



Planning Services  
Colchester City Council  
CO1 1PJ

2<sup>nd</sup> January 2026

Dear Planning Services,

**Colchester Preferred Options Local Plan - Consultation Period: 26 November  
2025 to 5.00pm on 14 January 2026**

**Representation: Policy GN6 – Retention of Open Space**

**Change Sought: Amendment to the Policies Map and Policy GN6 designation to exclude the client's land from the identified open space allocation.**

The land subject to this representation is in the sole ownership of my client and is used exclusively for agricultural purposes. It is not publicly accessible, has no recreational function, and is not laid out, managed, or used as open space in any meaningful planning sense.

The land's inclusion within an open space designation under emerging Policy GN6 is therefore disputed. The designation places a significant and unjustified policy constraint on the land without a sound evidential or policy basis.

Paragraph 36 of the NPPF confirms that Local Plans must be examined to assess whether they are sound, namely whether they are:

- Positively prepared
- Justified
- Effective
- Consistent with national policy

Paragraph 37 further confirms that these tests apply to non-strategic policies, such as GN6, in a proportionate manner.

The inclusion of the client's land within Policy GN6 fails multiple tests of soundness, as set out below.

Failure to be Justified – Lack of Proportionate Evidence

The designation of the client's land as open space is not supported by proportionate or site-specific evidence, contrary to paragraph 36(b) of the NPPF.

In particular:

- The Colchester Borough Council Open Space Report (April 2023) does not reference or assess the site.
- The Colchester Landscape Character Assessment (November 2024) does not identify the land as having open space or amenity value.
- The Green Network and Waterways Guiding Principles (2024) do not assess or identify the site as part of the green network.

There is therefore no evidential basis demonstrating that the land performs an open space function, contributes to amenity, or forms part of a wider green network.

#### Designation is Contrary to the NPPF Definition of Open Space

The NPPF defines open space as:

*“any open space of public value... which offer important opportunities for sport and recreation and can act as a visual amenity.”*

The client's land:

- Has no public access;
- Provides no recreational or sporting opportunity;
- Is not managed or experienced as a visual amenity from public viewpoints beyond that which would apply to ordinary agricultural land.

The mere fact that land is undeveloped or “open” does not equate to it being “open space” for the purposes of national or local planning policy. Applying Policy GN6 to private agricultural land with no public value runs contrary to national policy.

As such, the designation is not justified by evidence and does not represent an appropriate strategy, contrary to NPPF paragraph 36(b).

#### Undeliverable and Unnecessary Designation

The designation of the client's land as open space is also ineffective:

- The land is not intended to be brought into public use.
- There is no delivery mechanism, management strategy, or funding pathway identified.
- The Council does not control the land and has not indicated any intention or ability to secure public access or enhancement.

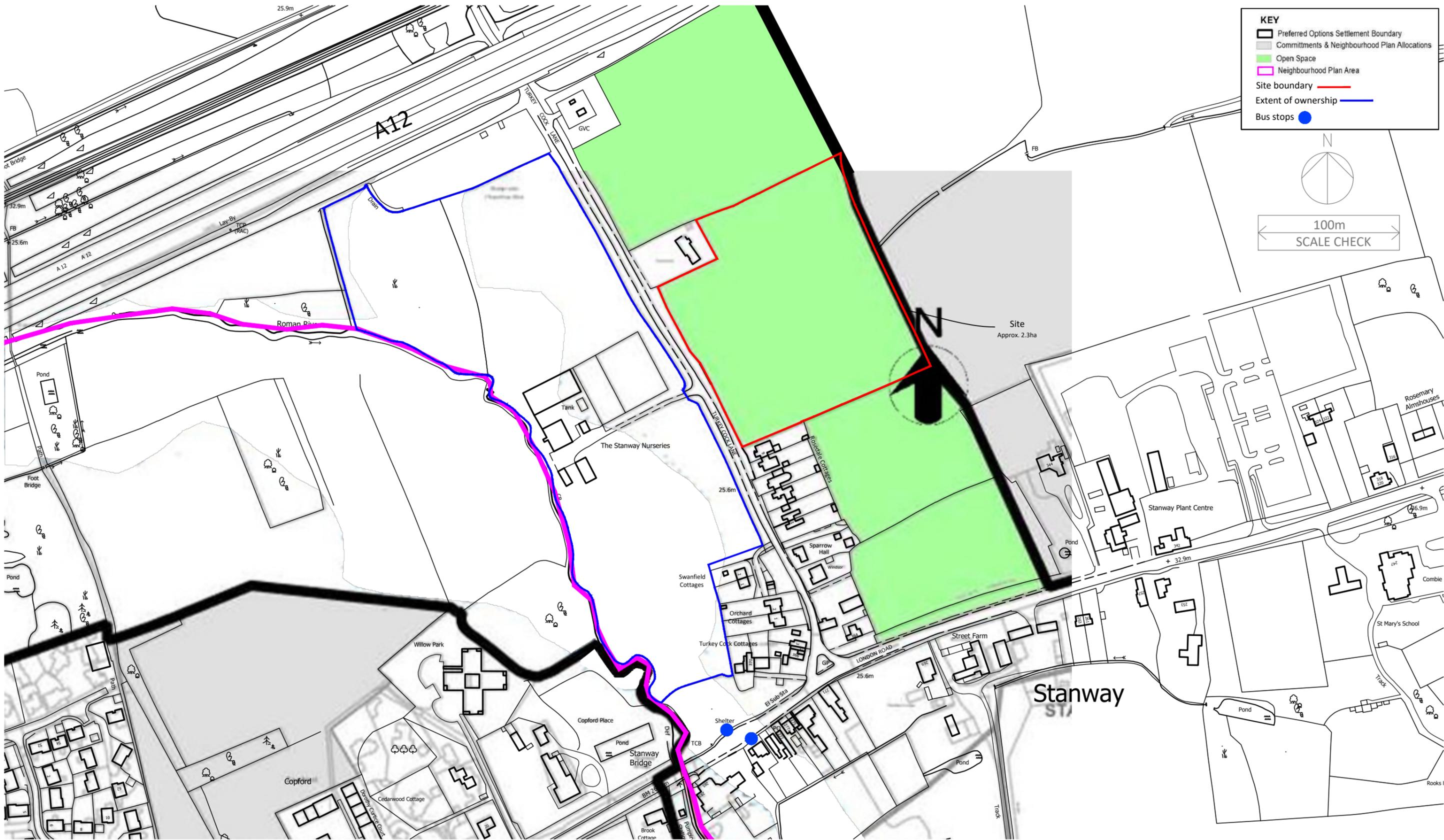
As such, the designation does not deliver any tangible planning benefit over the plan period and therefore fails paragraph 36(c) of the NPPF.

### Conclusion and Requested Modification

For the reasons set out above, the inclusion of the client's land within the open space designation under emerging Policy GN6 is unsound, as it is:

- Not justified by proportionate or site-specific evidence;
- Inconsistent with national policy, including the NPPF definition of open space;
- Ineffective and undeliverable; and
- Based on an incorrect assumption of public value and function.

It is therefore respectfully requested that the Council modifies the Local Plan to remove my client's land from the Policy GN6 open space designation, ensuring the plan is sound, evidence-led, and consistent with national planning policy.



**KEY**

- Preferred Options Settlement Boundary
- Commitments & Neighbourhood Plan Allocations
- Open Space
- Neighbourhood Plan Area
- Site boundary
- Extent of ownership
- Bus stops

N

100m  
SCALE CHECK

**CLIENT PROJECT** Stanway Nurseries  
Land at Stanway Nurseries

**DRAWING TITLE** Site Location & Preferred Options Plan  
**ISSUE PURPOSE** CCC Preferred Options Local Plan Regulation 18 Consultation (Policy GN6)  
**DRAWING NO.** 1335 . L . 005 **SHEET** A3  
**DATE** 19/12/25 **SCALE** 1:2500

Architecture - Design - Planning

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