MM1 (Minor)

347 Support

Summary of representations:

Latimer support proposed MM1. Latimer's planning application will be robust in respect of health and any facilities as required, embedding principles to support health and well-being into the site wide illustrative masterplan and design codes. The proposed amendment will support the DPD to provide the appropriate framework through which to plan for health needs, and for decision makers to assess this part of the proposal.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM1 (Minor)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]
Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

348 Support

Summary of representations:

East Suffolk and North Essex NHS Foundation Trust (ESNEFT) welcomes Proposed Modifications Refs: MM1, MM2, MM4, MM13, MM39, MM45, MM46, MM50 and MM87 and considers them to be an appropriate reflection of the representations previously submitted by ESNEFT.

Adoption of these modifications will help ESNEFT to plan for the acute and secondary healthcare facilities and services required to meet needs arising from the proposed Garden Community.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM1 (Minor)

Respondent: East Suffolk & North Essex NHS Foundation Trust (ESNEFT) [174]
Agent: Lawson Planning Partnership (AArti Oleary) [198]

349 Support

Summary of representations:

MM1 - support for additional emphasis on health and wellbeing services

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM1 (Minor)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM2 (Main)

335 Support

Summary of representations:

Latimer support proposed MM2. Latimer's planning application will be robust in respect of health, embedding principles to support health and well-being into the site wide illustrative masterplan and design codes. The proposed amendment will support the DPD to provide the appropriate framework through which to plan for heath needs, and for decision makers to assess this part of the proposal.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM2 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

350 Support

Summary of representations:

East Suffolk and North Essex NHS Foundation Trust (ESNEFT) welcomes Proposed Modifications Refs: MM1, MM2, MM4, MM13, MM39, MM45, MM46, MM50 and MM87 and considers them to be an appropriate reflection of the representations previously submitted by ESNEFT.

Adoption of these modifications will help ESNEFT to plan for the acute and secondary healthcare facilities and services required to meet needs arising from the proposed Garden Community.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM2 (Main)

Respondent: East Suffolk & North Essex NHS Foundation Trust (ESNEFT) [174]

Agent: Lawson Planning Partnership (AArti Oleary) [198]

351 Support

Summary of representations:

MM2 - support for additional emphasis on health and wellbeing services

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM2 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

388 Support

Summary of representations:

With reference to the below paragraph, our Service would like to request the phrase ‘firefighting’ be replaced with the below suggested wording of which we feel fully incorporates all of our Service’s functions -

Mod Ref Part Modification Reason MM2 (Main) Part B Amend fifth para, page 22: EEAST Rep ID.253 To add emergency services

….The councils will work with the University of Essex and other partners as appropriate, to deliver the key infrastructure (health, education, ambulance, police, fire and rescue (prevention, protection and response), and other community

Summary of representation changes to plan:

"firefighting" to be replaced with 'fire and rescue (prevention, protection and response)'

Response:

Support noted. The Councils have no concern with the suggested change to the wording noted as requested. This however should be a consistent change throughout the DPD.

Action:

"firefighting" to be replaced with 'fire and rescue (prevention, protection and response)'

Support

Document Element: MM2 (Main)

Respondent: Fire & Rescuse [196]

Agent: Fire & Rescuse (Mr John Webster) [199]

MM3 (Main)

352 Support

Summary of representations:

Latimer support proposed MM3. However, within the draft DPD and evidence base there has been no reference to the need for the Garden Community to provide any specific facilities for ambulance, police and/or firefighting services. Should any infrastructure be required from the Garden Community, this should be communicated at the earliest so it can be considered within the masterplan proposals as part of Latimer's hybrid planning application for the Garden Community, which is currently at pre-application stage with submission of the application anticipated in 2025.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM3 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

389 Support

Summary of representations:

MM3-– support for additional emphasis on health and wellbeing services

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM3 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM4 (Main)

336 Support

Summary of representations:

Latimer support proposed MM4. Health and Wellbeing services and facilities will be important for new residents in the Garden Community. Critical to this is understanding how the NHS is able to ensure the right number of Nurses, GPs and other health practitioners are delivering the required services effectively and efficiently within the new communities, so we look forward to further and ongoing work with the health services around how this will be delivered.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM4 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

390 Support

Summary of representations:

MM4-support for additional emphasis on health and wellbeing services

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM4 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

391 Support

Summary of representations:

East Suffolk and North Essex NHS Foundation Trust (ESNEFT) welcomes Proposed Modifications Refs: MM1, MM2, MM4, MM13, MM39, MM45, MM46, MM50 and MM87and considers them to be an appropriate reflection of the representations previously submitted by ESNEFT.

Adoption of these modifications will help ESNEFT to plan for the acute and secondary healthcare facilities and services required to meet needs arising from the proposed Garden Community.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM4 (Main)

Respondent: East Suffolk & North Essex NHS Foundation Trust (ESNEFT) [174]

Agent: Lawson Planning Partnership (AArti Oleary) [198]

MM5 (Main)

337 Support

Summary of representations:

Latimer support modification MM5, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

Development phasing will be agreed via an illustrative phasing plan for the Garden Community, submitted with the hybrid planning application. Without the amendment, the statement is not effective – the amended wording will ensure the DPD does not prejudice the design process and future opportunities.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM5 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

455 Object

Summary of representations:

MM5 – Strongly object to the modification. The suggestion the effective plan making policy to support important decision making in the near future determining the first phases of development should be deleted for a yet to be determined phasing plan that is itself entirely illustrative is a weaker policy. The DPD wording already allows for a degree of flexibility by using the phrasing 'expectation' instead of stronger wording. It is vital for other stakeholders to have a definitive understanding of where development will begin to best make their own preparations in a timely fashion and consider how these may interact with the first planning applications.

Summary of representation changes to plan:

Integrated phasing plan overview enshrined in policy.

Response:

Comment noted. Phasing will be agreed via an illustrative phasing plan for
the Garden Community, submitted with the hybrid planning application. Securing phasing through policy would be unworkable and overly restrictive.

Action:

n/a

Object

Document Element: MM5 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM6 (Main)

301 Object

Summary of representations:

The government has provided the funding for the link road, therefore there is no consultation in phases required. There is already a need for the road now, hence the funding. Build the link road, with corresponding roundabouts, so that the impact on local communities is in part mitigated, by giving all those construction lorries, clear access to the A120 and not via A133. Locals, except some Council members, all believe the new rapid transport road is a joke, a total waste of money. We need the bypass, to improve our lives now.

Summary of representation changes to plan:

Document should state vehicular access MUST be via new link road. Inference no link road, no new houses.

Response:

Comment noted. The Plan with the modification is considered to be sound, is in accordance with the NPPF and based on a robust evidence base including transport evidence and infrastructure provision, phasing and delivery. The DPD requires the applicant to prepare a detailed Transport Assessment, and impact mitigation will be required and secured as part of any future planning application.

Action:

n/a

Object

Document Element: MM6 (Main)

Respondent: Mrs Anne Thornhill [188]

302 Object

Summary of representations:

The wording is unclear and so could be interpreted as allowing access for new neighbourhoods directly onto the strategic road network. i.e. the A133 and the A120. Which would be completely unacceptable. It needs to be rewritten to make clear its intent.

Summary of representation changes to plan:

It needs to be rewritten to make clear its intent.

Response:

Comment noted. The Plan with the modification is considered to be sound, is in accordance with the NPPF and based on a robust evidence base including transport evidence and infrastructure provision, phasing and delivery. The modification is considered sufficiently clear in its intent to restrict access from the north and south neighbourhoods to only the Link Road.

Action:

n/a

Object

Document Element: MM6 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

338 Support

Summary of representations:

Latimer support modification MM6, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

Active travel modes and the Rapid Transport System are the priority for Latimer for the future Garden Community and vehicle access zones will form a key part of the masterplan. However, this amendment is required to ensure there is sufficient flexibility in the DPD to fully understand the highway network and junction capabilities as part of the more detailed planning application evidence base, to inform how this will impact the masterplan work.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM6 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

456 Object

Summary of representations:

MM6 – Highly concerned at the modification. The DPD is purported to have taken an evidence based approach, and the suggestion that such a major aspect of the interior road network is not only undecided but is still having information gathered to inform this decision is worrying. With no parameters for what evidence may support or over rule this policy it is not an effective tool for decision makers. Significant future changes would invalidate much of the traffic modelling upon which other decisions accepted within the DPD examination were based. We are concerned there is ambiguity in the proposed wording that could allow additional junctions onto the A133 and A120 which is a significant alteration to the plan making process thus far which has not been consulted upon.

Summary of representation changes to plan:

Updated traffic modelling and re-examination of transport and movement policies to form an effective, evidence based approach.

Response:

Comment noted. Future planning applications (which will be subject to consultation) will need to be accompanied by a detailed transport assessment.

Action:

n/a

Object

Document Element: MM6 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM7 (Main)

318 Object

Summary of representations:

Crocklefrod Heath is the only community within the GC boundary and should be respected as stated in the GC principles. It is not respectful of the Crockleford Heath community to suggest that Crockleford Heath would be spit into areas with access to the link road and areas with access to Bromley Road.

Summary of representation changes to plan:

The plan should respect the complete community of Crockleford Heath comprising Chapel Lane, Green Lane, Bromley Road, and Wivenhoe Road.

Response:

Comment noted. The modification would allow a degree of flexibility in how parts of the Crockleford Neighbourhood may be accessed by private vehicle. The Councils consider that this flexibility would not preclude an appropriate, coherent and successful layout for the Crockleford Neighbourhood coming forward. Furthermore the detailed access arrangements and neighbourhood layout would be subject to further public consultation as part of future planning applications.

Action:

n/a

Object

Document Element: MM7 (Main)

Respondent: Mr Simon Higgins [92]

319 Object

Summary of representations:

I attended the recent Joint Committee Meeting. The meeting it became clear that a formal decision had been made to remove Crockleford Heath from the APC Neighbourhood plan. This has taken away my democratic right as I do not have a Neighbourhood plan on which I can vote. I am now very concerned about the modifications in the document. In particular the demotion of the aim for 50% open space the failure to specify the area of the Green buffers between the three Neighbourhoods and Crockleford Heath residents the modification MM7.

Summary of representation changes to plan:

To stop the proposed development and review the whole DP as it is not compliant.

Response:

Comments noted. The modifications do not reduce the objective to achieve 50% open space across the area of search. Modification MM7 would allow a degree of flexibility in how parts of the Crockleford Neighbourhood may be accessed by private vehicle. The Councils consider that this flexibility would not preclude an appropriate, coherent and successful layout for the Crockleford Neighbourhood coming forward. Furthermore the detailed access arrangements, neighbourhood layout and green buffers would be subject to further public consultation as part of future planning applications.

Those matters raised concerning the Ardleigh Neighbourhood Plan are unrelated to modification MM7. The Ardleigh Neighbourhood Plan was the subject of a referendum on 12 September 2024 open to all residents of the Ardleigh Parish, including those in the Crockleford Heath area. Residents had the opportunity to vote for or against; and 86.5% of those who participated in the referendum voted in favour of the Neighbourhood Plan.

Action:

n/a

Object

Document Element: MM7 (Main)

Respondent: Mr Adam Hall [189]

320 Object

Summary of representations:

Crockleford Heath is the only established community within the proposed Garden Community area. As such it should be protected. This modification can lead to the cutting of Crockleford Heath into two part, one with vehicular access to Bromley Road and one with vehicular access to the link road. This is disrespectful of Crockleford Heath residents and not in the spirit of respecting existing communities as laid down in the original garden community principles.

Summary of representation changes to plan:

The plan should respect the area of Crockleford Heath as recognised by the residents of Crockleford Heath and not separate it by access decisions that pander to the request of the developer.

Response:

Comments noted. Modification MM7 would allow a degree of flexibility in how parts of the Crockleford Neighbourhood may be accessed by private vehicle. The Councils consider that this flexibility would not preclude an appropriate, coherent and successful layout for the Crockleford Neighbourhood coming forward. Furthermore the detailed access arrangements, neighbourhood layout and green buffers would be subject to further public consultation as part of future planning applications.

Action:

n/a

Object

Document Element: MM7 (Main)

Respondent: Prof Anthony Vickers [68]

324 Object

Summary of representations:

Without a full link road there is a need for everyone to be able to access
Bromley Road from the partial link road. This needs to be confirmed in policy, unless more security can be given for the trigger for phase two completion.

Summary of representation changes to plan:

Needs to be set in policy that no houses should be built until the full link road is operational.

Response:

Comments noted. The plan with modification MM7 is considered to be sound and in accordance with the NPPF. The timing of the delivery of the second phase of the Link Road, along with closures to existing routes within the Garden Community area, will be secured based on the evidence that emerges through the detailed transport modelling and Transport Assessment which will be submitted with the planning application.

Action:

n/a

Object

Document Element: MM7 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

339 Support

Summary of representations:

Latimer support modification MM7, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

Depending on the outcomes of local junction modelling along Bromley Road into Colchester, undertaken to support the hybrid planning application, some parcels of development within the Crockleford Neighbourhood may need to access the Link Road instead of Bromley Road. The amendment is required to ensure there is sufficient flexibility in the DPD to respond to the outcome of the detailed modelling work, with the principles of vehicle access zones being agreed.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM7 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

457 Object

Summary of representations:

MM7 – While we share concerns that the original DPD wording was not coherent, with the idea of physical separation but interconnectivity being at odds with one another as worded, we do not find the suggested modification to fix the issue, indeed it makes it worse. The suggestion the Crockleford neighborhood could be segregated within itself is bad enough – this is not good placemaking and would not create a cohesive neighborhood causing numerous concerns regarding internal travel and the practicalities of a community living within it. However our main concern from the initial wording is worsened by the modification, being that the existing Crockleford community would be cut in two by both versions of the policy wording. This policy would lead to absurd journeys whereby short journeys such as those made by people with mobility impairments or delivery drivers, to reach only a few hundred meters away within the same neighborhood, would require driving upwards of 6 miles, into and out of Colchester, putting additional strain on the traffic models recognized points of stress in the local road network, only to renter the garden community via the link road and cause significantly more traffic. If the Crockleford neighborhood is to be an effective neighborhood and maintain the special character identified elsewhere in the DPD, partially by protecting the established Crockleford heath community, the DPD needs stronger protections to ensure there is an integrated road network across this neighborhood, with no public traffic access to the other neighborhoods.

Summary of representation changes to plan:

n/a

Response:

Comment noted. Future planning applications would be accompanied by detailed transport modelling to determine the most appropriate access points to parcels of land. The proposed modification ensures sufficient flexibility to respond to evidence as it advances and supports the aspirations to prioritise the use of active travel modes.

Action:

n/a

Object

Document Element: MM7 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM8 (Main)

321 Object

Summary of representations:

Crockleford Heath should not be developed without the access to the RTS and this modification should be withdrawn to maintain the Crockleford Heath development as being in phase 3.

Summary of representation changes to plan:

Crockleford Heath community should not be listed as being potentially developed in any phase. It should only be developed in phase 3 after connection to the RTS.

Response:

Comments noted. The plan with modification MM8 is considered to be sound and in accordance with the NPPF. Full details of phasing will come forward as part of the future planning application which will be subject to full public consultation. Determining appropriate phasing will be dependant on a variety of factors including access to a range of services including the RTS, existing accessibility, improvements and provision of new public transport and other sustainable transport modes.

Action:

n/a

Object

Document Element: MM8 (Main)

Respondent: Mr Simon Higgins [92]

322 Object

Summary of representations:

Existing public transport is not financed by Latimer so cannot be used as
mitigation for them in this context. Therefore, determination of phasing can only refer to new transport measures funded as part of a 106 agreement for this development.

Summary of representation changes to plan:

Phasing should follow the Infrastructure Phasing Document produced by the local authorities and should be be legally bound to the policy.

Response:

Comments noted. The plan with modification MM8 is considered to be sound and in accordance with the NPPF. Full details of phasing will come forward as part of the future planning application which will be subject to full public consultation. Determining appropriate phasing will be dependant on a variety of factors including access to a range of services including the RTS, existing accessibility, improvements and provision of new public transport and other sustainable transport modes.

Action:

n/a

Object

Document Element: MM8 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

323 Object

Summary of representations:

Crockleford Heath, in the original DP, was to be developed in Phase 3. It does not benefit the residents of Crockleford Heath to bring this forward to either phase 1 or 2.

Summary of representation changes to plan:

The DP should state clearly that Crockleford Heath will not be developed until Phase 3.

Response:

Comments noted. The plan with modification MM8 is considered to be sound and in accordance with the NPPF. Full details of phasing will come forward as part of the future planning application which will be subject to full public consultation. Determining appropriate phasing will be dependant on a variety of factors including access to a range of services including the RTS, existing accessibility, improvements and provision of new public transport and other sustainable transport modes.

Action:

n/a

Object

Document Element: MM8 (Main)

Respondent: Prof Anthony Vickers [68]

340 Support

Summary of representations:

Latimer support modification MM8, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM8 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

392 Support

Summary of representations:

MM8 - We recognize the potential for other means of public transport.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM8 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM9 (Main)

303 Object

Summary of representations:

We don't object in principle to the modification but it is inadequate as it stands.

Summary of representation changes to plan:

This modification should include the registered park and listed gatehouse to the east of Colchester Road. Also, when referring to Wivenhoe's strategic green gap a a reference to the coalescence break of the local plan and Wivenhoe's neighbourhood plan should be included.

Response:

Modification MM9 relates to GC Policy 1, Part E 'Elmstead Strategic Green Gap' only. Any further reference to the 'Wivenhoe Strategic Green Gap', the Wivenhoe Neighbourhood Plan and Coalescence break would be inappropriate and out of place as part of modification MM9.

Action:

n/a

Object

Document Element: MM9 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

393 Support

Summary of representations:

Welcome proposed change to improve consideration of designated heritage assets and their settings, per SOCG.

Modify for consistency with SOCG, which had removed Round Burrow. This setting is not a factor here and its inclusion will make the policy unsound.

Summary of representation changes to plan:

Amend 4th paragraph p. 24:
Remove 'and the Round Burrow'

Response:

Support noted. Removal of reference to 'Round Barrow' would ensure consistency and is supported.

Action:

Amend 4th paragraph p. 24:
Remove 'and the Round Burrow'

Support

Document Element: MM9 (Main)

Respondent: Historic England [128]

Agent: Historic England (Ms Debbie Mack, Historic Environment Planner Advisor) [195]

394 Support

Summary of representations:

MM9 – We appreciate Historic England's input and support the improved recognition of Elmstead's listed heritage assets.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM9 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM10 (Main)

293 Support

Summary of representations:

MM10 Floodlighting on the Sports fields adjacent to B1027 should be limited. The floodlights on the existing university sports field creates more light pollution than the football floodlights at the Colchester United Community Stadium.

Summary of representation changes to plan:

n/a

Response:

Support noted. The impact of floodlighting will be considered at application stage, which will be subject to full public consultation.

Action:

n/a

Support

Document Element: MM10 (Main)

Respondent: Mr Dave Wendon [190]

305 Object

Summary of representations:

There is no "proposed 'Wivenhoe Strategic Green Gap' ". There is a Wivenhoe gap or protected green belt land, as voted on by the community in village plan, in a legally binding referendum.

Summary of representation changes to plan:

The word proposed should be removed and "existing legal" should be inserted. Thus removing any doubt, that it can ever be built on.

Response:

The land allocated within the DPD under GC Policy 1, Part D for the 'Wivenhoe Strategic Green Gap' is a separate land allocation from the 'Wivenhoe Coalescence Break' allocated in in the Wivenhoe Neighbourhood Plan. The DPD and the modifications, including MM10, do not seek to encroach onto or change the status of the established 'Wivenhoe Coalescence Break'.

Action:

n/a

Object

Document Element: MM10 (Main)

Respondent: Mrs Anne Thornhill [188]

306 Object

Summary of representations:

Outdoor floodlit facilities will create significant visual, noise and light pollution for the listed park and Wivenhoe. Any built form will also interrupt valued landscapes from these areas too. Therefore, conditions on any such facility should be stated in the DPD and not left to a planning application condition.

Summary of representation changes to plan:

The alternative wording therefore should read - Where appropriate (in the context of existing heritage elements and settlements' this will include the provision of indoor and outdoor floodlit facilities. And only providing there is no adverse impact on the environment, existing residents, or the sky at night.

Response:

Comment noted. The Plan with the modification is considered to be sound, is in accordance with the NPPF. Impact on heritage assets, there setting and light pollution are material planning considerations and full details of proposed floodlit facilities would be submitted at application stage, which would be subject to further public consultation.

Action:

n/a

Object

Document Element: MM10 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

327 Support

Summary of representations:

The proposed modifications to Policy GC Policy 1 directly respond to representations made by Sport England on the Submission version of the Local Plan. The modified policy is therefore supported as it would provide clarity on the scope of sports facilities that may be accommodated in the sports and leisure park

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM10 (Main)

Respondent: Sport England (Mr Roy Warren, Planning Manager) [90]

341 Support

Summary of representations:

Latimer support MM10. The amendment will support the delivery of successful and effective sports and leisure uses on land to the South of the A133, as is envisaged in the DPD and set out in the Open Space, Playing Pitch, Sport & Recreation Study evidence base.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM10 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

458 Object

Summary of representations:

MM10 – we are concerned the additional emphasis on floodlighting does not ascertain how decision makers may tell where it is appropriate, and suggest effective policy would relate back to an evidence base used to determine where is appropriate. We have significant concerns about the impact of such floodlight facilities and believe the DPD should provide the policy to protect from potential substantial environmental harm to meet its aspirational high standards.

Summary of representation changes to plan:

n/a

Response:

Comment noted. Modification MM10 is support by Sport England and provides clarity over the required scope of sports facilities. Future planning applications must be accompanied by appropriate evidence including that relating to light and visual impact to allow decision makers to make an informed decision on such matters.

Action:

n/a

Object

Document Element: MM10 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM11 (Main)

294 Support

Summary of representations:

MM11 That being the case what plans are there for getting the RTS from either of these sites to the new A133 Clingo Hill bus lane because if the RTS is expected to join the normal traffic to the new bus lane that is being created its not going to be very rapid?

MM11 The policies map does not indicate he entrance and egress points of the park and chose sites. My view is that the P&C should be south of the A133 with car parking access and egress off the new roundabout at the end of the A1133 Link Road. I would make sense for RTS egress to be directly on to the westbound carriageway of A133 via a long slip road.

Summary of representation changes to plan:

n/a

Response:

Support noted. Further details of the position of the Park & Choose, access and egress arrangements, and the route of the RTS will come forward at the application stage which will be subject to full public consultation.

Action:

n/a

Support

Document Element: MM11 (Main)

Respondent: Mr Dave Wendon [190]

304 Object

Summary of representations:

There physically isn't room for a park and ride south of the A133 and the
sports facilities proposed that will also allow for an adequate green buffer for Wivenhoe.

Summary of representation changes to plan:

Therefore, this modification should state that only one of these facilities can be sited south of the A133. It should also be stated that neither facility should prejudice the area shown as the green buffer for Wivenhoe.

Response:

Modification MM11 does not suggest that the Park & Choose be located within the 'Wivenhoe Strategic Green Gap' upon which there would be no encroachment. The detailed location of the Park & Choose would come forward as part any future planning application, which would be subject to full public consultation. In accordance with MM11 sufficient and robust evidence should demonstrate that should the Park & Choose be located south of the A133 that is should not prejudice the required provision of Sports Facilities.

Action:

n/a

Object

Document Element: MM11 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

342 Support

Summary of representations:

Latimer note MM11. The draft DPD provides two possible locations for the Park and Choose, one north and one south of the A133. Ongoing masterplan testing undertaken by Latimer to date demonstrates that the Park and Choose Facility can be accommodated on land south of the A133, without prejudicing the University of Essex expansion requirements, or sports, leisure and open space requirements of the wider Garden Community. Pre-application discussions on this matter have been undertaken with the LPAs, and appropriate evidence and design work will be submitted with the application, in support and justification of this approach.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM11 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

459 Object

Summary of representations:

MM11 – We remain concerned at the urbanizing effects of substantial parking facilities in this space south of the A133, and would stress nowhere in the evidence base is there support for the principle that there is sufficient area of land for both this parking facility and the sport and recreation grounds to meet open space requirements.

Summary of representation changes to plan:

n/a

Response:

Comment noted.

Action:

n/a

Object

Document Element: MM11 (Main)

Respondent: Elmstead Parish Council [144]
Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM12 (Main)

343 Support

Summary of representations:

Latimer support modification MM12, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM12 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]
Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

460 Object

Summary of representations:

MM12 – We're very concerned that the suggested modification uses the term phases – plural, instead of first phase, as without an infallible phasing plan this is undefined and could refer to a significant number of houses. AS the modification is suggested its ineffective planning language. We would also query the logic behind removing the association between the park and chose and RTS becoming operational, as even if this is significantly before the first residential phases this could provide meaningful benefits, both reducing local traffic and mitigating some effects of construction.

Summary of representation changes to plan:

Integrated phasing plan overview enshrined in policy.

Response:

Comment noted. Impacts of of development must be appropriately mitigated and secured at the correct times. Whilst the provision of the RTS and Park & Choose would provide beneficial services open to users outside the Garden Community which would have a beneficial impact on the existing road network, planning obligations must meet the required tests and it is not for the Garden Community development to resolve existing capacity issues, rather it must mitigate the impact of the development.

Action:

n/a

Object

Document Element: MM12 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM13 (Minor)

395 Support

Summary of representations:

East Suffolk and North Essex NHS Foundation Trust (ESNEFT) welcomes Proposed Modifications Refs: MM1, MM2, MM4, MM13, MM39, MM45, MM46, MM50 and MM87 and considers them to be an appropriate reflection of the representations previously submitted by ESNEFT.

Adoption of these modifications will help ESNEFT to plan for the acute and secondary healthcare facilities and services required to meet needs arising from the proposed Garden Community.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM13 (Minor)

Respondent: East Suffolk & North Essex NHS Foundation Trust (ESNEFT) [174]

Agent: Lawson Planning Partnership (AArti Oleary) [198]

396 Support

Summary of representations:

MM13 – correction of typo. Support.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM13 (Minor)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM14 (Main)

311 Object

Summary of representations:

Further clarification is needed with this modification

Summary of representation changes to plan:

This needs an additional to say that the area woodland will be preserved.

Response:

Comment noted. Further clarification is not considered to be appropriate within the Policy Map as GC Policy 2 'Nature' requires that existing landscape features should be retained an enhanced, duplication is not necessary.

Action:

n/a

Object

Document Element: MM14 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

387 Support

Summary of representations:

Latimer have no objection to MM14 in principle, but continue to object to the DPD's general approach relating to land south of the A133.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM14 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM17 (Main)

344 Support

Summary of representations:

Latimer support modification MM17, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. The amendment aligns the policies map with the DPD itself (which has no equivalent policy requirement). Latimer, alongside appointed project ecologists, Stantec, continue to engage with Natural England as part of the forthcoming planning application.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM17 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM18 (Main)

309 Support

Summary of representations:

Requested changes have been incorporated into policy wording and we consider that our representations have been taken account of satisfactorily, see attachment for further details.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM18 (Main)

Respondent: Natural England (Ms Alison Collins) [191]

MM18 (Main)

478 Object

Summary of representations:

There are some missing words and an incorrect reference, it is believed, to Salary Brook Local Nature Reserve which should instead be referring to the eastern slopes of Salary Brook up to and including the ancient woodland at the top of those slopes proposed for inclusion in the new Country Park.

Summary of representation changes to plan:

Proposals will be required to provide an appropriate amount of Suitable Alternative Natural Greenspace (SANG), in accordance with Natural England (NE) guidance. This will reduce the amount of day-to-day recreational trips to the protected habitat sites [insert 'along the'] Essex coast. Proposals to incorporate SANG within the new Country Park will be supported where they conform to the principles of the Strategic Masterplan and where evidence, including visitor surveys, is provided to demonstrate that the [omit Salary Brook Local Nature Reserve and replace with 'eastern slopes of Salary Brook up to and incorporating the ancient woodland and including public rights of way proposed for inclusion in the new Country Park'] has sufficient capacity to accommodate any increased visitor usage proposed in order to count towards SANG provision. 10 The Council will work with Natural England, landowners and stakeholders to agree the extent of SANG provision for each phase of the Garden Community, which must link into a wider network of footpaths, green infrastructure and public open space. Proposals must demonstrate how SANG, and access to it, will be provided for each relevant phase of the development, including access to temporary SANG where required.

Response:

Comment noted and correction of typo acknowledged. Further amendment relating to a change from 'Salary Brook Local Nature Reserve' would alter the intent of the wording which seeks to ensure the existing nature reserve is appropriately considered with regard to its capacity and resulting impact.

Action:

Add 'along the'.

Object

Document Element: MM18 (Main)

Respondent: TCBGC Community Liaison Group [104]

Agent: Mrs Manda O'Connell [105]

MM20 (Main)

353 Support

Summary of representations:

MM20 – support dual purpose street furniture addition.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM20 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM21 (Main)

296 Support

Summary of representations:

MM21 Its a waste of valuable farmland to create the woodland buffer zone and is best left as arable land. The planting alongside A1133 Link Road should be sufficient to screen the road and housing development.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM21 (Main)

Respondent: Mr Dave Wendon [190]

297 Support

Summary of representations:

Requested changes have been incorporated into policy wording and we consider that our representations have been taken account of satisfactorily, see attachment for further details.

Summary of representation changes to plan:

n/a

Response:

Support noted. As a Statutory Consultee Natural England will be further consulted at application stage.

Action:

n/a

Support

Document Element: MM21 (Main)

Respondent: Natural England (Ms Alison Collins) [191]

308 Object

Summary of representations:

This modification is inadequate as it stands.

Summary of representation changes to plan:

The modification should include that no construction should take place until
the wintering bird survey is complete. This should include the construction of any part of the link road.

Response:

The construction of the Link Road is subject to an extant planning permission of which the DPD cannot vary. The Plan with modification MM21 is considered to be sound and is in accordance with the NPPF. Wintering bird surveys will be secured and undertaken at the appropriate time in accordance with phasing as agreed through any future planning application.

Action:

n/a

Object

Document Element: MM21 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

477 Object

Summary of representations:

MM21 – we remain concerned that wintering bird surveys have not adequately assessed the site prior the DPDs submission, and query how this may constitute an evidence based approach. We welcome natural England's additional modification to reinforce the protections.

Summary of representation changes to plan:

n/a

Response:

Comment noted. Sufficient and robust evidence has been produced to support the DPD in collaboration with advice from Natural England. MM21 provides clarity and accuracy on referenced requirements.

Action:

n/a

Object

Document Element: MM21 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

481 Object

Summary of representations:

Latimer object to a very specific part of modification MM21 because it is not clear whether the proposed MM21 text referring to 'offsite functional habitat' is requesting surveys offsite to the TCBGC development site or offsite but linked to the habitats sites at the Essex coast.

Summary of representation changes to plan:

It is proposed that this additional text is amended to:

"Before granting planning consent, wintering bird surveys will be undertaken within habitat likely to be impacted by the proposed development. These surveys will be undertaken at the appropriate time of year to confirm whether significant numbers of SPA birds are regularly present and assess potential functional links with the protected habitats sites at the Essex coast. identify any offsite functional habitat. In the unlikely event that significant numbers are identified, development must firstly avoid impacts. Where this is not possible, development must be phased to deliver habitat creation and management either on or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds."

Response:

Comment noted.

The Councils have sought further advice from Natural England to clarify the reference to "offsite functional habitat". This does not require surveys to be undertaken outside the application site, rather "offsite functional habitat" relates to land within the TCBGC site, but which is functionally linked to land offsite. The modification is considered to be sound, however for the purposes of clarification a minor amendment to the wording has been suggested by Natural England.

Action:

Amended wording suggested by Natural England as follows:

'Before granting planning consent, wintering bird surveys will be undertaken within habitat likely to be impacted by the proposed development. These surveys will be undertaken at the appropriate time of year to confirm whether SPA birds are present and assess potential functional links with the protected habitats sites at the Essex coast. In the event that functional links are identified, development must firstly avoid impacts. Where this is not possible, development must be phased to deliver habitat creation and management either on or off-site to mitigate any likely significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect SPA birds.'

A track-changed version of the above text can be provided upon request if required.

Object

Document Element: MM21 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM90 (Main)

310 Object

Summary of representations:

We object to the watering down of this policy which was one of the few strengths of the DPD.

Summary of representation changes to plan:

The original ambition should remain, and a proviso that future legislation will be applicable should these percentages increase.

Response:

Comment noted. The Plan with the modification is considered to be sound and is in accordance with the NPPF. The Councils remain committed to achieving the very highest standards of environmental design and maintain their ambition to maximising BNG above legislative minimum requirements.

Action:

n/a

Object

Document Element: MM90 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

354 Support

Summary of representations:

Latimer support modification MM90, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM90 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

479 Object

Summary of representations:

MM90 – we are disappointed at this last minute modification that we believe constitutes a substantial alteration to the DPD. The prerogative of the garden community to meet an exemplary standard cannot be maintained when such important metrics of sustainability are watered down with minimal consultation such that they meet only the minimum standards.

Summary of representation changes to plan:

n/a

Response:

Comment noted. The minimum requirement of 10% will still be met across the masterplan as required by Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Action:

n/a

Object

Document Element: MM90 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM22 (Main)

355 Support

Summary of representations:

Latimer support modification MM22, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. This modification assists both the developer and the Councils when determining future planning applications, and developing the masterplan.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM22 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM23 (Main)

356 Support

Summary of representations:

MM23 – we welcome the strengthened language for this policy.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM23 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM24 (Main)

298 Support

Summary of representations:

Requested changes have been incorporated into policy wording and we consider that our representations have been taken account of satisfactorily, see attachment for further details.

Summary of representation changes to plan:

n/a

Response:

Support noted. As a Statutory Consultee Natural England will be further consulted at application stage.

Action:

n/a

Support

Document Element: MM24 (Main)

Respondent: Natural England (Ms Alison Collins) [191]

357 Support

Summary of representations:

MM24 – support natural England's clarification.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM24 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

358 Support

Summary of representations:

Latimer support MM24, the amendment will provide additional information on the requirements of an air quality assessment. The air quality assessment methodology proposed as part of the EIA scoping for the proposed development is in line with the requirements set out in MM24.

Latimer's intention to embed healthy principles to support health and wellbeing into the masterplan and design codes, air quality will be considered through appropriate layout design within the masterplan (such as not locating sensitive residential/school uses immediately adjacent to the A133 or A120) so that sensitive users are not exposed to unacceptable air quality.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM24 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM25 (Main)

359 Support

Summary of representations:

MM25 – support strengthen and clarified wording.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM25 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM26 (Main)

299 Support

Summary of representations:

Requested changes have been incorporated into policy wording and we consider that our representations have been taken account of satisfactorily, see attachment for further details.

Summary of representation changes to plan:

n/a

Response:

Support noted. As a Statutory Consultee Natural England will be further consulted at application stage.

Action:

n/a

Support

Document Element: MM26 (Main)

Respondent: Natural England (Ms Alison Collins) [191]

360 Support

Summary of representations:

MM26 support natural England's addition to improve air quality.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM26 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM27 (Main)

361 Support

Summary of representations:

Latimer support modification MM27, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.The amendment will avoid any ambiguity in the DPD and allow the detailed and tailored HRA process to inform appropriate and proportionate mitigation requirements.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM27 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM28 (Main)

328 Support

Summary of representations:

The proposed modification to GC Policy 3 directly responds to a representation made by Sport England on the Submission version of the DPD with respect to providing accuracy about the Active Design reference in the policy. The modified policy is therefore supported.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM28 (Main)

Respondent: Sport England (Mr Roy Warren, Planning Manager) [90]

362 Support

Summary of representations:

MM28 – support sports England's clarification.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM28 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

474 Object

Summary of representations:

Latimer object to modification MM28 in that it refers to achieving a secure by design certification rather than to follow Secured by Design principles, as set out in Latimer's Regulation 19 representations (paragraph 5.3). Whilst Latimer support the ambition to ensure the Garden Community is a safe place to live, work and visit, as worded, Policy 3 as drafted, and the proposed amendment would be overly prescriptive, and these are ultimately matters of detail that will be addressed within a planning application.

Summary of representation changes to plan:

It is recommended that MM28 is not accepted and the list at Part D of GC Policy 3 is removed from Policy 3 but that a reference should be included either in policy or supporting text stating that developments should be designed with regard to user safety and seek to achieve relevant local or national principles relating to safety in accordance with good placemaking and design principles.

Response:

Comment noted, but not supported by the Councils.

Action:

n/a

Object

Document Element: MM28 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM31 (Main)

316 Object

Summary of representations:

In principle we support this modification but it needs to be amended

Summary of representation changes to plan:

There must be specific mention of Wivenhoe Park and the listed gatehouse on Colchester Road.

Response:

Comment noted. Modification MM31 is not an exhaustive list of heritage assets within or adjacent to the TCBGC area. Those noted are those identified and recommended by Historic England for inclusion in policy wording. Notwithstanding that others have not been specifically identified within modification MM31 this does not preclude the requirement for development to come forward in line with the wider policy requirements relating to heritage assets in accordance with the NPPF.

Action:

n/a

Object

Document Element: MM31 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

367 Support

Summary of representations:

Welcome proposed change to improve consideration of designated heritage assets and their settings, per SOCG.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM31 (Main)

Respondent: Historic England [128]

Agent: Historic England (Ms Debbie Mack, Historic Environment Planner Advisor) [195]

475 Object

Summary of representations:

MM31 – strongly support historic England's intention with the modification. However we are concerned that if a proposal has both significant positive and negative effects of these heritage assets the outcome is entirely subjective and this wording does not present decision makers with a method to reach a policy based conclusion.

Summary of representation changes to plan:

n/a

Response:

Comment noted. The wording of MM31 is supported by Historic England and is not considered to be ambiguous in its terminology. All future development proposals which come forward as a planning application will be subject to full consultation and considered in accordance with national policy, which the DPD with the modification is considered consistent with.

Action:

n/a

Object

Document Element: MM31 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM32 (Main)

365 Support

Summary of representations:

Welcome the proposed change for consistency with NPPF.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM32 (Main)

Respondent: Historic England [128]

Agent: Historic England (Ms Debbie Mack, Historic Environment Planner Advisor) [195]

368 Support

Summary of representations:

Latimer support modification MM32, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. The amendment provides additional clarity and brings the DPD in line with the NPPF.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM32 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

476 Object

Summary of representations:

MM32 – We believe this could be better worded to focus on avoiding conflict with the few heritage assets relevant to the site, with minimizing conflict as a last resort. The revised wording is concerning as it presents a binary choice to either enhance the historic environment OR better reveal the significance. We suggest better phrasing would encourage both in policy.

Summary of representation changes to plan:

n/a

Response:

Comment noted. No object has been raised by Historic England with regard to MM32 which provides additional clarity and consistency with the NPPF.

Action:

n/a

Object

Document Element: MM32 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM33 (Main)

366 Support

Summary of representations:

Welcome proposed change to improve consideration of designated heritage assets and their settings, per SOCG.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM33 (Main)

Respondent: Historic England [128]

Agent: Historic England (Ms Debbie Mack, Historic Environment Planner Advisor) [195]

369 Support

Summary of representations:

MM 33 – support historic England's classification

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM33 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM34 (Main)

329 Support

Summary of representations:

The proposed modification to GC Policy 3 directly responds to a representation made by Sport England on the Submission version of the DPD with respect to providing clarity about how developers should demonstrate that they have considered Active Design opportunities. The modified policy is therefore supported.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM34 (Main)

Respondent: Sport England (Mr Roy Warren, Planning Manager) [90]

363 Support

Summary of representations:

MM34 – support sport England's clarification.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM34 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

364 Support

Summary of representations:

Latimer support modification MM34 – the Active Design Assessment will be incorporated into the Design and Access Statement for the hybrid planning application, but the principles are embedded throughout the masterplan, prioritising people over cars, promoting active travel and making walking and cycling easier, safer and more convenient than the car.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM34 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM35 (Main)

397 Support

Summary of representations:

Latimer support modification MM35, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. Latimer agrees that delivering a sustainable community will require a balance between employment and residential uses. However, the proposed modification introduces welcome flexibility in anticipation that it may not be feasible for each employment area to come forward in line with housing growth. This change would also allow evidence and master planning work at the planning application stage to appropriately account for employment land and other employment generating uses, including in the neighbourhood centres.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM35 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

468 Object

Summary of representations:

MM 35 – we are concerned this drastic change in flexibility could lead to long periods of imbalance between housing and employment opportunities, with the overall long term correlation seemingly guaranteed upon completion of the garden community, after potentially decades of imbalance.

Summary of representation changes to plan:

n/a

Response:

Comment noted. MM35 provides additional flexibility in how employment can come forward, it does not change the requirement to meet employment policy quantum established elsewhere within the DPD and in the Section 1 Plan.

Action:

n/a

Object

Document Element: MM35 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM36 (Minor)

398 Support

Summary of representations:

Latimer support modification MM36, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. The amendment provides consistency with DPD policy wording GC Policy 1. MM36 also corrects an error with the wording, given the Colchester Business Park is not on the RTS route, as it terminates at Colchester Park and Ride.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM36 (Minor)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

471 Object

Summary of representations:

The modification provides no clarity or definition on what fast or rapid means.

Summary of representation changes to plan:

A definition of what is fast or rapid is needed. I.e. is it quicker than commuting by car to the listed destinations.

Response:

Comment noted. The modification provides consistency across the DPD.

Action:

n/a

Object

Document Element: MM36 (Minor)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

472 Object

Summary of representations:

The example locations that the RTS will serve should include Colchester North Station, which is currently omitted. Please amend wording to include as this will be a key destination for those commuting from the TCBGC.

Summary of representation changes to plan:

To include and refer to Colchester North Station as one of the RTS stops.

Response:

Comment noted. Section 1 of the RTS already benefits from planning approval, is under construction and stops at Colchester North Station. The policy is not a definitive list of all stops on the route.

Action:

n/a

Object

Document Element: MM36 (Minor)

Respondent: TCBGC Community Liaison Group [104]

Agent: Mrs Manda O'Connell [105]

473 Object

Summary of representations:

MM 36 - The movement and connections illustrative framework plan (page 93) clearly shows a rapid transport route/stop within the area of the business park. While it seems absurd that there would not be a direct connection to the business park – if this is to be the case set out in policy then the map plan needs amending to avoid direct contradiction with the policy and ensuing confusion for decision makers.

Summary of representation changes to plan:

n/a

Response:

The Polices Map does include a connection of the RTS into the A120 Business Park area. There is no contradiction.

Action:

n/a

Object

Document Element: MM36 (Minor)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM37 (Minor)

399 Support

Summary of representations:

Latimer support modification MM37, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. The modification would allow evidence and masterplanning at the planning application stage to appropriately account for employment land and other employment generating uses in the neighbourhood centres.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM37 (Minor)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

470 Object

Summary of representations:

It is clear from all the evidence produced that the most viable employment will be brought forward via the employment area to the northeast of the site.

Summary of representation changes to plan:

As employment is a requirement of section one of the plan it should be conditioned in policy that that area is brought forward within the plan period i.e. before 2033.

Response:

Comment noted. MM37 does not change the status of the Section 1 Plan policy requirements. Future planning applications must be accompanied by an appropriate Economic and Employment Strategy to demonstrate compliance with and to help to achieve employment policy requirements.

Action:

n/a

Object

Document Element: MM37 (Minor)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

MM38 (Main)

400 Support

Summary of representations:

Latimer support modification MM38, as set out in its Matter 5 Hearing Statement, and as discussed at the hearings. It would not be a realistic requirement for retired or student households to count towards the one job per household ambition.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM38 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

469 Object

Summary of representations:

MM 38 – With the majority of students (55% in 2023) now being in paid employment, we find this to be a significant modification that drastically alters the employment landscape of the proposed development. The evidence base for this change is uncertain, with further consultation needed for adequate examination.

Summary of representation changes to plan:

n/a

Response:

Comment noted. The additional text under MM38 provides required clarity.

Action:

n/a

Object

Document Element: MM38 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM39 (Minor)

377 Support

Summary of representations:

East Suffolk and North Essex NHS Foundation Trust (ESNEFT) welcomes Proposed Modifications Refs: MM1, MM2, MM4, MM13, MM39, MM45, MM46, MM50 and MM87 and considers them to be an appropriate reflection of the representations previously submitted by ESNEFT.

Adoption of these modifications will help ESNEFT to plan for the acute and secondary healthcare facilities and services required to meet needs arising from the proposed
Garden Community.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM39 (Minor)

Respondent: East Suffolk & North Essex NHS Foundation Trust (ESNEFT) [174]
Agent: Lawson Planning Partnership (AArti Oleary) [198]

378 Support

Summary of representations:

Latimer support proposed MM39.
However, within the draft DPD and evidence base there has been no reference to the need for the Garden Community to provide any specific facilities for ambulance, police and/or firefighting services. Should any infrastructure be required from the Garden Community, this should be communicated at the earliest so it can be considered within the masterplan proposals as part of Latimer's Garden Community proposals and if this is required it should form part of the overarching planning application considerations.

Summary of representation changes to plan:

n/a

Response:

Support and comments noted

Action:

n/a

Support

Document Element: MM39 (Minor)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]
Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM40 (Main)

379 Support

Summary of representations:

Latimer support modification MM4o, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. The amendment will remove ambiguity, given access will still be required by emergency vehicles and blue badge users and staff car parking will be required. Essex County Council and Department for Education have very specific design requirements for new schools so any schools will need to ensure compliance with these standards.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM40 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]
Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM41 (Main)

330 Support

Summary of representations:

The proposed modification to GC Policy 6 directly responds to a representation made by Sport England on the Submission version of the DPD with respect to providing clarity on the expectation that schools should be designed to encourage health and wellbeing especially physical activity . The modified policy is therefore supported.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM41 (Main)

Respondent: Sport England (Mr Roy Warren, Planning Manager) [90]

380 Support

Summary of representations:

MM 41 – support sports England modification.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM41 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM42 (Main)

312 Object

Summary of representations:

This is completely unacceptable and undermines the principles of a garden community.

Summary of representation changes to plan:

So long as the authorities want to call this a Garden Community it should align with their principles. Therefore it should be Infrastructure first, and the schools should be delivered in line with house building and not post occupation.

Response:

Comment noted. The Councils consider that the provision of infrastructure, including the timing of delivery, should be based on robust evidence submitted in support of applications.

Action:

n/a

Object

Document Element: MM42 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

381 Support

Summary of representations:

Latimer support modification MM42, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. The amendment will provide additional clarity that the number of schools should be evidence led, based on need and trajectory studies at the time of planning application submission.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM42 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM44 (Main)

313 Object

Summary of representations:

The modification as it stands is inadequate.

Summary of representation changes to plan:

Proposals for University/shared sports facilities should be accompanied by 'Community Use Statement/Plan' to be agreed by the authorities and which must be approved as part of any planning permission granted and secured by way of a Community Use Agreement through an appropriate legal agreement.

Response:

Comment noted.

Action:

n/a

Object

Document Element: MM44 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

331 Support

Summary of representations:

The proposed modification to GC Policy 6 directly responds to a representation made by Sport England on the Submission version of the DPD with respect to providing clarity that proposals should have regard to the University's existing or future sports facilities in meeting the needs of the development . The modified policy is therefore supported.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM44 (Main)

Respondent: Sport England (Mr Roy Warren, Planning Manager) [90]

382 Support

Summary of representations:

Latimer support MM44. It will be a sustainable approach to facilitate sharing of future sports communities between the University of Essex and the future Garden Community, to support needs and facilitate mixing of existing communities and the new residents.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM44 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

467 Object

Summary of representations:

MM44 – We are concerned the modification recognizes the universities future need alongside that of GC residents but does no acknowledge existing needs of the local community which could be easily included in this revised phrasing.

Summary of representation changes to plan:

n/a

Response:

Comment noted. MM44 is supported by Sport England. The Garden Community development is required to mitigate the impact of the proposed development only. Notwithstanding this, there will be wider beneficial impacts resulting from improved facilities which will be available for use by the wider community.

Action:

n/a

Object

Document Element: MM44 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM45 (Main)

314 Object

Summary of representations:

This doesn't achieve the objectives set out in the reasoning ie it does not guarantee a doctors surgery on site.

Summary of representation changes to plan:

The line beginning – 'A new Health and Wellbeing Hub' should have the words 'to be provided in the early phases of development' reinstated. Additionally, this modification should state that an onsite dentist practice, that provides NHS spaces for new and all existing residents, should be included in the first phase of development.

Response:

Comment noted.

Action:

n/a

Object

Document Element: MM45 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

383 Support

Summary of representations:

East Suffolk and North Essex NHS Foundation Trust (ESNEFT) welcomes Proposed Modifications Refs: MM1, MM2, MM4, MM13, MM39, MM45, MM46, MM50 and MM87 and considers them to be an appropriate reflection of the representations previously submitted by ESNEFT.

Adoption of these modifications will help ESNEFT to plan for the acute and secondary healthcare facilities and services required to meet needs arising from the proposed Garden Community.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM45 (Main)

Respondent: East Suffolk & North Essex NHS Foundation Trust (ESNEFT) [174]

Agent: Lawson Planning Partnership (AArti Oleary) [198]

MM46 (Main)

384 Support

Summary of representations:

East Suffolk and North Essex NHS Foundation Trust (ESNEFT) welcomes Proposed Modifications Refs: MM1, MM2, MM4, MM13, MM39, MM45, MM46, MM50 and MM87 and considers them to be an appropriate reflection of the representations previously submitted by ESNEFT.

Adoption of these modifications will help ESNEFT to plan for the acute and secondary healthcare facilities and services required to meet needs arising from the proposed
Garden Community.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM46 (Main)

Respondent: East Suffolk & North Essex NHS Foundation Trust (ESNEFT) [174]
Agent: Lawson Planning Partnership (AArti Oleary) [198]

MM47 (Main)

315 Object

Summary of representations:

This modificaion is inadequate.

Summary of representation changes to plan:

This modification should also specify off-site improvements to health provision until the needs of new residents can be met on site. Additionally, the strategy outlines unmet provision for sports provision local off site which should be met by the contractor as part of any 106 agreement.

Response:

Comment noted.

Action:

n/a

Object

Document Element: MM47 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

332 Support

Summary of representations:

The proposed modification to GC Policy 6 directly responds to a representation made by Sport England on the Submission version of the DPD with respect to providing clarity that proposals will be informed by the Colchester and Tendring Open Space, Playing Pitch, Outdoor Sports and Built Facility - Overarching Strategy (2023) and will need to be co-ordinated with other relevant strategies as identified. The modified policy is therefore supported.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM47 (Main)

Respondent: Sport England (Mr Roy Warren, Planning Manager) [90]

385 Support

Summary of representations:

Latimer support proposed MM47. The Healthy Living and Play Strategy will be incorporated into the Design and Access Statement for the hybrid planning submission, but the principles of healthy living and play are embedded in the masterplan and scheme design and will be particularly evident in the detailed component of the hybrid planning application.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM47 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM48 (Main)

333 Support

Summary of representations:

The proposed modification to GC Policy 6 directly responds to a representation made by Sport England on the Submission version of the DPD with respect to providing clarity that a community use agreement/plan must be approved as part of any planning permission secured by a community use agreement. The modified policy is therefore supported.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM48 (Main)

Respondent: Sport England (Mr Roy Warren, Planning Manager) [90]

MM50 (Main)

386 Support

Summary of representations:

Suffolk and North East Essex Integrated Care Board (SNEE ICB) Is very pleased with the proposed modifications in the DPD Modifications document and in particular MM50. SNEE ICB considers this to be a fair representation of comments made at previous stages of the planning process.

Adoption of these modifications will help the ICB to plan for the healthcare facilities and services required to meet needs arising from the proposed development.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM50 (Main)

Respondent: Suffolk & North East Essex Integrated Care Board [179]

Agent: Suffolk & North East Essex Integrated Care Board (Mr chris crisell, Estates Strategic Planning Manager) [180]

401 Support

Summary of representations:

Latimer support the principle of MM50. However, it is considered that the proposed wording should be amended to remove the word 'all'. Whilst it is Latimer's intention to engage with as many relevant stakeholders and parties as possible (and indeed, this has begun and is ongoing), it is not reasonable, practical or achievable to engage with 'all' partners and communities specifically for health related matters. Further, it is not for the Garden Community to be remedying or providing mitigation for existing issues with health provision in the locality, any mitigation or provision should be proportionate, fair and reasonable.

Summary of representation changes to plan:

Removal of "all"

Response:

Support noted. The Councils do not consider that the suggested removal of "all" from the modification text would result in the plan being unsound, however its removal is not considered necessary to make the plan sound.

Action:

n/a

Support

Document Element: MM50 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM51 (Main)

407 Object

Summary of representations:

Location of land uses should be defined by the local authorities in the DPD and not by the developer in a planning application otherwise it renders the DPD as completely ineffective as a policy document on which applications can be determined.

Summary of representation changes to plan:

n/a

Response:

Comment noted. The footnote clarifies the status of the diagram and how the detail will be developed. Delivery of Link Road and Modal Shift targets are covered in other the parts of the DPD

Action:

n/a

Object

Document Element: MM51 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

408 Support

Summary of representations:

Latimer support modification MM51, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

Whilst illustrative only, this is the only plan that shows vehicular access locations in the DPD so others may add weight to its interpretation.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM51 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

409 Object

Summary of representations:

MM 51 – We find the reasoning provided to be precisely why this illustrative plan is so problematic, as it acknowledges that foundational details such as points of vehicular access are not confirmed within the DPD. This modification does not resolve the problem as it remains the only mapping presented within the DPD to show these features, but is not supported by policy, despite many assumptions being based upon it.

Summary of representation changes to plan:

n/a

Response:

Comment noted. The footnote clarifies the status of the diagram and how the detail will be developed. Delivery of Link Road and Modal Shift targets are covered in other the parts of the DPD. The DPD requires a detailed Transport Assessment to be submitted by the applicant.

Action:

n/a

Object

Document Element: MM51 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM52 (Main)

410 Object

Summary of representations:

This amendment wouldn't be needed if the full link road was being delivered before housing. Without it the entire plan is unsound and unsustainable.
MM52 A ADDTIONAL MODICATION REQUIRED IN THIS CHAPTER. None of the issues raised by Highways England are covered in modifications. Yet resolution of these issues are critical and as such should form a backstop for the project in policy. Especially given the information now released on traffic modelling. That shows at only 1000 homes (within the GC or otherwise) mean the westbound carriageway suffers from unacceptable congestion.

Summary of representation changes to plan:

Should the insecurity remain with the delivery of the link road then flexibility is needed in the policy until a date is set to build the final phase. Otherwise, existing traffic that uses local lanes to cross the site and avoid congestion in town will be rerouted onto the already heavily congestion A133.
MM52A There should be a main mod that covers the resolution of all HE's concerns and sets a trigger to prevent housebuilding until the road is fully built out.

Response:

Comment noted. The policy is to promote sustainable and active travel movement within the site. The proposed change (MM52) helps clarify changes to the existing lanes which currently cross the site to promote sustainable movement.

Delivery of the Link Road is still required and set out in other parts of the DPD.

National Highways have not raised any changes to this Main Modification.

Action:

n/a

Object

Document Element: MM52 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

411 Support

Summary of representations:

Latimer support modification MM52, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM52 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]
Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

412 Object

Summary of representations:

MM 52 – As per the reasoning presented it is acknowledged that the road network and capacities is not fully understood, if the DPD was an effective plan using an evidence led approach this problem would not exist. Such a degree of flexibility to alter established road networks already serving local communities, including Crockleford within the area in question, makes this modification a substantial change that would require additional consultation.

Summary of representation changes to plan:

n/a

Response:

Comment noted. The policy is to promote sustainable and active travel movement within the site. The proposed change (MM52) helps clarify changes to the existing lanes which currently cross the site to promote sustainable movement.

Future planning applications, which are subject to consultation) will need to be accompanied by a detailed transport assessment. Changes to the existing lanes will also require consultation through traffic regulation orders.

Delivery of the Link Road is still required and set out in other parts of the DPD.

Action:

n/a

Object

Document Element: MM52 (Main)

Respondent: Elmstead Parish Council [144]
Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM53 (Main)

413 Object

Summary of representations:

Modal shift has been set. it is for the developer to achieve this, not say new evidence proves it's impossible. Otherwise, what is the point of the DPD policy in the first place?.

Summary of representation changes to plan:

This modification should be removed.

Response:

Comment noted. The proposed change to MM53 reflects that the change will take place over time and car use will need to reduce as sustainable transport movements increase.

Action:

n/a

Object

Document Element: MM53 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

414 Support

Summary of representations:

Latimer support modification MM53, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM53 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM54 (Main)

415 Object

Summary of representations:

This modification weakens policy.

Summary of representation changes to plan:

'Ensure' is stronger policy and should remain.

Response:

Comment noted.

Action:

n/a

Object

Document Element: MM54 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

416 Support

Summary of representations:

Latimer support modification MM54, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. The modification to the policy reflects that infrastructure can (alongside promotional measures) enable and encourage sustainable travel but not ensure it.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM54 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

417 Object

Summary of representations:

MM54 – this weakening of language is not effective plan making, encouraging such an effect does not guarantee any positive results, and there are sufficient assumptions based on the success of this policy that it must be guaranteed.

Summary of representation changes to plan:

Updated traffic modelling and re-examination of transport and movement policies to form an effective, evidence based approach.

Response:

Comment noted. The DPD evidence base material was submitted and available for examination by the inspector the Inquiry. The inspector had all of the representations and material and chose not to review the transport evidence at the inquiry. If that evidence had been "flawed" it would have been reviewed.

This modification reflect that whilst it is possible to control delivery of infrastructure and programmes to promote sustainable travel through planning obligations and conditions it will require individuals to decide how to travel.

The development will be subject to monitor and manage and the setting up of a transport review group to direct resources if targets are not being met.

Action:

n/a

Object

Document Element: MM54 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM55 (Main)

418 Support

Summary of representations:

MM55 – support this change to recognize alternate means of public transport may emerge as preferable over the timeframe of the development.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM55 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM57 (Main)

419 Object

Summary of representations:

See below

Summary of representation changes to plan:

Replace ‘serve’ with 'directly serve'.

Response:

Comment noted. The suggested insertion of 'directly' would reduce some ambiguity. The policy is considered sound as written, however the addition of the suggested change would not make the plan unsound.

Action:

Replace ‘serve’ with 'directly serve'.

Object

Document Element: MM57 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

420 Support

Summary of representations:

Latimer support modification MM57, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

How the RTS will serve each neighbourhood centre will be the subject of plot testing within detailed master planning, undertaken in support of the emerging planning application for the site. “Accessibility” rather than “a direct link” avoids introducing a potential conflict with other policies by being prescriptive about the alignment of RTS.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

Suggest that word "directly" be inserted as per representation no.294

Support

Document Element: MM57 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

421 Object

Summary of representations:

MM57 – seems like an unnecessary watering down of an effective policy. For neighborhood center proposals to be an effective community placemaking principle, there needs to be direct access to the RTS, without the potential for varying interpretations of the ‘serve’ wording that could complicate decision makers process during planning applications.

Summary of representation changes to plan:

n/a

Response:

Comment noted.

Action:

Suggest that word "directly" be inserted as per representation no.294

Object

Document Element: MM57 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM58 (Main)

422 Object

Summary of representations:

See below

Summary of representation changes to plan:

The wording in italics should be replaced with 'before any houses are sold'

Response:

Comment noted. The change which was was made to reflect that the need for the RTS is driven by residents and not delivery of infrastructure.

The actual timing of delivery of the service will be set out in the planning application, based on an occupation trigger to ensure best use of resources and funding.

Action:

n/a

Object

Document Element: MM58 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

423 Object

Summary of representations:

Latimer have let the cat out of the bag by stating in their SCG that the RTS route only needs to be available 'early, where possible', and that the first part of the GC built can have an ordinary bus service instead. Effectively 'we will start the RTS when we feel like it'. They do not wish to act in accordance with the requirement on DPD p.99 that the RTS should be 'delivered up first, aligning with the build out of the GC'

Summary of representation changes to plan:

'ready during the first residential parcels' is not proper English. What exactly is it supposed to mean? Also there is no definition of what constitutes the 'first' parcels - the plural gives scope to argue about how many constitute the 'first' batch.
'first phase of the development' in the existing wording presumably means 2026-2033, so meaning that the RTS must be running no later than 2033. (Which was in itself a degrading of the previous 'from first occupation' requirement). Now this quasi-dated term is proposed to be replaced by an undefined dateless vagueness.

Response:

Comment noted.
Comment noted. The change was was made to reflect that the need for the RTS is driven by residents and not delivery of infrastructure.

The actual timing of delivery of the service will be set out in the planning application, based on an occupation trigger to ensure best use of resources and funding.

Action:

n/a

Object

Document Element: MM58 (Main)

Respondent: Mr Peter Kay [94]

424 Support

Summary of representations:

Latimer support modification MM58, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM58 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

425 Support

Summary of representations:

We welcome the tightening of the wording regarding the delivery of the raid transit service into Colchester town centre and the strengthening of policy regarding public transport in general. This will be essential in keeping the vehicular trips from the development to a minimum.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM58 (Main)

Respondent: National Highways [172]

Agent: National Highways (Mr Mark Norman, Spatial Planner) [173]

MM59 (Main)

426 Support

Summary of representations:

Latimer support modification MM59, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. The updated policy wording aligns with other policy references within the DPD, to the RTS being a 'fast' service.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM59 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM60 (Main)

427 Object

Summary of representations:

The intermediate section of the RTS has been assumed to involve the RTS buses using the existing A133 carriageway (why one assumes why nothing was sought from HIF on this section). If highways works were to be done, that would presumably fall to ECC? So what is the 'relevant permission' that Latimer have to obtain before their first planning application?

Any legal 'permission' would have to define where the eastern end of the intermediate section is, i.e. the point where the intra-GC section of the RTS leaves the A133. This remains quite unknown, as does the position of the P&C.

Summary of representation changes to plan:

Latimer should be required by the DPD to define the alignment of the intra-GC section of the RTS (including the A133 junction position), replacing the current meaningless 'illustrative only' route, at a specified point in the forthcoming procedures. If it is not done in the DPD, the next opportunity would be in the outline planning application (which would also really be the last opportunity).

Response:

Comment noted. Since the HIF was submitted and awarded we now have clarity on the extent of works that can be delivered within the HIF funding envelope.

This additional paragraph is to clarify that it is the developer to provide for the delivery of the section of the RTS from the end of section C (currently under construction) and the Park & Choose site and the RTS within the development.

Removal of this modification would weaken the requirement for the developer to provide this section of the RTS.

Action:

n/a

Object

Document Element: MM60 (Main)

Respondent: Mr Peter Kay [94]

429 Object

Summary of representations:

Latimer strongly object to MM60. In addition, the stated 'reason' for the modification is not agreed, as the proposed modification does not simply carry forward the requirement from the Section 1 Plan. MM60 would introduce a further constraint, beyond the Section 1 Plan.

Summary of representation changes to plan:

The proposed modification is not required.

Response:

Comment noted. Since the HIF was submitted and awarded we now have clarity on the extent of works that can be delivered within the HIF funding envelope.

This additional paragraph is to clarify that it is the developer to provide for the delivery of the section of the RTS from the end of section C (currently under construction) and the Park & Choose site and the RTS within the development.

We do not believe that this adds a further constraint on the development - we believe this additional paragraph clarifies that the remaining section for route1 should be delivered by the development.

Removal of this modification would weaken the requirement for the developer to provide this section of the RTS.

Action:

n/a

Object

Document Element: MM60 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

430 Support

Summary of representations:

The A133 to A120 link road is vital.
- Good routes to avoid excess Clingoe Hill traffic
- Good link to Harwich/Bathside Bay
- Reduction of problems due to Colchester's "partial junctions"
- Self-build in the new community should be encouraged

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM60 (Main)

Respondent: Mr Graham Vine [197]

431 Support

Summary of representations:

We welcome the tightening of the wording regarding the delivery of the raid transit service into Colchester town centre and the strengthening of policy regarding public transport in general. This will be essential in keeping the vehicular trips from the development to a minimum.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM60 (Main)

Respondent: National Highways [172]

Agent: National Highways (Mr Mark Norman, Spatial Planner) [173]

MM61 (Main)

432 Object

Summary of representations:

There are ways to ensure no on street parking. I.e. design, red routes and car bans. So, this modification is unacceptable

Summary of representation changes to plan:

Leave policy as is

Response:

Comment noted. The ideas listed could be utilised but are for detail design stages and are also linked to how the site and roads are managed in the long term.

Action:

n/a

Object

Document Element: MM61 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

433 Support

Summary of representations:

Latimer support modification MM61, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. Design can seek to avoid these issues, it cannot 'ensure'. The monitoring strategy for TCBGC will ensure that unforeseen issues with parking are picked up and addressed in subsequent design phases. Car parking management and enforcement will also be a key tenet of the stewardship and estate management regime for the site.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM61 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

434 Object

Summary of representations:

MM61 – strongly disagree with the assertion that design cannot ensure such matters, the drastic weakening of wording does not make for effective plan making, and the suggestion that significant issues with parking are merely rectified at later planning phases is unacceptable. A proposal may both seek to avoid such parking issues while evidence shows it will cause problems. The design of the development can functionally make significant negative parking impossible, so the policy should aspire to do this, not push rectifying foreseeable issues to future development phases to rectify.

Summary of representation changes to plan:

n/a

Response:

Comment noted. Parking is a result of individual behaviour and therefore is difficult to ensure. Design and can influence and encourage different behaviours. The DPD with the change retains a policy on parking.

Action:

n/a

Object

Document Element: MM61 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM62 (Main)

435 Support

Summary of representations:

Latimer support modification MM62, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

The Transport Assessment will define what is to be agreed for TCBGC and this should align with the ambitions established in the evidence base. Latimer agree that the RTS and active travel modes are the priority however some flexibility is required in the DPD, as provided by MM62, to fully understand network and road capacities and how this will inform the masterplan work and ultimate transport strategy, mitigation packages and mode split targets.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM62 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM63 (Main)

436 Object

Summary of representations:

Wording and intent is unclear. Aiding access onto the link road from neighbourhoods will slow down the A1331.

Summary of representation changes to plan:

This evidence should also demand that no plot is sold until the link to A120 is in place. Policy should also state that access across the site to Bromley Road should be maintained until the full link road is built.

Response:

Comment noted. The priority is to promote sustainable and active transport and create a quality place. There is still a need for vehicle access and the A1331 is being delivered to facilitate development.
The change allows for some flexibility in the design and states how that need will be assessed.

Action:

n/a

Object

Document Element: MM63 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

437 Object

Summary of representations:

Modelling, with its high degree of uncertainty (due to the unproven novel plans for travel behaviours) could result in the access road from the Tye Road roundabout into the Southern Community being opened unnecessarily. This would expose the adjacent major school complex to a high traffic flow alongside its boundary, contrary to the planned vehicle free zone around it.
It would be preferable to gate this access road for emergency vehicles only initially, and only open it to general traffic if regular traffic surveys at the Southern Community Link Road junction on the A133 roundabout prove its need.

Summary of representation changes to plan:

The suggested modification is to restate the second point on p.104 as:

"Subject to regular survey of the traffic volumes on the junctions that access the "Link Road", the Garden Community must aim to restrict vehicular connectivity between individual junctions of the "Link Road", except for public transport and emergency vehicles, apart from the 'Link Road' itself".

Response:

Comment noted. The modified policy sets out how the need for extra links between the neighbourhoods and the Link Road will be established. Modelling uses informed forecasts, predictions and credible assumptions and is undertaken for a variety of reasons.. Part J of the policy sets out the need to monitor and manage the development. The modelling will inform a baseline of required infrastructure and as the development will be built out over a long period assumptions will change and therefore the monitor and manage approach could cover this. However, initial modelling suggests that even though the priority is for sustainable and active travel extra vehicle access maybe required, as without may effect the quality of place.

Action:

add and "monitor and manage" after detailed modelling

Object

Document Element: MM63 (Main)

Respondent: Mr Philip Robinson CBE [74]

438 Support

Summary of representations:

Latimer support modification MM63, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

Latimer's initial testing of the capacity of the A133 junction indicates that the Southern Community will require two points of vehicular access to the Link Road. This will be confirmed through detailed modelling in the Transport Assessment submitted with the planning application, however MM63 enables this flexibility to protect the ability for the Southern Community to have access from the A133 and Tye Lane Roundabouts on the Link Road.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM63 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

439 Object

Summary of representations:

MM63 – the insertion of 'aiming to' restrict vehicular access is another drastic weakening of an already effective policy. The current wording is far more effective plan making and so should not be altered. If by the reasoning presented for this modification there is evidence
that conflicts with the DPDs own evidence base, this would suggest that either one or both methods of testing are functionally flawed and so the DPD policies are based upon incorrect assertions. To only now be exploring the potential 'need' for a direct access from the A133 to
the southern community, when said junction is already under construction shows a significant shortcoming in planning thus far. To install such a connection would drastically alter many of the traffic models relied upon for the DPD. This modification represents a major alteration that would require additional public consultation and re-examination, alongside an updated evidence base to assess its effectiveness.

Summary of representation changes to plan:

n/a

Response:

Comment noted. The priority is to promote sustainable and active transport and create a quality place. There is still a need for vehicle access and the A1331 is being delivered to facilitate development.
The change allows for some flexibility in the design and states how that need will be assessed.

Action:

n/a

Object

Document Element: MM63 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM64 (Main)

440 Object

Summary of representations:

Commitment to funding does not secure delivery.

Summary of representation changes to plan:

A guarantee of who will deliver the road is needed (with a design agreed in full by highways England). Also, a completion date needs to be confirmed and specified in policy

Response:

Comment noted. This is an additional paragraph. Securing funding allows for a contract for delivery to be placed. The design which is the subject of the November 2021 planning permission was accepted by National Highways.

Action:

n/a

Object

Document Element: MM64 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

441 Object

Summary of representations:

MM64 – While we support the intention of the modification, a commitment to full funding must be more than demonstrated, it must be agreed upon in a legally binding contract to enable planning permission to progress. Demonstrated is not adequate phrasing for such an essential purpose.

Summary of representation changes to plan:

n/a

Response:

This is an additional paragraph proposed by the authorities to strengthen the DPD. The policy incentivises the developer to deliver the Link Road by linking it to the granting of the planning permission for the development.

Delivery by the developer would be secured through a section106 agreement which is a legally binding document and will included trigger points for when the infrastructure must be completed.

Action:

n/a

Object

Document Element: MM64 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM65 (Main)

442 Object

Summary of representations:

Do not agree with any part of the wording

Summary of representation changes to plan:

The infrastructure provision as stated in section one policy is what made this a sustainable site. That distinction was made based on established traffic modelling. No flexibility on this should be given.

Response:

Comment noted.

Action:

n/a

Object

Document Element: MM65 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

443 Support

Summary of representations:

Latimer support modification MM65, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM65 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

444 Object

Summary of representations:

MM65 – Once again the alteration to language is weakening an already effective policy – 'to reflect' is ambiguous and unenforceable, if the travel plan is utilizing best practice, it will be in accordance with the guidance. While we acknowledge the supporting evidences inclusion, this is effectively two modifications portrayed as one.

Summary of representation changes to plan:

n/a

Response:

Comment noted. The policy still states "will be".

Action:

n/a

Object

Document Element: MM65 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM66 (Main)

445 Object

Summary of representations:

The impact on the A133 will be very easy to monitor and when it gets too busy - like it is now! - the building should be stopped.

Summary of representation changes to plan:

It should be clearly stated in policy that no building should start until the link road is operational and if modal shift targets aren't met then building should stop.

Response:

Comment noted. The policy still includes "Permission for later phases of development may not be given if modal split targets from early phases are not being met."

Action:

n/a

Object

Document Element: MM66 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

446 Support

Summary of representations:

Latimer support modification MM66, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. The modification will ensure that external modal split targets are appropriately measured and monitored.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM66 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM67 (Main)

447 Object

Summary of representations:

This part of the policy and the modification do not align with Section 1 policy or the principle of a garden community

Summary of representation changes to plan:

The modification needs a clause that says any new findings cannot reduce modal shift targets. And must state clearly that phase 2 of the link road needs to be built BEFORE any occupation of homes occurs.

Response:

Comment noted. The changes do not reduce the modal shift targets set out in part of the policy. The delivery of the A1331 Link Road is set out in the Main Modification 64.

Action:

n/a

Object

Document Element: MM67 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

448 Support

Summary of representations:

Latimer support modification MM67, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

The phased delivery of infrastructure is important. MM67 introduces flexibility into the DPD to fully understand network and road capacities within the Transport Assessment and how this will inform the masterplan work and ultimate transport strategy, mitigation packages and mode split targets.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM67 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM68 (Main)

449 Object

Summary of representations:

This watering down of policy is unacceptable

Summary of representation changes to plan:

n/a

Response:

Comment noted. This modification reflects that whilst it is possible to control delivery of infrastructure and programmes to promote sustainable travel through planning obligations and conditions it will require individuals to decide how they travel.

Action:

n/a

Object

Document Element: MM68 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

450 Support

Summary of representations:

Latimer support modification MM68, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. The proposed modification reflects that infrastructure can (alongside promotional measures) enable and encourage sustainable travel, but not 'ensure' it.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM68 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM69 (Main)

451 Support

Summary of representations:

Latimer support modification MM69, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. The modification reflects that the completion of a Healthy Streets for Life Assessment may only be possible at particular stages of the planning process. The updated wording is clear that principles are incorporated early, but the assessment will follow.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM69 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM70 (Main)

452 Object

Summary of representations:

see below

Summary of representation changes to plan:

The policy wording should be - agreed BY the council. and not with the council.

Response:

Comment noted. The planning authority and the highway authority remain the respective statutory bodies and will need to agree the frequency.

Action:

n/a

Object

Document Element: MM70 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

453 Support

Summary of representations:

Latimer support modification MM70, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

For a development this scale, annual monitoring does not give time for the full cycle of monitoring, review, agreement of measures, implementation of measures and evaluation of impacts of the interventions. MM70 reflects the frequency that will be agreed at a later date.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM70 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

454 Object

Summary of representations:

MM70 – removing the annual review to an undetermined timescale is a significant change when it is an unlimited change. While there are small changes to the policies annual frequency that would be acceptable such as every 2 years, if the frequency is instead changed to every decade it is unacceptable. An effective policy tool would have been to instead simply agree the preferred timeframe for this modification and we are concerned this seemingly wasn't possible.

Summary of representation changes to plan:

n/a

Response:

Comment noted.

Action:

n/a

Object

Document Element: MM70 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM71 (Main)

464 Object

Summary of representations:

The MM71 additional text to GC Policy 8, Part A is an unnecessary inclusion to what is already a robust policy and could inhibit the effectiveness of the policy in delivering net zero outcomes at the TCB Garden Community. The additional text is too broad and ambiguous for effective delivery, introduces elements of uncertainty into the policy, and, from experience, this type of wording will lead to confusion and protracted discission, and potential delay to the effectiveness of the development management process.

Summary of representation changes to plan:

Replace the additional wording of: 'or, in exceptional circumstances,' with 'or, where evidence is provided that this is not technically feasible'. Delete the additional wording of: 'across the Garden Community' and reinstate 'onsite'.

Response:

The Councils are in agreement with rep.ID no.338 that MM71 could lead to confusion and protracted negotiations during the Development Management process; and thereby impacting on the delivery of a clear, transparent and robust decision making process. The additional text is considered ambiguous and not sufficiently clear.

Action:

Revert to original wording of GC Policy 8, Part A.

Object

Document Element: MM71 (Main)

Respondent: Essex County Council (Nicola Melville, Lead Planning Officer - Climate Action) [192]

465 Object

Summary of representations:

This agreed ambition should not be altered. It is unacceptable to allow the DPD to circumnavigate national policy on this.

Summary of representation changes to plan:

Agreed with the original policy requirement on MM71

Response:

The Councils are in agreement with concerns raised in rep.ID no.284. MM71 could lead to confusion and protracted negotiations during the Development Management process; and thereby impacting on the delivery of a clear, transparent and robust decision making process. The additional text is considered ambiguous and not sufficiently clear.

Action:

Revert to original wording of GC Policy 8, Part A.

Object

Document Element: MM71 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

466 Support

Summary of representations:

Latimer support the rationale of the changes proposed under MM71 and the need to reach net zero carbon in operation. However, the Councils should be aware of the impact of the ambition to reach zero carbon – in that it can take choice away from residents and end users by limiting their energy suppliers.

Summary of representation changes to plan:

n/a

Response:

Comment noted. The Councils consider that MM71 could lead to confusion and protracted negotiations during the Development Management process; and thereby impacting on the delivery of a clear, transparent and robust decision making process. The additional text is considered ambiguous and not sufficiently clear.

Action:

Revert to original wording of GC Policy 8, Part A.

Support

Document Element: MM71 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM73 (Main)

334 Support

Summary of representations:

Anglian Water supports the proposed main modification to ensure the garden community is moving towards more ambitious water efficiency standards that reflect Garden City Principles and guidance - with new homes, as a minimum, meeting a water efficiency standard of 100 litres per person per day. There is an error in the main modification as the words "the Building Regulations optional tighter water standard of 110 litres per person per day." have not been struck through/deleted. Anglian Water supports the approach which is clearly set out in our Statement of Common Ground with TCB Garden Community.

Summary of representation changes to plan:

Amend error in drafting to remove reference to '110 litres'.

Response:

Support noted.

Error in drafting of modifications noted, the following sentence should be struck through and removed: "the Building Regulations optional tighter water standard of 110 litres per person per day". This was as the SoCG, the suggested modifications and as discussed as the hearings.

Action:

Correct drafting error.

Support

Document Element: MM73 (Main)

Respondent: Anglian Water Services Ltd (Ms Tessa Saunders, Spatial Planning Advisor) [40]

375 Support

Summary of representations:

MM73 – support Anglian waters representation.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM73 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

376 Support

Summary of representations:

Latimer note that the modified policy does not seem to read correctly and now refers to both 100 and 110 litres of water per person per day. In principle, Latimer is content with the 100 litres of water per person per day ambition, but suggest the wording is clarified to avoid any ambiguity prior to adoption. With regards to the second part of the tracked changes under MM73, Latimer support this ambition.

Summary of representation changes to plan:

Amend error in drafting to remove reference to '110 litres'.

Response:

Support noted.

Error in drafting of modifications noted, the following sentence should be struck through and removed: "the Building Regulations optional tighter water standard of 110 litres per person per day". This was as the SoCG, the suggested modifications and as discussed as the hearings.

Action:

Correct drafting error.

Support

Document Element: MM73 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

402 Support

Summary of representations:

Along with these provisions for water efficiency, there should be included measures to deal with risk of flood and suitable drainage to avoid. This is being overlooked in the construction of RTS route down Clingoe Hill with the construction of huge water tanks to catch storm drain waters from the carriageway, to then be emptied into Salary Brook waterway, which is already flooded 4-5 months of the year in and beyond the underpass beneath Clingoe Hill. This will only get worse causing severe flooding without the necessary measures (ditching etc) to prevent.

Summary of representation changes to plan:

n/a

Response:

Support noted. It is for the applicant to undertake further investigative work and to put forward a proposal which appropriately responds to and mitigates against flooding both within the development site and in any adjacent areas which may be affected as a result of the proposed development. When a planning application is received it must be accompanied by a Flood Risk Assessment, a Drainage Plan and a SuDs Management and Maintenance Plan. These will then be subject to full public consultation as part of the application process.

Action:

n/a

Support

Document Element: MM73 (Main)

Respondent: TCBGC Community Liaison Group [104]
Agent: Mrs Manda O'Connell [105]

MM75 (Main)

461 Object

Summary of representations:

The IDPFP has been prepared for a specific purpose to support the DPD. In Latimer's view, to be compliant with national policy and pass the legal tests for a planning application, the infrastructure items, package of mitigation measures and their proposed phasing must be agreed as part of the planning application determination where they can be based on sound evidence-based work related directly to Latimer's proposals.

It's proposed that clarification is provided that a "relevant" IDP, for the purposes of this policy, could be one provided by Latimer and agreed with the Council's as part of the planning application process.

Summary of representation changes to plan:

It is proposed that clarification is provided that a "relevant" IDP, for the purposes of this policy, could be one provided by Latimer and agreed with the Council's as part of the planning application process.

Response:

Comment noted. Suggested change to provide additional clarity that an IPD should be submitted and/or updated as part of the planning application process, and subsequently approved by the Councils is considered appropriate.

Action:

Amend GC9, Part A to read:
..... as set out in the 'Infrastructure Delivery, Phasing & Funding Plan' or
relevant Infrastructure Delivery Plan (IDP) submitted and approved as part of the planning application process, and other policies.....

Object

Document Element: MM75 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]
Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM76 (Main)

374 Support

Summary of representations:

Latimer support modification MM76, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. The modification provides for flexibility should the conditions of the HIF be prohibitive or alternatives possible that could significantly benefit to journey to net zero carbon.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM76 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

403 Support

Summary of representations:

Latimer support modification MM76, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. The modification provides for flexibility should the conditions of the HIF be prohibitive or alternatives possible that could significantly benefit to journey to net zero carbon.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM76 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

462 Object

Summary of representations:

MM76 – the adjustment to wording is concerning as after the change, a proposal could be made having taken into account the HIF agreement but not in accordance with it, leaving decision makers in an impossible decision. While the HIF agreement is in effect, any such proposal needs to be in accordance with its requirements.

Summary of representation changes to plan:

n/a

Response:

Comment noted. The modification wording is considered sufficient robust and unambiguous to provide a clear indication of how a decision maker should react to a development proposal.

Action:

n/a

Object

Document Element: MM76 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM78 (Main)

404 Support

Summary of representations:

To be added: a thorough investigation regarding sewers, drainage, flood defences in view of the fact that land and dwellings downstream and downhill will be affected by sealing vast areas of land through construction across this development. The whole of wivenhoe and much of Colchester has been identified by the government as critical drainage areas. https://flood.essex.gov.uk/get-a-grant-to-protect-your-home-from-flooding/check-if-you-are-in-a-critical-drainage-area/check-if-you-live-in-a-critical-drainage-area/

Summary of representation changes to plan:

n/a

Response:

Support noted. It is for the applicant to undertake further investigative work and to put forward a proposal which appropriately responds to and mitigates against flooding both within the development site and in any adjacent areas which may be affected as a result of the proposed development. When a planning application is received it must be accompanied by a Flood Risk Assessment, a Drainage Plan and a SuDs Management and Maintenance Plan. These will then be subject to full public consultation as part of the application process.

Action:

n/a

Support

Document Element: MM78 (Main)

Respondent: Mrs Claudia Alsdorf [80]

MM79 (Main)

373 Support

Summary of representations:

Latimer support modification MM79, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024. The amended wording provides additional clarity that a viability assessment would only be required if proposals were not achieving requirement due to viability matters, as is appropriate.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM79 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM80 (Main)

463 Object

Summary of representations:

In line with Latimer's comments under MM75, the IDPFP has been prepared for a specific purpose to support the DPD. In Latimer's view, to be compliant with national policy and pass the legal tests for a planning application, the infrastructure items, package of mitigation measures and their proposed phasing must be agreed as part of the planning application determination where they can be based on sound evidence-based work related directly to Latimer's proposals.

Summary of representation changes to plan:

It is proposed that clarification is provided that the IDPFP performs the role as the IDP for the DPD and that the "relevant" IDP (as quoted from GC Policy 9 Part A) could be one provided by Latimer and agreed with the Council's as part of the planning application process.

Response:

Comment noted. For consistency with Latimer's rep under MM75, minor alteration would allow additional clarity.

Action:

Amend final paragraph on page 130 to include reference to an IDP submitted and approved as part of the planning application process.

Object

Document Element: MM80 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM84 (Main)

325 Object

Summary of representations:

The word “policy” is not specific re the actual Policy it refers to; this should be stated to be The National Planning Policy Framework.

The Recorded loss data should include loss, harm and additionally harm to the setting of all affected designated and all non- designated heritage assets listed on all relevant Local Authority Lists (ie the Tendring and Essex County Council List in addition to the currently stated Colchester List).

Summary of representation changes to plan:

Update the Monitoring Indicator of this SA Objective (no9) as follows:

All permissions granted which affect, destroy or , harm the setting, of a designated or non-designated heritage asset and/or archaeological sites are in accordance with the National Planning Policy Framework.

Record the loss, harm or, harm to the setting of Listed buildings Grade 1 and Grade11+, Scheduled Monuments and nationally important archaeological sites and non-designated heritage assets on the Colchester Local List, the Tendring Local List and the Essex County Council Local List.

Response:

Note that this representation relates to MM84 which is SA Objection 9 (not 7). Comments noted. The suggested change to include the NPPF is considered to provide greater clarity.

Action:

n/a

Object

Document Element: MM84 (Main)

Respondent: Mr Philip Robinson CBE [74]

405 Support

Summary of representations:

MM84 – support this clarification.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM84 (Main)

Respondent: Elmstead Parish Council [144]

Agent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

MM91 (Main)

307 Object

Summary of representations:

Do not agree that references to CIL, or any other subsequent similar policy,
should be removed. The council needs the flexibility to use any system they chose to adopt.

Summary of representation changes to plan:

n/a

Response:

Comment noted. Neither TDC or CCC currently have CIL, the introduction of which would be considered separately from the DPD. The removal of reference to CIL within the DPD does not preclude its use in the future if deemed appropriate and introduced through the correct channels. Notwithstanding this, the Councils consider that the most appropriate mechanism for for securing land and works along with financial
contributions is S106 at this time.

Action:

n/a

Object

Document Element: MM91 (Main)

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

406 Support

Summary of representations:

Latimer support modification MM91, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

Latimer accept the requirement that the subject scheme makes appropriate, proportional contributions to mitigate the impact of development. However, it is appropriate to remove all references to CIL from the DPD – should a CIL charging schedule be prepared by either Tendring or Colchester Councils, this world need to be considered separately. Strategic sites of this scale are quite commonly zero rated for CIL.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM91 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]
Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM86 (Minor)

346 Support

Summary of representations:

Latimer support MM86, as set out in the submitted Matter 2 Hearing Statement on 'nature'. The amendment appropriately introduces reference to the Environment Act (or otherwise agreed), in recognition of this long term, strategic site.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: MM86 (Minor)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]
Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM87 (Minor)

370 Support

Summary of representations:

East Suffolk and North Essex NHS Foundation Trust (ESNEFT) welcomes Proposed Modifications Refs: MM1, MM2, MM4, MM13, MM39, MM45, MM46, MM50 and MM87 and considers them to be an appropriate reflection of the representations previously submitted by ESNEFT.

Adoption of these modifications will help ESNEFT to plan for the acute and secondary healthcare facilities and services required to meet needs arising from the proposed Garden Community.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM87 (Minor)

Respondent: East Suffolk & North Essex NHS Foundation Trust (ESNEFT) [174]

Agent: Lawson Planning Partnership (AArti Oleary) [198]

MM91 (Main)

371 Support

Summary of representations:

Latimer support modification MM91, this being an amendment agreed between Latimer and the Councils in the joint Statement of Common Ground, dated 18 April 2024.

Latimer accept the requirement that the subject scheme makes appropriate, proportional contributions to mitigate the impact of development. However, it is appropriate to remove all references to CIL from the DPD – should a CIL charging schedule be prepared by either Tendring or Colchester Councils, this would need to be considered separately through the CIL adoption process. Strategic sites of this scale are quite commonly zero rated for CIL.

Summary of representation changes to plan:

n/a

Response:

Support noted

Action:

n/a

Support

Document Element: MM91 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]

MM88 (Minor)

372 Support

Summary of representations:

see attachment

Summary of representation changes to plan:

Amendment of wording as suggested to read: "healthcare (including emergency ambulance); emergency services (police & firefighting facilities)"

Response:

Support noted. Amendment of wording as suggested to read: "healthcare (including emergency ambulance); emergency services (police & firefighting facilities)" would not effect the soundness of the plan. However there should be consistency of references throughout the DPD and the alterations as suggested conflict with previous requests for amendments and references made elsewhere.

Action:

n/a

Support

Document Element: MM88 (Minor)

Respondent: East of England Ambulance Service NHS Trust [160]

Agent: East of England Ambulance Service NHS Trust (Ms Zoe May, Head of Business Relationships) [161]

Mod Ref: MM89 (Main)

345 Support

Summary of representations:

Latimer support MM89. The modification provides important clarity regarding the policy framework for the determination of planning applications relating to the Garden Community.

Summary of representation changes to plan:

n/a

Response:

Support noted.

Action:

n/a

Support

Document Element: Mod Ref: MM89 (Main)

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]

Agent: Lichfields (Miss Charlotte Walker, Planner) [124]