
Land at Oxley House, Abberton

Reg 18 Representations on behalf of Mr F Mussi

Call for Sites Reference: 10233



Revision	Purpose	Originated	Date
A	Draft Representation	BDB	12.1.26
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1. Summary of representation and requested change

1.1. This representation is submitted on behalf of the landowner of Land at Oxley House, Mersea Road, Abberton (c.3.5ha), promoted for a landscape-led scheme of up to 49 dwellings with associated green infrastructure, SuDS, biodiversity enhancements, equipped play area and community orchards.

1.2. We request that the Council:

1. Allocates Land at Oxley House as an alternative or additional housing allocation for Abberton/Langenhoe within the Regulation 19 Plan (either as a new policy site, or as an additional allocation alongside PP25); and/or
2. Revises Policy PP25 to ensure the Plan is justified and effective by enabling the preferred growth option(s) for Abberton/Langenhoe to come forward on the most sustainable and deliverable site(s), including those with safe pedestrian connectivity and safe highway access, and the least harmful landscape/heritage outcomes.

1.3. This request is made within the plan-led approach expressly recommended by the Council's Development Management officers at pre-application stage, copy within the appendices.

1.4. It is requested that with the evidence and assessment discussed within this representation that the Council considers Site 10233 as a natural extension to the settlement of Abberton and includes the site within the settlement boundary as relative growth for the settlement. This representation seeks to ensure that the Regulation 18 draft Local Plan provides a clear, proportionate and deliverable policy framework which is centred around the character and appearance of each individual settlement and what they can provide to secure the sustainable development outcomes the Council is seeking.

2. Land at Oxley House - site context and proposal

2.1. The site promoted comprises approximately 3.5ha immediately adjoining the defined settlement boundary of Abberton, with access onto Mersea Road. The promoter's proposal is for a landscape-led residential development of approximately 50 dwellings and associated infrastructure (open space, SuDS, BNG area, play provision and community orchard elements).

2.2. Current Use of the site is former agricultural (former orchard) and the residential curtilage of Oxley House as amenity garden, as per planning permission with reference 091226.

2.3. Boundaries:

- East – Existing residential along Layer Road;
- South – Residential, Abberton settlement;
- West – Residential and Farm;
- North – Farmland.

2.4. The land sits within the transition between the village and open countryside yet is well screened and not visible from any public vantage point. The existing orchard habitat and hedgerow boundaries provide visual containment and opportunities for green infrastructure that will be complimentary to promoting healthy living.

2.5. A key deliverability advantage is that a suitable access arrangement has already been secured and is being built out under planning permission with reference 222355 (5 self-build dwellings), including agreed visibility and an appropriate junction arrangement, which the promoted scheme would utilise / intensify subject to technical assessment. This newly enhanced junction arrangement onto Mersea Road is capable of providing access for up to 400 dwellings as it has been designed to that level of capacity to future-proof any growth in this area.

2.6. The layout below is a feasibility plan that demonstrates what could be achievable on site; the protection and enhancement of adjacent dwellings, new public open space to allow for a new equipped play park and nature opportunities and drainage solutions.



3. The Council's Vision and Approach

3.1. The Council's approach highlights (i) a plan-led strategy with clear spatial choices and (ii) delivery of places that are healthy, inclusive, sustainable and well connected. Oxley House site is well placed to help deliver those objectives in a way that is specific to Abberton/Langenhoe.

Healthy, vibrant and diverse places

3.2. The emerging Plan emphasises creating places that support health and wellbeing and better everyday environments. Oxley House is being promoted explicitly as a landscape-led scheme incorporating generous public open space, nature trails, equipped play provision and community orchards, which directly support healthier lifestyles and access to nature.

Sustainable patterns of growth and best use of infrastructure

3.3. Oxley House adjoins the settlement edge and is promoted as a logical extension to Abberton. The supporting material explains that the site is served by footways to village services and is well served. The Council's pre-application response also acknowledges that there is potential for a scheme here, subject to further work on the identified matters (heritage / landscape / drainage etc.), and expressly advises the promoter to bring the site forward through the Reg 18 process.

Welcoming, inclusive communities and good design

3.4. The Vision's direction on inclusive communities and good quality environments is capable of being met through a framework/masterplan-led outline approach with secured green infrastructure, strong edges, and integrated open space – matters the Council has already signposted as important at outline stage.

Well-connected places

3.5. The Vision includes “well-connected” communities and reduced congestion through active travel. Oxley House is being promoted on the basis of existing connectivity to village facilities, the ability to prioritise walking/cycling within the layout, and the use of an existing access arrangement.

4. Why the Oxley House site should be allocated

4.1. In its pre-application response, the Council acknowledges the current housing land supply position is marginal and that it is “very likely” the supply will fall into deficit in the next monitoring update, such that boosting supply would attract significant weight as a material consideration.

4.2. Against that backdrop, the Plan should allocate sites that are deliverable, accessible and capable of early delivery. The Oxley House site benefits from:

- a deliverable access solution already established via permission 222355;
- adjacency to the settlement edge and existing services (village facilities and bus services along the B1025 corridor), with the Council also recognising this location as sustainable / not functionally isolated by reference to appeal findings in the locality.

4.3. Policy PP25 (View Park) requires (amongst other matters) provision of safe and suitable access and safe pedestrian access to connect to existing footways and/or PRow, plus green infrastructure connections and access to the countryside.

4.4. In selecting a preferred allocation for Abberton/Langenhoe, the Plan should demonstrably prefer sites that:

- already have (or can most realistically deliver) safe pedestrian connectivity to existing footways and village services; and

- have an access arrangement that can meet highway design standards with acceptable visibility and safety, without disproportionate off-site works.

4.5. The Oxley House site performs strongly on these criteria because it sits at the village edge, and its access strategy is anchored by an already-consented and implemented junction solution.

4.6. The promoter's scheme is expressly framed as a landscape-led village-edge extension capable of delivering new homes alongside enhanced green infrastructure, SuDS and biodiversity gains. This aligns with the objective of delivering growth in a way that supports sustainable settlement patterns, healthy communities and net environmental benefits.

5. Comparative planning merits versus the current preferred allocation at View Park (PP25)

5.1. We understand the Council has identified a preferred allocation at View Park for approximately 50 dwellings.

5.2. However, the policy wording itself highlights that pedestrian connectivity and access solutions must be secured (safe pedestrian access to existing footways/PRoW; safe and suitable site access to highway standards). In practice, where a site does not already have these characteristics, delivery can become more complex, slower, and more contentious at application stage.

5.3. By contrast, the Oxley House site offers a more robust and deliverable route to:

- safe access, leveraging an access arrangement already approved and being implemented;
- walkable connectivity and public transport opportunities typical of a site directly adjoining the settlement edge;

- reduced landscape harm through containment, given the established vegetation structure and the scope for a landscape-led framework (subject to LVIA and agreed viewpoints); and,
- potential to create new community orchard and public open spaces to support healthy lifestyles for new and existing residents.

SLAA Stage 2 comparison: Site 10233 (Oxley House) vs Site 10618 (View Park)

5.4. The Council's Stage 2 SLAA scoring shows that both sites perform similarly on several high-level metrics, including adjacency to the settlement boundary (Amber), no coalescence impacts (Green), highways (Amber), utilities (Green), flood risk (Green) and drainage (Green), and viability (Green). On that basis, there is no clear "show-stopper" differentiator which would justify treating Oxley House as materially less suitable in principle than View Park. For ease of reference, please find in the appendix a comparison table of the two sites' performance in the SLAA.

5.5. However, the SLAA also identifies several areas where Oxley House performs better (or is capable of performing better) than View Park, the most vital being that of Agricultural Land Classification. View Park has been highlighted as being the most versatile land in the SLAA whereas Oxley House is Grade 3b. We should be seeking to protect the best areas of farmland, especially when there are alternative sites in the same area available.

5.6. Overall the SLAA does capture Land at Oxley House well but there are specific appraisal conclusions within the SLAA which appear factually incorrect or unsupported, and which materially affect the relative performance of Site 10233 when compared to Site 10618 (Land at View Park, Abberton Road, Langenhoe).

5.7. The SLAA records Oxley House as having "no opportunities to enhance or create green infrastructure" but this conclusion is not consistent with what is demonstrably capable of being delivered on a site of this nature and scale, nor

with the promoter's intentions for a landscape-led scheme. The proposed development can include, as part of its masterplanning and mitigation strategy:

- community orchards (reflective of the site's historic association with orchards / Oxley House);
- a substantial area of public open space / parkland (capable of functioning as a "country park"-type greenspace at village scale); and
- integrated blue-green infrastructure, including SuDS and water features (noting that land management/landscape works of this nature have already begun on site).

5.8. Both sites are scored Red on the basis that more than 50% lies within a local designation such as the Coastal Protection Belt. That may be a correct *mapping* exercise, but it is not, by itself, a sound basis for preferring one site over another. What matters at plan-making stage is how each site contributes to the character and key sensitivities of the Coastal Farmland / coastal setting, and the degree of harm arising from development.

5.9. The Oxley House land is capable of being planned as a contained, landscape-led edge with limited effects on wider perceptual qualities where the site does not form part of the valued open views/expansive rural skyline that define more exposed locations. Conversely, View Park's more open relationship with the surrounding countryside and longer-ranging views means development is more likely to change the experience of the landscape character area.

5.10. The only "Red" that is clearly common to both sites is greenfield status, Oxley House outweighs on everything else.

5.11. The table on the following page sets out the clear strengths and weaknesses of each of the two sites;

Oxley House – 10233	
Strengths	Weaknesses
No contribution to coalescence;	Loss of greenfield land;
No neighbouring use issues;	Loss of 3b classified agricultural land;
No known utility issues;	Site is located within a Local Wildlife Site (LoWS), LNR or Coastal Protection belt.
The land is owned by one land owner and is willing to work in partnership to bring the site forward in combination with others	
Site is not located in AONB, SSSI, SAC, SPA, RAMSAR or Ancient Woodlands;	
Opportunities to enhance or create green infrastructure;	
No potential harm to archaeological or heritage assets;	
Development would not result in the loss of public open space, public right of way or a bridleway;	
Site is wholly located in Flood Zone 1;	
Site is not located within a Critical Drainage Area;	
Site is vacant and ready to come forward.	
The site does not rely on another piece of land;	
Suitable access arrangement already in place;	
No known site contamination.	
View Park - 10618	
Strengths	Weaknesses
No neighbouring use issues;	Site would risk increasing coalescence with Fingringhoe;
No known utility issues;	Access constraints but not significant enough to affect the deliverability;
Site is not located in AONB, SSSI, SAC, SPA, RAMSAR or Ancient Woodlands;	Loss of Grades 1, 2 and/or 3a (classified agricultural land);
Possible opportunities to enhance or create green infrastructure;	Loss of greenfield land;
No potential harm to archaeological or heritage assets;	Site is located within a Local Wildlife Site (LoWS), LNR or Coastal Protection belt;
Development would not result in the loss of public open space, public right of way or a bridleway;	There is possibility of site contamination, but it can be remediated without affecting development viability;
Site is not located within a Critical Drainage Area;	Unknown if land owner open to working in partnership and bringing the site forward in combination with others to enable a comprehensive approach to development
Site is vacant;	
The site does not rely on another piece of land;	

6. Addressing constraints

6.1. The Council's pre-application response identifies a clear list of technical matters that should inform any future application and masterplanning, including LVIA, arboricultural evidence (BS5837 survey, canopy cover), BNG baseline, drainage evidence, and a Heritage Impact Assessment.

6.2. We agree these are necessary and, importantly, they are the sorts of matters that are routinely managed through:

- an allocation policy that fixes key parameters (retained green infrastructure, density/edge strategy, and heritage buffers), and
- a proportionate evidence package at application stage.

6.3. That is precisely why plan-making is the right stage to allocate with clear, enforceable parameters, for example:

- requiring a heritage-led framework that preserves the ability to appreciate The Maltings and the listed group in a peri-rural context;
- requiring the layout to deliver a sensitive edge and avoid a perception of total enclosure through the retention of meaningful green infrastructure and an appropriate spatial strategy; and
- requiring design, landscape and lighting strategies that protect setting effects beyond mere visibility (noise, activity, and character), consistent with the Council's own pre-app advice.

6.4. The Council's pre-app advice is clear that existing vegetation is a major component of site character and that canopy cover expectations and BNG will need to be addressed early. Allocation can sensibly require:

- retention of principal boundary belts and strategic internal green structure (where supported by BS5837 constraints mapping); and
- a landscape-led capacity approach (i.e., "up to" quantum), so the final dwelling number responds to evidenced constraints and avoids over-suburbanising the edge.

6.5. However, it is also vital to point out now during these representations the site does not actually align with the Landscape Character Area of Coastal Farmland (E3) which is characterised as open rolling predominantly arable landscape which slopes gently down towards the coastal edge.

6.6. The Key Characteristics as set out in the Colchester Landscape Character Assessment 2024 of Coastal Farmland E3 are as follows;

- *Gently rolling arable landscape that slopes gently down towards adjacent drained estuarine marshes to the south, south-east and east; locally prominent knolls are distinctive features in the north.*
- *Predominantly open landscape with a large-scale field pattern defined by low gappy hedgerows, unvegetated drainage ditches or low berms.*
- *scattered woodlands and individual mature trees punctuate the open farmland, with more dense woodland cover to the east around Fingringhoe Ranges and former gravel extraction pits.*
- *Good levels of access via a network of footpaths and narrow lanes, and the King Charles III England Coast Path National Trail provides access to the edge of Salcott Channel in the south.*
- *Settlement pattern of small nucleated villages in the north and scattered farmsteads and halls elsewhere.*
- *Peldon and Abberton/Langenhoe occupy a slightly elevated location upon prominent knolls; Church of St Mary at Peldon is a prominent landmark visible from much of the surrounding landscape.*
- *A largely open landscape with long range views across farmland towards the adjacent marshes, particularly from higher ground in the north.*
- *An overriding rural character with a stronger sense of remoteness in the west and east away from larger settlements and the busy B1025.*

6.7. The site does not share any of these key characteristics. The image below highlights the site area in red and shows how distinctly different the site is compared to the wider arable fields and the typical coastal farmland described above.



6.8. The site also does not hold any of the key sensitivities and does not contribute to the values of the character area. These are listed as;

- *Strong sense of visual openness across much of the landscape, with long-range views across farmland towards adjacent estuarine marshes particularly from higher ground.*
- *Locally distinctive knolls of higher ground rising above the surrounding rolling farmland, occupied by the settlements of Peldon and Abberton/Langenhoe.*
- *Visual interest provided by scattered woodland and occasional mature trees (within hedgerows or isolated within fields).*
- *The Church of St Mary (Grade I Listed Building) at Peldon forms prominent landmark which is also visible from much of the surrounding landscape due to its location on a localised knoll.*
- *Ecological value and landscape diversity is provided by Ancient Woodland at Copthall Grove and by the mix of habitats at Fingringhoe Wick Nature Discovery Park, Brickhouse Farm Pits LWS, Pete Tye Common LWS and Fingringhoe Ranges LWS.*
- *Sense of time-depth and landscape interest provided by historic settlement pattern.*
- *The recreational value provided by the network of PRow, including the King Charles III England Coast Path, and rural lanes which connect dispersed*

areas of settlement and provide green infrastructure connections and recreational access to the landscape.

- *The rural character of the landscape which provides a setting for the settlements of Peldon, Langenhoe/Abberton and Fingringhoe.*

6.9. The image below is taken from Oxley Hill and looks towards the direction of the site. Part of the site is visible, but this is the part of the site that would be utilised for BNG and possibly public open space to increase accessibility to the open countryside.



6.10. Notably, the part of the site that is being proposed for residential development is completely screened by the land form and the mature vegetation on the boundaries which will be retained and enhanced.

6.11. The image below is taken from Mersea Road on the approach towards Abberton with the site towards the right of the image behind the mature tree belt at the far end of the field. The site is not visible.



6.12. The Landscape Management Plan within the Colchester Landscape Character Assessment sets out the guidance for managing development and the land within the E3 character area. The proposal seeks to meet these key points in the plan;

- *Prevent further loss of remaining boundary hedgerows – the proposals seek to enhance the retained boundary hedgerows.*
- *Further enhance opportunities for access and enjoyment – the proposals include a variety of new public open spaces.*
- *Visually intrusive and incongruous development should be avoided – the proposals are visually contained.*
- *Ensure that new development responds to historic settlement pattern and uses materials which are appropriate to local landscape character – the proposals are a natural growth of Abberton, making use of an existing access and shall be contained by residential development on three sides.*
- *The individual identity of Peldon and Abberton/Langenhoe should be maintained, by resisting further development between these settlements along Peldon Road. – the proposals ensure that the individuality of Abberton remains by building within a naturally contained site directly adjacent to the village.*
- *Encourage the integration of development into the landscape through the use of locally appropriate tree belts, hedgerows and woodlands to reflect and reinforce rural character. – the proposal is a landscape led scheme that seeks to fully integrate native trees and hedges.*

6.13. In summary, the site does not conflict with the character of the landscape area and would be a compatible growth opportunity for the village of Abberton.

7. Deliverability and next steps

7.1. The promoter has already engaged in pre-application discussions and has received officer advice that:

- there is potential for a scheme here (subject to the investigations outlined); and
- the correct route is to make representations through Regulation 18 rather than submit a premature application.

7.2. We therefore request the policy team now undertakes a comparative assessment of reasonable alternatives for Abberton/Langenhoe, including the Oxley House site, giving full weight to:

- deliverable access,
- pedestrian connectivity and sustainable travel potential,
- natural growth pattern to the village that reduces risk of coalescence with other villages,
- potential for new community orchard and public open spaces to be delivered through a policy-led framework,
- the ability to manage landscape and heritage effects through a policy-led framework.

Appendices

Copy of Pre-Application Advice – ref: 252472



Colchester City Council

PO Box 889, Rowan House, 33 Sheepen Road,
Colchester, CO3 3WG

Planning Services

Mrs Beth Deacon-Bates
The Livestock Market
Wyncolls Road
Colchester
CO4 9HU

Contact: Mr Daniel Cooper

Phone: 01206 282422

E-mail: planning.services@colchester.gov.uk

Your ref:

Our ref: **252472**

Date: 2 December 2025

Dear Mrs Deacon-Bates

Preliminary Enquiry Application

Proposal: Outline application for up to 49 units and associated infrastructure including equipped play park and community orchards

Location: Land at, Oxley House, Mersea Road, Abberton, Colchester, CO5 7NR

I am writing in response to your Preliminary Enquiry referenced above and received on 12 November 2025. I have now considered the information that you provided and have set out my conclusions below:

Identified Site Constraints and Opportunities

Landfill Site
SSSI Consultation Zone
Mineral Resources
UAD Monument
Bradwell Safeguarding Zone
SSSI Impact Risk Zone

Relevant Planning History

222355 – 5 new self build dwellings – Approved

091226 - Alterations and extensions to existing dwelling house to include creation of natural wildlife conservation water feature - Approved

Relevant Policy Information

The following national policies are relevant to this application:

- The National Planning Policy Framework (NPPF)

In addition to the above national policies, the following policies from the adopted Local Plan (2017-2033) are relevant:

Section 1 (adopted February 2021)

- SP1 Presumption in Favour of Sustainable Development
- SP2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)
- SP3 Spatial Strategy for North Essex
- SP4 Meeting Housing Needs
- SP7 Place Shaping Principles

PEReplLetter

Section 2 (adopted July 2022)

- SG1 Colchester's Spatial Strategy
- SG2 Housing Delivery
- ENV1 Environment
- ENV2 Coastal Areas
- SS1 Abberton and Langenhoe
- OV1 Development in Other Villages
- OV2 Countryside
- DM8 Affordable Housing
- DM9 Development Density
- DM10 Housing Diversity
- DM12 Housing Standards
- DM15 Design and Amenity
- DM16 Historic Environment
- DM19 Private Amenity Space
- DM21 Sustainable Access to development
- DM22 Parking
- DM23 Flood Risk and Water Management
- DM24 Sustainable Urban Drainage Systems
- DM25 Renewable Energy, Water Waste and Recycling

Regard should also be given to the following Supplementary Planning Guidance/Documents:

- Vehicle Parking Standards
- The Essex Design Guide
- External Materials in New Developments

LPA Case Officer Opinion on the Proposal

The site has been analysed solely through a desk top exercise considering the information submitted, the available planning records, mapping and aerial photography.

5 Year Housing Land Supply

The Council can currently demonstrate a 5-year housing land supply. The latest published position in 2025 shows a 5.05 year supply. Although this position supports an adequate supply currently, it is acknowledged it is marginal. Furthermore, the housing requirement for the purposes of 5 Year Housing Land Supply will need to be set against the latest housing need based on the Standard Methodology in future updates (from February 2026). It is very likely that the housing supply will go into deficit next year so the housing supply challenge and the benefit of boosting supply in these circumstances is a material consideration which should be afforded significant weight.

Alongside the Housing Land Supply considerations, the Council is preparing a new Local Plan.

Principle of the Development

The site is located close to but outside of the settlement limits and is therefore regarded as being located within the countryside. As such, policies SP1, SP3, OV1 and OV2 are relevant here. Policy OV2 Countryside states that residential development in the countryside, outside of settlement boundaries, will need to demonstrate that the scheme respects the character and appearance of landscapes and the built environment and preserves or enhances the historic environment and biodiversity.

Policy ENV1 Environment states under section E that the local planning authority will carefully balance the requirement for new development within the countryside to meet identified development needs and to ensure development does not have an adverse impact on the intrinsic character and beauty of the countryside and visual amenity and complies with other relevant policies.

Regarding sustainability, the recent appeal outcome on the adjacent land (Manwood Tye) considered this location to be sustainable and not functionally isolated. As such, the site is considered to be within a sustainable location.

In addition, it is also noted that the adopted Local Plan identifies Copford as a Sustainable Settlement. The plan states that such settlements are considered to have the potential to accommodate further proportionate growth. It is however, noted that the site is not part of the preferred options sites or in an area identified for further growth.

Following the decision to proceed with the regulation 18 draft local plan committee recently, it is now at consultation. It is therefore my strong suggestion that you put a package of information together that forms your representation for this site and the proposal. This is the correct approach within a plan led system and the policy team will therefore be able to consider your representation and determine whether or not the site can be included in the allocations when preparing the Reg 19 draft plan. I would advise you against submitting a planning application at this stage as that would clearly be premature and would undermine the plan led system.

Design, Layout and Landscaping

As noted above, Policies SP7 and DM15 state that all development respond positively to local character and context and respect and, wherever possible, enhance the character of the site.

With regards to the proposed design and materials of the dwellings, it is not possible for me to comment directly as this has been presented as an outline application with all matters reserved except for access. Notwithstanding this, it is considered that the semi-open nature of the site as well as the tree and/or shrub heavy elements contribute positively to the landscape character of the locality and there is concern that the construction of houses at this location with associated hard standing, roads, paths, lighting and domestic paraphernalia could result in a negative and harmful impact on the area. That being said, it is noted that the proposal includes significant BNG provision on site that could result in habitat creation however, this would need to be balanced and considered against the significant loss of existing shrub/tree coverage.

In terms of the existing trees/hedges present on site, Policy CC1 Climate Change under section (iv) states that a *Canopy Cover Assessment will be required for all major applications*². *Development proposals should seek where appropriate to increase the level of canopy cover on site by a minimum of 10%. In circumstances, where this is not possible or desirable, compensatory provision should be identified and secured through a legal obligation.* It should be noted that the 10% gain is required above the current level on site. Given the significant loss on site, any future full application will need to address this matter.

In addition to the above, the following comments are provided by the Council's Urban Design Officer for your consideration:

The application site measures approximately 3.5ha and has a broadly rectangular shape, with a strip cut out from the northern edge. Giving the site a shape akin to a jigsaw piece and creating an awkward and detached slither of the site in the north-western corner. The site sits north of the settlement of Abberton and beyond its settlement boundary. The site contains a single dwelling

with associated curtilage and swimming pool, but consists primarily of a former orchard. To the east and south the site sits adjacent to residential land uses with key arterial vehicular routes beyond. To the west of the site residential uses are more sporadic within the rural hinterland beyond the settlement, beyond which lies the reservoir. To the north of the site open countryside, featuring areas of woodland, drops down into the river valley and back up the other side, where the urban area of Colchester can be found almost 2km away. Thus the site has a verdant character, consistent with its rural context.

Given the sites location beyond the settlement boundary and the existing policy context, the below comments are offered without prejudice to the acceptability of the principle of the proposed development.

The submission proposes 49 new dwellings within the site, at a gross density of approximately 15dph. This density should be capable of accommodating a rural spatial strategy that is consistent with the site's rural context, however this is not evident within the submitted layout. Given the site's adjacency to the settlement, it has the potential to form an extension to the village. In this context, any development would need to be mindful of achieving an appropriate transition between the settlement and the open countryside beyond. Such a transition should be facilitated by a variance in density and character across the site. 15dph would be appropriate at the lower end of the spectrum, however higher density areas would be expected closer to the settlement. As such the proposed density is not consider particularly optimal.

That said, any proposals for the site should be informed by technical analysis of the site and its context. In this regard, the site's position at the top of the river valley, the high proportion of existing vegetation and proximity to heritage assets are likely to have a significant impact on the potential capacity of the site. As such, a BNG baseline study, Arb. Impact Assessment, Heritage Impact Assessment and Landscape Visual Impact Assessment (viewpoints would need to be agreed, based on a ZTV) should be conducted in order to inform design decisions (including quantum and spatial strategy in the first instance). In the absence of this information it is not possible to comment on the proposed quantum in detail, however is considered likely that the development of the site may be heavily constrained by some of the variables identified. Similarly, early engagement with the Highway Authority is recommended, given that the existing site access likely requires upgrading to accommodate the quantum currently proposed.

The submission suggests an Outline route is to be pursued, in this vein any submission would need to demonstrate that the desired quantum could be achieved in an appropriate manner. The above assessments would contribute to this, however the use of an 'up to' quantum may also prove beneficial, in allowing flexibility at a more detailed design stage. In its current form, the submitted layout appears overly suburban and engineered, lacking in incidental space and POS to balance it's increased net density. The below 'General Advice' is relevant in this regard. As a result, it is not considered that the submitted layout evidences the quantum can be achieved appropriately.

Were the outline route to be pursued, the content of any control documents should be proportionate to the evidence and detail available at that stage and should be focused on the design variables that are considered critical to the vision for the site and desired placemaking outcomes. It is anticipated an outline submission might include a framework plan that seeks to establish key parameters, such as:

- green infrastructure to be retained;*
- strategic green infrastructure connections to be made;*

- principle means of vehicular access, onward connections and indicative main distributor road network;
- walking and cycling gateways, onward connections and indicative strategic routes;
- broad locations of areas of strategic open space;
- broad locations of non-residential land uses;
- key edges/frontages; and,
- the approach to density across the site.

An approach that is less concerned about defining developable area and is more focused on defining key features to be retained, connections to be made and establishing the proposals identity, is likely to be considered more successful. If not secured at outline these matters would be secured by condition. Generally we would seek to agree said control documents as part of Pre-App or PPA discussions prior to the submission of any relevant application. Similarly, we would expect Pre-App discussions regarding matters of detail prior to any Full or Reserved Matters submission.

General Advice

The following concepts should also be considered as part of progressing the design of the proposal:

- Residential areas should include areas of informal/incidental green/open space. This should include both green and blue infrastructure, which should consist of a network of integrated features.
- The updated NPPF specifically acknowledges the important contribution that trees make to the character and quality of urban environments and that trees can also help mitigate and adapt to climate change. The framework requires that new streets are tree-lined and that opportunities are taken to incorporate trees elsewhere in developments. It is important to ensure that the right trees are planted in the right places and that appropriate measures are in place to secure the long-term maintenance of newly planted trees and that existing trees are retained wherever possible.
- Built form should establish a site wide positive and coherent identity that residents and local communities can identify with. This identity should respond to the sites context and reinforce/enhance the local vernacular. This can be achieved through a historic/traditional approach or through the adoption of a contemporary design solution; both options are valid, but whichever approach is adopted, the detailing must be of a high quality.
- The layout of the development and positioning of elements of landscape/built form should create a series of distinct spaces and take the opportunity to create character areas within the development. Character areas can be established through the hierarchy of streets, the grain of the development, the spatial enclosure of the street, the definition (boundary treatment) between the public and private domain as well as through landscaping, materials, and the design of the buildings. Distinct and legible character areas within the site should contribute to an overall distinct sense of place for the wider site.
- Areas of public open space should be fronted by units in order to ensure good levels of activity and natural surveillance. Similarly, units should front boundaries with existing adjacent roads and countryside edges to avoid domination of the streetscape and wider landscape views by rear boundary treatments. The layout should also avoid these sensitive edges being dominated by parking and vehicular movements.
- A variety of parking treatments should be adopted across the site. The National Design Guide requires car parking to be well-designed, landscaped and sensitively integrated into the built form so that it does not dominate the development or the street scene. The Guidance states that car parking should incorporate green infrastructure, including trees, to soften the visual impact of cars,

help improve air quality and contribute to biodiversity and that they should be secure and overlooked.

- A clear road hierarchy should be established and reinforced by adopting a varied surface material for shared surfaces and utilising a variety of frontage treatments for plots.

- Back to back distances should comply with the Essex Design Guide (15-25m dependent on relationship between units).

- Focal/nodal buildings should be included to enhance legibility within the site.

- Brick walls should be used to enclose boundaries that address public/semi-public realm, this includes parking courts.

- Proposals should be mindful of policy requirements regarding tree canopy cover and biodiversity net gain at an early stage in order that they can be considered opportunities rather than constraints within the design evolution.

- Proposals should be mindful of policy requirements to appear tenure blind with affordable units 'pepper-potted' throughout the site, with a mix that matches the sites market housing.

- Window design should be consistent across all elevations in order to ensure a consistently high standard of design. The frame of fixed panes should reflect that of opening casements.

- Consideration should be given to meter housing and service intakes, these should be located out of public view or should be purposefully designed into the treatment of the buildings façade, so as to not cause detriment to the standard of design achieved.

- Consideration should be given to the proposals carbon footprint, for both the long and short term. This should include consideration of energy consumption and energy generation (i.e. construction methods, materials, building orientation and openings, utilities, renewables, etc).

Ecology and Biodiversity Net Gain

Should this scheme or a similar proposal progress to full application, biodiversity net gain must be considered as well as a biodiversity baseline matrix submitted. In addition, Natural England advises that the biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990. The condition is deemed to apply to every planning permission granted for the development of land in England (unless exemptions or transitional provisions apply), and there are separate provisions governing the Biodiversity Gain Plan. The condition requires that development may not begin unless:

- (a) Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

As such, this should be taken into account within any forthcoming application with the inclusion of a BNG Plan recommended.

While it is noted that a Phase 1 Ecology Survey has been submitted as part of this enquiry, given the significant loss of existing potential habitat, we will consult Place Services Ecology during any future full application for this proposal.

Impact on the Surrounding Area

The overall character of the area the site is located in is of a semi-rural, edge of countryside and fairly low density character. As noted above, the application site currently contributes very positively to this character. This open character is an attractive feature, integral to that character. Its loss in favour of up to 49 dwellings could harm that character, contributing to an urbanisation of the area. As such, I would strongly advise that you commission a steer from Place Services Landscape via a dedicated topic based pre-app prior to the submission of any full application for this scheme.

Impact on Neighbour Amenities

As this is a proposal for outline, the proposed location of the dwellings (as highlighted in Illustrative Master Plan drawing) are subject to change. That being said, parts of the site are close to existing dwellings such as the East, South and West sections, therefore, impacts on these existing dwellings must be carefully considered and represented should a full application follow this enquiry.

Highway Matters

Current parking standards require dwellings with two or more bedrooms to provide a minimum of two off road parking spaces. It is noted that the site is fairly large and should be capable to providing more than sufficient parking spaces for each dwelling. That being said, any full application should clearly demonstrate that policy compliant parking provision has been provided.

While it is clear that the proposal will utilise the existing approved access to the East, a full application should be accompanied by a Transport Assessment to demonstrate that the access can accommodate the resulting intensification.

Whilst I have not consulted the Highway Authority at this stage, their comments on any potential impacts the proposal may have on highway safety, as a result of the increase in vehicle movements to and from the site would be sought during any forthcoming scheme. You are advised to utilise the pre-app services of Essex Highways prior to submission of a full application.

Flood Risk and Drainage

Local Plan Policies CC1 (Climate Change) and DM23 (Flood Risk and Water Management) state that development will be directed to locations with the least impact on flooding or water resources. Major development proposals required to reduce post development runoff rate back to the greenfield 1 in 1 year rate, with an allowance for climate change. On brownfield sites where this is not achievable, then a minimum betterment of 50% should be demonstrated for all flood events.

The proposed development site is shown to be in a flood zone 1 where the risk of flooding is low however a flood risk assessment must be submitted on full application to meet policy requirements. In addition, the SuDS team will be consulted on any forthcoming application with their comments given weight I considerations. Prior to submission of a full application, it would be beneficial to use the pre-app services of the LLFA for SUDS matters.

Heritage

While there are no Listed Buildings within the site, one does lie to the East just South of the main access point and in terms of its character and setting, there are some concerns with this proposal. Below are the comments provided by the Council's Historic Buildings and Areas Officer who will be consulted again should a full application follow this enquiry:

The application site is situated to the north of Abberton, a parish approximately 4 miles to the south of Colchester. Historically, the settlement was highly dispersed, comprising isolated manors, farms and cottages, often spaced out around the edges of the greens and heaths between Abberton and Langenhoe. The construction of the Abberton Reservoir in the 1930s transformed the landscape character of the area and the post WWII War infilling of The Green at Abberton and the ribbon development along the road to Fingringhoe largely defined the settlement boundary.

The site is located to the west of Mersea Road, north of the settlement. To the east of the site, The Maltings is listed at Grade II (NHLE 1110921) for its special historic and architectural interest and its list description is as follows: "Late C16 house, timber framed and plastered. Two storeys. Red plain tile roof. South gable end is weatherboarded. Gabled extension at south end of front elevation, and C19 red and painted brick lean-to. Remainder has parapet wall and moulded string course. One, 5 window range C18 double hung vertical sliding sashes with glazing bars. Original main chimney stack in red brick. C18, pedimented door case, 3 bays and chimney bay plan. Adjoining stable range, now garages in red brick with red pantile roof."

A group of listed buildings is located to the south of The Maltings, comprising Malting Cottage (NHLE 1337389), Forge Cottage (NHLE 1110920), a "Weatherboarded outbuilding to Forge Cottage" (NHLE 1169941) and The Post House (1169932).

In accordance with paragraph 207 of the NPPF (2024), all heritage assets potentially affected by the proposed development, their significance and the contribution their setting makes to their significance should be assessed in more detail with a Heritage Impact Assessment that will accompany a formal application. The report should also assess the contribution of the application site to their setting and significance, as well as the anticipated impact of the proposed development to this contribution and significance.

It is recommended that study is carried out using the following Historic England guidance documents:

- Historic Environment Good Practice Advice in Planning 2: Managing Significance in Decision-Taking in the Historic Environment (2015).
- Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Second Edition, 2017).
- Historic England Advice Note 12: Statement of Heritage Significance: Analysing Significance in Heritage Assets (2019).

The application site forms part of the setting of the heritage assets to the east. Of these, The Maltings has the most direct relationship with the site, while Malting Cottage also shares its western boundary. The land use and open aspect of the site that makes a significant contribution to the landscape character of the area that enables the appreciation of these listed buildings within a peri-rural context at the edge of the settlement boundary.

The assessment of the impact on the setting of these heritage assets should not be limited to considerations of invisibility. Historic England's "Historic Environment Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets" notes that "The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places."

The guidance document also advises that where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset. Negative change could include severing the last link between an asset and its original setting. In this instance, the proposed development would have cumulative effect with the development erected by permission 222355 which would result in fully enclosing The Maltings within development and severing its remaining link to the countryside.

Therefore, as scheme of this scope would alter significantly the character of the area and change the manner in which the nearby heritage assets are experienced. Without prejudice to the conclusions of the Heritage Impact Assessment, it is regarded that the residential development of the site would result in inherent harm to the significance of the nearby heritage assets through the urbanisation of land that forms their setting and provides their context, at present and historically. While the precise intensity of this harm remains to be assessed with the HIA, this impact will be a material consideration for the decision of a formal application, in accordance with the Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act (1990) which requires that the decision to grant planning permission for development which affects a listed building or its setting shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The National Planning Policy Framework (2024) will be an additional consideration. The Framework instructs that great weight should be given to the conservation of designated heritage assets when considering the impact of a proposed development on their significance; this is irrespective of the level of harm (Paragraph 212). Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset (from development within its setting), should require clear and convincing justification. While Paragraph 214 deals with substantial harm, Paragraph 215 instructs that the harm should be weighed against the public benefits of the proposal, where this harm is identified in the spectrum of less than substantial. The Framework also stipulates that the effect of an application on the significance of non-designated heritage assets should be taken into account in determining the application, with a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.

The above legislation and national planning policies are reflected in Colchester Local Plan 2017-2033-Section 2 Policies ENV1 and DM 16. Policy ENV1 sets out that the Local Planning Authority will conserve and enhance Colchester's historic environment. Policy DM16 clarifies that the conservation of the historic environment will also be ensured by preserving and enhancing Listed Buildings and buildings of local importance. The Policy also states that development affecting the historic environment should seek to conserve and enhance the significance of the heritage asset and any features of specific historic, archaeological, architectural or artistic interest. Additionally, the Policy prescribes the same planning balance that is prescribed in the NPPF's Paragraph 215, noting that where development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Public Consultation

With a proposed application of this size outside of the settlement boundary, genuine public consultation is critical. It would be very helpful if this was to occur after the Council's Regulation 18 consultation has concluded. Simultaneous consultations would be very confusing for the public. The consultation should take into consideration the feedback from the public and should react to the public suggestions and concerns. We would expect this to be demonstrated clearly in your statement of community involvement. In our experience communities do not appreciate consultation that does not result in tangible change so please make sure this occurs at an early enough stage to facilitate that.

Other Potential Issues (e.g. Conservation, Arboricultural etc) Including Other Consultee Comments

Environmental Protection

Should full planning permission be applied for Environmental Protection wish to make the following comments:-

ZPD - Limits to Hours of Work

No demolition or construction work shall take outside of the following times;

Weekdays: 08:00-18:00

Saturdays: 08:00-13:00

Sundays and Bank Holidays: No working.

Reason: *To ensure that the construction phase of the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise at unreasonable hours.*

ZPE - Limits to Hours of Construction Deliveries/Worker Traffic

No construction deliveries to or from the site, worker vehicle movements, or construction work shall take place outside of the following times;

Weekdays: 08:00-18:00 (worker vehicle movements: 07:30-18:30)

Saturdays: 08:00-13:00 (worker vehicle movements: 07:30-18:30)

Sundays and Bank Holidays: No deliveries or traffic.

Reason: *To ensure that the construction phase of the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise at unreasonable hours.*

ZPA – Construction Method Statement

No works shall take place, including any demolition, until a Construction Method Statement has been submitted to and approved, in writing, by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide details for:

the parking of vehicles of site operatives and visitors;

hours of deliveries and hours of work;

loading and unloading of plant and materials;

storage of plant and materials used in constructing the development;

the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

wheel washing facilities;

measures to control noise and vibration;

measures to control the emission of dust and dirt (for developments above 50 units a specific Dust Management Plan is required);

a scheme for recycling/disposing of waste resulting from demolition and construction works (no waste materials should be burnt on the site);

the appointment of a public liaison person to update residents on the development

and deal with complaints, including dust and noise, contact details to be displayed at the site entrance (for developments above 50 units).

Reason: *In order to ensure that the construction takes place in a suitable manner and to ensure that amenities of existing residents are protected as far as reasonable.*

Noise

Prior to construction of the development above ground level, a detailed acoustic assessment and mitigation report, produced by a competent person, which provides

details of the noise exposure at the facade of residential dwellings, internal noise levels in habitable rooms and noise levels in all associated amenity spaces shall be submitted to and approved, in writing, by the Local Planning Authority. Where the internal noise levels exceed those stated in the current version of BS8233 with windows open, enhanced passive ventilation with appropriate sound insulating properties shall be provided to ensure compliance with the current version of BS8233 with windows closed and that maximum internal noise levels at night do not exceed 45dBA on more than 10 occasions a night. Where exposure exceeds the noise levels of 60dBLAeq 16 hours (daytime, 07:00-23:00, outside), 55dBLAeq 8 hours (night, 23:00-07:00, outside) significantly enhanced ventilation will be required, with any reliance upon building envelope insulation with closed windows should be justified in supporting documents that cross reference the mitigation measures used. In addition, noise levels in external amenity spaces shall not exceed 55dBLAeq 16 hours, daytime. The development shall thereafter be carried out in accordance with any details approved, and shall be retained in accordance with these details thereafter.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the future residents by reason of undue external noise where there is insufficient information within the submitted application.

ZGR - Light Pollution for Minor Development

Any lighting of the development (including resultant sky glow, light trespass, source intensity and building luminance) shall fully comply with the figures and advice specified in the current ILP Guidance Note For The Reduction of Obtrusive Light for zone E2 RURAL (low district brightness – sparsely inhabited rural areas, village or relatively dark outer suburban locations)

Reason: In order to safeguard the amenity of the surrounding area by preventing the undesirable, disruptive and disturbing effects of light pollution.

EV Charging points

Residential development should provide EV charging point infrastructure to encourage the use of ultra-low emission vehicles at the rate of 1 charging point per unit (for a dwelling with dedicated off road parking) and/or 1 charging point per 10 spaces (where off road parking is unallocated).

Arboricultural Officer

A review of the preliminary enquiry documents, including the PE statement, illustrative layout, the earlier Oxley House landscape scheme, OS base mapping and recent aerial imagery, indicates that the site contains substantial boundary vegetation, internal tree groups and former orchard areas, many of which appear to remain densely vegetated despite historic permissions allowing partial orchard removal. The PE statement confirms historic orchard use and long-established tree belts enclosing the site, with the aerial photography clearly showing mature vegetation on all external boundaries and across internal compartments.

Existing Trees and Hedgerows (from aerials, plans and indicative layout)

- **Western boundary:** A continuous mixed broadleaf belt, likely comprising species such as oak, ash, sycamore, hawthorn and field maple. Density and height suggest mature trees (possibly 12–18m tall) offering high screening and strong ecological corridor value.

- *Northern boundary: A well-established line of trees and hedgerow vegetation forming a mature landscape enclosure. This vegetation appears structurally important and likely contains multi-stem field edge trees of moderate-to-high collective amenity value.*
- *Eastern boundary (towards Mersea Road): Individual trees and garden vegetation associated with adjacent residential properties, contributing to local character and providing intervisibility screening.*

• *Internal vegetation:*

- *Blocks of semi-mature to mature vegetation corresponding with the former orchard and unmanaged regrowth areas.*
- *Scattered trees near Oxley House itself, including ornamental species and possible apple or pear remnants.*

These internal tree groups appear to provide meaningful canopy cover, ecological connectivity and landscape structure within the development parcel.

Likely Significance

Without BS5837 survey data, category grading cannot be confirmed. However, based on canopy structure, maturity and visual function:

- *Boundary belts are likely B-category collectively and may contain A-category individuals.*
- *Internal orchard remnants and secondary woodland are likely a mix of C- and B-category trees.*
- *Screening value is high, with vegetation forming the primary landscape containment described in the applicant's documents.*
- *Ecological value is likely moderate-to-high, given the connectivity between hedgerows, woodland blocks, and wider farmland.*

Likely Constraints

Based on visible canopy spreads and expected root protection areas (RPAs):

- *RPAs will extend significantly into developable areas shown on the concept plan, particularly:*
 - *The north-western residential parcels.*
 - *Road infrastructure and turning heads close to boundary belts.*
 - *The proposed attenuation basin and biodiversity area, which appear to overlap or closely approach existing tree groups.*
 - *Shading constraints are expected along the western and northern boundaries, potentially affecting garden usability and building orientation.*
 - *Any removal of boundary vegetation that forms the site's visual enclosure is likely to have landscape and policy implications (ENV1 and ENV3).*

No BS5837:2012-compliant tree survey, AIA, AMS, TPP or canopy cover assessment has been provided at PE stage. Without these documents:

- *True tree dimensions, conditions, life expectancy and categorisation cannot be assessed.*
- *RPAs, shading arcs and below-ground/above-ground constraints cannot be confirmed.*
- *The feasibility of the layout relative to tree retention cannot be determined.*
- *Potential conflicts between proposed infrastructure, drainage, POS areas, driveways and RPAs cannot be evaluated.*

A meaningful arboricultural assessment is therefore not currently possible, and it cannot be determined whether the indicative layout is compatible with appropriate tree retention and protection.

2.0 Conclusion

The site contains substantial tree cover, both on boundaries and internally, which is likely to be of significant arboricultural, landscape and ecological importance. This vegetation forms a fundamental part of the site's character and contributes heavily to the visual containment relied upon in the PE submission.

However, without BS5837:2012-compliant baseline data, the Local Planning Authority cannot determine:

- *Which trees are suitable/unsuitable for retention.*
- *Whether the indicative layout can be reasonably delivered without unacceptable arboricultural harm.*
- *The extent of RPA conflicts posed by housing, roads, attenuation features and POS.*
- *Whether high-value trees (A or B category) require redesign of the masterplan.*

In accordance with BS5837:2012, NPPF 2024 paragraphs 187–201, and Local Plan Policies DM15, ENV1, ENV3 and CC1 (major schemes), arboricultural information is presently insufficient to provide meaningful advice on layout feasibility or impacts.

3.0 Recommendation

To progress to a planning application, the following must be submitted:

1. *BS5837:2012 Tree Survey of all trees on and adjacent to the site.*
2. *Tree Constraints Plan (TCP) showing RPAs and shading arcs.*
3. *Arboricultural Impact Assessment (AIA) detailing:*
 - *RPA incursions*
 - *Removals and justification*
 - *Special engineering, no-dig requirements*
 - *Utilities and drainage routing impacts*
4. *Tree Protection Plan (TPP).*
5. *Arboricultural Method Statement (AMS) covering sequencing, supervision and protective measures.*
6. *Canopy Cover Assessment (Policy CC1) (as this is a major development of up to 49 units).*

Once this information is provided the Council can offer a definitive arboricultural position on the suitability of the proposed layout.

Archaeological Officer

The footprint of the proposed development is primarily currently woodland, with the areas of open ground at the periphery of the site being earmarked for BNG rather than development. As such, the amount of the proposed development which will be occurring on previously undisturbed ground is relatively minimal. Having examined the relevant HER records and the results of nearby archaeological fieldwork, I conclude that the proposed development will not result in material harm to the significance of below-ground archaeological remains. Therefore, there will be no requirement for any archaeological investigation in this case.

Planning Obligations (based upon the layout options submitted as part of this enquiry):

The following was requested at the Development Team meeting regarding this proposal:
Highway Authority-The planning application should be accompanied by a Transport Statement, the scope of which should be agreed with the Highway Authority as soon as Possible.

Affordable Housing The tenure mix should be no less than 80% affordable rent and no more than 20% affordable homeownership.
 A minimum of 12 of the 15 Affordable units to be for Affordable Rent. Which would see an increase of one unit currently proposed to be policy compliant.
 An evenly apportioned mix over the bedroom sizes The current need for this area is for three-bedroom family homes. All AR units should be capped at LHA.
 The developer should have a Registered Provider engaged from an early state. If the developer does not have a Registered Provider engaged, please provide a copy of the attached RP contact list or put them in touch with CCC enabling officer who can provide relevant contact details.

Requests

5% of the Affordable requested to be wheelchair M4 Cat3 specification
We would request that the affordable housing should meet the enhanced accessibility standard of Part M4 cat 2 (Building Regulations 2015 edition incorporating 2016 amendments for use in England) in lieu of lifetime homes, in accordance with the requirements in Policy DM8 (Local Plan 2022)."

Community Facilities £140,768.67

Projects: Abberton and Langenhoe Village Hall

And/Or/Either

Peldon & Wigborough Village Hall

And/Or/Either

Fingringhoe Village Hall

And/Or/Either

Layer Village Hall

This contribution would go towards the benefit of the community and shall be agreed with the local planning authority. This list is not comprehensive or final and is subject to change once a full application is received.

Parks & Recreation Total: £224,733.60

Offset: £294,450.93

- Open Space: 0.35ha x £506,318 = £179,894.80
- Leap (Recommended) = £97,764.50
- Orchard = £16,791.63

Total Remaining (After Offsets) = £0

Open Space, Orchard & Playground go to Management Group or Parish Council.

Total Maintenance for 25 years:

- 0.35ha x £83,244.55 = £29,576.81
- Leap = £84,024.40
- Orchard = £10,039.79

ECC

Based on total of 49 Units 2+ Bed Houses.

Library contributions would be based on £77.80 per dwelling so a contribution of £3,812.20 may be requested.

Early Years and Child Care Based on 49 Qualifying Units would equate to 4.41 EY&C places @ £19,989.00 per place so a contribution of £88,151.00 + Indexation may be requested.

Primary Education Based on 49 Qualifying Units would equate to 14.70 Primary Places @ £19,989.00 per place so a contribution of £293,838.00 + Indexation may be requested.

Secondary Education Based on 49 Qualifying Units would equate to 9.80 Secondary Places @ £27,492.00 per place so a contribution of £269,422.00 + Indexation may be requested.

RAMS

A financial contribution would be required in line with the Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) for the Essex Coast at £169.45 per new dwelling (as of April 2025) and agreement to this would also feed into the Council AA. It is noted that this contribution is likely to rise in the new year.

Further Information That May Be Required

In addition to statutory requirements, the following would also be required as part of a planning application:

Biodiversity Enhancement Strategy

Biodiversity Net Gain assessment and metric

Contamination Reports

Design and Access Statement

Ecological Appraisal (updated one likely to be required following any changes or length of time passed)

Flood Risk Assessment and Surface Water Drainage Scheme

LVIA (with verified views)

Noise Assessment

Odour Assessment

Water Cycle Assessment (regarding Foul water outputs and capacity).

Planning Statement

Transport Statement

Tree Canopy Cover Assessment

Tree Survey and Arboricultural Impact Assessment (including Tree Protection Plan)

The Planning Officers Advice

It is my opinion that there is potential for a scheme of new dwellings on this site however, there are issues and matters for further investigation outlined above. In addition, you are strongly advised to bring this site forward as part of the Reg 18 consultation plan demonstrating your justification for the proposed site allocation.

I must point out that this is the advice of the case officer as well as senior members of the Planning Team and internal consultees however, should a planning application be submitted, the views of any consultees, including neighbours, will be considered during the determination process. These comments therefore do not prejudice the formal consideration of this matter.

I hope that the above is useful to you. Should you wish to refer to any of the policies or documents mentioned then these can be accessed via our website at www.colchester.gov.uk

Yours sincerely

Mr Daniel Cooper

Mr Daniel Cooper
Senior Planning Officer

PLEASE NOTE: The opinions expressed herein are not binding on Colchester City Council although being provided by a professional Officer with relevant expertise within the Development Management Team. The opinion provided above is based exclusively on the information that has been provided to the author at the time of writing unless otherwise stated above. Thus, any views expressed should not be interpreted as fact, nor should they be passed on to third parties on such a basis. All communications are meant for the intended recipients only. Please check that there is no private and confidential information enclosed and seek the author's permission before sharing this communication with others where there is any doubt.

Textphone users dial 18001 followed by the full number that you wish to call.

SLAA comparison table

Question in SLAA	Land at Oxley House	View Park
Is the site within or adjacent to the existing settlement boundary?	Amber – adjacent to or within close proximity an existing settlement boundary	Amber – adjacent to or within close proximity an existing settlement boundary
Would development of the site lead to coalescence between settlements?	Green – no contribution to coalescence	Green – no contribution to coalescence
What is the main access point/s to the site? Is the access safe and suitable? Are there any highway constraints?	Amber – some constraints identified but not significant enough to affect the site's deliverability	Amber – some constraints identified but not significant enough to affect the site's deliverability
Is there any evidence that it would not be possible to deliver the necessary utilities?	Green – no known issues with utility provision	Green – no known issues with utility provision
Are there any issues that would prevent/limit the developable area of the site?	Amber – some site specific issues which could be addressed	Green – no known site specific issues or evidence has been provided which demonstrates that site constraints can be adequately addressed
Is the site brownfield or greenfield?	Red – greenfield (approx. 75% plus)	Red – greenfield (approx. 75% plus)
What is the agricultural land classification?	Amber – Grades 3b (50% or more) or a mix of categories	Red – Grades 1, 2 and/or 3a (50% or more)
Impact of neighbouring uses	Green – there are no neighbouring use issues	Green – there are no neighbouring use issues
Is the site partially located within any of the following designations? Area of Outstanding Natural Beauty (AONB), Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA), Ancient Woodlands, RAMSAR	Green – site is not located within any designations listed.	Green – site is not located within any designations listed.
Is the site located within any of the following local designations? Local Wildlife Site (LoWS), Local Nature Reserve (LNR), Coastal Protection Belt	Red – more than 50% of the site is located within a designation.	Red – more than 50% of the site is located within a designation.
Could development of the site enhance or create green	Red – no, there are no opportunities to enhance	Amber – possibility of opportunities to enhance

infrastructure e.g Open Space, Park, Sport and/or recreation grounds, Country Park, Allotments?	or create green infrastructure.	or create green infrastructure.
Would development of the site be likely to cause harm to any archaeological or heritage assets or their setting? Grade 1, Grade 2, Grade 2* Listed Building, Scheduled Ancient Monument (SAM), Registered Parks and Gardens, Conservation Areas, Locally Listed Heritage Asset, archaeological assets	Amber – there is a possibility of harm arising from new development.	Green – no potential harm.
Would development of the site result in the loss of, or partial loss of, public open space, a Public Right of Way (PRoW), or a bridleway?	Green – development would not result in the loss of public open space, public right of way or a bridleway.	Green – development would not result in the loss of public open space, public right of way or a bridleway.
What flood zone is the site located in?	Green – Site is wholly located in Flood Zone 1	Green – Site is wholly located in Flood Zone 1
Is the site within a Critical Drainage Area?	Green – site is not located within a Critical Drainage Area	Green – site is not located within a Critical Drainage Area
Has the site been submitted for development through the Call for Sites for the Local Plan Review?	Green – Yes, the site has been submitted through the Call for Sites for the Local Plan Review by a site owner or developer.	Green – Yes, the site has been submitted through the Call for Sites for the Local Plan Review by a site owner or developer.
What is the site ownership situation?	Amber – site owned by 2 or more different parties	Green – Single ownership
Is the land owner open to working in partnership and bringing the site forward in combination with others to enable a comprehensive approach to development?	Green – Yes, the land owner is willing to work in partnership to bring the site forward in combination with others.	Amber – unknown
Is the site currently in use and is it likely to continue to be used for the foreseeable future / would that use prevent development on the site from coming forward?	Green – site is vacant or its current use can cease at short notice.	Green – site is vacant or its current use can cease at short notice.
Does the site have a history of unimplemented permissions?	Green – No unimplemented permissions	Green – No unimplemented permissions
Is development of the site in line with existing policies requiring a	Green – development is likely viable.	Green – development is likely viable.

contribution, i.e., affordable housing, is development of the site economically viable? Are there any factors which could limit its viability.		
Does the development of, or access to, the site rely on another piece of land, and has that land been put forward for development?	Green the site does not rely on another piece of land.	Green the site does not rely on another piece of land.
Is the site within a Minerals Safeguarding Area and/or Minerals and Waste Consultation Area?	Amber – Site is within a Minerals Consultation Area and/or a Waste Consultation Area.	Green – Not within a Minerals Safeguarding Area, Minerals Consultation Area or Waste Consultation Area
Is the land currently protected for an alternative use within the Colchester Local Plan or a Neighbourhood Plan?	Green – the site is not protected for any alternative use.	Green – the site is not protected for any alternative use.
Is the site contaminated or partially contaminated?	Amber – there is possibility of contamination, but it can be remediated without affecting development viability.	Amber – there is possibility of contamination, but it can be remediated without affecting development viability.