

COLCHESTER LOCAL PLAN REVIEW: REGULATION 18 CONSULTATION

REPRESENTATION ON BEHALF OF MARKS TEY PARISH COUNCIL

JANUARY 2026

Representation Summary

To respond to the Colchester Local Plan Review Preferred Options consultation, Marks Tey Parish Council commissioned a Settlement Spatial Strategy from planning consultants, ONH Planning for Good, and have accepted its report. This indicates the inevitability of Marks Tey as a growth area and how, if undertaken in this could be harnessed to overcome the many separation, isolation, traffic and environmental problems currently experienced by the local community.

However, due to its lack of overall and detailed Masterplanning the Local Plan gives no indication of how this will be done and thus cannot reasonably guarantee that it will succeed. Because so much of Colchester's additional need is being focused on Marks Tey this threatens the viability of the whole Plan.

In response the Parish Council would accept growth that aids the whole community and it considers that the new Supplementary Plan making option will fit these circumstances well. It will provide the additional essential time for CCC and other parties to lower the planning and delivery risks to the point that a Growth Area Masterplan will be funded, undertaken, and agreed with the community, along the lines of what was undertaken for the similar sized proposals at the Colchester/Tendring Garden Community.

In doing this the Parish Council proposes a new Policy ST10 on the Marks Tey Growth Area that identifies a broad location for housing and employment growth rather than specific site allocations. All of these are further defined in more detail below.

Introduction & Purpose

1. ONH Planning for Good has been appointed by Marks Tey Parish Council (MTPC) to prepare a Settlement Spatial Plan (SSP) for the village and to use it to inform the representations it makes on behalf of MTPC on the Regulation 18 Consultation version of the Colchester Local Plan Review (CLPR).
2. Those representations are set out below in respect of the draft CLPR policy proposals that may most effect the parish of Marks Tey and its surrounding area. These policies are the Spatial Strategy (ST3), the major housing allocations of PP17 and PP18 and the employment land allocations of PEP5 and PEP6.
3. The SSP approved by MTPC is attached to these representations as evidence.

Background

4. Colchester City Council (CCC) is preparing the CLPR to replace the adopted Local Plan 2013 – 2033 with a plan period to 2041. It intends to submit the CLPR by December 2026 under the current Local Plan making system. The consultation version sets out CCC's preferred options for spatial and development management policies.

The CLPR Proposals for Marks Tey

5. The CLPR makes three very significant proposals for Marks Tey:
 - Its Policy ST3 'Spatial Strategy' designates Marks Tey Parish, and parts of the adjoining parishes of Aldham, Great Tey and Copford, as an Area of Growth to continue beyond 2041 but stops short of defining how big Marks Tey will grow or how an end point will be determined;
 - It allocates 2,500 new dwellings to Marks Tey (25% of the plan total) to be provided within the plan period on two sites – one of 1,500 dwellings 'South of A12' behind the London Road shops, and one of 1,000 dwellings 'North of A120' off the A120/Coggeshall Road opposite Ashbury Drive – the combination of which alone will more than triple the size of the existing village.
 - It allocates 16ha of additional land for employment purposes out of a total of 47 ha needed across the City (35% of the plan total).
6. The rationale for the Growth Area is set out in §12.16 etc based on large areas of land being promoted for development in and around Marks Tey and there being an opportunity for 'Garden Village' scale growth which could help reconnect the village. Its strategic location where the A12 and A120 meet 2km from the western edge of the city at Stanway, along with the railway station 'adds weight to the potential for expansion'.
7. However, the scale of change is noted too, with both allocation policies PP17 and PP18 going on to caveat their development provisions on subsequent planning applications being able to show the necessary transport, social, utility, green and other infrastructure improvements are feasible and deliverable. They also require the developers to agree a detailed masterplan for each site but there are no cross references between the policies (or with the employment provisions or the existing village).

The Sustainability Appraisal Findings

8. The Sustainability Appraisal (SA/SEA) identifies the Marks Tey Growth Area (§2.80 etc) and states that “The policies reflect the fact that it is not anticipated that all the growth promoted can be accommodated without significant upgrades to the A12 and A120. The Growth Area designation is intended to demonstrate that some development would be acceptable within the overall sites, subject to further evidence.”

9. The Growth Area is then assessed as the New Garden Community (Option 2) and as part of a number of the Spatial Options: Garden Suburbs, Transport Corridors and Hubs & Spokes. The SA/SEA concludes that “The delivery of (Marks Tey) could achieve critical mass to support the delivery of substantial new infrastructure”. Its uncertainty as to whether or not the proposals will achieve this goal is compounded by its view that “The potential benefits of including an additional Garden Community in the plan area would need to be weighed against the potential difficulties of start up, delivery, appropriate phasing of new infrastructure and longer term issues of place making” (§4.155).

10. There is no assessment of the Growth Area as a distinct set of proposals (as it is not a standalone policy); instead It separately assesses each of the four site allocation policies in §5.300 etc. As the details of each policy are unknown it identifies a series of uncertain positive and adverse effects across most of the assessment themes. Where the potential for positive effects is identified – for example in the delivery of new infrastructure or managing traffic – it acknowledges the proposals are very broad. Similarly, where it identifies the potential for harm across a range of environmental matters – noise and air pollution for example – it cannot offer firm mitigation measures.

The New National Planning Policy Framework

11. Finally, it is assumed the CLPR may be examined against the new National Planning Policy Framework (NPPF), and even if it is not it will have to conform to the incoming requirements which will be finalised in the summer. The following draft provisions are noted as being potentially relevant here:

- Policy PM2 requires Local Plans to set out “land allocations and **broad locations** for growth ...” and requires them to set out specific proposals for accommodating development needs to identify “the **contributions** expected from development towards ... **on-and off-site infrastructure** necessary to support delivery of the plan”
- Policy PM4 sets out the basis for producing local planning authority-led **Supplementary Plans** for “Situations (that) would allow the authority to respond positively and quickly to unanticipated changes in their area, between plan-making cycles, where it is important to put in place policies to shape and direct development for a site or group of sites which the authority considers to be nearby to each other.” It also states that “Plans should not used to subvert ta Local Plan or to delay the allocation of sites”.
- Policy PM9 requires Local Plans to be informed by an assessment of the **land available in their area** to meet development needs and to identify the most appropriate sites for development, taking into account the emerging vision and spatial strategy of the plan

- Policy PM12 requires Local Plans to set out the **contributions** expected from development to support the delivery of the plan, especially for **strategic sites** which **are critical to the delivery** of the plan
- It also requires them to set at a level that allows for the planned types of development and sites to be deliverable, **maximising certainty** and reducing the need for viability assessment at the decision-making stage
- A revised examination framework to test the soundness of Local Plans in Policy PM15 requires them to be appropriate (i.e. it sets out an appropriate strategy to **enable the delivery of sustainable development**, taking into account reasonable alternatives) and realistic (i.e. it sets out realistic policies for development and there is a reasonable prospect that its site allocations are **capable of being deliverable** at the time envisioned)
- Policy S2 requires the spatial strategy of a Local Plan to set out “**clear expectations** for the location of development ...”
- Policy S5 makes a new presumption in favour of development for housing and mixed-use development which would be: within reasonable walking distance of a **railway station** which provides a high level of connectivity to jobs and services; physically well-related to a railway station or a settlement within which the station is located; is of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure
- Policy HO4 requires Local Plans that identify suitable locations for large scale development to ensure those locations and proposals are capable of being supported by the **necessary infrastructure and facilities** at appropriate points in the development’s delivery
- It also requires them to identify the **specific infrastructure** and other site-specific requirements and to make a **realistic assessment** of the likely rates of delivery and identifying opportunities for supporting rapid implementation
- Policy TR1 requires Local Plans to consider sustainable transport from the **earliest stages of plan-making**, so that it is reflected in the vision for the plan area and its specific proposals, and forms an integral part of a plan’s strategy for creating well-designed, sustainable, inclusive and popular places by making sustainable transport considerations part of **early engagement** with local communities, highway and transport authorities, transport infrastructure providers, operators, land promoters and neighbouring councils
- Policy HC1 requires Local Plans to set out the **facilities and contributions** expected from development, including as part of allocations for major housing and mixed-use sites.
- It also requires them to **allocate land** specifically for **community facilities and public service infrastructure** and in planning for community facilities and public service infrastructure, authorities should engage proactively with local communities and service providers.

The Parish Council's Representations

Policies ST3, ST5, ST6 & ST7

12. MTPC acknowledges the housing and employment growth context within which the CLPR has been prepared and its rationale for identifying the location of the village as having strategic growth potential.

13. In principle, it therefore considers these spatial policies are appropriate per new NPPF Policy PM15 but have not yet been proven to be considered realistic, given some fundamental weaknesses in how they have been translated into site specific proposals as explained below.

14. Further, the Sustainability Appraisal has not been able to properly assess the individual or cumulative effects of the proposals, or the contribution that discarded, available, developable land could make to the Growth Area.

For those reasons MTPC must, at this stage, and until there is a resolution of these weaknesses, object to the provisions of these policies as they affect Marks Tey Parish.

Policies PP17, PP18, PEP5 & PEP6

15. The way in which the Marks Tey Growth Area has been argued for development up to and beyond 2041 comprises insufficient understanding or assessment of the growth capacity or infrastructure constraints of a kind that would be required for this scale of change. The policies propose major development without an overarching vision for the place – Marks Tey and parts of its adjoining parishes – and require no coordinated masterplanning between the four sites.

16. CCC acknowledges the severe fragmentation of the village caused by the A12, A120 and railway but the policies provide no effective proposals for how this crucial transport severance legacy will be overcome.

17. And yet the CLPR places a substantial reliance on the Marks Tey Growth Area to meet Colchester's housing and employment needs. This creates a significant risk to the success of the CLPR overall should delivery fail. If Marks Tey is expected to absorb such growth, it should be supported by a clear, ambitious and integrated vision, which is currently absent. MTPC notes by contrast, the Colchester/Tendring Garden Community was supported by extensive planning, infrastructure strategies and a clear vision.

18. The current site allocation proposals provide neither CCC, the land promoters, infrastructure providers or the local communities with the confidence to know they are feasible, viable or deliverable. The split housing allocation – 1,500 homes south of the A12 and 1,000 north of the A120 – would further fragment the community, not bind it together into a new, sustainable place to be proud of. The SSP indicates that this approach would far more likely create three disconnected, car-dependent estates; would likely undermine effective investment in transport improvements; would weaken links to the station; and would undermine the identities of the local villages by coalescing them into a further suburban sprawl of Colchester.

19. Instead, the SSP finds that limited development near Station Road and London Road may better support trips using the station and local centre, with the majority of growth better concentrated north of the A120. This would allow development funding to be focused, enable improved pedestrian access to the station, and potentially deliver a phased A120 northern relief route, integrating new and existing communities. Further longer-term growth options to the west could also support a western A120 bypass and improved A12 access.

20. In these respects, MTPC is especially concerned that CCC has discarded large areas of land in and adjoining the village and the station that have been made available for development in this or previous Local Plans. The land could play an important strategic role in delivering change but has not been assessed by the SA/SEA.

21. In addition, the SSP finds that the employment site south of the A12 (PEP5) is effectively landlocked following the abandonment of the A12 expansion and would rely on access through potential proposed housing land. Alternative employment land between the A12 and railway would better integrate with existing businesses and could support wider transport improvements.

22. In summary, the allocation policies and/or the evidence base, including the Sustainability Appraisal:

- Contain no collective vision or even the most basic of development frameworks to structure the growth of Marks Tey and protect its sense of place
- Make no requirement for joint masterplanning
- Fail to explain why some available land (per the HELAA) has been discounted from being a part of the Growth Area
- Make little of the station and its surrounding land, even though its presence is cited as an important factor in the choice of Marks Tey as a growth area
- Fail to explain if and how the acknowledged potential for cumulative, harmful environmental effects within and around the Parish can be mitigated, and instead putting this onus on future planning applications
- Give no indication of how the quantum of development on each site has been determined in terms of net developable areas and densities, nor of how and where development beyond 2041 may be delivered
- Give no indication of how new development can integrate with identified green infrastructure assets, including the important Roman River and statutory biodiversity assets
- Provide no confidence that social infrastructure – school places and local health provision for example – will or can be delivered in the right location or at the right time, which is crucial for a scale of development that will triple the size of the existing communities that lie beyond the edge of the main city
- Are supported by an evidence base of a depth and breadth that is well below the standards expected of national policy for such a crucial set of proposals.

23. Overall, the scale and importance of growth proposed for Marks Tey justifies a far more strategic, ambitious and coordinated approach before specific sites are fixed in the CLPR.

24. The consequences of the CLPR proposals failing or proceeding too slowly are unthinkable. MTPC and others fear that developers will lose patience with the plan-led approach and will instead see the new NPPF as an opportunity to bring forward incremental proposals under the new 'presumption' with the aim of avoiding the costs of delivering strategic infrastructure. That piecemeal approach will be disastrous, not just for Marks Tey, but for all its neighbours and users of our roads.

For those reasons MTPC must, at this stage, and until there is a resolution of these weaknesses, object to the provisions of these policies as they affect Marks Tey Parish.

Resolving the Objections

25. MTPC considers its Settlement Spatial Plan has already identified important ways in which the risks of non-delivery can be lowered and the arrangement of land uses, development and infrastructure can secure a more sustainable outcome up to and beyond the plan period. It has engaged positively with its Parish Council neighbours (per the joint representation submitted by the seven parishes west of Colchester) and the main land interests and is convinced CCC's ambitions for the Marks Tey area can be realised.

26. It is possible that if CCC and the other key stakeholders are willing and able then there may be time up to the CLPR submission at the end of the year to address the weaknesses identified above.

27. However, if it is not then another plan-led mechanism is required to bridge between the ambitions and strategic intent of the CLPR and future planning applications. MTPC does not consider it appropriate to use a modified neighbourhood plan for this strategic purpose.

28. MTPC considers the new Supplementary Plan making option will fit the circumstances well in creating the time for CCC and other parties to lower the planning and delivery risks to the point that a Growth Area masterplan and subsequent planning applications will be funded. Although not 'unanticipated' or 'between plan making cycles' MTPC is confident CCC could argue NPPF Policy PM2(1)(b) continues to allow Local Plans to set out broad locations for growth to be planned for in detail at a later stage.

29. MTPC therefore proposes that to resolve its objections and to make the CLPR sound, CCC:

Either:

- agrees to pursue the main recommendations of the Marks Tey Settlement Spatial Plan as the basis of the Marks Tey Growth Area and its allocation policies and completes the essential evidence work to demonstrate the allocation policies and therefore the spatial policies are appropriate and realistic prior to submission

Or:

- deletes policies PP17, PP18, PEP5 and PEP6 and their other references in the document and replaces them with a new Policy ST10 for the Marks Tey Growth Area identifying it as a broad location for 2,500 homes and 19 Ha of employment land in the plan period and proposing that the masterplanning of the Area is undertaken through a Supplementary Plan by CCC with the land promoters, infrastructure providers and local Parish Councils by the end of 2027 that will make the necessary site allocations and infrastructure proposals

30. In making these recommendations MTPC commits to working with CCC, the land promoters, infrastructure providers and other affected Parish Councils to supporting the modified CLPR through to its submission and examination and to delivering a successful Marks Tey Growth Area Supplementary Plan if that route is chosen to manage plan-led development.