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**Our ref:** 62189/01/SSL/JHy/40624461v4

To Planning and Building Control

## **Colchester City Council - Preferred Options Local Plan Regulation 18 Consultation**

We write on behalf of our client, Latimer (Tendring Colchester Borders Garden Community) Developments Limited, heron referred to as 'Latimer', in response to the above consultation.

Latimer is the Master Developer, Plot Developer, Housing Association, Social Value Champion and Stewardship Body for the Tendring Colchester Borders Garden Community ('TCBGC') project. The TCBGC site is allocated within the Section 1 Plan jointly adopted by Tendring District Council ('TDC'), Colchester City Council ('CCC') and Braintree District Council in February 2021. Further policy framework is set out within the TCBGC Development Plan Document (DPD) jointly adopted by TDC and CCC in May 2025.

TCBGC is a strategically important project for Tendring, Colchester and the wider region, delivering much needed jobs, housing and supporting infrastructure over the coming years through a comprehensive masterplan, with a hybrid planning application expected to be submitted in early 2026.

These representations provide Latimer's response to the CCC Preferred Options Local Plan Regulation 18 Consultation, November 2025. While we note the draft Plan does not specifically apply to TCBGC, it is considered that the proposals in the draft Local Plan (including proposed site allocations) do have implications on the project. TCBGC is also referenced numerous times throughout the draft Plan and evidence base documents and is the sole subject of draft Policy ST9.

In respect of the Preferred Options Local Plan, Latimer's response is in two parts. The first focuses on the key strategic polices relevant to the TCBGC, as follows:

- Policy ST9: The Tendring Colchester Borders Garden Community;
- Policy PP9: North-East Colchester; and,
- Policy CS2: Enhancement of and Provision for Community Facilities,

The first part of these representations is supported by a 'Review of Local Plan Regulation 18 Consultation Transport Evidence Base' Technical Note, prepared by Stantec, at **Appendix 1**, relating to the proposed site allocation at North-East Colchester (Policy PP9) and the Transport Evidence forming part of the evidence base work relating to this proposed allocation.

The second part of Latimer's representations focus on the supporting Evidence Base documents also subject to this consultation, namely:

- The Infrastructure Audit and Delivery Plan dated 24 October 2025, and
- Colchester Whole Plan Viability Assessment dated October 2025 and Appendices.

A review of these documents has highlighted concerns with a number of assumptions which appear to have been used to form the basis of CCC's policy making. These concerns are highlighted in further detail below and need to be rectified for the Plan to, ultimately, be found sound.

To assist CCC Planners in processing this representation, we have also submitted representations to individual policies using CCC's consultation portal.

## **Preferred Options Local Plan Regulation 18 Draft Policies**

### **Policy ST9: The Tendring Colchester Borders Garden Community**

Latimer welcomes Policy ST9 providing specific guidance on the TCBGC within the emerging CCC Local Plan. It ensures consistency and continuity with the DPD as part of the future Development Plan. Latimer notes and supports Policies SP8 and SP9 of the North Essex Authorities Shared Strategic Section One Plan (February 2021) being saved.

Notwithstanding, we make the below observations and requested changes to ensure consistency with the adopted version of the TCBGC DPD (May 2025), rather than previous draft versions of the DPD, as follows:

- Change wording as follows "The Development Plan Document (DPD) (**adopted May 2025** ~~adoption anticipated Spring 2025~~) allocates and **or** protects land for the following uses"
- Change wording as follows: "The Development Plan Document (DPD) (**adopted May 2025**) ~~adoption anticipated Spring 2025~~"
- Change wording as follows: "Delivery of circa 7,500 new homes with a range of shops, jobs, services and community facilities, including education **and health** and **wellbeing provision**. ~~early years and childcare~~"
- Change wording as follows: "~~an 18-pitch~~ Gypsy and Traveller Site of"

Subject to these minor consistency changes Policy ST9 will be consistent with the adopted DPD and Latimer are content with the policy.

### **Draft Policy PP9 - North East Colchester**

With regard to draft policy PP9: North East Colchester, Latimer must currently object to the allocation on transport capacity grounds. Latimer consider that the potential highways impact of PP9 has not

been properly and robustly assessed within the transport evidence base. It is considered that insufficient evidence has been provided to demonstrate the deliverability of this c.2,000 home allocation from a highways and transport perspective, given the existing commitments associated with the build-out of the TCBGC.

It is essential that the existing commitment to prioritising the committed TCBGC is maintained and not prejudiced by future development and that the deliverability of the proposed PP9 allocation is suitably evidenced, based on detailed analysis of potential access points and highway capacity considerations of the local area, based on robust evidence.

The attached 'Review of Local Plan Regulation 18 Consultation Transport Evidence Base' Technical Note, prepared by Stantec (Appendix 1) sets out the basis for the highway concerns that Latimer have, along with some interrelated issues identified from the transport evidence submitted in support of the emerging Local Plan.

The Technical Note concludes that in its current form, the transport evidence base (Transport Evidence dated February 2025 and the Further Transport Evidence dated October 2025) supporting the preferred option allocations set out in Local Plan Regulation 18 Consultation is unsound due to a number of issues, specifically:

- Whilst the evidence considers the delivery of 3,650 homes at TCBGC, the evidence fails to consider any development within the Crockleford Neighbourhood (up to 1,500 homes) being delivered up to 2041. In reality, almost all development within the Crockleford Neighbourhood (which will include a school and a village centre), will be delivered. This Neighbourhood relies on sole access via the existing Bromley Road (owing to Vehicle Access Zone policies within the DPD) and relies on the same wider highway infrastructure as the draft Policy PP9 allocation.
- The proposed wording of Policy PP9: North East Colchester does not provide any clarity on the requirements for the access strategy for the allocation. Therefore, the impact of this proposed allocation on areas of the highway network, which are likely to experience capacity issues under existing or future committed conditions, cannot be, and has not been, fully assessed or understood.
- A high-level review of the potential vehicular impact of the PP9: North East Colchester allocation, indicates that it will have a significant impact on the Bromley Road corridor and wider Harwich Road/Parsons Heath highways infrastructure, which is anticipated to be subject to highway capacity constraints in future years. As the Crockleford Neighbourhood area of the TCBGC will also be accessed via Bromley Road, it is considered that insufficient assessment has been undertaken to demonstrate that the proposed allocation will be deliverable in its current form alongside TCBGC as a committed development. Other concerns in relation to the clarity and accuracy of the assessment of the proposed allocation's impact have also been identified.
- The 2041 Reference Case against which the impact of the various proposed allocation scenarios is benchmarked, only accounts for a small proportion of the TCBGC traffic development, all of which appears to be accessed via the A1331 which does not accord with Latimer's phasing or delivery of the TCBGC site. The PP9: North East Colchester allocation has the potential to take-up highway capacity which is required for the committed Crockleford Neighbourhood. The deliverability of the PP9 allocation is therefore in question and could prejudice the development of the committed Garden Community.

- Assumptions made in Further Transport Evidence relating to improvements to the Greenstead Roundabout, Colne Causeway and A12 Junction 29 being delivered solely as mitigation for TCBGC and therefore included in the 2041 Reference Case are contradicted by the IADP. The associated Project Schedule indicates that the majority of these schemes will be at least partially funded by the preferred allocations which raises serious questions about the accuracy of a reference case (which includes these improvements as mitigation for the TCBGC) against which to test the impact of the preferred allocations.

To rectify these issues and ensure that the Local Plan Regulation 18 Consultation is supported by an accurate, robust and transparent transport evidence the following is requested:

- Provision of additional clarity on the assessment of the proposed PP9: North East Colchester allocation, the constraints identified, the assumptions applied in relation to access points and the forecast vehicle trips generated under the various scenarios tested in Further Transport Evidence.
- Revision of the 2041 Reference Case used to test the impact of the proposed allocation to include an assumption that TCBGC is delivered in full, reflecting it as an allocated and committed project. TCBGC must be fully considered and prioritised and the highway capacity on the network required to accommodate this is reserved and fully considered from the outset.
- Clarification of the assumptions informing the infrastructure improvements to be delivered within the 2041 Reference Case to enable determination of whether these accurately reflect what will be delivered by TCGBC and the preferred allocations respectively so that only infrastructure which will be in place to mitigate the future baseline development is included within the reference case scenarios.
- Retesting of the impact of the PP9: North East Colchester allocation against the revised 2041 reference case to establish whether its cumulative impact (in addition to the full TCBGC and with the appropriate assumptions relating to highway infrastructure applied) allows Bromley Road and the wider highway network to operate acceptably following the various accompanying sustainable transport and highway infrastructure improvements and measures considered within Further Transport Evidence.
- Further highway rearrangements may need to be considered which would be contrary to current adopted DPD policy. For example, providing vehicular access from the Ardleigh end of Bromley Road onto the new A1331/A120 junction, potentially through the draft employment allocation in TDC's emerging Local Plan.

If these actions are not taken, the potential impacts of the delivery of c.9,500 homes in North-East Colchester will not have been fully considered and could result in a severe impact on the highway network, even in a Vision-led scenario, which would be contrary to the NPPF. It is therefore critical that the assumptions informing draft Policy PP9 be reviewed to ascertain whether both the committed TCBGC and proposed PP9 allocation can both be accommodated.

### **Draft Policy CS2: Enhancement of and Provision for Community Facilities**

Latimer supports the principal of Policy CS2 (Enhancement of and Provision for Community Facilities) which confirms that:

*“Contributions may be pooled towards larger community infrastructure projects to cumulatively contribute towards provision on a larger scale where a need has been identified. Where existing facilities can be enhanced to serve new development, the Council will work with developers and local partners to audit existing facilities and deliver any requirements for such facilities to deliver comprehensive provision of services to serve these extended communities” (Lichfields emphasis).*

This is important for Latimer as the TCBGC DPD requires Latimer to facilitate the delivery of significant new physical infrastructure (such as footways, cycleways, roads, and sewers); social infrastructure (including a further education college, new secondary school, primary schools, special educational needs and early years facilities, leisure uses and sports facilities); and green infrastructure (such as open, recreational spaces and a new country park).

These facilities will not only be used by and benefit future residents of the TCBGC development but will also be used by and be of benefit to existing and future residents in the surrounding area, including those living in Colchester.

Given the wider benefits of the TCBGC proposals, it is important to ensure that there is a mechanism in place whereby new development within or adjacent to the TCBGC allocation that will be reliant on this physical and social infrastructure will directly contribute towards the provision and/or maintenance of the TCBGC facilities, including assets that may be adopted by the Councils (Unitary or otherwise).

We note that CCC does not have a CIL Charging Schedule in place, nor does the ‘Local Development Scheme 2024-2027 (March 2025)’ indicate plans to prepare one in the near future. Accordingly, any funding of new or existing infrastructure must come from S106 contributions.

On this matter, the PPG is clear that s106 obligations can be pooled to fund infrastructure provided that Local Planning Authorities set out in an Infrastructure Funding Statement (IFS) which infrastructure they intend to fund and detail the different sources of funding:

*“The 2019 amendments to the regulations removed the previous restriction on pooling more than 5 planning obligations towards a single piece of infrastructure.*

*This means that, subject to meeting the 3 tests set out in CIL regulation 122, charging authorities can use funds from both the levy and section 106 planning obligations to pay for the same piece of infrastructure regardless of how many planning obligations have already contributed towards an item of infrastructure.*

*Authorities should set out in an infrastructure funding statement which infrastructure they intend to fund and detail the different sources of funding (see regulation 121A).*

*Paragraph: 006 Reference ID: 23b-006-20190901” (Lichfields emphasis)*

At present, CCC’s latest Infrastructure Funding Statement 2023/2024<sup>1</sup> does not do this. It solely “sets out income and expenditure relating to contributions secured through s106 Agreements on developments throughout Colchester.” (pg.3).

Accordingly, Latimer requests that future versions of CCC’s Infrastructure Funding Statement clearly identify the infrastructure that CCC intend to fund through pooled s106 contributions, including those

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<sup>1</sup> [https://cbccrmdata.blob.core.windows.net/noteattachment/CBC-funding-Colchester-City-Council-Infrastructure-Funding-Statement-2023-24-Colchester%20City%20Council%20Infrastructure%20Funding%20Statement%202023-24\\_compressed%20\(1\).pdf](https://cbccrmdata.blob.core.windows.net/noteattachment/CBC-funding-Colchester-City-Council-Infrastructure-Funding-Statement-2023-24-Colchester%20City%20Council%20Infrastructure%20Funding%20Statement%202023-24_compressed%20(1).pdf)

infrastructure facilities proposed as part of the TCBGC development. This should also apply to any future Infrastructure Funding Statements that come forward through any future combined Unitary Authority as part of Local Government Reorganisation.

These future Infrastructure Funding Statements should draw on the Colchester Infrastructure Audit and Delivery Plan Stage 3 Report (AECOM, October 2025)<sup>2</sup> in the Regulation 18 Local Plan evidence base (noting comments later in these representations) as well as the Infrastructure Delivery, Phasing and Funding Plan (February 2023); from the TCBGC DPD evidence base.

Accordingly, and to ensure robustness of Policy CS2, Latimer would request that Policy CS2 specifically identifies CCC's Infrastructure Funding Statement (and any future relevant Infrastructure Funding Statements) as the source of where the need for larger community infrastructure projects have been identified, as follows:

*“Contributions may be pooled towards larger community infrastructure projects to cumulatively contribute towards provision on a larger scale where a need has been identified **within CCC's Infrastructure Funding Statement 2024/25 (and any future relevant Infrastructure Funding Statements)**. Where **new or** existing facilities can be enhanced to serve new development, the Council will work with developers and local partners to audit existing facilities and deliver any requirements for such facilities to deliver comprehensive provision of services to serve these extended communities”*

## **Evidence Base Documents**

### **The Infrastructure Audit and Delivery Plan**

TCBGC is referenced a number of times within CCC's Infrastructure Audit and Delivery Plan (IADP) (Stage 3 Report) dated 24<sup>th</sup> October 2025, and associated Appendix. This document contains a number of references to TCBGC and makes numerous assumptions on infrastructure delivery at TCBGC and financial contributions the project will make to infrastructure provision.

These commitments from the TCBGC project, and their timings, are not confirmed, agreed or secured (via S106 or otherwise). Therefore, CCC should not be basing their emerging Local Plan policy on these assumptions, particularly on timings.

For example, page 4 of the IADP states “*a Sports and Leisure Park is provided as part of Phase 1 of the TCBGC (between 2025/26 to 2031/32)...*”, which it is understood would include swimming pool provision. This is not the case. The TCBGC project does not generate sufficient demand for an indoor sports and swimming pool facility until scheme completion (estimated in 2058). Whilst there may be financial contributions to swimming provision during the delivery period (this will be subject to agreement with the Councils during the TCBGC application determination), placing an expectation on the TCBGC project to deliver a Sports and Leisure Park by 2032 is erroneous and flawed.

Likewise, there can be no expectation that the University of Essex will deliver these facilities, and certainly not within the Plan period. Latimer understand the University is not in a position to expand or

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<sup>2</sup> [https://cbccrmdata.blob.core.windows.net/noteattachment/CBC-Evidence-Base-Infrastructure-Audit-and-delivery-Plan-Stage-3-Report-Updated--October-2025-251024\\_Colchester%20Stage%203%20IADP%20Report%20Final%20Ocotber%202025.pdf](https://cbccrmdata.blob.core.windows.net/noteattachment/CBC-Evidence-Base-Infrastructure-Audit-and-delivery-Plan-Stage-3-Report-Updated--October-2025-251024_Colchester%20Stage%203%20IADP%20Report%20Final%20Ocotber%202025.pdf)

deliver new sports and leisure facilities, for reasons that are well publicised and do not control the allocated land for this use in any event.

To compound Latimer's concern is a known existing deficiency in swimming pool and leisure centre provision in this part of Colchester and Tendring and known issues with existing facilities. Therefore, if CCC are seeking reliance on the TCBGC project to address these existing deficiencies within their Plan period, this would be incorrect and should be urgently reviewed and amended.

A further concern with the IADP is on the assumptions for playing pitch provision. Line 88 of the IADP Appendix states TCBGC will deliver 21.0 hectares of playing pitches in the period up to 2041. Firstly, the TCBGC project is only required to deliver c.5 hectares of sports pitch provision, as calculated as the need for the project. Secondly, the assumption on timing of delivery of these playing pitches is also inaccurate and is not confirmed or agreed. CCC's IADP therefore needs to be reviewed alongside any draft policies that are related to these assumptions.

There are several other assumptions made on community facilities, health, education, playing pitches, open spaces and transport services provision being delivered at TCBGC. These facilities are for TCBGC residents only and should not be assumed as supporting development beyond the TCBGC boundary. If these assumptions are to be applied, Latimer would require financial contributions to be secured from other projects and used specifically for assets within the TCBGC boundary. The mechanism for this is outlined above in our response to draft policy CS2 (via the IFS). Alternatively, or in addition, we would expect the Councils to review adoption of assets which are proposed to be shared with other proposed sites.

To be clear, the TCBGC project can only be required to mitigate against the impact it creates. It should not and cannot lawfully be required to address existing deficiencies and known issues or meet demand generated from other projects or proposed allocations.

For context, the project viability of TCBGC is very sensitive, accentuated by the recent requirement for the project to fund an additional £21million towards infrastructure for the A1331 Link Road, which was previously fully funded through the Housing Infrastructure Fund (HIF). The TCBGC project is now having to address this funding shortfall and, accordingly, there must be a recognition that other expectations and asks of the TCBGC project will need to be reviewed and balanced in the round.

For these reasons, the IADP informing the draft Local Plan is incorrect and should be reviewed to ensure the emerging Local Plan policy is based on accurate evidence and information.

### **Colchester Whole Plan Viability Assessment**

Working with Latimer's viability consultant for the TCBGC project, Turner Morum LLP, the viability evidence forming part of the evidence base for the Regulation 18 Local Plan has also been reviewed - namely the 'Colchester Whole Plan Viability Assessment' and Appendices prepared by Newmark on behalf of CCC dated October 2025.

This review of this evidence base has highlighted a number of areas of concern relating to assumptions adopted on Benchmark Land Value and Build Costs, including assumed uplifts over BCIS.

Addressing each concern, Newmark have adopted a Benchmark Land Value (BLV) of £62,500 per acre for greenfield land in "medium and low value" zones within their assessment. This BLV is far too low.

TCBGC would be classified as greenfield land and sits within this value zone, and a £100,000 per gross acre BLV has been accepted as the appropriate level. A landowner pays no regard to the sales values of homes on his land and is only concerned with the price they achieve. This is therefore considered the minimum amount a willing landowner would accept to release their land for development. Anything below this level would not be appropriate and this should be reviewed in the assessment.

In respect of build costs and meeting Part L and Part F standards, Future Homes and Net Zero Standards, assumptions have been made which fall short of the actual likely costs of meeting these requirements. A rate of £7,500 per dwelling has been assumed over the BCIS build costs in the Newmark assessment. This is insufficient. A more acceptable and appropriate rate to reflect Building Regulation and policy requirements is £15,000 per dwelling (£4k Part L+F, £6k Future Homes and at least £5k as a further uplift to achieve Net Zero). As lower and median quartile BCIS rates have been adopted, this extra-over cost is considered the absolute minimum requirement to meet the ambitious policy requirements in Chapter 7 of the draft Local Plan (draft policies NZ1, NZ2, NZ3 and NZ4) for new residential development, and should be adopted in the assessment to better reflect these draft policy ambitions, if they are to remain as currently drafted.

On the basis of the above commentary, Latimer have several outstanding concerns relating to the viability analysis informing the draft Local Plan and policies and these assumptions should be reviewed, with policies modified if necessary.

## **Conclusions**

Latimer welcomes the opportunity to comment on the CCC Preferred Options Local Plan Regulation 18 Consultation, November 2025.

Latimer is supportive of Policy ST9: The Tendring Colchester Borders Garden Community and have made some minor suggestions to ensure consistency with the adopted TCBGC DPD (May 2025).

Latimer currently object to Policy PP9: North-East Colchester on transport capacity grounds and CCC's assumptions applied and have serious concerns about whether PP9 could be delivered without prejudicing the committed TCBGC. There is a need for significantly more transport evidence to demonstrate that the proposals for PP9 could be delivered, in addition to the TCBGC committed proposals, before that allocation could be found sound.

Latimer supports the principle of Policy CS2: Enhancement of and Provision for Community Facilities and have proposed a series of recommendations to ensure that S106 contributions from developments that are, in any way, reliant on the delivery of infrastructure at the TCBGC can be pooled and used to support the delivery of physical and social infrastructure provided within the TCBGC.

Latimer has further raised concerns with the accuracy of key evidence base documents including the IADP and Colchester Whole Plan Viability Assessment, which require updating to ensure the emerging Local Plan policy is based on accurate evidence.

Latimer would welcome the opportunity to discuss all of these matters in more detail with Officers and trust that all of the concerns will be appropriately addressed before the Regulation 19 Plan is produced.

**LICHFIELDS**

Please contact me or my colleagues Sally Furminger or Josh Hymer if you have any queries regarding the representations.

*Yours faithfully*

**Simon Slatford**  
Senior Director  
BA (Hons) BPI MRTPI

# **Annex 1: Review of Local Plan Regulation 18 Consultation Transport Evidence Base**

# TECHNICAL NOTE

**Job Name:** Tendring and Colchester Border Garden Community  
**Job No:** 332410916  
**Date:** January 2026  
**Prepared By:** Polly Hallchurch  
**Subject:** **Review of Policy Local Plan Regulation 18 Consultation Transport Evidence Base**

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## 1 Introduction

### 1.1 Purpose of Technical Note

- 1.1.1 Stantec UK Limited has been appointed by Latimer (Tendring Colchester Borders Garden Community) Developments Limited to prepare a Technical Note (TN) to inform representations to Colchester City Council (CCC) in relation to the Local Plan Regulation 18 Consultation which has been available for public review and comment between November 2025 and January 2026.
- 1.1.2 The emerging Local Plan is intended to set out the strategy for the growth of Colchester up the end of 2041, specifying what development will take place and where, through the identification of a series of preferred options for growth. To support the proposed site allocations within the Local Plan, CCC has also commissioned and published an accompanying evidence base to detail the analysis and testing which has been undertaken to ensure that the justification behind the Local Plan is sound.
- 1.1.3 The Tendring Colchester Borders Garden Community (TCBGC) is allocated within the current Local Plan (2013-2033) which also identified the need for an associated Development Document (DPD) to establish policies to inform the designed, development and phased delivery of the proposed new community, to be in place prior to the submission of any planning application. This TCBGC DPD was adopted in May 2025. CCC's commitment to the TCBGC is reaffirmed in the emerging Local Plan at Policy ST9: The Tendring Colchester Borders Garden Community which is intended to allocate and protect land for a range of land uses including *"delivery of circa 7,500 new homes with a range of shops, jobs, services and community facilities, including education and early years and childcare"*
- 1.1.4 Latimer Developments Limited will be submitting a hybrid application for delivery of the TCBGC in early 2026.
- 1.1.5 However, in reviewing the emerging Local Plan, some concerns have been identified in relation to how the potential highways impact of preferred option allocation PP9: North East Colchester has been assessed within the transport evidence base. It is considered that insufficient evidence has been provided to demonstrate the deliverability of this site from a highways and transport perspective, given the existing commitments associated with the build-out of the TCBGC.
- 1.1.6 The basis for these concerns, along with some adjacent but interrelated issues identified from the transport evidence submitted in support of the emerging Local Plan, is detailed within this TN This seeks to ensure that the CCC's existing commitment to prioritising the committed TCBGC is protected and that the deliverability of the proposed allocation is suitably evidenced.

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### 1.2 Structure of Technical Note

1.2.1 In order to clearly enumerate and detail the issues which have been identified in relation the transport evidence base prepared to support the emerging Local Plan, this TN is structured as follows:

- Section 2 provides details of proposed PP9: North East Colchester allocation including a summary of the details provided with the emerging Local Plan evidence base and whether these provide sufficient clarity on what is proposed at this stage.
- Section 3 reviews how the potential impact of the proposed PP9: North East Colchester allocation has been identified, particularly when considered against the context of existing and committed constraints on the local highway network.
- Section 4 examines how the potential highways impact of the proposed PP9: North East Colchester allocation has been considered alongside the existing development commitments and whether the approach used is sufficiently robust to protect the deliverability of the TCBGC.
- Section 5 considers the infrastructure requirements identified as being required to mitigate the TCBGC and how these have been applied to the various future scenarios within the transport evidence, and whether this accords with funding sources identified in the wider Local Plan evidence base.
- Section 6 provides a summary of the issues which have been identified in relation to the PP9: North East Colchester allocation and the evidence base underpinning the emerging Local Plan, making a series of recommendations and requests to be taken forward within the next iteration of the Plan making process.

## 2 Details of Proposed Allocation

### 2.1 Local Plan Regulation 18 Consultation (November 2025)

2.1.1 Policy PP9 of the Local Plan Regulation 18 Consultation draft contains the following wording.

#### **Policy PP9: North East Colchester**

*“In addition to the infrastructure and mitigation requirements identified in Policy ST 7 and subject to compliance with all other relevant policies, development will be supported on land within the area identified on the policies map which provides:*

- a) A predominantly residential development including community infrastructure, strategic open space and approximately 2,000 new dwellings of a mix and type of housing to meet evidenced needs which is compatible with surrounding development;*
- b) Safe and suitable site access to required highway design standards. The point of vehicular access is to be agreed with the Highway Authority and it will need to be demonstrated that the proposal would not be detrimental to highway capacity and safety;*
- c) Provision of active and sustainable travel and passenger transport;*
- d) Provision of a new local centre to serve the new and existing local community, this may include provision of retail, commercial and community facilities at an appropriate scale, relevant to the role and function of a local centre and the communities it is intended to serve’*

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and

- k) *“An active travel plan to be agreed with the Council which ensures site wide active travel connectivity including links beyond the site;*
- l) *Connectivity with existing Public Rights of Way including connection and enhancement to the Colchester Orbital and connections between the areas of woodland within and adjacent to the site;”*

2.1.2 This policy relates to land on either side of the A137 Harwich Road and the Great Eastern Main Line railway, bounded by agricultural land to the north, Bromley Road and Salary Brook to the east, existing residential development to around the A137 Harwich Road and St John’s Road to the south and St John’s Playing Field and Bullock Wood to the west.

2.1.3 Proposed to accommodate in region of 2,000 dwellings, PP9: North East Colchester is the largest of the new residential preferred option allocations, providing 18% the 11,089 dwellings identified in the emerging Local Plan. It is therefore of considerable scale and will have the associated significant impact on the surrounding area which needs to be suitably assessed and mitigated against. There are also a number of on-site constraints such as the railway line which need to be carefully considered and managed.

2.1.4 However, despite the scale of the proposed PP9: North East Colchester, no detail is provided in terms of potential points of access to existing highway network or how these should be brought forward in a phased manner, leaving this to be agreed upon with the Highway Authority in due course, so as to ensure the development does not have detrimental impact on highway capacity and safety.

2.1.5 The wording of Policy PP9 does specify that *“proposals for the allocated site will only be supported where they accord with a comprehensive masterplan in relation to the entire allocation, that has been agreed with the Council prior to submission of any planning application”*

### **2.2 Summary of Sites Evidence (October 2025)**

2.2.1 The inclusion of the site allocation PP9: North East Colchester is based on the findings of the assessment process undertaken by CCC to identify suitable locations for growth which included the ‘Call for Sites’ and Strategic Land Availability Assessment (SLAA) process.

The Summary of Sites identifies 3 individual sites which have been combined to form the wider PP9: North East Colchester allocation as follows:

- Call for Sites reference: 10245 – Land north of Bromley Road (actually west of A137 Harwich Road – north eastern section of the proposed allocation)
- Call for Sites reference: 10256 - Buildings Farm (north western section of the proposed allocation between St John’s Playing Field and the A137 Harwich Road)
- Call for Sites reference: 10616 - Land north of Bromley Road (south eastern section of the proposed allocation).

2.2.2 In relation to the Buildings Farm (Call for Sites Reference: 10256) section of the wider allocation, the SLAA Stage 2 indicated that there were *“no reasonable constraints identified in relation to site access via roads/highways”* whereas in relation to the other sections, the SLAA noted *“Some constraints identified in relation to site access via roads/highways”*.

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2.2.3 However, no further detail is provided in terms of what the constraints which have been identified in relation to Sites 10245 and 10616 actually comprise, and whether these relate to immediate physical constraints to achieving a suitable access to the site or existing or anticipated future issues on the local highway network. No consideration of any form of transport or highway mitigation, beyond the implementation of an 'active travel plan' is specified and therefore no consideration of the deliverability of any required mitigation appears to have been undertaken leaving a great deal of uncertainty around if and how this could be achieved.

### 2.3 Sustainability Appraisal Report (February 2025)

The Sustainability Appraisal Report (SAR) assesses the impact of the each of the preferred allocations against a series of sustainable objectives, the most relevant of which for this review is "SA Objective 4: Reduce the need to travel and promote sustainable and active transport options to reduce congestion"

2.3.1 In assessing the preferred allocations against this objection, the SAR considers the following questions:

- Will the allocation provide good accessibility by a choice of modes of transport?
- Will the allocation reduce the reliance on private vehicles?
- Will the allocation enhance the active travel network?
- Will a mix of uses be provided?
- Will the allocation increase development density in higher order service centres?
- Will the levels of sustainable and active travel increase?

With regards to the SAR's findings in relation to the PP9: North East Colchester site, it indicates a minor positive impact for each of three sites (identified in Section 2.2) forming part of the wider allocation. The accompanying commentary goes on to state:

*"The site is within close proximity to multiple bus stops as well as cycling routes, indicating good sustainable transport connectivity, although the site is located some distance from a railway station. Policy PP9 requires the development of the site to provide safe and suitable site access and active and sustainable travel and passenger transport which could help limit the potential for congestion in the area.*

*Furthermore, the policy requires the site to ensure connectivity with existing PRowS, including the Colchester Orbital. The policy also stipulates that an active travel plan will be agreed with the Local Planning Authority, which will ensure site-wide active travel connectivity including links beyond the site. These requirements may help to encourage travel by active modes but are not of scale to warrant the identification of a significant positive effect, and as such, the minor positive effect received in the policy-off appraisal in relation to SA objective 4: Transport, remains applicable."*

2.3.2 From the SAR's commentary it can be inferred that there is an element of missed opportunity in achieving the SA4 objectives in relation to the PP9: North East Colchester allocation. This is understandable given the scale of the proposals comprising almost 20% of the Local Plan's new allocations, but with little above the basic requirements for any residential development of reasonable size to facilitate and promote sustainable travel specified in the policy wording.

## TECHNICAL NOTE

2.3.3 This approach is hardly reflective of the ambitious approach to modal shift which is set out in the TCBGC DPD or that the transport evidence base seems to suggest will be required to accommodate the overall levels of growth identified in the emerging Local Plan. On this basis, as the SAR concludes, there is unlikely to be a significant positive effect in terms of achieving objective SA4 which seems to suggest that the trip generation of this allocation is likely to be closer to 'business as usual' growth rather the reflecting any significant step-change towards sustainable modes, which means the associated impact on the surrounding highway network will be that much greater.

### 2.4 Summary of Identified Issues

2.4.1 A review of the requirements and specifications identified in the emerging Local Plan for the proposed PP9: North East Allocation has identified that there has been insufficient consideration of how the residential development could or should be accessed from the existing highway network, simply leaving this to be determined by the highway authority, albeit to be informed by a comprehensive masterplan.

2.4.2 The emerging Local Plan reflects an unusually non-prescriptive approach for an allocation of this scale, and the lack of any clarity on phasing or the number of dwellings which could be reliant on each potential point of access means that no robust assessment of when and how the associated vehicle trips could load on to the existing network has or can be undertaken. In the absence of this information, it is unclear how the impact of the proposed allocation could be accurately tested within the transport modelling.

2.4.3 CCC's Summary of Sites Evidence identifies that the at least two of three sites making up the majority of the PP9: North East Colchester allocation present some constraints to site access via roads/highways. However, no further detail is provided on these, nor any indication of whether these have the potential to be overcome or mitigated against. This, combined with the unambitious approach to the promotion of sustainable travel identified in the SAR, means that the vehicle trips associated with the development are likely to be numerous, with an associated significant impact on the network.

2.4.4 It is not expected that the policy wording for any allocation can tie-down all of the parameters for access to the development at the allocation stage. Nonetheless, more detailed consideration of a suitable access strategy for PP9: North East Colchester development should be included with the draft Local Plan to demonstrate that impact on the surrounding highway network can be appropriately accommodated through the implementation of suitable highway mitigation measures and an ambitious sustainable access strategy commensurate with an allocation of this scale.

## 3 Transport Impact of PP9: North East Colchester Allocation

### 3.1 Potential for Conflict with TCBGC

3.1.1 Due, in part, to the lack of clarity around the access strategy for the PP9: North East Colchester allocation, there are some significant concerns around how the impact of the potential development has been assessed. The primary focus of this TN is the potential highways impact on Bromley Road as this is where the TCBGC is mostly likely to be impacted in terms of the deliverability of the proposed allocation. However, some of the identified issues are applicable to the transport evidence base supporting the draft Local Plan as whole.

## TECHNICAL NOTE

3.1.2 In terms of the masterplan for the TCBGC, the associated DPD identifies that:

*“Broad locations for two distinct but interlinked Neighbourhoods, referred to as the ‘South and North Neighbourhoods’ are shown on the Policies Map. The ‘North and South Neighbourhoods’ between them will accommodate around 6,000-6,500 new homes. Development within and across the two ‘Neighbourhoods’ will be phased to ensure housing development is aligned with infrastructure delivery.”*

and

*“The ‘Crockleford Neighbourhood’ will be developed as an individual community that is connected by walking, cycling and other sustainable transport modes to the ‘South and North Neighbourhoods’ and the City of Colchester. The ‘Crockleford Neighbourhood’ will grow to accommodate around 1,000-1,500 new homes, with its phasing linked to the provision of its own proportionate ‘Neighbourhood Centre’, associated infrastructure, and sustainable connections to the ‘South and North Neighbourhoods’.*

and

*“The Garden Community must restrict vehicular connectivity, except for public transport and emergency vehicles, between the ‘Link Road’ and Bromley Road.”*

3.1.3 On this basis, the DPD makes it clear that primary vehicular access to the Crockleford Neighbourhood should be achieved via Bromley Road, with only the proposed Rapid Transit System (RTS) and active travel routes connecting this area with the wider TCBGC. This means that Bromley Road has a key role to play in ensuring the future deliverability of the TCBGC, as the Crockleford Neighbourhood is entirely reliant on this link to accommodate the vehicle trips associated with the proposed 1,000-1,500 homes in this proposed in this location.

3.1.4 It is therefore absolutely imperative that the Bromley Road corridor is not detrimentally impacted by any allocations within the emerging Local Plan, and that the highway capacity required to accommodate the traffic associated with the Crockleford Neighbourhood is protected and retained, prior to accommodating any proposed allocations. However, as identified in Section 2 of this TN, no wording within Policy PP9 have been included in recognition of the need to ensure this.

### **3.2 Existing Issues on Bromley Road**

3.2.1 In order to prepare the Transport Assessment (TA) to support the forthcoming TCBGC planning application, consideration has been given to the potential impact on the existing Bromley Road corridor.

3.2.2 Due to the extensive and comprehensive active travel and sustainable mobility strategy proposed to be implemented in line with the requirements of the associated DPD in combination with the policy compliant vision approach, the forthcoming TCBGC TA is able to demonstrate that the overall impact of the Crockleford Neighbourhood on the Bromley Road corridor is not forecast to be severe (the key NPPF test).

3.2.3 However, it is understood that both the Harwich Road/Bromley Road mini roundabout and the Bromley Road/Longridge priority junction do experience some existing congestion issues during the network peak hours. Given that that the Bromley Road corridor will experience some increased in flows by the end of the emerging Local Plan period as a result of the residual vehicular impact of the TCBGC, other committed development and general background growth, the potential for these existing and future capacity issues to prejudice the deliverability of the PP9: North Colchester site does not appear to have been afforded sufficient consideration within the allocation process.

## TECHNICAL NOTE

- 3.2.4 Furthermore, the TCBGC TA analysis also reviewed the potential to deliver improvements at the A137 Harwich Road/Bromley Road mini roundabout to determine whether additional capacity could be created by converting the junction to a signalised arrangement. However, this identified that that the junction would operate similarly or better in its current form when compared with a signalised layout which is attributable to the forecast traffic flows being evenly distributed between the three arms, and there being limited space on approaches preventing provision of a second approach lanes.
- 3.2.5 Therefore, there may be some minor adjustments to these key junctions on the Bromley Road corridor which, along with the wider positive effects of the TCBGC sustainable access strategy and the completion of the A1331 Link Road, could increase the available capacity in this location. However, it cannot be assumed there are significant opportunities to accommodate the traffic associated with a large scale proposal, such as PP9: North East Colchester, in addition to the committed Crockleford Neighbourhood area of the TCBGC, without robust and thorough testing to ensure the emerging allocation is actually deliverable after the TCBGC has been delivered in full.

### 3.3 PP9 Development Traffic Impact Assessment

- 3.3.1 Without any detail or restriction included in the wording of Policy PP9: North East Colchester, given the geographic arrangement of the allocation, it is reasonable to assume that around 25% of the traffic associated with the proposed allocation (broadly the land identified under Call for Sites reference 10616) could load on to the network in the south west corner of the site via Bromley Road in the vicinity of the junction with Longridge. Given the complexities presented by crossing the A137 Harwich Road and railway line associated with the wider allocation, this could potentially represent an attractive first phase for a developer.
- 3.3.2 However, it is also anticipated that the primary access for traffic associated with the proposed allocation is likely to be via the A137 Harwich Road which forms the northern arm of the mini roundabout junction with Bromley Road which could accommodate the trips associated with at least a further 50% of the allocation in total, with at least half these routed to and from the south via the A137 Harwich Road/Bromley Road mini roundabout, further increasing the potential impact of this allocation on this already constrained corridor.
- 3.3.3 Figures 3.3 to 3.6 of the Transport Evidence (February 2025) indicated that the MSOA containing the PP9: North East Colchester allocation will generate the following:
- 6,210 daily car trips (3.106 per day per dwelling)
  - 415 daily public transport trips (0.208 per day per dwelling)
  - 2,002 active travel trips (1.001 per day per dwelling)
- 3.3.4 The calculated trip generations are reported to be based on trip rates informed by the TRICS database, however, no detail of the trip rates themselves, how these have been applied or the TRICS analysis outputs have been presented for review.

## TECHNICAL NOTE

3.3.5 However, as the PP9: North East Colchester site is the only allocation within the relevant MSOA, it has been possible to calculate the likely trip rates used to calculate the forecast trip generation and assumed modal share of the proposed 2,000 dwellings as shown in the following table.

Mode	Trips	Trip Rates per Dwelling	Modal Share
Car	6,210	3.105	72%
Public Transport	415	0.208	5%
Active Travel	2,002	1.001	23%
Total	8,627	4.314	100%

**Table 1 – Calculated Trip Rates and Modal Share for PP9: North East Colchester**

3.3.6 The potential impact of the vehicle trips generated by the proposed 2,000 dwellings at the PP9: North East Colchester allocation on the previously identified pinch points on the local highway network is shown in the following table, based on the following assumptions:

- Traffic associated with 25% of PP9 dwellings (500 dwellings) loading on the local highway network via Bromley Road in the vicinity of the junction with Longridge
- Traffic associated with 50% of PP9 dwellings (1,000 dwellings) loading on the local highway network via the A317 Harwich Road
- All additional vehicle trips loading via Bromley Road and 50% of trips loading via the A317 Harwich Road routed via the A317 Harwich Road/Bromley Road mini roundabout (50% of trips – 1,000 dwellings in total).

Location	PP9 Traffic%	PP9 Daily Car Trips
Bromley Road	500 dwellings (25%)	1,553
A317 Harwich Road	1,000 dwellings (50%)	1,553
A317 Harwich Road /Bromley Road mini roundabout	1,000 dwellings (50%)	3,106

**Table 2 – Calculated Car Trips Generated by PP9 Allocation on Bromley Road Pinch Points**

3.3.7 Based on these high level assumptions, it is clear that the PP9: North East Colchester allocation has the potential to have a significantly detrimental impact on these constrained junctions of the Bromley Road Corridor, far in excess of that forecast to be associated with the TCBGC.

3.3.8 The analysis presented within CCC's Transport Evidence determines that that the traffic associated with all of the proposed allocations from the emerging Local Plan would have an unacceptable impact on highway network and therefore goes on to consider the high-level potential impact of sustainable transport solutions and highway capacity enhancements.

## TECHNICAL NOTE

- 3.3.9 This potential was developed further by the Further Transport Evidence (October 2025) which sequentially tests the impact of the proposed allocations against an established the reference case under the following scenarios:
- 'Business as usual' growth – this assumes car trips associated with the proposed allocations are generated in line with the existing situation. This is not specifically quantified within the report, but it is assumed that the figures presented in the earlier Transport Evidence and informing Tables 1 and 2 represent this scenario.
  - Sustainable transport – considers the impact of implementation of a range of sustainable transport measures using the model informing the Further Transport Evidence to identify viable trips for modal shift based on the geographic location and distance.
  - Sustainable transport + highways mitigation - tests the impact of a combination of highway improvements identified to address key locations on the network where residual issues and forecast to remain following implementation of the sustainable transport measures. None of these proposed improvements appear to relate to the areas on interest on Bromley Road.
- 3.3.10 The Further Transport Evidence finds that, in combination the sustainable transport + highway mitigations, were found to comprise an effective strategy to mitigate the impact of the proposed allocations and allowing the highway network in and around Colchester to continue to operate acceptably. However, very little clarity in terms of what this means for individual allocations or specific highway links/junctions is provided.
- 3.3.11 The modelling outputs contained within the appendices of the Further Transport Evidence have been reviewed to attempt to infer what the various scenarios may in terms of overall impact on Bromley Road and the Bromley Road/A137 Harwich Road mini roundabout. It is understood that figure demonstrate the difference between each of the three scenarios listed above and a 2041 Reference Case which comprises background growth and committed developments, but none of the emerging allocations.
- 3.3.12 This review has focussed on the data presented in Appendix D if the Further Transport Evidence which considers the primary scenario in which the A1331 Link Road is completed in 2041 but assumes that A12 widening is not delivered as this scheme is understood to be cancelled.

## TECHNICAL NOTE

3.3.13 A summary of the additional vehicle trips on the local highway network, under each scenario in the approximate location the Bromley Road/Longridge junction and the A317 Harwich Road /Bromley Road mini roundabout is shown in the following table:

		2041 Reference Case vs. Business as Usual		2041 Reference Case vs. Sustainable Transport		2041 Reference Case vs. Sustainable Transport + Highway Mitigation	
		AM	PM	AM	PM	AM	PM
Bromley Road	North	+60	No Data	+60	No data	No data	No data
	South	+100	+80	+80	80	120**	60
Mini Roundabout	A317	+160	+60*	+120	60*	60*	No data
	Bromley Road	+100	+80	80	80	60*	60*

**Table 3 – Change in Vehicle Flows Between Further Transport Evidence Scenarios**

\*Only partial data provided

\*\* Potential duplication of data

3.3.14 It should be noted that the figures provided are poorly presented with limited legibility and, as the tables demonstrates, the dataset is frequently inconsistent or incomplete and therefore, caution has been exercised in drawing any firm conclusions at this stage. However, two key points have been identified as follows:

- The additional vehicle trips forecast to be present on Bromley Road in the AM and PM peak hours following the addition of traffic associated with the proposed allocations appear to be extremely low given the size of the PP9: North East Colchester allocation and the forecast (albeit) full day trip generation of the 2,000 dwellings set out in Tables 1 and 2. It is therefore unclear if or where the traffic associated with the proposed dwellings is suitably loaded on to the network.
- The additional vehicle trips forecast to be present on Bromley Road in the AM and PM peak hours following the addition of traffic associated with the proposed allocations do not appear to be significantly impacted by the introduction of the proposed sustainable transport interventions tested within the Further Transport Evidence meaning that these are unlikely to be sufficient to mitigate the impact of the PP9: North East Colchester on Bromley Road vehicle is already highly constrained in terms of available vehicle capacity.

### 3.4 Summary of Identified Issues

3.4.1 The primary concern from Latimer Development's perspective is the significant potential for existing capacity issues on Bromley Road to impact on the deliverability of the PP9: North East Colchester allocation, once the impact of the up 1,500 dwelling at the Crockleford Neighbourhood, other committed developments and general background growth to the end of the emerging Local Plan period is taken into account.

## **TECHNICAL NOTE**

- 3.4.2 Given the potential lack of existing and future capacity, specifically at the Bromley Road/Longridge priority junction and the A137 Harwich Road/Bromley Road mini roundabout junctions, combined with the limited opportunities to create additional capacity at these locations, it is vital that this is fully assessed and considered with the emerging Local Plan transport evidence base, to evidence that PP9: North East Colchester site remains deliverable once the Crockleford Neighbourhood is fully occupied and operational.
- 3.4.3 A high-level review of the forecast trip generation taken from CCC's Transport Evidence has indicated that around 50% of the total proposed dwellings at the PP9: North East Colchester allocation are likely to impact on the Bromley Road corridor. However, given the limited available capacity, the existing commitment to delivery of the Crockleford Neighbourhood and the limited opportunity to create additional road space, Bromley Road may simply not be capable of accommodating the vehicular impact of the PP9: North East Colchester allocation.
- 3.4.4 The transport modelling work presented in CCC's Further Transport Evidence has also been reviewed to understand how this potential impact on the Bromley Road has been quantified. However, there is insufficient information to allow this to be undertaken in a meaningful way and there is a lack of consistency and clarity in the information which has been provided to date.
- 3.4.5 Nonetheless, from what has been determined from the Further Transport Evidence, it would appear that the change in vehicle trips forecast on the Bromley Road corridor is unrealistically low, given the size and geographic spread of the proposed PP9 North East Colchester allocation. Furthermore, the level of vehicle trips forecast does not appear to be significantly impacted by the introduction of the sustainable transport measures proposed to be introduced to mitigate the impact of the emerging Local Plan across Colchester. It is not possible to determine whether this is an error in terms of the actual assessment of the proposed allocation's impact or simply a deficiency in the representation of the outputs of the transport modelling and therefore greater clarity on this should be provided.
- 3.4.6 Overall, these findings raise serious questions about the suitability or robustness of the transport evidence base used to support the emerging Local Plan and determine the impact of the proposed allocations. At the very least additional information is required to provide clarity on the impact of the PP9 allocation on the Bromley Road corridor and ensure it remains deliverable, once the Crockleford Neighbourhood area of the TCBGC and the whole of TCBGC itself is suitably protected and prioritised. This is explored further in the following section.

## **4 Cumulative Impact of PP9 and TCBGC**

### **4.1 Importance of the Reference Case**

- 4.1.1 As previously set out, CCC's Further Transport Evidence sequentially tests the impact of the emerging allocations against an established 2041 Reference Case with impacts being reported in terms of the relative change against this. Therefore, as well as needing to be assured that the impact of the individual sites has been assessed appropriately, it is also important that there is sufficient confidence that this reference case forms a suitable basis for informing this benchmarking exercise. If the 2041 Reference Case itself is not robust and accurate, the results of the comparative assessment of impact of the potential site allocations are essentially meaningless.

## TECHNICAL NOTE

### 4.2 Scope of Reference Case

4.2.1 In terms of what is included in the within the reference case used to inform the transport modelling work undertaken to support the emerging Local Plan, Further Transport Evidence states “reference case growth to 2041 has been assumed to include:

- “Those housing sites in the adopted local plan (2017-2033) that have been identified by CCC as near certain or more than likely to come forward
- General growth in employment calculated using the 2033 jobs growth forecast from the National Trip End Model (NTEM), since employment growth can reasonably be expected to accompany housing growth
- Housing and employment development at TCBGC to 2041”

4.2.2 Beyond this, no further detail of how the TCBGC has been considered, particularly in terms the assumed quantum of residential or employment development delivered by 2041, or how this could relate to the phasing of the various neighbourhoods, is provided within the Further Transport Evidence.

4.2.3 The earlier Transport Evidence provides some more detail on the methodology in establishing the reference case, stating:

*“For Colchester, the current 2033 Local Plan with the addition of the Tendring Colchester Borders Garden Community (TCBGC) has been used as the basis for the creation of the 2041 reference model. The number of dwellings in the current uncertainty log has been allocated to each MSOA, based on the location of the developments, and integrated into the 2023 NTEM 8 household figures. It is also assumed that for the reference case purpose only, there is no growth in Colchester between 2033 (current local plan) and 2041 (new local plan) other than at the Colchester part of the garden community.*

*Given that the current 2033 Local Plan for Colchester provides limited employment data beyond the TCBGC, it is reasonable to assume that employment levels in 2041 will remain consistent with the 2033 figures as projected by NTEM 8.*

*Alternative planning assumptions have been applied in TEMPro 8 (which is the database used to access NTEM 8) to reflect Colchester’s adjusted 2041 forecast year. That is, TEMPro has been used to provide an estimate of the increase in trip ends due to the identified growth in dwelling and jobs.”*

4.2.4 However, this still does not offer the required levels of clarity in terms of what the reference case comprises in terms of the scale of development assumed to be delivered at the TCBGC to allow confidence in the suitability of 2041 Reference Case for benchmarking purposes.

4.2.5 The greatest clarity on CCC’s assumptions in terms of delivery at the TCBGC comes from Policy ST9: The Tendring Colchester Borders Garden Community in the emerging Local Plan which states:

*“Within the Local Plan period up to 2041, the Garden Community is expected to deliver approximately **3400 of the total 7,500 homes** – with development continuing longer-term, beyond 2041, to completion. For this Local Plan period up to 2041, market and affordable housing delivery and employment land delivery from the Garden Community, irrespective of its actual location, will be **distributed equally between Tendring District Council and Colchester City Council** for the purposes of meeting respective housing and employment land requirements.”*

## TECHNICAL NOTE

- 4.2.6 This approach appears to be confirmed by the Colchester Infrastructure Audit and Delivery Plan – Stage 3 Report (October 2025) which indicates that together, existing and potential emerging allocations along with existing commitments will deliver 21,053 dwellings to 2041, with 1,700 of these (50% of 3,400) at TCBGC.
- 4.2.7 No further information has been identified across the Local Plan evidence base determining where within the TCBGC these 1,700 dwellings have been assumed to be located. However, this information is critical in terms of assessing the accuracy of the supporting transport evidence and it will obviously have a significant impact in terms of where and how the associated vehicle trips will be distributed on the local highway network within the reference case scenarios.

### 4.3 Consideration of Phasing and Cumulative Impact

- 4.3.1 Without evidence to the contrary, it is assumed that the assumptions informing the Local Plan evidence base are predicated on the phasing and delivery strategy of the TCBGC up to 2041 being entirely focussed on delivery in the southern neighbourhood with the Crockleford Neighbourhood coming forward towards the end of the build-out period. This would mean that the associated traffic is assumed to load to the highway network via the A133 and A1331 Link Road, with nothing anticipated to impact on Bromley Road prior to 2041.
- 4.3.2 However, these assumptions do not accord with Latimer Development's intended accelerated approach to phasing and delivery which indicates that the Crockleford Neighbourhood will be delivered alongside (albeit slightly behind) the Southern Neighbourhood, with around 1,000 occupations by 2041. Therefore, the assumptions informing the Local Plan evidence base are not an accurate reflection of the way the TCBGC will be delivered on the ground. Subsequently, the transport impact of the TCBGC on the surrounding highway network in 2041, and particularly the Bromley Road corridor, has been seriously underestimated.
- 4.3.3 For the 2041 Reference Case to represent a truly robust scenario against which to test the impact of any emerging allocations, the full impact of the TCBGC with all neighbourhoods delivered should be included prior to the consideration of the proposed allocations. This is an absolute necessity to protect the existing highway capacity required to enable the delivery of existing commitments in a flexible and developer-led manner.
- 4.3.4 The impacts of the emerging allocations on the highway network do not simply come to an end at the end of the emerging Local Plan period. Given the limited potential to deliver any significant capacity improvements at the identified pinch points on the Bromley Road corridor, it is also unreasonable to assume that additional highway capacity could be added post-2041 to accommodate the build-out of the TCBGC in the longer term, following delivery of the PP9: North East Colchester allocation as this simply may not be achievable.
- 4.3.5 If there were no additional capacity on Bromley Road beyond 2041 to accommodate the remainder of the TCBGC, should the PP9: North East Colchester allocation be delivered in advance of the Crockleford Neighbourhood as the transport evidence base currently suggests, then Latimer Developments has significant concerns that the current approach to assessing the impact of the proposed allocations could potentially constrain the deliverability of the full TCBGC. This is clearly an unacceptable situation for CCC to enable to occur in relation to a development which is already committed within the current Local Plan, and for which submission of a planning application is anticipated imminently.
- 4.3.6 Therefore, it is requested that the 2041 Reference Case is adjusted to include the full TCBGC development in under all scenarios, with appropriate loading of the Crockleford Neighbourhood traffic on Bromley Road, to ensure that the highway capacity and ultimate deliverability of this committed development is protected and prioritised above any emerging or proposed allocations.

## TECHNICAL NOTE

### 4.4 Summary of Identified Issues

In order to form a suitable basis for testing the comparative impact of the various scenarios used to assess the proposed allocations within the emerging Local Plan, it is important that the reference case is suitably robust and accurate, otherwise there cannot be sufficient confidence in the findings of the analysis.

- 4.4.1 As it stands, the assumptions within the 2041 Reference Case in relation to the TCBGC, are not appropriate as they do not reflect Latimer Development's proposed delivery or phasing for the site which includes completion of around 1,000 dwellings at the Crockleford Neighbourhood, prior to the end of 2041. Given the identified highway capacity constraints on Bromley Road, failure to consider the full TCBGC compromises the deliverability of the proposed PP9: North East Colchester site as there may be no additional capacity on the highway network beyond 2041 to accommodate the delivery of the committed Crockleford Neighbourhood as well as the proposed allocation.
- 4.4.2 To protect and prioritise the deliverability of CCC's existing commitments, the 2041 Reference Case scenarios must be adjusted to include the entirety of the TCBGC, including the 1,000-1,500 dwellings proposed at the Crockleford Neighbourhood, to ensure that these, along with their associated impact on the surrounding highway network forms part of the baseline against which the impact of the proposed allocations from the emerging Local Plan are tested.

## 5 Reference Case Infrastructure

### 5.1 Infrastructure Requirements

- 5.1.1 In addition to the concerns which have emerged in relation to how the deliverability of the TCBGC has been considered and protected within the emerging Local Plan transport evidence base, issues have also been identified in with regards to the assumptions around the highway infrastructure assumed to be delivered within the 2041 Reference Case and how this is to be funded.
- 5.1.2 CCC's Further Transport Evidence sets out the position that under the 2041 Reference Case scenario, prior to the consideration of any mitigation, network performance is likely to be a cause of concern, especially at Greenstead Roundabout and A12 Junction 29. This appears to be being attributed solely to the impact of the TCBGC, rather than the other outstanding housing sites within Colchester or the NTEM employment growth also included within the reference case, although no justification is provided for this.
- 5.1.3 In this regard, the Further Transport Evidence states:

*"The need for improvements at Greenstead roundabout and A12 J29 have been identified in the TCBGC Development Plan Document (DPD) however, TCBGC development plans are not yet at a stage where mitigations at Greenstead or at A12 J29 are known. Therefore, within the further transport evidence project, it has been necessary to identify mitigation measures at these locations.*

*The Greenstead roundabout concept involves removing the five mini-roundabouts that comprise Greenstead and introducing a traditional roundabout that is fully signalised. In addition, signals are introduced at the junctions along Colne Causeway. The concept also involves co-ordinating signal timings between Greenstead and Colne Causeway signals and with signals along Clingoe Hill. Within the scheme concept, priority is also provided for rapid transit system (RTS) and local buses.*

## TECHNICAL NOTE

*Meanwhile the J29 concept involves widening the westbound off slip from two to three lanes and extending signal controls to each arm of the junction. The concept addresses the problems seen in Scenario 0 because the design provides more capacity for the movement from the A120 to Severalls business park.”*

- 5.1.4 Once this mitigation is included alongside the 2041 Reference Case growth (which includes TCBGC), Further Transport Evidence reports that this package enables the acceptable operation of the Greenstead Roundabout and the A12 Junction 29. This ‘with mitigation’ scenario therefore has been included as the 2041 Reference Case against which the impact of the proposed allocations is comparatively assessed.

### **5.2 Infrastructure Delivery**

- 5.2.1 Despite these elements of highway mitigation being included within the reference case, it is not recognised that the TCBGC DPD notes any requirement to the delivery of improvements at the Greenstead Roundabout or A12 Junction 29. In the absence of this, it is therefore unclear why the Further Transport Evidence has ascribed responsibility for delivery of these solely to the TCBGC.
- 5.2.2 Furthermore, this position is contradicted by the Project Schedule included as Appendix A to CCC’s Infrastructure Audit and Delivery Plan (IADP) (October 2025) which identifies a range of works to be undertaken at the Greenstead Roundabout, Colne Causeway and the A12 Junction 29, as reproduced in the following table.

## TECHNICAL NOTE

IADP Ref	Description	When	Reference Case Development		Preferred Allocations		Total	
			Cost	%	Cost	%	Cost	%
<b>A12 Junction 29 Improvements</b>								
206	A12 J29 A120 roundabout full signalisation	2024-2028	£62,500	25%	£187,500	75%	£250,000	100%
207	A12 J29 A120 offslip widening	2029-2033	£2,500,000	25%	£7,500,000	75%	£10,000,000	100%
<b>Greenstead and Colne Causeway Improvements</b>								
215	A134 Colne Causeway / Haven Road signalisation	P2029-2033	£150,000	100%			£150,000	100%
216	A134 Colne Causeway / Hawkins Road signalisation	2029-2034	£75,000	50%	£75,000	50%	£150,000	100%
217	A134 Colne Causeway / Elmstead Road signalisation	2029-2035	£75,000	50%	£75,000	50%	£150,000	100%
218	A134/A133 Greenstead Roundabout full signalisation	2029-2036	£125,000	50%	£125,000	<b>50%</b>	£250,000	100%
219	A134/A133 Greenstead Roundabout full realignment	2029-2037	£150,000	100%			£150,000	100%
<b>Total</b>			<b>£3,137,500</b>	<b>28%</b>	<b>£7,962,500</b>	<b>72%</b>	<b>£11,100,000</b>	<b>100%</b>

Table 4 – Identified Reference Case Highway Infrastructure Improvements

- 5.2.3 The data from the IADP Infrastructure Project Schedule identifies that, in terms of funding for the various elements comprising these highway mitigation schemes, in the majority of cases 25-75% is anticipated to be delivered by the proposed allocations, rather than the reference case developments which includes the TCBGC. Most notably, the proposed allocations are anticipated to fund 75% of the costs of offslip widening at the A12 Junction 29 which is estimated in to be in the region of £7.5 million.

## TECHNICAL NOTE

- 5.2.4 Given that, in total, the Infrastructure Project Schedule identifies that around 72% of the anticipated funding for highway infrastructure improvements required to mitigate future baseline issues in Colchester is actually expected to come from the emerging Local Plan allocations, it is unclear why these have been included in 2041 Reference Case, as in reality they will only be funded and delivered as the allocations themselves come forward.
- 5.2.5 It is welcomed by Latimer Developments that the proposed allocations are intended by CCC to play their role in delivering these required highway infrastructure improvements, as the necessity for these being generated solely by the impact TCCGB is refuted at this stage in light of the lack of the presentation of evidence to support this position.
- 5.2.6 However, the inclusion of these highway mitigation schemes within the 2041 Reference Case when they will not yet be funded under this scenario, raises further serious questions about the suitability of this scenario against which to test the impact of proposed allocations, and indeed, the accuracy and robustness of the transport evidence unpinning the emerging Local Plan as a whole.

### 5.3 Summary of Identified Issues

- 5.3.1 CCC's Further Transport Evidence identified a range of highway improvements at the Greenstead Roundabout, Colne Causeway and the A12 Junction which have been included within the 2041 Reference Case scenarios which it assumes are required to mitigate the impact of and therefore will be funded by the TCBGC alone.
- 5.3.2 However, this is contradicted by the Infrastructure Project Schedule appended to IADP which identifies that in total 72% of these improvements are anticipated to be funded the proposed allocations, rather than the just reference case developments (which includes the TCBGC), indicating that they are required for wider mitigation purposes are unlikely to be delivered in the 2041 Reference Case scenario when the proposed allocation will not yet have come forward.
- 5.3.3 On this basis, the suitability of the reference case utilised within the transport evidence base against which to test them impact of the proposed allocations is questioned given its inclusion of highway mitigation which cannot be delivered under this scenario, due to the requirement for funding from the proposed allocations themselves.

## 6 Summary and Required Actions

### 6.1 Summary

- 6.1.1 In its current form, the transport evidence base supporting the preferred option allocations set out in Local Plan Regulation 18 Consultation is considered to be unsound due to a number of issues identified within the policy wording, Transport Evidence (February 2025) and Further Transport Evidence (October 2025), specifically:
- The proposed wording of Policy PP9: North East Colchester does not provide sufficient clarity on the requirements for the access strategy for the allocation and therefore the impact of this on areas of the network which are likely to experience capacity issues under existing or future committed conditions cannot and therefore has not been fully assessed or understood.

## TECHNICAL NOTE

- A high level of review of the potential vehicular impact of the PP9: North East Colchester allocation, indicates that it will have a significant impact on the Bromley Road corridor which is anticipated to be subject to highway capacity constraints in future years. As the Crockleford Neighbourhood area of the TCBGC will also be accessed via Bromley Road, it is considered that insufficient assessment has been undertaken to demonstrate that the proposed allocation will be deliverable alongside this committed development. Some concerns in relation to the clarity and accuracy of the assessment of the proposed allocation's impact on the Bromley Road corridor have also been identified.
- The 2041 Reference Case against which the impact of the various proposed allocation scenarios is benchmarked only accounts for a small proportion of the TCBGC traffic development, all of which appears to be accessed via the A331 which does not accord with Latimer Development's proposed delivery or phasing for the site. The PP9: North East Colchester allocation has the potential to take-up highway capacity which is required for the committed Crockleford Neighbourhood, which could be seen to compromise the deliverability of an existing commitment in favour of appearing to accommodate future growth.
- Assumptions made in Further Transport Evidence relating to improvements to the Greenstead Roundabout, Colne Causeway and A12 Junction 29 being delivered solely as mitigation for TCBGC and therefore included in the 2041 Reference Case are contradicted by the IADP. The associated Project Schedule indicates that the majority of these schemes will be at least partially funded by the preferred allocations which raises serious questions about the accuracy of a reference case (which includes these improvements as mitigation for the TCBGC) against which to test the impact of the preferred allocations.

### 6.2 Requested Actions

6.2.1 To rectify these issues and ensure that the Local Plan Regulation 18 Consultation is supported by an accurate, robust and transparent transport evidence the following is requested on behalf of Latimer Developments:

- Provision of additional clarity on the assessment of the proposed PP9: North East Colchester allocation, the constraints identified, the assumptions applied in relation to the access arrangements and the forecast vehicle trips generation under the various scenarios tested in Further Transport Evidence.
- Revision of the 2041 Reference Case used to test the comparative impact of the proposed allocations to include the entirety of the TCBGC, to ensure that the flexibility of delivery for this existing commitment is fully considered and prioritised and the highway capacity on Bromley Road required to accommodate this is reserved from the outset.
- Clarification of the assumptions informing the infrastructure improvements to be delivered within the 2041 Reference Case to enable determination of whether these accurately reflect what will be delivered by TCGBC and the preferred allocations respectively so that only infrastructure which will be in place to mitigate the future baseline development is included within the reference case scenarios.
- Retesting of the impact of the PP9: North East Colchester allocation against the revised 2041 reference case to establish whether its cumulative impact (in addition to the full TCBGC and with the appropriate assumptions relating to highway infrastructure applied) allows Bromley Road to operate acceptably following the various accompanying sustainable transport and highway infrastructure improvements considered within Further Transport Evidence.

## TECHNICAL NOTE

6.2.2 Provision of the requested additional information and completion of additional/revised assessment work as required will allow a more accurate understanding of the forecast impact of the PP9: North East Colchester allocation and the potential for conflict with the delivery of the TCBGC. Informed by this, it is anticipated revision of the PP9 policy wording will be necessary to reflect any restrictions in access required to make the allocation cumulatively acceptable alongside the TCBGC and other existing commitments. This could include but is not limited to:

- A potential restriction in the total number of dwellings proposed in this location, if identified as necessary following the requested amendments to the transport modelling work
- A potential restriction on the number of dwellings accessed via the Bromley Road corridor, if identified as necessary following the requested amendments to the transport modelling work
- Limits on the through traffic from the wider allocation through the implementation of modal filters and managed impermeability
- More robust sustainable access strategy requirements, commensurate with the scale of the allocation to limit the potential for vehicle trips
- Implementation of a monitor and manage framework in line with that proposed for TCBGC for the allocation to ensure the level of associated vehicle trips is constrained appropriately in the long term
- Requirement for a comprehensive mitigation strategy to address any short term residual impacts on the local highway network prior to delivery of the mitigation measures within Further Transport Evidence.

### DOCUMENT ISSUE RECORD

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