

Elmstead Parish Council

Tendring Colchester Borders Garden Community

Submission Version Plan Consultation Response

June 2023

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Abbreviations

EPC = Elmstead Parish Council

TDC = Tendring District Council

CCC = Colchester City Council (May also be referred to as CTC – Colchester Town Council in some older documentation)

ECC = Essex County Council

TCBGC = Tendring Colchester Borders Garden Community – aka the garden community or ‘GC’

RTS = Rapid Transport System

Link Road = A133-A120 link road (yet to be built)

‘The University’ = The University of Essex

Direct excerpts from the DPD are connotated by speech marks.

Quotes from other sources are referenced as such.

Context

Elmstead Parish Council represents a community of around a thousand dwellings with a population of around 2000 alongside numerous small businesses and landowners. These are mostly located in the village of Elmstead Market, but also dispersed throughout the surrounding countryside.

Historically a market village, Elmstead market is now deemed a rural service centre, while the remainder of the parish is primarily grade 1 arable farmland, with areas of ancient woodland and rural buildings.

In the past decade the parish has been the location of significant speculative development, causing the number of dwellings within its boundary to increase from around 600 in 2012 to its current size a decade later. Despite a population increase of nearly 80% in this time, the community has seen little to no provision for additional local public services.

We are still encountering speculative development, with one proposal of over a hundred homes under review, and significant interest in other sites.

EPC recognise the need for long term strategic planning within the Tendring and Colchester area, enabling significant development in the coming decades to negate a growing housing crisis, and provide this additional infrastructure in a sustainable way.

We believe Garden community principles are an admirable method of achieving this, but stress such projects are entirely dependant on stringent emphasis of these principles and careful and efficient application of this philosophy to real world development.

Summary

The purpose of this consultation was to answer 2 questions, do we find the DPD proposal to be 'sound' and legal?

Elmstead Parish Council cannot find the current DPD to be sound, and while we lack the definitive knowledge to consider the legal compliance of the plan, we have serious concerns it may not fully comply with planning law.

There are four simple tests for 'soundness'. These can be summarised by the questions:

Has the plan been positively prepared?

Is the plan justified?

Is the Plan effective?

Is the plan consistent with national policy?

If the answer to one or more of these questions is no, the plan is unsound.

EPC does not consider the plan to have been positively prepared.

EPC does not consider the plan to be justified.

EPC questions the effectiveness of the plan.

EPC considers some aspects of the plan to be inconsistent with national planning policy.

We feel many of our concerns are best appreciated in the context of a statement from page 5 of the DPD summarising why the garden community is needed: “to avoid housing developments that can overwhelm existing facilities and infrastructure and compromise the character and feel of existing communities.”. Quite simply, the overwhelming feeling of the people of Elmstead – one of those communities the proposed development is meant to protect, is that the current plan does not achieve this. The proposals within this DPD compromise the character and feel of our community. This means the plan is not only ineffective, and therefore unsound. It is actively harmful to our community and detrimental to many residents.

We feel that the DPD and associated documentation requires significant changes before it could meet these tests and be considered sound.

We believe if the plan is allowed to advance in its current state it will cause significant harm to Elmstead parish, and other communities, including whatever becomes of the garden community itself.

In our comments contained in this response we directly address concerns with specific policies that we believe do not meet the above criteria to be considered sound, and by action or inaction would cause or allow this harm. However we must first raise some overarching concerns about the plan and plan making process, beginning with some clear failures of the tests of sound plan making.

Is the plan justified?

It is difficult to ascertain the justification for the plan under examination when the document itself does not attempt to directly justify the proposal. The closest it comes is the following statement on page 5 of the DPD as part of the introduction.

‘By building a Garden Community, the pressure for existing towns and villages to expand around their edges across North Essex can be more carefully managed, to avoid housing developments that can overwhelm existing facilities and infrastructure and compromise the character and feel of existing communities.’

Examining this sentiment from Elmstead’s point of view, the garden community is itself a ‘housing development that can overwhelm existing facilities and infrastructure and compromise the character and feel of the existing community’, immediately rendering its development unjustifiable.

There can be no denying that the DPD itself is proof of overwhelming pressure for Elmstead (an ‘existing village’) to see massive expansion of development along its edge. On multiple occasions, including in evidence reports for both the garden community and link road it is recognised that over various timescales there will be drastically increased pressure on local infrastructure, and other harmful effects on existing local communities.

While it may be argued token steps have been taken to attempt to protect the character of Elmstead and its community, its inconceivable that a high density development such as the garden community less than half a mile from a rural village will not compromise the settlements current character.

It is our understanding a key principle in justifying such a plan must be the examination of alternatives. There has been no such considerations thus far, which makes fairly justifying the DPD as there is no possible comparison.

EPC is extremely concerned this single minded approach has biased the planning process, as the GC project has become 'too big to fail'. There is also an element of sunk cost fallacy emerging whereby so much time and resource has been expended on the project that if at any time the project becomes unviable, it is at risk of becoming a black hole into which further vast amounts of public resources could be wasted, because no other options or alternative 'plan B' has been explored, and the project is sufficiently charged we are uncertain who would have the will to deem it unviable.

For the DPD to be justified we would suggest it needs to be examined alongside alternative options, both for the same site and within a larger scope, to deliver the somewhat ambiguous goals stated in the DPD.

Is the Plan Effective?

Considering the effectiveness of the plan is hampered by 2 omissions from the DPD.

While a plan period is regularly referred to, it is never directly referenced.

It is our understanding this plan period refers to the North Essex Authorities Shared Strategic Section 1 plan of which both TDC and the then Colchester borough council cosigned in 2021.

This plan period ends in 2033 and so we assume is irrelevant to the state of the development at that time.

Therefore the suggestion that the development is deliverable over the plan period is somewhat ambiguous, and as we will continue to recommend throughout this response believe a more stringent and detailed timeline is essential to a viable DPD, including a final deadline for a completion date. For the plan to be positively prepared – it must be suitably aspirational, and we do not think an aspiration as to when the DPD proposals are to be completed is unreasonable.

While we welcome the news that the plan will be regularly reviewed – we would suggest a proposed timeline, albeit aspirational, would be greatly beneficial in both driving and ensuring the plan can be developed effectively and efficiently.

Without such a timeline commitment it is difficult to comment on the plans true effectiveness at delivering its own self stated goals.

Indeed an ongoing theme throughout this response will be the concern of commendably high aspirations, but the lack of effective and detailed content within the DPD to pursue these aspirations effectively.

However perhaps more importantly in establishing the plans soundness with regards to effectiveness is the other key metric of effective plan making- the 'effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred'. As we will establish throughout the response a significant number of important decisions have been biased or either deferred or missed entirely, in no small part due to ineffective and unbalanced joint working.

Is the Plan consistent with national policy?

We would like to begin by stating we lack the resources or expertise to consider the plans overall consistency with national policy.

However we have identified within our specific DPD policy responses some issues we do not believe align with national planning policy or best practice.

One of our recurring concerns refers to section 3. Plan making of the national planning policy framework. Paragraph 16 states that plans should be prepared positively, in a way that is aspirational but deliverable. We have identified a number of areas within the DPD where policy is so aspirational as to be overly optimistic and impractical, if not impossible to deliver.

Legal Compliance

While we have concerns about some aspects of the documents legality, we do not have adequate legal knowledge or professional advice to comment on the compliance of the plan.

Overall Concerns

We must begin our analysis of the proposed DPD by stating we are disappointed our response need be this long and cover so many different aspects of the DPD that we believe to be inadequate. Sadly due to failures in previous consultation stages neither us, nor the community we represent has had the ability to provide a constructive, comprehensive input until this point.

Given its position as a representative body of councillors elected by the community most directly effected by the garden community, we are not only a primary stakeholder, but can also be an indicative body for the wider communities response.

While we must represent a significant number of residents who for various reasons do not want the garden community to exist, we also represent many more who understand if the project is to progress, the best outcome is for it to be as successful as possible – and part of that success will come from positive engagement with local people who have a lot to contribute to the planning process.

Ultimately the design stages of the garden community should be a collaborative effort between all levels of government towards the best possible outcome.

Sadly we do not feel that has been the case, and thus the plan has not been positively prepared.

When the GC site was allocated in the section 1 local plan, this was the first of many events where a conclusion was made, followed by great efforts to find evidence to support that conclusion – a process that makes many elements of the DPD unjustified.

Among many other examples of this concerning approach is the consultation process over the last 3 years.

Throughout this time, many residents of Elmstead, and therefore the parish council, were eager to have a positive involvement to guide the projects progress in an agreeable, mutually beneficial way.

Sadly that has not been possible due to the previous consultation processes, and just as importantly the public engagement between stages of consultation.

The failures Elmstead has encountered can mostly be summarised into 5 categories:

- Low engagement
- Misinformation
- Inaccessibility
- Poor communication
- Minimal Effort

Unfortunately even when the consultation is theoretically functioning, it is our experience that what genuine concerns were raised, they were not actively considered, instead upon communicating concerns the best case scenario would be a response claiming to have addressed the problem, when it clearly did not. For example when in a past round of consultation the lack of a strategic green gap between the A120 business park and Elmstead's grade 1 listed church was pointed out, the response was to add a woefully narrow gap, less than a fifth of the size deemed necessary for effective protection elsewhere. This clearly shows such actions are taken as a box ticking exercise to be seen as a token gesture in response to comments. An effective response would have been evidence led and established if anything a more robust gap was necessary for this area.

Worse are the concerns that have been raised and simply dismissed as people are effectively told their points are unfounded. Often these are residents who are directly effected by the proposed development, many living inside the garden communities area of search, so we have to question if their input is not intentionally glossed over to prevent difficult questions needing to be answered. Perhaps the single greatest failure is in the many legitimate concerns raised in the public forum, when individual members of the public and other stakeholders have voiced concerns during the public speaking section of the TCBGC Joint committee. Few, if any of these concerns have been properly addressed, and because such concerns are not minuted, and therefore not officially recorded, many of these comments are simply forgotten. This seems to be antithetical to a positive approach where such comments would be recognised and any answers committed to public record for future reference – such as during this examination process.

Low engagement

Perhaps the most evident display of the overall consultations failures up to this point is the staggering amount of local residents (local being within one mile of the GC boundary) who are entirely unaware of its existence.

During the past 4 weeks of the consultation period, EPC has focussed on making residents aware of the ongoing consultation process, as we feel it has been insufficiently conveyed by official means (as detailed later). When approaching residents and asking their thoughts on the garden community, by far the most common response is either 'what garden community?' or 'what is a garden community?'. Upon explanation and discussion, the vast majority of these individuals are interested,

engaged, want to voice their opinion and go on to seek further information. It's astonishing that the official consultation efforts thus far have been so ineffective as to have such a small reach.

While EPC has done its utmost to make the community aware of the consultation and generally informed of the GC project, we have to do so with minimal resources, reliant on volunteer time. Unfortunately we can only conclude that at this time, in the final days of the consultation response period, a significant proportion of residents are still wholly unaware of the garden community proposal, and have therefore never had a chance to have a productive input.

Sadly this problem does not end here however, as a large number of those who are interested in providing a response are only made aware at this late stage of the planning process, by which time they feel the opportunity to have any productive input is long gone. The second most common response to asking residents their thoughts on the garden community is 'why should I bother telling them to anyone official, they've already decided what they want and wont listen anyway'. The sad fact is Elmstead has been exposed to so much speculative development in recent years, some of which have been refused due to a public outcry, only to overturned on appeal, that many residents have no faith in the planning system and consider it an outright waste of time. A positive planning approach would be challenging and reconciling this assumption, instead thus far it has only reinforced this belief for many people in our community.

Unfortunately given the approach displayed during the garden community consultation it is difficult to argue, as one resident made clear to us, they felt it was already a forgone conclusion and the consultation process merely being another box to tick in a predecided process.

This, and other factors, means there is now a growing proportion of local residents who are increasingly angry, and actively resent the garden community. We are very worried no sufficient action has been taken thus far to address this underlying anger, and suggest such an exercise must be part of a positive approach moving forwards.

Misinformation

On a significant number of occasions, over a number of years, in various forums, officials associated with the garden community project have stated as absolute fact, information about the emerging policy that is now within the DPD shown to be entirely false.

Going all the way back to the adoption of the section local 1 plan, the first concerns residents raised were regarding healthcare provision for so many new homes. A member of Essex county council responded – in a minuted council meeting, that such concerns were unfounded, because the 'new town' would include a new hospital. Evidently if this ever was the intention of policy it has long since been removed but is the perfect example of residents with very legitimate concerns, being assured by figure of authority associated to the planning process those concerns have been addressed for them simply not be.

It is difficult enough for a member of the public to keep track of and understand the proposals they are being asked to comment on now, but even more difficult is recognising when past commitments have been removed from consecutive rounds of consultation.

One can only speculate on how many such assurances were made elsewhere that are not confirmed by public record and that we are not aware of – and sadly those residents who feel their concerns

have previously been addressed only for the solutions to be removed at a later date will likely never know until the development at the core of their concerns begins.

However these long term misleading alterations is not our primary concern at this time, as there is a more nefarious and problematic issue that has recently come to light.

During this stage of consultation we, as councillors, have been asked many questions by members of the public around details of the DPD. While some of these we can answer per the document, others we sought clarification on as we attended different consultation events, speaking to the officers and other officials hosting the events, and at times different councillors unintentionally asked different officers at different events the same questions. However upon discussing these details after the various events, we discovered that our identical questions had received drastically different answers.

We address examples of this throughout our policy responses, but the simplest example was an inquiry about the position of a new bus lane, that was marked ambiguously on a policy map. Upon inquiry we were confidently informed the lane would be to the left of an existing carriage, and on an occasion mere days later, to the right of that same existing carriageway. Both answers generate relevant concerns that we would like to have raised in this response, but without an understanding of which of these options is the truth, how are we supposed to comment?

Obviously in these situations it means that at least one of those answers was outright incorrect. This has not only put us in a difficult position responding to the residents who's concerns we raised, but also in compiling this response.

Not only are we unsure what the correct response to these important queries and clarifications is, but we also have to question what other information have we been given that would have been contradicted if we had asked other officials at other events the same questions, and one has to wonder what other attendees to the events are unknowingly in the same position.

Unfortunately this has meant we ultimately have to disregard anything learnt from the events that isn't self evident in the documents itself, which ultimately makes the events somewhat pointless.

In contrast to this, there is also information made available in the documents and evidence base is either intentionally excluded from the exhibition events, or of which the officials hosting such events are ignorant.

For example the financial viability document examines how 2000 student accommodation places are included in their calculations in addition to the 7500 homes allocation. This has conveniently never been mentioned or shown in any of the GC promotional material such as that used in exhibitions for this consultation, and is also not included in other housing numbers within this very document. If such numbers are certain enough to be part of the evidence base of the DPD, why are they not fit to be included within the DPD and planned for accordingly.

It is a rather concerning example, amongst other less grievous instances, of what could easily be considered manipulatory practice. At the very least it is far from positive planning preparation.

[Inaccessibility](#)

Like many of the other communities surrounding the garden community area, Elmstead is a diverse place, especially when it comes to age demographics. While we refute harmful stereotypes, it is only prudent to acknowledge a number of our residents, especially those in older demographics are less reliant on digital media to gain information.

For this reason we, as a parish council know the best way to efficiently engage with as much of our community as possible, from many past public communication exercises for different purposes have proven methods of how to do so effectively, and most importantly in a manner accessible to everyone. As such during this and previous rounds of consultation, we offered our advice and assistance to those responsible for the consultation process, to best communicate and engage with the community we represent.

Unfortunately for unknown reasons, these offers were not utilised and have led to the consultation, and engagement leading up to them, being poorly advertised, contributing to low engagement and worst of all - unfairly accessible.

This was most evident in the period of the last round of consultation which ran from 14th march to 25th April 2022.

Despite a venue being booked for an engagement event in Elmstead market months in advance, the parish council were not informed until less than 2 weeks before the event – once the consultation period had already begun. Unfortunately because this meant there was only 6 working days between notification of the event, and it taking place, we were unable to publicise the event in an effective method.

Sadly the official advertising for the event was even less effective, consisting of a notice in a community magazine (the brightlingsea and wivenhoe chronicle) which is not distributed in Elmstead. Our own village magazine which is delivered to every house and many businesses in the parish was never contacted to advertise the event – despite being the singular best way to reach most of the community. A single A4 poster advertising the event was placed directly outside the door of the venue – which is on a path generally only used by those already accessing the venue anyway. We remain uncertain what, if any, social media advertising was done about the event, but would stress such posts are wholly reliant on algorithms or prior engagement to reach a relevant audience, which it obviously did not.

There was two such events for the last round of consultation, with the second event being only slightly more attended than the first, but shockingly the overall attendance figures were so low that parish and district councillors who attended bringing close family members outnumbered the general public attendees. A number of such councillors being counted twice in the attendance record as they attended both events. In the weeks after we received a number of agitated comments from the public proclaiming they would have attended if they had known of such events existence.

We immediately raised our concerns with the relevant officials, but a delayed response was simply that we – as a parish council, with limited resources, could put on our own event and some officers would try to attend. Given that by this time there was less than 2 weeks to the end of the consultation this was pointless as there would be insufficient time after the event for anyone who attended to respond to that stage of consultation, after which the plan would be adjusted. As such we raised our concerns in a letter to the TCBGC joint committee. An initial response was disturbing, attempting to pass blame onto ourselves for what is evidently the responsibility of officials conducting the consultation, the reply even going so far as to suggesting parish councillors should have brought friends and families to increase the exhibition attendance numbers. However after further discussions we were assured that for this ‘more important’ round of consultation, every effort would be taken to prevent a similar outcome.

Sadly that was not the case, as most of the same mistakes were made again, relying on a handful of posters we had to place around the village, and an advert placed in our parish magazine that was in

actuality just a poster scaled down to be so small as many found its previously coloured format to be unreadable in the black and white printed format. As it was we expected similar shortcomings and prepared accordingly, that when at the start of this current consultation period, when it became evident the vast majority of our community had no way of knowing about the consultation and planned events, that we used our own resources to inform households by mail. Sadly this was not possible in the short timeframe between the official notice of consultation and first exhibition, but the fact a second exhibition days after our maildrop was far better attended would suggest that a significant number of residents remained unaware of the ongoing regulation 19 consultation.

We are also disappointed there is no straightforward way to digitally submit a statement response to this consultation. While we welcome a freepost option for physical response, the online portal unnecessarily complicates what should be a simple digital method of response. It would be an excellent addition to a simple email address response, but we suggest only having a complex consultation portal is off putting, and requires significantly more time, effort and technical competence to utilise. We would also note the fact that limitations on which parts of the plan you can directly comment upon using the online portal are highly concerning, and does not promote complete or contextualised responses.

Poor Communication

Unfortunately it is not just those who rely on the in person consultation events who have been neglected by the consultation process.

We at least expected a robust online presence to aid effective interaction and response during periods of consultation. Sadly this has not been the case.

At the time of writing (June 23 2023):

The official website of the project (<https://tcbgardencommunity.co.uk/>) last update was in May 2022. There is no mention of the current final dpd consultation.

Meanwhile the engagement websites 'latest news and updates' page is even older, with the latest update being the 9th march 2022, preparing people for the start of the last round of consultation. The penultimate update is from 2021!

The official twitter page of the project has been inactive since December 2022, when its last update was simple to say the account would be inactive over the Christmas period.

Consultation Summary

Given the repeated failures in consultation and failure to rectify these issues, it is difficult not to conclude that some driving forces behind the plan are fully aware there is opposition to some proposals within it, and instead of positively engaging to challenge these ideas as a productive engagement process should, have opted to do the bare minimum possible to prevent proper scrutiny of the plans contents.

We are very aware of significant resentment and anger against this trend, as many local people feel they are intentionally not being listened to. There are many people who are genuinely eager to

engage in a positive and constructive way who feel unable to do so because of the consultation failures.

The result of all these issues with past and present consultation exercises is that a significant number of people are so angry and disillusioned with the project they are no longer actively engaged. It is often these people who are most directly affected by the garden community project, and yet due to the ineffectiveness of the process, they understandably feel ignored and despondent. This cannot conceivably be considered positive plan making, and calls the soundness of the plan into question.

Ineffective Language

In a number of policy responses we raise concerns around the language used within the policy, giving an ambiguous and uncertain policy that is open to interpretation and misuse.

For example in many places the policy states 'where appropriate certain actions should be taken' without offering clarification of when such an action would be appropriate – and if it is then we'd suggest 'shall be taken' is far more conclusive.

This problem is only made more clear by the very – some may say over confident language in the introductions and principles. This definitive language stating events WILL happen decades in the future, while the policies guiding those events are far less certain is concerning and does not convey an effective approach.

Unfortunately Elmstead has suffered in the past from a single word altering the interpretation of planning policy, so must insist a detailed review of the specific language used in policies is implemented.

Housing Density – Examination

The area of search established for the TCBGC in 2017 for the local plan defined a broad range of housing provision between 7000 – 9000 dwellings.

It should be noted this is substantially less than the combined housing requirement of 29,400 dwellings for Colchester and Tendring as established in policy 4 of the shared strategic plan, which is only for the period until 2033. A significant majority of these houses must still be placed on the edges of existing towns and villages, bringing the GC justification into question.

While somewhat arbitrary the GC housing provision range of 7 to 9 thousand dwellings was understandably a starting point, intended to develop as evidence was gathered and planning commenced.

The area of search represents approximately 740 hectares of land.

However the settlement development boundary proposed in a draft DPD in spring of 2022 reduced this area to only 430 hectares, as necessitated by the A120 – A133 link road land allocation, protection of ancient woodland and dedicated strategic green gaps, both of which EPC welcomed, and some other smaller necessary concessions.

A further 70 hectares of woodland remains within this settlement development boundary, much to EPC concern as will be detailed in the section of our response to the nature policies of the DPD. This reduces the developable land area to 360 hectares.

After the spring 2022 draft DPD was published, concessions were made to expand areas dedicated to salary brook country park and knowledge gateway allocated land in association with the university, which also prompted dedicated space for additional sporting facilities.

This reduced the developable land to under 300 hectares (~290ha).

This figure does not take into account the significant number of existing residential properties within the area, which are generally rural homes with considerable gardens and other outdoor space. Many of these homes are in the Crockleford heath area of special character which is recognised in policy 1B as requiring a substantially lower housing density than the rest of the area.

These combined effects further reduce the available developable land allocation to approximately 265 hectares. To the best of our knowledge such a figure is omitted from the DPD or its evidence base.

While we will address GC policy 2 part E later in the response, we find the commitment to retain existing trees and hedgerows admirable, but from an efficient town planning perspective this brings further pressures on land use.

Combining this policy, with the necessary allocation for school land of the 6 schools proposed in chapter 5 this continues to reduce the land that can be developed residentially to below 250 hectares.

More recently, notably after the spring 2022 DPD consultation, the proposed route of the rapid transport system was moved away from the link road to run centrally through the garden community settlement development area – an understandable and logical choice to make the RTS more accessible and efficient. However the necessary infrastructure for this route requiring another large path – presumably a dedicated roadway through the developments core, must at the very least occupy an additional 10 hectares.

While approximate, this leaves around 240 hectares of land to actually be developed.

However this area is not only dedicated to residential uses, but all necessary employment, public services, local transport routes, neighbourhood green spaces and other public places.

Conventional town planning assumptions would suggest this only provides between 100 – 130 hectares of land that will be built into residential property.

In a standard urban setting this would lead to a housing density of between 65-75 dwellings per hectare. However with garden community principles giving added weight to extra public outdoor spaces, streetscape vegetation and dedicated offroad cycle paths it is likely this will be significantly higher.

Policy 1 also stresses that the southern two neighbourhoods will be significantly denser, to allow the lower albeit still high density in the Crockleford heath special area. We would assume to mean over 80 dwellings per hectare across the southern neighbourhoods, likely exceeding 100 DPH at their cores.

This does not take into account the significant land usage of the circa 2000 student accommodation provisions that were not included in other housing numbers.

Implications

For context this is to our knowledge far higher than any other significant sized area of housing development in Tendring and only equalled by small areas of ultra high density in Colchester and other large towns and cities across north Essex. This density is unheard of in a rural setting and antithetical to the character of the development site and its surrounding communities.

It is inconceivable such a housing density within a mile of Elmstead market, where a density of half this figure would be considered too high for suitable development, can be anything other than highly detrimental.

This directly contradicts the DPDs justification of preventing developments that alter a communities character.

It also contravenes the many instances in this DPD where principles state, or commitments are made towards ways of integrating the garden community into the surrounding area by retaining local identity.

Nowhere locally has an identity of hyper dense city scape development in a historic rural setting.

The only feasible way to attain such a high density of dwellings within the site is to build upwards. For a significant time during early stages of consultation on past drafts of the DPD this was ruled out, with suggestions buildings need only be 3-4 stories tall to meet the requisite number of dwellings.

However the continuous pressures on land uses has caused this need for 6 or 7 story high rise residential buildings.

On the relatively flat landscape where such buildings must be placed within the development boundary there is no way to prevent such tall structures being visible from Elmstead and other communities, as well as from valued landscape areas surrounding them.

Financial Viability and Guarantees of Completion

We understand that planning a project of this size is a daunting challenge, with timescales of 25-40 years until the proposals even reach competition, at which time there is hopefully a healthy, happy and integrated new community thriving as our neighbours.

However one cannot ignore the reality that circumstances in the world, country and more locally are ever changing, in what is quite a tumultuous time. When the garden community project was first proposed, no one could have seen a global pandemic and the following financial crisis, that is only worsened by other factors. With current interest rates, inflation, material costs and house price instability, it is amongst the most unpredictable of times in living memory for property, construction and housing markets.

With this in mind it can only be expected the garden community as a whole has a robust financial basis, to ensure its viability through the further upheaval we can expect over these coming decades, and other significant changes that can be expected such as the transition to electric and potentially autonomous vehicles, trends towards home working and potential of upheaval in various employment sectors due to the emergence of AI.

Barring the content of policy 6, it is concerning how little emphasis is being given to financial considerations throughout other policies, as while we understand such details are more suited to

detailed planning applications at a later date, it is only wise to temper the trend of overly optimistic aspirations with the reality of fiscal viability. While a number of reasonable suggestions in past stages of consultation have been instantly ruled out on basis of cost, this has not stopped some questionable proposals being made officially, and one could argue the burden of evidence has not always been applied fairly to these scenarios.

However we are now shocked upon reading the financial viability study to see how miniscule the margins are for financial viability. We should also stress in this rapid changing economy that the viability study finalised in April cannot convey the more recent downturn in the housing market which can only have negatively effected this margin.

Most staggering is the conclusion made in the financial viability evidence update that while a 15% profit on cost figure was deemed acceptable, and an appropriate range given as 10-14% the current estimate (that can only have gone down in the months since) is a mere 9.65%. By the evidence bases own calculations, the project is already below its own viability standards.

There is also sufficient margin for error in a number of assumed values for compound effects to have an appreciable impact on this figure. To say we are very concerned about the lack of financial resilience is an understatement.

We have had conflicting information over the last year as to the developments approach to garden community principles, as while 'infrastructure first' is often touted where convenient, in reality, as we have seen with the link road, the moment financial concerns emerge this approach is immediately reconsidered, and while yet to outright ignored, the detailed discussions around phasing the link road show it can easily be compromised. We have also had similar concerns around the provision of schooling, as while the presented documents commit to day 1 provision of schooling for residents of the GC, officers hosting consultation events have readily admitted temporary classrooms may be needed at other local schools to support a phased approach to establishing schools. While we address other concerns about revelations such as these elsewhere, we must draw attention to the following statement from the evidence base:

"This approach reflects that the development of the site is dependent on site wide the investment of upfront large-scale core infrastructure across the area before the land plots can be delivered for residential, commercial uses." – financial viability evidence update 2023

The financial viability of the site is tied in many ways to the infrastructure first approach, as displayed by the necessity of a functional link road to access the site before development can begin, and the offer of vast sums of money from the lead developer to make up the huge shortfall in funding for the link road. (We wish to point out the link road is currently significantly more than £20,000,000 over budget, which is the margin of error the financial viability evidence report provides the entire garden community, despite its total cost being 6-7x that of the link road – if the whole project is as over budget as the link road currently is there will be around a hundred million pound gap in the projects accounts)

However with existing uncertainty and current trends, it seems most likely costs will continue to rise, while land value uplift predicted from the site will stagnate or decrease. If this were to happen, there is already commitments made to prioritise development – the link road must be completed, for any houses to be built requires local roads utilities etc. This causes our greatest concern at this time, being that the project begins, development commences, and then at some stage the project becomes unviable. This could be in 5 years when a thousand houses are built, or in 25 years, but with the current economic climate this is an eventuality that must be considered – yet seemingly has not.

If the link road is built, with by the time of its completion a developer contribution of between £20 to £30 million, and the evidence base assumed profit of circa £6 million profit per hundred units, the project must build 400-500 homes simply to fund the link road. If at this time the project becomes unviable, it is a very real concern the result could be hundreds of devalued homes, with little to no infrastructure, and reliant on already burdened public services in local communities for essentials such as schooling and healthcare.

We do not believe this eventuality has been adequately considered, or prepared for in the policy making of the DPD.

We should also stress that the link road, that is already more than 20% over budget – likely nearer a third given current inflation and costs despite not yet having been started, is also approximately 2 years behind schedule for an 18 month build period. This only reinforces our concerns, as a similar circumstance for the wider garden community would essentially guarantee its failure as supported by its own evidence base.

We accept the legally enshrined requirement for the GC plan to be revaluated on a 5 yearly basis is admirable and agree this review process allows the GC plan to evolve and respond to external conditions over what is inevitably a long and slow development process. It should be noted it also brings a greater level of uncertainty to the project as a whole, as any element could be changed multiple times throughout the course of the development.

However it does not really address the very real possibility that the purpose of the garden community, or the means to continue its development may change or cease to exist during this prolonged development.

With such great uncertainty at present in population trends and economical factors, especially within the housing market, it is probable during the plans lifetime significant changes will have to be made. It is therefore essential that a phased approach is taken within each of these 5 year periods, to prevent mismanagement and failed commitments.

For example it is essential that there are commitments made to incremental infrastructure delivery alongside housing completion. With over a thousand houses being built on average during each 5 year period, it is vital the public services these houses are dependant upon are part of the same commitment, and not reliant or vulnerable to future reviews changes. Therefore it is also vital to remove the effect of economic instability that funding is available and ringfenced solely to complete all infrastructure allocated to the current phasing, in the event proposals for later stages become unviable.

This aligns with the garden city principle that all infrastructure must be delivered before or alongside occupations of residences, and is in direct contradiction to current proposals to pursue housing construction first to fund the infrastructure that will follow.

Such phasing is conspicuous in its absence from the current draft DPD.

Also missing is any contingency for potentially needing to pause development in the event of unforeseen circumstances such as national scale economic downturns.

[Business Park Location](#)

As we convey in a number of responses to different policies, we believe the location of the A120 business park is unsound for multiple reasons. There is no justification or evidence given for why it is separated from the garden community by the link road, and it is simply illogical to place such an area in what should evidently be a green buffer next to a grade 1 listed heritage church. These employment properties would be far more accessible as a space without the separation the link road forces upon it, integrated into the wider garden community.

The business parks location directly contradicts elements of policies, or the principles of policies 1,2,5,7 & 9.

We believe the location should be allocated to a strategic green gap, including a dedicated buffer zone for the most intrusive section of the link road where it is raised significantly above the surrounding landscape.

STRATEGIC ILLUSTRATIVE FRAMEWORK MASTERPLAN

We take issue with the way this illustration whitewashes everything outside the garden communities boundaries, and would suggest it intentionally obfuscates how close the village of Elmstead market is to the garden community, to give the appearance of a significantly larger gap than the proposed policies will create.

This and many other maps thought the DPD also use maps that are years out of date, and so do not show new developments around Elmstead that encroach further into this gap from the east. We have raised this concern a number of times through past consultation stages, so the continued omission of updated maps again seems intentional.

We are concerned this does not constitute a positive approach to displaying the policy, as past versions utilised Elmstead markets village boundaries to more clearly show interactions between the GC map and our community.

Despite the key referring to the important district boundary between Tendring and Colchester, this is not shown on the illustration.

The key also labels 'existing roads' despite the vast majority of these not being shown on the map.

Of special concern is the likes of Elmstead road and tye road which most interact with the garden community, we cannot understand why some roads such as that in greenstead is shown, while more relevant roads to the planning process are not. Tye road runs through the centre of the garden community yet is indiscernible.

We should also make very clear this illustration, along with the policy itself fail to acknowledge the existing properties and therefore residents already within the garden communities boundaries. We do not believe this intentional erasure constitutes positive plan making.

Policy Assessment 1-9

GC Policy 1: Land Uses and Spatial Approach

While the policy is commendably aspirational for the garden community itself, it is decidedly inward looking. Statements such as 'proposals will be designed to ensure that the new garden community will develop as an inclusive, safe and healthy community' do not address the fact that every indication is that this may be achieved at a cost of these factors to other local communities.

Part A:

When reference is given to 'circa 7500 new homes' we would suggest this is needlessly ambiguous, with considerable room for interpretation. To be both effective and justified this figure should be clarified with an absolute range of acceptable housing numbers to allow stakeholders to best plan for the future. As in part B of policy 1 the number of houses is defined for each neighbourhood a simple clarification of the minimum and maximum potential houses stated here would suffice. We also believe that student accommodation should be defined and included in this figure for the policy to be effective.

The majority of the 'Wivenhoe strategic green gap' is in the parish of Elmstead. To avoid confusion we would ask this, and the distinct 'Elmstead strategic green gap' are defined on the strategic illustrative framework masterplan. It should also be recognised within policy 1 part D that the Eastern area of the Wivenhoe strategic green gap to the east of the green link shown on the strategic illustrative framework masterplan is equally important to Elmstead as a strategic gap.

Part B: South and North Neighbourhoods (Page 21/22)

The wording of an expectation that the early phases of development will begin in the 'South Neighbourhood is ineffective as a planning statement. There is no provision made for the unexpected but entirely possible scenario of development beginning elsewhere, yet no evidence based approach for why development must begin in this location.

This is the first of many flawed expectations and other ambiguous statements of intent that we believe combine to make the DPD unjustified without a definitive phasing proposal to give certainty and justification as the development process continue.

"Each 'Neighbourhood' will adopt appropriate approaches to architecture, design, character, density and public open space to achieve a distinctive sense of place". We are concerned this statement could be a counterproductive approach, as it provides a foundation for the garden community to become three segregated communities that do not integrate with each other, or existing surrounding communities. We believe this approach to be unjustified and therefore unsound, as if each neighbourhood is so distinctive and one would hope a functional community in its own right, reasonable alternatives could be proposed to deliver these communities in a way that doesn't require them to be forced into a small, high density confine of land, and is therefore less detrimental to both these and communities in the surroundings.

It should be recognised that independently the north and south communities would each be comparable to wivenhoe in population, despite occupying less than one fifth the geographical area, which only reinforces our concerns regarding housing density.

The new Rapid Transit System will connect the 'South and North Neighbourhoods' as part of a wider network, ... , such as the University of Essex, the City of Colchester, Colchester General Hospital, and Colchester Sports Park. We are concerned this not only displays one of the many aspects where Colchester's influence has been biased more heavily on the project than Tendring's, but also weakens the garden communities individual character, by making it far more connected to Colchester than other surrounding communities, and ultimately relegated in the future to simply another of

Colchester's boroughs. This is incompatible with garden community principles and therefore unjustified and unsound. We are also concerned the biased approach to the rapid transport is inappropriately making use of the garden community project to augment infrastructure outside of the area of search, while other necessary improvements to local infrastructure have been deemed impossible simply because they are outside of this area.

“The ‘South and North Neighbourhoods’ will each be accessed independently from separate vehicular junctions on the new A120-A133 Link Road (as opposed to the A133 and A120 themselves) in order to give priority to the Rapid Transit System.” This statement is ambiguous and unclear, it needs further clarification to become sound policy, and without that clarification cannot be commented on in confidence. The interaction between link road and RTS needs to be confirmed as soon as possible, as multiple distinct proposals have been suggested and consulted upon, owing to significant confusion amongst consultees.

“The Councils will work with the University of Essex and other partners, as appropriate, to deliver the key infrastructure (health, education, and other community uses) necessary to serve the early phases of development. Such infrastructure will be delivered either on a permanent basis, or on an interim basis if it is required ahead of the establishment of the first of the ‘Neighbourhood Centres’.” This is perhaps our greatest concern around policy 1. The early phases of development is likely to cover a number of years, potentially a decade, during which one would expect to see thousands of homes being built. There is no doubt significant infrastructure will be required before the neighbourhood centres are complete and functional.

While commitments to interim solutions are always welcome, little to no thought has been given to the delivery of this infrastructure. When it is likely this ‘temporary’ infrastructure will be required for a number of years the lack of consideration and approach cannot be justified and is therefore unsound. It is likely entire classes of schoolchildren will be resident within the garden community by the time permanent schools are fully functional and it is unacceptable to be proposing interim solutions known to be detrimental to education from the outset.

We are also concerned about the proximity of the neighbourhoods to the areas of ancient woodland at the top of salary brooks eastern slopes, with little to no buffer protecting this precious woodland from a high density neighbourhood, not only when it is occupied, but more immediately during construction.

Crockleford Neighbourhood

“The ‘Crockleford Neighbourhood’ will be developed as an individual community that is physically separated from but connected by walking, cycling and other sustainable transport modes to the ‘South and North Neighbourhoods’ and the City of Colchester.” This only reiterates and magnifies our concerns that the proposal is not for one united community but three distinct and segregated communities. Also serving as additional evidence transport links are only focussed towards Colchester and not wider integration.

The suggestion that up to 1500 homes could be constructed in and around the existing tight knit community of Crockleford and not harm its setting and character is absurd. Crockleford is already a distinctive area, with one of its most distinguishing features being its rural, low density and dispersed layout. To suggest it is possible to build over a thousand homes – more than twenty times the dwellings already in Crockleford, and yet “protect and respect the character formed by its heritage assets and their settings, its distinctive network of green lanes, small fields and land parcels. “ is either delusional or dishonest, and thus directly in opposition to the plan having been positively

prepared. We accept and support the objectively assessed needs stated within the DPD to protect and respect this setting, but the following proposals of how the plan intends to achieve this are antithetical to our shared goals.

We would also stress that the envisioned neighbourhood centres, that require higher than average population densities than the edges of such neighbourhoods cannot be integrated into such an area of special character in a manner that “preserves or enhances” the setting – when the setting is at its core, rural in nature. With no suggestions or evidence of how such proposals are possible there is no criteria for what such enhancements may be while remaining true to the dedication to “respect/respond positively to the existing landscape structure”. Put simply, the policy for Crockleford neighbourhood contradicts itself. It is unworkable and therefore unsound.

The suggestion that parcels of land are sold to self build custom houses is of special concern, as the only true judge of what is in keeping with the areas intrinsic character is the existing community these houses will be built within. There is no mechanism whereby this community can conceivably consider and comment on potentially hundreds of distinct homes, undergoing separate planning applications in presumably narrow timeframes. We can only reiterate the need for direct representation of established communities within the GC area to best address this, as while a mechanism is in place to secure financial contributions from such homes, there is no consolation for existing residents who will have their lives turned upside down from potentially decades of construction and disruption.

We must also stress that there are other residents of Elmstead who live in the garden community area that gain no protection from the Crockleford neighbourhood policies, and are at great risk of their now rural homes being consumed by years of disruptive construction, surrounding their peaceful homes by urban neighbourhood centres.

Part C: Salary Brook Country park

While we welcome the creation of the country park in principle, we cannot ignore the fact it is another facet of a bias towards Colchester’s benefit in the proposal.

As the direct result of the DPD’s policies, Elmstead (and potentially Ardleigh and wivenhoe) lose much valued blue and green infrastructure, including features such as allens reservoir and areas of ancient woodland. Meanwhile Colchester gains a country park conveniently positioned to enable public access to swathes of greenbelt land that would previously have been considered as effective green gaps between Elmstead and Colchester.

We would note that initial proposals for the garden community included a far larger country park proposal, that has since been made possible by the permitted development of hundreds of homes on Bromley road, located on the slopes of salary brook, that have broken any separation that existed between the garden community and Colchester. This is evident on the policies map (fig.2) where there is a direct path of development between the Crockleford neighbourhood principal development area and greenstead. The policy to “maintain the long-term physical and visual separation to the adjacent City of Colchester” is impossible as the garden community is already joined to Colchester. One cannot stop coalescence when the two settlements have already coalesced under this proposed policy.

The bias towards Colchester in the plans preparation is only further evidenced at the end of part C: “The section of the new ‘Salary Brook Country Park’ ...shown on the ‘Policies Map’ will be brought forward alongside the earliest phases of development within the Garden Community with further

northward extension being secured long term alongside development of the 'Crockleford Neighbourhood'." There is no logical justification to provide separation for a neighbourhood yet to be built, before providing the same, albeit lesser protection to an already established and populated community.

Part D: Wivenhoe Strategic Green Gap

We recognise and welcome the protections this land provides to wivenhoe and can only re-emphasise this gaps shared importance to Elmstead, therefore we would request this value be enshrined in the text of the policy.

As such our comments for part E of policy 1 also refer to this area of land.

Part E: Elmstead Strategic Green Gap

First we must refer back to our position that the location of the business park is unjustified and therefore unsound.

This area of land is vital to provide a strategic green gap to Elmstead's historic church of st Anne and st Laurence, being over 700 years old and thus grade 1 listed, as well as adjacent grade II* listed farmhouse. The churchyard also contains a grouping of historic graves that are listed separately. The decision to allocate the only land within the area of search within 500 metres of a grade 1 heritage building, to become commercial or potentially even industrial properties is unjustified, inconsistent with national planning policy and therefore unsound, as well as outright perplexing.

If any area is to be granted a level of protection as a strategic green gap it should be this small allocation of land. It was our understanding when the A120 – A133 link road was approved that the area now designated to become the business park was destined to be vital green space, where native vegetation could provide visual and audible insulation from the embankment necessary to lift the new A-road above the landscape and meet the dumbbell junction to cross the A120. The A120 that we should stress was built in a cut for a distance significantly longer than the link road as it passes the church, specifically to shield the historic building from the intrusion it is going to be exposed to as part of the GC project. The church has also been found to have structural issues caused by damage to its foundation that may have been caused by the effects of constant traffic along the A120, or during the A120s construction. It is only logical to assume that another large A road in such proximity will worsen these problems, but the addition of the business park that will undoubtedly see a high volume of HGV's, as well as potential industrial and manufacturing processes is yet another contributor the churches material detriment. . We can only ask the employment area site is reconsidered to provide the site of both local and national heritage the protection it deserves.

From examining the policy map it is clear that a green gap of significant thickness, at least 250 metres at its narrowest point was deemed necessary for adequate strategic separation, so the token ~40m gap to protect the church should be extended to match this width along the gaps full length spanning between the A133 and A120.

While we welcome the allocation of a contiguous strip of land to form a strategic green gap, we must echo the comments of countless residents that we do not believe the gap to be thick enough, it is our belief all open countryside between the link road and Elmstead market should gain the same highest level of protection possible in perpetuity. Preventing coalescence must remain a primary goal of such green gaps and the effect of such a gap is brought into question when the land beyond it is any less protected.

It is essential there is a clear transition from the high density urban setting of the garden community, to rural countryside with an open landscape, with a gentle transition to the low density village setting of Elmstead. For the green gap policy to be effective, it must provide sufficient space that regardless of mode of transport there is a definite open space between the two settlements. We are concerned that by car travelling along the A133, there is less than half a mile from the garden communities southern neighbourhood development area boundary to the border of Elmstead market, a journey that takes mere seconds and so provides minimal perceived separation.

We believe this policy could more effectively utilise and protect this space to maintain this vital transition and separation.

We must question the justification for this policy decision, and feel that the viable alternative of declaring all open countryside between the link road and Elmstead market boundary has not been suitably considered.

We must also question why the supported development classifications for the proposed Elmstead green strategic gap are different to those of the wivenhoe strategic green gap when both supposedly serve the same purpose.

When such a narrow confined area is the only protection conveyed by the DPD we also feel it is essential the local community is given every possible input into what is and isn't deemed appropriate development for within this gap, to most effectively protect the character of Elmstead's wider rural landscape setting.

Part F: Sports and Leisure Park and University of Essex Expansion

While we generally support the provision of sporting utilities we are concerned at their precise placement. Dependant on the facilities details their proximity could prove counterproductive to Policy 1 Part D: Wivenhoe Strategic Green Gap. The sporting facilities also form an unnecessary barrier between the wooded areas of wivenhoe park, both within and beyond the GC area of search, and the Wivenhoe Strategic Green Gap. While the green link shown on the strategic illustrative framework masterplan and nature illustrative framework plan seems intended to join these areas, it is not clearly addressed in any policy, and therefore undefined. At the very least we feel this and other green links need to be clearly addressed within the relevant policies, but we would also suggest a better, and more justified solution that has not been considered is to extend the Wivenhoe Strategic Green Gap around the southern border of the garden community, making it more effective at its proposed purpose, while fortifying this green link in policy, and best protecting this area of woodland.

Part G: Knowledge based employment land

We are concerned the necessary density to make this land efficient for its policy stated purpose would be unsustainable given the immediate vicinity of Home wood (ancient woodland) – less than 200 metres away. We are also unsure how such a small area can “ensure an appropriate transition between built development and the open countryside” – there is no evidence that such a transition can be delivered in such a small space and while commendably aspiration such a statement as a planning goal seems unrealistic.

Part H A120 Business Park

We must begin by referring to our comments within Part E: Elmstead Strategic Green Gap response, and emphasise we feel a significant area must be reallocated to the strategic green gap to sufficiently protect Elmstead church as a heritage asset.

While a token sliver of green gap has been provided between the church and business park, this is wholly insufficient to provide the necessary protection to avoid detrimental impacts such as sound and light pollution. This concessionary gap was only added in response to our past consultation concerns, since when we have seen no effort to take an evidence based approach and ascertain precisely what protection such an important heritage asset will require.

There is no justification given as to why an area of “general employment, business and industrial purposes” should be placed immediately adjacent to a historic church and grade II listed home. It does not meet the accepted need to protect these heritage assets, and it does not align with national planning principle, so the current proposal is unsound in a number of ways.

Furthermore there is no adequate justification as to why the business and industrial park is the only developed area to be placed east of the link road. When all other development and the associated infrastructure is placed across what is bound to be a busy A road, it is illogical to place such development segregated by a major highway. No evidence is provided within the proposed plan and its evidence base as to why this placement is necessary. It needlessly complicates other policies such as movement and connectivity, as the presumed employment opportunities are moved needlessly further away from peoples homes compared to the business park being integrated with the garden community.

Part J: A133 Park and Choose Facility

We feel the need to question why the only park and choose facility is located on the A133. A significant number of visitors to both the garden community, and using the site to access public transport and enter Colchester, will be accessing the area from the A120. This location brings unnecessary traffic through the link road, and especially onto the A133 link road junction roundabout. Such journeys needlessly increase volume of traffic and therefore direct air pollution to both the garden community and other local residents. We would propose an additional site in the north east of the garden community so it is most readily accessible from the A120, giving best pedestrian access to the garden community, while reducing through traffic.

Part K: Planning Application Requirements

“A comprehensive site wide Garden Community Masterplan, detailed Area Specific Masterplans and Design Codes for relevant phases of development should be prepared by the developers through a collaborative process with the Councils and key stakeholders and which should have regard to the Councils ‘Strategic Masterplan’” We would ask if Elmstead parish council is considered a key stakeholder, considering it is the most direct representative of the most affected community, and much of the land in question is within Elmstead's boundary, we would request a more collaborative approach and opportunities for positive input as this progresses.

Justification

“The chosen strategy for development at the Garden Community confines the majority of development to land south of the A120, north of the A133, west of the new A120-A133 Link Road and east of a new country park” This makes total sense as these are natural and logical borders to

the development area, forming an innately unified community. This justification only supports our suggestion that the location of the A120 business park is not justified.

“The evidence has developed to show that the residential capacity of the site is towards the lower end of the 7,000 to 9,000 range set out in the Section 1 Local Plan. This is given the physical constraints of the site with boundaries defined by the Strategic Green Gaps and both the existing and proposed roads. The total number of new homes expected at the Garden Community has therefore been refined to circa 7,500.” we would reiterate concerns that this housing range was deemed suitable before over two thirds of the area of search was allocated to other uses, and current evidence would suggest a lower range is suitable for the potential development area.

GC Policy 2: Nature

Firstly, we must stress an over arching concern about the nature policy that can be identified within the chapter introduction.

“The natural environment of the Garden Community will be its greatest asset.” – It must be recognised a majority of the garden community area of search is far from natural, having been working arable farmland for a number of centuries, at times using intensive monoculture farming practices now known to be harmful.

This leaves a small number of vitally important areas that form the natural environment, such as the parcels of ancient woodland within the settlement development boundaries.

“Nature will be placed at the heart of the development to contribute towards nature’s recovery” – if one was being pedantic it should be stressed that this nature already exists, and it is the development being placed to envelop it, however the key point here is that the development will contribute to nature’s recovery. Despite asking many times and scouring the evidence base for the DPD, nowhere is it explained how building 7,500 houses on greenbelt is contributing to the natural recovery of the area.

While we would welcome positive aspirations for the site, the stated idea that surrounding healthy ancient woodland with high density development will somehow help that habitat is at best delusional and at worst manipulatory.

This approach is not evidence based. It is not justified. It is not effective. It is not positively prepared. It is not sound.

Sadly this is a pattern throughout the nature policy of the approach being one of unrealistic optimism, yet unfounded in realism.

We cannot stress enough our concerns that the policy in its current form will be ineffective, and being so compromised when any conflict arises in future planning applications, the only realistic conclusion will be that the natural policies while commendable, are impossible to viably implement.

Principles

“A place shaped by nature and the landscape” – such a statement summarises a difficult conflict in the DPDs formation, being that ultimately the priorities of natural preservation and effective development are in direct contrast to each other. The landscape shaped by natural processes and centuries of farming is not one that is conducive to efficient town planning. Ultimately this principle will be challenged by the realities of viable development and for the GC to progress this principle will have to be compromised to some extent.

“A place with thriving ecology and biodiversity” – While we welcome the principle of net gains in biodiversity, we would encourage more emphasis be placed on protecting the significant native biodiversity that innately exists within the area, before the need to focus on bureaucratic exercises to tick boxes proclaiming new habitats have been created within the GC. The simple fact is if resources are to be expended to enhance native habitats for conservations sake, this would be far more effective in other local areas that are not immediately adjacent to, if not surrounded by a development that is “A place that is vibrant and active” (chapter 5, principle 2, page 51).

“The landscape will be informed by inclusive community design” – we look forward to hearing how the existing community within the garden community area will be involved in this process at the earliest possible opportunity. We also await more evidence of the natural flood risk management and carbon capture schemes, as these, alongside the wonderful proposals of orchards allotments and growing fields are excellent aspirations. Unfortunately, once again, unrealistically optimistic at best. As we have already established the land use pressures surrounding housing density on the area is immense. Any functional sized growing space is an area that could hold multiple, if not dozens of residences depending on the density of housing. With the viability and development evidence presented we do not feel the proposed policy will be effective in delivering such growing spaces when they may otherwise be used for development.

We should also address the ongoing issue of carbon capture as a for granted solution to carbon neutrality. The DPD does not in anyway set out how this is to be achieved. In 2023 there are 3 functioning methods of carbon capture. One – the direct carbon capture of sources of significant CO₂ emissions is only relevant where such emissions are produced, such as heavy industry facilities and fossil fuel power plants, and so one would hope is irrelevant to the GC site. Another albeit very effective method is carbon injection into saline aquifers – which is geologically impossible in east Anglia, the nearest potential site being over 100 miles away in the north sea.

The only remaining, and most widely used form of carbon capture, being the only viable solution within the GC area of search is biological capture. Aka vegetation. If we disregard the fact that in its current state, the GC land area produces significant amount of cereal crops, which when harvested annually can be a significant source of carbon capture if byproducts are used effectively. There already exists a biofuel facility within Elmstead market, that is also within the GC boundaries which uses these arable byproducts from within the GC site to produce low carbon fuels.

Alongside the areas of wetland and ancient woodland that will hopefully be retained, the GC area of search is already a rather effective carbon sink, the only way in which carbon capture could be incorporated into the GC more effectively than its current rate is through substantial areas of dedicated vegetation. While a token amount of trees may provide a small level of carbon capture over decades, there is no existing alternative that can provide significant carbon capture within the GC area, without needing a considerable fraction of the area of searches land allocation. There is potential for wetland creation around salary brook, but the proposals of an accessible country park and IWMS would directly oppose the necessary measures.

In conclusion, the principle that the garden community will contain an appreciable amount of carbon capture potential is wholly reliant on the hope that yet to be invented technologies emerge in the coming decades that can be incorporated into the garden community. One more instance of unjustified optimism in the absence of realistic solutions – surely a solution dependant on currently non-existent solutions cannot be sound?

Illustrative Plan (Page 36)

We must begin by asking about discrepancies between the illustrative plan and policies map. The most stark being the inclusion of strawberry grove – an area of ancient woodland in Elmstead Parish and the GC area of search that has astonishingly been discussed as potentially being removed and used as a construction compound. It is very concerning that this is shown on the illustrative plan, but deliberately excluded from the definitive policies map.

We would also point out how misleading some aspects of the illustrative plan are, for example the vast arrow purporting to show a green buffer to the link road near Elmstead church – that is actually placed over the A120 industrial park, conveniently hiding the precariously narrow strategic green gap actually defined by policy. Nowhere in the policy or evidence does it suggest or explain how such an industrial park could somehow function as a green buffer so this graphic is very misleading.

The same can be said for the ecology connection between Homewood and woodland north of Wivenhoe park. While the illustration displays a commendable aspiration to connect the two areas, there is no evidence for how this can be achieved as the area between the two includes high density, presumably student accommodation in the south neighbourhood, knowledge based employment land, the segregated route for the rapid transport system and the A133 dual carriageway. The suggestion such an area may be considered a green link is frankly ridiculous and shows the direct contradiction of policies within the DPD itself.

This is not a unique problem as there are a significant number of strategic green corridors, buffers, connections and links – all of which are ultimately broken by a major highway. We're very disappointed to see no consideration has been given to bridging these highways that sever the natural environment off from the natural habitats within the GC. We believe the nature policy as a whole can only be effective if a solution to this is enshrined in policy.

GC policy 2: intro

“There are numerous natural and historic assets, such as ancient woodlands and hedgerows, and the Wivenhoe park registered park and garden, within or adjoining the garden community. Development will protect and enhance existing assets” – we can only reiterate our comments made on policy 1 land uses and make clear Elmstead church, as one of these assets - is harmed by the current proposals, and requires substantially greater protection to comply with this policy. This could be easily achieved using the existing green infrastructure planning, by simply expanding the area to create an effective buffer between the church and encroaching development.

We must also stress that many of the natural features the garden community considers its greatest assets, such as ancient woodland and reservoirs are a long standing valued part of the Elmstead communities landscape. Generations of Elmstead residents have not only enjoyed these places as a core part of what makes Elmsteads unique identity feel like home

Part a: Blue/Green infrastructure (page 37)

We are concerned about the emphasis on salary brook country park as a SANG with the specific intention of reducing visitor numbers to other sensitive local areas. The sole reason salary brook has maintained its thriving native wetland brook habitat is a remarkably low human impact for an area in such proximity to a city. It will be harmful enough to the area for the brook and its slopes to be sandwiched between two high density urban populations, but using this area as an encouraged public open space seems contradictory to the nature reserves best interests.

Part b: integrating green and blue (water) spaces into built form

“A key principle and part of the distinctive character of the garden community will be the green-blue infrastructure network and celebration of the natural and historic environment.” This as a statement, never mind a proposed policy, is frankly offensive to local communities, who have contributed to building the natural and historic environment the GC proposal will destroy. To then be celebrating that which the development has taken away is positively colonial. It is beyond belief that such a sentiment could be considered a positive approach, and shows how out of touch the policy is with the existing stakeholders it is being forced upon.

Part C: Protection of Biodiversity

While we support this part of the policy in principle, we would refer to our general comment regarding inconclusive language. The suggestion that proposals ‘minimise fragmentation of habitats’ is commendable but any given proposal could be said to minimise the fragmentation of habitats within its given remit – while still entirely severing habitats from the surrounding green corridors. A more robust policy is necessary to be effective in retaining such habitats as viable areas connected with the landscape as a whole.

“Sensitive habitats should be buffered with additional planting” – we entirely agree with this, but would suggest the first step is a comprehensive scheme to buffer the most valuable areas of ancient woodland – including established woodland where possible, such a strategic approach must out of necessity be committed to at this early stage, where it can best serve to minimise the harm of construction on these sensitive environments. We would especially emphasise churn, thousand acre and home wood to be buffered and connected in such a way, using a strategic policy to ensure the best positive outcome.

While we embrace the principles of a sense of community stewardship, we are also concerned the principle method of protecting sensitive natural sites is to be simple signposting and information gives to new home owners. As we are all too aware while the majority of members of the public will respect such signage and participate in this stewardship, a minority, however small who disregard such means of protection can still cause considerable harm to these precious areas. As such we would suggest given the significant proposals for public open space, consideration should have been given and written into policy for a careful mechanism whereby the most sensitive sites can be secured from public access as necessary for their own protection.

We find the policy statement “Ecologically rich buffer landscapes against existing and new road corridors will be required. The minimum widths of these will be agreed through an appropriate design code or similar” As evidenced by the illustrative framework this policy has been ignored within the DPD itself by not providing any buffer against the link roads eastern edge along its northern third, making this policy unsound by its own definition. Once more we can only reiterate the need for the area to be redesigned with a more logical approach that follows the DPDs own policies and principles.

Part D: Biodiversity Net Gain

While we strongly encourage the positive approach to seek a net increase in biodiversity, we must question some specific aspects of the policy, and a lack of evidence for the decisions made. For such increases to be made despite the challenges of development in the area, significant resources must be expended to achieve such an increase. However these resources may be used in other areas locally that do not have the challenges and disadvantage of having to compete with and work around the uncertainty of the long term evolution of the garden community scheme. As such to ensure the best use of public resources, we would request a mechanism be introduced whereby the assessed impact of such resources could not be used to far greater effect, and ultimately deliver more benefit for the public interest, supporting schemes pursuing an increase in biodiversity throughout Colchester and Tendring as a whole. This should not discourage every effort to be taken in individual planning applications on a local neighbourhood and individual building level of consideration towards biodiversity, but only serve to make the most efficient use of available resources.

“As a priority, impacts on moderate and high distinctiveness habitats must be avoided wherever feasible.” We entirely agree with this policy, but have to point out that again, it is directly contradictory to other parts of the DPD. Take for example turnip lodge lane, designated as one of a handful of protected lanes within Tendring and yet absent of any protection from the southern neighbourhood that engulfs it.

Part E: Tree Planting

“Existing trees on the site, including hedgerows, should be retained where appropriate.” – this is a difficult and contentious issue we wish to recognise and would question if sufficient evidence has been gathered to support such an approach. On one hand, all existing hedgerows, especially those containing mature trees should be retained. However we also acknowledge that designing an efficient and practical settlement is not possible within the strict confines of a landscape that has evolved from centuries of farming to have a patchwork of hedgerows. That being said, this policy suffers from the most evident case of inconclusive language – with the definition of ‘where appropriate’ being entirely open to varying interpretations. This could equally be used to argue it is not appropriate to move any existing tree or hedgerow plant, or the vast majority of them and provides no clarification on how to decide such a conflict. We would suggest further work is needed at this stage to establish those hedgerows with a significant number of mature trees that act as both habitats in their own right and pre-existing natural, established green corridors. Such hedgerows should be granted additional protection and receive buffer zones. Meanwhile other hedgerows, such as those identified as being sparse, or with considerable natural gaps could be acceptably altered to allow for more efficient land use.

“Opportunities should be taken to connect patches of existing woodland within the Country Park through tree belt planting” is another case of inconclusive language, and if a stronger approach cannot be taken we suggest a strategic policy is included to instate these vital connections before large scale development begins. Consideration needs to be given to how long even larger transplanted trees require to become established and functional as part of a wider habitat and for the wider nature policy to be effective, there needs to be a mechanism whereby the landscape is maintained and reinforced proactively so it remains viable for the policies to take effect throughout development.

Part F: Productive Landscapes

Like many other aspirational policies, we find this commendable, but do not believe sufficient evidence is presented to support an appreciable amount of such spaces without compromising other land uses given the pressures on density.

We should also make clear that we do not consider more urbanised agricultural solutions such as allotments to provide sufficient landscape change as to be acceptable within strategic green gaps, and would request this be enshrined within the policy.

Part G: Sustainable Drainage Systems and Blue Infrastructure

We have a number of concerns regarding the interaction between this policy and the evidence base. This is in no small part due to first hand experience and historic local knowledge of groundwater conditions within the area being significantly outside those parameters calculated as normal by the IWMS.

We do not believe sufficient thought and evidence has been given to the impact of removal of such large areas of working farmland, which are so water intensive and provide a significant amount of interception during times of heavy precipitation.

While we are confident the village of Elmstead market should not be effected by heavy rainfall, we are very concerned for residents within the garden communities boundaries, who's properties have been designed to function under current conditions – not when surrounded by vast developments of impermeable surfaces.

We should stress concerns around the developments density, which makes many SUDS solutions unviable across the majority of the site. If underground solutions are necessitated on a large scale we would also question the impact on economic viability – which is not fully considered within the evidence base.

While a focus on permeable surfaces is welcome, we should stress given local soil conditions and the topography descending towards salary brook, just because water is not moving as surface runoff it still has to go somewhere. Given the long term use of fertiliser and pesticides and pollution of salary brook with these substances already identified as a significant problem we are concerned subsurface runoff could leech far more pollutants into local water courses in the mid to long term.

Lastly we should make clear that one of our greatest concerns for sustainable drainage is for the decades the project is under construction, and the uncertainty that many separate planning applications could bring when the cumulative effects of many simultaneous earthworks cannot be accurately modelled.

Part H: Integration of A120-A133 Link Road Mitigation

We are concerned there is no clear mitigation to address the effects of the northern link road being significantly higher than the surrounding terrain. A proactive approach could make this challenge into a useful area and take advantage of the landscape feature, but the policy gives little certainty. Indeed stating a comprehensive approach is needed and then failing to detail even the outline of an approach is concerning and gives little guidance in the long term, or useful policy direction.

With this being one of the commitments pursuant to the link road planning permission we would expect a more definitive and immediate approach, such that the link road is mitigated to the fullest extent possible during and after its completion, not potentially in decades time.

Part I: Planning Application Requirements

“The Councils will require the developer to enter into an appropriate legal agreement to ensure the long-term establishment, management, maintenance and monitoring of biodiversity mitigation, compensation, and net gain measures for a minimum of 30 years as part of the grant of any planning permission. It is anticipated that the developer will need to achieve this by entering into an agreement with a suitably qualified and experienced nature conservation management organisation to deliver the creation, and management of habitat in a development of this scale.” – We are concerned that while a 30 year commitment would normally be admirable, this does not necessarily cover the duration of the plan, and a further commitment should be included to effectively transfer this policy to whatever body has final custodianship of these responsibilities indefinitely after the GC’s completion.

“An indicative Drainage Plan for the whole Garden Community must be prepared and approved in writing by the Councils before the determination of any planning application for development of the site.” – We are concerned there has not been sufficient work done beyond the IWMS to establish the drainage requirements for the site, as local knowledge and experience would suggest some large regions of the development areas are far more prone to localised flooding than the evidence base assumes. While it is reasonable to assume there are effective engineering solutions to this problem, these come at significant cost for such a large area and would have a notable impact on the financial viability of the site.

Justification

“Green-blue infrastructure will allow residents to spend time, play, interact and grow and will provide a natural support system for people and wildlife and help to integrate built elements into the existing landscape.” We believe this goal contributes to many of the conflicts within the Nature policy. Aspirations to create, enhance and protect biodiversity in a sustainable way is commendable. Likewise it is important for public to have access to

We are concerned that no formative SUDS plan has been created, and question how the viability studies presented as an evidence base have considered the significant range of potential drainage solutions, as a factor that may considerably impact development cost and complexity.

GC Policy 3: Buildings, Places and Character

Note: The term ‘beautiful’ is used a lot during this policy, and in some other instances throughout the DPD. While a wonderful aspiration, we would question its use in official planning policy, as surely such a definition is wholly subjective and near impossible to quantify with an evidence based approach

Intro

“The Councils have very high expectations for how the Garden Community will create unique and distinctive buildings and neighbourhoods, whilst still respecting the character and visual amenity of nearby towns, villages, historic buildings, structures and the character and features of the landscape.” We are concerned these two priorities are to some extent in opposition to one another and would question the evidence for why a distinctive character seems to be the primary goal with respecting existing communities as a secondary priority or afterthought. This contradiction is not resolved in the relevant Policy 3, Part A: Creation of a Unique and Distinctive Place.

Principles

“Strong and purposeful buffers will provide separation where they are needed” – we refer to our comments around the meagre, ineffective buffer and design of the A120 business park in previous policies that contradict this principle.

Place Shaping

Part B: Design of Places

“Establish a parking strategy that adopts innovative approaches to parking that de-prioritise parking as a land use, contribute towards modal shift and minimise its impact on placemaking” We are concerned that over emphasising the low priority of parking could be detrimental in the mid term, until the full network of public transport serving the garden community is implemented and predicted shift away from cars as a primary form of transport occurs. If there is insufficient convenient parking during this time, there is a far greater chance of problematic parking within and adjacent to the garden community.

Part C: Design Quality

“Ensure the development relates well to its site and surroundings, particularly in relation to its siting, height, scale, massing, form, design and materials.

Ensure the development respects and/or enhances local landscape character, views, skylines, landmarks, existing street patterns, open spaces and other locally important features.”

We feel for such an important issue this is too brief and ambiguous.

“Ensure that new streets are tree-lined” We would suggest this needs additional conditions to clarify and reinforce the policy to become effective. One may argue a road with a handful of sparse tree’s is lined – or with trees down just one side at great intervals.

“Provide sufficient space and appropriate sustainable design solutions for waste minimisation, collection, storage and recycling.” We would suggest opportunities have been missed to take an early innovative approach to a centralised, efficient waste solution scheme that is more effective than the patchwork result this will likely create.

Part D: Designing Out Crime

“All development must be designed with: “ – we would refer to this language as an example of positive, confident policy, in harsh contrast to many of the inconclusive examples we point out elsewhere.

“Effective street lighting that illuminates the public realm, enabling natural surveillance and avoiding the creation of dark, shadowed areas.” – We would request an addition be made to stress this lighting should be directional, to avoid light pollution of wider spaces.

We must voice general concerns that while the garden community being especially safe by design is a wonderful idea, if a community is substantially better by design than surrounding communities it risks pushing that crime onto those less protected surrounding communities – of which Elmstead is one.

Part G: Private Amenity Space Standards

“All new residential development must provide an adequate amount of useable outdoor amenity space to meet the needs of residents.” – While commendable we must refer to previous comments concerning housing density.

“All new houses must provide an area of private amenity space. The majority of space should be located at the rear of the property and should not be overlooked from public areas.” – Ironically for a garden community, given the current land use numbers most classic houses may not have space for a garden.

“In determining the provision of private amenity space, proposals should consider the opportunity to provide space both for growing food and the scope for adapting and extending properties to meet residents and families’ future needs, whilst still maintaining an appropriate level of garden provision.” – Again, given the necessary density of the development, this is frankly unrealistic.

Part H: Historic Environment

“Development that will lead to substantial harm to or total loss of significance of a listed building, conservation area, historic park or garden or important archaeological remains (including the setting of heritage assets) will only be permitted in exceptional circumstances where the harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss.” We will once again refer to other comments regarding the A120 business parks interaction with Elmstead's church and clarify we do not believe any such development in that location could meet this policy. Something must change on this matter for the plan to be sound.

We also feel there is not sufficient emphasis given to buildings such as those on turnip lodge lane – which is itself a historic roadway that affords its special preservation status, but also many residences in Crockleford, that while not listed, represent the longstanding and distinctive rural culture of the area.

Part I: Planning Application Requirements

“A Heritage Impact Assessment and Mitigation Strategy is required to demonstrate the measures that can minimise harm and maximise the potential to enhance the heritage significance of Elmstead Hall, the Church of St Anne and St Laurence, Allen’s Farmhouse” We reiterate the only acceptable method of harm reduction is the only justifiable approach of placing these valued heritage sites in an expanded strategic green gap – not a business park.

Justification

“For the Garden Community to be successful, it is one of the Councils’ main objectives to ensure it is unique, self-sufficient and can provide high quality design.” – we’re curious to know in what respect the garden community will be ‘self sufficient’ and how this is justification for anything?

We do not believe the HIA addresses concerns for harmful effects of the development on “ Elmstead Hall, the Church of St Anne and St Laurence, Allen’s Farmhouse”, and the proposed mitigation of a scant token of woodland is insufficient and ineffective, therefore making the current proposals unjustified.

Part D: Housing Density

We can only reiterate our wider concerns around land use and pressures on density, and the effects that has on overall viability.

GC Policy 4: Meeting Housing Needs

Part E: Self-Build and Custom-Built Homes

We are concerned the only provision for self build homes is within the sensitive Crockleford neighbourhood. This should confine those wishing to self build a home to a stringent design code, which limits interest, and provision for self building elsewhere could not only reduce conflicts of design within Crockleford, but provide additional opportunities for unique, interesting and innovative homes elsewhere in the garden community, for example buildings that test or display emerging sustainable methods and technology that would be unsuitable for the Crockleford area of special interest.

Part H: Student Accommodation

We were appalled to recently learn from evidence documents that an additional 2000 student accommodation are proposed for within the garden community that do not count towards the oft stated 7500 homes figure. The fact it seems to have been intentionally concealed cannot be positive plan making, and is verging on intentionally manipulative, in no way constituting an open and honest consultation.

The suggestion that “The size and specification of any student accommodation will be determined through the Housing Strategy (see Part B) and will be informed by evidence held by the Councils in partnership with the University of Essex.” would question if there is not already predetermination, as the viability study assumes this 2000 student figure as a certainty. If it is not, then the viability study is inaccurate.

Justification

Nowhere is ultra high density of the development justified, other than by the arbitrary figures carried over from past stages of less detailed planning when the available developable area was significantly larger.

“which might allow for the provision for some additional student accommodation” – we are concerned such open ended statements could have massive repercussions, and be used as future justification for further significant development in the area, where incredibly dense student housing could greatly increase the number of dwellings in a small area.

The overall justification only reinforces the pressures placed on housing density from all sides, and supports our concerns such pressures could make the schemes aspirations impossible.

GC Policy 5: Economic Activity and the Employment

“achieving a minimum of one job per household, either close to home or within a sustainable commuting distance.” – One would argue this is the absolute bare minimum as the average employment per household should be significantly higher and a higher target would be a more positive planning approach.

Part A: Achieving a Balance of Homes and Jobs

“How delivery of the first phase of business accommodation in each employment area is tied to occupation of housing to provide an alignment between jobs and housing” while commendable we

are concerned the fact such matters are phased in this way while education and healthcare do not have similar clauses. (see policy 7 response)

Part C: Protection of Employment Land

We would suggest an addendum to this policy allowing such land to be used for the provision of public services if necessary, to enable dynamic response to short-mid term or temporary scenarios.

Justification

While the studies for an A120 business park are strong, we must stress the entire garden community is within 5 minutes travel by road of the A120 via the link road, which vehicular access to the business park suggested in the current plan already has to use. Nowhere in this evidence base is there justification for the business park to be located east of the link road, in such close proximity to a sensitive heritage site with minimal protection.

GC Policy 6: Community and Social Infrastructure

Principles

“Long term stewardship and governance will be considered and built-in from the initial stages of planning and designing the Garden Community.” – We would argue due to a failure of a positive planning approach this has already been broken. As the existing communities who currently act as a steward of the land are being ignored and over ruled, bringing the area into a tumultuous period with no clear custodian at the precise time it is most vulnerable during the process of construction.

The uncertainty and fragmentation occurring within communities because of the proposal risks propagating into the already challenging situation of establishing the new GC neighbourhoods. With no decision being made over what parish, district or constituency the GC is in, its governance and future direction is uncertain.

“Phasing of the delivery of community and social infrastructure will be aligned with other aspects of the development to ensure that the needs of the community are met from the outset and that the development meets the principle of ‘infrastructure first’” – we welcome this commitment and as a core principle of the garden community ethos expect it to be upheld stringently, however we are concerned that other information provided during the consultation process does not align with this principle, or policy.

“Each of the ‘Garden Community Neighbourhoods’ must include at least one ‘Neighbourhood Centre’” – we hate to be pedantic but to prevent future confusion would point out each neighbourhood can only really have one centre, and alternative names should be found for other groupings of services and facilities.

Part C: Education, Early Years and Childcare

We must start with our greatest concern, being a disturbing failure in consultation. Elmstead primary school is an incredible institution that has served the community well for decades. It is less than 600 metres from the garden communities are of search. The school has no additional capacity, and has not for a number of years, leading to unfortunate necessities such as siblings needing to attend multiple primary schools. We were shocked to recently find out it has in no way been consulted throughout the planning process thus far. We are staggered that such a resource of local educational need was not even asked for their opinion or concerns, despite being best placed to provide an

objective assessment of education in the local area. Its beyond belief this is considered acceptable, never mind effective plan making.

Taking this as context, the more concerning fact is the revelation at a recent consultation event from a council officer that temporary classrooms would likely be needed, placed in Elmstead primary schools carpark in order to meet temporary need, due to expected phasing problems with the garden communities delivery of school places alongside housing occupations. We should not have to stress this is antithetical to the infrastructure first approach defined by garden community principles, but the fact that planning officials are publicly stating this possibility would convey a degree of intentional misinformation. We cannot begin to list the negative impacts this would have on children's education, both of existing students, and those who move to the developing GC, but should also point out what a negative effect such circumstances would have on GC property prices and how that would compromise the projects wider financial viability – and therefore funding to provide adequate schooling.

We cannot stress enough how unacceptable resorting to temporary classrooms would be. It is essential a phased approach is strictly followed to ensure the garden community expands its own education provision at a rate equal or greater to the demand from its own housing occupations. This must be made absolute within the policy, and stringently enforced. We do not believe the proposed policy is effective to do so, and is therefore unsound.

We would also suggest, given the fact existing schools in local areas are already at capacity, for this policy to be positively prepared, it must work to negate some of this harmful pressure by providing additional capacity where possible.

The policy states: “Up to five new primary schools” We would strongly object to the wording of this policy, and stress it is wholly ineffective and unsound. One new primary school is ‘up to five new primary schools’. One may even argue no new primary schools is ‘up to five new primary schools.’ We must demand in the strongest possible terms this is changed. While a simple range of say 3-5 new primaries schools would suffice, we would recommend a policy integrally tied to phasing, such as ‘one new primary school for every 1500 new dwellings’. Preferably with the clause no more than this number of dwellings can be occupied until the relevant primary school is complete and functional.

“At least five new 56 place stand-alone early years and childcare facilities” While we support this policy, we must point out its contrast to the above primary school point. At least is a far more positive and effective planning policy approach, and we would encourage the provision stating a requisite number of places be extended as a clause within the policy for primary and secondary schools to guarantee sufficient capacity.

“One secondary school on at least 12.4ha of suitable land, or two secondary schools each on 7.9ha of suitable land allocated for education use.” – We fully support a secondary school at the earliest opportunity, but would stress we believe a single secondary school to be far more efficient and suitable for the current proposal. However we share the same concerns regarding secondary education as for primary, and would suggest the potential to phase the delivery of such secondary education is even more challenging given scale.

Perhaps the most important policy point would seem to be: “Each of the Neighbourhoods must include at least one co-located primary school with early years and childcare facility and provision for stand-alone early years and childcare facility.”. We accept in theory this would provide at least three primary schools if all neighbourhoods are to be completed. However we find the lack of detail and

conditions unacceptable. There is no requirement for the primary schools to be operational in any given timeframe, or more importantly before occupancy of the relevant neighbourhood.

Part E: Health

We do not believe a singular health hub to be in line with the 20 minute neighbourhood principle (especially for those with mobility impairments, be it temporary or long term) and would encourage “to be provided in the early phases of development (potentially via a phased approach to delivery)” Is poor wording and inconclusive, we would suggest for this policy to be effective more definite and detailed phasing must be included.

With local GP provision stretched to breaking point we must also demand additional capacity be included to lessen the pressure on local point of contact healthcare, and stress policy needs to be more effective in ensuring no occupation occurs before a level of healthcare is provided to prevent further pressure on services that are already near breaking point. If there is no emphasis on increasing healthcare provision above demand so as to reduce pressure on already over burdened local services we do not consider this policy to be positively prepared.

We are also concerned the plan making does not include provision for other essential healthcare services such as dentists or pharmacies. Assuming corporate interests will suffice to provide these additional necessities is not effective and does not constitute positive planning.

Part F: Stewardship

We are concerned about the general and disorganised approach to stewardship that we believe should be far more robust at this early stage to form a positive planning approach, such that the same body is present to progress schemes from inception to fruition and provide seamless governance of the emerging settlement.

The lack of such governance and unclear future of stewardship in the near to mid term is uniquely problematic for Elmstead, and a considerable source of concern for the parish council as a body. Much of the garden community is within our parish and until boundaries are officially changed remains to some extent our responsibility, the residents within the area a valued part of our community and we feel dutybound to continue to represent them to the best of our ability. Therefore we must demand a clear strategy is formed as part of this policy to establish the procedure, timescale, mechanism and final goal of stewardship and local governance for the garden community.

There is even greater uncertainty beyond this however, as the area spans two districts, as well as two parliamentary constituencies, which present a clear threat to its unity, and severely complicates the provision for some public services. Disputes that normally rest in local governments hands are likely to occur, at which time it is unclear who's jurisdiction such matters should be handled by.

We can only stress the importance of a proactive and conclusive policy to resolve these issues, as the current indecisive suggestion is clearly unsound and unfit for purpose, being blatantly ineffective as it is a vital decision deferred indefinitely with not even a potential solution offered, never mind viable alternatives considered.

Part G: Planning Application Requirements

It is wrong to be reliant on developers to propose phasing. A positive planning approach must take the lead and establish a strong framework of phasing.

Depending on assessments for each proposal to manage healthcare provision is inefficient and can lead to inequality and poor supply.

GC Policy 7: Movement and Connections

While we accept the DPD is focussed on the area of search defined for the garden community, we feel it is important when considering transport policies to recognise journeys from and to the garden community must pass through local areas. Here we feel the plan is ineffective, as while efficient solutions are proposed for within the GC's borders, we can foresee a number of issues in surrounding transport infrastructure. For example the link road junction with the A133 has two main points of access – from Clingo Hill, which is being augmented as part of the RTS proposals, and from and through the village of Elmstead, where the otherwise dual carriage A133 becomes a single lane road through the village core. This road in its current state is not capable of conveying the significant number of additional cars the garden community will bring to the area on a daily basis, yet no improvements are proposed as part of the DPD, despite the evident complications that congestion through the village can already block an area of road up to the site of the proposed link road junction, and could therefore gridlock further back along the link road and into the garden community's road network itself. Road improvements on surrounding roads need to be part of the garden community proposal for this policy to be effective.

Principles

We would like to stress the importance of a positive planning approach where sustainable transport methods are encouraged not by making the use of cars more difficult, but by making the alternatives easier.

“The streets will be for play and enjoyment first” – We would suggest the streets primary purpose must remain travel, albeit one would hope by means other than road vehicles. This is ultimately a policy to enable efficient movement.

“A new Rapid Transit network will link the Garden Community to the wider area” – We can only reiterate our concerns that the GC as a whole has strong direct connections to Colchester, but far fewer links to Tendring.

“The Garden Community will have excellent strategic connections to Colchester, Tendring and beyond” – again, in principle, but not in policy. Barring a few existing public rights of way that must be made less efficient by the area's development, the only effective access to the majority of Tendring is by car. Public transport is only possible by entering Colchester to then leave again – far from efficient travel.

Illustrative Plan

We were always led to believe and reassured that the neighbourhoods of the garden community would be accessed by the two roundabouts along the length of the link road, with the southern junction being a roundabout on the A133 to provide access only to the link road, therefore having three exits. We understood an additional small exit was placed as part of the planning permission for the link road to the North West as construction access. The indication on the illustrative plan, albeit unmentioned in the policy is that this single 7 metre wide road is to access as the primary highway

entrance (and presumably exit) to the entire south neighbourhood, which is by previous policies admission the most dense and populous of the three neighbourhoods. There is no evidence to support this approach over the previous alternative, making it impossible to justify and therefore unsound. Adding another lane, and substantially more traffic to this already bottlenecked junction is not only detrimental to efficient travel of all vehicles using the road, but more exits by their very nature make roundabouts more complex and therefore dangerous.

Yet additional concerns are drawn from the indication a further 5th exit may be added to this roundabout to the south. We have no other information on this additional road which seems to provide access to the sport and leisure park, but would strongly question not only the additional complications of yet another roundabout exit and the above impacts, but also the unexplained reasoning behind why an additional main roadway would be located through the heart of a new strategic green gap, significantly harming this natural spaces purpose.

We would also point out the 'key on street connection' that extends from a third of the way up the link road, South East to connect to the A133 will be severed and become a dead end once the link road is complete. A road that goes to and from nowhere can hardly be called a key connection, except for the less than 10 houses and business premises on that length of road.

The illustrative plan goes on to show an additional 'key on street connection' extending southwards from this point on the A133, giving the impression of a crossroad, the southern highway of which extends to the B1027. There is no such road there. There is an offset private driveway leading around 300m to two rural residences and a farmyard. The rest of the 'key on street connection' is roughly aligned with a private farm track.

Likewise another 'key on street connection' runs through Elmstead market, south to north, this being church road, a small country lane which for much of its length is so narrow two cars cannot pass each other. It leads to Elmstead church – located to the east where the 'key on street connection' dog legs west before running further north. Unfortunately after this dog leg where it meets a farmyard it is again a minor farm track, and in no way a 'key on street connection'.

There are other irregularities and misinterpretations across the illustrative plan which does have to make one question what, if any local knowledge or first hand experience of the area the creator has.

Overall it is quite misleading, being not only a poor representation of the existing features of the area, but a concerningly illogical display of evidence for which policies are presumably being produced from.

For a further example we would point to the segregated utility cycle routes path into the A120 business park. This shape is bizarre, seemingly a misinterpretation of an existing public footpaths route around some farm buildings.

Furthermore we are concerned at the number of potential pedestrian crossings over the A133, and lack of policy managing these. An effective planning approach would be to propose only one of these be established to prevent unnecessary disruption to traffic flow, although we would suggest for such an approach to be justified the options for an over or underpass to prevent slowing traffic that may include the RTS and other public transport solutions from the GC is also strongly considered.

GC Policy 7. Movement and Connections

Overall we do not feel the current proposal is prepared in a positive fashion, as it fails to take into consideration the detriment the development will bring to existing communities method of

transport. The average journey time for residents of Elmstead to make essential daily travel such as to school or places or work can only be impeded, and in some cases substantially lengthened by the DPD proposals.

Part A: Vision and Design Approach

“Achieve filtered permeability for general vehicular traffic between neighbourhoods.” – We believe this statement requires additional clarification as to the purpose and means of this policy and what the filtering is meant to achieve.

The modal share targets included are lacking in drive, confidence and aspiration, likely displaying a natural trend that will occur without significant contribution over the coming decades due to changing transport habits. We feel these goals should be more aspirational given the vast amount of resources dedicated to the RTS, and significant compromises to other priorities in favour of walkable neighbourhoods. If the final goal remains that well over a third (38%) of all journeys are by private vehicle this will represent a garden community that is still far from pedestrianised, with so many people in such a small dense area deterring further sustainable travel and putting vast pressure on already strained roads in the surrounding area.

“The public realm around key destinations and trip attractors within the Garden Community such as centres, mobility hubs, early years and childcare facilities, schools and leisure facilities will be designed so that pedestrians and cyclists have clear priority at most times”. This is another example of poor language, giving no indication of what times these are. Most simply conveys a majority of the time, meaning for hours each day – such as morning rush hour, school leaving times and evening rush hours, when pedestrian priority is most important, these vital routes are instead favourable to road traffic, and so very effectively dissuading people from sustainable transport.

Part B: Active and Healthy Travel

“How the design and layout is accessible, illustrating where safe, direct connections are being made both within the Garden Community” – We would like to draw attention to the segregated cycle utility routes bizarre path in the north east of the garden community and ask in what way this is direct?

“How the design of the street and public realm limits and manages vehicle speeds and street parking.” We are concerned with so much emphasis being put on preventing problem parking within the GC boundaries, this could force people to park in inconsiderate and dangerous fashion on less well managed roads directly adjacent to the garden community.

Part C: Public Transport

“Ensuring public transport is a convenient way of moving within the Garden Community” We would question how convenient public transport will be within the garden community if forced to take conventional traffic routes into and out of neighbourhoods, putting pressure on the link road while significantly increasing the journey time and distance (and therefore energy requirements) of such public transport.

“Ensuring that there is a convenient and high frequency bus service operating that is aligned with the first phase of the Garden Community which will need to be appropriately funded by the developer” For the sake of future confusion we would suggest greater distinction needs to be made in policy between the RTS and other bus operators.

“Where there are on-street bus routes away from the RTS corridor, proposals will need to consider how buses will be given priority over general traffic through traffic management measures such as

bus gates, bus lanes and bus only roads, as agreed with the Highway Authority.” If normal busses are receiving priority over other traffic, we need to ask what the difference is between the rapid transport, and a prioritised bus?

Part D: Rapid Transit System (RTS)

We welcome the adjustment since prior consultations to move the RTS onto its own central roadway instead of running along the link road. However we would point out that we may have had additional input at earlier stages of plan making if this had been the proposal through previous consultations.

We have significant concerns regarding the wider connectivity and effectiveness of the RTS outside of the garden community area, where it must rely on already congested roads. Sadly this is outside the scope of the DPD but we must stress that a transport network is only as strong as its weakest link. The RTS may function perfectly within the GC, but at bottlenecks such as greenstead road roundabout – the first major obstacle on the path into Colchester, anything but perfect operation will slow the entire network.

Part E: Taxis – Electric Vehicle charging ranks

“Any taxi ranks located at sites such as the Neighbourhood Centres or Park and Choose sites must have access to rapid electric vehicle charging points or similar technology installed adjacent to the rank.” While this is only prudent and we support such a policy in principle, we would stress the nature of electric car charging brings further pressure onto the land use and associated density problems mentioned previously.

Part F: Park and Choose

We maintain a single park and choose – that lacks direct access to the A120 is an ineffective policy, and poorly supported by evidence.

Part G: Parking

“The Councils may consider alternative solutions where a proportion of parking is located off-plot.” We are concerned this may simply move and defer parking problems to a later date, by which time best solutions may be impractical.

We are also concerned there is no intended provision for HGV parking as is necessary for breaks or overnight stops, which can lead to such vehicles parking inappropriately elsewhere.

Part I: A120-A133 Link Road Connectivity

As previously stated, we have always been promised that the Garden communities neighbourhoods would not have direct road access to the A133. We are willing to concede the rerouting of the RTS in the changes since the last consultation, but must strongly object to the indication of a direct junction to the A133 via an additional exit of the new link road roundabout. The link road was granted planning permission on the condition all access to the garden community for normal traffic was via the two additional roundabouts along its length, as is necessitated to maintain an orderly and consistent flow of traffic and best deal with peak traffic volumes.

“The Garden Community must restrict vehicular connectivity, except for public transport and emergency vehicles, between the ‘Link Road’ and Bromley Road” While we understand and support the reasoning behind this, we must bring attention to the existing residents of Bromley road, many of whom have strong community links to Elmstead and its residents. Once the link road and garden communities severs tye road and its attached network of lanes, travelling between Bromley road and

Elmstead, such as for children who travel daily to Elmstead primary school will require long detours, and more than double such journey times.

“promote walking, cycling and horse-riding connectivity throughout the site” – We are willing to concede that as admirable as maintaining previous horse accessible routes through the area is, it is not a high priority and concessions should be made towards more common transport methods in the planning process.

Justification

“The core principles of the walkable 20-minute neighbourhood are: Every neighbourhood has access to essential services and retail – with emphasis on fresh food and healthcare – within a 20-minute walk or cycle.” – A single healthcare hub cannot be accessible in this way to the entirety of the GC development.

“High environmental quality, availability of green spaces and clean air” We would like to emphasise evidence gathered for the link road planning application that has not been included in the garden community evidence base that states the link road alone will lead to a high to severe impact on breathable air quality in Elmstead (and therefore the area of the garden community itself) over the next 30 years. By enabling the development in this way the link road has already harmed GC principles, with its real effects immeasurable until it is operational.

“A Rapid Transit System (RTS) will be in place to connect the Garden Community with the University of Essex, Colchester City Centre, Colchester Railway Stations, Colchester Hospital, Community Stadium, Colchester Sports Park and the existing Park and Ride site in north Colchester.” we would refer this statement to our belief the GC planning thus far has been biased to Colchester's benefit.

GC Policy 8: Sustainable Infrastructure

Illustrative Plan

We'd question the intention of this plan, and justification behind its indications, as most are not explained in policy or based in evidence contained as part of the DPDs base.

Part A: Net Zero Carbon

“Proposals must demonstrate how new homes will achieve:

Space heating demand less than 30kWh/m²/per annum.

Total energy consumption (energy use intensity) of less than 40kWh/m²/annum.

Onsite renewable generation to match or exceed the total energy consumption (energy use intensity)

For such aspirations to be effective we must suggest that not only is the theoretical demands of proposals demonstrated, but a process of assessment be established to confirm such homes maintain these standards over a given period of time once constructed.

We are also concerned there are no similar policies relating to buildings which are not homes, such as schools and business properties.

“Where the use of onsite renewables to match total energy consumption (energy use intensity) is demonstrated to be not technical feasible or economically viable onsite” – We refer to our concerns regarding ineffective language, as the moment developments economic viability can be questioned, this clause could be exploited to avoid the relevant policies altogether.

Part B: Design and Construction

“The Councils expect all applicable buildings to meet BREEAM ‘Excellent’ or ‘Outstanding’ and encourage Passivhaus or similar certification for residential buildings.” Passivhaus standards are easily achievable with today's solutions, and best applied to precisely this kind of development. ‘Encouraging’ is yet another example of indecisive language that means the policy is ineffective, and we would ask Passivhaus certification is made compulsory.

Part C: Renewable Energy

“Solar photovoltaic (PV) and either, air or ground source heat pumps should be installed on every building where feasible” – This would be an excellent policy, if it is not for the addition of ‘where feasible’. By definition feasible means ‘possible to do easily or conveniently’. So if such energy devices are merely deemed inconvenient there is no policy requirement for their use. The policy requires stronger wording and a if necessary defined conditions, before it can be considered effective.

Part D: Water Conservation and Wastewater

“Proposals should submit a water efficiency calculator report to demonstrate compliance” – another clear case of poor wording. ‘Proposals shall submit a water efficiency calculator report to demonstrate compliance’ would constitute effective policy making.

Justification

“In 2018, the Intergovernmental Panel on Climate Change (IPCC) published a report which advised that we must limit global warming to 1.5°C, as opposed to the previous target of 2°C” We are concerned that this data is being used as the foundation of the justification for these policies. The IPCC 1.5C target is currently expected to be reached, and immediately broken in 2027, after which time one could argue this no longer becomes a valid justification as the policies goal is objectively impossible.

GC Policy 9: Infrastructure Delivery, Impact Mitigation and Monitoring

“Proposals must demonstrate that the required infrastructure to support the development will be delivered in a timely and, where appropriate, phased manner.” We would suggest for this policy to be most effective timely requires clarification, as the development period of the Garden Community as a whole being measured in decades leaves a considerable degree of ambiguity as what may be considered timely delivery.

Part A: Infrastructure Delivery Mechanism

“Where a proposal requires additional infrastructure capacity, to be deemed acceptable, mitigation measures must be agreed with the Councils and the appropriate infrastructure provider. Such measures may include (not exclusively): ... Off-site capacity improvement works.” While we welcome the principle that a mechanism is in place to enable augmentation of sites such as local hospitals, we

must also note this policy enables the concerning rumours we have heard regarding temporary school classrooms, and could provide a basis for other such compromises of infrastructure first principles.

Conclusion

We would like to thank everyone who played a part in compiling the DPD, and understand there is many competing pressures on time, resources and priorities for the development.

Unfortunately we believe the current proposals simply carry too great a cost, and bring so much harm to our community in a number of ways we must ask for a number of significant changes that can only be achieved through improved community consultation and a revision of the DPD.

We remain dedicated to doing all we can to ensure the best outcome for the community we are elected to represent and would welcome any future involvement in ensuring a more positive approach to future planning.