

Representation to Colchester Regulation 18 Local Plan Consultation in respect of Policy GN6 & Open Space Designations on land associated with Merville Barracks.

Section 1: Introduction and Background

This representation is submitted on behalf of the Defence Infrastructure Organisation (DIO), which acts for the Ministry of Defence (MoD) and manages the military estate, including the provision and operation of Service Family Accommodation (SFA) across the UK.

We are responding to the Regulation 18 Preferred Options Draft Local Plan and seek to assist Colchester City Council in forming an effective and deliverable strategy that addresses both local and national priorities. Colchester's position as a major garrison town means that the delivery of modern, well-serviced family homes for armed forces personnel is an essential part of the city's future.

Our representations are made in direct response to the Council's approach to site allocations, housing strategy, Open Space mapping, and specifically in relation to the omission of recognition of the need to provide new or improved SFA. This representation highlights the weaknesses in the proposed spatial strategy and the policies relating to Open Space and housing delivery.

These representations make reference to the following documents:

- *Local Plan Reg 18 Preferred Options Draft (February 2025).*
- *Local Plan Reg 18 Policies Maps.*
- *Open Space Report (April 2023).*
- *Colchester Sustainability Appraisal (February 2025).*

We respectfully request that Colchester City Council takes on board the comments set out herein. It is imperative that the emerging Local Plan provides an appropriate and flexible policy framework to ensure the needs of the area are met over the plan period.

Section 2: Proposed Designated Open Space Sites

The DIO manages several active SFA estates within Colchester, including the housing associated with Merville Barracks at the Montgomery and Drury Meadows Estates (Appendix 1), both of which provide critical housing for military families and are positioned within the urban area. These estates include identified land parcels, that are considered suitable for infill development or estate renewal, with convenient access to public transport, local amenities, and the city centre. The assessment of these sites demonstrates their capacity for additional homes within the established neighbourhoods, without the constraints faced by major greenfield expansions.

The potential infill sites identified are well located and deliverable, with existing infrastructure and no technical barriers to development. There is currently an established requirement for further SFA provision in Colchester to meet MOD's operational obligations and workforce needs. Upgrading, redeveloping and expanding these estates aligns with the Defence Housing Strategy (November 2025), which sets out how the Government intends to deliver significant improvement in the provision of homes to serve families.

In considering potential infill sites several parcels of land have been identified as being suitable for SFA accommodation that are currently proposed in the draft Local Plan for designation as Open Space (Policy GN6) and are in the ownership of the DIO. These are as follows and are discussed below:

- Site One: Land at Drury Meadows east of Layer Road, Colchester
- Site Two: Land within Montgomery Estate south of Baronswood Way, Colchester

Site One: Drury Meadows - Land East of Layer Road, Colchester

The land at Layer Road (Figure 1) consists of two parcels of land which when combined equate to approximately 1.34 Ha of land and are within the settlement boundary of Colchester. As will be discussed in these representations, the land is a suitable site for infill development and should not be designated as Open Space or given more flexibility to allow for SFA accommodation.

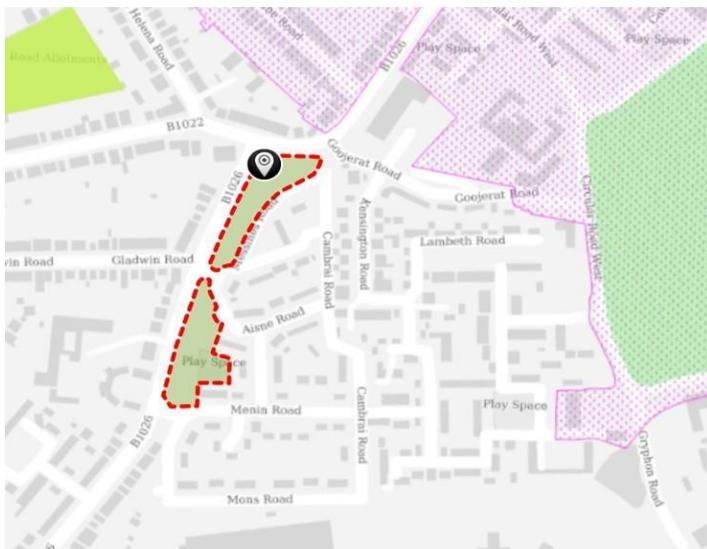


Figure 1: Site One - Emerging Local Plan Extract

Site Two: Montgomery Estate - Land South of Baronswood Way, Colchester

The land south of Baronswood Way (Figure 2) is comprised of approximately 0.83 ha and is within the settlement boundary of Colchester. The land is a suitable site for infill development and is located north of Ilex Close and comprises predominantly grassland with a small area of hardstanding used as car parking.



Figure 2: Site Two - Emerging Local Plan Extract

These sites form part of the wider Montgomery SFA Estate and Drury Meadows SFA Estate, both are being considered as having opportunities for small-scale infill development and will shortly be the subject of a request for pre application advice. In the light of this the sites should not be designated as Open Space. The Local Plan should recognise the need for SFA and greater flexibility provided to allow for SFA accommodation to come forward.

The following section summarises the policies from the Colchester City Council Preferred Options Local Plan (Regulation 18) document which are of direct or indirect 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: Open Space Policy Objections

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.

As set out in Figures 1 and 2 above, the following parcels are proposed to be designated as Open Space in the emerging Local Plan. **It is important to note that in the adopted Local Plan these parcels are not allocated** (Figure 3 below).



Figure 3: Adopted Local Plan Extracts

Draft Policy GN6: Retention of Open Space

Draft Policy GN6 provides a robust framework for safeguarding existing Open Spaces and demands strong justification and suitable replacement if any such land is to be lost. It is stated that the approach is in line with best practice and national policy, including the Open Space Report (2023), which underlines the importance of community access, value, and function. However, problems arise where draft Open Space designations extend over MOD owned land within existing SFA estates, that are not genuinely accessible to the public and do not deliver local recreational or amenity value.

Sites One and Two function as important parts of the operational Defence and SFA operational areas that support internal MoD needs and technical work. **Designation as Open Space is not substantiated by usage or community value in such cases, contrary to the principles endorsed in the Open Space Report, this is detailed further below. Including MoD land within established SFA estates as Open Space without factoring in operational requirements¹, access restrictions, or their actual contribution to the community risks unjustly constraining renewal or expansion needed to meet Defence and local housing need in Colchester.**

Additionally, Draft Local Plan Policy GN6 'Retention of Open Space' aims to protect designated sites of Open Space. However, the Policy does provide scope for development so long as *'there is an identified excess provision within the catchment of the facility and no likely shortfall is expected within the plan period; or alternative and improved provision will be supplied in a location well related to the functional*

¹ NPPF Paragraph 102b

requirements of the relocated use and its existing and future users and will be delivered within an acceptable timeframe to be agreed with the Council.'

It is considered that there is an excess of Open Space in the locale, both on private MoD land and publicly available land; this together with the identified need for SFA dwellings close to Merville Barracks significantly outweighs the low contribution offered by these Open Space designations. Consequently, it is considered that the parcels should not be designated as Open Space.

Should the Council proceed with the proposed Open Space designations for Site One and Two (figures 1 & 2 above) it is then requested that the wording in the final paragraph of Draft Policy GN6 be amended to provide sufficient flexibility to enable development to take place in certain circumstances including where there is no evidence of public usage and where there is a need for SFA development:

*'Additionally, development that would result in the loss of any small incidental areas of open space, not specifically identified on the policies map, but which contribute to amenity value and the character of existing residential neighbourhoods, and any registered common, heathland or village green or which contribute to Colchester's green network will not be permitted, **unless it can demonstrated that there is no evidence of public usage or outweighed by the need for new development.**'*

Funding for Management of Open Space

The Infrastructure Delivery Plan (IDP) for Colchester, as set out in the Local Plan's evidence base, identifies the need for the provision, enhancement, and maintenance of open space to support housing and population growth across the city.

Where funding is considered, the IDP generally assumes that delivery and ongoing management of new open spaces will be secured through developer contributions, public sector funding streams, or through arrangements for local authority adoption and maintenance. Crucially, where land not in the ownership/management control of the Local Council such as Ministry of Defence land is identified, the IDP does not propose that such areas should be relied upon to provide or fund publicly accessible open space, nor does it allocate responsibility for open space management or maintenance funding to private landholders or other bodies such as the Ministry of Defence.

Where land is intended to be put forward for public open space use, such as Ministry of Defence land, it should not be relied upon for the purposes of fulfilling Colchester's open space policy requirements. This is especially the case as there is no defence budget in place for ongoing management and maintenance of this land as open space. It is also considered that given the management of this land has not already been costed within the IDP it should be removed from this designation.

Open Space Report

The Open Space Report (2023) sets out clear standards for quantity, quality, and accessibility across Open Space typologies. While the document does not define Open Space it sets out that its purpose is to *“contribute to the health, well-being, cultural heritage, landscape, education, climate change mitigation, biodiversity and movement for people and wildlife”*. It states that Open Spaces are considered for their *“recreational value, historic and cultural value and its tranquillity and richness of wildlife”* and are assessed based on *“evidence of different user types (e.g. dog walkers, joggers, children) throughout the day, located near school and/or community facility”*.

The methodology section details that Open Spaces are audited for *“recreational, amenity, ecological, or public value,”* and their value assessment includes *“context of the site i.e. its accessibility, scarcity value and historic value,” “level and type of use,”* and *“the wider benefits it generates for people, biodiversity and the wider environment”*.

Therefore, on this basis, Open Space which does not deliver clear recreational, amenity, ecological, or public value, based on evidence of community need and actual use, should not be included. **The methodology also explicitly excludes land without public or community access from the audit. It is considered that this approach is flawed as it does not provide clear rational for a site’s inclusion if they have not been assessed and their inclusion justified.**

As is set out in the study, in order for a local plan policy relating to Open Space to be found sound, a Local Authority must undertake a robust assessment of the need for the Open Space². **We are of the view that at the time of writing, this has not been done, as all sites identified in this representation proposed for allocation of Open Space have not been assessed.**

The draft mapping of Open Space extends to several private MoD land holdings. The designation of these areas as Open Space lacks robust justification and is not supported by the Council’s technical evidence base, especially those sites which have not been included in the Open Space Report but subsequently allocated as Open Space. The mapping and protection of Open Space must be based on demonstrable evidence of public usage. Where operational Defence or other essential worker accommodation needs are demonstrated, there should be a presumption in favour of reviewing or releasing Open Space designations for such land.

The evidence base calls for flexibility and robust justification in applying Open Space policy. The Policy protection should focus on genuine community assets, with mechanisms in place for review and release where operational or local needs are demonstrated, such as those sites in the ownership of the DIO which have been identified as suitable for SFA.

² NPPF Paragraph 103

We strongly advise that Open Space policies and mapping should be proportionate, and evidence driven, identifying and protecting only those parcels which serve a demonstrable recreational or amenity value. Where land is part of the military estate and required for housing or operational use, it should be excluded from such designation.

Sustainability Appraisal

The Sustainability Appraisal as currently drafted does not sufficiently account for the operational requirements of MOD land and specifically SFA, which is expected given the Local Plan also does not accommodate the established need for SFA in Colchester. However, we consider it should ensure the needs of all groups are met.

For example, Policy GN6 (Retention of Open Space) and related commentary focus on protecting Open Spaces that “*contribute to amenity value and the character of existing residential neighbourhoods*” but do not address explicit assumptions about public accessibility or detail whether the amenity/recreational benefits are presumed regardless of who owns the land or whether the public can genuinely access it. This omission risks overestimating the sustainability value of retaining such designations and underappreciates the wider community and workforce benefits of enabling SFA delivery on suitable estate land, such as those discussed in these representations.

Whist Policy GN6 is scored within the sustainability appraisal, the specific sites (set out in Figures 1 and 2 above) that are allocated as Open Space are not; this approach is not justified and needs to be addressed.

The lack of flexibility in recognising operational accommodation needs, particularly when balanced against actual public and ecological value may constrain necessary provision of essential local worker housing³ and compromise the resilience of the overall housing strategy.

The Sustainability Appraisal as drafted is considered to be unsound on the following basis:

- It should explicitly acknowledge the difference between genuine public or community Open Spaces and land in operational use for other purposes.
- It needs to assess the impacts of designating operational MOD holdings as Open Space and the potential this may have on the delivery of accommodation needed for service families and local essential workers.

³ NPPF Glossary

- It should weigh the benefits of enabling SFA development in appropriate locations against any genuine loss of public amenity, ensuring that sustainability objectives reflect operational land requirements.
- It should align more closely with the Open Space Report methodology, which is clear that open space mapping should be justified by actual community function and accessibility.

These amendments will more accurately reflect the local context, support balanced decision-making, and help deliver the Plan's objectives for sustainable growth, infrastructure, and community wellbeing.

Summary: Open Space Policy Objections

Site One and Site Two are MoD privately owned parcels within Colchester's settlement boundary, where there is an identified need for additional SFA.

In cooperation sites are proposed to be allocated as Open Space within the Colchester Regulation 18 Draft Local Plan. It is considered that both sites lack demonstrable public recreational or amenity value which is a key criterion for Open Space designation. Additionally, the sites designations have not been included within the Council's Open Space Report (2023), this is considered to be unsound as in order for a policy relating to Open Space to be found sound, a robust assessment of the need for the Open Space must be undertaken⁴. It is therefore strongly argued that the sites should not be allocated as Open Space, as doing so would constrain necessary SFA delivery, without clear evidence-based justification or genuine public access.

Should the Council choose to proceed with the designations then the local policy should be amended to provide explicit flexibility for their development, ensuring operational and housing needs can be met⁵.

Section 4: MOD Housing Need Policy

Colchester Local Plan Section 2: The Vision and Objectives

The draft Local Plan sets out an ambitious vision for Colchester, focusing on sustainable growth, improved quality of life, and the protection and enhancement of the city's distinctive character, green infrastructure, and cultural heritage. The vision embraces dynamic, inclusive, and healthy communities, aiming to make Colchester a destination of choice for residents.

The objectives are comprehensive, targeting vibrant community life, enhanced infrastructure, environmental quality, and delivery of a diverse housing supply. They commit to protecting Open Spaces, increasing access to green infrastructure, and providing for a range of housing needs. However, there is a

⁴ NPPF Paragraph 103

⁵ NPPF Paragraph 102b

significant omission regarding the recognition of accommodation requirements for service families, particularly given Colchester's strategic role as a major garrison town.

The vision and objectives do not reference the specific operational needs related to Defence infrastructure or service family accommodation, despite its importance to workforce stability and local employment. Recognising and supporting the accommodation requirements of military and essential workers would strengthen the Plan's inclusivity and ensure alignment with the city's unique context.

A more robust vision would acknowledge the Defence presence and explicitly support the delivery of appropriate, high-quality accommodation for service families alongside broader community objectives. This would improve the relevance and efficacy of the Plan for all stakeholders in Colchester.

Colchester Local Plan Section 3: Strategic Policies

Policy ST5: Housing Need

Policy ST5 sets out an overall requirement for 1,300 new homes per year, in accordance with the Standard Method, and identifies a minimum quantum of 20,800 dwellings over the Plan period. This is considered to be overwhelmingly reliant on a limited number of large, strategic allocations and opportunity areas.

Therefore, whilst the housing requirement is theoretically met, actual delivery is vulnerable due to its dependence on large, complex allocations in village locations and optimism over windfall, with limited provision for rapid supply from small/medium sites. DIO Berechurch is better related to the urban core of Colchester, and the settlement boundary itself than a number of the other large strategic housing allocations. Greater flexibility, contingency, and site diversity would safeguard delivery against delays.

The headline housing requirement (20,800 to 2041) is robust and based on the Government's Standard Method. The Plan initially demonstrates a nominal surplus (21,106 dwellings) however this is theoretical, as it depends on very optimistic delivery rates from major allocations and substantial windfall contributions (over 10% of supply in later years). The evidence available demonstrates systemic challenges to delivery: physical constraints, infrastructure/capacity deficits (notably water and sewerage), and the market's finite appetite for large, phased developments. While the Council are currently able to demonstrate a five-year housing land supply⁶, this is based on a lower annual requirement of c.900 dwellings per annum.

The Plan as drafted does not make provision for quick, early delivery of small and medium-sized sites, alongside sustainable edge of main settlement site to compensate for slippage on large strategic allocations which are in smaller village locations. Especially where infrastructure constraints are inevitable. This is a significant soundness issue.

⁶ 5.05 Years: 2025 Position Statement

Service Family Accommodation (SFA) Support

There is no mention of SFA as an identifiable component of the affordable housing or essential worker accommodation offer, as is recognised in Annex 2 of the NPPF (December 2024). Given Colchester hosts a substantial contingent of service personnel it must provide modern and accessible SFA in sustainable locations.

We wish to highlight that there is no direct acknowledgement of the operational need for SFA in Colchester nor any proposed allocation or specific policy to deliver family accommodation for military personnel. This shortfall conflicts with national planning policy⁷ and undermines the Council's duty to cater for all identified needs.

There is currently a considerable shortfall and identified overriding need for SFA in the Colchester area. Recognising this strategic need, the Ministry of Defence (MoD) is committed to directing major investment towards delivering new SFA in Colchester, in line with the objectives set out in the Defence Housing Strategy 2025. This planned investment represents a key opportunity to address the existing deficit and ensure that local housing provision meets both current and future defence requirements.

Consequently, it is considered that there needs to be specific policy recognition of the operational defence requirement for SFA and supporting allocations within existing military and SFA estates; plus general support for defence requirements. SFA should also be explicitly recognised within definitions of affordable housing and as a key part of the area's essential worker housing offer.

It is suggested that the following policy on MOD Establishments is included within the Local Plan:

***'POLICY Military Establishments:** New development at military establishments that helps enhance or sustain their operational capability will be supported. Redevelopment, conversion of change of use of redundant MOD sites and buildings will be supported. Non-military or non-defence related development within or in the areas around a MOD site will not be supported where it would adversely affect military operations or capability, unless it can be demonstrated that there is no longer a defence or military need for the site.*

Development for housing for MOD personnel connected to an operational MOD establishment will be supported provided it satisfies relevant policy requirements in the Local Plan.'

Summary

The Colchester Local Plan outlines a vision for sustainable growth and diverse housing but fails to recognise the needs of service families, particularly given Colchester's significant role as a garrison town. While strategic policies such as Housing Need (ST5) address overall housing targets, they do not include

⁷ NPPF Paragraph 102b

any specific support or provisions for SFA, despite such requirements being acknowledged in national policy. **It is requested that specific support be given to the development of SFA and a specific policy be included within the Draft Local Plan, as set out above.**

Section 7: Conclusion

This representation has been prepared on behalf of our client, Defence Infrastructure Organisation ('DIO'). In summary, our client objects to the approach to the allocation of Open Space and lack of support for the allocation of SFA.

Colchester is identified by the DIO as a high priority location for SFA delivery, driven by the continuing, and in some cases growing, operational military presence. The current draft Local Plan fails to respond to the unique requirements of defence operations and neglects SFA needs in policy⁸. This introduces risks to both soundness and deliverability and does not comply with national expectations for flexibility, contingency, and the provision of homes for '*essential local workers*'⁹ such as military personnel.

Correctly applying Open Space policy to operational Defence land will bring clarity, resilience, and sustainability to the housing strategy and help the Council meet both local and national needs.

Three key revisions have been requested within these representations as follows:

- 1. Site One and Site Two (as seen in Figures 1 and 2) should not be allocated as Open Space.**
- 2. Should the Council proceed with the Open Space designations on Sites One and Two, then flexibility should be introduced to Policy GN6 which would enable the delivery of SFA where there is no evidence of public usage.**
- 3. Include specific policy recognition of the operational defence requirement for military establishments within the Local Plan including SFA development.**

The requested revisions will ensure that Colchester's emerging Local Plan provides an appropriate and flexible policy framework that recognises the strategic importance of Defence infrastructure whilst delivering sustainable housing for service families. Implementation of these recommendations will strengthen the Plan's effectiveness in addressing both local housing needs and national Defence priorities throughout the plan period.

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

⁸ NPPF Paragraph 102b

⁹ NPPF Glossary