



Colchester Preferred Options Local Plan Representation

Land Brierley Farm, East Road, West Mersea September 2016

Strutt & Parker LLP

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Appendix 1 – Site Location Plan

Appendix 2 – Initial masterplan

1. Introduction

- 1.1. These representations are submitted by Strutt and Parker LLP on behalf of City & Country in response to formal consultation on the Colchester Preferred Options Local Plan (2016).
- 1.2. Our clients are actively promoting the residential allocation of land at Brierley Farm, East Road, West Mersea (site location plan provided as **Appendix 1**) through the plan-making process. The land is identified as site reference MER18 by the Council, and proposed for residential allocation through Policy SS17a of the Preferred Options.
- 1.3. As set out in previous submissions to the Council, land at Brierley Paddocks is a sustainable and deliverable site with – subject to its allocation – the potential to contribute towards meeting local housing need.
- 1.4. In addition to commenting directly on the Preferred Options, this representation also includes submissions pertaining to the Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) which is published alongside this iteration of the Local Plan.

2. Local Plan Vision

- 2.1. We support the vision (paragraph 3.5) to maintain a good housing delivery rate over the plan period to meet objectively assessed housing need. As per paragraph 182 of the NPPF, it is essential that the Local Plan includes a deliverable and justified strategy that will enable objectively assessed housing need to be met. In order for the Local Plan to be compliant with the NPPF, it should not only seek to meet objectively assessed development needs of the Borough in full, but also unmet needs of its neighbours where it is sustainable and reasonable to do so.
- 2.2. We support the identification of West Mersea at paragraph 3.9 as a key district settlement providing essential services and facilities to their rural hinterland. In order to achieve this, it will be important for the Local Plan to facilitate the sustainable growth of West Mersea.

3. Policy SG1 – Settlement hierarchy

- 3.1. We support the identification of West Mersea as a second tier settlement, below only Colchester in the Borough's settlement hierarchy. It is noted that West Mersea is identified as a second tier settlement in the adopted Colchester Core Strategy, and there have not been any material changes since this plan's adoption in 2008 such that warrant its position to be reconsidered.
- 3.2. West Mersea is an established district centre with a population of 7,183 (Census, 2011) and, as noted at paragraph 6.216 of the Preferred Options, a large number of key services and community facilities, including primary school and community centre. It is home to a range of retail uses (including two supermarkets), restaurants and cafes. In terms of public transport and accessibility, it benefits from frequent bus services. As such, it is considered a sustainable location to accommodate additional growth.
- 3.3. Further to the above, the statement at paragraph 6.216 of the Preferred Options that the services support the need of both the residents of West Mersea and rural communities in the surrounding area – and the recognition of the need to ensure these and the function of the district centre are sustained is supported. It is critical that the Local Plan supports the sustainable growth of the settlement of West Mersea, to ensure it can continue to perform its important role for residents of the settlement and surrounding area.

4. Policy SG2 – Housing Delivery

- 4.1. We support the proposal to deliver at *least* 920 homes per year between 2017 and 2033. This approach is supported in principle by the NPPF which not only calls for a significant boost to the supply of housing (paragraph 47), but also makes clear that Local Plans should ensure a strategy is in place to meet objectively assessed development needs of not only the administrative area in question, but also unmet needs of neighbouring areas where it is sustainable and reasonable to do so (paragraph 182).
- 4.2. It is crucial that the strategy for delivering homes to meet local needs is not overly reliant on large, strategic sites that are a) unable to contribute towards housing need in the short-term; and b) are likely to prove highly challenging to deliver, requiring the coordination of multiple

parties and agencies. The NPPF not only highlights the importance of ensuring strategies are deliverable (paragraph 182), but that a constant five-year housing land supply is sustained over the plan period (paragraph 47), and that the strategy for meeting objectively assessed housing needs is sufficiently flexible in order to respond to change (paragraph 14). As such, it is important to ensure that a range of sites capable of delivering housing for the various communities that make up the Borough, and across the plan period are identified. Further, it is also key that the Local Plan treats the identified housing need figure as a minimum, enabling the plan to respond to changing circumstances over the plan period (e.g. identified sites failing to coming forward, increase in housing need, etc.).

- 4.3. We support the preferred approach of directing an element of housing growth to the Borough's towns and villages to maintain their vitality and viability. Both the NPPF (see for example paragraph 55) and the NPPF (paragraph: 001 Reference ID: 50-001-20160519) recognise the importance of planning in ensuring smaller centres are sustained and can continue to perform their important roles for the local communities they serve. Facilitating housing growth is recognised as an important part of this. Additionally, such an approach is considered appropriate due to the functionally separate nature of the various settlements within the Borough.

5. Policy SS17a – Brierley Paddocks (Site MER18)

- 5.1. The allocation of sites for additional housing development at West Mersea is supported. As identified in the Preferred Options, West Mersea is a sustainable settlement to accommodate a proportion of additional housing growth. It is reasonably well contained, and functionally separate from other settlements within the Borough – as such it is important that its growth is planned for in the settlement, and not directed elsewhere within the area. In addition, it is important that the settlement is allowed to grow to ensure its vitality, and that its local facilities and services – important to residents of West Mersea itself and surrounding rural villages – are sustained.
- 5.2. The proposed allocation of land at Brierley Paddocks, East Road (site reference MER18 in the plan-making process) for housing is supported.

- 5.3. As the Council will be aware from our previous submission, the site is sustainable and deliverable.
- 5.4. The site benefits from a lack of constraints that would prohibit residential development.
- 5.5. The proposed development is located entirely within Flood Zone 1. As such, it is at a low risk of fluvial or tidal flooding, and as per the Technical Guidance that accompanies the NPPF, it is suitable for any type of development from a flood risk perspective.
- 5.6. The site is not within or adjacent to any areas designated for their ecological importance. It is not considered to be of any significant biodiversity value, and any ecological impact could be managed through the development management process. Indeed, development of the site would give rise to the potential for ecological enhancements to the area.
- 5.7. The site is not within or adjacent to a Conservation Area. To the north of the site is Brierley Hall – a Grade II Listed Building. Two barns at Brierley Hall are also Grade II Listed Buildings, in addition to the garden wall east of Brierley Hall. Residential development to the south of these Listed Buildings would account for the settings of these heritage assets, and would not result in any adverse impact on them.
- 5.8. The site is not within or related to any areas identified as being of concern in respect of air quality.
- 5.9. The proposed development would be neither near to, or result in the generation of, significant levels of noise such as to have any adverse impact on residential amenity.
- 5.10. It is relevant to note that Natural England's Agricultural Land Classification map identifies the site as Grade 3 land. As such, its development would not result in the loss of the best or most versatile agricultural land.
- 5.11. An access appraisal has been undertaken for the site, which confirms its capability of accommodating up to 250 dwellings from a highways access perspective.
- 5.12. The allocation of this site is supported by the Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) Environmental Report that accompanies the Preferred

Options document (which is discussed in detail later within this representation). As recognised through the SA/SEA, land at Brierley Paddocks, East Road is a sustainable site for residential development when considered against reasonable alternatives, providing opportunity for a logical extension to the settlement in a location well-related to facilities and public transport services:

“The site represents a logical extension to the settlement of West Mersea and relates well to existing uses; there are local facilities including shops and a bus stop close to the site. For this reason the site is considered a suitable and sustainable allocation in light of all reasonable alternatives.” (SA/SEA Environmental Report (Part 2), paragraph 15.26)

- 5.13. In addition to being well-related to services and facilities, development of the site will be accompanied by the appropriate planning obligations to ensure potential impacts of the development on services and infrastructure are accounted for. Initial discussions with NHS England have confirmed impact from the development can be accommodate through current healthcare development plans. If these do not materialise, then financial contributions from the development towards healthcare provision will mitigate impacts. The development has the potential to result in community benefits. We are committed to working positively with the Town Council, Borough Council and other stakeholders to ensure potential impacts are mitigated and community benefits realised.
- 5.14. The NPPF is clear on the need to identify residential development sites that are deliverable (paragraph 47), and for the need for Local Plans generally to be deliverable (paragraph 182). Development of land at Brierley Paddocks, East Road for homes is deliverable.
- 5.15. The site is being actively promoted by an established house-builder with a track record of delivering high-quality development within the region, and it is not subject to significant constraints that would prohibit its development. An access appraisal has been undertaken which confirms direct access to the site from the highway network is achievable. Initial masterplanning work has been carried out, which considers site constraints and opportunities and illustrates how new homes could be suitably accommodated. A copy of this is provided as **Appendix 2**. Further technical assessment work will be undertake as the site progresses through the planning process.

5.16. Whilst capable of making a significant contribution towards meeting local housing need, the site is not of such a large, strategic nature (when compared, for example, the proposed New Garden Communities) as to require major additional infrastructure or to be complex from a delivery perspective. It is capable of contributing towards meeting housing need in the short to medium term. This is particularly important given the need for a five-year supply housing land supply to be in place throughout the plan period – the Local Plan cannot rely solely on large, strategic sites unlikely to contribute towards housing need until towards the end of the plan period.

6. Policy SS17a – potential residential capacity

- 6.1. We note that, as currently worded, Policy SS17a seeks to restrict development of land at Brierley Paddocks to up to 200 dwellings. The rationale for imposing a limit, and at this number, is unclear.
- 6.2. The NPPF (paragraph 47) is clear that Local Planning Authorities should seek to significantly boost the supply of housing.
- 6.3. In addition, the NPPF is clear that Local Plans should be positively prepared and effective.
- 6.4. In the context of the NPPF, being positively prepared entails meeting objectively assessed housing needs in full. It is noted that Colchester needs to make provision for a *minimum* of 14,720 dwellings between 2017 and 2033 in order to meet objectively assessed housing needs (paragraph 4.27 of the Preferred Options).
- 6.5. The NPPF states (paragraph 14) that Local Plan should look to meet objectively assessed needs with sufficient flexibility to respond to change. The NPPF goes on to state that in order for Local Plans to be effective they should be deliverable over the plan period. The Preferred Options recognises (at paragraph 4.28) the need to ensure that the minimum housing need can be delivered with confidence.
- 6.6. Having regard to the above, a Local Plan which places limits on the number of dwellings to be provided on specific sites should have clear reasons for doing so, particularly given the additional requirement for policies within the Local Plan to be justified. Further, the approach

of limiting the number of dwellings to be delivered on specific sites is at odds with Policy SG2's aim of delivering a *minimum* number of new homes.

- 6.7. In the case of Land at Brierley Paddocks the site is considered capable of accommodating in the region of 200-250 dwellings. This would equate to a gross density of between 23 and 29 dwellings per hectare – such a density is considered to make an efficient use of land whilst at the same time respecting the character and appearance of the area. By way of comparison, it is noted that the Preferred Options proposes development at the New Garden Communities will seek to achieve an average net density of 30 dwelling per hectare. Accounting for the difference between gross and net densities, this is considered broadly similar.
- 6.8. It should be recognised that the SA/SEA states that the potential yield from land at Brierley Paddocks is 230 dwellings.
- 6.9. In light of the Borough's housing need and the requirement to allocate additional sites to meet this, it will be important to ensure an efficient use of land allocated for residential development. Failure to do so risks placing additional pressure on alternative, potentially less sustainable sites to accommodate housing need in the future; and would undermine the effectiveness of the Local Plan. Removal of a maximum number of dwellings would not give rise to the potential for an unlimited number of dwellings on the site – the capacity would still be restricted by specific development management policies in relation to character and design. However, such a restriction would be design-led, rather than arbitrary.

7. Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA)

- 7.1. As acknowledged at paragraph 165 of the NPPF, a sustainability appraisal which meets the requirements of the European Directive on strategic environmental assessment should be an integral part of the plan preparation process.
- 7.2. The Environmental Assessment of Plans and Programmes Regulations (2004) (the SEA Regulations) impose a number of requirements on Local Authorities in the preparation of Local Plans. These include that the reasons for the selection of preferred alternative, and the rejection of others, be set out. We are therefore pleased to see that, in relation to Policy

SS17a and the identification of Brierley Paddocks (Site MER18) for residential development, this has been addressed at paragraphs 8.17.4 and 15.26 of the SA/SEA Environmental Report (Part 2) that accompanies the Preferred Options. We note that the Environmental Report states that reasonable alternatives have been considered; that the alternatives have been assessed to the same level of detail as the preferred options (Table 100); and that it is clear from this that Site MER18 represents a more sustainable option for residential development when considered against reasonable alternatives.

- 7.3. In relation to the assessment of Site MER18 we note that it has been assessed as having a negative impact in relation to landscape / AONB. It is unclear on what basis this conclusion has been drawn.
- 7.4. The site is not within or in proximity to any AONB. The wider area in which the site sits was considered through the Landscape Capacity of Settlement Fringes in Colchester Borough (2005) (LCSF) as Area 3. This assessment concluded this area had few intrinsic landscape qualities; made a very limited contribution to distinctive settlement setting; had a moderate impact in relation to visual prominence and intervisibility; was low landscape sensitivity; and of moderate landscape value. Further, it should be noted that this assessment did not pertain to this specific site, but rather the wider area in which it sits. Looking at Site MER18 in particular, it is noted that whilst it is located within the Coastal Protection Belt (unsurprisingly for a site not currently within the settlement boundary, given that the current Coastal Protection Belt is drawn tightly around this boundary) the Coastal Protection Belt seeks to protect rural character of the undeveloped coastline, its historic features, sites of nature conservation and wildlife habitats. In the case of this site, it is considered it can be reallocated and developed for housing without undermining the purposes of the Coast Protection Belt.
- 7.5. For the reasons set out above, we would also question the justification for Site MER18 being assessed as having an uncertain / negative impact on international / national sites, given the lack of designations in or adjacent to the site.
- 7.6. It could be argued that the above points are somewhat academic, given that the above suggested amendments will result in the SA/SEA identifying the site as being even more sustainable than currently considered, and that the site is already considered sufficiently sustainable to warrant residential allocation when compared to reasonable alternatives.

However, it is nevertheless important that the SA/SEA represents a robust and justified assessment of the site.

8. Overview

- 8.1. Land at Brierley Paddocks, East End, West Mersea represents a sustainable allocation for residential development to help meet local housing need and to support the sustainable growth of the established district centre of West Mersea. Its allocation will assist in ensuring the Borough has an adequate, deliverable housing land supply in place.
- 8.2. The Preferred Options – supported by the SA/SEA – proposes the site be allocated for residential development. Its proposed allocation has been tested against reasonable alternatives and found to be a justified from a sustainability perspective.
- 8.3. Land at Brierley Paddocks is not subject to constraints that would prohibit its development and is being promoted by an established house-builder – the Council can have confidence in the delivery of the site. Initial illustrative plans have been prepared demonstrating how a development that respects the character and appearance of the area, and which incorporates significant areas of landscaping and public open space, can be delivered.
- 8.4. We welcome further discussions with the Council regarding the delivery of this site to contribute towards a sustainable strategy for accommodating development needs in the Borough.