

Colchester Focussed Review

The Wivenhoe Society objected to the proposed new wording for policy DP4 on the grounds that it was not consistent with the National Planning Policy Framework. We are not sure that we made our case very clearly as the consultation was on-line with very small entry boxes. We would like to make our case more fully. Our objection hinges on the replacement of the wording “will only be supported if” with “will be supported in cases where” as this leaves open the possibility that the Council could support a proposal in cases where the four conditions set out in policy DP4 were not met. If the intention is that proposals will not be supported if the conditions are not met then the policy should state this. If the intention is that permission might be granted even if the conditions are not satisfied then this gives less protection to community facilities.

The definition of community facilities of policy DP4 is somewhat wider than that in paragraph 74 of the National Planning Policy Framework which states

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

DP4 does cover open spaces and recreational buildings. The wording of the policy “should not be built on unless” would seem equivalent to “shall only be built on if”. The new proposed wording therefore seems at odds with the NPPF.

In the response to our objection the Council claimed that the new wording is fully in accord with the criteria of the NPPF.

Jane Black (for the Wivenhoe Society)

74 Old Ferry Road
Wivenhoe CO7 9SW