 would satisfy the objection of Colchester Natural History Society. I recommend its adoption. Cants of Colchester and Marconi Property Ltd argue that Colchester is not doing enough to meet county-wide housing needs, which objective (a) asserts. Because of its role as a significant employment, shopping and cultural centre in its own right, it should make a more substantial contribution to housing land supply other than merely coping with locally generated needs. This would reduce the pressure on South Essex where more land is being released largely to fuel demand for the attraction of London and the consequent unsustainable overloading of the present inadequate transport system. These arguments have some attraction but the objections were submitted at a time when the Essex & Southend-on-Sea Replacement Structure Plan had not undergone the rigours of an Examination-in-Public and the recommendations of the Panel were unknown. Since then, the Structure Plan has been adopted and the housing supply figures, while not cast in stone, should not be significantly breached if the Local Plan is to conform to the Structure Plan. In

my judgement, the objectors' proposed strategy would be likely to bring this about and, in these circumstances, no changes are recommended to objective (a) of paragraph 13.5.

13.1.2. Two of the outstanding objections to objective (e), the second objection from Cants of Colchester and the objection from the Secretary of State for Health, request the amplification of the preference of 'brownfield' sites over 'greenfield' sites to include proximity to public transport and employment opportunities. As this is already expressly set out for all housing sites in objective (c), I see no need for them to be restated in objective (e) and these two objections fail. The second objection from Marconi Property Ltd, concerning objective (e), raises a more important point, the strong possibility that a significant area of 'brownfield' sites, currently occupied by industry and allocated as employment land, could come forward for residential development. I accept the arguments that this potential link between residential and employment land is missing from this Local Plan but, as this is essentially a mechanism for contributing towards housing land supply, I do not consider that an objective in a local plan housing chapter is the place to address the issue. The matter is considered more fully, in my response to an objection from Alstom UK Ltd at paragraph 14.7.3 below, and I do not recommend any alterations to this part of Local Plan with regards to this objection.

13.1.3. With regard to the objection from Tiptree Development Forum, the suggested preference for 'brownfield' sites over 'greenfield' in urban rather than rural centre locations seems to me to add little to objective (e). Whether in urban or rural centres, brownfield sites are likely to be a more sustainable form of development than greenfield sites, both in overall terms and in meeting locally generated housing demands. Turning to the objection from J A & C A Watts, requiring an objective to be added for the provision of low-density executive housing, paragraph 58 of PPG3 states that development at less than 30 dwellings per hectare is an inefficient use of land and should be avoided. I note that the representations refer also to paragraph 10, which argues for the need to offer a choice of housing and lifestyle. However, the expansion of this point at paragraph 11 refers to the need for housing to meet the needs of specific groups and, where these are amplified in paragraph 13, these are identified as the elderly, the disabled, students and young single people, rough sleepers, the homeless and those who need hostel accommodation, key workers, travellers and occupiers of mobile homes and houseboats, not the upper echelons of the socio-economic strata. The importance that the government attaches to maintaining densities that make efficient use of land has subsequently been reinforced by the coming into effect of The Town and Country Planning (Residential Density) (London and South East England) Direction 2002, which requires the reference of all residential sites in Colchester of more than 1 hectare in area and a density of less than 30 dwellings per hectare to the First Secretary of State for consideration. Contrary to what the objector's agent asserts, I am unable to find any national policy that supports the provision of low density housing in this part of England. In fact, I find that all the evidence points the other way. Consequently, I am firmly of the opinion that no objective should be added that would encourage that undesirable form of development and I do not recommend that any amendment be made to the Local Plan in response to these two objections.

RECOMMENDATION

13.1.4. I recommend that the Local Plan be modified in accordance with Proposed Change No 141.

13.2. PARAGRAPH 13.7 & PROPOSED CHANGE 142 Status of Structure Plan Housing Requirements

KEY ISSUE

- Proposed Change 142 would delete the words “*The County Council’s Essex Replacement County Structure Plan (Draft Modifications, June 2000)...*” from the beginning of paragraph 13.7 and replace them with words “*The adopted Essex & Southend-on-Sea Replacement Structure Plan...*”.

CONCLUSION

13.2.1. Proposed Change 142 would confirm the legal status of the adopted Structure Plan, which must be accorded the greatest weight in these matters by confirming the number of residential units to be found within the Borough during the lifetime of this plan at 11,000. I therefore endorse Proposed Change 142.

RECOMMENDATION

13.2.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 142.

13.3. PARAGRAPH 13.8 (First Deposit Version) & PROPOSED CHANGE 38 Deletion of all of Paragraph 13.8 by Second Deposit Version

Objection

0459 / 02203
0322 / 02374

CPRE(Essex)
Persimmon Homes (Essex)

KEY ISSUES

- Deletion of all of paragraph 13.8 of the First Deposit Version results in the removal of reference to the Council catering only for locally generated housing need within its administrative area.
- Proposed Change 38 would restore the following sentence into a revived paragraph 13.8:-
“*The Borough Council is prepared to meet its own locally generated need but is opposed to meeting need generated elsewhere in Essex, which it considers could be better met nearer the source of the need.*”
- Persimmon Homes objects to the part restoration of paragraph 13.8 by Proposed Change 38 on the grounds that Essex County Council, during the course of the emergence of the now adopted Structure Plan expected Colchester, as a sub-regional centre within Central Essex where there was scope for population growth, to cater for some in-migration in addition to locally generated housing need. The approved figure of 11,000 units clearly incorporates a 25% element beyond locally generated requirements. As this figure is accepted elsewhere within the Second Deposit Version, the restoration of the third sentence from paragraph 13.8 of the First Deposit Version is confusing and unhelpful.

CONCLUSION

13.3.1. Proposed Change 38 would meet the concerns of CPRE (Essex) in full. The effect of this is that the Borough Council continues to maintain its objection to the precepts behind the a housing target of 11,000 imposed by the adopted Structure Plan, while striving to

demonstrate in succeeding paragraphs and in Table 4 that it can provide sufficient housing to meet Structure Plan requirements within the lifetime of the Local Plan. I understand that the Council still considers that it should continue to cater primarily for locally generated housing need. Insofar as some 75% of the Structure Plan requirement falls within that category, it can be said that this still holds true and paragraph 13.7 recognises this. However, the Local Plan accepts the Structure Plan requirements, as it must do to be in conformity with the latter. Therefore, it does not seem that reintroducing a sentence, which to my mind resurrects arguments that have already been put to one side in another forum, serves any useful purpose and I agree with the objectors on this point. I recommend that the Second Deposit Version remains unaltered and that no part of paragraph 13.8 of the First Deposit Version be restored.

RECOMMENDATION

13.3.2. I recommend that no modification be made to the Local Plan and that Proposed Change No 38 does not proceed.

13.4. PARAGRAPHS 13.9 TO 13.16, PROPOSED CHANGES 143-152 (inclusive) POLICY H1 & TABLE 4 (introduction) Housing Allocations

13.4.1. The section of the Local Plan concerned with housing location strategy and housing allocations attracted by far the greatest number of objections. The great majority of these were on a site-specific basis but a significant number related to challenging the basic assumptions upon which the figure of 11,000 new homes, to be found within the Borough during the lifetime of the Local Plan to accord with adopted Structure Plan requirements, is based. The Second Deposit Version of paragraphs 13.9 to 13.16 has been substantially rewritten and amplified by Proposed Changes 143 to 152, introduced by the Colchester Urban Capacity Study Final Report of June 2001 (Core Document 130). Only the limited number of participants at the Housing Round Table Session held on 8 August 2001 (Core Document 159) were able to scrutinise these matters in any depth. What will be considered will be those objections sustained at the Round Table Session, which will be deemed to be objections to paragraphs 13.9 to 13.16, as amended by the proposed changes made by the Council's Third Schedule of August 2001. The bulk of the objectors, most of whom lodged their objections to the First Deposit Version, will be deemed to have carried these forward to the Second Deposit Version as amended by the Third Schedule of Proposed Changes. Following on from this, the objections to the housing allocations proposed in Table 4 by Policy H1, and to the suggested additional ones, will be dealt with on a settlement-by-settlement basis in alphabetical order.

13.5. PARAGRAPHS 13.9 TO 13.16 & PROPOSED CHANGES 143-152 (inclusive) Housing Allocation & Location Strategy and Housing Land Supply

Objections

0090 / 00184	Prowting Plc & The Barbour Family
0090 / 02293	Prowting Plc & The Barbour Family
0167 / 02261	Mrs Hilda F Cresswell
0167 / 02264	Mrs Hilda F Cresswell
0167 / 02265	Mrs Hilda F Cresswell
0238 / 01479	George Wimpey Plc & Booker Plc
0242 / 01385	Landmatch Ltd (prev. Lafarge)
0242 / 02324	Landmatch Ltd (prev. Lafarge)
0286 / 01753	House Builders Federation
0297 / 02469	Environment Agency
0299 / 00483	F R Harrington
0322 / 00552	Persimmon Homes (Essex)

0322 / 00563	Persimmon Homes (Essex)
0350 / 00666	Bovis Homes Ltd
0350 / 00667	Bovis Homes Ltd
0350 / 00668	Bovis Homes Ltd
0350 / 01749	Bovis Homes Ltd
0350 / 02229	Bovis Homes Ltd
0350 / 02231	Bovis Homes Ltd
0350 / 02235	Bovis Homes Ltd
0417 / 01154	Granville Developments
0440 / 00904	The Colchester Meeting Room Trust
0553 / 01148	Alstom UK Ltd
0559 / 01167	Banner Homes Ltd
0559 / 01168	Banner Homes Ltd
0559 / 01170	Banner Homes Ltd
0569 / 01255	Cants of Colchester/James Bartholomew Trust
0570 / 01269	Marconi Property Limited
0573 / 01305	The Secretary of State for Health
0600 / 01651	Bellway Estates
0646 / 02266	Executors of Robert Cullen
0646 / 02267	Executors of Robert Cullen

KEY ISSUES

- Proposed Change 143 would delete paragraph 13.9 and Table 2 and replace them with the following:- *“13.9 In considering how to meet this figure of 11,000 dwellings in the Second Deposit Draft, the Borough Council took into account completions to date, existing commitments as identified in their Housing Land Availability Survey, the production rate for small windfall sites set out in the Structure Plan and the outcome of the Brownfield Study (undertaken to inform the Structure Plan).”*
- Proposed Change 144 would delete the first sentence of paragraph 13.10 and insert the following:- *“As at April 2000, this assessment identified a shortfall of 2,600 sites to be found.”*
- Proposed Change 145 would delete sub-paragraph 13.13(c) and replace it with the following:- *“The target figure of 2,600 is completely provided if the stated capacities of sites 4, 5, 6 and 14a – 20 are added together.”*
- Proposed Change 146 would delete the penultimate sentence of paragraph 13.16.
- Proposed Change 147 would add new paragraph 13.16a to read as follows:- *“13.16a The Council commissioned an Urban Capacity Study to assist in its monitoring and managing of the local plan’s housing land supply. Although commenced in advance of the former DETR’s good practice guide ‘Tapping the Potential’, it is considered that the study complies generally with that guidance.”*
- Proposed Change 148 would add new paragraph 13.16b to read as follows:- *“13.16b The study has identified a significant additional potential in Colchester & Stanway, Tiptree, West Mersea and Wivenhoe. The council published the study on receipt in June 2001 without endorsing or rejecting any of the individual sites or their estimated capacities.”*
- Proposed Change 149 would add new paragraph 13.16c to read as follows:- *“13.16c If the total capacity were to come forward, the Council estimates that the consultants have identified a net new potential supply of dwellings of 20,300 (although this does include the second phases of the Garrison, Severalls Hospital & Turner Village referred to in Table 4, and anticipated in the period after 2011).”*

- Proposed Change 150 would add new paragraph 13.16d to read as follows:- *“13.16d It is the Council’s preliminary view that not all the sites identified by the Consultants will or should be released in the plan period, particularly when account is taken of current average annual building rates and policies elsewhere in the local plan with which any unallocated windfall would have to comply.”*
- Proposed Change 151 would add new paragraph 13.16e to read as follows:- *“13.16e What appears to be clear, however, is that the study, along with completions to date and allocations in Table 4, has identified sufficient provision to meet the Structure Plan requirements. The Council proposes to continue monitoring housing land releases to ensure that the Structure Plan target will be met.”*
- Proposed Change 152 would add new paragraph 13.16f to read as follows:- *“13.16f In considering whether to release sites identified in the study and not allocated in Table 4, the Council will operate the following principles:-*
 - a) None of the major sites identified by the UCS will be released unless they can provide adequate infrastructure and services in the widest sense to meet their own needs and do not exacerbate any deficiencies in the locality.*
 - b) None of the major sites identified will be released if they harm “features of importance”, or where the site would be liable to flood, create a road safety hazard or similarly be unacceptable to the surrounding area or the potential occupiers of the new dwellings (as described in the local plan). This will be subject to monitoring and review in the light of the build rate and any possible shortfall in relation to structure plan housing target. If a shortfall appears likely, the Council will need to review whether they release sites they currently find unacceptable within the urban areas or whether they will propose (probably through a formal alteration to the plan to allow full public debate) the release of new greenfield sites.*
 - c) The capacity of the major sites will be determined having regard in particular to access to services and the availability of public transport (as set out in policy H16). (Whilst not strictly a phasing point, this will influence capacity and hence influence the need for the Council to be pro-active in bringing other sites forward to meet structure plan targets.)*
 - d) The Council will encourage the early release of sites, which support the regeneration policies in the local plan. They will do so in particular through the preparation of planning briefs working with a range of partners. As a last resort they may consider invoking compulsory purchase powers. They are only likely to use such powers in the following circumstances:-*
 - Where a site, whose development would achieve regeneration objectives, cannot proceed because land is needed to provide access or other easement.*
 - Where a comprehensive scheme cannot proceed because of land assembly problems, especially if the owners of key parcels cannot be traced.*
 - Where a site consists of a multiplicity of ownerships and a Compulsory Purchase Order resolution is seen as a way of encouraging co-operation.*
 - Where it is necessary that a site’s development be brought forward more quickly than an owner wishes in order to achieve wider regeneration benefits or in order to meet Structure Plan targets.*
- The Environment Agency objects to the words *“...would be liable to flood...”* in sub-paragraph (b) of proposed paragraph 13.16f and prefers the words *“...is at risk of flooding...”*.

- The Urban Capacity Study findings are largely theoretical and undiscounted. The local planning authority therefore needs to move on to the next stage, realistic discounting, in line with Section 5 of the former DETR's Guidance "Tapping the Potential" (Core Document 203), to find out how much of the potential residential land identified in the study will become genuinely available during the lifetime of the Local Plan. Until such time as such an exercise has been undertaken, the findings of the Urban Capacity Study cannot be given much weight.
- At the Housing Round Table Session held on 8 August 2001 (Core Document 159), figures were generally agreed for housing completions of 2,884 for the Local Plan period up to 31 December 2000, existing housing commitments with planning permission but unstarted of 3,087 and with planning permission and under construction of 650, a product of 1,435 units from large windfall sites and of 346 from small windfall sites. This leaves a figure of about 2,600 dwellings on new housing allocations to reach the Structure Plan requirement of 11,000 units during the Local Plan lifetime.
- It was agreed at the Round Table Session that this could be achieved by adding the entire product of Sites 4, 5, and 6 and 14a to 20 inclusive together but objectors considered that this figure should be increased by some 10% to allow for additional flexibility. It was doubted that some of the large new allocations, The Garrison in particular, could deliver all of their projected supply figures during the Local Plan period.
- In addition to the inability of the sites to deliver such figures, it may be that their concentration into the later years of the Local Plan period and in limited geographical areas could result in a potential oversupply of new housing, so that numbers brought forward could be suppressed by volume housebuilders holding back on construction to release housing to equate with market conditions. In contrast, the question of housing coming forward in sufficient numbers in the middle period of the Local Plan to provide an adequate supply of housing land may have to be addressed by re-examining in particular greenfield sites on the edge of Colchester/Stanway.

CONCLUSION

13.5.1. The Housing Strategy for this Local Plan had the misfortune to appear astride the time when there was a fundamental shift in the methodology of identifying an adequate supply of new housing, as set out in central government advice, from 'predict and provide', which had been the earlier approach, to the 'plan, monitor and manage' of paragraph 8 of PPG3 of March 2000. This requires housing requirements, and the ways in which they are to be met, to be kept under regular review. At the heart of the sequential approach, set out in its paragraph 30, is a requirement that, in identifying sites for housing allocations in local plans, local planning authorities should start with the re-use of previously-developed land and buildings within urban areas identified by the urban capacity study. Unfortunately, the timing of Colchester's urban capacity study (Core Document 130), commissioned after the First Deposit Draft was issued in response to the provisions of PPG3, meant that it was the last part of the housing land supply jigsaw to fall into place, rather than its cornerstone.

13.5.2. I am rather inclined to support the objections raised to it at the Round Table Session by the House Builders Federation representative that it is somewhat lacking in providing the link between a theoretical guide to the quantum of housing land which may exist and its deliverability in the form of housing completed during the plan period. Because so much of the work of providing an adequate supply of housing had been carried out well before the urban capacity study's appearance, to my mind its role in the genesis of this particular Local Plan, instead of being at the core of the housing strategy, appeared as something of an

afterthought. To some extent this is also manifested in the seemingly rather lukewarm wording of Proposed Changes 147 to 152 inclusive, which cannot be described as a resounding vote of confidence in all of the study's findings. However, the proposed changes accept that the Urban Capacity Study reinforces the Local Plan's basic premise that the bulk of new housing can be found on brownfield sites. Consequently, I endorse the proposed changes as an accurate summary of the Council's current attitudes to the study's conclusions. I am therefore prepared to recommend their adoption and the word changes suggested by the Environment Agency in sub-paragraph 13.16f(b) with regard to flood risk.

13.5.3. The main reason that the Urban Capacity Study played such a peripheral role in determining the housing strategy through the inquiry process, as far as the question of housing land supply is concerned, is that so much material was generally agreed by all the main parties at the Housing Round Table session. In addition to the housing completions of 2,884, the following elements of the residual amount of 8,116 put forward by the Council and the HBF and accepted by both sides were existing housing commitments with or without planning permission of 3,737 and a product of large and small windfall sites over the remainder of the plan period of 1,781. Combining these three elements together gives a total of 8,402, say 8,400, leaving a requirement that 2,600 new units to be found from new housing allocations. Rather conveniently, adding up the new allocations in the Second Deposit Version, Table 4, Sites 4, 5 and 6 and 14a to 20 inclusive amounts to 2,600 units and this is what is set out in Proposed Change 145 in replacing sub-paragraph 13.13(c) of the Second Deposit Version. However, I am not prepared to accept this for the reasons set out below. This may also have implications for the other Proposed Changes 143, 144 and 146.

13.5.4. In practice, no objection can be raised to Proposed Changes 143 or 144, as these are merely statements of fact. I recommend that they can proceed, although the deletion of Table 2 means that Policy H1 requires some rewording. My concerns on Proposed Change 145 are that it is based on a spurious accuracy and that it fails to take other housing allocations, identified before and after the publication of the third set of Proposed Changes, into account. On the first count, there seems to be some degree of double counting at Messing (Table 4, Site 17) when Technical Paper 1A (Core Document 198) of February 2001 states that the development has been granted planning permission and is under construction. Secondly, the allocation of 20 at Peldon contains six units of "rural exceptions" housing, which paragraph 2 of Annex B to PPG3 makes clear should not count towards general housing provision. Adding in single house sites for Great Wigborough and Salcott, where planning permission has already been granted and, by the time of the completion of this report, the development has been carried out, to my mind smacks of desperation. The sequential test of PPG3, paragraph 30, requires previously developed land within urban areas to be looked at first followed by urban extensions and good transport nodes. In my opinion, none of the proposed village allocations can be said to fall within these categories. This does not mean that they are all to be done away with, but they should only be judged on the basis of local circumstances. In the light of the sequential test, I would consider it preferable if only previously-developed sites and urban extensions (I am unable to identify any obvious transport nodes) should be taken into consideration in determining the sites to count towards new Local Plan housing allocations. This means that of the new allocations listed in Table 4 of the Second Deposit Version only 4, 5, 6, 14a and 16 would qualify as being in part the recycling of previously-developed land and/or additions to Class A and Class B Centres in Table 3, as opposed to village sites or 'brownfield study' sites, the latter coming under the heading of windfalls.

13.5.5. One of the difficulties of introducing various tranches of pre- and post- start-of-inquiry changes to the Second Deposit Version at different times is that they relate to that document and not necessarily to each other. Consequently, Proposed Changes 41 and 43 of the First Set

of Proposed Changes do not figure in Proposed Change 145, the replacement sub-paragraph 13.13(c). Proposed Change 43 for Cowies' Land, Boxted Road, Mile End, Colchester can be disregarded as it falls within the category of land with planning permission for land supply purposes and its inclusion as a new housing allocation would therefore lead to double counting. However, Proposed Change 41 for housing on the former Royal London Mutual Insurance Society sports buildings, part of the sportsfields and land adjoining in Mill Road, Colchester is different. It has a site area of some 6 hectares and an estimated site capacity of 259 residential units. As there are a number of objections to this proposed change, its adoption should not be regarded as a foregone conclusion. However, it seems to me that, as an urban expansion site pre-dating the third set of proposed changes, it can be factored into the housing land supply for the purposes of assessing paragraph 13.13(c).

13.5.6. Secondly, at paragraph 2.45 of Technical Paper 1A of February 2001, "Housing Demand & Supply and Social Housing" (Core Document 198), there is set out, in descending order, a list of greenfield sites that were considered to be superior to others identified in a schedule of deferred housing allocation sites. At the top of this list is land on the east side of Winstree Road, Stanway. At a public inquiry held on 29-31 October 2002, the local authority offered no opposition in principle to the erection of some 200 houses on this land. Therefore, there is every indication that this can be considered *de facto* a further housing allocation that can be identified in Table 4 and considered as an urban expansion. Adding these two sites in, neither of which appear to be subject to either major infrastructure or environmental constraints, and removing the village sites, would give a total of new allocations for this local plan on partly recycled and/or urban expansion sites of some 2,959 units, more than 10% above the shortfall from the Structure Plan requirements of 2,600 identified in paragraph 13.10. I incorporate these considerations in my recommendation regarding paragraph 13.13(c) below.

13.5.7. However, this is not the end of the matter. At the Round Table Session, doubts were expressed regarding the genuine availability of all of the large sites, including some 'rolled-forward' from the current adopted Local Plan. I am satisfied that the infrastructure difficulties with regard to the latter have now been resolved with the construction of Phase 2 of the Northern Approaches Road, concerning land at the former Myland Hospital and land to the west of the Colchester General Hospital. The grant of planning permission for Phase 2 of housing development at Church Lane, Stanway without the need for access onto the Stanway Western By-pass also releases that site. Of the new sites, the 200 units at Turner Village are also effectively released by Phase 2 of the Northern Approaches Road. I can see no sound reason why all of the houses on these allocations cannot come forward during the lifetime of this plan, bearing in mind the period of eight years between now and the end of the plan period.

13.5.8. This leaves the two largest allocations among either the new or 'rolled-forward' sites, the Phase 1 allocations at Severalls Hospital and The Garrison. Although planning applications have been submitted for both sites, at the time of writing this report no planning permissions have been granted at either location. Indeed, it could be argued that to do so would be premature in anticipation of its receipt. With regard to Severalls Hospital, the major obstacle is the requirement of Policy ME1 to secure a new junction onto the A12 and the provision of a new road across the site to link to Phase 2 of the Northern Approaches Road before planning permission is granted. This does not mean that the junction and access road have to be in place before housing can be erected, but that the formation of the new access and the laying out of the road have to be certainties before any residential development can take place. To my mind the major obstacles to this are likely to be administrative or procedural. An original timetable produced during the course of the inquiry postulated a grant

of planning permission in August 2002. Planning permission is now unlikely to be granted before Spring 2003, ie after the date of the receipt of this report.

13.5.9. However, to my mind two of the major obstacles to the new road and access have already been surmounted, albeit in a negative form. Firstly, the First Secretary of State has not 'called in' the application for the road and trunk road junction for his own determination. Secondly, the Highways Agency does not appear to have objected in principle to a new access being formed onto the A12 trunk road at this point. I therefore consider it reasonable to assume that planning permission may well be granted for the road and access in the early part of 2003 and the funding for its construction can be put in place shortly after that. In these circumstances, there seems no obvious reason why the planning permissions for Phase 1 residential development, in accordance with existing or revised masterplans, should not follow at some time in 2004 with construction commencing the following year, as envisaged in Technical Paper 1A paragraph 2.23(vi)(3). The construction, or provision within existing buildings, of 600 units on a large site over the following six years seems to me to be a reasonable prospect and I accept the figure of 600 as being capable of delivery during the lifetime of the Local Plan.

13.5.10. Different considerations apply at The Garrison site. Unlike Severalls Hospital, the major constraints to the grant of planning permission are internal to the site rather than external. The more significant of these include traffic, consideration of the effects of new development on listed buildings, the impact upon Romano-British and other archaeological investigations and the effects on wildlife habitats, notably the disturbance of bat roosts. However, it is likely that by the time that this report is issued, matters may well have advanced to the extent that a resolution to grant permission has been given by the Council, although no doubt outline planning permissions will not be granted until after the conclusion of long and complex section 106 obligations. To my mind the difficulty with the housing supply at the Garrison is the sheer volume of housing likely to be on offer from the site during the later years of the plan period, if 1,600 units are to be provided by the end of the plan period. At paragraph 2.23 (iv) of Technical Paper 1A, the Council states that an annual production of 229 units would need to be provided, assuming a start in 2004. At the inquiry, it was stated on behalf of the Ministry of Defence that some of the open land within the existing garrison's boundary could be available for development while The Army retained its present premises for operational purposes. This may be the case to a limited extent, but I consider that release of housing on the scale envisaged by the Council is unlikely to be achievable until The Army is relocated in its new premises. I do not consider that to be likely before say 2008.

13.5.11. I am prepared to accept the Council's figure for the remainder of the plan period, say 750 houses up to 2011 rather than the HBF total of 600 over that period, if only because, in my experience, events progress more quickly if Treasury coffers are being replenished. However, I agree with the HBF that contributions in the early years are likely to be small, say 200 units, prior to The Army's departure. This is reinforced by an overwhelming requirement of the public-private partnership that no operational or logistical requirement of The Army can be significantly disrupted during the course of its transfer to new premises. To my mind the prospect of new housing being developed on a large scale cheek-by-jowl with defence establishments still in active operation is not very promising. My prognosis of around 950 is still significantly less than the estimated capacity of Phase 1 of 1,600. Against that must be set the cushion of some 360 units identified in paragraph 13.5.6 above and the product of 90 units on Tile House Farm, Great Horkesley should not be ignored. On the other hand, the pointers are that as the 'roll-forward' sites, and/or those

dependent upon Phase 2 of the Northern Approaches Road, are 'built out', housing on new allocations so far identified may tend to dry up after say 2006.

13.5.12. In these circumstances, in my judgement the contents of paragraph 13.16 take on a fresh importance and need strengthening by a new emphasis. Firstly, I see no harm in anticipating a possible initial problem with Phase 1 of the Garrison coming to complete fruition by the end of the plan period, as so much of the total housing supply on new allocations depends upon it, and I recommend below a third sentence in the paragraph to make this point. Secondly, I consider that the Council was being unduly optimistic about the future land supply situation in proposing the deletion of the current fourth sentence of the paragraph by Proposed Change 146. In my opinion, it should remain. Nevertheless, the Second Deposit Version of paragraph 13.16 still promotes a first major review of housing land supply in the spirit of 'plan, monitor and manage'. This is set as taking place in 2004. With this report being published in 2003, there must be doubt whether the Local Plan will be adopted before 2004, in which case a first major review may be too early, especially if sites, other than The Garrison and Severalls Hospital, are helping to maintain a healthy housing land supply at that time and for the following two years. A more appropriate date to my mind would be 2006, when the impact of the adopted Local Plan may start to be felt. It would be improper for me to anticipate at this juncture what this review would find. My doubts about The Garrison's housing product in its early years may prove unfounded. The requirement to provide increased densities may bring forward a higher quantum of housing on newly developed sites. The links between the theoretical capacity of the Urban Capacity Study and a discounted capacity, as set out in Section 5 of "Tapping the Potential", may bring forward an unexpected bonus of windfall sites. If there is a housing supply problem at the time, the Council may simply decide to revisit its list of deferred sites or it may decide to start its process of sieving from scratch. What is important is that this review should be rigorous and robust and should involve as many stakeholders as possible. My recommendations below are designed to bring this about.

13.5.13. This approach may be somewhat at variance with that set out in a letter dated 9 July 2001, to which several of the parties to the inquiry attached particular significance, from Mr John Cheston, a Senior Planning Officer with the Government Office for the South-East to Mr Paul Collins, the Head of Planning Services, Arun District Council. In this he identifies the difference between the requirements of paragraph 28 and 34 of PPG3. The former requires local plans to identify sites for housing and manage their release over the plan period. The latter requires sufficient sites to be shown on the proposals map to accommodate at least the first five years of housing development proposed. I am reasonably confident that, with the amendments suggested in paragraphs 13.5.5 and 13.5.6, sufficient sites will be allocated for the first five years of this local plan's life. Site allocations should be reviewed and updated as the plan is reviewed and rolled forward at least every five years. I am recommending a major review into housing and supply in 2006, five years after the main inquiry into objections into the Local Plan. The paragraph goes on to say that local planning authorities should monitor closely the uptake of both previously-developed and greenfield sites and should be prepared to alter or revise policies in the light of that monitoring. As I state in the preceding paragraph, that would be the core of such an exercise. Finally, the paragraph warns against Councils placing "*unreal expectations of the developability of particular sites*". Bearing in mind the powerful brownfield credentials of The Garrison, I do not consider that it is the developability of the site that is at issue, merely its timing. The nub of Mr Cheston's arguments is that by managing the release of previously-developed land, Councils can avoid the unnecessary bringing forward of development in less sustainable locations. The situation in Colchester is precisely the opposite. The Council may not be able to bring forward its most significant area of previously-developed land as quickly as it would like due to circumstances essentially out

of its control. Therefore, I do not consider that my recommendation below is necessarily contradictory to the views of Mr Cheston, which, in any event, do not enjoy the weight of ministerial imprimatur.

RECOMMENDATION

13.5.14. I recommend:-

- (a) that the Local Plan be modified in accordance with Proposed Change Nos 143, 144, 147, 148, 149, 150, 151 and 152 subject to the deletion of the words "...would be liable to flood..." in sub-paragraph (b) with the words "...is at risk of flooding...". As a result of the deletion of Table 2 by Proposed Change 143, reference to Table 2 in Policy H1 will need to be deleted. I recommend that the words after "2011" in the policy are deleted and replaced by "*in part by housing allocations set out in Table 4*";
- (b) that Proposed Changes Nos 145 and 146 do not proceed;
- (c) that paragraph 13.13c be deleted and replaced by the following:- "*13.13c The product of housing allocations, identified in Table 4 on previously developed land and/or urban extensions at The Garrison, Turner Village, Severalls Hospital, Gaffney's Newbridge Road, Tiptree, north of East Road, West Mersea, former Royal London Mutual Insurance Society's Sports Field Site, Mill Road, Colchester and land to the east side of Winstree Road, Stanway, would comfortably exceed the shortfall of 2,600 sites identified at paragraph 13.10 above.*";
- (d) that a new third sentence be inserted in paragraph 13.16 to read as follows:- "*On the other hand, the largest single allocation, Phase 1 of the Garrison, is unlikely to contribute much towards its projected capacity of 1,600 units by the end of this Local Plan's lifetime during the middle part of the plan period.*"
- (e) that the year "2004" in paragraph 13.16 be deleted and replaced by the year "2006".

13.6. POLICY H1, TABLE 4 & INSET C1 Abberton – Langenhoe

Proposed Housing Allocations at

Objections

0399 / 00758	Mr Neil Gilbranch
0533 / 01135	Dr R E Randall
0533 / 01136	Dr R E Randall
0414 / 01410	Prowting Projects Ltd
0609 / 01438	T Lerner

KEY ISSUES

- Land to the rear of properties on the west side of Peldon Road, Abberton and on the south side of Glebe Lane should be included within the village envelope.
- Sites on the west side of Peldon Road, Abberton and Mersea Road, Langenhoe should be included within the village envelope. Their development would help to secure the maintenance of facilities within this principal village, including a new primary school.
- Development of the Abberton cricket ground on the west side of Abberton Road with approximately 30 houses would enable a larger cricket ground to be provided to the north

of Fingringhoe Road. Being surrounded on three sides by housing this site's release for residential development would have little impact on the open countryside.

- Land at Portelet Lodge, redundant buildings to the rear of housing on the west side of Peldon Road, Abberton, should be included within the village envelope to permit their redevelopment for housing. Poor visibility at the junction of the access track with Peldon Road and their restricted size precludes the existing buildings' re-use for commercial purposes, in addition to the disruption to existing residents that would arise from goods vehicles manoeuvring alongside housing.

CONCLUSION

13.6.1. Abberton – Langenhoe is designated as falling within Class C of the Settlement Classification set out in Table 3, a Principal Village with facilities for, among other things, shopping, recreation and primary education. Paragraph 3.19 of PPG7 says that new housing will be required in rural areas and that many villages can accommodate modest development without damage to their character or the countryside. Paragraph 3.20 goes on to say that the pattern of new development, to be determined through the development plan process, should be well related in scale and location to existing development. On the basis of this advice, it seems clear to me that the housing allocations in the rural areas of Colchester ought to be concentrated in the Principal Villages.

13.6.2. Applying this advice to these sites, Mr Gilbranch does not amplify why the land on the south side of Glebe Lane should be incorporated into the village envelope. It is open land served by an unmade track and its release for housing would not, in my judgement, be in keeping with the existing pattern of development in this part of the village. Similar considerations apply to the two sites advanced by Dr Randall. The land on the west side of Peldon Road would extend the ribbon of development to the south of Abberton on one side of the road only, encroaching onto open countryside and eroding the comparatively narrow gap between the built-up areas of Abberton and Peldon. The site on the west side of Mersea Road would adjoin the new primary school and one other dwelling, but would otherwise amount to isolated residential development separated from the main body of housing in Langenhoe by the busy B1025 Colchester-West Mersea road. Since I do not consider that any of these sites meet the tests in paragraphs 3.19 and 3.20 of PPG7, none of them should proceed.

13.6.3. Rather different considerations apply at land to the rear of Portelet Lodge and at the cricket ground site. At the time of the inquiry, the former was covered by redundant rural buildings that abutted the rear gardens of housing facing onto the west side of Peldon Road on the southern boundary of the village. Following the hearing into the objection from Mr Lerner, held on 5th June 2001, discussions took place on site with Council officers, which has led to the grant of outline planning permission for two houses subject to the conditions set out in decision notice reference O/COL/02/0078 dated 22 March 2002. Subsequently, details of reserved matters were approved for one of the dwellings and this aspect of the outline planning permission is, at the time of writing this report, in the course of implementation. In these circumstances, it seems to me that the appropriate course of action is to recommend below that the village envelope on Inset Map C1 for Abberton – Langenhoe be amended to incorporate the new residential boundary for the settlement as reflected in the outline planning permission. There is no need to look upon the new development as a housing allocation in the Local Plan. It can be considered as a small windfall site for housing land supply purposes.

13.6.4. Turning to the cricket ground site, this is surrounded on three sides by existing housing and its links with open countryside is tenuous with further housing sited outside the village envelope on the east side of Abberton Road. Small-scale estate development has taken place in Abberton in the past, including the allocation in Fingringhoe Road dating from the

current adopted Local Plan. The application of the sequential test of paragraph 30 of PPG3 of March 2000 means that key villages, such as Abberton, with a reasonable range of services and a passable frequency of bus services, no longer score as highly as potential housing allocations as they did in the past. However, the advice in paragraphs 3.19 and 3.20 of PPG7 is that some new housing allocations in rural settlements can be acceptable and this guidance has not been rescinded by the most recent version of PPG3. To my mind the enclosed nature of this particular site would lend itself to small residential estate development in keeping with the rest of the village. Contrary to what the Council states in its objections, the larger replacement cricket pitch would not, in my opinion, constitute an unwarranted urban intrusion into the Countryside Conservation Area, as village cricket pitches, by their essentially open character, can and do constitute a familiar and longstanding element of the rural scene.

13.6.5. In comparison with the proposed housing allocation on a greenfield site in another Principal Village, Great Horkesley, where ninety units are proposed, the erection of thirty units on this site seems modest, although it can be argued that the attendant community benefits proposed at Great Horkesley are commensurately greater. Because of the application of PPG3's sequential test, I do not recommend the release of this site for housing at this juncture. However, at paragraph 13.5.12 above, I recommend that a review of housing land supply be carried out in 2006. Assuming that the sequential approach is still in place at that time, this site may still not score highly. However, if villages are thought to make an appropriate contribution to housing land supply at the time of the review then I strongly recommend that the Council revisit this proposal, as I am firmly of the opinion that it would represent new development in character with the existing village in accordance with paragraphs 3.19 and 3.20 of PPG7. Certainly, the residential development of this site would seem to me to be closer to the spirit of the advice in PPG7 than other residential allocations on greenfield sites made in other villages by this Local Plan, some of which have already been granted planning permission and carried out. Moreover, I saw no other open sites within or on the edge of villages anywhere within the Borough that appeared to constitute such a logical site for new housing development.

RECOMMENDATION

13.6.6. I recommend that the Local Plan be modified by amending the boundary of the village envelope on Inset Map C1 to incorporate the land to the rear of Portelet Lodge, Peldon Road, Abberton, the subject of outline planning permission O/COL/02/0078 dated 22 March 2002.

13.7. POLICY H1, TABLE 4 & INSET D3 *Proposed Housing Allocations, Boxted Cross*

Objections

0605 / 01409	Mr & Mrs P J Grant
0684 / 01705	Mr Alex Sexton

KEY ISSUES

- Land between and including 'Langmoor House' and 'East View', on the west side of Langham Lane should be released as a 'small satellite envelope'. In further representations, this is explained as the erection of a single new residential unit in place of redundant rural buildings sited between the two existing dwellings.
- Over-concentration of housing on brownfield sites in the major urban area of Colchester/Stamway would lead to loss of choice, flexibility or competition in the housing

market for those who do not wish to live in urban areas, in accordance with national objectives. Development of various parcels of farmland around Boxted Cross would help to improve this range of choices.

CONCLUSION

13.7.1. These two proposed allocations are at opposite ends of the spectrum in terms of their size and scale. However, this does not necessarily mean that either would be acceptable as housing allocations for Local Plan purposes. The proposed site in Langham Lane is well to the east and south of Boxted Cross's settlement boundary and is a relatively open gap between two long existing dwellings. Paragraph 3.21 of PPG7 states that sensitive infilling of small gaps within small groups of houses in the countryside may be acceptable. I am not going to comment on whether this is potentially sensitive infilling. However, it is clear to me that there is no coherent settlement anywhere along the west side of Langham Lane around which a defensible village envelope can be drawn. At the other end of the spectrum, the provision of an unspecified number of new dwellings on greenfield sites around a small village would seem to me to run counter to national, regional, Structure Plan and Local Plan strategies. It would result in the swamping of a comparatively isolated, primarily linear and fragmented settlement, with few facilities and largely dependent on the private car, by development in depth totally out of keeping with the rural setting of the village. I may have some reservations about some of the allocations in the Local Plan fulfilling their full complement to meet Structure Plan requirements, but I do not envisage any circumstance in which any shortfall would be met by the proposed wholesale release of large areas of agricultural land in and around Boxted Cross. Both objections should therefore fail.

RECOMMENDATION

13.7.2. I recommend that no modification be made to the Local Plan.

13.8. POLICY H1, TABLE 4 & INSET E21 *Inclusion of Land within Village Envelope, Workhouse Hill, Boxted*

Objection

0035 / 00039

Ms Mary Mudd

KEY ISSUE

- Land on the north side of Green Lane on the western edge of the settlement could be released to match up with the village envelope on the south side of the road. It could provide a plot for a new dwelling for one of the objector's relatives.

CONCLUSION

13.8.1. The objection site is a narrow strip of open land on the north side of a country lane on the western edge of an isolated small settlement. The site in question may be opposite an existing large dwelling that is included within the village envelope, but the settlement clearly ends on the north side of the road at the bungalow known as 'High Bank' immediately to the east of the objection site. To my mind release of the site for housing would result in the unwarranted encroachment of Workhouse Hill into open countryside and I recommend that the objection does not succeed.

RECOMMENDATION

13.8.2. I recommend that no modification be made to the Local Plan.

13.9. POLICY H1, TABLES 3 & 4 & INSET D4 Allocations, Chappel & Wakes Colne

Proposed Housing

Objections

0174 / 00241	Mrs L Tyler	Land at "Virley", Wakes Street
0389 / 00743	H C Percival (Farms) Ltd	Land W side of Station Road
0389 / 00744	H C Percival (Farms) Ltd	Land W side of Spring Gardens Rd
0389 / 00749	H C Percival (Farms) Ltd	Land W side of Station Road
0389 / 00863	H C Percival (Farms) Ltd	Land at Wakes Hall
0390 / 00745	Mr & Mrs M Gwyn	Land N side of Vernons Road
0390 / 00747	Mr & Mrs M Gwyn	Land N side of Vernons Road
0391 / 00746	Greene King plc	Land E side of Station Road
0391 / 00748	Greene King plc	Land E side of Station Road
0435 / 00856	Messrs R & N Impey	Land E side of Spring Gardens Rd

KEY ISSUES

- Chappel and Wakes Colne, along with Swan Street to the south and Middle Green to the north, are split into seven different village envelopes. They are inextricably intertwined and should therefore be amalgamated together. This would create one principal village capable of absorbing housing sites that could meet the likely shortfall in developable residential land arising from inadequate Local Plan housing allocations made in Colchester/Stanway. The sites are well placed to provide an alternative to the private car, being served by Chappel and Wakes Colne Station and bus routes operating along the A1124 main road. Moreover, the village incorporates a primary school, local shops and public houses.
- On that basis, land should be released for housing at 'Virley', on the south side of Wakes Street, farmland to the north of the ribbon on the west side of Station Road, open land on the east side of Spring Gardens Road between 'Higher Beechlands' and Pontisbright Cottages, open land on the west side of Spring Gardens Road to the south of 'The Birches', land around farm buildings at Wakes Hall on the north side of Tyburn Hill, open land on the north side of Vernons Road to the west of 1 Ivydene and open land on the east side of Station Road between it and Chappel & Wakes Colne station.

CONCLUSION

13.9.1. Chappel and Wakes Colne, as shown on Inset D4, consists of four discrete areas of housing close to the railway station of the same name and dominated by the railway viaduct carrying the Marks Tey-Sudbury branch line across the Colne Valley. The viaduct forms the centrepiece of a conservation area, which also encompasses the southern end of the Station Road envelope and the northern part of the developed area south of the river in addition to intervening open land. Contrary to what is adduced by the objectors, there is no overall consistent pattern of development that to my mind would warrant the description of these groupings as a principal village either together or in conjunction with the smaller centres of population at Middle Green or Swan Street. There may be a reasonable bus service along the A1124 but this does not render it a public transport corridor. Moreover, although uniquely among Colchester's small villages, it is adjoined by the railway station, the branch line service is infrequent and journeys to Colchester and towards London involve a change of trains. Consequently, I can find no reason to designate Chappel and Wakes Colne as a principal village that might, in very special circumstances, contribute towards any shortfall in housing supply that could possibly occur in larger centres.

13.9.2. Taking these factors into account, the housing development potential at all of these sites can be fairly summarily dismissed. Residential development in the grounds at 'Virley'

would result in the eastward expansion of the envelope on the south side of Wakes Street up to the western boundary of the conservation area, thereby harming its open setting. Release of land on the west side of Station Road would result in the unwarranted expansion of the existing housing area at the expense of countryside towards Middle Green. Development on the other side of the road would undoubtedly be close to the railway station but it would result in the wholesale loss of open land, separated from the defined developed area on the east side of Station Road by a broad station approach road.

13.9.3. None of the other projected residential sites even abuts any of the defined areas of development for the settlement. The site at Wakes Hall appears to consist of isolated farm buildings, which may or may not be in agricultural use. In either event, their redevelopment for residential purposes in essentially open countryside is wholly unjustified. The two areas of open land opposite each other in Spring Gardens Road are sandwiched between isolated pockets of housing well to the north and east of any coherent developed area. There is no sound reason for either of them to be identified as housing land. Finally, the open land in Vernons Road is opposite affordable housing erected under 'rural exceptions' policies, now Policy H5 in this Local Plan. This is the only form of housing, other than that required for agricultural or forestry workers, that may be acceptable on this land. In either event, such development should specifically take place outside defined village envelopes. For all of these reasons, I recommend that none of these objections should succeed.

RECOMMENDATION

13.9.4. I recommend that no modification be made to the Local Plan.

13.10. POLICY H1, TABLE 4 & INSET C3(A) Proposed Housing Allocations, Choats Corner

Objections

0361 / 00682	Mr & Mrs D Heather
0432 / 00852	Mr & Mrs Flower
0533 / 01114	Dr R E Randall
0559 / 01169	Banner Homes Ltd
0575 / 01330	Bokenham, Bourne & Coe
0576 / 01321	Landowners Consortium

KEY ISSUES

- The garden land on the west side of the bungalow known as 'Littlebury' on the north side of Halstead Road should be released for development as a single bungalow. If it were within the confines of a village, its development would be a formality. The site is close to community facilities and visibility at any access onto the A1124 is good.
- Land at Fiddler's Farm between Fiddler's Hill to the north and Halstead Road to the south should be released for housing. It is free from infrastructure and other constraints, unlike the major housing allocations promoted in the Local Plan, and could therefore provide a much needed boost to housing land supply in the early part of the plan period.
- Land at Choats Wood to the east of Choats Drive presents the opportunity to provide high-quality housing in a landscaped setting with good access onto the existing cul-de-sac on a site close to facilities and free from constraints.

- 75 dwellings could be erected at 30 dwellings per hectare on land between housing facing Halstead Road to the south and Fiddler's Hill to the north, in keeping with the Essex Design Guide development at Fiddler's Folly to the east. The land is free from constraints, would result in a logical expansion to the settlement and would supply housing at a time when the major Local Plan allocations are likely to be delayed by infrastructure and other difficulties. It is especially well sited in relation to Eight Ash Green Primary School, which is only 400m away on foot.
- Two allocations are proposed on the south side of Halstead Road. One extends frontage development to the east opposite the junction with Wood Lane; the second provides development in depth to the same frontage and extending to the rear of the existing buildings to the west. Again this is said to provide housing in a sustainable location close to facilities and public transport and to provide housing at a time when the large Local Plan allocations are unable to deliver significant numbers of new residential units.

CONCLUSION

13.10.1. Choats Corner is the less significant western part of the Principal Village of Eight Ash Green, although it does contain the local primary school. Despite being the junior partner in the settlement, it appears to have attracted the lion's share of the objections. Four of the objections, the two to the south of Halstead Road and the two to the south of Fiddler's Hill are based on the premise that comparatively large-scale additions to villages are acceptable in principle. Paragraph 69 of PPG3 anticipates that only a limited amount of housing can be expected to be accommodated in expanded villages. Paragraph 70 goes on to say that villages will only be suitable locations for accommodating significant additional housing where, among other things, the development can be designed sympathetically and laid out in keeping with the character of the village. I do not get the impression that any of these proposed allocations have been advanced on the basis that they are in keeping with the character of this particular settlement. As far as the two sites south of Halstead Road are concerned, this part of the village largely consists of limited frontage development. The two proposals would both extend the undeveloped frontage further east and provide development in depth, in the case of the Landowners' Consortium on a very significant scale. I also find the housing proposals to the west of Choats Corner to be added on as afterthoughts. There would be significant loss of open countryside to housing, especially on the southern side of Fiddler's Hill, which would result in the village's outward expansion on a massive scale, out of keeping with the relatively compact settlement pattern in Choats Corner on the north side of the A1124.

13.10.2. These proposals for comparatively large-scale greenfield releases on the periphery of a small settlement are based on the premise that the major allocations at The Garrison and Severalls Hospital will be slow in coming forward. Even if that were to be the case, the significant 'rolled forward' sites at Myland Hospital, west of Colchester General Hospital and Church Lane, Stanway are now delivering new housing in substantial volumes. In these circumstances, the case for wholesale release of housing on greenfield sites on the periphery of villages during the early part of the Local Plan period becomes especially thin. Therefore, the objections of Mr and Mrs Flower, Banner Homes Ltd, Bokenham, Bourne & Coe and the Landowners' Consortium should not succeed. Different considerations apply to the objections of Dr Randall and Mr and Mrs Heather. These are on a much smaller scale but they are both located within the significant gap in development between Choats Corner and Eight Ash Green on the north side of Halstead Road. Elsewhere, I identify this gap as being the most important physical and visual feature of Eight Ash Green as a whole. Because of its potential fragility, the loss of one part, however minor, could result in its disappearance in its

entirety. It would be difficult to say that one area, however insignificant, could be developed, while resisting housing proposals elsewhere in the gap.

13.10.3. Dr Randall's land is wooded and contributes positively towards the attractive appearance of this countryside. It would be hard to envisage how this woodland could continue to make a meaningful contribution to the landscaping of the settlement, even if the housing proposed were of a high quality and a low density. The objection in support of housing at Choats Wood should fail. I have considerable sympathy with Mr and Mrs Heather. Their objection is not of a speculative nature. They wish to develop the land next to 'Littlebury' to provide a bungalow for their own occupation. However, it must not be overlooked that this former garden land, in the middle of the main gap in the village, helps to maintain an area of viable open countryside. Paragraph 3.21 of PPG7 points out that the fact that a single house on a particular site in the countryside would be unobtrusive is not a good argument; it could be repeated too often. This advice applies with particular force within the gap between Choats Corner and Eight Ash Green on the north side of Halstead Road. If the objection site were to be released, it would be difficult to resist plots across the full width of the frontage and the principal visual feature of Choats Corner/Eight Ash Green, the open countryside between the two halves of the settlement, could be lost. Consequently, Mr and Mrs Heather's objection should also fail.

RECOMMENDATION

13.10.4. I recommend that no modification be made to the Local Plan.

13.11. POLICY H1, TABLE 4 & COLCHESTER INSET *Proposed* **Housing Allocations, Braiswick, Colchester**

Objections

0041 / 00046	Rydon Homes
0414 / 00787	Prowting Projects Ltd
0207 / 00277	Mr Peter Arnold

KEY ISSUES

- The current adopted Local Plan's allocation of Severalls Hospital as employment land should be retained. The 600 houses proposed for the former hospital in the First and Second Deposit versions should be spread around the periphery of Colchester for which three hectares of land at St Botolph's, on the north side of Bergholt Road, would be suitable. It is adjoined by existing housing on its east and south sides, the A12 to the west and woodland separating it from Colchester Golf Course to the north. Regular bus services link the site to the North station and the town centre and further landscaping would allow new housing to blend into its surroundings.
- Land in Bakers Lane, amounting to 0.16 hectares out of a total ownership of 6 hectares could be released to provide one house. This former grazing land is within walking distance of the main railway station and close to bus routes into the town centre. Because of the small site's hill-top location adjoining existing housing, its visual impact upon the rural setting of the river Colne would be negligible. A single house would not adversely affect the adjoining ancient monument of Lexden Dyke. Instead, it would appear as infilling within the continuous ribbon of residential development on the eastern side of Baker Street.

- A much larger proposal in the same general area lying between Lexden Dyke to the west, housing on the south side of Braiswick to the north, housing in Fernlea to the east and land allocated for employment purposes to the south should be released to provide sixty houses. A reduction by this number from The Garrison allocation would give greater choice in the north-west sector of Colchester where no new housing allocations are made in this Local Plan. As with the other sites, ease of access to the main railway station is stressed. Golf enthusiasts would have a choice of two courses close by. The land is no longer in productive agricultural use and the development could facilitate public access to Lexden Dyke, which is currently impossible. Allowing for some 0.3 hectares kept for the retention of existing trees, the remaining two hectares could be developed at a density of 30 dwellings per hectare, thereby providing the sixty houses to be deducted from The Garrison allocation.

CONCLUSION

13.11.1. I do not accept that the employment allocation for Severalls Hospital should be retained for the reasons set out in paragraph 13.19.2 below. This in itself should be fatal to Rydon Homes' objection but there are other compelling reasons why this site should not be set aside for residential accommodation. The gap along the B1508 secondary road between the western edge of the built-up area of Colchester and the principal village of West Bergholt is narrow, restricted to the A12 Colchester Northern By-pass and limited areas of open land on both sides of the trunk road, of which the objection site is one. If this land were released for housing it would tend to bring about the coalescence of West Bergholt with the Braiswick district of Colchester. To my mind the A12 is not in itself a sufficient barrier to keep the two settlements apart. It needs to be supplemented by open land, of which this site, as the last undeveloped area on the north side of the secondary road to the east of the trunk road overbridge, is a key example. Consequently, Rydon Homes' objection should fail.

13.11.2. The matter of the development of land between Fernlea and Lexden Dyke came before the Inspector at the last Local Plan inquiry. At paragraph 1.163 of his report he stated that there can be no certainty that the industrially allocated land to the south of the site would be developed during the period of the current adopted Local Plan. He was correct in that assumption and, for the reasons set out in paragraph 14.10.1 of my report below, I recommend that a further westwards extension to that employment area does not succeed. Like my colleague, I also consider the objection site to be an integral and valuable part of the northern slope of the Colne Valley Countryside Conservation Area. The previous inspector found that landscaping would do little to screen prominently sited housing on this rising land, thereby harming the attractive open visual appearance of the CCA to an unacceptable extent. There have been no changes in the intervening period to derogate from any of my colleague's conclusions and Mr Arnold's objection must fail.

13.11.3. Prowting Projects proposal in the north-western corner of this larger site, although on a much smaller scale, should also fail for similar reasons. To my mind the objection land, which is also part of the CCA, represents, with its five-bar field gate, a welcome rural break in the almost continuous run of suburban housing on the east side of Bakers Lane. From its location and general features, I am satisfied that the site has more in common with the general body of open countryside to its south-east than it does with the housing land adjoining. If that adjoining land remains undeveloped then so should this plot for a single dwelling, even if English Heritage is satisfied that the ancient monument at Lexden Dyke could remain unharmed.

RECOMMENDATION

13.11.4. I recommend that no modification be made to the Local Plan.

13.12. POLICY H1, TABLE 4 & COLCHESTER INSET Proposed **Housing Allocations, Chitts Hill, Colchester**

Objections

0030 / 00034	The John Daldry Partnership
0090 / 00105	Prowing Plc & The Barbour Family.
0586 / 01377	B J Cadman

KEY ISSUES

- Land on the west side of Chitts Hill and to the east of Iron Latch Lane is bounded on three sides by urban development and to the north by the main railway line out of Liverpool Street. With the former Stanway railway sidings being released for housing, this would remain the only open land remaining to the west of Chitts Hill south of the railway line, which should become the new urban boundary. Consequently, if the site were developed, its visual impact upon the adjoining open countryside to the north would be minimal. The site is well placed in relation to educational, employment and retail facilities in the urban area to the south and east. Release of the site would enable the land to the north of the railway in the same ownership to be farmed less intensively, thereby encouraging its potential as a wildlife habitat and for informal recreation.
- Land at 'Hunters Rough' to the east of the ribbon of housing on the east side of Chitts Hill south of the railway line could be released for housing. It should be allocated for low-density executive housing in accordance with paragraph 13.59(b) of the Second Deposit Version. This allows for lower residential densities where, for instance, woodland is to be preserved or where infilling is to be permitted in keeping with the adjoining pattern of development. Low density housing on this site would be well-screened by existing trees and would be compatible with the existing form of development on the highway frontage. Like the site on the opposite side of the road it would be close to facilities and the land in its present state is incapable of being farmed commercially.

CONCLUSION

13.12.1. Both of these sites are greenfield in nature and both came before the last Local Plan Inspector. Although I may have some reservations concerning one brownfield site, The Garrison, to deliver all of its required allocation before the end of the plan period, I do not make any specific recommendation in support of any proposed greenfield site around the edge of Colchester/Stanway at this stage of the Local Plan's life span. As I point out at paragraph 13.5.12 above, my prognosis for the development of The Garrison may be unduly pessimistic, in which case release of greenfield sites, such as these, would be premature at this point in time. Unless and until there had been a major review of the housing supply situation under the 'plan, monitor and manage' régime, which identified a need to release greenfield housing land, and which, I suggest, need not take place until 2006, sites such as these do not have to be considered for release. Only if there has been a drastic change of circumstances on the ground since the last Local Plan would I consider overturning the previous Inspector's recommendations at these two sites.

13.12.2. On that basis, my recommendation below falls into place. Taking the eastern site of Mr Cadman first, at paragraph 1.176 of his report the Inspector determined that low-density housing would be very prominent on this land even with extensive additional planting on the south-eastern and eastern boundaries. He could find no compelling reason to release the site for residential purposes, where visually such development would be unacceptably intrusive, and neither can I. This objection must fail once more in the absence of no significant changes on the ground in the locality over the last twelve years.

13.12.3. Turning to the other two objectors' cases relating to the land on the west side of the road, the previous Inspector found, at paragraph 1.249 of his report, that development on some of the site at least would be visible across the wider landscape to the north from the Colne Valley and from the vicinity of West Bergholt. He considered this north facing slope to be an important part of the Countryside Conservation Area and so do I. He went on to say that, even with generous provision of open space, the visual impact of residential development would be considerable and did not warrant the release of the land for housing. I note the landowners' offer that they would be prepared to make their landholding to the north of the railway line available for some form of public access in return for allowing the objection site to be developed residentially. Nevertheless, I agree with my predecessor that to let the objection site be allocated for housing would be wrong, for the reasons he espouses with commendable succinctness. Such a proposal still remains visually unacceptable in principle, whether or not any land to the north of the railway line were to become accessible for purposes that could benefit the community at large. Once more the objections on the west side of Chitts Hill should not succeed.

RECOMMENDATION

13.12.4. I recommend that no modification be made to the Local Plan.

13.13. POLICY H1, TABLE 4 & COLCHESTER INSET **Housing** **Allocation, Land south side of Clarendon Way, Colchester**

Objections

0238 / 01424	George Wimpey Plc & Booker Plc
0414 / 00787	Prowting Projects Ltd
0460 / 00967	C F Anderson & Sons Ltd
0600 / 01401	Bellway Estates
0600 / 01651	Bellway Estates
0602 / 01405	Countryside Strategic Properties Plc
0603 / 01406	Arriva Plc
0604 / 01652	Stanway School/Persimmon Homes

KEY ISSUE

- Site 10 in Table 4 should be retained in commercial use and defined as an existing Employment Zone. The housing allocation should therefore be deleted.

CONCLUSION

13.13.1. Most of the site has already been redeveloped as flats or houses or is in the process of being re-used for housing purposes. Of the previous commercial operations, only one cash-and-carry warehouse survives. This is a text book example of the sequential test of PPG3 in operation; recycled redundant and obsolescent employment premises being redeveloped for much needed new housing, so that prospective greenfield sites, which the objectors support, do not (with one exception) need to be released to create unwarranted urban expansion. The Local Plan should remain unaltered.

RECOMMENDATION

13.13.2. I recommend that no modification be made to the Local Plan.

13.14. POLICY H1, TABLE 4 & COLCHESTER INSET Housing Allocation, BT Site off Cowdray Avenue, Colchester

Objections

0414 / 00787	Prowting Projects Ltd
0414 / 01410	Prowting Projects Ltd
0449 / 00890	British Telecommunications Plc
0460 / 00967	C F Anderson & Sons Ltd
0600 / 01401	Bellway Estates
0600 / 01651	Bellway Estates
0602 / 01405	Countryside Strategic Properties Plc
0603 / 01406	Arriva Plc
0604 / 01652	Stanway School/Persimmon Homes

KEY ISSUES

- There is no realistic prospect that the BT depot will become surplus to operational requirements, so the housing allocation in Table 4 should be deleted.
- If the site is to be redeveloped it should be for bulky goods retailing to accord with the existing development (The Colne View Retail Park) to the west.

CONCLUSION

13.14.1. If the site, which comprises administrative offices in its centre and open storage of plant, machinery and vehicles on hardstandings to the east and west of the buildings and to their north, were not to be redeveloped that would make little difference to the status quo. The operational requirements of BT are not threatened by this allocation. Its identification as housing land merely indicates what should happen in the event that it becomes surplus to BT's requirements. If the site were to be redeveloped, in my judgement it is important that it be confirmed in the Local Plan that it is for residential purposes. Firstly, there is a danger of something of a glut of out-of-centre retail activity developing in this part of Colchester. In addition to the premises to the west of this land there is the proposal at the Cowdray Centre, retail warehousing at Turner Rise and a Homebase operation a short distance to the east on the south side of the road. Secondly, and to my mind more importantly, there is a long ribbon of housing on the north side of the service road on the north side of Cowdray Avenue. Residents of these houses already suffer from some disturbance of the toing and froing of BT's vehicles throughout much of the working day. This would be amplified by the much greater level of vehicular activity associated with retail warehousing, especially during evenings and at weekends when the present operation is quiet for the most part. For these reasons, these objections should not succeed and the housing allocation should be adhered to.

RECOMMENDATION

13.14.2. I recommend that no modification be made to the Local Plan.

13.15. POLICY H1, TABLE 4 & COLCHESTER INSET Housing Allocation, By-Pass Nurseries Site, Cowdray Avenue, Colchester

Objections

0238 / 01423	George Wimpey Plc & Booker Plc
0414 / 00787	Prowting Projects Ltd
0414 / 01410	Prowting Projects Ltd

KEY ISSUE

- The By-Pass Nurseries site should be deleted because of its adverse impact on the setting of the River Colne and poor access arrangements. It is considered that a safe highway access cannot be delivered, owing to the close proximity of adjacent junctions and restrictions on visibility improvements imposed by the proximity of the abutments to the overbridge to the Colchester-Clacton railway line.

CONCLUSION

13.15.1. Redevelopment of this garden centre and associated retail activities for housing would constitute brownfield recycling of urban land close to the town centre with its attendant facilities. The physical impact of this redevelopment upon the Colne Valley should be no more than neutral. In contrast, the objectors' proposed housing allocations at Chitts Hill, Bakers Lane (Braiswick), Gosbecks Farm and Marks Tey are all greenfield sites remote from the town centre (and in one instance remote from any town centre). In two instances, their development could cause severe visual harm to an open valley setting.

13.15.2. It is unlikely that the traffic generation from 95 houses on and off a busy main road would be markedly different from a fully-fledged garden centre, although I accept that the traffic patterns are likely to be different. However, having personally manoeuvred on and off the site during a weekday evening rush hour without any great difficulty, I do not consider that any perceived problems of highway visibility are so severe that they would preclude residential development, having regard to the existing uses on the site. For these reasons, the objections should fail and the allocation in Table 4 can be confirmed.

RECOMMENDATION

13.15.3. I recommend that no modification be made to the Local Plan.

13.16. POLICY H1, TABLE 4, COLCHESTER INSET & PROPOSED CHANGES 120 & 163 Housing Allocation, The Garrison, Colchester

Objections

0072 / 00084	North East Essex Building Group
0090 / 00215	Prowting Plc & The Barbour Family
0095 / 00116	Mr & Mrs P & M Ingram
0228 / 00458	West Mersea Town Council
0238 / 01472	George Wimpey Plc & Booker Plc
0254 / 00408	Peldon Service Station
0350 / 00666	Bovis Homes Ltd
0405 / 00778	Edward Gittins & Associates
0414 / 01410	Prowting Projects Ltd
0600 / 01401	Bellway Estates
0600 / 01651	Bellway Estates
0602 / 01405	Countryside Strategic Properties Plc
0603 / 01406	Arriva Plc
0604 / 01652	Stanway School/Persimmon Homes
0651 / 01591	English Heritage

KEY ISSUES

- Proposed Change 120 would delete all the wording in Requirement 2(i) of Site 4 of Table 4 after “including” to “Audley School”, and substitute “an appropriate level of educational provision (see Policy CF7)”.

- Proposed Change 163 would delete all wording in Requirement 2(i) of Site 4 of Table 4 after Proposed Change 120 and add “*and an appropriate level of primary health provision (see Policy CF10)*”.
- Redevelopment of The Garrison should not proceed as this will result in the loss of one of urban Colchester’s principal green lungs.
- Insufficient information is given on how the development will take account of any archaeological finds or buildings or areas of architectural or historic interest.
- The Garrison site will be unable to deliver 1,600 residential units by the end of 2011.

CONCLUSION

13.16.1. To a large extent many of these objections have been overtaken by events. The Council has resolved to grant planning permission to the applications designed to bring about the present Garrison’s regeneration. To that extent, the arguments put forward by Mr and Mrs Ingram, concerning their objection in principle to redevelopment, have been lost. In addition, English Heritage is, presumably, now satisfied with the protection of historic buildings and archaeological finds. That leaves the raft of objections from housebuilders and their representatives to the overdependence on this site, as they see it, to provide adequate housing to meet Structure Plan requirements by the end date of this Local Plan. I may have some reservations on this point but the Council resolution to grant planning permission is an important first step to realising substantial housing provision at this important brownfield site. To promote the greenfield sites, which most of the objectors represent, in place of the most obvious example of large-scale previously-developed land available in the Borough, would fly in the face of the sequential test set out in paragraph 30 of PPG3.

13.16.2. At paragraphs 13.5.10 to 12 inclusive above, I set out why I think there may be some problems in providing 1,600 units by the end of the plan period but I still consider it to be achievable and I am prepared to be proved wrong. The figure of 1,600 can remain and I see no need for any of the other sites to come forward even if that figure is not achieved. The Local Plan promises a review of the housing land supply situation, which, I recommend, should take place in 2006. It may well be that The Garrison is substantially on stream by then, in which case the general housing land supply situation may need little alteration at that time. What is clear is that the general prognosis of the objectors, that it is wrong to place too much reliance on a single brownfield site and that greenfield land should be given precedence, is misconceived. The Local Plan should not be modified in response to any of these objections. Proposed Changes 120 and 163 support a more flexible approach to educational and primary health provision for this comprehensive area of regeneration and are to be welcomed.

RECOMMENDATION

13.16.3. I recommend that the Local Plan be modified in accordance with Proposed Changes Nos 120 and 163.

13.17. POLICY H1, TABLE 4 & COLCHESTER INSET Proposed **Housing Allocations, Hythe Hill, Colchester**

Objections

0570 / 01271
0570 / 01272

Marconi Property Limited
Marconi Property Limited

Hill House Sports Club
The Moors, Off Hythe Hill

KEY ISSUES

- The Hill House Sports Club in Hythe Hill should be allocated for residential purposes.
- The eastern end of The Moors should be allocated for development so that the Council's objectives for the site (public open space/nature conservation) can be achieved.

CONCLUSION

13.17.1. At paragraph 16.18.4(b) of the report below, I recommend that any reference to a community centre use at the former Hill House Sports Club be deleted from the Proposals Map but in the preceding conclusions I state that I see no need for this site to be identified as a specific housing allocation. 'Brownfield Study' sites, set out as allocations have come forward for redevelopment purposes. A notable example close by to Hythe Hill is the redevelopment to the rear of Magdalen Street. However, the Urban Capacity Study (Core Document 130) has been published since this development commenced. This can identify many examples of previously-developed land suitable for residential re-use of which this site may be a prime example. Consequently, I am satisfied that there is no need for it to be made a specific housing allocation for the site's residential development to come to fruition. Therefore, none will be made.

13.17.2. At paragraph 5.6.22 of my report above, I reach the conclusion that all of The Moors should retain its designation as a SINC for the duration of the Local Plan. This may not necessarily rule out some limited enabling development, possibly in conjunction with the redevelopment of the adjoining former sports and social club site. However, this should be a question of negotiation between the parties concerned. None of the site should be made the subject of a specific housing allocation, as it may subsequently be found that no new housing is justified on this site in any event, even though part of the land has the benefit of a lawful development certificate for the tipping of inert waste materials. Therefore, this objection should also fail.

RECOMMENDATION

13.17.3. I recommend that no modification be made to the Local Plan.

13.18. POLICY H1, TABLE 4 & COLCHESTER INSET *Housing* **Allocation, r/o Magdalen Street, Colchester**

Objections

0238 / 01425	George Wimpey Plc & Booker Plc
0414 / 00787	Prowting Projects Ltd
0414 / 01410	Prowting Projects Ltd
0600 / 01401	Bellway Estates
0600 / 01651	Bellway Estates
0602 / 01405	Countryside Strategic Properties Plc
0604 / 01652	Stanway School/Persimmon Homes

KEY ISSUES

- The site should not be identified as a housing allocation in Table 4 as it prejudices the construction of the Eastern Approaches Road, which is an important catalyst to regeneration in East Colchester and The Hythe.

CONCLUSION

13.18.1. This important regeneration site has been fully redeveloped for housing purposes, while the projected Eastern Approaches Road is now long since defunct. This successful redevelopment scheme shows that housing development on recycled land can be successfully implemented without reliance, in every instance, upon expensive and disruptive highway schemes. Since construction on the site is now nearing completion, the question arises whether the allocation needs to be included in the adopted Local Plan, bearing in mind the ‘windfall’ nature of its housing product. However, the objections must be rejected.

RECOMMENDATION

13.18.2. I recommend that no modification be made to the Local Plan.

13.19. POLICY H1, TABLE 4 & COLCHESTER INSET *Proposed Housing Allocations, Land South of Berechurch Hall Road, Maypole Green, Colchester*

Objections

0588 / 01379

Mason, Sherwood, Underwood & West

0293 / 01765

Michael Howard Homes

KEY ISSUES

- A small site within the ‘V’ created to the rear of housing facing Layer Road and Berechurch Hall Road, but with a lengthy frontage onto Berechurch Hall Road, occupied in part by Bloomfield Garden Centre and paddocks, could provide an alternative site for small-scale housing development, in contrast to the massive volume of development threatened nearby at The Garrison. Much of the land, which is included to the rear of the housing on the south side of Berechurch Hall Road, is a former piggery. It is close to other facilities, notably employment land at Gosbecks, and a reasonable bus service runs along Layer Road to the town centre, making this a sustainable location for new housing in overall terms.
- The most important considerations in this instance are the past decisions of Inspectors. With regard to this particular site, the last Local Plan Inspector considered this area of land to be far more closely related to the developed urban area. He found the south-western and south-eastern boundary hedgerows to be very substantial and to give a distinct sense of enclosure to the site and separation from the clearly open countryside to the south and south-east. The presence of the garden centre, in his opinion, further reduced the site’s value in landscape terms. On the strength of these considerations, the Inspector concluded that protection of the site by a Countryside Conservation Area designation was not justified. The Inspector therefore recommended that the site be considered for possible allocation as a housing site, bearing in mind his recommendations elsewhere in the report that other housing allocations be deleted.
- In contrast, in a section 78 appeal dated 7 May 1996, concerning refusal of outline planning permission for residential development on a smaller site, the Inspector disagreed with the Local Plan inspector and concurred with previous Inspectors who had dismissed earlier (then section 36 appeals) for housing proposals. She found that, although the area did not enjoy the high scenic qualities of much of the CCA, it constituted a transitional zone between the countryside and the town, frequently found in the rural urban fringe,

providing a buffer between the two. Additional housing on the south side of Berechurch Hall Road, to the east of the demarcation of residential development shown on the adopted Local Plan designations and clearly visible on the ground, would thereby destroy a pleasant open aspect for houses immediately to the north and seriously disrupt long distance views into the Countryside Conservation Area.

- Up to 530 dwellings could be developed on a much larger site, stretching from Bounstead Road in the east to Layer Road in the West and south and east of the Michael Howard Homes site, in conjunction with public open space/ country park to make up for shortages that have developed in Colchester/Stanway as the urban area has expanded. Development on this scale could be easily assimilated into the existing highway network.

CONCLUSION

13.19.1. The rather odd dual allocation of residential/ Countryside Conservation Area to be found covering the residential frontages to the south of the junctions of Layer Road and Gosbecks Road, shown on the Colchester Inset and inherited from the current adopted Local Plan, would be replaced by a wholly residential allocation by Proposed Change 127, which I recommend for adoption at paragraph 5.4.35 above. These two sites lie to the south and east of these revised designations. They are both projected expansions of the urban area of Colchester/Stanway, superficially little different from other areas of mainly open land in the rural urban fringe where no such proposals are contemplated. The question then arises whether either proposal deserves to go forward while others fail, having regard as to what has been said about these sites by other Inspectors in the past.

13.19.2. On that basis, the larger objection site can be quickly dismissed. At paragraph 1.194 of his report, the previous Local Plan inspector stated that this very extensive objection site makes a valuable contribution to the overall significance to the Roman River Countryside Conservation Area. Major housing development upon it would greatly diminish its open nature and value in agricultural terms and would totally transform it from an attractive area of open countryside to an integral part of the urban area. He concluded that such a scenario would be most harmful to the overall appearance and character of the locality, sentiments with which I wholeheartedly agree. There have been no changes in circumstances of any note concerning this wide swathe of high-grade farmland in the intervening twelve years since the previous Local Plan inquiry. For these reasons, the objection by Messrs Sherwood, Underwood and West must fail.

13.19.3. The much smaller site of Michael Howard Homes has a very different planning history. It has been the subject of a series of adverse appeal decisions following the refusal of planning permission, most recently in 1996, but in his report the previous Local Plan Inspector commented favourably upon this land as a potential housing site. I pay little weight to the comparatively recent section 78 decision in assisting me in resolving this matter. The Inspector was bound by the provisions of section 54A of the paramount status of the Local Plan, which, by then, had been adopted and had omitted this site as potential housing land. Moreover, although the section 78 appeal Inspector commented at paragraph 8 of her letter that she disagreed with the Local Plan inspector, she did not have to do so. In *Jeantwill Ltd v Secretary of State for the Environment & Cherwell DC* [1993] JPL 445, the High Court held that where a local planning authority rejected a recommendation from a Local Plan inspector, that recommendation was no longer a material consideration in determining planning applications. Because of section 54A and the general approach of the 'plan-led system', I consider it highly unlikely that any residential development would be permissible, either by the grant of planning permission or on appeal on this site, without a change in the Local Plan's designation. I shall therefore examine the previous Local Plan inspector's conclusions

to see whether I accept their general premise to such an extent as to enable me to recommend release of the site for housing purposes, or whether the currently adopted Local Plan's CCA designation should remain in force in its replacement.

13.19.4. Having said that, the previous Inspector's recommendation, "*that the objection site be further considered for possible allocation as a housing site ...in the event of the Council deciding to delete other sites currently allocated for development*" can hardly be described as a ringing endorsement for a housing allocation. To that extent the Council did not, in my judgement, need to have especially strong grounds to reject what the Inspector recommended. The main change, as I see it, that prevents me from making a more forthright recommendation in favour of housing development for this site is the contents of PPG3 of March 2000. This enshrined the sequential test at paragraph 30 in seeking new housing allocations in development plans. The equivalent policy for urban expansion in the adopted Structure Plan is Policy H2, stage (ii) of which states, "*Where housing provision cannot be provided within existing large urban areas it should be provided in the form of planned peripheral development on the edge of existing large urban areas.*" What is on offer here is, in my judgement, incremental peripheral expansion on an ad hoc basis supposedly taking advantage of ephemeral landscape features, such as the presence of tall suburban hedgerows, and the removal of unattractive buildings, such as disused pig houses and the haphazard collection of lightweight structures in a garden centre that started life as a plant nursery.

13.19.5. The objectors' agent points to the exhortation in PPG3 of the need to make more efficient use of urban land for housing purposes. This presupposes that the site should be considered urban in the first place. Like other planning inspectors, I find the urban area on the south side of Berechurch Hall Road clear cut on the ground, corresponding to the residential allocation in the Local Plan, which is now made more definite in planning policy terms by the removal of the confusing shared CCA designation. Taking that into account, I conclude that the area of the objection site, with its insubstantial buildings and generally open characteristics, has more in common with the undeveloped Countryside Conservation Area to its south and east than it does with the residential area to the north and west and that it should remain in the former. In the light of the somewhat half-hearted nature of the previous Local Plan inspector's recommendation and PPG3's general requirement to give precedence to recycled urban land for housing purposes over loss of green fields, I am satisfied that on this occasion, no indication should be given that Michael Howard Homes objection site should be released for residential development.

RECOMMENDATION

13.19.6. I recommend that no modification be made to the Local Plan.

13.20. POLICY H1, TABLE 4, COLCHESTER INSET & PROPOSED CHANGES 120 & 165 Housing Allocation, Former Severalls Hospital, Boxted Road, Mile End, Colchester

Objections

0047 / 00055	Ms J Howlett
0048 / 00056	Ms Diana Angel
0090 / 00215	Prowting Plc & The Barbour Family
0106 / 00137	Ms Sara Callen
0238 / 01472	George Wimpey Plc & Booker Plc
0242 / 01387	Landmatch Ltd (prev. Lafarge)
0322 / 00560	Persimmon Homes (Essex)
0332 / 00616	Revd. Peter Cook
0408 / 00781	Mr M Standage
0573 / 01310	The Secretary of State for Health
0583 / 01354	Myland Parish Council
0603 / 01406	Arriva Plc

KEY ISSUES

- Insufficient provision is being retained for the health requirements of Colchester, North-East Essex and Essex as a whole with the release of this land for housing, particularly for psychiatric care on both a residential basis and for day care.
- The housing allocation at Severalls Hospital should be deleted and the employment allocation, made in the current adopted Local Plan, should be restored.
- The grounds of Severalls Hospital should not be developed because of the loss of attractive open space. The Garrison should be redeveloped instead.
- The principle of housing development on the site is accepted, but there should be a reasonable buffer between new housing and existing dwellings to the south-east.
- A new primary school should not be a prerequisite to the release of the site for housing.
- Proposed Change 120 would delete the whole of Requirement 4(vi) of Site 6 in Table 4 and insert the following:- “(vi) *Provide an appropriate level of educational facilities (see Policy CF7)*”.
- Proposed Change 165 would delete the whole of Requirement 4(vii) of Site 6 in Table 4 and insert the following:- “(vii) *Provide an appropriate level of primary health care (see Policy CF10)*”.
- Inadequate provision has been made in the existing large-scale recently constructed housing estates in North Colchester for places of worship for Anglicans and other Christian congregations. They are having to resort to community halls, or even private houses, to hold services. Proper provision should be made within one or more of the new allocations in the same area to compensate for this.
- House building on the site should not be split into two phases as this makes its development unattractive to housebuilders.
- The very large gains in land values to be achieved by health authorities should be ploughed back into the local community for the benefit of residents of Myland Parish as a whole.

- The provision of housing on this site is dependent upon the provision of infrastructure in the form of Phase 3 of the Northern Approaches Road and the guarantee of an new access onto the A12 trunk road. Other potential housing sites, not subject to these constraints, should be released instead.

CONCLUSION

13.20.1. Proposed Changes 120 and 165 would satisfy the Secretary of State for Health's concern regarding overprovision of educational and primary health care facilities at this site and I recommend their adoption. I am not in a position to question the adequacy or otherwise of hospital provision in this locality, whether of a general or specialised nature. Certainly, the amount of hospital land in North Colchester has shrunk considerably in recent times, especially in the field of mental health, although this appears to be essentially due to a national switch over several years from institutionalising the mentally ill to care in the community. At the time of the inquiry, some of the buildings remained in use as health care offices. In the absence of the need for very extensive grounds to be used by long-care mental patients, I see no need to retain these in total and housing development in part is the most logical alternative use in accordance with the sequential test of paragraph 30 of PPG3. The objections of Ms Howlett and Ms Angel therefore fail.

13.20.2. Replacement of the employment allocation made in the current adopted Local Plan by housing is sensible. The current allocation in the present statutory development plan was based on a new access being provided onto the A12 trunk road where it crosses the A134 Colchester-Sudbury main road. Access for goods vehicles from such a junction onto an employment allocation at Severalls Hospital would have been straightforward. In contrast, a replacement employment allocation at Cuckoo Farm, closer to the revised proposed junction of the Northern Approaches Road with the A12, fulfils the same role as Severalls Hospital would have provided in relation to the abortive access proposed by the present Local Plan. In any event, take-up rates for employment land in Colchester in recent times have been slow, while there has been an insatiable appetite for new housing. Therefore, I endorse this changed allocation and reject the objection of Landmatch Ltd.

13.20.3. Ms Callen considers that developing this site residentially results in an undue concentration of housing in North Colchester in recent years. In fact, the largest single proposed allocation by far is at The Garrison on the south side of the town. It is not intended to develop all of the site at once and substantial areas of open land would be maintained by Requirement 4(i). I reject the proposition behind this objection, but Ms Callen's concerns also point to a requirement that only Phase 1 of the Severalls land should be released during the period of this Local Plan. A large volume of housing is proposed in North Colchester as a whole. Not only are this site and Turner Village designated as new allocations in the Second Deposit Version, there are also the Myland and District General Hospital allocations 'rolled forward' from the current Local Plan and only now getting substantially under way. Finally, further housing can be anticipated, through Proposed Change 41, in Mill Road on the former Royal London Insurance Society's Sports Field. To my mind the existing community is already in danger of being overwhelmed by new housing. Consequently, I am firmly of the opinion that some housing land should be held back at Severalls Hospital until after 2011 at the end of this plan's period and this aspect of the Secretary of State for Health's objection should not succeed.

13.20.4. Mr Standage accepts that some housing development can properly take place on the site but that special consideration should be afforded to the amenities of existing residents, particularly those of the short culs-de-sac on the north side of Mill Road. I address this matter at paragraph 18.8.4 below. In that section of my report, although I make no firm

recommendation, I exhort the Council, in dealing with any outstanding planning applications, to have particular regard to the amenities of existing residents in these roads. Again in this instance, although I do not recommend any changes be made to the Local Plan, I impress upon the Council to take heed of these soundly based concerns and take whatever steps they can to minimise the impact of new development upon occupants of adjoining housing, especially with regard to the routing of Phase 3 of the Northern Approaches Road.

13.20.5. With regard to the provision of a place of worship, Requirement 4(iii) allows for necessary community uses, including the retention of existing important buildings in this use. One of the significant buildings likely to be retained is the hospital's former chapel. I am unable to insist that this is made available to congregations with inadequate premises to hold church services, but clearly reusing the hospital chapel for Christian worship would be wholly in accord with this requirement. I do not consider that the Local Plan can be amended to promote this potentially desirable outcome any further. It would need to be the subject of consideration under planning applications whose outcomes it would be improper for me to comment upon. In these circumstances, the Revd Peter Cook's objection has to fail. These community benefits have to relate fairly and reasonably in scale and kind to the proposed development and be reasonable in all other respects if the tests on planning gain, set out in paragraph 7 of Circular 1/97, are to be met. An extensive wish list of financing all community shortcomings in the Myland Parish Council area from land profits at this site is unlikely to satisfy these stringent criteria. On the contrary, the requirements set out in the fourth column of Table 4 for Site 6 seem to me to be comparatively modest, especially if Proposed Changes 120 and 165 are adopted, and are proportionate to the scale and type of development proposed by the allocation. No further amendments to the requirements for this site are necessary and the Parish Council's objection should not succeed.

13.20.6. Finally, with regard to the other objections, at the time of writing this report, consideration of a planning application for Phase 3 of the Northern Approaches Road, with its associated junction onto the A12, is well advanced and has not been rejected by the Highway Authority. The infrastructure requirements of Policy ME1, while more difficult to satisfy at this site than at Turner Village, have not been rejected in principle. Assuming this acquiescence by the Highway Authority is converted into a planning permission, there seems to me to be no sound reason why this allocation cannot proceed. Its sustainability credentials are considerably greater than its projected greenfield rivals, being partly brownfield in nature, reasonably well contained within the urban area and close to improved public transport in the form of an express bus link to the North railway station and the town centre. Subject to the adoption of Proposed Changes 120 and 165, I support the allocation and reject the objections.

RECOMMENDATION

13.20.7. I recommend that the Local Plan be modified in accordance with Proposed Changes Nos 120 & 165.

13.21. POLICY H1, TABLE 4 & COLCHESTER INSET Proposed Housing Allocations, Former Braiswick Fruit Farm, Myland Lodge & Old Rose Gardens, Mile End Road, Mile End, Colchester

Objections

0429 / 00849	Mr & Mrs R Gates
0437 / 01212	The James Bartholomew Trust
0602 / 01405	Countryside Strategic Properties Plc

KEY ISSUES

- The site of the Old Rose Gardens, off the west side of Mile End Road, could be added to the existing built-up area as additional housing without causing any appreciable harm. It is close to established local shops and services, it is within walking distance of the main railway station and is served by frequent bus services. It is close to employment centres at Severalls Business Park and the District General Hospital, in addition to the town centre, and there is a choice of local primary and secondary education.
- Land to the south of Myland Lodge, off the west side of Mile End Road, could be added to the existing built-up area as additional housing without causing any appreciable harm. It is close to established local shops and services, it is within walking distance of the main railway station and is served by frequent bus services. It is close to employment centres at Severalls Business Park and the District General Hospital, in addition to the town centre, and there is a choice of local primary and secondary education.
- A housing allocation is sought on 14.3 hectares of the former Braiswick Fruit Farm, lying between Mile End Road and Bergholt Road, for some 200 houses incorporating about 3 hectares of public open space. If any greenfield development is to take place on the urban fringe, paragraph 2.45 of Technical Paper 1A (Core Document 198) points to this land as the most sustainable site for such a housing release to take place. Any part of the site would be within comfortable walking distance of the main railway station, there would be no difficulty with regard to highway access and no best and most versatile farmland would be lost. Any development of a greenfield site will have some visual impact on its surroundings but, because of its enclosure by existing housing, the effect of the residential development of this site upon the neighbourhood and views from the town centre would be limited.

CONCLUSION

13.21.1. The objection sites at the Old Rose Garden and south of Myland Lodge relate to former plant nurseries and farmland to the west of ribbon development facing onto the west side of Mile End Road or short culs-de-sac off the west side of the present A134 main road. Both are sited on rising ground and their release for housing would result in development in depth that would be visible over a wide area. Even if greenfield development on the edge of the built-up area of Colchester were acceptable in principle, these two sites would be locations where it would not be appropriate. Structure Plan Policy H2, stage (ii) requires any greenfield housing sites within existing large urban areas to be provided in the form of planned peripheral development on the edge of those areas. Release of these sites would not appear as planned peripheral developments. Instead, I am firmly of the opinion that they would take the form of prominently sited irrational accretions projecting into the open countryside. With their tenuous links to the existing built-up area they would be wholly out of keeping with its ribbon form. For these reasons, the objections of Mr and Mrs Gates and the James Bartholomew Trust should not succeed.

13.21.2. Regarding the proposed Country Parks and Wildlife Area notation of the objection site of Countryside Strategic Properties Plc on the former Braiswick Fruit Farm, at paragraph 10.14.8 above I recommend the deletion of Policy L5a, concerning allocations for Country Parks and Wildlife Areas, from the Second Deposit Version. If this recommendation is accepted, the site would then revert to land subject to no notation on the Proposals Map, as Policy L5a extinguished the public open space allocation of the First Deposit Version. This site is therefore being considered against a similar policy background to the circumstances when it came before the Inspector at the last Local Plan inquiry. His conclusions on that occasion therefore take on a special resonance now. He pointed out that, although he

recommended deletion of an open land designation, the land enjoys considerable landscape character, all the more important because of the site's proximity to the town centre. He went on to note that the area to be allocated for housing, although not significant in views from the town centre, contributes greatly to the overall setting of development in this part of the town. A major expansion of the developed area and the resultant loss of a large tract of open countryside was said to cause significant harm to the established character of the locality, constituting sound reasons why the land should not be released.

13.21.3. I can find no significant changes in the interim that permit me to overturn that forcibly stated viewpoint. I appreciate that the area shown on the masterplan (Figure 8 attached to Mr Jarvis's proof of evidence) is different from the proposals put before the previous Inspector (Appendix 7 to Mr Ricks's proof). However, I do not consider that its slightly smaller area, and its break-up into development cells separated by landscape belts, overcomes the fundamental criticisms levelled against the principle of a new housing allocation on this site by my predecessor. I note the high standing that the site achieved in the deferred greenfield sites set out in paragraph 2.45 of Technical Paper 1A. The proximity to the main railway station is clearly an important positive asset. It is capable of being well served by a genuine alternative mode of transport to the private car. Against that must be set the very considerable volume of housing that urban Colchester, north of the Liverpool Street-Ipswich railway line, will be making throughout the period of this Local Plan. Most of it will be on brownfield sites, the largest of which is currently subject to infrastructure constraints, but much of it has been rolled forward from the current adopted Local Plan and is taking place while this report is being prepared. In these circumstances, I can see no justification at this juncture for bringing forward a greenfield site whose development would seriously harm the longstanding landscape characteristics of this part of the town. I agree with my colleague and recommend that this proposed housing allocation should not proceed.

RECOMMENDATION

13.21.4. I recommend that no modification be made to the Local Plan.

13.22. POLICY H1, TABLE 4, COLCHESTER INSET & PROPOSED CHANGE 162 *Housing Allocations, Former Myland Hospital and Land West of Colchester General Hospital, Mill Road, Mile End, Colchester*

Objections

0322 / 00555	Persimmon Homes (Essex)
0322 / 00556	Persimmon Homes (Essex)
0332 / 00616	Revd. Peter Cook
0446 / 00884	Mr M Hollingworth
0573 / 01306	The Secretary of State for Health

KEY ISSUES

- The provision of housing on these sites is dependent upon the provision of infrastructure in the form of Phase 2 of the Northern Approaches Road. Other potential housing sites, not subject to these constraints, should be released instead.
- Inadequate provision has been made in the existing large-scale recently constructed housing estates in North Colchester for places of worship for Anglicans and other Christian congregations. They are having to resort to community halls, or even private houses, to hold services. Proper provision should be made within one or more of the new allocations in the same area to compensate for this.

- The greenery of the General Hospital land is clearly visible from Colchester Town Centre and its loss to housing should not take place. The site should be retained as a green link.
- The requirements for these sites are at variance for the matters that have been included within a section agreement attached to the extant planning permissions for residential development.
- Proposed Change 162 would add the following as a footnote to Table 4 “*The requirements set out for sites 1 and 2 in respect of transport infrastructure and open space are as contained in the Section 106 Agreement for applications COL/97/0220 and COL/97/0221*”.

CONCLUSION

13.22.1. Planning permission has already been granted for these sites and residential development is already under way without, as far as I am aware, any provision being made for a place of worship. Since these are sites inherited from the previous Local Plan, there is no reason to take on board any of these objections, with the exception of that of the Secretary of State for Health, whose concerns are met by Proposed Change 162. I endorse its inclusion into this Local Plan upon its adoption.

RECOMMENDATION

13.22.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 162.

13.23. POLICY H1, TABLE 4 & COLCHESTER INSET *Proposed Housing Allocation, Land r/o former Oxley Parker School, Mill Road, Mile End, Colchester*

Objections

0581 / 01341

Royal Eastern Counties School

KEY ISSUE

- There is a surplus of open space in Mile End Ward and the requirement to retain the open land in the form of a public open space allocation in the Proposals Map is not justified. The site is to the rear of the already completed housing development on the site of the former Oxley Parker School. Therefore, the development of the objection site for housing would be well-related to the existing urban framework. Consequently, the site should be allocated as housing land instead.

CONCLUSION

13.23.1. At paragraphs 10.12.14 to 10.12.17 inclusive above, I set out the reasons why I consider that the objection site should remain designated as public open space on the Proposals Map. I do not have to rehearse these arguments again here. Since a housing allocation is inconsistent with a Local Plan designation as public open space, the objection seeking its amendment to release the site for residential development must fail.

RECOMMENDATION

13.23.2. I recommend that no modification be made to the Local Plan.

13.24. POLICY H1, TABLE 4, COLCHESTER INSET & PROPOSED CHANGE 41 *Proposed Housing Allocation, Royal London Insurance Society's Former Sports Ground, Mill Road, Mile End, Colchester*

Objections

0219 / 02392	Mersea Homes
0322 / 02373	Persimmon Homes (Essex)
0414 / 02384	Prowting Projects Ltd
0414 / 02385	Prowting Projects Ltd
0414 / 02394	Prowting Projects Ltd
0583 / 02377	Myland Parish Council
0600 / 02382	Bellway Estates
0600 / 02383	Bellway Estates
0602 / 02380	Countryside Strategic Properties Plc
0602 / 02381	Countryside Strategic Properties Plc
0624 / 02375	George Wimpey Plc

KEY ISSUES

- Proposed Change 41 would make the following addition to Table 4:- *“Site 21. Site address: Royal London Sports Buildings and field (part) and land adjoining. Site area: 6.02Ha. Estimated site capacity: 259. Site requirements: 1. Any development of the Royal London sports complex will require a contribution towards the provision of alternative sports facilities. 2. Access to the residential development shall be from Mill Road.”*
- The site should remain as an employment allocation as shown in the Second Deposit Version. The boundary between housing and employment land, running east-west along Mill Road should remain where it is as a natural extension of the Severalls Lane employment area. No replacement private open space provision or like-for-like indoor or outdoor sporting facilities for the local community as a whole has been identified.
- The Housing Technical Paper inaccurately describes the site as ‘previously-developed land’. Its residential development would impinge on the open setting of the adjoining rugby ground and would result in the loss of open aspect onto Mill Road.
- The northern boundary of the site, the east-west link to Severalls Lane, is drawn inaccurately.

CONCLUSION

13.24.1. Taking the last point first, the east-west link, as shown on the Proposals Map, is essentially diagrammatic. The road at its approved siting across Mersea Homes' land is under construction at the time of writing this report. Therefore, there is no need to take any action in response to objection 0219/02392. Circumstances surrounding this objection site on the north side of Mill Road have changed markedly since the current adopted Local Plan proposed the allocation of this land for employment purposes. A larger area to be set aside for employment activities has been designated on adjoining land at Cuckoo Farm, but take-up rates for employment development in Colchester have remained slow. Housing development has commenced opposite the objection site at the former Myland Hospital, has been implemented in full on the north side of Mill Road at the former Oxley Parker School to the west and, most importantly of all, is fully under way on the Mersea Homes site immediately to the east. Consequently, the character of the northern side of Mill Road to the west of the Severalls Lane roundabout has changed significantly. It is overwhelmingly residential on its northern side as well as to the south and the east-west link road is now the obvious divide

between residential development to the south and employment land to the north. In these circumstances, employment development on the former playing fields, facing onto Mill Road but isolated from the main block of proposed employment land to the north by the east-west link, and by new housing and a wide road from the existing employment land at Severalls Lane to the east, would look increasingly out of place. For that reason, if for no other, the site should be allocated for residential purposes.

13.24.2. However, that is not the end of the matter. As some of the objectors point out, paragraph 2.17 of Housing Technical Paper 1A (Core Document 198), assessing the merits of this site, refers back to the third of the ten organising principles set out in paragraph 2.10. This is said to give priority to the release of this land as a brownfield site. Paragraph 14 of replacement PPG17, dated July 2002, states that parks, recreation grounds, playing fields and allotments must not be regarded as ‘previously-developed land’ as defined in Annex C of PPG3. On that basis the site cannot, as the Council asserts in the Technical Paper, be a brownfield site. Even if it were, the paragraph in the PPG goes on to say that the existing and potential value for recreation and other purposes should be properly assessed before development is considered.

13.24.3. Taking that advice on board, to my mind the guidance in the following paragraph (15) of replacement PPG17 takes on a special significance in this instance. It states that, where a robust assessment of need in accordance with this guidance has not been undertaken, planning permission for developments on playing fields should not be allowed unless (i) – ancillary sports development – not applicable; (ii) – land incapable of forming a playing pitch – not applicable; (iii) the playing fields that would be lost as a result of the proposed development would be replaced by a playing field or fields of equivalent or better quantity or quality and in a suitable location or (iv) the proposed development is for an outdoor or indoor sports facility of sufficient benefit to the development of sport to outweigh the loss of the playing field. The development proposed is for housing so the fourth criterion does not apply either.

13.24.4. It is unclear to me whether a robust assessment of need in accordance with the precepts of PPG17 has been carried out. Certainly, there is no evidence of this in the Council submissions on this matter and, in view of the newness of this advice, there is no reason to believe that any comparable procedure has previously been carried out on this land. However, that, in my judgement, is no reason why this recent government guidance should be ignored. Moreover, it must not be overlooked that Policy L2 of Chapter 10, concerning loss of private open space as amended by Proposed Change 133, is fully in accordance with replacement PPG17 paragraph 15. A section 106 obligation has been entered into between the site owners and the Council dated 16 February 2001 making a sum of £200,000 available towards improving existing recreation in the area in connection with the grant of planning permission for residential development on the objection site. If the housing allocation is not included in the adopted version of this Local Plan before the end of 2004, then the obligation will cease to have effect. On the strength of this unilateral undertaking being entered into by the owners, it would appear that Proposed Change 41 was promoted by the Council, to my mind a somewhat unusual procedure.

13.24.5. Requirement 1 of Proposed Change 41 states that, “*Any development of the Royal London sports complex will require a contribution towards the provision of alternative sports facilities.*” It is unclear to me whether the Council considers that the moneys to be made over under the provisions of the unilateral undertaking will suffice in that regard or whether they can be looked upon as a first instalment. What is clear to me is that simply paying over a generalised sum as a means of meeting requirement (iii) of paragraph 15 of

revised PPG17 will not suffice. In monetary terms, it may well be sufficient and it is not part of my brief to enter into detailed costing of alternative sports facilities and the precise form they should take. However, paragraphs 10 and 15 of PPG17 make clear that, when there is a loss of playing fields and other sporting facilities whether private or public, for the advice as a whole to be satisfied, genuine replacements available to the local community should be clearly forthcoming before planning permission is granted. I am not satisfied that requirement 1, as included in the Proposed Change, would achieve that. I therefore recommend a further amendment to Proposed Change 41 to replace requirement 1 with a form of words essentially based on criterion (iii) of paragraph 15 of July 2002 PPG17.

RECOMMENDATION

13.24.6. I recommend that the Local Plan be modified in accordance with Proposed Change No 41 but that requirement 1. be deleted and the following inserted in its place:-

“1. The indoor sports facility and playing fields that would be lost as a result of development would be replaced by facilities of equivalent or better quality and in a location at least as accessible for past and potential new users.”

13.25. POLICY H1, TABLE 4, COLCHESTER INSET & PROPOSED CHANGE 43 Proposed Housing Allocations, Land bounded by A12, Nayland Road & Boxted Road, Mile End, Colchester

Objections

0239 / 02401	Ms M L White
0350 / 00661	Bovis Homes Ltd
0569 / 01256	Cants of Colchester/James Bartholomew Trust
0569 / 02371	Cants of Colchester/James Bartholomew Trust
0603 / 01406	Arriva Plc

KEY ISSUES

- The site of Chapman's Farm, facing onto Boxted Road, could be developed as a small-scale residential development independent of the larger area of open farmland to its west and north which, at the time of Arriva Plc making the objection, remained an employment land allocation in the First Deposit Version, as was the objectors' land.
- Proposed Change 43 would make the following addition to Table 4:- *“Site 22. Site address: Cowies site, Boxted Road. Site area: 0.705Ha. Estimated site capacity: 25”*. This is the site of Chapman's Farm, the subject of objection 0603/01406.
- The proposed change is objected to because of the increase in traffic at the roundabout junction of Boxted Road with Fords Lane and the A134.
- The proposed change is supported but the access road serving the new development should be extended further west on the northern edge of the site to serve housing proposed to be erected closer to Nayland Road.
- Land south of the A12 trunk road, east of the A134 Colchester-Sudbury main road and west of Boxted Road should be released for housing. It is in a sustainable location adjoining the main urban area and west of the housing allocation at Severalls Hospital with good public transport links to the main railway station and the town centre. Consequently, the site is more suited to residential development than it was to its employment allocation in the current adopted Local Plan and in the First and Second

Deposit versions. A landscaped buffer on the northern boundary of the site and improvements to the existing hedges on the Nayland Road and Boxted Road frontages would effectively screen new housing. The site could in part be set aside for workbase homes.

CONCLUSION

13.25.1. Dealing with Proposed Change 43 first, if agreed to this would meet the duly-made objection of Arriva Plc in full, which has not even been conditionally withdrawn. In fact, matters have moved further on as planning permission has been granted for residential development on this site, although it has not yet been implemented. On the other hand, the former farm buildings on the site have already been demolished. Because of these considerations, Ms White's objection cannot be taken any further as planning permission for residential development, which may or may not significantly increase traffic in Boxted Road, and at the roundabout with the A134, has been granted and can be put into effect at any time. I do not have any details of the planning permission that has been granted on this site but an objection to a Local Plan is not the means whereby an extant planning permission can be varied. Therefore, Cants of Colchester's objection to Proposed Change 43 cannot succeed. The impact of this planning permission is also fatal to the Bovis Homes objection. This covers both the Cants of Colchester and Arriva land. As the latter's submissions make clear, their land is to be considered as a separate parcel and an objection that purports to cover both areas cannot succeed. However, the remaining area of land is still the subject of an outstanding objection by Cants of Colchester, so the dismissal of Bovis Homes Ltd's objection on a technicality to my mind does not give rise to any injustice, as the substantive issues for the bulk of the land still have to be determined.

13.25.2. The remainder of the open land to the north and west of the Cowie's site, extending up to the A12 trunk road, has been the subject of as chequered a history as that of any site during the emergence of the whole Local Plan. The remaining substantive objection was to the continued designation of all of this land for employment purposes, first identified in the current adopted Local Plan, into the First and Second Deposit Versions of the Local Plan to 2011, but subsequently proposed for deletion by Proposed Change 44. I endorse that Proposed Change at my paragraph 14.4.4 below for the reasons set out paragraph 14.4.1 to 3 inclusive. The Area of Strategic Open Land designation proposed by the Council for this site further complicates matters. At paragraph 5.19.20 above, I recommend that the Policy CO4, and its supporting paragraphs, be struck out. If these recommendations are accepted then in effect the objection is in favour of the development of generalised countryside subject to no notation, but covered by Policy CO1, for housing purposes. Stripped away of all of these other considerations, the objection becomes one of several peripheral greenfield residential developments before me to expand the built-up area of Colchester/Stamway.

13.25.3. Structure Plan Policy H2, stage (ii) applies to circumstances such as these, the release of open farmland on the edge of large urban areas for housing purposes. This states, *"Where housing provision cannot be provided within existing large urban areas, it should be provided in the form of planned peripheral development on the edge of existing large urban areas."* Looked upon in that light, this proposal does not appear to constitute planned peripheral development, but, in my judgement, would be simply an add-on to the existing urban area in the Mile End district of Colchester with little appreciation of the site's wider context. At paragraph 13.11.1 above I consider an objection by Rydon Homes for an area of open land on the north side of Bergholt Road, Braiswick. There I reach the conclusion that the gap along the B1508 secondary road between the western edge of the built-up area of Colchester and the principal village of West Bergholt is narrow, restricted to the A12 Colchester Northern By-pass and limited areas of open land on both sides of the trunk road, of

which the objection site is one. If this land were released for housing it would tend to bring about the coalescence of West Bergholt with the Braiswick district of Colchester. To my mind the A12 is not in itself a sufficient barrier to keep the two settlements apart. It needs to be supplemented by open land.

13.25.4. The situation here is virtually identical. Residential development of this open farmland would be extended almost up to the A12 with only a landscaped buffer between the two. The southern extremity of the principal village of Horkesley Heath/Great Horkesley is situated only a short distance to the north of the trunk road along the A134 and the pivotal nature of this open land is further emphasised by the housing allocation on the east side of Boxted Road at Severalls Hospital. I do not wish to be accused of prejudging any studies of strategic gaps/green wedges that I promote at paragraph 5.5.19 above. However, as things stand, and as they are likely to develop in the future, in my opinion the need to keep this land free from development, to prevent the coalescence of settlements, takes on an added importance. The large housing allocation on the partly brownfield hospital site means that a significant volume of new dwellings is likely to come on stream in the locality during the plan period at a more sustainable location. Therefore, there is no need for a specific release of greenfield housing land in this neighbourhood. For the sake of consistency with my recommendation for the objection at St Botolphs, Braiswick at paragraph 13.11.4 above, this objection should also fail.

RECOMMENDATION

13.25.5. I recommend that the Local Plan be modified in accordance with Proposed Change No 43.

13.26. POLICY H1, TABLE 4 & COLCHESTER INSET Proposed Housing Allocation, Land west side of Severalls Lane, Mile End, Colchester

Objection

0612 / 01441

Mr & Mrs P Mecklenburgh & Mr & Mrs Jones

KEY ISSUE

- The objection site is allocated for employment land on the Colchester Inset, part of an area stretching from Severalls Lane in the east to Boxted Road in the west and bounded on the north side by the A12 trunk road and by the east-west link to Severalls Lane to the south. Planning permission has been granted for residential development on the west side of Severalls Lane to the south of this on the north side of its junction with Mill Road (and is now in the course of being implemented). In the interests of consistency with permitting housing on the west side of Severalls Lane and north of Mill Road, the objection site should be released for housing, especially as little designated employment land has been developed for that purpose in Colchester in recent years. Moreover, because of the wooded nature of this hummocky land crossed by a stream, the site would not lend itself to commercial development for which flat sites free of constraints are the essential norm. The more rural nature of Severalls Lane north of its junction with Mill Road makes residential development of this site more appropriate. This would be even more clear cut if the east-west leg siphoned more traffic off Severalls Lane south of the objection site. Although a full planning permission has been in place for employment premises since 1999, no expressions of interests have been received from any potential developer of commercial property. In contrast, several volume housebuilders have indicated their keenness to develop the land for residential purposes. Rather than taking the east-west leg

road as the dividing line between the residential and commercial areas, a more natural boundary would be the ancient hedge on the northern boundary of the objection site. This would appear incongruous if it were embedded in the middle of commercial development. As a compromise, residential development could be permitted that would allow for home working for members of the professions, IT specialists, artists and tradesmen.

CONCLUSION

13.26.1. To my mind the major problem with this site is that it would lose its distinctive and in some respects visually attractive characteristics of low density rural urban fringe activity if it were to be developed for either commercial or residential purposes in a conventional manner. I find the arguments that the objectors mount on the generally rural nature of the Severalls Lane south of the A12 and north of Mill Road hard to follow. It may have been the case in the past. However, with the development of the electronics factory on the east side of the road, and with Mersea Homes residential development proceeding on the corner of Severalls Lane and Mill Road, any general sense of a rural feeling to this locality has, in my judgement, disappeared. Instead, the objection site now represents something of an oasis of low-density development dominated by attractive landscape features, but hemmed in on all sides by increasingly urban surroundings that are both commercial and residential in nature. Whatever the Local Plan designation, I am firmly of the opinion that the most important consideration is to give this site the opportunity to accommodate a reasonably beneficial form of development that would allow its undoubtedly attractive landscape features to be maintained and, if possible, enhanced. For that reason, rather than any proven local need for this form of development, I support the objectors' agent's proposals for workplace homes at this site. Because of its hybrid nature, it does not sit very comfortably in either an employment or residential category, while designating this small area alone for this particular use smacks to me of micro-regulation of land use, through the medium of a Local Plan, at an unreasonable level of detail.

13.26.2. On balance, I prefer the site to remain within an employment designation, since, as the objectors' agent admits, volume housebuilders would find standard estate development of this site with a residential allocation a very attractive prospect. This is not what it deserves. The same criticism could be levelled at commercial employment development that would be equally likely to obliterate the preserved trees and other landscape features that are the site's chief assets. Moreover, the land enjoys the benefit of a planning permission for orthodox employment premises but there has been little prospect of it coming to fruition. Workplace homes, designed to fit in and around the attractive tree cover and hedging that is the key element of this site, seem to me to be the most appropriate alternative in this situation. The Council should not interpret my recommendation below that I consider standard off-the-peg commercial boxes to be the proper manner in which this particular site should be developed for employment purposes. In recommending that no change be made to the local plan designation, I am at the same time sending out a clear message to the local planning authority that an imaginative form of development preserving important existing landscape features is what should be sought. Very serious favourable consideration should be given towards any proposal for workplace homes, which would contain a significant employment content in keeping with the site's overall Local Plan designation; this seems to me the most obvious means of achieving the highly desirable objective of redeveloping the site in an attractive manner, while maintaining its salient positive landscape attributes.

RECOMMENDATION

13.26.3. I recommend that no modification be made to the Local Plan.

13.27. POLICY H1, TABLE 4, COLCHESTER INSET & PROPOSED CHANGES 120 & 164 Housing Allocation, Turner Village, Turner Road, Mile End, Colchester

Objections

0047 / 00055	Ms J Howlett
0048 / 00056	Ms Diana Angel
0090 / 00215	Prowting Plc & The Barbour Family
0322 / 00558	Persimmon Homes (Essex)
0332 / 00616	Revd. Peter Cook
0350 / 00666	Bovis Homes Ltd
0446 / 00883	Mr M Hollingworth
0514 / 01489	R G Hodge
0573 / 01308	The Secretary of State for Health
0603 / 01406	Arriva Plc

KEY ISSUES

- Insufficient provision is being retained for the overall health requirements of Colchester, North-East Essex and Essex as a whole with the release of this land for housing, particularly for psychiatric care on both a residential basis and for day care.
- Inadequate provision has been made in the existing large-scale recently constructed housing estates in North Colchester for places of worship for Anglicans and other Christian congregations. They are having to resort to community halls, or even private houses, to hold services. Proper provision should be made within one or more of the new allocations in the same area to compensate for this.
- House building on the site should not be split into two phases as this makes its development unattractive to housebuilders. To provide the whole construction costs for a new primary school extension and a new stand-alone primary care facility is excessive bearing in mind the limited number of houses proposed. The existing buildings on the site could provide accommodation for the latter. It is unreasonable for the health authorities to make further land available towards the Highwoods Country Park extension.
- Proposed Change 120 would delete the whole of Requirement 4 of Site 5 in Table 4 and insert the following:- *“4. Provide an appropriate level of educational facilities (see Policy CF7)”*.
- Proposed Change 164 would delete the whole of Requirement 5 of Site 5 in Table 4 and insert the following:- *“5. Provide an appropriate level of primary health care (see Policy CF10)”*.
- The greenery of this site is clearly visible from Colchester Town Centre and its loss to housing should not take place. The site should be retained as a green link.
- The provision of housing on this site is dependent upon the provision of infrastructure in the form of Phase 2 of the Northern Approaches Road. Other potential housing sites, not subject to these constraints, should be released instead.

CONCLUSION

13.27.1. Proposed Changes 120 and 164 would satisfy the Secretary of State for Health's concern regarding overprovision of educational and primary health care facilities at this site and I recommend their adoption. I am not in a position to question the adequacy or

otherwise of hospital provision in this locality, whether of a general or specialised nature. Certainly, the amount of hospital land in North Colchester has shrunk considerably in recent times, especially in the field of mental health, although this appears to be essentially due to a switch from institutionalising the mentally ill to care in the community. At the time of the inquiry, some of the buildings remained in use for day-care mental patients. In the absence of the need for extensive grounds to be used by long-care patients, I see no need to retain these in total and housing development in part is the most logical alternative use in accordance with the sequential test of paragraph 30 of PPG3.

13.27.2. Because of its limited scale, I consider it unlikely that space for a place of worship could be found. However, the grounds will not be developed in their entirety so some greenery, visible from Colchester Town Centre will be retained. The concerns of Mr Hollingworth make it especially important that the contribution of 50% of open space is made towards the Highwoods Country Park extension so that this important green lung can be further improved as a buffer between housing development to its east and west. The health authorities have made other contributions towards enlargement of the Country Park at the Myland Hospital and District General Hospital allocations. There seems to me to be no sound reason why they cannot do so here under Requirement 3 in Table 4.

13.27.3. I fully appreciate why the site should be developed in two phases. Firstly, it is physically divided by Phase 2 of the Northern Approaches Road, so that the arguments of lack of attraction to a housebuilder are unsustainable, since the phasing makes sense on the ground. Secondly, a large volume of housing is proposed in North Colchester as a whole. Not only are this site and Severalls Hospital designated as new allocations in the Second Deposit Version, there are also the Myland and District General Hospital allocations 'rolled forward' from the current Local Plan and now substantially under way. Finally, further housing can be anticipated, through Proposed Change 41, in Mill Road on the former Royal London Insurance Society's Sports Field. To my mind the existing community is already in danger of being overwhelmed by new housing. Consequently, I am firmly of the opinion that some housing land should be held back at Turner Village until after 2011 at the end of this plan's period. Finally, at the time of writing this report Phase 2 of the Northern Approaches Road, with its associated bus lane to serve this development, is well advanced so that the infrastructure requirements of Policy ME1 should not be an impediment to the development of Phase 1 of Turner Village. Its sustainability credentials are considerably greater than its more remote greenfield projected rivals, being partly brownfield in nature, well contained within the urban area and close to the town centre and existing public transport, especially rail, facilities. Subject to the adoption of Proposed Changes 120 and 164, I support the allocation and reject the objections.

RECOMMENDATION

13.27.4. I recommend that the Local Plan be modified in accordance with Proposed Change Nos 120 and 164.

13.28. POLICY H1, TABLE 4 & COLCHESTER INSET *Proposed* **Housing Allocations, Fingringhoe Road, Old Heath, Colchester**

Objections

0262 / 00418
0444 / 00881

The Hills Building Group
Cadman Plant & Equipment

KEY ISSUES

- Land on the east side of Fingringhoe Road to the south of Old Heath should be released for the erection of 40 houses, to be deducted from The Garrison allocation, on part of the land with the remainder to be developed as a Local Nature Reserves.
- Land on the west side of Fingringhoe Road to the south of Old Heath should be released for the erection of an unspecified number of houses. Old Heath is a reasonably self-contained community and provides local shops and a primary school within walking distance. There are buses to the town centre and main railway station that are also within cycling range, while the roads are uncongested for car travel. The land's usefulness for farming is severely impaired by its proximity to the urban area.

CONCLUSION

13.28.1. Old Heath is a projection of mainly residential development, extending southwards from the principal body of the built-up area of Colchester, and either of the objection sites would constitute a further southern expansion of that. Policy H2(ii) of the adopted Replacement Structure Plan states, *"Where housing provision cannot be provided within existing large urban areas, it should be provided in the form of planned peripheral development on the edge of existing large urban areas. Such housing provision should be well related to employment, shopping, educational and other community facilities, which are easily accessible by a choice of means of transport."* To my mind these two sites on opposite sides of the same road, if developed residentially either individually or together, would not appear as planned peripheral development on the edge of Colchester. Instead, they would, in my judgement, constitute afterthoughts appended to the southern extremity of Old Heath, projecting its urban area further into open countryside. Because of the sites' comparatively remote location, they would not be well related to employment, shopping, educational and other community facilities, which are easily accessible by a choice of means of transport. On the contrary, their isolation would make them arguably the least sustainable proposed location for peripheral expansion anywhere around the edge of Colchester/Stanway. Moreover, release of the eastern objection site would erode still further the narrow neck of open land between Old Heath and the principal village of Rowhedge, thereby bringing about a tendency towards an undesirable merger of the two. For all of these reasons, neither of these objections should succeed.

RECOMMENDATION

13.28.2. I recommend that no modification be made to the Local Plan.

13.29. POLICY H1, TABLE 4 & COLCHESTER INSET *Proposed Housing Allocations, North Side of Harwich Road, Parson's Heath, Colchester*

Objections

0447 / 00886	Wyncoll Trustees/Persimmon Homes (Essex) Ltd
0458 / 00914	Mr D Hearn
0608 / 01436	Mr M N Southgate

KEY ISSUES

- The site known as 66 Parsons Heath should be allocated for housing. It adjoins housing in Green Lane/Dunthorn Road and, bearing in mind the current use as a scrapyard, its redevelopment for residential purposes would amount to recycling of previously-developed land, the most favoured means of providing new homes under the sequential

test of PPG3. This proximity to the built-up area enables the site to be added to it without causing any appreciable change to Colchester's urban boundary. Because of its prominent siting as the gateway on a main road approach to the urban area of Colchester, as an alternative a specific policy should be designed to permit unsightly commercial premises in the countryside, such as this, to be redeveloped for other purposes if this would improve the character and appearance of the locality as a whole.

- Farmland at Buildings Farm on the north-eastern edge of the Borough and well to the north of the A137 main road should be allocated for housing purposes.
- A significant area of greenfield land at Buildings Farm can be released to the east of the present built-up area to the north of the A137 on its own merits. It is as sustainable as allocated land in terms of its access to employment, retailing, education and transport other than the private car. The present firm edge to the urban area is also stark. It could be softened and made more attractive by planting around an urban expansion. The built-up area of Colchester would not merge with the hamlet of Fox Street. The gap between the two can be maintained by a sensitively designed and landscaped housing layout. Housing development would be bounded by a new road relieving the existing residential area fronting St John's Road of commuter traffic from the A137 heading towards the Severalls Employment area and the A12 trunk road. It would also allow for the creation of a managed open buffer zone around the Bullock Wood SSSI, in place of the environmentally unsatisfactory current practice of commercial arable farming extending up to boundaries of this fragile ecosystem. This would also act as an area for informal countryside recreation available to the community of East Colchester as a whole.

CONCLUSION

13.29.1. As at the farmland west of Tiptree, there are a number of conflicting objections from different parties, some of which are mutually exclusive. If they were all successful, almost all of the countryside on the north side of the A137 main road between the built-up area of Colchester and the eastern boundary of the Borough would disappear. However, these objections are not totally interconnected. That from Mr Southgate can be summarily rejected. It relates to farmland between Bullocks Wood SSSI and the Borough boundary. It has no road frontage and no direct connection to any other proposed housing allocation currently before me. No evidence is put forward in support of the proposed allocation, which must fail.

13.29.2. Mr Hearn's land would appear to be included within the overall development area proposed by Persimmon Homes but his objection is specific to 66 Parsons Heath. It essentially revolves around the unsightly nature of the existing scrapyard use at a prominent gateway to Colchester and the benefits that would accrue from its redevelopment for housing close to the existing built-up area. This matter was considered in a section 78 appeal for development of the site as a residential care home. In his decision letter dated 2 January 1997 at paragraph 5, the Inspector found the built-up area of Colchester to be clear cut on the ground on the same side of the road as the objection site, which he described as "*firmly within the rural area*". He took into account the untidy nature of the site, which is especially prominent in winter, but he reached the conclusion that the introduction of a substantial built form "*would be adverse and would conflict with rural protection policies of the Development Plan, especially because there would be a blurring of the clearly defined edge to the urban area*". I appreciate that this decision relates to what may have been a relatively bulky form of development but this reasoning, with which I agree, would appear to be applicable to any form of urban development on this site. This would include general market housing, even if designed to give the appearance of a country cottage. It would be wrong of me to make a

specific housing allocation for this site, designed to circumvent the clearly stated reasoning of a well-argued appeal decision letter by one of my colleagues, and I do not intend to do so.

13.29.3. As an alternative, I note the objector's agent's ingenious attempts to devise a policy for the redevelopment (although he describes it misleadingly as a change of use) of unsightly commercial premises in the countryside to a visually more attractive form of development. For the most part, this would presumably result in new housing. One of the important features of the 'plan-led' system is certainty and the overall theme of rural policies as expressed in national guidance (PPG7), the adopted Replacement Structure Plan and this Local Plan is that new housing in the countryside should only be permitted, for the most part, for those who need to live there. An additional policy, which weakens the certainty that this consistent approach promotes, should be resisted. In any event, the plan-led system need not be wholly inflexible. Section 54A of the 1990 Act as amended states that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan *unless material considerations indicate otherwise* (my emphasis). It may be that a commercial use in the countryside is causing considerable harm to all types of amenity over a wide area and the only practicable means of removing it is by granting permission for, say, residential development in its place. This is a material consideration that may point to a requirement to depart from the provisions of the development plan. It should not be the role of the development plan to include policies that attempt to second guess what those material considerations might be. Therefore, Mr Hearn's objection should not succeed.

13.29.4. Very fairly, the objection by the Wyncoll Trustees and Persimmon Homes at Buildings Farm is not predicated on the notion that their proposed greenfield urban expansion is necessary to make up any perceived shortfall in housing land supply. For the reasons set out in paragraph 13.5.12, I state the reasons why I do not make any further greenfield allocations in this Local Plan beyond those identified in paragraphs 13.5.5 and 6. Applying PPG3's sequential test, that would be the end of the matter, but this objection is couched in favour of new housing being brought forward on this land through the Local Plan as a means of delivering other desirable objectives. These are a softer edge to the built-up area, the retention of an effective gap between the countryside around Bullock Wood and Fox Street, a new road giving relief to residents of St John's Road in particular and the designation of a countryside/wildlife area giving access to the public but affording protection to the sensitive ecology of the Bullock Wood SSSI.

13.29.5. So many of these considerations hinge upon recommendations that I make elsewhere in my report. At paragraph 5.4.35(g), I recommend that, in reviewing its Countryside Conservation Area designations, the Council carries out a comprehensive landscape survey of the entire Borough. This review may well indicate an appropriate form that the urban/rural interface should adopt at this location. At paragraph 5.5.20, I recommend the deletion of the category of Areas of Strategic Open Land, which covers this entire area north of the A137. However, in doing so I indicate at paragraph 5.5.17 that this site be assessed jointly by the Borough Council and Tendring DC regarding its role in separating settlements in the latter from the built-up area of the former. Finally, at paragraph 10.14.8 I recommend the deletion of Policy L5a, concerning allocations for Country Parks and Wildlife Areas, one of which partly covered this site, from the Second Deposit Version. Nevertheless in doing so, I point out, at paragraphs 10.14.6 and 7, a possible means whereby all those with an interest in these matters could bring about the realisation of the concept of this policy outside the mechanism of the Local Plan, especially within any strategic gaps between settlements.

13.29.6. The overall impact of these matters is clear. This area of land should be looked at in a comprehensive manner taking on board the views of all those with a legitimate interest in seeing its optimal use for the benefit of the community as a whole, in addition to the landowners and the local planning authority. This may involve the release of some land for housing but it would be improper of me to comment on this until all of the necessary studies had been undertaken and assessed. What is clear to me now is that it is not my place to indicate what areas of land, if any, should be released for housing at this stage. For this reason alone, making any housing allocation on this site would be premature at this point in time and the objection by the Wyncoll Trustees/Persimmon Homes should fail.

RECOMMENDATION

13.29.7. I recommend that no modification be made to the Local Plan.

13.30. POLICY H1, TABLE 4 & COLCHESTER INSET, Proposed Housing Allocation, Gosbecks Farm, Gosbecks Road, Roman Fields, Colchester

Objections

0090 / 01767

Prowting Plc & The Barbour Family

KEY ISSUES

- The proposed development at Gosbecks Farm abuts the built-up edge of Colchester and is constrained by the Archaeological Park and the Gosbecks Ancient Monument to its west forming a clear stop to further development.
- It is well sited for schools, employment, leisure and community facilities and is well served by bus routes as a viable alternative to the private car.
- ¼ of the area of about 6 hectares of housing will be on what is said to be recycled previously-developed land.
- The triangle of land between this area and the housing constructed in Phase 1 to the north of Cunobelin Way will remain undeveloped under the terms of a completed deed of covenant. Public access to the Archaeological Park could be improved.
- The present stark views of the site as an untidy commercial complex, when viewed from the open countryside, would be replaced by attractively landscaped housing. It could also permit the undergrounding of unsightly high-voltage overhead electricity transmission lines.
- A line for a further phase of a Colchester southern by-pass, to link the redeveloped Garrison to the A12 trunk road, could be safeguarded at this site.

CONCLUSION

13.30.1. With the provision of a large volume of housing coming on stream on the south side of Colchester during the latter part of the Local Plan period, and with other land comparatively close to the site by at Stanway being developed, I see no general reason why greenfield residential development should come forward in this locality for housing land supply reasons, ahead of an important brownfield site or other sites better contained by urban development, either now or later on in the plan period. At paragraph 5.4.24 of my report above, I express my strong reservations at the odd criteria that appear to have been used to

include the site within the Countryside Conservation Area but I indicate that any review of this matter should await a landscape re-assessment of the entire Borough. However, any downgrading of countryside designations at this site resulting from such a review would have no effect on the assessment at paragraph 2.39(iv) of Housing Technical Paper 1A of February 2001 (Core Document 198). This states, “*Represents an urban intrusion adjacent to the Archaeological Park and beyond the defensible boundary of Gosbecks Road/Cunobelin Way.*” I agree wholeheartedly with this description of the site. The aspect that the present edge of the built-up area of south-west Colchester presents to the countryside, especially as regards the functional buildings facing onto Gosbecks Road, may not be very attractive but in this sector of the town there can be no doubt where the urban area finishes and the countryside starts. The objection site, predominantly flat agricultural land, is firmly in the countryside.

13.30.2. The divide between countryside and town is clear cut on the ground following the wide and busy highways of Gosbecks Road and Cunobelin Way. It may be possible to disguise housing on this site by landscaping but release of this land for residential purposes would represent expansion of the urban area beyond an undisputed line of demarcation into open countryside into which further development could sprawl in an unrestrained manner. Residential development may allow for improved visitor facilities at the Archaeological Park and the undergrounding of overhead transmission lines, but such matters should not be taken into consideration if the housing allocation proposed is fundamentally in the wrong place. I have no technical evidence before me in support of a southern by-pass. The safeguarding of a road for which there is no proven need seems to be of no real benefit to the locality and should not be a reason for allowing housing to be built where it would otherwise be unacceptable. Stage (ii) of the Structure Plan Policy H2 sequential test allows for planned peripheral development on the edge of existing large urban areas, where housing provision cannot be provided within such areas. Even assuming that greenfield expansion is required, which I do not, then in this location a housing allocation by itself on this site would not appear as planned peripheral development but as an isolated protrusion beyond the well-defined limits of the built-up area.

13.30.3. For all of these reasons, this objection should not succeed as a new housing allocation upon greenfield land. However, the objectors’ agent considers that this site is in part brownfield in nature upon which housing would be acceptable, since it would involve redevelopment of former farm buildings. It is argued that these structures, following their change of use to commercial activities with the grant of planning permission, can no longer be considered agricultural in nature. If they were, their redevelopment would not satisfy the definition of previously-developed land set out in PPG3 Annex C. However, as their use for farming has ceased, their replacement by housing would amount to recycling of rural developed land, to which PPG3 accords considerable weight in its sequential approach. These arguments seem logically attractive but a Ministerial Statement of 21 March 2001, which post-dates the present version of PPG3, seems to have been overlooked. This inserts a new paragraph into PPG7, 3.4B, which states that new buildings, either to replace existing re-used farm buildings or to accommodate expansion of enterprises, may also be acceptable provided that they satisfy sustainable development objectives and are of a design and scale appropriate to their rural surroundings. Therefore, taking this advice on board, the appropriate form of brownfield development for this particular commercial site, in the countryside but close to the urban edge, would be the replacement of the present unsightly commercial buildings with others of a design and scale appropriate to their rural setting. Development should not take the form of a poorly-related expansion of the adjoining built-up area by the construction of new housing in place of existing utilitarian structures and across the surrounding productive farmland.

RECOMMENDATION

13.30.4. I recommend that no modification be made to the Local Plan.

**13.31. POLICY H1, TABLE 4 & COLCHESTER INSET Possible
Housing Development, St Julian Grove, Colchester**

Objection

0346 / 00651

W S Tamblyn & G C Bunting

KEY ISSUE

- Developing surface car parking sites in St Julian Grove for housing would be likely to give rise to an unacceptable increase in traffic for existing local residents.

CONCLUSION

13.31.1. The objectors concerns relate to two flat areas of land on the south side of a residential cul-de-sac a short distance to the east of Colchester Town Centre. The larger area is used for car parking by local residents, the smaller one appears to be unused. If the sites were to be developed for housing, the levels of traffic in St Julian Grove would be unlikely to be significantly different from now, especially if car parking standards were relaxed due to the sites' proximity to the town centre and public transport (Colchester Town railway station). Removal of the residents' parking from the larger site would result in the extinguishment of one of the main traffic generators in the street. Consequently, the overall impact upon vehicle movements in St Julian Grove by the construction of additional housing is, in my opinion, unlikely to be no worse than neutral. For these reasons, this objection should not affect the provisions of the Local Plan.

RECOMMENDATION

13.31.2. I recommend that no modification be made to the Local Plan.

**13.32. POLICY H1, TABLE 4 & COLCHESTER INSET Proposed
Housing Allocation, Land adj Claremont Heights, Essex Hall Road, off Station
Way, Colchester**

Objection

0653 / 01622

Knight Developments Ltd

KEY ISSUE

- Land at Essex Hall to the west of Claremont Heights would be well placed to provide additional housing land. It is close to the town centre and adjoins the main railway station. It has been looked upon in the 1984 Central Area Local Plan, still the adopted Local Plan for the site, as an Area of Development Opportunity of which residential use would be an example, incorporating an area of public open space. Development on the site could be screened from surrounding open land by generous landscaping. The existing trees on the site, the subject of a Tree Preservation Order, would assist in screening the existing housing to the east from overlooking by residents of new residential units on the appeal site.

CONCLUSION

13.32.1. This area of land was the subject of a condition attached to the outline planning permission, for what is now the Claremont Heights development, seeking to retain this land as open space. It has been the subject of a long and chequered planning history, culminating in a decision letter dated 23 February 1998 dismissing appeals against the refusal of outline planning permission for up to 81 dwellings and the failure to determine an application for 36 dwellings. In his conclusions, the Inspector found that the offer to provide public open space and landscaping was not inconsistent with the Area of Development Opportunity status accorded it by the current adopted Local Plan for the site, the 1984 Central Area Local Plan. Nevertheless, he found that this strategy of providing new public open space in conjunction with an additional housing area would result in unacceptable loss of open land that the Council has sought to protect from development for a long time. Despite the submission of planning obligations to secure provision of public open space, the Inspector dismissed the appeals. This was essentially because either of the alternative proposals would have been intrusive in the open landscape harming the character and appearance of the built-up edge of this part of Colchester, adjoining the rural qualities of the valley of the River Colne. I concur with my colleague on all of these points and there have been no changes in planning circumstances to cause me to overturn this most recent decision concerning residential development to be promoted in conjunction with open space provision on this site. Therefore, this objection must fail.

RECOMMENDATION

13.32.2. I recommend that no modification be made to the Local Plan.

13.33. POLICY H1, TABLES 3 & 4 & INSET D5 *Proposed Housing Allocations, London Road, Copford*

Objections

0600 / 01404	Bellway Estates
0600 / 01612	Bellway Estates
0600 / 01628	Bellway Estates

KEY ISSUES

- Copford (London Road) should be redesignated as a principal village. It enjoys a range of employment and retail facilities, it supports a primary school (outside the village envelope), there are frequent bus services along London Road and it is within walking and cycling distance of Marks Tey railway station.
- Two sites are promoted for housing development, one at the eastern end of Allendale Drive occupied by a house, former farm buildings and some open land, the second an area of farmland to the south of the Allendale Drive objection land and Ashwin Avenue, east of housing on the east side of School Road, north of a footpath running on the north side of Copford Village Hall and Sewage Treatment Works and west of further farmland facing the west side of Hall Road.
- The combined site would have an area of some 9.5 hectares producing about 230 houses. This would be sufficient housing to fund a new primary school for the village that would be better placed to serve the population of Copford as a whole, whose centre of gravity is towards London Road. With suitable landscaping, new housing could be assimilated into the adjoining countryside, contrary to what was stated by the previous Local Plan

Inspector, and provide a softer but more permanent edge to the settlement. An adjoining SINC would be unaffected and new sewage treatment facilities could be provided within the development if the adjoining works were found to be overloaded.

CONCLUSION

13.33.1. London Road, Copford is a settlement that to my mind imparts little sense of constituting a traditional coherent village. Its core is a long-established ribbon of development stretching along the former A12 trunk road from Marks Tey in the west towards the Tollgate area of Stanway in the east. It is this history of straddling an important line of communication that has provided it with the employment opportunities that give the settlement a reasonably diverse economic base. Moreover, there is some depth to the settlement with a modern housing estate on the north side of the road, older housing at Allendale Drive and Ashwin Avenue to the south and a ribbon of housing on both sides of School Road. Having visited all of the Principal Villages at some time during the course of the Local Plan, all of them, with two exceptions, gave me a sense of place that I find lacking at London Road, Copford. The exceptions are at Eight Ash Green/Choats Corner and Marks Tey. Both of these are significantly bigger than Copford and Marks Tey enjoys the benefit of a main line railway station. For these reasons, I do not consider it anomalous that London Road, Copford should be considered a small village. As a consequence, I do not recommend that any alteration be made to Table 3 in response to objection 0600/01612.

13.33.2. It may be that Principal Villages can assimilate new development more readily than small villages but it does not seem to me that simply changing the description of a village need render a particular proposed development acceptable or unacceptable. I have to be mindful of the precept of paragraph 69 of PPG3, which states that, in terms of overall housing provision, only a limited amount can be expected to be accommodated in villages, whether earmarked for expansion or not. In a local authority administrative area dominated by one large urban area, the correct approach towards new housing in villages seems to me to be assessment of the character of the settlement and surroundings, the impact of the proposal upon its setting and the nature of any community benefits brought about by the housing allocation being promoted. That approach would accord with the three tests set out in paragraph 70 of PPG3. If these are failed then the other two objections should not succeed.

13.33.3. The position of Copford in relation to its neighbours should not be overlooked. It is a short distance to the west of the built-up edge of Colchester/Stanway, which is in the process of being further consolidated by the construction of Phase 2 of the Church Lane, Stanway housing. The gap between Copford and Marks Tey to the west is very narrow. To my mind development in Copford on the south side of London Road has relatively little impact on its wider rural setting in these fragile gaps because, with the exception of the School Road ribbon, it is effectively confined to frontage development. With the erection of about 230 houses, this would give rise to development in depth for a considerable distance to the east of School Road, eating into a sizeable portion of the shrinking tract of open countryside to the east of Copford.

13.33.4. I would be less concerned if I thought that this proposal could be well hidden. The previous Local Plan inspector's conclusions, that this land, rising up from the south, is visually prominent and that its development was unlikely to be effectively screened, were criticised at the inquiry. I do not agree. In my opinion, well-landscaped housing on the higher part of the site is bound to be visible over a wide area, even when seen against the background of existing development. This may not be so important when the settlements concerned are comparatively isolated. In my judgement, it is all the more vital that prominent new housing developments should not impinge visually upon narrow gaps between

settlements. Even if actual coalescence does not take place, it is important that viable tracts of countryside close to towns are kept as free of urban intrusion as possible. I am firmly of the opinion that housing on this scale, so close to the expanding western edge of Stanway, would undermine a clear line of demarcation between town and country that currently exists around Hall Road, which lies equidistant between the two and is connected to a well-used network of public footpaths. For these reasons, I consider these proposals to be out of scale and poorly related to their surroundings.

13.33.5. The only outstanding matter is that of community benefits. The situation here is contrasted with that at Great Horkesley. There the housing allocation is comparatively restricted at 90 units. Here 2½ times as many houses are proposed. There a new village hall would be provided where none currently exists, together with a substantial area of public open space of which there is a perceived shortage in the settlement. Here a new village school would be constructed within the new development. The present partly Victorian premises are somewhat remote from most of their catchment but they are capable of being enlarged if required. I do not consider that any educational gains to the community are such as to justify such a large-scale release of housing out of keeping with its surroundings, unlike the situation at Great Horkesley where the housing allocation is more modest and the community gains to my mind are more palpable. For these reasons, the two outstanding objections relating to housing development within the London Road, Copford inset should fail.

RECOMMENDATION

13.33.6. I recommend that no modification be made to the Local Plan.

13.34. POLICY H1, TABLES 3 & 4 & INSET E5 Proposed Housing Allocations, Copford Green

Objections

0392 / 00750	Mr R L Gilbert
0392 / 00751	Mr R L Gilbert

KEY ISSUES

- Land to the east of 'Springfields' facing onto the west side of Birch Road should be developed as bungalows for the elderly.
- Land adjoining 'Tintagel' facing onto the north side of Rectory Road should be developed as high quality housing.
- Housing supply cannot be catered for within existing proposed allocations; Copford enjoys a wide range of facilities, including a primary school, church, public house and shop. It should be redesignated as a principal village.

CONCLUSION

13.34.1. Despite its small size, to my mind Copford Green has the feel of a true village, centred on The Green, in comparison with its more amorphous bigger neighbour to the north. Nevertheless, resulting from its small size, its designation should remain on the lowest rung of the settlement hierarchy. Because of its undoubted special characteristics, the core of the settlement is designated as a conservation area and the two sites in question about its boundary. Applying the test set out in section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990, I find that the development of these two open sites for housing of whatever variety would seriously harm the rural setting of this attractive small conservation area.

Indeed, the land adjoining 'Tintagel' partly lies within it. Even if, as the objector's agent asserts, there is a strong possibility of a housing supply shortage arising within the Borough as a whole, neither site should be released for this reason alone. Therefore, both objections should fail.

RECOMMENDATION

13.34.2. I recommend that no modification be made to the Local Plan.

13.35. POLICY H1, TABLE 4 & INSET C2 Inclusion of Land South of Manningtree Road, Dedham within Village Envelope

Objection

0631 / 01505

Mr T Moorhouse

KEY ISSUE

- The objection site lies immediately outside the village envelope for Dedham on the south side of Manningtree Road occupied by substantial farm buildings. It could be redeveloped as a brownfield site without causing any outward expansion of the village.

CONCLUSION

13.35.1. The boundary of the village at this point is very confusing in that it runs close to, but not conterminous with, the conservation area boundary, projecting further to its east in places and closer to the main built-up frontage onto Crown Street in others. Any development on the objection site would have to respect this designation. Conservation area consent would be required for any significant building proposed for demolition. Any new buildings and/or uses would have to demonstrate that they preserved or enhanced the character or appearance of the conservation area under section 72 of the Planning (Listed Buildings & Conservation Areas) Act. Moreover, similar regard would need to be paid under section 66 of the same Act with concerning the setting of nearby listed buildings and section 85 of the Countryside & Rights of Way 2000 in respect of the site's inclusion in the Dedham Vale AONB. Because of these various overlapping statutory layers of constraint, to my mind the precise location of the settlement boundary becomes almost immaterial. It is the question of which existing buildings to retain and which ones' replacement would enhance the appearance of the area in overall terms that are more important. To rationalise such arguments, it seems to me that the residential boundary should follow the conservation area boundary where the former is less generous to the objector at the objection site. The local planning authority has adopted a change of boundary with respect to former agricultural buildings on the periphery of another principal village, Abberton (see paragraph 13.6.3 above). For the sake of consistency, the Council should adopt the same approach and to that extent the objection should succeed. It does not, however, necessitate the wholesale demolition and replacement of all the present buildings on this sensitive site for the reasons set out earlier in this paragraph.

RECOMMENDATION

13.35.2. I recommend that the Local Plan be modified by the amendment of the village envelope to accord with the Conservation Area boundary where this is more generous in the area immediately to the south of Manningtree Road, Dedham.

13.36. POLICY H1, TABLE 4 & INSET D6 Proposed Housing Allocations, Dedham Heath

Objections

0240 / 00362	The Executors of A F Everett
0299 / 00486	F R Harrington
0400 / 00759	Mr R Von Gunten
0401 / 00761	Mr Robert Walmesley

KEY ISSUES

- Land on the south side of Long Road West opposite existing low-cost housing should be released to house young local people unable to afford general market housing.
- Land to the rear of ‘Sundowne’ on the west side of Heath Road should be released for housing. At the inquiry the objector promoted affordable housing for sale or rent subject to a section 106 agreement.
- Residential development of the land between ‘Blomfields’ and ‘The Cottage’ on the north side of Long Road East would maintain the pattern of development of large dwellings set in spacious plots in this part of Dedham Heath.
- Land on the north side of Long Road East to the east of its junction with Heath Road should be released to provide village housing to create a sense of place opposite the long established development on the south side of the road.

CONCLUSION

13.36.1. Dedham Heath is a small village with the boundary of the Dedham Vale AONB running east to west along the line of Long Road East and West. Three of the four sites therefore lie within the AONB, where the comparatively new consideration of section 85 of the Countryside & Rights of Way Act 2000, which post-dates these objections, has to be taken into account. Two of these sites facing Long Road East are essentially open countryside broken up by sporadic residential development. I am satisfied that their release for continuous or infill housing would not conserve or enhance the AONB’s natural beauty and, in accordance with the duty imposed upon me by section 85 of the 2000 Act, their residential development should not proceed. The third site on the west side of Heath Road is now proposed for rural affordable housing, which, according to Annex B of PPG3, should not be reserved on land allocated in the Local Plan to meet general housing needs. The same arguments apply to the fourth site on the south side of Long Road West, which lies outside the AONB. The objectors state that the land should make affordable housing available, which, in a rural setting, is most readily provided at sites on the edges of village envelopes that are not already earmarked for general market housing. For these reasons, none of these sites should be released for general housing development by making a specific housing allocation for any of them in the Local Plan.

RECOMMENDATION

13.36.2. I recommend that no modification be made to the Local Plan

13.37. POLICY H1, TABLE 4 & INSET E2 Proposed Housing Allocations, Bargate Lane/Long Road, Dedham

Objection

0402 / 00762
0562 / 01175

Mr Patrick Hogan
F John Bearman Grandchildren's Settlement

KEY ISSUES

- Extension of the ribbon of development on the east side of Bargate Lane to the south of Spring Cottage would expand the village envelope up to the defensible barrier of a mature hedge.
- The village envelope should be extended west along the north side of Long Road to consolidate the existing sporadic development on this side of the road without causing harm to its surroundings.

CONCLUSION

13.37.1. Although some of this settlement, to the south-west of the junction between Long Road and Bargate Lane, is outside the Dedham Vale AONB, both of these objection sites are firmly within it. Therefore, the same test under the Countryside and Rights of Way Act 2000 applies to both these sites in the same way as the three sites in Dedham Heath to the north of Long Road. The same form of sporadic development carries on to the east of objection sites 0400/00759 and 0401/00762. Indeed, if those two objections were allowed together with 0562/01175, this would bring about the coalescence of the collection of houses at the junction of Bargate Lane and Long Lane with Dedham Heath, which would be contrary to the requirement to conserve the AONB's natural beauty. Consequently, for the sake of consistency with my recommendations with regard to the comparable sites at Dedham Heath, the objection by F John Bearman's Grandchildren's Settlement must fail. The impact upon the AONB by expanding the village envelope by one house plot to the south of Spring Cottage by one house plot would be less severe. Nevertheless, I fail to see how such a proposal could pass the onerous test of section 85 of the 2000 Act of conserving or enhancing the natural beauty of the Dedham Vale AONB. As a result, the objection of Mr Patrick Hogan should not succeed either.

RECOMMENDATION

13.37.2. I recommend that no modification be made to the Local Plan.

13.38. POLICY H1 & TABLE 4 Proposed Housing Allocations, Meeting Lane, East Mersea

Objections

0579 / 01327
0592 / 01383
0692 / 01727

Mr G W Smyth
Mr G W Smyth
G D Moore

KEY ISSUES

- Doubts about large housing allocations and brownfield windfall land coming forward in and on the edge of the built-up area of Colchester/Stamway mean that sites such as these, which consolidate the small hamlet, at the junction of High Road and Meeting Lane,

would help to meet the likely shortfall in housing land supply during the Local Plan period.

- The Council accepts the principle of housing allocations away from the main urban area of Colchester/Stanway and public transport nodes with land designated in Tiptree, West Mersea, Great Horkesley, Peldon, Messing, Salcott and Great Wigborough. A similar approach to the three sites, the subject of these objections, would provide infill development with no impact on the open countryside, close to facilities in West Mersea and elsewhere on foot, by cycling or short car journeys. This would make this site equally sustainable as other housing allocations incorporated into the Second Deposit Version.

CONCLUSION

13.38.1. The three sites, the subject of these objections, relate to three plots of open and, in places, wooded, land on the west side of Meeting Lane either on the junction with High Road or to its north. Release of the land for housing would result in the extension of a small group of houses on the north side of High Road further east and the filling in of gaps in the scatter of housing on the west side of Meeting Lane as far north as a small sewage treatment works. There is an existing village envelope for housing within East Mersea towards the eastern tip of the island and shown on Inset Map E7. Although it has few facilities and is further away from the day-to-day requirements available in West Mersea than these sites, to my mind the settlement defined in Map E7 possesses a visual and physical cohesion, which, in my judgement, the locality of the objection sites lacks. I can see no sound reason why a further envelope should, *de facto*, be drawn about this isolated collection also. The question of the sites' release for housing could be assessed against the advice set out in paragraph 3.21 of PPG7, which states that sensitive infilling of small gaps of houses or minor extensions to groups may also be acceptable, though much would depend on the character of the surroundings and the number of such groups in the locality. Local Plan Policy H5 also allows for low-cost rural housing outside village envelopes if there is a proven local need and demand for the type of housing proposed. What is clear is that neither approach is dependent upon the identification of sites of these types through a Local Plan allocation. It would be improper for me to make observations upon their suitability under either of these tests. However, in these circumstances, I am not prepared to extend this isolated collection of houses in effect through the mechanism of the designation of a new Local Plan village envelope in an inappropriate location. No alteration to the Local Plan is recommended.

RECOMMENDATION

13.38.2. I recommend that no modification be made to the Local Plan.

13.39. POLICY H1, TABLE 4 & INSET C3(B) Proposed Housing Allocations, Eight Ash Green

Objections

0315 / 00546	Messrs R E, J & A Pulford
0591 / 01382	The Trustees of Mrs E E Smith/Persimmon Homes (Essex) Ltd
0628 / 01488	J W Chamley & Son

KEY ISSUES

- Land on the east side of Spring Lane to the north of Brick Street and to the south of Heath Road should be added to the village envelope as Heath Road is the logical northern edge to the settlement boundary on the east side of Spring Lane.

- It is asserted that too little housing land has been allocated in the Local Plan at Eight Ash Green. An area of land at Heathside Farm on both the north and south sides of Heath Road is indicated but no information regarding the volume of housing or its location is provided.
- Land on the north side of Halstead Road to the west of its junction with Spring Lane should be developed residentially providing about 80 houses in the visually less prominent low-lying north-east corner of the site adjoining the existing estate development at The Rise and The Walk. Eight Ash Green is designated as a principal village and boasts a significant range of facilities including a village hall, a primary school, two shops and a hairdressers, two pubs and a cricket ground and pavilion. It is also on a main road providing regular bus services to Colchester as a viable alternative to the private car. Residential development would also bring open space provision to the west of the housing, enhancement to the existing landscape/woodland and the possibility of the provision of a new village hall/car park/children's play area in the south-east corner of the site.

CONCLUSION

13.39.1. Eight Ash Green is a Principal Village and therefore a rural settlement where greenfield residential development may be said to be more appropriate than smaller villages and hamlets with fewer facilities and greater reliance on the private car for all means of transport. Paragraph 3.20 of PPG7 allows for new residential development to be allocated in villages in Local Plans in part to maintain local services but it also has to be well related in scale and location to existing development. To my mind Eight Ash Green has more of a suburban feel than other principal villages in the Borough, probably because of its proximity to the built-up area of Colchester/Stamway, and to that extent the residential developments proposed may be said to be appropriate. However, to my mind the most significant feature of Eight Ash Green/Choats Corner is the essentially undeveloped area of open land between the two distinct clusters with only an intervening random scatter of housing in Halstead Road on its northern side. I appreciate that the Persimmon Homes proposal for the Trustees of the late Mrs E Smith would occupy a relatively small part of the land in question, that it would be comparatively well hidden from the main road in a natural dip in the topography and that it could provide some benefits to the community at large. However, there are other objections on sites towards Choats Corner on land outside the objectors' control. If this large area were to be released it would be difficult, on the grounds of consistency, to resist these smaller proposals to the west also, so that the open space between the two settlements would be eroded to such an extent as to become ineffective in separating Choats Corner from Eight Ash Green. Since I consider that this would result in the irreparable loss of the main feature of Eight Ash Green then I am satisfied that the objection made by Persimmon Homes on behalf of the estate of the late Mrs Smith should not succeed, notwithstanding the community benefits on offer.

13.39.2. It was argued on behalf of Persimmon Homes that this expansion was acceptable as the fourth stage of the sequential test set out in Structure Plan Policy H2, which states that small-scale housing provision may be provided in small towns and villages at a scale consistent with local community needs as identified in adopted local plans. I do not look upon their proposals as small-scale in relation to the pattern of new housing in Eight Ash Green as a whole, where residential development in recent times has been on an incremental basis. These considerations apply with even greater force to the large area to the north of the Persimmon Homes proposal, put forward by J W Chamley & Son. Not only would it consolidate the gap between Eight Ash Green and Choats Corner with unrelieved development, it would swamp both settlements with new housing. The objection should fail.

Finally, paragraph 3.20 of PPG7 warns against development plan allocations at villages that give rise to ribbon development. The proposal by R E, J & A Pulford to extend the ribbon on the east side of Spring Lane onto the open land to the south of its junction with Heath Road would result in the consolidation of precisely the form of ribbon development denigrated by PPG7. As a consequence, this objection should fail also.

RECOMMENDATION

13.39.3. I recommend that no modification be made to the Local Plan.

13.40. POLICY H1, TABLE 4 & INSET E1 Proposed Housing Allocations, Abberton Road, Fingringhoe

Objections

0397 / 00756
0398 / 00757

Mr & Mrs C Trollope
Mr & Mrs C T Slowgrove

KEY ISSUES

- Land at Clay Barn Farm on the south side of Abberton Road at the western end of the settlement boundary should be released for housing. It would assist in providing a healthy school role at the primary school at Whalebone Corner and it could provide additional parking for the existing housing in Dudley Road where off-street parking is very limited.
- Land to the west of Colne View Cottages on the north side of Abberton Road at the western end of the settlement boundary could also assist in underpinning local services and give a greater range of housing stock in the locality.

CONCLUSION

13.40.1. The settlement enclosed by at Abberton Road, Fingringhoe is a long ribbon for the most part on the southern side of the road but on both sides of the road at its western end. The only significant development in depth is at Dudley Road, which provides an effective terminus to development on the south side of the road. The effect of these two proposals would be to prolong this linear settlement, which is considered to be minor only, even further west on both sides of the road. Paragraph 70 of PPG3 states that villages will only be suitable locations for accommodating housing where it can be demonstrated that additional housing will support local services such as schools. I have no firm evidence of this nature before me in support of these proposals. At the inquiry, the objectors for the Clay Barn Farm site made a firm case that they would provide cheaper housing for young people in the locality, who had otherwise been priced out of the market, on this uneconomic orchard. The most effective means of achieving this would be by means of 'rural exceptions' housing, but paragraph 4 of Annex B to PPG3 states that it would be inappropriate to identify particular sites and allocate them for this form of affordable housing in the Local Plan. In these circumstances, the proposed allocation on the south side of Abberton Road should not proceed, even if it assisted in relieving parking congestion in Dudley Road. A similar allocation on the north side of the road would also extend this isolated ribbon of residential development even further west and should be resisted. For these reasons, I recommend that both objections should not succeed.

RECOMMENDATION

13.40.2. I recommend that no modification be made to the Local Plan.

13.41. POLICY H1, TABLE 4 & INSET D10 Proposed Housing Allocations at High Park Corner, Fingringhoe

Objections

0406 / 01329	Mr T Vaughan
0638 / 01528	Mr J Cock
0638 / 01529	Mr J Cock

KEY ISSUES

- Land on the north side of Ballast Quay Road should be added to the High Park Corner settlement envelope. A planning permission granted in 1991 allowed for the erection of two dwellings and these have been included within the revised village envelope. If this allocation were made, an additional house would be provided, together with a landscaped buffer that would provide an effective stop to development in this part of the village.
- Land on the south side of Abberton Road between Whalebone Corner and High Park Corner can be released for housing as a natural extension of the collection of dwellings to its west.
- Land on the south side of Brook Hall Road, in front of Holmwood Farm can be released for housing to make better use of village facilities. At the inquiry, three schemes were put forward as alternatives, two plots on each side of the entrance to Holmwood Farm and a third scheme involving the construction of housing along the south side of Brook Hall Road.

CONCLUSION

13.41.1. High Park Corner has greater depth than the Abberton Road ribbon at Fingringhoe but that does not mean that any of these proposed allocations should succeed. I am not in a position to investigate the reasons why two houses were granted planning permission in the early 1990's on the north side of Ballast Quay Road beyond the eastern limit of the then village limit. I also agree that these new houses provide a rather raw edge to the new settlement limit now shown on the revised village envelope. However, I do not consider that the erection of yet another dwelling to the east is justified as it would amount to further outward expansion of the settlement at the expense of open land and opposite attractive rolling countryside. I reach this conclusion even if a landscaped buffer to the eastern boundary of the proposed additional plot were to be provided. The land on the south side of Abberton Road is well beyond the High Park Corner settlement boundary, being sited to the west of the westernmost property within the village envelope, which is on the north side of the road. Its development potential could be tested against the advice in paragraph 3.21 of PPG7, that minor extensions to existing groups of houses in the countryside may be acceptable, depending on the character of the surroundings. However, favourable consideration of this approach should not be anticipated by allocating this site for residential purposes in the Local Plan.

13.41.2. The matter of new housing, both on single plots and along much of the Brook Hall Road frontage of Holmwood Farm, came before the Inspector during the 1991 inquiry into the current adopted Local Plan when he found that such development "*would be markedly out of place.*" To my mind there have been no changed circumstances that cause me to disagree with my colleague's robustly stated opinion. The open land with its row of lime trees still maintains an attractive appearance to the road and the trees' future would remain seriously compromised by new housing. Moreover, the open setting of the listed

building at Holmwood Farm would be lost, harming not just the listed building but also the character of the area as a whole. Consequently, this proposed allocation should not proceed.

RECOMMENDATION

13.41.3. I recommend that no modification be made to the Local Plan.

13.42. POLICY H1, TABLE 4 & INSET D7 Proposed Housing Allocations, Fordham

Objections

0111 / 00142	Mrs Barbara Carter
0449 / 00891	British Telecommunications Plc
0558 / 01163	Kleinwort Benson Trustees Ltd
0558 / 01164	Kleinwort Benson Trustees Ltd

KEY ISSUES

- More housing on a small-scale should be permitted in Fordham to ensure that the remaining community facilities survive and to provide a new village hall.
- Fordham should be reclassified as a principal village. The provision of 130 homes over time at Ponders Road to the west of the main body of the village and at a later date Church Road to its east would provide a population base that would sustain improved public transport, an additional village green and improved landscaping to the village settlement boundary. With the sites under one ownership, there would be no obstacle to the development coming forward during the current plan period, unlike the few large housing allocations in Table 4 upon which the Council places too much reliance upon meeting Structure Plan supply requirements.
- The settlement boundary should be amended to include Fordham Telephone Exchange to the rear of housing on the west side of Plummers Road.

CONCLUSION

13.42.1. Mrs Carter does not indicate where the modest additions to the built-up area of Fordham should be. In the absence of any specific indication regarding their location, I am not able to take her objection any further. However, it appears to have been submitted as something of a reaction against the proposals put forward by Kleinwort Benson Trustees Ltd. I too have some reservations about over-reliance on The Garrison in particular being able to make its full contribution of 1,600 units by the end of 2011. However, this does not mean that a comparatively isolated settlement such as Fordham should be expected to make up any shortfall. Even if Fordham were reclassified as a principal village, this does not make housing provision on this scale acceptable. There are eight principal villages designated in Table 3 and only one, Great Horkesley, is expected to provide housing on a significant scale and then only in conjunction with very considerable deliverable community benefits. I make it clear, at paragraph 13.5.4 above, that I expect villages to provide additional housing on more than an incremental basis only where special local conditions provide for this possibility. This approach accords with the advice in paragraph 69 of PPG3, which states that in terms of overall housing provision, only a limited amount of housing can be expected to be accommodated in expanded villages.

13.42.2. Paragraph 3.20 of PPG7 states that the pattern of new housing in the countryside should be determined through the development plan process and should be well-

related in scale and location to existing development. Several housing estates were added to the southern end of Fordham in the post-war period. Although they have been in existence for several decades and they are properly included within the village envelope, to my mind these estates have still not been visually assimilated into this settlement, as they provide a harsh urban edge with the open countryside for this prominent hilltop village. Even with some more substantial landscaping, I consider that the same criticisms could properly be levelled at further estate development at the two objection sites. For these reasons, these objections should not succeed, as they would be out of scale with their surroundings and in the wrong place.

13.42.3. Different considerations apply at Fordham Telephone Exchange. The Council describes these premises as a greenfield site. It is wrong. Annex C to PPG3 describes previously-developed land that is occupied by a permanent structure (excluding agriculture or forestry buildings) and associated fixed surface infrastructure. The definition covers the curtilage of the development and may occur in rural settings. The telephone exchange is a permanent structure in a rural setting that is not used for agriculture or forestry. It has a fixed infrastructure and clearly demarcated curtilage, and its redevelopment for housing would fall within the priority given to the use of previously-developed land, which is the cornerstone of this government advice. The Council also objects to the extension of the village envelope as encouraging undesirable backland development. The telephone exchange is already in a backland position *vis-à-vis* the housing on the west side of Plummers Road. It may be that this commercial development gives rise to a greater erosion of amenity to residents of the dwellings facing Plummers Road than well-designed replacement housing. In any event, site 9 of Table 4, one of the 'Brownfield Study' sites, relates to backland residential redevelopment, advocated by this Local Plan, of BT premises behind a ribbon of houses off Cowdray Avenue, Colchester. For the sake of consistency, the Council should adopt the same approach for the much smaller BT site at Fordham.

RECOMMENDATION

13.42.4. I recommend that the Local Plan be modified by the amendment to the settlement boundary to the rear of properties facing the west side of Plummers Road, as shown on Inset Map D7, to incorporate Fordham Telephone Exchange.

13.43. POLICY H1, TABLE 4 & INSET D8 Proposed Housing Allocations, Ford Street

Objections

0295 / 00473	Mr & Mrs P M Daines
0351 / 00670	Mr L Watts
0409 / 00782	Mr Colin Browne
0574 / 01320	Mr Council Ling

KEY ISSUES

- The former Aldham Garden Centre in New Road should be added to the Ford Street village envelope. This would facilitate its redevelopment for terraced residential development including a village post office/shop.
- Land adjoining Friars House, Halstead Road and at Friars Farm Kennels should be added to the village envelope. There has been recent residential development permitted on the east side of Halstead Road, the open land is incapable of economic farming and well-

designed residential development would constitute natural infilling between two existing dwellings, thereby enhancing the appearance of the conservation area.

- Open land on the west side of Halstead Road north of the River Colne should be included within the village envelope. Retention of the trees on the highway frontage would ensure that any residential development would blend satisfactorily into the conservation area.

CONCLUSION

13.43.1. The village envelope at Ford Street is divided into two separate groups, one on the east side of the A1124 Colchester-Halstead road to the north of its crossing of the River Colne and one on both sides of the main road to the south of the bridge, which is the principal feature of the settlement. A conservation area has been designated encompassing the two settlement boundaries, the river crossing and much open and semi-open land around them. All of the objection sites lie within the conservation area but outside the two settlement boundaries. From this it can be deduced that the open and semi-open land plays as important a role in the character of this particular conservation area as does the quality of its built environment. These considerations should determine the fate of these objections.

13.43.2. Section 72 of the Planning (Listed Buildings & Conservation Areas) Act requires the decision-maker carrying out any functions under the planning Acts to pay special attention to the desirability of preserving the character and appearance of this conservation area. Having determined that in this conservation area its open land can be considered as important as its built form, the impact of residential development of these objection sites on the character and appearance of the conservation area as a whole must be considered paramount. The joint objection site of Mr Ling and Mr Watts adjoins the northern end of the northern envelope, while the former garden centre abuts the southern boundary of the southern envelope. It may be that some form of replacement residential development for these sites may satisfy the test set out in section 72 but I am not in a position to carry out such an exercise. What I am not prepared to do is sanction an enlargement of these envelopes to the north and south, thereby giving a presumption in favour of a form of residential development that could harm the overall character and appearance of the conservation area. The land to the north remains essentially open in character and I do not feel able to permit the wholesale loss of such land when it lies within a conservation area designated to include the spacious surroundings to its developed area. The land to the south abuts important listed buildings and I would not wish to enable the erection of development that could be seen to have an adverse impact upon their setting. Therefore, the objections of Mr and Mrs Daines, Mr Watts and Mr Ling should all fail. These considerations apply with even greater force to Mr Browne's land. The open setting of the River Colne crossing is visually the most significant feature of this linear village and anything that would erode that openness should be discouraged. Consequently, I do not recommend that his objection should succeed.

RECOMMENDATION

13.43.3. I recommend that no modification be made to the Local Plan.

13.44. POLICY H1, TABLE 4 & INSET C5 Housing Allocation on Land at Tile House Farm, Great Horkesley

Objections

0103 / 00134	Mr & Mrs Wilson
0199 / 00268	Mr C Ince
0199 / 01112	Mr C Ince
0215 / 00289	Mr K Warner
0217 / 00291	Mr & Mrs Sessions
0233 / 00339	Mr D Bell
0238 / 01420	George Wimpey Plc & Booker Plc
0242 / 01388	Landmatch Ltd (prev. Lafarge)
0303 / 00490	Mrs J Bell
0326 / 00576	T D Kilfeather
0330 / 00586	The Governing Body of Bishop William Ward Primary School
0369 / 00691	Mr P J Newell
0445 / 00882	Mrs J Butcher
0448 / 00889	Mr J Shannon
0452 / 00943	P A Summers
0463 / 00942	S M Knight
0464 / 00944	S A Knight
0465 / 00945	E M Summers
0467 / 00947	M K Kilfeather
0468 / 00948	Mrs M James
0469 / 00949	Mr C James
0470 / 00950	Mr A James
0471 / 00951	Mrs J James
0472 / 00952	Mrs W James
0473 / 00953	Mrs F Garrad
0474 / 00954	Mr T Martin
0475 / 00955	Mr P R Davies-Evans
0476 / 00956	Mr L James
0477 / 00957	Mrs J E Woods
0478 / 00958	Mr R J Woods
0479 / 00959	Mrs B Parker
0480 / 00960	Mr N Parker
0481 / 00961	Mr K Sessions
0482 / 00962	Mr D J Arnold
0483 / 00963	Mr A Martin
0484 / 00964	Mr P T Nutter
0485 / 00965	Mrs E Jones
0486 / 00966	Mrs D Sessions
0508 / 01040	J Newell
0523 / 01061	Mr S F Perry
0523 / 01062	Mr S F Perry
0550 / 01143	Mr M D Hewitt
0569 / 01258	Cants of Colchester/James Bartholomew Trust
0570 / 01270	Marconi Property Limited
0597 / 01397	Mr John Peartree
0600 / 01651	Bellway Estates
0602 / 01405	Countryside Strategic Properties Plc
0604 / 01408	Stanway School/Persimmon Homes
0616 / 01445	L H Barton
0636 / 01526	Mr & Mrs Goodfellow
0664 / 01642	Mr & Mrs B G Middleditch
0665 / 01643	Mrs M Hodson
0666 / 01644	Robin Hodson
0635 / 01524	Ms Lucy Wood
0674 / 01675	Mr & Mrs J E Runnacles

KEY ISSUES

- Great Horkesley is no more than a large village with limited facilities, poor public transport links and an overstretched primary school. Expanding the village onto a greenfield site where new residents would be dependent on the private car for the vast majority of their journeys would be inherently unsustainable. The allocation should be deleted and the total housing product should be transferred to other sites proposed on edges of urban areas and/or public transport nodes that are inherently more sustainable by being better placed to employment opportunities and other urban facilities in Colchester and elsewhere.
- The proposed housing element is far more than is required for locally generated needs and it will result in the loss of open countryside. The general market housing element is more appropriate to an urban or edge-of-town setting, rather than giving rise to the considerable expansion of a rural settlement, thereby harming the village's distinctiveness. The element of affordable housing is more than is required to meet local needs. The housing requirements are only justified by the associated planning gains, which are insufficient for this large quantum of housing, which would swamp the existing village, which currently has a clearly defined edge formed by Coach Road, and would harm the amenities of existing residents adjoining the land by reason of overlooking, noise and loss of outlook. In any event, the proposed community hall is likely to prove inadequate.
- Use of the proposed open space element will give rise to noise and disturbance for occupiers of existing adjoining housing and will disrupt the important wildlife habitat in the adjoining area of woodland/lake known as Aldercar Wood.
- No adequate secondary school, health facilities or shopping are within easy reach of the site. This will increase car dependency, especially for the 'school run'.
- The development of the site would result in the loss of best and most versatile farmland.
- Traffic generated by the additional housing and other proposed uses would overload the already congested junction of Coach Road with the A134 Colchester-Sudbury main road. The likelihood is that much of this private vehicle traffic will travel through the narrow roads of the village, with consequent disturbance to existing residents and conflict with cars parked in connection with Bishop William Ward Primary School, in endeavouring to reach Colchester North main railway station and the town centre. A direct access onto the A134 at Blacksmith's Corner would be preferable.
- The additional housing on this site will increase pressure for more classrooms to be erected at Bishop William Ward Primary School, thereby reducing the amount of usable playing facilities around the school.

CONCLUSION

13.44.1. Rather surprisingly, considering its location in a principal village rather than the sub-regional centre or even a local urban centre, this is the largest greenfield housing allocation that is new to the Second Deposit Version of the Local Plan, as opposed to others inherited from its predecessor. Objections to it can be broken down into two distinct categories. The first is from local residents and from supporters of other housing allocations, who claim that it is unsustainable in principle to permit housing on this scale on good quality farmland on the edge of a small settlement, no matter what other gains may be provided to the community at large. The second is from local residents objecting essentially to matters of detail over relationships between the various proposed uses on the site to adjoining housing

and wildlife habitats, access points and traffic arrangements, and the provision of new schooling. All of these matters, while important in themselves, are considerations that will need to be looked at in more detail in the production of further planning briefs and/or planning applications. For the purposes of the Local Plan, the principle of releasing housing on this site has to be examined in the light of the sequential test set out in PPG3 of March 2000 and other government advice, and setting that against the proposed benefits to the community of Great Horkesley that would be put into effect by the requirements listed in Table 4.

13.44.2. Paragraph 3.19 of PPG7 says that new housing will be required in rural areas and that many villages can accommodate modest development without damage to their character or the countryside. Paragraph 3.20 goes on to say that the pattern of new development, to be determined through the development plan process, should be well related in scale and location to existing development. On the strength of this advice, I find that, if the proposed allocation is broadly in keeping with the scale and character of the existing settlement, then development can proceed. However, paragraph 30 of the more recent PPG3 sets out the search sequence for identifying housing allocations in local plans starting with the re-use of previously-developed land within urban areas, then urban extensions and finally around nodes in good public transport corridors. This development of a greenfield site on the edge of a village clearly does not fall within the first two categories, while I do not consider that Great Horkesley's siting on bus routes, providing an indifferent service that is unlikely to improve as a result of this development, amounts to a node of development on a good public transport corridor. This housing allocation, therefore, singularly fails the sequential test of paragraph 30. However, it may be able to proceed if it satisfies some or all of the criteria set out in paragraph 31 of the PPG against which local planning authorities are meant to test the potential and suitability of sites for housing allocations in Local Plans.

13.44.3. Colchester enjoys the benefit of a number of previously-developed sites becoming available for housing release, either inherited from the current Local Plan or more significantly new allocations, notably at The Garrison and Severalls Hospital. The local planning authority can therefore afford to be selective in its greenfield allocations and still achieve a 60% target of recycled land for new housing during the current Local Plan period. In these circumstances, I am satisfied that the local planning authority can eschew the urban expansion scenario for the balance of all of its greenfield allocations if it finds that there are particular advantages in finding such sites elsewhere. In the particular state of affairs to be found in Colchester, I do not find that release of this specific greenfield site would necessarily undermine the bringing forward of previously-developed land for housing purposes. Although Great Horkesley is served by buses, I consider that it would be unrealistic to expect the vast majority of journeys to and from the proposed development to be carried out at least in part by private car. However, Great Horkesley is reasonably well placed for links by private vehicle to Colchester North main railway station, to be improved by the opening of Phase II of the Northern Approaches Road, under construction at the time of writing this report. In addition, there is a reasonable prospect, during the lifetime of this Local Plan, that the northern terminal of a regular park-and-ride bus link to the town centre will be provided at Cuckoo Farm, a short distance to the south of Great Horkesley. To my mind this is likely to be a new public transport facility which could reduce car dependency for the bulk of journeys to town centre shopping and services and some employment. To that extent the second criterion of paragraph 31 can be said to be met.

13.44.4. Evidence on the capacity of existing and potential infrastructure is mixed. Potential improvements to public transport have already been discussed in the preceding paragraph and the only other evidence I have before me under this heading concerns Bishop

William Ward Primary School. The Governing Body of the school objects to new housing requiring new school classroom facilities, thereby undermining its own open land. Requirement 1 of Site 15 in Table 4 is an extension to the Primary School. Policy CF7 of the Second Deposit Version wanted an extension to Bishop William Ward Primary School but the Council now no longer expects site specific requirements for new school facilities. In its evidence to the inquiry on this point, the Council said that the local education authority no longer considers that extra facilities will be required at this school, presumably with or without the additional housing provided by this allocation. Taking all of this into account, I find that there is no additional burden to be put on the existing and potential infrastructure that would prevent this allocation from coming to fruition. However, should it proceed Requirement 1 will require amendment to be consistent with the rest of the plan. I recommend the addition of the words "*if required*".

13.44.5. The ability to build a community is to mind the prime reason for releasing some of this land for housing. Great Horkesley/Horkesley Heath has expanded greatly over the last thirty years but no real centre of community focus has been provided for a population in excess of 2,000 inhabitants. The requirement to provide the site for a village hall and open space in a settlement where none exists at present are powerful indicators that a proper focus for village life can be created. The additional requirement of car parking for St John's Church also adds to community benefit. It may also be said that the provision of 20% of social housing may be a community requirement. What is not clear is why this figure is significantly less than the 25% of Policy H4 of the Second Deposit Version, which increased the target figure of affordable housing from the 20% of the First Deposit Version. Because of the higher general figure of the policy, I recommend that if the allocation is acceptable in principle, Requirement 4 be deleted as being less onerous than other sites allocated for general market housing, without any reason being given.

13.44.6. The only serious physical and environmental constraint on the land, of which I am aware, is the presence of Grade 2 farmland, which places this site in the category of best and most versatile agricultural land. The wildlife potential of the adjoining Alder car Wood is also referred to by many local objectors, but, as it is not subject to any of the official habitat designations recognised by this plan, this is not a matter to which I can accord much weight. Paragraph 2.17 of PPG7, as amended by ministerial statement of 21 March 2001, states that development of greenfield land, including the best and most versatile agricultural land, should not be permitted unless opportunities have been assessed for accommodating development on previously-developed sites and on land within the boundaries of existing areas. I am satisfied that exercise has already been carried out for the reasons set out in paragraph 13.44.3 above. Paragraph 2.18, similarly amended, goes on to say that local authorities planning to allow the development of greenfield land, where soil or agricultural quality is a consideration, should seek advice from the Ministry of Agriculture, Fisheries & Food (MAFF – now DEFRA) and from other relevant bodies as appropriate. The Council sought the views of the former MAFF who raised no objection in principle to the loss of this best and most versatile land and I am not in a position to overturn this expert government advice. I therefore find that there are no serious physical and environmental constraints on the land.

13.44.7. In summary, I find that the five criteria for allocating housing sites in local plans in paragraph 31 of PPG3 are either adhered to or not seriously breached by the proposed allocation at Tile House Farm, Great Horkesley. The issue is finely balanced but it seems to me that the very considerable community gains of a village hall site and open space provision just outweigh the somewhat dubious sustainability credentials of a greenfield housing development on high grade farmland on the edge of a village that is likely to remain largely dependent on transport by private car. Because there is an existing pattern of residential

estate development characterising much of Great Horkesley/Horkesley Heath, I do not find this type of housing to be out of character with the rest of the settlement and the advice in paragraphs 3.19 and 3.20 of PPG7 is not breached. On that basis, I am prepared to accept the allocation of this land in part for housing purposes and I recommend accordingly below, subject to the amendments referred to in paragraphs 13.44.4 and 5 above. However, that is not the end of the matter. Requirement 6 for site 15 in the Second Deposit Version stipulates that arrangements on the site are to be the subject of a development brief drawn up by the Borough and Parish Councils, local residents and the proposed developer. The punctuation of this requirement, as set out in the Second Deposit Version, leaves something to be desired and I suggest it takes the form set out in the preceding sentence to make sense. However, this remains a crucial part of the exercise as the volume of Local Plan objections from local residents to this allocation makes clear. It is unlikely that all of their detailed objections would be satisfied by this procedure but several raised at the Local Plan stage may be taken on board to reduce the traffic impact in particular.

13.44.8. Finally, the potential impact of recent government directions should not be forgotten. The site may avoid the Town and Country Planning (Residential Development on Greenfield Land) (England) Direction 2000, as it would involve the provision of less than 150 houses on less than five hectares net of greenfield housing land. However, it could well come under the scrutiny of The Town and Country Planning (Residential Density) (London and South East England) Direction 2002, which came into effect on 2 December 2002 and which requires development of residential land in excess of one hectare in area in Colchester to be developed at less than 30 units per hectare to be forwarded to the Office of the Deputy Prime Minister for assessment. Development of 90 houses on more than three hectares of housing land may well fall into that category. Alternatively, developing at a density in excess of 30 units per hectare, while at the same protecting the amenities of existing adjoining residents, such as privacy, and creating a built form in keeping with the rest of the settlement, could call upon reserves of considerable design skills.

RECOMMENDATION

13.44.9. I recommend that the Local Plan be modified in Site 19 of Table 4 by the addition of the words "*if required*" to Requirement 1 and by the deletion of Requirement 4.

13.45. POLICY H1 & TABLE 4 Proposed Housing Allocation, Boxted Church Road, Great Horkesley

Objections

0637 / 01527

Mr M J Lister

KEY ISSUES

- Great Horkesley is designated as a Principal Village with excellent links to Colchester North railway station and town centre.
- Boxted Church Road forms the southern boundary of the Dedham Vale Area of Outstanding Natural Beauty. Including the existing ribbon of development on the south-east side of the road and permitting say three houses on the north-west side of the road in the grounds of March Cottage would create an improved gateway into the AONB.

CONCLUSION

13.45.1. Great Horkesley may be designated as a principal village by Table 3 but paragraph 69 of PPG3 states that only a limited amount of housing can be expected to be accommodated in expanded villages. The housing designation at Tile House Farm would enlarge Great Horkesley's stock by more than 10%, a significant addition. In these circumstances, any other proposed allocations at Great Horkesley should be subject to special scrutiny, whatever their size. The land to be included in this proposed designation is well to the north of the main residential area of Horkesley Heath/Great Horkesley. The ribbon of development on the south-east side of Boxted Church Road lies outside the Dedham Vale AONB, while the more open area on the north-west side, including March Cottage, which the objector owns, is within this statutory designation. Consequently the two sides of the road are subject to different policies of national, not just local significance. Under section 85(1) of the Countryside and Rights of Way Act 2000, in exercising any functions so as to affect land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving or enhancing the natural beauty of the area of outstanding natural beauty. I am satisfied that I am person acting on behalf of a Minister of the Crown and therefore a relevant authority for the purposes of this section. I am being requested to facilitate residential development to take place on both sides of Boxted Church Road, whether or not the land is within the Dedham Vale Area of Outstanding Natural Beauty. If I were to do so, I would be in breach of the duty under section 85(1) of the CROW Act if I thought that the quality of the more open landscape on the north-east side of the road were higher than that of the built-up frontage on south-west side. I consider that it is. For that reason alone, if for no other, this objection must fail.

RECOMMENDATION

13.45.2. I recommend that no modification be made to the Local Plan

13.46. POLICY H1, TABLE 4 & INSET D9 *Proposed Housing* ***Allocations, Great Tey***

Objections

0108 / 00139	Alderman R W R Browning
0293 / 01742	Michael Howard Homes
0293 / 01743	Michael Howard Homes
0425 / 00859	Chelmsford Diocesan Board of Finance

KEY ISSUES

- Land on the east side of Brook Road should be allocated for housing. It lies opposite an existing ribbon of residential development, thereby rounding off development, it adjoins the conservation area and is within the 30mph speed limit for the village. All mains services except gas are available and the site is close to the main village facilities.
- Land north of The Street and east of New Barn Road should be allocated for housing. The additional housing would encourage greater use of village facilities such as the shop/post office and primary school. Bounded by The Street to the south, New Barn Road to the west and existing residential estate development to the east it would have clearly defensible boundaries and would not set a precedent for other less desirable additions elsewhere in the village. New open space and pedestrian links to the rest of the village would be provided.

- Part of Warren Farm to the south of The Street could be used to provide workbase homes. By providing homes and employment in the countryside, the question of reliance upon the car for journeys to and from work is overcome. At the same time, the additional population would be likely to increase patronage of local shops and other village facilities, thereby securing their survival.
- Land on the east side of Chapel Road to the south of its junction with Moor Road lies within the conservation area and the land should be developed residentially with sympathetically designed housing to enhance its appearance. Public transport is available in the form of buses to Marks Tey and Colchester.

CONCLUSION

13.46.1. Great Tey is an attractive small village one mile to the north of the A120 Colchester-Stansted Airport main road. Its present residential boundaries are clear-cut on the ground, except perhaps on its southern side where it is adjoined by the complex of structures at Warren Farm. The conservation area takes in the south-eastern portion of the village but includes some countryside on the east side of Chapel Road, including one of the objection sites. Because of its small size and comparative remoteness, I can see no sound reason for any of these proposals at Great Tey to succeed. The land on the east side of Chapel Road is open countryside within the conservation area and is included within that designation to emphasise the importance of the rural surroundings as an integral part of the conservation area. A residential allocation would, in my opinion, destroy that delicate balance and should not be permitted.

13.46.2. Land on the east side of Brook Road came before the last inspector when he found that duplication of the existing ribbon on the west side of the road would be a very prominent feature at the main entrance to the village and appear very intrusive in the otherwise open and attractive approach to the village centre whose attractive core would be seriously harmed. There have been no changes in the meantime for me to take a different stance. For the reasons stated so clearly by my colleague, this objection must fail once more. A similar situation also pertains at land to the east of New Barn Road. On the occasion of the previous Local Plan inquiry, the Inspector found that the existing housing estate was well shielded by hedgerows on the east side of New Barn Road, whereas no amount of landscaping would be able to screen the far greater visual intrusion of new development up to the highway. In the meantime, the hedgerows have grown taller so that the adverse visual impact of new housing extending west to New Barn Road would be even more dramatic. The previous Inspector did not regard New Barn Road and The Street as logical and permanent development limits and neither do I. The western extent of the built-up area of Great Tey should stay as shown on the village envelope on Inset D9. I reach the conclusion that it would be wrong to permit housing on this site despite the offer to provide open space and community use on the land to the north.

13.46.3. Rather different considerations apply to the workbase home proposals for Warren Farm. Partly as a result of representations made on behalf of this farm, I recommend, at paragraphs 14.15.3 and 5 below, that the Council adopts a more relaxed attitude towards the re-use of farm complexes for alternative commercial activities, especially on the periphery of villages. However, in making that recommendation, I am also very much influenced by the revisions to PPG7 made by ministerial announcement dated 21 March 2001, which introduced new paragraphs 3.4A and 3.4B concerning farm diversification. These paragraphs allow for the redevelopment of existing farm buildings in some circumstances to provide new structures within farm complexes for non-agricultural commercial uses. However, this advice is silent on the question of whether residential accommodation in association with new workplaces on

farms can ever be appropriate. In the absence of any specific advice on this point, or in Annex C on farm diversification, I take the view that it is not. The general approach in the PPG and in the Local Plan as a whole is that new housing in the countryside is to be discouraged unless required for agriculture or forestry. The siting of this allocation for workbase homes is clearly within the farm complex and must therefore be considered part of the countryside rather than the village. In these circumstances, it would seem to me to be wrong to make a specific allocation for workbase homes at this site. This may not altogether preclude such an approach being adopted, depending on the nature of the proposal, but it should not be the subject of a specific designation within the ambit of this Local Plan. Therefore, the objection should fail.

RECOMMENDATION

13.46.4. I recommend that no modification be made to the Local Plan.

13.47. POLICY H1, TABLE 4 & INSET E9 Housing Allocation, Land adjoining 'Marels', School Lane, Great Wigborough

Objections

0046 / 00053	Mr D McCarthy
0209 / 02270	Mrs C Chivers
0570 / 01963	Marconi Property Limited

KEY ISSUES

- The First Deposit Version omitted the land to the south of 'Marels' on the west side of School Lane from the village envelope for Great Wigborough. In response to the objection from Mr McCarthy, the site was included in the Second Deposit Version as a housing allocation for one house, subject to a requirement that a lay-by be provided to allow traffic to pass.
- Mrs Chivers and Marconi Property Ltd objected to this allocation on the basis that sites in West Bergholt and East Colchester were more suited to residential development.

CONCLUSION

13.47.1. The residential allocation involves the southward expansion of the isolated small village of Great Wigborough's envelope on the west side of School Lane at the expense of open garden land. There have been earlier planning appeals for residential development on this site, which have been dismissed by Inspectors on the basis that such development amounted to an unwarranted expansion of an isolated settlement. I am inclined to agree with my colleagues on this point. However, planning permission has already been granted for this development, presumably with provision to secure a new lay-by/passing place in this narrow country lane. In these circumstances, there seems to be little point in placing any further obstacles to the incorporation of this site within the settlement boundary.

RECOMMENDATION

13.47.2. I recommend that no modification be made to the Local Plan.

13.48. POLICY H1, TABLE 4 & INSET E10 Inclusion of Land at Hardy's Green within the Village Envelope**Objection**

0146 / 00200

Mr B Regan

KEY ISSUES

- Some development should be permitted in Minor Villages (Class E of the Settlement Hierarchy in Table 3). Only two new houses are allocated in such settlements, one apiece at Salcott and Great Wigborough. More should be provided to reflect the existing population distribution in the Borough and Hardy's Green is another minor settlement capable of providing more similar units.
- The land to the west of 'Oak Stores' on the south side of the highway is of little landscape value. It is not subject to any specific constraints and is opposite 'Hellen's Cottage', which marks the proper western extremity of the settlement. The site can therefore accommodate two more houses comfortably on the western fringe of the hamlet in keeping with development to its east and opposite.

CONCLUSION

13.48.1. Following the sequential test of paragraph 30 of PPG3, residential allocations, comprising additions to small settlements with little or no facilities, onto greenfield land rank at the lowest rung of the ladder. The Council may have allowed additions of single houses to other minor villages but for the most part these are to be discouraged as resulting in the encouragement of an unsustainable dispersed pattern of development. Certainly the plot at Salcott is more satisfactorily contained within the village than this proposal, as 'Hellen's Cottage' is to my mind an isolated house on the north side of the road, with which this allocation could align, rather than the terminal stop to a continuous row of development. Whilst I am not especially happy with the other allocation to a minor village at Great Wigborough, it has the merits of providing a passing place in a narrow country lane. No similar facility is on offer here. Residential development on the edge of a village envelope may be acceptable under the terms of Policy H5, the 'rural exceptions' affordable housing policy, but this presupposes that the development does not fall within the identified limits of a village. For this reason, it is not recommended the settlement boundary to Hardy's Green be extended to encompass the objection site.

RECOMMENDATION

13.48.2. I recommend that no modification be made to the Local Plan.

13.49. POLICY H1 & TABLE 4 Proposed Housing Allocation, Heckford Bridge

Objection

0668 / 01657

Mr P J Pentney

KEY ISSUE

- Heckford Bridge is a cohesive settlement incorporating a public house and residential properties and speed limits on the B1022 Colchester-Maldon road define the extent of its built-up area. It is therefore deserving of a village envelope, which would bring about the release of infill plots to the north and south of 'Redlands' on the west side of the road.

CONCLUSION

13.49.1. At paragraph 13.99.2 below, I recommend the deletion of Policy H10 and its supporting paragraphs, in accordance with Proposed Change 159. This would bring about the deletion altogether from the Local Plan of settlements, such as Heckford Bridge, identified in Class E of Table 3 but without an Inset Map incorporating a village envelope. At paragraph 13.99.1, I suggest that the approach set out in paragraph 3.21 of PPG7 be employed instead for these minor settlements. This states that sensitive infilling of small gaps within small groups of houses, or minor extensions to groups, may also be acceptable, though much would depend on the character of the surroundings and the number of such groups in the area. It would be wrong for me in a Local Plan to indicate whether I consider the proposed infilling to the north and south of 'Redlands' complies with this approach. Therefore, I shall make no further comment and the matter can be determined on its individual merits. No housing allocation will be made and the objection fails.

RECOMMENDATION

13.49.2. I recommend that no modification be made to the Local Plan.

13.50. POLICY H1, TABLE 4 & INSET D11 Proposed Housing Allocation, Langham Moor

Objection

0697 / 01746

Mr K Dilliway

KEY ISSUE

- Land on the west side of Langham Lane between Chaplin's Farmhouse to the north and Maltings Farm to the south could be released for housing. It is close to the southern extremity of the Langham Moor village envelope, it is no longer farmed, it is well placed for easy commuting to Colchester with a good access onto the A12 and it could therefore be released for low-cost affordable housing.

CONCLUSION

13.50.1. Langham Moor is a comparatively isolated small settlement where the occupiers of any new housing are likely to be highly dependent on the private car for all trips. The objectors claim that they could provide affordable housing on this site. However, Policy H5 precludes the identification of housing for 'rural exceptions' on specific allocations in the Local Plan. Moreover, that policy also requires the affordable housing to abut the existing village envelope, whereas to my mind there are significant gaps of mainly open land between

the objection site and the closest dwellings included within the defined settlement boundary. For these reasons, I consider that this flat open field should remain in its present state and the objection should not succeed.

RECOMMENDATION

13.50.2. I recommend that no modification be made to the Local Plan.

13.51. POLICY H1, TABLE 4 & INSET D15, Proposed Housing Allocations, St Margaret's Cross, Langham

Objections

0073 / 00085	Mr D L Elmer
0074 / 00086	Mrs Christina A Elmer
0104 / 00135	Mrs J Reynolds
0350 / 01511	Bovis Homes Ltd
0639 / 01530	Mrs R J Morrison

KEY ISSUES

- By extending the village envelope eastwards on the north side of Park Lane from the side of 'Old Park House' up to the slip road of the A12 to include 'Oaklea' and 'Chimneys', the Council has created new building plots on the open land to the east of 'Old Park House' between it and 'Oaklea' and bringing about the loss of a spacious approach to Langham Village.
- Objection is raised to the removal of the southern ends of rear gardens of dwellings facing the south side of the western end of Perry Lane from the village envelope.
- Land between the A12 to the east, Wick Lane to the west, Perry Lane to the north and Park Lane to the south is a sustainable location for future growth with the potential for the creation of a principal village with a full range of community facilities to meet the shortfall of housing land when the present supply of brownfield sites dries up during the current Local Plan period. These boundaries would provide clear-cut limits to the expanded settlement. Being adjacent and with good access to a major transport corridor it is capable of providing a viable public transport alternative to the private car in the form of fast and frequent buses to Colchester and Ipswich. There would be easy access to new employment opportunities at Cuckoo Farm via the proposed access to and from the A12 onto the Northern Approaches Road, in addition to the existing employment area at Severalls Lane, and the proposal lies outside the Dedham Vale AONB and other countryside restraint areas.
- Land on the north side of Park Lane to the west of its junction with Wick Road between 'Barnfield' and 'Mantons' should be released for housing. More substantial gaps have been permitted to take place in the recent past, notably on the west side of Wick Road and the land is too restricted in size to have any agricultural value. This would not set a precedent for the release of any other open land anywhere else in Park Lane.

CONCLUSION

13.51.1. The A12 provides a very effective barrier to the eastern edge of the St Margaret's Cross portion of built development in Langham. However, there are two dwellings immediately to its west, separated by the grounds of 'Old Park House', a Grade II listed building and the first building within St Margaret's Cross on the north side of Park

Lane, as shown on Inset D15 of the current adopted Local Plan. The A12 seems to me to be a clearer line of demarcation for the eastern boundary of the St Margaret's Cross inset and is already followed on the south side of Park Lane and at the longer ribbon on the south side of Perry Lane. For the sake of consistency, I consider that it should also be followed here. This does not mean that new building plots will automatically follow on the intervening open land, because the impact of any development upon the setting of 'Old Park House' will be an important consideration to take into account if and when any planning applications are submitted. Nevertheless, it is recommended that the objections of Mr and Mrs Elmer do not succeed, even if Langham Parish Council was not aware of these boundary alterations.

13.51.2. The Council also shows the 1995 adopted Local Plan amended to exclude the southern ends of gardens fronting onto the western end of Perry Lane from the settlement. If the Council is seeking to justify the expansion of the settlement on the north side of Park Lane, on the grounds of consistency, then it should adopt the same approach here. The boundaries, between the rear gardens of these properties and the open land to their south, are logical and clear-cut on the ground. In contrast, the boundary of the village envelope, as shown on the Second Deposit Version, is arbitrary and follows no obvious discernible physical feature. The Council's main concern is that the presence of long rear gardens would encourage backland development. That seems to me to be unlikely in the extreme. The local planning authority can oppose any planning application of this type under its normal development control powers. No sound reason has been given for this change and I recommend that the boundary of the village envelope revert to its position shown on the current adopted Local Plan. Mrs Reynolds's objection should succeed.

13.51.3. Different considerations apply to the land between 'Barnfield' and 'Mantons'. When it was shown as being allocated for housing in the draft version of the current adopted Local Plan, my predecessor described it as "an unusual proposal". He was concerned that it would encourage infilling in areas of extremely limited development and would put pressure for the addition of the remaining frontage of open land between 'Barnfield' and the Wick Lane junction to the built-up area of Langham. I share these strong concerns. I can find no change in circumstances that invalidates these clearly stated objections of my colleague to the release of this land for housing and, for these reasons, the proposal of Mrs R J Morrison should fail.

13.51.4. The housing allocation proposed by Bovis Homes Ltd is on a different scale altogether. That does not mean that it should be any more successful. The objection is based on the general premise that the Garrison and Severalls Hospital site will not reach their housing supply targets by the end of the Local Plan period. As the objector's agent states, this was a matter rehearsed before me on several occasions at the inquiry and I do not wish to go over this ground yet again. I agree with the objectors that there must be doubts about the full complement of 1,600 units at the Garrison being met for the reasons set out at paragraph 13.5.11 above. Where I disagree is that any of the shortfall should necessarily be provided at Langham. The objectors also point to the novel situation in the Second Deposit Version that the only new greenfield sites are outside Colchester-Stanway. This is not the case if the proposed change at the Royal London Sports Ground land is adopted. In any event, I recommend a change of emphasis so that new housing allocations in and alongside villages are only acceptable if there are special local conditions that justify enlargement of settlements in less sustainable locations. Adopting this approach, I feel only able to endorse one significant housing allocation proposed in this Local Plan at a village site that has not already been carried out, at Great Horkesley. If this development cannot be accommodated satisfactorily within the existing village framework, in accordance with the requirement of paragraph 3.20 of PPG7, then it should not succeed.

13.51.5. Unlike Great Horkesley, which is designated as a Principal Village, St Margaret's Cross, Langham is only a small village. The objector's agent accepts that the current settlement pattern here is linear in nature. This proposal would transform St Margaret's Cross into development in depth. Overall, the type of development envisaged for the future, and beyond the timescale of this Local Plan, would be more in the nature of a new settlement, which paragraph 74 of PPG3 states will have a significant impact on the sub-regional pattern of development and transport and should be brought forward through regional or sub-regional planning guidance. It would be wrong to pre-empt any studies of this sort, which to the best of my knowledge have not been undertaken recently for this site or the area between Ipswich and Colchester in general, by advocating the wholesale release of any housing land at this location that could be seen as a first phase of such development. For this reason, if for no other, any large-scale release of housing land at this site would be premature and should not go ahead during the lifetime of this Local Plan.

RECOMMENDATION

13.51.6. I recommend that the settlement boundary at the western end of the south side of Perry Lane be restored to the position shown on Inset Document 15 of the Adopted Review Colchester Borough Local Plan of January 1995.

13.52. POLICY H1, TABLE 4, INSET C4 & PROPOSED CHANGE 153 ***Proposed Housing Allocation, Brickwall Farm, Birch Road, Layer-de-la-Haye***

Objections

0625 / 01483	J A & C A Watts
0625 / 02459	J A & C A Watts

KEY ISSUES

- The Inset Map C4 of the Second Deposit Version shows half of the objection site within the village boundary and half excluded. Objection 0625/01483 raised the point that the whole site and the ribbon of development to the west on the north side of Birch Road should be included within the village envelope but instead Proposed Change 153 excluded both areas of land from the settlement boundary.
- In the context of the uncertainty of the large housing allocations, small new allocations in villages can assist in meeting likely shortfalls in the Structure Plan housing supply requirement. If local considerations only are taken into account, the site would still succeed as it is well related to the existing village, constituting infilling of 60m between the proposed revised settlement boundary and the further ribbon development within a 30mph speed limit boundary to its west, a total of 250m along the north side of Birch Road. There have been farm buildings on the land in the past but it is no longer actively farmed as the land is divorced from economically farmed land. The development could also bring about benefits to the community at large notably the provision of a footway along the northern frontage of Birch Road, an undertaking to keep most of the land open and the possible addition of some of this open area as an addition to the land which could be used by the primary school to the east.

CONCLUSION

13.52.1. I have considerable difficulty in coming to grips with the precise nature of this objection. It seems to be making a case out for the expansion of the village to be in keeping with neighbouring development but the general tenor is that development should be at a lower density. Paragraph 3.5 of the objectors' agent's proof makes reference to an objection concerning one house, while paragraph 4.51 talks of a need to accommodate lower density higher value housing within the Borough. Moreover, at the inquiry the objectors' agent made reference to the site only providing a single unit. Much is made in the proof of the generally favourable response given to this site in the early gestation period of this plan. However, there has been a marked change in circumstances since the publication of the First Deposit Version and that is PPG3 of March 2000. One of its major objectives, set out in paragraph 2, is to make more efficient use of land and this is amplified in paragraph 58, which states that densities of less than 30 dwellings per hectare are to be avoided. If the site were to be included within the village envelope then development would need to be at a minimum of 30 dwellings per hectare, which is what the objector does not require.

13.52.2. On the basis that development were at that density, it would result in the total loss of essentially open land between the western edge of the village envelope, if Proposed Change 153 were to proceed, and the isolated pocket of housing to the west. I am not satisfied that the maintenance of some open land to the rear would overcome the unwelcome provision of a completely developed frontage on the north side of Birch Road. Other benefits, such as provision of a footway, should not be on offer if a housing allocation of this type is in the wrong place. However, standard estate development is not what the objectors are seeking. When the question of a single dwelling on this land was the subject of a section 78 appeal in 1995, the Inspector found, in paragraph 14 of his decision letter, that the site makes an important contribution to the landscaped scene around Layer-de-la-Haye. Nothing has changed on the ground in the interim to undermine that opinion, with which I concur. However, there has been something of a change in planning circumstances in the meantime in the form of PPG7 of February 1997. Paragraph 3.21 states that an isolated new house in the countryside may exceptionally be justified if it is clearly of the highest quality, is truly outstanding in terms of its architecture and landscape design and would significantly enhance its immediate setting and wider surroundings. Proposals for such development would need to demonstrate that proper account had been taken of the defining character of the local area, including local or regional building traditions and materials. This means that each generation would have the opportunity to add to the tradition of the country house, which has done so much to enhance the English countryside.

13.52.3. I am not in a position to say whether this site constitutes isolated countryside. The question arose in paragraph 11 of the decision letter of a requirement to satisfy the housing needs of "captains of industry" and, according to paragraph 14, the Council did not object in design terms to a substantial, traditionally-styled, two-storey, four bedroom house with attached garage and outbuildings set back from the road in a parkland setting. I have not seen the design of the dwelling that was the subject of that appeal decision and it would be improper of me to comment upon what type of dwelling would satisfy the exacting criteria of paragraph 3.21 of PPG7. However, it is clear to me that the general approach of that paragraph was not adopted by any of the parties to the 1995 appeal. It is also clear to me that, if the objector wishes to erect a single dwelling on this large plot, in the light of the firm advice on densities in PPG3, inclusion of the land within a village envelope is not the means of achieving that goal. Instead, the site should remain outside the confines of the village and, even then, the chances of success, under the terms of paragraph 3.21 of PPG7, must be slim, as they have been elsewhere in the country both at first instance and on appeal. It is also not my place to carry out an investigation into why the Inset Map boundary for Settlement C4

was originally drawn across the middle of the revised objection site. I can only observe that I could not find any physical feature on the site that equates to the line as shown on the Second Deposit Version, that there is open land to its east and west and that the logical place for the western extent of the village envelope for Layer-de-la-Haye on the northern side of Birch Road is the eastern boundary of the enlarged objection site. Consequently, I recommend that Proposed Change 153 be adopted.

RECOMMENDATION

13.52.4. I recommend that the Local Plan be modified in accordance with Proposed Change No 153.

13.53. POLICY H1, TABLE 4 & INSET C4 Other Proposed Housing Allocations, Layer-de-la-Haye – Malting Green

Objections

0097 / 00117
0394 / 00753

Mrs Olga Ronca
Mrs R Gates

KEY ISSUES

- Land to the east of ‘St Chloe’ on the south side of Abberton Road, Malting Green should be released as a plot for a bungalow for future occupation by the objector. This can be looked upon as a brownfield site as cottages, which have been demolished within the last fifty years, previously occupied the land.
- Land on the west side of Folley Lane, Layer-de-la-Haye should be released for housing. Layer-de-la-Haye is a Principal Village and the housing allocations set out in Table 4 are unlikely to supply their necessary contribution to the Structure Plan requirement of 11,000 units. Two hundred units could be provided on 6.7 hectares at 30 dwellings per hectare with the remainder of the land being devoted to buildings and uses beneficial to the community as a whole. A sieving of the local urban centres and principal villages, set out in Table 3, demonstrates that, uniquely, Layer-de-la-Haye is free of constraints other than being ‘washed over’ by a Countryside Conservation Area, a local designation of limited worth, as it covers much of the rural parts of the Borough. It has a primary school, a village shop, a community hall, public open space, an hourly Monday to Saturday bus service to Colchester that arrives in the town centre before 8am and it is within 5km cycling distance of employment opportunities in the southern fringes of the urban area. It could supply affordable housing by the provision of plots for ‘self-build’ and Folley Lane would provide a more defensible edge to the village than the present housing estate boundaries that have advanced the village further east in an unco-ordinated *ad hoc* manner.

CONCLUSION

13.53.1. The land to the east of ‘St Chloe’ is open land on the south side of Abberton Road with trees along its highway frontage. The outlying extension of Layer-de-la-Haye’s development at Malting Green is on the north side of the road and starts immediately to the east of the site on the south side of the highway. Although the site is rather overgrown, it undoubtedly has the characteristics of countryside rather than being part of a developed roadside frontage within the confines of a village. When this matter came before the Local Plan Inspector at the previous inquiry, he found the objection site part of the open and intermittently developed area to the west rather than the developed area to the east and

excluded it from the village boundary, as this would cause harm to the open character and appearance of the area outside the envelope. I cannot fault this reasoning and I adhere to my colleague's precepts. The objector makes reference to the brownfield nature of the site. My predecessor could find no trace of any previous development. Moreover, Annex C to PPG3 states that previously developed land is excluded from consideration as a brownfield site, where the remains of any structure have blended into the landscape in the process of time. On this basis, I find that the incorporation of this site into the built-up area of Layer-de-la-Haye – Malting Green would result in unwarranted intrusion of residential development into open countryside and Mrs Ronca's objection should not succeed.

13.53.2. Mrs Gates's objection regarding land on the west side of The Folley is the largest housing allocation proposed by this local plan's objectors in or adjoining a Principal Village after the much larger proposals by George Wimpey plc/Booker plc and by Hall Farm at Marks Tey. Paragraph 3.19 of PPG7 states that new housing will continue to be required in rural areas, to sustain healthy economic activity and the viability of village communities. It goes on to say that many villages can accommodate modest development without damage to their character or to the countryside and that new housing can help to sustain villages by providing the basis for maintaining local services. Paragraph 3.20 says that the pattern of new development should be determined through the development plan process and should be well-related in scale and location to existing development. The current adopted Local Plan predates this advice. Therefore, while paragraph 3.41 of that document states that larger new developments in the Rural Area should be exclusively located in the Principal Villages, this advice is not repeated in the Second Deposit Version. Indeed, in contrast to its predecessor, this Local Plan makes only one new housing allocation in a principal village at Great Horkesley. Given the advice in PPG7, and at paragraph 69 of PPG3 that only a limited amount of new housing can be expected to be accommodated in expanded villages, this objection will not succeed if I find that the proposal is not well-related in scale or location to existing development.

13.53.3. It is both the scale and location of this proposal that to my mind render it unacceptable. Small-scale residential estates have been permitted in Layer-de-la-Haye in the past, so that the village's population has expanded steadily in the post-war era, although no specific allocations were made by the current adopted Local Plan. However, I am not aware of anything approaching the scale envisaged here has been added to Layer-de-la-Haye, at least within recent times. In particular, such a proposal would overwhelm the pleasant sporadic open residential development on both sides of Folley Lane, none of which, with the exception of one dwelling, is included within the current village envelope. Secondly, a distinctive feature of the pattern of development at Layer-de-la-Haye is the existence of a smaller offshoot of development with its own separate boundary to the east of Malting Green on both sides of Abberton Road. This is detached from the main body of the village by a wide swathe of open land, most of which would be submerged by urban development if this proposal were to proceed. Consequently, I am satisfied that this proposal fails the two tests of acceptable new village-based housing allocations for Local Plans set out in paragraph 3.20 of PPG7; its scale is out of proportion with its surroundings and its location would severely undermine the fundamental pattern of development in the existing settlement. Therefore, I am firmly of the opinion that this proposal should not succeed.

RECOMMENDATION

13.53.4. I recommend that no modification be made to the Local Plan.

13.54. POLICY H1, TABLE 4 & INSET C6(A) Proposed Housing Allocation, Land between London Road and Coggeshall Road and North of Coggeshall Road, Marks Tey

Objections

0238 / 01422

George Wimpey Plc & Booker Plc

0238 / 01531

George Wimpey Plc & Booker Plc

KEY ISSUES

- The objectors accept that a large allocation on this land is dependent upon the failure of the Local Plan to deliver the Structure Plan requirement of 11,000 units because The Garrison site was projected by these objectors to deliver little in the way of new housing during the lifetime of this Local Plan.
- The development would constitute the third stage of the sequential test set out in Structure Plan Policy H2, *“Where housing provision cannot be provided within, or on the periphery of, existing large urban areas, it should be provided in the form of expanded settlements defined in adopted local plans. Existing settlements when expanded should be large enough to provide a range of employment, shopping, educational and other community facilities with the capability of providing for a choice of means of transport.”*
- The size of the proposed allocation gives a critical mass to the settlement. Economies of scale can be built up when large volumes of houses are constructed, thereby helping to finance a higher standard of community benefits because unit costs towards infrastructure requirements are lower.
- The allocation would be highly sustainable. It would adjoin new employment land, reducing the need for commuting especially by private car. School facilities could be readily provided or expanded without reliance on ‘the school run’. It is on existing bus routes that could be enhanced by new services to Colchester serving a new park and ride facility and the railway station. Marks Tey railway station would be within walking distance, at least from the eastern end of the proposed allocation, and it could also be served by an express bus link to Stansted Airport.
- Strategic planting could provide a firm edge to the new development and further outward expansion would be reinforced by the certainties imposed by section 54A of the 1990 Act as amended. Improvements would be carried out to the A120 main road to cater for both the new development and the very heavy flows of through traffic carried by this road. Adequate sewage facilities could be provided at Coggeshall if Copford Sewage Treatment Works remain at capacity. No archaeological or nature conservation restraints exist at this site, unlike The Garrison. Overall, Marks Tey is at present a rather amorphous settlement that happens to benefit from a main-line rail service. This provides an opportunity for it to become a fully-fledged community in its own right.

CONCLUSION

13.54.1. At the inquiry, the objectors were refreshingly honest in admitting that their case for a release of so much housing land on a greenfield site on the edge of a comparatively small settlement was predicated upon the Colchester Garrison delivering no more than a fraction of the 1,600 units it is meant to provide before the end of 2011. The proposed allocation of 1,000 units at Marks Tey equates to the projected shortfall at The Garrison. If I do not accept this basic premise then the arguments in favour of this objection for the most part must wither away.

13.54.2. The main event in this regard, since the closure of the inquiry, is the Council's resolutions to grant planning permission for The Garrison's redevelopment in December 2002. Much of the inquiry time was taken up with evidence produced to show that wildlife interests and archaeological concerns would need to be resolved before even a resolution to grant planning permission could be made. I have not been privy to the manner in which the Council took these decisions and it would have been inappropriate if I had been. Nevertheless, the main stumbling blocks put forward for a long delay in the processing of the planning applications at The Garrison were said to be the concerns of English Nature about bat roosts in particular and those of English Heritage concerning archaeology in an area likely to be rich in Romano-British remains. I have no evidence before me on their thoughts on these matters. However, it would have been wholly improper if the local planning authority had ridden roughshod over these highly significant interests of acknowledged importance and resolved to grant planning permission in the teeth of persistent opposition from these important statutory consultees, or that an inadequate Environmental Statement was produced. I have no evidence that anything of this nature took place.

13.54.3. The resolution to grant planning permission is an important first step to realising the redevelopment of The Garrison. I may accept the long timescale for a section 106 obligation to convert the resolution into outline planning permission and that further delays in relocating The Army's operational requirements may well hold up delivery of units on a significant scale until 2008. However, there is some greenfield land on which development can start quickly. The suggested build rate put forward to the Council of 2,408 units by the end of 2011 seems to me to be unrealistically bullish. Equally, a total of 600 units, as put forward by the objectors, seems miserly, given the previously-developed nature of the site, which is supposed to be given top priority as housing land, and that the principal potential statutory objectors appear to be satisfied with what is on offer. At paragraph 13.5.11, I postulate a figure of 950 units by the end of the plan period, still a considerable shortfall compared with the figure of 1,600 set out in Table 4, but not so drastic, in my opinion, as to trigger off the need for a large-scale housing allocation at Marks Tey.

13.54.4. I indicate, at 13.54.1 above, that if The Garrison can deliver a significant volume of new housing during the plan period then this objection site should not succeed. However, for the sake of completeness, I need to deal with the other major points raised. In the first instance it must be appreciated what stage 3 of Structure Plan Policy H2's sequential test says. Housing provision should be made in the form of expanded settlements defined in adopted local plans "*where housing provision cannot be provided within, or on the periphery of, existing large urban areas*" (my emphasis), which Marks Tey clearly is not. The way forward would appear to be to look at the manner in which housing land may be identified in the spirit of 'plan, monitor and manage' at the core of revised PPG3. At paragraph 13.5.12 above, I recommend that a review be carried out of housing land supply in 2006. In that exercise the sequential test, set out in Structure Plan Policy H2, should be reapplied if it is found that the housing land supply is, for whatever reason, drying up. In doing so, the likelihood is that greenfield sites on the periphery of the major urban area of Colchester/Stanway, which have been rejected for the time being, such as the objectors' own site at Dyers Road/Warren Lane discussed at sub-section 13.68 of my report below, would have a greater claim for success under the terms of Structure Plan Policy H2(ii) than land west of Marks Tey could under H2(iii).

13.54.5. Paragraph 69 of PPG3 is also quite clear on this point. It states that, in terms of overall housing provision, only a limited amount of housing can be expected to be accommodated in expanded villages. What is on offer here cannot be described as a limited amount of housing, especially in the context of a local authority administrative area

dominated by a single large urban area. The paragraph goes on to say that occasionally a village expansion could be the basis for a new settlement where, for example, the development accords with the policy of developing around major nodes in transport corridors. That was the proposition put forward and rejected at the Structure Plan Examination in Public. It is a concept that cannot be resurrected here. Overall, I remain convinced that the proposal amounts to an overlarge expansion of an existing somewhat incoherent settlement that happens to be sited alongside a main-line railway station that enjoys a reasonably fast and frequent rail service. In the context of its siting on fairly anonymous flat farmland, I have little doubt that such a housing expansion could blend in with its surroundings with suitable landscape treatment and that, with appropriate expenditure, any infrastructure difficulties could be resolved. However, by being sited so far from the settlement's chief asset, its railway station, it appears to me to be in the wrong place. It seems to me that, if Marks Tey is to expand, based on its undoubted asset as a minor transport node, this is neither the site nor the direction in which any expansion should take place. I recommend that the Local Plan remain unaltered in response to these objections.

RECOMMENDATION

13.54.6. I recommend that no modification be made to the Local Plan.

13.55. POLICY H1, TABLE 4 & INSET C6(A) Other Proposed Housing Allocations, North of A12 and West of Marks Tey Roundabout, Marks Tey

Objections

0099 / 00119	Mr Jeremy Hancock
0243 / 00382	Mr & Mrs J H French
0460 / 00967	C F Anderson & Sons Ltd
0461 / 00994	Mr M Hollingsworth
0510 / 01437	ABX & SM Fenwick and Bypass Nurseries Ltd
0561 / 01174	Mr M Cowan
0561 / 01176	Mr M Cowan
0646 / 01557	Executors of Robert Cullen

KEY ISSUES

- Land to the east of Motts Lane and on the north side of the A120 should be included in the development area of this Principal Village.
- Land on the east side of Motts Lane between 'Russell Cottages' and Motts Farm should be released as infill development.
- CF Anderson & Sons Ltd's vacant land to the east of their industrial premises in London Road should be allocated for housing to make good any shortfall of housing at allocations prevented from coming forward due to infrastructure constraints.
- Land between the village hall and the spur road linking London Road and the A120 should be released for housing. It is within walking distance of Marks Tey station.
- Land between the A12 and the railway line should be released for housing to make greater provision for housing to meet Structure Plan requirements.
- Land to the south of the A120 to the west of Wilson's Lane should be released for housing. This would not overload the existing infrastructure.

- Land to the west of Mott's Lane on the north side of the A120 should be released for housing to meet a likely shortfall in the Structure Plan housing land supply requirements.

CONCLUSION

13.55.1. To a large extent these projected allocations are essentially predetermined by my decisions in the preceding sub-section. If the development to the north of A120 postulated by George Wimpey Plc & Booker Plc succeeded then the intervening plots of land of Mr Hancock and the late Mr Cullen would be incorporated within the settlement boundary. As it does not, these should fail also as isolated areas of greenfield development divorced from any part of the defined village envelope by a very busy main road. I do not look upon the land on the east side of Mott's Lane to the south of the farmhouse as infill development. There is too great a width of open land adjoining the highway for new housing to constitute infilling and this entire frontage is separated from the village envelope by the A120 main road. Therefore, I do not consider that Mr and Mrs French's objection should succeed. No reason is given why the farmland between the railway line and the A12 should be released for housing in preference to other countryside. Therefore, the objection by ABX & SM Fenwick and Bypass Nurseries Ltd should fail. Similarly, the vacant land to the east of C F Anderson's industrial premises need not be released, if any shortfall in housing land throughout the Borough is unlikely to be severe or to occur at all.

13.55.2. Mr Cowan's two objections for the redevelopment of garden centre premises to the west of Wilson's Lane have somewhat greater merit in that there are some buildings on the site. However, they are flimsy in construction and, as the use started as nurseries, the buildings would be classified as horticultural and therefore agricultural in nature. Annex C of PPG3 states that previously-developed land is that which is occupied by permanent structures excluding agricultural or forestry buildings. Therefore, I consider that for the purposes of this exercise, this site is as much a greenfield site as any in and around Marks Tey that is undeveloped. The erection of housing on the land would represent the westwards outward expansion of the settlement and should be resisted. Finally, Mr Hollingsworth's land between the village hall and the spur road from London Road to the A120 is undoubtedly within walking distance of Marks Tey station. However, the land around the principal roundabouts in Marks Tey is open in character and the defined settlement is broken up into four discrete areas separated by essentially open land, albeit greatly fragmented by the A12 trunk road and the main railway line out of London Liverpool Street. The objection site forms part of this open land to the west of the Marks Tey roundabout. Paragraph 3.20 of PPG7 allows for the allocation of new housing in villages in Local Plans, where this would be well related in scale and location to existing development. The proposed residential allocation would, if developed, appear as an isolated pocket of housing between the identified residential areas north of London Road and south of Coggeshall Road to the west and around North Lane to the east. It would therefore be poorly related in scale and location to existing development and fail the test of PPG7 paragraph 3.20. For these reasons, this objection, along with the others assessed in these two paragraphs, should not succeed.

RECOMMENDATION

13.55.3. I recommend that no modification be made to the Local Plan.

13.56. POLICY H1, TABLE 4 & INSET C6(B) Proposed Housing Allocations, Railway Station & North Lane, Marks Tey

Objections

0296 / 00794	Railtrack PLC
0433 / 00853	Mr R A Hines
0462 / 00981	ADCO Group Limited
0600 / 01401	Bellway Estates

KEY ISSUE

- If additional land is needed, over and above the Local Plan housing allocations to meet Structure Plan housing supply requirements, the release of these sites would accord with national and strategic policy guidance. The Council has previously agreed that Marks Tey is the only principal village capable of accommodating a significant number of additional houses. 363 houses erected on 10.7 hectares of land would not cause serious harm to its rural setting. The site would be contained by the railway line, the Marks Tey Brickpit SSSI and the Roman River. It could deliver a number of significant planning benefits. These are:- transport improvements, including enhancements to the railway station, additional parking and a bus-rail interchange, improved pedestrian and cycle access to the station, new open space with a village green, new employment further east along the railway line to replace ADCO's and other present commercial operators and the redevelopment of semi-derelict previously-developed land.

CONCLUSION

13.56.1. These objections were presented to me as a joint package at the inquiry for residential development on both sides of the ribbons fronting North Lane, together with redevelopment of ADCO's premises and the incorporation of areas of redundant operational railway land in and around the railway station. The Council considers much of the latter not to be a duly-made objection. Nevertheless, I have taken it into account. The housing would be constructed for the most part on greenfield farmland, much of it of high quality Grade 2 agricultural land classification status. The difficulty I have is that I am not in a position to indulge in 'cherry-picking', taking those aspects of the proposals that I approve of and dismissing those areas of proposed development that I dislike. Firstly, I should make it clear that I do not consider that the provision of 363 houses on high grade agricultural land on the edge of a rural settlement would be my first choice of alternative housing land supply, if Colchester/Stanway cannot deliver its projected housing allocations by the end of the plan period. The reasons have been repeated *ad nauseam* elsewhere, notably at sub-section 13.54 above with regards to Marks Tey, and do not have to be rehearsed again here.

13.56.2. On the other hand, the proposed improvements to the railway station, including increased parking, a bus-rail interchange and additional facilities for pedestrians and cyclists do seem to me to be real and deliverable. Moreover, I look upon the redevelopment of ADCO's visually somewhat unattractive site for residential purposes as soundly based recycling of previously-developed land. I do not agree with the Council that the remoteness of these sites from Marks Tey's limited facilities, other than its railway station, is a bar to residential expansion in this direction. Indeed, I would argue the converse. It is the remoteness and difficulty of access from other projected housing allocations to the railway station, as a genuine quality alternative to the private car, which makes them less suitable than expansion of Marks Tey in this direction. Additional housing at this location might, as the Council expresses concern, lead to more long-distance commuting to London by rail. However, to my mind this is preferable than attempts to make the journey in whole or in part

by private car as proposed allocations elsewhere in Marks Tey, and actual allocations made elsewhere in and adjoining villages by the Local Plan, would encourage.

13.56.3. The Council makes the point that there are major uncertainties with regard to transport provision in the corridor to the west of Colchester. However, one of the imponderables, the contents of the London to Ipswich Multi-modal study, is now known with its publication in 2002 after the inquiry closed. I am unaware of its contents, although it is likely, in accordance with national government policy, to seek a modal shift of passengers and goods from road to rail. In the context of the London to Ipswich study this is mainly therefore from the A12 trunk road onto the Liverpool Street-Ipswich main line that serves Marks Tey. I do not know whether the study makes any specific proposals for this location. There had been discussion of Marks Tey becoming a 'parkway' station, relieving road traffic congestion or overcrowding of trains at or around the main line station at Colchester. There was also talk of a station at Stanway, probably in association with developer funding from the Stane Park proposals (see Chapter 14 below). However, this appeared a very expensive option, with the need to install passing loops to serve the new station's platforms bringing the whole notion into doubt, even if development at Stane Park were to be sanctioned. Finally, there is the question whether there is sufficient capacity on the heavily-used two track section of the main line between Shenfield and Colchester to permit more trains to stop at Marks Tey, thereby providing a genuinely fast and frequent service from this station that would constitute an attractive alternative to the offer at Colchester North.

13.56.4. All of these matters are essentially outside my remit. It may be that if the role of Marks Tey station were enhanced in the manner suggested by the objectors, this could be achieved solely through funds allocated for transport purposes, in the light of what the various studies affecting this corridor recommend. On the other hand, desirable though these enhancements may be, they may not necessarily be capable of being financed in their entirety through the normal channels. The implementation of much-needed public transport improvements may then need to be funded in part from contributions arising out of new housing or other development being permitted in the vicinity of the station. This scenario is so uncertain that I am not prepared to make any recommendations in that regard. I am merely flagging it up as a possibility. The Council may have to revisit this matter if it is found that some residential or other development in and around the station is the only means of 'pump-priming' sustainable public transport improvements capable of persuading significant numbers of car-drivers to leave their vehicles at home. Because of these considerations, I conclude that, if there is to be any substantial expansion of housing provision at Marks Tey, this is the general location where it should take place. I am not prepared to say precisely where it should go or to give any estimation of the quantum of development that would be appropriate. However, I have to indicate that, in line with the sequential test of PPG3, previously-developed land should take precedence over greenfield sites with regard to the provision of any new housing. In the mean time, because of the raft of uncertainties and imponderables surrounding these various options, any firm recommendation by myself on these points must be looked upon as premature. Consequently, the objections should not succeed.

RECOMMENDATION

13.56.5. I recommend that no modification be made to the Local Plan.

13.57. POLICY H1, TABLE 4 & INSET C6(A) & (B) Proposed Housing Allocations, South of A12, Marks Tey

Objections

0439 / 00865	Mr I Melrose
0589 / 01485	R F & E S West
0621 / 01451	Livelihoods Nursery
0622 / 01452	Mrs A A Whittaker
0626 / 01484	Hall Farm

KEY ISSUES

- Land amounting to 9 hectares straddling the boundary between Marks Tey and Copford on the north side of London Road should be developed. Three hectares should be allocated as housing land; the remainder should create a permanent buffer of open space between the two settlements.
- Over-concentration of housing development at a few sites in Colchester/Stanway is an unsound strategy. There should be greater dispersal to other settlements, notably Marks Tey with its main-line railway station providing a viable alternative means of transport to the private car. Livelihoods Nursery is embedded in the ribbon of development on the south side of London Road with its northern end already developed with glasshouses and concrete hardstandings. The erection of new housing on this part of the site would blend in with the existing pattern of development in this sector of Marks Tey, thereby creating a coherent community.
- Marks Tey lacks a specific identity as a village. By developing traditional-style housing on 4 hectares of paddocks adjoining Marks Tey Hall a sense of place could be provided. The effects of traffic noise from the A12 on this site would be tolerable to new residents in comparison with the disturbance arising from the activities tolerated by the Council at a haulage yard nearby where furniture distribution vehicles are allowed to come and go at anti-social times. The village school has sufficient capacity to take the additional pupils likely to be generated by a residential development of this type.
- In a joint submission to the inquiry by R F & E S West and Hall Farm, a proposal for some 200-250 houses on 8 hectares of farmland at Hall Farm was put forward. An alternative would be 300-350 units at a density of 40 units per hectare. This could be a stand alone development or a first phase allowing for further growth beyond the plan period when the 'easy options' of recycling previously-developed land at The Garrison and redundant hospital sites have been exhausted. Alternatively, development on this scale would help fill the gap between the inability of The Garrison in particular to deliver an overambitious volume of housing in a short space of time at the end of plan period. Development here would be at a nodal point in the A12 corridor taking advantage of a more sustainable modal split to transfer traffic from road to rail with the presence of main line rail services at Marks Tey station. Some greenfield development is accepted in PPG3, so that the greenfield status of this land is not inherently unsustainable, because of the presence of viable public transport alternatives to the private car at Marks Tey. Its release would fall within the ambit of an expanded settlement defined in an adopted local plan, where housing provision cannot be provided within, or on the periphery of, an existing large urban area; the third phase of the sequential test for new housing allocations set out in adopted Structure Plan Policy H2. Other greenfield sites are being promoted at smaller settlements remote from good public transport at West Mersea and Great Horkesley. Release of this land would have higher sustainability credentials than these

other sites. Increased population would make greater use of local facilities, whilst the housing would only be a short distance from employment/out-of-centre shopping opportunities at Tollgate, Stanway. The Structure Plan expects Colchester to make a small contribution towards housing new workers at an expanded Stansted Airport. New housing at Marks Tey on the west side of the Borough and adjoining the A120 bus link and a possible new rail connection to the airport from Braintree is best placed to make that contribution.

CONCLUSION

13.57.1. Paragraph 3.19 of PPG7 states that many villages can accommodate modest development without damage to their character or to the countryside. Being a principal village with the added bonus of a rail station with a reasonable service of passenger trains, Marks Tey may be able to accommodate more housing on this basis. However, PPG7 goes on to say at 3.20 that the pattern of new development in villages should be well-related in scale and location to existing development. The ribbon of existing development in Marks Tey to the south of the A12 is long standing. However, it suffers the severe disadvantage of being separated from the settlement's main asset, its station, by the extremely divisive presence of the trunk road in a cutting crossed by overbridges and its very busy roundabout and slipway junctions with the A120 Colchester-Braintree and Stansted Airport main road. If these proposals do not accord with the salient features of existing development, in terms of scale and location, then, in accordance with the firm advice set out in PPG7, these objections should fail.

13.57.2. Taking them in turn, the gap between Copford and Marks Tey on the north side of London Road is very narrow, effectively one small field. I appreciate that Mr Melrose's proposals include generous areas of open space designed to keep the two developed areas apart as far as is practicable. However, any new housing on this site is bound to lead to a virtual complete coalescence of the two settlements, a situation totally at variance with the existing scale and pattern of both villages. Consequently, the objection should not succeed.

13.57.3. At Livelihoods Nursery, much of the objectors' case is based on the premises being a brownfield site and therefore falling within the most favoured position in the search sequence for new housing sites set out in paragraph 30 of PPG3. I reject this notion. Annex 3 of PPG3 expressly excludes land and buildings currently in use for agriculture or forestry from previously-developed status and section 336(1) of the Town and Country Planning Act 1990 states that the definition of agriculture includes horticulture, a use to which the glasshouses and hardstandings on this site have been put. Releasing this mainly open land for housing would, in my judgement, transform the existing ribbon of development on the south side of London Road, which has comparatively little physical impact on its rural surroundings, to development in depth that would sit uncomfortably within its countryside setting. Its release would not accord with the scale and location of existing development, an essential prerequisite for new Local Plan housing allocations in villages according to paragraph 3.20 of PPG7. Therefore, the objection should fail.

13.57.4. Similar considerations apply with regard to the proposal at Marks Tey Hall. I agree with Mrs Whittaker that there is no particular focus to the village to give it an individual character, especially on land to the south of the railway line. However, her proposal would extend the ribbon on the south side of London Road further west along the westbound sliproad leading from the A120 onto the A12 at the expense of essentially open countryside. The present aspect of the Grade II listed building at Marks Tey Hall towards the trunk road is essentially open. This setting could be seriously impaired by insensitively sited housing, for which a housing allocation on this land could provide a presumption in favour. Therefore,

designating this land for village expansion in the Local Plan could damage the character of the settlement and the countryside, contrary to the advice in paragraph 3.19 of PPG7. Consequently, the objection should not succeed.

13.57.5. What is proposed at Hall Farm is of an altogether different order. I have already looked at large-scale expansion of Marks Tey to its west at subsection 13.54 and made general conclusions regarding its unsuitability. For reasons of consistency, I am forced to the same conclusions here. Paragraph 69 of PPG3 is also clear on this point. It states that in terms of overall housing provision, only a limited amount of housing can be expected to be accommodated in expanded villages. What is on offer cannot be described as a limited amount of housing, especially in the context of a local authority administrative area dominated by a single large urban area. The paragraph goes on to say that occasionally a village expansion could be the basis for a new settlement where, for example, the development accords with the policy of developing around major nodes in transport corridors. That was the proposition put forward and rejected at the Structure Plan Examination in Public. Mr Gittins may disagree with the decision of the EIP panel but it is a concept that I am satisfied cannot be resurrected here.

13.57.6. Overall, I remain convinced that the proposal amounts to an overlarge expansion of an existing somewhat incoherent settlement that happens to be sited alongside a main-line railway station that enjoys a reasonably fast and frequent rail service. In the context of its siting on fairly anonymous flat farmland, I have little doubt that such a housing expansion could blend in with its surroundings with suitable landscape treatment and that, with appropriate expenditure, any infrastructure difficulties could be resolved. However, by being located so far from the settlement's chief asset, its railway station, and being on the wrong side of the A12 to have easy access to good quality public transport, to my mind the proposal is inappropriately sited. It seems to me that, if Marks Tey is to expand, based on its undoubted attribute as a minor transport node, this is neither the site nor the direction in which any expansion should take place. As a result, I recommend that the Local Plan remain unaltered in response to the objections of Hall Farm and R F & E S West.

RECOMMENDATION

13.57.7. I recommend that no modification be made to the Local Plan.

13.58. POLICY H1, TABLE 4 & INSET D13 *Housing Allocation, School Road, Messing*

Objections

0090 / 00215	Prowting Plc & The Barbour Family
0216 / 00290	Mr Ian Etheridge
0569 / 01258	Cants of Colchester/James Bartholomew Trust
0570 / 01270	Marconi Property Limited

KEY ISSUES

- The allocation provides insufficient information with regard to the proposed housing's layout, siting, access and proposed dwelling types.
- This housing allocation, in a remote village, is in a less sustainable location than other proposed housing sites at Chitts Hill, in East Colchester and between Nayland Road and Boxted Road, Mile End.

CONCLUSION

13.58.1. Site 17 of Table 4 may be in a relatively isolated village with little or no public transport and few facilities but planning permission has already been granted and the development has been carried out in full. Table 4 stipulates two requirements. The first requires that the setting of Bouchiers Hall, the church and the conservation area in general is not harmed. These are not the normal tests of sections 66 and 72 of the Planning (Listed Buildings & Conservation Areas) Act but I presume that the development could be said to have preserved or enhanced these interests of acknowledged importance, otherwise English Heritage would not have unconditionally withdrawn their objection. The second requirement is the provision of a village green. That has been created and is in use. Since the allocation is a *fait accompli*, I have no alternative but to accept its existence and ratify it in my report.

RECOMMENDATION

13.58.2. I recommend that no modification be made to the Local Plan.

13.59. POLICY H1, TABLE 4 & INSET D13 Other Proposed Housing Allocation, School Road, Messing

Objection

0166 / 00233

Mr & Mrs M Sutton

KEY ISSUE

- The wide frontage of “Appletrees”, which has been excluded from the village envelope, can be developed in a manner in keeping with the frontages to the north of the objection site and opposite it on the west side of School Road.

CONCLUSION

13.59.1. “Appletrees” is a detached house sited towards the southern end of a wide plot fronting onto the east side of School Road. There is detached housing on the west side of the road, included within the village envelope. Although the objection site now has the appearance of a large garden between “Appletrees” and the housing to its north, the existence of agricultural type buildings to the rear to my mind gives the plot as a whole the character of open countryside rather than inclusion within a village. Consequently, I do not consider that any further planned allocation of housing in Messing should be assigned within this comparatively isolated village during the lifetime of this Local Plan and the objection fails.

RECOMMENDATION

13.59.2. I recommend that no modification be made to the Local Plan.

13.60. POLICY H1, TABLE 4 & INSET E20 Proposed Housing Allocations, Middle Green

Objections

0167 / 00234

Mrs Hilda F Cresswell

0173 / 00240

Mr R Baines

0384 / 00708

Mr & Mrs D Anderson

0430 / 00850

Mrs V Sayer

0431 / 00851

Mr F Patten & Family

KEY ISSUES

- The housing insets for Middle Green, Wakes Colne do not show all of the housing in the settlement. Development of land on the south side of Inworth Lane to the east of White Horse Farm and west of “Heatherwick” has the support of Wakes Colne Parish Council and infilling with between two and six houses would be in keeping with the adjoining housing. Some social housing could be provided.
- Excluding land on the north side of Lower Green to the east of “Willow Meade” from the southern residential envelope prevents the natural growth of small settlements, which has been their characteristic for many years.
- The line marking the eastern boundary of the southern residential boundary on the northern side of Lower Green across the eastern side garden of “Willow Meade” is arbitrary and the whole of the house’s garden to its east should be added to the village envelope.
- The two plots of land on the south side of Inworth Lane, to the east of “Leighs” and the small group of housing including “Oakdene” on their eastern boundary, should be released for housing. There is overdependence on large urban sites, which are unlikely to deliver sufficient housing to meet Structure Plan supply requirements during the Local Plan lifetime and other allocations are more remote from the major urban area. These sites are close to the A1124 main road with its bus services to Colchester and to rail services from Chappel & Wakes Colne station. Therefore not all trips would be by car and many could be of a short duration.

CONCLUSION

13.60.1. Middle Green is a comparatively isolated settlement split into two nuclei based on ribbons of housing on both sides of the road, a larger one at Lower Green to the south and the smaller one at Inworth Lane to the north, separated by a wide tract of open countryside. This allocation dates from the current adopted Local Plan when a suggestion by the inquiry Inspector that the envelope for Inworth Lane should not proceed was not followed up. To my mind each nucleus is nothing more than a collection of dwellings with little or no facilities and separated from the A1124 Colchester-Halstead road and Chappel & Wakes Colne station by approximately one mile of narrow country lanes. Unless there are specific reasons to the contrary, I am firmly of the opinion that is the form both should retain as any other decision would be encouraging further residential development at an essentially unsustainable location. Three of these objections, those of Mrs Cresswell, Mrs Sayer and Mr Patten and Family relate to significant additions to the smaller northern envelope; in combination they would effectively double its size and probably treble its length on the southern side of the road. With regard to Mrs Cresswell’s site, the previous Local Plan inspector stated that frontage development of the land to the west of “Heatherwick” would, by reason of its extent and prominent position, be particularly harmful to the character and appearance of the locality. Nothing has changed in the intervening period to alter this description with which I wholly concur. It may be possible that some social housing on this site may be provided but only through the ‘rural exceptions’ Policy H5, which precludes a Local Plan housing allocation. Mrs Cresswell’s objection should therefore fail.

13.60.2. The objection sites of Mrs Sayer and Mr Patten and family were originally allocated for housing in the current adopted Local Plan in its draft form, but were deleted by a Proposed Change before the inquiry opened. In recommending the adoption of that Proposed Change, the Inspector made observations upon the incongruous appearance of suburban development in the heart of the countryside, referring to the ribbon extending from

“Heatherwick” in the west to “Leighs” in the east. He went on to say that the allocation of these two objection sites for housing would add to that undesirable ribbon, representing in total a major concentration of discordant development in an unexpected location. The loss of the now attractively wooded and overgrown nature of these sites would further emphasise the incongruity of repeating a suburban form of housing in a deeply rural setting. Neither Mrs Sayer’s nor Mr Patten’s family’s objections should succeed. A similar loss of rural character should also bring about the rejection of Mr Baines’s objection site on the north side of Lower Green to the east of “Willow Meade”. The southern village envelope is, for the most part, confined to the south side of Lower Green at its eastern end and to the north side towards the west. Release of the land on the north side Lower Green at its eastern end would result in an extended built-up frontage on both sides of the road, creating to my mind an alien urban feel to a settlement, which, despite its identified boundary, maintains a profound sense of seclusion in the countryside. Some villages in the Eastern Counties may be able to grow organically but not here.

13.60.3. Rather different considerations apply to the more modest proposals of Mr and Mrs Anderson, which are confined to the garden of the house at “Willow Meade” itself. It is argued that the eastern edge of the village envelope slices arbitrarily through the eastern side garden of the property following no physical feature that is discernible on the ground. In contrast, the historic eastern boundary of the curtilage is clearly marked by a hedge, ditch and public footpath that also acts as a private access to the objectors’ land. The boundary should follow this clear line of demarcation. An example of the Council permitting the expansion of a settlement onto open garden land is at “Marels”, School Lane, Great Wigborough, where the village envelope has been extended up to the far more recent and artificial boundary of a leylandii hedge. At paragraph 13.47.1 above, I indicate that I am not overimpressed with this particular allocation and, insofar as planning permission has already been granted for a dwelling on the allocated land, I have effectively been presented with a *fait accompli*. Nevertheless, the allocation at Great Wigborough does provide a planning gain, a passing place on a narrow highway, which is not indicated in this instance, and the adjoining building is a bungalow of anonymous appearance and no obvious architectural merit. Instead, on this occasion relocation of the village boundary would signal a clear presumption in favour of residential expansion of a small settlement with limited facilities into the attractive setting of a country garden, which acts as the appropriate surroundings to a prominently sited Grade II listed building. With the boundary remaining where it is, just to the east of the old house, the unattractive scenario set out above would be unlikely to take place. For these reasons, this objection should also fail.

RECOMMENDATION

13.60.4. I recommend that no modification be made to the Local Plan.

13.61. POLICY H1 & TABLE 4 Proposed Housing Allocation, Withers Farm, Peartree Hill, Mount Bures

Objection

0566 / 01213

D F Blake

KEY ISSUES

- Doubts about large housing allocations and brownfield windfall housing land in and on the edge of the built-up area of Colchester/Stanway mean that sites such as these, away

from the main built-up area, would help to meet the likely shortfall in housing land supply during the Local Plan period.

- Redevelopment of an unsightly rural industrial site would amount to recycling of previously-developed land, removing an eyesore and pollution source from a Countryside Conservation Area.

CONCLUSION

13.61.1. I agree with the objector's representative that there may be some shortfall in the housing land supply to meet Structure Plan requirements, if reliance is to be placed solely on the allocations made by Table 4. However, I do not consider that Withers Farm, Peartree Hill, Mount Bures is the place to rectify this. It may be a collection of unsightly agri-industrial buildings and uses and its pig-rearing enterprises may be especially anti-social. However, it is sited in remote countryside with few other properties nearby and it is well removed from the settlement of Mount Bures, identified by Map Inset E16 to the west, from which it is separated by the Marks Tey-Sudbury branch railway line. Access is by means of a narrow country lane. Despite the proximity of the railway line, public transport provision is non-existent as there are no stations close by. Therefore, any new housing would be wholly dependent on the private car. Redevelopment of the site by low-density housing, as proposed by the objector's agent, would amount to inefficient use of residential land, according to paragraph 58 of PPG3, while high density residential development would appear severely out of place in the middle of the open countryside. For these reasons, I do not recommend that any alteration be made to the Local Plan in response to this objection.

RECOMMENDATION

13.61.2. I recommend that no modification be made to the Local Plan.

13.62. POLICY H1, TABLE 4, INSET D14 & PROPOSED CHANGE 40 ***Housing Allocation, Land at St Ives Farm, Peldon***

Objections

0090 / 02291	Prowting Plc & The Barbour Family
0209 / 02271	Mrs C Chivers
0238 / 01999	George Wimpey Plc & Booker Plc
0242 / 02323	Landmatch Ltd (prev. Lafarge)
0414 / 02410	Prowting Projects Ltd
0505 / 02272	Mr H South
0559 / 02321	Banner Homes Ltd
0570 / 01963	Marconi Property Limited
0600 / 02352	Bellway Estates
0602 / 02244	Countryside Strategic Properties Plc
0603 / 01406	Arriva Plc
0604 / 02349	Stanway School/Persimmon Homes
0624 / 01995	George Wimpey Plc
0712 / 01788	Mrs Maggie Finch
0718 / 01794	Mr C F Carter
0720 / 01796	Mr J S Smith
0723 / 01799	Mr & Mrs Christmas
0754 / 01828	Mrs M McArthur
0764 / 01837	Ms J Mitton
0787 / 01859	Ms Angela Samuels
0793 / 01865	Mr R King
0794 / 01866	Mr & Mrs F V Fergus
0798 / 01870	Mr & Mrs L Bellamy
0800 / 01872	Mr & Mrs Gooding

0803 / 01875	Mr & Mrs A D Ellis
0805 / 01877	Mr B Tamblin
0806 / 01878	Mrs P Claxon
0811 / 01883	Mrs M Winyard
0812 / 01884	Mr & Mrs D King
0814 / 01886	Mr J T M Manning
0826 / 01904	Mrs M L Ellis
0828 / 01912	Mr & Mrs L Davies
0834 / 01927	A H Davy
0899 / 02289	Susan Knill-Jones

KEY ISSUES

- Proposed Change 40 would delete the figure “5” and insert the figure “6” in Requirement 1 of site 19 in Table 4. It would delete “5” and insert “9” in Requirement 2. Finally it would add a new Requirement 2a, *“Provision of five houses for the open market”*.
- The objectors argue that the size and location of the settlement make it inappropriate in principle for the provision of additional housing in the context of government policy set out in PPG3. The only exception would be for affordable housing, which could be provided through Policy H5 and for which a housing allocation is unnecessary.
- The character of the village will be changed by the erection of 20 houses. A previous appeal decision for 22 houses confirmed that such development would amount to suburbanisation of the village and nothing significant has changed since this decision in 1992. The proposed housing would result in an unacceptable increase in the population of the village by some 11%.
- It would result in loss of largely open land visible over a wide area due to its hillside location and designated as part of the Countryside Conservation Area by Policy CO2.
- There is no need to duplicate community and sporting facilities on this site, which are already provided for adequately elsewhere in the village.
- St Ives Hill is a dangerous road with limited forward visibility. New accesses onto the road, or increased use of existing ones, would increase the risk of accidents.
- Land at Peldon Service Station and to its rear are better suited for a housing allocation, since that site is better integrated into the fabric of the existing village, as are other sites in West Bergholt and at Great Horkesley.

CONCLUSION

13.62.1. Paragraph 3.19 of PPG7 states that new housing will continue to be required in rural areas, to sustain healthy economic activity and the viability of village communities. It goes on to say that many villages can accommodate modest development without damage to their character or to the countryside and that new housing can help to sustain villages by providing the basis for maintaining local services. Paragraph 3.20 says that the pattern of new development should be determined through the development plan process and should be well-related in scale and location to existing development. The requirements for this housing allocation, as set out in Table 4 as amended by Proposed Change 40, include the provision of 2.428 hectares of the site for open space/community purposes, other land and/or buildings being made available for employment and community facilities and highway improvements being carried out. Moreover, six of the proposed 20 units would be social housing provided under the ‘rural exceptions’ policy, Policy H5. In accordance with paragraph 4 of Annex B to PPG3, housing provided on exception sites should be regarded as additional to the provision

in the development plan. Therefore, the site would only provide 14 units for the purposes of housing land supply not the 20 set out in Table 4.

13.62.2. I have also taken into account a planning obligation made under section 106 of the 1990 Act in May 2001 by, among others, the owners of the site and Winstred Hundred Parish Council (Core Document 125). The effects of this would be to deliver these requirements if planning permission were to be granted for development of this type in the future. However, it must not be overlooked that the proposal is primarily for a new local plan housing allocation in a small village. If the new allocation fails the test set out in paragraph 3.20, that the site be well related in scale and location to existing development in the settlement, then I shall recommend its deletion from Table 4.

13.62.3. There are to my mind three striking factors in the present character of Peldon. Firstly, there is its hillside setting so it can be clearly seen from a distance, especially across the flat marshland to the east. Secondly there is the long-standing morphology of the settlement. It has a green, largely open, and certainly rural heart on both sides of St Ives Road. This is reflected in Inset Map D14, excluding this proposed allocation, which shows existing development separated into two clusters to the north and south centred on Church Road and Lower Road respectively. Lastly, development in Peldon has been incremental in character, made up of individual buildings of varying ages and sizes. Apart from a short cul-de-sac, on the south side of the village and looking as if it were built more than thirty years ago, there is a distinct lack of estate development in Peldon.

13.62.4. It seems to me that the proposed allocation would breach all three of these characteristics and thereby appear wholly out of place if it were to proceed. Firstly, it would place the housing allocation on the prominent east side of the hilltop settlement, where, in my view, a concentration of new housing would appear as a harsh new urban addition when viewed from a locality designated as a Countryside Conservation Area. Secondly, it would bring about the almost total coalescence of the two distinct clusters of development on the east side of St Ives Road. Lastly, even with carefully designed individual housing, it would be likely to introduce a residential estate pattern of development, which is almost unknown in Peldon and, where it occurs, is smaller in scale.

13.62.5. My views on the unsuitability of this site for housebuilding are fortified by two earlier section 78 appeals for residential development on this site. In a decision dated 31 October 1990 (Ref:- APP/A1530/A/90/154328) the Inspector observed at paragraph 9 that the erection of 22 houses would amount to a sprawl of suburban development into open countryside, seriously damaging the rural appearance and character of the surroundings. Two years later, in a decision 10 August 1992 (Ref:- APP/A1530/A/92/201923) his successor said, with regard to a smaller area for residential development, at paragraph 8, that the proposed houses would harm the existing rural character and appearance of the locality and that they would add an alien element of an urban form of development. I can see nothing in the sketch proposals submitted by the owners in support of this allocation, to cause me to disagree with my colleagues on these points.

13.62.6. I appreciate that some community benefits may be said to derive from this housing allocation, it would finally rid the village of a potential source of smell by preventing the pig farm operation from restarting and it enjoys the strong support of the Parish Council. However, I also have to take into account the strong groundswell of local residents opposed to the proposal, who wrote in to object relatively late in the day in significant numbers, when the allocation was introduced by the Second Deposit Version, and some of whom appeared before me at the inquiry. Even without that strong body of objectors, I would still have found that St

Ives Farm, Peldon is the wrong place for a new housing allocation, when judged against the test of paragraph 3.20 of PPG7, set out in paragraph 13.62.1 of my report above, and accordingly I recommend that allocation 19 of Table 4, proposed by the Second Deposit Version, does not proceed.

RECOMMENDATION

13.62.7. I recommend that the Local Plan be modified in Table 4, Chapter 13 by the deletion of Housing Allocation 19 (St Ives Farm, St Ives Road, Peldon) and by the deletion of the housing allocation proposal from Inset D14 of the Proposals Map. I also recommend that Proposed Change No 40 does not proceed.

13.63. POLICY H1, TABLE 4 & INSET D14 Other Proposed Housing Allocations at Peldon

Objections

0254 / 00402	Peldon Service Station
0254 / 00403	Peldon Service Station
0254 / 00408	Peldon Service Station
0425 / 00860	Chelmsford Diocesan Board of Finance
0505 / 01035	Mr H South

KEY ISSUES

- Two hundred units from The Garrison allocation should be deleted and dispersed among villages including twelve to be erected on the land to the rear of Peldon Service Station on the west side of St Ives Road. This would enable petrol sales at the service station to continue, with its need for re-equipment, and would provide usable public open space to the north.
- Undeveloped land on the south-east side of Church Road between “Feathers” and “Tronoh Bungalow” should be released for residential development, as it would complete development on this side of the road by the provision of high quality housing providing a defensible barrier to the Countryside Conservation Area on a public transport corridor.

CONCLUSION

13.63.1. If the housing allocation on St Ives Farm were to proceed then it would, in my judgement, be difficult to oppose the housing allocations proposed on the west side of St Ives Road and the south-east side of Church Road. Both would expand or link existing separate housing allocations by the expansion of new housing in significant numbers onto open land within a small village. As explained in paragraphs 13.62.3 and 4 above, this is an alien form of development to Peldon where significant gaps of open land between clusters of development are to my mind the principal visual and physical components of the village.

13.63.2. With my recommended deletion of the housing allocation on St Ives Farm, I have less difficulty in refusing the inclusion of these two locations for residential development. They would both result in significant loss of open land along highway frontages, thereby encouraging the coalescence of the two principal separate foci of development in the settlement. Cross-subsidy of a useful rural facility, the only petrol filling station on the north side of the Blackwater Estuary between West Mersea and Maldon, by providing new housing in the wrong place would be an abuse of the planning process. If it is inappropriate to provide new open space in conjunction with new housing on St Ives Farm, it is equally wrong to make similar provision on land to the north of the service station.

Moreover, I do not consider that the routing of some journeys of a slow bus service from West Mersea to Colchester North railway station via Peldon constitutes the placing of the village on a good public transport corridor for the purposes of the sequential test of paragraph 30 of PPG3. I agree with the objectors at Peldon Service Station that The Garrison may not be able to provide the full allocation of 1,600 during the lifetime of this Local Plan. However, at paragraph 13.5.12 of my report I indicate that any potential shortfall of housing at The Garrison should be examined by a full re-evaluation of the residential land supply situation in 2006. It is not for me to prejudge what such a review of housing supply would find at that time, but I consider it highly improbable, assuming that the current version of PPG3 remains unaltered, that small villages, such as Peldon, would be expected to make any significant contribution. No alteration to the Local Plan is recommended in response to these objections.

RECOMMENDATION

13.63.3. I recommend that no modification be made to the Local Plan.

13.64. POLICY H1, TABLE 4 & INSET D16 Housing Allocation, Rose Lane, Salcott

Objections

0569 / 01258
0570 / 01270

Cants of Colchester/James Bartholomew Trust
Marconi Property Limited

KEY ISSUE

- The objectors' sites in East Colchester and between Nayland Road and Boxted Road, Mile End are more sustainable potential housing allocations than this residential site in a remote village.

CONCLUSION

13.64.1. Salcott is a remote settlement on an arm of the Blackwater Estuary in the extreme south-western corner of the Borough. It cannot be said to be a sustainable location in general terms being well removed from most services, including frequent public transport to provide a viable alternative to the private car. Nevertheless, the allocation is very small, one house plot on the west side of Rose Lane at its southern end. Planning permission has been granted for a single detached dwelling and the development has been carried out. It sits comfortably opposite older housing on the east side of the road and no objection can be made to this allocation, which reflects the planning permission.

RECOMMENDATION

13.64.2. I recommend that no modification be made to the Local Plan.

13.65. POLICY H1, TABLE 4 & INSET D16 Other Proposed Housing Allocations, Salcott

Objections

0532 / 01113	Mr & Mrs R Baldwin
0654 / 01623	Parmenter Farms Ltd
0654 / 01624	Parmenter Farms Ltd
0654 / 01625	Parmenter Farms Ltd

KEY ISSUES

- The houses on the south side of The Street, immediately to the east of its junction with the B1026, should be included within the village envelope for Salcott, otherwise they would be subject to the stringent requirements for house extensions in the open countryside imposed by Policy H11.
- Inclusion of land on the south side of The Street opposite St Mary's Church within the village envelope would provide a more rational feel to the village by allowing for the infilling of an anomalous gap.
- The difficulty of meeting Structure Plan housing targets from brownfield sites within the Borough's urban areas can be met in part by the release of land fronting The Street on its south side to the west of Horn Farm and on its north side to the west of Water Style Lodge.

CONCLUSION

13.65.1. The semi-detached and detached dwellings on the south side of The Street, immediately to the east of its junction with Colchester Road, are very much an isolated pocket of residential development separated from the main body of Salcott by a broad swathe of farmland. I do not consider that this group of houses should be added to the village envelope solely to avoid the more onerous restrictions imposed upon extension and/or rebuilding of rural housing compared with its counterparts within villages. However, elsewhere in this chapter, I recommend that Policies H11 and H12 be relaxed to conform to their counterparts in the current adopted Local Plan. I have had no sound reasons placed before me by the Council why those recommendations should not be accepted, in which case it is likely that house additions and/or rebuilding could take place within this isolated group on a scale little different from what would be generally acceptable in most urban localities.

13.65.2. Turning to the three objections from Parmenter Farms Ltd, these are based on the general premise that there may well be a shortfall of housing provision to meet Structure Plan requirements from sites allocated in the main urban areas, in which case these frontage developments, particularly to the west of Horn Farm and Water Style Lodge could make a useful contribution to the land supply situation. At paragraphs 13.5.11 and 12 above, I anticipate that The Garrison site in particular may not be able to deliver its full complement of housing by the end of the plan period. However, I also recommend that a thorough review of housing land supply should take place in 2006. It would be wrong to prejudge the findings of any such study, but I consider it highly improbable that any shortfall would point towards the release of greenfield farmland on the edge of an isolated village with limited facilities including an infrequent bus service. The two main proposed allocations would extend the village considerably to the west at the expense of open countryside, designated as Countryside Conservation Area, in an unacceptable manner. As far as the plot of land opposite the church is concerned, it is to be expected that in a linear settlement, some of which is little more than ribbon development, gaps in the developed frontage can be a feature that is an integral part of

an isolated village. To my mind the retention of pockets of open land emphasises Salcott's remoteness, surrounded by wide tracts of open countryside. I am satisfied that this gap should remain undeveloped and I recommend that no alterations be made to the Local Plan in response to any of these objections.

RECOMMENDATION

13.65.3. I recommend that no modification be made to the Local Plan.

13.66. POLICY H1, TABLE 4 & INSET E18 Proposed Housing Allocation, Smythe's Green

Objection

0587 / 01378

Layer Marney Nurseries

KEY ISSUES

- Doubts about large housing allocations and brownfield windfall housing land in and on the edge of the built-up area of Colchester/Stamway mean that sites such as these, away from the main built-up area, would help to meet the likely shortfall in housing land supply during the Local Plan period.
- The existing nursery has become increasingly uneconomic as British horticulture has to compete with overseas competition without the benefit of government subsidy but subjected to increasing UK and EU regulation.
- Residential development of the site was supported by the Layer Marney Parish Meeting on 19 May 1997, when it was said that young people have to move out of the Parish and that low density quality housing could enhance the area. The site was not deleted from the replacement Local Plan until the meeting of the Borough Council's Planning & Transportation Committee on 30 March 1998.
- This would amount to brownfield development close to an existing shop and garage. It would be close to employment opportunities on the west side of Colchester/Stamway and at Tiptree and new housing could increase patronage of the regular Colchester-Tiptree-Maldon bus service. Being positioned between Stamway and Tiptree it would have a choice of local secondary schools and there are various villages close by with primary schools.

CONCLUSION

13.66.1. Smythe's Green is already designated as a minor settlement (Map Inset E18) with a ribbon allocated for residential development on the western side of the road. A high proportion of the housing is of recent construction as a consequence of this allocation. The effect of this proposal would be to deepen this ribbon to its west. Much of the objectors' case is based on Layer Marney Nurseries being a brownfield site and therefore falling within the most favoured position in the search sequence for new housing sites set out in paragraph 30 of PPG3. I reject this notion. Annex 3 of PPG3 expressly excludes land and buildings currently in use for agriculture or forestry from previously-developed status and section 336(1) of the Town and Country Planning Act 1990 states that the definition of agriculture includes horticulture. I accept that the proximity of the site to the B1022 Colchester-Maldon road, with its regular bus services, makes this site more accessible than many others proposed in the countryside to a mode of transport other than the private car. However, it does not seem to

me that this creates a public transport corridor in which new residential development should be favoured. Releasing this mainly open land for housing would, in my judgement, transform the existing housing allocation at Smythe's Green from a ribbon of housing, with little impact on its rural surroundings, to development in depth that would sit uncomfortably within its countryside setting. The attitude of Layer Marney Parish Council seems to me to be rather ambiguous. It supports housing for the young people in the parish but promotes low-density high quality housing that the young are unlikely to afford. The category of housing that is most likely to be considered affordable to young persons in Layer Marney parish is that provided by the rural exceptions Policy H5. This expressly excludes a Local Plan designation so one should not be provided on this land. The objection should fail.

RECOMMENDATION

13.66.2. I recommend that no modification be made to the Local Plan.

13.67. POLICY H1, TABLE 4 & COLCHESTER INSET Housing Allocation, Phase 2 of Residential Development at Church Lane, Stanway

Objections

0414 / 01410	Prowting Projects Ltd
0600 / 01401	Bellway Estates
0600 / 01651	Bellway Estates
0602 / 01405	Countryside Strategic Properties Plc
0604 / 01652	Stanway School/Persimmon Homes
0603 / 01406	Arriva Plc
0839 / 00360	O & H Holdings Ltd

KEY ISSUES

- It is unreasonable to require the land allocated for Phase 2 to be served by access from the Stanway Western By-Pass at this 'roll forward' site when access to the proposed by-pass cannot be provided due to circumstances outside O & H Holdings' control.
- Phase 2 of the residential development should not count towards housing land supply when access from the Stanway Western By-Pass may not be provided during the lifetime of this Local Plan.

CONCLUSION

13.67.1. During the course of the inquiry, planning permission was granted for Phase 2 of the Church Lane development without requiring access onto the Stanway Western By-Pass, when doubts exist about the timing of its completion. The development is, at the time of writing this report, significantly under way with housing completed at the southern end of the site, adjoining Warren Lane, and substantial groundworks being carried out at its northern end. There is no reason to believe that the site cannot make its full contribution of 300 houses by the end of the plan period. Therefore, the objection of O & H Holdings succeeds and the others fail. Nevertheless, it would make sense in highway planning terms that access from Phase 2 is ultimately made onto the Stanway Western By-Pass to minimise convoluted journeys through existing residential areas to gain access to the new housing. The insertion of the word "*ultimately*" in the second sentence of Requirement 2 for Site 3 in Table 4 should bring this about and I recommend accordingly.

RECOMMENDATION

13.67.2. I recommend that the Local Plan be modified in Table 4 by the insertion of the word “*ultimately*” in Requirement 2 for Site 3 between the words “*Access*” and “*to*” in the second sentence.

13.68. POLICY H1, TABLE 4 & COLCHESTER INSET *Proposed* ***Housing Allocation, Land between Dyers Road & Warren Lane, Stanway***

Objection

0624 / 01466

George Wimpey Plc

KEY ISSUES

- Land between Dyers Road to the east, Warren Lane to the west, existing housing at the junction of the two roads to the south and the housing estate served by Egremont Way to the north represents natural rounding-off of built development on the southern edge of Stanway. Thus it can be seen as a planned urban expansion in line with the second stage of the sequential tests set out in paragraph 30 of PPG3 and adopted Replacement Structure Plan Policy H2.
- Following a detailed site survey, the site can be given an agricultural land classification of 3b, average quality, due to droughtiness.
- The site has a capacity of approximately 225 units and can be served by the existing infrastructure, including highways. Present bus routes could be extended into the new development to provide a viable alternative to the private car.

CONCLUSION

13.68.1. This site came before the previous Local Plan Inspector at the last inquiry in 1991. He considered that the site at that time constituted part of the wider area of open countryside to the south of the settlement. In particular, he contrasted this area with the landscape damaged by poorly restored mineral workings on the west side of Warren Lane, which he considered had rightly been released for housing purposes. To my mind matters have moved on since then. The land on the west side of Warren Lane has been recently developed for housing purposes. Whatever was the previous contrast between this land as disused gravel pits and the objection site, to my mind construction of housing on the west side of Warren Lane makes the objection site appear as more of an anomalous area of open land, no longer farmed as intensively as it once was and of average agricultural value in any event.

13.68.2. At paragraph 2.45 of Technical Paper 1A “Housing Demand & Supply and Social Housing (Core Document 198), six greenfield sites were set out which performed better than any others deferred for reconsideration during the period between the appearance of the First and Second Deposit Version. This objection site was placed third out of the six sites. At paragraph 2.46 of the Technical Paper it was said that at most probably three new greenfield sites would be required, which meant that the three main identified sites were to be deferred to a further Local Plan review. This seems to me to point towards the proper approach for this site when the Local Plan is next thoroughly reviewed under the ‘plan, monitor and manage’ régime of revised PPG3. Paragraph 13.16 of the Second Deposit Version says a major review of the housing and supply situation, undertaken in line with this approach, should be in 2004. Paragraph 3.3(ii) of Technical Paper 1A suggests 2005. At paragraph 13.5.14(e) above, I recommend 2006.

13.68.3. Whilst I may have distinct reservations about the contribution of The Garrison, the especially pessimistic viewpoint of these particular objectors is looking increasingly unfounded with a resolution to grant planning permission being passed by the Council before the end of 2002. Housing land close-by has been recently unlocked by the grant of planning permission for Phase 2 of the Church Lane 'rolled forward' allocation without the Stanway Western By-Pass being in place. The land east of Winstree Road is correctly brought forward ahead of this site, since it is wholly contained within the existing urban area and it has the leverage to deliver substantial benefits to the entire community of Stanway, which this site cannot. This means that there are two significant housing sites in Stanway, both comparatively close to this site, one of which is currently in the process of being developed, the other of which is likely to come forward in the near future. With so much housing coming on stream in Stanway at present, or likely to do so soon, the area could be swamped with new residential accommodation if this site were to be released now.

13.68.4. I note that the objectors would be prepared to make the necessary contributions towards local infrastructure, especially schools, and that their estimation of the likely burden of additional children to be placed on local primary schools is lower than the Council's calculations. However, it seems to me that whatever additional classroom provision were made, the strain upon the Stanway Fiveways Primary School, if this site and the land east of Winstree Road were developed at the same time, would be intolerable. The time to look at this site again is when the housing land supply situation is subjected to a major review. If this were in 2006, as I suggest, then there is a strong likelihood that the other major housing sites in Stanway will have been 'built out' or be nearing completion. It is not my place to anticipate what that review will find. What I can indicate is that, in the particular circumstances to be found in Stanway, releasing this land at this juncture would be premature and that the earliest time for its allocation would be at the time of the major review. For these reasons, the objection should not succeed at this point in time.

RECOMMENDATION

13.68.5. I recommend that no modification be made to the Local Plan.

13.69. POLICY H1, TABLE 4 & COLCHESTER INSET *Proposed* **Housing Allocation, Land East Side of Winstree Road, Stanway**

Objections

0604 / 01408	Stanway School/Persimmon Homes
0604 / 01652	Stanway School/Persimmon Homes

KEY ISSUES

- The Council has overestimated its housing land supply from the contributions to be made by allocations in the Second Deposit Version. Therefore, it should make further allocations.
- The site, comprising disused educational playing fields, lies within Stanway's urban area adjoined by housing to the north, a primary school and Winstree Road to the west, commercial development to the south and Gryme's Dyke, an ancient monument, to the east. The site should be released for housing with some open space retained, a green link provided across the site and improvements being funded at Stanway School on the west side of the road including sports facilities available to the public at large.

CONCLUSION

13.69.1. At paragraph 2.45 of Technical Paper 1A “Housing Demand & Supply and Social Housing (Core Document 198), six greenfield sites were set out which performed better than any others deferred for reconsideration during the period between the appearance of the First and Second Deposit Version. This objection site scored best of all the six sites. At paragraph 2.46 of the Technical Paper it was said that at most probably three new greenfield sites would be required and possibly only one, the inference being that, if any greenfield sites around Colchester/Stamway were to be released, this site would be the prime candidate. At the Local Plan inquiry, the Council stated that, irrespective of whether or not the land was required to fulfil Structure Plan housing land supply requirements, the local planning authority was prepared to bring forward its release provided there was an adequate east/west green link provided in accordance with Policy UEA15 and that improvements to local education or community facilities were made that would outweigh the potential loss of the land’s amenity value under the terms of Policy CF5.

13.69.2. An application that was current at the time of the inquiry was refused planning permission, presumably because agreement could not be reached between the parties on those last two points. However, when the matter came to be addressed at appeal at the end of October 2002, the Council offered no evidence to support its reasons for refusal, as negotiations had overcome the objections to the development that the Council had maintained at the planning application stage. The decision of the First Secretary of State is awaited on this matter at the time of writing this report. Nevertheless, as far as I am concerned, I have no evidence before me upon which to maintain an objection to the inclusion of this site as a Housing Allocation in the Local Plan, whether or not there is a perceived shortfall of housing to meet Structure Plan requirements. Accordingly, I recommend the addition of this site to Table 4 for the allocation of 200 houses and provision of public open space on 6.8 hectares. I indicate in my recommendation below the general requirements that need to be met. These can be refined in the adopted Local Plan to comply with the actual terms of any planning permission issued.

RECOMMENDATION

13.69.3. I recommend that the Local Plan be modified in Table 4 by the addition as follows:-

*“Site Address 23. Land East of Winstree Road, Stamway Area 6.8ha
Estimated Capacity 200 Requirements 1. The provision of an adequate
east/west Green Link in accordance with Policy UEA15; 2. Improvements to local
education or community facilities will outweigh the potential loss of the land’s
amenity value under the terms of Policy CF5.”*

13.70. POLICY H1, TABLE 4 & INSET E19 Proposed Housing Allocation, Swan Street

Objection

0031 / 00035

Mr & Mrs T J & L V Maloney

KEY ISSUE

- Land to the east of ‘The Acacias’ on the south side of Bacon’s Lane should be added to the village envelope. It is disused farmland, which is unlikely to revert to agricultural use,

and a well-designed house with proper landscaping would provide a purpose-built dwelling for Mr Maloney, who is disabled, and his family without looking out of place.

CONCLUSION

13.70.1. The village envelope for this part of Chappel is drawn around the cohesive collection of dwellings on the eastern side of Swan Street and the southern side of Bacon's Lane. There may be sporadic housing on the northern side of Bacon's Lane to the east of the objection site and use of this land for farming may have ceased. However, it is clear to me that development at the Swan Street inset terminates to the east on the south side of Bacon's Lane with 'The Acacias' and the settlement boundary is correctly drawn at that point. I note the desire to build a house designed to accommodate Mr Maloney's disabilities. If this land were to be included within the village envelope, based on the family's personal circumstances, under the plan-led system this would give them a presumption in favour of residential development that would have been denied to the public at large. Paragraph 38 of PPG1, "General Policies & Principles", warns that personal circumstances seldom outweigh more general planning considerations. It goes on to point out that where works of a permanent nature are involved, such as an additional house in the countryside where none would normally be permitted, these will remain long after the personal circumstances of, in this instance the objector, have ceased to be material. I do not consider this site to be a suitable addition to the clearly defined settlement boundary at Swan Street and, taking PPG1's advice into account, the personal circumstances of the objector should not cloud my recommendation. Consequently, I recommend that the settlement boundary at Swan Street remains unaltered.

RECOMMENDATION

13.70.2. I recommend that no modification be made to the Local Plan

13.71. POLICY H1, TABLE 4, TIPTREE INSET & PROPOSED CHANGE 78 **Housing Allocation, Grove Road, Tiptree**

Objections

0013 / 00015
0218 / 00306

Mr A & Mrs D Charles
Tiptree Parish Council

KEY ISSUES

- Development has taken place at Grove Road as if the Local Plan allocation was a foregone conclusion with no account taken of local objections.
- The Tiptree Inset Map does not show a clear boundary to Tiptree.
- Requirement 2 of Item 14 of Table 4 should refer to 4.05 hectares of open space.
- Proposed Change 78 would delete Requirement 2 of Item 14 of Table 4 and insert the following:- "2. 4.05Ha of open space to be provided on site."

CONCLUSION

13.71.1. This is a large-scale housing allocation (Table 4, Site 14) that was 'rolled forward' from the current adopted Local Plan, where it was a new housing allocation. The planning permissions for housing and related land uses have been granted long ago and development is now nearing completion. Consequently, there is no action to be taken in response to the objection from Mr and Mrs Charles. Tiptree Parish Council states that the

Inset Map shows no clear-cut boundaries to the local urban centre. To my mind this has more to do with the nature of Tiptree as a settlement, with pockets of housing identified beyond the main built-up area, for instance in Maldon Road, and the proximity of the boundary with Maldon DC to the south and west. Nevertheless, I have no difficulty in recognising where new development, including new housing, is proposed on the Tiptree Inset and I recommend that no change be made in response to this aspect of the Parish Council's objection.

13.71.2. However, the Parish Council goes on to point out that the open space provision at the Grove Road housing allocation is not an extension to a playing field as set out in Table 4 of the Second Deposit Version. Proposed Change 78 would rectify that and I recommend its adoption. Having said that, there would, in my judgement, be little point in retaining Site 14 of Table 4 if the development had been 'built-out' by the time of the plan's adoption.

RECOMMENDATION

13.71.3. I recommend that the Local Plan be modified in accordance with Proposed Change No 78.

13.72. POLICY H1, TABLE 4, TIPTREE INSET & PROPOSED CHANGE 79 **Housing Allocation, Gaffney of Tiptree, Newbridge Road, Tiptree**

Objections

0090 / 02290	Prowting Plc & The Barbour Family
0350 / 02230	Bovis Homes Ltd
0350 / 02234	Bovis Homes Ltd
0414 / 02409	Prowting Projects Ltd
0559 / 02321	Banner Homes Ltd
0570 / 01963	Marconi Property Limited
0600 / 02351	Bellway Estates
0601 / 01403	Gaffney of Tiptree
0602 / 02244	Countryside Strategic Properties Plc
0603 / 01406	Arriva Plc
0604 / 02350	Stanway School/Persimmon Homes

KEY ISSUES

- Gaffney of Tiptree objected to their site being excluded as a housing allocation from the First Deposit Version. It was added to Table 4 of the Second Deposit Version as a new allocation for Tiptree (14a) providing 15 houses and subject to the following requirements:- 1. Provision of 2.83ha of Country Park & Wildlife Area on adjoining land; 2. Provision of 1.17ha of open space; 3. Relocation of present employment use elsewhere preferably in Tiptree. However, the original objection (0601/01403) has not been formally withdrawn.
- The other objections are to the addition of this housing allocation. These are on the basis that Tiptree has already been allocated sufficient new housing at Grove Road, that other sites in Tiptree are better suited to housing allocations and they would not result in the loss of valuable employment land and that other proposed housing sites in or on the edge of Colchester/Stanway and at Eight Ash Green are more sustainable and therefore better suited to the release for housing. All of these objectors are representatives of rival house building operators and no local opposition to this allocation has been received.
- Proposed Change 79 would slightly enlarge the housing allocation on the Proposals Map to meet objection 0601/01403 in full.

CONCLUSION

13.72.1. This is a brownfield redevelopment on the edge of the local urban centre of Tiptree providing a modest increase in housing stock. In addition, it affords significant gains in open space, for which there continues to be a local shortage, and wildlife habitat provision. As a consequence, this allocation is deserving of my full support. The rival proposals of most, if not all of the objectors, relate to far larger sites. Most of them are greenfield in nature and some do not even abut a designated urban area. Certainly, I am unaware that any could provide so much in the way of community benefits in return for a modest expansion of housing stock. Consequently, there can be little surprise that there is no local opposition to this proposal. With a large area of undeveloped employment land available in Kelvedon Road, there seems to be no sound reason why requirement 3 of this allocation cannot be satisfied by a relocation of the present commercial enterprise to another site in Tiptree and I reject the arguments of the objectors.

13.72.2. With regard to the outstanding objection from Gaffney's, this relates to the fact that the housing allocation shown on the Second Deposit Version Proposals Map did not take into account the area covered by a past partly unimplemented planning permission for commercial development on this land. Proposed Change 79 would include this area in its entirety and I recommend the adoption of this proposed change.

RECOMMENDATION

13.72.3. I recommend that the Local Plan be modified in accordance with Proposed Change No 79.

13.73. POLICY H1, TABLE 4 & TIPTREE INSET *Other Proposed* **Housing Allocations in Newbridge Road, Tiptree**

Objections

0404 / 00770	G Jarvis & Son Limited
0407 / 00772	Mr C Heath & Mr N Buckland
0683 / 01704	Mr M B Bell

KEY ISSUES

- Land at 'Omishan' on the south side of Newbridge Road should be released for housing, creating a small residential estate in a self-contained settlement. It has a lawful use as a contractor's depot, which generates undesirable heavy goods vehicle movements through the centre of Tiptree. This would be removed by residential development that would be well related to the existing built-up area of Tiptree.
- Land at Viners Farm on the north side of Newbridge Road should be allocated for housing in view of the semi-rural nature of Newbridge Road, where further residential development would not look out of place. More specifically such a designation would give a presumption in favour of retention of a mobile home by Mr Nathan Buckland, a gypsy with longstanding links with the locality but who is currently in illegal occupation of the land.
- The residential allocation for Tiptree could be extended by some 40 yards to the rear of 46 Newbridge Road.

CONCLUSION

13.73.1. Newbridge Road is a long road stretching from the eastern part of the built-up area of Tiptree north-eastwards into open countryside. However, for much of its length it is fronted by pockets of housing and other development interspersed with open land. Because of the difficulty of determining the extent of the built-up area of Tiptree along this road, any of these proposals which tends to blur the distinction between the urban area and the countryside should be looked upon with disfavour. If the urban area were to expand in a haphazard manner in this part of Tiptree, to my mind it would be difficult to defend any open land along both frontages onto Newbridge Road, which would bring about an undesirable expansion in ribbon form of the settlement to the north-east.

13.73.2. Bearing that in mind, in my judgement the proposal for the residential redevelopment of 'Omishan' has the most to offer. Its frontage is already partly developed and its wholly residential use would bring about a cessation of commercial activity that generates some heavy goods vehicle movements along roads fronted in part by residential properties. The objectors' agent has cited the precedent at Gaffneys for a similar approach to be adopted at 'Omishan'. However, I consider the circumstances to be very different. Gaffneys abuts the present built-up area; the present developed area of 'Omishan' is separated from its nearest residential neighbour to the west at 76 Newbridge Road by what I consider to be a significant gap of open land. While the land to the rear of 'Omishan' enjoys the benefit of a lawful development certificate for commercial uses, this is more low-key in appearance than Gaffneys, where a substantial range of industrial buildings has a significant visual impact on its surroundings. Consequently, residential redevelopment of the existing buildings at Gaffneys would simply replace one complex of structures on the edge of the built-up area of Tiptree with another. In contrast, development at 'Omishan' would replace largely open-air commercial activities or open land with housing development in depth in a comparatively isolated location.

13.73.3. I note the threat that commercial activities at this site could intensify if a cessation of the use by residential development were not permitted. However, I do not consider that possibility to be sufficient justification for permitting residential development in depth outside the main body of housing in Tiptree. This would be out of keeping with the existing pattern of housing within the rural parts of Newbridge Road, which, where it exists, is linear in nature. Therefore, this objection should not succeed. I have been asked by the Council to make a determination upon whether 74 and 76 Newbridge Road should be added to the built-up areas of Tiptree. As the owners of those properties have raised no objection to their exclusion, I see no need to do so. On the other hand, if the Council sees no harm in adding them to the revised urban envelope created by the Gaffney's Housing Allocation, then I envisage no problem with that.

13.73.4. Viners Farm, in my judgement, plays an even more significant role in separating the rural and urban sections of Newbridge Road than 'Omishan'. It is the first tract of essentially open land on the north side of Newbridge Road to the east of Tiptree's built-up area. As a result, I consider that the reasons for its release for frontage development, bringing about the coalescence of the main settlement with the ribbon of housing to the east of the appeal site, need to be especially compelling if this objection is to succeed. In general terms, no special arguments are put forward for this site's release, other than it provides an opportunity for small building firms to construct new houses in Tiptree, in contrast with the volume housebuilders operating at Grove Road and the Tiptree Book Services site. I do not consider that this amounts to a convincing reason for the loss of the first gap in the developed frontage of Newbridge Road on its northern side. The principal arguments put forward at the inquiry related to the release of the land for residential purposes for its occupation by the

family of Mr Nathan Buckland, a local gypsy who had been living on the land illegally since the period for compliance with a valid enforcement notice expired on 24 January 2001.

13.73.5. Lengthy submissions were made on behalf of Mr Buckland that failure to designate this site as residential land would be in breach of the Human Rights Act 1998, in that it would deprive him of his right to respect for his private and family life, his home and his correspondence, contrary to Article 8 of the European Convention on Human Rights. Much of this submission was based on the decision at first instance in *R v Secretary of State for the Environment, Transport and the Regions ex p Holding & Barnes plc and others* that the Secretary of State was not an impartial tribunal for the purposes of Article 6. In fact, the House of Lords reversed this decision at about the same time as these submissions were made. The effects of releasing this land for housing would be to give to Mr Buckland a presumption to build permanent housing on this land for his occupation. Moreover, at paragraph 12 of the appeal decision upholding the valid enforcement notice, the Inspector recorded that it was the objective of the Buckland family to settle permanently on the site and build a house. He continued on this point at paragraph 14 by stating that the objectors' needs and aspirations were little different from the settled community. I reach the conclusion that it would be wrong to make an allocation for permanent housing on the basis of the personal circumstances of particular individuals, if I were not prepared to do so for the population at large. I am reinforced in this by the decision of the Court of Appeal of 22 October 1999 in *Hearne v Carmarthenshire County Council & National Assembly of Wales* where it was held that, where a gypsy had given up a nomadic way of life, he had given up his gypsy status on moving to the land, and policies concerning gypsy caravan sites were not appropriate. The guidance in Circular 1/94 was aimed at applications to provide accommodation for gypsies; it did not apply to applications that were not for gypsy use. To my mind this decision overturns any considerations under the Human Rights Act 1998 concerning the correct operation of land-use planning acting in the general public interest, with regard to the particular circumstances at this site.

13.73.6. Even within the built-up portion of Newbridge Road, long rear gardens extend well to the rear of the developed frontage. Mr Bell requested the release of the back garden of no 46 for reasons that are not explained in his representations. At the time of writing this report, the frontage is being redeveloped with new housing, so release of the land to its rear would serve no useful purpose. Accordingly, this objection should also fail.

RECOMMENDATION

13.73.7. I recommend that no modification be made to the Local Plan.

13.74. POLICY H1, TABLE 4 & TIPTREE INSET Proposed Large-scale Housing Allocations, West Side of Tiptree

Objections

0014 / 00016	Bellchurch Properties Ltd	Land north of Harrington Close.
0129 / 00173	Mr M Payne	Land west of Vine Road.
0324 / 00573	Mrs Lisa Bryant	Land at Pennsylvania Lane
0350 / 00662	Bovis Homes Ltd	Land west of Maldon Road
0350 / 00663	Bovis Homes Ltd	Land at Peakes Farm, Maldon Road
0350 / 00664	Bovis Homes Ltd	Land north of Grange Road
0350 / 00665	Bovis Homes Ltd	Land at Vine and Grange Road
0403 / 00764	Estate of James Martin	Land off Harrington Close
0403 / 00765	Estate of James Martin	Land Grange Rd/Pennsylvania Lane
0403 / 00766	Estate of James Martin	Land at Maldon Road
0403 / 00767	Estate of James Martin	Land at Maldon Road

0403 / 00768	Estate of James Martin	Land at Vine Farm, Vine Road
0403 / 00769	Estate of James Martin	Land at Vine Farm, Vine Road
0405 / 00775	Edward Gittins & Associates	Land west of Kelvedon Road
0417 / 00795	Granville Developments	Land SW of Pennsylvania Lane

KEY ISSUES

- It is wholly inappropriate for the Local Plan now to direct all its major housing growth only to sites within or adjoining the existing built-up area of Colchester-Stanway. This abandons the principle, established over many years, of allowing development to take place in its second tier urban centres such as Tiptree, catering for both the general demand for new housing in Essex and for locally generated growth. Tiptree is a sustainable location with local employment opportunities, its own secondary school and public transport links. Some of these smaller sites would cater for small to medium-scale building firms who have not been able to compete with the volume housebuilders at Grove Road or on the Book Services site.
- In the case of the northernmost Bovis Site, this would unlock adjoining designated employment land, which has remained undeveloped due to access/ownership problems. The resultant urban edge would be more defensible, with suitable landscape treatment, and the additional public open space would help to meet Tiptree's shortfall of open space provision. Land south-west of Pennsylvania Lane could provide improved public access to the new open space resource at Inworth Grange and a new ground for Tiptree Football Club. Development of the Maldon Road frontage could permit the provision of an official lay-by as a dropping-off point for children attending the Tiptree Heath Primary School.
- No highway difficulties would arise from the release of these sites. Development of the site on the corner of Vine Road and Grange Road would allow this dangerous junction with its poor visibility to be improved.

CONCLUSION

13.74.1. This array of objections is somewhat confusing. There is some overlap between different objectors over the same area of land, some of whom are putting in joint cases, some of whom are not. There are clear indications that some sites are to be considered separately, for instance those of the estate of James Martin in Vine Road from Bovis Homes' objection at Vine and Grange Road, although in practice it is difficult to see how the latter could succeed in the absence of the former. For this reason, they are all being considered together. They are all based on the premise that significant areas of housing land on greenfield sites should continue to be made available at Tiptree as they have been in the past. If I accept that premise, I am then faced with the difficult decision as to which of these competing sites should be released, or if I am unable to separate them out, to recommend the release of them all. On the other hand, if I accept this Local Plan's premise that, for the duration of its lifetime, development should be concentrated in Colchester/Stamway and need not be dispersed to secondary urban locations, such as Tiptree, then all of the objections should fail, even if some of the proposals may bring about benefits such as improved highway and open space provision, the unlocking of employment land and the possibility of development by small-scale building operators.

13.74.2. In addition to what is set out in paragraph 30 of PPG3, a more detailed version of the sequential search for housing land, specific to Essex, is set out in Policy H2 of the Essex & Southend Replacement Structure Plan adopted in April 2001, with which the Second Deposit Version of this Local Plan is said to be in conformity. The Structure Plan policy states:-

“POLICY H2 - Housing Development - The Sequential Approach

Residential development should be located on sites which can provide good access to employment, shopping, education and other community facilities by a choice of means of transport, particularly cycling, walking and passenger transport. New housing provision should be located in accordance with the following strategic principles :-

- 1. The maximum amount of housing provision will be located within existing large urban areas which have the ability to provide a concentration of employment, shopping, educational and other facilities, easily accessible by a choice of means of transport. Particular priority will be placed on maximising the re-use or conversion of existing sites and buildings within such urban areas for housing, consistent with local environmental character, and residential and recreational amenity and the need to promote economic regeneration;*
- 2. Where housing provision cannot be provided within existing large urban areas it should be provided in the form of planned peripheral development on the edge of existing large urban areas. Such housing provision should be well related to employment, shopping, educational and other community facilities, which are easily accessible by a choice of means of transport;*
- 3. Where housing provision cannot be provided within, or on the periphery of, existing large urban areas, it should be provided in the form of expanded settlements defined in adopted local plans. Existing settlements when expanded should be large enough to provide a range of employment, shopping, educational and other community facilities with the capability of providing for a choice of means of transport;*
- 4. Small-scale housing provision may be provided in small towns and villages at a scale consistent with local community needs as identified in adopted local plans. Significant incremental expansion of housing in small towns and villages will be avoided where the absence of local employment opportunities, facilities and services is likely to result largely in car commuting to urban centres, and where travel needs are unlikely to be well served by a choice of means of transport;*
- 5. Sporadic housing development in the countryside will be resisted.”*

13.74.3. Clearly the fifth principle does not apply to any of these sites. If the westward expansion of housing at Tiptree does not satisfy any of the other four tests then I shall recommend that all of these objection sites be rejected. The fact that residential development has taken place at Tiptree on a significant scale in the past is no guarantee that it should continue into the future if the basic strategy for identifying the location of new housing land in Essex, as set out in Replacement Structure Plan Policy H2, is fundamentally different from its predecessors. There can be no doubt that these greenfield sites on the edge of a local urban centre do not constitute housing provision within a large urban area. The first stage of Policy H2’s sequential approach cannot be met.

13.74.4. However, it was argued forcibly at the inquiry on behalf of the largest objectors, in terms of area of land involved (Bovis Homes), that development of land to the west of Tiptree amounted to planned peripheral development on the edge of an existing large urban area, the second phase of the sequential approach set out in Structure Plan Policy H2. I do not accept the arguments that Tiptree is a large urban area in the context of Essex as a whole, against which this Policy must be interpreted. It does not provide a “*concentration of employment, shopping, educational and other facilities, easily accessible by a choice of means of transport*”. Even though it may be (just) the second biggest urban centre in Colchester Borough, I do not look upon Tiptree as a large urban centre even in the context of the Local Plan area. It is so much smaller than Colchester/Stanway in terms of both

population and area that it cannot be considered as falling within that definition. There may be other Essex Districts with more than one large urban area, for instance Tendring with both Harwich/Dovercourt/Parkeston and Clacton-on-Sea/Holland-on-Sea/Jaywick, but I am satisfied that Colchester Borough is not one of these. It has one dominant urban agglomeration where the bulk of the population is concentrated and Colchester/Stanway is the only settlement in the Borough satisfying the definition emphasised above. Development west of Tiptree does not, therefore, constitute planned peripheral development on the edge of an existing large urban area.

13.74.5. Turning to the third test of Structure Plan Policy H2, it may be argued that this need not be considered. It states that where housing provision cannot be provided within, or on the periphery of, existing large urban areas, it should be provided in the form of expanded settlements defined in adopted local plans. At paragraph 13.5.6 above, I conclude that the housing allocations on previously-developed land and on the periphery of large and local urban centres amount to 2,959 units, well in excess of the 2,600 units required by the Structure Plan that are not to be provided by other means. If the housing supply to be provided by the two additions to local urban centres, 15 for Gaffney's at Newbridge Road and 65 at West Mersea, is deleted, this still leaves more than 2,600 units within housing allocations catered for by stages 1 and 2 of the sequential approach of Structure Plan Policy H2. However, because of my reservations about the deliverability of 1,600 units on the Colchester Garrison sites during the current plan period, the sites west of Tiptree have to be assessed against Stage 3 of sequential test of Structure Plan Policy H2.

13.74.6. Tiptree undoubtedly enjoys a range of employment, shopping, educational and other community facilities including new employment opportunities in Kelvedon Road, a new Tesco store in the town centre and the only secondary school in Colchester Borough outside the main urban area. However, contrary to what is argued by the objectors, I do not consider that the land west of Tiptree enjoys the capability of providing for a choice of means of transport. Tiptree's bus links with the outside world are at best indifferent and I have no evidence before me that these would be improved if any of these proposals were to proceed. Its railway line was closed many years ago and passenger services were withdrawn long before that. Reliance has to be placed upon the closest rail stations on the main line out of London Liverpool Street at Witham and Kelvedon to which bus links are especially poor. It therefore follows that the vast bulk of travelling out of the settlement, if westward expansion of Tiptree in a planned form were to take place, realistically would be reliant on the private car for at least part of the journey. In that respect, the slightly smaller local urban centre at Wivenhoe may be better placed for planned expansion under Stage 3 of Structure Plan Policy H2's sequential approach, as it enjoys a direct rail service to London in addition to local trains to Colchester, Clacton and Walton-on-the-Naze. For this reason alone, the substantial enlargement of Tiptree to the west could not be considered a satisfactory planned expansion of the existing settlement.

13.74.7. Turning to Stage 4, it could be said that the Bovis proposals are on such a scale (approaching 1,000 units at 30 dwellings per hectare) that they do not amount to small-scale housing provided in a small town at a scale consistent with local community needs. However, for the sake of completeness they will be assessed under this heading alongside the other smaller scale objections. The same weaknesses, with regards to the availability of means of transport other than the private car, apply equally at this phase also. The fourth test of Policy H2 also warns against the incremental expansion of housing in small towns, where the absence of local employment opportunities is likely to result largely in car commuting to urban centres. Traditionally, Tiptree has been a largely self-sufficient centre with significant number of jobs to be found in manufacturing, notably in book printing and fruit preserves.

However, Tiptree Book Services have disappeared altogether while employment at the jam factory has shrunk. New job opportunities have come on stream in Kelvedon Road, but employment densities are not of the same order as the old manufacturing base. At the same time the night-time residential population has expanded greatly, with large-scale new housing developments, notably at Grove Road. In these circumstances, I find the arguments that additional housing on a large-scale on the west side of Tiptree would improve its self-containment difficult to follow. They may unlock one tranche of employment land off Kelvedon Road but they would also bring about the disappearance of another allocation to housing. With the existence of significant employment areas close to the primary road network at Colchester, Witham, Braintree, Maldon and Chelmsford, the scenario of widespread car commuting to larger urban centres on an even bigger scale, if more housing estate development on the west side of Tiptree were to be permitted, becomes all the more likely. For all of these reasons, none of these sites satisfy the recently adopted Structure Plan's policy on housing land supply. Therefore, none of these objections should succeed.

RECOMMENDATION

13.74.8. I recommend that no modification be made to the Local Plan.

13.75. POLICY H1, TABLE 4 & TIPTREE INSET *Proposed Housing Allocation, Land at Windmill Hill, Tiptree*

Objection

0385 / 00711

Mr Richard Martin

KEY ISSUE

- The land in the vicinity of the waterworks and Pennsylvania Lane should be included in the 'predominantly residential' notation for Tiptree or should be the subject of inclusion within a separate village settlement boundary. This would be consistent with the predominantly residential allocation for a stretch of Maldon Road, which lies beyond the main built-up area of Tiptree, or to isolated linear settlements subject to definition by village envelopes, such as Hardy's Green and Smythe's Green.

CONCLUSION

13.75.1. If any of the sites set out in the previous section, which would have swallowed up this loose grouping of dwellings, had been approved then the obvious solution would have been to absorb this area into Tiptree as predominantly residential land. However, I recommend to the contrary and this isolated cluster is therefore likely to remain remote from the main built-up area of the settlement at least for the lifetime of this Local Plan. I find considerable difficulty with the concept of identifying small groups of houses in the countryside as being worthy of inclusion within settlement boundaries, either as outliers of larger urban areas, as at Maldon Road, or as small villages as at Smythe's Green or Hardy's Green. As there are no duly-made objections to these designations, I am not in a position to recommend their removal. However, that does not mean that I have to sanction any more. Paragraph 3.21 of PPG7 allows for sensitive infilling of small gaps within small groups of houses within the countryside or minor extensions to groups, depending on the character of the surroundings. Such development may take place without the official identification of such groups in a Local Plan. Therefore, similar housing might be permitted at this small group, if it were in keeping with its setting, without the need to make any specific designation for this loosely-knit assemblage of dwellings. Consequently, I do not recommend that any form of settlement identification be made for Windmill Hill.

RECOMMENDATION

13.75.2. I recommend that no modification be made to the Local Plan.

13.76. POLICY H1, TABLE 4 & TIPTREE INSET Proposed Housing Allocation, Tiptree Heath Primary School, Maldon Road, Tiptree

Objection

0599 / 01400

Tiptree Heath Primary School

KEY ISSUE

- The school's headteacher would like part of the site allocated for residential purposes to allow a caretaker's to be built within the school grounds at some time in the future.

CONCLUSION

13.76.1. Tiptree Heath Primary School is a single-storey brick structure set in its substantial playing fields. It has no notation on the Tiptree Inset, but it lies on the western edge of the main built-up area between the bulk of Tiptree's urban mass and the outlying residential development on the north side of Maldon Road to the west. School caretakers' houses are traditionally to be found within school grounds. If this is the extent of the school's proposals for residential accommodation then I see no need for a specific housing designation at these premises. Any planning application for a new house to accommodate a school caretaker can be determined on its own merits. The present Inset Map notation should not prevent in principle a caretaker's house ancillary to the overall functional requirements of the residential accommodation being erected somewhere within the school grounds. There is no need to make a housing allocation on this site and, as a consequence, the objection should not succeed.

RECOMMENDATION

13.76.2. I recommend that no modification be made to the Local Plan.

13.77. POLICY H1, TABLE 4 & TIPTREE INSET Proposed Housing Allocation, Land at Hall Road, Tiptree

Objection

0208 / 00278

Mr Colin Coghlan

KEY ISSUE

- Land on the north-east side of Hall Road should be allocated as predominantly residential land in the Tiptree Inset. It is the last undeveloped plot at the southern end of the road, it is surrounded by hedges and it is close to Tiptree Heath Primary School.

CONCLUSION

13.77.1. The proposed housing site is described by the objector as 'brownfield' in nature. I could see nothing on the site other than low-key field shelters whose removal to make way for new housing would not amount to re-use of previously developed land for the purposes of Annex C to PPG3. Although many sectors of boundary of the built-up area of Tiptree, as shown on the Proposals Map, are unclear on the ground, to my mind in this part of the southern edge of the settlement, the demarcation between local urban centre and open

countryside is clear cut with the objection site falling firmly within the latter. I am convinced that releasing this plot for housing would blur this sharp distinction, creating an unwarranted urban intrusion into its surroundings. Therefore, I recommend that no action be taken in respect of this objection.

RECOMMENDATION

13.77.2. I recommend that no modification be made to the Local Plan.

13.78. POLICY H1, TABLE 4 & TIPTREE INSET *Proposed Housing Allocation, Land west of Bull Lane, Tiptree*

Objection

0410 / 00783

Mr D Clough

KEY ISSUES

- Before the emergence of the First Deposit Version of the Local Plan, this site, which was considered to be hemmed in by existing housing, was given considerable encouragement by the Council as a further natural residential expansion to the built-up area of Tiptree. It replaces the unsightly buildings of an egg production plant and, unlike other housing allocations in Table 4, is not subject to the outcome of uncertain infrastructure development, such as a new junction onto the A12 for the release of Severalls Hospital land.
- The only reason given by the Council for its exclusion from the First Deposit Version was difficulty of access through the existing road network. Evidence is put forward to demonstrate conclusively that this is not the case.

CONCLUSION

13.78.1. As with so many other peripheral sites on the edge of modest settlements such as Tiptree, this site suffered from consideration as a viable housing allocation by the sea change of revised PPG3 of March 2000. This seminal document post-dates not only the earlier favourable noises made about it by the Council during the embryonic phase of this Local Plan but also the First Deposit Version itself. If this site does not satisfy the stringent requirements of PPG3 then this objection should fail.

13.78.2. Firstly, paragraph 30 states that in identifying sites to be allocated for housing in local plans, local planning authorities should follow a search sequence, starting with the re-use of previously-developed land and buildings within urban areas, then urban extensions and finally new development around nodes in good public transport corridors. Paragraph 58 requires the avoidance of development that makes inefficient use of land ie development at less than 30 dwellings per hectare. Applying these criteria to this site, it performs poorly. Contrary to the assertions made by the objector's agent, this is not a brownfield site in terms of the definitions set out in PPG3. Annex C states that previously-developed land is that which is or was occupied by a permanent structure. However, it excludes agriculture or forestry buildings and an egg production plant is an agricultural building. The objector's agent complains about an over-emphasis housing on the former Tiptree Book Services site, despite its mixed allocation set out in Policy TIP2. This is a genuinely brownfield location and, in the light of the importance placed by PPG3 of re-using previously-developed land for residential purposes, I do not consider the preponderance of housing on this site to be misplaced. The advice on urban extensions in paragraphs 66 and 67 is that development

should not consist exclusively of housing and that there should be good access to public transport. Proposed housing layouts show a wholly residential development and a distance of three miles to the closest railway station does not to my mind amount to good public transport access. In contrast, the modest housing allocation at the Gaffney's site in Newbridge Road, which is brownfield in nature, also makes provision for further public open space and an area for wildlife and countryside with access available to the community at large. Finally, the objector's agent states that density would be at 5.2 dwellings per acre, significantly less than the 30 per hectare required by paragraph 58 of PPG3.

13.78.3. It appears that the main reason for rejecting this site from the First Deposit Version was of a highway traffic nature. Lengthy submissions have been made indicating how the existing highway network, with little or no improvement, can easily handle the additional traffic flows likely to be generated by this proposal without significantly increasing the risk of accidents. The local planning authority makes no attempt to rebut these carefully constructed arguments and I have no reason to question the proposition that the present road pattern could cope adequately with housing development on this scale. However, these matters are to my mind now only of historic interest. The principle of releasing this land for residential development has now been overtaken by the sequential approach of PPG3 and the general concentration of development in major urban centres as the most sustainable locations for housing at densities in excess of 30 dwellings per hectare, which is the strategy adopted by this Local Plan. So long as this remains government policy, to which local planning authorities should adhere, then the contribution of greenfield sites developed at lower densities around smaller urban centres, such as Tiptree, is likely to be smaller than in the past, even if market forces and consumer demand might indicate otherwise. For the reasons set out in the preceding paragraph, this objection should not succeed.

RECOMMENDATION

13.78.4. I recommend that no modification be made to the Local Plan.

13.79. POLICY H1, TABLE 4 & INSET C8 Proposed Housing Allocations, West Bergholt

Objections

0072 / 00084	North East Essex Building Group
0128 / 00172	Mr R A Ingram
0130 / 00174	Mr G S E Penrose
0209 / 00279	Mrs C Chivers
0383 / 00707	Mr F L Balls
0655 / 01626	Mr B Price

KEY ISSUES

- The narrow belt of open land on the south side of Armoury Way between the highway and the new housing on the former Truman Maltings' site (now known as Barley Meadows) should be released for housing, as it is now incapable of commercial agricultural use. It would provide 36 units with access through the new development so providing a greater range of choice for locations other than Colchester/Stamway, especially The Garrison, which should have its allocation cut by 200 units during the Local Plan period and dispersed elsewhere.

- Land at Cooks Hall Road outside the village envelope should be released to provide a family home for the owner on land with no landscape value, except for trees on its highway boundaries, which could be retained.
- Land on the south-east corner of the junction of Manor Road with Colchester Road should be included within the settlement boundary to allow for the steady growth of West Bergholt since the Second World War to continue. This has transformed West Bergholt from a freestanding working village into a satellite dormitory for Colchester.
- Release of open land in a cul-de-sac off Armoury Way opposite existing housing would represent sensible 'rounding-off' to the village.
- A vacant plot of land adjoining 'Brook Cottage', Bourne Road could be developed as a single house to the owner's own design as sensitive infilling in the south-east corner of the village.
- Land on the north-east side of Colchester Road between Manor Road and The Crescent should be included within West Bergholt's village envelope. This would allow land with lawful uses for business purposes to the north-west of 32 Colchester Road to be developed with frontage housing in keeping with its surroundings without obtruding into open countryside. By representations dated October 2001, the objection was reduced in scale to the land to the north-west of 32 Colchester Road only and this area alone will be the subject of my consideration.

CONCLUSION

13.79.1. West Bergholt is designated as a Principal Village in Table 3, described as a key village with facilities for shopping, recreation, and primary education, and some local opportunities in addition to service industry and agriculture. There is no indication in this description that Principal Villages are necessarily capable of expansion and paragraph 69 of PPG3 warns that only a limited amount of housing can be expected to be accommodated in expanded villages. Paragraph 70 continues this theme by stating that villages will only be suitable locations for accommodating significant additional housing where it can be demonstrated that such expansion would support local services, which may become unviable without some modest growth, additional houses are needed to meet local needs, such as affordable housing, and the development can be designed sympathetically and laid out in keeping with the character of the village using techniques such as design statements.

13.79.2. I am satisfied that none of these objection sites meet these criteria in full. The proposed housing is, with the exception of the Armoury Way site, seemingly attached to the existing village in a haphazard and arbitrary way, rather than forming a cohesive pattern of development. No real indication is given that local services, such as schools, would become unviable in the absence of the additional housing. No evidence is provided of the housing being put to meet genuine local needs as affordable housing; in two instances the sites are said to provide general market housing for their owners. All of the sites are greenfield sites, in contrast to the re-use of the former West Bergholt brewery, which was a classic brownfield scenario. I am firmly of the opinion that this greenfield status applies equally to the land adjoining 32 Colchester Road, which has the benefit of a lawful development certificate. The lawful structures concerned are impermanent and small-scale, occupying a restricted part of the site, while the commercial uses are for the most part carried on in the open. If there has been some housing on the land in the past, Annex C to PPG3 states that land that was previously developed is excluded from the definition of a brownfield site where the remains of any structure has blended into the landscape in the process of time.

13.79.3. The sites at Cooks Hall Road, Bourne Road and the cul-de-sac off Armoury Road are all areas of open countryside screened by trees from their highway frontages and, in the case of the Cooks Hall Road site, it is well removed from the edge of the main settlement. All three sites give the appearance of attractive open countryside when seen from public vantage points and to my mind no good reason has been advanced why they should not remain in that state, even if, in the case of Cooks Hall Road, there has been some development within the rural area nearby. Similar considerations apply to the two sites on the north-east side of Colchester Road. They are embedded within a stretch of sporadic development towards the northern apex of the village, none of which is incorporated within the settlement boundary. In my judgement, release of these two sites would result in the consolidation of this peripheral scatter of development, harming the character of the settlement by cutting off the village core from its rural setting on its north-eastern fringe. Consequently, I do not consider that any of these five sites should be allocated for housing purposes.

13.79.4. I have rather more sympathy with the objection regarding the land to the south of Armoury Way. I appreciate that the area of land is somewhat divorced from the main body of farmland to its east and that there is long existing housing to its north as well as new development to its south-east. However, it remains a greenfield site on the edge of a village and its siting is not as enclosed by housing as other objection sites in Principal Villages, which I do not recommend for release, notably Abberton Cricket Club. In the absence of the provision of any facilities that could be said to benefit the community of West Bergholt as a whole, unlike the housing allocation at Tile House Farm, Great Horkesley, another Principal Village, the release of this site does not, in my judgement, satisfy the three criteria set out in paragraph 70 of PPG3 and the objection fails.

RECOMMENDATION

13.79.5. I recommend that no modification be made to the Local Plan.

13.80. POLICY H1, TABLE 4 & WEST MERSEA INSET *Housing Allocation on Land on the North Side of East Road, West Mersea*

Objections

0057 / 00067	Mrs J Ridout
0064 / 00076	Mrs Catchpole
0088 / 00103	Mr Brian Willings
0090 / 00215	Prowting Plc & The Barbour Family
0091 / 00108	Mr & Mrs A J Ashenden
0101 / 00131	Mr Simon Banks
0112 / 00144	Mr R & Mrs M Pattison
0123 / 00349	Mrs Mary Hargreaves
0160 / 00219	Mr & Mrs Swiggs
0163 / 00230	Mr B Lawton
0186 / 01562	Mr S P Vince
0200 / 00269	Mr & Mrs A H Arnold
0206 / 00276	Mr J Barker
0227 / 00411	Mr Simon Gladas
0228 / 00456	West Mersea Town Council
0257 / 00410	Mrs J Bishop
0259 / 00414	A & J Page
0263 / 00421	Mrs M Miles
0313 / 00538	Mrs A Gallant
0314 / 00539	V A Gibbons & F E Smith
0319 / 00549	Karen J Callaby

0348 / 00654	Mrs J N Pearce
0353 / 00672	Miss J Jopson
0364 / 00686	C L Lloyd
0365 / 00687	Mr K Cromwell
0373 / 00695	Mrs J Stearn
0374 / 00696	Mr Stearn
0376 / 00698	Mr Green
0379 / 00703	Mrs J Mann
0380 / 00704	Mr P C Mann
0381 / 00705	Mr J E Grey
0498 / 01021	D H Butland
0499 / 01022	Mrs J Evans
0507 / 01039	J Redhouse
0509 / 01041	K Oultram
0535 / 01120	Mr C A Smedley
0536 / 01121	Mr J M Carruthers
0537 / 01122	Mrs W P Smedley
0538 / 01126	Mr G D Lowe
0564 / 01178	Mr B Willings
0569 / 01258	Cants of Colchester/James Bartholomew Trust
0570 / 01270	Marconi Property Limited
0595 / 01392	J R Tyler
0615 / 01444	Mr S W T Carruthers
0658 / 01630	P Tucker
0679 / 01691	Mrs P Grey
0694 / 01739	Mersea Forum

KEY ISSUES

- There is already too much housing development on Mersea Island, having regard to the fragile link to the mainland via a causeway that is periodically flooded and the need for evacuation in an emergency, such as a repetition of 1953 East Coast floods or a radiation leak at Bradwell Nuclear Power Station.
- Because of the lack of employment opportunities on the island, more new housing at West Mersea would tend to transform West Mersea from its village character to a commuter dormitory suburb for Colchester and other centres.
- Additional housing would increase traffic and general congestion on the island, especially during the holiday season. It would set a precedent for further urban expansion at West Mersea around the periphery of its built-up area, which would be difficult to resist elsewhere.
- It is not clear how the site would be served from the existing road network. The residents of whatever road(s) was/were chosen would suffer from the increased noise and potential risk of accidents from traffic passing their front doors. The visibility at the junctions of some side roads with East Road is poor, so these should not be used to serve additional housing. A traffic study in East Road, which is narrow in parts with limited footways, should be carried out at summer weekends when congestion is at its most extreme, before any of the site is released for housing.
- The existing infrastructure on the island would be overstretched. The present inadequate water supply and sewage systems would be overloaded. There are no secondary schools and little youth facilities on the island and the primary education provision is already overcrowded. Primary health care facilities are inadequate and would be stretched to breaking point if housing on the scale proposed were permitted on the island.

- Public transport on and off the island is slow and inefficient so most new residents of any new housing are likely to be car dependent. Although buses can cross the causeway at all but the highest of tides, they are frequently prevented from doing so by the jam of cars unable to make the crossing when the causeway is covered at high tide.
- The proposal would result in the unwarranted intrusion of urban development onto open high-grade farmland included within the Countryside Conservation Area and clearly visible on the main approach to West Mersea from the north.
- There is no perceived shortfall of public open space in West Mersea, to justify this additional housing, if the sea frontage is taken into account.
- If any further housing is to be permitted, the Council must ensure that additional public open space is made available at the same time to help towards meeting the acute shortfall in West Mersea.
- There are significant wildlife habitats in the woodlands to the east and west of the allocation that would be seriously disturbed by this urban intrusion.
- The erection of 65 dwellings on 2.9 hectares of housing land would amount to overdevelopment, out of keeping with the densities prevailing in the surrounding residential areas.
- This housing allocation, at a relatively remote settlement with limited public transport provision, is in a less sustainable location than other proposed housing sites at Chitts Hill, in East Colchester and between Nayland Road and Boxted Road, Mile End.
- Management of any new open space should be by West Mersea Town Council not by Colchester Borough Council.

CONCLUSION

13.80.1. The proposed housing allocation on land to the north of East Road is the largest of any new designation in the Second Deposit Version in a settlement identified as a freestanding Local Urban Centre in Class C of Table 3. Paragraph 3.18 of PPG7 states that new housing needs should be based on the principles of focusing new development on existing towns. Paragraph 3.20 goes on to say that the pattern of new development should be determined through the development plan process and should be well related in scale and location to existing development. Expansion of urban areas should avoid creating ribbon development or a fragmented pattern of development. The proposed allocation and the objections to it will be assessed against these admittedly very general criteria.

13.80.2. The main difficulty in carrying out such an exercise is that, arguably, the factors set out in support of this allocation are sketchier than for any others in the Second Deposit Version. To the best of my knowledge this is the only example of a new allocation in the Second Deposit Version containing more than twenty units that has not so far been the subject of a wide-scale public consultation exercise and/or the production of a masterplan/development brief. Paragraph 2.19 of Technical Report 1A, "Housing Demand & Supply and Social Housing" (Core Document 198) says that there are a number of housing site allocations outside Colchester/Stanway that complement the general concentration of new allocations within the main urban area by offering some balance of development opportunities within the rest of the Borough and offer opportunities to realise important community benefits. Paragraph 2.20(c) sets out the benefits that are said to be derived from this scheme. Firstly and most importantly there is the gain of 6.3 hectares of open space that would

significantly reduce the Council's assessment of West Mersea's current open space deficit, according to its standard of 2.83ha per 1,000 population, of 15.46ha. The Second Deposit Version makes it clear that West Mersea Town Council would be involved in the management of the open space. That ought to satisfy the Town Council's objection.

13.80.3. Some objectors made the point that this deficit is not so severe if the greensward on the sea front, and even the beach itself, are taken into account. Having visited the sea front during the winter and in the summertime in the middle of the week then I accept that for the most of the year these areas are quite lightly used by visitors and could be said to be fully available for the enjoyment of local residents. However, during summer and public holiday weekends when the weather is fine then I am in little doubt that these areas are heavily congested. As these are the times when local residents are also in greatest need of open air recreational facilities, then I support the Council's approach in excluding the seafront areas from usable open space provision for the indigenous population. The increase in open space for West Mersea as a whole is to be welcomed and the wording of requirement 1(b) for site 16 of Table 4 should ensure that the open space is delivered in conjunction with the implementation of the housing allocation.

13.80.4. The second point made in paragraph 2.20(c) is that the erection of 65 new units on this site would only represent 1.95% of West Mersea's existing housing stock as at 31 December 2000. This seems to me to answer a great many points from residents regarding the change of character of West Mersea to a satellite suburb for Colchester and the overloading of the infrastructure, including water supply, sewage, education and health facilities. To my mind an increase in less than 2% of housing on the periphery of the settlement is unlikely to change its character from an individualistic coastal community to an anonymous dormitory suburb. In addition, I was not aware that the existing shopping provision on the island is currently overloaded, or was likely to become so by a limited increase in population. Extra provision at the primary school could be made in accordance with the provisions of Policy CF7. If the other aspects of the island's infrastructure are already stretched, then additional development will make it more likely that extra capacity in services will have to be provided for the benefit of the community at large. Moreover, evacuation at times of emergency may be only increased marginally if the population of the settlement is only increased by less than 2%.

13.80.5. My main concern, and that of most of the objectors, is how any new housing development is to gain access onto the existing road network. Again the problem is essentially seasonal. Although East Road is narrow with footways on both sides along only part of its length and visibility at the junctions is poor, for the most part I consider that the existing road network is capable of handling the relatively low traffic flows generated locally for most of the year. It may in part be for this reason that the proposed link between Oakwood Avenue and Colchester Road has not so far been carried out by the Highway Authority. The housing allocation is confined to the southern part of the site between Suffolk Avenue and Brierley Avenue, so that there does not seem to me to be any obvious alternative to access to the site to the gap in the residential frontage onto East Road. I do not consider it likely that the additional traffic on East Road is in danger of overloading the existing road network for most of the time. Consequently, in my judgement, the increased traffic volumes are unlikely to be of such an order as to put this allocation in jeopardy overall.

13.80.6. The Council states that it will produce a development brief that will address the issue of access. The Mersea Forum objects to the housing allocation until such time as a traffic survey has been carried out, most properly at a summer weekend when the traffic flows from the mainland are not abnormally affected by a midday high tide. The way forward

would seem to be to look carefully at all of the possible means of access in a development brief after a traffic survey, taking into account peak weekend summertime flows, has been carried out. Planning permission should not be contemplated until the development brief has been the subject to rigorous scrutiny, including wide-ranging local public consultation. To achieve this a further requirement should be added to site 16 in Table 4, broadly equivalent to requirement 6 for Great Horkesley where it seems to me that the situation is very similar, for the sake of consistency. Accordingly, I recommend this below. However, it should be pointed out that, in my opinion, the options for access to the new housing allocation, though, are severely limited by the third point of paragraph 2.20(c) of Technical Paper 1A, the containment of the new residential footprint by the existing development to the east and west.

13.80.7. It could be argued that that the concentration of the housing allocation between the rear gardens of Suffolk Avenue to the west, East Road to the south and Brierley Avenue to the east does not need stating as this is clearly shown on the West Mersea Inset Map. However, alongside the provision of a substantial increase in usable open space, this seems to me to be the other major advantage that this site possesses over potential rivals, its enclosure within the existing urban fabric of West Mersea. This has a number of implications. The new residential development should not appear intrusive in views from the northern approaches to West Mersea. Residential development should not disturb any existing wildlife habitats to the east or west of the proposed allocation. DEFRA, or its predecessor MAFF, does not appear to object to the small loss of best and most versatile farmland. To my mind a well-designed housing development should not automatically look out of place with its existing neighbours.

13.80.8. However, objections have been raised to the proposed development having an excessive density in relation to the spacious plots of surrounding housing which were laid out for the most in the inter-war period or even earlier. 65 units on 2.9 hectares give a density of less than 22.5 units per hectare. It may be difficult to justify a density as low as this if all 2.9 hectares of the residential allocation is to be released for housing, in the light of the provisions of the Town and Country Planning (Residential Density) (London and South East England) Direction 2002. This came into effect on 2 December 2002 and requires development of residential land in excess of one hectare in area in Colchester, which is to be developed at less than 30 units per hectare, to be forwarded to the Office of the Deputy Prime Minister for assessment. While it seems unnecessary in a development brief to give further emphasis to the residential allocation's containment within the existing built-up area of West Mersea, it should address the relationship of the new housing with its surroundings, including, if necessary, reasoned arguments why the minimum densities of the 2002 Direction may not automatically be achievable on this site. On the other hand, it is not my place to prejudge the findings of such a study and, bearing in mind the emphasis of paragraph 58 of PPG3 that the First Secretary of State regards densities of less than 30 dwellings per hectare net as inefficient use of land, this allocation, with careful design, may be able to contribute more than 65 units. The requirement to provide 25% of affordable housing, made by paragraph 2.20(c)(iv) of Technical Paper 1A, does not seem to me to require special emphasis in a development brief, as this would be a normal requirement for new general market housing in any event.

13.80.9. In summary, I find that, even though West Mersea is designated as a Local Urban Centre in Table 3, the local planning authority is under no obligation to find new housing allocations on the edge of such settlements in its replacement Local Plan. None are proposed at Wivenhoe and that at Tiptree is much smaller and on a brownfield site. West Mersea is comparatively isolated with its connection with the mainland disrupted by tidal flooding on a regular basis, a slow bus service to Colchester provides indifferent public transport and the island's infrastructure is said to be somewhat overloaded. In these respects

it may be less sustainable than housing allocations proposed by objectors within or adjoining the main built-up area of Colchester/Stanway. On the other hand, the allocation provides for a significant expansion of open space provision, in an urban area where there is a severe shortage, in a manner integrated with its surroundings where the expansion of built development would be modest and ought to have little impact on the overall character of the settlement or its appearance within its rural setting. The preparation of a development brief, subject to the widest possible consultation, ought to assist in the resolution of the broad outstanding issues of access to the residential land and the relationship of that allocation to its neighbours. Subject to that additional requirement, I am satisfied that this housing allocation can proceed.

RECOMMENDATION

13.80.10. I recommend that the Local Plan be modified in Table 4, Site 16 by the addition of a second requirement to read as follows:- *“2. Arrangement of pedestrian and vehicular accesses to and from the housing allocation and the broad pattern of residential development are to be the subject of a development brief to be drawn up jointly by the Borough and Town Councils, and representatives of local residents and the proposed developer”*.

13.81. POLICY H1, TABLE 4 & WEST MERSEA INSET Other Proposed Housing Allocations at West Mersea

Objections

0214 / 00288	Mr D J Oliver
0264 / 00425	Glynian (Leisure Parks) Ltd
0393 / 00752	I S Enterprises
0405 / 00779	Edward Gittins & Associates

KEY ISSUES

- Land between the south side of East Road and the north side of Cross Lane should be developed for housing instead of the allocation proposed above. Its more modest scale allows it to be more easily assimilated into the urban fabric of West Mersea and the construction of new housing on the west side of Cross Lane makes this land more difficult to farm.
- Bungalows providing sheltered accommodation for those aged 55 or more should be erected on the northern part of the Seaview Holiday Park, Seaview Avenue. The principle of development of this part of the site has already been conceded by the granting in the past of an outline planning permission for golf clubhouse, tennis courts and a swimming pool. Restricting the development to those of retirement age would reflect the higher proportion of the elderly who live in West Mersea in comparison with the Borough as a whole.
- Land on the north side of Colchester Road lies between existing houses to its east and west and its residential development would therefore constitute legitimate infilling. The housing allocation promoted by the Local Plan will not cater for all local needs, bearing in mind the settlement's designation as a local urban centre, and release of this additional land would encourage greater use of local community facilities and retailing.
- Land to the south of Brierley Hall, East Road should be allocated to provide more housing for this local urban centre to supplement the site identified in the Local Plan on the north

side of East Road. Unlike the site on the north side of the road, this land can accommodate residential development at densities well in excess of 30 dwellings per hectare, in accordance with the advice in PPG3. Moreover, additional open space provision at this site would further reduce the open space deficiency for West Mersea that will be only met in part by the land on the north side of East Road. Open space provision on this site would be better placed to serve the whole community of West Mersea, in a more sheltered position, in comparison with the existing and expanded open space to be provided with the north of East Road site. In contrast, the latter is, or would be, on the northern periphery of the built-up area and is subject to cold easterly or northerly winds in winter. Access could be provided by improving that granted planning permission for a much more limited form of residential development in 1999. Because of its siting between East Road and Sea View Avenue, this development would be relatively concealed.

CONCLUSION

13.81.1. These objections are based upon the principle that, because West Mersea is a local urban centre, it can be expected to grow. I do not accept that premise. At paragraph 13.80.9 above, I point out West Mersea's limited credentials for growth with its isolation and poor communications, especially for alternatives to the private car. I accept the housing allocation promoted by the Local Plan on the north side of East Road on two grounds, its provision of a significant area of open space to meet a shortfall within the settlement as a whole and the containment of the residential allocation by the existing urban fabric. If it did not satisfy these requirements, I would have recommended its deletion from the Local Plan. On that basis, if these sites do not perform as well on these criteria, then none of them should succeed.

13.81.2. The site at Seaview Holiday Park was considered at the last Local Plan inquiry. On that occasion, the Inspector observed, at paragraph 1.338 of his report, that there is a significant difference in appearance between a site containing relatively small-scale caravans in a landscaped setting and the permanent erection of housing whose visual impact is bound to be far greater. I concur with my predecessor and I can find no change in circumstances since the time of the previous inquiry. The erection of homes, even if the units were on a small scale catering for the retired population, would have a significantly greater physical impact than caravans or fallow land and its development for permanent housing would be far more prominent in this particular setting, close to the sea front, than the housing allocation at the northern side of East Road. Similar considerations apply to land between East Road and the north side of Cross Lane and to the north of Colchester Road. These sites are areas of flat open land on the eastern and northern edges to the built-up area of West Mersea respectively and any further urban expansion onto these two sites would be especially prominent when seen from the surrounding Countryside Conservation Area. Although there is some housing to the east of the Colchester Road site, the road itself forms a very firm edge to the urban boundary at this point. Therefore, none of these three objections should succeed.

13.81.3. The proposal for housing to the south of Brierley Hall deserves more serious attention. However, I do not consider that it should proceed. The additional open space relatively close to much of West Mersea's present population would be welcome, although I have not assessed West Mersea's microclimate to check whether it is more sheltered than the land north of East Road. Nevertheless, I am not satisfied that the residential expansion proposed for this site would be as well contained by Cross Lane and Seaview Avenue as the Local Plan allocation is by Suffolk Avenue and Brierley Avenue. The nature of the proposed development also concerns me. Modest housing development has been permitted to the rear of Brierley Hall and construction is now under way. The objector claims that higher densities

would be permissible on this objection site in a manner that seemingly has not been indicated for the north side of East Road. Increasing densities to make more efficient use of scarce urban land is a pillar of the PPG3 approach to make more new housing available, especially where demand is greatest. It may not be suitable here for three reasons. Firstly, it could give rise to a harsh urban edge in a location not as physically self-contained as the north of East Road land. Secondly, the housing and other development now under way to the rear of Brierley Hall has clearly been sensitively designed to preserve the setting of the listed building. I am not convinced that dense housing within the former grounds of a listed building to the south of the development currently under construction would have a similar desirable effect. Lastly, I have severe reservations about the proposed access arrangements. I fully understand the reluctance to provide a footway across the highway frontage of the listed building. Nevertheless, I am not convinced that traffic calming measures on East Road, such as speed tables, are an appropriate means of increasing the capacity of the sub-standard junction onto one of the main approaches to West Mersea, to cater for the greatly increased traffic movements that this proposed allocation would generate. For all of these reasons, this objection should not succeed.

RECOMMENDATION

13.81.4. I recommend that no modification be made to the Local Plan.

13.82. POLICY H1, TABLE 4 & COLCHESTER INSET *Proposed* **Housing Allocations, Wivenhoe**

Objections

0242 / 01389	Landmatch Ltd (prev. Lafarge)
0318 / 00548	Dorington Investments Plc
0590 / 01381	Chalkwell Lodge Limited

KEY ISSUES

- Land to the east of Rectory Road is part of an area of 71 hectares, most of which is currently being actively used for sand and gravel extraction. Some 27.5 hectares has already been worked out and restored, although not used for agriculture or other beneficial use. 15.8 hectares are in the objectors' (Landmatch) ownership. Development for mineral workings, when poorly restored in breach of planning conditions which are now unenforceable, would constitute previously-developed and for the purposes of Annex C to PPG3. This site would still constitute greenfield development because it was properly restored in accordance with planning permissions. However, it can be looked on as a special case because of the wide tract of active mineral workings between this land and farmland in the open countryside. Despite its greenfield status, the site can still be looked upon as providing an urban extension to a local urban centre. Unlike Tiptree and West Mersea, Wivenhoe is more sustainable being closer to the main centre of population in the Borough and enjoying a main-line rail service. Release of the site for housing would provide a range of choice, in accordance with PPG3, currently lacking because of overdependence on large sites on the northern and southern fringes of Colchester, several of which are unlikely to make their full contribution towards meeting Structure Plan housing supply requirements. With 50% of the site set aside for recreation/wildlife habitat purposes, development at 35 dwellings per hectare would provide about 250 houses with about 125 constructed initially and the remainder released if required later in the lifetime of the Local Plan. The existing cricket ground could be relocated onto this site if that were deemed desirable.

- Land to the west of Vanessa Drive should be added to the built-up area of Wivenhoe. It was excluded from the Proposals Map as an oversight when the well-publicised structural problems of the housing to the east dominated the considerations of the former owner of the land. It should now be included for the sake of consistency with historic planning permissions.
- Land adjoining the Broadfields Estate was identified early on in the Local Plan's emergence as a site suitable for further investigation. No sound reason was given for its deletion. It would meet the shortfall of housing to likely to arise from the large housing allocations in Colchester/Stanway failing to deliver their projected targets during the current Local Plan. Wivenhoe is a local urban centre and the site is close to primary schools, main line rail services, frequent buses and shops. Significant employment is close at hand at the University of Essex and all the main services are available.

CONCLUSION

13.82.1. To a large extent, I am presented with a similar situation with proposed peripheral expansions onto greenfield sites to the east of Wivenhoe as I was with western peripheral expansion to another local urban centre, Tiptree. Here, the two principal protagonists, Landmatch and Chalkwell Estates are director competitors; there is no question of joint submission. This makes the situation more straightforward but the arguments against the release of either area remain much the same. Both objections are based on the premise that significant areas of housing land on greenfield sites should continue to be made available at Wivenhoe as they have been in the past. Novel arguments are put forward that the Landmatch site is not of a greenfield nature, not because it has been improperly restored following mineral extraction but that working sand and gravel pits to its east separates the land from 'true countryside' beyond. I do not accept that claim. This is greenfield land for the purposes of Annex C to PPG3 and will be treated as such. If I accept the premise that there should be further greenfield releases, I am then faced with the difficult decision as to which of these competing sites should be released, or if I am unable to separate them out, to recommend the release of both. On the other hand, if I accept this Local Plan's premise that, for the duration of its lifetime, development should be concentrated in Colchester/Stanway and need not be dispersed to secondary urban locations, such as Wivenhoe, then neither of the objections should succeed, even if some of the proposals may bring about benefits such as improved open space provision, including wildlife protection, and in one instance the relocation of the local cricket ground.

13.82.2. In addition to what is set out in paragraph 30 of PPG3, a more detailed version of the sequential search for housing land, specific to Essex, is set out in Policy H2 of the Essex & Southend Replacement Structure Plan adopted in April 2001, with which the Second Deposit Version of this Local Plan is said to be in conformity. The Structure Plan policy states:-

"POLICY H2 - Housing Development - The Sequential Approach

Residential development should be located on sites which can provide good access to employment, shopping, education and other community facilities by a choice of means of transport, particularly cycling, walking and passenger transport. New housing provision should be located in accordance with the following strategic principles :-

1. *The maximum amount of housing provision will be located within existing large urban areas which have the ability to provide a concentration of employment, shopping, educational and other facilities, easily accessible by a choice of means of transport. Particular priority will be placed on maximising the re-use or conversion of existing*

- sites and buildings within such urban areas for housing, consistent with local environmental character, and residential and recreational amenity and the need to promote economic regeneration;*
2. *Where housing provision cannot be provided within existing large urban areas it should be provided in the form of planned peripheral development on the edge of existing large urban areas. Such housing provision should be well related to employment, shopping, educational and other community facilities, which are easily accessible by a choice of means of transport;*
 3. *Where housing provision cannot be provided within, or on the periphery of, existing large urban areas, it should be provided in the form of expanded settlements defined in adopted local plans. Existing settlements when expanded should be large enough to provide a range of employment, shopping, educational and other community facilities with the capability of providing for a choice of means of transport;*
 4. *Small-scale housing provision may be provided in small towns and villages at a scale consistent with local community needs as identified in adopted local plans. Significant incremental expansion of housing in small towns and villages will be avoided where the absence of local employment opportunities, facilities and services is likely to result largely in car commuting to urban centres, and where travel needs are unlikely to be well served by a choice of means of transport;*
 5. *Sporadic housing development in the countryside will be resisted."*

13.82.3. Clearly the fifth principle does not apply to either of these sites. If the eastward expansion of housing at Wivenhoe does not satisfy any of the other four tests then I shall recommend that both of these objection sites be rejected. The fact that residential development has taken place at Wivenhoe on a significant scale in the past is no guarantee that it should continue into the future, if the basic strategy for identifying the location of new housing land in Essex, as set out in Replacement Structure Plan Policy H2, is fundamentally different from its predecessors. There can be no doubt that these greenfield sites on the edge of a local urban centre do not constitute housing provision within a large urban area. The first stage of Policy H2's sequential approach cannot be met.

13.82.4. I do not find any serious argument made on the part of the objectors that residential development east of Wivenhoe constitutes planned peripheral development on the edge of an existing large urban area. Both objectors stress the importance of choice, which overdependence on large sites on the edge of Colchester/Stanway, as they see it, seriously erodes. It is argued that the local urban centre of Wivenhoe should continue to make a contribution to housing land supply in the form of peripheral expansion as it has in the past. Since it is accepted that neither site can claim to be planned peripheral development of an existing large urban area, both sites must fail the second test of Structure Plan Policy H2.

13.82.5. Turning to its third test, it may be argued that this need not be considered. Policy H2(iii) states that where housing provision cannot be provided within, or on the periphery of, existing large urban areas, it should be provided in the form of expanded settlements defined in adopted local plans. At paragraph 13.5.6 above, I conclude that the housing allocations on previously-developed land and on the periphery of large and local urban centres amount to 2,959 units, well in excess of the 2,600 units required by the Structure Plan that are not to be provided by other means. If the housing supply to be provided by the two designations in the Local Plan at local urban centres, 15 for Gaffney's at Newbridge Road, Tiptree and 65 north of East Road, West Mersea, is deleted, this still leaves more than 2,600 units within housing allocations catered for by stages 1 and 2 of the sequential approach of Structure Plan Policy H2. However, because of my reservations about the deliverability of 1,600 units on the Colchester Garrison sites during the current plan

period, the sites east of Wivenhoe have to be assessed against Stage 3 of sequential test of Structure Plan Policy H2.

13.82.6. Wivenhoe undoubtedly enjoys a range of employment, educational and other community facilities. The main employment opportunity is close by at the University of Essex. There are two primary schools within the settlement, while secondary schooling is available not only in Colchester but also at Brightlingsea. Shopping provision is limited but this is compensated by the comparative proximity of Colchester town centre itself, in addition to the modern out of centre shopping available within and on the fringe of the River Colne Regeneration Area. To my mind Wivenhoe's greatest asset to exploit expansion as a local urban centre is that, in contrast to its rivals at this level of the settlement hierarchy, even Stanway, it enjoys a genuinely quality alternative form of transport to the private car in the form of a regular and comparatively frequent main line passenger train service from its railway station.

13.82.7. To my mind potentially this makes Wivenhoe the next most sustainable location for new housing in the Borough after the main urban area. However, it must not be overlooked where these sites are located in relation to the rail services and what other development is proposed in that part of the town. The railway station is sited close to the southern edge of the settlement, near the river frontage, while these two objection sites are more remote from quality public transport on its northern and eastern periphery. Close to the railway station is the brownfield redevelopment site of Cook's Shipyard where advantage is to be taken of its proximity to alternative means of transport to reduce dependence on the private car by, for instance, restricting car parking. There is nothing in the objectors' submissions to suggest that they contemplate a similar approach. The Cook's Shipyard site has lain vacant and increasingly derelict for many years. There is now a realistic prospect that a sustainable form of redevelopment, reducing dependence on car use, in part because of the proximity to rail travel, can come to fruition. Any greenfield development that would make this highly desirable re-use of previously-developed land less likely to take place will not receive my support. For this reason alone, the substantial enlargement of Wivenhoe to the east could not be considered a satisfactory planned expansion of the existing settlement and the third stage of Structure Plan Policy H2 is not, in my judgement, complied with.

13.82.8. Turning to Stage 4, it could be said that, in contrast to the much-needed regeneration at Cook's shipyard, neither proposed extension amounts to small-scale housing provided in a small town at a scale consistent with local community needs. Given the past history of proposed open space at Broadfields for a quarter of a century, an offer to make it available in return for further housing release on a generous scale seems to me to be unhelpful to the community. Similarly, the amount of land to be made available for informal recreation or sport in relation to the area of housing proposed, given the limited usefulness of the land in question in its present state, makes Landmatch's contribution towards the community seem especially miserly.

13.82.9. On the other hand, for a smaller number of housing units, the Cook's Shipyard site will be able to deliver to the people of Wivenhoe as a whole, at a very prominent brownfield riverside site within a conservation area, a raft of benefits. These include provision of sustainable and managed public access to the river frontage, retention and management for public use of the existing wet dock, slipways and jetty, protection of an adjoining SSSI during construction work and thereafter, protection of the site's reptile population, provision of a fisherman's store/wc and the retention of shipyard artefacts. The threat that the fragile economics of development of this high cost brownfield development, with its attendant community benefits, may be undermined by cheaper peripheral greenfield

housing offering little to benefit the community of Wivenhoe as a whole, is added reason to reject these proposals. To my mind there would be a distinct possibility that the regeneration of an important previously-developed site would not proceed in the teeth of competition of this type. Taking into account the particular circumstances to be found at Wivenhoe, neither of these proposals can be said to deliver small-scale housing to an existing small town benefiting the local community at a scale consistent with its needs. Consequently, the fourth stage of the Structure Plan's sequential test is breached.

13.82.10. Overall, this is a classic example of the sequential test on the supply of housing land operating at a local level. In my judgement, the regeneration of the shipyard is so important that any possibility of greenfield housing on the periphery of the town upsetting the prospect of redevelopment of an important site in the heart of Wivenhoe should be resisted at all costs. For this reason, if for no other, I am firmly of the opinion that neither of these sites satisfies the recently adopted Structure Plan's sequential policy on housing land supply. Therefore, neither of these objections should succeed.

13.82.11. Turning to the objection of Dorington Investments Plc regarding the land to the west of Vanessa Drive, this matter came before the Inspector at the previous Local Plan inquiry. At paragraph 1.349 of his report he set out the following:-

"On the question of the Council's earlier agreement to the site's development, no evidence has been produced to me that the intended agreement was ever concluded so as to commit the Council to supporting the development of the objection site. Even if such an agreement had been made, it would have been necessary for planning permission to be obtained separately. There is no claim that permission has ever been sought or granted for the residential development of the land in question. I do not regard the works carried out in 1981 as indicating any link with the site's later possible development for housing purposes, for, as I understand the position, no suggestion was made that the works were being carried out other than to stabilise adjoining land development or for it to be developed residentially."

13.82.12. He went on to say at 1.350:-

"I saw that the boundaries of the objection site encompass several mature trees including oak and sycamore, in addition to the areas of scrub and brambles. The loss of the trees to development seems to be inevitable with the result that any dwellings paced on the upper part of the site would be unacceptably intrusive in the landscape when viewed from the lower ground to the west. Not only would the development be harmful in this respect but it would also look incongruous, approached by an apparently contrived route across the 'green' lane to the north and to the rear of existing dwellings."

13.82.13. Nothing seems to have changed in the more than ten years that have elapsed since this matter was previously discussed except that the site's landscaping has matured still further. I have no additional evidence supporting the contention of alleged past binding agreements made by the Council and the dates of any so-called commitments are receding further into the mists of time. In their absence, I have no alternative, for the sake of consistency, but to concur with my colleague and, like him, recommend that this objection should not be successful.

RECOMMENDATION

13.82.14. I recommend that no modification be made to the Local Plan.

13.83. POLICY H1, TABLE 4 & INSET D17 Proposed Housing Allocations, Wormingford

Objections

0071 / 00132
0434 / 00854

Mr W F McMellon
Mr A A Cousins

KEY ISSUES

- With the conversion of the barns into residential properties, the ancient building of Wood Hall and its surroundings on the south-east edge of the village should be included within the village envelope.
- Land on the south side of Main Road, between Crown Cottages and The Oast House, would represent a natural well-contained addition to the existing linear development within the village envelope on the south side of Main Road to the east.

CONCLUSION

13.83.1. Wormingford is a small village with an envelope running along both sides of the B1508 Colchester-Bures-Sudbury road and extending northwards along Church Road. There is a further pocket of development to the north around the church, outside the village envelope but designated as a conservation area. Class D of Table 3 states that small villages have limited facilities. Therefore, the strong indication is that extensions to their developed areas should not take place unless there are convincing reasons to do otherwise. Wood Hall is a timber framed listed building set well behind housing on the south side of Main Road that is included within the village envelope. To the extent that it has been in place for longer than the housing to its north, it may seem anomalous to exclude Wood Hall from Wormingford's settlement boundary. However, residential barn conversions have been permitted adjoining the listed building in recent times and I am concerned that incorporation of this area into the village envelope would send out the message that further new-build housing, which would be likely to harm the setting of the listed buildings, would be acceptable. For these reasons, I consider that Wood End and its surroundings should remain within the open countryside for the purposes of Local Plan designations.

13.83.2. Turning to the land further west on the south side of Main Road, while I may have reservations about the Local Plan's ability to deliver the Structure Plan requirement of 11,000 houses from its allocated sites by 2011, I do not consider that this site should contribute towards meeting any shortfall. Paragraph 69 of PPG3 does not expect expanded villages to make much of a contribution towards new housing because of the unsustainable scattered form of development that would result. I identify Class C Principal Villages as the only examples of villages in the Colchester settlement hierarchy set out in Table 3 that would approximate to the villages capable of expansion as envisaged by paragraph 69 of PPG3, not small villages such as Wormingford. There may be a regular bus service along the B1508 but this cannot equate, by any stretch of the imagination, to a public transport corridor. Houses may bound the site to east and west but the proposed allocation is wholly greenfield in nature, comprising open farmland separated from the highway by an attractive row of poplar trees. Although there is housing opposite, I can find no reason why the linear development on the south side of Main Road should be extended further west onto this pleasant open countryside. As a consequence, both of these objections, concerning the enlargement of Wormingford on its southern periphery, should fail.

RECOMMENDATION

13.83.3. I recommend that no modification be made to the Local Plan.

13.84. PARAGRAPH 13.17 & POLICY H2 Specialist Sheltered Housing Accommodation

Objections

0619 / 01448
0620 / 01450

Mr & Mrs M Barritt
Mr C W Richardson

KEY ISSUES

- The final sentence of paragraph 13.17b, *“In this regard, the Council cannot accept that the viability of an accommodation unit, for example sometimes used to justify a major extension, is a material planning consideration.”* should be deleted.
- A proportion of 10% to 20% of new dwellings on Local Plan housing allocations should be bungalows to meet the requirements of the elderly and disabled.

CONCLUSION

13.84.1. Financial considerations, which fairly and reasonably relate to a proposed development, have been considered to be a material consideration, certainly since the landmark decision of *R v Westminster City Council ex p Monahan* [1989] 2 All ER 74. The Council has not indicated why it should disregard financial considerations when considering applications for extensions to existing complexes providing sheltered residential accommodation, when it does not appear to make this distinction for any other form of development. If the criteria set out in paragraphs 13.17, 13.17a and 13.17b and Policy H2 are met then major extensions should proceed whether or not financial justifications have been added on to support a particular planning application. In my judgement, the final sentence of paragraph 13.17b adds nothing to the section of the Local Plan devoted to specialist sheltered accommodation and I recommend, therefore, that this should be deleted. This would meet the concerns of Mr Richardson.

13.84.2. As for those of Mr and Mrs Barritt, these are based on the assumption that, in the general housing stock, bungalows are better suited to the elderly and disabled than two-storey houses. In the past that may well have been true. However, since 1999 under Part M of the Building Regulations, all new houses have been required to make provision for the disabled, including the visually impaired. As a consequence, private dwellings built on this Local Plan's housing allocations, whether single or two-storey in height, will be better designed to meet the requirements of the disabled and the elderly than bungalows constructed in the past. In their subsequent submissions, the objectors appear to have altered their stance to advocating a significant proportion of bungalow provision on the basis that their popularity among the general public fails to be matched by the limited supply of new single-storey dwellings brought forward by housebuilders. Provision of dwelling types among new private housing is essentially a matter for the market to determine. However, I have to declare that in my opinion, bungalow development on a large-scale, at least as carried out in the past, is unlikely to achieve the minimum densities of 30 units per hectare now demanded by paragraph 58 of PPG3. In these circumstances, I do not recommend that any action be taken with regard to this objection.

RECOMMENDATION

13.84.3. I recommend that the Local Plan be modified by the deletion of the final sentence of paragraph 13.17b.

13.85. PARAGRAPHS 13.18 & 13.19 & POLICY H3

Conversions to flats/bedsits

Objection

0528 / 01101

RIBA Colchester Chapter of Chartered Architects

KEY ISSUES

- There should be no lower limit to the size of dwellings (110m² gross) considered suitable for conversion to flats, as set out in criterion (b).
- Flat conversions should not result in the original features of the dwelling subject to conversion being retained in every case, as required by criterion (d).
- Reference to Council standards in criteria (f) and (g) should be deleted.

CONCLUSION

13.85.1. Paragraph 41 of PPG3 states that house conversions can provide an important source of additional residential accommodation. Local planning authorities are required to adopt positive policies to promote such conversions, by taking a more flexible approach to development plan standards with regard to densities, car parking, amenity space and overlooking. Policy H3 will therefore be examined critically, as regards this objection in the light of this advice.

13.85.2. I am in two minds about criterion (b). PPG3 warns against density controls in house conversions and the objectors consider that conversion of small dwellings would create a larger pool of small units catering for the increasing number of single and two-person households. On the other hand, there is a need to protect the smaller dwellings from flat conversion, as these are the size of unit most suited for occupation by the small nuclear family. In addition, in my experience, small dwellings do not lend themselves readily to conversion to self-contained flats. On balance, I consider that the disadvantages of removing criterion (b) outweigh the advantages and that it can be retained. Turning to criterion (d), I agree with the objectors that a requirement in all circumstances to retain the original features of the dwelling to be converted is unreasonable. They can be removed from dwellings that remain in single family occupation without the need for planning permission, so I consider it unrealistic to insist on their retention where a flat conversion is involved. Different considerations may apply in conservation areas where there is a duty, under section 72 of the Planning (Listed Buildings & Conservation Areas) Act in determining applications, to assess whether the development preserves or enhances the area's character or appearance. However, that does not have to be expressly stated here. I therefore recommend that reference to retention of original features be deleted, especially as criterion (d) will continue to preclude unsympathetic alterations.

13.85.3. Finally, applying fixed Council standards in criteria (f) and (g), regarding amenity space and on-site parking, flies in the face of what is set out in the relevant portion of PPG3. I recommend that reference to Council standards be deleted in its entirety from criterion (f). As regards criterion (g), it seems strange that the Council is insisting upon compliance with parking standards for flat conversions but is contemplating car-free new build development, for instance in the River Colne Regeneration Area. I recommend that

criteria (g) and (h) be combined with the emphasis placed upon the retention of trees and existing on-site features rather than maximising car-parking provision. Paragraph 13.19 will also need to be removed as a result of these changes. Apart from my conclusions on criterion (b), my recommendation below would satisfy the objectors.

RECOMMENDATION

13.85.4. I recommend:-

- (a) that the Local Plan be modified by the deletion of paragraph 13.19;
- (b) that the Local Plan be modified in Policy H3(d) by the deletion of the words “...the loss of the original features or through...” in line 2;
- (c) that the Local Plan be modified in Policy H3(f) by the deletion of the words “...in accordance with the Council’s standards...” in lines 1 and 2;
- (d) that the Local Plan be modified by the deletion of criteria (g) and (h) of Policy H3 and their replacement by new criterion (g) to read as follows:- “*wherever possible, some on-site car parking provision will be made in a visually satisfactory manner, but it will not be provided, or it will be severely restricted, where this would involve the loss of existing trees or significant on-site features.*”

13.86. PARAGRAPH 13.20 Affordable Housing

Objection

0833 / 01952

RMPA Services

KEY ISSUE

- The 1995 Housing Needs Survey, on which the paragraph is based, is considered out-of-date, unrepresentative and overstates the scale of housing need. If it is to be replaced by the Housing Needs Survey update of 2001, this requires to be evaluated in the light of the methodologies contained in the former DETR’s standards, “Local Housing Needs Assessment: A Guide to Good Practice”.

CONCLUSION

13.86.1. At the very least, whatever is the end-product of Policy H4, the documents and assumptions upon which paragraph 13.20 was drafted have altered so much that a drastic rewrite of this paragraph will need to be undertaken before adoption into the Local Plan. The form that this ought to take in part should follow on from my recommendations on paragraphs 13.24, 13.24a and 13.24b and Policy H4 below. I do not consider it appropriate to set out how the paragraph should be rewritten at this juncture.

RECOMMENDATION

13.86.2. I recommend that the Local Plan be modified by rewriting paragraph 13.20 in accordance with the supporting documents upon which my recommendations on paragraphs 13.24, 13.24a and 13.24b and Policy H4 are based.

13.87. PARAGRAPHS 13.21, 13.22 & 13.23 Affordable Housing

Objection

0833 / 01951

RMPA Services

KEY ISSUE

- Paragraphs 13.20, 13.21 and 13.22 fail to emphasise the findings of the former DTLR's publication "Local Housing Needs and Assessment: A Guide to Good Practice" of July 2000, which emphasised that the greater part of the backlog of unsatisfied demand for affordable housing came from those who found their present housing unsatisfactory, rather than new households being priced out of the market. A full housing needs assessment, based on the advice in that document, should be carried out. This could be met in part by policies designed to bring empty housing stock into use as advised by Circular 6/98. It is unclear how the figures for the likely product of affordable housing in paragraph 13.23 are derived.

CONCLUSION

13.87.1. Much of the Council's own case is based on methodologies set out in the Government's Good Practice Guide so reference should be made to it in these paragraphs. The full implications of its impact are discussed with regard to objections to paragraph 13.24 in particular below and do not need to be rehearsed here. However, a more accurate summary of the Council's overall position should be contained in the adopted version of the Local Plan taking the background government advice in particular more fully into account. The figures in paragraph 13.23 may well need reworking, although, in my opinion, they do not affect the general conclusions I reach or the recommendations that I make in the following sections of the Local Plan.

RECOMMENDATION

13.87.2. I recommend that the Local Plan be modified by rewriting paragraphs 13.21, 13.22 and 13.23 in accordance with the supporting documents upon which my recommendations on paragraphs 13.24, 13.24a and 13.24b and Policy H4 are based.

13.88. PARAGRAPH 13.24 & PROPOSED CHANGE 42 Affordable Housing

Objection

0441 / 01984	McCarthy & Stone (Dev) Ltd
0603 / 02255	Arriva Plc
0833 / 01949	RMPA Services
0833 / 01950	RMPA Services
0839 / 02013	O & H Holdings Ltd
0839 / 02014	O & H Holdings Ltd
0839 / 02015	O & H Holdings Ltd
0847 / 02018	GHP Group Ltd
0850 / 02107	Albany Rental Supplies Ltd
0851 / 02110	Colchester Tractors Ltd

KEY ISSUES

- Proposed Change 42 would add the following to paragraph 13.24(c):- "*The affordable housing site proposed at Peldon is to be treated as an 'exception site' (see policy H5).*"
- The Council has not completed a robust and rigorous assessment of housing need in its original 1995 Housing Needs Survey (out-of-date) and its 2000 and 2001 updates (too restricted and failing to assess housing needs overall).

- The failure to consider all potential resources results in an uninformed and unreasonable target of affordable housing of 25%. This should be reduced to the 15% guideline figure of the current adopted Local Plan.
- The definition of social housing in 13.24(a) is too restrictive and fails to comply with government guidance setting out definitions of affordable housing, encompassing forms of tenure other than low-cost rented accommodation. Proposed Supplementary Planning Guidance (“The Social Housing Agreement” – Core Document 150) should be included in the explanatory text and should be expanded to encompass all forms of affordable housing tenure, not simply arrangements for the provision of Registered Social Landlords.

CONCLUSION

Introduction

13.88.1. Paragraph 13.24 is the nub of the Council’s approach to the provision of affordable housing through the planning process. At 13.24(a) it sets out its definition of affordable housing as social housing for rent by persons, who cannot afford market housing either to buy or for rent. At 13.24(b) it sets out its target of 25% as the proportion of social/affordable housing of all housing units in a development. At 13.24(c) it limits the minimum threshold size of housing development, for which an affordable/social element will be sought, to 25 dwellings or a site area of 1 hectare, in line with paragraph 10(i)(a) of Circular 06/98. There are therefore, understandably, no objections to this element of the paragraph but Proposed Change 42 would make it clear that any affordable housing in the proposed Peldon housing allocation would count as rural exceptions under the terms of Policy H5, rather than general affordable housing under Policy H4. Since I recommend, at paragraph 13.62.7 above, that the proposed housing allocation at Peldon be deleted from the Local Plan, the rather artificial contrivance of Proposed Change 42 would not need to proceed, since rural exceptions housing could be erected on land no longer to be incorporated within the village envelope. The remainder of my reasoning will therefore be confined to sub-paragraphs 13.24(a) and (b) only.

13.24(a) – Definition of Affordable Housing

13.88.2. I find the arguments advanced by the Council, that, in the present housing market situation, low-cost home ownership is not affordable housing for those in housing need in Colchester to be unanswerable. In a situation where new housing sold at a discount is substantially more expensive than the cheapest available second-hand housing for owner-occupation, which in itself is too expensive for those in severest housing need, that must be the case. However, government advice of comparatively recent vintage is consistent in saying that planning policies on affordable housing should not be couched in favour of any particular form of tenure. It is clearly stated in paragraph 4 of Circular 06/98 that affordable housing encompasses both low-cost market and subsidised housing, irrespective of tenure including exclusive or shared ownership, that will be available to people who cannot afford to rent or buy housing generally available on the open market. Paragraph 9 amplifies this ‘tenure-blind’ approach to Local Plan policies. Since that date, general market housing has become more expensive in relation to income growth, so that the opportunity could have been taken by the government to limiting affordable housing to social housing, meaning rented housing only for those unable to afford rented or owner-occupied housing in the open market as defined in 13.24(a).

13.88.3. On the contrary, in paragraph 13 of March 2000 PPG3 further advice in assisting local authorities in preparing local housing needs assessments was promised. “Local Housing Needs Assessment: A Guide to Good Practice” appeared in July of that year and its Appendix 2 contains a definition of affordable housing very similar in content to Circular

06/98. All of this clear-cut advice post-dates the use of the words social housing, employed in paragraph 3.28 and Policy B/H14 of the current adopted Local Plan, by several years. I note that other Essex Districts use the terminology ‘social housing’ in their local plans to mean subsidised rental accommodation but it is not clear to me how this approach relates historically to the consistent advice of recent government publications on the matter of the definition of affordable housing. I also note the evidence of the local planning authority that at Bracknell Forest, the Inspector agreed that only low-cost rented housing amounted to affordable/social housing in that authority. It may be that he took that view on the basis of a prolonged period of high house prices beyond the reach of a large sector of the population in a very affluent part of the Thames Valley. However, despite all of these considerations, I am not prepared to accept a definition of social housing, whose restricted nature is completely at odds with government advice that is both consistent and up-to-date. I therefore recommend that the definition of social housing at 13.24(a) be replaced by the definition of affordable housing set out in Appendix A2.2 of “Local Housing Needs Assessment: A Guide to Good Practice” and that reference to “*social housing*” be replaced by “*affordable housing*” elsewhere in paragraph 13.24.

13.88.4. What is clear, however, from the analysis by Fordham Research Ltd on behalf of the Council, is that affordable housing most certainly does not at present include low-cost home ownership or cheap housing for sale. Shared ownership may only be afforded by key public sector workers and not by those on the lowest incomes. Paragraph 9(a) of Circular 06/98 states that definitions of affordable housing should be framed to endure for the life of the plan, for instance, through references to the level of local incomes and their relationship to house prices or rents. This is acceptable when the relationship between local incomes and house prices remains reasonably constant. However, throughout the duration of the inquiry and for all of the following reporting period, the cost of general market housing in Colchester, especially in the owner occupied sector, has continued to soar while income growth remains modest. On the other hand, in the early 1990’s when new housing had been erected on a large scale following the price boom of the late 1980’s, genuinely affordable cheaper market housing could be provided by the substantial discounting of new houses at a time of substantial falls in house prices. There has been some criticism from the volume housebuilders that the large housing allocations on the Garrison site and Severalls Hospital would only come through in significant numbers towards the end of the plan period, causing a glut of housing at that time and a possible return to the conditions of a new cheaper market housing surplus of the early 1990’s.

13.88.5. In these circumstances, I am firmly of the opinion that to rely on the Local Plan to provide a fixed definition of affordable housing for Colchester throughout the lifetime of this Local Plan is unrealistic. The housing market, a notoriously complex bundle of economic goods, could move in all sorts of directions and I do not consider that it is the role of a Local Plan to second-guess what these might be. I therefore recommend that the definition of affordable housing in the Local Plan becomes fairly loose and all-encompassing for the reasons set out in the preceding paragraph. However, to chart the fluctuating relationship between income levels and house prices and rents, Supplementary Planning Guidance should be produced, which would demonstrate the most appropriate form of tenure pattern that would provide affordable housing at any time during the Local Plan’s life span. This would be subject to periodic updating in line with the latest information generated by Housing Needs Surveys. This should come in the form of an expansion of the existing draft Supplementary Planning Guidance “The Social Housing Agreement” – Core Document 150.

13.88.6. It has been suggested that the core subject of this document, model section 106 obligations for the provision of social housing in new general housing developments and the

identification of Registered Social Landlords, should be incorporated as explanatory text into the Local Plan but, in my judgement, this would render the Local Plan unwieldy. On the other hand, its conversion into a document to cover all aspects of affordable housing, which may move in an unpredictable manner, would give the Council's overall guidance on affordable housing the flexibility that the rigid provisions of a Local Plan would lack. After the inquiry closed, use of Supplementary Planning Guidance, as a further explanation of Local Plan policies on affordable housing, received the sanction of the Court of Appeal in *R (on the application of J A Pye (Oxford), Bellway Homes Ltd and the House-builders Federation) v Oxford City Council*. In these circumstances, I am confident that my approach suggested above is appropriate and I recommend that course of action to the Council.

13.24(b) – 25% Target

13.88.7. Policy B/H14 of the adopted Local Plan uses the guideline figure of 15% of what is described as social housing for a proportion of total housing capacity to be allocated for such purposes. At paragraph 13.28 the justification for this figure was stated in part to be that in 1990 local authority and housing association stock amounted to 16.8% of the Borough's total housing stock. The arguments of the objectors are that this figure should be retained as a target for this Local Plan and should be substituted for the 25% figure sought by Second Deposit Version. If I do not accept these arguments, the 25% figure, which it must not be forgotten is a target and may not be achievable in every instance, will be confirmed. This will largely depend upon the manner in which the demand and supply of affordable housing has changed since the adoption of the current Local Plan, which in turn was based on work carried out in the early 1990's.

13.88.8. The first criticism levelled is that the Housing Needs Survey of 1995 and its updates of 2000 and 2001 are based on methodologies which do not comply with the DTLR Guidance, that samples are small and unrepresentative, especially in the later updates, and that income levels are understated. The main criticism is that, within these surveys, over 40% of those found in unsuitable housing were within the affordable homes sector in local authority stock. With improved management of this resource it is argued that much of the identified need would be removed. No real hard evidence, in my judgement, was advanced on behalf of the objectors that the present overall number of persons in need of affordable housing, based on their assumptions, was wildly different from the Council's 1995 survey and subsequent updates. The methodology for the 1995 study largely anticipates that put forward by the 2000 DTLR publication, especially Table 2.1, the Basic Needs Assessment Model. Criticism is raised against the sampling techniques in the original study and the subsequent updates. The DTLR study makes clear it is not the size of the sample but the manner in which it is designed that is important. Although largely reliant on postal surveys for later updates, I have no real evidence that the total figure of 3,240 households in housing need in 2000, quoted in paragraph 4.3 of Housing Technical Paper 1A (Core Document 198), is hopelessly wide of the mark.

13.88.9. Paragraph 13.21 of the Second Deposit Version points to the steady erosion of local authority housing stock by the 'right-to-buy' of the 1980's Housing Acts, reinforced by the 'right to acquire' housing association properties by the 1996 Act. Paragraph 13.22 points to the net losses of the social housing sector, compared with new provision over the period 1995 to 1999, so that the 16.8% figure, upon which the current Local Plan figure of 15% was based, is likely to have shrunk. According to paragraph 4.11(a)(ii)(3) of Housing Technical Paper 1A, the product of affordable housing of 25% from new housing allocations and 'windfall' sites would be of the order of 1,050. A 15% figure would yield 630 units, much closer to the 25% target than that target is to the estimated housing needs of 3,240 households, found in the 1995-2001 documents. It is not anticipated that all of the housing needs can be

met within the timescale of the Local Plan. However, to meet only one third of those requirements is to my mind a reasonable objective. In a situation where the private rented sector plays a relatively small role in the total housing stock (some 7%), the continuing mismatch between the movements in costs in the owner-occupied sector, providing more than ¾'s of residential units in the Borough, and average incomes can only serve to have worsened the situation during the timescale of the inquiry and my reporting period.

13.88.10. Finally, and in my judgement most tellingly, I note from Appendix 9 to Housing Technical Paper 1A that both Braintree DC to the west and Tendring DC to the east have target figures of 25% enshrined within both of their adopted local plans. I do not consider that the local housing market in Colchester indicates that it should be subject to a lower figure than its neighbours. It could be argued that Tiptree falls within the same Mid-Essex market as Witham and Kelvedon, which lie within Braintree DC. Similarly, settlements immediately to the east of Colchester in Tendring clearly come within the ambit of the town's housing market, while Tendring's larger coastal urban centres have traditionally provided a pool of cheaper housing for those prepared to commute into the Borough. In these particular circumstances, it would be anomalous and inconsistent if Colchester's figure for affordable housing in its replacement Local Plan were reduced to a level less than the comparable element of the adopted local plans of two of its immediate neighbours, with which its housing market is inextricably intertwined. The figure of 25% in paragraph 13.24(b) is therefore confirmed.

RECOMMENDATION

13.88.11. I recommend:-

- (i) that the Local Plan be modified in paragraph 13.24:-
 - (a) by the deletion of the words “*'social housing'*” in the preamble and their replacement by the words “*'affordable housing'*”;
 - (b) by the deletion of 13.24(a) and its replacement by the following:- “(a) *Affordable housing is housing of an adequate standard, which is cheaper than that which is generally available in the local housing market. This can comprise a combination of subsidised rented housing, subsidised low-cost home ownership, including shared ownership, and in some market situations, cheap housing for sale.*”
 - (c) by the deletion of the word “*social*” in 13.24(b) and its replacement with the word “*affordable*”;
- (ii) that the Supplementary Planning Guidance, “*The Social Housing Agreement*”, be expanded (and appropriately renamed) to include a definition of what constitutes affordable housing for Colchester based on Housing Needs Surveys carried out at regular intervals during the lifetime of the Local Plan;
- (iii) that Proposed Change No 42 does not proceed.

13.89. PARAGRAPH 13.24a Affordable Housing

Objection

0238 / 01480

George Wimpey Plc & Booker Plc

KEY ISSUE

- Paragraph 16 of Circular 06/98 allows for both conditions and planning obligations to achieve house construction providing affordable housing.

CONCLUSION

13.89.1. I agree with the Council that the circumstances in which planning conditions will deliver affordable housing will be rare. On the other hand, the Circular is quite clear that the imposition of conditions can be appropriate, although one of the tests of a condition's validity, set out in Circular 11/95, precision, may be difficult to achieve, while a breach of such a condition may be difficult to prove, bringing into doubt such conditions' enforceability. As requirements for affordable housing become normal practice, so the delays in producing planning obligations on this matter, as variations on a standard package, should reduce. However, in the light of the firm advice in Circular 06/98, I recommend that reference to conditions be added to the means whereby affordable housing can be delivered. Nevertheless, I would expect it to be the exception for simple cases only and I recommend an alteration to the Local Plan accordingly. In line with my recommendations above, reference in the paragraph to social housing will need to be replaced by reference to affordable housing. Reference to the Council's Social Housing Agreement Document should be deleted as it may well have been overtaken by events by the time of plan's adoption. It could be replaced by reference to the Supplementary Planning Guidance on affordable housing that I recommend at paragraph 13.88.11(ii) above, but I see no need to incorporate this as a firm recommendation.

RECOMMENDATION

13.89.2. I recommend that the Local Plan be modified in paragraph 13.24a by the insertion of the words "*or in certain limited circumstances impose conditions,*" after the word "*housebuilders*" in line 2, by the replacement of the word "*social*" by "*affordable*" in line 2 and the deletion of the words "*(the detail of this is set out in the Council's 'Social Housing Agreement' Document, September 2000)*" from the end of the paragraph.

13.90.

PARAGRAPH 13.24b

Affordable Housing

Objections

0286 / 02169	House Builders Federation
0441 / 01109	McCarthy & Stone (Dev) Ltd
0833 / 01947	RMPA Services
0839 / 02012	O & H Holdings Ltd
0847 / 02019	GHP Group Ltd

KEY ISSUES

- Provision should be included for financial or other contributions to be made towards affordable housing on a different site from general market housing, in accordance with paragraph 22 of Circular 06/98, in contrast with criterion (i), which requires affordable housing to be implemented at the proposal site.
- Integrating affordable housing into new market housing, as required by criterion (ii), may be difficult to achieve where there are different housing agencies working to different timetables.
- Private specialised housing schemes for the elderly or the disabled should not be expected to provide the necessary element of affordable housing in all cases but only, as paragraph 10 of Circular 06/98 states, where site size, suitability and the economics of provision are taken into account.

CONCLUSION

13.90.1. The three criteria in paragraph 13.24b are prefaced by reference to PPG3 of March 2000. This is more recent than the advice set out in Circular 06/98 and, where there is some difference of opinion between the two, I take the view that the former is to be preferred. Paragraph 17 states that, where a local planning authority has decided that an element of affordable housing should be provided in development of a site, there is a presumption that such housing should be provided as part of the proposed development of the site. Despite the contents of paragraph 22 of the Circular, which allows for the payment of commuted sums for the provision of affordable housing elsewhere, this more recent advice seems to me to be unambiguous in expecting affordable housing to be provided within a general market housing site and objections to criterion (i) fail. The word “*social*” should be replaced by “*affordable*”. The situation with regard to criterion (ii) is less clear cut. However, I interpret the word “*part*”, in the second sentence of paragraph 17, to mean integrated into the scheme rather than hived off into one or more distinct area. Criterion (ii) endeavours to achieve this, although its wording is to my mind somewhat unclear. There are examples of good design where affordable housing within modern residential estates is visually indistinguishable from its general market neighbours and there seems to me to be no good reason why this should not become the norm. Moreover, paragraph 10 of PPG3 states that the Government does not accept that different types of housing and tenures make bad neighbours. I set out what I consider to be an improved criterion (ii) in my recommendation below.

13.90.2. Turning to criterion (iii), the Council accepts that paragraph 10 of Circular 06/98 admits to circumstances where economic considerations may preclude the provision of affordable housing in conjunction with specialised housing for the elderly and disabled. However, the local planning authority considers that this is a ‘stand-alone’ requirement, which need not be covered by a Local Plan policy. I disagree. There may understandable confusion between the requirements of the Local Plan in the form before me and the relevant provisions of the Circular. Moreover, since the Local Plan inquiry closed, I am fortified by the Court of Appeal decision in *Barnet London Borough Council v Secretary of State of Local Government, Transport and the Regions & McCarthy & Stone plc*. In that decision, the court held that an Inspector’s conclusions in a planning appeal, that the high costs of developing a site for sheltered residential accommodation made it inherently unsuitable for an element of affordable housing, could not be faulted. The principal objectors on this point, McCarthy & Stone plc are not arguing that the affordable housing policies of this Local Plan do not apply to them, merely that there are certain circumstances, especially in some specialised sheltered housing developments, where it becomes uneconomic for affordable housing provision to be made. In the light of the Court of Appeal’s decision in *Barnet*, I recommend that a caveat with regard to economic viability, in line with Circular 06/98, be added to criterion (iii).

RECOMMENDATION

13.90.3. I recommend that the Local Plan be modified in paragraph 13.24b:-

- (a) by the deletion of the word “*social*” in criterion (i) and the insertion of the word “*affordable*”;
- (b) by the deletion of criterion (ii) and the insertion of the following:- “(ii) *within larger new residential developments, affordable housing will not be segregated into discrete areas separated from the market housing element;*”
- (c) by the deletion of the word “*social*” in line 2 and the insertion of the word “*affordable*” and by the addition of the words “*except where the economics of provision indicate otherwise*” to the end of criterion (iii).

13.91. POLICY H4 Affordable Housing

Objections

0041 / 00050	Rydon Homes
0041 / 02147	Rydon Homes
0055 / 02070	Royal London Mutual Insurance Society
0232 / 01989	DEO (Lands)
0238 / 01998	George Wimpey Plc & Booker Plc
0242 / 01386	Landmatch Ltd (prev. Lafarge)
0286 / 00460	House Builders Federation
0414 / 00789	Prowting Projects Ltd
0417 / 01155	Granville Developments
0447 / 02356	Wyncoll Trustees
0449 / 00895	British Telecommunications Plc
0460 / 00973	C F Anderson & Sons Ltd
0461 / 00999	Mr M Hollingsworth
0462 / 00983	ADCO Group Limited
0510 / 01042	ABX & SM Fenwick and Bypass Nurseries Ltd
0559 / 01166	Banner Homes Ltd
0573 / 02092	The Secretary of State for Health
0581 / 01345	Royal Eastern Counties School
0600 / 01569	Bellway Estates
0602 / 01572	Countryside Strategic Properties Plc
0604 / 01570	Stanway School/Persimmon Homes
0624 / 01994	George Wimpey Plc
0646 / 02269	Executors of Robert Cullen
0833 / 01948	RMPA Services
0839 / 00359	O & H Holdings Ltd

KEY ISSUES

- Policy H4 should not prescribe a 25% (20% in the First Deposit Version) limit on affordable housing in association with new housing sites.
- Reference to social housing should be to affordable housing.
- Affordable housing should also be made by the provision of such housing off-site.

CONCLUSION

13.91.1. Because of the manner in which the policy and supporting text on affordable housing are drafted, in many respects the preceding paragraphs (13.24, 13.24a and 13.24b) are more important than Policy H4 itself, which merely refers back in part to the preceding paragraphs. Many of the objections relate to the 20% restriction of affordable units set out in the First Deposit Version. I consider that the 25% of the Second Deposit Version is a more appropriate figure, for the reasons set out in paragraphs 13.88.7 to 10 inclusive above. The arguments on the equation of affordable housing with social housing, and whether provision can be made off-site have already been discussed and do not need to be rehearsed again here. My recommendation below stems directly from the recommendations made in the preceding paragraphs, with the exception of reference in the policy to paragraph 13.22c, which clearly relates back to the First Deposit Version paragraph numbering system and requires correction.

RECOMMENDATION

13.91.2. I recommend that the Local Plan be modified in Policy H4 by the deletion of the reference “13.22 (c)” in line 1 and the insertion of “13.24(c)”, by the deletion of the word “social” in lines 3 and 4 and the insertion of word “affordable” and by the addition of the word “normally” in line 5 after the word “incomes,” and before the word “through”.

13.92. PROPOSED NEW POLICY H4a 'One-off' Private Dwellings on Large Housing Developments

Objection

0619 / 01449

Mr & Mrs M Barritt

KEY ISSUE

- Just as a segment of new private housing estates can be set aside for affordable housing, so a proportion, say 5%, can be designated for development as individually designed houses on specific plots. This could include self-built dwellings and both houses and bungalows. This would cater for existing residents of Colchester, who wanted to move to new houses that were not confined to the standard designs of volume housebuilders. It would add high standards of design and variety to housing estates that otherwise appear monotonous and humdrum. Such an approach was adopted in the early development of Highwoods, with attractive results, but has not been repeated since.

CONCLUSION

13.92.1. The types of housing included within the objectors' concerns all fall within the category of general housing for the purposes of paragraph 13.5 and Table 4, so that it is unrealistic, within a section of a Local Plan that is designed to ensure that totals of housebuilding meet Structure Plan requirements, to specify that a certain proportion are built on an individual plot basis. That is a matter for detailed development control consideration. However, in my experience construction of individually designed houses tends to take place on relatively spacious plots. Development of this type is, in my judgement, most unlikely to achieve the densities of 30 to 50 dwellings per hectare within new housing developments required by paragraph 58 of PPG3 if repeated over a significant area of land. Instead, it would, in my opinion, encourage development at densities substantially less than 30 dwellings per hectare, which the PPG considers to be an inefficient use of land. For these reasons, I do not recommend the adoption of the new policy proposed by the objectors.

RECOMMENDATION

13.92.2. I recommend that no modification be made to the Local Plan.

13.93. POLICY H5 Low-Cost Rural Housing

Objection

0299 / 00484

F R Harrington

KEY ISSUE

- The policy and supporting text are not sufficiently flexible to allow schemes to come forward providing affordable housing in the countryside for sale or rent on a voluntary basis.

CONCLUSION

13.93.1. The objector is under the misapprehension that affordable rural exceptions to housing provision in the countryside have to be allocated specifically on a Local Plan Proposals Map. The defining factor of this category of housing is to be found in the first sentence of Policy H5 "...low-cost rural housing outside Village Envelopes...". This follows

closely the advice in Annex B to PPG3. This was explained fully to the objector during the course of the inquiry. Therefore, no amendment to the Local Plan is necessary.

RECOMMENDATION

13.93.2. I recommend that no modification be made to the Local Plan.

13.94. POLICY H6 Gypsy Caravan Sites

Objection

0514 / 01412

R G Hodge

KEY ISSUE

- Paragraph 16 of Circular 1/94 (not paragraph 17 of Circular 11/94 as stated by the objector) allows for gypsies running their businesses from the sites upon which their caravans are stationed. Proviso (iii) of Policy H6 precludes any commercial, industrial or storage use on the sites, contrary to government advice.

CONCLUSION

13.94.1. The Council argues that it is reasonable to prevent any form of business usage on gypsy sites if private sites for gypsy families are to be located close to established employment sites. In my experience, it is unrealistic for most gypsy businesses to be operated from existing employment land, whether urban or rural, because of mutual suspicion, real or imagined, between the travelling and settled communities. Paragraph 3 of Circular 18/94 points out that the Courts have held that gypsies meant persons who wandered or travelled for a purpose and did not include persons who moved from place to place without any connection between their movement and their means of livelihood. As a consequence, if a gypsy family is to satisfy this requirement then they must operate some form of business that causes them to travel if they are to fall within the statutory definition of a gypsy as set out in proviso (i) of Policy H6. In these circumstances, it seems to me to be unreasonable to preclude business uses altogether from private gypsy sites, despite the content of paragraph 19 of Circular 1/94, which talks of permanent private sites without on-site business activities. It is noteworthy that Circular 18/94 is slightly more recent than 1/94 and its advice is therefore to be preferred where there is some inconsistency between the two.

13.94.2. Criterion (d) of Policy H6 precludes the siting of gypsy sites where these would harm residential amenities. This would include prohibition of gypsy sites associated with unneighbourly commercial activities. Screening of potentially unsightly businesses uses would be permitted by criterion (e) but only where this would be in a manner consistent with its surroundings. Paragraph 23 of Circular 1/94 makes it clear that conditions can be imposed controlling business operations in granting planning permission for new gypsy sites. Taking all of this into account, I agree with the objector that proviso (iii) of Policy H6 is unduly restrictive but, in drafting a replacement, I consider that the overall impact of the policy in protecting the environment is not weakened to an appreciable extent.

RECOMMENDATION

13.94.3. I recommend that the Local Plan be modified in Policy H6 by the deletion of proviso (iii) and the insertion of the following:-

- (iii) *“commercial, industrial or storage uses on the site may be permitted provided no harm is caused to the amenities of any residents of adjoining or nearby sites and adequate screening, in character with the*

surroundings, is provided; conditions may be imposed limiting the scale of commercial activities on the site to minimise the visual impact of non-residential usage, reduce noise, smell or other pollutants and prevent on-site business activity during anti-social periods of the day, week and year.”

13.95. PARAGRAPH 13.34 & POLICY H7 (First Deposit Version) Non-Residential Uses in Residential Areas

Objection

0440 / 00873
0440 / 02187

The Colchester Meeting Room Trust
The Colchester Meeting Room Trust

KEY ISSUE

- Objection 0440 / 00873 objects to the failure to refer to churches directly in Policy H7, having mentioned them in paragraph 13.34. Objection 0440 / 02187 objects to the deletion of paragraph 13.34 and Policy H7 altogether in the Second Deposit Version.

CONCLUSION

13.95.1. Paragraph 13.34 and Policy H7 were deleted in the Second Deposit Version because their provisions were essentially duplicated by general development control Policy DC1. I agree with this. In response to the objection made under reference 0440 / 00876, I recommend, at paragraph 8.1.2 of my report that a new Policy be added to Chapter 8 of the Local Plan allowing for new places of worship in existing residential areas provided the criteria of Policy DC1 are met. If this recommendation is accepted then I see no need for the restoration of this part of the Local Plan's First Deposit Version to satisfy the same objectors' requirements.

RECOMMENDATION

13.95.2. I recommend that no modification be made to the Local Plan.

13.96. PARAGRAPHS 13.35 & 13.36 & PROPOSED CHANGE 154 Rural Housing Provision

Objections

0384 / 00709
0631 / 01506

Mr & Mrs D Anderson
Mr T Moorhouse

KEY ISSUES

- Paragraph 13.36 should set out what is a definite edge to a rural settlement, especially with regard to clause (iii).
- The criteria in paragraph 13.35 should be amended so that where existing non-residential buildings adjoin village envelopes they can be redeveloped or re-used for residential or non-residential purposes where the overall character of the settlement can be enhanced.
- Proposed Change 154 would amend paragraph 13.35 by making reference to residential development outside village envelopes being judged against other plan policies and by the

deletion of criterion (iii) as a consequence of Proposed Change 159, which would delete Policy H10 and its supporting text. The revised paragraph is as follows:-

“RURAL HOUSING

13.35 The Council is determined to follow a very strict policy of resisting further residential development on sites outside the approved development limits of the main urban areas and the villages. This is to safeguard rural resources and the open appearance of the countryside between existing settlements (see also policies CO1, CO2, CO4 and CO5). Proposals for residential development on all sites outside of village envelopes will be judged against these and other relevant policies elsewhere in the Plan. The Council will countenance three main types of exception to this general policy guideline: -

- (i) where there is a need for ‘social housing’ to meet the requirements of lower income residents unable to find suitable accommodation within the commercial housing market. This aspect is covered by Policy H5 above.*
- (ii) dwellings clearly essential for the purposes of agriculture or forestry. This aspect is further covered under Policy H13 below.*
- (iii) as a use ‘of last resort’ in the conversion of listed agricultural buildings. This aspect is dealt with under Policy UEA6 to be found earlier in the Plan.”*

CONCLUSION

13.96.1. I accept the revised wording to paragraph 13.35 brought about by Proposed Change 154. This is partly consequent upon Proposed Change 159, which I recommend for adoption at paragraph 13.99.2(a) below. In addition, reference to other Local Plan policies indicates that it is not only countryside policies that apply to the open countryside. However, these considerations would not satisfy the two objectors whose concerns relate to specific sites at Middle Green, Wakes Colne and Manningtree Road, Dedham. The need to control unnecessary piecemeal residential development on the periphery of villages means that I fully endorse paragraphs 13.35 and 13.36. However, I bring to Mr Moorhouse’s attention my recommendation at paragraph 14.15.5 where I support a more relaxed approach towards redevelopment of redundant farm buildings and other commercial buildings on the periphery of villages for employment purposes than that adopted by the Council.

RECOMMENDATION

13.96.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 154.

13.97. POLICY H8(First Deposit Version) Rural Housing Provision

Objection

0579 / 01326

Mr G W Smyth

KEY ISSUE

- Policy H8 of the First Deposit Version was too restrictive. It should have allowed development in the countryside on the edge of minor settlements, for instance at the junction of Meeting Lane and High Road, East Mersea.

CONCLUSION

13.97.1. To the extent that Policy H8 of the First Deposit Version has been deleted by the Second Deposit Version, it could be said that the objector's concerns have been satisfied. However, the restrictive approach of its explanatory text, paragraphs 13.35 and 13.36, remains essentially intact for the reasons set out in paragraph 13.96.1 above. Therefore, I do not recommend that any action be taken in response to this objection.

RECOMMENDATION

13.97.2. I recommend that no modification be made to the Local Plan.

13.98. PARAGRAPH 13.37 & PROPOSED CHANGES 155, 156 & 157; POLICY H9 & PROPOSED CHANGE 158 Development within Village Envelopes

Objections

0384 / 00710	Mr & Mrs D Anderson
0456 / 01747	Mr I Sutherland
0528 / 01102	RIBA Colchester Chapter of Chartered Architects
0668 / 01658	Mr P J Pentney

KEY ISSUES

- Proposed Changes 155 and 156 would replace criteria (i) and (ii) of paragraph 13.37 with the following:- *“clause (a) relates to a situation where development would lead to the loss of an important gap in the village, for example one created by a well treed garden or an old orchard, or result in the loss of important natural or built features for instance a meadow or small block of woodland.”*
- Proposed Change 157 would renumber criterion (iii) of paragraph 13.37 as (ii) and would refer to clause (c).
- Policy H9 should be more positively worded.
- Reference in the policy to local traditional building styles should be deleted.
- Reference in criterion (a) of the policy to development of a gap in an otherwise built-up frontage should be deleted.
- No extensions to dwellings within villages should enlarge the volume of the original building by more than 30%.
- Proposed Change 158 would replace Policy H9 with the following. *“Policy H9 Proposals for residential development, including replacement dwellings and extensions to existing dwellings, within village envelopes will be permitted provided that development:*
 - (a) would not result in the development of a gap where this would lead to the loss of important natural or built features in the street scene;*
 - (b) will not adversely affect the existing pattern and character of development;*
 - (c) harmonises with, and reinforces, local distinctiveness and sense of place”.*

CONCLUSION

13.98.1. Proposed Change 158 would be positively worded, would delete reference to local traditional building styles and would delete reference to development of a gap in an

otherwise developed frontage. This would satisfy the objections of Mr and Mrs Anderson, the Colchester Chapter of the RIBA and Mr Pentney. I am able to recommend this change, together with the consequent changes to paragraph 13.37 brought about by Proposed Changes 155, 156 and 157. With regard to Mr Sutherland's objection, extensions to dwellings within village envelopes are subject to the same considerations as their urban counterparts, because house enlargement does not normally result in settlement encroachment into open countryside. Even though some side extensions in particular within villages may fall foul of all three criteria of Policy H9, this does not mean that an enlargement of an original dwelling in a village by more than 30% is, in itself, objectionable. I do not recommend that any alteration be made to the Local Plan in response to this objection.

RECOMMENDATION

13.98.2. I recommend that the Local Plan be modified in accordance with Proposed Changes Nos 155, 156, 157 and 158.

13.99. PARAGRAPHS 13.38, 13.39 & 13.40, POLICY H10 & PROPOSED CHANGE 159

Minor Villages & Hamlets

Objections

0127 / 00163
0668 / 01659

Colchester Cycling Campaign
Mr P J Pentney

KEY ISSUES

- The Colchester Cycling Campaign supports the policy and explanatory text but states that new housing should only be permitted where there is easy access to public transport facilities on foot or by cycling.
- Mr Pentney supports Policy H10, as being less prescriptive than Policy H9, but considers that criterion (a) should be reworded by deleting reference to the established core of the settlement, referring instead to the avoidance of encroachment into open countryside.
- Proposed Change 159 would delete paragraphs 13.38, 13.39 and 13.40 and Policy H10.

CONCLUSION

13.99.1. I agree with the Council that the application of a different policy to settlements within the same hierarchy becomes confusing in the extreme. The minor villages with envelopes are subject to Policy H8 and the logical approach must be to amalgamate these settlements with small villages in Class D of Table 3, as the attitude towards new development in both will be the same. This leaves those clusters of houses in the countryside which are undeserving of an envelope without a specific policy in the Local Plan. The advice in paragraph 13.39 is very much in line with the approach of paragraph 3.21 of PPG7, which states that sensitive infilling of small gaps within small groups of houses, or minor extensions to groups may also be acceptable though much would depend on the character of the surroundings. Insertion of advice of this type might fill the void left by Proposed Change 159, and might satisfy Mr Pentney's objection. On the other hand the guidance in PPG7 on small groups of housing in the countryside dates back through its predecessors for more than thirty years and it remains applicable to the countryside around Colchester. Therefore, I see no need for the provision of a replacement policy on this matter. Most of these settlements are unlikely to be served by, or lie close to, frequent public transport. Therefore, I

recommend that no action be taken with regard to the objection from the Colchester Cycling Campaign.

RECOMMENDATION

13.99.2. I recommend:-

- (a) that the Local Plan be modified in accordance with Proposed Change No 159;
- (b) that the settlements listed in Class E of Table 3 as Minor Villages and Hamlets but are not denoted by an asterisk (*) be added to Class D – Small Villages. Some consequent alterations to the supporting text for Class D will be necessary by the deletion of Class E from Table 3.

13.100. PARAGRAPHS 13.41 TO 13.43b (inclusive) & POLICY H11 Extensions to Dwellings in the Countryside

Objections

0108 / 01533	Alderman R W R Browning
0528 / 01103	RIBA Colchester Chapter of Chartered Architects
0780 / 01852	Mark Perkins RIBA

KEY ISSUE

- The policy and its supporting text are unduly prescriptive. In particular, a limitation of increases in floorspace to 37m², irrespective of the size of the original house, is unreasonable and could militate against extensions designed to be in keeping with the original dwelling.

CONCLUSION

13.100.1. Policy H11 and its supporting text springs directly from paragraphs 3.45 to 3.48 and Policy B/H26 of the current adopted Local Plan. Indeed, paragraph 13.41 of the Second Deposit Version and paragraph 3.45 are identical, apart from the addition of the words “*Policy UEA14 may also apply*” to the latter. This paragraph is important as it sets out the key objective of this part of both Local Plans, protection of the countryside from inappropriate development. The overall impact of the draft Local Plan is to reduce the size of additions in the countryside considerably (a flat figure of 37m² in comparison with a proportional increase of a third) and to take the base date for calculating the size of these additions back from 4 November 1993 to 1 July 1948. No explanation is given for this. The only reasons I can ascertain for these changes are that 37m² has been taken from the longstanding Policy GB7 of the Brentwood Borough Local Plan and 1 July 1948 is the appointed day for the Town and Country Planning Act 1947, the date from which the volume of pre-existing houses is calculated in assessing whether an extension is permitted development.

13.100.2. It may be argued that the circumstances in Brentwood are very different from Colchester. In the former, all of the countryside is designated as Metropolitan Green Belt, where there is a presumption against inappropriate development. There is no green belt land in Colchester, so no comparable presumption exists. During the inquiry, I asked the Council repeatedly whether its officers could point to any examples of additions where strict application of the rules on rural house extensions, as set out in the adopted Local Plan, had given rise to an extended dwelling in the countryside of unacceptable proportions. I was not provided with any information, nor could I identify any glaringly oversized additions to isolated rural houses during my extensive trips across the Borough. I can only assume from this that the present policy on rural house extensions has been effective in maintaining a wide

range of dwellings of different sizes in the Colchester countryside. Moreover, I can find nothing in government guidance that points to a need to take a tougher stance against house extensions in the countryside since the current Local Plan's adoption. For these reasons, I accept the arguments advanced by the objectors and I recommend the retention of the current adopted Local Plan's policy on additions to isolated rural dwellings, and its supporting text, in place of paragraphs 13.41 to 13.43b and Policy H11 of the Second Deposit Version.

RECOMMENDATION

13.100.3. I recommend that the Local Plan be modified by the deletion of paragraphs 13.41 to 13.43b and Policy H11 and their replacement by paragraphs 3.45 to 3.48 (inclusive) and Policy B/H26 of the January 1995 Adopted Review Colchester Borough Local Plan, appropriately renumbered and with the deletion of the words "*or the established core of Minor Villages and Hamlets (Class E) without Village Envelopes*" from the end of criterion (b) of paragraph 3.47 and with the deletion of the word "*normally*" from line 1 of Policy B/H26.

13.101. PARAGRAPHS 13.44 & 13.45; PARAGRAPHS 13.45a, b and c & POLICY H12; PROPOSED CHANGES 160 & 161 Replacement Dwellings in the Countryside

Objections

0108 / 01534	Alderman R W R Browning
0405 / 00771	Edward Gittins & Associates
0528 / 01224	RIBA Colchester Chapter of Chartered Architects
0651 / 01594	English Heritage

KEY ISSUES

- The criteria set out in Policy H12 of the First Deposit Version and its supporting text are too restrictive.
- There has been a restriction in the size of replacement dwellings in the supporting text for Policy H12 in the Second Deposit Version for no apparent reason.
- Reference to "*local vernacular style*" in Policy H12 should be deleted.
- Proposed Change 160 would delete the words "*the local vernacular style*" from criterion (a) of Policy H12 and would replace them with the word "*distinctiveness*".
- The word "*adverse*" in criterion (b) of Policy H12 should be replaced by the word "*visual*".
- Proposed Change 161 would delete the word "*adverse*" from criterion (b) of Policy H12 and replace it with the word "*visual*".
- The words "*...and, where appropriate, result in enhancement.*" should be added to the end of criterion (b) of Policy H12.

CONCLUSION

13.101.1. Proposed Changes 160 and 161 meet the concerns of RIBA Colchester Chapter of Chartered Architects and Edward Gittins & Associates with regard to local vernacular style and adverse impact in Policy H12. I do not object to their adoption. The Council also

supports the incorporation of English Heritage's suggestion of reference to enhancement in the policy. I agree with this. Following on from my recommendation with regard to the restoration of the policy and supporting text from the adopted Local Plan on house extensions (see 13.100.3 above) paragraph 13.45a must be changed for the sake of consistency. References to "37m²" and "1 July 1948" will need to be replaced by "33⅓%" and "4 November 1993". This will also have the effect of satisfying in full the remainder of the objection of Edward Gittins Associates, the non-duly made objection of RIBA Colchester Chapter of Chartered Architects, and probably goes as far as possible in meeting the observations of Alderman Browning. My reasoning for reverting to the approach of the current adopted Local Plan is set out in paragraphs 13.100.1 and 2 above and do not need to be rehearsed again here.

RECOMMENDATION

13.101.2. I recommend:-

- (a) that the Local Plan be modified in line 2 of paragraph 13.45a by the deletion of "37m² than" and its replacement by "33⅓% of", in lines 2 and 3 by the deletion of "1 July 1948" and its replacement by "4 November 1993" and in line 4 by the deletion of "37m²" and its replacement by "33⅓%";
- (b) that the Local Plan be modified in paragraph 13.45c by deletion of "13.43c" in line 2 and insertion of the renumbered paragraph number arising from my recommendation at 13. .3 above;
- (c) that the Local Plan be modified in accordance with Proposed Changes Nos 160 and 161;
- (d) that the Local Plan be modified by the addition of the words "*and, where appropriate, results in enhancement*" to the end of criterion (b) of Policy H12.

13.102. POLICY H13 Agricultural & Forestry Worker Dwellings

Objection

0108 / 01535

Alderman R W R Browning

KEY ISSUE

- The policy is excessively restrictive and gives prospective applicants little chance of success. If a farming enterprise is new then a temporary planning permission for a caravan/mobile home should be granted for up to five years.

CONCLUSION

13.102.1. Policy H13 and its supporting text adheres very closely to the advice set out in Annex I to PPG7, so that, should its wording be watered down, as requested by the objector, the stringent tests of national policy would still apply to any planning applications for agriculture or forestry workers' dwellings in Colchester. The length of any period for the siting of a caravan/mobile home granted temporary planning permission for a 'trial run' would depend on the circumstances of the case and a figure of five years, which may be excessively long, should not be quoted in the policy. Therefore, I do not recommend that any amendments be made to Policy H13 in response to this objection.

RECOMMENDATION

13.102.2. I recommend that no modification be made to the Local Plan.

13.103. PARAGRAPHS 13.51 TO 13.53 (inclusive) & POLICY H14 Removal of Agricultural Worker Occupancy Conditions

Objection

0405 / 01179

Edward Gittins & Associates

KEY ISSUE

- It is unreasonable for persons, who wish to seek the removal of agricultural occupancy conditions, to undertake unnecessary marketing exercises, when the present occupiers only want to continue to occupy farmhouses after any form of agricultural need for the dwelling has ceased.

CONCLUSION

13.103.1. The objector seems to misunderstand the role of the model agricultural occupancy condition of Circular 11/95 or PPG7. Paragraph I18 of Annex I to PPG7 indicates that it is unnecessary to tie occupation of a dwelling to workers engaged in one farming business, even though the needs of that business justified the provision of the dwelling. Instead, the standard agricultural occupancy condition is designed to ensure that the dwelling is kept available to meet the needs of other farm or forestry businesses in the locality if it is no longer needed by the original business, thus avoiding a proliferation of dwellings in the open countryside. To comply with this advice, the proper procedure should be for the person, who is no longer mainly or last employed in agriculture to move out, or stay on into retirement. Only when it can be demonstrated that no person can be found to occupy the dwelling in the locality, who is solely or mainly employed in farming, not necessarily on the adjoining land, should the occupancy condition be removed. In my judgement, the most suitable means of achieving this is a proper marketing exercise to demonstrate that a local market for a property to be occupied by a farm worker of any description in the area no longer exists. Therefore, I fully support the requirements of Policy H14, which accords with national guidance on this matter, and the objector's arguments are rejected.

RECOMMENDATION

13.103.2. I recommend that no modification be made to the Local Plan.

13.104. POLICY H15 Extensions to Gardens in the Countryside

Objection

0405 / 00774

Edward Gittins & Associates

KEY ISSUES

- The word "*material*" should be inserted into criteria (a) and (b).
- The phrase "*net environmental benefit*" in criterion (c) is not understood.
- Criterion (d) should be deleted.

CONCLUSION

13.104.1. The local planning authority accepts the addition of the word "*material*" into criteria (a) and (b) and so do I. It gives greater clarity to the policy since insignificant adverse impact on the countryside and insubstantial loss of good agricultural land are by definition

unobjectionable. However, the local planning authority describes the phrase “*net environmental benefit*” as self-explanatory but I do not understand it in the context of extending residential gardens into the countryside. It seems to me that the important considerations are criteria (a) and (b). If these two are met then no demonstrable harm would have been caused to an interest of acknowledged importance, especially if permitted development rights, allowing the construction of outbuildings without the need for planning permission, are removed. In these circumstances, I recommend the deletion of criterion (c). I do not agree to the deletion of criterion (d) but I consider that its meaning would become clearer by the insertion of the word “*unacceptable*” in front of “*extensions*”. I recommend accordingly.

RECOMMENDATION

13.104.2. I recommend:-

- (a) that the Local Plan be modified by the insertion of the word “*material*” between the words “*no*” and “*adverse*” in criterion (a) of Policy H15 and between the words “*the*” and “*loss*” in criterion (b);
- (b) that the Local Plan be modified by the deletion of criterion (c) of Policy H15;
- (c) that the Local Plan be modified by the insertion of the word “*unacceptable*” between the words “*for*” and “*extensions*” in criterion (d – renumbered c) of Policy H15.

13.105. PARAGRAPH 13.59(a)

Housing Density Policy

Objection

0847 / 02021

GHP Group Ltd

KEY ISSUES

- Insertion of the word “*normally*”.

CONCLUSION

13.105.1. The requirements of paragraph 58 of PPG3 are clear-cut. Local planning authorities are required to encourage housing development at densities between 30 and 50 dwellings per hectare net. Any words such as “*normally*”, which dilute this message, should be discouraged. In these circumstances, I do not consider that any action is required with regard to this objection.

RECOMMENDATION

13.105.2. I recommend that no modification be made to the Local Plan.

13.106. PARAGRAPH 13.60(a) & PROPOSED CHANGE 39

Housing Density Policy

Objection

0296 / 01903

Railtrack PLC

KEY ISSUES

- Reference should be made to the proximity of main railway stations as a circumstance encouraging residential densities above 50 units per hectare.

- Proposed Change 39 would insert the words “*major public transport modes (including railway stations) or*” after the words “*close to*” in paragraph 13.60(a).

CONCLUSION

13.106.1. Proposed Change 39 would meet the concerns of the objector.

RECOMMENDATION

13.106.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 39.

13.107. PARAGRAPH 13.60(b) Housing Density Policy

Objection

0847 / 02033

GHP Group Ltd

KEY ISSUE

- Reference in paragraph 13.60(b) to ‘care-free housing’ should be to car-free housing.

CONCLUSION

13.107.1. This is clearly a misprint.

RECOMMENDATION

13.107.2. I recommend that the Local Plan be modified by the deletion of word “*care-free*” in paragraph 13.60(b) and insertion of the word “*car-free*”.

13.108. TABLE 3 Settlement Classification – Stanway

Objection

0162 / 01458

Stanway Parish Council

KEY ISSUE

- Table 3 designates Stanway as a Local Urban Area, whereas Table 4 amalgamates Colchester and Stanway together for the purpose of identifying New Housing Sites. For the sake of consistency, the two should be disaggregated.

CONCLUSION

13.108.1. In the current adopted Local Plan, Stanway remains a separately identified location for new housing, whereas in its replacement now before me the same housing area is listed under Colchester/Stamway. I prefer this arrangement. It stresses the contrast between the main urban area of Colchester/Stamway, where all of the main housing sites are to be found in the Second Deposit Version and the situation in the current adopted Local Plan where a major new housing allocation was made at Grove Road, Tiptree. There is therefore no inconsistency between the Table 3 designation of Stanway as a separate Local Urban Centre and its amalgamation with Colchester for the identification of housing sites and other purposes. Consequently, I do not recommend that any change be made to the Local Plan in response to the Parish Council’s concerns.

RECOMMENDATION

13.108.2. I recommend that no modification be made to the Local Plan.

13.109. TABLE 3 Settlement Classification – Great Horkesley

Objections

0199 / 01209	Mr C Ince
0326 / 01761	T D Kilfeather
0452 / 00903	P A Summers
0463 / 01208	S M Knight
0464 / 01207	S A Knight
0465 / 01210	E M Summers
0467 / 01762	M K Kilfeather
0468 / 01204	Mrs M James
0469 / 01203	Mr C James
0470 / 01202	Mr A James
0471 / 01201	Mrs J James
0472 / 01200	Mrs W James
0473 / 01199	Mrs F Garrad
0474 / 01198	Mr T Martin
0475 / 01197	Mr P R Davies-Evans
0476 / 01196	Mr L James
0477 / 01195	Mrs J E Woods
0478 / 01194	Mr R J Woods
0479 / 01193	Mrs B Parker
0480 / 01192	Mr N Parker
0481 / 01191	Mr K Sessions
0482 / 01189	Mr D J Arnold
0483 / 01190	Mr A Martin
0484 / 01188	Mr P T Nutter
0485 / 01187	Mrs E Jones
0486 / 01186	Mrs D Sessions
0635 / 01525	Ms Lucy Wood

KEY ISSUE

- Horkesley Heath should be separated from Great Horkesley. Both should be identified as separate small villages within Class D rather than a principal village in Class C.

CONCLUSION

13.109.1. Horkesley Heath/Great Horkesley are identified as a principal village (Class C) with the name of Great Horkesley in Table 1 of the adopted Local Plan. The list of principal villages and the definition of Class C remain unaltered in the First and Second Deposit Drafts and I can see no change in circumstances that warrants Great Horkesley's subdivision and downgrading in the settlement hierarchy. With its population in excess of 2,000 and its role as a provider of primary education and some retailing, I am firmly of the opinion that Great Horkesley/Horkesley Heath, which constitute one almost continuous settlement, are correctly accorded joint principal village status.

RECOMMENDATION

13.109.2. I recommend that no modification be made to the Local Plan.

14 Chapter 14 - Employment

14.1. PARAGRAPH 14.4 *Employment Objectives*

Objections

0331 / 00594	Colchester & East Essex Co-operative Society Ltd
0450 / 00898	Safeway Stores Plc
0460 / 00975	C F Anderson & Sons Ltd
0462 / 00991	ADCO Group Limited
0569 / 01249	Cants of Colchester/James Bartholomew Trust
0582 / 01348	Colchester Economic Forum

KEY ISSUES

- Retailing should be looked upon as a legitimate use on employment land, as it is a large employer of workers in its own right and it causes no more harm environmentally.
- Overemphasis is given to notions of sustainable development at the expense of job creation.
- Historically, take-up rates of allocated employment land in the Borough have been slow. Consideration should therefore be given to re-allocating some sites for housing or for mixed residential/employment development.
- If insufficient on-site and public parking provision is made, much of the current and proposed new employment allocations are unlikely to be implemented.

CONCLUSION

14.1.1. I recognise the significance of retailing as a major source of employment, particularly as providers of part-time employment and/or creating employment opportunities for women. However, the prime consideration in retailing is location, especially having regard to the sequential test as set out in the current PPG6. The fact that some important retail locations within the Borough are on land allocated primarily for employment purposes is to my mind no reason to allow the wholesale release of employment land for shopping where this is in breach of the well-established sequential approach. For these reasons, I see no need to amend the Local Plan in response to the objections of Safeway Stores Ltd and the Colchester & East Essex Co-op.

14.1.2. The need to create sustainable patterns of development is at the heart of the Local Plan strategy. This entails a reduction in reliance on the private car as the mode of transport for journeys-to-work, resulting in employment land designations being located where high quality public transport is available as a genuine alternative to car-based travel. This is most unlikely to be achieved where a dispersed pattern of employment land is being promoted, as advanced by ADCO Group Ltd and C F Anderson & Sons Ltd. I do not consider that undue emphasis is being given to notions of sustainability at the expense of loss of employment potential and no amendments will be made in response to these objections.

14.1.3. Similar considerations apply to the request for additional parking from the Colchester Economic Forum. There is a strong likelihood that the provision of additional parking spaces, over and above the County Council's maximum standards in association with new employment development, will encourage even greater reliance upon private car use for journeys-to-work in a non-sustainable manner, contrary to one of the major precepts of the

Local Plan. I am not convinced that limiting parking provision to county-wide standards would act as a disincentive to development within Colchester, especially as much employment is tied up in the mediaeval street pattern of Colchester town centre where the prospects for additional parking provision is constrained by its historic fabric and limited road network capacity. Again, I recommend that no changes be made in response to this objection.

14.1.4. Finally, Cants of Colchester point out that much land previously allocated for employment purposes in the past has failed to be developed. As the principle of releasing undeveloped land for built development has already been agreed, it is argued that its re-allocation for mixed employment/residential or wholly residential use would not increase urban expansion in the Borough. I accept that much former commercial land may be redeveloped for housing purposes. Indeed, where former industrial land has lost its employment role because of its poor siting, as in parts of East Colchester and The Hythe, such redevelopment is to be encouraged. However, modern employment land and proposed new sites have been sited because of their proper location adjoining existing and proposed accesses to the primary road network. Such locations should not be sacrificed, even for mixed uses, unless it can be demonstrated that housing targets cannot be met from already allocated residential land and that there is no realistic prospect of existing business floorspace being re-used for employment purposes. I am not satisfied that employment land of this type should be partly re-allocated for housing this early in the Local Plan period. An imbalance of housing growth in comparison with employment opportunities could ensue, resulting in a possible increase in wasteful long-distance commuting. Therefore, I take the view that no alterations to the Local Plan should be made in response to this objection.

RECOMMENDATION

14.1.5. I recommend that no modification be made to the Local Plan.

14.2. PARAGRAPH 14.6 & TABLE 5

Employment Zone Distribution

Objections

0162 / 01456	Stanway Parish Council
0460 / 00976	C F Anderson & Sons Ltd
0462 / 00990	ADCO Group Limited

KEY ISSUES

- Colchester/Stanway should not be lumped together as one single urban area for the purposes of defining the future supply of employment land.
- Employment land has been concentrated in the built-up area of Colchester/Stanway without regard to the ability of the existing infrastructure to cope with the additional demands to be placed upon it.

CONCLUSION

14.2.1. Paragraph 14.6 and Table 5 recognise that the urban area of Colchester and the bulk of the built-up area of Stanway Parish make up a continuous urban mass, even if they may have been historically and administratively separate until comparatively recent times. Changing the labels is not going to change the fact that Colchester and Stanway are now one unbroken built-up area and that both do and will continue to be the main supplier of employment land in the Borough. Therefore, I do not intend to recommend any modifications in response to the objection of Stanway Parish Council.

14.2.2. Turning to the objections of C F Anderson & Sons Ltd and ADCO Group Ltd, it is logical that the bulk of employment should be concentrated in Colchester/Stamway as over 90% of new housing development is also concentrated there. The major new employment area at Cuckoo Farm is also dependent upon the provision of new road and public transport infrastructure and will not proceed in their absence. In my judgement, a more dispersed pattern of new employment, as espoused by the objectors, would be likely to increase the levels of commuting by car in an unacceptable manner that would be wasteful of scarce resources. Therefore, I do not recommend any change to the Local Plan with regard to these objections.

RECOMMENDATION

14.2.3. I recommend that no modification be made to the Local Plan.

14.3. PARAGRAPH 14.7 AND PROPOSED CHANGE 45 Re-use of Proposed Cuckoo Farm Community Stadium for Employment Purposes

KEY ISSUE

- Clarification of Cuckoo Farm employment status if the community stadium proposal does not proceed.

CONCLUSION

14.3.1. Add to the end of the paragraph, *“Provision is also made in Policy L16 for the development of the community stadium site at Cuckoo Farm, for Employment Zone uses should the development not proceed.”* This would make it clear that any land allocated for a community stadium would be put to employment use in the event of the stadium proposal failing to materialise.

RECOMMENDATION

14.3.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 45.

14.4. PARAGRAPH 14.7, PROPOSED CHANGE 44 & TABLE 6 Land between Nayland Road & Boxted Road (‘The Boxted Triangle’), Mile End

Objections

0050 / 02406	Mrs P Smith
0055 / 02066	Royal London Mutual Insurance Society
0569 / 02361	Cants of Colchester/James Bartholomew Trust
0569 / 02370	Cants of Colchester/James Bartholomew Trust

KEY ISSUES

- Proposed Change 44 would delete the words *“including land between Boxted Road and Nayland Road”* from line five of paragraph 14.7, removing the employment allocation from the site.
- The objections stem directly from this proposed change. Royal London Mutual Insurance argue that this land should be restored to its employment status, to compensate for their former employment allocation on their disused sports field being designated as housing

land. Mrs Smith and Cants of Colchester, the owners and operators of the land, say that the employment allocation, made in the current adopted Local Plan and confirmed in the First and Second Deposit Versions, is proposed for withdrawal at a late stage in the Plan's genesis without any reasoned justification being given.

CONCLUSION

14.4.1. The Boxted Triangle has been the subject of a chequered planning history in recent years. In the current adopted Local Plan, it is allocated as employment land. However, this stems directly from the proposal to provide an access from the A12 trunk road onto the A134 Colchester-Sudbury main road at this point, which would have drastically affected this land, to the extent that its openness would have been severely compromised. If the access onto the A12 from the A134 had proceeded, the site's development for employment purposes was a logical progression. Employment land would have been sited with direct access onto the primary road network. However, circumstances have changed since then. The access between the proposed Northern Approaches Road and the A12 will be sited further east and none of the roads adjoining the objection site will have access onto the primary road network except via a convoluted route.

14.4.2. Since the access onto the A12 will not now go ahead, the general loss of openness at the site from new road infrastructure no longer applies. I discuss the question of the present open land's contribution to the countryside elsewhere in Chapter 5 of my report and those arguments do not have to be rehearsed again here. However, I am satisfied that the essentially open nature of this site, which would have been severely compromised by the previous road proposals, can now remain largely undisturbed. In the absence of a direct access onto the A12, heavy commercial vehicles servicing employment land at this location would need to pass or come close to the significant body of residential property bordering the site, including new housing at its southern end. The possibility of siting general industrial activity, a core employment land use, so close to housing could have a significant harmful impact upon its residents.

14.4.3. Such a situation might be acceptable if there were to be a serious shortfall of employment opportunities in the Borough as a whole, and in North Colchester in particular, but the evidence before me all points the other way. Far from the Structure Plan employment allocation of 103 ha not being met, with planning permissions already implemented the agreed figure for the period 1996-2011 is comfortably exceeded. Moreover, development rates on employment land in recent years do not indicate that it is likely to be in short supply during the plan period. More significantly, in my opinion, the objection site is on the doorstep of the largest single contribution towards meeting the Structure Plan target, the Cuckoo Farm allocation. To my mind retaining this site as an employment allocation, in addition to Cuckoo Farm, could prejudice the proper development of the latter. If these circumstances arose, this would not be conducive to the good planning of the locality, as Cuckoo Farm is much better sited, with regard to the revised proposed access onto the A12, than the objection site. I accept that the Council's late change of heart on an important site, which was accepted in the Second Deposit Version as still being suited for employment, was unfortunate. However, I remain convinced that the *raison d'être* for the employment allocation in the current Local Plan disappeared when the decision was taken not to proceed with the access between the A12 and A134. Although later than it should have been, the Council's decision, to propose deletion of the employment allocation from the Boxted Triangle altogether, is the correct one.

RECOMMENDATION

14.4.4. I recommend that the Local Plan be modified in accordance with Proposed Change No 44.

14.5. PARAGRAPH 14.10 *Employment Zone Provision*

Objection

0853 / 02054

Corporate Investment Ltd

KEY ISSUE

- The figure of 98 hectares of newly allocated, and existing allocations of, undeveloped employment land is excessive and should be reduced, bearing in mind the low take-up of employment land in recent years.

CONCLUSION

14.5.1. I agree that, based on historic rates of release of employment land, 98 hectares of new employment land seems to be excessive. However, 98ha is derived from the figure of 103 hectares of employment land, set out as Colchester's requirement in the adopted Essex and Southend-on-Sea Replacement Structure Plan, less an area in the control of the Royal London Mutual Insurance Society that has subsequently been released from employment allocation. Therefore, this is the figure that has to be approved if this Local Plan is to remain in conformity with the Structure Plan.

RECOMMENDATION

14.5.2. I recommend that no modification be made to the Local Plan.

14.6. PARAGRAPH 14.14 *Types of Employment within Employment Zones*

Objection

0849 / 02036

S Cooper Esq

0853 / 02055

Corporate Investment Ltd

KEY ISSUE

- The changes made to criteria (a) and (c) of paragraph 14.14 in the Second Deposit version make the pattern of uses, to be imposed within employment zones, unreasonably inflexible.
- Requiring each employment zone to maintain at east 50% of its floorspace in B1 (light industry), B2 or B8 uses is unduly prescriptive. The whole paragraph should be deleted.

CONCLUSION

14.6.1. Employment land has increasingly become looked upon as areas that can be occupied by a wide variety of large space users, not only the traditional examples of manufacturing and warehousing. Paragraph 14.14 recognises this by permitting uses such as vehicles and bulky vehicle parts and indoor sports and recreational facilities to be sited upon employment land, together with retailing and services catering for a large daytime population. However, it should not be forgotten that manufacturing in particular remains a substantial source of employment in its own right. In addition, some of the peripheral business uses may be better located close to the town centre where public transport may be a viable alternative to travel by private car. Therefore, I consider it important that a core of traditional business space is maintained within the employment zones. A figure of 50% does not seem to me to be

excessive. It is certainly less than the two-thirds set out in the First Deposit Version, which would be the effect if criterion (a) were amended as suggested by Mr Cooper. Moreover, I do not consider the approach adopted in criterion (a), nor in the paragraph as a whole, to be unduly prescriptive because of the use of the word “*should*” rather than “*will*”. The paragraph as set out in the Second Deposit Version seems to me to strike the right balance. It accepts that employment land is no longer the exclusive preserve of industrial and storage uses, but it also indicates that such areas cannot be looked upon as a free-for-all encompassing all non-residential activities, many of which could and should be properly located elsewhere for sound planning reasons. Therefore, I do not recommend that the Local Plan be modified in respect of either of these objections.

RECOMMENDATION

14.6.2. I recommend that no modification be made to the Local Plan.

14.7. POLICY EMP1 *Employment Land Provision & Appropriate Uses*

Objections

0041 / 02146	Rydon Homes
0238 / 01471	George Wimpey Plc & Booker Plc
0238 / 02001	George Wimpey Plc & Booker Plc
0285 / 01396	The J T S Partnership
0553 / 01147	Alstom UK Ltd
0693 / 01729	Colchester & District Trade Union Council
0853 / 02139	Corporate Investment Ltd
0904 / 00600	Colchester & East Essex Co-operative Society Ltd

KEY ISSUES

- Additional employment allocations are required to ensure that the Structure Plan requirement can be met to meet the economic objectives of the Local Plan.
- The figure of 98 hectares of newly allocated, and existing allocations of, undeveloped employment land is excessive and should be reduced, bearing in mind the low take-up of employment land in recent years.
- Inadequate protection is given to the maintenance of high-skilled traditional manufacturing employment. Assigning part of the buildings for their re-occupation could ensure protection of such skilled employment, upon redevelopment of life-expired factory premises, rather as housebuilders have to assign a proportion of their sites for affordable housing.
- There should be a presumption in favour of housing redevelopment of old employment sites where manufacturing activity is declining.
- Policy EMP1 should make explicit reference to the suitability of hotels in employment areas.
- The 5ha of employment land allocated at Severalls Hospital in the current adopted Local Plan should be maintained in the Colchester Borough Local Plan.
- All of the retail activities adjoining the Peartree Road Co-op out-of town store should be taken out of their employment allocation.

CONCLUSION

14.7.1. George Wimpey plc's and Booker plc's objections revolve around a greater shortfall brought about in the Structure Plan requirement of employment land than that accepted by the local planning authority. In addition to the transfer of the Royal London Mutual Insurance site to housing, they also point to the need for a landscaped screen to the Cuckoo Farm employment area to mitigate the impact of the A12. I do not agree that this area should be removed from employment land allocation. Instead, it points to the likelihood of a low density of development for employment land on this site, something that was likely to take place whether or not it adjoined a busy trunk road, in view of the need to create a soft edge to a new urban extension. The objectors berate the local authority for relying on low past rates of take-up of employment land for not allocating more sites. However, this phenomenon has been a feature across much of London and the Home Counties for some time and in my experience is not confined to Colchester. In my judgement, it is important that, if and when demand for such sites increase, they are met in sustainable sites well-related to existing bodies of population, as the sites set out in Table 6 do, providing for access for employees by means other than the car. Expansion of employment land should not take place at locations where the only realistic method of commuting is by private car. Therefore, I recommend no change to the Local Plan in response to these objections.

14.7.2. The objection of Corporate Investment Ltd is identical to that raised in 14.5 above and the objector's arguments can be rejected for the reasons set out in 14.5.1. At the opposite end of the spectrum, the concerns of the Colchester & District Trades' Union Council, regarding the loss of high-skilled manufacturing employment sites to lower skilled servicing activities, are understandable. Nevertheless, as the Council points out in its representations, the decline of a heavy/skilled manufacturing base and the rise of a preponderance of service employment in Colchester has been mirrored nationally. Paragraph 14.14 expects there to be a significant core of light and general industrial activities within employment zones, and given the flexibility of much of today's pattern of employment, that, in my judgement, is as much as a land-use based plan can hope to achieve. The need to maintain that flexibility is, in my opinion, the only means whereby redevelopment of outmoded business premises is likely to take place. Imposing restrictions upon the manner in which redeveloped premises are to be occupied is, in my experience, only likely to stifle replacement buildings coming forward and inhibit much-needed regeneration of older industrial premises in certain parts of the Borough. Therefore, I do not recommend that any action be taken with regard to this objection.

14.7.3. The objection of Alstom UK Ltd is site-specific to their existing premises in Port Lane, East Colchester, but to my mind it has wider application. As a general rule I do not consider that a policy concerning itself with employment should have the promotion of housing redevelopment built into it. Paragraph 42 of PPG3 exhorts local planning authorities to review all non-housing allocations when reviewing their development plan and I am satisfied that the Council has carried out that exercise, with regard to this part of Colchester, and has determined that the objectors' site should remain allocated for employment purposes. However, this Local Plan will have a comparatively long life and paragraph 35 of PPG3 recognises that housing windfall sites will arise from time to time, previously developed sites that unexpectedly become available. An example of a large site is given as one that might arise from a factory closure. To my mind the way forward on sites such as these is to follow the advice in the PPG. Leave them within an employment allocation, which does not allow for housing development within its wording, but be prepared to look flexibly at the question of re-use for housing purposes should the present employment activities cease. In these circumstances, I see no need to amend the Local Plan in response to this objection.

14.7.4. Criterion (e) of Policy EMP1 allows for the development on business land of services specifically provided for the benefit of businesses based on an Employment Zone. Although not expressly mentioned in paragraph 14.14(e), unlike banks or restaurants, some hotel accommodation, catering in the main for business people visiting a major centre of employment would, in my judgement, fall within the scope of a service benefiting businesses within a zone. However, I would not look upon hotel development as being a major function of an employment zone and I therefore consider that it should not have a criterion identifying it as an appropriate use on employment land in its own right. Consequently, I do not accept J T S Partnership's arguments on this point and the Local Plan should remain unchanged. Rydon Homes wish to see 5ha of employment land on Severalls Hospital, allocated in the adopted Local Plan, carried forward into its replacement. The arguments against this are similar to those relating to the Boxted Road Triangle discussed at 14.4.2 and 3 above. The objection site is close to Cuckoo Farm employment zone which is better sited for direct access to the A12 and an employment proposal so close to one of the largest proposed allocations of housing development advanced by the Local Plan could seriously undermine the amenities of prospective residents. I am satisfied that the Severalls Hospital employment allocation should not be retained.

14.7.5. Finally, the Second Deposit Version took the Peartree Road Co-op Retail Store and adjoining uses out of employment land and redesignated most of the area as a mixed use site under Policy STA4, in which the expansion of food and non-food retail uses will be acceptable if certain criteria are met, although the Co-op store was designated as a food superstore under Policy TCS2a. To that extent, I am satisfied that the Second Deposit Version meets the objection of the Colchester & East Essex Co-operative Society Ltd in that the more restrictive attitude to retailing, contained in Policy EMP1, no longer applies to this site.

RECOMMENDATION

14.7.6. I recommend that no modification be made to the Local Plan.

14.8. TABLE 6 *Employment Land Provision*

Objections

0238 / 00350	George Wimpey Plc & Booker Plc
0238 / 00351	George Wimpey Plc & Booker Plc
0238 / 00352	George Wimpey Plc & Booker Plc
0238 / 00353	George Wimpey Plc & Booker Plc
0238 / 01421	George Wimpey Plc & Booker Plc

KEY ISSUES

- The extension to the Tower House Employment Zone at Tiptree would be badly related to the existing settlement pattern and should be deleted.
- Land at Old Ipswich Road, Colchester is more suited to a tourist designation, in accordance with Policy L18, and the employment allocation should be removed.
- Employment allocations at East Colchester/The Hythe should be deleted, as lorry access to them will remain difficult since the abandonment of the Eastern Approaches Road.
- The employment allocation at Whitehall Road, Colchester should be deleted, as lorry access will remain difficult since the abandonment of the Eastern Approaches Road.

- Employment land at Kelvedon Road, Tiptree would be badly related to the existing settlement pattern and should be deleted.

CONCLUSION

14.8.1. In making their original objections to these sites, the objectors made individual comments on each site. When it came to their presentation to the inquiry, the objectors' combined objection was generic. The argument advanced was that all of the sites had been inherited from predecessor plans. The fact that they were still available for development as employment land long after they were first allocated meant that they were unlikely to come forward during the lifetime of this plan. Moreover, by the time that the evidence had been brought to the inquiry, the objections on Whitehall Road and The Hythe had been combined, Tower House (which had largely been developed in the meantime) had disappeared and Tollgate, Stanway had been added. I am therefore considering the site-specific evidence presented at the inquiry.

14.8.2. The Tollgate site has been the subject of a public inquiry into a 'called-in' application. If it is to be used for retailing, this will not be a B1/B2/B8 use but it will be a significant source of employment, an essential prerequisite of employment land. The decision of the First Secretary of State on 30 September 2002 to refuse planning permission for a mixed development now makes the site's use for retailing highly improbable. The Hythe/Whitehall Road allocations may no longer have the benefits of an Eastern Approach Road but there have been some road improvements in the locality in recent times. This, together with the encouragement of regeneration in The Hythe generally, may make these locations more attractive for employment in the future than has been the case in the past. In any event, to my mind employment land should be located as far as possible within significant centres of population, such as urban East Colchester, rather than out-of-the-way sites such as Marks Tey, away from its railway station, which are difficult of access except by private car.

14.8.3. Similar considerations apply at Kelvedon Road, Tiptree. This site is the subject of an objection in favour of housing development elsewhere in the Local Plan but if that is not successful there is no guarantee that the land will remain fallow. Again, employment land should be sited close to existing bodies of population where alternative modes of transport, such as walking or cycling, can be looked upon as viable alternatives to the car. The likelihood of such options being employed at the objectors' site at Marks Tey is to my mind remote in the extreme. Finally, hotels, especially at the budget end of the market, are, in my experience, common features of employment areas. I would not look upon the siting of an hotel on employment land at Old Ipswich Road as necessarily breaching its Local Plan status. For these reasons, I do not consider that any of locations cited by George Wimpey Plc & Booker Plc merit losing their employment designation and I recommend that no amendment be made to the Local Plan resulting from these objections.

RECOMMENDATION

14.8.4. I recommend that no modification be made to the Local Plan.

14.9. POLICY EMP1 *Proposed Business/Science Park, Stane Street, Stanway*

Objections

0671 / 01668
0672 / 01672

Equity Estates/Lindmar Trust/Mrs R Burwood
Climate Changer Software Limited

KEY ISSUES

- There is a lack of serviced premises in Colchester catering for the rapidly expanding Information and Communications Technology and biotechnology sectors. Because of the land's siting next to an existing junction onto the A12, it would be better placed to provide employment land than Cuckoo Farm, which is dependent upon a new access to the A12 that is by no means certain to come forward. This was recognised by the Inspector at the previous Local Plan inquiry when he recommended that this site be re-examined if Cuckoo Farm failed to be developed. The Council ignored this firm advice.
- The site would not compete with the proposed Colchester Business Park adjoining the University of Essex where prospective occupiers would be required to provide their own premises rather than move into pre-existing flexible units sensitively sited in a low-density parkland setting laid out to the highest environmental standards, creating a landmark gateway site for the western approach to Colchester, and incorporating the most sustainable methods of heating, lighting, ventilation and other services.
- Release of the land for employment purposes would also permit the development of a park and ride facility at an optimum location for the west side of Colchester, adjoining the A12 access, so that traffic would not need to travel far along secondary roads to reach the terminus and the route to the town centre could be short. A new station for Stanway may also be provided on the adjoining Liverpool Street-Norwich main railway line.

CONCLUSION

14.9.1. I have considerable sympathy with these proposals and I suspect that the local planning authority has also, although its officers have not expressed these as such during the course of the inquiry, otherwise a longstanding planning application for this development could have been rejected out-of-hand well in the past. I accept the objectors' arguments that the site would be unlikely to compete with the long advocated business park adjoining the University of Essex. Development there is likely to be of the more specialised Research and Development nature, feeding off the academic centre of excellence at the adjacent university, and new uses there would probably require the provision of purpose-designed buildings. In contrast, I would envisage that prospective occupiers of Stane Park would not need structures of an inflexible type but a variety of different sized units, set in attractive surroundings at an accessible location, that would enable them to expand as their space requirements grew. I was not made aware by the Council of any comparable facility currently being available in Colchester, although I accept that a similar form of development could be provided on employment land elsewhere. Moreover, the possibility of a park and ride terminus and the provision of a railway station, while not in themselves determining factors, are desirable additions to this package, in encouraging a reduction in private car dependency in the area as a whole. Finally, the past history of this site in the Local Plan process should not be overlooked. My predecessor in his report at paragraph 2.150 made the firm recommendation that this site be re-examined for employment purposes if employment land at Cuckoo Farm failed to come forward because of an inability to form a new access onto the A12 north of Colchester during the lifetime of the current adopted Local Plan. The Council has ignored

that recommendation and indeed there is a danger of history repeating itself if the revised northern access onto the A12 proposed by this Local Plan fails to bear fruit.

14.9.2. At paragraph 5.5.20 of my report, I recommend that the concept of an Area of Strategic Open Land be deleted from this site. If accepted, that could bring about the removal of a further obstacle to its release for employment purposes. However, there has been the added consideration, since the inquiry closed, of the First Secretary of State's refusal of planning permission for mixed development and the construction of the Tollgate Western Relief Road on the land to the east of this site. The impact of this decision upon the objection site is not mentioned explicitly but its effects are two-fold. Firstly, uncertainty will persist about the timing for the development of the adjoining land, including the construction of the northernmost section of the Stanway Western by-pass. At paragraph 9 of his decision, the Secretary of State makes it clear that benefits of this type cannot outweigh the question of retail need, upon which the planning application overall foundered. Secondly, the decision releases a substantial area of employment land next door to Stane Park on which development of the kind envisaged by the objectors could take place without the need for the further outward encroachment of the built-up area of Colchester/Stanway to the west beyond the area currently demarcated on the Proposals Map. For these reasons, I consider that it would be premature to release the land at Stane Park for employment purposes at this point in time. I would strongly advise the Council to look at this matter again in the light of further developments on the land to the east and what may or may not transpire at Cuckoo Farm. However, because of the numerous imponderables involved at the time of writing this report, I am not making a firm recommendation on this matter at this juncture. Somewhat reluctantly, I recommend no change to this aspect of the Local Plan.

RECOMMENDATION

14.9.3. I recommend that no modification be made to the Local Plan.

14.10. POLICY EMP1 *Extension of Employment Allocation, Fläktwoods (formerly Woods of Colchester), Tufnell Way, Braiswick*

Objection

0570 / 01274

Marconi Property Limited

KEY ISSUE

- The objectors support the existing employment allocation made for the open farmland to the west of the existing factory premises but consider it should be extended further west to a more defensible field boundary.

CONCLUSION

14.10.1. The existing unimplemented employment allocation would allow for the considerable expansion of the existing industrial premises and no evidence has been brought forward to suggest that an expansion beyond this area is giving rise to thwarted expansion plans for the present manufacturing enterprise. In fact, the failure to enlarge the premises during the lifetime of the current Local Plan tends to point in the opposite direction. I accept the objectors' arguments that the proposed enlarged employment area would follow features that are more readily discernible on the ground than the current arbitrary boundary but the additional allocation would represent further encroachment of the built-up area of Colchester into open countryside. The operation has changed hands following the rapid decline in the financial fortunes of the parent company that made the objection. In view of the resultant

uncertainty, and the substantial areas of vacant or underused employment land allocated elsewhere in the Borough that have been slow in development in recent years, I see no need to alter the Local Plan with regard to this objection.

RECOMMENDATION

14.10.2. I recommend that no modification be made to the Local Plan.

14.11. TABLE 6 Allocation of the Cowdray Centre as an Employment Zone

Objections

0329 / 00585	Grainger Investments Property Ltd
0329 / 00582	Grainger Investments Property Ltd

KEY ISSUE

- Table 6 of the First Deposit Version allocated the Cowdray Centre as an employment zone. The future for the existing buildings remaining in employment use, as defined in Policy EMP1, is doubtful, especially with the closure of the B&Q retail warehouse.

CONCLUSION

14.11.1. The Second Deposit Version designates the Cowdray Centre as a location for bulky goods retailing under Policy TCS10. It also designates it as a Town Centre Regeneration Area under Policy TCS24, even though it lies well outside the town centre. The deletion of the employment zone designation would meet the objections, although I subsequently recommend, at paragraph 15.14.15(i) deletion of the Cowdray Centre from the list of Town Centre sites in Table 7 because of its out of centre location. However, that recommendation has no impact upon the removal of the employment allocation from the First Deposit Version.

RECOMMENDATION

14.11.2. I recommend that no modification be made to the Local Plan.

14.12. POLICY EMP2 Development Outside Employment Zones

Objections

0462 / 00989	ADCO Group Limited
0460 / 00979	C F Anderson & Sons Ltd

KEY ISSUE

- Policy EMP2 should be replaced by a new policy identifying potential employment sites across the Borough as a whole.

CONCLUSION

14.12.1. Policy EMP2 is a non site-specific policy permitting small-scale employment uses anywhere within the confines of the urban areas of the Borough, provided these activities are in scale with their surroundings. The objectors' proposal is to replace this with employment development anywhere suitable within the Borough. The objectors claim that their approach would provide a more sustainable pattern of development but I reject these arguments. Permitting small-scale businesses to locate within the urban areas would allow for

short-distance travel by means of transport alternative to the car, notably walking, cycling or bus travel. A more dispersed pattern of low-key 'start-up' business operations, as advocated by the objectors, would be far more likely to increase dependency on journey-to-work by private car, a much less sustainable scenario. For these reasons, I recommend that no changes be made to the Local Plan in response to these objections.

RECOMMENDATION

14.12.2. I recommend that no modification be made to the Local Plan.

14.13. POLICY EMP3 Fingringhoe Ballast Quay

Objection

0205 / 01373	Colchester Dock Transit Co Ltd
0356 / 00676	J J Prior (Transport) Ltd
0838 / 01974	Associated British Ports

KEY ISSUES

- Policy EMP3 is too negatively worded, given that Fingringhoe Ballast Quay is fully equipped as a viable port facility with a useful potential future working life.
- The transshipment of goods other than sand and gravel from Fingringhoe Ballast Quay should therefore be permitted unless it results in an unacceptable increase in heavy goods vehicle movements.

CONCLUSION

14.13.1. Fingringhoe Ballast Quay is now the only commercial port facility left on the Colne Estuary, used solely for the carrying of sand and gravel brought by conveyors from nearby pits for waterborne transshipment elsewhere. Because of the awkwardness of road access by heavy vehicles, I am satisfied that its specialised use, confined to the despatch of local mineral workings by means of transport other than road, should remain as it is. The attraction of the surrounding countryside and the inadequacy of the road network, with consequent disturbance to residents of those properties that face onto any approach roads, have to be taken fully into account. Policy EMP3, as elaborated in the Second Deposit version, allows for some expansion of commercial activity, in line with possible enlargement of mineral workings. Because of the severe impact of heavy vehicle movement generation if additional employment development were permitted, I remain firmly of the opinion that an increase in conveyor-borne sand and gravel is the most expansion that is acceptable at this particular port facility. The objections therefore fail.

RECOMMENDATION

14.13.2. I recommend that no modification be made to the Local Plan.

14.14. PARAGRAPHS 14.29a TO 14.35 AND PROPOSED CHANGES 166, 167 & 168 Employment Uses in the Countryside

KEY ISSUES

- Proposed Change 166 would amend the second sentence of paragraph 14.29a to read as follows:- *“Outside of village envelopes and the rural business sites (EMP5), development will be limited to appropriate changes of use or small-scale extension of existing complexes of buildings or replacement buildings within such complexes.”*
- Proposed Change 167 would expand on the second sentence to paragraph 14.30 to read as follows:- *“They have been identified to ensure a reservoir of sites to provide rural employment and are listed in policy EMP5 and shown on the proposals map.”*
- Proposed Change 168 would delete paragraph 14.32. The remaining paragraphs would be re-ordered and would be read in the following sequence; 14.29a, paragraph 14.34 is added to the end of 14.29a, 14.30, 14.31, 14.35, 14.33 and 14.33a.

CONCLUSION

14.14.1. Prior to these proposed alterations being brought forward, there was considerable confusion between the explanatory text for Policy CO10 in Chapter 5 (concerning re-use of redundant buildings for business use in the countryside) and paragraphs 14.29a to 14.35 regarding existing rural employment sites. These are largely clarified in this instance by renumbering the paragraphs in a more logical sequence (although this will require further amendment to make more sense in the adopted plan) and by deletion to reference to listed buildings, which applies more properly to consideration of re-use of redundant buildings for employment purposes rather than protection of existing rural jobs.

RECOMMENDATION

14.14.2. I recommend that the Local Plan be modified in accordance with Proposed Change Nos. 166, 167 and 168, subject to the paragraph numbering, as set out in Proposed Change 168, being in strict numerical order in the adopted version of the Local Plan.

14.15. POLICY EMP4, PROPOSED CHANGE 46 & TABLE 5 Employment Uses in the Countryside

Objections

0108 / 01536	Alderman R W R Browning
0238 / 01470	George Wimpey Plc & Booker Plc
0238 / 01508	George Wimpey Plc & Booker Plc
0293 / 00469	Michael Howard Homes
0293 / 01744	Michael Howard Homes
0460 / 00974	C F Anderson & Sons Ltd
0462 / 00982	ADCO Group Limited
0853 / 02056	Corporate Investment Ltd

KEY ISSUES

- Proposed Change 46 would add the word *“additional”* to criterion (b) (iii) before the words *“new buildings”* and, in criterion (d) after the word *“keeping”*, would delete the words *“jobs for local people”* and insert the words *“local employment opportunities”*.

- Policy EMP4 is too restrictive. Criteria (a) and (b) of the First Deposit Version prevent the establishment of small businesses in the countryside in the first place, criterion (c) fails to take account of the scattered nature of existing development in much of the countryside, which could be re-used for employment purposes without causing harm, criterion (d), limiting new employment to local people is unenforceable, while restricting development to re-use of heritage buildings only for employment purposes is contrary to government advice.
- Criterion (a) of the Second Deposit Version should allow for employment development to take place on existing developed sites on the edge of villages. Such a site exists on the southern edge of Great Tey and this should be identified in Table 5.
- Marks Tey should be included within the same hierarchy of employment sites within urban areas in Table 5 as Wivenhoe, West Mersea and Tiptree.
- Marks Tey should be included as a principal village, including Rowhedge, in Table 5.
- Table 5 is confusing. It includes additional policy, despite being a list of sites, and should therefore be deleted.

CONCLUSION

14.15.1. Despite the Proposed Changes set out in the preceding section, I still find that there is, in my judgement, a considerable degree of overlap and confusion between the aims and objectives of Policy CO10 in Chapter 5 and this particular Policy. Proposed Changes 166 to 168 inclusive may have elucidated the distinctions between Policy EMP5 on the one hand, and Policies CO10 and EMP4 on the other, but to my mind the lack of clarity between the latter two policies remains. The Council argues, in a document produced in response to the second objection from Michael Howard Homes, that Policy CO10 relates to individual buildings being put to other uses within farm complexes where agriculture is continuing and is likely to remain the dominant economic activity. In contrast, Policy EMP4 applies to whole farms, and other redundant complexes in the countryside, to be used for other employment purposes. The situation is further confused by the Ministerial Statement by Nick Raynsford MP on PPG7, made on 21 March 2001 ie just before the inquiry opened. Paragraph 3.4B, inserted into the existing government guidance by that statement, says at the end, *“New buildings, either to replace existing buildings or to accommodate expansion of enterprises, may also be acceptable provided that they satisfy sustainable development objectives and are of a design and scale appropriate to their rural surroundings.”*

14.15.2. In my recommendations on Policy CO10 in Chapter 5 above, I intimate that the Council might want to look again at that policy again in the light of the ministerial statement. In contrast, I consider that its impact upon the principles contained in Policy EMP4 is so severe that, in my judgement, the policy requires more specific amendment. Firstly, although recommended by GO-East, the first limb of Proposed Change 46 cannot survive as it predates the firm ministerial advice of 21 March 2001. Incorporating that advice, together with the changes introduced by the Second Deposit Version, satisfies most of the points raised by Alderman Browning and the first objection from George Wimpey plc and Booker plc. The change in criterion (d) brought about by the rump of Proposed Change 46, replacing *“jobs for local people”* with *“local employment opportunities”* is a more realistic reflection of what this policy can achieve and answers the concerns of Alderman Browning on this point.

14.15.3. Whereas an employment allocation of the site at Great Tey identified by Michael Howard Homes would be inappropriate, the necessary changes to EMP4, brought

about by the ministerial amendments to PPG7, are very pertinent to the situation to be found there. It is outside the defined village envelope but it abuts a conservation area containing several listed buildings. Some of the existing structures on the site, by reason of their scale and appearance, do little to enhance the setting of this high quality environment. To my mind these are circumstances where it would be appropriate to permit new buildings in scale with their surroundings in circumstances where strict application of tightly defined village boundaries would bring about a less satisfactory visual end product, the situation that the amendments to PPG7 are designed to avoid. In these circumstances, I therefore recommend that criterion (b)(iii) be deleted as contrary to current government thinking and that the ministerial statement be substituted, almost *verbatim*, in its place. In addition, I also consider that it is worth emphasising that rural complexes on the edge of villages are, in my opinion, especially suited to the approach advanced by revised paragraph 3.4B of PPG7. I therefore recommend an amendment to the words in brackets in criterion (b) accordingly.

14.15.4. Turning to the other objections, I consider that Marks Tey is a principal (not principle) village like Rowhedge so that its place in the hierarchy of employment sites in Table 5 would remain unaltered. Therefore, the concerns of C F Anderson & Sons Ltd and ADCO Group Limited are met by the Second Deposit Version of Table 5. On the other hand, I do not consider Marks Tey to be an urban settlement comparable in size or character to Wivenhoe, Tiptree or West Mersea. Therefore, it is not necessary to allocate an employment zone there comparable to those found in the larger centres of population specified in Table 5 and the second objection of George Wimpey plc and Booker plc fails. Finally, with regard to the objection of Corporate Investment Ltd, I accept the Council's arguments that Table 5 is meant to be a quick easy guide to employment potential throughout the Borough and does not confuse the preceding policies. I see no need to amend the table other than to correct the grammatical error referred to above. This does not require a specific recommendation.

RECOMMENDATION

14.15.5. I recommend:-

- (a) that Proposed Change No 46 be not proceeded with as regards criterion (b)(iii) of Policy EMP4. The proposed alteration to criterion (d) can proceed;
- (b) that the Local Plan be modified by the addition of words in brackets in criterion (b) "*but including complexes on the periphery of village envelopes as set out in Table 3*";
- (c) that the Local Plan be modified by the deletion of criterion (b)(iii) and the insertion of the following:- "*New buildings within these complexes, either to replace existing buildings or to accommodate expansion of enterprises, may also be acceptable provided that they satisfy sustainable development objectives and are of a design and scale appropriate to their rural surroundings.*"

14.16. POLICY EMP5 & PROPOSED CHANGES 47, 169 & 170 Freestanding Rural Business Sites

Objections

0071 / 00156	Mr W F McMellon
0108 / 01627	Alderman R W R Browning
0389 / 00864	H C Percival (Farms) Ltd
0438 / 00861	D Byford & Sons
0510 / 01044	ABX & SM Fenwick and Bypass Nurseries Ltd
0572 / 01293	Pertwee Holdings Ltd

0572 / 02168
0585 / 01376

Pertwee Holdings Ltd
Mrs P J Gooding

KEY ISSUES

- Proposed Change 47 states that EMP5(a) number 3 should be in Italics as “*Marks Tey (Anderson site)*”. The site is identified in Map 9a.
- Proposed Change 169 would amend the title of Policy EMP5 to “*Freestanding Rural Business Sites*”.
- The use of the word “*appropriate*” in criterion (b) of Policy EMP5 is vague and unclear.
- Proposed Change 170 would amend criterion (b) of Policy EMP5 to read “*the use(s) and/or development shall be compatible with the character and scale of any nearby settlement and the surrounding rural area.*”
- The range of uses to which buildings on the Wormingford Airfield site can be put should be restricted, bearing in mind the proximity of residential properties.
- Rural employment potential at the Tey Brook Centre, Great Tey should be allowed to expand.
- Wakes Hall, Wakes Colne should be designated as a Rural Business Site.
- Flyover Nurseries, Coggeshall Road, Marks Tey should be designated as a Rural Business Site.
- Policy EMP5 should designate not only C F Anderson Ltd as a Rural Business Site in London Road, Marks Tey but also Bypass Nurseries Ltd next door.
- The area designated as a Rural Business Site at Langham Airfield is too restricted.

CONCLUSION

14.16.1. To my mind the renaming of the title of Policy EMP5 to “*Freestanding Rural Business Sites*” by Proposed Change 169 greatly clarifies the types of employment activities in the countryside that this Policy is endeavouring to protect. These are stand-alone pockets of employment, frequently associated with complexes of large-scale buildings outside of centres of population for historic reasons, such as former military airfields, which provide job opportunities in parts of the Borough where work may otherwise be scarce. For that reason, they are not for the most part appropriately sited for expansion, as they are frequently well removed from principal roads and their remote siting may be considered unsustainable in terms of journey to work by means other than the private car. For this reason, I consider that the policy, as amended by the proposed changes and its revised supporting text has got the balance right between maintaining rural job opportunities and over-expansion of employment at environmentally unsustainable locations.

14.16.2. Taking these considerations into account, my conclusions on the objections are as follows. Proposed Change 170 removes the word “*appropriate*” from criterion (b). Therefore, its adoption would overcome the second objection from Pertwee Holdings Ltd. Criterion (b), as amended by Proposed Change 170, also prevents new uses, incompatible with a Rural Business Site’s surroundings, from being granted permission. This would overcome the concerns of Mr McMellon at Wormingford Airfield. Of all of the sites set out in EMP5(a), the Tey Brook Centre is to my mind the least deserving of this designation. It is

remote from the village of Great Tey and has the strong appearance of a collection of redundant farm buildings now put to alternative uses. In that respect, it is little different from alternative uses for agricultural buildings considered under Policy CO10, where new development is, for the most part, discouraged. Therefore, I do not look upon this site as offering any significant new employment opportunities in the future and I do not intend to recommend any changes in response to Alderman Browning's objection.

14.16.3. However, designating the Tey Brook Centre encourages other similar collections of buildings in the countryside to seek an allocation under EMP5(a). Wakes Hall is in a similarly remote location but it should only be granted planning permission for alternative employment use if it satisfies the criteria set out in EMP4(b) as a change of use of an existing rural complex. I note the lengthy submissions, made on behalf of the objectors, concerning doubts about the genuine availability of employment land elsewhere in the Borough. However, even if a real shortage should develop I do not envisage this site acting as a replacement because of its remoteness from centres of population. It should only be catering for a situation where it is creating or maintaining local people's employment. Therefore, the plan will not be amended in response to the objection from H C Percival (Farms) Ltd. Similar considerations also apply at Flyover Nurseries and By-Pass Nurseries, Marks Tey. Both these sites are far better placed, in relation to the primary road network, for employment purposes than either the Tey Brook Centre or Wakes Hall. However, they are both essentially open in character. It may be that their re-use for other employment purposes could be secured by new potential users' ability to create or retain jobs under the terms of Policy EMP4. However, there is no critical mass of buildings on either site that warrants a designation under EMP5, unlike C F Anderson Ltd, next door to By-Pass Nurseries. Therefore, I do not recommend that any action be taken in response to their objection or that of D Byford & Sons.

14.16.4. The remaining two objections relate to expansion of the Inset Map allocation, currently confined to existing complex of buildings at the former Langham Airfield, onto adjoining open land, which is said to be a logical enlargement. The range of accommodation on offer at this complex is varied, ranging from modern purpose designed buildings to former military structures, some of which are of restricted size and in a poor state of repair. By allowing expansion onto this open land it is argued that this established employment centre would be able to provide cheaper accommodation catering for businesses unable to afford the rents of the main concentrations of employment land elsewhere in the Borough. This matter came before the Inspector at the previous Local Plan inquiry. At paragraph 2.207 of his report, the Inspector said the Council was right to adopt a cautious approach to consolidation of employment at Langham Airfield. Although close to the A12 trunk road, he found that links to it are indirect and ill-suited to increased commercial traffic generation. He found the larger addition proposed by Mrs Gooding acts as a significant buffer to adjoining farmland and the smaller area proposed by Messrs Pertwee is a significant landscape area in its own right. I concur with my colleague on all of these points and I find no change of circumstances concerning this site in the meantime that would allow for any appreciable expansion of the site, especially with regard to the inadequacy of the access onto the primary road network, which has not been improved in the intervening period. For these reasons, I do not intend to recommend that any modifications be made to the Local Plan concerning either of these objections.

RECOMMENDATION

14.16.5. I recommend that the Local Plan be modified in accordance with Proposed Changes Nos. 47, 169 and 170.

14.17. POLICY EMP7 *Development of Existing Employment Sites in the Countryside*

Objections

0462 / 02258	ADCO Group Limited
0449 / 00893	British Telecommunications Plc
0449 / 00894	British Telecommunications Plc

KEY ISSUES

- The policy should be amended to allow for the loss of existing employment sites in the countryside for another purpose if this provides overall benefits for the community at large.
- New policies should be introduced into the Local Plan to allow for the redevelopment of non-residential buildings within isolated groups of dwellings in the countryside for residential purposes and for re-use of isolated non-residential buildings in the countryside if no commercial or business activities can be persuaded to use them.

CONCLUSION

14.17.1. The two objections from British Telecom were in support of new policies to be introduced to the First Deposit Version to permit non-commercial uses of buildings or redevelopment of remote non-residential buildings for housing in the countryside. No such policies were included in the Second Deposit Version. Instead, Policy EMP7 was added, which says that development of existing employment sites within the countryside for a non-employment use will not be permitted. Therefore, these two objections will be considered in relation to that policy. Representation 00893 / 0449 falls within the situation where a non-residential building in a minor village or hamlet without a village envelope becomes redundant. In those circumstances, it is suggested that the redevelopment of that site for residential purposes should be permitted provided the new housing is in keeping with the rest of the settlement and no increase in floorspace is involved. Proposed Change 159, which I endorse, would remove the category of Minor Villages and Hamlets without a village envelope from the settlement hierarchy. However, as I point out in paragraph 13.99.1 above, paragraph 3.21 of PPG7 would still apply, allowing for sensitive infilling of small gaps within small groups of houses in character with their surroundings. In view of the persistence of this longstanding government advice through various guidance notes on development in the countryside, which I consider meets the objectors' concerns, I do not recommend that any action be taken with regard to this objection.

14.17.2. The second objection from British Telecom relates to isolated non-residential buildings in the countryside being converted to residential use as a last resort. The local planning authority does accept this approach in Policy UEA6, but only with regard to listed barns. Most redundant non-residential buildings in the open countryside were formerly used for agriculture, have an uncompromisingly commercial experience and are built of materials, which ordinarily have a restricted life-span. In contrast, the objectors' main concerns, redundant rural telephone exchanges in isolated locations, are, in my experience, soundly constructed and frequently domestic in scale and appearance. The objectors do not indicate whether any such premises exist within the Borough. Their site-specific objection with regard to the Fordham telephone exchange is dealt with at paragraphs 13.42.3 and 13.42.4 above. It seems to me that the introduction of a new policy to cater for few if any sites across the rural parts of the Borough is unnecessary. The question of possible residential use of isolated buildings of solid construction and domestic appearance should be looked at on a case-by-case basis. Certainly, the approach of Policy EMP7, concerning the general unsuitability of

re-use of employment sites in the countryside for residential purposes, is the correct one for the vast majority of cases that would arise during the lifetime of this plan. In my judgement, devising new policies for the few exceptions to this general rule is only likely to make the plan's provisions in this area unnecessarily confusing. For these reasons, I do not consider that the Second Deposit Version requires amendment in response to this objection.

14.17.3. Turning to the objection from ADCO Group Ltd, employment opportunities in the countryside usually arise where large-scale buildings erected in connection with rural activities, such as agriculture, become redundant for those purposes. They are frequently re-used for employment purposes, rather than being left vacant and a waste of resources. If the employment sites were to be replaced by another use such as speculative housing, which had no connection with the countryside, this would give rise to creeping urbanisation in a sporadic manner. Therefore, I consider it important that rural employment be maintained in buildings that appear appropriate in the countryside. For these reasons, the objection fails and the Second Deposit Version will not be further amended.

RECOMMENDATION

14.17.4. I recommend that no modification be made to the Local Plan.

15 Chapter 15 - Town Centre & Shopping

15.1. POLICY LPS1 Local Plan Strategy

Objection

0331 / 00603

Colchester & East Essex Co-operative Society Ltd

KEY ISSUE

- Objection is raised to the large number of proposed changes published after the Second Deposit Version was published.

CONCLUSION

15.1.1. Whilst an objection was not formally raised, concerns have been expressed about the substantial nature of the Pre-Inquiry Changes and the completeness of the subsequent consultation process. I accept that the Council correctly followed all the consultation arrangements. As such I must deal only with the information before me.

RECOMMENDATION

15.1.2. This objection relates to Policy TCS11 and shall be dealt with accordingly in subsection 15.8 of the report below.

15.2. POLICY TCS1 & PROPOSED CHANGES 48, 49, 84, 85, 86, 87, 88, 89, 91, 92 & 93 Protecting the Vitality & Viability of Colchester Town Centre

Objections

0272 / 00435	Marks & Spencer Plc
0331 / 00610	Colchester & East Essex Co-operative Society Ltd
0833 / 01924	RMPA Services
0331 / 00604	Colchester & East Essex Co-operative Society Ltd
0833 / 01983	RMPA Services
0504 / 01030	Tesco Stores Ltd
0833 / 01925	RMPA Services
0651 / 02045	English Heritage
0833 / 01980	RMPA Services
0864 / 02208	Homebase Ltd
0450 / 00900	Safeway Stores Plc
0551 / 01145	Boots the Chemists
0853 / 02060	Corporate Investment Ltd
0833 / 02115	RMPA Services
0504 / 02438	Tesco Stores Ltd
0534 / 01118	Wyncote Developments & the Essex Rivers Healthcare NHS Trust
0634 / 01919	The Sheepen Place Colchester Partnership
0331 / 01964	Colchester & East Essex Co-operative Society Ltd
0331 / 00605	Colchester & East Essex Co-operative Society Ltd

KEY ISSUES

- The policy and supporting text should reflect the sequential approach set out in PPG6 to provide sufficient flexibility.
- Whether the reference to cumulative retail impacts is an accurate reflection of national guidance.

- The reference to retail impact assessments should be more clearly defined.
- Whether the concentration of food retailing in superstores is consistent with national guidance to reduce the need to travel.
- Whether Table 8 is inappropriate in the light of changes to the Plan.
- Reference to Cowdray Centre and Sheepen Road in Table 8 should be deleted.
- Whether the policy adequately defines, explains and protects district and local centres.
- The policy should define Turner Rise Retail Park as a District Centre.

CONCLUSION

15.2.1. The supporting text and policy wording of TCS1 have been revised through the Second Deposit Draft and several Pre-Inquiry Changes. For completeness I will briefly summarise the Pre-Inquiry Changes relating to the supporting text. Proposed Change 48 intends to correct a mapping error and thus delete part of the rural district centre at West Mersea in accordance with Map 35a. Proposed Change 49 reflects recommendations of the Retail Study and an extant planning permission through an addition to the rural district centre at Tiptree in accordance with Map 27a. Proposed Changes 84, 85, 88, 89, 91 and 92 make minor amendments to several paragraphs in the interests of clarification. Proposed Change 90 proposes the addition of two new sentences to the end of paragraph 15.13. I concur with all these proposed changes, and especially note Proposed Change 92 that clearly outlines the principles of a sequential approach.

15.2.2. Within the Pre-Inquiry Changes document of March 2001, revisions are proposed to the final two sentences of paragraph 15.14. No reference number appears to have been allocated to these proposals. For the sake of clarity I shall outline these particular changes, along with any relevant recommendations for their amendment, in my recommendations below. Finally, Proposed Changes 86 and 87 propose a new heading and subsequent text referring to “Shopping Elsewhere” and the connected objectives. The description of their location in the Pre-Inquiry Changes document March 2001 could be slightly misleading. I would simply note in the interests of clarity that this heading and subsequent text would be inserted between objective (i) and (ii) of paragraph 15.10 as currently written in the Second Deposit Draft.

15.2.3. The implications of the above changes have led to several objections being conditionally withdrawn. 833/2115, 833/1924, 833/1925, 833/1980 were concerned with the lack of flexibility in the allocation of additional retail sites with special regard to The Garrison site. The objector accepts that changes made to policy TCS1 now provide the opportunity for both convenience and comparison retail proposals which are not allocated on the proposals map and for additional sites to be considered on their merits in accordance with the criteria of TCS(i). I am satisfied that my recommended wording, whilst not identical to that proposed, incorporates all the elements and intentions on which the above objections were conditionally withdrawn.

15.2.4. Objection 833/1925 was to have been conditionally withdrawn, as Proposed Changes to the Plan were said to have deleted all reference to paragraph 15.13a. I can find no reference to this and the Second Deposit Version appears to remain unaltered by any of the Council’s subsequent three schedules of suggested modifications. In these circumstances, I consider that the objection remains extant. However, I find no reason to delete paragraph 15.13a, as it is designed to reinforce flexibility in the later phases of the Local Plan period

when there are greater uncertainties over the continuing demand for retail floorspace. Finally, 833/1983 was concerned with references to the retail study and specific floor space requirements. On the basis of additions to paragraphs 15.15b and 15.55b in the Second Deposit Draft, which clearly state that the figures produced are guidelines and not targets, this objection has been conditionally withdrawn. I am satisfied that the retail study and its conclusions are acceptable and that my recommendation incorporates the elements and intentions based on which this representation was withdrawn.

15.2.5. Proposed Change 93 indicates changes to the policy wording of TCS1. Whilst an objector supported the deletion of references to 2006, objection was still raised to the failure of the policy to provide sufficient flexibility. It is contended that to afford flexibility to the consideration of appropriate edge-of-centre sites, the wording should reflect the sequential approach in considering the potential acceptability of other sites. I appreciate that, in allocating sites through a sequential approach, the Council considers that it has established the inherent suitability of those sites. It has subsequently accepted the additional wording of “unviable” in the policy. PPG6 is quite clear in its definition that sites should be identified on the basis of suitability, viability and availability. Provision of all three criteria in the policy should not undermine the present allocations and would allow for flexibility in the future if circumstances should change. I am of the opinion that the policy should reflect PPG6 and incorporate this element of flexibility.

15.2.6. With regard to the policy’s failure to apply a sequential approach to the location of new retail developments, the Council accepts that retail development in the town centre would be acceptable in principle in any event. However, the alterations do not reflect this provision. I have assessed the levels of consistency between Policies TCS1 and TCS2a in paragraph 15.4.7 below. In summary, I consider that it is illogical for Policy TCS1 to refer to Policy TCS2a regarding locating new retail development on allocated sites. TCS2a specifically does not seek to allocate sites. In the light of the above considerations, I recommend that the first sentence of Policy TCS1 should read “*New retail development shall be located on sites allocated on the proposals map and set out in policies TCS2 and TCS10 or in the town centre in accordance with the sequential approach.*”

15.2.7. Policy TCS11 now provides for Rural District and Local shopping centres outside Colchester Town Centre. I have considered the appropriateness of this retail hierarchy in sub-section 15.8 below. Relevant changes to Policy TCS1 introduced reference to this retail hierarchy and to the role and function of rural district and local centres. The changes also make provision for a criterion stating that new retail developments will not prejudice the vitality or viability of the rural district and local centres. The policy does not specifically require proposals within rural district and local centres to be tested on the basis of impact whilst it serves the needs of the neighbourhood. One objector contended that the policy should indicate that existing retail development (i.e. a supermarket) can provide a local shopping centre role. I have addressed this matter in paragraphs 15.8.1 to 13 inclusive relating to Policy TCS11 on District and Local Centres where objection is raised to the designation of individual stores. The Council states that, whilst such developments serve, in part, a local function, it is not normally the primary role as they serve a wider area for bulk food purchases.

15.2.8. Whilst changes in the Second Deposit Draft have made the policy more positive in its general approach, objection has been raised to the wording relating to cumulative impacts. I am not of the opinion that the Council’s wording, and that suggested by the objectors’, is an accurate interpretation of the intention of PPG6. Structure Plan Policy TCR4 refers to “*other recent and committed development*”. This is a much closer and clearer reflection of PPG6.

Whilst it is not always appropriate to duplicate wording from structure plans to local plans, in this instance it would appear to provide the most appropriate wording.

15.2.9. In relation to the third issue, reference to retail impact assessments was removed in the Second Deposit Draft. The criteria of the Policy provide that retail development outside the town centre should not harm its vitality and viability. I am satisfied these alterations have addressed this objection.

15.2.10. Turning to the fourth key issue, pre-inquiry changes to paragraph 15.14 would amend the final two sentences to read *“Food retailing in Colchester will be concentrated in existing superstores as well as being provided by smaller stores in the urban area. In the rural area (outside Colchester) food retailing will be in rural district and local centres to serve the local catchments of the various small towns and villages”*. These changes provide clarification. I am satisfied that they are reasonable and consistent with guidance. I am not persuaded of any need to recommend further modifications to the supporting text.

15.2.11. Substantial changes to Table 8 were undertaken in the Second Deposit Draft. Notwithstanding any other recommendations made in this report, I concur with the Council that Table 8 is based purely on facts contained in the Plan as currently worded. I note and support the Council’s intention to revise the Table to ensure consistency with the rest of the Plan in the light of their decisions resulting from my recommendations in this report. The revisions to Table 8 have removed any conflict with definitions in PPG6. I am satisfied that the changes have fully addressed these objections.

15.2.12. The objector states that the allocation of Area 8 Cowdray Centre and Area 4 Sheepen Road as retail warehouse locations is contrary to national and strategic guidance and should be deleted from Table 8. With regard to Sheepen Road, the objector claims the site is inappropriate for bulky goods retailing. The individual merits of these two sites have been considered under sub-section 15.7 in relation to Policy TCS10. In summary, I have concluded that their respective allocations are reasonable and appropriate. I recommend that Table 8 not be modified in accordance with this objection.

15.2.13. I concur with the Council that, at the current time, the Turner Rise Retail Park does not satisfy the criteria of a District Centre as defined in PPG6. It does not contain non-retail services and the retail units are restricted to warehouse type units only.

15.2.14. With regards to my recommendations, I am satisfied that the policy correctly interprets and applies the sequential approach and allows for an appropriate degree of flexibility in assessing proposals for new retail developments. Having examined all the evidence, both written and oral, I am satisfied that the wording, as amended by my reasoning above, incorporates the intentions of all the previous incremental changes and is in accordance with national guidance. In the light of my comments on the satisfactory nature of the current and proposed wording, I do not endorse Proposed Change 93. In the interests of clarity, I have outlined in full my recommendations on the wording of Policy TCS1(i).

RECOMMENDATION

15.2.15. I recommend:-

- (i) that the Local Plan be modified in accordance with Proposed Changes Nos. 48, 49, 84, 85, 86, 87, 88, 89, 91, and 92 and;
- (ii) that, in accordance with a proposed change which does not have a Proposed Change number, the third sentence of paragraph 15.14 be altered

by replacing “*should*” with “*may*” and that the final two sentences read “*Food retailing in Colchester will be concentrated in existing superstores as well as being provided by smaller stores in the urban area. In the rural area (outside Colchester) food retailing will be in rural district and local centres to serve the local catchments of the various small towns and villages.*” and;

- (iii) that TCS1(i) be modified as follows:- “*New retail development shall be located on sites allocated on the proposals map and set out in policies TCS2 and TCS10 or in the town centre in accordance with the sequential approach. Retail development to serve the needs of a neighbourhood or village will also be permitted in rural district and local shopping centres or in villages.*”

Retail developments outside the town centre will only be approved if the designated retail sites have been developed for retail purposes or are otherwise unavailable, unviable or unsuitable, and:

- (a) *there is satisfactory evidence of quantitative and qualitative need;*
- (b) *the proposal accords with the principles set out in the sequential approach;*
- (c) *there is satisfactory accessibility by means of transport in addition to the private car;*
- (d) *the proposal, either by itself or cumulatively with other recent or committed developments, would not prejudice the vitality and viability of the town centre, or the rural district or local centres.”*

15.3. POLICY TCS2 & PROPOSED CHANGES 94 & 95 New Comparison Shopping Provision

Objections

0331 / 01965	Colchester & East Essex Co-operative Society Ltd
0833 / 01934	RMPA Services
0833 / 02113	RMPA Services
0883 / 02183	Wyncote Developments PLC
0832 / 02034	Informa Group Plc
0534 / 02286	Wyncote Developments & the Essex Rivers Healthcare NHS Trust
0534 / 01116	Wyncote Developments & the Essex Rivers Healthcare NHS Trust
0504 / 02439	Tesco Stores Ltd
0534 / 01117	Wyncote Developments & the Essex Rivers Healthcare NHS Trust
0329 / 00583	Mr S Slade
0272 / 00434	Marks & Spencer Plc

KEY ISSUES

- The Policy should accord with the sequential test of PPG6 and allow for comparison floorspace elsewhere outside the town centre.
- The retail study figures should not be treated as a ceiling.
- Whether it is appropriate to include reference to the capacity figures in the light of the substantial reservations regarding the study’s conclusions.

- Whether it is appropriate to require mixed use development.
- Whether the definition of “edge of centre” in paragraph 15.21 is too restrictive.
- The wisdom of relying on primarily one large site should be questioned on the basis of deliverability.
- The site at St Mary’s Hospital site should be defined as a retail allocation.

CONCLUSION

15.3.1. Objection 832/2034 appears to relate to Policy TCS24 and Table 7 Schedule of Regeneration Areas. It will be dealt with accordingly under sub-section 15.14 below.

15.3.2. Policy TCS2 was subject to changes in the Second Deposit Draft to incorporate the findings of the retail study. In combination with further Proposed Changes, several aspects of the objections have been superseded.

15.3.3. Objectors have highlighted their substantial reservations regarding the study’s conclusions on retail capacity and proposed retail floorspace. I have considered all the information before me relating to the credibility and value of the methodology and the figures produced. In general, I am satisfied with the approach taken and the figures produced and find that the conclusions of the retail study are acceptable and realistic. The first sentence of paragraph 15.15b clearly states that the figures from that study are guidelines only and not targets. I consider their inclusion in the Policy to be appropriate. Policy TCS2 in the Second Deposit Version addresses the allocation of the town centre Queen Street site as the primary location for the future comparison retailing floorspace. Proposals for such development on the edge of town or out of town would be determined in accordance with TCS1. As such, I do not consider it necessary to repeat this policy provision at the end of Policy TCS2 as the objector suggests.

15.3.4. Several objectors have contended that the availability and viability of the Queen’s Street site for retail development within the Plan period are highly debatable. I accept that the Queen Street site was allocated on the basis that it was the sequentially preferable site. It is not clear to me why this site is said to be severely constrained. Although objectors have presented evidence relating to the suitability, viability and availability of the Queen Street site, this is not considered relevant to the objection, as an initial objection to the allocation of Queen Street in the Second Deposit Draft was not made. Certain objections, questioning the wisdom of relying on one site to deliver the majority of additional town centre retail development, have been conditionally withdrawn on the basis that redrafted Policy TCS1(i) provides sufficient flexibility for additional sites to be considered on their merits prior to 2006 and that edge of town and out of town proposals will be determined in accordance with the other criteria set out in TCS1.

15.3.5. One objector has commented that the final sentence of paragraph 15.15b would appear to imply that retail development should not be permitted outside of the town centre, even if the Queen Street redevelopment does not proceed. The preceding sentence states that other areas of the town centre will be suitable for smaller mixed use/retail use developments. I consider this sentence indicates that the failure to deliver the Queen Street redevelopment in itself will not justify out of centre locations, as other opportunities for development exist within the town centre.

15.3.6. Turning to the issue of mixed-use development, several objectors have suggested that it may not always be appropriate to seek such a variety of uses. The plan should be read as a

whole. Proposals for comparison goods retailing not located at the Queen Street site or in the town centre would be determined in accordance with Policy TCS1. The Council clarifies that there is no provision within that policy for proposals elsewhere in the Borough for comparison goods retailing to be mixed use. I find this approach reasonable.

15.3.7. Objection was raised to the definition of edge of centre in paragraph 15.21 of the First Deposit Version, on the basis that reference to walking distances did not adequately respect the scale of Colchester and the definition of 800m as easy walking distance. Paragraph 15.21 and reference to edge of centre have subsequently been deleted from the Plan. Paragraph 15.14b, as altered by Proposed Change 93, now defines the sequential approach in accordance with national guidance and paragraph 15.15 defines the boundary of the town centre on the Proposals Map. I am satisfied that the combination of these changes has addressed the objector's concern. The intention of Proposed Change 94 is to clarify the wording of the final sentence of paragraph 15.15a. I support that change in the interest of clarity.

15.3.8. Whilst Policy TCS2 relates to development within the town centre only, in my opinion the Plan as a whole makes provision for proposals elsewhere to be assessed against the criteria of revised Policy TCS1, including the sequential approach. I accept that the allocated sites were identified in accordance with a sequential approach. Proposed Change 95 would delete reference to 2006 and would alter the guideline figures accordingly. The wording of the supporting text in paragraph 15.15b categorically states that the figures are guidelines and not targets. I concur with the Council that the inclusion of the figures from the study acts as a useful guide to the scale of shopping required to meet the identified need.

St Mary's Hospital site

15.3.9. I have considered this site in more detail with regard to Policy TCS2a and TCS24. In considering the evidence before me, I concluded that a material change in circumstance had occurred since the site was granted outline permission for a food retail development. Whilst the retail study took account for the St Mary's Hospital site, it subsequently did not consider it suitable as a retail location. I am not persuaded that any additional sites are required to be allocated for comparison retailing floorspace at the current time. I am satisfied that it is appropriate that the site be identified for regeneration for housing purposes in the main. I have accepted that the selection of the Queen Street site was based on a sequentially preferable approach and that the Council believes it to be a suitable site. I am satisfied that if circumstances change further, the combination of Policies TCS2, TCS2a and TCS1 will allow for flexibility within the planning process for consideration of other proposals.

RECOMMENDATION

15.3.10. I recommend that the Local Plan be modified in accordance with Proposed Change Nos 94 & 95.

15.4. POLICY TCS2a & PROPOSED CHANGES 80, 97, 98, 99, 100, 101 & 102

Food Shopping in the Urban Area

Objections

0862 / 02120	SDL
0728 / 01941	Mr N Madden
0331 / 01966	Colchester & East Essex Co-operative Society Ltd
0504 / 02442	Tesco Stores Ltd
0833 / 02114	RMPA Services
0904 / 02445	Colchester & East Essex Co-operative Society Ltd
0534 / 02287	Wyncote Developments & the Essex Rivers Healthcare NHS Trust
0833 / 01929	RMPA Services
0833 / 01930	RMPA Services
0833 / 01931	RMPA Services
0833 / 01932	RMPA Services
0897 / 02279	Lidl UK GmbH
0833 / 01933	RMPA Services

KEY ISSUES

- Whether the policy should place a blanket restriction on new major food stores prior to 2006.
- Whether there is adequate provision for each application to be determined on its merits.
- Whether the size restrictions for small stores and discount food stores are too prescriptive.
- Whether it is incorrect to distinguish between different uses within a Use Class.
- Whether the policy of not allocating sites conflicts with Policy TCS1.
- The Co-op Fiveways store at Peartree Road should be deleted from a Food Superstore notation on the Proposals Map.
- The Co-op at Abbott Road should be designated as a local centre.
- The BT site at Cowdray Avenue should be allocated for bulky goods retail warehousing and/or discount food store retailing.
- The site at St Mary's Hospital should be designated as a retail allocation.

CONCLUSION

15.4.1. Before turning to the issues listed above, I note Proposed Change 97, which would amend the section heading, the two clarifications sought by Proposed Change 98 and the amendments sought by Proposed Change 99. I find all these amendments appropriate and support the changes. Proposed Changes 100 and 101 suggest modifications upon which I shall comment in more detail later.

15.4.2. In the light of these Proposed Changes, several objections have been conditionally withdrawn. Objections 833/2114, 833/1929 and 833/1933 related to the inappropriate ban on new major food stores prior to 2006, the credibility of the retail study results and thus the lack of consideration of the Garrison site. They have been conditionally withdrawn on the basis of the adoption of Proposed Change 102, which provides for greater flexibility by allowing individual proposals to be assessed against the set of criteria laid out in Policy TCS1. Objection 833/1930, relating to the general restriction on provision of additional services in

major food stores, has been conditionally withdrawn on the basis of Proposed Change 102, which ensures greater flexibility for accommodating non-food uses in food stores where they can be justified on individual merit.

15.4.3. Objection 833/1932 opposes the prescriptive size limits defining ‘discount food stores’, stating that such stores can serve a local need and should not necessarily be precluded as being classified as local food provision. On the basis of Proposed Change 101, which proposes the insertion of “normally” before “be treated” in paragraph 15.15g, this objection was conditionally withdrawn. The word “normally” does not provide the certainty that is expected of development plans and is therefore inadequate. The remaining element of Proposed Change 101, which inserts “however” after “the Garrison development will”, in the last sentence of paragraph 15.15g, is accepted.

15.4.4. PPG6 recognises that discount stores can sometimes have a significant impact on town centre retailing. Whilst objectors have questioned whether the term discount store adequately reflects the current market situation, PPG6 provides the extant guidance on this matter. At the time of writing this report, that guidance is soon to be revised but I am not in a position to pre-judge any revisions that may be made. If alterations are of a scale that require the Council to re-assess their approach that is a matter to be addressed through the modifications procedure. I note an objector has stated that paragraph 15.15g incorrectly differentiates between uses within Use Class A1. It is claimed that this implicitly discriminates against discount foodstores prior to any application. In line with PPG6, I consider it reasonable that the Council should seek to outline and clarify their approach to discount stores and give appropriate guidance. The Council states that changes to the policy allow for any size of store to be considered as either local or major depending on its role and function. The policy relates to small shops that serve their urban catchments only. Whilst I do not doubt that discount stores in part serve a local need, I am not persuaded that this is the only or primary function and role of such outlets. The objector says that there is evidence of appeal decisions elsewhere in the country, which take a contrary view. However, such decisions should be made on their own merits and any concession that discount foodstores cater for local needs would have related to the circumstances of those cases. I therefore recommend that reference to size of discount stores is deleted. On the other hand, I recommend that references to role and function are retained to provide guidance on classifying stores with a relatively small number of lines and with catchments, which may be as large and car-dominated as those associated with major food stores. With the removal of references to store size in the policy, and with Proposed Change 102 in place, which provides for any new store being assessed against the criteria of TCS1, this would create a more flexible policy. Therefore, I recommend the deletion of the first sentence of paragraph 15.15g and its replacement by “Discount food stores, which sell a relatively small number of lines compared to traditional food stores and have large and car-dominated catchments, will not be treated as ‘local’ food provision.”

15.4.5. Policy TCS2a does not address provision of car parking and any additional wording to the policy or supporting text would be unnecessary. Whilst an objector states that there is demand for at least 6 stores, no evidence is provided to justify this claim or explain why the findings of the retail study are incorrect in this matter.

15.4.6. Objection 833/1931 stated that the size of small local shops would depend on individual circumstances, including accessibility and the scale of existing provision. This has been conditionally withdrawn on the basis of Proposed Change 102, which would require the removal of reference to the size of small stores from the policy wording. However, Proposed Change 100 would alter the final sentence of paragraph 15.15f of the Second Deposit Draft to

state “*Generally, such stores will be below 300sqm in floorspace*”. ‘Generally’ is a synonym for ‘normally’ and does not provide the certainty expected from development plans. I am satisfied that the aims and implementation of the Policy would not be materially adversely affected if both references to size of stores were removed. Small stores and discount food stores would be defined on their function, role and catchment area rather than size.

15.4.7. Turning to the issue regarding the consistency of Policies TCS2a and TCS1, the objector contends that, by failing to allocate sites through TCS2a, this conflicts with TCS1, which states that new retail development should be located on allocated sites. Proposed Changes and changes canvassed at the Inquiry have altered the wording of both TCS1 and TCS2a. The Council has suggested changes to the third sentence of TCS2a in the form of “*will be assessed against criteria a-d of Policy TCS1*”. On the basis that TCS2a does not make any allocations, it would appear illogical for TCS1 to provide for new development on sites allocated under policy TCS2a. I recommend that the first sentence of Policy TCS1 be altered to read “*New retail development shall be located on sites allocated on the proposals map and set out in policies TCS2 and TCS10 or in the town centre in accordance with the sequential approach.*”

Co-op at Peartree Road, Stanway

15.4.8. (Linked to Policy STA4) The objector contends that the range of comparison goods and services offered at the site extends beyond that associated with a food superstore as defined by Policy TCS2a. This objection is essentially concerned that the Fiveways Co-op site should be designated as a Local Centre. I have discussed the merits of this argument under Policy TCS11 and concluded that, whilst the facilities provided at this site appear to be wider than those associated with a food superstore, they do not constitute a level worthy of definition as a local centre. Proposed Change 80, and Map 37 in the March 2001 document, define the surrounding area as a mixed use containing units generally identified as business and industrial in nature. In combination with those units around it, it could be included in the mixed use area, since it shares a car park with them; any expansion would be guided by the principle set out in Policy STA4(a). This matter is further discussed in paragraph 19.7.2 of my report below.

BT Site, Cowdray Avenue

15.4.9. (Linked to Housing objection H1) The objector contends that this site would be suitable for discount food retailing and/or bulky goods retail warehousing. This site is considered appropriate due to its proximity to the Colne View Retail Park, which is an established and successful retail location. Furthermore, it is claimed that the existing use has generated significant traffic movement and that future development could be configured so as not to prejudice residential amenity. The suitability of the site for bulky goods retailing has been considered in more detail in paragraphs 15.7.37 and 38, where, in summary, I conclude that the site is not appropriate for bulky goods retailing due to the location in relation to the adjoining residential area, connections with roads and pedestrian access and unsuitability for accommodation of retail uses. Paragraph 15.15d clearly states that the retail study found no need for further retail development of this nature. I concur with the Council that there is no need to identify suitable sites at this time and that, if circumstances change, the Plan provides adequate flexibility to consider such applications on their merits. I conclude that there is no justification to alter the Plan with respect to this objection.

St Mary's Hospital

15.4.10. The objector contends that this site should be designated as a retail allocation rather than being identified for mainly housing reuse. I have considered this site both in relation to both policies TCS2 and TCS24. In summary, I have accepted that circumstances

have materially changed since planning permission for a mixed retail and residential use was granted in 1998. In the light of this, and the provisions of paragraph 15.15d, which states there is no major expansion of provision required at the present time, I am not persuaded that the site should be allocated for food retailing under Policy TCS2a. I am satisfied that the description and inclusion of the Site in Table 7 for mainly housing is appropriate in the circumstances.

15.4.11. In conclusion, I support Proposed Change 80, which designates, and identifies on the Proposals Map, six food superstores, with the exception of Tesco at Highwoods Centre, which I have recommended be designated as part of the Highwoods local shopping centre, and the Co-op Fiveways Store at Peartree Road, Stanway, which should be added to the Peartree Road Mixed Use Area designation made by Policy STA4.

RECOMMENDATION

15.4.12. I recommend:-

- (i) that the Local Plan be modified in accordance with Proposed Changes Nos. 97, 98, 99, and 102, and with Proposed Change 80 with the exceptions of Tesco at Highwoods centre, which should be modified to be designated as part of the Highwoods local shopping centre, and the Co-op Fiveways Store at Peartree Road, Stanway, which should be added to the Peartree Road Mixed Use Area designation made by Policy STA4;
- (ii) that the Plan be modified in accordance with Proposed Change 100 except for the sentence, “*Generally such stores will be below 300 sq m in floorspace*”;
- (iii) that the first sentence of paragraph 15.15g be deleted and replaced with “*Discount food stores, which sell a relatively small number of lines compared to traditional food stores and have large and car-dominated catchments, will not be treated as ‘local’ food provision.*”;
- (iv) that the Plan not be modified in accordance with Proposed Change 101 but that the word “*however*” be inserted before “*will be treated*” in the final sentence of paragraph 15.15g; and
- (v) that the Plan be modified in accordance with Proposed Change 102 but that the third sentence of Policy TCS2a be modified to read “*will be assessed against criteria a-d of Policy TCS1*”.

15.5. POLICY TCS3 *Changes of Use from Retail*

Objection

0494 / 01017

Post Office Property Holdings

KEY ISSUE

- Criterion c) relating to high numbers of visitors should be clarified.

CONCLUSION

15.5.1. The words “*and are capable of attracting high numbers of visitors from the general public*” were deleted from criterion c) of Policy TCS3 in the Second Deposit Version. It was this phrase that the objector highlighted as unclear and overly prescriptive. Despite the deletion of this text, the Council’s response appears to support the principle and its wording. I note that, as part of the changes to Policy TCS1 in the Second Deposit Draft, similar wording was introduced in TCS1(ii). I am not aware of a similar objection in the case of TCS1.

15.5.2. I accept that it is reasonable to limit those uses that only attract a small number of visitors in order to sustain the vitality of the town centre. Whilst the Council is correct in thinking that functions and pedestrian flows vary across the town centre, criterion c) does not reflect this variation nor does it establish what “*high*” numbers of visitors relate to.

15.5.3. The broad principle of promoting vitality is effectively incorporated into criterion a). However, a criterion that would be specifically used to help determine a planning application should be identified in the Policy. Paragraph 15.26(a) would appear to outline such an intention with regard to visitor numbers. As such, I conclude that it is appropriate for reference to be made in the policy criteria and recommend the revised wording “*are capable of attracting visitor numbers proportionate to existing levels in the area*”. Paragraph 15.26(a) should be altered to explain that variations in levels of visitor numbers will occur across the town centre area and that the location of a site would be considered to set a context for visitor numbers.

RECOMMENDATION

15.5.4. I recommend that the Local Plan be modified by altering criterion c) to read “*they need to be located in the Town Centre inner and outer core and to be capable of attracting visitor numbers proportionate to existing levels in the area*” and that paragraph 15.26(a) be expanded to clarify that levels will vary across the town centre and that a particular location will set the context for the consideration of visitor numbers.

15.6. POLICY TCS4 & PROPOSED CHANGE 103

Mixed Use Areas 'A'

Objection

0308 / 01539

East of England Tourist Board

KEY ISSUE

- A reference to the suitability of tourism uses should be included.

CONCLUSION

15.6.1. Proposed Change 103 adds “*and tourism*” after “*leisure/entertainment*” to Policy TCS4 of the Second Deposit Draft. I am satisfied that this additional wording meets the objector’s concern in full. The second element of Proposed Change 103 adds “*appropriate*” before “*business uses*” in the policy wording. Both changes are satisfactory.

RECOMMENDATION

15.6.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 103.

15.7. POLICY TCS10 & PROPOSED CHANGES 50, ,90, 104, 105, 106, 107 &108 Retail Development Outside Colchester Town Centre

Objections

0272 / 00433	Marks & Spencer Plc
0853 / 02059	Corporate Investment Ltd
0555 / 01916	British Land Company Plc
0329 / 00584	Mr S Slade
0853 / 02057	Corporate Investment Ltd
0331 / 01967	Colchester & East Essex Co-operative Society Ltd
0331 / 00606	Colchester & East Essex Co-operative Society Ltd
0853 / 02138	Corporate Investment Ltd
0862 / 02121	SDL
0864 / 02209	Homebase Ltd
0449 / 00890	British Telecommunications Plc
0259 / 02084	Thomas Roberts
0862 / 02402	SDL
0862 / 02118	SDL
0555 / 01150	British Land Company Plc
0832 / 01917	Informa Group Plc
0832 / 02052	Informa Group Plc
0644 / 01915	The Wivenhoe Society

KEY ISSUES

Retail Study

- Whether the retail study has failed to address leakage, assess the adequacy of existing floorspace, address The Hythe as an historic requirement, use realistic turnover ratios and has overstated the efficiency factor.
- Whether the retail study had an adequate recognition of qualitative benefits of additional large scale provision within the DIY and home improvements sector.
- Whether a sequential approach was undertaken in the identification and selection of sites.
- Whether the Policy should incorporate the sequential approach in its criteria to allow for flexibility and to accord with PPG6.
- Whether more retail sheds should be provided through the medium of the Borough Local Plan.
- Whether references to retail floorspace up to and after 2006 should be deleted.
- Whether references to the Colchester Retail Study should be deleted due to substantial reservations regarding its conclusions, lack of flexibility and prescriptive approach.
- Whether the Policy should make specific reference to floorspace capacity.

Points of Clarification

- Whether the Policy wording should be amended to clarify that additional bulky goods retailing will be permitted within the locations set out in TSC10(a).
- Whether reference to specific retail locations in the Policy is necessary and whether references to those sites are consistent between paragraphs 15.55b, 15.57a and the Policy wording.

- Whether the range of goods defined as ‘bulky’ is too restrictive.
- Whether artificial restraint on A3 uses represents a restraint on the development process and limits growth and vitality.
- Whether conditions should be used to ensure bulky goods, which only require extensive floorspace, are sold from the developments and also to control the size of individual units on the basis of particular proposals.

Site Specific Concerns

- Whether the Cowdray Centre, Cowdray Avenue should be deleted as an allocation for bulky goods retailing.
- Whether the site at Sheepen Road should be deleted as an allocation for bulky goods retailing.
- Whether references to indicative floorspace capacity at Sheepen Road and Cowdray Centre are confusing and limit flexibility.
- Whether part of the proposed Peartree Road Employment Zone should be designated as a retail park to reflect the established role and function.
- Whether the BT site on Cowdray Avenue is an appropriate location for a bulky goods retailing allocation.
- Whether the BT complex off West Stockwell Street should be deleted from Table 7 as a Regeneration Area.

CONCLUSION

15.7.1. Additional text was incorporated into the policy wording and supporting text of TCS10 at the Second Deposit stage. A further series of Pre-Inquiry Changes have been proposed that would amend parts of that supporting text, re-number the paragraphs and modify the wording of the policy. The most significant contributory factor to these amendments and proposed changes was the commissioning of, and subsequent floorspace capacity figures from, the Colchester Retail Study. The inclusion of references in the Plan to the Study and its findings generated objections specifically related to the substantive methodology and conclusions of that Retail Study. I turn firstly to these objections.

Retail Study

15.7.2. Objectors have expressed substantial reservations regarding the methodology and reliability of the Colchester Retail Study. Corporate Investment Ltd raised 5 key objections to the quantitative analysis in the Study focusing on its failure to address leakage, assess the adequacy of existing floorspace, address The Hythe as a historic requirement, use realistic turnover ratios for predicting future requirements and questioned the appropriateness of applying an efficiency factor.

Leakage

15.7.3. The objector comments that, for the Retail Study to indicate that substantially less than 100% of the available expenditure from catchment area residents is spent within shops and stores in the local area, suggests that existing provision is deficient. The Study shows that Colchester Borough retains an estimated 95% of available bulky goods expenditure, which the Council claims, when compared to other centres of comparable size and role around the UK,

is exceptionally high. Whilst I am cautious of making comparisons, such information provides a helpful indicator in this case. The evidence before me suggests that Colchester experiences strong competition from nearby towns and thus exhibits a large amount of overlapping in catchment areas. I accept the premise that the area from which Colchester could expect to achieve a high market share of available expenditure is relatively small. I have not been convinced that retention of 95% of available bulky goods expenditure is substantially less than 100% and that such a figure should necessarily indicate that existing provision is deficient. I concur with the Council's premise that the Study takes into account the likely growth in expenditure but also respects changing circumstances in the surrounding areas and competitor centres.

Equilibrium

15.7.4. Corporate Investments Ltd contends that the Study failed to assess whether the quantity and quality of existing floorspace at the base year adequately met the level of existing available expenditure (the extent to which available expenditure and existing floorspace are in equilibrium). Comparison is drawn with an appeal decision in which the Inspector suggested that the methodology, claimed to be identical to the Colchester methodology, was incapable of testing the basic assumption that the local retail system was in a state of equilibrium.

15.7.5. As I have previously commented, I am cautious of the suggested benefits of comparisons. That appeal was considered for a different location of a different scale, particularly in relation to retail provision. That decision would have been based on the individual circumstances of the particular case. The Inspector in that case concluded that results [of the Study] were only as robust as the assumptions on which they depended, and that, in absence of clear evidence to the contrary, it was considered that the retail provision in Andover was unlikely to be in equilibrium. The Council points to a number of vacant retail warehouses in Colchester and considers that this is not consistent with overall conditions of overtrading in the bulky goods sector. The evidence of Mr Best highlighted circumstances unique to Colchester, including the affluent nature of the catchment area, which would indicate that the base position was close to equilibrium. In the light of the evidence before me, I do not consider retail provision in Colchester, whilst not being subject to systematic analysis through the Study, was significantly out of equilibrium. I have not been persuaded that the assumption that the system was at, or very close to, equilibrium was so inaccurate that this would, by itself, seriously undermine the results of the Retail Study.

The Hythe

15.7.6. The objector considers the approach taken by the Retail Study to B+Q at The Hythe was inappropriate, particularly in light of the fact that no account was taken of whether existing spending and floorspace were in equilibrium. In the above paragraph I concluded that, whilst an assessment of equilibrium at the base date was not included in the methodology, the evidence does not indicate that significant under or overtrading was occurring. I am satisfied that the approach of considering The Hythe as a future commitment, and thus allowing proper account of the retail impact of a new store to be considered once the store is open and trading, is reasonable.

Turnover Ratios

15.7.7. Corporate Investments Ltd suggests that an excessively high turnover ratio had been used in the Study. The Council responds that the objector has misinterpreted the origin of the figures, and confirmed that the figures for out of centre were based on Verdict Research estimates for the broad categories of bulky goods floorspace converted to the year 2000 at the appropriate price base. From examining the evidence, I am satisfied that, in relying on figures from Verdict, the Retail Study's approach to improved trading efficiencies of existing stores

has a sound basis. I am not persuaded that the figures provided by the objector would represent a reasonable alternative.

Efficiency Factor

15.7.8. The objector contends that the 1.5% improvement figure per annum used in the Study was unreasonable and was based on the false assumption that trends would continue unchanged. It is noted that significant advances in retailing efficiencies are no longer occurring and the objector suggests that it is unreasonable to continue to apply such a high rate, if any addition at all. Whilst the evidence supports the application of an efficiency factor, it does not clearly state a specific figure which would be appropriate in this particular case. I am content that the evidence suggests that, particularly in the out of town retail warehouse sector, there will continue to be an annual increase in turnover per unit area for at least the duration of the Plan period. I am satisfied that the figure of 1.5% has its origin from the advice of URPI, albeit dating from 1986. In general, I consider the approach to be reasonable.

Qualitative Benefits

15.7.9. The objector considers that a focus solely on quantitative factors has omitted to recognise the qualitative benefits of additional large scale provision within the DIY and home improvements sector. In the light of the Ministerial Statement of February 1999, I am satisfied that the Retail Study and Mr Best's Proof of Evidence have sought to address relevant qualitative elements.

Sequential Approach

15.7.10. Amendments in the Second Deposit Draft and proposed Pre-Inquiry Changes and recommendations have clearly cross-referenced TCS10, and all new bulky goods retail development not identified as allocations, to Policy TCS1 that incorporates the sequential approach and consideration of impact and accessibility. There is no subsequent necessity for the sequential test to be included within the criteria of TCS10. I am satisfied that the combined approach of TCS10 and TCS1 (both as recommended to be modified) will provide an appropriate and adequate level of flexibility with regard to proposals for an enhanced scale of provision. I concur that, if the guideline capacity is met and alternative sites are promoted, then the criteria of TCS1 allow for qualitative and quantitative considerations to be assessed. Further amendments in the Second Deposit Plan and through proposed changes, would replace the word "*maximum*" with the phrase "*in the region of*" before the guideline floorspace figures. The emphasis that the figure is a guideline not a target, combined with the amendments to the policy wording and changes to TCS1, to my mind make the policy less prescriptive.

15.7.11. The objector contends that no sequential test and subsequent reasoning were undertaken and provided in the identification and selection of sites. It is further suggested that the allocations fail to have proper regard to PPG6 in terms of suitability, viability and availability of the sites within a reasonable period. The Council responded that a full sequential assessment was undertaken in the Retail Study and that potential sites were fully assessed. I am satisfied that this was the case. That Study identified no suitable, viable or available sites within or on the edge of the centre.

15.7.12. Such studies inevitably involve complex statistical analysis, predictions and assumptions. From the evidence I have read and heard I am satisfied that the Retail Study, in its methodology and conclusions, took account of guidance in PPG6. I fully concur with the Council that suitable, viable and available sites have not been identified in or on the edge of the town centre. As I discuss in more detail in the following paragraphs, I support the Council in their subsequent approach to allocate the two sites at Sheepen Road and Cowdray Centre,

Cowdray Avenue. I am satisfied that, if need for floorspace is greater than the guidelines from the Study, then there is scope in TCS1 for this to be reviewed; if sites do not prove to be viable or available there is also scope for alternatives to emerge. Having assessed the key areas of objection to the Retail Study, I am not persuaded that the combined effect of all the objections is enough to cause me to recommend a serious review of the methodology, conclusions and figures from that Study.

15.7.13. One objector has commented that too many out-of-town retail premises have already been permitted and that no more retail sheds should be allowed. It is claimed that they cause traffic generation and impact on community based shops. The conclusions from this Study indicate that there is a need for more retail floorspace for bulky goods retailing to be identified. Having examined all the evidence and in the light of my comments on the methodology of the Retail Study, I make no further comment on this matter.

Citing Figures

15.7.14. The distinction between the periods up to 2006 and beyond 2006 would be removed from the supporting text and policy wording by Proposed Changes 105 and 108 respectively. I fully support those changes. Proposed Change 108 also proposes to amend the reference to floorspace figures in the policy to replace the word “*maximum*” with “*in the region of*”. PIC 107 highlights that if bulky goods floorspace were developed in the town centre, the guideline figure would need to be addressed. Furthermore, it clarifies that the element of need should be addressed in monitoring and further review, although reference remains in paragraph 15.56 to the period post-2006. In the light of the content of Proposed Changes 105, which deletes this distinction, the Council may wish to consider whether it wants to retain reference to the post 2006 situation in paragraph 15.56.

15.7.15. In the light of the alleged reservations regarding the methodology of the study, objectors have recommended that references to the Retail Study and the resultant floorspace figures should be deleted from the policy. With regard to my previous conclusions, I do not accept that the reservations were of the extent to undermine the results and floorspace guidelines. I am content that references to the Retail Study should remain in the supporting text as a means of identifying the source of the guideline figures. It is appropriate to include in the policy wording factors or guidelines upon which development proposals may be judged. I conclude that it is reasonable to include figures in the Policy as a guide to the scale of retail development considered appropriate and thus to provide some degree of certainty.

Points of Clarification

15.7.16. There have been several Proposed Changes relating to Policy TCS10 and its supporting text. In the interests of clarity, I support the change of wording as proposed by Proposed Change 104. I also support the principle of Proposed Changes 105, 106 and 107 to amalgamate the text of paragraphs 15.55b, 15.56 and 15.57a. Due to the sometimes detailed nature of these Pre-Inquiry Changes the Council produced, for informative purposes only, an indicative Post-Inquiry Plan that incorporated all the proposed changes. Whilst this is a useful cross-reference it also highlighted areas of imprecision, for example the retention of paragraph 15.57a in the Post-Inquiry Plan despite its entire duplication by other Pre-Inquiry Changes. Furthermore, in that document the revised policy wording of TCS10 does not reflect Proposed Change 108. In the light of this, I would urge the Council to scrutinise the proposed alterations to this section very carefully and I would expect that such errors would not be repeated in the final Adopted Plan. I would also expect the Council to ensure internal consistency between the supporting text, the policy wording and the proposals maps.

15.7.17. An objector calls for clarification with regard to the policy stating that retail warehousing will be acceptable in regeneration areas, some of which are not situated within the town centre. Changes in the Second Deposit Plan have removed such references and I consider this has been sufficiently clarified. A further objector requests that paragraph 15.57a should be amended to refer to all the retailing locations set out in Policy TCS10 where additional bulky goods retailing may be permitted. Proposed Change 106 makes such an alteration to paragraph 15.55c. I am satisfied that this has fully addressed the objection.

15.7.18. With regard to the objection that paragraph 15.55b did not specify where proposed allocations are located, I note that Proposed Changes have now specified all proposed and previous allocations. The objector has requested alterations in the policy wording to clarify that additional bulky goods retailing will be permitted within the locations set out in part (a) of the Policy, so as not to preclude any incremental growth on existing retail parks. The Council responds that the policy now refers to existing and proposed sites on a consistent and equal basis and that Policy TCS1 directs new retail development to such locations in the first instance. The policy now states that proposals within either existing or allocated sites are acceptable.

15.7.19. From reading the Plan, I am somewhat concerned that confusion could be created from the apparent interchangeability of the terms ‘bulky goods retailing’ and ‘warehouse retailing’. This could be interpreted to suggest that ‘retail warehousing’ encompasses a wider range of goods but applies to existing locations where it would be unfair to place restrictions; ‘bulky goods’ could refer to a more specific definition and dates to new locations post-2000 PPG6. If the Council does not intend to make such a distinction, I recommend that, in the interests of consistency and clarity, a consistent terminology be used in the supporting text and policy wording. If the Council does intend to suggest such a distinction, this would require clarification in the supporting text and policy wording.

15.7.20. The objector questions the necessity of identifying retail locations in the Policy as this is more appropriately addressed on the Proposals Map. Amendments to the Second Deposit Draft and Pre-Inquiry Changes have ensured consistency between the locations in the Policy wording, the supporting text and the Proposals Map. I am happy with the retention of the identification of the sites in the Policy. It provides clarity and does not overly complicate the policy wording.

Definition of bulky goods

15.7.21. The objector contends that the policy lacks flexibility by not allowing for the sale of other types of bulky goods, outside of the range of products listed, that may be appropriate and acceptable within retail warehouse parks. I have noted the changes in the Second Deposit Draft that have removed the range of goods from the policy wording and incorporated the list into paragraph 15.55. The Council states that this list sets out the most common form of bulky goods and is not descriptive. I consider the supporting text provides an adequate description of bulky goods and that the objector’s proposed wording would add nothing of material benefit. I note the Council’s proposal to delete the last 2 lines of paragraph 15.55 and to delete the last sentence of TCS10b(i). In the interests of clarity I concur with these changes. The term ‘bulky goods’ fully accords with PPG6 and I am not persuaded of the necessity to replace that term with ‘household goods’. Such a change would not result in any additional clarification.

15.7.22. The objector contends that the policy should be redrafted to indicate that new development within retail parks will be limited to that which can be shown to be unsuitable or not capable of being accommodated in a town centre or edge-of-centre location. The Council clarified that there will be no need for proposals that are suitable for, and able to be

accommodated in, the town centre to be developed out of centre. In the absence of town centre or edge-of-centre sites, but where a demonstrable need for such retailing exists, out-of-centre sites would be considered under the terms set out in Policy TCS1. The Council also commented that, where proposals are of a nature that would be more difficult to accommodate in Colchester, they should be directed to the existing retail park locations or allocated sites in the first instance. This is logical and I am not persuaded of the need for additional text in the context of this objection.

A3 uses

15.7.23. The objector contends that the criterion referring to A3 uses represents an artificial constraint on the development process, and will limit the growth and vitality of town centres. The Council has agreed in principle and has proposed the deletion of the last sentence of TCS10 (iii). I concur and consider this change would satisfactorily address the objector's concern.

Conditions

15.7.24. The objector suggests alterations to paragraph 15.55 by the addition of the following text "*Conditions may be used to ensure that bulky goods which only require extensive floorspace are sold from these developments, and also to control the size of individual units.*" The Council responded that the alterations in the Second Deposit Version and Proposed Changes allow for a more flexible approach to the range of goods in out-of-centre locations. Whilst the Policy or supporting text could indicate that conditions on a broad range of goods to be sold, and on the minimum size of units to be occupied, may be applied if necessary, the actual conditions to be imposed should be considered in relation to the particular circumstances of each proposal. I consider the Council's approach to be reasonable and am not persuaded of the need to alter the text in response to this objection.

Allocations / Site Specific Concerns

15.7.25. Objectors have suggested that the allocations in TCS10 are inconsistent with strategic and national guidance and, in particular, do not accord with the sequential approach of PPG6. Other objectors have suggested both new allocations are industrial/employment areas and should be redeveloped for such uses.

15.7.26. I have already accepted the Council's premise that a sequential approach was undertaken in the identification and selection of sites. After this Inquiry had closed, the First Secretary of State issued his decision refusing planning permission for mixed development at the Tollgate/London Road site. I support that decision; in relation to Proposed Changes 90 and 106, that part of the supporting text referring to the Council's support for development at Tollgate should be deleted. The Secretary of State in that decision, along with several objectors, expressed concerns about the suitability, viability and availability of the allocations at Sheepen Road and the Cowdray Centre. The Tollgate decision was taken with due regard to the statutory development plan, that being the adopted Local Plan, and will represent a material consideration. This Inquiry process is concerned with producing the new Local Plan for Colchester until 2011. The Inquiry has the benefit of the conclusions of the Colchester Retail Study and the ability to reassess all the sites in Colchester. In relation to PPG6 and the Ministerial Statement of 1999, there could be considered minimal harm in identifying Sheepen Road and the Cowdray Centre, as any application would still be required to prove that the sequential approach had been undertaken.

Cowdray Centre

15.7.27. Several objectors have stated that the allocation of the Cowdray Centre, Cowdray Avenue is inappropriate. The established employment zone use was highlighted and

some objectors considered that the Plan should seek to establish a long term development plan for employment uses. Due to the relocation of the existing retail use at the site, it has been claimed that the site is no longer an established retail location. The availability of the site within the time scale of the Plan was questioned on the basis of the significant number of occupiers and the element of the site allocated for business use. Objectors have emphasised the poor accessibility of the site by a choice of means of transport and note that Cowdray Avenue is considered to be the worst road in Colchester for public transport. I note that it is a distance of 700m from the site to a bus stop with all day services. Corporate Investments Ltd considered that the lack of a masterplan with the recent planning application demonstrated that the policy considerations were not capable of being met.

15.7.28. The Council responded that the Cowdray Centre is available and development would not cause harm to residential amenity. In line with PPG13, it is considered that the site is well-related to a transport interchange being close to Colchester North Station and bus routes connecting to the town centre and beyond. The Council considers that the location of the site, relatively close to the town centre, presents the potential to integrate with existing facilities and to provide for linked trips. The Council stresses accessibility to the site for pedestrians/cyclists is good and that accessibility is expected to be enhanced through measures associated with the development of the site. The Council concludes that the site is an urban brownfield location and that retail development could assist in the wider regeneration of the site.

15.7.29. I note the statement by both parties that there is a clear commitment for the recent application on this site to be determined as soon as possible. I subsequently concur with the Council's position that this application would indicate that the site is available and suitable for the proposed development. In the light of the sequential approach and the acknowledged lack of any suitable sites in or on the edge of the town centre, the Retail Study identified this site as having potential for this form of development. Whilst I acknowledge that the site at present may lack public transport accessibility, I am aware of the potential for linking trips and the wider benefits arising from the regeneration of the site. If other more appropriate sites should come forward, they can be processed through the provisions of TCS1. In conclusion, I am satisfied that the site should be retained as an allocation under TCS10.

15.7.30. However, I note that the Cowdray Centre was designated as a Regeneration Area under policy TCS24 at the Second Deposit stage. That policy relates to sites within the Central Area – the Cowdray Centre is not located in the central area or considered to be located in the town centre. The principle of TCS24 is to regenerate sites for town centre type activities. To include the Cowdray Centre would thus place it in competition with town centre sites. Whilst I acknowledge the Council's desire to regenerate this site, I am of the opinion that it is not appropriate or necessary to include this site within Policy TCS24. I recommend that the Cowdray Centre be deleted from Policy TCS24 but retained as an allocation for bulky goods retailing under TCS10.

Sheepen Road

15.7.31. Objectors contend that the allocation of Sheepen Road as a bulky goods retail location is contrary to national and strategic guidance and is unrealistic. Concerns have been expressed that the availability of the site is dependent on the relocation of the existing lorry park use. Objectors also expressed doubts over the viability and suitability of such retail development given the location and importance of the site as a gateway. Corporate Investment Ltd surmises that a small bulky goods retail warehouse with limited sales was unlikely to be viable on this site. One objector has drawn a comparison with Regeneration Area 3, Land off Westway, and suggests both sites should be considered in the same planning

context. I accept the Council's response that the sensitive environmental considerations of this site represent a different planning context.

15.7.32. The Council responded that the site adjoins the Colchester Retail Park and thus provides the potential for effective integration. The site is considered accessible by a choice of means of transport and the potential for linked trips to the town centre is emphasised. The Council accepts that the relocation of the lorry park is a pre-condition for developing the site, but considers it is an underused site that can be successfully developed not only to enhance the appearance of the area but without harm to residential amenity. Whilst the Council acknowledges that existing vacant units are likely to delay any development, they suggest that, subsequent to those units being let, the market demand and new floorspace values will increase.

15.7.33. Issues relating to design concerns of such a gateway location are more appropriately matters for a planning application. However, I am not of the opinion that the concerns expressed would result in being so burdensome as to render the site unsuitable or unviable for future bulky goods retail development. Information before me indicates that the plans for the relocation of the lorry park may come to fruition during the mid-term of the plan period. I have been presented with no evidence that would clearly suggest that the site is not viable for development, and therefore I conclude that the site is likely to be available for development within the Plan period. I am satisfied that Table 7 of TCS24 and paragraph 15.55c of Policy TCS10 clearly state that the future development of the site is dependent upon the relocation of the HGV park.

15.7.34. In order to rectify a mapping error, Proposed Change 50 proposes the addition of Sheepen Place (*sic*) to the designation of Retail Warehousing – Bulky Comparison Goods. On the basis that this in fact refers to Sheepen Road, I endorse that change and recommend no further change to the Plan in relation to these objections.

15.7.35. An objector has stated that the inclusion of references to the indicative floorspace capacities of Sheepen Road and the Cowdray Centre are confusing and limit flexibility. Turning to the matter of flexibility, I support the emphasis on the figures being guidelines and the inclusion of the words "*the actual floorspace allowed will depend upon the nature of the individual scheme and the constraints of the site*" as proposed through the Proposed Changes. As I have already commented, I considered it reasonable to include such guideline figures within the policy wording as an indication of the scale of retail development considered appropriate. The intention of such an approach is to help provide certainty and some degree of clarity. In the light of the additional wording proposed by the Council, I am satisfied that paragraph 15.55c now provides adequate flexibility with regard to the indicative figures of suitable floorspace for both Sheepen Road and the Cowdray Centre. I am not persuaded of the need to delete these references entirely, in view of their potential assistance to developers.

Pear tree Road

15.7.36. [Linked to Policy STA4] The Co-operative Society contends that part of the proposed Pear tree Road employment zone should be designated a retail park to reflect the established role and function. I have assessed other potential designations for this site under Policies TCS2a and TCS11. In summary, I concluded that the TCS2a and STA4 designations should be amalgamated. In more specific terms, I do not accept the proposition that the Pear tree Road site should be designated as a retail park. I am not persuaded that this site could realistically be classified as a retail park as categorised/defined in PPG6. Annex A of PPG6 defines retail parks as an agglomeration of at least 3 retail warehouse, which are themselves defined as large single-level stores. Whilst the area undeniably consists of single

level stores specialising in the sale of household goods, I am not satisfied that they are of a scale consistent with the size of premises envisaged in this guidance.

BT site on Cowdray Avenue

15.7.37. [Linked to Table 4 site no. 9 and also Policy TCS24 below] The objector has suggested that the BT site on Cowdray Avenue is a more appropriate allocation than those identified through the Plan process. The site adjoins and shares an access with the Colne View Retail Park, an established and successful retail location. Such a location would facilitate linked trips. The objector also suggests that the site layout could be configured so as not to prejudice residential amenity. Having also assessed the suitability of the site for non-food retail development and for residential use, I concluded that if the site is no longer required for operational purposes by BT, it should be redeveloped residentially in accordance with the housing allocation identified through the 'Brownfield Study' in Table 4 of Chapter 13.

15.7.38. The Council responded that the BT site is not large enough by itself to meet the need identified. The shape of the site is relatively long and narrow and not considered to be well suited to retail layout. The southern boundary is residential, which, combined with the shape, means it would be very difficult to successfully achieve a retail development without having an unacceptable effect on residential amenity. Public transport access to this part of Cowdray Avenue is poor. Highway safety is questioned as the site has poor visibility from Cowdray Avenue. These points, in particular the greater propensity of a retail park to create noise and disturbance to occupants of existing dwellings than a new housing development, reinforce my conviction that the site's redevelopment for residential purposes should be confirmed.

BT Complex

15.7.39. [Linked to Policy TCS24] The crux of the objection appears to be related more appropriately to the merit of the site's identification as a Regeneration Area under Policy TCS24. Alterations to TCS10 in the Second Deposit Plan removed the reference to retail warehousing development being permitted in the town centre regeneration areas as indicated in Table 7. In this respect, I consider that there is no longer a direct linkage between Policy TCS10 and the BT Complex off West Stockwell Street.

15.7.40. I have subsequently considered whether it is appropriate for this site to be designated as a Regeneration Area under Policy TCS24. I have been presented with evidence that confirms BT has no plans to dispose of this site for redevelopment, as it is not considered to be surplus to current or future operational requirements. Whilst I agree with the Council that the existing building is out of character with the conservation area designation, on the basis of this information it would seem inappropriate for the site to be identified as a Regeneration Area. As such, I recommend that references to the site in Table 7 and TCS 24 be deleted, as it is reasonable to assume that the site will not be available for redevelopment opportunities within the remainder of the Plan period. If the Council does not accept this recommendation, I would urge them to clarify the entry in Table 7 either through re-categorising the site as "*Potential Sites for Regeneration*" or renaming the category.

15.7.41. Despite objectors suggesting alternative sites considered suitable for bulky goods retailing, and with due regard to the Inspector and Secretary of State in the Tollgate decision, who both agreed that the Sheepen Road and Cowdray Centre would seem unlikely to come forward early in the new Local Plan period up to 2011, I concur with the Council that from the information before me, there would appear to be no other more suitable, viable and available sites than those that have been allocated.

RECOMMENDATION

15.7.42. I recommend:-

- (a) that the Local Plan be modified in accordance with Proposed Changes Nos 50, 104, 105, 108, and 107 except that reference to provision after 2006 should be deleted in line with the intention of other Proposed Changes;
- (b) that the Local Plan be modified in accordance with Proposed Change No 106 except that the final sentence of paragraph 15.55c be deleted; Proposed Change 90 should not proceed where it refers to developments at Tollgate;
- (c) that the Council revisits the use of the terms “*bulky goods*” and “*retail warehousing*” to ascertain if a distinction was intended;
- (d) that the final two sentences of paragraph 15.55 be deleted;
- (e) that Policy TCS10(b)(i) be deleted and replaced with the words:- “*The range of retail products will be limited to bulky goods*”;
- (f) that the final sentence of TCS10 b) (iii) be deleted;
- (g) that the Cowdray Centre, Cowdray Avenue be deleted from the Regeneration Area designation of Policy TCS24 and subsequent changes be made to the supporting text in paragraph 15.55c.

15.8. POLICY TCS11 & PROPOSED CHANGES 51, 81, 82, 109, 110 & 111

Rural, District & Local Shopping Centres

Objections

0833 / 01241	RMPA Services
0331 / 00607	Colchester & East Essex Co-operative Society Ltd
0331 / 00608	Colchester & East Essex Co-operative Society Ltd
0331 / 01968	Colchester & East Essex Co-operative Society Ltd
0627 / 01486	London & Amsterdam Developments Ltd
0504 / 01031	Tesco Stores Ltd
0331 / 00609	Colchester & East Essex Co-operative Society Ltd
0504 / 02444	Tesco Stores Ltd
0331 / 00587	Colchester & East Essex Co-operative Society Ltd
0331 / 02342	Colchester & East Essex Co-operative Society Ltd
0067 / 00079	Miss J M Reynolds
0504 / 02443	Tesco Stores Ltd

KEY ISSUES

- The Policy should identify district and local centres and clearly outline their relationship to a sequential approach in accordance with PPG6.
- The policy should indicate that provision or expansion of shopping facilities should be located within or adjacent to the local shopping centres.
- The Proposals Map should be amended to identify the Tiptree Book Services site as an appropriate location for retail development.
- The Tiptree rural district centre should be extended to incorporate identified appropriate non-retail uses.
- The supporting text should differentiate between existing shopping developments outside local centres and proposed developments.

- Whether the requirement that proposals that lead to the loss of 10% or more retail floor space shall not be approved is unjustified.
- The policy should clarify the matters to be taken into account in the assessment of retail need.
- The Tesco store at The Hythe should be removed from the local shopping centre designation.
- The Fiveways store at Abbotts Road should be designated as a local shopping centre.
- The Fiveways store at Peartree Road should be identified as a local shopping centre designation.
- Highwoods shopping centre should be designated as a district centre in line with PPG6 and the Tesco store should not have been removed from the local shopping centre designation at the Highwoods shopping centre.
- Shops providing for day-to-day needs on Mersea Island should be prevented from being converted to retail outlets selling inessentials.

CONCLUSION

15.8.1. The Second Deposit Draft introduced substantial changes to this Policy through the identification of rural district centres. Further amendments, in the interests of clarity, were projected by means of Proposed Changes 51, 82, 109, 110, and 111. Objection was made on the basis that the plan failed to identify the need for local convenience shopping facilities to be developed as part of the comprehensive redevelopment of the surplus Garrison site. This was conditionally withdrawn on the basis of changes to Policy TCS2a within the Second Deposit Draft that identified the Garrison as representing a major opportunity for local food provision.

15.8.2. Several objectors have stated that the Policy should include reference to district centres. The Second Deposit Draft defines and identifies 'rural district centres'. The Council, having assessed existing centres, considered that no district centres as defined by PPG6 exist in the Borough. I appreciate that for three centres in the Borough they attract trade from a larger than the local area but they do not equate well with the PPG6 definition due to their rural location. This approach may not be totally consistent with the definitions of PPG6; however, I consider that the intention of creating and defining a retail hierarchy in the Borough is in accordance with the intention of national guidance. I have accepted this approach to creating a retail hierarchy. The combination of policies clearly defines the retail hierarchy that is sought through the application of the sequential approach to the designation of allocations and to the determination of proposals. I consider that existing facilities, where appropriate, have been designated as either local or rural district centres. The accuracy of the designation of certain individual sites has been considered below.

15.8.3. (Linked to Policy TIP2) Policy TCS11 is clear in its approach to development within areas defined as rural district or local centres on the Proposals Map. Policy TCS1 and its criteria address areas outside such designated areas. Under Policy TCS1, edge of centre development would be allowed where there is a need and no sequentially preferable site is available or viable. As the Plan should be read as a whole, I am not persuaded that an alteration to the wording of this policy would be required in the light of this objection. The objector's main concern is in regard to the Tiptree Book Service site and clarification is requested concerning the nature of developments that would be considered acceptable. Since

this site is now functioning in part as a Tesco superstore, and within the historic confines of Tiptree town centre, the objection has effectively now been overtaken by events and consideration of alterations to the Local Plan, in response to this objection, is no longer necessary on this point.

15.8.4. The objector supports the extension of the Tiptree rural district centre to include the Co-op Fiveways site, and requests that the designation should also incorporate the Clinic, St John Houghton Centre and the intervening uses between the Co-op and the northern end of the district centre as they represent appropriate non retail uses. The Council has accepted that the clinic and the St John Houghton Centre are compatible uses with the definition of rural district centres but that the adjacent residential area should remain designated as predominantly residential. I concur with this view and recommend accordingly.

15.8.5. Paragraph 15.62, relating to shopping development outside local centres, was deleted in the Second Deposit Draft. Policy TCS11 provides for retail development within rural district and local shopping centres and Policy TCS1 provides the criteria for new retail development outside such centres. The Council considers that, where existing facilities are sited outside such designations, they will be of a small scale and in isolated retail locations, which are not considered a significant element of planning policy. I am unaware of any retail activities outside local centres within the Borough that do not cater for anything other than purely local needs. Therefore, I support this approach.

15.8.6. Turning to the issue of whether the provision for loss of 10% or more floorspace has been adequately justified, this reference has been replaced by a new test concerning overall proportion of units within a given centre. I note that no objection has been made to the latter test and so I recommend that no change need be made to the Plan in respect of this objection.

15.8.7. In objection to the First Deposit Draft, it was requested that the policy should clarify those matters to be taken into account in the assessment of retail need. The Second Deposit Version and subsequent Proposed Changes have provided for a retail hierarchy, for the direction of development to appropriately and sequentially preferable sites, and for the application of the sequential approach to new retail development. The Ministerial Statement of February 1999 confirmed that it is not necessary to demonstrate a need for retail development within a centre, emphasising the presumption in favour of such development in existing centres. Consequently, retail development in (in Colchester rural) district and local centres is not required to satisfy the need test. Developments elsewhere would be subject to such a need test through the criteria of TCS1. I am satisfied that this objection has been addressed.

15.8.8. An objector, whilst recommending the Abbots Road site for designation as a local centre, comments that the Tesco store at The Hythe should be removed from the local centre designation. Proposed Change 80 (Map 17a) proposes to designate Tesco at The Hythe as a food superstore. I am of the opinion that this is the appropriate designation for that store. It is a large store that contains limited additional services. I am not persuaded that, at the current time, this site adequately accords with the definition of a local centre in PPG6 in relation to range and local nature of provision. I am satisfied that it accurately accords with the definition of a food superstore and I therefore endorse Proposed Change 80.

15.8.9. Proposed Change 80 (Map 17b) now allocates the Co-op Fiveways store at Abbots Road as a food superstore. The objectors claim that this store should be designated as a local centre. The objector highlights that the Tesco store at The Hythe has been designated as a local centre, which supports the contention that a freestanding store can serve this local centre function. It is also said to be located immediately next to a wide residential area without the

severance of major highways. However, to my mind it is the store's character and siting that makes it an archetypal food superstore, albeit a fairly small example. Unlike for instance Tesco at Highwoods, there are no smaller retail units adjoining. Apart from the normal range of food and household goods, its only other specialism is newspapers and magazines, items that are normally sold in stores of this type. It does not include a pharmacy or a post office counter, facilities that might lend credence to its fulfilling a local centre role. Moreover, it is surrounded on three sides by modern housing and the highway on its south side. Therefore, the likelihood of it becoming the core of a neighbourhood centre providing a wider range of goods and services is remote in the extreme. I am satisfied that designation of the Co-op Fiveways Store at Abbotts Road as a food superstore is the correct one.

15.8.10. (Linked to Policy STA4) Proposed Change 80 Map 37 now designates the Co-op store at Peartree Road as a food superstore rather than subsuming it within an employment zone. The objectors contend that the food store, in combination with franchises within the building, provide comparison goods and services beyond those acceptable within a food superstore and more in line with a local centre. I note that the parking provision for the Fiveways Store and the adjacent Homemaker-Electronix is common and I agree that splitting this parking between two designations could create problems for potential comprehensive redevelopment of the site. I also acknowledge the range of concessions and services accommodated within the store. However, I am not persuaded that the site adequately fulfils the definition of a local centre. The surrounding area is characterised by business and bulky goods retailing units. The site contains a wider range of facilities than a stand-alone food superstore; however, I am not of the opinion that they constitute a level worthy of definition as a local centre. The Council highlights that, as the franchises are located within the store, they are therefore dependent on the store for their future and public access. I concur with the Council that, in the absence of planning controls, these facilities can be provided or removed at the discretion of the operator. If the site were to become vacant, there would be no remaining elements of a local centre in the area. In relation to guidance in PPG6, paragraph 1.15 makes reference to encouraging smaller-scale facilities in local centres, such as health centres, primary schools, pubs and restaurants. Annex A of the same document refers to small groups of shops of a local nature. I do not consider that this concept of a local centre fits easily with a site characterised by a single building, large car parking provision located in an area of primarily bulky goods retailing and office use. From considering all the information before me, I am not persuaded that, at the current time, the Peartree Road site satisfactorily encapsulates the concept of a local centre. On the matter of designating the site as part of the Peartree Road Mixed Use Area under Policy STA4, the objectors consider that there is no sound reason for keeping the two designations separate. I agree with them for the reasons set out in paragraph 19.7.2 of my report below.

Highwoods shopping centre

15.8.11. The objectors contend that some district centres, which equate with the definition in PPG6, are to be found in the Borough and they highlight the case of Highwoods local centre. I note there has been some confusion over whether this objection was duly made. However, I have previously commented that, whilst the definitions of the Colchester retail hierarchy do not totally accord with those contained in PPG6, I consider that it accords with the intention of PPG6 paragraph 1.5 regarding the indication of a retail hierarchy in the development plan. I note that no objection to this approach has been received from the Joint Structure Planning Authorities and that the Second Deposit Draft has received a certificate of conformity with the Essex and Southend-on-Sea Replacement Structure Plan. The objector, with reference to PPG6 paragraph 3.18, states that the existing retail hierarchy precludes consistent application of the sequential approach and creates uncertainty for developers. This paragraph is concerned that a wide range of facilities that are consistent with the scale and

function of the centre should be encouraged. I am of the opinion that the Local Plan provides for variations between centres with regard to their individual circumstances. I consider the Council to have created a hierarchy that differentiates between local and rural district centres. I am not persuaded that this hierarchy would be so removed from one incorporating local and district centres that it could be said to preclude the consistent application of the sequential approach.

15.8.12. The second element of this objection is concerned with the accurate designation of the Highwoods shopping centre. I acknowledge that the area has good public transport provision that would be capable of attracting a catchment area of greater than local importance. The centre provides a community focus through the doctors' and dentist surgeries and a community centre. A primary school is located within 100 metres of the centre. From my site visit I also identified a number of smaller independent units including an estate agents, a hairdressing unit and an accountancy office. I also noted the post office counter provision.

15.8.13. Having examined all the evidence I consider that it is illogical to separate the Tesco store from the other elements of the Highwoods local centre. I concur with the objector that it would be artificial as the food store is physically and functionally part of the centre. Whilst the Tesco store may be large, I am not persuaded that the grouping of small independent units in the centre could be an accurate reflection of a local centre as defined in PPG6. Moreover, the Tesco outlet was clearly designed as the anchor store for the shopping centre serving the substantial residential development that took place around it. Whilst the centre, including the Tesco store, provides some limited banking facilities, these are not in the form of bank units. Nor are there any uses similar to a restaurant use, excluding the café within the Tesco store. Whilst the Tesco store may attract a catchment from a much wider area, I am not persuaded that, in itself, accords with the definition of a rural district centre in paragraph 15.61, which refers to the variety of uses reflecting the larger catchment area. In the light of all the evidence, I am not persuaded that this site is of a scale and function to reflect a district centre adequately or accurately, as defined in PPG6, or a rural district centre, as defined in paragraph 15.61 of the Plan. On the other hand, I remain convinced that it would be artificial to remove the Tesco store from the local centre designation and I recommend accordingly. In addition, Proposed Change 81 should not proceed.

Shopping on Mersea Island

15.8.14. I understand Miss Reynolds's fears that, in a relatively remote urban area, such as West Mersea, with indifferent public transport provision and the periodic isolation from the mainland from flooding at high tide, it would be desirable to maintain a full range of small shops catering for day-to-day mainly food needs, such as bakers, butchers, greengrocers and newsagents/confectioners. Unfortunately, the Use Classes Order has always permitted shops to change from one retail activity to another without the need for planning permission. Consequently, it is outside the Council's powers to prevent changes of retailing to local specialisms, such as yacht chandlers, which do not satisfy the everyday needs of the resident population. In these circumstances, I have no alternative but to recommend that no alterations be made to the Local Plan in response to this objection.

RECOMMENDATION

15.8.15. I recommend:-

- (i) that the plan be modified in accordance with Proposed Changes Nos 51, 82, 109, 110, 111 and 80 with the exceptions of Tesco store at Highwoods (which should be designated as part of the Highwoods Shopping Centre)

- and the Colchester and East Essex Co-operative Society's Store at Fiveways (which should be added to the Peartree Road Mixed Use Area); Proposed Change No 81 should not proceed;
- (ii) that the Tiptree inset proposals map be altered to extend the rural district centre to incorporate the clinic and the St John Houghton Centre but that the adjacent residential area should remain designated as predominantly residential;
 - (iii) that the Peartree Road Mixed Use Area (Policy STA4) be enlarged to encompass the TCS2a designation of the Fiveways Store of the Colchester and East Essex Co-operative Society.

15.9. POLICY TCS12 *Shopping in Villages & the Countryside*

Objections

0405 / 00777	Edward Gittins & Associates
0838 / 01973	Associated British Ports
0619 / 01454	Mr & Mrs M Barritt

KEY ISSUES

- Whether the approach to permit development for retail use only within village envelope boundaries is too restrictive.
- Whether the Policy is inconsistent with paragraph 4.33u.
- Criteria i) and ii) should have a more positive approach to the maintenance of local shopping facilities.

CONCLUSION

15.9.1. Changes to the Plan in the Second Deposit Version have effectively acknowledged that change of use to a new village shop, or extension to existing shops, could be appropriate outside village envelopes in certain stated circumstances. The policy does not provide for new development for retail use outside village envelopes. This wholly accords with PPG7 that seeks to protect the countryside for its own sake. Seeking to focus development in existing settlements and/or in existing buildings accords with general sustainable development principles. I am satisfied that TCS12 (i), as set out in the Second Deposit Version, is consistent with national guidance and Policy CO1.

15.9.2. The objector considers that restricting new buildings for retail use to within village envelopes is not consistent with the promotion of additional shopping facilities to serve Rowhedge village in paragraph 4.33u. I have already concluded that the Policy accords with national guidance. I note that Rowhedge and Wivenhoe are not located in a village envelope and, as such, would not be subject to the specific provisions of this policy. Furthermore, I consider the intention of this section of the policy relates to restricting new individual village shops or one-off outlets in the countryside. The objector is concerned with the Rowhedge Regeneration Area, which would represent a different scale of development opportunity. Every application is considered on its individual merits and with regard to all material considerations. In conclusion, I am of the opinion that the Policy is consistent with paragraph 4.33u.

15.9.3. The objectors suggest that the policy should encourage the Council to examine ways in which village shops could be given financial assistance. Local Plans should not address

non land-use planning matters. Any form of intervention outside the remit of the planning system is an internal matter for Council and their other statutory or discretionary powers. Whilst the Council have suggested additional text to clarify the socio-economic background to this policy, I am not persuaded this would provide significant additional value.

15.9.4. The objectors also contend that refusing to approve a change of use of existing shops would result in the proliferation of empty and decaying buildings. The policy wording states that such proposals would be resisted. This does not imply that changes of use will be refused, but that resistance to changes of use will apply to those buildings in current operational retail use. Paragraph 15.63 acknowledges that closures solely due to economic pressure cannot be prevented. I conclude that the policy is reasonable in its approach and scope.

RECOMMENDATION

15.9.5. I recommend that no modification be made to the Local Plan.

15.10. POLICY TCS14 *Eliminating Unnecessary Motor Vehicle Movements*

Objection

0891 / 02240

National Car Parks Ltd

KEY ISSUE

- The word “*and*” after “*preserve*” in the final bullet point should be deleted and replaced with “*or*” to reflect the correct statutory requirement.

CONCLUSION

15.10.1. PPG 15 paragraph 4.1 refers to policies designed to preserve or enhance all the aspects of character or appearance that define an area’s special interest. Paragraph 6.9 of the Second Deposit Version highlights the requirement of the Planning (Listed Buildings & Conservation Areas) Act 1990 relating to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Policies UEA1 and UEA2 have provisions for refusal of development considered detrimental to the setting of Conservation Areas and for proposals that do not detract from the character or appearance of the Conservation Area. Finally, paragraph 15.9 outlines the objective for transportation and access for schemes within the town centre, which are compatible with the preservation of its historic environment.

15.10.2. The requirement of TSC14 for measures that “*seek to preserve and enhance... the Town Centre Conservation Area*” would therefore represent a more rigorous requirement than these other policies, objectives and national guidance. I have not seen any justification why a stronger policy position should be adopted in this case. I acknowledge that the wording of the policy refers to measures that “*seek to*” preserve and enhance. However, in the light of all the information before me I conclude that, in the interests of consistency, the policy should be modified as suggested by the objector.

RECOMMENDATION

15.10.3. I recommend that the Local Plan be modified by replacing “*and*” after “*preserve*” in the final bullet point with “*or*”.

15.11. POLICY TCS15 Private Non-Residential Parking for Commercial Development

Objections

0450 / 00899 Safeway Stores Plc
0582 / 01350 Colchester Economic Forum

KEY ISSUES

- The policy should recognise that certain uses require appropriate levels of parking provision.
- Contributions from commercial schemes should only provide for measures that are directly related to the development.
- Whether the objectives of 14.4 are incompatible with the provision of car parking to meet successful employment needs.

CONCLUSION

15.11.1. The objector states that the policy should recognise that certain uses, even within town centres, require appropriate levels of parking provision due to operational requirements and the particular nature of the use. The Council has stated that current parking standards are about to be replaced by standards developed on an Essex-wide approach. In these circumstances, I am content that these new standards will be up-dated and made more consistent with current guidance. I do not consider it would be prudent for me to make any further comment on this matter. Policy TCS15 allows for the provision of private non-residential parking. I consider this to be a reasonable approach, which will provide for facilities of a level commensurate with the essential operating requirements of a particular development. The definition of private non-residential car parking in paragraph 15.74 refers only to Zone 1 but Policy TCS15 applies it to both Zones 1 and 2. I assume that the paragraph should also refer to both zones, as the policy refers back to the paragraph to identify the definition of PNR parking. The definition also seems to contain typing errors. I do not make any specific recommendation on these points, but assume they will be tidied up prior to the Local Plan's adoption.

15.11.2. The objector is concerned that a modal shift to forms of transport other than the car should not generally be at the expense of the developers. I consider the Council's approach to be reasonable. Paragraph 11.37 clearly states that requirements of developers in relation to Policy T5 will meet the test of Circular 1/97. It would be of value to include a similar statement in relation to Policy TCS15 and I recommend alterations to the supporting text in paragraphs 15.75 or 15.76 accordingly.

15.11.3. The final issue relates to the reconciliation of traffic and car parking restrictions with the requirements of employers and employees. The objector contends that easy vehicular access is important to the economic success of Colchester. Paragraph 14.4 contains the objective to balance the requirements of economic development and job creation with the need to ensure that the Borough's environment and historic character are safeguarded and enhanced. This needs to be achieved within the context of national guidance. That guidance emphasises the promotion of accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling, and using parking policies, in combination with others, to reduce reliance on the car for work and other journeys. It is a difficult balance to strike. Nevertheless, I consider the approach, as contained in Policy TCS15 is appropriate and reasonable.

RECOMMENDATION

15.11.4. I recommend that the Local Plan be modified by reference in paragraphs 15.75 or 15.76 that the requirement for a proportionate contribution to provision of measures to assist public transport, cycling and walking and/or public car parking to serve the town centre would meet the tests of reasonableness set out in Circular 1/97.

15.12. POLICY TCS 21 Preserving the Town Centre's Role
Objections

0101 / 00122
0228 / 00457

Mr Simon Banks
West Mersea Town Council

KEY ISSUE

- Whether the policy effectively prevents the development of leisure facilities in rural areas.

CONCLUSION

15.12.1. The objectors assert that some development of leisure facilities outside the main urban area could be more suitable for rural communities and could reduce the requirement to travel to undertake leisure pursuits. A development capable of prejudicing the importance of the town centre as the main leisure centre for the Borough would have to be of a materially significant scale; as the Council suggests, they would likely be large scale one-off leisure facilities serving a wide catchment area. In light of Policies DC1 and CO1, I would think it doubtful that a development of such a scale would be appropriate or acceptable development in rural areas. The Council acknowledges that some forms of leisure development would be more suitably located in rural areas and this would be addressed by other policies, particularly those concerned with the Coast and West Mersea. Whilst I note the objectors' concerns, I believe this policy is appropriate in its aims and objectives.

RECOMMENDATION

15.12.2. I recommend that no modification be made to the Local Plan.

15.13. POLICY TCS23 Cinema Developments
Objections

0534 / 01115
0687 / 01713

Wyncote Developments & the Essex Rivers Healthcare NHS Trust
Licet Developments Ltd

KEY ISSUE

- The policy should make correct reference to a sequential approach to ensure consistency with national guidance and Policy TCS22 paragraph 15.92.

CONCLUSION

15.13.1. The Council has proposed additional wording to the last line of Policy TCS23 that states "*in accordance with the sequential approach of Policy TCS1(ii)*". On this basis, objection 534/1115 has been conditionally withdrawn.

15.13.2. Policy TCS23 in the Second Deposit Draft makes no distinction on the basis of preferred location between a town centre and an edge-of-centre location. Whilst this wording follows national guidance, it does not appear compatible with the Council's proposed

reference to a sequential approach, which would outline clear preferences. National guidance is concerned with uses suitable to appropriate sites in or on the edge of the town centre. In the absence of such sites, I consider it reasonable to apply a sequential approach to cinema development. The Council's intention is either to accord with the principle of a sequential approach, or to provide specific policy provision, which seemingly attributes equal weight to town centre and edge of centre locations for proposals. I do not consider the latter to be an entirely correct interpretation of guidance. It would be reasonable, in the absence of a site considered suitable for cinema development, to apply a sequential approach as would be used to determine an application for other uses, which would attract large numbers of people. From their proposed additional wording I would consider the Council to have accepted the application of the sequential approach principle to cinema development. Furthermore, it would appear inconsistent with paragraph 15.92 and Policy TCS22.

15.13.3. An objector has highlighted that a change in Policy provision could require consequential amendments to the Schedule of Regeneration Areas to remove references to cinema development being appropriate on sites outside the town centre – Colchester Institute, St Mary's Hospital, and Land off Westway.

15.13.4. The Council has clarified that the Colchester Institute site has been redeveloped and subsequently deleted from the Plan. Changes to the Second Deposit Version now allocate the St Mary's Hospital site primarily for housing should the extant planning permission not proceed. I have concluded in paragraph 15.14.6 of this report, that this revision is appropriate in the light of up-to-date information and changes in material considerations.

15.13.5. Turning to Land at Westway, the Council proposes the addition of wording "*in accordance with the sequential approach set out in Policy TCS1 (ii)*" after "cinema" in the preferred uses section of Table 7. My recommendation in paragraph 15.14.14(ii) provides for a change in emphasis in the wording of preferred uses for Site 3 in Table 7. I support the Council's proposed wording and these two factors are reflected in my recommendation below.

RECOMMENDATION

15.13.6. I recommend:-

- (i) that the Local Plan be modified by replacing the wording of Policy TCS23 as follows and that appropriate mention be made in the reasoned justification;

"In considering proposals for cinema development, a location which accords with the sequential approach will be required, where maximum benefit would be provided for the future vitality and viability of the town centre and a high level of public transport access would be secured."

- (ii) that alterations be made to Table 7 Site 3 Land off Westway, by replacing text referring to Large scale leisure with:

"Large scale leisure – such as cinema [in accordance with the sequential approach of Policy TCS1 (ii)], health/fitness centre and/or hotel."

15.14. POLICY TCS24 & PROPOSED CHANGE 83 Regeneration Areas

Proposed

Objections

0864 / 02124	Homebase Ltd
0651 / 01603	English Heritage
0651 / 01656	English Heritage
0494 / 01514	Post Office Property Holdings
0883 / 02184	Wyncote Developments Plc
0833 / 02048	RMPA Services
0634 / 01523	The Sheepen Place Colchester Partnership
0862 / 02117	SDL
0634 / 02207	The Sheepen Place Colchester Partnership
0534 / 02285	Wyncote Developments & the Essex Rivers Healthcare NHS Trust
0534 / 01715	Wyncote Developments & the Essex Rivers Healthcare NHS Trust
0832 / 02034	Informa Group Plc

KEY ISSUES

General policy

- The policy should include a reference to development briefs.
- The policy should contain a reference to the preservation and enhancement of the historic environment.
- More detailed development criteria should be included for archaeologically sensitive sites.
- The policy should state that detailed planning applications will be required.
- The policy should contain a reference to the commitment to protect essential service access.
- The Garrison site should not have been excluded from the list of regeneration areas under this policy.
- Proposed Change 83 refers to further regeneration areas at Wivenhoe, Rowhedge and The Garrison in a new paragraph 15.98 for clarification.

Table 7 Issues

- The entry for St Mary's Hospital should not promote redevelopment for mainly housing use.
- The entry for Land off Westway in Table 7 should be altered to allow for a more flexible approach.
- The BT site at Cowdray Avenue should be allocated for bulky goods retail warehousing and/or discount food store retailing.
- The car park site off Sheepen Road/Westway should not be allocated for bulky goods retailing.

CONCLUSION

15.14.1. Changes in the Second Deposit Draft have included reference to the preparation of development briefs in paragraph 15.97. I am satisfied that this has addressed

the first specific objection set out above. Turning to the second key issue, the Council accepts the principle that the historic environment should be preserved or enhanced in all proposals for the Regeneration Areas. To that effect they have proposed additional wording “*All schemes on sites within the town centre (as defined on the proposals map) or, if outside would have a significant impact upon it, will be required to make a positive contribution to the preservation or enhancement of its historic environment*”.

15.14.2. The approach to Regeneration Areas under Policy TSC24 is relatively non-specific with elaboration on key elements and other considerations being included in Supplementary Planning Guidance, development briefs and Table 7. The second bullet point refers to redevelopment to improve the environment significantly. It is reasonable to assume that in order to achieve this, schemes would have to consider the preservation or enhancement of the historic environment. The policy as currently worded is general in its approach and therefore I am not persuaded that the inclusion of the suggested wording is needed to strengthen or clarify the policy further. I am satisfied that the principle of preserving or enhancing the historic environment is incorporated into the second bullet point and could be appropriately expanded upon further in SPG or development briefs.

15.14.3. An objector has suggested that within Table 7, Sites 2, 5 and 6, which are of great sensitivity, should have individual policies that specify the criteria for development, including the completion of an archaeological evaluation. I accept that the Council considers the most appropriate place for such considerations is in Supplementary Planning Guidance. I note that in the case of Site 5 clear mention is made to the presence of important archaeological remains. In the entry for Site 6 reference is made to the Town Wall and Conservation Area. Finally, brief mention is made to Site 2 being in a sensitive location. The Council states that, where there are specific archaeological conservation matters, these have been highlighted. The objector also states that it is necessary to highlight the importance of the submission of fully detailed planning applications for these sites. Sites 2, 5 and 6 are situated in Conservation Areas. Paragraph 6.15 gives guidance on the submission of a detailed application for sites in Conservation Areas. For the remaining regeneration areas, the Council should state the requirement for a detailed application, if necessary and appropriate, in the relevant SPG. However, in conclusion, I consider it would be beneficial to make a cross-reference to UEA policies.

15.14.4. Turning to the matter of protection of service access, the objector contends that the policy fails to make reference to the requirement to protect the essential vehicular service access and egress within and adjacent to Regeneration Areas. This policy is concerned with the basic land use and key development criteria of the sites listed. I consider the issue of service can be appropriately dealt with, if necessary, in a development brief or supplementary planning guidance. To include such wording as proposed by the objector would create unnecessary detail. Policy TCS14 was expanded in the Second Deposit Version to state that traffic management measures will be introduced within the town centre which seek to “... *maintain adequate provision for servicing access to existing commercial at retail premises*” (*sic*). I consider this has sufficiently addressed the objection.

15.14.5. With regard to the omission of the Garrison site from the policy; in the light of Chapter 17 dealing exclusively with the Colchester Garrison, this objection has been conditionally withdrawn. I am satisfied that this objection will have been fully addressed if I endorse Proposed Change 83, which I do.

Table 7 Issues*St Mary's Hospital*

15.14.6. The objector contends that promoting this site for redevelopment mainly for housing use does not make the best use of the land. It is considered that, as the site is immediately available and enjoys a valid planning permission, it can meet the identified deficiencies in existing retail provision. From the evidence it would appear that the retail study and up-dated national guidance represent material changes in circumstance over the grant of planning permission for this site in 1998. The retail study, whilst taking the outstanding planning permission on this site into account, identified no specific need for additional convenience goods retailing development. The town centre site at Queen Street has been allocated for non-bulky comparison goods on the basis that it is sequentially preferable. Both Sheepen Road and the Cowdray Avenue have been identified for bulky goods floorspace on a sequential approach. Furthermore, I note that the retail study subsequently found that the site was no longer considered particularly suitable to accommodate retail development in terms of its location and relationship to nearby sites and the town centre. National guidance in PPG3 is concerned to make the best use of land for housing purposes in place of other uses on previously-developed sites. In the light of all these considerations, I conclude that material circumstances have changed, which now justify altering the emphasis towards housing development for this site. I am satisfied that the future use of this site has been adequately addressed in the Plan.

Land off Westway

15.14.7. I agree with the objectors that the wording in Table 7, relating to A3 preferred uses, is far from clear. I also note that this wording, although altered from the Deposit Draft, has not been emphasised as such in the Second Deposit Version. The Council, in their response, states that A3 uses may be acceptable if they are ancillary in scale and form to main uses within any scheme and relate well to the riverside location. I see no reason why wording to this effect should not be included to clarify the Council's position and I recommend that the Table be amended accordingly.

15.14.8. I concur with the objector that the wording concerned with large scale leisure uses should be more flexible. As currently worded it would appear to require all those leisure elements listed. It would not be practicable for all these uses to be accommodated on this site. I consider the objector's suggested wording to be more appropriate. I also highlight my considerations in paragraph 15.13.2 regarding the sequential approach to cinema development. I therefore recommend that the sentence relating to large scale leisure uses be replaced by "*Large scale leisure such as cinema [in accordance with the sequential approach of TCS1(ii)], health/fitness centre and/or hotel*".

15.14.9. The objector contends that, on the basis of the approved scheme not requiring the provision of public car parking, it is inappropriate to continue to specify this as a requirement. The Council acknowledges that the policy approach has now changed and, as such, they would look for a contribution towards more attractive forms of public transport. I therefore support the Council in their suggestion to amend Table 7 to seek some financial contributions towards improved public transport provision, and I recommend accordingly.

15.14.10. The final issue relating to the site at Land off Westway is that A1 retail in any form has been specifically precluded. The objector contends that this restricts flexibility. Considering guidance in PPG6 Annex A, this site has been correctly categorised by the Council as being out of centre. Accepting that the Retail Study found no need for convenience goods retailing and that requirements for non-bulky comparison retailing could be met in the town centre, the key issue would appear to revolve about the suitability of this

site for bulky goods comparison shopping. I accept that the site was specifically considered in relation to bulky goods retail floorspace, but that the retail study found it to be unsuitable. The Council has acknowledged that Policy TSC1 provides flexibility for the consideration of individual schemes and Policy TSC2a could make small scale units generally acceptable. Therefore I would consider it reasonable to alter the heading of unacceptable uses to “*unsuitable uses – retail (including retail warehousing) and unacceptable uses – industry*”. I recommend accordingly to highlight that, whilst A1 use could be acceptable in accordance with other policies in the Plan, the Council considers that such uses are likely to be unsuitable.

Land off Cowdray Avenue

15.14.11. (Linked to Housing objection H1) The objector contends that this site would be suitable for discount food retailing and/or bulky goods retail warehousing. As part of the objection, it is contended that this site would be preferable to the site identified at the Cowdray Centre. This element of the objection is considered in more detail under my conclusions to Policy TCS10. In summary, I have considered that this site is not suitable for designation under Policy TCS2a, due to a lack of need, and is not suitable for designation for bulky goods retailing floorspace due to its proximity to residential areas, poor connections with roads and pedestrian access and unsuitability to accommodate retail uses. In relation to Cowdray Avenue, I recommended that no change be made to the Plan. I consider that I have fully addressed this objection elsewhere and the arguments do not need to be rehearsed again.

Land at St Andrews Avenue, Sainsburys Homebase

15.14.12. The objector contends that changes in the Second Deposit Version have effectively limited the site to bulky goods provision rather than the previous flexibility in use including housing. This site is currently used for bulky goods retailing. It therefore provides a suitable opportunity to provide a continuation of high quality bulky goods floorspace on this site. To this effect, the site has been allocated under Policy TCS10 for bulky goods retailing use. In the light of the findings of the retail study, it would appear sensible to retain the preference for bulky goods retailing on this site.

Car park site off Sheepen Road/Westway

15.14.13. (Linked to TCS10) The objector states that there are no planning grounds to justify the allocation of this site for bulky goods retailing. Comparison is drawn to sites on the opposite side of Westway that have been specifically identified as unacceptable for such uses. I assessed the appropriateness of allocating this site for bulky goods retailing under Policy TCS10. In summary I considered that, in the absence of evidence that would clearly suggest that the site was not viable for development, the Sheepen Road site was suitable for bulky goods retailing and would be likely to be available for development within the Plan period.

Cowdray Centre, Cowdray Avenue

15.14.14. At the Second Deposit stage, the Cowdray Centre was identified in the Plan as Regeneration Area Site 8 under Policy TCS24. In relation to Policy TCS10, I assessed whether the Cowdray Centre should have been allocated for bulky goods retailing. Within my reasoning, I discussed my concerns about the designation of this site as a Regeneration Area. I concluded that TCS24 was specifically concerned with sites within the Central Area. The Cowdray Centre is acknowledged to be out of the town centre and is not located in the central area. I was not persuaded of the necessity or appropriateness of including this site within TCS24. I recommended accordingly that the Cowdray Centre be deleted from Policy TCS24 and Table 7.

RECOMMENDATION

15.14.15. I recommend that the Local Plan be modified in accordance with Proposed Change No 83 and

- (i) that Site 8 Cowdray Centre and Site 2 BT complex off West Stockwell Street be deleted from Policy TCS24 and from Table 7;
 - (ii) that under preferred uses of Site 3 Table 7 reference to A3 uses is clarified;
 - (iii) that the sentence “*Large scale leisure – to include cinema, health/fitness centre and hotel*” under preferred uses of Site 3 table 7 be replaced with “*Large scale leisure such as cinema (in accordance with the sequential approach of TCS1(ii)), health/fitness centre and/or hotel*”;
 - (iv) that reference to provision of public car parking be removed from Site 3, Table 7 and be replaced by reference to provision to alternative forms of public transport provision as part of any commercial redevelopment;
 - (v) that reference to Unacceptable Uses of Site 3 Table 7 be replaced in its entirety with “*Unsuitable uses are: A1 retail (including retail warehousing) Unacceptable uses are: Industry*”;
 - (vi) that a cross-reference to UEA policies is included in the supporting text in the interests of clarity.
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16 Chapter 16 - East Colchester & The Hythe

16.1. PARAGRAPHS 16.9 & 16.10 *Comprehensive Development Strategy*

Objections

0847 / 02024

GHP Group Ltd

0847 / 02025

GHP Group Ltd

KEY ISSUE

- Less reliance should be placed upon the Colne Harbour Design Framework Supplementary Planning Guidance as a means of bringing about regeneration in East Colchester and The Hythe. The policies of the Local Plan and its explanatory text should be expanded instead, as this is subjected to more rigorous scrutiny prior to its adoption. Overdependence on the Supplementary Planning Guidance, with its limited prior public consultation, is contrary to the provisions of PPG12.

CONCLUSION

16.1.1. Paragraph 16.9 of the Second Deposit Version emphasises that the Local Plan's policies and text as being the primary decision making framework for implementing the comprehensive partnership strategy outlined in paragraph 16.8. Moreover, paragraph 16.10 points out that planning permission has already been granted for the redevelopment of several important sites within the regeneration area setting examples of the future pattern of development within the area. To my mind four pages of text and one page of general policy on the River Colne Regeneration Area is a greater level of detail than one would normally expect to find in a Local Plan and further elaboration would, in my judgement, render this part of the Local Plan unwieldy and liable to become out of date before the end of the plan period. The flexibility of additional Supplementary Planning Guidance, to cover those detailed aspects of development that are likely to vary over time, plays a correct complementary role to the rigidity of the statutory development plan and I see no need to vary the Local Plan in response to these objections.

RECOMMENDATION

16.1.2. I recommend that no modification be made to the Local Plan.

16.2. PARAGRAPH 16.18

Tidal Barrier at The Hythe

Objection

0659 / 01647

J J Heath

KEY ISSUE

- The provision of a tidal barrier at The Hythe would undermine or destroy the rare nature conservation value of the adjoining intertidal habitat, which has led to its designation as a SINC.

CONCLUSION

16.2.1. The local planning authority considers it necessary to provide permanent high water at The Hythe, presumably on the basis that unsightly mudflats exposed at low tide are unlikely to assist physical regeneration on the part of private investors. The Second Deposit Version

of paragraph 16.18 makes an undertaking that an environmental assessment will be carried out before any barrier can proceed. This would assess the benefits of physical and economic regeneration against any potential loss of natural habitat. On the understanding that such a procedure will be rigorous, I do not recommend that any further amendments be made to the Local Plan in response to this objection.

RECOMMENDATION

16.2.2. I recommend that no modification be made to the Local Plan.

16.3. PARAGRAPH 16.19(d) & PROPOSED CHANGE 171 Levels & Types of Community/Social/Education Contribution in the River Colne Regeneration Area

Objection

0861 / 02116

Barratt Eastern Counties

KEY ISSUE

- Developers need to know what financial contributions are required of them and why they are required, as well as what those levels are likely to be.
- Proposed Change 171 would add the following to the end of paragraph 16.19(d):- *“(the Colne Harbour Design Framework). A further document with additional information is available from the Council, elaborating on the planning gain expectations set out in Appendix 2 of the SPG.”*

CONCLUSION

16.3.1. Proposed Change 171 would provide a link to a document that would explain why developers would be expected to make contributions towards community, social and educational facilities within the East Colchester and The Hythe Regeneration Area. I am satisfied that Proposed Change 171 would meet the objectors' concerns.

RECOMMENDATION

16.3.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 171.

16.4. PARAGRAPHS 16.20 & 16.21 Mixed Use Development in the River Colne Regeneration Area

Objections

0205 / 00274

Colchester Dock Transit Co Ltd

0847 / 02026

GHP Group Ltd

0847 / 02028

GHP Group Ltd

0850 / 02038

Albany Rental Supplies Ltd

0851 / 02050

Colchester Tractors Ltd

KEY ISSUES

- Paragraph 16.21 sets out a range of acceptable uses within the Regeneration Area but this is not spelt out in Policy ECH1.

- The text of paragraph 16.20 should be amended to provide for greater flexibility and should take into account the effects of new developments upon the surroundings of the Regeneration Area.
- The introduction to paragraph 16.21 should seek to provide a mix of uses over the whole area; to expect a mix within each regeneration site is unrealistic.
- Reference in paragraph 16.21 to housing tenure should be deleted; it should only refer to social/affordable housing and general housing.
- Paragraph 16.21 should acknowledge the crucial nature of economic viability upon the range of commercial uses likely to be provided.
- Paragraph 16.21 should not expect all riverside redevelopment sites to contain a leisure element.
- The need for retailing may generate the provision of new shopping facilities of greater than local significance within the balanced mix of uses to be provided within the Regeneration Area as a whole. This should be reflected in the range of uses to be promoted in paragraph 16.21.

CONCLUSION

16.4.1. The Second Deposit Version sets out the balance of acceptable uses within each of the area policies, which were much skimpier in the First Deposit Version to which the objection of the Colchester Dock Transit Co Ltd relates. To the extent that these have been fleshed out in the Local Plan version before me, it can be said that this objection has been satisfied and no further action is required.

16.4.2. On the larger sites within the Regeneration Area, which these objectors represent, the Council takes the view that mixed development is the appropriate way forward, having regard to the past history of the area as a major employment area, the strong demand for housing of all types and the opportunity for leisure-related activities that the river frontage brings. I strongly support the Council in its belief that, on these larger sites a mixture of different uses should be sought and that, on sites where there is a riverside frontage, its availability for leisure purposes is recognised even if a specific leisure use is not included in the development. Similarly, residential tenure patterns can be a legitimate planning consideration. Paragraph 10 of PPG3 recognises that different types of housing and tenure encourage the development of mixed and balanced communities, precisely what the local planning authority is endeavouring to create here. Therefore, I do not accept the objections of GHP Group Ltd insofar as they relate to mixed uses, leisure and housing.

16.4.3. Turning to the question of economic viability of commercial development, it is axiomatic that, if commercial development is uneconomic it is most unlikely to proceed. To say so in an area based section of a Local Plan seems to me to be unnecessary. The Council suggests a form of words designed to indicate the possibility of both short-term (presumably change of use) and long-term (presumably redevelopment) opportunities in the commercial sphere. It does not appear to answer GHP Group Ltd's objection on this point, but I would not oppose the modification of the Local Plan by the Council's suggested form of words if this were considered helpful.

16.4.4. The remaining objection from GHP Group Ltd, together with those of Albany Rental Supplies Ltd and Colchester Tractors Ltd, relate to the failure to include retailing within the balance of mixed uses except to cater for local needs. To my mind the Regeneration Area is

sensitively placed in relation to the established shopping hierarchy. Colchester Town Centre lies a short distance to the west. A Tesco superstore lies on its eastern side while the Moler Works site has recently been redeveloped in part as a B&Q Warehouse unit. If many more large-scale retail users are permitted, there is a strong danger that the mixed approach to development in the Regeneration Area could be severely undermined. In addition, shopping on a small-scale, but catering for more than local needs, would be likely to result in competition with the town centre, possibly eroding its vitality and viability. It could also attract more car users into an area where reliance upon the private car is being discouraged. In these circumstances, I fully endorse the Council in restricting the role it sees for retailing among the mixed uses for the remaining sites to be redeveloped in the Regeneration Area. I support the additional words suggested by the local planning authority to explain the concept of ‘major retailing’ although this will not satisfy the objectors. Their arguments should be rejected for the reasons set out above.

RECOMMENDATION

16.4.5. I recommend that the Local Plan be modified in paragraph 16.21:-

- (a) by the addition of the words *“to provide for both short and long term commercial development opportunities”* after the word *“units”* in the first line of the bullet point headed *“Commercial, industrial and offices”*;
- (b) by the addition of the words *“...within the plan period, or unless ‘need’ can be established in the context of government guidance and the main retail policies in the plan. ‘Major retailing’ is defined as that which is likely to have more than local impact, or as defined elsewhere in the plan”* to the bullet point headed *“Retail”*.

16.5. PARAGRAPH 16.21a Transport Facilities within the River Colne Regeneration Area

Objection

0847 / 02029

GHP Group Ltd

KEY ISSUE

- The requirement that all planning applications need a detailed Transport Impact Assessment fails to take account of different impacts of redevelopments of different sizes.

CONCLUSION

16.5.1. The Council accepts that minor developments are unlikely to have a significant impact upon traffic generation and suggests a form of words to deal with those circumstances. I am prepared to endorse those, which, I consider, would satisfy the objectors’ concerns.

RECOMMENDATION

16.5.2. I recommend that the Local Plan be modified by the addition of the words *“...unless a statement is submitted to show, to the satisfaction of the Council, why such an assessment is not required”* to the end of the first paragraph of paragraph 16.21a.

16.6. PARAGRAPH 16.22 *Car-Free Residential Developments***Objection**

0570 / 01278

Marconi Property Limited

KEY ISSUE

- It is unrealistic to require the provision of new car-free residential developments within the Regeneration Area until after a package of public transport improvements has been implemented and has become operational.

CONCLUSION

16.6.1. The objection was made to Policy ECH6 of the First Deposit Version where it was stated that car-free housing development within the regeneration area will be promoted, where appropriate. Reference to car-free development is now confined to paragraph 16.22. While explanatory text carries no less weight than policy, the tenor of the Council requirements has now been watered down with reference to car-free housing being confined to appropriate sites or on small parts of comprehensive schemes. While I agree with the objectors that car-free housing on a wide scale for this area should not be contemplated until a comprehensive package of public transport improvements has been up and running, I do not consider that the much more restricted role now envisaged for car-free residential development needs to wait for the implementation of wholesale modernisation and improvement of local public transport provision. Therefore, I do not consider that the Local Plan requires any further amendment on this point.

RECOMMENDATION

16.6.2. I recommend that no modification be made to the Local Plan.

16.7. PARAGRAPH 16.24 *Urban Design in the River Colne Regeneration Area***Objection**

0847 / 02072

GHP Group Ltd

KEY ISSUE

- The Hythe and Distillery Pond Conservation Areas are well away from some of the sites within the Regeneration Area. The text of paragraph 16.24 should be amended to reflect this fact.

CONCLUSION

16.7.1. It is accepted that not all of the Regeneration Area adjoins the two conservation areas. Nevertheless, I consider it important that high standards of urban design are maintained across the whole area, bearing in mind its proximity to water frontages. Therefore, I recommend that no amendments be made to the Local Plan in response to this objection.

RECOMMENDATION

16.7.2. I recommend that no modification be made to the Local Plan.

16.8. POLICY ECH1 & PROPOSED CHANGE 172 Regeneration Area

River Colne

Objections

0553 / 01748	Alstom UK Ltd
0570 / 01276	Marconi Property Limited
0838 / 01969	Associated British Ports
0847 / 02071	GHP Group Ltd
0850 / 02108	Albany Rental Supplies Ltd
0851 / 02112	Colchester Tractors Ltd
0861 / 02103	Barratt Eastern Counties
0861 / 02104	Barratt Eastern Counties

KEY ISSUES

- Proposed Change 172 would delete criterion (f) and insert the following:-
“(f) Contributions, which should reasonably and fairly relate to the proposed development, will be required from all developments towards the provision of the infrastructure and/or environmental improvements as mentioned above and set out in Table 8a. However, these should take account of extraordinary development costs (e.g. works to decontaminate the site) that might arise from the development. These contributions will be secured by means of appropriate legal agreement.”
- Restricting the use on any one site to 60% of the total floor area, as required by criterion (a), is unduly prescriptive and arbitrary. It should be recognised that redevelopment of some sites for their continued occupation by their present uses may be acceptable.
- The boundary of the Regeneration Area should be expanded to include the area east of Port Lane and south of St Leonard's Road.
- It is unreasonable to indicate that planning permission will be refused for the redevelopment of potential regeneration sites that have not been identified.
- The requirement of criterion (b), that proposed uses be compatible with existing and proposed developments on adjoining sites, is unnecessary.
- Strict compliance with the Supplementary Planning Guidance, as required by criterion (c), is unreasonable and would stifle innovative forms of development, resulting in a monotonous appearance to the area overall.
- The requirement of submissions of masterplans for all redevelopment sites greater than 0.5ha in area, as required by criterion (d), is unreasonable.
- Not all uses fronting onto the River Colne should be expected to generate large numbers of visits by the public at large as envisaged by criterion (e).
- Criterion (f) should take into account contributions already made by existing redevelopments for the benefit of the Regeneration Area as a whole. The criterion requires contributions towards facilities other than the community/social/educational needs of the area set out in paragraph 16.19(d).

CONCLUSION

16.8.1. I am satisfied that Proposed Change 172 would satisfy the two objections of Barratt Eastern Counties and I recommend that the Local Plan be modified in accordance with the Proposed Change. This Proposed Change would also meet the concerns of Albany Rental Supplies Ltd and Colchester Tractors Ltd concerning criterion (f) and no further action is necessary on these two objections under this heading. The objection of GHP Group Ltd under this criterion relates to the situation where contributions towards community and infrastructure requirements have been made resulting from part of the site already being redeveloped. The local planning authority suggests a convoluted form of words to cover this point and embedded in text where presumably it considers it has less weight. I prefer a simple form of words attached to criterion (f) on this matter, which I consider, meets the objectors' viewpoint without undermining the Council's case as set out in its written submissions.

16.8.2. Many of the other objections relate to the perceived lack of flexibility in the policy. Marconi Property Ltd's concerns the potential refusal of sites that fail to make adequate contributions whose redevelopment potential has not been realised. I consider that criterion (h) of the revised Policy ECH1 of the Second Deposit Version goes some way to meeting the objectors' concern. It makes clear the Council's intention to refuse permission for the developments that do not meet the standards already established for the Regeneration Area. To my mind this is a more objective test than that set out in the second paragraph of the policy in the First Deposit Version to which the objection was made. To that extent, the objectors' worries have been answered and I am satisfied that the Local Plan needs no further amendment on this point.

16.8.3. Others (Albany Rental Supplies Ltd, Colchester Tractors Ltd, Associated British Ports, GHP Group Ltd) consider the requirement of a limitation of 60% floorspace on sites to be unreasonable. Most of the objectors concerned are the owners of significant landholdings in the area and to my mind a 60% limitation on any one use on a large site is not unreasonable where a replacement for the mixed land use pattern of East Colchester and The Hythe is what is sought for the Regeneration Area. In practice, the Council appears to have been applying the 60% limitation of one use with some degree of flexibility. Provided that much needed regeneration within the area is not thwarted by over-zealous application of criterion (a) then I am prepared to allow the criterion to remain unscathed.

16.8.4. GHP Group Ltd raises objections also to criteria (b), (c), (d) and (e). The objectors consider criterion (b) to be unnecessary, being duplicated by Policy DC1. The Council concedes that criterion (b) of the Second Deposit Version is loosely worded; it would be difficult to evaluate compatibility with existing and proposed development on adjacent sites. With the tighter form of wording suggested by the local planning authority and reproduced at 16.8.6(b) below, I am satisfied that a modified criterion (b) can be retained in the Local Plan as it reinforces the requirement for a consistent approach to be adopted across the Regeneration Area. To maintain this consistency, developments will need to comply with Supplementary Planning Guidance for the area without giving rise to monotonous development. Therefore, criterion (c) can remain unaltered. With regard to criterion (d), the Council considers that a name change from 'specific master plans' to 'site appraisals' would provide consistency with the terminology used in the Supplementary Planning Guidance. I can see no reason to object to that and I recommend the change at 16.8.6(c). This would not satisfy the objectors. However, the Council has powers, under Article 3(2) of Town and Country Planning (General Development Procedure) Order 1995, to require developers to furnish additional information on outline planning applications, especially within conservation areas and where Environmental Assessment is involved, before processing the applications any further. Therefore, making further alterations to the criterion to accede to the

objectors' requirements would make little difference in practice and I do not recommend any additional modifications be made to criterion (d). Concerning the objection to criterion (e), the Council agrees that reference to 'workers', in the context of enjoyment of riverside facilities, is helpful. Therefore, I recommend their inclusion at 16.8.6(d) below.

16.8.5. Although Policy ECH1 applies to the whole Regeneration Area, a site-specific objection is made by Alstom UK Ltd to the exclusion of the land to the east of Port Lane and south of St Leonard's Road from the Regeneration Area boundary on the Proposals Map. Its heavy engineering base has more in common with the regeneration area than its employment land designation, which is normally associated with business and light industrial uses. It is clear from the Council's representations that the future of this site is somewhat uncertain and that a decision on whether it should remain as employment land or be incorporated in the Regeneration Area hangs in the balance. I do not have enough evidence before me to effect a change in the boundary at this juncture. However, should the Council feel confident that the boundary can be changed, while protecting the employment base they want to see preserved on the site, then I would have no objection to their doing so prior to the adoption of the plan.

RECOMMENDATION

16.8.6. I recommend:-

- (a) that the Local Plan be modified in accordance with Proposed Change No 172 subject to the addition of the following wording:- *"Where contributions have already been made in respect of a particular site, the size and type of those contributions will be taken into account in determining what additional contributions, if any, are required in connection with further phases of development."*;
- (b) that the Local Plan be modified by the deletion of criterion (b) of Policy ECH1 and the insertion of the following:- *"(b) The proposed uses shall be compatible with the mix of uses set out for each area, or with schemes already granted planning permission or under construction on adjacent or nearby sites."*;
- (c) that the Local Plan be modified in the first sentence of criterion (d) of Policy ECH1 by the deletion of the words *"specific master plans"* and insertion of the words *"site appraisals"*;
- (d) that the Local Plan be modified by the deletion in the first sentence of criterion (e) of Policy ECH1 of the words *"(either as visitors or residents)"* and the insertion of the words *"as visitors, residents or workers."*

16.9. PARAGRAPH 16.24a Key Areas within the River Colne Regeneration Area

Objection

0861 / 02102

Barratt Eastern Counties

KEY ISSUE

- Clarification should be given to the relationship between the defined Regeneration Area in the Local Plan and the Colne Harbour Urban Design Framework Supplementary Planning Guidance.

CONCLUSION

16.9.1. To my mind Proposed Changes 171, 172, 173, 174 and 176 spell out the relationship between the two documents with greater precision than the Second Deposit Version of the Local Plan. There seems to me to be no need to restate the linkage between the two yet again in this paragraph. Therefore, I do not recommend that any amendment be made to the Local Plan in response to this objection.

RECOMMENDATION

16.9.2. I recommend that no modification be made to the Local Plan.

16.10. *PARAGRAPH 16.24b & POLICY ECH2* *Area 1 – The Former Moler Works Site*

Objections

0847 / 02030	GHP Group Ltd
0847 / 02031	GHP Group Ltd

KEY ISSUES

- Paragraph 16.24b recognises that redevelopment of the former Moler Works site represents an opportunity to set the pattern and trigger off regeneration of the area as a whole. However, it is essential that a more flexible approach is adopted, in terms of permitted uses and planning gain, otherwise proper redevelopment of the entire site is likely to be thwarted.
- The requirement in the third sub-paragraph of paragraph 16.24b, that all riverside site uses must generate high pedestrian flows, is unreasonable.
- Policy ECH2 should be amended so that within Area 1 development will be required to provide a mix of land uses and, where appropriate, to provide a contribution to infrastructure provisions and environmental enhancements.

CONCLUSION

16.10.1. These objections essentially repeat the global objections to mixed use sites, set out in section 16.8 of the report, brought down to a specific area. The Council has already responded to the particular circumstances of the site by granting planning permission for the large-scale retail B&Q Warehouse development to kick-start redevelopment in the Regeneration Area as a whole. I consider it important that some form of mixed usage is applied across the area so that vitality is maintained in an area where the latent potential for attractive development is currently untapped. However, the Council accepts that not all uses can be accommodated even on a large redevelopment site such as this. On the understanding that that this matter will, in practice, continue to be looked at flexibly as further planning applications are submitted, I see no reason to amend this part of the Local Plan in paragraph 16.24b. The local planning authority accepts that Policy ECH2 should follow the general pattern of the other area-based policies in the chapter. I consider it important that this large site should provide a broad mix of uses, so I retain reference to it in my suggested rewrite. I also delete reference to 'where appropriate' from the objectors' alternative wording because I am satisfied that a site as large as this should continue to make contributions towards infrastructure and environmental improvements. These matters now seem somewhat academic in any event, as the balance of the site has already been redeveloped with student accommodation for the University of Essex.

16.10.2. There are a couple of lesser points that require attention. The Council accepts that not all uses on this site will generate wide-scale riverside pedestrian activity. The important consideration is that the river frontage is available and that it encourages access to the public. In that regard, I prefer the Council's suggested rewording for sub-paragraph 3 in their representations to that put forward by the objectors, whose reference to having regard to potential pedestrian flows I consider to be imprecise. The local planning authority's suggested text is reproduced in my recommendation (a) below. However, on the second point I agree with the objectors. I see no need to refer to public transport provision explicitly in the paragraph 16.24b when reference is made there to Table 8a, which sets out the list of transport facilities sought for the area overall. I therefore recommend the deletion of the second sentence of the fifth sub-paragraph.

RECOMMENDATION

16.10.3. I recommend:-

- (a) that the third sentence of the third sub-paragraph of paragraph 16.24b be modified by the deletion of the words *"In particular, uses must generate high pedestrian flows along the riverside frontage..."* and the insertion of the words *"In particular, the plan seeks to promote uses which would generate high pedestrian flows along the river frontage..."*;
- (b) that the fifth sub-paragraph of paragraph 16.24b be modified by the deletion of the second sentence;
- (c) that Policy ECH2 be deleted and the following be inserted in its place:- *"Policy ECH2 Within Area 1, development will be required to provide for a broad and balanced mix of uses, including residential, commercial, industrial, office, leisure and some retail uses. Any development will be required to make a contribution to infrastructure provisions and environmental enhancements as set out in paragraph 16.24b."*

16.11. PARAGRAPH 16.24c, POLICY ECH2a & PROPOSED CHANGES 173 & 174 Area 2 – Former Gasworks Site, Hythe Quay

Objection

0861 / 02100

Barratt Eastern Counties

KEY ISSUES

- Proposed Change 173 would delete paragraph 16.24c and would insert the following:- *"16.24c This important site links the historic core of The Hythe to the former port area. Development will be required to provide for a mix of uses to include housing, together with small scale commercial and community facilities to serve local needs, and shall have regard to the character of the site and its setting of The Hythe. Any development would be expected to contribute towards infrastructure and environmental enhancements as set out in paras. 16.17a - 16.19c."*
- Proposed Change 174 would delete Policy ECH2a and would insert the following:- *"ECH2a Within Area 2, development will be required to provide for a mix of uses to include housing, small scale commercial and community uses, having regard to the character and context of the site, together with a contribution to infrastructure provision and environmental enhancements as set out in para. 16.24c."*

CONCLUSION

16.11.1. Barratt Eastern Counties was concerned that the policy and explanatory text, as originally drafted, did not ensure that developer contributions within Area 3 would fairly and reasonably relate to the scale of development proposed. I am satisfied that the amendments introduced by Proposed Changes 173 and 174 cover this point and I therefore recommend the adoption of the proposed changes.

RECOMMENDATION

16.11.2. I recommend that the Local Plan be modified in accordance with Proposed Changes Nos 173 and 174.

16.12. PARAGRAPH 16.24d & POLICY ECH2b; PROPOSED CHANGES 52, 175 & 176 Area 3 – Albany Laundry Site & Adjacent Land off Haven Road

Objections

0850 / 02106	Albany Rental Supplies Ltd
0851 / 02111	Colchester Tractors Ltd
0861 / 02101	Barratt Eastern Counties
0861 / 02471	Barratt Eastern Counties

KEY ISSUES

- Proposed Change 175 would insert the word “*commercial*” between the words “*residential*” and “*offices*” in line 2 of the second bullet point of paragraph 16.24d.
- Proposed Change 52 would insert the word “*residential*” between the words “*of*” and “*commercial*” in line 1 of Policy ECH2b.
- Proposed Change 176 would delete Policy ECH2b and insert the following:-
“ECH2b Within Area 3, development will be required to include a balanced mix of uses, subject to the criteria set out in paragraph 16.24d and having regard to the different characteristics and context of the site. Development will be required to make a contribution to infrastructure provision and environmental enhancements, as set out in paragraph 16.24d, to include improved green links around Distillery Pond Conservation Area.”
- Proposed Change 176 should be further amended by the deletion of the word “*balanced*” from the first sentence of revised Policy ECH2b.

CONCLUSION

16.12.1. Proposed Change 175 would add the word ‘commercial’ to the list of uses considered acceptable within the former laundry complex site in accord with Barratt Eastern Counties first objection. I have no objection to this. Insertion of the word ‘residential’, as recommended by Proposed Change 52, would meet the objections of Albany Rental Supplies Ltd and Colchester Tractors Ltd, who noticed its omission from the list of uses in Policy ECH2b of the Second Deposit Version. However, Proposed Change 176, designed to meet the remainder of the first Barratt Eastern Counties’ objection, makes specific mention of the varied characteristics of the site, but does not explicitly set out acceptable uses. The policy, as set out in the Proposed Change, still refers back to paragraph 16.24d, where reference is made to residential use among others. As no specific mention is made of any use within Proposed Change 176, there seems no need to identify residential use explicitly in the policy and Proposed Change 52 need not proceed. Barratt Eastern Counties went on to make a further

objection to Proposed Change 176 requesting deletion of word ‘balanced’ in the context of the mix of uses on the site. In view of the concerns of Albany Rental Supplies Ltd and Colchester Tractors Ltd, that residential use on the site may be overlooked by Policy ECH2b, I consider that ‘balanced’ should remain in the revised policy. Therefore, the argument of Barratt Eastern Counties in its second objection is rejected.

RECOMMENDATION

16.12.2. I recommend:-

- (a) that the Local Plan be modified in accordance with Proposed Changes Nos 175 and 176;
- (b) that Proposed Change No 52 does not proceed.

16.13. PARAGRAPH 16.24e & PROPOSED CHANGE 53; POLICY ECH2c Area 4 – The Hythe Conservation Area

Objection

0570 / 01277
0651 / 02126

Marconi Property Limited
English Heritage

KEY ISSUES

- Any new development should preserve or enhance the character of the conservation area not complement and enhance.
- Proposed Change 53 would replace the word “*upgraded*” in line 3 of paragraph 16.24e with the word “*repaired*”.
- The area is commercial in character so the word ‘residential’ should be deleted from line 3 of Policy ECH2c.

CONCLUSION

16.13.1. Marconi Property Ltd’s objection was to the former Policy ECH4 of the First Deposit Version, which has now been subsumed into Policy EC2c of the Local Plan version before me. The wording now used, ‘protect or enhance’, while not at one with the statutory test set out in section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990, is, in my judgement, close enough to its wording as to mean the same. Therefore, I am satisfied that the objectors’ concerns have been met on this point. The word ‘repaired’ is more accurate terminology for the works carried to the oldest buildings in the conservation area rather than ‘upgraded’. Therefore, I have no objection to the Local Plan being modified in accordance with Proposed Change 53. Turning to the objection of English Heritage, in its representations the Council concedes that the conservation area is mixed in character and is likely to remain so even if the proportion of residential uses increases. In these circumstances, I do not consider the word ‘residential’ is appropriate. In my opinion, a more apt word for the varied character of this conservation area would be ‘overall’ and I recommend its substitution for ‘residential’.

RECOMMENDATION

16.13.2. I recommend:-

- (a) that the Local Plan be modified in accordance with Proposed Change No 53;

- (b) that the Local Plan be modified by the deletion of the word “*residential*” in line 3 of Policy ECH2c and the insertion of the word “*overall*”.

16.14. PARAGRAPH 16.24f & POLICY ECH2d Area 5 – King Edward Quay & Adjacent Sites

Objection

0838 / 01970

Associated British Ports

KEY ISSUE

- Strong objection is raised to the requirement in the first paragraph of paragraph 16.24f that encouragement be given for the retention of the disused grain silos on King Edward Quay.

CONCLUSION

16.14.1. The grain silos are, in my opinion, an interesting example of industrial archaeology and a potent visual reminder of Colchester’s long history as a working commercial port. The paragraph only endeavours to seek their retention and no doubt if an alternative reasonably beneficial use cannot be found, or their retention would severely hinder the overall proper planning of the area, then their removal is likely to be sanctioned. However, I see no objection to the tone of the paragraph in the Second Deposit Version, which merely encourages their retention. I consider this to be a desirable objective for this site and I do not recommend any interference in this part of the Local Plan in its current form.

RECOMMENDATION

16.14.2. I recommend that no modification be made to the Local Plan.

16.15. POLICY ECH3 (FIRST DEPOSIT VERSION) Sites Fronting the River Colne

Objection

0659 / 01648

J J Heath

KEY ISSUE

- Providing public access to both banks of the River Colne with the formation of a new artificial barrier will seriously harm the wildlife habitat value of the adjoining SINC.

CONCLUSION

16.15.1. Policy ECH3 of the First Deposit Version of the Local Plan has been deleted. However, its general tone, that the river frontage should be made available for access by the public at large has not been removed, being found for instance at the second and third sub-paragraphs of paragraph 16.21, paragraph 16.24 and criterion (e) of Policy ECH1, in addition to the various area policies relating to sites with a river frontage. Therefore, the issue advanced in the objection remains to be addressed. As at sub-section 16.2 of my report above, the objector’s main concern remains the impact of any tidal barrier upon the adjoining SINC. As I state earlier in paragraph 16.2.1 of my report, the Council gives an undertaking at paragraph 16.18 that no such feature will proceed without an Environmental Assessment being carried out. I made the point at that juncture that such a procedure must be rigorous and

I reiterate that point again. On that understanding, I recommend that no alteration be made to the Local Plan in response to this objection.

RECOMMENDATION

16.15.2. I recommend that no modification be made to the Local Plan.

16.16. PARAGRAPH 16.28 & PROPOSED CHANGE 54 *Protecting and Enhancing the Natural Environment*

KEY ISSUE

- Proposed Change 54 would add the following words to paragraph 16.28:- *“That part of the Hythe marshes owned by the Borough Council will form a part of the proposed Colne Estuary Local Nature Reserve.”*

CONCLUSION

16.16.1. Proposed Change 54 would clarify the future use of land that would remain in the Council’s control. Therefore, I have no objection to Proposed Change 54 proceeding.

RECOMMENDATION

16.16.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 54.

16.17. POLICY ECH8 *Magdalen Street Special Policy Area*

Objection

0613 / 01442

Winnocks Kendalls Almshouses Charity

KEY ISSUE

- The bulky, utilitarian building of the bus garage on the south side of Magdalen Street, sited immediately to the north of Kendall’s Almshouses, harms the setting and domestic scale of these attractive eighteenth-century Grade II listed buildings. The noisy and polluting activities of the bus garage, carried out at unsocial hours late at night and early in the morning seven days a week, seriously disturb the residents of the almshouses, all of whom are elderly and many of whom are frail and in need of rest and quiet. Therefore, Policy ECH8, which seeks to protect the existing mix of uses for the south side of Magdalen Street, should not apply to the bus garage because of the visual and physical harm it causes to the almshouses to its rear and their residents. Instead, a specific policy should be introduced for the redevelopment of the bus garage for residential purposes because of the incompatibility of the present building and its use with their surroundings.

CONCLUSION

16.17.1. The objection was made to Policy ECH10 of the First Deposit Version, which sought to ensure that any commercial or industrial development in Magdalen Street was in scale with the existing pattern of development and did not harm residents’ amenities. This has been subsumed into Policy ECH8 of the Second Deposit Version, which would maintain the mix of commercial, industrial, service and retail uses on the south side of Magdalen Street, subject to adjoining residents’ amenities being protected. Therefore, this remains a valid objection to the amended policy.

16.17.2. The unhappy relationship between the almshouses and the bus garage is not new, but has been in existence for several decades. The Council's Supplementary Planning Guidance for the site envisages its redevelopment for small-scale business uses. Any planning permission granted could make sure that the types of activity within the redeveloped premises did not significantly affect the amenities of the almshouses' residents by reason of noise or pollution and that the hours of operation could be limited to exclude early morning or late night opening. This would accord with the requirement of Policy ECH8 to protect the domestic surroundings of new commercial or industrial buildings. In consideration of any planning application for the redevelopment of the bus garage, the Council would be under an obligation to consider whether the setting of the adjoining listed buildings were preserved or enhanced. This may be more easily achieved on this site by small-scale workshop-type units than the potentially bulkier residential alternative of flats, which could arise out of the objectors' agent's suggestions. Therefore, I see no need to amend the Second Deposit Version of the Local Plan in response to this objection.

RECOMMENDATION

16.17.3. I recommend that no modification be made to the Local Plan.

16.18. *PARAGRAPH 16.33 & POLICY ECH11* *Paxmans Social Club*

Objection

0570 / 01279

Marconi Property Limited

KEY ISSUE

- Paragraph 16.33 of the First Deposit Version was at odds with the adopted Local Plan, which allocated the Hill House Sports Club, Hythe Hill for residential purposes. The Second Deposit Version appears to overturn the requirement that the sports club be retained in community use but the Council needs to justify the reason for providing an alternative community resource in both revised paragraph 16.33 and revised Policy ECH11, when the facilities that were previously on the site were not available to the public at large but were a private club, albeit open to the employees of large local factory premises. In addition, all of these facilities are now disused or relocated, so it is unreasonable to make requests for unspecified contributions accompanied by the redevelopment of this site.

CONCLUSION

16.18.1. Paragraph 16.33 of the First Deposit Version was, in my judgement, unreasonably restrictive in its approach to the protection it afforded to the former Hill House Sports Club, given the residential allocation for the site in the current adopted Local Plan. To my mind its replacement in the Second Deposit Version, which allows for housing development if alternative community facilities are provided is more realistic. However, it is clear from their further submissions that this does not satisfy the objectors.

16.18.2. I find that the Council's approach to this site is somewhat confusing. It seems to have resigned itself to residential development of the site, which accords with the current adopted Local Plan allocation, yet it seems to retain notions that community facilities be retained and the Proposals Map still shows a social club designation. It seems to me that the latter is incompatible with the Second Deposit Version of the Local Plan and must be changed. It would be most straightforward if the social club designation were removed altogether. I take the Second Deposit Version of paragraph 16.33 to mean that the adopted

Local Plan's residential allocation will be retained, although it does not seem to me that the Proposals Map need be expressly changed to a residential allocation if the requirements of paragraph 16.33 are clear in themselves.

16.18.3. The uncertainty surrounding the Second Deposit Version stems from the words 'subject to the provision of some alternative local facilities.' I agree with the objectors' agents that this is unsatisfactory in that form, but I disagree that mention of community facilities should be removed altogether on the basis that they are unlikely to be provided on this particular site. To request that the residential redevelopment of this site should be dependent upon equivalent reinstatement of these facilities elsewhere within the locality is to my mind unreasonable. However, I see no harm in Policy ECH11 and its explanatory text bringing the past history of the site to the attention of developers and that contributions towards community facilities made under Policy CF1 (the Local Plan's general policy on community facilities) should take that factor into account in determining what the appropriate contribution should be. I recommend what I consider these changes should be at paragraphs 16.18.4(a) and 16.19.2 below.

RECOMMENDATION

16.18.4. I recommend:-

- (a) that the Local Plan be modified by the deletion of paragraph 16.33 and its replacement with the following:- *"16.33 Both these premises have contributed to community provision in the area, although Paxmans' Social Club's more limited role in this regard has now ceased. Housing is regarded as an acceptable use for that site, but in view of its past role, prospective developers should be reminded that they would be expected to contribute towards community facilities to accord at the very least with the requirements of Policy CF1. The precise level of that contribution would be a matter for the parties concerned. The Wilson Marriage Centre should be retained in community use. The old School Board buildings of the centre are listed and are of local historic value."*
- (b) by the deletion of the social club allocation for the site from the Proposals Map;
- (c) by the deletion of Policy ECH11 and its replacement with Policy ECH11 as recommended in paragraph 16.19.2 below.

16.19. POLICY ECH11 Wilson Marriage Centre

Objection

0234 / 00444

Essex County Council

KEY ISSUE

- The wording of Policy ECH11 is unduly restrictive and normal planning considerations for the change of use of existing buildings should apply to the Wilson Marriage Centre.

CONCLUSION

16.19.1. I agree with Essex County Council that a policy, which does not permit for an alternative use of a listed building, is unreasonable. On the other hand, I consider that the

County Council's alternative suggestion is unduly open-ended. The present community use is a sound beneficial alternative to education for old 'board school' premises but to my mind the preservation of the listed buildings on the site in good heart is of paramount importance. If it is found that, for whatever reason, the listed buildings deteriorate then alternative uses have to be examined, unless the structures were deliberately allowed to fall into disrepair. I set out below a recommended replacement policy, which, I consider, covers this eventuality. This recommendation also includes my suggested variation to the Second Deposit Version of the policy relating to the Paxmans' Social Club site, discussed at paragraph 16.18.3 of my report above.

RECOMMENDATION

16.19.2. I recommend that the Local Plan be modified by the deletion of Policy ECH11 and its replacement with the following:- *"Policy ECH11 The Wilson Marriage Centre shall remain in community use unless it can be demonstrated that the premises have to be put to an alternative use as a means of preserving the fabric or integrity of the listed building on the site. The change of use or redevelopment of the Paxman's Social Club to residential use will be permitted subject to the provision of contributions towards the provision of community facilities within the Regeneration Area being made at least equivalent to those set out in Policy CF1."*

17 Chapter 17 - Colchester Garrison

17.1. PARAGRAPH 17.4(a) Objectives for the Garrison Regeneration Area

Objection

0651 / 01590

English Heritage

KEY ISSUE

- Policy G1 fails to incorporate criteria ensuring that important architectural elements of the present Garrison are retained and that a proper archaeological survey is carried out.

CONCLUSION

17.1.1. A planning application has been submitted to the Council for the Garrison's regeneration. At the time of writing this report, a great deal of work has already been carried out by the interested parties and English Heritage concerning archaeological matters within the Regeneration Area in particular. In its submissions concerning this objection, the local planning authority has suggested that additional wording be incorporated into the objectives for the site to ensure that the significance of archaeology and historic buildings within the Regeneration Area is not overlooked. As the objection has largely been overtaken by events, I recommend that this modest suggested modification be adopted.

RECOMMENDATION

17.1.2. I recommend that the Local Plan be modified by deletion of the words "*landscape and nature conservation*" from paragraph 17.4(a) and insertion of the words "*landscape, nature conservation, archaeological and historical heritage*".

17.2. PARAGRAPH 17.8 & PROPOSED CHANGE 55 Garrison Regeneration Area

Objections

0405 / 00776

Edward Gittins & Associates

0830 / 01230

RMPA Services

KEY ISSUES

- Proposed Change 55 would add the following to the end of paragraph 17.8(e):- "*The existing cemetery will require an extension within the plan period with the precise site defined in the master plan (see also Policy CF11). The extension is not proposed as part of the garrison development itself but is required to serve the needs of the Borough.*"
- Far greater emphasis should be placed on the need for further employment land within the Regeneration Area than is demonstrated in paragraph 17.8 and specific mention of this provision should be made in Policy G1.

CONCLUSION

17.2.1. I am satisfied that Proposed Change 55 would meet the objection of RMPA Services, especially as agreement has been reached between the Ministry of Defence Estate and the Council regarding the precise areas of land required by the latter for the enlargement of the cemetery. Therefore, I have no objection to Proposed Change 55 proceeding. Turning to the

objection from Mr Gittins, sufficient employment land has been identified elsewhere in the Local Plan area to meet Essex and Southend-on-Sea Replacement Structure Plan requirements without large allocations being found necessary on the Garrison site. In view of the generally slow take-up in recent years of employment land in Colchester, I see no reason for release of such land within the Regeneration Area other than the limited areas already identified. Therefore, I do not recommend that any action be taken in response to this objection.

RECOMMENDATION

17.2.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 55.

17.3. PARAGRAPH 17.9 (h) *Residential Capacity of Garrison Regeneration Area*

Objections

0238 / 01472	George Wimpey Plc & Booker Plc
0350 / 02233	Bovis Homes Ltd
0405 / 02073	Edward Gittins & Associates

KEY ISSUES

- The Local Plan should reserve other sites under the Plan, Monitor, Manage procedure set out in paragraph 8 of PPG3 in case the Garrison site fails to achieve the predicted number of new dwellings by the end of the plan period.
- The complications of developing the Garrison site are so manifest that it cannot be considered capable of delivering any meaningful contribution to the housing stock during the plan period. These include the cumbersome procedures of the Private Finance Initiative for relocating the present garrison, the provision of improvements to highways and public transport, the need to respect listed buildings on the site, the need for thorough archaeological survey and, if needs be, rescue of relics and/or preservation *in situ* and the need to protect, and if necessary relocate, existing wildlife habitats of acknowledged importance such as bat roosts.
- The Garrison is the only housing allocation of any size made for the south side of Colchester. Because it can only provide new housing towards the end of the plan period, the total provision of housing of 1,600 dwellings by 2011 is unrealistic. Alternatively, if that figure were to be met, it would require such rapid construction of houses towards the end of the plan period that the market would be swamped, something which the volume housebuilders operating within the Regeneration Area would not be prepared to tolerate. A more realistic contribution to the housing stock by the Garrison redevelopment by the end of the plan period would 800 to 1,000 units as a maximum. Instead, smaller sites on the southern side of Colchester, unconstrained by the complications surrounding this site, should come forward now to fulfil the strong current market demand for new housing in South Colchester.

CONCLUSION

17.3.1. The three objections are not directed at the suitability of the Garrison Regeneration Area for residential redevelopment but at the ability of the site to deliver 1,600 additional dwellings by the end of the plan period as set out in paragraph 17.9(h) of the Second Deposit Version. Only George Wimpey plc comes close to saying that the constraints to development are so severe that it should be deleted altogether from the Local Plan. I disagree with this

approach. The site accords so precisely with the advice on the sequential test in paragraph 30 of PPG3, as a wide tract of previously-developed land within the principal urban area in the Borough, that failure to allocate the site as a major new housing area would, in my judgement, amount to negligence. It is inevitable that re-use of existing developed sites can be intrinsically more complicated than urban expansion onto green fields but the latter is less likely to be sustainable by encouraging journeys to work and for other purposes by private car over longer distances.

17.3.2. The other objections are less about the suitability of the site as a major housing allocation, more whether the site can make sufficient contribution to the housing targets of 1,600 units during the lifetime of this Local Plan. I have considerable reservations on this point and I discuss in Chapter 13 what should happen if this, and other large sites, fail to make the contributions envisaged, such that Structure Plan housing requirements are unlikely to be met. Such conjecture is to my mind no reason at this juncture to change the figure in paragraph 17.9(h) but I consider that there should be a fallback provision if the target of 1,600 or more is not met. The specific chapter on the Garrison is not the place to set this scenario out. Therefore, I recommend that no amendments be made to the Local Plan in response to these objections.

RECOMMENDATION

17.3.3. I recommend that no modification be made to the Local Plan.

17.4. PARAGRAPH 17.9(h) *Local Shopping Facilities within Garrison Regeneration Area*

Objection

0844 / 02005

W M Morrison Supermarkets plc

KEY ISSUE

- Retailing within the Garrison redevelopment should not be confined to neighbourhood facilities catering for local needs only.

CONCLUSION

17.4.1. The question of retail provision within the Garrison Regeneration Area was examined Colliers Erdman Lewis in their April 2000 retail study of the entire Borough. The conclusion was reached that retail provision within the Regeneration Area should satisfy locally generated demands only. I understand that increasing the range of facilities to include say food superstores, may reduce travel elsewhere from new housing sites, but it can also suck in travel by private car into primarily residential areas from considerable distances in a non-sustainable way, as happens for instance with Tesco's operation within the Highwoods neighbourhood centre. If the retail study could see no justification for larger scale retail provision than that derived from the day-to-day needs of the new population within the Regeneration Area, then I can find no reason to intervene on the objectors' behalf to amend the Local Plan.

RECOMMENDATION

17.4.2. I recommend that no modification be made to the Local Plan.

17.5. POLICY G1***Garrison Regeneration Area*****Objections**

0228 / 00458
0514 / 01417

West Mersea Town Council
R G Hodge

KEY ISSUES

- The concentration of so much development on the southern side of the built-up area would be likely to overload the road system between Colchester and Mersea Island and coastal amenities at West Mersea.
- Because of the importance of the site to Colchester as a whole, no proposals for development on the Garrison site should be contemplated before the Local Plan has been formally adopted.

CONCLUSION

17.5.1. As far as the impact upon traffic conditions on the B1025 Colchester-West Mersea road are concerned, criterion (d) of Policy G1 requires the identification of transport infrastructure that would be required to support the development on and off the site. This would include existing and projected traffic flows between Colchester and Mersea Island. Provided the requirements of criterion (d) are met, I am satisfied that the impact of the development upon traffic congestion between Colchester and West Mersea should at worst be neutral. Regarding the concerns of the Town Council over additional usage of seaside facilities at West Mersea, I accept that the proximity of the new development would be likely to increase activities along this stretch of coast. However, in view of the decline in this type of tourism and leisure in recent years, the arrival of a new body of population so close at hand to boost the West Mersea economy would, I suggest, be a welcome spin-off from the Garrison redevelopment. I do not recommend any changes to the Local Plan in response to the Town Council's objection.

17.5.2. Turning to the objection of Mr Hodge, I accept that, in an ideal world, development on the scale of that proposed for the Garrison should not come forward until all the ramifications of the development upon the town as a whole have been fully scrutinised through the mechanism of a Local Plan inquiry. However, there is a need to bring forward housing land as early as possible within the plan period to meet the requirements of the adopted Structure Plan. As a large brownfield site, the Garrison fits precisely the description of prime candidates for allocations in the search sequence set out in paragraph 30 of PPG3 for identifying housing sites in local plans. It constitutes re-use of previously developed land and buildings within an urban area. Since it is inconceivable that an objection against the principle of this form of development can be sustained, I fully understand the reasons why the Council is considering the complicated planning application for the future re-use of the present Garrison's premises in advance of the receipt of my report and the formal adoption of the Local Plan. Consequently, I see no need to modify the Local Plan in the light of Mr Hodge's objection.

RECOMMENDATION

17.5.3. I recommend that no modification be made to the Local Plan.

18 Chapter 18 - Mile End

18.1. PARAGRAPH 18.3 ***Transport Strategy***

The Second Phase of the Northern Approaches

Objection

0583 / 01365

Myland Parish Council

KEY ISSUES

- An underpass should be provided where the Northern Approaches Road crosses Mill Road.
- The closure to through traffic of Nayland Road between Defoe Crescent and Ford's roundabout will undermine their viability and lead to the closure of the shops fronting that road.

CONCLUSION

18.1.1. The junction between the Northern Approaches Road and Mill Road has been constructed as a crossing on the flat. A Borough-wide Local Plan is not the proper mechanism for changing that arrangement. With the construction of new housing close-by, this is likely to improve the patronage of shops in Nayland Road to neutralise the difficulty of car-borne trade from the Mill Road direction gaining access to these retail outlets. Therefore, I recommend that no alterations to the Local Plan take place in response to these aspects of objection 0583/01365.

RECOMMENDATION

18.1.2. I recommend that no modification be made to the Local Plan.

18.2. PARAGRAPH 18.4

Enhancing the Environment

Objection

0583 / 01365

Myland Parish Council

KEY ISSUE

- Paragraph 18.4 fails to indicate what form environmental enhancement will take in association with the substantial new development areas proposed for Mile End.

CONCLUSION

18.2.1. Although they are not spelt out in Policy ME1, concerning specific large new developments in Mile End, examples of comprehensive environmental enhancement are given in the supporting text to the policy at paragraph 18.8 and do not need to be repeated in paragraph 18.4. No amendments to the Local Plan are suggested in response to this aspect of objection 0583/01365.

RECOMMENDATION

18.2.2. I recommend that no modification be made to the Local Plan.

18.3. PARAGRAPH 18.5 Objectives**Objection**

0583 / 01365

Myland Parish Council

KEY ISSUE

- The objectives for Mile End should include provision of community facilities and an underpass where the Northern Approaches Road crosses Mill Road.

CONCLUSION

18.3.1. A flat junction has already been provided where Mill Road and the second phase of the Northern Approaches Road intersect. While I accept that the provision of new community facilities is important, I see no need for them to be at the heart of proposals for Mile End, which a change to objectives would entail. Consequently, I do not recommend any alterations be made to the paragraph.

RECOMMENDATION

18.3.2. I recommend that no modification be made to the Local Plan.

18.4. PARAGRAPH 18.7 & PROPOSED CHANGE 177 Community & Infrastructure Requirements for New Development**Objections**

0332 / 00618

Rev. Peter Cook

0583 / 01365

Myland Parish Council

KEY ISSUES

- Proposed Change 177 would add the words “(see Table 4 for further details)” to the end of the paragraph.
- The failure to provide community facilities within the Highwoods residential area should not be repeated within the large residential developments proposed in Mile End. At present, the Anglican congregation can gather at the Highwoods Community Centre but the facilities are stretched. A new purpose-designed place of worship should therefore be allocated on the former Myland Hospital site.
- No information is provided in the paragraph on the scale of infrastructure improvements to be provided in conjunction with the large-scale developments whose cumulative impact is greater overall than the Garrison Regeneration Area. The local planning authority therefore has to take particular care, in determining planning applications for these developments, that the interests and amenities of the present local community are fully appreciated and protected.

CONCLUSION

18.4.1. Proposed Change 177 provides a useful cross-reference to the provision of community facilities, set out in Table 4 of Chapter 13, especially with regard to the Severalls Hospital development. Therefore, I have no objection to the Local Plan being modified in accordance with the Proposed Change. Section 54A of the Town and Country Planning Act 1990, as amended, requires local planning authorities to have regard to other material considerations, including the environment of existing residents, in addition to the provisions of the

development plan, when determining planning applications for large scale development. Therefore, the Council is required to deal with any large-scale planning applications in Mile End with sensitivity. Consequently, I do not recommend that the Local Plan be amended in response to this aspect of objection 0583/01365.

18.4.2. With regard to the specific proposal from the Rev Peter Cook for a multi-purpose building for the Anglican congregation on the Myland Hospital Site, planning permission has already been granted for residential development without such a facility. It cannot be accommodated on this land at this juncture without the extant planning permission being modified, which is highly unlikely even if the Local Plan were to promote such a new community venture. However, paragraph 8.6 of Chapter 8 allows for the development of churches as an example of community facilities within major new developments. Moreover, at paragraph 8.1.2 I recommend that the Local Plan be modified by the introduction of text and policy permitting the establishment of places of worship within residential areas, provided the criteria of Policy DC1 are met. In the absence of any firm proposals for a new church in the northern residential areas of Colchester that is capable of implementation, I consider that my suggested modifications elsewhere go as far as I can towards meeting the Rev Peter Cook's objection. Therefore, I do not feel able to recommend any further alterations to this part of the Local Plan.

RECOMMENDATION

18.4.3. I recommend that the Local Plan be modified in accordance with Proposed Change No 177.

18.5. PARAGRAPH 18.9(ii) *Removal of Traffic from Mile End Road & Turner Road*

Objection

0583 / 01365

Myland Parish Council

KEY ISSUE

- It is more important that through traffic be removed from Mill Road, which has more residential development on its frontages, than Mile End Road or Turner Road.

CONCLUSION

18.5.1. The Cuckoo Farm proposals contain an east-west leg from Severalls Lane to the section of proposed road running from the section of the Northern Approaches Road, currently under construction, to the proposed access to the A12. This would act as a relief road to Mill Road and ought to ensure that any commercial traffic leaving the A12 by the new access and heading for existing or proposed employment areas need not use Mill Road. In this situation, where so much of the proposed development depends on the new access onto the A12 in any event, the problem of heavy goods vehicles, in particular, passing residential property in Mill Road need be no worse than the situation in Turner Road or Mile End Road after Phase 2 of the Northern Approaches Road is completed, especially if the traffic calming measures, envisaged in Policy ME1(b), are put in place. Therefore, I do not recommend that any modification be made to paragraph 18.9(ii) in response to this aspect of objection 0583/01365.

RECOMMENDATION

18.5.2. I recommend that no modification be made to the Local Plan.

18.6. PARAGRAPH 18.9(iii) *Express Bus Services from North Colchester*

Objection

0583 / 01365

Myland Parish Council

KEY ISSUE

- A segregated bus way on the second phase of the Northern Approaches Road is unnecessary, as the route does not pass through either existing or proposed residential areas. Buses should continue to serve existing residential areas and/or be diverted to run through the new residential allocations.

CONCLUSION

18.6.1. The proposed segregated bus way would cater for express buses from the proposed Cuckoo Farm park-and-ride terminus running non-stop to the North railway station and the town centre and for longer distance routes. Local services would continue to run along Mile End Road and Turner Road and there is no sound reason why they cannot be diverted to serve the new proposed residential areas also. There is a role for both approaches, which are complementary not mutually exclusive. Therefore, there is no need to amend the Local Plan on this point made by objection 0583/01365.

RECOMMENDATION

18.6.2. I recommend that no modification be made to the Local Plan.

18.7. PARAGRAPH 18.10 *Overall Transport Improvements*

Objection

0583 / 01365

Myland Parish Council

KEY ISSUE

- The large housing allocations on Health Authorities' land made in this part of Colchester will give rise to such a substantial fund that an underpass for the Northern Approaches Road will be capable of provision without recourse to the Highway Authority's financial reserves.

CONCLUSION

18.7.1. The question of whether traffic flows, generated by new residential developments in the area, will justify the replacement of the present flat junction, currently being formed between the Northern Approaches Road and Mill Road, with a grade separated layout, will depend on the site-specific negotiations on the level of contributions those sites will make towards the infrastructure requirements of the area. I am firmly of the opinion that this is not a matter upon which the broad-brush limitations of a statutory land-use development plan can make any useful pronouncements upon a highway engineering matter at this juncture. In these circumstances, I see no need to alter this part of the Local Plan in response to the suggestions of objection 0583/01365 on this point.

RECOMMENDATION

18.7.2. I recommend that no modification be made to the Local Plan.

18.8. POLICY ME1 *Community & Infrastructure Requirements*

Objections

0238 / 01469	George Wimpey Plc & Booker Plc
0239 / 00358	Ms M L White
0239 / 02186	Ms M L White
0349 / 00657	Mr & Mrs D P Smith and West Bergholt Parish Council
0569 / 01260	Cants of Colchester/James Bartholomew Trust
0623 / 01462	Gunter Klaphake

KEY ISSUES

- The new access to the A12 to the north of Colchester should be from the A134 Colchester-Sudbury main road, not from a new road that only heads in a southerly direction.
- No development should take place on any of the sites included in the policy until all of the transport infrastructure required by Phase 2A of the Northern Approaches Road is in place, including the segregated bus lane. Development should be car free. Care should be taken at Turner Village that the remaining health authority operational requirements are not overlooked and that it and the land west of the District General Hospital are not overdeveloped.
- All of the transport infrastructure should be in place before any of the housing sites are released, because of the congested nature of Mill Road, before any of the proposed developments have taken place. Only an underpass where Mill Road crosses the Northern Approaches Road will solve this. To expect car usage to be limited by the provision of improved facilities for walking, cycling and public transport is unrealistic. Employment land will be provided when none is necessary. The Northern Approaches Road will split Myland Parish and traffic on its preferred route will give rise to undue noise and disturbance to existing residents, while failing to address the demand for east-west flows parallel to the A12.

CONCLUSION

18.8.1. The question of the provision of a new junction with A12 to the north of Colchester, and the provision of a road to connect to it, are probably the greatest areas of uncertainty in the whole Local Plan, especially as so much residential and commercial development promoted by the plan in North Colchester hinges essentially on whether such a new access ever takes place. The objections of Mr and Mrs Smith, endorsed by West Bergholt Parish Council, Cants of Colchester and George Wimpey plc all point to the superiority of a junction of the A12 and the Northern Approaches Road with the A134. I have considerable sympathy with this point of view. Traffic from the north of the A12 on the A134 could gain direct access onto the trunk road and need not be sucked into the built-up area of Colchester. Mr Smith points out that Suffolk County Council was prepared to put public money into a proposal of this sort because of the improvement it would provide for accessibility to the trunk road from the Sudbury direction. Moreover, the landowners at the site of a junction of this sort, Cants of Colchester, support the provision of this junction.

18.8.2. However, this is an option that has been advanced for some time and, for whatever reason, has not come forward. It is a firm proposal in the current Local Plan, it was the subject of a planning application but, after it was 'called-in' by the Secretary of State, it was withdrawn and I am unaware that any further serious attempt has subsequently been made to bring it to fruition. If it is generally agreed that the Northern Approaches Road, which is

already under construction, should provide a new access to the town from the trunk road then it should be in a form that is capable of being implemented. The Local Plan should not normally be the instrument of bringing it about and the current Local Plan was singularly unsuccessful in that regard. Matters regarding the precise siting of accesses need not be the subject of much Local Plan scrutiny but in this instance much needed residential and commercial development depends on this access being certain of construction. The access now proposed for the A12 is, at the time of writing this report, by no means certain to be provided and, even if the Borough-wide Local Plan is adopted with the access as shown on the Proposals Map, this is no guarantee that it will be constructed any more than was the case for its predecessor. However, a degree of realism has to be applied to this situation and, if it is found that a less satisfactory access to the A12, capable of releasing large swathes of developable land in North Colchester, has a reasonable prospect of being put in place during the lifetime of this Local Plan then that is the one that has to be preferred. With some measure of reluctance, I reject the objections of Mr and Mrs Smith, Cants of Colchester and George Wimpey plc.

18.8.3. The consequences of an access to the A12 to the east of A134 is that an entirely new road has to be constructed to link this to Phase 2a of the Northern Approaches Road currently under construction. This gives rise to the substance of Ms White's two objections. I am satisfied that the east-west link would provide considerable relief to Mill Road congestion accompanied by traffic calming measures in that road. The Council says it will re-examine the possibility of an underpass for Mill Road beneath the Northern Approaches Road should traffic conditions warrant it. This is not a matter in which the Local Plan should intervene. Despite Ms White's severe reservations, I am convinced that the Council is genuine in its promotion of cycling, walking and public transport as viable and attractive alternative modes of getting about in new developments in North Colchester.

18.8.4. Where I find myself in some difficulty with the Council's arguments is that no evidence is supplied regarding the measures that could be taken to protect the amenities of the residents of the short culs-de-sac on the north side of Mill Road, Romulus Close, Remus Close and Thomas Wakeley Close, where the proposed road would run through the narrow pinch point between those dwellings and the retained buildings on the Severalls Hospital land. There is a full planning application for this road currently before the Council and I would expect all possible measures, including landscaping, screening and noise attenuation, to be taken to minimise the possible harm of locating a potentially busy new road so close to existing housing. I do not feel able to intervene any further in the consideration of this planning application beyond stressing the importance of these matters to the Council and any other decision-makers who could be involved. I do not therefore recommend any amendments to the Local Plan with regard to these two objections.

18.8.5. Turning finally to Mr Klaphake's objection, this has largely been overtaken by the grant of planning permission for residential development, including normal provision for the private car, at Turner Rise, Myland Hospital and land to the west of the District General Hospital. The necessary road infrastructure is being put in place including scope for a segregated bus lane. I have no evidence before me that the needs of NHS patients are being overlooked with the retention of some Health Service facilities at Turner Village and I recommend that no action be taken in response to this objection.

RECOMMENDATION

18.8.6. I recommend that no modification be made to the Local Plan.

18.9. POLICY ME1(a) Myland Hospital Site & Land West of the Colchester District General Hospital

Objection

0322 / 00564

Persimmon Homes (Essex)

KEY ISSUE

- Policy ME1(a) should reflect the fact that the section 106 obligation, signed in conjunction with planning permissions for the residential development of the Myland Hospital site and land west of the District General Hospital, put in place the requirements of Policy ME1(a).

CONCLUSION

18.9.1. The objectors do not indicate how the requirements of Policy ME1(a) are more onerous than the terms of the planning permissions and associated agreements granted for the Myland Hospital and District General Hospital sites. As these developments are already under way, with the carrying out of the associated infrastructure projects, any additional requirements, which might be contained within the Local Plan, cannot be retrospectively added onto the planning permissions. Therefore, there is no need to change the Local Plan in response to this objection.

RECOMMENDATION

18.9.2. I recommend that no modification be made to the Local Plan.

18.10. POLICY ME1(b) Severalls Hospital Residential Allocation & Cuckoo Farm Employment Zone

Objections

0514 / 01416

R G Hodge

0573 / 01314

The Secretary of State for Health

0582 / 01352

Colchester Economic Forum

KEY ISSUES

- Running the road from the Northern Approaches Road to the proposed A12 junction through the grounds of the former Severalls Hospital will create a very poor environment for residents of existing adjoining housing. This results from the Northern Approaches Road running to the A12 without connecting to the A134 because of parochial land ownership reasons.
- The development proposed for Severalls Hospital is expected to make too wide a contribution towards transport infrastructure requirements in the area.
- Commercial development can start at Cuckoo Farm before the proposed new access onto the A12 is in place.

CONCLUSION

18.10.1. At paragraphs 18.8.1 to 18.8.4 above, I set out my thoughts on the relationship of the Northern Approaches Road route through Severalls Hospital's grounds to existing adjoining housing and the advantages of the access proposed onto the A12 compared with that advanced in the current adopted Local Plan. There is nothing in Mr Hodge's submissions that

differ from those of the general objectors to Policy ME1. Therefore, I do not intend to rehearse my arguments once more here. The question of the precise contribution that the Severalls Hospital land makes towards transport infrastructure requirements is a matter for negotiation in conjunction with consideration of the outstanding planning applications for its residential development. However, it is generally agreed that no development on any scale should be permitted on that land until the provision of a new access onto the A12 is secured. This would ensure that any development that takes place in advance of that facility being in place would be a short-term stopgap only. These considerations apply with even greater force to employment land at Cuckoo Farm being released early because of the need to protect existing residents from heavy commercial traffic flows being generated without the proper infrastructure links being provided. For these reasons, I do not recommend that any alterations be made to the Local Plan in response to these objectors' submissions.

RECOMMENDATION

18.10.2. I recommend that no modification be made to the Local Plan.

18.11. POLICY ME1(c) Eastern End of Cuckoo Farm

Objections

0055 / 00065
0322 / 00565

Royal London Mutual Insurance Society
Persimmon Homes (Essex)

KEY ISSUES

- The word 'appropriate' should be inserted between 'a(n)' and 'contribution' in the final line of Policy ME1(c).
- If residential development at the eastern end of Cuckoo Farm can take place before all of the transport infrastructure is in place, then the release of some land for housing can take place at the Severalls Hospital site in advance of improvements to the transport infrastructure being secured.

CONCLUSION

18.11.1. It seems to me that the addition of the word 'appropriate' to Policy ME1(c) makes very little difference to whether contributions come in the form of money or land. For the sake of simplicity, I recommend that it is omitted and that Royal London Mutual Insurance's objection is not acted upon. Turning to the objection from Persimmon Homes, it would be difficult to identify any part of the Severalls Hospital site that could come forward without a spine road being in place, whereas the smaller area of residential land at the eastern end of Cuckoo Farm can be released because it does not impinge directly on the proposed new access to A12, only with the associated secondary road network in the form of the east-west leg. Therefore, I recommend that no action be taken in response to this objection.

RECOMMENDATION

18.11.2. I recommend that no modification be made to the Local Plan.

18.12. POLICY ME1(d) Windfall Sites

Objection

0581 / 01343

Royal Eastern Counties School

KEY ISSUE

- Windfall sites in this part of Colchester should not be expected to make the same sort of contributions to infrastructure needs as the major housing allocations, as this would deter the former from coming forward and making an important contribution to housing land supply.

CONCLUSION

18.12.1. Windfall sites are, in my judgement, more likely to come forward if there is a realistic prospect that infrastructure improvements can be secured in tandem with fresh housing development by making the new residential environment more balanced overall. Under these conditions, there seems to me to be no reason for residential windfall sites of ten units or more to be exempt from contributing the appropriate sums towards improved community facilities in the locality, if the size of those contributions fairly and reasonably relates to the scale of the development, as required by Circular 1/97. Modest contributions of this sort have already taken place, where planning permissions for smaller residential sites in the area have been granted. As a consequence, I recommend that no alterations be made to the Local Plan with regard to this objection.

RECOMMENDATION

18.12.2. I recommend that no modification be made to the Local Plan.

18.13. PARAGRAPH 18.11 High Woods Country Park Extension

Objections

0573 / 02097

The Secretary of State for Health

0583 / 01357

Myland Parish Council

KEY ISSUES

- Severalls Hospital land should be a site where the 10% requirement for open space provision can be waived because of its proximity to the Country Park extension.
- The 10% open space requirement should be mandatory across all of the new housing allocations, because of the large volume of new housing and the significant profits that will be realised by the health authorities, the current owners of the sites, enabling them to make the necessary open space provision.

CONCLUSION

18.13.1. The objection from Myland Parish Council stems from the First Deposit Version of Local Plan, which exempted all of the large housing allocations in Myland Parish from providing 10% of their areas as open space, if proper contributions were made towards the enlargement of High Woods Country Park. This approach of waiving normal open space provision as a *quid pro quo* for housebuilder contribution towards Country Park enhancement was inherited from the current adopted Local Plan. The removal of Severalls Hospital from the list of the exempted sites by the Second Deposit Version then attracted the objection of the

Secretary of State for Health. However, the Parish Council objection still remains extant for all the other sites.

18.13.2. Turning first to the objection from the Secretary of State, Severalls Hospital is remote from either the present Country Park or its proposed extension and the housing areas on the hospital land would be severed from the extended country park by existing or proposed busy traffic routes. In that regard, it can be clearly differentiated from the other sites retained in the Second Deposit Version, which are physically closer to the Country Park and lie between it and the route of the Northern Approaches Road. As a result, I am satisfied that the Country Park could not be expected to provide for the day-to-day open space requirements of residents of the Severalls Hospital housing sites and that Severalls Hospital was properly excluded by the Second Deposit Version of paragraph 18.11 from the list of housing allocations that did not have to set aside 10% of their area as open space. Accordingly, I do not recommend that the Local Plan be modified to comply with the Secretary of State's objection.

18.13.3. With regard to the objection of Myland Parish Council, planning permission has been granted for the developments at Myland Hospital and west of the District General Hospital with the 10% concession already factored in. Therefore, the Local Plan procedure cannot intervene to change those permissions. The objection concerning Severalls Hospital has already been met by the Second Deposit Version. That only leaves the land at Turner Village. The Council accepts that the residential allocation, west of the Northern Approaches Road, should make a proper open space allocation because of severance from the Country Park, but the eastern half, close to the Country Park, need not provide open space on a 10% basis. This would be consistent with the third sentence of the paragraph which states that the 10% requirement will be entirely *or partially* (my emphasis) suspended. With the removal of Severalls Hospital from the list of sites that do not have to make open space provision of 10% of their area in part or in full, an approach, consistent with that adopted by the Council for several years, will have been achieved and I am satisfied that no further amendment to paragraph 18.11 is necessary in response to the objection from the Parish Council.

RECOMMENDATION

18.13.4. I recommend that no modification be made to the Local Plan.

18.14. PARAGRAPH 18.12 Community Sports Stadium

Objection

0583 / 01356

Myland Parish Council

KEY ISSUES

- The proposed community stadium should be as far away as possible from people's homes in Boxted Road.
- Under no circumstances should the community stadium be constructed before the access to the A12 is in place.

CONCLUSION

18.14.1. An outline planning application has been made to the local planning authority for the erection of a community stadium. This shows the stadium itself separated from Boxted Road by a wide car park, together with scope for noise attenuation and landscaping to

position the stadium to be as far as possible from existing housing. Policy ME1(b) makes it clear that no development can take place at the western end of Cuckoo Farm without access to the A12 being assured. There is no need for that to be restated in terms here. Whilst this does not involve as great a commitment as the junction with the A12 being in place, I am satisfied that the stadium will not be granted planning permission unless there is certainty that the new junction onto the A12 will proceed. To that extent I consider that the concerns of the objector under reference 0583/01356 have been met without any need for the Local Plan to be amended.

RECOMMENDATION

18.14.2. I recommend that no modification be made to the Local Plan.

18.15. PARAGRAPH 18.13 Cuckoo Farm (South of the A12) Employment Zone

Objection

0583 / 01355

Myland Parish Council

KEY ISSUE

- Nothing has been done to protect existing residents in Boxted Road from the loss of amenity arising from the designation of employment land on their doorsteps.

CONCLUSION

18.15.1. Criterion (d) of paragraph 18.13 would require the provision of a landscaped screen along the Boxted Road frontage. Moreover, the operation of normal development control powers under Policy DC1 should ensure that some noise attenuation measures can be put in place as a condition of a grant of planning permission. Together, these considerations represent a considerable improvement in the protection afforded to Boxted Road residents' amenities over the First Deposit Version of paragraph 18.13, against which the objection was raised. I am satisfied that the Local Plan requires no further amendment in response to this objection.

RECOMMENDATION

18.15.2. I recommend that no modification be made to the Local Plan.

18.16. PARAGRAPH 18.13(b) Landscaped Buffer Alongside the A12

Objection

0238 / 01469

George Wimpey Plc & Booker Plc

KEY ISSUE

- The landscaped buffer alongside the A12 should be at least 50m wide to protect the historic setting of Colchester.

CONCLUSION

18.16.1. I do not consider it proper that a Local Plan should specify the width of landscaped buffers to employment land whether they enhance the setting of an historic town or not. This is essentially a detailed matter to be resolved in the normal course of

development control procedures. The Local Plan should do no more than identify the need for a landscaped buffer in principle and no amendment to the plan needs to be made with regard to this objection.

RECOMMENDATION

18.16.2. I recommend that no modification be made to the Local Plan.

19 Chapter 19 - Stanway

19.1. PARAGRAPH 19.3 & PROPOSED CHANGES 56 & 57 Objectives

Objections

0459 / 00931	CPRE(Essex)
0459 / 00937	CPRE(Essex)
0839 / 02365	O & H Holdings Ltd

KEY ISSUES

- Proposed Change 56 would amend objective (d) of paragraph 19.3 by inserting the words “*beyond the currently or proposed built up areas*” in line 2 after the words “*western side*” and before the word “*to*”.
- The wording of Proposed Change 56 is imprecise and it is unclear what impact it would have upon the leisure and community facilities included in an outline planning permission granted in 1995.
- Proposed Change 57 would amend objective (e) of paragraph 19.3 by adding the words “*..., in particular St. Albrights, Stanway Green and the area of the Parish between the Roman River and St. Albrights Church.*” to the end of the objective.
- The Stanway area is in greater need of new woodland and tree-planting than any part of the Borough, especially on former gravel pits. There should therefore be an additional objective and a new policy to cover that point.

CONCLUSION

19.1.1. With regard to the objection to Proposed Change 56, I am satisfied that this is resolved by the changes to the ‘CL’ designation discussed at 19.6.1 of my report below. If my recommendation at 19.6.2 is accepted, then I am satisfied that the concerns of O & H Holdings Ltd will have been met and no further changes to objective 19.3(d) will be necessary other than that suggested by Proposed Change 56. I recommend its adoption and that of Proposed Change 57.

19.1.2. Turning to the objections of CPRE (Essex), I set out elsewhere in my report at 5.4.1, 5.4.2, 10.4.1 and 10.4.2 why I consider that the objections of CPRE (Essex) and others, to the failure to provide Borough-wide policies on woodland and tree planting, merit support. I agree with the objectors that the current western urban edge of Stanway is harsh and unattractive but this is bound to mellow as planning permissions are implemented in full and the effects of tree planting on the remaining open land can be fully appreciated. Therefore, I see no need to alter the Local Plan in response to these site-specific objections. However, these considerations should not be taken by the Council as an indication of dilution for the need, as I see it, for an across-the-board approach and policy towards woodland and tree-planting.

RECOMMENDATION

19.1.3. I recommend that the Local Plan be modified in accordance with Proposed Changes Nos 56 and 57.

19.2. PARAGRAPH 19.9

Land Between Essex Yeomanry Way & South of Church Lane

Objection

0080 / 00092
0853 / 00857
0839 / 02016

Guia Limited
Corporate Investment Ltd
O & H Holdings Ltd

KEY ISSUES

- According to paragraph 19.9(i), housing land in the ownership of O & H Holdings can be developed without the completion of any part of the Stanway Western By-pass. In contrast, according to paragraph 19.9(iii), land in the ownership of the D Watts Group to the north and south of London Road can only be developed for employment purposes when the stretch of the Stanway Western By-pass between Warren Lane and Essex Yeomanry Way has been secured by legal agreement. Consequently, the latter is an unreasonable requirement.
- The second phase of housing can be developed by O & H Holdings Ltd without the need for the Western By-pass being implemented over land in the control of Corporate Investments.
- Paragraph 19.9(ii) is incorrect because a clause in a section 106 obligation entered into by the Council allows for housing in the second phase of the residential development to be occupied if an alternative means of access can be provided.

CONCLUSION

19.2.1. In its written submissions on the Stanway objections, the Council makes suggested alterations to the main body of paragraph 19.9 and its proviso (ii) to permit the second phase of housing to be erected on O & H Holdings Ltd's land without the section of the Stanway Western By-pass between Warren Lane and London Road coming forward if an alternative access can be found. I am satisfied that these suggested amendments would overcome that objector's concerns and also those Corporate Investments, who recognise the scope for access to O & H Holdings' land without the use of their site.

19.2.2. These amendments do not satisfy the objection of Guia Ltd. At first blush the additional requirements of the safeguarding of the provision of the entire line of the Stanway Western By-pass being at least guaranteed by legal agreement seems to place an undue burden on their employment land coming forward. However, it has to be remembered that alternative means of access can be provided for both phases of housing development before the by-pass needs to be in place. In addition, the traffic flows associated with residential development and commercial, especially employment development, are very different. Although in residential areas peak flows take place in the rush hours, these tend to be less concentrated than at employment nodes and flows are much more diffused throughout the day and throughout the week. In employment areas, the main flows are packed much more intensively into short periods and the road network has to be able to cope with these, not only for the traffic generated by the new employment opportunities but also for the vehicle movements on the existing road network. Therefore, although the provisions of paragraph 19.9 may seem internally inconsistent and unfair, I consider them to be soundly based and I do not make any recommendations for the modification of the paragraph in the objector's favour.

19.2.3. Having said that, the bringing forward of the stretch of the By-pass between Essex Yeomanry Way and London Road has been severely cast in doubt by the refusal of planning permission by the First Secretary of State on 30 September 2002 for the provision of that stretch of road in conjunction with non-food retailing, offices and commercial building on adjoining land. Because of these uncertainties, the local planning authority may wish to look again at the contents of paragraph 19.9(iii), or interpret its provisions in a pragmatic and sympathetic manner, so that at the very least any undeveloped land on the south side of London Road in the objectors' control might come forward for employment purposes once the line of the stretch of the By-pass between Warren Lane and London Road has been secured.

RECOMMENDATION

19.2.4. I recommend:-

- (a) that the Local Plan be modified by the deletion of the second sentence of paragraph 19.9 and the insertion of the following:- *“Similarly, the Western By-pass scheme is regarded by all the key partners (Borough Council, County Highway Authority and the two principal landowners) as an equally vital element in helping to cope with the traffic generated by these allocations.”*;
- (b) that the Local Plan be modified by the deletion of proviso (ii) of paragraph 19.9 and the insertion of the following:- *“the second phase of housing and any formal outdoor and indoor leisure provision can be commenced when the Western By-pass between Warren Lane and London Road has been secured by legal agreement, unless an interim arrangement for access is agreed which does not prejudice the objective of securing the whole of the Western By-pass;”*.

19.3. POLICY STA2 Land Between Essex Yeomanry Way & South of Church Lane

Objections

0080 / 00093	Guia Limited
0080 / 01921	Guia Limited
0238 / 01473	George Wimpey Plc & Booker Plc
0459 / 00933	CPRE(Essex)
0839 / 00318	O & H Holdings Ltd
0853 / 01922	Corporate Investment Ltd

KEY ISSUES

- No further housing should be constructed until the stretch of the Stanway Western By-pass between Warren Lane and Essex Yeomanry Way has been completed.
- The line of the Stanway By-pass, as shown on the Proposals Map, is not on the currently preferred route.
- No objection is raised to the Council's suggested alterations to Policy STA2 as such, but an objection is sustained to the reference back to paragraph 19.9 in its entirety, in particular 19.9(iii), unamended since the publication of the First Deposit Version.
- Because of the uncertainties of the provision of the Stanway Western By-pass, housing allocations here can be discounted for the purposes of contributions to the housing land supply during the lifetime of this Local Plan.

CONCLUSION

19.3.1. The Council makes suggested amendments to the policy essentially referring back to the requirements of paragraph 19.9 and thereby avoiding unnecessary duplication of text. This overcomes the first objection of Guia Ltd regarding the meaning of what can be secured by a legal agreement. However, it does not satisfy that organisation's second objection or that of Corporate Investment Ltd to the retention of clause 19.9(iii). This is discussed at 19.2.2 above, in connection with Guia Ltd's objection to paragraph 19.9, and need not be reiterated here. Alternatively, I consider that a blanket prohibition on new housing until the Western By-pass is complete, as advanced by CPRE (Essex), is unrealistic and measures have been taken to release housing land on the O & H Holdings Ltd's site without the need for further sections of the by-pass to be provided at this stage. Therefore, I do not accept the CPRE objection. By the same token, significant numbers of houses can now be built during the lifetime of this plan in the second phase of development of O & H Holdings Ltd's land without the by-pass proceeding. Therefore, the objection of George Wimpey plc and Booker plc is rejected. Finally, the Council, in its written submissions, agrees that the preferred line of the Western By-pass is not correctly shown on the Proposals Map. I recommend that it be modified in accordance with the current likely scheme.

RECOMMENDATION

19.3.2. I recommend:-

- (a) that the Local Plan be modified by the deletion of the second sentence of Policy STA2 and the insertion of the following:- *"Release of the land will be subject to the provisions of paragraph 19.9 above."*
- (b) that the Local Plan be modified on the Proposals Map by the alignment of the Stanway Western By-pass being altered in accordance with its currently agreed routing.

19.4. PARAGRAPH 19.10(a) & PROPOSED CHANGE 112 Zone South of Church Lane

Recreational

Objection

0839 / 02017 O & H Holdings Ltd

KEY ISSUES

- The development of 19.83ha of recreational land granted planning permission in March 1995 is not tied to the construction and completion of the entire length of the Stanway Western By-pass. Therefore the second sentence of paragraph 19.10(a) should be deleted.
- Proposed Change 112 would delete the second sentence of paragraph 19.10(a).

CONCLUSION

19.4.1. Proposed Change 112 would comply with the objection and is an accurate description of the current situation. Therefore, I recommend that Proposed Change 112 can proceed.

RECOMMENDATION

19.4.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 112.

19.5. PARAGRAPH 19.12 & PROPOSED CHANGE 178 Recreational Zone South of Church Lane

Objections

0659 / 01646
0660 / 01636

J J Heath
Colchester Natural History Society

KEY ISSUES

- Proposed Change 178 would add a new criterion (f) to paragraph 19.12 to read as follows:- “(f) *an ecological assessment will be required as part of the formulation of proposals to ensure that any nature conservation interests are accounted for.*”
- Nationally rare bees and wasps live in the bare sandy faces of the existing pits. Therefore an ecological assessment of their requirements should be carried out before development proposals are formulated.

CONCLUSION

19.5.1. The Council states the Proposed Change, concerning nature conservation interests, would meet the objection of the Colchester Natural History Society. I am satisfied that it would also meet the concerns of Mr J J Heath, except that he points out that this is a sixth important consideration in realising the recreational potential of sites to the south of Church Lane. Therefore, I recommend deletion of the word ‘five’ in line 1 of paragraph 19.12 and its replacement with ‘six’.

RECOMMENDATION

19.5.2. I recommend:-

- (a) that the Local Plan be modified in accordance with Proposed Change No 178;
- (b) that the Local Plan be modified in the first sentence of paragraph 19.12 by the deletion of the word “*five*” and the insertion of the word “*six*”.

19.6. PARAGRAPH 19.13 & POLICY STA3 Recreational Zone South of Church Lane

Objections

0839 / 00320
0162 / 01461

O & H Holdings Ltd
Stanway Parish Council

KEY ISSUES

- Paragraph 19.13 should not make specific reference to the possible siting of a hotel or country club within the Church Lane/Maldon Road leisure area.
- Paragraph 19.13 and Policy STA3 should not place restrictions upon private sector leisure development additional to those included in an outline planning permission granted in 1995.

CONCLUSION

19.6.1. The objection in the second bullet point has effectively been removed following agreement between the Council and O & H Holdings that amalgamation of the private leisure and public recreation areas on the latter’s site south of Church Lane into an enlarged “CL”

designation would satisfy their concerns. I recommend the modification accordingly. Turning to the objection of Stanway Parish Council, reference to hotel or country club use in paragraph 19.13 was inherited from a policy in the current adopted Local Plan. The intention remains that the area should remain predominantly open and reference to this provision has been watered down in the Second Deposit Version by the insertion of the word ‘possible’. Nevertheless, the Council is being realistic that some form of built development may be required to get the whole area back to a beneficial recreational after-use by allowing for some indoor facilities associated with leisure. Therefore, I do not see that the Local Plan requires any further modification in response to this objection.

RECOMMENDATION

19.6.2. I recommend that the Local Plan be modified by the application of a “CL” allocation across all 19.83ha of the recreational zone south of Church Lane referred to in paragraph 19.10(a).

19.7. POLICY STA4 & PROPOSED CHANGE 58 *Peartree Road Mixed Use Area*

Objection

0904 / 02343

Colchester & East Essex Co-operative Society Ltd

KEY ISSUES

- Proposed Change 58 would replace the Peartree Road employment zone designation on the Proposals Map with a Peartree Road Mixed Use Area designation to which Policy STA4 would apply.
- The objectors support the designation, made by the Second Deposit Version of the Local Plan, but consider that the Fiveways Foodstore and petrol filling station, which is designated as a food superstore under Policy TCS2a and Proposed Change 80, should be added to the Mixed Use Area designation.

CONCLUSION

19.7.1. Proposed Change 58 would ensure that the Proposals Map now conforms with Policy STA4, introduced by the Second Deposit Version. This proposed change must be adopted for the sake of consistency.

19.7.2. The remaining objection from the Colchester & East Essex Co-op is effectively determined by my conclusions in Chapter 15 of my report. At paragraph 15.8.10 I conclude that the food superstore, along with other residential units mainly of a bulky goods nature, do not perform a local centre function. However, at paragraph 15.4.8 I indicate that there are considerable logistical problems in hiving off the food superstore designation from the mixed-use area when, for instance, the superstore’s car parking facilities are shared with retail units within the mixed-use area. I also point out there that criterion (a) of Policy STA4 allows for expansion of food and non-food retail uses within their existing curtilages provided the vitality and viability of other centres remains unaffected. If the food retail use referred to in STA4(a) relates to the Fiveways Store, and I cannot see how it refers to anything else, then the separate TCS2a designation has to be considered wholly illogical. I can find nothing in the Council submissions in support of the allocation of a food superstore separate from the Peartree Road Mixed Use Area. Therefore, I recommend that the TCS2a allocation on the Proposals Map be subsumed into the Peartree Road Mixed Use Area.

RECOMMENDATION

19.7.3. I recommend:-

- (a) that the Local Plan be modified in accordance with Proposed Change No 58;
 - (b) that the Local Plan be further modified in Proposed Change No 58 by the deletion of the adjoining Policy TCS2a designation on the Proposals Map, suggested by Proposed Change No 80, and its addition to the Peartree Road Mixed Use Area.
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20 Chapter 20 - Tiptree

20.1. PARAGRAPH 20.2 Objectives

Objection

0331 / 00611

Colchester & East Essex Co-operative Society Ltd

KEY ISSUE

- Objective 20.2(b), requiring the provision of new employment opportunities at Kelvedon Road, should be deleted and Tiptree's employment requirements should continue to be met at the Book Services site, so objective (g) should be amended accordingly.

CONCLUSION

20.1.1. Planning permissions have been granted for retail and residential development on the Tiptree Book Services site and the retail element of those permissions has already been carried out in full. As there is no realistic prospect of the Book Services site being redeveloped in its entirety for employment purposes, no amendment need be made to the Local Plan in response to this objection.

RECOMMENDATION

20.1.2. I recommend that no modification be made to the Local Plan.

20.2. PARAGRAPH 20.6 & POLICY TIP2 Tiptree Book Services (T.B.S) Site

Objections

0013 / 00014	Mr A & Mrs D Charles
0023 / 00026	Councillor Mrs J Bunney
0052 / 00060	Mrs S Libby
0084 / 00098	Mr M J Robards
0221 / 00303	Mrs P J Brace
0331 / 00612	Colchester & East Essex Co-operative Society Ltd
0331 / 00614	Colchester & East Essex Co-operative Society Ltd
0459 / 00919	CPRE(Essex)
0487 / 01003	Mrs P L Robards
0504 / 01032	Tesco Stores Ltd
0606 / 01434	Feering Parish Council
0627 / 01487	London & Amsterdam Developments Ltd
0675 / 01676	Councillor M E Dale
0678 / 01685	Tiptree Development Forum
0845 / 02007	Mrs M Harris (Tiptree Parish Council)

KEY ISSUES

- The precise nature and extent of the mixed uses to be located on the former Tiptree Book Services site (retailing, housing and employment) should be clarified.
- The proposed uses for the site have not been properly evaluated and their impact upon the environment in Tiptree, especially increases in traffic and its impact on access to a nearby primary school, have not been fully assessed.
- The site should be retained mainly for employment purposes to reduce out-commuting, including business start-up units, with some affordable housing and additional open space

to assist in meeting the perceived shortfall in Tiptree. The Council should use its powers of compulsory acquisition to improve access to retained employment uses on the site.

- The existing Co-op Fiveways store already provides the role of food superstore in Tiptree. Another similar store in Tiptree would erode its village character and residents seeking a larger operation can travel elsewhere. Further shopping is not required, as existing retail units in Tiptree are standing empty.
- No further housing should be permitted on the site following the construction of 400 units at Grove Road, which already overload existing local facilities. Allowing significant numbers of new houses on this site would be contrary to the undertaking given in paragraph 20.1 of the Second Deposit Version that no major new housing sites will be granted permission in Tiptree once existing adopted Local Plan commitments have been exhausted.

CONCLUSION

20.2.1. The clarification of the mixed uses deemed to be acceptable on the former Tiptree Book Services site, sought by Tesco Stores Ltd and London & Amsterdam Developments Ltd, has fundamentally been answered by the grant of planning permission by the local planning authority during 2001 for the erection of a Tesco retail store fronting onto Church Road with a floor area of 2,600m² and for the erection of 121 residential units, including some live/work units. By the time that this report is published, the Tesco store will have been trading for several months and at the time of writing this report, residential development on the site is well advanced. I have no reason to doubt that the Council took the concerns raised by the other objectors above fully into account when reaching its decisions on the planning applications made for retail and residential development on this land. Some of them, such as CPRE (Essex) for business start up schemes, may have been taken on board in the provision of live/work units. Some of the other objections are also to be met in part by the provision of a community centre, some public open space and the scope for erecting employment premises on the remainder of the Church Road frontage not occupied by the Tesco Store. However, clearly the pattern of development for this site is already determined and I am unable to interfere in this on the part of the objectors, even if I were minded to do so. As the approved and largely implemented planning permissions for this land essentially conform to paragraph 20.6 and Policy TIP2, I recommend that no amendments be made to either, except that the final wording of both may be changed in the adopted Local Plan to reflect the situation at that time.

RECOMMENDATION

20.2.2. I recommend that no modification be made to the Local Plan.

20.3. PARAGRAPHS 20.7 & 20.8 & POLICY TIP3 *Employment Land*

Objections

0023 / 00025	Councillor Mrs J Bunney
0087 / 00102	Mr D G Palmer
0218 / 01371	Tiptree Parish Council
0331 / 00613	Colchester & East Essex Co-operative Society Ltd
0350 / 02232	Bovis Homes Ltd
0426 / 00844	Kelvedon Parish Council
0459 / 00920	CPRE(Essex)
0606 / 01419	Feering Parish Council
0678 / 01686	Tiptree Development Forum

KEY ISSUES

- Reference to the provision of business start-up units could be made in paragraph 20.7 and Policy TIP3.
- The existing employment allocations in Kelvedon Road are unattractive and their access is hampered by poor visibility. Therefore, employment sites should not be allowed to expand there.
- The employment designation at Kelvedon Road should be deleted and that for the Book Services site should be restored. There is no realistic prospect of new employment land being found in Tiptree unless the Book Services site is developed as a business park or some other suitable site for Class B1 business use is found.
- The unemployment figures quoted in paragraph 20.8 should be updated every six months.
- The enlarged employment allocation at Kelvedon Road is in private hands and is unlikely to come forward for employment purposes while the current owners pursue their objectives of seeking planning permission for other forms of development.
- Consideration should be given to linking the two employment areas off Kelvedon Road or redefining the allocations to achieve a mix of employment and residential uses, the latter helping to underpin infrastructure costs that have hampered the release of the land.
- No further employment development should be permitted at Kelvedon Road, as this would encourage more HGV and other road traffic to pass through the residential sections and conservation areas of Feering and Kelvedon in travelling to and from the A12 trunk road.
- Policy TIP3 looks upon the site at the junction of Kelvedon Road and Grange Road as a new employment zone, whereas paragraph 20.7 admits that this allocation is merely rolled forward as an undeveloped site from the current adopted Local Plan. This confusion should be resolved. Because of the slowness at which development has taken place at Kelvedon Road, a further allocation should be made on the site of existing workshops at Grange Road. This site would avoid traffic from the A12 passing through Kelvedon and Feering, is no more isolated from the village centre than the Kelvedon Road land and its development could allow the existing network of public footpaths to be improved and cycleways to be provided across the surrounding open land, thereby reducing dependency on the private car for journeys to work.

CONCLUSION

20.3.1. Paragraph 20.7 of the Second Deposit Version makes reference to the possible inclusion of 'start-up' units on the employment land at Kelvedon Road. I am satisfied that this is as far as the Local Plan can go in meeting the objection of CPRE (Essex). I explain, at paragraph 20.2.1 above, why it is now impractical for the Tiptree Book Services site to be restored to its former employment allocation. Mr Palmer does not put forward any alternative site for his proposed business park. Therefore, I do not recommend that any action be taken in response to his objection or to that of the Colchester and East Essex Co-op. I am not in a position to comment upon the attractiveness or otherwise of the existing employment sites in Kelvedon Road, nor upon their record in highway safety terms. However, what is clear to me is that the development of the proposed allocations would tie the existing employment land at the Tower Business Park more effectively into the existing settlement pattern of Tiptree and would not lead to its coalescence with Inworth to the north. Therefore, I do not recommend that Local Plan be modified in response to the objection from Councillor Mrs Bunney. The unemployment figure quoted in paragraph 20.8 is merely a snapshot of the situation in 1998 and matters may well have changed in the meantime. The Council may wish to consider whether to update this figure prior to the Local Plan adoption if it helps its case, but a constant revision of the Local Plan throughout its life to keep abreast of the latest unemployment statistics is clearly unrealistic. As a consequence, I reject the objection from Tiptree Parish Council.

20.3.2. The concerns of Kelvedon and Feering Parish Councils, towards traffic of all types generated by development in Tiptree passing through their jurisdictions on the way to the A12 and railway stations, are long standing. Some of these flows could have been ascribed in the past to the substantial body of employment at the Tiptree Book Services site, which has now been displaced to its relocated premises adjoining the A133 main road to the east of Colchester at Frating in Tendring District. It is impossible to control the directions from which traffic generated by employment land at Kelvedon Road will come but the likelihood is that employment densities on that site are unlikely to approach the numbers formerly working at the Book Services premises. There is no realistic route to and from the A12 trunk road for traffic generated by existing or new business premises in Kelvedon Road other than via Inworth, Feering and (westbound) Kelvedon. However, I am reasonably convinced that this is not a question of Colchester Borough Council shipping its problems into Braintree District. All the roads concerned are at least secondary in nature and therefore accessible to all forms of traffic. I accept that the situation is less than ideal, but, in the absence of any new accesses being proposed onto the A12 in the vicinity, it is unlikely to be capable of resolution in the foreseeable future. In the meantime, I am satisfied that, because of the resulting logical expansion of existing business activities towards the centre of Tiptree, the proposed employment allocations in Kelvedon Road should not be frozen because of the potential adverse impact of additional traffic upon residents of Inworth, Feering and Kelvedon. With the removal of the flows attributable to the Book Services operation, I consider that the effects of additional employment land at Kelvedon Road upon occupiers of housing in those three settlements would be no worse than neutral overall. In these circumstances, I recommend that no action be taken in response to these two objections.

20.3.3. Tiptree Development Forum points to the inconsistency between paragraph 20.7, where the site at the corner of Kelvedon Road and Grange Road is described as a 'roll-forward' employment allocation and Policy TIP3 where it is said to be a new allocation. I accept what the objectors say, but I see no need to recommend alterations to the Local Plan as the effect would be the same; undeveloped and therefore 'new' land would remain allocated as an employment zone. The Development Forum also proposes an additional employment zone in Grange Road, which could compensate for the slowness of development at Kelvedon

Road and can be served by routes avoiding Kelvedon, Feering and Inworth. I am satisfied that this site can make a contribution towards creating employment opportunities, given its long history of job creation in the past. However, because of its isolated siting in open countryside, I agree with the Council that the premises should be more properly regarded as a freestanding rural business site. This is discussed further in paragraph 20.4.1 below. Consequently, no action need be taken in response to this objection. The final two objections, from Bovis Homes Ltd and Edward Gittins Associates, relate to the development of the employment allocations at Kelvedon Road in part for residential development. I reject the expansion of housing development on a substantial scale in this part of Tiptree for the reasons set out in paragraphs 13.74.1 to 7 above. The employment allocation on this site is confirmed and the arguments of Bovis Homes Ltd are rejected. Those of Mr Gittins are more attractive. A limited quantity of housing to 'kick-start' development, on sites that have lain fallow for several years, may be a means of bringing about comprehensive release of land with potential for employment purposes across existing and expanded allocations. However, the precise manner in which this might come about is not a matter for a broad-brush Local Plan. Any limited house construction should be looked upon as small-scale enabling development, not a wholesale release of residential land, and the Local Plan is not the mechanism for determining how much residential development would be involved or its precise siting. Therefore, I do not recommend that any amendment be made to the Local Plan with regard to Mr Gittins's objection.

RECOMMENDATION

20.3.4. I recommend that no modification be made to the Local Plan.

20.4. PARAGRAPH 20.9 & PROPOSED CHANGES 59, 60 & 61 Newbridge Road Industrial Development Limit

KEY ISSUES

- Proposed Change 59 would change the title of paragraph 20.9 from "*Newbridge Road Industrial Development Limit*" to "*Rural Business Sites*".
- Proposed Change 60 would result in the deletion of the words "*within 'Industrial Development Limits'*" after the word "*designated*" in line 3 of paragraph 20.9 and their replacement with the words "*as 'Rural Business Sites'*".
- Proposed Change 61 would delete the words "*Industrial Development Limit*" at the end of paragraph 20.9 and replace them with the following:- "*...Rural Business Site. The former Tiptree Basketworks site, in Grange Road, has also been designated as a 'Rural Business Site'.*"

CONCLUSION

20.4.1. The net effect of these three Proposed Changes is to bring paragraph 20.9 into line with Policy EMP5 by equating the Alexander Cleghorn Ltd premises in Newbridge Road to a Rural Business Site and expanding the concept to the former Tiptree Basket works site in Grange Road. I endorse this approach. However, following the publication of the First Schedule of Proposed Changes, in which these three proposals first appeared, Proposed Change 169 of the later Third Schedule advocates the title change of Rural Business Sites to 'Freestanding Rural Business Sites' and I recommend its adoption at paragraph 14.16.5 above. For the sake of consistency, the word 'freestanding' should be added, where appropriate, to Proposed Changes 59, 60 and 61 also.

RECOMMENDATION

20.4.2. I recommend that the Local Plan be modified in accordance with Proposed Changes Nos 59, 60 and 61, subject to the addition of the word “*freestanding*” before the word “*rural*” wherever the latter appears within the three Proposed Changes.

20.5. PARAGRAPH 20.10, TABLE 9 & PROPOSED CHANGE 113; PARAGRAPH 20.11, TABLE 10 & PROPOSED CHANGES 114, 115, 116, 117, 118 & 119

Open Space

Objections

0218 / 01369	Tiptree Parish Council
0218 / 01370	Tiptree Parish Council
0218 / 01758	Tiptree Parish Council
0417 / 02453	Granville Developments
0678 / 01687	Tiptree Development Forum

KEY ISSUES

- A new policy for open space in Tiptree should be added to the Local Plan, giving it priority over other settlements, because of the severe deficiency there.
- The figure of 1.27 hectares of open space per 1,000 population for 1996, as set out in paragraph 20.10 and Table 9 of the First Deposit Version, is wrong.
- Proposed Change 113 would amend the 2011 'Open Space provision per 1,000 population' from “0.50ha” to “1.59ha” in Table 9 and the 'Shortfall of open space per 1,000 population in Tiptree' from “2.33ha” to “1.24ha”.
- The notes to Table 9, regarding projected population growth at Tiptree, should be deleted.
- Proposed Change 114 would amend the figure of “2.77ha” in line five of paragraph 20.11 to “1.59ha” per 1,000 population.
- The figure of 1.59ha of open space provision per 1,000 population in Tiptree, as revised by Proposed Change 114, would be considerably increased in conjunction with the objector’s proposed release of housing on land to the south-west of Pennsylvania Lane (Brook Meadows).
- Land included as proposed open space in Tiptree in Table 10 at Rosemary Crescent, Grove Road, Warriors Rest and Inworth Grange should be deleted. Public open space for the existing population in Tiptree should be found elsewhere within the settlement boundaries to bring the open space provision up to the requirement of 2.83ha per 1,000 population.
- Proposed Change 115 would insert “Gaffney’s” into Table 10. Its size in hectares would be “0.93” and its contribution in hectares of new open space, which would be created per 1,000 population in Tiptree, would be “0.10”. The words “...or the Gaffney’s site” would be deleted from Note 3 to the table.
- Proposed Change 116 would delete the “Grove Road” and “Warrior’s Rest” entries in Table 10 from the list of proposed new open space provision locations in Tiptree.

- Proposed Change 117 would replace the total proposed public open space figure in hectares in Table 10 of “16.98” with “1.43” and would replace the newly created open space figure of “1.77” hectares per 1,000 population in Tiptree with “0.15”.
- Proposed Change 118 would replace the existing open space provision figure in hectares in Tiptree (total) in Table 10 of “4.83” with “13.79”.
- Proposed Change 119 would replace the grand total figure in hectares of existing and proposed open space sites in Tiptree in Table 10 of “21.81” with “15.22” and would replace the newly created open space figure of “2.27” hectares per 1,000 population in Tiptree with “1.59”.

CONCLUSION

20.5.1. The local planning authority recognises that Tiptree has long suffered from a public open space deficit in comparison with its standards of 2.83 hectares per 1,000 population and with other urban areas in the Borough. Inserting a special policy would not, in my judgement, advance the process in Tiptree any more quickly than reliance upon the general Borough-wide policies on leisure, set out in Chapter 10, notably Policies L4 and L5 and their supporting text. Therefore, I do not recommend that any changes be made with regard to the objection from the Tiptree Development Forum. The figure of 1.27ha of existing open space in Tiptree per 1,000 population in 1996, as set out in paragraph 20.10 and Table 9 of the First Deposit Version, was wrong. This was corrected by the figure of 0.6ha in the Second Deposit Version and the first objection of Tiptree Parish Council has been met. The Parish Council does not explain why it objects to the notes to Table 9. These show how the figures in Table 9 were derived. Therefore, I recommend that no action be taken in respect of the second objection from Tiptree Parish Council.

20.5.2. The final objection from Tiptree Parish Council to paragraph 20.11 and Table 10 is more fundamental. Proposed open space provision at Inworth Grange was deleted in the Second Deposit Version. In addition, in line with my recommendation with regard to Policy L5a at paragraph 10.14.8 above, I recommend the deletion of the words “... as shown on the *Proposals Map*” be deleted from the penultimate line of paragraph 20.11. The Council concedes, in its submissions with regard to this objection, that the proposed open space at Rosemary Crescent will not now proceed. In the light of past planning history, outline planning permission was granted in November 2001 for residential development of the site. Therefore, reference to Rosemary Crescent in paragraph 20.11 and Table 10 will need to be deleted as will reference to the land at the Warrior’s Rest at paragraph 20.11 if it is to comply with Proposed Changes 76 and 116. The Second Deposit Version reduced the Warrior’s Rest contribution from 14.50 hectares to 12.38, which goes some way towards the Parish Council figure of 10.5. It is not clear why the Parish Council considered the new open space at Grove Road did not contribute in part towards the existing population of Tiptree. It is now open in full and caters for the community at large. Therefore, its overall area of 4.1 hectares can be counted as existing open space in accordance with Proposed Change 116.

20.5.3. The net effect of this is that all of the carefully reworked figures in Proposed Changes 113, 114, 117, 118 and 119 (with the possible exception of Proposed Change 118) will need to be recalculated downwards to make allowance for the deletion of Rosemary Crescent. I do not intend to carry out that operation but the only new site now identified in Table 10, as amended by Proposed Change 115, is Gaffney’s. In the light of the planning permissions on the Tiptree Book Services site, the Council may wish to look again at Note 3 and add its open space provision into new sites or even existing open space in Table 10. I suggest that all of this exercise be delayed until a time closer to the adoption of the Local Plan and that Proposed

Changes 113, 114, 115, 117 118 and 119 do not proceed, although the figure of open space provision for Tiptree of 1.59 hectares per 1,000 population by the end of the plan period in 2011, as anticipated by Proposed Changes 113, 114 and 119, is unlikely to be improved upon. Despite this severe shortfall, in comparison with the Council's desired standard of 2.83 hectares per 1,000 population, I do not consider that this is sufficient justification for the release of large areas of open greenfield land for residential development on the west side of Tiptree for the reasons set out in paragraphs 13.74.1 to 7 inclusive above. Therefore, I do not recommend that any action be taken in respect of Granville Developments objection to Proposed Change 114. In the absence of large sites, other than Tiptree Book Services, coming forward for redevelopment within the existing settlement boundary of Tiptree during the lifetime of this plan, the prospect of sites being found for additional public open space within the present built-up area are remote. Therefore, I do not recommend that any changes be made in response to the last aspect of the final objection from the Parish Council, despite the serious residual shortage of open space at Tiptree in comparison with the Council's longstanding standards.

RECOMMENDATION

20.5.4. I recommend:-

- (a) that the Local Plan be modified in accordance with Proposed Changes Nos 115 and 116;
- (b) that Proposed Changes Nos 113, 114, 117, 118 and 119 be not proceeded with but that figures in Table 9, paragraph 20.11 and Table 10 be recalculated to reflect existing and proposed open space provision in Tiptree at the time of the plan's adoption;
- (c) that the Local Plan be modified in paragraph 20.11 by the deletion of the words "*Rosemary Crescent and Warrior's Rest*" and "*as shown on the Proposals Map*";
- (d) that the Local Plan be modified by the deletion of Rosemary Crescent and its attendant figures from Table 10.

20.6. TIPTREE INSET & PROPOSED CHANGE 122 Predominantly Residential Area

Amend Boundary of

KEY ISSUE

- The Tiptree Inset of the Proposals Map would be amended by Proposed Change 122 to exclude some of the long rear gardens on the periphery of the village from the developable area and would follow the settlement boundary of the current adopted Local Plan.

CONCLUSION

20.6.1. Reverting to the settlement boundary of the present adopted Local Plan, while leading to a less recognisable boundary on the ground, would provide a buffer against the possibility of housing development taking place cheek-by-jowl with the Tiptree Heath SSSI. In these particular circumstances, I am prepared to accept that the Local Plan boundary of the residential area in this part of Tiptree can continue to follow its somewhat ill-defined and illogical configuration.

RECOMMENDATION

20.6.2. I recommend that the Local Plan be modified in accordance with Proposed Change No 122.

21 Chapter 21 - Implementation and Control**21.1. SCHEDULE 2 *Extra Requirements to Policy Areas*****Objection**

0388 / 00741

English Nature

KEY ISSUE

- In Section 2(ii)(b), relating to Policy CO5, reference should be made to section 39 not section 38.

CONCLUSION

21.1.1. This is clearly a misprint.

RECOMMENDATION

21.1.2. I recommend that the Local Plan be modified by the deletion of “S.38” in subsection 2(ii)(b) of Schedule 2 to Chapter 21 of the Local Plan and the insertion of “S.39”.

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0001/00001/CE 08 Wivenhoe	Mrs Sarah Barnard	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0002/00002/CE 08 Wivenhoe	Ms Patricia Pearce	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0003/00003/CE 08 Wivenhoe	Ms Margaret Britton	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Conditional Withdrawal
0003/00181/CO 02 Wivenhoe	Ms Margaret Britton	Support	CO 02 Colch. Inset	In relation to Wivenhoe Wood. CCA.	Current
0003/00182/CO 05 Wivenhoe	Ms Margaret Britton	Support	CO 05 Colch Inset	In relation to Wivenhoe Wood. CCA.	Current
0003/01750/L 04 Boxted	Ms Margaret Britton	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0004/00004/CE 08 Wivenhoe	Mrs E M Morrison	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0005/00005/CE 08 Wivenhoe	Mr R Mallett	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0006/00006/UT 01	Tendring Hundred Water Services	Objection	UT 01 12.5	TEXT QUERY	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0007/00007/CE 08 Wivenhoe	Ms Carla Payne	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0008/00008/L 03	Welshwood Park Residents Association	Support	L 03 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0008/00009/L 04	Welshwood Park Residents Association	Support	L 04 10.19 Colch. Inset	Proposed open space sites in schedules A and C.	Unconditional Withdrawal
0008/00010/CO 04	Welshwood Park Residents Association	Objection	CO 04 5.16 Colch Inset		Unconditional Withdrawal
0008/02144/CO 04	Welshwood Park Residents Association	Support	CO 04 5.16 & 5.17		Current
0010/00011/CE 08 Wivenhoe	Mrs L J Reynolds	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0011/00012/CE 08 Wivenhoe	Mr Richard Edwardson	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0011/02165/CE 08 Wivenhoe	Mr Richard Edwardson	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0012/00013/CE 08 Wivenhoe	Mr Robin Gargrave	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0013/00014/TIP 02 Tiptree	Mr A & Mrs D Charles	Objection	TIP 02 Ttree Inset		Current
0013/00015/H 01 Tiptree	Mr A & Mrs D Charles	Objection	H 01 Ttree Inset		Current
0014/00016/H 01 Tiptree	Bellchurch Properties Ltd	Objection	H 01 Ttree Inset	North of Harrington Close.	Current
0015/00017/CE 08 Wivenhoe	Mr W L Brett	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard · Joint Case The Shipyard Project	Current
0016/00018/H 10 Fordham	Mr Joseph Parkinson	Support	H 10 Proposals	Fordham Supports the proposed Village Envelope	Current
0017/00019/CE 08 Wivenhoe	Mrs Patricia M Smith	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard · Joint Case The Shipyard Project	Current
0017/01976/CE 08 Wivenhoe	Mrs Patricia M Smith	Objection	CE 08	Regeneration Area 10 Cooks Shipyard · Joint Case The Shipyard Project	Current
0017/02011/CE 08 Wivenhoe	Mrs Patricia M Smith	Support	CE 08 4.33n	Regeneration Area 10 Cooks Shipyard · Joint Case The Shipyard Project	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0018/00020/CE 08 Wivenhoe	Mr Martin Miller	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0019/00021/CE 08 Wivenhoe	Mr I A Hooke	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0020/00022/CE 08 Wivenhoe	Mr D H V Brogan	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Conditional Withdrawal
0021/00023/CE 08 Wivenhoe	Mr T G Lawrence	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0022/00024/CE 08 Wivenhoe	Mrs P C Brett	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0023/00025/TIP 03 Tiptree	Councillor J Bunney	Objection	TIP 03 20.2(b) Ttree Inset		Current
0023/00026/TIP 02 Tiptree	Councillor J Bunney	Objection	TIP 02 Ttree Inset		Current
0024/00028/CE 08 Wivenhoe	Mrs D Matthews	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0025/00029/CE 08 Wivenhoe	Hilda Taylor	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0026/00030/CE 08 Wivenhoe	Chris Mort	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0027/00031/CE 08 Wivenhoe	Susannah Bradley	Objection	CE 08 4.36-4.43 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0028/00032/CE 08 Wivenhoe	Shirley Blakemore	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0029/00033/CE 08 Wivenhoe	Mr Mark Frankland	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0030/00034/H 01 Stanway	The John Daldry Partnership	Objection	H 01 Colch Inset	Chitts Hill site	Current
0031/00035/H 01 Chappel	Mr & Mrs T J & L V Maloney	Objection	H 01 Proposals	Swan Street - Chappel Extension to Village Envelope	Current
0032/00036/H 01 Mile End Ward	Mr M Firmin	Objection	H 01 Colch Inset	5&6,T4	Unconditional Withdrawal
0033/00037/CE 08 Wivenhoe	Mr & Mrs M Keen	Objection	CE 08 4.37-4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0034/00038/CE 08 Wivenhoe	Mr D Williams	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0034/02206/CE 08 Wivenhoe	Mr D Williams	Objection	CE 08	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0035/00039/H 01 Boxted	Ms Mary Mudd	Objection	H 01 Proposals	Workhouse Hill - Boxted Extension to Village Envelope	Current
0036/00040/UC 01 Wivenhoe	Mr R Howard	Objection	UC 01 9.5 Colch Inset		Current
0036/00042/CE 08 Wivenhoe	Mr R Howard	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0037/00041/H 01 West Bergholt	Mr D A C & Mrs J M Boyden	Support	H 01 Colch Inset	West Bergholt	Current
0038/00043/CE 08 Wivenhoe	Mrs A Howard	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0039/00044/CE 08 Wivenhoe	Mrs E Price	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0040/00045/CE 08 Wivenhoe	Mr D Price	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0040/01993/CE 08 Wivenhoe	Mr D Price	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0041/00046/H 01 Mile End Ward	Rydon Homes	Objection	H 01 Colch Inset		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0041/00047/CO 04	Rydon Homes	Objection	CO 04 Colch Inset		Current
0041/00050/H 04	Rydon Homes	Objection	H 04		Current
0041/02146/EMP 01	Rydon Homes	Objection	EMP 01		Current
0041/02147/H 04	Rydon Homes	Objection	H 04		Current
0043/00049/CE 08 Wivenhoe	Ms R Christian	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0044/00051/CE 08 Wivenhoe	Mrs Helen Chambers	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0046/00053/H 01 Winstred Hundred	Mr D McCarthy	Objection	H 01 Proposals	Great Wigborough Extension to village envelope	Current
0047/00054/T 04 Boxted	Ms J Howlett	Support	T 04		Current
0047/00055/H 01 Myland	Ms J Howlett	Objection	H 01 Colch Inset		Current
0048/00056/H 01 Mile End Ward	Ms Diana Angel	Objection	H 01 Colch Inset	5&6, T4	Current
0049/00057/H 01 Langham	C Jones	Support	H 01 Proposals	St Margaret's Cross (Langham) Non allocation of housing at Langham	Current
0051/00059/CE 08 Wivenhoe	Mrs S M Usher	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0052/00060/TIP 02 Tiptree	Mrs S Libby	Objection	TIP 02 Ttree Inset	TBS Site	Current
0053/00062/CE 08 Wivenhoe	Mr Guy Ward	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0054/00063/H 01 West Mersea	Ms Elizabeth Thomas	Support	H 01 W.M. Inset	16 T4 Land north of East Road, West Mersea	Current
0055/00064/UEA 15	Royal London Mutual Insurance Society	Objection	UEA 15 Colch Inset		Current
0055/00065/ME 01 Myland	Royal London Mutual Insurance Society	Objection	ME 01 ME1 part (C) Colch Inset		Current
0055/02066/EMP 01	Royal London Mutual Insurance Society	Objection	EMP 01 Table 6		Current
0055/02070/H 04	Royal London Mutual Insurance Society	Objection	H 04 13.24		Current
0056/00066/CE 08 Wivenhoe	Ms E M Oakley	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0057/00067/H 01 West Mersea	Mrs J Ridout	Objection	H 01 W.M Inset	T4, 16.	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0057/00068/L 02 West Mersea	Mrs J Ridout	Support	L 02 W.M Inset	Legion Field, West Mersea	Current
0058/00069/CE 08 Wivenhoe	Mrs Julia Ward	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0059/00070/CE 08 Wivenhoe	Ms Jane Cole	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0060/00071/CE 08 Wivenhoe	Mrs Susan G Miller	Objection	CE 08 4.39-4.41 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0061/00072/L 01	Colchester Rovers Cycling Club	Objection	L 01	Sports and Recreation of facilities BMX	Current
0061/00073/T 11 Stanway	Colchester Rovers Cycling Club	Objection	T 11	Car Parking at Marks Tey Station	Current
0063/00075/L 02 West Mersea	Mr D H Procter	Support	L 02 W M Inset	Legion Field, Bardfield Road, West Mersea	Current
0064/00076/H 01 West Mersea	Mrs Catchpole	Objection	H 01 W M Inset	1, T4 Land North of East Road, West Mersea	Current
0065/00077/L 02 West Mersea	Mrs Rosemary Rainbird	Support	L 02 W M Inset	Legion Field, Bardfield Road, West Mersea	Current
0066/00078/H 01	Mr T G A Holme	Support	H 01 Colch Inset	4, T4 Garrison Area for Housing	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0066/00087/T 07 Boxted	Mr T G A Holme	Objection	T 07 Proposals		Unconditional Withdrawal
0067/00079/TCS 11 West Mersea	Miss J M Reynolds	Objection	TCS 11 W M Inset	Employment Zone, West Mersea	Current
0068/00080/L 02 West Mersea	Mr D B Rainbird	Support	L 02 W M Inset	Legion Field, Bardfield Road, West Mersea	Current
0069/00081/L 02 West Mersea	Mr M J Procter	Support	L 02 W M Inset	Legion Field, Bardfield Road, West Mersea	Current
0070/00082/H 01 Myland	Mrs M J Skoumal	Support	H 01 Colch Inset	6, T4 Residential Allocation at Severalls Hospital	Current
0071/00083/L 03	Mr W F McMellon	Support	L 03 Colch Inset	Open Space at Priory Street Car Park	Current
0071/00132/H 01 Wormingford	Mr W F McMellon	Objection	H 01 Proposal	Wormingford	Current
0071/00156/EMP 05 Fordham	Mr W F McMellon	Objection	EMP 05 Proposal		Current
0072/00084/H 01 West Bergholt	North East Essex Building Group	Objection	H 01 Proposals	West Bergholt Armoury Road, West Bergholt	Current
0073/00085/H 01 Langham	Mr D L Elmer	Objection	H 01 Colch Inset	St Margaret's Cross (Langham) St Margarets Cross,	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
				Langham	
0074/00086/H 01 Langham	Mrs Christina A Elmer	Objection	H 01 Colch Inset	St Margaret's Cross (Langham) St Margarets Cross, Langham	Current
0076/00088/CE 08 Wivenhoe	Mr Bryan Judge	Objection	CE 08 4.36-4.43 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0077/00089/H 01 Copford with Easthorpe	Mrs S Monk	Support	H 01 Proposals	Copford - London Road London Road, Copford	Current
0078/00090/L 14	British Horse Society	Objection	L 14	Improvement to Footpath,Cycleways ,Bridleways	Current
0079/00091/CE 08 Wivenhoe	Mr Henry Ditmore	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0080/00092/STA 02 Stanway	Guia Limited	Objection	STA 02 Colch Inset		Current
0080/00093/STA 02 Stanway	Guia Limited	Objection	STA 02 Colch Inset		Current
0080/01921/STA 02 Stanway	Guia Limited	Objection	STA 02 Colch Inset		Current
0081/00094/CE 08 Wivenhoe	Mrs Anne Bryson	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0082/00095/H 01 Abberton & Langenhoe	Mr V M Crookes	Support	H 01 13.9	10750 dwellings	Current
0083/00096/CO 05	Mr C N Gooch	Objection	CO 05 Colch Inset	SINC	Current
0083/00194/CE 01 Wivenhoe	Mr C N Gooch	Objection	CE 01 Colch Inset	Cross Farm, Colchester Road, Wivenhoe	Unconditional Withdrawal
0083/00195/CO 02 Wivenhoe	Mr C N Gooch	Objection	CO 02 Colch Inset	Cross Farm, Colchester Road, Wivenhoe	Unconditional Withdrawal
0084/00098/TIP 02 Tiptree	Mr M J Robards	Objection	TIP 02 Ttree Inset	TBS Site	Current
0084/00099/L 04 Tiptree	Mr M J Robards	Objection	L 04 10.11 Ttree Inset		Current
0085/00100/CE 08 Wivenhoe	Aquatech Limited	Support	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0086/00101/CE 08 Wivenhoe	Mr D V Taylor	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0087/00102/TIP 03 Tiptree	Mr D G Palmer	Objection	TIP 03 Ttree Inset		Unconditional Withdrawal
0088/00103/H 01 West Mersea	Mr Brian Willings	Objection	H 01 W M Inset	16, T4	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0089/00104/CE 08 Wivenhoe	Mr Richard Freeman	Objection	CE 08 4.36-4.43 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0090/00105/H 01 Stanway	Prowting Plc & The Barbour Family	Objection	H 01 Colch Inset	Chitts Hill.	Current
0090/00106/L 04 Eight Ash Green	Prowting Plc & The Barbour Family	Objection	L 04 Proposals	Chitts Hill site	Current
0090/00107/CO 02	Prowting Plc & The Barbour Family	Objection	CO 02 5.13a Colch Inset	Gosbecks Countryside Conservation Area	Current
0090/00184/H 01	Prowting Plc & The Barbour Family	Objection	H 01	T2 Brownfield Study	Current
0090/00215/H 01	Prowting Plc & The Barbour Family	Objection	H 01 Colch Inset	Objects to 4-6 & 15- 17, T4 to promote Gosbecks Garrison, Turner, Sev .Hosp, Gt Horks, Mersea, Mess ng	Current
0090/00216/CO 02 Eight Ash Green	Prowting Plc & The Barbour Family	Objection	CO 02 5.13(e) Proposal	Conservation Area, Chitts Hill	Current
0090/01767/H 01	Prowting Plc & The Barbour Family	Objection	H 01 Colch Inset	Gosbecks Farm Phase 2.	Current
0090/02290/H 01	Prowting Plc & The Barbour Family	Objection	H 01		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0090/02291/H 01	Prowting Plc & The Barbour Family	Objection	H 01		Current
0090/02292/L 05a	Prowting Plc & The Barbour Family	Objection	L 05a		Current
0090/02293/H 01	Prowting Plc & The Barbour Family	Objection	H 01		Current
0091/00108/H 01 West Mersea	Mr & Mrs A J Ashenden	Objection	H 01 W M Inset	16, T4	Current
0092/00109/L 04 Myland	Mr & Mrs G W Prowse	Objection	L 04 Colch Inset	Wrong Designation of Land	Conditional Withdrawal
0093/00110/CO 04	Mr K McKenna	Objection	CO 04 Colch Inset	North of Welshwood Park	Unconditional Withdrawal
0094/00111/EMP 01	Miss E A Baines	Support	EMP 01 Colch Inset		Unconditional Withdrawal
0094/00112/EMP 02	Miss E A Baines	Support	EMP 02 Colch Inset		Unconditional Withdrawal
0094/00113/ME 02 Myland	Miss E A Baines	Support	ME 02 Colch Inset	Highwoods Conservation Area	Unconditional Withdrawal
0095/00114/UT 01 Eight Ash Green	Mr & Mrs P & M Ingram	Support	UT 01 Colch Inset	Off Site Infrastructure	Current
0095/00116/H 01 Garrison	Mr & Mrs P & M Ingram	Objection	H 01 Colch Inset	T4. 4. Colchester Garrison	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0096/00115/CE 08 Wivenhoe	Mr J M Burgess	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0097/00117/H 01 Layer-de-la-Haye	Mrs Olga Ronca	Objection	H 01 Proposals	Layer de la Haye St Chloe, Abberton Road, Layer de la Haye	Current
0098/00118/L 04 Wivenhoe	Mr N Clark	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Conditional Withdrawal
0099/00119/H 01 Marks Tey	Mr Jeremy Hancock	Objection	H 01 Proposals	Marks Tey(a) Non- Inclusion in the Village Envelope	Current
0100/00120/H 01 Gt Horkesley	Miss H L Bell	Support	H 01 Colch Inset	Great Horkesley. 15 T4 Access to Coach Road and not A134	Current
0101/00121/G 01 Garrison	Mr Simon Banks	Objection	G 01 Colch Inset	Colchester Garrison	Unconditional Withdrawal
0101/00122/TCS 21 West Mersea	Mr Simon Banks	Objection	TCS 21 Colch Inset		Current
0101/00123/N 99 West Mersea	Mr Simon Banks	Objection	N 99 11.44 W.M Inse	New road scheme at Glebe Corner.	Unconditional Withdrawal
0101/00124/L 01 West Mersea	Mr Simon Banks	Objection	L 01 W.M Inset	Leisure facilities in West Mersea	Current
0101/00125/CF 11 West Mersea	Mr Simon Banks	Objection	CF 11 WM Inset		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0101/00126/UEA 13 West Mersea	Mr Simon Banks	Objection	UEA 13 W.M Inset	Bradwell Power Station	Current
0101/00127/CE 05 West Mersea	Mr Simon Banks	Objection	CE 05 W.M Inset		Current
0101/00128/CE 04 West Mersea	Mr Simon Banks	Objection	CE 04 W.M Inset	Youth Camp for limited expansion	Unconditional Withdrawal
0101/00129/CE 03 West Mersea	Mr Simon Banks	Objection	CE 03 W.M Inset		Current
0101/00130/DC 01 West Mersea	Mr Simon Banks	Support	DC 01		Current
0101/00131/H 01 West Mersea	Mr Simon Banks	Objection	H 01 2.15 (vii) W.M Inset	16, T4	Current
0101/00143/L 04 West Mersea	Mr Simon Banks	Objection	L 04 W.M Inset	Colchester Road, West Mersea	Current
0102/00133/T 10	Mr & Mrs F M Langton	Objection	T 10 11.50(ii)	Park & Ride sites, Stanway	Current
0103/00134/H 01 Gt Horkesley	Mr & Mrs Wilson	Objection	H 01	15, T4 Proposed Housing Coach Road, Great Horkesley	Current
0104/00135/H 01 Langham	Mrs J Reynolds	Objection	H 01 Proposals	St Margaret's Cross (Langham) Alteration of boundary at Perry Lane	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0105/00136/CE 08 Wivenhoe	Doctor A Collett	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0106/00137/H 01 Mile End Ward	Ms Sara Callen	Objection	H 01 Colch Inset	6, T4	Current
0107/00138/L 02 Stanway	Ms Joyce Wyatt	Support	L 02 W M Inset		Current
0108/00139/H 01 Gt Tey	R W R Browning	Objection	H 01 Colch Inset	Great Tey Non inclusion Chappel Rd, Gt Tey	Current
0108/01532/CO 10	R W R Browning	Objection	CO 10		Current
0108/01533/H 11	R W R Browning	Objection	H 11		Current
0108/01534/H 12	R W R Browning	Objection	H 12		Current
0108/01535/H 13	R W R Browning	Objection	H 13		Current
0108/01536/EMP 04	R W R Browning	Objection	EMP 04		Current
0108/01627/EMP 05 Gt Tey	R W R Browning	Objection	EMP 05	Tey Brook Centre	Current
0109/00140/CE 08 Wivenhoe	Ms Hazel Judge	Objection	CE 08 4.36-4.43 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0111/00142/H 01 Fordham	Mrs Barbara Carter	Objection	H 01 Colch Inset	Fordham Extension to village envelope	Current
0112/00144/H 01 West Mersea	Mr R & Mrs M Pattison	Objection	H 01 W M Inset	16, T4 Release land East Road, West Mersea	Current
0113/00145/UEA 11 Gt Horkesley	Essex Gardens Trust	Objection	UEA 11 6.47 Proposals	Omission of Boundaries of Historic Park	Unconditional Withdrawal
0113/00146/IM 01	Essex Gardens Trust	Objection	IM 01 3	Amend text at Schedule 1 p.210	Unconditional Withdrawal
0114/00147/L 04 Wivenhoe	Ms B May	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Current
0114/00257/CE 08 Wivenhoe	Ms B May	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0115/00148/L 04 Wivenhoe	Mr P D Howlett	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0116/00149/L 04 Wivenhoe	Mrs B R Howlett	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0117/00150/L 04 Wivenhoe	Mr L & Mrs M Hollingworth	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Conditional Withdrawal
0118/00151/L 04 Wivenhoe	Mrs L Ewers	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0119/00152/L 04 Wivenhoe	Mrs J C Chisnall	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Current
0120/00153/L 04 Wivenhoe	Mr Bill Ewers	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0121/00154/H 01 Gt Horkesley	Mr John Mehen	Objection	H 01 Proposals	Great Horkesley. 15 T4	Unconditional Withdrawal
0122/00155/H 01 Gt Horkesley	Bishop William Ward School Governors	Objection	H 01 Proposals	Great Horkesley. 15 T4	Unconditional Withdrawal
0123/00157/N 99 West Mersea	Mrs Mary Hargreaves	Objection	N 99 W.M. Inset	Link road from the Glebe to East Road	Current
0123/00349/H 01 West Mersea	Mrs Mary Hargreaves	Objection	H 01 W.M Inset	T4.16 East Road, West Mersea	Current
0124/00158/L 02 West Mersea	Mr Derek Wyatt	Support	L 02 W M Inset	Legion Field, Barfield Road, West Mersea	Current
0125/00159/H 01 West Bergholt	Mr R F & Mrs A R M Bass	Support	H 01 Proposals	West Bergholt	Current
0126/00160/H 01 West Bergholt	Mr G A & Mrs J L Hunns	Support	H 01 Proposals	West Bergholt	Current
0127/00161/DC 01	Colchester Cycling Campaign	Objection	DC 01 3.8		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0127/00163/H 10	Colchester Cycling Campaign	Objection	H 10 Proposals		Current
0127/00164/LPS 01	Colchester Cycling Campaign	Objection	LPS 01 11.3(i)		Current
0127/00165/T 02	Colchester Cycling Campaign	Objection	T 02 11.15/16/18		Current
0127/00166/T 01	Colchester Cycling Campaign	Objection	T 01 11.3k		Current
0127/00167/L 19	Colchester Cycling Campaign	Objection	L 19 10.69		Current
0127/00168/L 16	Colchester Cycling Campaign	Objection	L 16 10.61 Colch Inset		Current
0127/00169/T 03	Colchester Cycling Campaign	Objection	T 03 11.26		Current
0127/00191/T 10	Colchester Cycling Campaign	Objection	T 10 11.50(ii) Colc Inset	Addition to adding Paragraph	Current
0127/00192/T 07	Colchester Cycling Campaign	Objection	T 07 11.40/11.41 Colch Inset	Adding to Paragraphs	Current
0127/00204/UEA 15	Colchester Cycling Campaign	Objection	UEA 15 Colch Inset	Hythe to Rowhedge	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0128/00172/H 01 West Bergholt	Mr R A Ingram	Objection	H 01 Proposals	West Bergholt	Current
0129/00173/H 01 Tiptree	Mr M Payne	Objection	H 01 Ttree Inset	West of Tiptree, West of Vine Road.	Current
0130/00174/H 01 West Bergholt	Mr G S E Penrose	Objection	H 01 Proposals	West Bergholt Land at the junction of Manor Rd & Colchester Rd	Current
0131/00175/L 04 Wivenhoe	Mr Martin Jones	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Current
0132/00176/L 04 Wivenhoe	Mr Anthony Paul Howard	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0133/00177/L 04 Wivenhoe	Mrs Vivienne Howard	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0134/00178/L 04 Wivenhoe	A MacKinnon	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0135/00179/L 04 Wivenhoe	Mr J W Heslop	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0136/00180/L 04 Wivenhoe	Mr M D Wilcock	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0137/00183/CE 08 Wivenhoe	Mr & Mrs J Robertson	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0138/00185/H 01	Mr David	Objection	H 01 Colch Inset	Non Inclusion of	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Stanway	Barbour			Chitts Hill	
0138/00186/H 01	Mr David Barbour	Objection	H 01 Colch Inset	Non Inclusion of Gosbecks Farm	Unconditional Withdrawal
0139/00187/CE 08	Mr C Richards	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0140/00188/L 04	Mrs M Fell	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
Wivenhoe					
0141/00189/H 01	Mr A R & Mrs B J Nichols	Support	H 01 Colch Inset	West Bergholt	Current
West Bergholt					
0142/00190/LPS 01	T F A Wiseman	Support	LPS 01 2.1-2.15(xi)		Current
0143/00193/L 02	Mrs D Sherwood	Support	L 02 W M Inset	Open Space, Legion Field, West Mersea	Current
West Mersea					
0144/00197/T 10	Mrs K A Slinger	Objection	T 10 Colch Inset	Park & Ride	Current
Langham					
0145/00198/T 10	Mr J N Slinger	Objection	T 10 Colch Inset	Park & Ride	Current
Langham					
0145/00199/H 01	Mr J N Slinger	Support	H 01 Colch Inset	Langham Moor/St Margaret's Cross (Langham) Supports Village envelope	Current
Langham					
0146/00200/H 01	Mr B Regan	Objection	H 01 Proposal	Hardy's Green -	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Birch				Birch Extension to Hardy's Green, Birch	
0147/00201/L 02 West Mersea	Mr A E Milburn	Support	L 02 W M Inset	Legion Field, Barfield Road, West Mersea	Current
0148/00202/L 02 West Mersea	Mrs C Milburn	Support	L 02 W M Inset	Legion Field, Bardfield Road, West Mersea	Current
0149/00203/H 01 Langham	Mr S Cooper	Objection	H 01 Colch Inset	White House Farm, Old Ipswich Road	Unconditional Withdrawal
0149/01689/EMP 01 Langham	Mr S Cooper	Objection	EMP 01 Colch Inset	Table 6 White House Farm, Old Ipswich Road	Unconditional Withdrawal
0150/00205/L 04 Wivenhoe	Mrs P A Overton	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0151/00206/L 04 Wivenhoe	Mr P C Overton	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0153/00208/L 04 Wivenhoe	Mrs A M Huggon	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0154/00209/L 04 Wivenhoe	Commander I G Riley RN	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0154/00409/CE 08 Wivenhoe	Commander I G Riley RN	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0155/00210/L 04	Miss C	Objection	L 04 10.30 Colch	Redland Site,	Unconditional Withdrawal

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe	Appleby		Inset	Wivenhoe	
0156/00211/L 04 Wivenhoe	Mr & Mrs Henthorn	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0157/00212/L 02 West Mersea	Mr L F Sherwood	Support	L 02 WM Inset	Legion Field, Bardfield Road, West Mersea	Current
0158/00213/CE 08 Wivenhoe	Mr J W Marshall	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0159/00217/H 01 Eight Ash Green	Mr A L Blye	Support	H 01 2.26(d)	T.Paper 1 Heathside Farm, Eight Ash Green	Current
0159/00218/H 01 Eight Ash Green	Mr A L Blye	Support	H 01 2.26(b) Propos:	T.Paper 1 Halstead Road, Eight Ash Green	Current
0159/00229/H 01 Eight Ash Green	Mr A L Blye	Support	H 01 2.26 (c)	T.Paper 1 Fordham Heath, Eight Ash Green	Current
0160/00219/H 01 West Mersea	Mr & Mrs Swiggs	Objection	H 01 W.M Inset	16, T4 East Road, West Mersea	Current
0161/00220/N 99	General Aviation Awareness Council	Objection	N 99 Colch Inset		Current
0162/00221/CO 04 Stanway	Stanway Parish Council	Support	CO 04 5.16 Colch Inset	Open Space Stanway	Current
0162/00222/UEA 16	Stanway	Objection	UEA 16 6.71 Colch		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Stanway	Parish Council		Inset		
0162/00223/UEA 16 Stanway	Stanway Parish Council	Objection	UEA 16 Colch Inset	Local Urban Areas	Current
0162/00224/CF 05 Stanway	Stanway Parish Council	Support	CF 05 Colch Inset		Current
0162/00225/L 02 Stanway	Stanway Parish Council	Support	L 02 Colch Inset		Unconditional Withdrawal
0162/00226/CF 07 Stanway	Stanway Parish Council	Objection	CF 07 Colch Inset	Church Lane, Stanway	Unconditional Withdrawal
0162/00227/EMP 01 Stanway	Stanway Parish Council	Objection	EMP 01 14.14 Colch Inset	Stanway, Local Urban Areas	Unconditional Withdrawal
0162/00228/STA 02 Stanway	Stanway Parish Council	Objection	STA 02 Colch Inset	O & H Holdings Ltd	Unconditional Withdrawal
0162/01456/LPS 01 Stanway	Stanway Parish Council	Objection	LPS 01	T5	Current
0162/01457/LPS 01 Stanway	Stanway Parish Council	Support	LPS 01 2.12	Local Plan Strategy	Current
0162/01458/LPS 01 Stanway	Stanway Parish Council	Objection	LPS 01	T3	Current
0162/01459/L 04	Stanway Parish Council	Objection	L 04	T1	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Stanway					
0162/01460/LPS 01	Stanway Parish Council	Support	LPS 01 19.3		Current
Stanway					
0162/01461/STA 03	Stanway Parish Council	Objection	STA 03 19.13		Current
Stanway					
0162/02281/L 02	Stanway Parish Council	Objection	L 02		Unconditional Withdrawal
0162/02282/CF 05	Stanway Parish Council	Objection	CF 05		Current
0162/02283/STA 01	Stanway Parish Council	Objection	STA 01 19.3de		Unconditional Withdrawal
0162/02284/STA 01	Stanway Parish Council	Objection	STA 01 19.3de		Unconditional Withdrawal
0163/00230/H 01	Mr B Lawton	Objection	H 01 W.M. Inset	16, T4 East Road, West Mersea	Current
West Mersea					
0164/00231/CE 08	Mr E Kraft	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
Wivenhoe					
0164/02176/CE 08	Mr E Kraft	Objection	CE 08 4+4.33g+4.33	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
Wivenhoe					
0165/00232/L 04	Mrs I Gay	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe					
0166/00233/H 01 Messing cum Inworth	Mr & Mrs M Sutton	Objection	H 01 Proposals	School Road, Messing	Current
0167/00234/H 01 Wakes Colne	Mrs Hilda F Cresswell	Objection	H 01 Colch Inset	Wakes Colne (Middle Green) A Inworth Lane, Middle Green, Wakes Colne	Current
0167/02261/H 01	Mrs Hilda F Cresswell	Objection	H 01		Current
0167/02262/H 04	Mrs Hilda F Cresswell	Support	H 04		Current
0167/02263/H 04	Mrs Hilda F Cresswell	Support	H 04 13.24		Current
0167/02264/H 01	Mrs Hilda F Cresswell	Objection	H 01 13.12		Current
0167/02265/H 01	Mrs Hilda F Cresswell	Objection	H 01 13.14		Current
0168/00235/CE 08 Wivenhoe	Ms Robina Taplin	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0169/00236/CE 08 Wivenhoe	Ms Nancy Taplin	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0170/00237/CE 08	Mr Sam Taplin	Objection	CE 08 4.39 Colch	Regeneration Area	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe			Inset	10 Cooks Shipyard · Joint Case ARRA	
0171/00238/CE 08 Wivenhoe	Mr J Ashworth	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0172/00239/CE 08 Wivenhoe	Mr Guy Taplin	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard · Joint Case ARRA	Current
0172/02151/CE 08 Wivenhoe	Mr Guy Taplin	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0173/00240/H 01 Wakes Colne	Mr R Baines	Objection	H 01 Proposals	Middle Green – Wakes Colne	Current
0174/00241/H 01 Wakes Colne	Mrs L Tyler	Objection	H 01 Proposal	Chappel - Wakes Colne Chappel & Wakes Colne	Current
0175/00242/L 04 Wivenhoe	Mrs Jennifer Crawford	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0176/00243/L 04 Wivenhoe	Mr & Mrs Minter	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0177/00244/L 04 Wivenhoe	Mr M L Carder	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0178/00245/L 04 Wivenhoe	Mr J D & Mrs S Wilkinson	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0179/00246/L 04	Mr A W	Objection	L 04 10.30 Colch	Redland Site,	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe	Crawford		Inset	Wivenhoe	
0180/00247/L 04 Wivenhoe	Mrs M Edwards	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Current
0181/00248/L 04 Wivenhoe	Mr David Edwards	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Current
0182/00249/CE 08 Wivenhoe	Mrs M Davies	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0183/00250/CE 08 Wivenhoe	Mr S R Davies	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0184/00251/CE 08 Wivenhoe	Ms Auriol Ashworth	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0185/00252/CE 08 Wivenhoe	Mrs Hilary Lazell	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0185/01978/CE 08 Wivenhoe	Mrs Hilary Lazell	Objection	CE 08	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0186/00253/L 02 West Mersea	Mr S P Vince	Support	L 02 WM Inset	Legion Field, Bardfield Road, West Mersea	Current
0186/01144/N 99 West Mersea	Mr S P Vince	Objection	N 99	New policy requested	Current
0186/01562/H 01	Mr S P Vince	Objection	H 01 W.M Inset	16,T4	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
West Mersea					
0187/00254/CE 08 Wivenhoe	The Shipyard Project	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0187/02256/CE 08	The Shipyard Project	Objection	CE 08	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0188/00255/CE 08 Wivenhoe	Mr R Packer	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0189/00256/L 04 Wivenhoe	Mrs Walker	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0189/01759/CE 08 Wivenhoe	Mrs Walker	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0191/00258/CE 08 Wivenhoe	Mr David Morters	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0192/00259/CE 08 Wivenhoe	Mrs Nina Morters	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0193/00260/CE 08 Wivenhoe	Mr D E Hilton-Bowen	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0194/00261/CE 08 Wivenhoe	Mrs M J Hilton-Bowen	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0195/00262/CE 08	Mrs J	Objection	CE 08 Colch Inset	Regeneration Area	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe	Kennerdale			10 Cooks Shipyard	
0197/00264/UEA 15	Mr A Zachwatajlo	Support	UEA 15 Colch Inset		Current
0197/00265/L 03	Mr A Zachwatajlo	Support	L 03 Colch Inset		Current
0197/00266/L 02	Mr A Zachwatajlo	Support	L 02 Colch Inset		Current
0198/00267/H 01 Eight Ash Green	Mr M Cardy	Support	H 01 Proposals	Eight Ash Green Development in Eight Ash Green	Current
0199/00268/H 01 Gt Horkesley	Mr C Ince	Objection	H 01 Proposals	Great Horkesley	Current
0199/01112/H 01 Gt Horkesley	Mr C Ince	Objection	H 01 Proposals	Great Horkesley 15,T4 Gt Horkesley	Current
0199/01209/H 01 Gt Horkesley	Mr C Ince	Objection	H 01 Proposals	Great Horkesley T3 Great Horkesley	Current
0200/00269/H 01 West Mersea	Mr & Mrs A H Arnold	Objection	H 01 W.M Inset	16, T4 East Road, West Mersea	Current
0201/00270/L 02 West Mersea	Mrs Sylvia Vince	Objection	L 02 WM Inset		Current
0202/00271/L 02 West Mersea	Mrs K Capon	Support	L 02 WM Inset	Legion Field, Bardfield Road, West Mersea	Current
0203/00272/L 02	Mrs S E Wargent	Objection	L 02 WM Inset	Legion Field, Bardfield Road,	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
West Mersea				West Mersea	
0204/00273/H 01 Eight Ash Green	Mrs J F Munkebo	Support	H 01 Colch Inset	Eight Ash Green	Current
0205/00274/ECH 01	Colchester Dock Transit Co Ltd	Objection	ECH 01 16.20-16.21 E Colch Inse		Current
0205/01373/EMP 03 East Donyland	Colchester Dock Transit Co Ltd	Objection	EMP 03 14.21-14.24 Colch Inset		Current
0206/00275/L 02 West Mersea	Mr J Barker	Support	L 02 WM Inset	British Legion, Wes Mersea	Current
0206/00276/H 01 West Mersea	Mr J Barker	Objection	H 01 W.M Inset	T4(16) East Road, West Mersea	Current
0207/00277/H 01 Mile End Ward	Mr Peter Arnold	Objection	H 01 Colch Inset	4, T4 Garrison Site	Current
0208/00278/H 01 Tiptree	Mr Colin Coghlan	Objection	H 01 Ttree Inset	Hall Road, Tiptree	Current
0209/00279/H 01 West Bergholt	Mrs C Chivers	Objection	H 01 Proposal	West Bergholt Omission of site from Village Envelope	Current
0209/02270/H 01	Mrs C Chivers	Objection	H 01		Current
0209/02271/H 01	Mrs C Chivers	Objection	H 01		Current
0210/00281/L 04	Mrs L Page	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe					
0211/00282/L 04 Wivenhoe	Mrs Joan Mary Barratt	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0212/00283/L 04 Wivenhoe	Mr & Mrs R J Lee	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Current
0213/00284/L 14	British Horse Society Eastern Region	Objection	L 14 Colch Inset		Unconditional Withdrawal
0213/00285/L 15	British Horse Society Eastern Region	Objection	L 15 10.57 Colch Inset		Unconditional Withdrawal
0213/00286/UT 04	British Horse Society Eastern Region	Objection	UT 04 Colch Inset		Current
0213/00287/LPS 01	British Horse Society Eastern Region	Objection	LPS 01 11.3 (e)		Unconditional Withdrawal
0213/00294/L 14	British Horse Society Eastern Region	Objection	L 14 10.51A		Unconditional Withdrawal
0213/00295/L 14	British Horse	Objection	L 14 10.49		Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Abberton & Langenhoe	Society Eastern Region				
0213/00296/L 09	British Horse Society Eastern Region	Objection	L 09 Colch Inset	Colne River Walk	Unconditional Withdrawal
0213/00297/L 10	British Horse Society Eastern Region	Objection	L 10		Unconditional Withdrawal
0213/00300/CO 07	British Horse Society Eastern Region	Objection	CO 07 Colch Inset		Current
0213/00342/CO 12	British Horse Society Eastern Region	Objection	CO 12 Colch Inset	Expand Clause (e)	Conditional Withdrawal
0213/00356/L 12	British Horse Society Eastern Region	Support	L 12 10.47 Colch Inset		Current
0213/00357/UEA 15	British Horse Society Eastern Region	Objection	UEA 15 6.67 Colch Inset		Current
0214/00288/H 01 West Mersea	Mr D J Oliver	Objection	H 01 WM Inset	Omission of site from Village Envelope	Current
0215/00289/H 01	Mr K Warner	Objection	H 01 Proposals	15, T4 Coach Road,	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Gt Horkesley				Great Horkesley	
0216/00290/H 01 Messing cum Inworth	Mr Ian Etheridge	Objection	H 01 Proposals	Messing, 17, T4 School Road, Messing	Current
0217/00291/H 01 Gt Horkesley	Mr & Mrs Sessions	Objection	H 01 Colch Inset	15, T4 Coach Road, Great Horkesley	Current
0218/00292/EMP 01	Tiptree Parish Council	Support	EMP 01 Ttree Inset		Current
0218/00293/TIP 03 Tiptree	Tiptree Parish Council	Objection	TIP 03 Ttree Inset	Grange Road.	Unconditional Withdrawal
0218/00299/TIP 02 Tiptree	Tiptree Parish Council	Objection	TIP 02 Ttree Inset		Unconditional Withdrawal
0218/00301/TIP 01 Tiptree	Tiptree Parish Council	Objection	TIP 01 Ttree Inset		Unconditional Withdrawal
0218/00306/H 01 Tiptree	Tiptree Parish Council	Objection	H 01 Ttree Inset	Tiptree Development Limit	Current
0218/00343/N 99 Tiptree	Tiptree Parish Council	Objection	N 99 Ttree Inset	Basket Works, Grange Road, Tiptree	Unconditional Withdrawal
0218/01367/L 04 Tiptree	Tiptree Parish Council	Objection	L 04 Ttree Inset	Rosemary Crescen	Current
0218/01368/N 99	Tiptree Parish Council	Objection	N 99 10.35		Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Tiptree					
0218/01369/N 99	Tiptree Parish Council	Objection	N 99	T09	Current
Tiptree					
0218/01370/N 99	Tiptree Parish Council	Objection	N 99 20.10	T09	Current
Tiptree					
0218/01371/TIP 03	Tiptree Parish Council	Objection	TIP 03 20.8 Ttree Inset		Current
Tiptree					
0218/01372/LPS 01	Tiptree Parish Council	Objection	LPS 01 20.2	Brook Close, Tolleshunt Knights	Unconditional Withdrawal
Tiptree					
0218/01757/L 04	Tiptree Parish Council	Objection	L 04 Ttree Inset	Inworth Grange	Unconditional Withdrawal
Tiptree					
0218/01758/LPS 01	Tiptree Parish Council	Objection	LPS 01 20.11		Current
Tiptree					
0218/02222/L 02	Tiptree Parish Council	Support	L 02 10.16a		Current
0219/00298/H 01	Mersea Homes	Support	H 01 WM Inset	16, T4	Current
West Mersea					
0220/00302/H 01	Mr & Mrs L J Turrell	Support	H 01 Colch Inset	Eight Ash Green	Current
Eight Ash Green					
0221/00303/TIP 02	Mrs P J Brace	Objection	TIP 02 Ttree Inset	TBS Site	Current
Tiptree					
0222/00304/CE 08	Mr B F Gant	Objection	CE 08 Colch Inset	Regeneration Area	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe				10 Cooks Shipyard	
0224/00307/L 02 West Mersea	Mr & Mrs Attridge	Support	L 02 W.M. Inset	Legion Field, West Mersea	Current
0225/00308/CO 05	Essex County Council (Planning)	Objection	CO 05 Colch Inset	Wildlife Sites	Unconditional Withdrawal
0225/00309/CO 02	Essex County Council (Planning)	Objection	CO 02 5.12 Colch Inset		Unconditional Withdrawal
0225/00313/CE 02	Essex County Council (Planning)	Objection	CE 02	New line to be added to policy	Conditional Withdrawal
0225/00314/CO 08	Essex County Council (Planning)	Objection	CO 08 5.29 Colch Inset	Supports Text	Unconditional Withdrawal
0225/00315/UEA 08	Essex County Council (Planning)	Objection	UEA 08 6.35 Colch Inset		Conditional Withdrawal
0225/00316/UEA 08	Essex County Council (Planning)	Objection	UEA 08 6.37 Colch Inset		Conditional Withdrawal
0225/00317/UEA 08	Essex County Council (Planning)	Objection	UEA 08 Colch Inset	Should be in line with PPG16	Unconditional Withdrawal
0225/00423/CF 08	Essex County Council (Planning)	Objection	CF 08 8.27-8.28 Colch Inset		Unconditional Withdrawal
0226/00310/CO 04	Mr Peter Hill	Objection	CO 04 5.16 Colch	Land between	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe			Inset	Essex University & Colchester Rd	
0226/00406/CE 08 Wivenhoe	Mr Peter Hill	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0227/00311/UEA 01 West Mersea	Mr Simon Gladas	Objection	UEA 01 6.9-6.15 W.M.Inset	Seaview, Fairhaver & Empress Avenue	Current
0227/00411/H 01 West Mersea	Mr Simon Gladas	Objection	H 01 WM Inset	16, T4	Current
0228/00312/L 01 West Mersea	West Mersea Town Council	Objection	L 01 WM Inset	Tii Extension to table for West Mersea	Current
0228/00407/L 04 West Mersea	West Mersea Town Council	Support	L 04 W.M Inset	Colchester Road, West Mersea	Current
0228/00422/DC 01	West Mersea Town Council	Support	DC 01	Adding to Paragraphs	Current
0228/00439/CE 05 West Mersea	West Mersea Town Council	Objection	CE 05 2 Colch Inset		Current
0228/00440/CE 04 East Mersea	West Mersea Town Council	Objection	CE 04 Colch Inset	Youth Camp, East Mersea	Unconditional Withdrawal
0228/00441/CE 03 West Mersea	West Mersea Town Council	Objection	CE 03 Colch Inset	Footpath route round Mersea	Current
0228/00450/H 01	West Mersea Town Council	Support	H 01 W.M Inset	16, T4 East Road, West Mersea	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
West Mersea					
0228/00455/N 99	West Mersea Town Council	Objection	N 99 11.44		Current
West Mersea					
0228/00456/H 01	West Mersea Town Council	Objection	H 01 WM Inset	16, T4 East Road, West Mersea	Current
West Mersea					
0228/00457/TCS 21	West Mersea Town Council	Objection	TCS 21	Rural Leisure Development	Current
West Mersea					
0228/00458/G 01	West Mersea Town Council	Objection	G 01	Large scale development on Mersea	Current
Garrison					
0228/00459/CF 11	West Mersea Town Council	Objection	CF 11 W.M Inset	Cemetery Site, West Mersea	Current
West Mersea					
0228/00822/CF 07	West Mersea Town Council	Objection	CF 07	Amend policy	Current
West Mersea					
0228/00837/N 99	West Mersea Town Council	Objection	N 99 6.53 WM Inset		Current
West Mersea					
0230/00321/N 99	Praesidium	Objection	N 99		Unconditional Withdrawal
0230/00322/G 01	Praesidium	Objection	G 01 17.1-17.9 Colch Inset	Colchester Garrison	Unconditional Withdrawal
Garrison					
0230/00323/H 01	Praesidium	Objection	H 01 Colch Inset	10750 dwellings	Unconditional Withdrawal
0230/00324/H 04	Praesidium	Objection	H 04 Colch Inset	20% figure not	Unconditional Withdrawal

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
				appropriate	
0230/00325/CF 07	Praesidium	Objection	CF 07 Colch Inset	Education provided as part of Col Garrison	Unconditional Withdrawal
0230/00326/G 01 Garrison	Praesidium	Objection	G 01 17.8(e) Colch Inset	Colchester Garrisor	Unconditional Withdrawal
0230/00327/TCS 11	Praesidium	Objection	TCS 11 Colch Inset	Local centre to serve Colchester Garrison	Unconditional Withdrawal
0230/00328/H 01	Praesidium	Objection	H 01 Colch Inset	4, T4 Colchester Garrison	Unconditional Withdrawal
0230/00329/CF 10	Praesidium	Objection	CF 10 Colch Inset	Primary Healthcare at Colchester Garrison	Unconditional Withdrawal
0230/00330/L 05a	Praesidium	Objection	L 05a Colch Inset		Unconditional Withdrawal
0230/00331/UEA 15	Praesidium	Objection	UEA 15 6.60-6.68 Colch Inset	Greenlinks	Unconditional Withdrawal
0230/00332/UEA 09	Praesidium	Objection	UEA 09 Proposal		Unconditional Withdrawal
0230/00333/L 01	Praesidium	Objection	L 01 Colch Inset	Colchester Garrisor	Unconditional Withdrawal
0231/00334/CE 08 Wivenhoe	Mrs V K Baxter	Objection	CE 08 4.39-4.40 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0232/00335/LPS 01	DEO (Lands)	Objection	LPS 01 2.11 Colch Inset	Brownfield Sites	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0232/00336/CF 01	DEO (Lands)	Objection	CF 01 8.6-8.12 Colch Inset	Circular 1/97 (Planning Obligations)	Unconditional Withdrawal
0232/00337/H 01	DEO (Lands)	Objection	H 01 13.6-13.16	Figures used are inaccurate	Unconditional Withdrawal
0232/00338/TCS 11	DEO (Lands)	Objection	TCS 11 15.60-15.62 Colch Inset	Local shopping centre in residential development	Unconditional Withdrawal
0232/00361/LPS 01	DEO (Lands)	Support	LPS 01 2.10	Local Plan Strategy	Current
0232/00363/LPS 01	DEO (Lands)	Support	LPS 01 2.15(ii)	Local Plan Strategy	Current
0232/00372/LPS 01	DEO (Lands)	Support	LPS 01 13.5	Local Plan Strategy	Current
0232/00373/UEA 15	DEO (Lands)	Objection	UEA 15 6.60-6.68 Colch Inset		Unconditional Withdrawal
0232/00374/T 04	DEO (Lands)	Objection	T 04 11.28-11.29 Colch Inset		Unconditional Withdrawal
0232/00375/T 05	DEO (Lands)	Objection	T 05 11.30-11.37 Colch Inset		Unconditional Withdrawal
0232/00376/G 01 Garrison	DEO (Lands)	Objection	G 01 17.1-17.10 Colch Inset	Colchester Garrison	Unconditional Withdrawal
0232/00377/H 01	DEO (Lands)	Objection	H 01 Colch Inset	T4.4 Colchester Garrison - Housing	Unconditional Withdrawal
0232/01935/TCS 01	DEO (Lands)	Objection	TCS 01 15.12		Unconditional Withdrawal
0232/01936/TCS 01	DEO (Lands)	Objection	TCS 01		Unconditional Withdrawal
0232/01985/LPS 01	DEO (Lands)	Objection	LPS 01 2.15(ii)		Unconditional Withdrawal
0232/01986/T 04	DEO (Lands)	Support	T 04 11.29		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0232/01987/T 05	DEO (Lands)	Support	T 05 11.37		Current
0232/01988/H 01	DEO (Lands)	Objection	H 01 13.6-13.16		Unconditional Withdrawal
0232/01989/H 04	DEO (Lands)	Objection	H 04 13.20-13.24b		Current
0232/01990/H 01	DEO (Lands)	Support	H 01 Table 4		Current
0232/01991/TCS 11	DEO (Lands)	Support	TCS 11		Current
0232/01992/G 01	DEO (Lands)	Support	G 01		Unconditional Withdrawal
0232/02074/CF 11	DEO (Lands)	Support	CF 11 8.35		Current
0232/02199/TCS 01	DEO (Lands)	Objection	TCS 01		Unconditional Withdrawal
0232/02200/TCS 01	DEO (Lands)	Objection	TCS 01 15.12		Unconditional Withdrawal
0232/02228/T 03	DEO (Lands)	Support	T 03 11.29		Current
0232/02236/TCS 11	DEO (Lands)	Support	TCS 11		Current
0232/02322/L 04	DEO (Lands)	Objection	L 04 10.13a		Unconditional Withdrawal
0233/00339/H 01 Gt Horkesley	Mr D Bell	Objection	H 01 Colch Inset	15, T4 Tile House Farm, Great Horkesley	Current
0234/00340/H 01	Essex County Council	Support	H 01 Colch Inset		Conditional Withdrawal
0234/00424/CF 05	Essex County Council	Objection	CF 05	Redundant School Playing Fields	Unconditional Withdrawal
0234/00444/ECH 11	Essex County Council	Objection	ECH 11 Colch Inset		Current
0235/00341/CO 04 Wivenhoe	Wivenhoe Conservative Party	Objection	CO 04 5.16 Proposa	Essex Universty & Wivenhoe	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0236/00344/CE 08 Wivenhoe	Wivenhoe Carers Association	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0237/00345/L 01	Mr E A Baines	Objection	L 01 Colch Inset	Page 82 & 83	Unconditional Withdrawal
0237/00346/TCS 23	Mr E A Baines	Objection	TCS 23 Colch Inset	Cinema needed outside town	Unconditional Withdrawal
0237/00347/L 09	Mr E A Baines	Support	L 09 Colch Inset		Unconditional Withdrawal
0237/00348/H 01 Garrison	Mr E A Baines	Objection	H 01 Colch Inset	T4.4 Colchester Garrison - 1600 Units before 2011	Unconditional Withdrawal
0238/00350/EMP 01 Tiptree	George Wimpey Plc & Booker Plc	Objection	EMP 01 Ttree Inset	Table 6 Extension to Tower House	Current
0238/00351/EMP 01 Langham	George Wimpey Plc & Booker Plc	Objection	EMP 01 Colch Inset	T06 Old Ipswich Road, Colchester	Current
0238/00352/EMP 01	George Wimpey Plc & Booker Plc	Objection	EMP 01 E.Colch Ins	T06 Colchester Hythe	Current
0238/00353/EMP 01	George Wimpey Plc & Booker Plc	Objection	EMP 01 E.Colch Ins	T06 Whitehall Road	Current
0238/00354/DC 01	George Wimpey Plc & Booker Plc	Objection	DC 01	Objects to wording of Clauses	Current
0238/01420/H 01	George Wimpey Plc &	Objection	H 01	Great Horkesley 15,T4	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Gt Horkesley	Booker Plc				
0238/01421/EMP 01 Tiptree	George Wimpey Plc & Booker Plc	Objection	EMP 01 Ttree Inset	T06	Current
0238/01422/H 01 Marks Tey	George Wimpey Plc & Booker Plc	Objection	H 01 Proposals	Marks Tey(a) A120 Improvements	Current
0238/01423/H 01 Castle Ward	George Wimpey Plc & Booker Plc	Objection	H 01 CA Inset	8,T4	Current
0238/01424/H 01 Castle Ward	George Wimpey Plc & Booker Plc	Objection	H 01 CA Inset	10,T4 Land in Castle Ward	Current
0238/01425/H 01 New Town Ward	George Wimpey Plc & Booker Plc	Objection	H 01 E.Colch Inse	7,T4	Current
0238/01469/ME 01 Myland	George Wimpey Plc & Booker Plc	Objection	ME 01 18.13(b) Colc Inset		Current
0238/01470/EMP 04	George Wimpey Plc & Booker Plc	Objection	EMP 04		Current
0238/01471/EMP 01	George Wimpey Plc & Booker Plc	Objection	EMP 01		Current
0238/01472/G 01 Garrison	George Wimpey Plc & Booker Plc	Objection	G 01 Colch Inset		Current
0238/01473/STA 02	George	Objection	STA 02 Colch Inset		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Stanway	Wimpey Plc & Booker Plc				
0238/01474/CO 02	George Wimpey Plc & Booker Plc	Objection	CO 02		Current
0238/01475/CO 04 Myland	George Wimpey Plc & Booker Plc	Objection	CO 04 Colch Inset		Current
0238/01476/T 05	George Wimpey Plc & Booker Plc	Objection	T 05		Current
0238/01477/T 08	George Wimpey Plc & Booker Plc	Objection	T 08		Current
0238/01478/T 09 Myland	George Wimpey Plc & Booker Plc	Objection	T 09		Current
0238/01479/H 01	George Wimpey Plc & Booker Plc	Objection	H 01 13.7-13.16	10750 dwellings	Current
0238/01480/H 04	George Wimpey Plc & Booker Plc	Objection	H 04 13.20-13.24		Current
0238/01507/LPS 01	George Wimpey Plc & Booker Plc	Objection	LPS 01 2.12 & 2.13		Current
0238/01508/EMP 04	George Wimpey Plc & Booker Plc	Objection	EMP 04 Proposals	Table 5	Current
0238/01531/H 01	George	Objection	H 01 Proposals	T3,Marks Tey Marks	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Marks Tey	Wimpey Plc & Booker Plc			Tey	
0238/01998/H 04	George Wimpey Plc & Booker Plc	Objection	H 04 13.2-13.24b		Current
0238/01999/H 01	George Wimpey Plc & Booker Plc	Objection	H 01 Table 4		Current
0238/02001/EMP 01	George Wimpey Plc & Booker Plc	Objection	EMP 01		Current
0239/00358/ME 01 Myland	Ms M L White	Objection	ME 01 Colch Inset	A12 Junction	Current
0239/02186/ME 01	Ms M L White	Objection	ME 01		Current
0240/00362/H 01 Dedham	The Executors of A F Everett	Objection	H 01 Proposals	Dedham Heath Non Inclusion in the Village Envelope	Current
0241/00364/H 01 Garrison	Group 4/Tarmac	Objection	H 01 Colch Inset	4, T4 Colchester Garrison	Unconditional Withdrawal
0241/00365/H 04	Group 4/Tarmac	Objection	H 04 13.22 (a) Colch Inset		Unconditional Withdrawal
0241/00366/G 01 Garrison	Group 4/Tarmac	Objection	G 01 17.9(h) Colch Inset	Colchester Garrisor	Unconditional Withdrawal
0241/00367/G 01	Group 4/Tarmac	Support	G 01 17.8 Colch Inse	Colchester Garrisor	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0241/00368/L 03	Group 4/Tarmac	Objection	L 03 Colch Inset	Colchester Inset - Garrison	Unconditional Withdrawal
0241/00369/G 01 Garrison	Group 4/Tarmac	Objection	G 01 (e) Colch Inset	Colchester Garrison	Unconditional Withdrawal
0241/00370/H 01	Group 4/Tarmac	Objection	H 01 13.8 Colch Inse	4, T4	Unconditional Withdrawal
0241/00371/H 01	Group 4/Tarmac	Support	H 01 Colch Inset		Unconditional Withdrawal
0242/00378/CO 08	Landmatch Ltd (prev. Lafarge)	Objection	CO 08 Colch Inset		Current
0242/00379/CO 05	Landmatch Ltd (prev. Lafarge)	Objection	CO 05 Colch Inset	PPG 9	Current
0242/00380/P 03	Landmatch Ltd (prev. Lafarge)	Objection	P 03 Colch Inset		Current
0242/00381/UEA 22	Landmatch Ltd (prev. Lafarge)	Objection	UEA 22 Colch Inset		Current
0242/01123/LPS 01 Wivenhoe	Landmatch Ltd (prev. Lafarge)	Objection	LPS 01 2.15(vii)	New policy requested	Current
0242/01124/DC 01	Landmatch Ltd (prev. Lafarge)	Objection	DC 01	Amend paragraph wording	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0242/01125/L 04 Wivenhoe	Landmatch Ltd (prev. Lafarge)	Objection	L 04 Colch Inset	Redland Site, Wivenhoe	Current
0242/01384/T 05	Landmatch Ltd (prev. Lafarge)	Objection	T 05		Current
0242/01385/H 01	Landmatch Ltd (prev. Lafarge)	Objection	H 01 13.5-13.16	T4	Current
0242/01386/H 04	Landmatch Ltd (prev. Lafarge)	Objection	H 04		Current
0242/01387/H 01 Mile End Ward	Landmatch Ltd (prev. Lafarge)	Objection	H 01 Colch Inset	6,T4 Severalls Hospital	Current
0242/01388/H 01 Gt Horkesley	Landmatch Ltd (prev. Lafarge)	Objection	H 01 Proposals	15,T4 Coach Road, Great Horkesley	Current
0242/01389/H 01 Wivenhoe	Landmatch Ltd (prev. Lafarge)	Objection	H 01 Colch Inset	T4 Rectory Road, Wivenhoe	Current
0242/02323/H 01	Landmatch Ltd (prev. Lafarge)	Objection	H 01 Table 4	St. Ives Farm, Peldon	Current
0242/02324/H 01	Landmatch Ltd (prev. Lafarge)	Objection	H 01 13.7-13.16		Current
0242/02325/L 05a	Landmatch Ltd (prev. Lafarge)	Objection	L 05a		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0243/00382/H 01 Marks Tey	Mr & Mrs J H French	Objection	H 01 Colch Inset	Marks Tey(A) East of Mott's Lane	Current
0244/00383/L 04 Wivenhoe	Mrs C R Beech	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Current
0245/00384/L 04 Wivenhoe	Mr C S T McKeever	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Current
0246/00385/L 04 Wivenhoe	Mr & Mrs P C Ensom	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0247/00386/L 04 Wivenhoe	Mr Keith Primrose	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0247/00572/CE 08 Wivenhoe	Mr Keith Primrose	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0248/00387/L 04 Wivenhoe	Mrs G Primrose	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0250/00389/L 04 Wivenhoe	Mr & Mrs Stokell	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Current
0251/00390/L 04 Wivenhoe	Mr M Barker	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0252/00391/H 01 Gt Horkesley	Mr James McMillan	Support	H 01 Colch Inset	15, T4 Tile House Farm, Great Horkesley	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0253/00392/UT 03	Dedham Vale Society	Objection	UT 03 Colch Inset	Overhead Power Lines	Current
0253/00393/UT 04	Dedham Vale Society	Objection	UT 04 Colch Inset		Current
0253/00394/DC 01	Dedham Vale Society	Objection	DC 01 f Colch Inset		Unconditional Withdrawal
0253/00395/LPS 01	Dedham Vale Society	Support	LPS 01 2.15(iii)	Local Plan Strategy	Current
0253/00396/CO 02	Dedham Vale Society	Objection	CO 02 5.9 Colch Inset		Unconditional Withdrawal
0253/00397/CO 11 Dedham	Dedham Vale Society	Objection	CO 11 Colch Inset		Current
0253/00398/CO 07	Dedham Vale Society	Support	CO 07 Colch Inset		Current
0253/00399/CO 02	Dedham Vale Society	Support	CO 02 Colch Inset		Current
0253/00400/CO 10	Dedham Vale Society	Objection	CO 10 5.34 Colch Inset		Current
0253/00401/UEA 06	Dedham Vale Society	Objection	UEA 06 6.24-6.32 Colch Inset		Current
0253/00413/L 15	Dedham Vale Society	Objection	L 15 Colch Inset		Current
0254/00402/H 01 Winstred Hundred	Peldon Service Station	Objection	H 01 Colch Inset	Peldon Inclusion of site rear of garage	Current
0254/00403/H 01	Peldon Service	Objection	H 01 Colch Inset	T4 Inclusion of up to 188 units	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Winstred Hundred	Station				
0254/00408/H 01 Garrison	Peldon Service Station	Objection	H 01 Colch Inset	4, T4	Current
0255/00404/L 04 Wivenhoe	Mr P Rosekilly	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0256/00405/L 02 West Mersea	Mr G W Grant	Support	L 02 Colch Inset		Current
0257/00410/H 01 West Mersea	Mrs J Bishop	Objection	H 01 W.M Inset	16, T4	Current
0258/00412/H 01 Castle Ward	Axa Sun Life Properties	Objection	H 01 CA Inset	10, T4 Clarendon Way	Unconditional Withdrawal
0259/00414/H 01 West Mersea	A & J Page	Objection	H 01 W.M.Inset	16, T4 North of East Road, West Mersea	Current
0260/00415/H 01 Gt Horkesley	Mrs Penny Bateman	Support	H 01 Colch Inset	15, T4 Proposed Housing at Horkesley Heath	Unconditional Withdrawal
0261/00416/H 01 Gt Horkesley	Doctor D J A Bateman	Support	H 01 Colch Inset	15, T4 Extension to Village Envelope	Current
0262/00418/H 01 Harbour Ward	The Hills Building Group	Objection	H 01 Colch Inset	T4 Land at Fingrinhoe Road, Old Heath	Current
0262/00419/CO 06	The Hills Building Group	Objection	CO 06 5.27 Colch Inset	Re-wording of reasoned justification	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0262/00420/CO 05	The Hills Building Group	Objection	CO 05 Colch Inset	Re-wording of statement	Current
0263/00421/H 01 West Mersea	Mrs M Miles	Objection	H 01 WM Inset	16, T4 East Road, West Mersea	Current
0264/00425/H 01 West Mersea	Glynian (Leisure Parks) Ltd	Objection	H 01 WM Inset	Non-Inclusion of Site	Current
0264/01752/CE 01 West Mersea	Glynian (Leisure Parks) Ltd	Objection	CE 01 WM Inset	Amend coastal Protection Belt	Current
0265/00426/CE 08 Wivenhoe	Mr P W Lang	Objection	CE 08 4.39-4.40 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0265/02174/CE 08 Wivenhoe	Mr P W Lang	Objection	CE 08	Regeneration Area 10 Cooks Shipyard Joint Case Wivenhoe Society	Current
0266/00427/L 04 Wivenhoe	Miss P Botham	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0267/00428/CE 08 Wivenhoe	Doctor Elaine Jordan	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0268/00429/CE 08 Wivenhoe	Mrs Jan Sinclair	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0268/02078/CE 08 Wivenhoe	Mrs Jan Sinclair	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0269/00430/H 01 Eight Ash Green	Mr & Mrs Sibley	Support	H 01 Proposals	Eight Ash Green/B No housing at Halstead Road, Eight Ash Green	Current
0270/00431/H 01 Eight Ash Green	Mr D Cross	Support	H 01 Proposals	Eight Ash Green/B No housing at Halstead Road, Eight Ash Green	Current
0271/00432/H 01 West Bergholt	Mr & Mrs M W Joel	Support	H 01 Proposals	West Bergholt, T4 Firmins Court, West Bergholt	Current
0272/00433/TCS 10	Marks & Spencer Plc	Objection	TCS 10 15.15/15.55	Suggest revised wording of paragraph	Current
0272/00434/TCS 02	Marks & Spencer Plc	Objection	TCS 02 15.19 Colch Inset	Amend policy wording	Current
0272/00435/TCS 01	Marks & Spencer Plc	Objection	TCS 01 Colch Inset	Policy wording	Current
0273/00436/H 01 Messing cum Inworth	Messing cum Inworth Parish Council	Support	H 01 Colch Inset	17, T4 School Road Messing	Current
0274/00437/H 01 West Bergholt	Mr K & Mrs M J Scarfe	Support	H 01 Proposals	West Bergholt West Bergholt	Current
0275/00438/H 01	Mr & Mrs Bacon	Support	H 01 Colch Inset	17, T4 School Road Messing	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Messing cum Inworth					
0276/00442/H 01 Eight Ash Green	Ms Karen Moss	Support	H 01 Proposals	Eight Ash Green/B Fordham Heath, Eight Ash Green	Current
0277/00443/H 01 Eight Ash Green	Mrs E Norfolk	Support	H 01 Proposals	Eight Ash Green/B Fordham Heath, Eight Ash Green	Current
0278/00445/H 01 Eight Ash Green	Mr I Langrish	Support	H 01 Proposals	Eight Ash Green/B Fordham Heath, Eight Ash Green	Current
0279/00446/H 01 Eight Ash Green	Mrs J Morgan	Support	H 01 Proposals	Eight Ash Green/B Fordham Heath, Eight Ash Green	Current
0280/00447/H 01 Eight Ash Green	Mr R C Morgan	Support	H 01 Proposals	Eight Ash Green/B Fordham Heath, Eight Ash Green	Current
0281/00448/H 01 Eight Ash Green	Mr F G Diggle	Support	H 01 Proposals	Eight Ash Green/B Fordham Heath, Eight Ash Green	Current
0282/00449/H 01 Eight Ash Green	Mrs Y M Diggle	Support	H 01 Proposals	Eight Ash Green/B Fordham Heath, Eight Ash Green & Heathside Farm	Current
0283/00451/H 01 Castle Ward	Turnstone Estates Ltd	Objection	H 01 CA Inset	10,T4 Clarendon Way	Unconditional Withdrawal
0284/00452/H 01 Gt Tey	Great Tey Parish Council	Support	H 01 Proposals	Great Tey	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0285/00453/P 01	The J T S Partnership	Objection	P 01 7.11 Colch Inse		Unconditional Withdrawal
0285/01395/L 18	The J T S Partnership	Objection	L 18 10.68		Current
0285/01396/EMP 01	The J T S Partnership	Objection	EMP 01 10.68		Current
0286/00454/DC 01	House Builders Federation	Objection	DC 01		Unconditional Withdrawal
0286/00460/H 04	House Builders Federation	Objection	H 04 13.20-13.24	Affordable Housing Provision	Current
0286/00825/T 05	House Builders Federation	Objection	T 05 11.30-11.37	Amend policy and para wording	Current
0286/00826/L 05	House Builders Federation	Objection	L 05	Amend policy	Current
0286/00827/CF 03	House Builders Federation	Objection	CF 03 8.14-8.16	Amend policy and para wording	Unconditional Withdrawal
0286/00828/P 01	House Builders Federation	Objection	P 01	Amend policy	Current
0286/00830/CO 04	House Builders Federation	Objection	CO 04	Delete policy	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0286/00831/CO 02	House Builders Federation	Objection	CO 02 5.14-5.18	Amend policy and para wording	Current
0286/01753/H 01	House Builders Federation	Objection	H 01 13.7-13.16		Current
0286/01754/P 04	House Builders Federation	Objection	P 04		Unconditional Withdrawal
0286/02169/H 04	House Builders Federation	Objection	H 04 13.24b		Current
0287/00461/L 02	Mr D Harris	Objection	L 02	Re-wording of policy	Current
0288/00462/CE 08 Wivenhoe	Ian Hunter	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0289/00463/CE 08 Wivenhoe	Richard Mundy	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0290/00464/CE 08 Wivenhoe	Jane Hughes	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0293/00469/EMP 04	Michael Howard Homes	Objection	EMP 04	Table 5 Amend policy wording at EMP4 (c)	Current
0293/00471/H 08	Michael Howard Homes	Support	H 08	Support	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0293/00472/CO 10	Michael Howard Homes	Objection	CO 10	Amend policy wording	Current
0293/01742/H 01 Gt Tey	Michael Howard Homes	Objection	H 01 Proposals	Great Tey Land north of The Street, east of New Barn Road	Current
0293/01743/H 01 Gt Tey	Michael Howard Homes	Objection	H 01 Proposals	Great Tey Warren Farm, Great Tey	Current
0293/01744/N 99 Gt Tey	Michael Howard Homes	Objection	N 99 Proposals	Great Tey Warren Farm, Great Tey	Current
0293/01765/H 01 Shrub End Ward	Michael Howard Homes	Objection	H 01 Colch Inset	4, T4 Land south of Berechurch Hall Road.	Current
0295/00473/H 01 Aldham	Mr & Mrs P M Daines	Objection	H 01 D8	Ford Street Aldham, Village Envelope	Current
0296/00474/DC 01	Railtrack PLC	Objection	DC 01	Amend policy wording	Unconditional Withdrawal
0296/00475/T 02	Railtrack PLC	Objection	T 02	Amend policy wording	Current
0296/00476/T 05	Railtrack PLC	Objection	T 05	Amend policy wording	Current
0296/00477/T 11	Railtrack PLC	Support	T 11		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0296/00791/T 06	Railtrack PLC	Objection	T 06	Amend policy	Current
0296/00792/H 01	Railtrack PLC	Support	H 01 13.16	Supports Text	Current
Marks Tey					
0296/00793/T 06	Railtrack PLC	Support	T 06 11.38	Supports Text	Current
0296/00794/H 01	Railtrack PLC	Objection	H 01 C6(B)	T4 objects to non inclusion of sites	Current
Marks Tey					
0296/01775/L 04	Railtrack PLC	Objection	L 04 10.24		Current
0296/01900/T 06	Railtrack PLC	Support	T 06		Current
0296/01901/T 06	Railtrack PLC	Support	T 06 11.38		Current
0296/01902/H 16	Railtrack PLC	Support	H 16		Current
0296/01903/H 16	Railtrack PLC	Objection	H 16 13.60		Current
0297/00478/UT 01	Environment Agency	Objection	UT 01 12.5	Paragraph Amendment	Current
0297/00505/CO 05	Environment Agency	Objection	CO 05	Amend policy wording	Unconditional Withdrawal
0297/00506/N 99	Environment Agency	Objection	N 99	New policy requested	Current
0297/00507/P 07	Environment Agency	Support	P 07 7.26 & 7.28		Current
0297/00508/CE 07	Environment Agency	Support	CE 07		Current
0297/00509/CE 06	Environment Agency	Support	CE 06		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0297/00510/CE 03	Environment Agency	Support	CE 03		Current
0297/00511/CE 02	Environment Agency	Support	CE 02		Current
0297/00512/CF 01	Environment Agency	Objection	CF 01 8.6	Amend policy and para wording	Unconditional Withdrawal
0297/00513/N 99	Environment Agency	Objection	N 99	New policy requested	Current
0297/00514/LPS 01	Environment Agency	Objection	LPS 01 2.12	New objective requested	Current
0297/00515/CO 06	Environment Agency	Objection	CO 06 5.23	Amend paragraph wording	Current
0297/00516/CO 05	Environment Agency	Objection	CO 05 5.20	Amend paragraph wording	Current
0297/00517/CO 05	Environment Agency	Objection	CO 05 5.18	Amend paragraph wording	Unconditional Withdrawal
0297/00518/CO 02	Environment Agency	Objection	CO 02 5.13d Proposals		Unconditional Withdrawal
0297/00519/CE 06	Environment Agency	Objection	CE 06 4.30 - 4.31	Amend paragraph wording	Unconditional Withdrawal
0297/00520/CE 03	Environment Agency	Objection	CE 03 4.19	Amend paragraph wording	Unconditional Withdrawal
0297/01157/H 01	Environment Agency	Objection	H 01	T4 Addition to adding Paragraph	Current
0297/01158/CE 02	Environment Agency	Support	CE 02 4.18	Below 5metre Contour Welcomed	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0297/01426/P 03	Environment Agency	Objection	P 03		Current
0297/01427/N 99	Environment Agency	Objection	N 99		Unconditional Withdrawal
0297/02217/UT 01	Environment Agency	Support	UT 01 12.5		Current
0297/02218/P 04	Environment Agency	Support	P 04 7.13		Current
0297/02219/P 04	Environment Agency	Support	P 04 7.15		Current
0297/02220/CE 06	Environment Agency	Support	CE 06 4.31		Current
0298/00479/H 01 Eight Ash Green	Eight Ash Green Parish Council	Support	H 01 Proposals	Choats Corner Supports the proposed Village Envelope	Current
0298/00480/H 01 Eight Ash Green	Eight Ash Green Parish Council	Support	H 01	Eight Ash Green Supports the proposed Village Envelope	Current
0298/00481/H 01 Eight Ash Green	Eight Ash Green Parish Council	Support	H 01	T4	Current
0298/00482/H 08 Eight Ash Green	Eight Ash Green Parish Council	Support	H 08		Current
0298/00491/CO 04	Eight Ash	Support	CO 04 Proposals	Eight Ash Green	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Eight Ash Green	Green Parish Council			Supports Area of Strategic Open Lanc	
0299/00483/H 01 Wivenhoe	F R Harrington	Objection	H 01 13.5, 13.12	Table 4 Housing strategy inappropriate	Current
0299/00484/H 05 Dedham	F R Harrington	Objection	H 05 13.25-13.27	Amend policy and para wording	Current
0299/00485/N 99	F R Harrington	Objection	N 99 11.3 E.Colch Inse	Non inclusion of Eastern Approaches Road	Current
0299/00486/H 01 Dedham	F R Harrington	Objection	H 01	Dedham Heath Non Inclusion of Site	Current
0299/02154/CO 04	F R Harrington	Support	CO 04 14		Current
0300/00487/CE 08 Wivenhoe	M J Goodwin	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0301/00488/CE 08 Wivenhoe	G B Sinclair	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0301/01926/CE 08 Wivenhoe	G B Sinclair	Objection	CE 08 22	Regeneration Area 10 Cooks Shipyard	Current
0302/00489/CE 08 Wivenhoe	Julia Cleave	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0303/00490/H 01 Gt Horkesley	Mrs J Bell	Objection	H 01	15, T4 Tilehouse Farm, Great Horkesley	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0304/00492/N 99	Ramblers Association	Objection	N 99 11.3	New policy requested	Unconditional Withdrawal
0304/00493/T 02	Ramblers Association	Objection	T 02 11.16	Amend paragraph wording	Current
0304/00494/UEA 06	Ramblers Association	Objection	UEA 06	Policy wording	Current
0304/00495/CO 10	Ramblers Association	Objection	CO 10	Policy wording	Current
0304/00496/N 99	Ramblers Association	Objection	N 99 10.3	New policy requested	Current
0304/00497/T 01	Ramblers Association	Objection	T 01	Amend policy wording	Current
0304/00498/CO 10	Ramblers Association	Objection	CO 10 5.38	Amend paragraph wording	Current
0304/00499/UEA 16	Ramblers Association	Objection	UEA 16 6.71	Amend policy wording	Current
0304/00500/UEA 15	Ramblers Association	Objection	UEA 15 6.62	Amend paragraph wording	Unconditional Withdrawal
0304/01755/L 02	Ramblers Association	Objection	L 02		Unconditional Withdrawal
0304/01756/H 01	Ramblers Association	Support	H 01 Proposals	Great Tey Great Tey	Current
0305/00501/CE 08 Wivenhoe	Leonore Davidoff	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0306/00502/CE 08 Wivenhoe	David Lockwood	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0307/00503/CE 08 Wivenhoe	A Stinson	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0308/00504/CO 11 Dedham	East of England Tourist Board	Objection	CO 11	Amend policy wording	Current
0308/01026/CE 04	East of England Tourist Board	Objection	CE 04	Amend policy	Unconditional Withdrawal
0308/01433/UEA 06	East of England Tourist Board	Objection	UEA 06		Current
0308/01539/TCS 04	East of England Tourist Board	Objection	TCS 04		Conditional Withdrawal
0308/01540/TCS 07	East of England Tourist Board	Support	TCS 07		Current
0308/01541/TCS 21	East of England Tourist Board	Support	TCS 21		Current
0308/01542/N 99	East of England Tourist Board	Objection	N 99	New policy requested	Unconditional Withdrawal
0308/01543/L 18	East of England Tourist Board	Objection	L 18 10.67		Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0308/01544/L 14	East of England Tourist Board	Support	L 14		Current
0308/01545/P 02	East of England Tourist Board	Support	P 02		Current
0308/01546/CO 11 Dedham	East of England Tourist Board	Objection	CO 11 5.40		Current
0308/01547/CO 10	East of England Tourist Board	Objection	CO 10 5.37		Current
0308/01548/CE 05	East of England Tourist Board	Support	CE 05		Current
0309/00521/DC 01	University of Essex	Objection	DC 01 A-I		Unconditional Withdrawal
0309/00522/CO 01	University of Essex	Objection	CO 01		Unconditional Withdrawal
0309/00523/CO 02 Wivenhoe	University of Essex	Objection	CO 02 5.13(f) Colch Inset	Salary Brook & Lower Colne Valley	Unconditional Withdrawal
0309/00524/UEA 08	University of Essex	Objection	UEA 08	Archaeology	Unconditional Withdrawal
0309/00525/UEA 11	University of Essex	Objection	UEA 11	University Buildings	Unconditional Withdrawal
0309/00526/UC 01	University of Essex	Support	UC 01 9.4	Universty of Essex	Conditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0309/00527/N 99	University of Essex	Objection	N 99 E.Colch Inse	Hythe Railway Station	Unconditional Withdrawal
0309/00528/N 99	University of Essex	Objection	N 99 E.Colch Inse	Eastern Approaches Road	Unconditional Withdrawal
0309/00529/T 02	University of Essex	Objection	T 02	Amend paragraph wording	Unconditional Withdrawal
0309/00530/T 10	University of Essex	Objection	T 10	Amend paragraph wording	Unconditional Withdrawal
0309/00531/ECH 01	University of Essex	Objection	ECH 01 16.14 Colch Inset	Re-wording of policy	Unconditional Withdrawal
0309/00532/UC 01	University of Essex	Objection	UC 01 9.1,3,6,7,9 Colch Inset	Policy wording	Unconditional Withdrawal
0310/00533/CE 04	Leisure Great Britain plc	Objection	CE 04 4.23 - 4.24	Amend policy and para wording	Current
0310/00534/CE 05	Leisure Great Britain plc	Objection	CE 05	Amend policy wording	Current
0310/00535/CE 04 East Mersea	Leisure Great Britain plc	Objection	CE 04 Proposals	Cooper's Beach East Mersea	Current
0310/02188/CO 02	Leisure Great Britain plc	Objection	CO 02		Current
0310/02189/CE 04	Leisure Great Britain plc	Objection	CE 04		Current
0310/02193/CO 05	Leisure Great Britain plc	Objection	CO 05		Current
0311/00536/L 16 Myland	Mr Stephen Barnes	Objection	L 16 10.60/61 Colch Inset	Community Sports Stadium Cuckoo Farm	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0312/00537/L 04 Wivenhoe	Mr & Mrs A L Noakes	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0313/00538/H 01 West Mersea	Mrs A Gallant	Objection	H 01 WM Inset	T4, 16 Land North o East Road, West Mersea	Current
0314/00539/H 01 West Mersea	V A Gibbons & F E Smith	Objection	H 01 WM Inset	T4, 16 Land North o East Road, West Mersea	Current
0315/00540/CO 02 West Bergholt	Messrs R E, J & A Pulford	Objection	CO 02 Proposals	CCA designation at Chitts Hill	Current
0315/00541/L 03 West Bergholt	Messrs R E, J & A Pulford	Objection	L 03 10.19 Proposals	Public open space at Chitts Hill	Current
0315/00542/L 04 West Bergholt	Messrs R E, J & A Pulford	Objection	L 04 10.19 Proposals	Public open space at Chitts Hill	Current
0315/00546/H 01 Eight Ash Green	Messrs R E, J & A Pulford	Objection	H 01 Proposals	Eight Ash Green Extension of VE to include Whitehouse Farm	Current
0315/02249/L 05a	Messrs R E, J & A Pulford	Objection	L 05a 10		Current
0315/02250/L 03	Messrs R E, J & A Pulford	Objection	L 03 10		Current
0315/02251/L 05a	Messrs R E, J & A Pulford	Objection	L 05a 10.28a/10.27 10		Current
0316/00543/CO 02	Messrs S & A H Pulford	Objection	CO 02 Proposals	CCA designation at Chitts Hill	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
West Bergholt					
0316/00544/L 03 West Bergholt	Messrs S & A H Pulford	Objection	L 03 Proposals	Public open space at Chitts Hill	Current
0316/00545/L 04 West Bergholt	Messrs S & A H Pulford	Objection	L 04 Proposals	Public open space at Chitts Hill	Current
0316/02245/L 05a	Messrs S & A H Pulford	Objection	L 05a 10.28a,10.27 10		Current
0316/02246/L 03	Messrs S & A H Pulford	Objection	L 03 10		Current
0316/02247/L 05a	Messrs S & A H Pulford	Objection	L 05a 10		Current
0317/00547/H 01 Messing cum Inworth	Messrs S & D Sherwood	Support	H 01 Proposals	T4, 17 School Road Messing	Current
0318/00548/H 01 Wivenhoe	Dorington Investments Plc	Objection	H 01 Colch Inset	Land west of Vanessa Drive Wivenhoe	Current
0319/00549/H 01 West Mersea	Karen J Callaby	Objection	H 01 WM Inset	T4, 16 North of East Road, West Mersea	Current
0320/00550/CE 08 Wivenhoe	Doctor W P U Kennedy	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0321/00551/CE 08 Wivenhoe	Olga Kovalenko	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0322/00552/H 01	Persimmon Homes (Essex) [was Beazer Homes]	Objection	H 01	T4 Housing strategy inappropriate	Current
0322/00553/H 01	Persimmon Homes (Essex) [was Beazer Homes]	Support	H 01 Colch Inset	T4. 1/2/5/6	Current
0322/00554/H 01 Myland	Persimmon Homes (Essex) [was Beazer Homes]	Support	H 01 Colch Inset	T4. 1/2 Myland Hosp. & west of District Gen. Hosp.	Current
0322/00555/H 01 Mile End Ward	Persimmon Homes (Essex) [was Beazer Homes]	Objection	H 01 Colch Inset	T4, 1/2 Table 4 requirements for sites 1 and 2	Current
0322/00556/H 01 Mile End Ward	Persimmon Homes (Essex) [was Beazer Homes]	Objection	H 01 Colch Inset	T4, 2 Requirements table 4 site 2	Current
0322/00557/H 01 Myland	Persimmon Homes (Essex) [was Beazer Homes]	Support	H 01 Colch Inset	T4, 5 Turner Village	Current
0322/00558/H 01	Persimmon Homes	Objection	H 01 Colch Inset	T4, 5 Requirements table 4 site 5	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Mile End Ward	(Essex) [was Beazer Homes]				
0322/00559/H 01 Myland	Persimmon Homes (Essex) [was Beazer Homes]	Support	H 01 Colch Inset	T4. 6 Severalls Hospital	Current
0322/00560/H 01 Mile End Ward	Persimmon Homes (Essex) [was Beazer Homes]	Objection	H 01 Colch Inset	T4. 6 Table 4 requirements for site 6	Current
0322/00561/H 01	Persimmon Homes (Essex) [was Beazer Homes]	Support	H 01 Colch Inset	T4, 4 Garrison	Current
0322/00562/H 01	Persimmon Homes (Essex) [was Beazer Homes]	Support	H 01	T2 Brownfield Sites	Current
0322/00563/H 01	Persimmon Homes (Essex) [was Beazer Homes]	Objection	H 01	T2 Undisclosed brownfield sites	Current
0322/00564/ME 01 Myland	Persimmon Homes (Essex) [was	Objection	ME 01 Colch Inset	Amend policy	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Beazer Homes]				
0322/00565/ME 01 Myland	Persimmon Homes (Essex) [was Beazer Homes]	Objection	ME 01 Colch Inset	Amend policy	Current
0323/00566/CO 01	Dedham Parish Council	Support	CO 01		Current
0323/00567/T 05	Dedham Parish Council	Support	T 05 11.31		Current
0323/00568/UEA 14	Dedham Parish Council	Support	UEA 14		Current
0323/00569/H 12	Dedham Parish Council	Support	H 12		Current
0323/00570/H 14	Dedham Parish Council	Support	H 14		Current
0323/00571/CO 02	Dedham Parish Council	Support	CO 02 Proposals		Current
0324/00573/H 01 Tiptree	Mrs Lisa Bryant	Objection	H 01 Ttree Inset	T4 Land at Pennsylvania Lane Tiptree	Current
0325/00575/EMP 05 Boxted	Maxstore Limited	Objection	EMP 05 Proposals	Village Envelope Boxted Cross industrial development limit at Boxted Cross	Unconditional Withdrawal
0325/01556/EMP 05 Boxted	Maxstore Limited	Objection	EMP 05 Proposals	Boxted Cross	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0326/00576/H 01 Gt Horkesley	T D Kilfeather	Objection	H 01 Proposals	15, T4 Tile House Farm, Great Horkesley. C5.	Current
0326/01761/H 01 Gt Horkesley	T D Kilfeather	Objection	H 01	Table 3 Classification of Great Horkesley village.	Current
0327/00577/TCS 10	FP Property Services Ltd	Objection	TCS 10 15.56/58	Amend policy and para wording	Unconditional Withdrawal
0327/00578/TCS 02	FP Property Services Ltd	Objection	TCS 02 15.19	Amend policy and para wording	Unconditional Withdrawal
0327/00579/EMP 01	FP Property Services Ltd	Objection	EMP 01	Amend policy	Unconditional Withdrawal
0327/00581/EMP 01	FP Property Services Ltd	Objection	EMP 01 Colch Inset	B & Q store at Cowdray centre	Unconditional Withdrawal
0328/00580/CE 08 Wivenhoe	Mr Walker	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0329/00582/EMP 01	Mr. S Slade	Objection	EMP 01	Amend policy	Current
0329/00583/TCS 02	Mr. S Slade	Objection	TCS 02 15.19	Amend policy and para wording	Current
0329/00584/TCS 10	Mr. S Slade	Objection	TCS 10 15.56/58	Amend policy and para wording	Current
0329/00585/EMP 01	Mr. S Slade	Objection	EMP 01 Colch Inset	Cowdray Centre	Current
0330/00586/H 01 Gt Horkesley	The Governing Body of Bishop	Objection	H 01 VE C5	T4. 15 Tile House Farm, Great Horkesley	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	William Ward Primary School				
0331/00587/TCS 11	Colchester & East Essex Cooperative Society Ltd	Objection	TCS 11 Colch Inset	Abbots Road Fiveways Store	Current
0331/00588/DC 01	Colchester & East Essex Cooperative Society Ltd	Objection	DC 01 3.6	Amend paragraph wording	Unconditional Withdrawal
0331/00589/DC 01 Gt Horkesley	Colchester & East Essex Cooperative Society Ltd	Objection	DC 01 3.20	Amend paragraph wording	Unconditional Withdrawal
0331/00590/DC 01	Colchester & East Essex Cooperative Society Ltd	Objection	DC 01	Amend policy wording	Current
0331/00591/LPS 01	Colchester & East Essex Cooperative Society Ltd	Support	LPS 01 13.5 (D)	Supports Text	Current
0331/00592/H 07	Colchester & East Essex Cooperative Society Ltd	Objection	H 07 13.34	Amend paragraph wording	Unconditional Withdrawal
0331/00593/H 07	Colchester & East Essex Cooperative	Objection	H 07	Amend policy wording	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Society Ltd				
0331/00594/LPS 01	Colchester & East Essex Cooperative Society Ltd	Objection	LPS 01 14.4	New objective requested	Current
0331/00601/EMP 02	Colchester & East Essex Cooperative Society Ltd	Support	EMP 02		Current
0331/00602/EMP 01	Colchester & East Essex Cooperative Society Ltd	Objection	EMP 01 14.7	T.5 Delete table	Unconditional Withdrawal
0331/00603/LPS 01	Colchester & East Essex Cooperative Society Ltd	Objection	LPS 01 15.10	Amend objectives	Current
0331/00604/TCS 01	Colchester & East Essex Cooperative Society Ltd	Objection	TCS 01 15.12/13	Amend paragraph wording	Current
0331/00605/TCS 01	Colchester & East Essex Cooperative Society Ltd	Objection	TCS 01 CA Inset	Amend policy wording	Current
0331/00606/TCS 10 Stanway	Colchester & East Essex Cooperative Society Ltd	Objection	TCS 10 Colch Inset	Peartree Road Employment Zone	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0331/00607/TCS 11	Colchester & East Essex Cooperative Society Ltd	Objection	TCS 11 15.62	Amend paragraph wording	Current
0331/00608/TCS 11	Colchester & East Essex Cooperative Society Ltd	Objection	TCS 11 15.60	Amend paragraph wording	Current
0331/00609/TCS 11	Colchester & East Essex Cooperative Society Ltd	Objection	TCS 11	Amend policy wording	Current
0331/00610/TCS 01	Colchester & East Essex Cooperative Society Ltd	Objection	TCS 01 15.12	T08 Delete table	Current
0331/00611/LPS 01 Tiptree	Colchester & East Essex Cooperative Society Ltd	Objection	LPS 01 20.2 (B & G) Ttree Inset	Amend objectives	Conditional Withdrawal
0331/00612/TIP 02 Tiptree	Colchester & East Essex Cooperative Society Ltd	Objection	TIP 02 20.6 Ttree Inset	TBS Site	Conditional Withdrawal
0331/00613/TIP 03 Tiptree	Colchester & East Essex Cooperative Society Ltd	Objection	TIP 03 20.7 Ttree Inset	Tower business park extension	Conditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0331/00614/TIP 02 Tiptree	Colchester & East Essex Cooperative Society Ltd	Objection	TIP 02 20.10/11 Ttre inset	TBS Site	Conditional Withdrawal
0331/00615/TCS 11 Tiptree	Colchester & East Essex Cooperative Society Ltd	Objection	TCS 11 Ttree Inset	Fiveways Supermarket on Church Road	Unconditional Withdrawal
0331/01964/TCS 01	Colchester & East Essex Cooperative Society Ltd	Objection	TCS 01		Current
0331/01965/TCS 02	Colchester & East Essex Cooperative Society Ltd	Objection	TCS 02 15.15a & 15.		Current
0331/01966/TCS 02a	Colchester & East Essex Cooperative Society Ltd	Objection	TCS 02a		Current
0331/01967/TCS 10	Colchester & East Essex Cooperative Society Ltd	Objection	TCS 10		Current
0331/01968/TCS 11	Colchester & East Essex Cooperative Society Ltd	Objection	TCS 11		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0331/02342/TCS 11	Colchester & East Essex Cooperative Society Ltd	Objection	TCS 11		Current
0332/00616/H 01 Mile End Ward	Revd. Peter Cook	Objection	H 01 Colch Inset	T4. 1/2/6 Table 4 requirements	Current
0332/00617/CF 01 Myland	Revd. Peter Cook	Support	CF 01	Support	Current
0332/00618/ME 01 Myland	Revd. Peter Cook	Objection	ME 01 Colch Inset	Amend policy	Current
0333/00619/CE 08 Abberton & Langenhoe	Mr R Jaques	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0333/00632/CE 01 Wivenhoe	Mr R Jaques	Objection	CE 01 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0333/02075/CE 08 Wivenhoe	Mr R Jaques	Objection	CE 08 4.33g	Regeneration Area 10 Cooks Shipyard	Current
0333/02076/CE 08 Wivenhoe	Mr R Jaques	Support	CE 08 4.33r	Regeneration Area 10 Cooks Shipyard	Current
0333/02077/CE 08 Wivenhoe	Mr R Jaques	Objection	CE 08 4.33f	Regeneration Area 10 Cooks Shipyard	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0334/00620/CE 08 Wivenhoe	Anglesea Road Resident's Association	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0334/00633/CE 01 Wivenhoe	Anglesea Road Resident's Association	Objection	CE 01 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0334/02214/CE 08	Anglesea Road Resident's Association	Objection	CE 08 4.33g	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0335/00621/CE 08 Wivenhoe	R G Bond	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0335/00634/CE 01 Wivenhoe	R G Bond	Objection	CE 01 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0336/00622/CE 08 Wivenhoe	Keith Parsons	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0336/00635/CE 01 Wivenhoe	Keith Parsons	Objection	CE 01 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0337/00623/CE 08 Wivenhoe	P Rendall	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0337/00636/CE 01	P Rendall	Objection	CE 01 Colch Inset	Regeneration Area	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe				10 Cooks Shipyard Joint Case ARRA	
0337/02182/CE 08 Wivenhoe	P Rendall	Objection	CE 08	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0338/00624/CE 08 Wivenhoe	Mrs M K Hardy	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0338/00637/CE 01 Wivenhoe	Mrs M K Hardy	Objection	CE 01 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0339/00625/CE 08 Wivenhoe	Pamela Lucie-Smith	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0339/00638/CE 01 Wivenhoe	Pamela Lucie-Smith	Objection	CE 01 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0340/00626/CE 08 Wivenhoe	Carol Munn-Giddings	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0340/00639/CE 01 Wivenhoe	Carol Munn-Giddings	Objection	CE 01 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0341/00627/CE 08 Wivenhoe	Katherine Wood	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0341/00640/CE 01 Wivenhoe	Katherine Wood	Objection	CE 01 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0342/00628/CE 08	Mr Steve	Objection	CE 08 Colch Inset	Regeneration Area	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe	Warin			10 Cooks Shipyard · Joint Case ARRA	
0342/00641/CE 01 Wivenhoe	Mr Steve Warin	Objection	CE 01 Colch Inset	Regeneration Area 10 Cooks Shipyard · Joint Case ARRA	Current
0343/00629/CE 08 Wivenhoe	Paula Jane Warin	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard · Joint Case ARRA	Current
0343/00642/CE 01 Wivenhoe	Paula Jane Warin	Objection	CE 01 Colch Inset	Regeneration Area 10 Cooks Shipyard · Joint Case ARRA	Current
0344/00630/CE 08 Wivenhoe	I M Roca	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard · Joint Case ARRA	Current
0344/00631/CE 01 Wivenhoe	I M Roca	Objection	CE 01 Colch Inset	Regeneration Area 10 Cooks Shipyard · Joint Case ARRA	Current
0344/02175/CE 08 Wivenhoe	I M Roca	Objection	CE 08	Regeneration Area 10 Cooks Shipyard · Joint Case ARRA	Current
0345/00643/T 01	Thomas Roberts	Support	T 01	Support	Current
0345/00644/T 02	Thomas Roberts	Support	T 02	Support	Current
0345/00645/T 03	Thomas Roberts	Support	T 03	Support	Current
0345/00646/T 04	Thomas Roberts	Support	T 04	Support	Current
0345/00647/T 05	Thomas	Support	T 05	Support	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Roberts				
0345/00648/T 06	Thomas Roberts	Support	T 06	Support	Current
0345/00649/T 07	Thomas Roberts	Support	T 07	Support	Current
0345/00650/T 10	Thomas Roberts	Support	T 10	Support	Current
0345/00652/CE 08 Wivenhoe	Thomas Roberts	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case Wivenhoe Society	Current
0345/01519/T 08	Thomas Roberts	Support	T 08		Current
0345/01520/T 09 Myland	Thomas Roberts	Support	T 09		Current
0345/02081/T 08	Thomas Roberts	Support	T 08 11.42a 11.43		Current
0345/02082/P 02	Thomas Roberts	Support	P 02 7.12		Current
0345/02083/CE 08 Wivenhoe	Thomas Roberts	Objection	CE 08 4.33a-p	Regeneration Area 10 Cooks Shipyard Joint Case Wivenhoe Society	Current
0345/02084/TCS 10	Thomas Roberts	Objection	TCS 10		Current
0345/02085/T 07	Thomas Roberts	Support	T 07 11.41a		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0345/02086/T 08	Thomas Roberts	Support	T 08 11.42a 11.43		Current
0345/02087/T 07	Thomas Roberts	Support	T 07 11.41a		Current
0345/02099/CE 08 Wivenhoe	Thomas Roberts	Objection	CE 08 4.33a-p	Regeneration Area 10 Cooks Shipyard Joint Case Wivenhoe Society	Current
0346/00651/H 01 Castle Ward	W S Tamblyn & G C Bunting	Objection	H 01 CA Inset	Land at St Julian Grove	Current
0348/00654/H 01 West Mersea	Mrs J N Pearce	Objection	H 01 WM Inset	T4. 16 Land North o East Road, West Mersea	Current
0349/00655/L 07	Mr & Mrs Smith	Support	L 07	Support	Current
0349/00656/H 01 West Bergholt	Mr & Mrs Smith	Support	H 01 Proposals	West Bergholt Supports the proposed Village Envelope	Current
0349/00657/ME 01 Gt Horkesley	Mr & Mrs Smith	Objection	ME 01 Proposals	A12/A134 Junction	Current
0349/00658/L 02 West Bergholt	Mr & Mrs Smith	Objection	L 02 Proposals	Village Envelope West Bergholt Private Open Space designation north of school	Unconditional Withdrawal
0349/00659/L 03 West Bergholt	Mr & Mrs Smith	Objection	L 03 Proposals	West Bergholt West Bergholt Heath	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0349/00660/CO 05 West Bergholt	Mr & Mrs Smith	Objection	CO 05 Proposals	Village Envelope West Bergholt West Bergholt Heath	Unconditional Withdrawal
0350/00661/H 01 Mile End Ward	Bovis Homes Ltd	Objection	H 01 Colch Inset	T4 Triangle site bounded by A134, A12 & Boxted	Current
0350/00662/H 01 Tiptree	Bovis Homes Ltd	Objection	H 01 Ttree Inset	T4 Peakes Farm, Maldon Road, Tiptree	Current
0350/00663/H 01 Tiptree	Bovis Homes Ltd	Objection	H 01 Ttree Inset	Peakes Farm, Maldon Road, Tiptree	Current
0350/00664/TIP 03 Tiptree	Bovis Homes Ltd	Support	TIP 03 20.7 Ttree Inset	T06 Land at Kelvedon and Grange Road	Current
0350/00665/H 01 Tiptree	Bovis Homes Ltd	Objection	H 01 Ttree Inset	T4. Land at Vine and Grange Road	Current
0350/00666/H 01 Mile End Ward	Bovis Homes Ltd	Objection	H 01	T4. Housing strategy inappropriate	Current
0350/00667/H 01	Bovis Homes Ltd	Objection	H 01 13.7/16	T4. Housing strategy inappropriate	Current
0350/00668/H 01	Bovis Homes Ltd	Objection	H 01	T.2 & 4 lack of detail on b/field and w/fall sites	Current
0350/00669/DC 01	Bovis Homes Ltd	Objection	DC 01	Amend policy wording	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0350/01511/H 01 Langham	Bovis Homes Ltd	Objection	H 01 Proposals	St Margaret' Between Perry Lane, Wick Road & the A12	Current
0350/01749/H 01	Bovis Homes Ltd	Objection	H 01		Current
0350/02229/H 01	Bovis Homes Ltd	Objection	H 01 13.12		Current
0350/02230/H 01	Bovis Homes Ltd	Objection	H 01 Table 4		Current
0350/02231/H 01	Bovis Homes Ltd	Objection	H 01 13.13		Current
0350/02232/TIP 03	Bovis Homes Ltd	Objection	TIP 03 20.8		Current
0350/02233/G 01	Bovis Homes Ltd	Objection	G 01 17.9h		Current
0350/02234/H 01	Bovis Homes Ltd	Objection	H 01 29		Current
0350/02235/H 01	Bovis Homes Ltd	Objection	H 01 Table 2		Current
0351/00670/H 01 Fordham	Mr L Watts	Objection	H 01 Proposals	Ford Street - Aldham Land adjacent to Friars House, Halstead Road	Current
0352/00671/CO 07	Mr Martin Knowles	Objection	CO 07 Colch Inset	Olivers Lane	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0353/00672/H 01 West Mersea	Miss J Jopson	Objection	H 01 WM Inset	T4,16 East Road, West Mersea	Current
0354/00674/CE 08 Wivenhoe	Mr D B Anderson	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0355/00675/CO 04 Wivenhoe	Wivenhoe Town Council	Objection	CO 04 Colch Inset	Land Between Essex University & Wivenhoe	Current
0355/00677/CE 08 Wivenhoe	Wivenhoe Town Council	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0355/01760/L 04 Wivenhoe	Wivenhoe Town Council	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0356/00676/EMP 03 Fingringhoe	J J Prior (Transport) Ltd	Objection	EMP 03	Fingringhoe & Rowhedge Ports	Current
0357/00678/CE 08 Wivenhoe	Wivenhoe Sailing Club	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0358/00679/CE 08 Wivenhoe	Mrs J Sayer	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0359/00680/CE 08 Wivenhoe	Mr A P Davis	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0360/00681/CE 08 Wivenhoe	Mr & Mrs R Hardy	Objection	CE 08 4.39-4.40 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0361/00682/H 01	Mr & Mrs D	Objection	H 01	Choats Corner	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Eight Ash Green	Heather			Choats Corner	
0361/01057/H 01 Eight Ash Green	Mr & Mrs D Heather	Support	H 01	Eight Ash Green New Housing Eight Ash Green	Current
0362/00683/CE 08 Wivenhoe	Mr M J Stephens	Objection	CE 08 4.39-4.40 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0363/00684/UT 04	Orange Personal Communications Services Limited	Support	UT 04 12.11-12.17		Current
0363/00685/UT 04	Orange Personal Communications Services Limited	Objection	UT 04	Amend paragraph wording	Current
0364/00686/H 01 West Mersea	C L Lloyd	Objection	H 01 W.M Inset	Site 16 East Road, West Mersea	Current
0365/00687/H 01 West Mersea	Mr K Cromwell	Objection	H 01 W.M Inset	Site 16 East Road, West Mersea	Current
0367/00689/CE 08 Wivenhoe	Doctor E J Wake	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case Wivenhoe Society	Current
0368/00690/H 01 Eight Ash Green	Mrs A M Stomard	Support	H 01	T.P1.2.26 Fordham Heath, Eight Ash Green	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0369/00691/H 01 Gt Horkesley	Mr P J Newell	Objection	H 01 Proposals	16, T4 Tile House Farm, Great Horkesley. C5.	Current
0371/00693/CE 08 Wivenhoe	Mr J Greening	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0372/00694/CE 08 Wivenhoe	Ms M Reid	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0373/00695/H 01 West Mersea	Mrs J Stearn	Objection	H 01 W.M Inset	16 East Road, West Mersea	Current
0374/00696/H 01 West Mersea	Mr Stearn	Objection	H 01 W.M inset	16 East Road, West Mersea	Current
0375/00697/CE 08 Wivenhoe	Mrs G Strudwick	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0375/02205/CE 08	Mrs G Strudwick	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0376/00698/H 01 West Mersea	Mr Green	Objection	H 01 W.M Inset	T4.16 Land North of East Road, West Mersea	Current
0377/00700/CE 08 Wivenhoe	Mrs N Stephens	Objection	CE 08 4.39/40 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0377/02215/CE 08	Mrs N Stephens	Objection	CE 08 4.33	Regeneration Area 10 Cooks Shipyard	Current
0378/00701/CE 08	Mr G	Objection	CE 08 4.39-40 Colch	Regeneration Area	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe	Stephens		Inset	10 Cooks Shipyard · Joint Case ARRA	
0378/00702/CE 07	Mr G Stephens	Support	CE 07 Colch Inset	Wivenhoe and Rowhedge waterside - Joint Case ARRA	Current
0378/02216/CE 08	Mr G Stephens	Objection	CE 08	Regeneration Area 10 Cooks Shipyard · Joint Case ARRA	Current
0379/00703/H 01 West Mersea	Mrs J Mann	Objection	H 01 W.M Inset	T4.16 Land North of East Road, West Mersea	Current
0380/00704/H 01 West Mersea	Mr P C Mann	Objection	H 01 Colch Inset	T4. 16 Land North o East Road, West Mersea	Current
0381/00705/H 01 West Mersea	Mr J E Grey	Objection	H 01 WM Inset	T4.16 Land North of East Road, West Mersea	Current
0382/00706/CE 08 Wivenhoe	Dilly Meyer	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0383/00707/H 01 West Bergholt	Steve Norman	Objection	H 01 Proposals	West Bergholt Land at Bourne road Wes Bergholt	Current
0384/00708/H 01 Wakes Colne	Mr & Mrs D Anderson	Objection	H 01 Proposals	Wakes Colne (Middle Green) (B) Land adjacent to Willow Meade at Wakes Colne	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0384/00709/H 08	Mr & Mrs D Anderson	Objection	H 08 13.36	Amend paragraph wording	Current
0384/00710/H 09	Mr & Mrs D Anderson	Objection	H 09	Amend policy	Current
0385/00711/H 01 Tiptree	Mr Richard Martin	Objection	H 01 Ttree Inset	T4. Land at Grange Road & Pennsylvania Lane	Current
0386/00712/CF 07	Essex County Council (Planning & Admissions)	Objection	CF 07 8.26 Colch Inset	Garrison	Unconditional Withdrawal
0386/00713/H 01 Mile End Ward	Essex County Council (Planning & Admissions)	Objection	H 01 Colch Inset	4, T4 Garrison Site	Unconditional Withdrawal
0386/00714/CF 07 Myland	Essex County Council (Planning & Admissions)	Objection	CF 07 8.26 Colch Inset	1/2/5/6, T4 Table 4 requirements	Unconditional Withdrawal
0386/00715/H 01 Mile End Ward	Essex County Council (Planning & Admissions)	Objection	H 01 Colch Inset	T4. 1/2/5/6	Unconditional Withdrawal
0388/00716/LPS 01	English Nature	Support	LPS 01	Support	Current
0388/00717/LPS 01	English Nature	Support	LPS 01 4.2-4.9	support	Unconditional Withdrawal
0388/00718/LPS 01	English	Objection	LPS 01 4.4-4.9		Unconditional Withdrawal

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Nature				
0388/00719/CE 01	English Nature	Support	CE 01 4.14	Support	Current
0388/00720/CE 01	English Nature	Objection	CE 01 4.11/12/16	Amend paragraph wording	Unconditional Withdrawal
0388/00721/CE 03	English Nature	Objection	CE 03	Amend policy	Unconditional Withdrawal
0388/00722/CE 05	English Nature	Objection	CE 05 4.27-29	Amend paragraph wording	Unconditional Withdrawal
0388/00723/CE 05	English Nature	Support	CE 05	Support	Current
0388/00724/LPS 01	English Nature	Objection	LPS 01 5.1-4	Amend paragraph wording	Unconditional Withdrawal
0388/00725/CO 01	English Nature	Support	CO 01	Support	Current
0388/00726/CO 02	English Nature	Support	CO 02 5.14	Support	Current
0388/00727/CO 02	English Nature	Objection	CO 02 5.14	Amend paragraph wording	Unconditional Withdrawal
0388/00728/CO 03	English Nature	Objection	CO 03 5.15	Amend policy and para wording	Unconditional Withdrawal
0388/00729/CO 05	English Nature	Objection	CO 05 5.18-5.22	Amend policy and para wording	Current
0388/00730/CO 06	English Nature	Objection	CO 06 5.26	Amend policy and para wording	Unconditional Withdrawal
0388/00731/LPS 01	English Nature	Objection	LPS 01 6.1-16	Amend paragraph wording	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0388/00732/LPS 01	English Nature	Objection	LPS 01 6.7	Amend objectives	Unconditional Withdrawal
0388/00733/UEA 15	English Nature	Support	UEA 15 6.66	Support for greenlinks	Current
0388/00734/P 02	English Nature	Support	P 02	Support	Current
0388/00735/P 03	English Nature	Support	P 03	Support	Current
0388/00736/N 99	English Nature	Objection	N 99	New policy requested	Unconditional Withdrawal
0388/00737/L 05	English Nature	Objection	L 05 10.27	Amend paragraph wording	Unconditional Withdrawal
0388/00738/L 05	English Nature	Objection	L 05	Amend policy	Unconditional Withdrawal
0388/00739/L 14	English Nature	Objection	L 14	Amend policy	Unconditional Withdrawal
0388/00740/ECH 03	English Nature	Objection	ECH 03 E.Colch Ins		Unconditional Withdrawal
0388/00741/IM 02	English Nature	Objection	IM 02 2(ii)b		Current
0388/00742/CO 05	English Nature	Objection	CO 05 Proposals	Habitat designations	Current
0388/02177/CO 03	English Nature	Support	CO 03 5.15		Current
0388/02178/L 14d	English Nature	Support	L 14d		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0388/02225/CO 03	English Nature	Support	CO 03 5.15		Current
0388/02226/CO 07	English Nature	Support	CO 07 5.26 & 5.27		Current
0388/02227/CO 05	English Nature	Support	CO 05 5.20		Current
0388/02397/L 05a	English Nature	Support	L 05a 10.28a		Current
0388/02398/L 03	English Nature	Support	L 03 10.27		Current
0388/02399/P 03	English Nature	Support	P 03 7.13		Current
0388/02400/UT 04	English Nature	Support	UT 04 12.5		Current
0389/00743/H 01 Wakes Colne	H C Percival (Farms) Ltd	Objection	H 01 Proposals	Chappel - Wakes Colne Land at Station Road Chappel	Current
0389/00744/H 01 Chappel	H C Percival (Farms) Ltd	Objection	H 01 Proposals	Chappel - Wakes Colne Land at Spring Gardens Road	Current
0389/00749/H 01 Wakes Colne	H C Percival (Farms) Ltd	Objection	H 01 Proposals	Table 3 Chappel & Wakes Colne	Current
0389/00862/CO 10	H C Percival (Farms) Ltd	Support	CO 10		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0389/00863/H 01 Wakes Colne	H C Percival (Farms) Ltd	Objection	H 01 Proposal	Wakes Hall	Current
0389/00864/EMP 05	H C Percival (Farms) Ltd	Objection	EMP 05 Proposal	Wakes Hall, Wakes Colne	Current
0390/00745/H 01 Chappel	Mr & Mrs M Gwyn	Objection	H 01 Proposals	Chappel - Wakes Colne Land at Vernons Road	Current
0390/00747/H 01 Chappel	Mr & Mrs M Gwyn	Objection	H 01 Proposals	T3 Chappel & Wakes Colne	Current
0391/00746/H 01 Wakes Colne	Greene King plc	Objection	H 01 Proposals	Chappel - Wakes Colne Land at Station Road, Wakes Colne	Current
0391/00748/H 01 Wakes Colne	Greene King plc	Objection	H 01 Proposals	Table 3 Chappel & Wakes Colne	Current
0392/00750/H 01 Copford with Easthorpe	Mr R L Gilbert	Objection	H 01	Copford Green Lanc east of Springfields, Copford Green	Current
0392/00751/H 01 Copford with Easthorpe	Mr R L Gilbert	Objection	H 01	Copford Green Lanc adjacent Tintagel, Copford Green	Current
0393/00752/H 01 West Mersea	I S Enterprises	Objection	H 01 W.M Inset	T4 Land north of Colchester Road, West Mersea	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0394/00753/H 01 Layer-de-la-Haye	Mrs R Gates	Objection	H 01	Layer de la Haye Land off the Folley, Layer de la Haye	Current
0395/00754/H 01 Eight Ash Green	Mr S R Sadler	Support	H 01 Proposals	Eight Ash Green Supports the proposed Village Envelopes	Current
0396/00755/H 01 Eight Ash Green	Mrs S Winterbourne	Support	H 01 Proposals	Eight Ash Green Supports the proposed Village Envelopes	Current
0397/00756/H 01 Fingringhoe	Mr & Mrs C Trollope	Objection	H 01	Abberton Road - Fingringhoe Land at Clay Barn Farm, Abberton Road, Fingrinhoe	Current
0398/00757/H 01 Fingringhoe	Mr & Mrs C T Slowgrove	Objection	H 01	Abberton Road - Fingringhoe Land of Abberton Road, Fingrinhoe	Current
0399/00758/H 01 Abberton & Langenhoe	Mr Neil Gilbranch	Objection	H 01	Abberton - Langenhoe Land off Peldon Road, Abberton	Current
0400/00759/H 01 Dedham	Mr R Von Gunten	Objection	H 01	Dedham Heath Land at Long Road East, Dedham Heath	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0401/00761/H 01 Dedham	Mr Robert Walmesley	Objection	H 01	Dedham Heath Land at Long Road East, Dedham Heath	Current
0402/00762/H 01 Dedham	Mr Patrick Hogan	Objection	H 01	4, T4 Land south of Spring Cottage, Bargate Lane, Dedham	Current
0403/00764/H 01 Tiptree	Estate of James Martin	Objection	H 01 Ttree Inset	T4 Land off Harrington Close, Tiptree	Current
0403/00765/H 01 Tiptree	Estate of James Martin	Objection	H 01 Ttree Inset	T4 Land between Grange Road, Pennsylvania Lane	Current
0403/00766/H 01 Tiptree	Estate of James Martin	Objection	H 01 Ttree Inset	T4 Land at Maldon Road	Current
0403/00767/H 01 Tiptree	Estate of James Martin	Objection	H 01 Ttree Inset	T4 Land at Maldon Road	Current
0403/00768/H 01 Tiptree	Estate of James Martin	Objection	H 01 Ttree Inset	T4 Land at Vine Farm, Vine Road	Current
0403/00769/H 01 Tiptree	Estate of James Martin	Objection	H 01 Ttree Inset	T4 Land at Vine Farm, Vine Road	Current
0404/00770/H 01 Tiptree	G Jarvis & Son Limited	Objection	H 01 Ttree Inset	T4 Land adj. Omishan, Newbridge Road	Current
0405/00771/H 12	Edward Gittins & Associates	Objection	H 12		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0405/00773/EMP 05 Fordham	Edward Gittins & Associates	Objection	EMP 05 Proposals	Wormingford Airfield	Unconditional Withdrawal
0405/00774/H 15	Edward Gittins & Associates	Objection	H 15		Current
0405/00775/TIP 03 Tiptree	Edward Gittins & Associates	Objection	TIP 03 Ttree Inset		Current
0405/00776/G 01 Tiptree	Edward Gittins & Associates	Objection	G 01 17.8 Colch Inse	Colchester Garrison	Current
0405/00777/TCS 12	Edward Gittins & Associates	Objection	TCS 12 Proposals		Current
0405/00778/H 01 Garrison	Edward Gittins & Associates	Objection	H 01 Colch Inset	4, T4 Garrison	Current
0405/00779/H 01 West Mersea	Edward Gittins & Associates	Objection	H 01 WM Inset	16, T4 East Road, West Mersea	Current
0405/00780/L 04 West Mersea	Edward Gittins & Associates	Objection	L 04 WM Inset	Brierley Hall Farm, West Mersea	Current
0405/01179/H 14	Edward Gittins & Associates	Objection	H 14		Current
0405/01180/DC 01	Edward Gittins & Associates	Objection	DC 01 C(i)		Unconditional Withdrawal
0405/01181/CO 13	Edward Gittins	Objection	CO 13 B		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	& Associates				
0405/01182/CO 12	Edward Gittins & Associates	Objection	CO 12		Current
0405/01183/H 06	Edward Gittins & Associates	Objection	H 06 d	Delete paragraphs	Unconditional Withdrawal
0405/01184/H 08	Edward Gittins & Associates	Objection	H 08	Residential Conversions	Unconditional Withdrawal
0405/01185/H 11	Edward Gittins & Associates	Objection	H 11 13.43a13.43h		Unconditional Withdrawal
0405/02073/G 01	Edward Gittins & Associates	Objection	G 01 17.9h Table 4		Current
0406/01329/H 01 Fingringhoe	Mr T Vaughan	Objection	H 01 Proposals	High Park Corner (Fingringhoe) Land at Ballast Quay Road	Current
0407/00772/H 01 Tiptree	Mr C Heath & Mr N Buckland	Objection	H 01 Ttree Inset	T4,14	Current
0408/00781/H 01 Mile End Ward	Mr M Standage	Objection	H 01 Colch Inset	6, T4	Current
0409/00782/H 01 Fordham	Mr Colin Browne	Objection	H 01 Proposals	Ford Street - Aldham Halstead Road, Fordham	Current
0410/00783/H 01 Tiptree	Mr D Clough	Objection	H 01 Ttree Inset	T4 Southern edge o Tiptree,west of Bull Lane	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0412/00785/L 03	Sport England	Objection	L 03		Unconditional Withdrawal
0413/00786/LPS 01	BACSPA	Objection	LPS 01 4.7/4.9	Amend paragraph wording	Unconditional Withdrawal
0414/00787/H 01 Mile End Ward	Prowting Projects Ltd	Objection	H 01 Proposals	Non allocation of land off Bakers Lane, Braiswick.	Current
0414/00789/H 04	Prowting Projects Ltd	Objection	H 04	Amend policy	Current
0414/01410/H 01 Abberton	Prowting Projects Ltd	Objection	H 01 Proposals	Non allocation of Abberton Cricket Ground.	Current
0414/01614/CO 02	Prowting Projects Ltd	Objection	CO 02	Abberton - Langenhoe	Current
0414/01618/DC 01	Prowting Projects Ltd	Objection	DC 01 b		Unconditional Withdrawal
0414/02409/H 01	Prowting Projects Ltd	Objection	H 01	14a Gaffneys Site	Current
0414/02410/H 01 Winstred Hundred	Prowting Projects Ltd	Objection	H 01	9 St. Ives Farm, Peldon	Current
0416/00790/CO 06	Essex Wildlife Trust	Objection	CO 06 5.23-5.26	Amend paragraph wording	Unconditional Withdrawal
0416/00797/UT 01	Essex Wildlife Trust	Objection	UT 01 12.4-12.5	Amend paragraph wording	Unconditional Withdrawal
0416/00798/CO 06	Essex Wildlife Trust	Support	CO 06	Support	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0416/00799/CO 05	Essex Wildlife Trust	Support	CO 05 5.20	Support	Current
0416/00800/CO 05	Essex Wildlife Trust	Support	CO 05		Current
0416/00801/CO 10	Essex Wildlife Trust	Support	CO 10	Support	Current
0416/00802/CO 12	Essex Wildlife Trust	Support	CO 12	Support	Current
0416/00803/UEA 12	Essex Wildlife Trust	Support	UEA 12	Support	Current
0416/00804/UEA 15	Essex Wildlife Trust	Objection	UEA 15 6.60-6.68	Amend policy and para wording	Current
0416/00805/UEA 15	Essex Wildlife Trust	Objection	UEA 15 6.60-6.68	Amend policy and para wording	Unconditional Withdrawal
0416/00806/P 02	Essex Wildlife Trust	Support	P 02	support	Current
0416/00807/P 06	Essex Wildlife Trust	Support	P 06 7.22-7.25	Support	Current
0416/00808/P 07	Essex Wildlife Trust	Support	P 07 7.26 & 7.28	Support	Current
0416/00809/L 03	Essex Wildlife Trust	Objection	L 03 10.26	Amend paragraph wording	Unconditional Withdrawal
0416/00810/L 07	Essex Wildlife Trust	Support	L 07	Support	Current
0416/00811/L 08	Essex Wildlife Trust	Support	L 08	Support	Current
0416/00812/L 09	Essex Wildlife	Support	L 09 10.37		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Trust				
0416/00813/L 10	Essex Wildlife Trust	Support	L 10 10.40	support	Current
0416/00814/ECH 03	Essex Wildlife Trust	Objection	ECH 03 E.Colch Ins	Amend policy and para wording	Unconditional Withdrawal
0416/00815/T 01	Essex Wildlife Trust	Objection	T 01 11.5-11.13	Amend policy and para wording	Unconditional Withdrawal
0416/00816/T 02	Essex Wildlife Trust	Objection	T 02 11.14-11.19	Amend policy and para wording	Unconditional Withdrawal
0416/00817/CO 05	Essex Wildlife Trust	Objection	CO 05 Proposals	SINC sites to be added	Current
0416/00818/CO 03	Essex Wildlife Trust	Objection	CO 03	Amend policy	Unconditional Withdrawal
0416/00819/CE 06	Essex Wildlife Trust	Support	CE 06	Support	Current
0416/00820/CE 05	Essex Wildlife Trust	Support	CE 05	Support	Current
0416/00821/CE 03	Essex Wildlife Trust	Support	CE 03	Support	Current
0416/00839/CE 01	Essex Wildlife Trust	Support	CE 01	Puts policy objectives into practice	Current
0416/00840/CE 01	Essex Wildlife Trust	Support	CE 01 4.7		Current
0416/00841/CE 01	Essex Wildlife Trust	Support	CE 01 4.9 a-e	Support	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0416/00842/LPS 01	Essex Wildlife Trust	Support	LPS 01 7.21(b)	Brownfield Site	Current
0417/00795/H 01 Tiptree	Granville Developments	Objection	H 01 Ttree Inset	T4 Land south west of Pennsylvania Lane, Tiptree	Current
0417/01154/H 01	Granville Developments	Objection	H 01	T4 Brownfield Site	Current
0417/01155/H 04	Granville Developments	Objection	H 04	20% figure not appropriate	Current
0418/00796/H 01 Eight Ash Green	Mr C F & Mrs M P Jowers	Support	H 01	Eight Ash Green Supports the proposed Village Envelopes	Current
0418/01688/CO 02 Eight Ash Green	Mr C F & Mrs M P Jowers	Objection	CO 02 5.13	Eight Ash Green	Current
0419/00823/CE 08 Wivenhoe	Dr Ross W Boyle	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0419/01764/L 04 Wivenhoe	Dr Ross W Boyle	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0420/00824/CE 08 Wivenhoe	Mrs Catherine Packer	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0422/00836/H 01 Eight Ash Green	David Moss	Support	H 01 Proposals	Eight Ash Green Supports the proposed Village Envelope	Current
0423/00838/CO 02	Mr & Mrs F G	Objection	CO 02 Proposals	Eight Ash Green	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Eight Ash Green	Diggle			Bridleway west side of Fordham Heath	
0423/01718/CO 02 Eight Ash Green	Mr & Mrs F G Diggle	Objection	CO 02 Proposals	Choats Corner Lanc to the east of Choats Corner, Eight Ash Green	Current
0425/00843/H 08 Boxted	Chelmsford Diocesan Board of Finance	Support	H 08 Proposal	Queens Head Road, Boxted	Current
0425/00859/H 01 Gt Tey	Chelmsford Diocesan Board of Finance	Objection	H 01	Great Tey Non Inclusion Moor Road & Chappel Road, Great Tey	Current
0425/00860/H 01 Winstred Hundred	Chelmsford Diocesan Board of Finance	Objection	H 01	Peldon Non Inclusion land Lowe Road, Peldon	Current
0425/01751/H 01 Mile End Ward	Chelmsford Diocesan Board of Finance	Support	H 01 Colch Inset	1, T4 Myland Hospital	Unconditional Withdrawal
0426/00844/TIP 03 Tiptree	Kelvedon Parish Council	Objection	TIP 03 Ttree Inset	Kelvedon & Feering A12 traffic calming	Current
0427/00845/UT 03	The National Grid Company Plc	Objection	UT 03 12.7-12.10		Unconditional Withdrawal
0427/02202/UT 03	The National Grid Company Plc	Support	UT 03 12.8		Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0428/00846/CO 10	MAFF	Objection	CO 10	Amend paragraph wording	Unconditional Withdrawal
0428/00847/CO 08	MAFF	Objection	CO 08	Amend paragraph wording	Unconditional Withdrawal
0428/01156/L 10	MAFF	Objection	L 10	Adding to Paragraphs	Unconditional Withdrawal
0429/00849/H 01 Mile End Ward	Mr & Mrs R Gates	Objection	H 01 Colch Inset	Myland lodge	Current
0430/00850/H 01 Wakes Colne	Mrs V Sayer	Objection	H 01 Proposal	Wakes Colne (Middle Green) (a) Inworth Lane, Wakes Colne	Current
0431/00851/H 01 Wakes Colne	Mr F Patten & Family	Objection	H 01 Proposal	Wakes Colne (Middle Green) (a) Inworth Lane, Wakes Colne	Current
0432/00852/H 01 Eight Ash Green	Mr & Mrs Flower	Objection	H 01 Proposal	Choats Corner Fiddlers Hill & Halstead Road	Current
0433/00853/H 01 Marks Tey	Mr R A Hines	Objection	H 01	Marks Tey(b) North Lane, Marks Tey	Current
0434/00854/H 01 Wormingford	Mr A A Cousins	Objection	H 01 Proposal	Wormingford Main Road, Wormingford	Current
0435/00856/H 01 Chappel	Messrs R & N Impey	Objection	H 01 Proposal	Chappel - Wakes Colne Gardens Road, Chappel	Current
0437/00858/L 01	The James	Objection	L 01 Colch Inset	Braiswick, Ford	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Myland	Bartholomew Trust			Lane & Mile End	
0437/01211/L 04 Myland	The James Bartholomew Trust	Objection	L 04 Colch Inset	Myland Lodge, Mile End Road, Colchester	Current
0437/01212/H 01 Mile End Ward	The James Bartholomew Trust	Objection	H 01	T4 Myland Lodge, Mile End Road, Colchester	Current
0438/00861/EMP 05 Marks Tey	D Byford & Sons	Objection	EMP 05 Proposal	Flyover Nurseries, Marks Tey	Current
0439/00865/H 01 Marks Tey	Mr I Melrose	Objection	H 01 Proposal	Marks Tey(b), Copford - London Road Copford & Marks Tey	Current
0439/02248/CO 05	Mr I Melrose	Objection	CO 05		Current
0440/00866/DC 01	The Colchester Meeting Room Trust	Objection	DC 01 3.21	Amend paragraph wording	Unconditional Withdrawal
0440/00867/CO 01	The Colchester Meeting Room Trust	Objection	CO 01 5.3-5.7	Amend policy	Current
0440/00868/CO 04	The Colchester Meeting Room	Objection	CO 04 5.16 & 5.17	Delete policy	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Trust				
0440/00869/CF 04	The Colchester Meeting Room Trust	Objection	CF 04 8.17-8.18	Adding to Paragraphs	Current
0440/00872/CF 11 Tiptree	The Colchester Meeting Room Trust	Objection	CF 11 8.35	Amend policy	Unconditional Withdrawal
0440/00873/H 07	The Colchester Meeting Room Trust	Objection	H 07 13.34	Amend policy and para wording	Current
0440/00874/T 11	The Colchester Meeting Room Trust	Objection	T 11 11.52-11.53	Amend policy and para wording	Current
0440/00875/T 10	The Colchester Meeting Room Trust	Objection	T 10 11.50-11.15	Amend policy and para wording	Current
0440/00876/N 99	The Colchester Meeting Room Trust	Objection	N 99	CF New policy requested	Current
0440/00877/CO 04 Eight Ash Green	The Colchester Meeting Room Trust	Objection	CO 04	Eight Ash Green Halstead Road, Eight Ash Green	Unconditional Withdrawal
0440/00878/N 99	The Colchester	Objection	N 99	STA New policy requested	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Stanway	Meeting Room Trust				
0440/00879/N 99 Stanway	The Colchester Meeting Room Trust	Objection	N 99 Colch Inset	STA Latch Road, Stanway	Unconditional Withdrawal
0440/00904/H 01	The Colchester Meeting Room Trust	Objection	H 01	Table 3 TEXT	Current
0440/00905/LPS 01	The Colchester Meeting Room Trust	Objection	LPS 01	TEXT	Current
0440/02187/H 07	The Colchester Meeting Room Trust	Objection	H 07 13.34		Current
0441/00870/L 05	McCarthy & Stone (Dev) Ltd	Objection	L 05		Unconditional Withdrawal
0441/01108/T 02	McCarthy & Stone (Dev) Ltd	Objection	T 02		Current
0441/01109/H 04	McCarthy & Stone (Dev) Ltd	Objection	H 04		Current
0441/01984/H 04	McCarthy &	Objection	H 04		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Stone (Dev) Ltd				
0443/00880/CE 08 Wivenhoe	Ms J Olorenshaw	Objection	CE 08 4.36-4.43 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0444/00881/H 01 Harbour Ward	Cadman Plant & Equipment	Objection	H 01 Colch Inset	Fingringhoe Road (Joint Wr Rep with 900/2326)	Current
0445/00882/H 01 Gt Horkesley	Mrs J Butcher	Objection	H 01 Proposal	Great Horkesley 15,T4 Tile House Farm, Coach Road, Gt Horkesley	Current
0446/00883/H 01 Mile End Ward	Mr M Hollingworth	Objection	H 01 Colch Inset	2,T4 Bruff Close, Colchester	Current
0446/00884/H 01 Mile End Ward	Mr M Hollingworth	Objection	H 01 Colch Inset	5,T4 Turner Village	Current
0447/00885/L 04	Wyncoll Trustees	Objection	L 04 Colch Inset	St. Johns Road, Colchester	Unconditional Withdrawal
0447/00886/H 01 St Johns Ward	Wyncoll Trustees	Objection	H 01 13.9 Colch Inse	T4 Harwich Road	Current
0447/00887/CO 04	Wyncoll Trustees	Objection	CO 04 Colch Inset	Harwich Road, Colchester	Current
0447/00888/H 04	Wyncoll Trustees	Objection	H 04	20% figure not appropriate	Unconditional Withdrawal
0447/02354/L 05a	Wyncoll Trustees	Objection	L 05a		Current
0447/02355/L 03	Wyncoll	Objection	L 03 10.28a		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Trustees				
0447/02356/H 04	Wyncoll Trustees	Objection	H 04 13.24(a)+(b)		Current
0448/00889/H 01 Gt Horkesley	Mr J Shannon	Objection	H 01 Proposal	Great Horkesley 15,T4 A134 at Blacksmith Corner	Current
0449/00890/TCS 10	British Telecommunic ations Plc	Objection	TCS 10 Colch Inset	12,T7 B.T Site, West Stockwell Street, Colchester	Current
0449/00891/H 01 Fordham	British Telecommunic ations Plc	Objection	H 01	Fordham Fordham Telephone exchange	Current
0449/00892/UT 04	British Telecommunic ations Plc	Objection	UT 04	Amend paragraph wording	Current
0449/00893/N 99	British Telecommunic ations Plc	Objection	N 99	New policy requested	Current
0449/00894/N 99	British Telecommunic ations Plc	Objection	N 99	New policy requested	Current
0449/00895/H 04	British Telecommunic ations Plc	Objection	H 04	20% social housing element	Current
0449/00896/H 01	British Telecommunic ations Plc	Support	H 01 Colch Inset	9, T4 Cowdray Avenue	Current
0450/00897/T 05	Safeway	Objection	T 05	Amend policy and	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Stores Plc			para wording	
0450/00898/EMP 01	Safeway Stores Plc	Objection	EMP 01	Amend policy	Current
0450/00899/TCS 15	Safeway Stores Plc	Objection	TCS 15 Colch Inset	Policy to general	Current
0450/00900/TCS 01	Safeway Stores Plc	Objection	TCS 01	Policy to general	Current
0451/00901/TCS 10	B & Q	Support	TCS 10 E.Colch Inset	Moler Works, Hythe	Current
0451/01119/TCS 10	B & Q	Support	TCS 10 E.Colch Inset	Support	Current
0452/00903/H 01 Gt Horkesley	P A Summers	Objection	H 01	Table 3 Gt Horkesley	Current
0452/00943/H 01 Gt Horkesley	P A Summers	Objection	H 01	Great Horkesley 15, T4 Great Horkesley	Current
0453/00906/T 09	Landowners Promoting Marks Tey Market Town	Objection	T 09	Cuckoo Farm	Current
0453/00907/T 08	Landowners Promoting Marks Tey Market Town	Objection	T 08	Amend paragraph wording	Current
0453/00908/T 06	Landowners Promoting Marks Tey Market Town	Objection	T 06	Amend paragraph wording	Current
0453/01491/LPS 01	Landowners Promoting	Objection	LPS 01 1.17		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Marks Tey Market Town				
0453/01492/LPS 01	Landowners Promoting Marks Tey Market Town	Objection	LPS 01 1.14		Unconditional Withdrawal
0453/01493/LPS 01	Landowners Promoting Marks Tey Market Town	Objection	LPS 01 2.12		Current
0453/01495/DC 01	Landowners Promoting Marks Tey Market Town	Objection	DC 01 3.9		Unconditional Withdrawal
0453/01496/DC 01	Landowners Promoting Marks Tey Market Town	Objection	DC 01		Current
0453/01497/UEA 16	Landowners Promoting Marks Tey Market Town	Objection	UEA 16 6.70		Current
0453/01498/CF 01	Landowners Promoting Marks Tey Market Town	Objection	CF 01		Current
0453/01499/LPS 01	Landowners Promoting Marks Tey Market Town	Objection	LPS 01		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0453/01500/LPS 01	Landowners Promoting Marks Tey Market Town	Objection	LPS 01 10.15-10.16		Current
0453/01502/UT 01	Landowners Promoting Marks Tey Market Town	Objection	UT 01		Current
0453/01503/H 01 Tiptree	Landowners Promoting Marks Tey Market Town	Objection	H 01 20.2 Ttree Inse	14, T4	Unconditional Withdrawal
0453/01504/H 01	Landowners Promoting Marks Tey Market Town	Objection	H 01	Table 3	Unconditional Withdrawal
0453/01515/H 01	Landowners Promoting Marks Tey Market Town	Objection	H 01 13.8		Unconditional Withdrawal
0453/01516/H 01 Marks Tey	Landowners Promoting Marks Tey Market Town	Objection	H 01 Proposals	Marks Tey	Unconditional Withdrawal
0456/00912/CO 02 Langham	Mr I Sutherland	Objection	CO 02 Proposal	St Margaret's Cross (Langham) Dedham Vale	Current
0456/01678/H 01	Mr I	Support	H 01	St Margaret's Cross	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Langham	Sutherland			(Langham) & Langham Moor	
0456/01747/H 09	Mr I Sutherland	Objection	H 09		Current
0457/00913/CE 08 Wivenhoe	Mr M Leech	Objection	CE 08 4.39-4.40 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0458/00914/H 01 St Johns Ward	Mr D Hearn	Objection	H 01 Colch Inset	T4 Non-Inclusion of Site	Current
0458/00915/CO 04	Mr D Hearn	Objection	CO 04 Colch Inset	Parsons Heath, Colchester	Current
0459/00916/CE 08 Wivenhoe	CPRE(Essex)	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0459/00917/T 09 Myland	CPRE(Essex)	Objection	T 09 11.49	Reference made to Mile End Chapter	Unconditional Withdrawal
0459/00918/UT 01	CPRE(Essex)	Objection	UT 01 12.5	Water Supplies	Unconditional Withdrawal
0459/00919/TIP 02 Tiptree	CPRE(Essex)	Objection	TIP 02 20.6	TBS Site	Unconditional Withdrawal
0459/00920/TIP 03 Tiptree	CPRE(Essex)	Objection	TIP 03 20.7	Tower Business Park	Unconditional Withdrawal
0459/00921/ECH 01	CPRE(Essex)	Objection	ECH 01	East Colchester	Unconditional Withdrawal
0459/00922/ECH 02	CPRE(Essex)	Objection	ECH 02	Amend objectives	Unconditional Withdrawal
0459/00923/ECH 03	CPRE(Essex)	Objection	ECH 03	Formulating the Strategy	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0459/00924/ECH 04	CPRE(Essex)	Objection	ECH 04	East Colchester	Unconditional Withdrawal
0459/00925/H 05	CPRE(Essex)	Support	H 05	Support	Current
0459/00926/H 15	CPRE(Essex)	Support	H 15	Support	Current
0459/00927/H 14	CPRE(Essex)	Support	H 14	Support	Current
0459/00928/H 13	CPRE(Essex)	Support	H 13	Support	Current
0459/00929/H 12	CPRE(Essex)	Support	H 12	Support	Current
0459/00930/H 11	CPRE(Essex)	Support	H 11	Support	Current
0459/00931/N 99 Stanway	CPRE(Essex)	Objection	N 99 Colch Inset	New policy requested	Current
0459/00932/CE 07	CPRE(Essex)	Objection	CE 07 Colch Inset	Waterfront Development	Unconditional Withdrawal
0459/00933/STA 02 Stanway	CPRE(Essex)	Objection	STA 02 Colch Inset	Western Bypass	Unconditional Withdrawal
0459/00934/H 10	CPRE(Essex)	Support	H 10	Support	Current
0459/00935/H 09	CPRE(Essex)	Support	H 09	Support	Current
0459/00936/H 08	CPRE(Essex)	Support	H 08	Support	Current
0459/00937/LPS 01 Stanway	CPRE(Essex)	Objection	LPS 01 19.3	Tree-Planting	Current
0459/00938/T 05	CPRE(Essex)	Objection	T 05 11.30-11.37	Improving Public Transport	Unconditional Withdrawal
0459/01006/N 99 Stanway	CPRE(Essex)	Objection	N 99 5.4	New policy, Stanway	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0459/01007/DC 01	CPRE(Essex)	Support	DC 01	Support	Current
0459/01008/CO 05	CPRE(Essex)	Objection	CO 05	Amend policy	Unconditional Withdrawal
0459/01009/CO 11 Dedham	CPRE(Essex)	Objection	CO 11 5.40	Amend paragraph wording	Unconditional Withdrawal
0459/01010/UEA 15	CPRE(Essex)	Objection	UEA 15 6.67	Amend paragraph wording	Current
0459/01011/L 16 Myland	CPRE(Essex)	Objection	L 16 10.60/61 Colch Inset	Community Sports Stadium, Mile End	Unconditional Withdrawal
0459/02203/H 01	CPRE(Essex)	Objection	H 01 13.8		Current
0459/02204/EMP 04	CPRE(Essex)	Support	EMP 04		Current
0459/02210/ECH 01	CPRE(Essex)	Support	ECH 01 2a,2b,2c,2d		Unconditional Withdrawal
0459/02211/ECH 02	CPRE(Essex)	Support	ECH 02 2a,2b,2c,2d		Unconditional Withdrawal
0459/02212/CE 08 1	CPRE(Essex)	Support	CE 08 1	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0459/02213/CE 08 2	CPRE(Essex)	Support	CE 08 2		Unconditional Withdrawal
0460/00939/UEA 13	C F Anderson & Sons Ltd	Objection	UEA 13	Delete policy	Current
0460/00967/H 01 West Mersea	C F Anderson & Sons Ltd	Objection	H 01 13.11-13.16	Marks Tey T4 Marks Tey	Current
0460/00968/LPS 01	C F Anderson & Sons Ltd	Objection	LPS 01 2.15(ii)	TEXT	Current
0460/00969/LPS 01	C F Anderson & Sons Ltd	Support	LPS 01 1.11 & 2.12	TEXT	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0460/00970/CO 02	C F Anderson & Sons Ltd	Objection	CO 02	New line to be added to policy	Current
0460/00971/CF 01	C F Anderson & Sons Ltd	Objection	CF 01 8.9		Current
0460/00972/LPS 01	C F Anderson & Sons Ltd	Support	LPS 01 13 a-f	TEXT	Current
0460/00973/H 04	C F Anderson & Sons Ltd	Objection	H 04	Amend paragraph wording	Current
0460/00974/EMP 04	C F Anderson & Sons Ltd	Objection	EMP 04	T5 Rowhedge	Current
0460/00975/LPS 01	C F Anderson & Sons Ltd	Objection	LPS 01 14.4	TEXT	Current
0460/00976/EMP 01	C F Anderson & Sons Ltd	Objection	EMP 01 14.6-14.7	T5 Marks Tey	Current
0460/00977/DC 01	C F Anderson & Sons Ltd	Objection	DC 01	Amend paragraph wording	Current
0460/00978/CO 04	C F Anderson & Sons Ltd	Objection	CO 04	Delete policy	Current
0460/00979/EMP 02	C F Anderson & Sons Ltd	Objection	EMP 02	New policy requested	Current
0461/00940/UEA 13	Mr M Hollingsworth	Objection	UEA 13	Delete policy	Current
0461/00994/H 01 Marks Tey	Mr M Hollingsworth	Objection	H 01 13.11-13.16	Marks Tey Marks Tey	Current
0461/00995/LPS 01	Mr M	Objection	LPS 01 2.15(ii)	Text	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Hollingsworth				
0461/00996/CO 02	Mr M Hollingsworth	Objection	CO 02	Amend paragraph wording	Current
0461/00997/CF 01	Mr M Hollingsworth	Objection	CF 01 8.9		Current
0461/00998/LPS 01	Mr M Hollingsworth	Support	LPS 01 13 a-f	Text	Current
0461/00999/H 04	Mr M Hollingsworth	Objection	H 04	Amend paragraph wording	Current
0461/01000/LPS 01	Mr M Hollingsworth	Support	LPS 01 1.11-2.12		Current
0461/01001/EMP 04 Marks Tey	Mr M Hollingsworth	Objection	EMP 04	T5 Amend table	Unconditional Withdrawal
0461/01002/EMP 02	Mr M Hollingsworth	Objection	EMP 02	New policy requested	Unconditional Withdrawal
0461/01331/EMP 01 Marks Tey	Mr M Hollingsworth	Objection	EMP 01 14.6 & 14.7 Proposals		Unconditional Withdrawal
0461/01332/DC 01 Marks Tey	Mr M Hollingsworth	Objection	DC 01		Current
0461/01333/CO 04 Marks Tey	Mr M Hollingsworth	Objection	CO 04		Current
0461/01334/LPS 01 Marks Tey	Mr M Hollingsworth	Objection	LPS 01 14.4		Unconditional Withdrawal
0462/00941/UEA 13	ADCO Group	Objection	UEA 13	Delete policy	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Limited				
0462/00981/H 01 Marks Tey	ADCO Group Limited	Objection	H 01 13.11-13.16	Marks Tey T4 Marks Tey Station	Current
0462/00982/EMP 04	ADCO Group Limited	Objection	EMP 04	T5 Rowhedge	Current
0462/00983/H 04	ADCO Group Limited	Objection	H 04	Amend paragraph wording	Current
0462/00984/LPS 01	ADCO Group Limited	Support	LPS 01 13.5 a-f	TEXT	Current
0462/00985/CF 01	ADCO Group Limited	Objection	CF 01 8.9	Marks Tey	Current
0462/00986/CO 02	ADCO Group Limited	Objection	CO 02	Amend policy wording	Current
0462/00987/LPS 01	ADCO Group Limited	Objection	LPS 01 2.15(ii)	TEXT	Current
0462/00988/LPS 01	ADCO Group Limited	Support	LPS 01 1.11-2.12	TEXT	Current
0462/00989/EMP 02	ADCO Group Limited	Objection	EMP 02	New policy requested	Current
0462/00990/EMP 01	ADCO Group Limited	Objection	EMP 01 14.6-14.7	T5 Marks Tey	Current
0462/00991/LPS 01	ADCO Group Limited	Objection	LPS 01 14.4	TEXT	Current
0462/00992/CO 04	ADCO Group Limited	Objection	CO 04	Delete policy	Current
0462/00993/DC 01	ADCO Group Limited	Objection	DC 01	Amend paragraph wording	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0462/02258/EMP 07	ADCO Group Limited	Objection	EMP 07		Current
0462/02259/T 03	ADCO Group Limited	Objection	T 03 11.26		Current
0463/00942/H 01 Gt Horkesley	S M Knight	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0463/01208/H 01 Gt Horkesley	S M Knight	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0464/00944/H 01 Gt Horkesley	S A Knight	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0464/01207/H 01 Gt Horkesley	S A Knight	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0465/00945/H 01 Gt Horkesley	E M Summers	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0465/01210/H 01 Gt Horkesley	E M Summers	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0467/00947/H 01 Gt Horkesley	M K Kilfeather	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0467/01762/H 01 Gt Horkesley	M K Kilfeather	Objection	H 01 Proposals	Great Horkesley Table 3	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0468/00948/H 01 Gt Horkesley	Mrs M James	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0468/01204/H 01 Gt Horkesley	Mrs M James	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0469/00949/H 01 Gt Horkesley	Mr C James	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0469/01203/H 01 Gt Horkesley	Mr C James	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0470/00950/H 01 Gt Horkesley	Mr A James	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0470/01202/H 01 Gt Horkesley	Mr A James	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0471/00951/H 01 Gt Horkesley	Mrs J James	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0471/01201/H 01 Gt Horkesley	Mrs J James	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0472/00952/H 01 Gt Horkesley	Mrs W James	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0472/01200/H 01	Mrs W James	Objection	H 01	Great Horkesley T3 Great Horkesley	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Gt Horkesley					
0473/00953/H 01 Gt Horkesley	Mrs F Garrad	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0473/01199/H 01 Gt Horkesley	Mrs F Garrad	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0474/00954/H 01 Gt Horkesley	Mr T Martin	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0474/01198/H 01 Gt Horkesley	Mr T Martin	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0475/00955/H 01 Gt Horkesley	Mr P R Davies-Evans	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0475/01197/H 01 Gt Horkesley	Mr P R Davies-Evans	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0476/00956/H 01 Gt Horkesley	Mr L James	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0476/01196/H 01 Gt Horkesley	Mr L James	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0477/00957/H 01 Gt Horkesley	Mrs J E Woods	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0477/01195/H 01	Mrs J E Woods	Objection	H 01	Great Horkesley T3 Great Horkesley	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Gt Horkesley					
0478/00958/H 01 Gt Horkesley	Mr R J Woods	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0478/01194/H 01 Gt Horkesley	Mr R J Woods	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0479/00959/H 01 Gt Horkesley	Mrs B Parker	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0479/01193/H 01 Gt Horkesley	Mrs B Parker	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0480/00960/H 01 Gt Horkesley	Mr N Parker	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0480/01192/H 01 Gt Horkesley	Mr N Parker	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0481/00961/H 01 Gt Horkesley	Mr K Sessions	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0481/01191/H 01 Gt Horkesley	Mr K Sessions	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0482/00962/H 01 Gt Horkesley	Mr D J Arnold	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0482/01189/H 01	Mr D J Arnold	Objection	H 01	Great Horkesley T3 Great Horkesley	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Gt Horkesley					
0483/00963/H 01 Gt Horkesley	Mr A Martin	Objection	H 01	Great Horkesley 15.T4 Great Horkesley	Current
0483/01190/H 01 Gt Horkesley	Mr A Martin	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0484/00964/H 01 Gt Horkesley	Mr P T Nutter	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0484/01188/H 01 Gt Horkesley	Mr P T Nutter	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0485/00965/H 01 Gt Horkesley	Mrs E Jones	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0485/01187/H 01 Gt Horkesley	Mrs E Jones	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0486/00966/H 01 Gt Horkesley	Mrs D Sessions	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current
0486/01186/H 01 Gt Horkesley	Mrs D Sessions	Objection	H 01	Great Horkesley T3 Great Horkesley	Current
0487/01003/TIP 02 Tiptree	Mrs P L Robards	Objection	TIP 02 Ttree Inset	TBS Site	Current
0487/01005/L 04 Tiptree	Mrs P L Robards	Objection	L 04	T10 Open space, Tiptree	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0489/01012/CE 08 Wivenhoe	Mr & Mrs B J Floyd	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0490/01013/L 04 Wivenhoe	Mrs Brady	Objection	L 04 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0491/01014/L 04 Wivenhoe	Huguette Savoie	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Current
0492/01015/L 04 Wivenhoe	Mr W W Wix	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0494/01017/TCS 03	Post Office Property Holdings	Objection	TCS 03 CA Inset	Amend policy	Current
0494/01512/TCS 14	Post Office Property Holdings	Objection	TCS 14 CA Inset		Unconditional Withdrawal
0494/01513/EMP 01	Post Office Property Holdings	Support	EMP 01		Current
0494/01514/TCS 24	Post Office Property Holdings	Objection	TCS 24		Current
0494/01918/TCS 14	Post Office Property Holdings	Support	TCS 14		Current
0495/01018/H 01 Eight Ash Green	Mr & Mrs Huxtable	Support	H 01	Eight Ash Green Supports proposed village envelope	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0496/01019/H 01 Eight Ash Green	Mr & Mrs G Grant	Support	H 01	Eight Ash Green Supports proposed village envelope	Current
0497/01020/H 01 Eight Ash Green	Christopher Harris	Support	H 01	Eight Ash Green Supports proposed village envelope	Current
0498/01021/H 01 West Mersea	D H Butland	Objection	H 01 WM Inset	16,T4 Land North of East Road, West Mersea	Current
0499/01022/H 01 West Mersea	Mrs J Evans	Objection	H 01 WM Inset	16,T4 Land North of East Road, West Mersea	Current
0500/01023/CE 08 Wivenhoe	E Kentridge	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0501/01024/CE 08 Wivenhoe	J Krikler	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0502/01025/CE 08 Wivenhoe	Mr D V Smith	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0503/01027/CE 07 Wivenhoe	Topsail Charters Ltd	Objection	CE 07 Colch Inset	Amend policy	Current
0503/01028/CE 08 Wivenhoe	Topsail Charters Ltd	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0504/01029/T 03	Tesco Stores Ltd	Objection	T 03	Delete policy	Current
0504/01030/TCS 01	Tesco Stores	Objection	TCS 01 15.13	Amend policy and	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Ltd			para wording	
0504/01031/TCS 11	Tesco Stores Ltd	Objection	TCS 11	Amend policy	Current
0504/01032/TIP 02 Tiptree	Tesco Stores Ltd	Objection	TIP 02 20.1 & 20.6 Ttree Inset	TBS Site	Current
0504/01033/T 10	Tesco Stores Ltd	Objection	T 10	Delete policy	Conditional Withdrawal
0504/01034/T 11	Tesco Stores Ltd	Objection	T 11	Amend policy	Current
0505/01035/H 01 Winstred Hundred	Mr H South	Objection	H 01 Proposals	Peldon, T4 Land off St Ives Road and Lower Road, Peldor	Current
0505/02272/H 01	Mr H South	Objection	H 01		Current
0506/01038/L 04 Wivenhoe	Mr & Mrs E Hatch	Support	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Current
0507/01039/H 01 West Mersea	J Redhouse	Objection	H 01 WM Inset	16, T4 Land North o East Road, West Mersea	Current
0508/01040/H 01 Gt Horkesley	J Newell	Objection	H 01 Proposals	15, T4 Land at Tile House Farm, Gt Horkesley	Current
0509/01041/H 01 West Mersea	K Oultram	Objection	H 01 WM Inset	16,T4 Land North of East Road, West Mersea	Current
0510/01042/H 04	ABX & SM Fenwick and Bypass	Objection	H 04	Amend policy	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Nurseries Ltd				
0510/01043/H 01	ABX & SM Fenwick and Bypass Nurseries Ltd	Support	H 01 CA Inset	8,T4 Bypass Nursery Site	Current
0510/01044/EMP 05 Marks Tey	ABX & SM Fenwick and Bypass Nurseries Ltd	Objection	EMP 05 Proposals	Marks Tey(A) Land adjacent to the Crescent, Marks Tey	Current
0510/01151/CO 05	ABX & SM Fenwick and Bypass Nurseries Ltd	Objection	CO 05 CA Inset	SINC north west of Bypass Nurseries site	Current
0510/01437/H 01 Marks Tey	ABX & SM Fenwick and Bypass Nurseries Ltd	Objection	H 01 13.8	Marks Tey(a) T4 A12 railway, Marks Tey	Current
0510/01537/L 04	ABX & SM Fenwick and Bypass Nurseries Ltd	Objection	L 04 10.19 CA Inset	Land south of Cowdray Avenue	Current
0511/01045/CE 08 Wivenhoe	Lucy Margetts	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0511/01046/L 04 Wivenhoe	Lucy Margetts	Objection	L 04 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0512/01047/CE 08	Mr E Gray	Objection	CE 08 4.39 Colch	Regeneration Area	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe			Inset	10 Cooks Shipyard	
0513/01048/ECH 01	Soroptimist International (Colchester) Ltd	Support	ECH 01 16.21 E.Colch Inse		Current
0514/01049/UEA 07	R G Hodge	Objection	UEA 07	Amend policy	Current
0514/01050/UEA 04	R G Hodge	Objection	UEA 04	Amend policy and para wording	Current
0514/01051/CO 10	R G Hodge	Objection	CO 10	Amend policy	Unconditional Withdrawal
0514/01398/UC 01	R G Hodge	Objection	UC 01 Colch Inset		Current
Wivenhoe					
0514/01411/CO 12	R G Hodge	Objection	CO 12		Conditional Withdrawal
0514/01412/H 06	R G Hodge	Objection	H 06		Current
0514/01413/T 10	R G Hodge	Objection	T 10		Current
0514/01414/L 08	R G Hodge	Objection	L 08		Current
0514/01415/CF 01	R G Hodge	Objection	CF 01		Current
0514/01416/ME 01	R G Hodge	Objection	ME 01 Colch Inset	Northern Approaches Road	Current
Myland					
0514/01417/G 01	R G Hodge	Objection	G 01 Colch Inset		Current
Garrison					
0514/01418/L 16	R G Hodge	Objection	L 16		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0514/01489/H 01 Mile End Ward	R G Hodge	Objection	H 01 Colch Inset	5, T4 Turner Village	Current
0515/01052/H 01	Chappel Parish Council	Support	H 01	T4 Support	Current
0516/01053/H 01 Eight Ash Green	Mrs H O Swinstead	Support	H 01 C3(B)	T4 Supports proposed village envelope	Current
0517/01054/H 01 Eight Ash Green	Mr J M Swinstead	Support	H 01 C3(B)	T4 Supports the proposed Village Envelope	Current
0518/01055/H 01 Eight Ash Green	G W Bugg	Support	H 01	Eight Ash Green T4 New Housing Eight Ash Green	Current
0519/01056/H 01 Eight Ash Green	Mr I R Voyce	Support	H 01	Eight Ash Green T4 New Housing Eight Ash Green	Current
0520/01058/H 01 Eight Ash Green	Mr A W Lenton	Support	H 01	Eight Ash Green T4 New Housing Eight Ash Green	Current
0521/01059/H 01 Eight Ash Green	Mr P M Toulson	Support	H 01	Eight Ash Green T4 New Housing Eight Ash Green	Unconditional Withdrawal
0522/01060/H 01 Eight Ash Green	Mr J D Cant	Support	H 01	Eight Ash Green T4 New Housing Eight Ash Green	Current
0523/01061/H 01 Gt Horkesley	Mr S F Perry	Objection	H 01	Great Horkesley 15,T4 Coach Road	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0523/01062/H 01 Gt Horkesley	Mr S F Perry	Objection	H 01	Great Horkesley 15,T4 Tile House Chase	Current
0524/01063/L 04 Wivenhoe	Mrs R E C Yates	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0525/01064/L 04 Wivenhoe	Mr W J Yates	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0526/01065/EMP 01 Gt Horkesley	Great Horkesley Parish Council	Objection	EMP 01 Colch Inset	Chapmans Farm, Great Horkesely	Unconditional Withdrawal
0526/01067/LPS 01 Gt Horkesley	Great Horkesley Parish Council	Support	LPS 01 2.12	New policy requested	Current
0526/01068/DC 01	Great Horkesley Parish Council	Support	DC 01 3.7 (a &b)	Supports Text	Current
0526/01069/CO 01	Great Horkesley Parish Council	Support	CO 01 5.4 (c&d)	Supports Text	Current
0526/01070/CO 04 Gt Horkesley	Great Horkesley Parish Council	Support	CO 04 5.16	Supports Area of Strategic Open Lanc	Current
0526/01071/UEA 13 Gt Horkesley	Great Horkesley Parish Council	Support	UEA 13	Supports Text	Current
0526/01072/UEA 12 Gt Horkesley	Great Horkesley Parish Council	Support	UEA 12	Supports Text	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0526/01073/CF 01 Gt Horkesley	Great Horkesley Parish Council	Support	CF 01	Supports Text	Current
0526/01074/CF 07 Gt Horkesley	Great Horkesley Parish Council	Support	CF 07	Supports Text	Current
0526/01075/L 01 Gt Horkesley	Great Horkesley Parish Council	Support	L 01 10.3 (f)	Supports Text	Current
0526/01076/L 04 Gt Horkesley	Great Horkesley Parish Council	Support	L 04 10.15/10.27	Supports Text	Current
0526/01077/L 06 Gt Horkesley	Great Horkesley Parish Council	Support	L 06 10.33	Supports Text	Current
0526/01078/L 13 Gt Horkesley	Great Horkesley Parish Council	Support	L 13	Supports Text	Current
0526/01079/L 14 Gt Horkesley	Great Horkesley Parish Council	Support	L 14	Supports Text	Current
0526/01080/L 15 Gt Horkesley	Great Horkesley Parish Council	Support	L 15 b	Supports Text	Current
0526/01081/T 01 Gt Horkesley	Great Horkesley Parish Council	Support	T 01 11.3 (d,g,k)	Supports Text	Current
0526/01082/UT 03 Gt Horkesley	Great Horkesley Parish Council	Support	UT 03	Supports Text	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0526/01083/UT 04 Gt Horkesley	Great Horkesley Parish Council	Support	UT 04	Supports Text	Current
0526/01084/H 06 Gt Horkesley	Great Horkesley Parish Council	Support	H 06	Supports Text	Current
0526/01085/H 01 Gt Horkesley	Great Horkesley Parish Council	Support	H 01	15,T4 Housing, Great Horkesley	Current
0526/01086/ME 01 Gt Horkesley	Great Horkesley Parish Council	Support	ME 01 18.17	Tower Lane, Mile End	Current
0526/01087/IM 03	Great Horkesley Parish Council	Support	IM 03 1,2,4,14,16	Supports Plan Targets	Current
0526/01088/H 01 Gt Horkesley	Great Horkesley Parish Council	Support	H 01	Great Horkesley T4 Supports the proposed Village Envelope	Current
0527/01066/L 04 Wivenhoe	Mr M Willis	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0528/01089/UEA 01	RIBA Colchester Chapter of Chartered Architects	Objection	UEA 01	PPG15 & Act	Current
0528/01090/UEA 02	RIBA Colchester Chapter of Chartered	Objection	UEA 02 a,c,e	Conservation Areas	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Architects				
0528/01091/UEA 03	RIBA Colchester Chapter of Chartered Architects	Objection	UEA 03	Conservation Areas	Current
0528/01092/UEA 04	RIBA Colchester Chapter of Chartered Architects	Objection	UEA 04	Section 54A Town & Country Planning Acts	Current
0528/01093/UEA 05	RIBA Colchester Chapter of Chartered Architects	Objection	UEA 05 a	Amend or Delete Policy	Current
0528/01094/UEA 06	RIBA Colchester Chapter of Chartered Architects	Objection	UEA 06	Barn Conversions	Current
0528/01095/UEA 07	RIBA Colchester Chapter of Chartered Architects	Objection	UEA 07	Barn Conversions	Unconditional Withdrawal
0528/01096/UEA 12	RIBA Colchester Chapter of Chartered Architects	Objection	UEA 12	Design	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0528/01097/UEA 14	RIBA Colchester Chapter of Chartered Architects	Objection	UEA 14	Residential Development	Current
0528/01098/T 02	RIBA Colchester Chapter of Chartered Architects	Objection	T 02	Promotion of Cycling	Current
0528/01099/T 10	RIBA Colchester Chapter of Chartered Architects	Objection	T 10	Car Parking	Current
0528/01100/T 11	RIBA Colchester Chapter of Chartered Architects	Objection	T 11	Car Parking	Current
0528/01101/H 03	RIBA Colchester Chapter of Chartered Architects	Objection	H 03 b,c,d,f,g	Conversion to flats	Current
0528/01102/H 09	RIBA Colchester Chapter of Chartered Architects	Objection	H 09 d	Development	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0528/01103/H 11	RIBA Colchester Chapter of Chartered Architects	Objection	H 11	Extensions to dwellings	Current
0528/01224/H 12	RIBA Colchester Chapter of Chartered Architects	Objection	H 12	Replacement of Dwellings	Current
0529/01104/L 01	Simons Estates	Objection	L 01		Unconditional Withdrawal
0529/01105/L 03	Simons Estates	Objection	L 03 10.30 CA Inset		Current
0530/01106/CE 08 Wivenhoe	Lexden Restorations	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0531/01107/CE 08 Wivenhoe	Mrs C M Riley	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0532/01113/H 01 Winstred Hundred	Mr & Mrs R Baldwin	Objection	H 01	Salcot and Virley The Street/Colchester Road, Salcott	Current
0533/01114/H 01 Eight Ash Green	Dr R E Randall	Objection	H 01	Choats Corner Choats Road, Eight Ash Green	Current
0533/01135/H 01 Abberton &	Dr R E Randall	Objection	H 01 Proposals	Abberton - Langenhoe Land at	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Langenhoe				Peldon Road, Abberton	
0533/01136/H 01 Abberton & Langenhoe	Dr R E Randall	Objection	H 01 Proposals	Abberton - Langenhoe Land at Mersea Road, Abberton	Current
0534/01115/TCS 23	Wyncote Developments & the Essex Rivers Healthcare NHS Trust	Objection	TCS 23 Colch Inset	Cinema Development	Conditional Withdrawal
0534/01116/TCS 02	Wyncote Developments & the Essex Rivers Healthcare NHS Trust	Objection	TCS 02 a & b Colch Inset		Conditional Withdrawal
0534/01117/TCS 02	Wyncote Developments & the Essex Rivers Healthcare NHS Trust	Objection	TCS 02 15.21 Colch Inset	Edge of Centre Sites	Current
0534/01118/TCS 01	Wyncote Developments & the Essex Rivers Healthcare NHS Trust	Objection	TCS 01 Colch Inset	Does not reflect PPG6	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0534/01715/TCS 24	Wyncote Developments & the Essex Rivers Healthcare NHS Trust	Objection	TCS 24 15.4/15.10 CA Inset	1a, T7 St Mary's Hospital off Balcerne Hill	Current
0534/02285/TCS 24	Wyncote Developments & the Essex Rivers Healthcare NHS Trust	Objection	TCS 24		Current
0534/02286/TCS 02	Wyncote Developments & the Essex Rivers Healthcare NHS Trust	Objection	TCS 02		Current
0534/02287/TCS 02a	Wyncote Developments & the Essex Rivers Healthcare NHS Trust	Objection	TCS 02a		Current
0535/01120/H 01 West Mersea	Mr C A Smedley	Objection	H 01 W.M Inset	16,T4 East Road, West Mersea	Current
0536/01121/H 01 West Mersea	Mr J M Carruthers	Objection	H 01 W.M Inset	16,T4 East Road, West Mersea	Current
0537/01122/H 01	Mrs W P	Objection	H 01 W.M Inset	16,T4 East Road,	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
West Mersea	Smedley			West Mersea	
0538/01126/H 01	Mr G D Lowe	Objection	H 01 W.M Inset	16,T4 East Road, West Mersea	Current
West Mersea					
0539/01127/L 04	Mrs M M Dunne	Objection	L 04 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
Wivenhoe					
0539/01128/CE 08	Mrs M M Dunne	Objection	CE 08 Colch Inset	Regeneration Area 10 St John's Road & West Dock	Unconditional Withdrawal
Wivenhoe					
0540/01129/CE 08	David Sanders	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0542/01131/H 01	Mr Simon Mann	Support	H 01 Proposals	Great Tey Supports proposed village envelope	Current
Gt Tey					
0543/01133/CO 04	R Schofield	Objection	CO 04 5.16 Proposa	Eight Ash Green Land south east of Eight Ash Green	Current
Eight Ash Green					
0544/01134/L 04	Mrs P A Bane	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
Wivenhoe					
0546/01139/CO 04	Mr P Berriman	Objection	CO 04 5.16 & 5.17 Colch Inset	Objects to AOSOL at Manningtree Road	Current
0546/01159/L 03	Mr P Berriman	Objection	L 03 10.3+10.19 Colch Inset	Open Space	Current
Myland					
0546/01160/L 04	Mr P Berriman	Objection	L 04 10.19+10.3 Colch Inset	South of Braiswick Lane	Current
Myland					

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0546/01161/UEA 15 Myland	Mr P Berriman	Objection	UEA 15 6.60-6.71 Colch Inset	Greenlinks for Braiswick Lane	Current
0546/01162/UEA 16 Myland	Mr P Berriman	Objection	UEA 16 6.60-6.71 Colch Inset	Greenlinks removed	Current
0546/02195/CO 04	Mr P Berriman	Objection	CO 04 5.16 & 5.17		Current
0546/02196/L 05a	Mr P Berriman	Objection	L 05a		Current
0546/02197/L 03	Mr P Berriman	Objection	L 03		Current
0546/02260/L 05a	Mr P Berriman	Objection	L 05a 12		Current
0547/01140/CE 08 Wivenhoe	J Windley	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0548/01141/H 01 Eight Ash Green	Mr N J Woods	Support	H 01 Proposals	Eight Ash Green Supports the proposed village envelope	Unconditional Withdrawal
0549/01142/H 01 Eight Ash Green	Mrs R Woods	Support	H 01 Proposals	Eight Ash Green Supports the proposed village envelope	Unconditional Withdrawal
0550/01143/H 01 Gt Horkesley	Mr M D Hewitt	Objection	H 01 C5	15, T4 Land at Tile House Farm, Gt Horkesley	Current
0551/01145/TCS 01	Boots the Chemists	Objection	TCS 01	T08 Amend policy and para wording	Current
0553/01147/EMP 01	Alstom UK Ltd	Objection	EMP 01 E.Colch Ins	Alstom site, Port	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
				lane east colchester	
0553/01148/H 01	Alstom UK Ltd	Objection	H 01	Housing strategy inappropriate	Current
0553/01748/ECH 01	Alstom UK Ltd	Objection	ECH 01 E.Colch Ins		Current
0554/01149/CE 08 Wivenhoe	Mrs J Petitt	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0555/01150/TCS 10 Stanway	British Land Company PLC	Objection	TCS 10	Amend policy	Current
0555/01916/TCS 10	British Land Company PLC	Objection	TCS 10 15.55b,15.57		Current
0556/01152/L 04 Wivenhoe	Mr P Hart & Miss A Lawrence	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0557/01153/CO 02	Suffolk County Council	Objection	CO 02	Amend policy	Current
0557/01165/CO 02	Suffolk County Council	Objection	CO 02 5.8-5.13 Proposal	Special Landscape Areas	Current
0558/01163/H 01 Fordham	Kleinwort Benson Trustees Ltd	Objection	H 01 13.7-13.76	Fordham T2& Ponders Road	Current
0558/01164/H 01 Fordham	Kleinwort Benson Trustees Ltd	Objection	H 01	Fordham Church Road	Current
0559/01166/H 04	Banner Homes Ltd	Objection	H 04	Affordable Housing	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0559/01167/H 01	Banner Homes Ltd	Objection	H 01 13.13	10750 dwellings	Current
0559/01168/H 01	Banner Homes Ltd	Objection	H 01 13.10	T2 Existing Housing Sites	Current
0559/01169/H 01 Eight Ash Green	Banner Homes Ltd	Objection	H 01	Choats Corner Choats Road, Eight Ash Green	Current
0559/01170/H 01	Banner Homes Ltd	Objection	H 01 13.8	10750 dwellings	Current
0559/01690/CO 02	Banner Homes Ltd	Objection	CO 02	Amend policy	Current
0559/02321/H 01	Banner Homes Ltd	Objection	H 01 13.12		Current
0560/01172/CO 02	Tendring District Council	Objection	CO 02	Countryside conservation areas	Unconditional Withdrawal
0560/01173/L 02 Wivenhoe	Tendring District Council	Objection	L 02 Colch Inset	Millfield County Primary School Playign Fields	Unconditional Withdrawal
0560/01559/EMP 01	Tendring District Council	Objection	EMP 01		Unconditional Withdrawal
0561/01174/H 01 Marks Tey	Mr M Cowan	Objection	H 01	Marks Tey(a) Wilsons Lane & Godmans Lane	Current
0561/01176/H 01 Marks Tey	Mr M Cowan	Objection	H 01	Marks Tey(A) Wilsons Lane & Godmans Lane	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0562/01175/H 01 Dedham	F John Bearman Grandchildren's Settlement	Objection	H 01 Proposals	Bargate Lane/Long Road Dedham	Current
0563/01177/L 04 Wivenhoe	Mr & Mrs G Payne	Support	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Current
0564/01178/H 01 West Mersea	Mr B Willings	Objection	H 01 W.M Inset	16,T4 East Road, West Mersea	Current
0566/01213/H 01 Mount Bures	D F Blake	Objection	H 01 Proposal	T4 Withers Farm, Mount Bures	Current
0567/01214/P 01	Painters Corner Residents Association	Support	P 01	Supports Text	Current
0567/01215/UEA 16	Painters Corner Residents Association	Support	UEA 16	Support	Current
0567/01216/LPS 01	Painters Corner Residents Association	Support	LPS 01 2.12	New policy requested	Current
0567/01217/LPS 01	Painters Corner Residents Association	Support	LPS 01 7.20	New policy requested	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0567/01218/CF 05	Painters Corner Residents Association	Support	CF 05	Supports Text	Current
0567/01219/L 13	Painters Corner Residents Association	Support	L 13	Support	Current
0567/01220/L 14	Painters Corner Residents Association	Support	L 14	Supports	Current
0567/01221/UEA 15	Painters Corner Residents Association	Support	UEA 15	Support	Current
0567/01222/L 04	Painters Corner Residents Association	Objection	L 04 Colch Inset	Irvine Road	Unconditional Withdrawal
0567/01223/L 08	Painters Corner Residents Association	Support	L 08 A	Support	Current
0567/01375/DC 01	Painters Corner Residents Association	Support	DC 01 3.4-3.16		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0567/01663/L 03	Painters Corner Residents Association	Support	L 03 10.14-10.17		Current
0567/01664/L 02	Painters Corner Residents Association	Support	L 02		Current
0567/01665/LPS 01	Painters Corner Residents Association	Support	LPS 01 10.3, f/g		Current
0567/02357/L 02	Painters Corner Residents Association	Objection	L 02		Current
0567/02358/L 02	Painters Corner Residents Association	Objection	L 02		Current
0567/02454/L 08 (b)	Painters Corner Residents Association	Objection	L 08 (b)		Current
0569/01247/CO 04 Myland	Cants of Colchester/James Bartholomew Trust	Objection	CO 04 Colch Inset	Northern Approaches road	Current
0569/01248/DC 01	Cants of	Objection	DC 01	Amend policy	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Colchester/James Bartholomew Trust			wording	
0569/01249/N 99	Cants of Colchester/James Bartholomew Trust	Objection	N 99	New policy requested	Current
0569/01250/LPS 01	Cants of Colchester/James Bartholomew Trust	Support	LPS 01 14.4	Support	Current
0569/01251/EMP 01	Cants of Colchester/James Bartholomew Trust	Support	EMP 01 Colch Inset	Support	Current
0569/01252/LPS 01	Cants of Colchester/James Bartholomew Trust	Objection	LPS 01 13.5	Amend policy	Current
0569/01253/LPS 01	Cants of Colchester/James Bartholomew Trust	Support	LPS 01 13.5 (c,d&e)	Support	Current
0569/01254/LPS 01	Cants of Colchester/Ja	Objection	LPS 01 13.5(e)	Amend policy	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	mes Bartholomew Trust				
0569/01255/H 01	Cants of Colchester/Ja mes Bartholomew Trust	Objection	H 01 13.9	T2 10750 dwellings	Current
0569/01256/H 01	Cants of Colchester/Ja mes Bartholomew Trust	Objection	H 01	T3 Reassessment o Criteria	Current
0569/01257/H 01	Cants of Colchester/Ja mes Bartholomew Trust	Support	H 01 Colch Inset	6,T4 Severalls Hospital	Current
0569/01258/H 01 West Mersea	Cants of Colchester/Ja mes Bartholomew Trust	Objection	H 01 W.M Inset	Great Horkesley,Messing, Salcot and Virley Allocations should be deleted	Current
0569/01259/LPS 01	Cants of Colchester/Ja mes Bartholomew Trust	Support	LPS 01 2.10-2.12	Support	Current
0569/01260/ME 01	Cants of Colchester/Ja mes	Objection	ME 01 18.7-18.10 Colch Inset	Mile End Developemnt	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Bartholomew Trust				
0569/01261/P 04	Cants of Colchester/James Bartholomew Trust	Support	P 04	Support	Current
0569/01262/T 01	Cants of Colchester/James Bartholomew Trust	Support	T 01	Supports	Current
0569/01263/T 02	Cants of Colchester/James Bartholomew Trust	Support	T 02	Support	Current
0569/01264/T 04	Cants of Colchester/James Bartholomew Trust	Support	T 04	Support	Current
0569/02145/CO 04	Cants of Colchester/James Bartholomew Trust	Objection	CO 04 11		Current
0570/01265/CO 05	Marconi Property Limited	Objection	CO 05 E.Colch Inse	Spurgeon Street	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0570/01266/L 04	Marconi Property Limited	Objection	L 04 E.Colch Inse	Spurgeon Street	Current
0570/01267/DC 01	Marconi Property Limited	Objection	DC 01	Amend policy	Current
0570/01268/LPS 01	Marconi Property Limited	Objection	LPS 01 13.5(a)	Amend Policy	Current
0570/01269/H 01	Marconi Property Limited	Objection	H 01 13.9	T2 Amend Policy	Current
0570/01270/H 01 West Mersea	Marconi Property Limited	Objection	H 01 W.M.Inset	Great Horkesley, Messing, Salcot and Virley Allocations should be deleted	Current
0570/01271/H 01 Harbour Ward	Marconi Property Limited	Objection	H 01 E.Colch Inse	T4 Hill House Sports Club	Current
0570/01272/H 01 Harbour Ward	Marconi Property Limited	Objection	H 01 E.Colch Inse	T4 The Moors, Off Hythe Hill	Current
0570/01273/EMP 01	Marconi Property Limited	Support	EMP 01 Colch Inset	Tufnell Way	Current
0570/01274/EMP 01	Marconi Property Limited	Objection	EMP 01 Colch Inset	Woods of Colchester	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0570/01275/N 99	Marconi Property Limited	Objection	N 99	Brownfield Site	Current
0570/01276/ECH 01	Marconi Property Limited	Objection	ECH 01 E.Colch Ins	East Colchester	Current
0570/01277/ECH 04	Marconi Property Limited	Objection	ECH 04 E.Colch Ins	East Colchester	Current
0570/01278/ECH 06	Marconi Property Limited	Objection	ECH 06 E.Colch Ins	East Colchester	Current
0570/01279/ECH 11	Marconi Property Limited	Objection	ECH 11 16.33 E.Colch Inse	East Colchester	Current
0570/01945/L 05a	Marconi Property Limited	Objection	L 05a		Current
0570/01961/L 05a	Marconi Property Limited	Objection	L 05a 10.17a		Current
0570/01963/H 01	Marconi Property Limited	Objection	H 01 14a, 19 & 20		Current
0570/02089/L 03	Marconi Property Limited	Objection	L 03		Current
0571/01280/DC 01	Higgins Homes Ltd	Objection	DC 01	Amend Policy	Unconditional Withdrawal

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0571/01281/N 99	Higgins Homes Ltd	Objection	N 99 Proposal	Marks Tey(a) Bypass nurserys	Unconditional Withdrawal
0571/01282/EMP 01 Marks Tey	Higgins Homes Ltd	Objection	EMP 01 Proposal	Marks Tey(a) Anderson Site, Marks Tey	Unconditional Withdrawal
0571/01283/N 99	Higgins Homes Ltd	Objection	N 99	omission from the plan	Unconditional Withdrawal
0571/01284/LPS 01	Higgins Homes Ltd	Objection	LPS 01 13.5	Housing objectives	Unconditional Withdrawal
0571/01285/LPS 01	Higgins Homes Ltd	Objection	LPS 01 13.5	Housing Objectives	Unconditional Withdrawal
0571/01286/H 01	Higgins Homes Ltd	Objection	H 01 13.9	T2 10750 dwellings	Unconditional Withdrawal
0571/01287/H 01	Higgins Homes Ltd	Objection	H 01	T3 Public Transport	Unconditional Withdrawal
0571/01288/H 01 Marks Tey	Higgins Homes Ltd	Objection	H 01	Marks Tey(a) T4 Anderson Site, Marks Tey	Unconditional Withdrawal
0571/01289/H 01 Tiptree	Higgins Homes Ltd	Objection	H 01 Ttree Inset	14,T4 Grove Road, Tiptree	Unconditional Withdrawal
0571/01290/H 01 West Mersea	Higgins Homes Ltd	Objection	H 01 W.M.Inset	Great Horkesley/Messing/ Salcot and Virley Allocations should be deleted	Unconditional Withdrawal
0571/01291/LPS 01	Higgins Homes Ltd	Support	LPS 01 11.3	Support	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0571/02224/H 01	Higgins Homes Ltd	Objection	H 01 Table 4		Unconditional Withdrawal
0572/01292/EMP 05 Langham	Pertwee Holdings Ltd	Support	EMP 05	Langham Moor Langham Airfield	Current
0572/01293/EMP 05 Langham	Pertwee Holdings Ltd	Objection	EMP 05	Langham Moor Langham Airfield	Current
0572/02168/EMP 05	Pertwee Holdings Ltd	Objection	EMP 05		Current
0573/01294/LPS 01	The Secretary of State for Health	Support	LPS 01 8.4	Local Plan Strategy	Current
0573/01295/CF 01	The Secretary of State for Health	Support	CF 01	Support	Current
0573/01296/CF 03	The Secretary of State for Health	Support	CF 03	Support	Current
0573/01297/CF 08	The Secretary of State for Health	Objection	CF 08 8.28	Hostel Accommodation	Unconditional Withdrawal
0573/01298/CF 09	The Secretary of State for Health	Objection	CF 09 8.29-8.30 Colch Inset	Constable Close	Unconditional Withdrawal
0573/01299/CF 10	The Secretary of State for	Objection	CF 10 8.31-8.34	Primary Healthcare Facilities	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Health				
0573/01300/DC 01	The Secretary of State for Health	Objection	DC 01	Amend policy	Unconditional Withdrawal
0573/01301/LPS 01	The Secretary of State for Health	Support	LPS 01 14.4	Local Plan Strategy	Current
0573/01302/LPS 01	The Secretary of State for Health	Objection	LPS 01 13.5	Amend Policy	Current
0573/01303/LPS 01	The Secretary of State for Health	Support	LPS 01 13.5	Local Plan Strategy	Current
0573/01304/H 01	The Secretary of State for Health	Objection	H 01 13.9	T2 Brownfield Site	Unconditional Withdrawal
0573/01305/H 01	The Secretary of State for Health	Objection	H 01	T3 Reassessment o Criteria	Current
0573/01306/H 01 Mile End Ward	The Secretary of State for Health	Objection	H 01 Colch Inset	1&2,T4 Colchester General Hospital	Conditional Withdrawal
0573/01307/H 01 Myland	The Secretary of State for Health	Support	H 01 Colch Inset	5,T4 Turner Village	Current
0573/01308/H 01 Mile End Ward	The Secretary of State for Health	Objection	H 01 Colch Inset	5,T4 Turner Rise Primary School	Current
0573/01309/H 01	The Secretary of State for	Support	H 01 Colch Inset	6,T4 Redevelopment of	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Myland	Health			Severalls	
0573/01310/H 01 Mile End Ward	The Secretary of State for Health	Objection	H 01 Colch Inset	6,T4 Severalls Hospital	Current
0573/01311/H 01 West Mersea	The Secretary of State for Health	Objection	H 01	Great Horkesley, Messing, Salcot and Virley 15,16,17,18,T4	Unconditional Withdrawal
0573/01312/LPS 01	The Secretary of State for Health	Support	LPS 01 10.3	Local Plan Strategy	Current
0573/01313/LPS 01	The Secretary of State for Health	Support	LPS 01 2.5/2.9 2.12	Local Plan Strategy	Current
0573/01314/ME 01	The Secretary of State for Health	Objection	ME 01 18.7-18.10 Colch Inset	Mile End Development	Current
0573/01315/P 04	The Secretary of State for Health	Support	P 04	Support	Current
0573/01316/T 01	The Secretary of State for Health	Support	T 01	Support	Current
0573/01317/T 02	The Secretary of State for Health	Support	T 02	Support	Current
0573/01318/T 04	The Secretary of State for	Support	T 04	Support	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Health				
0573/01319/UEA 15	The Secretary of State for Health	Objection	UEA 15 6.60-6.68 Colch Inset	Brownfield Site	Current
0573/01979/H 02	The Secretary of State for Health	Support	H 02		Current
0573/02090/CF 07	The Secretary of State for Health	Objection	CF 07 8.26		Current
0573/02091/DC 01	The Secretary of State for Health	Objection	DC 01		Current
0573/02092/H 04	The Secretary of State for Health	Objection	H 04 13.20-13.24		Current
0573/02093/P 04	The Secretary of State for Health	Support	P 04		Current
0573/02094/T 02	The Secretary of State for Health	Support	T 02		Current
0573/02095/CF 10	The Secretary of State for Health	Support	CF 10 8.34		Current
0573/02096/CF 09	The Secretary of State for Health	Support	CF 09 8.3		Current
0573/02097/ME 02	The Secretary of State for	Objection	ME 02 18.11		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Health				
0573/02098/H 16	The Secretary of State for Health	Support	H 16		Current
0574/01320/H 01 Fordham	Friars Farm Kennels	Objection	H 01 Proposals	Ford Street - Aldham Land off Ponders Rd & Halstead Rd.	Current
0575/01330/H 01 Eight Ash Green	Bokenham/Bourne/Coe	Objection	H 01 Proposals	Choats Corner Milestone Farm, Halstead Road	Current
0576/01321/H 01 Eight Ash Green	Landowners Consortium	Objection	H 01 Proposals	Choats Corner	Current
0577/01322/L 04 Wivenhoe	Dr Peter Cross	Objection	L 04 10.30 Colch Inset		Unconditional Withdrawal
0577/01323/CO 05 Wivenhoe	Dr Peter Cross	Objection	CO 05 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0579/01326/H 08	Mr G W Smyth	Objection	H 08		Current
0579/01383/H 01 East Mersea	Mr G W Smyth	Objection	H 01 Proposal	T4 East Road, West Mersea	Current
0581/01335/LPS 01	Royal Eastern Counties School	Support	LPS 01 1.11 & 2.12		Current
0581/01336/CO 04	Royal Eastern Counties School	Objection	CO 04		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0581/01337/DC 01	Royal Eastern Counties School	Objection	DC 01		Current
0581/01338/L 04 Abberton & Langenhoe	Royal Eastern Counties School	Objection	L 04 Colch Inset	Land adjacent to Oxley Parker Schoo	Current
0581/01339/L 03 Myland	Royal Eastern Counties School	Objection	L 03 Colch Inset	Land adjacent to Oxley Parker Schoo	Current
0581/01340/LPS 01	Royal Eastern Counties School	Objection	LPS 01 2.15(ii)		Current
0581/01341/H 01 Mile End Ward	Royal Eastern Counties School	Objection	H 01 13.11-13.16	Land to the rear of Oxley Parker Schoo	Current
0581/01342/LPS 01	Royal Eastern Counties School	Support	LPS 01 13.5 (a)-(f)		Current
0581/01343/ME 01 Myland	Royal Eastern Counties School	Objection	ME 01 ME1(d) Colch Inset		Current
0581/01344/LPS 01 Myland	Royal Eastern Counties School	Support	LPS 01 18.5 Colch Inset		Current
0581/01345/H 04	Royal Eastern Counties School	Objection	H 04		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0581/01346/CO 02	Royal Eastern Counties School	Objection	CO 02		Current
0581/01347/UEA 15	Royal Eastern Counties School	Objection	UEA 15		Current
0581/02194/DC 01	Royal Eastern Counties School	Objection	DC 01		Current
0582/01348/LPS 01	Colchester Economic Forum	Objection	LPS 01 14.4		Current
0582/01349/T 10	Colchester Economic Forum	Objection	T 10		Current
0582/01350/TCS 15	Colchester Economic Forum	Objection	TCS 15		Current
0582/01351/H 01 Marks Tey	Colchester Economic Forum	Objection	H 01	Marks Tey(a),Marks Tey(b) A120 Improvements	Unconditional Withdrawal
0582/01352/ME 01	Colchester Economic Forum	Objection	ME 01 Colch Inset	A12 Junction	Current
0582/01353/EMP 01	Colchester Economic Forum	Support	EMP 01		Current
0583/01354/H 01 Mile End Ward	Myland Parish Council	Objection	H 01 Colch Inset	6,T4 Severalls Hospital	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0583/01355/N 99 Myland	Myland Parish Council	Objection	N 99 18.13 Colch Inset	Cuckoo Farm	Current
0583/01356/ME 01 Myland	Myland Parish Council	Objection	ME 01 18.12 Colch Inset	A12 Junction	Current
0583/01357/ME 02 Myland	Myland Parish Council	Objection	ME 02 18.11 Colch Inset	Severalls Hospital	Current
0583/01358/UEA 22 Myland	Myland Parish Council	Objection	UEA 22 6.76	Mile End Development	Current
0583/01359/UEA 07	Myland Parish Council	Support	UEA 07 6.33		Current
0583/01360/UEA 16	Myland Parish Council	Support	UEA 16 6.71		Current
0583/01361/LPS 01	Myland Parish Council	Support	LPS 01 6.7		Current
0583/01362/P 02	Myland Parish Council	Support	P 02 7.12		Current
0583/01363/CF 01	Myland Parish Council	Support	CF 01 8.12		Current
0583/01364/CF 02	Myland Parish Council	Support	CF 02 8.13		Current
0583/01365/ME 01 Myland	Myland Parish Council	Objection	ME 01 18.7-18.10 Colch Inset		Current
0585/01376/EMP 05 Langham	Mrs P J Gooding	Objection	EMP 05	Langham Airfield	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0586/01377/H 01 Lexden Ward	B J Cadman	Objection	H 01 Colch Inset	T4 Chitts Hill site	Current
0587/01378/H 01 Layer Marney	Layer Marney Nurseries	Objection	H 01	Smythe's Green	Current
0588/01379/H 01 Shrub End Ward	Mason, Sherwood, Underwood & West	Objection	H 01 Colch Inset	T4 Berechurch Hall Road	Current
0589/01380/CO 04 Stanway	R F & E S West	Objection	CO 04 Colch Inset	Wyvern Farm	Current
0589/01485/H 01 Marks Tey	R F & E S West	Objection	H 01 Proposals	Marks Tey(b) London Road, Marks Tey.	Current
0590/01381/H 01 Wivenhoe	Chalkwell Lodge Limited	Objection	H 01 Colch Inset	T4 Broadfields Estate, Wivenhoe	Current
0590/02275/L 05a	Chalkwell Lodge Limited	Objection	L 05a 18		Current
0591/01382/H 01 Eight Ash Green	The Trustees of E E Smith	Objection	H 01	Eight Ash Green T4 Halstead Road, Eight Ash Green	Current
0593/01390/H 01 West Bergholt	Mr R C F & Mrs N J Bowdidge	Support	H 01	West Bergholt T4 Firmins Court, West Bergholt	Current
0594/01391/H 01 Eight Ash Green	Mr C J Bowden	Support	H 01	Eight Ash Green T4 C3(b), Table 4	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0595/01392/H 01 West Mersea	J R Tyler	Objection	H 01 W.M Inset	16,T4 East Road, West Mersea	Current
0596/01393/H 01 Gt Horkesley	Mrs Pauline Marshall	Support	H 01	Great Horkesley 15,T4	Current
0596/01394/H 01 Gt Horkesley	Mrs Pauline Marshall	Support	H 01	Great Horkesley 15,T4	Current
0597/01397/H 01 Gt Horkesley	Mr John Peartree	Objection	H 01	Great Horkesley 15,T4	Current
0598/01399/L 04 Wivenhoe	Mrs P J Townrow	Objection	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Unconditional Withdrawal
0599/01400/H 01 Tiptree	Tiptree Heath School	Objection	H 01	Maldon Road, Tiptree	Current
0600/01401/H 01 Marks Tey	Bellway Estates	Objection	H 01 Colch Inset	Great Horkesley & Marks Tey(b) Objects to Sites 3,4,9,10, 15 inT4	Current
0600/01402/H 01 Copford with Easthorpe	Bellway Estates	Objection	H 01	Great Horkesley,Copford - London Road 3,4,7,9,10,15,T4 – Copford	Unconditional Withdrawal
0600/01404/H 01 Copford with Easthorpe	Bellway Estates	Objection	H 01	Copford 3,4,7,9,10,15,T4	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0600/01569/H 04	Bellway Estates	Objection	H 04		Current
0600/01612/H 01 Copford with Easthorpe	Bellway Estates	Objection	H 01	Table 3	Current
0600/01615/CO 02	Bellway Estates	Objection	CO 02 5.11-5.14	Copford - London Road	Current
0600/01617/DC 01	Bellway Estates	Objection	DC 01		Current
0600/01628/H 01 Copford with Easthorpe	Bellway Estates	Objection	H 01	Copford - London Road T4 Allendale Drive	Current
0600/01651/H 01 Stanway	Bellway Estates	Objection	H 01 Colch Inset	Great Horkesley & Marks Tey(b) Objects to Sites 3,4,9,10, 15 inT4	Current
0600/02329/CO 04	Bellway Estates	Objection	CO 04 11		Current
0600/02351/H 01 Tiptree	Bellway Estates	Objection	H 01 Table 4	14a	Current
0600/02352/H 01 Winstred Hundred	Bellway Estates	Objection	H 01 Table 4	19 St. Ives Farm, Peldon	Current
0601/01403/H 01 Tiptree	Gaffney of Tiptree	Objection	H 01 Ttree Inset	T4 Newbridge Road Tiptree	Conditional Withdrawal
0602/01405/H 01	Countryside	Objection	H 01 Colch Inset	Great Horkesley	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Mile End Ward	Strategic Properties Plc			3,4,7,9,10,15,T4	
0602/01572/H 04	Countryside Strategic Properties Plc	Objection	H 04		Current
0602/01574/L 03 Myland	Countryside Strategic Properties Plc	Objection	L 03 Colch Inset	Mile End Road	Unconditional Withdrawal
0602/01575/L 04 Myland	Countryside Strategic Properties Plc	Objection	L 04 Colch Inset	Mile End Road	Unconditional Withdrawal
0602/01576/UEA 15	Countryside Strategic Properties Plc	Objection	UEA 15 6.66-6.67		Current
0602/01616/DC 01	Countryside Strategic Properties Plc	Objection	DC 01		Current
0602/02242/L 05a	Countryside Strategic Properties Plc	Objection	L 05a		Current
0602/02244/H 01	Countryside Strategic Properties Plc	Objection	H 01		Current
0603/01406/H 01 Mile End Ward	Arriva Plc	Objection	H 01 Colch Inset	Great Horkesley 3,4,5,6,9,10,15,T4	Conditional Withdrawal
0603/01913/CO 04	Arriva Plc	Objection	CO 04		Conditional Withdrawal
0603/02255/H 04	Arriva Plc	Objection	H 04 13.24a+b		Conditional Withdrawal
0604/01407/H 01	Stanway	Objection	H 01 Colch Inset	Great Horkesley	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Stanway	School/Persimon Homes			3,4,7,9,10,15,T4	
0604/01408/H 01 Stanway	Stanway School/Persimon Homes	Objection	H 01 Colch Inset	Great Horkesley 3,4,7,9,10,15,T4	Current
0604/01570/H 04	Stanway School/Persimon Homes	Objection	H 04		Current
0604/01573/L 02	Stanway School/Persimon Homes	Objection	L 02		Current
0604/01577/UEA 15	Stanway School/Persimon Homes	Objection	UEA 15 6.66		Current
0604/01613/CF 05	Stanway School/Persimon Homes	Objection	CF 05		Unconditional Withdrawal
0604/01619/DC 01	Stanway School/Persimon Homes	Objection	DC 01 b & g		Current
0604/01652/H 01 Stanway	Stanway School/Persimon Homes	Objection	H 01 Colch Inset	Objects to Garrison, in favour of Stanway 3,4,7,9,10,15,T4	Current
0604/02349/H 01 Winstred Hundred	Stanway School/Persimon Homes	Objection	H 01 Table 4	Site 19 St. Ives Farm, Peldon	Current
0604/02350/H 01 Tiptree	Stanway School/Persimon Homes	Objection	H 01 Table 4 14a		Current
0605/01409/H 01	Mr & Mrs P J	Objection	H 01 Proposals	Table 3 Boxted	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Boxted	Grant			Cross	
0606/01419/TIP 03 Tiptree	Feering Parish Council	Objection	TIP 03 20.7 Ttree Inset		Current
0606/01434/TIP 02 Tiptree	Feering Parish Council	Objection	TIP 02 20.6 Colch Inset		Current
0607/01428/L 03	Messrs. Lennox	Objection	L 03 10.3 Colch Inse		Current
0607/01429/L 04	Messrs. Lennox	Objection	L 04 Colch Inset	Cymbeline Way	Current
0607/01430/UEA 15	Messrs. Lennox	Objection	UEA 15 Colch Inset		Current
0607/01431/CO 02	Messrs. Lennox	Objection	CO 02 Colch Inset		Current
0607/01558/CO 05	Messrs. Lennox	Objection	CO 05 Colch Inset		Current
0607/02010/L 05a	Messrs. Lennox	Objection	L 05a Inset		Current
0607/02079/L 05a	Messrs. Lennox	Objection	L 05a		Current
0607/02080/L 03	Messrs. Lennox	Objection	L 03		Current
0608/01435/CO 04	Mr M N Southgate	Objection	CO 04 Colch Inset		Current
0608/01436/H 01 St Johns Ward	Mr M N Southgate	Objection	H 01 Colch Inset	T4	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0608/02252/L 05a	Mr M N Southgate	Objection	L 05a 10.16a+10.28		Current
0608/02253/L 03	Mr M N Southgate	Objection	L 03 14		Current
0608/02257/L 05a	Mr M N Southgate	Objection	L 05a 14		Current
0609/01438/H 01 Abberton & Langenhoe	T Lerner	Objection	H 01	Abberton - Langenhoe Portelet Lodge	Current
0610/01439/UT 04	Essex & Suffolk Gliding Club	Objection	UT 04		Current
0610/01510/N 99	Essex & Suffolk Gliding Club	Objection	N 99 10.56 Proposal		Current
0611/01440/H 01 Eight Ash Green	M D Ripley	Support	H 01 13.26	Eight Ash Green T4 Technical Paper 1	Current
0612/01441/H 01 Mile End Ward	Mr & Mrs P Mecklenburgh & Mr & Mrs Jones	Objection	H 01 Colch Inset	Severalls Lane	Current
0613/01442/ECH 10	Winnocks Kendalls Almhouses Charity	Objection	ECH 10 E.Colch Ins	Magdalen Street	Current
0614/01443/UEA 15	Mr & Mrs P Mecklenburgh	Objection	UEA 15 Colch Inset	Tower Lane & Severalls Lane	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0615/01444/H 01 West Mersea	Mr S W T Carruthers	Objection	H 01 W.M. Inset	16,T4 Dawes Lane & East Road	Current
0616/01445/H 01 Gt Horkesley	L H Barton	Objection	H 01	Great Horkesley 15,T4 Coach Road, Great Horkesley	Current
0617/01446/T 09 Stanway	Tech-Nauto Limited	Objection	T 09 11.49	Cuckoo Farm	Current
0618/01447/N 99 Stanway	Colchester Zoo Limited	Objection	N 99 Colch Inset	Colchester Zoo	Current
0619/01448/H 02	Mr & Mrs M Barritt	Objection	H 02 13.17		Current
0619/01449/H 04	Mr & Mrs M Barritt	Objection	H 04 13.5	T4	Current
0619/01453/TCS 11	Mr & Mrs M Barritt	Support	TCS 11		Current
0619/01454/TCS 12	Mr & Mrs M Barritt	Objection	TCS 12 15.63		Current
0619/01455/TCS 13	Mr & Mrs M Barritt	Support	TCS 13		Unconditional Withdrawal
0620/01450/H 02	Mr C W Richardson	Objection	H 02 13.17		Current
0621/01451/H 01 Marks Tey	Liveland's Nursery	Objection	H 01	Marks Tey(b), T2&4	Current
0622/01452/H 01	Mrs A A	Objection	H 01	T 2 & 4 Marks Tey	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Marks Tey	Whittaker			Hall	
0623/01462/ME 01 Myland	Gunter Klaphake	Objection	ME 01 Colch Inset		Current
0623/01463/L 16 Myland	Gunter Klaphake	Objection	L 16 Colch Inset		Current
0624/01464/L 05	George Wimpey Plc	Objection	L 05		Current
0624/01465/L 17	George Wimpey Plc	Objection	L 17		Current
0624/01466/H 01 Stanway	George Wimpey Plc	Objection	H 01 Colch Inset	Warren Lane, Dyer road, Stanway	Current
0624/01467/UEA 12	George Wimpey Plc	Objection	UEA 12		Current
0624/01468/CO 08	George Wimpey Plc	Objection	CO 08		Current
0624/01994/H 04	George Wimpey Plc	Objection	H 04 13.20-13.24b		Current
0624/01995/H 01	George Wimpey Plc	Objection	H 01 Table 4		Current
0625/01482/N 99	J A & C A Watts	Objection	N 99		Current
0625/01483/H 01 Layer-de-la-Haye	J A & C A Watts	Objection	H 01	Layer de la Haye Brickwall Farm, Layer-de-la-Haye	Current
0626/01484/H 01	Hall Farm	Objection	H 01		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Marks Tey					
0627/01486/TCS 11 Tiptree	London & Amsterdam Developments Ltd	Objection	TCS 11 Ttree Inset		Current
0627/01487/TIP 02 Tiptree	London & Amsterdam Developments Ltd	Objection	TIP 02 Ttree Inset	TBS Site	Current
0628/01488/H 01 Eight Ash Green	J W Chamley & Son	Objection	H 01	T4 Choats Corner	Current
0629/01490/H 01 Marks Tey	Mill Road Nurseries	Objection	H 01	Marks Tey(b) T2 & 4	Unconditional Withdrawal
0630/01501/UEA 15	Mr Roger Deeble	Objection	UEA 15		Current
0631/01505/H 01 Dedham	Mr T Moorhouse	Objection	H 01 Proposals	Dedham South of Lawford Road, Dedham	Current
0631/01506/H 08	Mr T Moorhouse	Objection	H 08 13.35-13.36		Current
0632/01509/CO 02	Elvanite	Objection	CO 02 E.Colch Inse		Current
0633/01517/L 16 Myland	Boxted Parish Council	Objection	L 16 Colch Inset		Current
0633/01518/UEA 06	Boxted Parish Council	Objection	UEA 06 6.27		Current
0634/01521/TCS 01	The Sheepen	Objection	TCS 01 CA Inset		Unconditional Withdrawal

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Place Colchester Partnership				
0634/01522/T 05	The Sheepen Place Colchester Partnership	Objection	T 05		Unconditional Withdrawal
0634/01523/TCS 24	The Sheepen Place Colchester Partnership	Objection	TCS 24 CA Inset	3, T7 Land off Westway	Current
0634/01919/TCS 01	The Sheepen Place Colchester Partnership	Objection	TCS 01		Current
0634/01920/TCS 10	The Sheepen Place Colchester Partnership	Objection	TCS 10		Unconditional Withdrawal
0634/02207/TCS 24	The Sheepen Place Colchester Partnership	Objection	TCS 24 Table 7	3, T7 Land off Westway	Current
0635/01524/H 01 Gt Horkesley	Ms Lucy Wood	Objection	H 01 Proposals	Table 3 Great Horkesley & Horkesley Heath	Current
0635/01525/H 01 Gt Horkesley	Ms Lucy Wood	Objection	H 01	Great Horkesley 15, T4	Current
0636/01526/H 01	Mr & Mrs	Objection	H 01	Objection to 15, T4	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Gt Horkesley	Goodfellow			(Tile House Farm)	
0637/01527/H 01 Gt Horkesley	Mr M J Lister	Objection	H 01	Land at Boxted Church Road, Gt Horkesley	Current
0638/01528/H 01 Fingringhoe	Mr J Cock	Objection	H 01	High Park Co	Current
0638/01529/H 01 Fingringhoe	Mr J Cock	Objection	H 01	High Park Co	Current
0639/01530/H 01 Langham	Mrs R J Morrison	Objection	H 01	St Margaret's Cross (Langham) Land north of Park Lane, Langham, west of Mantons	Current
0640/01538/CO 05	Bourne Valley Conservation	Support	CO 05 Colch Inset	SINC at Mersea Road/Old Heath Road	Current
0641/01549/L 04 Wivenhoe	Mr J Turner	Support	L 04 10.30 Colch Inset	Redland Site, Wivenhoe	Current
0643/01551/H 01 Gt Horkesley	The Ingleton Group & Mersea Homes Ltd	Support	H 01	Great Horkesley 15,T4 Great Horkelsey	Current
0644/01146/L 04 Wivenhoe	The Wivenhoe Society	Objection	L 04 Colch Inset	Redland Site, Wivenhoe	Current
0644/01552/CO 04	The Wivenhoe	Objection	CO 04 Colch Inset	Universty and	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe	Society			Wivenhoe	
0644/01553/CE 08 Wivenhoe	The Wivenhoe Society	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0644/01915/TCS 10	The Wivenhoe Society	Objection	TCS 10		Current
0645/01554/H 01 Tiptree	Mr Nicholas Cocks	Support	H 01 Ttree Inset	Harrington Close	Current
0646/01557/H 01 Marks Tey	Executors of Robert Cullen	Objection	H 01	Marks Tey(a)	Current
0646/02266/H 01	Executors of Robert Cullen	Objection	H 01 13.12		Current
0646/02267/H 01	Executors of Robert Cullen	Objection	H 01 13.14		Current
0646/02268/H 01	Executors of Robert Cullen	Objection	H 01		Current
0646/02269/H 04	Executors of Robert Cullen	Objection	H 04 13.24		Current
0647/01560/LPS 01	Colchester Community Transport Scheme	Objection	LPS 01		Current
0648/01561/N 99	Colchester Rotary Club	Objection	N 99	New policy requested	Current
0649/01563/LPS 01	Mr C J Arnold	Objection	LPS 01 E.Colch Inset	St Botolph's Car	Unconditional Withdrawal

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
				Park	
0649/01564/TCS 24	Mr C J Arnold	Objection	TCS 24 Colch Inset	T07	Unconditional Withdrawal
0649/01565/EMP 01 Myland	Mr C J Arnold	Objection	EMP 01	Chapmans Farm, Mile End	Unconditional Withdrawal
0649/01566/H 01 Gt Horkesley	Mr C J Arnold	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Unconditional Withdrawal
0650/01567/T 06	Booker Plc	Objection	T 06		Current
0651/01578/CE 07	English Heritage	Support	CE 07		Current
0651/01579/CE 08 Wivenhoe	English Heritage	Support	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0651/01580/CE 09 West Mersea	English Heritage	Support	CE 09		Current
0651/01581/LPS 01	English Heritage	Support	LPS 01 5.1		Current
0651/01582/LPS 01	English Heritage	Objection	LPS 01 5.4		Current
0651/01583/CO 01	English Heritage	Objection	CO 01 5.6		Unconditional Withdrawal
0651/01584/CO 02 Layer Marney	English Heritage	Objection	CO 02 5.13		Unconditional Withdrawal
0651/01585/LPS 01	English Heritage	Objection	LPS 01 4.9		Unconditional Withdrawal

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0651/01586/CO 11 Dedham	English Heritage	Objection	CO 11	Dedham	Unconditional Withdrawal
0651/01587/DC 01	English Heritage	Objection	DC 01 3.13		Unconditional Withdrawal
0651/01588/ECH 01	English Heritage	Objection	ECH 01		Unconditional Withdrawal
0651/01589/ECH 11	English Heritage	Objection	ECH 11 16.33 E.Colch Inst		Unconditional Withdrawal
0651/01590/G 01 Garrison	English Heritage	Objection	G 01 Colch Inset		Current
0651/01591/H 01 Garrison	English Heritage	Objection	H 01 Colch Inset	4,T4 Colchester Garrison	Current
0651/01592/H 01 Messing cum Inworth	English Heritage	Objection	H 01	Messing 17,T4	Unconditional Withdrawal
0651/01593/H 10	English Heritage	Objection	H 10		Unconditional Withdrawal
0651/01594/H 12	English Heritage	Objection	H 12		Current
0651/01595/LPS 01	English Heritage	Objection	LPS 01 2.2/3/8	Local Plan Strategy	Current
0651/01596/L 07	English Heritage	Objection	L 07 10.34		Unconditional Withdrawal
0651/01597/L 10 Messing cum Inworth	English Heritage	Objection	L 10 10.38-10.41		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0651/01598/L 18	English Heritage	Objection	L 18		Current
0651/01599/P 02	English Heritage	Objection	P 02		Unconditional Withdrawal
0651/01600/P 06	English Heritage	Objection	P 06 7.25		Unconditional Withdrawal
0651/01601/TCS 19	English Heritage	Objection	TCS 19 15.87-15.88		Unconditional Withdrawal
0651/01602/TCS 22	English Heritage	Objection	TCS 22 Colch Inset		Unconditional Withdrawal
0651/01603/TCS 24	English Heritage	Objection	TCS 24 Colch Inset		Current
0651/01604/LPS 01	English Heritage	Objection	LPS 01 6.3	Local Plan Strategy	Unconditional Withdrawal
0651/01605/UEA 01	English Heritage	Objection	UEA 01 6.12		Unconditional Withdrawal
0651/01606/UEA 02	English Heritage	Objection	UEA 02		Unconditional Withdrawal
0651/01607/UEA 03	English Heritage	Objection	UEA 03		Unconditional Withdrawal
0651/01608/UEA 04	English Heritage	Objection	UEA 04		Unconditional Withdrawal
0651/01609/UEA 05	English Heritage	Objection	UEA 05 6.23		Unconditional Withdrawal
0651/01610/UEA 08	English Heritage	Objection	UEA 08 6.35-6.37		Unconditional Withdrawal
0651/01653/UEA 09	English	Objection	UEA 09 6.43	Dyke System	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Heritage				
0651/01654/UEA 10	English Heritage	Objection	UEA 10 6.44	Gosbecks Countryside Conservation Area	Unconditional Withdrawal
0651/01655/UT 04	English Heritage	Objection	UT 04		Unconditional Withdrawal
0651/01656/TCS 24	English Heritage	Objection	TCS 24 CA Inset	T07	Current
0651/02022/UEA 08	English Heritage	Objection	UEA 08 6.35-6.37a		Unconditional Withdrawal
0651/02023/UEA 10	English Heritage	Support	UEA 10 6.43a & b		Current
0651/02039/UEA 11	English Heritage	Support	UEA 11 6.47		Current
0651/02042/P 02	English Heritage	Support	P 02 7.12		Current
0651/02043/P 06	English Heritage	Support	P 06 7.25		Current
0651/02044/L 07	English Heritage	Support	L 07 10.34		Current
0651/02045/TCS 01	English Heritage	Objection	TCS 01 15.14		Current
0651/02047/ECH 02c	English Heritage	Objection	ECH 02c 16.24e,area4		Unconditional Withdrawal
0651/02049/ECH 11	English Heritage	Support	ECH 11 16.33		Current
0651/02061/CE 08	English	Support	CE 08 4.33	Regeneration Area	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe	Heritage			10 Cooks Shipyard	
0651/02062/DC 01	English Heritage	Objection	DC 01 3.2		Unconditional Withdrawal
0651/02063/CE 01	English Heritage	Support	CE 01 4.1		Current
0651/02064/CO 01	English Heritage	Support	CO 01 5.6		Current
0651/02065/UEA 01	English Heritage	Support	UEA 01 6.12		Current
0651/02126/ECH 02c	English Heritage	Objection	ECH 02c		Current
0651/02127/TCS 24	English Heritage	Objection	TCS 24 Table 7		Unconditional Withdrawal
0651/02128/TCS 14	English Heritage	Support	TCS 14		Current
0651/02129/UT 04	English Heritage	Support	UT 04		Current
0651/02130/L 18	English Heritage	Objection	L 18		Current
0651/02131/L 14	English Heritage	Objection	L 14		Unconditional Withdrawal
0651/02132/UEA 04	English Heritage	Support	UEA 04		Current
0651/02133/UEA 02	English Heritage	Objection	UEA 02		Unconditional Withdrawal
0651/02134/UEA 01	English Heritage	Support	UEA 01		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0651/02135/CO 11	English Heritage	Support	CO 11		Current
0651/02136/CE 08 Wivenhoe	English Heritage	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0651/02273/DC 01	English Heritage	Support	DC 01		Current
0652/01611/CE 08 Wivenhoe	Mr R C Floyd	Objection	CE 08 Colch Inset	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
0653/01620/CO 02	Knight Developments Ltd	Objection	CO 02 5.13(e) Colch Inset		Current
0653/01621/L 02	Knight Developments Ltd	Objection	L 02 Colch Inset	Essex Hall, Claremont Heights	Current
0653/01622/H 01 Castle Ward	Knight Developments Ltd	Objection	H 01 Colch Inset	Essex Hall, Claremont Heights	Current
0654/01623/H 01 Winstred Hundred	Parmenter Farms Ltd	Objection	H 01	Salcot and Virley T4 St Mary's Church	Current
0654/01624/H 01 Winstred Hundred	Parmenter Farms Ltd	Objection	H 01	Salcot and Virley T4 Horn Farm	Current
0654/01625/H 01 Winstred Hundred	Parmenter Farms Ltd	Objection	H 01	Salcot and Virley T4 Water Style Lodge	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0655/01626/H 01 West Bergholt	Mr B Price	Objection	H 01	West Bergholt T4 3½ Colchester Road	Current
0657/01629/TCS 03	S Chapman	Objection	TCS 03 Colch Inset		Unconditional Withdrawal
0658/01630/H 01 West Mersea	P Tucker	Objection	H 01 W.M Inset	16,T4	Current
0659/01631/UC 01	J J Heath	Objection	UC 01 Colch Inset		Current
0659/01632/UEA 08	J J Heath	Objection	UEA 08 6.35		Current
0659/01633/CO 06	J J Heath	Objection	CO 06		Current
0659/01646/STA 03 Stanway	J J Heath	Objection	STA 03 19.12 Colch Inset	Church Lane, Stanway	Current
0659/01647/ECH 01	J J Heath	Objection	ECH 01 16.18 Colch Inset		Current
0659/01648/ECH 03	J J Heath	Objection	ECH 03 Colch Inset		Current
0659/01649/CO 05 West Bergholt	J J Heath	Objection	CO 05	West Bergholt West Bergholt Heath	Current
0659/01650/L 09	J J Heath	Objection	L 09 10.37 Colch Inset		Current
0659/01660/CO 05	J J Heath	Objection	CO 05 Colch Inset	G35, M20 Grassland	Current
0660/01634/CO 06	Colchester Natural History Society	Objection	CO 06		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0660/01635/UC 01	Colchester Natural History Society	Objection	UC 01 Colch Inset		Current
0660/01636/STA 03 Stanway	Colchester Natural History Society	Objection	STA 03 19.12 Colch Inset		Conditional Withdrawal
0660/01696/CO 05 Wivenhoe	Colchester Natural History Society	Objection	CO 05 Colch Inset	omission from the plan	Current
0660/01697/CO 05 West Bergholt	Colchester Natural History Society	Objection	CO 05 Proposals	West Bergholt SINC	Unconditional Withdrawal
0660/01698/L 09	Colchester Natural History Society	Objection	L 09 E.Colch Inse	Colne Riverside Walk	Unconditional Withdrawal
0660/01699/L 09	Colchester Natural History Society	Objection	L 09 CA Inset	Colne Riverside Walk	Unconditional Withdrawal
0660/01700/L 14	Colchester Natural History Society	Objection	L 14 10.49	Amend policy	Unconditional Withdrawal
0660/01701/ECH 03	Colchester Natural	Objection	ECH 03 16.18 E.Colch Inse	Half tide sill at the Hythe	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	History Society				
0660/01702/LPS 01	Colchester Natural History Society	Objection	LPS 01 13.5 (e)	Amend objective	Conditional Withdrawal
0660/01703/UEA 08	Colchester Natural History Society	Objection	UEA 08 6.35-6.46	Amend paragraphs	Unconditional Withdrawal
0661/01637/TIP 01 Tiptree	Tiptree Residents Association	Support	TIP 01 Ttree Inset		Current
0661/01638/TIP 02 Tiptree	Tiptree Residents Association	Support	TIP 02 Ttree Inset		Current
0661/01639/TIP 03 Tiptree	Tiptree Residents Association	Support	TIP 03 Ttree Inset		Current
0662/01640/L 02 West Mersea	Mr G Capon	Support	L 02 W.M Inset		Current
0663/01641/L 02 West Mersea	Mersea Island Hockey League	Support	L 02 W.M Inset		Current
0664/01642/H 01 Gt Horkesley	Mr & Mrs B G Middleditch	Objection	H 01	Great Horkesley 15,T4 Brownfield Site	Current
0665/01643/H 01 Gt Horkesley	Mrs M Hodson	Objection	H 01	Great Horkesley 15,T4 Great Horkesley	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0666/01644/H 01 Gt Horkesley	Robin Hodson	Objection	H 01	Great Horkesley 15,T4 Coach Road, Great Horkesley	Current
0667/01645/H 01 Eight Ash Green	Mr & Mrs R Waddell	Support	H 01	Eight Ash Green	Current
0668/01657/H 01 Stanway	Mr P J Pentney	Objection	H 01 Proposals	T3 Maldon Road	Current
0668/01658/H 09	Mr P J Pentney	Objection	H 09		Current
0668/01659/H 10	Mr P J Pentney	Objection	H 10		Current
0670/01662/H 01 Winstred Hundred	Mr K Walton	Objection	H 01	Peldon	Conditional Withdrawal
0670/02201/H 01	Mr K Walton	Support	H 01 13.12 Table 4		Current
0671/01666/CO 04 Stanway	Equity Estates/Lindm ar Trust/Mrs R Burwood	Objection	CO 04 Colch Inset	A1124 Eight Ash Green	Current
0671/01667/CO 04 Stanway	Equity Estates/Lindm ar Trust/Mrs R Burwood	Objection	CO 04 Colch Inset	Stone Park	Current
0671/01668/EMP 01 Stanway	Equity Estates/Lindm ar Trust/Mrs R Burwood	Objection	EMP 01 Colch Inset	Stone Road	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0672/01669/CO 04 Stanway	Climate Changer Software Limited	Objection	CO 04 Colch Inset	A1124 Eight Ash Green	Current
0672/01670/CO 04 Eight Ash Green	Climate Changer Software Limited	Objection	CO 04 Colch Inset	A12	Current
0672/01671/CO 04 Stanway	Climate Changer Software Limited	Objection	CO 04 Colch Inset	Stane Park	Current
0672/01672/EMP 01 Stanway	Climate Changer Software Limited	Objection	EMP 01 Colch Inset	Stane Park	Current
0673/01673/L 03	Lattice Property Holdings	Objection	L 03 Colch Inset	Bromley Road	Current
0673/01674/L 04	Lattice Property Holdings	Objection	L 04 Proposals	Bromley Road	Current
0673/01768/EMP 01	Lattice Property Holdings	Objection	EMP 01 E.Colch Ins	Land at junction of Whitehall Road/Grange Way	Unconditional Withdrawal
0674/01675/H 01 Gt Horkesley	Mr & Mrs J E Runnacles	Objection	H 01	Great Horkesley 15,T4	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0675/01676/TIP 02 Tiptree	Councillor M E Dale	Objection	TIP 02 Ttree Inset		Current
0677/01679/UT 04	One 2 One Personal Communications Ltd	Objection	UT 04		Current
0678/01680/H 01 Tiptree	Tiptree Development Forum	Objection	H 01	Table 3	Unconditional Withdrawal
0678/01681/L 04 Tiptree	Tiptree Development Forum	Objection	L 04 10.10	Table 9	Current
0678/01682/H 06 Tiptree	Tiptree Development Forum	Support	H 06		Current
0678/01683/LPS 01 Tiptree	Tiptree Development Forum	Objection	LPS 01 13.5	Local Plan Strategy	Current
0678/01684/TIP 01 Tiptree	Tiptree Development Forum	Objection	TIP 01 Ttree Inset		Unconditional Withdrawal
0678/01685/TIP 02 Tiptree	Tiptree Development Forum	Objection	TIP 02 Ttree Inset		Current
0678/01686/TIP 03 Tiptree	Tiptree Development Forum	Objection	TIP 03 20.7		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0678/01687/N 99 Tiptree	Tiptree Development Forum	Objection	N 99		Current
0678/01716/L 04 Tiptree	Tiptree Development Forum	Objection	L 04 Ttree Inset		Current
0678/01717/IM 03 Tiptree	Tiptree Development Forum	Objection	IM 03		Unconditional Withdrawal
0679/01691/H 01 West Mersea	Mrs P Grey	Objection	H 01 WM Inset	16,T4 Land north of East Road, West Mersea	Current
0680/01692/H 01 West Mersea	Mrs Shirley Greville	Objection	H 01 WM Inset	16,T4 Land north of East Road, West Mersea	Unconditional Withdrawal
0681/01693/H 01 West Bergholt	Mr & Mrs M L Rainger	Support	H 01 Proposals	West Bergholt Supports proposed village envelope	Current
0682/01695/UT 04	Vodafone Ltd	Objection	UT 04		Current
0683/01704/H 01 Tiptree	Mr M B Bell	Objection	H 01 Ttree Inset	Land to the ro 46 Newbridge Road Tiptree	Current
0684/01705/H 01 Boxted	Mr Alex Sexton	Objection	H 01 13.14 Proposal	Boxted Cross Boxted Cross Village Envelope	Current
0685/01707/UEA 15	Philip Morant School	Objection	UEA 15 Colch Inset	Delete green links	Current
0685/01708/L 04	Philip Morant School	Objection	L 04	Delete policy	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0685/01709/L 03	Philip Morant School	Objection	L 03 Colch Inset	Delete policy	Current
0686/01710/CO 11 Dedham	Dedham Vale JAC	Support	CO 11	Supports policy	Current
0686/01711/N 99	Dedham Vale JAC	Objection	N 99	Proposes new policy	Unconditional Withdrawal
0686/01712/CO 02	Dedham Vale JAC	Objection	CO 02	Proposes new policy	Unconditional Withdrawal
0687/01713/TCS 23	Licet Developments Ltd	Objection	TCS 23	T07 Amend policy	Current
0687/01714/TCS 22	Licet Developments Ltd	Support	TCS 22	Supports policy	Current
0689/01719/CE 08 Wivenhoe	A Powell & S Perrin	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard	Current
0690/01720/L 04 Wivenhoe	Mr N C Townrow	Objection	L 04 10.30 Colch Inset		Unconditional Withdrawal
0691/01721/EMP 01 Langham	Langham Parish Council	Objection	EMP 01 Colch Inset	Garden centre Old Ipswich Road.	Unconditional Withdrawal
0691/01722/CO 07 Langham	Langham Parish Council	Objection	CO 07 5.28 Proposa	Langham Moor & St Margaret's Cross (Langham)	Unconditional Withdrawal

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
				Greyhound Hill & Grove Hill	
0691/01723/H 12	Langham Parish Council	Support	H 12 13.44-13.45		Current
0691/01724/EMP 05 Langham	Langham Parish Council	Support	EMP 05 Colch Inset	Langham Airfield.	Unconditional Withdrawal
0691/01725/H 01 Langham	Langham Parish Council	Support	H 01	St Margaret's Cross (Langham) St. Margarets Cross	Unconditional Withdrawal
0692/01727/H 01 East Mersea	G D Moore	Objection	H 01 Proposals	T2 Land at Meeting Lane, West Mersea	Current
0693/01729/EMP 01	Colchester & District Trade Union Council	Objection	EMP 01		Current
0694/01730/LPS 01 West Mersea	Mersea Forum	Objection	LPS 01 4.7 WM Inse		Current
0694/01731/CE 01 West Mersea	Mersea Forum	Support	CE 01 WM Inset		Current
0694/01732/CE 02 West Mersea	Mersea Forum	Support	CE 02 WM Inset		Current
0694/01733/CE 03 West Mersea	Mersea Forum	Support	CE 03 WM Inset		Current
0694/01734/CE 04 West Mersea	Mersea Forum	Support	CE 04 WM Inset		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0694/01735/CE 05 West Mersea	Mersea Forum	Objection	CE 05 WM Inset		Current
0694/01736/CE 06	Mersea Forum	Support	CE 06 WM Inset		Current
0694/01737/CE 09 West Mersea	Mersea Forum	Objection	CE 09 4.46/47/49 WI Inset	West Mersea Waterside	Current
0694/01738/L 02 West Mersea	Mersea Forum	Support	L 02 WM Inset	Legion Field	Current
0694/01739/H 01 West Mersea	Mersea Forum	Objection	H 01 WM Inset	16, T4 East Road, West Mersea	Current
0694/01740/CO 10 West Mersea	Mersea Forum	Objection	CO 10		Current
0695/01741/CE 08 Wivenhoe	Wivenhoe Forum	Objection	CE 08 4.42 Colch Inset	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0695/02125/CE 08 Wivenhoe	Wivenhoe Forum	Objection	CE 08 4.33g	Regeneration Area 10 Cooks Shipyard	Current
0696/01745/EMP 01 Stanway	Mr J Mason / Mr R F West	Objection	EMP 01 Colch Inset	Wyvern Farm	Unconditional Withdrawal
0697/01746/H 01 Langham	Mr K Dillaway	Objection	H 01 Proposals	Langham Moor	Current
0698/01766/UEA 01	Mersea Island Society	Objection	UEA 01 W M Inset	Proposes Waterside Conservation Area extension	Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0700/01776/CO 04	C Lenartowicz	Support	CO 04		Current
0701/01777/CO 04	ITA Sheehan	Support	CO 04		Current
0702/01778/CO 04	A Davies	Support	CO 04		Unconditional Withdrawal
0703/01779/CO 04	E D Robinson	Support	CO 04		Current
0704/01780/CO 04	Mr D R Cairns	Support	CO 04		Current
0705/01781/CO 04	Mr & Mrs J Greenwood	Support	CO 04		Current
0706/01782/CO 04	D C R & E P Coleman	Support	CO 04		Current
0707/01783/CO 04	Mrs J Johnstone	Support	CO 04		Current
0708/01784/CO 04	Capt. P E Keyes	Support	CO 04		Current
0709/01785/CO 04	Mr D A S Ager	Support	CO 04		Current
0710/01786/CO 04	Mrs M A Lee	Support	CO 04		Current
0711/01787/CO 04	D G B Mawson	Support	CO 04		Current
0712/01788/H 01 Winstred Hundred	Mrs Maggie Finch	Objection	H 01	T4, 19 St. Ives Farm, Peldon	Current
0713/01789/CO 04	Mr A N Macleod	Support	CO 04		Current
0714/01790/CO 04	B A W Neville	Support	CO 04		Current
0715/01791/CO 04	H W Starnes	Support	CO 04 5.16 & 5.17		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0716/01792/CO 04	Mr R J Leighton	Support	CO 04		Current
0717/01793/CO 04	Mr & Mrs P T Cook	Support	CO 04 5.16 & 5.17		Current
0718/01794/H 01 Winstred Hundred	Mr C F Carter	Objection	H 01 Table 4 Map 3:	Peldon St. Ives Farm, Peldon	Current
0719/01795/CO 04	Dr D. G Ramster	Support	CO 04 5.16 & 5.17 Map 14	NWP Land north of Welshwood Park	Current
0720/01796/H 01 Winstred Hundred	Mr J S Smith	Objection	H 01 Table 4 Map 33	Peldon St. Ives Farm, Peldon	Current
0721/01797/CO 04	Mr & Mrs K A Cuthbertson	Support	CO 04 5.16 & 5.17 Map 14	NWP Land north of Welshwood Park	Current
0722/01798/CO 04	Mr & Mrs Webber	Support	CO 04 5.16 & 5.17 Map	LWP Land north of Welshwood Park	Current
0723/01799/H 01 Winstred Hundred	Mr & Mrs Christmas	Objection	H 01 Table 4 Map	Peldon St. Ives Farm, Peldon	Current
0724/01800/CO 04	Mr & Mrs A W Tucker	Support	CO 04 5.16 & 5.17 Map	LWP Land north of Welshwood Park	Current
0725/01801/CO 04	Mr & Mrs Bedia	Support	CO 04 5.16 & 5.17 Map	LWP Land north of Welshwood Park	Current
0726/01802/H 01 Peldon	Mr P Gladwin	Support	H 01 Table 4 Map		Current
0727/01803/H 01 Peldon	Mrs M Coan	Support	H 01 Table 4 Map 19		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0728/01941/TCS 02a	Mr N Madden	Objection	TCS 02a		Current
0729/01804/L 02	Mary Revell	Objection	L 02		Current
0729/01942/CF 05	Mary Revell	Objection	CF 05		Current
0729/01943/L 02	Mary Revell	Objection	L 02		Current
0730/01805/CE 08 Wivenhoe	Joan Tayler	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0731/01806/CO 04	Mr A McLean	Support	CO 04 5.16 & 5.17		Current
0732/01807/CE 08 Wivenhoe	Mrs O Jaques	Objection	CE 08 4.33g	Regeneration Area 10 Cooks Shipyard	Current
0732/01928/CE 08 Wivenhoe	Mrs O Jaques	Objection	CE 08 4.33f	Regeneration Area 10 Cooks Shipyard	Current
0732/01940/CE 08 Wivenhoe	Mrs O Jaques	Support	CE 08 4.33r 22	Regeneration Area 10 Cooks Shipyard	Current
0733/01808/CE 08 Wivenhoe	Mr T Luckhurst	Support	CE 08 4.33f 22	Regeneration Area 10 Cooks Shipyard	Current
0733/02058/CE 08 Wivenhoe	Mr T Luckhurst	Support	CE 08 4.33r	Regeneration Area 10 Cooks Shipyard	Current
0734/01809/CE 08 Wivenhoe	Ms S Fisher	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0735/01810/CE 08	Mr & Mrs Andras	Objection	CE 08 4.33f	Regeneration Area 10 Cooks Shipyard	Current

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Wivenhoe					
0736/01811/CE 08	Ms C Rumble	Objection	CE 08 4.33f	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0737/01812/CE 08	Mrs M Collett	Objection	CE 08 4.33f	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0738/01813/CE 08	Mr N Muir	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0739/01814/CE 08 1 & CE 082	Mr J R Pendle	Support	CE 08 1 & CE 082 4.33	Regeneration Area 10 Cooks Shipyard Joint Case The Shipyard Project	Current
Wivenhoe					
0739/01939/CE 08 1	Mr J R Pendle	Objection	CE 08 1 4.33u 22	Regeneration Area 10 Cooks Shipyard Joint Case Wivenhoe Society	Current
Wivenhoe					
0740/01815/CE 08	Mr C E Longland	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0741/01816/CE 08	Mr K Plummer	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0742/01817/CE 08	Mr I Middleton	Objection	CE 08 4.33f	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0742/01938/CE 08	Mr I Middleton	Support	CE 08 4.33r 22	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0743/01818/CE 08 Wivenhoe	Ms V Middleton	Objection	CE 08 4.33f	Regeneration Area 10 Cooks Shipyard	Current
0743/01937/CE 08 Wivenhoe	Ms V Middleton	Support	CE 08 4.33r	Regeneration Area 10 Cooks Shipyard	Current
0744/01819/CO 04	Mr I M Johnson	Support	CO 04 5.16 & 5.17 1.		Current
0745/01820/CO 04	Mr N B Lewis	Support	CO 04 4		Current
0746/01821/CE 08 Wivenhoe	Chris Tanner	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0747/01905/H 04	Andrew Martin Associates	Objection	H 04		Unconditional Withdrawal
0747/01906/H 04	Andrew Martin Associates	Objection	H 04 13.24 (b)		Unconditional Withdrawal
0747/01907/H 04	Andrew Martin Associates	Objection	H 04 13.24(a)		Unconditional Withdrawal
0747/01908/H 04	Andrew Martin Associates	Objection	H 04 13.24		Unconditional Withdrawal
0747/01909/H 04	Andrew Martin Associates	Objection	H 04 13.21,22,23		Unconditional Withdrawal
0747/01910/H 04	Andrew Martin Associates	Objection	H 04 13.20		Unconditional Withdrawal
0748/01822/CE 08 Wivenhoe	Joyce Gray	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0749/01823/CE 08	K J Owden	Objection	CE 08	Regeneration Area	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe				10 Cooks Shipyard	
0750/01824/CO 04	Mr & Mrs Kitchener	Support	CO 04		Current
0751/01825/CE 08	Z Paunovic	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0752/01826/CE 08	Mr John S Williams	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0753/01827/CE 08	J H Gidman	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0754/01828/H 01	Mrs M McArthur	Objection	H 01	St. Ives Farm, Peldon	Current
Winstred Hundred					
0755/01829/CE 08	Mrs A Carlin	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0756/01830/CE 08	Mrs S Glasspool	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0757/01831/CE 08	M Harvey	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0758/01832/CE 08	Mr W P Burgess	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0759/01833/CE 08	M Lewis	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0760/01834/CO 04	Mr J C Green	Support	CO 04 14		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0761/01835/CE 08 Wivenhoe	Mr & Mrs R Sheldon	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0762/02198/L 05a	Ms S Gordon	Objection	L 05a	Land at Chitts Hill	Current
0763/01836/H 01	Mrs C Moore	Support	H 01		Current
0764/01837/H 01 Winstred Hundred	Ms J Mitton	Objection	H 01	St. Ives Farm, Peldon	Current
0765/01838/CE 08 Wivenhoe	Mrs R Burch	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0766/01839/CO 04	Miss P A Trenow	Support	CO 04 5.16 & 5.17 1.		Current
0767/01840/CO 04	Cllr Ray Gamble	Support	CO 04 5.16 & 5.17 1.		Current
0768/01841/CO 04	Mr P Smith	Support	CO 04 5.16 & 5.17 1.		Current
0769/01842/CO 04	Mr & Mrs G Waltho	Support	CO 04 5.16 & 5.17 1.		Current
0770/01843/CO 04	Mr & Mrs L Childs	Support	CO 04 5.16 & 5.17 1.		Current
0771/01844/CO 04	Dr & Mrs T Rudra	Support	CO 04		Current
0772/01944/CE 08 Wivenhoe	R J Stow	Objection	CE 08 22	Regeneration Area 10 Cooks Shipyard	Current
0773/01845/CE 08	Mr & Mrs Richards	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe					
0774/01846/CE 08	Mr & Mrs May	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
Wivenhoe					
0775/01847/CE 08	R & S Gray	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0776/01848/CE 08	Ms P Marsden	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0777/01849/CE 08	Mrs Janet Turner	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
Wivenhoe					
0778/01850/CE 08	Mr Richard Hayward	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0779/01851/CE 08	Mr Clive Dawney	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
Wivenhoe					
0780/01852/H 11	Mark Perkins	Objection	H 11 13.45a		Current
0781/01853/CO 04	Mr & Mrs H M Lloyd	Support	CO 04 14	Land north of Welshwood Park	Current
0782/01854/CO 04	Mr K Pedder	Support	CO 04		Current
0783/01855/CO 04	Mr Andrews	Support	CO 04 5.15 & 5.16		Current
0784/01856/CO 04	Mr & Mrs R F Lankester	Support	CO 04		Current
0785/01857/CO 04	M S & V A King	Support	CO 04		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0786/01858/CO 04	Mr & Mrs P Frost	Support	CO 04		Current
0787/01859/H 01 Winstred Hundred	Ms Angela Samuels	Objection	H 01 Table 4	St. Ives Farm, Peldon	Current
0788/01860/CE 08 Wivenhoe	J W Blackwood	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0789/01861/CE 08 Wivenhoe	Ms Lynda A M Brown	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0790/01862/CE 08 Wivenhoe	Miss A Jones	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0791/01863/CE 08 Wivenhoe	Mr T Puttfarken	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0792/01864/CO 04	Mr B R Lawrence	Support	CO 04 14		Current
0793/01865/H 01 Winstred Hundred	Mr R King	Objection	H 01 Table 4	St. Ives Farm, Peldon	Current
0794/01866/H 01 Winstred Hundred	Mr & Mrs F V Fergus	Objection	H 01	T.4.19 St. Ives Farm, Peldon	Current
0795/01867/CE 08 Wivenhoe	Ms H Saunders	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0797/01869/CE 08 Wivenhoe	Mr J Braim	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0798/01870/H 01 Winstred Hundred	Mr & Mrs L Bellamy	Objection	H 01 Table 4	St. Ives Farm, Peldon	Current
0799/01871/CE 08 Wivenhoe	Mr A E Hamilton	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0800/01872/H 01 Winstred Hundred	Mr & Mrs Gooding	Objection	H 01 Table 4	St. Ives Farm, Peldon	Current
0801/01873/CE 08	Mr D McCaskay	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0802/01874/H 01 Winstred Hundred	Mr M Moore	Support	H 01 Table 4	St. Ives Farm, Peldon	Current
0803/01875/H 01 Winstred Hundred	Mr & Mrs A D Ellis	Objection	H 01 Table 4	St. Ives Farm, Peldon	Current
0804/01876/H 01 Winstred Hundred	Mr & Mrs Harragan	Support	H 01 Table 4	St. Ives Farm, Peldon	Current
0805/01877/H 01 Winstred Hundred	Mr B Tamblyn	Objection	H 01 Table 4	St. Ives Farm, Peldon	Current
0806/01878/H 01 Winstred Hundred	Mrs P Claxon	Objection	H 01 Table 4	St. Ives Farm, Peldon	Current
0807/01879/CO 04	Mr D J Furse	Support	CO 04 5.16 & 5.17 1.	Land north of Welshwood Park	Current
0808/01880/CE 08 Wivenhoe	Mr M Cobbin	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0809/01881/CE 08 Wivenhoe	Mr C Parlett	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0810/01882/CE 08 Wivenhoe	Mr E Smith & Miss S Harland	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0811/01883/H 01 Winstred Hundred	Mrs M Winyard	Objection	H 01 Table 4	St. Ives Farm, Peldon	Current
0812/01884/H 01 Winstred Hundred	Mr & Mrs D King	Objection	H 01 Table 4	St. Ives Farm, Peldon	Current
0813/01885/CE 08 Wivenhoe	Mr S J Heath	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0814/01886/H 01 Winstred Hundred	Mr J T M Manning	Objection	H 01 Table 4	St. Ives Farm, Peldon	Current
0815/01887/CE 08 Wivenhoe	Ms A Popkin	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0816/01888/CE 08 Wivenhoe	Mr L V Jessup	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0817/01889/CE 08 Wivenhoe	Mr & Mrs A Petrie	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0818/01890/CE 08 Wivenhoe	Mr L Pettican	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0819/01891/CE 08 Wivenhoe	Dr C Cowen	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0820/01892/CE 08 Wivenhoe	Mrs P Coventry	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0821/01893/CE 08 Wivenhoe	Mr B V Horrigan	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0822/01894/CE 08 Wivenhoe	Mr R Green	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0823/01895/CE 08 Wivenhoe	Mr L Eunson	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0824/01896/CO 04	Mr K J Baines	Support	CO 04 14	Land north of Welshwood Park	Current
0825/01897/CO 04	Mr James Beddoe	Support	CO 04	Land north of Welshwood Park	Current
0826/01904/H 01 Winstred Hundred	Mrs M L Ellis	Objection	H 01 Table 4 19	St. Ives Farm, Peldon	Current
0827/01911/H 01 Winstred Hundred	Mrs B Ashrowan	Objection	H 01	T.4 St. Ives Farm, Peldon	Unconditional Withdrawal
0828/01912/H 01 Winstred Hundred	Mr & Mrs L Davies	Objection	H 01 D14	St. Ives Farm, Peldon	Current
0832/01917/TCS 10	Informa Group Plc	Objection	TCS 10		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0832/02034/TCS 02	Informa Group Plc	Objection	TCS 02 Table 7		Current
0832/02052/TCS 10	Informa Group Plc	Objection	TCS 10		Current
0833/01225/CF 01	RMPA Services	Support	CF 01	Support	Current
0833/01226/CF 07	RMPA Services	Objection	CF 07 Colch Inset	Primary School, Garrison	Conditional Withdrawal
0833/01227/CF 10	RMPA Services	Objection	CF 10 Colch Inset	Primary Health Care, Garrison	Unconditional Withdrawal
0833/01228/DC 01	RMPA Services	Objection	DC 01	Re-wording of policy	Unconditional Withdrawal
0833/01229/LPS 01	RMPA Services	Support	LPS 01 14.4 Colch Inset	Supports	Current
0833/01230/G 01 Garrison	RMPA Services	Objection	G 01 17.9(e) Colch Inset	Colchester Garrison	Conditional Withdrawal
0833/01231/LPS 01	RMPA Services	Objection	LPS 01 13.5	Amend objectives	Unconditional Withdrawal
0833/01232/LPS 01	RMPA Services	Support	LPS 01 13.5 (c&d)	Support	Current
0833/01233/LPS 01	RMPA Services	Objection	LPS 01 13.5 (e)	Brownfield Sites	Unconditional Withdrawal
0833/01234/H 01 Garrison	RMPA Services	Objection	H 01 13.9	T2 Existing Housing Site Supply 10750 dwellings	Unconditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0833/01235/H 01	RMPA Services	Objection	H 01	T3 Reassessment o Criteria	Unconditional Withdrawal
0833/01236/H 01	RMPA Services	Objection	H 01 Colch Inset	4,T4 1600, Colchester Garrison	Unconditional Withdrawal
0833/01237/H 01	RMPA Services	Support	H 01 Colch Inset	4,T4 Support	Current
0833/01238/L 01	RMPA Services	Objection	L 01 Colch Inset	Garrison Redevelopment	Unconditional Withdrawal
0833/01239/LPS 01	RMPA Services	Support	LPS 01 2.12	New policy requested	Current
0833/01240/P 04	RMPA Services	Support	P 04	Support	Current
0833/01241/TCS 11	RMPA Services	Objection	TCS 11 Colch Inset	New policy requested	Conditional Withdrawal
0833/01242/LPS 01	RMPA Services	Support	LPS 01 15.8	Local Plan Strategy	Current
0833/01243/T 01	RMPA Services	Support	T 01	Support	Current
0833/01244/T 02	RMPA Services	Support	T 02	Support	Current
0833/01245/T 04	RMPA Services	Support	T 04	Support	Current
0833/01246/UEA 15	RMPA Services	Objection	UEA 15	Brownfield Sites	Conditional Withdrawal
0833/01923/TCS 23	RMPA Services	Support	TCS 23		Current
0833/01924/TCS 01	RMPA	Objection	TCS 01 15.12		Conditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Services				
0833/01925/TCS 01	RMPA Services	Objection	TCS 01 15.13a		Conditional Withdrawal
0833/01929/TCS 02a	RMPA Services	Objection	TCS 02a 15.15d		Conditional Withdrawal
0833/01930/TCS 02a	RMPA Services	Objection	TCS 02a 15.15e		Conditional Withdrawal
0833/01931/TCS 02a	RMPA Services	Objection	TCS 02a 15.15f		Conditional Withdrawal
0833/01932/TCS 02a	RMPA Services	Objection	TCS 02a 15.15g		Conditional Withdrawal
0833/01933/TCS 02a	RMPA Services	Objection	TCS 02a 15.15h		Conditional Withdrawal
0833/01934/TCS 02	RMPA Services	Objection	TCS 02 15.15a		Conditional Withdrawal
0833/01947/H 04	RMPA Services	Objection	H 04 13.24b		Current
0833/01948/H 04	RMPA Services	Objection	H 04		Current
0833/01949/H 04	RMPA Services	Objection	H 04 13.24a		Current
0833/01950/H 04	RMPA Services	Objection	H 04 13.24		Current
0833/01951/H 04	RMPA Services	Objection	H 04 13.21-13.23		Current
0833/01952/H 04	RMPA	Objection	H 04 13.20		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Services				
0833/01953/H 01	RMPA Services	Support	H 01 17.9h Table 4		Current
0833/01954/L 04	RMPA Services	Objection	L 04		Unconditional Withdrawal
0833/01955/G 01	RMPA Services	Objection	G 01 17.9h		Unconditional Withdrawal
0833/01956/H 01	RMPA Services	Objection	H 01		Unconditional Withdrawal
0833/01957/T 02	RMPA Services	Support	T 02		Current
0833/01958/CF 11	RMPA Services	Support	CF 11 8.35		Current
0833/01959/LPS 01	RMPA Services	Support	LPS 01 2.15		Current
0833/01960/DC 01	RMPA Services	Objection	DC 01		Unconditional Withdrawal
0833/01980/TCS 01	RMPA Services	Objection	TCS 01 15.14		Conditional Withdrawal
0833/01981/T 02	RMPA Services	Support	T 02 11.16		Current
0833/01982/T 02	RMPA Services	Objection	T 02 11.16		Unconditional Withdrawal
0833/01983/TCS 01	RMPA Services	Objection	TCS 01 15.13		Conditional Withdrawal
0833/02048/TCS 24	RMPA	Objection	TCS 24 15.94-15.97		Conditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Services				
0833/02113/TCS 02	RMPA Services	Objection	TCS 02		Conditional Withdrawal
0833/02114/TCS 02a	RMPA Services	Objection	TCS 02a		Conditional Withdrawal
0833/02115/TCS 01	RMPA Services	Objection	TCS 01		Conditional Withdrawal
0833/02319/UEA 03	RMPA Services	Objection	UEA 03 6.17a		Unconditional Withdrawal
0833/02320/L 04	RMPA Services	Objection	L 04 10.13a		Unconditional Withdrawal
0834/01927/H 01 Winstred Hundred	A H Davy	Objection	H 01 19	Table 4 St. Ives Farm, Peldon	Current
0838/01969/ECH 01	Associated British Ports	Objection	ECH 01		Current
0838/01970/ECH 02d	Associated British Ports	Objection	ECH 02d		Current
0838/01971/CE 08 Wivenhoe	Associated British Ports	Objection	CE 08 4.33l	Cooks Shipyard	Current
0838/01972/CE 08 Wivenhoe	Associated British Ports	Objection	CE 08 4.33r	Regeneration Area 10 Cooks Shipyard	Current
0838/01973/TCS 12	Associated British Ports	Objection	TCS 12		Current
0838/01974/EMP 03	Associated British Ports	Objection	EMP 03		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0839/00318/STA 02 Stanway	O & H Holdings Ltd	Objection	STA 02 Proposal	Stanway Western By-Pass	Current
0839/00319/L 04 Stanway	O & H Holdings Ltd	Objection	L 04 Colch Inset	ARC Land, Stanway	Current
0839/00320/STA 03 Stanway	O & H Holdings Ltd	Objection	STA 03 19.13 Colch Inset	Section 106 Agreement	Current
0839/00359/H 04	O & H Holdings Ltd	Objection	H 04 Colch Inset	Up to 20% Social Housing	Current
0839/00360/H 01 Stanway	O & H Holdings Ltd	Objection	H 01 Colch Inset	3, T4 Church Lane, Stanway	Current
0839/01975/L 05a	O & H Holdings Ltd	Objection	L 05a 19		Current
0839/02003/STA 02	O & H Holdings Ltd	Objection	STA 02 19.8a		Unconditional Withdrawal
0839/02012/H 04	O & H Holdings Ltd	Objection	H 04 13.24b		Current
0839/02013/H 04	O & H Holdings Ltd	Objection	H 04 13.24a		Current
0839/02014/H 04	O & H Holdings Ltd	Objection	H 04 13.24a		Current
0839/02015/H 04	O & H Holdings Ltd	Objection	H 04 13.24b		Current
0839/02016/STA 02	O & H Holdings Ltd	Objection	STA 02		Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0839/02017/STA 02	O & H Holdings Ltd	Objection	STA 02 19.10a		Current
0841/01977/CE 08 Wivenhoe	Eliza Kentridge	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0844/02005/G 01	W M Morrison Supermarkets plc	Objection	G 01 17.9h		Current
0845/02006/H 02	Mrs Harris	Support	H 02		Current
0845/02007/TIP 02	Mrs Harris	Objection	TIP 02 20.6		Current
0845/02008/TCS 11	Mrs Harris	Objection	TCS 11 15.61		Unconditional Withdrawal
0845/02009/TIP 01	Mrs Harris	Support	TIP 01 20.1		Current
0845/02148/H 01	Mrs Harris	Objection	H 01 14a		Unconditional Withdrawal
0845/02149/L 05a	Mrs Harris	Objection	L 05a		Unconditional Withdrawal
0845/02150/L 04	Mrs Harris	Objection	L 04		Unconditional Withdrawal
0847/02018/H 04	GHP Group Ltd	Objection	H 04 13.24a		Current
0847/02019/H 04	GHP Group Ltd	Objection	H 04 13.24b		Current
0847/02021/H 16	GHP Group Ltd	Objection	H 16 13.59		Current
0847/02025/ECH 01	GHP Group Ltd	Objection	ECH 01 16.10		Current
0847/02026/ECH 01	GHP Group Ltd	Objection	ECH 01 16.21		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0847/02028/ECH 01	GHP Group Ltd	Objection	ECH 01 16.20		Current
0847/02029/ECH 02	GHP Group Ltd	Objection	ECH 02 16.21a		Current
0847/02030/ECH 02	GHP Group Ltd	Objection	ECH 02 16.24b		Current
0847/02031/ECH 02	GHP Group Ltd	Objection	ECH 02		Current
0847/02032/T 03	GHP Group Ltd	Objection	T 03 11.26		Current
0847/02033/H 16	GHP Group Ltd	Objection	H 16 13.60a		Current
0847/02071/ECH 01	GHP Group Ltd	Objection	ECH 01		Current
0847/02072/ECH 01	GHP Group Ltd	Objection	ECH 01 16.24		Current
0849/02035/T 03	S Cooper Esq	Objection	T 03		Current
0849/02036/EMP 01	S Cooper Esq	Objection	EMP 01		Current
0849/02109/EMP 01	S Cooper Esq	Support	EMP 01		Current
0850/02037/T 03	Albany Rental Supplies Ltd	Objection	T 03		Current
0850/02038/ECH 01	Albany Rental Supplies Ltd	Objection	ECH 01 16.21		Current
0850/02105/L 05a	Albany Rental Supplies Ltd	Objection	L 05a		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0850/02106/ECH 02b	Albany Rental Supplies Ltd	Objection	ECH 02b 16.24d		Current
0850/02107/H 04	Albany Rental Supplies Ltd	Objection	H 04 13.24		Current
0850/02108/ECH 01	Albany Rental Supplies Ltd	Objection	ECH 01		Current
0851/02050/ECH 01	Colchester Tractors Ltd	Objection	ECH 01		Current
0851/02051/T 03	Colchester Tractors Ltd	Objection	T 03		Current
0851/02110/H 04	Colchester Tractors Ltd	Objection	H 04 13.24		Current
0851/02111/ECH 02b	Colchester Tractors Ltd	Objection	ECH 02b 16.24d		Current
0851/02112/ECH 01	Colchester Tractors Ltd	Objection	ECH 01		Current
0853/00857/STA 02 Stanway	Corporate Investment Ltd	Objection	STA 02 Colch Inset	Church Lane, Stanway	Current
0853/01922/STA 02 Stanway	Corporate Investment Ltd	Objection	STA 02	Colch Inset	Current
0853/02054/EMP 01	Corporate Investment Ltd	Objection	EMP 01 14.10		Current
0853/02055/EMP 01	Corporate	Objection	EMP 01 14.14		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
	Investment Ltd				
0853/02056/EMP 04	Corporate Investment Ltd	Objection	EMP 04 Table 5		Current
0853/02057/TCS 10	Corporate Investment Ltd	Objection	TCS 10 15.57		Current
0853/02059/TCS 10	Corporate Investment Ltd	Objection	TCS 10 15.55a,15.56		Current
0853/02060/TCS 01	Corporate Investment Ltd	Objection	TCS 01 Table 8		Current
0853/02138/TCS 10	Corporate Investment Ltd	Objection	TCS 10		Current
0853/02139/EMP 01	Corporate Investment Ltd	Objection	EMP 01		Current
0861/02100/ECH 02a	Barratt Eastern Counties	Objection	ECH 02a 16.24		Conditional Withdrawal
0861/02101/ECH 02b	Barratt Eastern Counties	Objection	ECH 02b 16.24		Conditional Withdrawal
0861/02102/ECH 01	Barratt Eastern Counties	Objection	ECH 01 16.14/16.24;		Conditional Withdrawal

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0861/02103/ECH 01a	Barratt Eastern Counties	Objection	ECH 01a		Current
0861/02104/ECH 01(f)	Barratt Eastern Counties	Objection	ECH 01(f)		Conditional Withdrawal
0861/02116/ECH 01	Barratt Eastern Counties	Objection	ECH 01 16.19d		Conditional Withdrawal
0862/02117/TCS 24	SDL	Objection	TCS 24		Current
0862/02118/TCS 10	SDL	Objection	TCS 10 16		Current
0862/02120/TCS 02a	SDL	Objection	TCS 02a		Current
0862/02121/TCS 10	SDL	Objection	TCS 10	Cowdray Centre	Current
0863/02122/CE 08 2	Wilkin & Sons Ltd	Objection	CE 08 2		Conditional Withdrawal
0864/02124/TCS 24	Homebase LTD	Objection	TCS 24 Table 7		Current
0864/02208/TCS 01	Homebase LTD	Objection	TCS 01		Current
0864/02209/TCS 10	Homebase LTD	Objection	TCS 10		Current
0866/02137/CO 08	Clive Whitworth	Objection	CO 08 5.29		Unconditional Withdrawal
0867/02140/CE 08 Wivenhoe	Martin Barrell	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0867/02142/UT 01	Martin Barrell	Support	UT 01		Current

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0867/02143/P 04	Martin Barrell	Support	P 04		Current
0871/02152/CE 08 Wivenhoe	Philip Davis	Objection	CE 08	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0872/02153/L 02	Michael Presland	Objection	L 02 10.16a		Unconditional Withdrawal
0874/01366/ECH 03	R K Pollard	Objection	ECH 03 E.Colch Ins		Unconditional Withdrawal
0874/01726/ECH 01	R K Pollard	Objection	ECH 01 E.Colch Ins		Unconditional Withdrawal
0874/02155/UC 01	R K Pollard	Support	UC 01 9.3-9.10		Current
0874/02156/ECH 01	R K Pollard	Support	ECH 01		Current
0874/02157/ECH 02	R K Pollard	Support	ECH 02		Current
0874/02158/ECH 02a	R K Pollard	Support	ECH 02a		Current
0874/02159/ECH 02b	R K Pollard	Support	ECH 02b		Current
0874/02160/ECH 02c	R K Pollard	Support	ECH 02c		Current
0874/02161/ECH 02d	R K Pollard	Support	ECH 02d		Current
0874/02162/ECH 05	R K Pollard	Support	ECH 05		Current
0875/02163/CE 08 Wivenhoe	Carla J Payne	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0876/02164/CE 08 Wivenhoe	P F Walker	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0877/02166/CO 04	Mr K McKenna	Support	CO 04	Land north of Welshwood Park	Current
0879/00263/CE 08	Mr & Mrs	Objection	CE 08 4.39 Colch	Regeneration Area	Current

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
Wivenhoe	Ward		Inset	10 Cooks Shipyard · Joint Case Wivenhoe Society	
0879/00305/CE 08 Wivenhoe	Mr & Mrs Ward	Objection	CE 08 4.39 Colch Inset	Regeneration Area 10 Cooks Shipyard · Joint Case Wivenhoe Society	Current
0879/02170/CE 08 Wivenhoe	Mr & Mrs Ward	Objection	CE 08	Regeneration Area 10 Cooks Shipyard · Joint Case Wivenhoe Society	Current
0879/02171/CE 08 Wivenhoe	Mr & Mrs Ward	Objection	CE 08	Regeneration Area 10 Cooks Shipyard · Joint Case Wivenhoe Society	Current
0879/02172/CE 08 Wivenhoe	Mr & Mrs Ward	Objection	CE 08 4.33g	Regeneration Area 10 Cooks Shipyard · Joint Case Wivenhoe Society	Current
0881/02179/CE 08 Wivenhoe	Mr C J Andrews	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0883/02183/TCS 02	Wyncote Developments PLC	Objection	TCS 02 2a		Current
0883/02184/TCS 24	Wyncote Developments PLC	Objection	TCS 24 Table 7		Current
0891/02239/UEA 05a	National Car Parks LTD	Objection	UEA 05a		Conditional Withdrawal

LIST OF REPRESENTATIONS RECEIVED TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0891/02240/TCS 14	National Car Parks LTD	Objection	TCS 14		Conditional Withdrawal
0891/02241/TCS 14	National Car Parks LTD	Objection	TCS 14 15.70a		Unconditional Withdrawal
0893/02254/CE 08	K & J Alston	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Current
0894/02274/H 01 Winstred Hundred	Winstred Hundred Parish Council	Objection	H 01 19	St. Ives Farm, Peldon	Unconditional Withdrawal
0895/02276/CF 05	Persimmon Homes	Objection	CF 05 8.20		Current
0895/02277/CF 05	Persimmon Homes	Objection	CF 05 8.20a		Current
0896/02278/CE 08	Sandra Connery	Objection	CE 08	Regeneration Area 10 Cooks Shipyard	Unconditional Withdrawal
0897/02279/TCS 02a	Lidl Uk GMBH	Objection	TCS 02a 15.15g		Current
0898/02280/CE 08	Pamela Rieber	Objection	CE 08	Regeneration Area 10 Cooks Shipyard Joint Case ARRA	Current
0899/02289/H 01 Winstred Hundred	Susan Knill-Jones	Objection	H 01	St. Ives Farm, Peldon	Current
0900/02326/L 05a	Cadman (Contracts) Ltd	Objection	L 05a	Joint Written Rep with 444/881	Current
0901/02327/H 01	John Fell	Objection	H 01 D14,Table 4		Unconditional Withdrawal

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Representation Number and Parish	Name and Organisation	Nature of Representation	Policy, Paragraph, Map etc	Issue and Site	Status of Representation
0902/02328/CE 08	Mark Leech	Objection	CE 08	Cooks Shipyard	Current
0904/00595/EMP 01 Stanway	Colchester & East Essex Cooperative Society Ltd	Objection	EMP 01 14.7 Colch Inset	Peartree Road Employment Zone	Unconditional Withdrawal
0904/00596/EMP 01	Colchester & East Essex Cooperative Society Ltd	Objection	EMP 01 14.10-14.15	Amend/delete paragraph.	Unconditional Withdrawal
0904/00599/EMP 01	Colchester & East Essex Cooperative Society Ltd	Objection	EMP 01	Amend policy	Unconditional Withdrawal
0904/00600/EMP 01 Stanway	Colchester & East Essex Cooperative Society Ltd	Objection	EMP 01 Colch Inset	Peartree Road Employment Zone	Current
0904/02343/STA 04	Colchester & East Essex Cooperative Society Ltd	Objection	STA 04		Current
0905/02359/L 05a	Wesleyvale Ltd	Objection	L 05a Map 16	Land to the rear of the Mill Hotel	Current

LIST OF REPRESENTATIONS RECEIVED IN RESPONSE TO PROPOSED CHANGES TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number	Name and Organisation	Nature of Representation	Proposed Change Reference	Site and Settlement	Status of Representation
0050/02406/EMP 01	Mrs P Smith	Objection	PC 044	Boxted Road and Nayland Road	Current
0600/02389/H 01	Bellway Estates	Support	PC 043	Cowies Site	Current
0833/02390/CF 11	RMPA Services	Objection	PC 014	Garrison	Conditional Withdrawal
0833/02391/CF 11	RMPA Services	Objection	PC 055	Garrison	Conditional Withdrawal
0219/02392/H 01	Mersea Homes	Objection	PC 041	Royal London sports buildings and land	Current
0861/02393/ECH 02b	Barratt Eastern Counties	Support	PC 052	Albany Laundry Site	Current
0414/02394/H 01	Prowting Projects	Objection	PC 041	Royal London sports buildings and land	Current
0906/02395/ECH 02b	Ernest Doe & Sor	Support	PC 052	Albany Laundry Site	Current
0850/02396/ECH 02b	Albany Rental Su Ltd	Support	PC 052	Albany Laundry Site	Current
0239/02401/H 01	Ms M L White	Objection	PC 043	Royal London sports buildings and land	Current
0862/02402/TCS 10	SDL	Objection	PC 050	Sheepen Place	Current
0912/02419/H 01	Mr & Mrs P F Dav	Support	PC 122	Amend boundary of predominantly residential area	Current
0901/02405/H 01	John Fell	Support	PC 042	St. Ives Farm, Peldon	Current
0414/02385/H 01	Prowting Projects	Objection	PC 041	Royal London sports buildings and land	Current
0567/02407/L 02	Painters Corner Residents Associi	Objection	PC 021		Current

LIST OF REPRESENTATIONS RECEIVED IN RESPONSE TO PROPOSED CHANGES TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number	Name and Organisation	Nature of Representation	Proposed Change Reference	Site and Settlement	Status of Representation
0567/02408/L 02	Painters Corner Residents Association	Objection	PC 023		Current
0567/02411/L 03	Painters Corner Residents Association	Objection	PC 075		Current
0530/02412/CE 08	Lexden Restoration	Objection	PC 063	Regeneration Area 10 Cooks Shipyard	Current
0908/02413/H 01	Mrs P J Archer	Support	PC 122	Maldon Road, Tiptree	Current
0909/02414/H 01	Mr R Pardy	Support	PC 122	Amend boundary of predominantly residential area	Current
0297/02415/CO 05	Environment Agency	Support	PC 068	Inclusion on Proposal Map, Ramsar Sites	Current
0910/02416/L 03	Mr K Jones	Objection	PC 075		Current
0729/02417/L 03	Mary Revell	Objection	PC 075		Current
0911/02418/H 01	Mr Bonvini	Support	PC 122	Amend boundary of predominantly residential area	Current
0901/02404/H 01	John Fell	Support	PC 040	St. Ives Farm, Peldon	Current
0322/02373/H 01	Persimmon Homes (Essex) [was Bea Homes]	Objection	PC 041	Royal London sports buildings and land	Current
0839/02474/CF 07	O & H Holdings Ltd	Objection	PC 132		Current
0569/02361/EMP 01	Cants of Colchester/James Bartholomew Trust	Objection	PC 044		Current

LIST OF REPRESENTATIONS RECEIVED IN RESPONSE TO PROPOSED CHANGES TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number	Name and Organisation	Nature of Representation	Proposed Change Reference	Site and Settlement	Status of Representation
0296/02362/H 16	Railtrack PLC	Support	PC 039		Current
0726/02363/H 01	Mr P Gladwin	Support	PC 040	St. Ives Farm, Peldon	Current
0726/02364/H 01	Mr P Gladwin	Support	PC 042	St. Ives Farm, Peldon	Current
0839/02365/STA 01	O & H Holdings L	Objection	PC 056		Current
0729/02366/L 02	Mary Revell	Objection	PC 021		Current
0729/02367/L 03	Mary Revell	Objection	PC 022		Current
0304/02368/UT 03	Ramblers Associa	Objection	PC 036		Current
0569/02370/EMP 01	Cants of Colchester/James Bartholomew Tru	Objection	PC 044	Boxted Road and Nayland Road	Current
0600/02388/H 01	Bellway Estates	Support	PC 043	Cowies Site	Current
0385/02372/TIP 03	Mr Richard Martir	Support	PC 059	Newbridge Road, Tiptree	Current
0600/02387/H 01	Bellway Estates	Support	PC 043	Cowies Site	Current
0322/02374/H 01	Persimmon Home (Essex) [was Bea Homes]	Objection	PC 038		Current
0624/02375/H 01	George Wimpey F	Objection	PC 041	Royal London sports buildings and land	Current
0583/02376/L 02	Myland Parish Co	Objection	PC 021		Current
0583/02377/H 01	Myland Parish Co	Objection	PC 041	Royal London sports buildings and land	Current
0055/02378/H 01	Royal London Mu Insurance Society	Support	PC 041	Royal London sports buildings and land	Current

LIST OF REPRESENTATIONS RECEIVED IN RESPONSE TO PROPOSED CHANGES TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number	Name and Organisation	Nature of Representation	Proposed Change Reference	Site and Settlement	Status of Representation
0055/02379/H 01	Royal London Mutual Insurance Society	Support	PC 041	Royal London sports buildings and land	Current
0602/02380/H 01	Countryside Strategic Properties Plc	Objection	PC 041	Royal London sports buildings and land	Current
0602/02381/H 01	Countryside Strategic Properties Plc	Objection	PC 041	Royal London sports buildings and land	Current
0600/02382/H 01	Bellway Estates	Objection	PC 041	Royal London sports buildings and land	Current
0600/02383/H 01	Bellway Estates	Objection	PC 041	Royal London sports buildings and land	Current
0600/02386/H 01	Bellway Estates	Support	PC 043	Cowies Site	Current
0569/02371/H 01	Cants of Colchester/James Bartholomew Trust	Objection	PC 043	Cowies Site	Current
0861/02461/ECH 01	Barratt Eastern Counties	Support	PC 171		Current
0904/02445/TCS 02a	Colchester & East Essex Co-operative Society Ltd	Objection	PC 080		Current
0651/02446/DC 01	English Heritage	Support	PC 062		Current
0651/02447/DC 01	English Heritage	Support	PC 062		Current
0651/02448/CE 08	English Heritage	Support	PC 065	Cooks Shipyard	Current
0651/02449/UEA 02	English Heritage	Support	PC 072		Current
0651/02450/UEA 07	English Heritage	Support	PC 073		Current
0651/02451/L 14	English Heritage	Support	PC 077		Current

LIST OF REPRESENTATIONS RECEIVED IN RESPONSE TO PROPOSED CHANGES TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number	Name and Organisation	Nature of Representation	Proposed Change Reference	Site and Settlement	Status of Representation
0651/02452/TCS 01	English Heritage	Support	PC 091		Current
0417/02453/TIP 01	Granville Developments	Objection	PC 114		Current
0729/02456/L 03	Mary Revell	Objection	PC 134		Current
0304/02457/CE 08 2	Ramblers Association	Objection	PC 125	Regeneration Area 10 Cooks Shipyard	Current
0304/02458/CE 08 2	Ramblers Association	Objection	PC 126		Current
0504/02444/TCS 11	Tesco Stores Ltd	Objection	PC 081		Current
0861/02460/CF 07	Barratt Eastern Counties	Objection	PC 132		Current
0729/02455/L 02	Mary Revell	Objection	PC 133		Current
0861/02462/ECH 01(f)	Barratt Eastern Counties	Support	PC 172		Current
0861/02463/ECH 02a	Barratt Eastern Counties	Support	PC 173		Current
0861/02464/ECH 02a	Barratt Eastern Counties	Support	PC 174		Current
0861/02465/ECH 02b	Barratt Eastern Counties	Support	PC 175		Current
0833/02466/CF 07	RMPA Services	Support	PC 132		Current
0567/02467/L 02	Painters Corner Residents Association	Objection	PC 133		Current
0567/02468/L 03	Painters Corner Residents Association	Objection	PC 134		Current

LIST OF REPRESENTATIONS RECEIVED IN RESPONSE TO PROPOSED CHANGES TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number	Name and Organisation	Nature of Representation	Proposed Change Reference	Site and Settlement	Status of Representation
0297/02469/H 01	Environment Age	Objection	PC 152		Current
0286/02470/CF 07	House Builders Federation	Objection	PC 132		Current
0913/02420/H 01	Mrs E Hicks	Support	PC 122	Amend boundary of predominantly residential area	Current
0414/02384/H 01	Prowting Projects	Objection	PC 041	Royal London sports buildings and land	Current
0861/02471/ECH 02b	Barratt Eastern Counties	Objection	PC 176		Current
0625/02459/H 01	J A & Conditional Withdrawal A Wat	Objection	PC 153		Current
0919/02426/H 01	Mr D A Downes	Support	PC 122	Amend boundary of predominantly residential area	Current
0914/02421/H 01	Mr P A Rees	Support	PC 122	Amend boundary of predominantly residential area	Current
0915/02422/H 01	Mr & Mrs M R Wc	Support	PC 122	Amend boundary of predominantly residential area	Current
0916/02423/H 01	Mr & Mrs J Bowm	Support	PC 122	Amend boundary of predominantly residential area	Current
0918/02425/H 01	Mrs J N Pinch	Support	PC 122	Amend boundary of predominantly residential area	Current

LIST OF REPRESENTATIONS RECEIVED IN RESPONSE TO PROPOSED CHANGES TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number	Name and Organisation	Nature of Representation	Proposed Change Reference	Site and Settlement	Status of Representation
0504/02443/TCS 11	Tesco Stores Ltd	Objection	PC 111		Current
0920/02427/H 01	Mr M Archer	Support	PC 122	Amend boundary of predominantly residential area	Current
0921/02428/H 01	Mrs T M Erskine	Support	PC 122	Amend boundary of predominantly residential area	Current
0922/02429/H 01	Mrs Diane Horscr	Support	PC 122	Amend boundary of predominantly residential area	Current
0923/02430/H 01	R Lewis	Support	PC 122	Amend boundary of predominantly residential area	Current
0924/02431/H 01	Mr P Holmes OBE FCIS	Support	PC 122	Amend boundary of predominantly residential area	Current
0925/02432/H 01	Mr & Mrs P Hull	Support	PC 122	Amend boundary of predominantly residential area	Current
0863/02433/H 01	Wilkin & Sons Ltd	Support	PC 122	Amend boundary of predominantly residential area	Current
0926/02434/H 01	Mr & Mrs J J Rob	Support	PC 122	Amend boundary of predominantly residential area	Current
0927/02435/H 01	Mr K Hayter	Support	PC 122	Amend boundary of predominantly residential area	Current

LIST OF REPRESENTATIONS RECEIVED IN RESPONSE TO PROPOSED CHANGES TO THE COLCHESTER BOROUGH LOCAL PLAN DEPOSIT VERSION

Representation Number	Name and Organisation	Nature of Representation	Proposed Change Reference	Site and Settlement	Status of Representation
0504/02438/TCS 01	Tesco Stores Ltd	Objection	PC 093		Current
0928/02436/H 01	Mr P Hawkhead	Support	PC 122	Amend boundary of predominantly residential area	Current
0917/02424/H 01	Mrs G Osbourne	Support	PC 122	Amend boundary of predominantly residential area	Current
0861/02441/CF 07	Barratt Eastern Counties	Objection	PC 121		Current
0844/02437/TCS 02a	W M Morrison Supermarkets plc	Support	PC 080		Current
0504/02439/TCS 02	Tesco Stores Ltd	Objection	PC 095		Current
0504/02442/TCS 02a	Tesco Stores Ltd	Objection	PC 102		Current

APPENDIX C

Colchester Borough Local Plan Inquiry – Details of Appearances

Appearing for Colchester Borough Council

Mr. P Shadarevian of Counsel

Colchester Borough Council Witnesses

David Green, MRTPI - Head of Environmental Policy, Colchester Borough Council
Dave Cookson, DiEP, MRTPI - Planning Manager, Environmental Policy, Colchester Borough Council
Don Manhire, BA (Hons) DipTP, MRTPI - Planning Manager, Environmental Policy, Colchester Borough Council
Paul Cronk, BA (Hons) DipTP MRTPI - Planning Officer, Colchester Borough Council
Emma Quantrill, BSc (Hons), DipTP, MRTPI - Planning Officer, Colchester Borough Council
Jerry Bowdrey, BSc, AMA - Assistant Curator, Natural History, Colchester Borough Council
Jan Britton, BA, MSC, Dip CM, Dip Man, ILAM - Parks & Recreation Manager, Colchester Borough Council
Andrew Budd, BSc(Hons), E.Eng, MICE - Transportation Officer, Colchester Borough Council
Adam Gostling, BA (Hons), DipTP - Planning Officer, Colchester Borough Council
Adam John, BA (Hons) Larch, Dip LA - Landscape Officer, Colchester Borough Council
Ian Ward, Dip EP, MRTPI - Planning Manager, Conservation & Design, Colchester Borough Council
Ian Vipond, BSc, MA, MRPTI - Head of Planning Services, Colchester Borough Council
Jonathan Best, BSc (Hons), MRTPI - Colliers Conrad Ritblat Erdman
Julia Jennings, BA (Hons), Dip TP, MRTPI - Colliers Conrad Ritblat Erdman
Dr R Doidge, BA (Hons), Ph.D, FRGS - Director of Colliers Conrad Ritblat Erdman

Appearance Date	Objector	Appearing at the Public Inquiry
24 April 2001	Royal Institute British Architects – Colchester Chapter of Chartered Architects	Mr. Andrew Claiborne, Dip. Arch. (Hons), RIBA, FFB Mr. Neil Jennings, B. Arch., RIBA
8 May 2001	The Colchester Meeting Room Trust Revd. Peter Cook Myland Parish Council T. D. Kilfeather & M D Kilfeather (Joint Case)	Mr. J R Shephard – J & J Design Revd. Peter Cook Mr. P Mecklenburgh & Mr. J P Mills T. D. Kilfeather & M D Kilfeather

APPENDIX C

Colchester Borough Local Plan Inquiry – Details of Appearances

9 May 2001	Essex & Suffolk Gliding Club Mr. C. Heath & Mr. N. Buckland	Mr. P C Isbell Bsc(Hons) LL.B.(Hons) MRTPI - RJI Planning Edward Gittins BA (Hons), PGCE, DipTP, FRTPI
10 May 2001	Mr. & Mrs. P Mecklenburgh & Mr. & Mrs. Jones Mr. & Mrs. P Mecklenburgh Mr. F R Harrington Messrs. Lennox Mr. & Mrs. T J & L V Maloney Michael Howard Homes	Mr. Clive Richardson FRICS, MRTPI - Clive Richardson Associates Mr. & Mrs. P Mecklenburgh Mr. F R Harrington MRTPI, DipTP, AAdip Messrs. Lennox Mr. & Mrs. T J & L V Maloney Edward Gittins BA (Hons), PGCE, FRTPI
15 May 2001	Mr. & Mrs. Anderson Mr. & Mrs. P M Daines Mr. I Sutherland Mr. D Elmer Colchester Natural History Society	Mr. Andy Stevens, Dip TP, MRTPI, ARICS - A S Planning Mr. & Mrs. P M Daines Mr. I Sutherland BSc, C.Eng, MICE represented by himself Mr. D Elmer Terri Tarpi Botanical Recorder
17 May 2001	Mr. & Mrs. King Mr. & Mrs. Fergus Mr. J T Manning Joint Case Mr. S Vince Glynian (Leisure Park) Ltd The Executors of A F Everett Mr. & Mrs. J H French	Mr. D Edwards, MA, LIM, CPRE(Essex) Mr. S Vince Mr. E Naslund Mr. N J Everett Mr. & Mrs. J H French
5 June 2001	Dorrington Investments Mr. John Peartree Mr. Lamer Ms M L White	Mr. P J Britton, AAdip, RIBA Mr. John Peartree Mr. Lamer Ms M L White
6 June 2001	Wilcon Homes Anglia Limited Mrs. P Gooding Mr. Edward Gittins Mrs. R J Morrison	Mr. Edward Gittins BA (Hons) DipTP, FRTPI Mr. Edward Gittins BA(Hons) DipTP, FRTPI Mr. Edward Gittins BA(Hons) DipTP, FRTPI Mr. Edward Gittins BA(Hons) DipTP, FRTPI
12 June 2001	Mr. B Keegan The British Horse Society Mr. P J Pentney Mr. M J Lister Mr. J Cock	Mr. David Owen RIBA, The Owen Partnership Mrs A Tubbs, Colchester Chairman Mr. Edward Gittins BA(Hons) DipTP, FRTPI Mr. Edward Gittins BA(Hons) DipTP, FRTPI Mr. Edward Gittins BA(Hons) DipTP, FRTPI
14 June 2001	Mr. C N Gooch Alderman R W R Browning Mr. Richard Martin G Jarvis & Son Ltd Mr. & Mrs. C Trollope	Mr. C N Gooch Alderman R W R Browning Mr. Edward Gittins BA(Hons) DipTP, FRTPI Mr. Edward Gittins BA(Hons) DipTP, FRTPI Mr. Edward Gittins BA(Hons) DipTP, FRTPI

APPENDIX C

Colchester Borough Local Plan Inquiry – Details of Appearances

15 June 2001	The Estate of James Martin Ms Sally Gordon	Mr. Edward Gittins BA(Hons) DipTP, FRTPI Ms Sally Gordon
12 July 2001	Michael Howard Homes Painters Corner Residents Association Barratt Eastern Counties	Mr. Edward Gittins BA(Hons) DipTP, FRTPI Anita Pettit Mr. Alan Presslee BSc. (Hons), Dip TP, MRTPI (Carpenter Planning Consultants)
17 July 2001	Bellchurch Properties Ltd Granville Developments Joint Case Diana Angell Miss J M Reynolds Michael Howard Homes	Mr. G D Frall, BSc (Est. Man.), FRICS, Dip. Bldg. Cons. of JTS - Diana Angell Miss J M Reynolds Mr. Edward Gittins BA(Hons) DipTP, FRTPI
11 Sept 2001	Cants of Colchester / James Bartholomew Trust	Michael Jones LL B (Hons), MA, MBA, FCI Arb, MSc, Solicitor, Member of the Law Society Planning Panel - of Marrons Solicitors Mr. E Gittins, BA Hons., Dip TP, FRTPI Mr. I Robinson, BA (Hons.), Dip TP, FRTPI, MIEEM, FRS
13 Sept 2001	Countryside Strategic Properties Plc	Douglas Evans' Solicitor Mr. R. Ricks, Dip TP, MRTPI Mr. D. Jarvis, Dip LA, PLI
18 Sept 2001	Wyncoll Trustees & Persimmon Homes Essex	Suzanne Ornsby of Counsel John Holden, BA, MA, MRTPI of RPS Chapman Warren D Stoten, MICE, MIHT of Wormald Burrows Partnership C Goodrum, BSc (Hons), DipLA, MLI D. Broom, BSc (Hons), MSc(London), MIEEM
19 Sept 2001	Wyncoll Trustees & Persimmon Homes Essex	Suzanne Ornsby of Counsel John Holden, BA, MA, MRTPI, RPS Chapman Warren D Stoten, MICE, MIHT, Wormald Burrows Partnership C Goodrum, BSc (Hons), DipLA, MLI D. Broom, BSc (Hons), MSc(London), MIEEM
20 Sept 2001	The Shipyard Project and others Joint Case Anglesea Road Residents Association and others Joint Case Mr. R. Edwardson	Andrew Claiborne Dip. Arch.(Hons), RIBA, FFB of Plater Claiborne Architecture + Design Keith A Berriman, I.Eng., FIIE, FIHIE, FIHT, MCIT Michael Aves, Solicitor Mr. R. Edwardson
21 Sept 2001	Lexden Restorations	Mr. David Whipps, Solicitor Mr. Brian Morgan of Architecture & Design Partnership Ltd

APPENDIX C

Colchester Borough Local Plan Inquiry – Details of Appearances

25 Sept 2001	George Wimpey Plc	Mr. Peter Village of Counsel Mr. David Lander, MRTPI (Planning Matters), of Boyer Planning, Mr. David Boswell, BSc, CEng., MICE, FconsE, (Transportation, Sustainability and Infrastructure Matters) Mr. Clive A Self, Dip LA, MLI (Landscape and Visual Matters)
28 Sept 2001	Irvine Road Area Resident's Association	Mary Revell
28 Sept 2001	Mrs Whittaker	Mrs Whittaker
28 Sept 2001	Stanway Parish Council	Christina Edwards
2 October 2001	Bovis Homes Ltd	Mr. Graham Stoker of Counsel Rob McLennan of TPC Ltd. (Planning Matters), Joe Ellis of Boreham Consultants (Highways and Transport Matters) Phillip Russel-Vick of enplan (Landscape and Environment Matters)
3 October 2001	Bovis Homes Ltd	Mr. Graham Stoker of Counsel Rob McLennan of TPC Ltd. (Planning Matters), Joe Ellis of Boreham Consultants (Highways and Transport Matters) Phillip Russel-Vick of enplan (Landscape and Environment Matters)
4 October 2001	The Trustees of E E Smith & Persimmon Homes	Suzanne Ornsby of Counsel John Holden, BA, MA, MRTPI of RPS Chapman Warren (Planning) C Goodrum, BSc (Hons), Dip.LA, MLI (Landscape) Dr Chris Gibson for English Nature
5 October 2001	Royal Eastern Counties	Mr. R Ricks Dip TP, MRTPI - Boyer Planning
9 October 2001	Corporate Investments	Mr. Martin Robeson BA, FRTPI, FRICS, FRSA of Littman & Robeson CBC Represented Colliers Conrad Ritblat Erdman
10 October 2001	Mr. J Mason and Mr. R F West R F and E S West Joint Case	Mr. Andrew Marsden of Counsel Edward Gittins BA (Hons), PGCE, Dip.TP, FRTPI Christopher Glegg, BSc (Hons), MICE, MIHT
11 October 2001	Tesco Stores Limited	Mr. Russell Harris of Counsel Mr. Alan Simmonds, BSc., FRICS of Montagu – Evans
12 October 2001	R F and E S West	Mr. Andrew Marsden of Counsel Edward Gittins BA (Hons), PGCE, Dip.TP, FRTPI Christopher Glegg, BSc (Hons), MICE, MIHT
18 October 2001	Bellway Estates	Mrs. Rosalind Packham, LI B (Hons) Mr. Ray Ricks, Dip TP, MRTPI. Mr. Graham Filloyd, BSc, MRICS, CLA

APPENDIX C

Colchester Borough Local Plan Inquiry – Details of Appearances

19 October 2001	Stanway School/Persimmon Homes Equity Estates/ Lindmar Trust/ Mrs. R Burwood Climate Changer Software Limited	Mr. Ray Ricks, Dip TP, MRTPI. Mr. Simon Plater, AADipl, RIBA Plater Claibourne Architecture + Design S E G Baker, DMS, BSc, Dip TP, MRTPI Sue Plater, LLB (Hons)
13 Nov 2001	J A & C A Watts	Mr. Martin Robeson BA, FRTPI, FRICS, FRSA of Littman & Robeson
3/5 Dec 2001	George Wimpey Plc	Mr. Peter Village of Counsel Mr. David Lander, MRTPI of Boyer Planning [Planning Matters] Mr. David Boswell, BSc, CEng., MICE, FConSE, [Transportation, Sustainability and Infrastructure Matters] Mr. Rob Askew BSc (Hons), MSc, MI Soil Sci.[Agricultural Issues] Mr. Clive A Self, Dip LA, MLI [Landscape and Visual Matters] Mr. Neil Holbrook, BA, FSA, MIFA [Archaeology] Ms Karen Regini BSc (Hons), C Biol., MIBiol., MIEEM. [Ecology] Mr. Ben Stephenson, BA (Hons), MA, AIFA [Archaeology]

APPENDIX D

COLCHESTER BOROUGH COUNCIL LOCAL PLAN

LIBRARY AND CORE DOCUMENT LIST

Library Document 1 -

Town & Country Planning Act 1990

Library Document 2 -

Town & Country Planning (Development Plan) Regulations 1991 (Ref. 2794)

Library Document 3 -

Town & Country Planning (Development Plan) (England) Regulations 1999 (Ref. 3280)

Core Document 4 -

Colne Harbour Design Framework

Library Document 5 -

Town & Country Planning (General Permitted Development) Order 1995 (Ref. 418)

Library Document 6 -

Town & Country Planning (General Permitted Development) (Amendment) Order 1997 (Ref. 366)

Library Document 7 -

The Town & Country Planning (Assessment of Environmental Effects) Regulations 1988 (Ref. 1199)

Library Document 8 -

The Town & Country Planning General Regulations 1992

Library Document 9 -

The Town & Country Planning (General Development Procedure) Order 1995 (Ref. 419)

Library Document 10 -

Town & Country Planning General Development (Amendment) (No.3) Order 1991
"Development Involving County Matters"

Core Document 11 -

Vehicle Parking Standards – Consultation Draft January 2001

Core Document 12 -

Cycling & Walking in Stanway

Core Document 13 -

A Corporate Policy Plan – 1999/2000

Library Document 14 -

Planning & Compensation Act 1991

Library Document 15 -

APPENDIX D

COLCHESTER BOROUGH COUNCIL LOCAL PLAN

LIBRARY AND CORE DOCUMENT LIST

Planning & Compensation Act 1991 Commencement No. 9 and Transitional Provision) Order 1992

Library Document 16 -

Circular 18/91 Planning & Compensation Act 1991:Transitional Arrangements

Core Document 17 -

A Deal for transport: Better for everyone – July 1998

Core Document 18 -

The Essex Golf Report – April 1992

Core Document 19 -

Countryside Conservation Plan – Essex County Council 1986

Core Document 20 -

Colchester Borough Council – Extending your House – April 2001

Core Document 21 -

Regional Planning Guidance for the South East (RPG9) – March 2001

Core Document 22 -

Essex County Council – Nature Conservation Colchester – A reference guide

Core Document 23 -

Colchester Borough Council – Statistics – Population, Houses, Housing Land – Dec 2000

Core Document 24 -

Technical Paper 1 Housing Demand and Supply – February 1999

Core Document 25 -

Technical Paper 2 Employment Land Provision For Colchester 1996 – 2011- February 1999

Core Document 26 -

Technical Paper 3 Shopping Supply and Requirements – February 1999

Core Document 27 -

Technical Paper 4a Greenlinks
(Revised February 1999)

Core Document 27b -

Technical Paper 4b Sites of Importance for Nature Conservation (Revised February 1999)

Core Document 27c -

Technical Paper 4b Sites of Importance for Nature Conservation (Revised January 2001)

Core Document 28 -

Technical Paper 5 Environmental Appraisal of the Plan – February 1999

APPENDIX D

COLCHESTER BOROUGH COUNCIL LOCAL PLAN

LIBRARY AND CORE DOCUMENT LIST

Core Document 29 -

Colchester Borough Council Adopted Local Plan Review – January 1995

Core Document 30 -

Colchester Borough Council – Central Area Local Plan – October 1984

Core Document 31 -

Colchester Borough Council Policy H1 Site Specific

Core Document 32 -

CBC Local Plan 2nd Deposit Draft – Technical Paper 5A Environmental Appraisal of the Plan – February 2001

Core Document 33 -

Dedham Recreation Capacity Study – November 1994

Core Document 34 -

Colchester Housing Strategy – Update – 1999/2000

Core Document 35 -

Environmental Charter Update – 1996

Core Document 36 -

PPG 1 General Policy and Principles – February 1997

Core Document 37 -

PPG 3 Housing – March 1992

Core Document 38 -

PPG 4 Industrial and Commercial Development and Small Firms – November 1992

Core Document 39 -

PPG 6 Town Centres and Retail Developments – June 1996

Core Document 40 -

PPG 7 The Countryside – Environmental Quality and Economic and Social Development – February 1997

Core Document 40a -

PPG 7 New Release 155 – 21 March 2001

Core Document 41 -

PPG 8 Telecommunications
December 1992

APPENDIX D

COLCHESTER BOROUGH COUNCIL LOCAL PLAN

LIBRARY AND CORE DOCUMENT LIST

Core Document 42 -

PPG 9 Nature Conservation
October 1994

Core Document 43 -

PPG 10 Planning and Waste Management – No Date

Core Document 43a -

PPG 11 Regional Planning – October 2000

Core Document 44 -

PPG 12 Development Plans and Regional Planning Guidance – February 1992

Core Document 44a -

PPG 12 Development Plans – No Date

Core Document 45 -

PPG 13 Transport – March 1994

Core Document 46 -

PPG 14 Annex 1 Development on Unstable Land – March 1996

Core Document 47 -

PPG 15 Planning and the Historic Environment – September 1994

Core Document 48 -

PPG 16 Archaeology and Planning – November 1990

Core Document 49 -

PPG 17 Sport and Recreation September 1991

Core Document 50 -

PPG 18 Enforcing Planning Control – December 1991

Core Document 51 -

PPG 19 Outdoor Advertisement Control – March 1992

Core Document 52 -

PPG 20 Coastal Planning
September 1992

Core Document 53 -

PPG 21 Tourism – November 1992

Core Document 54 -

APPENDIX D

COLCHESTER BOROUGH COUNCIL LOCAL PLAN

LIBRARY AND CORE DOCUMENT LIST

PPG 22 Renewable Energy – February 1992

Core Document 54a -

PPG 22 Renewable Energy (Oct 1994)

Core Document 55 -

PPG 23 Planning and Pollution Control – No Date (1994)

Core Document 56 -

PPG 24 Planning and Noise – September 1994

Core Document 57 -

PPG 25 Development & Flood Risk – Consultation Paper – April 2000

Core Document 58 -

RPG 9 Draft Regional Planning Guidance for the South East(2 documents) – March 2000

Core Document 59 -

Colchester Counts – A statistical Summary - 1997

Core Document 60 -

Essex Design Guide for Residential & Mixed Use Areas 1997 -

Library Document 61 -

DETR – Countryside and Rights of Way Act 2000 Circular 04/2001

Core Document 62 -

Standards for Car Parking in Essex – March 1987

Core Document 63 -

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APPENDIX D

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APPENDIX D

COLCHESTER BOROUGH COUNCIL LOCAL PLAN

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APPENDIX D

COLCHESTER BOROUGH COUNCIL LOCAL PLAN

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APPENDIX D

COLCHESTER BOROUGH COUNCIL LOCAL PLAN

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APPENDIX D

COLCHESTER BOROUGH COUNCIL LOCAL PLAN

LIBRARY AND CORE DOCUMENT LIST

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APPENDIX D

COLCHESTER BOROUGH COUNCIL LOCAL PLAN

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APPENDIX D

COLCHESTER BOROUGH COUNCIL LOCAL PLAN

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APPENDIX D

COLCHESTER BOROUGH COUNCIL LOCAL PLAN

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APPENDIX D

COLCHESTER BOROUGH COUNCIL LOCAL PLAN

LIBRARY AND CORE DOCUMENT LIST

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APPENDIX D

COLCHESTER BOROUGH COUNCIL LOCAL PLAN

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APPENDIX D

COLCHESTER BOROUGH COUNCIL LOCAL PLAN

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DEDICATION

This report is dedicated to the memory of my mother, Mrs Joyce Currie (*née* Beard), born in an adjoining Essex District 2nd May 1916, died 26th December 2002. Also to Mr Bryan Smith, a highly respected former Planning Inspector and long-time resident of another adjoining Essex District, died 2nd January 2003.