

13 November 2023

Planning Consultation – Draft SHLAA Methodology  
Colchester City Council  
Planning Policy Team  
Rowan House,  
33 Sheepen Road,  
Colchester  
CO3 3WG

Sent by Email only ([local.plan@colchester.gov.uk](mailto:local.plan@colchester.gov.uk))

Dear Sir / Madam

**Colchester Local Plan Review Draft Strategic Land Availability Assessment (SLAA)**

On behalf of our client, Bloor Homes (Eastern), I am pleased to provide representations in respect of the above referenced public consultation. Whilst our client is in principle supportive of the Council's desire to find new land for future housing and employment sites to serve the needs of the city of Colchester, we do have specific concerns regarding the proposed SLAA methodology as outlined below.

**Stage 1 Initial Survey Stage**

**Table 2 – Initial Survey Constraints and Explanation (Residential, Commercial or Infrastructure – Built Development)**

The initial survey stage is a simple 'red' or 'green' site assessment, with red sites being dismissed from the SLAA process and green sites proceeding, seemingly there is no 'middle ground' in the Council's assessment process at this initial stage. Bloor Homes (Eastern) have concerns regarding the following defined assessment criteria and the associated RAG rating:

- Is the site physically isolated from an existing settlement or located in the open countryside? In this criterion a site only scores a green rating if it is "adjacent or in very close proximity to an existing settlement or within a vicinity of potential growth". To our knowledge a "vicinity of potential growth" is yet to be defined or identified in the Local Plan Review process, indeed, a Regulation 18 Local Plan consultation has not been undertaken by the Council. Accordingly, it is not clear or transparent as to how the Council will apply this criterion when assessing sites. The Council should review their approach to this element of the initial assessment.

Suite 4, Pioneer House, Vision Park, Histon, Cambridge, CB24 9NL  
T 01223 202100 E [Cambridge@pegasusgroup.co.uk](mailto:Cambridge@pegasusgroup.co.uk)  
Offices throughout the UK.

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## **Stage 2 Site Assessment**

The Stage 2 assessment provides a range of criterion which covers a range of matters under the headings of: Suitability, Achievability and Availability, with a site receiving a 'red', 'amber' or 'green' rating depending on its assessment. This basic foundation is understood and in principle supported by Bloor Homes (Eastern).

Notwithstanding the above the following matters are not clear:

- Is the RAG rating on each criterion subject to any weighting dependent on the importance or relevance of that RAG rating and related constraint. For example, a red rating for highways access is surely more critical/fundamental to a site's suitability when compared to a red rating for a site being located in a Minerals Safeguarding Area. It is apparent that some criteria are more influential to a site's prospects than others, it is not clear, however, how the Council will address this as part of the SLAA process.
- The impact of receiving a red rating under a criterion is not clear. Is a red rating simply considered in the round as part of a holistic review of a site, or is a red rating a fundamental constraint? In addition, how many red ratings or amber ratings are required before a site is deemed to be unsuitable, unavailable or not achievable.
- How is an overall conclusion as to a site's overall prospects reached and how is this reflective/borne out of the SLAA process? This is not explained in the methodology document.

Bloor Homes (Eastern) object to paragraph 3.26 of the methodology document which states that 'Call for Sites' will not be published, with the Council's summary of the forms published as an alternative. It is commonplace for 'Call for Sites' forms to be published by a Council. This makes for a more robust and transparent process, thereby reassuring participants, the general public and often the Planning Inspector. If there are any General Data Protection Regulation (GDPR) related concerns regarding the publication of information, any sensitive material should be redacted from forms and reports.

### **Section 1: Suitability**

Bloor Homes (Eastern) has an overarching concern that the data source for each assessment suitability criterion does not include site specific technical evidence submitted by a site promoter. It is appreciated that in some, likely limited cases, the Council will have their own technical evidence and that Officers will have their own opinion on a site's prospects. However, it is vital that site-specific evidence prepared by professionals is taken into consideration when the Council review the suitability of sites.



This evidence forms an up to date and accurate impression of a site's suitability which will assist the Council in identifying the most sustainable and suitable development sites. The Council can of course scrutinise this evidence if they wish to do so, but it should not be dismissed from the SLAA process.

## Physical Constraints

### Criterion 1

The first constraint is, *"is the site within or adjacent to the existing settlement boundary?"*. Bloor Homes (Eastern) understand the rationale behind this criterion, however, it is recommended that this be amended alongside its associated RAG rating description, to state: *"is the site within or adjacent to the existing settlement boundary; or the built up area of the settlement?"*. This amendment considers and positively addresses development which may have taken place outside of the settlement boundary in the current Plan period; and may reasonably fall within the new settlement boundary when it is reviewed as part of the Local Plan review process. Without this amendment the SLAA could prematurely dismiss potential development sites which are adjacent to the built up area and what will become the new settlement boundary.

### Criterion 5

Criterion 5 is *"are there any issues that would prevent/limit the developable area of the site? e.g. topography/levels, pylons"*. A site only scores a green rating if there are *"no known site-specific issues"*. This is an exceptionally high and potentially unrealistic measure for a site to meet. Virtually all potential development sites are required to address constraints of some kind. The green rating description should be expanded to state *"no known issues or evidence has been provided which demonstrates that site constraints can be adequately addressed"*.

### Criterion 6

Criterion 6 is *"Is the site brownfield or greenfield?"*. A red RAG rating is assigned for sites which are 75% greenfield. There is no evidence or explanation as to why a 75% threshold has been suggested. This red rating significantly constrains the availability of housing sites and if applied as a blanket approach would likely restrict the Council from meeting its overarching housing needs target and is inappropriate in its current form. A significant percentage of the new housing sites the Council will allocate via the Local Plan Review will inevitably be greenfield due to the wider rural context of Colchester, the lack of availability of brownfield sites and the need to ensure established rural settlements benefit from proportionate and sustainable development.

### Criterion 7

Bloor Homes (Eastern) object to the classification *"What is the agricultural land classification?"*. To accurately determine the classification of land, an intrusive site survey is required. Accordingly,



unless a site promoter commissions a costly survey and submits it to the Council, the Council will not be able to assess a site against this criterion. The criterion should be removed from the SLAA proforma.

In respect of Grade 3a agricultural land, the red and amber RAG ratings associated with this criterion are unclear. A site is rated red if it is 50% or more Grade 3a in area, it also scores an amber if it is 50% or more Grade 3a in area. This simply does not make sense and requires review.

### Access to Key Services

#### Criterion 1

Bloor Homes (Eastern) object to the proposed approach to assessing a site's proximity to key services. The criterion "*Walking distance to key services including primary and secondary schools, supermarkets/convenience stores, GP surgeries and/or Colchester City Centre*" is far too broad a brush to be a robust and practical criterion for the purpose of SLAA. Key services should be defined into categories such as: retail, education, healthcare, community infrastructure, public transport connections etc. A site should then be assessed on each of these specific criteria in order to achieve a more accurate and reasonable assessment of site suitability. The availability of public transport links to provide sustainable connections to services such as Secondary School (i.e. school buses) should also be taken into account.

Bloor Homes (Eastern) are concerned that a site will be assigned a red rating if it "*is in excess of 2km walking distance from one or more key services*". The existing Local Plan identifies a host of 'Sustainable Settlements' not all of which have a full range of services, however, these settlements are still defined as sustainable in the adopted Local Plan, likely due to the availability of other services, infrastructure and their size/scale. There is no justification as to why 'one or more' has been used as a threshold and ultimately it is not known from the criterion or methodology as to what the full list of key services actually are.

A more detailed assessment with multiple additional new criteria is required in order to accurately determine the suitability of a site in respect of access to services. The current 'Key Services' criterion is unreasonable and unrealistic given the largely rural context outside of the urban area of Colchester.

### **Section 3: Achievability**

#### Criterion 3

Bloor Homes (Eastern) object to a site being assessed as red if it is located wholly within a Minerals Safeguarding Area or amber if within a Minerals/Waste Consultation area.



The Policies Map associated with the Essex Minerals and Waste Local Plan (EMWLP) demonstrates that a significant proportion of the area covered by the Plan is subject to a safeguarding designation. Hence, it is apparent that this potential constraint cannot be applied in a blanket and arbitrary fashion as currently proposed in the SLAA methodology. This matter requires careful consideration based on the realistic prospect of an area of safeguarded land coming forward as a viable area for commercial minerals extraction.

Safeguarded land within a settlement boundary or outside of a settlement boundary adjacent to sensitive existing land uses are highly unlikely to come forward as viable commercial extraction opportunities due to the amenity and environmental impacts of undertaking such works. If the LPA was determined to ensure that any viable minerals were extracted at a site, at the planning application stage there may be an opportunity for specific Ground Investigations to form part of a planning condition which would ensure that practical minerals are extracted as part of site preparation works.

This proposed criterion is largely irrelevant for edge of settlement sites and should be removed from the SLAA methodology.

We trust these representations are useful to the Council at this time and we look forward to participating in future public consultations relating to the review of the Local Plan.

Yours sincerely

**Robert Barber**  
**Executive Director**

[robert.barber@pegasusgroup.co.uk](mailto:robert.barber@pegasusgroup.co.uk)

01223 202100