



## Colchester Focused Local Plan Review Modifications Consultation

The Local Plan Focused Review was submitted to the Planning Inspectorate on 31 October 2013. A number of modifications are considered necessary to make the Focused Review document sound and legally compliant and these are now subject to a period of formal public consultation.

**The Modifications are subject to public consultation from Monday 11 November until 12:00 noon on Monday 23 December 2013.**

### Contact Details

Title: .....	Name: .....
Organisation (if relevant): .....	SCHROEDER UK PROPERTY FUNDS
Address: .....	C/O AGENT
.....	.....
Post Code: .....	.....
Telephone No: .....	.....
Email: .....	.....

### Agent Details (if applicable)

Agent's Name: .....	NEIL WATERSON, BIDWELLS LLP
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**1. If you have not already informed the Council of your wish to appear at the examination hearing sessions, do you now wish to attend the examination as a result of the modifications consultation?**

Yes  No

**2. Do you wish to be informed of the Inspector's Recommendations?**

Yes  No

**3. Do you wish to be informed of the adoption of the Focused Review?**

Yes  No

**4. Do you have any comments on the proposed modifications, taking into consideration paragraph 182 of the National Planning Policy Framework which sets out the tests of 'soundness':**

Positively prepared	<input type="checkbox"/>
Justified	<input checked="" type="checkbox"/>
Effective	<input type="checkbox"/>
Consistent with national policy	<input checked="" type="checkbox"/>

Please make clear what modification(s) you are referring to (policy/paragraph)

MAJ14 (FIRST PARAGRAPH ON PAGE 70)

**5. Do you have any other comments in relation to the modifications proposed? Please note – comments should only be made in relation to the modifications proposed in the Modifications Schedule published.**

PLEASE REFER TO ATTACHED SHEET

*Continue on a separate sheet if necessary*

Signature.....*N.M. Watson, BIDWELLS*.....Date.....*21/12/13*.....

I understand that my full response will be considered by Colchester Borough Council and the Planning Inspectorate in line with this consultation and that my comments will be made publicly available and identifiable to my name and/or organisation. The information in this form is, to the best of my knowledge, correct.

Thank you for completing this representation form. Your response will be sent to an Independent Examiner appointed by the Planning Inspectorate who will consider it as part of the Local Plan Focused Review Examination.

Representation forms should be returned before **12.00 noon on Monday 23 December** to [planning.policy@colchester.gov.uk](mailto:planning.policy@colchester.gov.uk) or alternatively via post to:

**Spatial Policy, Commercial Services, Colchester Borough Council,  
FREEPOST RLSL-ZTSR-SGYA, Colchester, Essex, CO3 3WG.**

If you have any queries or questions about the modifications consultation or any aspect of the Local Plan Focused Review Examination please contact a member of the Spatial Policy Team on 01206 282473 / 282476 / 282596 / 282480 or alternatively email [planning.policy@colchester.gov.uk](mailto:planning.policy@colchester.gov.uk)

## Colchester Focussed Local Plan Review

### Modifications Consultation

#### Representations on behalf of Schroeder UK Property Fund

#### Modification Ref – MAJ14 (First paragraph on page 20 of the Focussed Review)

4. Do you have any comments on the proposed modifications, taking into consideration paragraph 182 of the National Planning Policy Framework which sets out the tests of 'soundness':

Schroeder UK Property Fund considers that the revised wording of the first paragraph on page 20 of the Focussed review as now proposed under Major Modification 14 (MAJ14) is **unsound**. It is considered that the revised wording to the paragraph that would result from this modification is **not justified** and is **not consistent with National Policy** in relation to town centres within paragraphs 23-27 of the National Planning Policy Framework (NPPF).

#### 5. Do you have any other comments in relation to the modifications proposed?

Major Modification 14 (MAJ14) proposes the removal of the third and fourth sentences of the first paragraph on the top of page 20 of the Focussed review such that the paragraph would read as follows:

*"In accordance with the National Planning Policy Framework, centres will be the primary location for retail, office, leisure and entertainment uses. The sequential approach will be applied and proposals for main town centre uses should be located in the town centre. Only if suitable sites are not available should out of centre sites be considered."*

Schroeder UK Property Fund welcome the proposed deletion of the third and fourth sentences within the paragraph in response to the Inspector's comments and consider that this will help to make the paragraph more consistent with the NPPF.

However, it is considered that the revised wording of the paragraph as now proposed within MAJ14 still fails to fully reflect Government Policy within the NPPF insofar as it relates to the development of town centres uses within lower order centres. As highlighted by the Inspector, the NPPF definition of Town Centres also includes District and Local Centres. Whilst the proposed changes do help to reflect this position to some extent, it is considered that the second sentence of the paragraph remains inconsistent with the NPPF as well as the first paragraph of the Policy since it only refers to the town centre and fails to reflect that District and Local Centres are also legitimate locations for town centre uses providing they are of an appropriate scale and nature having regard to their position within the hierarchy.

Schroeder UK Property Fund therefore considers that revised text on the top of Page 20 as now proposed under Major Modification 14 is **unsound**. It is considered that the Policy is **not justified** and **not consistent with National Policy** within paragraphs 23-27 of the National Planning Policy Framework (NPPF) in relation to town centres.

As such, it is considered that the second sentence of the paragraph should refer to centres rather than just the town centre since the NPPF makes it clear that references to town centres within the NPPF refer to all centres.