

Boyer

Livelihoods, London Road,
Marks Tey

Colchester City Council Preferred Options
Local Plan Regulation 18 Consultation 2025



REPORT CONTROL

Project:	Livelihoods, London Road, Marks Tey
Client:	Mr A. Mattin
Reference:	23.6003
Document and revision number	Document No. IMS-F-18, Revision 3
File Origin:	Click to add file location.
Primary Author	AK
Checked By:	CP

Issue	Date	Status	Checked by
1	09.01.2026	Draft	CP

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APPENDICES

Appendix 1. Vision Document (Bound Separately)

Appendix 2. Highways Feasibility Assessment (Bound Separately)

1. INTRODUCTION

- 1.1 These representations have been prepared by Boyer on behalf of Mr A. Mattin in response to the Colchester City Council Preferred Options Local Plan Regulation 18 Consultation 2025.
- 1.2 These representations make specific reference to land at Livelihoods, London Road, Marks Tey. The site is being promoted for future development of up to 60 homes and these representations relate to the overall strategy proposed in this emerging Local Plan and the development potential of this site. Land at Livelihoods represents a sustainable location for development and is considered a logical extension to Marks Tey that is capable of providing residential development to assist in meeting the housing needs of Colchester City Local Plan area.
- 1.3 Land at Livelihoods, Marks Tey has been promoted to the Council through the previous Local Plan and early rounds of engagement via the Call for Sites held in 2024. Overall, these representations demonstrate the site should be allocated for development and aligns with the Council's draft strategic objectives and vision, delivering sustainable development in the Colchester City Council area.
- 1.4 Whilst it is not possible to comment on the soundness of the Plan at this early stage, as the Local Plan Review progresses it will need to be prepared in accordance with the National Planning Policy Framework including whether the plan is:
 - a. Positively prepared;
 - b. Justified;
 - c. Effective; and
 - d. Consistent with National Policy.
- 1.5 These representations provide our response on behalf of Mr A. Mattin to the Preferred Options Local Plan and evidence base and reflects the chronological order of the documents and chapters contained within.
- 1.6 Chapter 2 of this document includes our comments on the Local Plan Preferred Options document, with Chapter 3 providing comments on the Sustainability Appraisal. Chapter 4 provides an overview of Land at Livelihoods, Marks Tey including the suitability for development and any opportunities that the development can bring if the Local Plan were to allocate the site for development.
- 1.7 We trust that our comments are of assistance to the Council in formulating an approach that is positively prepared, effective, justified, and consistent with national policy, as the emerging Local Plan progresses toward adoption.

2. PREFERRED OPTIONS LOCAL PLAN

Chapter 2 - Vision and Approach to Local Plan

Vision and Objectives

- 2.1 The Vision is central to the overall success of the Local Plan as it needs to be ambitious yet show how developments can come forward over the plan period to contribute to meeting the aims and objectives of the plan. Without a clear vision it is difficult for decision makers to understand the overall purpose of the plan and how proposals contribute to sustainable development.
- 2.2 It is considered that the Vision proposed within the Regulation 18 document is realistic in its focus to embrace growth opportunities through sustainable and inclusive communities. Supporting text at paragraph 2.20 states the Vision will be achieved through communities which will have a varied mix of housing to meet the needs of all, and a range of jobs that support a strong local economy, and this is supported.
- 2.3 The Vision outlined in the box at paragraph 2.19 is then followed by a series of text to provide greater detail on what Colchester will endeavour to be by 2041. Given the use of the Vision is to be prescriptive of how the Local Plan will be achieved it has some ambitious objectives that have taken into account stakeholder opinions.
- 2.4 Tying the themes and objectives together has set the precedent of a cohesive vision. We agree in principle with the four themes of the Local Plan.

Healthy, vibrant and diverse places

- 2.5 We recognise the importance of protecting Colchester's unique character and rich heritage, as well as enhancing the quality of the natural environment. It is considered important that the Council also note the role that new housing development can bring to creating healthy, vibrant and diverse places. An allocation of the site at Livelands, Marks Tey, would provide for high quality homes and multipurpose green infrastructure to enhance the character of the area.

Sustainable

- 2.6 To deliver sustainable development, the Local Plan will need to ensure that the necessary infrastructure is provided for and delivered over the Plan period. The Council acknowledges the need for existing facilities and infrastructure to be improved and seeks to facilitate the delivery of sustainable energy and address greenhouse gas emissions.
- 2.7 Infrastructure comes in many forms over the plan period, but the Local Plan will need to be clear as to the priorities and what type of infrastructure is needed in a specific location at a specific time. By identifying these priorities and being clear about needs, capacity and expectations, the Council, and service providers, as well as the development industry can be held accountable for the decision made.
- 2.8 It is important that the Council acknowledges the role of service providers such as water companies, healthcare providers, education sector, and highway authorities within the

objectives, although this will need to be translated into site specific policies and overall delivery to ensure the viability of developments is delivered.

Welcoming Inclusive Communities

- 2.9 We agree with the thrust of this theme, and acknowledging the need for new homes is vital. The Council needs to actively promote sites for residential development in all sustainable settlements across the plan area in order to provide greater choice and flexibility and maintain delivery.
- 2.10 The theme also acknowledges the need for housing for all, including affordable housing and those on lower incomes. The priority to meet these varied needs is understood and will be important for the Local Plan through policies and site allocations to clearly demonstrate how all these needs will be met over the plan period in a positive and meaningful manner.

Chapter 3 - Strategic Policies

Policy ST1: Health and Wellbeing

- 2.11 We are supportive of the spatial principles set out in Policy ST1. It is acknowledged that developments be designed to provide healthy lifestyle opportunities for residents and communities.
- 2.12 It is noted that the requirement for a Health Impact Assessment is now to be triggered at 50 dwellings, whereas the current adopted Policy DM1 has a trigger of 100 dwellings. It is unclear as to the reasoning for the change in threshold and the requirement for developments which are smaller in quantum now being required to prepare a Health Impact Assessment. As currently drafted, the justification for this change is unclear and further detail should be set out in future drafts.
- 2.13 Given the Livelihoods site location and proximity to existing services in Marks Tey the site presents itself to be in line with parameters set by Policy ST1.

Policy ST2: Environment and the Green Network and Waterways

- 2.14 We agree with the principle of this policy that proposals should conserve and enhance Colchester's natural and historic environment and encourage proposals to deliver high quality open spaces.
- 2.15 It is important that ecology and biodiversity across the Plan area is protected and where possible enhanced. An allocation of the site at Livelihoods, Marks Tey, would allow for high quality and multipurpose green infrastructure to be provided on the site. In addition, biodiversity enhancement measures would be provided on-site, bringing a larger quantity of biodiversity net gain to the site.

Policy ST3: Spatial Strategy

- 2.16 The spatial strategy sets out the place-based approach for how growth will be guided across Colchester to 2041, Policy ST3 and supporting text outline the Local Plan is to deliver sustainable growth across the Plan area during the plan period. We are generally supportive

of the spatial strategy set out in Policy ST3. It is important that developments are located in the most sustainable locations, and to prioritise locations which have existing and planned infrastructure.

- 2.17 The plan period to 2041 is noted. According to the latest LDS, published March 2025, the emerging Local Plan is to be adopted by mid-2027. We are concerned that with this timescale, once adopted the Plan will fall short in meeting the minimum requirement of 15 years as outlined within paragraph 22 of the NPPF (2024). It is therefore considered that in the Regulation 19 consultation the Council should seek to extend the proposed plan period to at least 2042.
- 2.18 By taking a positive and proactive approach to delivering across the Plan period, the Council is able to ensure that the plan is robust, credible and fit for purpose and has the opportunity to deliver more housing and growth opportunities across Colchester to meet local identified needs, and in particular affordable housing needs. Seeking to adopt a plan which fails to meet the minimum 15-year requirement will result in growth and investment being limited unnecessarily in Colchester which is detrimental to the towns and local communities across the Council area.
- 2.19 Extending the plan period, also allows further years of development and growth to take place and provides a greater buffer in terms of housing numbers. The extension of the plan period creates the need for approximately 2,600 additional dwellings within the Council area. As a key growth area, Marks Tey is an appropriate location to accommodate a proportion of this growth.
- 2.20 We are pleased to see that Policy ST3 acknowledges the role of Marks Tey as a strategic growth area within the settlement hierarchy. We consider that the Marks Tey Growth Area provides significant opportunities for quality development in a sustainable location. We note that whilst the Livelihoods site is not allocated as part of the wider Marks Tey proposals, the site is included within the new settlement boundary for Marks Tey.
- 2.21 However, it is considered the site would benefit from an allocation, that would assist the Council in meeting their housing needs in the early part of the plan period and supporting development in Marks Tey in accordance with the settlement hierarchy. The sites location means that appropriate master planning can ensure that all parts of the development would be well connected to the existing settlement amenities.

Policy ST5: Colchester's Housing Need

- 2.22 It is welcomed that the Council has used the Government's Standard Method in calculating the need for housing to derive the housing requirement for the period to 2041.
- 2.23 Using the Standard Method, results in a need for dwellings within the current Plan Period (to 2041) and 1,300 dwellings per annum (20,800 in total), although it is noted the Council identify additional dwellings proposing 21,106 in total across the plan period. This is welcomed, however is only considered to be a fairly limited increase and we encourage the Council to plan for a greater number of homes to ensure a positive land supply can be demonstrated.

- 2.24 The Council includes an allowance for windfall sites within its supply, while this allowance appears reasonable it is not guaranteed, and with only a limited oversupply proposed we are concerned that Policy ST5 may not deliver the quantum of housing required in order to meet housing needs.
- 2.25 Given the Livelihoods site size and location, it is ideal for allocation and is available to contribute in the early part of the plan period and in assisting Colchester meeting its five-year land supply.

Policy ST7: Infrastructure Delivery

- 2.26 The need for infrastructure to be provided in a timely manner alongside growth and development is fundamental to achieving sustainable development and the Regulation 18 document correctly identifies that. Paragraph 3.65 of the Regulation 18 document provides broad categories of relevant infrastructure, and we are broadly supportive of the types outlined but also acknowledge that each community across Colchester is unique and will require different provision at different times over the plan period.
- 2.27 In order to judge the effectiveness of policies in a Local Plan, the requirements of service providers such as education, transport, health, leisure and utilities need to be understood in order to make a balanced judgement as to what will be required alongside the growth opportunities identified.
- 2.28 Paragraph 3.67 of the Regulation 18 document confirms that the Council will continue to seek developer contributions through Section 106 and may consider the introduction of a Community Infrastructure Levy. Although we broadly support this approach, the Local Plan needs to provide an indication as to the level of Section 106 that may be requested for different types of development in different parts of the plan area. Without this clarification, the Council's Viability Appraisal is flawed because assumptions used in relation to Section 106 may not be accurate and therefore could be under or over stating requirements that need to meet the tests for planning obligations.

Policy ST8: Place Shaping Principles

- 2.29 We recognise the importance of a policy ensuring good quality design is achieved by proposed developments. Having a policy that sets design requirements will enable developers to fully understand what is needed to achieve a well-designed settlement for Colchester.
- 2.30 However, wording and content of the policy is reiterated in other policies both at a local and national level. As stated in the alternative options there is adequate wording supplied in the National Design Guide and Essex Design Guide. It is therefore considered that a repeated policy creates uncertainty, and the policy is not justified or effective in its current form.

Chapter 4 – Environment

Policy EN2: Biodiversity Net Gain (BNG) and Environmental Net Gain

- 2.31 Policy EN2 provides guidance in relation to BNG and requires that all development proposals must deliver a minimum of 10% in accordance with national legislation with a requirement to maximise the delivery of this onsite.
- 2.32 The ambition to encourage BNG across the plan area alongside future development is welcomed and acknowledged and provides certainty alongside the national legislation and requirements. It is welcomed that the BNG sites that are identified in the policy which provide opportunity for offsite units to be purchased where available.

Policy EN3: Biodiversity and Geodiversity

- 2.33 Policy EN3 focuses on the ecological information which the Council requires in support of development proposals. We agree with the need to provide relevant information and detail in relation to ecology but suggest that Policy EN3 takes into account the time scales for determining applications and how that can interact with the necessary survey windows and times for assessments throughout the year.

Policy EN8: Flood Risk and SuDS

- 2.34 Policy EN8 seeks to direct development away from land at risk from flooding in line with national requirements. It also requires that Sustainable Drainage Strategies are to be prepared in a meaningful manner to support development proposals. We agree that development should mitigate and adapt to flood risk.
- 2.35 It is welcomed that Policy EN8 provides for a variety of different measures and will enable developments to take a site specific and case by case approach to water management on the site. Support for the use of Multifunctional Sustainable Drainage Systems that ensure efficient use of land is welcomed.
- 2.36 The Site is located within flood zone 1 and is able to come forward without increasing the risk of surface water flooding on the site or elsewhere.

Chapter 5 – Green Network and Waterway Policies

Policy GN1 - Open Space and Green Network and Waterways Principles

- 2.37 We welcome the Council's view that open spaces are important for the health and wellbeing of communities and can deliver wider benefits for nature and supporting efforts to address climate change, in accordance with the NPPF. It is preferred to have a local vision rather than relying on external documents such as the Natural England Green Infrastructure Principles and Standards report, which may be subject to change.
- 2.38 However, little evidence is provided as to why a requirement of a minimum of 10% of the gross site area to be new multifunctional open space has been imposed. It is also unclear how the requirement for a minimum 10% gross site area interacts with other requirements

such as sustainable drainage, landscape area, tree canopy, areas for BNG and the “Enhanced Open Space” as indicated in the Place Policies.

- 2.39 Further information is therefore required to ensure this policy is effective and justified.

Chapter 7 – Net zero homes and buildings, Renewable Energy and Water

Policy NZ1: Net Zero Carbon Development (in operation)

- 2.40 We acknowledge the Council’s commitment to meeting Climate Targets and working towards being net-zero by 2050 and agree it is important that the Council ensure that new development is future-proof and sustainable, in line with current national guidance and policy. The Council emphasise that more energy efficient measures, net-zero homes and recycled materials are necessary to meet the climate goals.
- 2.41 However, we believe that policies relating to climate change should not be overly prescriptive and should not apply a blanket approach to additional climate adaptation on all new developments, as this can render developments unviable. We acknowledge the policy has attempted to do this using the table matrix of sites meeting requirements of varying levels.
- 2.42 We query whether the policy will allow for viability assessments to be submitted with development proposals to demonstrate that some of these measures are not feasibly possible at specific sites.

Chapter 8 - Homes

Policy H1: Housing Mix

- 2.43 Policy H1 relates to housing mix and provides the percentage breakdown of housing mix requirements within the policy. However, we would welcome some flexibility to be provided in the percentages to allow for a mix which is reflective of the specific settlements. The policy should also make reference to any later revisions of the Colchester Local Housing Needs Assessment, rather than just within the supporting text, to ensure that the mix required is based on the most recent evidence base.
- 2.44 Any forthcoming application on the Site would seek to provide an appropriate mix of housing.

Policy H2: Affordable Housing

- 2.45 Policy H2 sets out the Councils approach to affordable housing and the level of provision that is expected to come forward on development sites above a certain threshold. It is noted the 30% requirement reflects the adopted affordable housing policy for Colchester and is therefore supported. However, we would welcome flexibility to allow for viability to be assessed on a case by case basis.

Chapter 11 – Place and Connectivity

Policy PC2: Active and Sustainable Travel

- 2.46 We support the Councils commitment to encourage active and sustainable travel and include a policy for that purpose. However, we are concerned that some criterion identified in the

policy are beyond what is reasonable for a site to deliver and achieve. The commitment needs to be balanced against the role that different locations across Colchester play and the merits of each. For example, not all settlements are capable of promoting ease of movement and improving connectivity as they may be more isolated than others.

- 2.47 Despite the locational differences between areas, through good design and a layout which responds positively to the local area, the connectivity of an area can be maximised and the need to reduce travel can be facilitated. Through provision of well-designed and attractive links for cycling and walking, current and future residents will be encouraged to use sustainable modes of travel. Alongside these features, locations which are served by public transport and connect places can also be enhanced and provide a further alternative to the private car.
- 2.48 Marks Tey has been identified by the Council as an area of growth. We acknowledge there are established transport links including the Marks Tey Interchange on the A12 and A120 and Marks Tey Train Station on the Great Eastern Main Line, connecting the village South to London and North to Ipswich and Norwich. The site at Livelands is well placed to connect to utilise these transport connections.

Policy PC4: Development Density

- 2.49 The policy is intended to provide flexibility of approach for different development sites, while the need for new development to make use of land effectively is well established in national planning policy and guidance.
- 2.50 The importance of ensuring that each site is considered appropriately is recognised. Each site is unique and will be able to accommodate different levels of development dependent on many factors, however an acknowledgement that sites well related to higher tier settlements or growth locations being capable of accommodating development at higher densities, as well as those that encourage sustainable transport would be welcomed.
- 2.51 The provision of an appropriate level of flexibility for sites to respond to their own constraints and opportunities is welcomed, this should also be considered in light of other policies set out in the Regulation 18 document regarding open space, BNG and tree cover requirements. The plan will need to clarify how different policies can work together in a meaningful and positive manner.

Policy PC6: Design and Amenity

- 2.52 We recognise the importance of ensuring good design is achieved by developments and welcome the clarity that these design policies provide, however it is important that the policies allow for flexibility to enable the most appropriate development for each site to come forward and the need for this policy is questioned. As it stands the policy repeats the Policy ST8 on Place Shaping Principles, as well as other specific policies within the Plan and is therefore not justified.

Chapter 12 - Place Policies

Growth and Opportunity Areas - Marks Tey Growth Area

- 2.53 The Councils identification of Marks Tey as an area capable of delivering sustainable growth is welcomed. Marks Tey has long been seen as an opportunity for development due to its strategic location on the transport network, alongside its many existing facilities.
- 2.54 The Plan seeks to allocate land south of the A12 under Policy PP17 for 1,500 new homes and land north of the A12 under Policy PP18 for 1,000 new homes, comprising 2,500 new homes for the Marks Tey area within the plan period.
- 2.55 The Proposals Map indicate that the site boundary for Marks Tey is also to be amended to reflect these allocations, meaning the Livelihoods site would be included within the settlement boundary, which is welcomed. However, we are concerned that should the wider proposals be amended in some way, the site may again find itself outside the settlement boundary. It is considered that site should therefore be allocated in its own right, to reflect the role it can make in providing additional housing for the Colchester plan area.
- 2.56 The Councils view of Marks Tey as a sustainable location for development and the allocations under policies PP17 and PP18 are supported, however, we do have some concerns particularly in relation to the level of development that can be achieved within the plan period in light of the significant infrastructure improvements that are required for development of this scale, and which can often take some time to work through. This needs to be taken into consideration. In this regard it is suggested that alongside the extension of the plan period further allocations are required at Marks Tey in the short-term.
- 2.57 Land at Livelihoods, London Road, Marks Tey is capable of assisting in meeting this need. The site is well-located to the south of A12 and does not rely on strategic infrastructure improvements to be undertaken. Further detail on the merits of the site are set out in Chapter 4.

3. SUSTAINABILITY APPRAISAL

- 3.1 The Sustainability Appraisal Report (SA) prepared by LUC on behalf of Colchester City Council comprises Sustainability Appraisal incorporating Strategic Environmental Assessment (SEA) and appraises the options for distribution of growth in Colchester and site options as well as appraising findings for topic-based policies in the Local Plan.
- 3.2 The Sustainability Appraisal has been prepared to meet the requirements of the SEA regulations and ensures that the legal requirements of the Colchester Local Plan need to be subject to during preparation are adhered to. However, these will only be fully tested once the Plan reaches Submission and Examination stages in the future following further rounds of consultation and engagement.
- 3.3 The SA provides an assessment of potential site options, whether allocations or those site discounted through the process. Chapter 4 sets out the assessment of the proposed growth areas and associated proposed site allocations. The Livelihoods site has been assessed under reference 10173, with a site name of Livelihoods, presented within Table 4.2.
- 3.4 We have undertaken our own bespoke assessment of the site as further site assessment work is undertaken; further areas are capable of being addressed. This would enable the site to be allocated for residential development.
- 3.5 The SA analysis presents a coded system for presenting the effects that a site is considered likely to have against each specific criterion, as follows:

Table 3.1 Coding

Symbol and colour coding	Description of effects
++	Significant positive effect likely.
++/-	Mixed significant positive and minor negative effects likely.
+	Minor positive effect likely.
+/-	Mixed minor effects likely.
++/--	Mixed significant effects likely.
-	Minor negative effect likely.
--/+	Mixed significant negative and minor positive effects likely.
--	Significant negative effect likely.
0	Negligible effect likely.
?	Likely effect uncertain.

- 3.6 The following table sets out the assessment of Land at Livelihoods, using the themes used by the Council in the SA Report.

Table 3.2 Land at Livelihoods Site Assessment

SA Objective	Council rating	Our rating	Justification for change
SA1 - Housing	+	+	The provision of housing on the site is a minor positive effect as the site has the potential to deliver less than 100 homes.
SA2 – Efficient Use of Land	++	++	The site makes efficient use of land as it utilises a brownfield site.
SA3 – Economic Growth	-	0	Agreed there is the potential for a negative effect due to loss of an employment use however, the Vision for the site also includes an element of employment provision and therefore the effect is considered to be neutral.
SA4 - Transport	+	+	The site is located in Marks Tey which has access to a railway station and a strong bus network meaning services and facilities can be accessed through non-car modes.
SA5 – Community, Health and Wellbeing	0	+	The site is well related to areas of public open space and PROW, with additional green space provided within the development. Although a pharmacy is located within Marks Tey, residents need to travel to access a GP surgery.
SA6 - Services and Facilities	-	+	Marks Tey has many established facilities and services, including a primary school, with the proposed strategic allocations providing additional services for the growth area. The strategic growth area will provide additional necessary facilities. Marks Tey's established bus and trains connections mean access to Colchester city centre is achievable.
SA7 - Historic Environment	--?	0	It is noted the site lies within proximity of listed buildings at Marks Tey Hall. However, the site is separated from them, and adequate buffers can be provided through master planning of the site. A negligible effect is therefore considered.
SA8 - Biodiversity and Geodiversity	--	+	The site does not form part of or is adjacent to any designated sites. The development proposals also allow for opportunities to create green infrastructure and promote habitat connectivity and provide a net gain in biodiversity.
SA9 - Landscape	-?	0	The site is not subject to boundaries of National Park, National landscape or Green Belt. It is identified within the Eastthorpe Farmland Plateau LCA which is not designated as a high sensitivity

			area. The development proposals also allow for opportunities to create green infrastructure.
SA10 - Climate change	N/A	N/A	N/A
SA11 - Flood risk	0	+	The site is located within flood zone 1, with surface water limited to the existing drainage ditches to the south and west of the site. The development proposals also allow for opportunities to create SuDS basins and attenuation.
SA12 - Waste	N/A	N/A	N/A
SA13 - Air quality	-	-	The site is not located within an AQMA; however, it is noted that Marks Tey has been shown to have high concentrations of pollutants. The proposals would therefore include an assessment of air quality and provide any mitigation as appropriate.
SA14 - Water	--	-	The proposals for the site will include adoption of good practice site layout and construction techniques as well as the inclusion of appropriate sustainable drainage systems (SuDS) within the design to reduce effects on water resources.

- 3.7 It is clear the site could contribute to the housing supply and sustainability of Marks Tey. The Vision Document at **Appendix 2** of this report demonstrates that the site would be able to come forward with a layout which is sensitive to the existing settlement pattern of Marks Tey. The masterplan focuses development to the north of the site, with areas of open space and biodiversity to the south. The scale of development proposed means the site is capable of delivery in the early part of the plan period and can assist the Council in meeting and maintaining their five year supply of housing.

4. LIVELANDS, MARKS TEY

Introduction

- 4.1 The land being promoted is approximately 3.09 hectares (7.65 acres) of private land, comprising of an existing commercial use. The site is well related to Marks Tey, the settlement boundary adjustments provided place the site within the settlement boundary for the village and in the centre of Marks Tey Growth Area.
- 4.2 A Vision Document setting out what the development could deliver has been prepared by Boyer Design, which demonstrates the suitability of the site for a context responsive development.
- 4.3 The site presents an excellent opportunity to create a well-designed, attractive sustainable development with a capacity of approximately 60 dwellings and retention of commercial uses. The site is well-connected to the existing settlement and would contribute to the local development needs of Colchester City Council and Marks Tey Village.

Site Description

- 4.4 The Site is 3.09 hectares in size, accessed via a private road from London Road. The Site is brownfield, formed of commercial uses. The principal use is caravan storage and is supported by mechanic, valeting, cleaning and servicing services within small commercial units and temporary structures. The caravan storage element uses the majority of the Site, with the supporting services and other within the smaller northern sections. A Site Location Plan is provided within the Vision Document, see **Appendix 1**.
- 4.5 The Site is a broadly rectangular parcel of previously developed land located to the south of London Road. It is set back from the highway to the rear of dwellings and is in close proximity to local services and commercial buildings. London Road runs parallel to the south of the A12 dual carriageway. Agricultural land lies to the west, south-east and east of the land. Marks Tey Railway station is located north of the Site, on the opposite side of the A12. This is accessed by a pedestrian walkway across the dual carriageway.
- 4.6 The boundaries are defined with palisade fencing and hedges, predominantly leylandii hedges along the southern boundaries and north west boundary with a hawthorn hedge to the east.
- 4.7 The Site is not located within a flood zone, however, there is a drainage ditch that runs along the inside of the south-west and southern boundaries.
- 4.8 Parallel to the western boundary is a public right of way- Footpath 17 Marks Tey. The footpath connects to London Road and follows the western boundary continuing south-east, connecting to footpaths at Copford Green.
- 4.9 There are no further constraints on the Site, however there are designated heritage assets at Marks Tey Hall located south west of the Site. These include a medieval moat at Marks Tey Hall, Marks Tey Hall South Barn and Barn to north west of Marks Tey Hall.

- 4.10 Marks Tey is a village within the Colchester City administrative area. The village has good transport links including the Mark Tey Interchange on the A12 and A120, and Marks Tey Train Station on the Great Eastern Main Line, connecting the village south to London and north to Ipswich and Norwich.
- 4.11 Also, the village includes services including a pharmacy, St Andrew's Primary School, village hall, and outdoor recreational facilities e.g., skate park and play equipment for children, post office, shops, butchers and takeaways.

Proposed Development

- 4.12 A Vision Document has been produced and is provided in **Appendix 2**, which shows how the site could be brought forward for development and provides an indicative masterplan for the site.
- 4.13 The proposed development is for a mixed-use development including residential and commercial uses to comprise approximately 2,000 sqm of Class Ea and Eg uses. The proposed development will ameliorate the current commercial uses, increasing the visual amenity value through their re-development. Therefore, the proposed development will retain the commercial location in the northern section of the Site. The commercial area will contain small units designed similar in scale as the residential units.
- 4.14 The Site will be accessed via the existing access point at the north corner off London Road. Also, an indicative secondary access link has been proposed at the western boundary.
- 4.15 While the southern section will be reserved for residential use and supporting infrastructure including multi-functional drainage basins and swales, areas for biodiversity enhancement, potential community orchard and allotments, local equipped area of play (LEAP), and local area of play (LAP)/trim trail. The proposed development aims to deliver up to 60 new homes, with a residential density of 40dph, to include affordable homes. The homes will be sympathetic to the existing vernacular and style of Marks Tey and also will be 2-3 storey retaining an appropriate human scale.
- 4.16 The proposed development is landscape-led aiming to improve the greenspace. Retention and enhancement of the existing landscape assets including trees, hedges, waterbodies, and drainage features, which will collectively result in a landscape mosaic that will define the landscape setting of the Site and create a rich habitat network. New areas of native tree and buffer planting, green corridors across the Site, multi-functional drainage basins and swales, and areas for biodiversity enhancement, will increase the biodiversity and improve the environment and landscape.
- 4.17 Furthermore, the proposed development will host a permeable and legible network of routes. This will promote walking, cycling and the use of public transport by developing a well-integrated and permeable layout. Also, there will be a hierarchy of routes across the Site such as formal and informal paths, boardwalks/dog walking routes and health trails. Collectively they will promote a healthy and active lifestyle.
- 4.18 The Vision Document accompanying this submission provides further details on the proposed design and rationale behind the choices.

- 4.19 A positive allocation for the site will deliver new housing, including market and affordable housing, across a mix of tenures. The site is capable of delivery within the short-medium term and therefore should be included within the housing trajectory to support the Council's five-year housing land supply.
- 4.20 The allocation of the site for development would have a large number of positive benefits, including the provision of much needed housing and support for Marks Tey. Further details regarding the site are set out below.

Highways and Access

- 4.21 An existing access is currently provided to the south side of London Road, between the A12 slip road to the west and the A12/A120/London Road four arm roundabout to the east.
- 4.22 A range of local services and facilities are within readily achievable walking and cycling distance of the Site for future residents. These include the Marks Tey Parish Hall and recreational ground, Marks Tey Pharmacy, post office, convenience store, restaurants, café and petrol filling station. The site is in close proximity to bus stops which provide services to Colchester, Witham, Heybridge and Chelmsford.
- 4.23 There is a pedestrian footway provided along both sides of London Road either side of the Site access. Approximately 100m east of the Site access there is a pedestrian footbridge on the northern side of London Road which extends over the A12 to the bus stops on the A120 and adjacent Marks Tey railway station. There is also a public footpath accessed from the turning facility on London Road to the south of the Site access which runs along the western Site boundary.
- 4.24 Marks Tey railway station is located approximately 300m North of the Site access on the northern side of the A12. The railway station is on the Great Eastern Main Line and is situated between Colchester and Kelvedon, approximately 75km down the line from London Liverpool Street.
- 4.25 A Highways Feasibility Assessment has been prepared by Create Consulting Engineers, see **Appendix 3** which considers the proposed site access. The note includes the proposed site access design and demonstrates that this is a suitable location for development.
- 4.26 The assessment concludes that due to the location and nature of London Road the estimated level of additional traffic it is not anticipated to give rise to any significant impact on the free flow of traffic on London Road and would be unlikely to give rise to any material impact on neighbouring junctions on the local highway road network.

Flooding and Drainage

- 4.27 The site is in flood zone 1. A drainage ditch is found inside the Site boundary, running parallel with the western and southern boundaries. In line with Policy EN8: Flood Risk and Sustainable Drainage Systems (SuDS) the proposed development includes a multi-functional drainage attenuation basin at the southern end of the Site and swales throughout the development. The included drainage solution will produce biodiversity habitats through additional native planting leading to biodiversity enhancement.

Landscape

- 4.28 The proposed landscape-led ensures the development sensitively integrates into Marks Tey, whilst at the same time enhances the wider landscape and provides a beautiful sustainable neighbourhood.
- 4.29 The site is well screened from the wider landscape. This is especially significant from the south, due to the presence of heritage assets. The current boundary comprises of a mixture of flora. The proposed development aims to enhance this current buffer, producing a substantial and native buffer that enhances biodiversity and softens any potential impact of development. Furthermore, this inclusion of open space and green corridors with the Site softens any potential for urbanisation impacts within the landscape.

Land Ownership and Deliverability

- 4.30 The site is owned by a single landowner, Mr. A. Mattin.
- 4.31 Technical work has been undertaken for the site, and it is capable of being brought forward in the early part of the plan period. It is considered that the deliverability of the site should be given considerable weight when assessing the site for allocation within the Colchester Local Plan.

Public Benefits

- 4.32 An allocation of the Livelands Site at Marks Tey will bring forward a number of public benefits including:
- Contributing to meeting local housing needs, with both market and affordable housing, with a mix of sizes and tenures.
 - Connectivity with the surrounding area in terms of green links and access to public transport connections.
 - Generous areas of public open space including children's play area.
 - Provision of 10% Biodiversity Net Gain.
 - Inclusion of commercial uses on site including use Class Ea and Eg on site.
 - Support local services and facilities and enhance and protect the vitality of this rural community.

Summary

- 4.33 The opportunity to develop this site is achievable in the early part of the plan period and the land is available.
- 4.34 It is therefore proposed that Colchester City Council considers allocating this deliverable site in the Colchester Local Plan to assist in meeting their housing targets.

5. CONCLUSION

- 5.1 Boyer has prepared these representations on behalf of Mr A. Mattin in response to the Preferred Options Local Plan Regulation 18 Consultation undertaken by Colchester City Council.
- 5.2 These representations are made with respect to the ongoing promotion of Land at Livelihoods. Mr A. Mattin's vision for the site is to deliver a sustainable development, located within Marks Tey.
- 5.3 The site could deliver approximately 60 homes, including affordable homes as well as some commercial development and provide the following benefits:
- Contributing to meeting local housing needs, with both market and affordable housing, with a mix of sizes and tenures.
 - Connectivity with the surrounding area in terms of green links and access to public transport connections.
 - Generous areas of public open space including children's play area.
 - Provision of 10% Biodiversity Net Gain.
 - Inclusion of commercial uses on site including use Class Ea and Eg on site.
 - Support local services and facilities and enhance and protect the vitality of this rural community.
- 5.4 The purpose of these representations has been to assist Colchester City Council in formulating an approach within the emerging Local Plan that is both consistent with national planning policy and the tests on soundness.
- 5.5 In this regard, our representations relate to the tests of soundness set out at paragraph 36 of the National Planning Policy Framework ('NPPF') (2024); namely, whether the emerging Local Plan is: Positively prepared; Justified; Effective; and Consistent with national policy.
- 5.6 In conclusion, Mr A. Mattin seeks the addition of the site as an allocation within the draft Local Plan. The site is within a highly sustainable location and a logical extension to the village, with a number of public benefits. The site is deliverable within the next 5 years, and its inclusion will assist in the development of a Local Plan that has been positively prepared.

APPENDIX 1. VISION DOCUMENT (BOUND SEPERATELY)

APPENDIX 2. HIGHWAYS FEASIBILITY ASSESSMENT (BOUND SEPERATELY)

Boyer



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