

Nayland with Wissington Conservation Society

Registered Charity 268104

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Ms Sue Jackson,
Principal Planning Officer
Environmental and Protective Services
Colchester Borough Council
PO Box 889
Rowan House,
Sheepen Road,
Colchester

16th February 2013

Dear Ms Jackson,

Application No. 120965 The Stour Valley visitor centre at Horkesley Park

The Society is most surprised that, at such a late stage, and indeed after (a) the date for submissions by interested parties has elapsed and (b) the proposed date for publication of the Council's officer's report, a further supplemental report by Britton McGrath Associates (BMA) has been lodged. This report is dated the 12th February (BMA5), and appeared on the Council's website late on the 15th February. The Council's officer's report was due to be published on the 14th February but has been delayed.

The Council has appointed three consultants to prepare **independent** reports. All three consultants have declared their opposition to this application. However BMA have been called upon to prepare supplemental reports. Each supplemental report has edged towards support of the applicants position. BMA have apparently held a number of meetings with the applicants and representatives of Colchester Borough Council, and in BMA5 paragraph 7 they state (inter alia) "What we have demonstrated, however, in collaboration with Bunting and Sons, is that it is possible to create a viable and sustainable business at this level". The conclusion to be drawn from this statement is that **BMA can no longer be regarded as behaving in an independent capacity** and in the circumstances we would submit their latest report should be disregarded.

Notwithstanding our grave doubts concerning the independent nature of report BMA5 we nevertheless have the following additional comments thereon: -

The Chinese Garden

1 This concept appears to have been developed in the course of discussions between Hector and Kate Bunting and BMA. No detailed plan relating to it accompanied the

applicant's original submission. The capital cost was not shown in the capital development budget, as the funding is dependent upon an unnamed Chinese source, with which "Bunting and Sons are in advanced discussions". By any interpretation this implies that the applicant does not yet have the resources to fund this key area of the development. What happens if permission is granted and the funding is not available? Is it right and proper to take a risk in granting permission in these circumstances when a key area of the potential viability of the business is based on such uncertain foundations?

2 All the gardens mentioned in BMA3 have taken many years to develop before reaching the stage where they attract significant numbers of visitors. No account has been taken of the likely lead-time before the garden is sufficiently established. We suggest the Planning Committee consider the gardens to which comparison has been made. Wrest Park is a 90-acre historic landscape with associated French style mansion owned by English Heritage. Biddulph Grange is a Victorian garden of significant size and featuring, an Italian garden; a rose garden; an Egyptian garden, a dahlia walk in addition to the Chinese garden. The National Trust owns it. Beth Chatto's garden has been in existence since 1960 and is properly described as a regional garden having regard to the prevailing soil conditions and dry climate in Essex. Hyde Hall has been in existence since the 1950's and is now owned by the Royal Horticultural Society. Can the applicant's instant Chinese Garden match the status and history of any of these comparisons and become overnight such a significant draw?

The Constable Experience –

1 The applicants have not provided any evidence that authentic paintings by John Constable will be present on the site. The Planning Committee will be aware of a number of submissions (refer email Georgina Harding 9th February 2012), which have established that there is little likelihood that any such works will be made available to the applicants.

2 BMA state in BMA5 "of the three key drivers identified here, we would argue that currently, Horkesley Park's Constable Country offer is the least well defined.....we believe in its current form, it is not gettable enough for people". **The applicants have had almost twelve years to develop this application and still they are unable to present a defined and accurate proposal of how they intend to deliver their view of the Constable Experience.**

Accordingly it is submitted that this key part of the applicant's case must be disregarded in reaching a decision on the application.

The Suffolk Punches –

1 BMA state "Based on likely visitor numbers we are not convinced that Horkesley Park would draw significant numbers of visitors from outside of the region".

2 It is interesting that the only key driver, which the applicant already possesses, and is not dependent upon external factors over which the applicant has no control, is the weakest link in the proposal. **The Suffolk Punches are the only key feature that the planning committee can rely upon when deciding this application, a key feature that is regarded as weak by BMA.**

Income –

1 BMA states at 5.1 of BMA5 “the lead adult entry price for Horkesley Park puts it at the expensive end of its basket of comparators at every level”.

2 BMA in referring to the applicant’s forecasts for average retail spend and catering spend states at 5.2 of BMA5 “Benchmarking information gathered as part of this study leads us to suggest that both of these forecasts are ambitious and also far in excess of the averages achieved by the top visitor attractions in the industry”.

Business Plan Sensitivities

1 In view of the significant redaction of much of this part of the report it is not possible to review the financial analysis and conclusions of BMA on the viability of this scheme upon the basis of reduced visitor numbers. **We consider this process to be a significant breach of the duty to the public on the part of the Council’s planning officers and a failure on their part to permit a fair and open discussion of the merits of this application.**

2 However we note that BMA still qualify their belief that Horkesley Park has the potential to become a quality attraction (and by implication this must relate also to its viability) by including the following provisos: -

- (a) the investment in the Chinese Garden is forthcoming to the levels indicated – and we submit there is no conclusive evidence that this is forthcoming
- (b) the Constable Country offer is further developed and defined and includes the exhibition of a number of authentic Constable paintings – and we submit you have only seen evidence that no such paintings will be made available

3 We also note that BMA recommend independent market research among potential consumers, to be conducted at a point before it is too late to change in response. Surely such market research should have been carried out before the Planning Committee is asked to consider the grant of this application.

In all the circumstances we urge the Planning Committee to treat this latest report with the utmost caution. The independence of the consultant, by their own admission, has been compromised and there still remain too many uncertainties to accept the viability of the business to be conducted from this site if permission is granted.

Yours sincerely,

John Alexander
Chairman

cc. SPS, PCC, DVS, District Councillor, Borough Councillors