

Representation to Colchester Regulation 18 Local Plan Consultation

Land at Middlewick Ranges, Colchester

Section 1: Introduction and Background

This representation has been prepared on behalf of our client, the Defence Infrastructure Organisation, referred to herein as DIO which is a part of the Ministry of Defence (MoD) and is responsible for managing the estate for the military, including the provision of homes for service personnel in the UK

These representations are set out in the context of seeking to work with Colchester City Council to ensure that an effective and deliverable plan is prepared for Colchester.

As the Council are aware, Middlewick is a substantial site located on the south-eastern edge of Colchester, covering approximately 120 hectares. Under the adopted Local Plan, the site was allocated for up to 1,000 dwellings, with supporting infrastructure, community facilities, new open space, and green infrastructure. Policy SC2 was developed to respond to the ecological and landscape sensitivities identified, seeking a masterplanned approach to any development.

This representation is submitted in acknowledgement to the proposed de-allocation of the Middlewick Ranges site (Policy SC2) from the Colchester Preferred Options Draft Local Plan (Regulation 18). However, our client wishes to object to its inclusion as Local Green Space (Policy GN3) given the extensive scale of the area proposed (including land to the south – also in MOD ownership) and the direct conflicts this will bring to the proposed Strategic Biodiversity Designation (Policy ST2) proposed for the site also.

These representations expand on this with direct reference and commentary provided on the following documents:

- *Local Plan Reg 18 Preferred Options Draft (February 2025).*
- *Local Plan Reg 18 Policies Maps.*
- *Colchester Sustainability Appraisal (February 2025).*
- *Strategic Biodiversity Assessment (January 2025).*

We respectfully request that Colchester City Council take on board the comments as set out. It is imperative that the emerging Local Plan provides an appropriate and flexible policy framework.

Section 2: The Site

Middlewick Ranges is a 120-hectare former MOD firing range site in Colchester, Essex, with an allocation for up to 1,000 new homes which is set out within Section 2 of the Adopted Colchester Local Plan, under Policy SC2.

Middlewick Ranges is proposed as part of the Local Plan review to be removed from the draft Local Plan's housing allocations by the Council.

Acknowledging this, the site is now proposed to be designated as part of a strategic biodiversity area (Southeast Plateau), limiting future development prospects while being included as Local Green Space (Middlewick Ranges, Mersea Road, Colchester). Our client is concerned with the rationale with this approach as we set out in these and corresponding representations.

The following section summarises the policies from the Colchester City Council Preferred Options Local Plan (Regulation 18) document which are of direct relevance to the site. The comments are intended to assist the Council in securing sound, balanced policy outcomes as part of the emerging Local Plan review.

Section 3: Policy Context and Comments

The statutory development plan for Colchester provides the policy context for assessing development proposals. The Local Plan (Section 1) was adopted in February 2021. Section 2 was subsequently adopted in July 2022.

The following includes reference to the adopted and emerging policies of relevance to the site, with the relevant emerging policies commented on.

Please see **Figure 1** which provides an extract of the emerging Policies Map for Colchester. In summary, Middlewick is proposed to be de-allocated for residential use which is acknowledged by our client. Middlewick will continue to be designated as a Local Wildlife Site (Policy ENV1) but is now proposed to be designated as a Local Green Space (Policy GN3) and as a Strategic Biodiversity Area (Policy ST2).

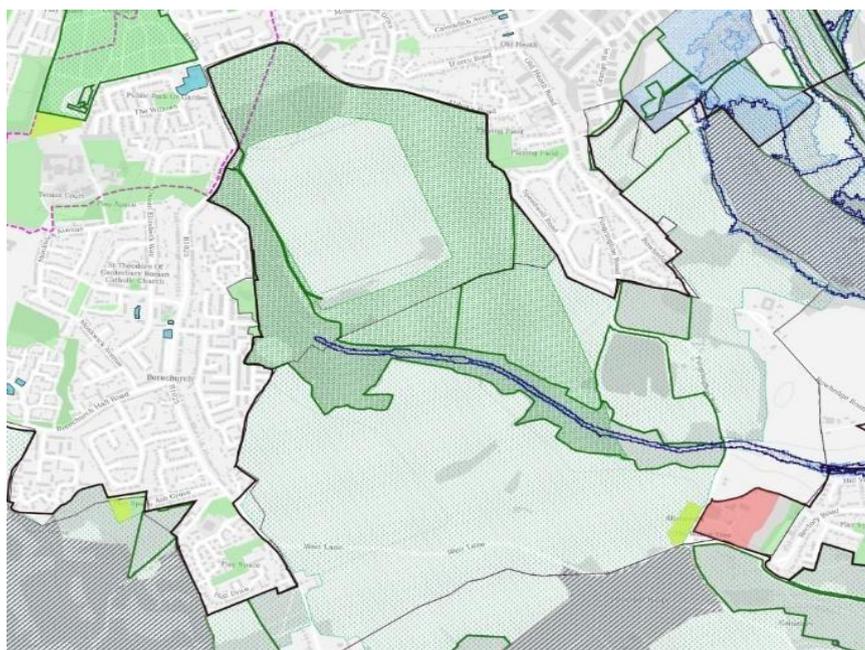


Figure 1: Middlewick Ranges (Policy Map Extract showing Local Green Space)

Colchester Local Plan Section 3: Strategic Policies

The Councils intention to designate the site as Local Green Space, in addition to its recognition as Strategic Biodiversity Area, introduces unnecessary policy duplication and has the potential to harm the proper management and enhancement of these locations for biodiversity. Notwithstanding the requirement for further justification and evidence of approach the Strategic Biodiversity Area designation itself should provide an evidence-led approach to ecological protection, enhancement, and management, aligning with professional best practice and national policy, this is not compatible and has differing objectives to a Local Green Space policy

Conflict and Potential Harm

Local Green Space designations (NPPF paragraphs 106–108) are primarily intended to preserve land of significant recreational, visual, or community value for local people. The NPPF requires that Local Green Space designations should not be extensive tracts of land¹. In the case of this site proposed, the Local Green Space is large in scale and would not meet the criteria set out in NPPF para 107c..

Applying Local Green Space status on top of the proposed biodiversity designation risks several negative outcomes (notwithstanding the requirement for the Council to justify and further evidence the basis for the Strategic Biodiversity Designation):

- It may constrain essential habitat management, such as scrub clearance or dynamic ecological interventions required to improve or maintain biodiversity (NPPF paragraphs 125 and 192).
- Restrictions associated with Local Green Space may deter landowners and managers from pursuing effective conservation measures, creating a barrier to positive engagement and nature recovery.
- The policy is unclear for stakeholders, landowners and statutory consultees, potentially resulting in uncertainty, delays, or inappropriate requirements for the land.
- NPPF guidance explicitly cautions against unnecessary duplication of protections and requires that designations be evidence-based, proportionate, and responsive to local context (NPPF paragraph 16f).
- Local Green Space status should only be applied where it will not compromise proper ecological management.

The Local Plan sets out under Policy GN3 that for any proposals regarding development within Local Green Spaces, the policy establishes a high bar: *“Proposals for development within Local Green Spaces will only be supported in very special circumstances and considered against policies for the Green Belt as set out in the NPPF.”* This provides a high level of protection for those areas, including Middlewick Ranges, consistent with national planning guidance for Green Belt protection.

¹ NPPF Paragraph 107c

Similarly, Policy ST2 reinforces this protection by requiring all proposals to conserve and enhance these important sites, safeguard the landscape character, and strengthen habitat connections. Together, these measures aim to ensure valuable natural environments and green spaces will be protected from inappropriate development and managed for biodiversity and public benefit, however this approach is flawed.

Therefore, there is clear conflict between these policies given they duplicate the protection of the site, while allowing public access to it. This is flawed and not in accordance with the provisions of the National Planning Policy Framework.

Section 4: Requested Revisions

It is requested that Colchester City Council remove the Local Green Space designation from all sites where the primary value and purpose is as opportunity for habitat creation and biodiversity enhancement, and also where they comprise extensive tracts of land such as at Middlewick Ranges and justify its approach with regard to, and in connection with, the Strategic Biodiversity Area.

Section 5: Conclusions

This representation has been prepared on behalf of our client, Defence Infrastructure Organisation ('DIO'). In summary, our client objects to the inclusion of the site both in the Local Green Space designation and Strategic Biodiversity Area.

It is considered that this dual designation under both Local Green Space and Strategic Biodiversity policies is unnecessary and potentially harmful, risking lasting damage to the management, enhancement, and recovery of the area's key ecological assets. NPPF guidance is clear: overlapping and duplicative designations are to be avoided, and policies must remain evidence-based, proportionate, and fit-for-purpose. The NPPF is also clear that Local Green Space designations should not be an extensive tract of land as is the case at Middlewick².

A key revision is therefore requested within these representations as follows:

Remove the Land at Middlewick Ranges from the Local Green Space (Policy GN3) designation given it fails to meet all of the criteria set out in the NPPF (Paragraph 107) and given its direct conflict with the intended purposes of including the land within the Strategic Biodiversity Area designation. This itself requires justification of approach given the conflicting objectives of these policies.

The DIO remains committed to working collaboratively with the Council and is available to provide further evidence as required.

² NPPF Paragraph 107c