

EIGHT ASH GREEN NEIGHBOURHOOD PLAN

RESPONSE OF THE NPG TO THE APPEAL STATEMENT IN RESPECT OF THE LAND OFF HALSTEAD ROAD (SITE 150)

KEY POINTS

1. Underpinning the detailed comments of the Neighbourhood Plan Group (NPG) to the Appeal Statement, as set out below, the following key points should be borne in mind:-
 - a. Colchester Borough Council (CBC) has carried out an Objective Assessment Housing Need (OAHN)¹ for the village of Eight Ash Green (EAG) which equates to an additional requirement of 150 dwellings. This represents an increase of 22 per cent of the current housing stock in the village – a not inconsiderable percentage particularly for small village.
 - b. It has already been agreed with both the villagers and CBC that the OAHN is to be met in full by the proposed development of 150 dwellings on Fiddlers Field as a single Strategic Site for the village.
 - c. There is no requirement for nor is there any desire of the villagers for any additional housing over and above the OAHN.
 - d. Fiddlers Field has not only been chosen by the villagers on two separate occasions but also the villagers have agreed to have one single site for future development of housing i.e. they do not want the provision of multiple sites scattered throughout the village.

DETAILED RESPONSES TO THE APPEAL STATEMENT

Section 1.0 – Introduction - Paragraph 1.4 (page 5)

“...no coalescence... (with Stanway)..... would be the case”

2. Although the A12 and the Norwich to London railway line border Site 150, thus providing a barrier between EAG and Stanway, by building houses on this Site, the two settlements would, in effect/reality be joined as a single entity not just geographically but also psychologically. EAG is a *village* whereas Stanway is clearly now a **suburb** of Colchester. One of many reasons why people came/wish to live in EAG is that it is a *village* and is separate from the ever increasing conurbation of Colchester.
3. As shown in the NP supporting documentation² the responses from the villagers to the sustainability questionnaires of March and April 2016, produced a variety of comments regarding the possibility of building houses on the Appellants site that included:-
 - a. “it would diminish the separation from Stanway”
 - b. “reduces the gap between Eight Ash Green and Stanway”
 - c. “would erode the “green” division between Eight Ash Green and Stanway”
4. In addition, 98 per cent of the 477 responses to question 33 of the 2017 NP questionnaire which asked the villagers if they agreed the green spaces that separate Eight Ash Green from Stanway, Copford, Aldham, Marks Tey, Great Tey, West Bergholt and Fordham should be preserved, agreed with the Policy that aims to prevent coalescence. It is therefore very clear that despite the representation set out in the Appeal Statement that development of the site off Halstead Road does not result in coalescence, this is most definitely NOT a view shared by the people who actually live (and for some, who work) in the village.

¹ (May 2017) Colchester Borough Council Publication Draft stage of the Colchester Borough Local Plan 2017 - 2033

² (November 2018) Neighbourhood Plan Objectives and Policies – Supporting Evidence

EIGHT ASH GREEN NEIGHBOURHOOD PLAN

5. Design Guide 13 of the Village Design Statement³ clearly states “The existing open spaces that separate EAG from Stanway, Copford and Fordham should be preserved so as to protect the rural nature and feel of the village”.
6. The CBC Landscape Character Assessment⁴ provides a baseline inventory and description of the Borough’s landscape character where the latter is described as being influenced by a number of combinations that includes “tranquillity and sense of place”. In particular, EAG is described as being a “small linear settlement” with its “setting providing visual and physical separation from Colchester”.
7. Finally, the site under Appeal (what was Site 150 in the CBC 2015 “Call for Sites” exercise) is a very long standing, clear open space in the village which should be preserved, contributing to the open feel of a rural community. There is no call or requirement to urbanise the village by allowing ever more building to take place – quite the reverse.

Section 2.0 – The Application Site and Surrounding Area – Paragraph 2. (page 6)

“The site is a logical infill site....”

8. Why is it (the site) “logical”? The villagers do not want ever more housing in the village and certainly none over and above the proposed addition of 150 dwellings on Fiddlers Field.

Section 2.0 – The Application Site and Surrounding Area – Paragraph 2.4 (page 6)

“The site, whilst outside the existing development limits...”

9. Yes, **it is outside** the Village Settlement Boundary (VSB) and the whole purpose of having a VSB is **specifically** to PROTECT the village from unnecessary and unwanted piecemeal development. Breach that in one place and a dangerous precedent is set making it difficult, if not impossible to defend in other locations.
10. Over the years, the Parish Council has refused many other applications for proposed development/housing outside the VSB – should the Appellants site be permitted, then it will become a “free for all” elsewhere in the village contrary to the wishes of the villagers who wish to contain/restrict random development, thus preserving the unique nature of the village.
11. Design Guide 2 of the Village Design Statement specifically refers to the expectation that if any new building should take place, it should be within the existing village envelope.
12. Although the proposed development on Fiddlers Field is currently outside the VSB, this forms part of/contributes to the CBC Borough wide Local Plan which sets out the longer term (2017 – 2033) development of the whole Borough that includes EAG. Although the villagers of EAG would rather there is no further development at all, they recognise this is not feasible and it is therefore necessary to play their part in/contribute to the Local Plan – but no more than is required by the OAHN. In addition, a 22 per cent increase in the current housing stock is by any standards, a significant contribution, particularly for a rural community. Once the NP is adopted by way of a local referendum, the VSB will be extended to include Fiddlers Field, but the extension will be limited to that site only. i.e. the rest of the VSB will remain as it is now – the extension is a “one off” reflecting the unique nature of the CBC Local Plan requirements.

³ (July 2013) *Eight Ash Green Village Design Statement*

⁴ Chris Blandford Associates (2005) *Colchester Borough Council Landscape Character Assessment* - for Colchester Borough Council

EIGHT ASH GREEN NEIGHBOURHOOD PLAN

Section 3.0 – Planning Background – Paragraph 3.2 (page 7)

“The proposed site has been considered by Colchester District Council unsuitable on the basis that it would entail coalescence of Eight Ash Green with Colchester”

13. Paragraph 3.3 states, quite rightly that “..reference (to the coalescence point) is made within the EAG NP..”. However, this statement in the Appeal goes on to say that the NP “...is considered to be in its early stages, whereby very limited weight would be afforded to it”. This is NOT correct. Not only has the NP already been subject to the statutory six week Regulation 14⁵ consultation process completed by the NPG but it has also been through the subsequent statutory six week Regulation 16 process undertaken by CBC. The NP has now been referred to an Examiner under Regulation 17. Therefore, the NP is now in its *latter stages* and considerable weight should be given to not just its contents/text but *also the intentions and sentiments that underpin such an important document for the village*.

14. In addition, the third bullet point of the Appeal Statement on page 8 (Section 4.0 – Planning Policy), states “The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given)” i.e exactly where we are now with our NP – a very advanced stage, thus carrying more weight.

Section 4.0 – Planning Policy – Paragraph 4.1 (page 8)

“...material considerations, which include the National Planning Policy Framework (NPPF 2018)..”

15. The Appeal Statement has misdirected itself. As the EAG NP was submitted to CBC before 24 January 2019, the policies in the previous NPPF published in March 2012⁶ will apply for the purposes of examining the Plan. This is in accordance with Annex 1 Paragraph 214 of the NPPF 2019.

Section 6.0 – Reasons for Refusal – Paragraphs 6.3 - 6.10 (pages 10 and 11)

“...coalescence...”

16. The comments made in the Appeal Statement about “coalescence” are noted – the responses from the NPG have already been made – see above.

Section 8.0 – NPPF – Paragraph 8.3 (page 15)

“Any landscape impact (of the site) is relatively minor in nature and would not be intrusive on the character of the locality”

17. Not only is this merely an opinion but also pure conjecture made by someone who does not live in the village. The impact of converting a long standing agricultural field, with all its natural biodiversity, on the open border of our village into housing is NOT a relatively minor issue. How can it be? The impact on the landscape of changing an open green space into bricks, mortar and concrete would not only be permanent but also would be intrusive on the

⁵ (2012) *The Neighbourhood Planning (General) Regulations SI No 637*

⁶ (2012) *National Planning Policy Framework*

EIGHT ASH GREEN NEIGHBOURHOOD PLAN

character of the locality. The current residents of the Old Halstead Road leading to site 150 live either right next to or very close to an open natural space which will be *lost forever* and would not therefore welcome such a change, particularly when it is not necessary. The future development of the village has been settled with the choice being made, by the villagers themselves of Fiddlers Field as being the location for additional housing.

18. The present character of the locality not only includes the open space adjacent to a small number of existing housing but also the almost “private” cul de sac only used by the six households in that road. This is particularly so, now that the intrusive and often abusive commuter parking has been stopped by way of restricted parking arrangements. To suddenly have an additional 25 dwellings on the Appellants site which could equate to 50 cars/vehicles not including the ubiquitous delivery vans going in and out, cannot in any shape or form be described as being “..not intrusive on the character of the locality”.

Section 8.0 – NPPF – Paragraph 8.7 Economic Role (page 15)

“The occupiers of the new houses would contribute to the local economy in the long term”.

19. What evidence is there to support such a statement? For all we know, the new residents may be “commuters” who simply live in the village but work elsewhere, and have family living other than in EAG. Given the preponderance of shops in Colchester and in Stanway, the level of contribution to the local economy of EAG might be either minimal or non-existent.

Section 8.0 – NPPF – Paragraph 8.8 Social Role (page 15)

“The NPPF identifies this as supplying required housing..”

20. Leaving aside which NPPF is being referred to (see paragraph 15 above), the *required* housing for EAG has not only already been identified in terms of numbers (150) but also locality (Fiddlers Field).

Section 9.0 – Eight Ash Green – Neighbourhood Plan – Paragraph 9.1 (page 17)

“The Neighbourhood Plan for Eight Ash Green is within early stages, it has not been formally examined and put to referendum”.

21. The statement above fails to acknowledge that the Neighbourhood Plan has already been referred to an Examiner i.e. the Examination Stage has now commenced. Paragraphs 13 and 14 above provide further detail on this.

Section 9.0 – Eight Ash Green – Neighbourhood Plan – Paragraph 9.3 (page 17)

“The analysis for all potential sites for developmentindicates the site was ranked the third most preferable by the villagers”.

22. Strictly speaking this is correct but the statement fails to explain:-
- This opinion was expressed very early on in the NP process in the Spring of 2016 when the villagers were simply asked to rank or choose which of the CBC “Call for Sites” they preferred. At that stage, no one knew numbers i.e. how many new dwellings EAG was expected to absorb as part of the contribution towards the CBC Local Plan.

EIGHT ASH GREEN NEIGHBOURHOOD PLAN

- b. It was not until 27th May 2016 that the NP Group became aware of the number of additional dwellings that were designated for EAG.
 - c. Both the 2016 (numbers not known) and subsequent 2017 (numbers then known) village consultation meetings ranked *Site 226* as it was designated (now called Fiddlers Field) as their number one location for the development of the agreed housing figure of 150 dwellings.
23. Full details of the process undertaken to help determine the future, most appropriate location for domestic housing in EAG are set out in our “Site Selection Process” document available on the Neighbourhood Plan website.⁷ In addition, a physical assessment in respect of all the sites put forward for potential development was undertaken by the Neighbourhood Plan Group and full details are set out in our “Assessment of Sites put forward in Eight Ash Green” document, also available on the Neighbourhood Plan website. As can be seen, the Assessment of Sites coincides/strongly reinforces the views expressed by the villagers in determining that the Fiddlers Field site should be chosen for development of the OAHN of 150 dwellings. i.e. the Assessments reach the same conclusion of the community vote.

Section 9.0 – Eight Ash Green – Neighbourhood Plan – Paragraph 9.5 (page 17)

“However, the other overwhelming consideration appears to be that the neighbourhood group and parish wished the allocation for 150 dwellings, as identified within Colchester Borough Council ELP, to be provided on a singular site”.

24. This statement is worded rather “loosely” shall we say:-
- a. First of all, it is NOT a question of “..appears to be “ – it is **most definite** that a Single Strategic Site (Fiddlers Field) has been chosen.
 - b. Second, it is NOT the NP Group that has chosen the Fiddlers Field site – it was the villagers who did the choosing – the NPG is merely the Group working on behalf of the village and the Parish Council, to put a NP together.
 - c. Third, again, it is the villagers who want a single site for the development of 150 dwellings – they do not want piecemeal development(s) spread throughout the village.
25. The above is fully explained/set out in the “Site Selection Process” document - paragraphs 33 to 35 and Annex Q refer.

Section 9.0 – Eight Ash Green – Neighbourhood Plan – Paragraph 9.6 (page 17)

“This approach is not supported by the NPPF 2018..”

26. Mention has already been made that the wrong NPPF is being used or quoted to support the Appeal Statement.

Section 9.0 – Eight Ash Green – Neighbourhood Plan – Paragraph 9.7 (page 17)

“It is not for this appeal to seek to undermine the NP process but the appellants contend that a small number of smaller sites would provide for a more organic approach to the delivery of the required housing growth...”

⁷ www.eightashgreen.net [See “Documentation submitted to CBC in November 2018 under Regulation 15” tab]

EIGHT ASH GREEN NEIGHBOURHOOD PLAN

27. By suggesting that 25 houses be built on their site, the appellants are undermining the NP process given that the villagers have already made very clear their choice for the location of the new dwellings on more than one occasion – Fiddlers Field. The views of the villagers are paramount. They live, eat, sleep and some work here – they know the village intimately and are perfectly capable of expressing how and where they want or accept **their village** should develop. Yes, the appellants are perfectly entitled to their view of course but it has to be recognised that is an opinion adopted with a particular agenda in mind and not one shared by the people who live here.
28. Whilst noting paragraph 15 above, it is also worth noting:-
- a. Paragraph 15 of the July 2018 NPPF⁸ which states:-
 - i. “The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a *positive vision for the future* of each area; a *framework for addressing housing needs* and a *platform for local people to shape their surroundings*”. **Our NP and supporting documentation fully conforms with these principles.**
 - b. Paragraph 29 of the July 2018 NPPF which states:-
 - i. “Neighbourhood planning gives communities the power to *develop a shared vision for their area. Neighbourhood plans can shape, direct and help deliver sustainable development* by influencing local planning decisions as part of the statutory development plan. *Neighbourhood plans should not promote less development than set out in strategic policies for the area* or undermine those strategic policies”. **Again, our NP and supporting documentation fully conforms with these principles.**

Section 10.0 – Conclusion – Paragraph 10.2 (page 18)

“At the heart of the NPPF is a presumption in favour of sustainable development ...”

29. The NP for EAG **already provides for** a sustainable development of 150 additional dwellings but not on the appellants site. The figure 150 fully meets the CBC OAHN, it represents a 22 per cent increase on the existing stock of what is a SMALL rural village where the existing open nature and countryside are highly valued. CBC are not asking the village to absorb yet more housing and whilst the villagers are content to play a responsible part in the wider development of the Borough in support of the emerging Local Plan, they are not willing to go further than the agreed figure of 150 new houses.

EAG NPG
2nd May 2019

⁸ (2018) National Planning Policy Framework