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Colchester City Council New Local Plan to 2041

Colchester City Council Preferred Options Local Plan Regulation 18 Consultation 2025

Representor: NEEB Holdings Ltd

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Date: 14 January 2026

This representation provides the representor's response to the Colchester City Council Preferred Options Local Plan Regulation 18 Consultation 2025. It should be read in conjunction with:

- Completed Colchester City Council Local Plan Review Call for Sites Autumn – Winter 2023 form and supporting documentation (submitted by e-mail on 7.3.25).

The following parts of the Colchester City Council Preferred Options Local Plan are responded to in this representation:

- Policy ST1: Health and Wellbeing;
- Policy ST3: Spatial Strategy;
- Policy ST4: Development in the Countryside;
- Policy ST5: Colchester's Housing Need;
- Policy ST7: Infrastructure Delivery and Impact Mitigation;
- Policy NZ3: Wastewater and Water Supply;
- Policy H5: Specialist Housing including Housing for an Aging Population;
- Policy PP37: Land north of Park Lane, Langham; and
- One of Policies PP42, PP43, PP44 (West Bergholt housing allocations).

They are addressed below.

Summary of representations

The main points captured in the following representations are:

1. The plan's housing provision should be higher:
 - Current numbers should be a minimum and a higher provision should be targeted
 - Oversupply should be encouraged – this will lead to:
 - better delivery/deliverability
 - greater choice and flexibility
 - Further allocations should be made (across all sizes of settlement)
 - Windfall should be treated as a bonus rather than part of the planned supply
2. The plan's housing distribution is flawed:
 - Certain allocations, e.g. those for Marks Tey, are illogical/unjustified and will cause significant infrastructure issues
 - Uneven/illogical/unjustified distribution between medium settlements
 - Gt Horkesley: 400
 - Langham: 900 (Langham also has waste water issues)
 - West Bergholt: 250

- Insufficient sites allocated in West Bergholt
 - Further allocations should be made in West Bergholt
3. The plan's approach to specialist housing provision will not address the significant and growing need for older people's housing and care:
 - The plan should make allocations specifically for older people's housing and care
 - Settlement boundary/countryside related policies should allow development on sites well related to settlement boundaries where it meets the identified need for older people's housing and care – this has been done elsewhere
 4. The plan's approach to dealing with and sequencing the addressing of infrastructure capacity issues (potable and waste water treatment) and delivery of new housing undermines delivery of plan to the extent that it may not be able to be found sound:
 - We agree that the Council should work with AW etc to deliver water infrastructure, but this isn't happening/hasn't worked to date
 - Potable water and waste water treatment capacity issues need to be addressed in the first two years following adoption of the plan to ensure that the plan is deliverable
 5. Land north of Colchester Road and east of Maltings Park Road, West Bergholt (site submitted: 7 March 2025 by NEEB Holdings Ltd, grid reference: TL 96887 27560, site area: 2.5 hectares) should be allocated for:
 - housing – the site could accommodate: 50 dwellings and more than 40% open space or
 - specialist housing (older people's housing and care) – the site could accommodate:
 - 40 – 75 older people's dwellings and more than 40% open space; or
 - 65 bed care home, 20 older people's dwellings and more than 40% open space

The site has sufficient capacity for the above uses and scales of development AND onsite treatment of all foul water flows meaning that it is not constrained by capacity issues at the West Bergholt WRC

Policy ST1:

Response: Object with comment

Comment:

We agree that development should be designed to help reduce health inequalities for people of ages. However, specific provision to meet the significant and increasing need for older people's housing and care is a "health and wellbeing outcome" that should be embedded in the policies of the plan but unfortunately is not.

Proposed change(s):

The part of the policy that reads:

In addition, and where appropriate, new development should support the provision of healthcare infrastructure to accommodate needs, in accessible locations, in line with the requirements outlined in the Infrastructure Delivery Plan and set out in site allocation policies.

Should be amended to read:

In addition, and where appropriate, new development should:

- *provide older people's housing and/or care to meet the significant and increasing needs, in sustainable locations, for these specialist types of housing/accommodation; and*
- *support the provision of healthcare infrastructure to accommodate needs, in accessible locations, in line with the requirements outlined in the Infrastructure Delivery Plan and set out in site allocation policies.*

Policy ST3: Spatial Strategy

Response: Object

Comment:

The distribution of new housing to the settlements listed in the settlement hierarchy pays little regard to their position in the hierarchy. Within the Growth and Opportunity Areas category there is a broad range of housing numbers allocated. The same is true of the Large Settlements and Medium Settlements.

Paragraph 3.23 states that growth is allocated appropriate to the size of the settlement. This is clearly false otherwise all large settlements would have similar housing numbers allocated to them, or a similar order of housing numbers at least. This stated approach also needs to have regard to the true size of each settlement (as measured by population size), not just the size category in which each settlement is placed for the purposes of the settlement hierarchy. The same goes for Medium Settlements.

The distribution of housing numbers among the Large Settlements and among the Medium Settlements is therefore flawed. Particularly so in the case of the Medium Settlements, where:

- Langham has allocations for 900 dwellings despite having a population of only 1,000;
- Great Horkeley has allocations for 400 dwellings with a population of 2,700; and
- West Bergholt has allocations for only 250 dwellings with a population of 3,300.

The housing numbers allocated to each of the Medium Settlements should therefore be amended to ensure that they are:

1. of a similar order; AND
2. proportional to the actual size of the settlement (as measured by population size).

Proposed change(s):

The relevant part of the policy is:

Additionally, an appropriate level of growth is allocated within the large, medium and some small settlements, based on the opportunities and constraints of each settlement and informed by the wider evidence base. This can help support the long-term viability of services and facilities, which may otherwise be lost.

No changes are necessary to this part of the policy ASSUMING THAT the housing allocations in Table ST5.2 of Policy ST5 are amended to deliver a more even and proportional distribution of housing numbers across the Medium Settlements.

Policy ST4: Development in the Countryside

Response: Object

Comment:

Paragraph 3.32 explains that development within the countryside will be limited to activities that either require a rural location or help sustain a rural community and local economy and which help protect the rural character of the areas where a development is being delivered.

This confirms that Policy ST4 fails to acknowledge that large amounts of what are designated countryside are in fact immediately adjacent to Growth and Opportunity Areas, Large Settlements and Medium Settlements.

Policy ST4 also fails to acknowledge that the absence of suitable sites in these settlements for meeting the growth and development needs of the Colchester City area means that some land that is designated countryside will be required to meet these needs.

One example of the needs that may need to be met, at least in part, by “countryside” sites on the edge of settlements is the significant and increasing need for older people’s housing and care. Since the plan makes only limited provision for meeting this need, the only way to provide a reasonable prospect of it being met during the plan period is by including a need-based exception to Policy ST4 within the policy.

Proposed change(s):

The relevant part of the policy is:

The Council will consider the requirement for new development within the countryside to meet identified development needs in accordance with Colchester’s spatial strategy while supporting the vitality of rural communities.

This part of the policy should be amended read:

The Council will consider the requirement for new development within the countryside to meet identified development needs, including meeting the need for older people’s housing and care on sites that are well related to Growth and Opportunity Areas, Large Settlements and Medium Settlements, in accordance with Colchester’s spatial strategy while supporting the vitality of rural communities.

Policy ST5: Colchester’s Housing Need

Response: Object

Comment:

The housing provision set out appears to be sufficient to meet the Colchester City area’s housing need when calculated using the standard method (as is required by the NPPF). However, this provision should be treated as a minimum figure. Surplus provision should be made through further allocations in order to:

- afford greater flexibility in the delivery of new housing;
- improve deliverability as a result of the above;
- increase competition in the delivery of new housing to slow or reverse house price increases and improve affordability; and
- to provide greater choice in the market for new homes.

Surplus provision could be made by meeting all of the housing need with allocations instead of relying on an amount of windfall development. Windfall development could then provide a surplus that would help to ensure that the plan’s housing provision is delivered as well as providing the other benefits listed above.

The identified problems with the alternative approach (dispersing development more widely across Colchester) are valid. However, development of 2,500 homes in Marks Tey (PP17, PP18), 430 in Eight Ash Green (PP31, PP32) and 300 in Copford (PP29) would place unacceptable strain on local infrastructure, which is already struggling. Examples are:

- London Road congestion;
- Tollgate/Stane Park congestion;

- difficulty accessing appointments etc at Tollgate GP surgery;
- A120 congestion; and
- Lexden Road congestion at school drop off and pick-up times.

Instead, a combination of the current approach and the alternative approaches is the most feasible. Some of the housing allocations at Marks Tey can be distributed to other sustainable settlements, meaning that:

- the Marks Tey development still goes ahead on a large enough scale to secure key infrastructure;
- more housing is allocated to Large Settlements and Medium Settlements in accordance with their position in the Settlement Hierarchy and their actual size (as measured by population size); and
- less strain is put on existing infrastructure and a single area of Colchester is not overloaded with infrastructure problems such as congestion.

At present, the distribution of housing numbers among the large settlements and among the medium settlements is flawed. Particularly so in the case of the medium settlements, where:

- Langham has allocations for 900 dwellings (PP37) despite having a population of only 1,000;
- Great Horkelesley has allocations for 400 dwellings with a population of 2,700; and
- West Bergholt has allocations for only 250 dwellings with a population of 3,300.

Proposed change(s):

- The size of the allocations PP17, PP18, and PP37 should be reduced;
- The housing numbers allocated to each of the Medium Settlements should be amended to ensure that they are:
 - of a similar order; AND
 - proportional to the actual size of the settlement (as measured by population size);
- The housing numbers allocated to West Bergholt should be increased significantly in line with the above; and
- As part of that increase, Land north of Colchester Road and east of Maltings Park Road, West Bergholt (site submitted: 7 March 2025 by NEEB Holdings Ltd, grid reference: TL 96887 27560, site area: 2.5 hectares) should be allocated for housing. Detailed site assessment work shows that this site could deliver 50 dwellings and more than 40% open space.

Policy ST7: Infrastructure Delivery and Impact Mitigation

Response: Comment

Comment:

Paragraph 3.64 states:

An Infrastructure Delivery Plan (IDP) is being prepared to inform and support the Local Plan. This has been developed with infrastructure service providers and partner organisations to determine where additional infrastructure is necessary.

The Infrastructure Delivery Plan must include improvements to the capacity of the Water Recycling Centre in West Bergholt.

The lack of capacity at the West Bergholt Water Recycling Centre is a barrier to sustainable growth in this settlement.

Anglian Water do not appear to have plans to increase the capacity of the West Bergholt WRC in the next 5 years.

Addressing the lack of capacity is therefore a key requirement for delivering the housing numbers that the plan allocates to West Bergholt and the additional numbers that these representations advocate allocating to it.

Policy NZ3: Wastewater and Water

Response: Object

Comment:

We agree that the Council should work with Anglian Water to ensure that there is sufficient capacity in the water supply and wastewater infrastructure to serve new development.

Alarming, there is currently inadequate waste water treatment capacity and an inadequate supply of potable water in West Bergholt. There are no plans to expand/upgrade the West Bergholt Water Recycling Centre in the 2026 – 2030 period.

The part of the policy that reads:

Where necessary, improvements to water supply infrastructure, wastewater treatment and off-site drainage should be made ahead of the occupation of dwellings to ensure compliance with environmental legislation.

is therefore in direct conflict with the rest of the policy and with the rest of the plan. No new housing will be able to be delivered in areas with water and waste water capacity issues until such time as these issues are addressed. This could delay the delivery of new housing in these areas until late in the plan period (or even beyond it), especially given the absence of any programme for addressing the issues, by which time delivery within the plan period will likely be unachievable.

Proposed change(s):

The part of the policy that currently reads:

Proposals within the catchments of the following Water Recycling Centres: Dedham, Fingringhoe, Great Tey, Langham and West Bergholt must demonstrate they have confirmed with Anglian Water Services that treatment capacity at the Water Recycling Centre (WRC) is available to serve the development at the point of anticipated connection and where appropriate phasing triggers to support development to be agreed.

should be amended to read:

Anglian Water has a legal duty to provide sufficient capacity at Water Recycling Centres to accommodate new development. Anglian Water should increase the WRC capacity in the following catchments: Dedham, Fingringhoe, Great Tey, Langham and West Bergholt, in time to allow new developments within these catchments to be built and occupied within two years of the plan's adoption.

Policy H5: Specialist Housing including Housing for an Aging Population

Response: Object with Comment

Comment:

The Council's Local Housing Needs Assessment (Paragraph 8.28) shows that the Colchester City area has a severe shortage of specialist accommodation. However, noting the significant national need for such provision even this may be an underestimate.

Considering the severe shortage of specialist housing and care in the Colchester City area this policy doesn't do enough to increase the amount of specialist housing and care provision in Colchester. The

plan's approach to meeting the area's housing need is heavily skewed towards standard/non-specialist housing.

Requiring specialist housing to be located within settlement boundaries, or limiting the requirement to deliver specialist housing to schemes of over 500 dwellings within the Colchester Urban area can never deliver the level of specialist housing that is required to meet current, let alone future levels of need for specialist older people's housing and care.

The kind of approach that is required to prevent continued and exacerbated specialist housing need in the Colchester City area is allowing specialist housing to be built outside but well related to (in most cases adjacent to) settlement boundaries of Growth and Opportunity Areas, Large Settlements and Medium Settlements. An example of such an approach can be found in the neighbourhood plan for Thurston, Suffolk (Policy 1: Thurston Spatial Strategy).

In addition, the plan should make allocations specifically for specialist housing (as the alternative strategy suggests). This will give certainty about the delivery of a minimum level of specialist housing. Contrary to what is stated this need not prevent specialist housing being delivered in a range of locations unless an illogical approach to allocation is taken AND because allocating sites for only part of the need would still allow other sites to come forward in a range of locations in line with need/demand through our proposed "well related to settlement boundaries" provision.

Proposed change(s):

The part of the policy that currently reads:

b. located within settlements;

should be replaced with:

b. well located in relation to settlement boundaries of Growth and Opportunity Areas, Large Settlements or Medium Settlements;

The following text should then be added to the policy:

Proposals for specialist older people's housing and care will be permitted on land adjacent to but outside of settlement boundaries provided they comply with other relevant policies in this plan.

The following text should also be added:

In order to guarantee provision of specialist older people's housing and care, this plan will allocate specific sites for such uses.

Suitable allocations for specialist older people's housing and care should then be included within this policy or within Policy ST5. These allocations should include Land north of Colchester Road and east of Maltings Park Road, West Bergholt (site submitted: 7 March 2025 by NEEB Holdings Ltd, grid reference: TL 96887 27560, site area: 2.5 hectares). Detailed site assessment work shows that this site could deliver:

- 40 – 75 older people's dwellings and more than 40% open space; or
- a 65 bed care home, 20 older people's dwellings and more than 40% open space.

Policy PP37: Land north of Park Lane, Langham

Response: Object

Comment:

The number of homes in this allocation is totally disproportional to the size of the Langham and will result in a very uneven distribution of housing numbers among the Medium Settlements. There is no justification for taking this approach.

Proposed change(s):

The allocation should be reduced from 900 to a maximum of 500. The 400 homes displaced should be allocated to the other Medium Settlements, including West Bergholt, in proportion to their actual size (as measured by population size).

Policies PP42, PP43, PP44 (same comment for each policy)

Response: Comment

Comment:

There appear to be no fundamental issues with this site. However, Land north of Colchester Road and east of Maltings Park Road, West Bergholt (site submitted: 7 March 2025 by NEEB Holdings Ltd, grid reference: TL 96887 27560, site area: 2.5 hectares) should be allocated in addition. Detailed site assessment work shows that this site could deliver 50 dwellings and more than 40% open space.

Land north of Colchester Road and east of Maltings Park Road, West Bergholt can provide onsite waste water treatment so it is not limited by the capacity issues at West Bergholt Water Recycling Centre. It can therefore be delivered early in the plan period with no environmental issues.