

Boyer

Land North of Colchester Road, West Bergholt

Representations to the Colchester City Council
Local Plan

REPORT CONTROL

Project:	Land North of Colchester Road, West Bergholt
Client:	Hopkins Homes
Reference:	Click to add ref number.
Document and revision number	Document No. IMS-F-18, Revision 3
File Origin:	Click to add file location.
Primary Author	AM/ME
Checked By:	ME

Issue	Date	Status	Checked by
1	18/12/2025	DRAFT	ME
2	09/01/2026	DRAFT	ME
3	12/01/2026	DRAFT	ME
4	13/01/2026	FINAL	ME

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1. INTRODUCTION

- 1.1 On behalf of Hopkins Homes and Caroline Crane, Boyer has reviewed the Colchester Local Plan Review Regulation 18 Preferred Options documents which has been published for public consultation.
- 1.2 These representations seek to support the site Land North of Colchester Road, West Bergholt which has been identified as a preferred allocation. The site is being promoted for approximately 100 dwellings of a mix and type of housing to meet needs and compatible with surrounding development. Land North of Colchester Road is in a sustainable location for development and is considered a logical extension to West Bergholt that is capable of providing residential development.
- 1.3 Land North of Colchester Road, West Bergholt has been promoted to the Council through early rounds of engagement via the Call for Sites and targeted Issues and Options consultations that the City Council have undertaken in 2023 and 2024. This has led to the site being allocated under Policy PP43: Land North of Colchester Road, West Bergholt. Whilst the allocation is supported, we consider that the site is available for development and is deliverable and developable as per the definition in the National Planning Policy Framework (NPPF). Overall, the site aligns with the Council's draft strategic objectives and vision, and can deliver sustainable development in the Colchester Council area.
- 1.4 As well as supporting the preferred allocation in West Bergholt, the other parts of the Local Plan consultation documents have also been considered and representations provided on both the Strategic and Non-Strategic Policies published at the Regulation 18 stage by Colchester City Council.
- 1.5 These representations provide our response on behalf of Hopkins Homes and Caroline Crane to the Preferred Options Local Plan and reflects the chronological order of the documents and chapters contained within.
- 1.6 Whilst it is not possible to comment on the soundness of the Plan at this early stage, as the Local Plan Review progress 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. Where appropriate our representations relate to the tests of soundness and Government requirements.
- 1.7 Alongside the Preferred Options consultation document, Colchester have also published a Sustainability Appraisal and various evidence base documents which we have reviewed or referred to in the representations below.
- 1.8 Hopkins Homes are keen to continue working closely with the City Council through the plan making activities to ensure that emerging policies and site allocation requirements meet the tests of soundness detailed in the NPPF. Hopkins Homes are also committed to engaging further and promoting the site at West Bergholt through future rounds of consultation and examination as detailed in the Council's Local Development Scheme.

2. PART ONE: STRATEGIC POLICIES

- 2.1 Within this section, we have looked to provide comments in response to contents of the Colchester City Local Plan Regulation 18 Consultation. Our comments are set out in plan order for ease of reading.

Policy ST1: Health and Wellbeing

- 2.2 Policy ST1 is an ambitious policy which sets out the Council objective for places to have a significant influence over health and wellbeing in Colchester.
- 2.3 Hopkins Homes acknowledge the link between high quality development and the positive impact this can have on the lives of current and future residents.
- 2.4 Hopkins Homes has land interests in West Bergholt which benefits from a range of services and facilities that support the health and wellbeing of residents and the surrounding communities in line with the proposals emerging in Policy ST1.
- 2.5 It is noted however 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.
- 2.6 The consultation document as written fails to justify the change in threshold that is being suggested, and we are concerned that it will lead to additional detail having to be prepared for developments. It is also unclear as to whether or not, sites that are identified as allocations in the plan are also required to prepare a Health Impact Assessment (alongside the variety of site specific requirements found in each policy), or whether the health impacts have already been considered by the City Council as part of their plan making activities.

Policy ST3: Spatial Strategy

- 2.7 The Spatial Strategy is a key consideration for any Local Plan and Hopkins Homes are pleased to see that the Council has sought to direct growth to the most sustainable and accessible locations across the plan area and the time period for which the plan is looking to cover.
- 2.8 We note that the plan period is to 2041, but in our view, this needs to be extended to ensure that a minimum of 15 years from adoption is achieved as outlined in the NPPF. For the plan to be found “sound”, the Planning Inspectorate will need to be satisfied that the plan covers the appropriate period and genuinely provides a long term vision for the area.
- 2.9 At the time of writing 2041 is 15 years, yet as detailed within the Council’s Local Development Scheme (March 2025), the plan is not anticipated to be adopted until Spring 2027. Assuming these timelines are met the plan at point of adoption will only cover a 14 year period which is not in accordance with the NPPF.
- 2.10 Ahead of the Regulation 19 version of the Local Plan, the Council is encouraged to extend the plan period to ensure that a minimum of 15 years is covered post adoption.

- 2.11 The Spatial Strategy is weighted towards the urban area of Colchester as the largest settlement with the most services and facilities available for residents, businesses and visitors to the area. However, the plan area covers a much wider geography, and we support the Council for their positive approach to identifying sustainable settlements as detailed within the Settlement Hierarchy.
- 2.12 Local Plans prepared by the local planning authority have long identified the sustainable nature of settlements surrounding the main urban area and this is welcomed and supported in the Preferred Options document.
- 2.13 The variety of Large, Medium and Small settlements identified in the hierarchy ensure that the whole plan area can accommodate growth and development over the plan period to sustain the thriving communities in the area. Many of these benefit from a range of services and facilities including education, commercial, sport/recreation and health services and these will only be sustained through future development proposals and growth.
- 2.14 Hopkins Homes welcome the identification of West Bergholt as a Medium settlement and the Local Plan acknowledging that this is a settlement to which future growth will be directed over the plan period.

Policy ST5: Colchester's Housing Needs

- 2.15 The Government is clear that local authorities should plan for the appropriate level of housing in their area as defined through the Standard Methodology. It is welcomed that the Council has used this requirement to ensure a sufficient supply of deliverable and developable sites over the plan period.
- 2.16 Based on the Government's Standard Methodology, the Council is required to plan for 1,300 dwellings per annum and this is the figure identified in Policy ST5 which equates to a total of 20,800 over the plan period from 2025-2041.
- 2.17 The Standard Methodology figure of 1,300 per annum is a minimum number of dwellings and it is pleasing to see that the Council has identified a total supply of 21,106 over the plan period in Table ST5.1. Although the Council have identified an additional number of units, this is only a limited increase, and we would encourage the Council to plan for a greater number of units to ensure they can demonstrate a positive housing land supply over the longer term.
- 2.18 Table ST5.1 includes a windfall allowance of 2,200 new homes over the plan period which is approximately 137 dwellings per annum as windfall. The windfall allowance although potentially reasonable is not guaranteed and with only a limited over supply being planned for, we are concerned that Policy ST5 may not deliver the quantum of housing required to meet local needs.

Policy ST7: Infrastructure Delivery and Impact Mitigation

- 2.19 Hopkins Homes acknowledge that residential development is required to support the delivery of infrastructure at an appropriate time to meet the requirements of proposals that come forward over the plan period.

- 2.20 Linking the provision and implementation of infrastructure alongside the delivery of residential development, the Local Plan can facilitate sustainable development and create additional capacity and/or mitigation measures in conjunction with service providers.
- 2.21 Policy ST7 is clear in the role of the developers, the local authority and service providers along with the measures to secure the infrastructure – such as financial contributions, on/off site provision and the provision of land.
- 2.22 The Council has prepared evidence in relation to infrastructure needs over the plan area and this provides the basis for considerations and site specific requirements alongside development proposals such as the site specific allocations. Through detailing these requirements during the plan preparation stages, the Council can provide certainty to developers, service providers, the local community and developers as to infrastructure requirements alongside future development proposals.
- 2.23 The Local Plan acknowledges the role of service providers and the partnership approach that is needed to ensure delivery of infrastructure at the right time in the right place, although this will need to be translated into site specific policies to ensure allocations are viable over the plan period.

Policy ST8: Place Shaping Principles

- 2.24 It is important that new development meets high standards of design and Hopkins Homes recognise the role that documents such as design codes and guidance can play in delivering sustainable and resilient communities.
- 2.25 We are however concerned that the policy contains a wide variety of criterion which are similar to other policies prepared at both the local and national level. As such it is uncertain how the policies will work together and how applicants and decision makers will be able to demonstrate conformity with the policy requirements.
- 2.26 Policy ST8 is a strategic policy which seeks to provide an alternative to the National Design Guide and/or the Essex Design Guide as detailed in paragraph 3.72 of the consultation document. However, this will provide uncertainty for all and is considered to be a repeat of national policy and is therefore not justified or effective in its current form.

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

- 2.27 Policy EN2 sets out the Council's position in respect of BNG and 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.
- 2.28 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.
- 2.29 Policy EN2, in part could be considered to be repeating national policy but we welcome 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

- 2.30 Policy EN3 focuses on the ecological information which the Council requires in support of development proposals. Hopkins Homes always engages with specialist ecologists to ensure that the necessary surveys and assessments are undertaken at the appropriate times and will incorporate mitigation measures and enhancement measures as required.
- 2.31 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.
- 2.32 Policy EN3 identifies that external expertise may be required to review and validate ecological survey reports but does not reference the time implications of this and the impact that may have a decision making. Delays in the reviewing and validation stages can have a detrimental impact on the timetable for determination of proposals which then causes further delays to the delivery of residential development across the plan area. Policy EN3 should be amended to reflect that the need for external expertise would not be a cause for unnecessary delay.

Policy EN8: Flood Risk and Sustainable Drainage Systems (SuDS)

- 2.33 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. Hopkins Homes agree that development should mitigate and adapt to flood risk.
- 2.34 Taking a nature based solution and designing Sustainable Drainage Systems to seek to ensure that the area is multifunctional is positive and ensures that development proposals make efficient use of land. Hopkins Homes has a strong track record of incorporating water management measures into developments and using permeable paving, grey and rain water reuse systems for the lifetime of the site broadly in line with Policy EN8.
- 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.

Policy GN1: Open Space and Green Network and Waterways Principles

- 2.36 Incorporating green spaces, open space and multifunctional open spaces into development sites alongside built proposals is a positive principle and one that can ensure that thriving and healthy communities are secured across Colchester. Hopkins Homes recognises the importance of creating places and the role the positive role that this has on a development.
- 2.37 We are concerned however that Policy GN1 requires a minimum of 10% of the gross site area to be new multifunctional open space. It is unclear why the Council have chosen what would appear to be an arbitrary 10% requirement and the justification or rationale for such and that will need to be provided in order for the policy to be justified.

- 2.38 It is also unclear how the requirement for a minimum 10% gross site area interacts with other policy 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 We question how all these requirements align and operate with one another when balanced against the national requirement to make efficient use of land. A blanket policy such as this also fails to recognise that some sites will already benefit from access to open spaces in adjacent areas, such as existing parks, sports grounds and village greens, whereas others will be more remote and not connected to such amenity areas.
- 2.40 Policy GN1 as currently written does not provide any flexibility in terms of responding to the local character and context of the site and therefore is not justified and not effective.
- 2.41 Hopkins Homes are seeking to bring forward land in West Bergholt identified under Policy PP43. The site is adjacent to areas of open space in the form of existing sports pitches and in a location which provides access to other areas of open space. As such, the 10% minimum requirement for multifunctional open space could become an over provision and result in inefficient use of land which is contrary to the NPPF.

Policy GN4: Tree Canopy Cover

- 2.42 Policy GN4 seeks to increase the level of canopy cover across Colchester in a similar manner to the current adopted Local Plan policy.
- 2.43 The provision of street trees and other canopy cover across a development site ensures that attractive and environmentally sensitive developments can be brought forward and Hopkins Homes recognises the importance of these across their development sites.
- 2.44 However, Policy GN4 is prescriptive and offers limited flexibility if the increase in canopy can not be achieved on site. It is noted that provision off site can be secured but the Policy limits this to a case-by-case basis and discussions with the case officer. This approach fails to provide certainty for proposals and is difficult to understand how the desire to increase canopy cover aligns with other competing policy requirements in the Local Plan.

Policy NZ1: Net Zero Carbon Development (in operation)

- 2.45 Hopkins Homes are committed to developing dwellings which combine a variety of features such as green tech devices, air source heat pumps and high levels of insulation in all their developments.
- 2.46 The use of green technology and materials which deliver energy efficient homes is ever changing and will continue to evolve over the plan period. Hopkins Homes is able to respond positively and proactively to new technologies and market requirements, and we are concerned that Policy NZ1 could become limiting in future years. Building Regulations change quicker than the Local Plan policies and as written Policy NZ1 is overly prescriptive and applies a blanket approach to future development in Colchester which could be detrimental to the overall delivery anticipated in the Local Plan.

- 2.47 The Council's commitment to meeting Climate Targets and working toward net-zero is welcomed and shared by Hopkins Homes, but the overly prescriptive policy could become out of date as current national guidance and policy evolves.
- 2.48 The principals established by NZ1 are welcomed but the Policy should be re-written to allow for greater flexibility and adherence to the Building Regulations and market requirements at the time of development. Policy NZ1 could become a policy which limits the ambition and commitment of a development, whereas a more flexible approach can encourage developers to be more ambitious.

Policy NZ3: Wastewater and Water Supply

- 2.49 It is pleasing to see that Policy NZ3 confirms the Council's commitment to working with water companies and the Environment Agency to ensure that there is sufficient capacity in the water supply and wastewater networks to serve the new developments.
- 2.50 We are concerned however that the policy requires the applicant to demonstrate there is capacity at the relevant Water Recycling Centres. The Local Plan should provide the certainty to service providers, the local community, the local authority and the development industry with regards to the circumstances and requirements relating to future growth.
- 2.51 By outlining site specific allocations and policies, the Local Plan should be able to clearly set out the areas of future growth and the level of infrastructure provision required and at what time. Policy NZ3 fails to do that.
- 2.52 We understand that the water companies have a statutory duty to provide the necessary connections to future development, yet the Policy provides an opportunity to limit growth and refuse applications due to lack of capacity which is not effective.

Policy H1: Housing Mix

- 2.53 Hopkins Homes recognises the importance of providing a mix of dwelling types on development sites to ensure that sustainable and thriving communities can be established. We understand that the table outlining the appropriate mix in Policy H1 is informed by the Colchester Local Housing Needs Assessment which the Council have prepared alongside the most recent plan making activities.
- 2.54 The consultation document in paragraph 8.8 acknowledges that evidence is continually updated and that more up to date evidence can come forward over the plan period to support a planning application on a case-by-case basis. The evidence on which the Council is basing their mix identified in Policy H1 was published in September 2024 and we are concerned that by the point of (anticipated) Local Plan adoption in Spring 2027 as detailed in the Colchester Local Development Scheme (March 2025), the evidence will be some years old.
- 2.55 Government requires Local Plans to be prepared on up-to-date evidence and we are concerned that with the changing nature of housing needs, the mix identified within Policy H1 may not be justified and effective over the plan period up to 2041.

- 2.56 The Local Plan needs a Policy like H1 but this should be amended to allow for greater flexibility to inform future proposals when applicants are considering the mix of units on a development site. As currently presented, we are concerned that the percentages identified in the table will be used in a rigid manner and fail to respond to changing circumstances which will come forward over the plan period.
- 2.57 As the Local Plan evolves to future stages, the Council will need to clearly demonstrate through their viability evidence that the mix of units outlined can be delivered in a viable and meaningful manner.
- 2.58 The Whole Plan Viability Assessment prepared by Newmark on behalf of the Council and published alongside the consultation document identifies that the mix detailed in Policy H1 has a direct impact on viability and can impact the Gross Development Value of a site. The Council (and their consultants) will need to be justified in their approach to mix as the plan evolves but also allow for flexibility as needs evolve over the plan period.

Policy H2: Affordable Housing

- 2.59 Policy H2 details the Council approach to affordable housing and the level of provision that is expected to come forward on development sites above a certain threshold.
- 2.60 The current policy (DM8: Affordable Housing) has a requirement for 30% affordable housing provision and it is noted that Policy H2 follows the same target which is well understood and established across the plan area.
- 2.61 Hopkins Homes accept the requirement for affordable housing to be provided on site although welcome the flexibility within the policy for alternative provision subject to viability considerations on a case-by-case basis.

Policy PC2: Active and Sustainable Travel

- 2.62 Creating places which can be accessed through safe and accessible active travel routes is a key aspect to delivering sustainable development and thriving communities. Policy PC2 seeks to prioritise walking and cycling and links to public transport networks where appropriate. Hopkins Homes recognises the importance of providing infrastructure that encourages active and sustainable travel for residents to benefit from.
- 2.63 We are however concerned that some aspects of PC2 are beyond what is reasonable of a development site to deliver and achieve. For example, PC2(g) outlines that "Proposals for development should facilitate access to high quality public transport infrastructure" but it is unclear what defines "high quality" and how this is to be judged as part of the decision-making process.
- 2.64 As the Council is aware, the level of public transport provision across the plan area is varied. Some areas have greater provision of services whereas others are more limited. The long-term nature of provision is also outside of the applicants (or the local planning authorities) control and therefore it is unreasonable to require proposals to facilitate the access to high quality public transport infrastructure. Aspects such as this should be detailed clearly within

the vision and objectives of the plan but removed from the policy criterion as they are not effective.

- 2.65 The need for providing Transport Statement/Assessment and a Travel Plan is well established and understood. However, we are concerned that as currently written Policy PC2 does not provide sufficient detail and clarification as to when such information is required. Policy PC2 outlines that “All developments that generate significant amounts of movement” yet fails to provide justification as to what is meant by significant amounts. The Local Plan policies need to provide certainty for the local community, applicants, stakeholders and decision makers as to the circumstances under which information and assessments will be required.
- 2.66 Policy PC2 refers to the “thresholds and guidance set out in the Essex County Council published guidance”. Although this is welcomed, it is not a justified and effective approach as the guidance prepared by the County Council is done so outside of the Local Plan process and therefore not subject to the level of consultation, engagement and examination as the policies and evidence supporting the Local Plan. We are therefore concerned that the implementation of Policy PC2 will change over the plan period, as and when the Essex County Council guidance is changed or amended.
- 2.67 The Government is clear that Local Plan policies should provide certainty for all and that applicants can find all the relevant information within the plan and its supporting evidence base. Policy PC2 as currently written fails to do this and the Council needs to reconsider their approach and include the circumstances under which a Transport Statement and Travel Plan are required within their Local Plan and not defer to guidance which is prepared outside of the Local Plan making process.

Policy PC4: Development Density

- 2.68 Hopkins Homes support the Council intention to make efficient use of land and that the density of a development relate to the specific opportunities and constraints of any proposed site across the plan area. Ensuring that sites are delivered at an appropriate density and make efficient use of land is crucial to meet the local housing needs requirements as outlined elsewhere within the Local Plan consultation document.
- 2.69 Although Policy PC4 seeks to make efficient use of land and offers flexibility in terms of appropriate density and massing for a development we question how this policy will be considered alongside other policies which dictate certain provision such as a minimum of 10% multifunctional open space (Policy GN1), BNG requirements and tree canopy coverage.
- 2.70 The policy needs to be clear as to the weight to be given to other provision and requirements and provide clarity as to expectations and priority for ensuring efficient use of land, alongside delivering the level of development and housing numbers required.

Policy PC6: Design and Amenity

- 2.71 Hopkins Homes is committed to ensuring that new development is designed to a high standard and delivers areas which promote active, healthy and thriving communities. Raising the standard of design on sites is a welcome objective of the Local Plan but we are

concerned that Policy PC6 is too prescriptive and fails to provide the necessary clarity for applicants and decision makers.

- 2.72 Policy PC6 details a range of 18 criteria (a-r) and requires that all of the aspects need to be met for future development proposals to come forward. The extensive range of criteria is too rigid and fails to provide clear guidance to applicants and decision makers as to how development proposals will be judged.
- 2.73 The extensive range of criteria provides opportunity for conflict between the requirements and without allowing for flexibility in approach it is unclear as to how a development proposal can meet each of the elements listed a-r.
- 2.74 Policy PC6 should be amended to either consolidate the range of criteria or include some additional wording to highlight the flexibility that the Council will accept and the weight to be given to each in the decision making process.

Policy PC7: Residential Schemes on Greenfield Sites

- 2.75 It is acknowledged that the design and layout of a development site is a key consideration and through the planning application preparation and consideration, Hopkins Homes take great pride in ensuring that high quality proposals are submitted to deliver sustainable development.
- 2.76 A focus on the site layout and the integration of many different factors such as building orientation, road layout, parking areas, open space, tree planting, sustainable drainage and routes for active travel connections are always considered in detail.
- 2.77 Policy PC7 details a long list of requirements which sites “must” comply with and this approach is too rigid and therefore the policy is not effective or justified.
- 2.78 For example, PC7(a) requires the public open space to be located centrally within the site, however this may not always be possible or preferable. Development proposals should have the flexibility to respond positively to the surrounding area and context of the site and not be forced into artificial layouts which focus on meeting the policy requirements.
- 2.79 Policy PC7 contains a variety of principles which can help deliver sustainable and thriving communities but as currently written the policy is too prescriptive and fails to acknowledge that every site will be unique. In our view the policy will fail to deliver layouts which are meaningful and actively respond to the local character of the area.
- 2.80 We are also concerned that Policy PC7 relies on guidance which is adopted outside of the Local Plan process. For example, PC7(i) makes reference to “back-to-back distances should comply with adopted guidance...” yet fails to detail what these distances and requirements are.
- 2.81 It is also unclear how the policy will be implemented alongside other policies within the Local Plan, such as the site allocation policies which also detail a variety of site-specific criteria that can influence the design and layout of a proposed site.

Policy PC8: Private Amenity Space

- 2.82 The need for private amenity space on residential developments is recognised by Hopkins Homes and the development industry. To aid the delivery of sustainable development the private amenity space for each dwelling needs to be appropriate and designed to a high standard, secure and useable for residents.
- 2.83 Ensuring that developments provide the appropriate level of amenity space improves the quality of life of residents as well as improving the character of the area.
- 2.84 We acknowledge the benefit of providing specific requirements in relation to dwelling size and types of units that are expected to come forward over the plan period. However, we take the opportunity to query how this approach works in conjunction with other policies that also require land to be taken up on development sites.
- 2.85 The range of site-specific allocation policies detail the approximate quantum of development expected on a site. When this is considered against the policy requirements relating to canopy cover, density development, parking, open space and drainage the Council will need to be confident that proposals are capable of making efficient use of land in accordance with the NPPF.

PP43: Land north of Colchester Road, West Bergholt

- 2.86 Hopkins Homes are pleased to see that the Council has identified the land north of Colchester Road as a site-specific allocation and included Policy PP43 within the Preferred Options consultation draft.
- 2.87 We agree with the Council that the site is a suitable location for future residential development and can be delivered within the plan period to make a significant contribution to housing delivery and meeting the housing needs of Colchester.
- 2.88 The site being promoted by Hopkins Homes has the potential to be delivered within the first five years and is available and deliverable in accordance with the NPPF.
- 2.89 Policy PP43 contains a series of criterion and requirements listed a-k against which future development proposals are expected to accord with. It is noted that although many of these are intended to be site specific, they are repeats of other policies contained in other sections of the Preferred Options document.
- 2.90 For example, requirements relating to water management and infrastructure are similar in nature to the policies within the Net Zero Homes and Buildings, Renewable Energy and Water policies. The inclusion of these is not disputed but we question how they will work in practice as there is likely potential for internal conflict between policies which does not provide certainty for applicants and decision makers.
- 2.91 PP43(c) focuses on pedestrian connectivity within the site which is supported and acknowledged as a positive and meaningful manner to encourage active and healthy communities. We are however concerned that the policy as currently written requires connectivity to Armoury Road to the east.

- 2.92 At present, there is no formal link between the site and Armoury Road, although informal paths have been created through use. The site under option to Hopkins Homes does not extend to the highway boundary on Armoury Road so it is not currently possible to provide the connection as detailed in PP43(c) without crossing or using third party land.
- 2.93 Hopkins Homes will use best endeavours to identify a point of connection to provide this link but without third party land or the Council enacting compulsory purchase powers it is not currently achievable to deliver the link from the site in the preferred options to Armoury Road. In response to the consultation, we suggest that PP43(c) is amended to read:
- “Opportunities to provide safe pedestrian access to ensure connectivity within and throughout the site to existing footways and any public rights of way will be explored and incorporated into future layouts where possible. Ensure provision of green infrastructure connections and recreational access to the countryside, also securing active travel links and connections to the settlement.”*
- 2.94 PP43(e) requires that applicants must demonstrate they have confirmed capacity at the Water Recycling Centre with Anglian Water Services. It is understood however that the water companies have an obligation to provide the relevant connection and capacity at facilities to accommodate future development proposals. As such we question why this requirement is for the applicant to demonstrate and suggest that the criterion within the Policy is to be amended.
- 2.95 Amendments to the supporting text to justify the policy will also be required to provide further detail to the local community and decision makers with regards to the local circumstances.
- 2.96 Hopkins Homes undertook pre-application engagement with the City Council in 2025. The pre-application discussions were informed by the emerging plan as considered by Local Plan Committees earlier in 2025 and we welcome the opportunity to engage directly with the Planning Department on this site.
- 2.97 Through engaging with the Council, Hopkins Homes are confident that a residential development can be delivered on the site broadly in accordance with the emerging policy requirements.
- 2.98 The site offers an opportunity for approximately 100 dwellings and will be delivered in accordance with policy requirements on housing mix, types and tenures and will include policy compliant level of affordable housing. Development at this site will provide an opportunity to enhance the local biodiversity alongside provision of public open space to complement the existing provision in West Bergholt. Connections to the surrounding areas can be achieved via the existing highway route and adjacent sites such as the existing sports pitches adjacent.
- 2.99 Alongside the residential development, a series of community benefits in the form of contributions to wider infrastructure such as education and public transport are anticipated to align with policy requirements in both the current Local Plan and the emerging Local Plan.
- 2.100 It is also acknowledged that PP43 references the role of the West Bergholt Neighbourhood Plan and the Parish Council. Hopkins Homes recognises the importance of local

engagement and community participation in developing proposals and the benefit this has in delivering truly sustainable and thriving communities.

- 2.101 Alongside activities to understand the site and the surrounding context, Hopkins Homes has engaged with the Parish Council through a series of meetings and discussions. These have provided opportunities for inputs and considerations to be identified by the Parish Council representatives and provide them with forewarning of the proposals as they start to emerge.
- 2.102 Hopkins Homes will continue to engage with the Parish Council, in parallel with the City Council as the Local Plan evolves in accordance with the published Local Development Scheme.
- 2.103 We are pleased to see that the land has been identified as a site-specific allocation under Policy PP43 and look forward to working with the Council to bring forward the anticipated residential development on the site. At this stage, a number of queries and amendments to the policy are required to make it effective and justified but the principal of the site allocation is supported and will achieve sustainable development over the plan period.

3. REVIEW OF SUSTAINABILITY APPRAISAL

- 3.1 The Sustainability Report was commissioned by LUC in March 2024 on behalf of Colchester City Council to provide support for the Council in the preparation of a Sustainability Appraisal (SA) Scoping Report for the emerging Colchester Local Plan. The report relates to the Colchester Preferred Options (Regulation 18) Local Plan that is to be read alongside the document and is dated February 2025.
- 3.2 Within the Planning and Compulsory Purchase Act 2004, SA is mandatory for Development Plan Documents. It is also necessary to conduct an environmental assessment, and the Strategic Environmental Assessment (SEA) regulations are a legal requirement for the Colchester Local Plan to be subject to SA and SEA throughout its preparation.
- 3.3 For the Sustainability Appraisal to meet the statutory and regulatory requirements, it will need to align with the emerging proposals within the Local Plan Document, so the vision and policies are assessed appropriately.
- 3.4 Colchester Council has considered several approaches to the growth to develop options for the spatial strategy for growth in the plan area. The approaches were not subject to SA. The spatial approaches that were used by the Council to inform the development of the options are: Substantial Growth – Garden Communities and Suburbs, Hubs and Spokes Model, Environment Led, Transport Corridors, Expand and Regeneration of Colchester urban area, Proportionate Growth, Community Gain. The majority of information relating to West Bergholt are within Option 5 or 6.
- 3.5 Option 5: Transport Corridors have identified strength and weaknesses for the options for the spatial distribution of growth in the District.

Strengths:

- Opportunity to connect to the Rapid Transit System (RTS);
- Good access to the strategic road network;
- Support regeneration in the urban area;
- Good access to employment areas and centres;
- Attractive to investors;
- Increase access to sustainable transport modes;
- Development along the A12 likely to have less impacts on biodiversity than other locations;
- Opportunities for improving the relationship between the settlement edge and surrounding countryside.

Weaknesses:

- Good access to the strategic road network over access to public transport could lead to a high number of journeys being made by private vehicle;

- Less distribution of growth within Colchester's villages;
- Loss of greenfield land;
- Adverse effects on historic environment;
- Impacts on local landscape character;
- Development in north Colchester could adversely affect Dedham Vale National Landscape.

3.6 Option 6: Hubs and Spokes. The majority the information relating to West Bergholt in the SA is within option 6, discussing hubs and spokes. The SA has provided both strength and weaknesses for the options for the spatial distribution of growth in the District.

Strengths:

- Recognises the relationship between Colchester's settlements;
- Helps to sustain services and facilities within Colchester's settlements

Weaknesses:

- Does not take account of Wivenhoe, as Wivenhoe's 'spokes' are in Tendring;
- Loss of greenfield land;
- Development on Grade 2 and 3 soils;
- Less likely than other options to lead to regeneration;
- Less supportive of growth in the City Centre;
- Range of services and facilities is more limited in the hubs than the urban area;
- Only a few hubs have both school and healthcare provision;
- Adverse effects on the historic environment;
- Likely to result in harm to biodiversity at a number of locations through the inclusion of hubs for development at West Mersea and Marks Tey;
- Development in villages in the north could adversely affect Dedham Vale National Landscape.

3.7 In respect of West Bergholt and the location of Hopkins Homes land interest, we recognise that the Council through the SA have identified West Bergholt as a sustainable settlement that has a key role to play in delivering the spatial strategy proposed at this stage.

3.8 The SA is clear that much of the development is directed towards the most sustainable and accessible locations which provides many residents with good access to the necessary services and facilities.

- 3.9 We acknowledge that the SA has considered each policy against the SA objectives set out and recommend that the Council continue to monitor and assess these as the plan evolves in response to consultation representations and the Regulation 19 stage.
- 3.10 West Bergholt performs well as a sustainable settlement when judged against the SA objectives and we would anticipate this to remain as the plan evolves.
- 3.11 PP43 also performs well as a site allocation when considered against the SA objectives as detailed within the documentation supporting the consultation.
- 3.12 As noted in our responses to the policies, we are concerned that there may be some internal conflict between strategic policies and the site-specific policies and also with national policy or legislation such as the Building Regulations. The SA is the most appropriate route to consider the relationship between emerging policies, and the Council should continue to develop their plan alongside emerging evidence and continually undertaking the Sustainability Appraisal considerations.

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