



Newsletter January 2011: Recent Documents

Three important documents have recently come into the Public Domain concerning Horkesley Park. These are:

Update on comments on Horkesley Park (application 090231) from Strategic Policy and Regeneration (SP&R). *Document is undated but appeared on the CBC web site on January 21st 2011.*

Savell Bird & Axon, Horkesley Park Planning Application Review. *Dated November 2010. Appeared on web site on January 21st 2011.*

Natural England letter to CBC dated 17th January 2011.

Some comments on each of these are as follows:

1 Strategic Policy and Regeneration (SP&R) report:

Strategic Policy and Regeneration Department is a department of Colchester Borough Council concerned with Planning Policy and consideration of major Applications against Planning Policy at National, Regional and Local levels. They have responded before in April 2009 and July 2009 as the Spatial Policy team. Their report in July 2009 ultimately resulted in CBC appointing Nathaniel Lichfield and Partners to provide a detailed analysis of the potential retail impacts of the proposal, including its impact in policy terms. CBC also appointed Savell, Bird and Axon to provide a detailed analysis of transport policy issues.

The latest report from SP&R is an up-date of the July 2009 report and takes into account the Nathaniel Lichfield report and the Savell Bird and Axon report as well as changes in national, regional and local policy arising from the publication of PPS4 in December 2009, the change in Government and subsequent changes to the status of regional strategies; and the adoption of Colchester Development Plan Policies in October 2010. It also takes into account the response from Mr Gittins , as the planning consultant for Bunting & Sons, to the Nathaniel Lichfield report.

The Report retains much of the July 2009 report and is a complex document that should be read in full from the CBC web site. Our reading of its conclusions is that it rejects many of the assertions from Mr Gittins. More importantly, it concludes that the Horkesley Park proposal does not meet the very stringent requirements for a large development in open countryside, partially within and adjacent to an AONB, as covered by National and Local policies. To the extent that Regional Policies have not yet actually been revoked, it is also considered to be in conflict with these.

The report appears to be very unhelpful to Bunting and Sons.

2 Savell Bird and Axon Report:

Savell Bird and Axon were appointed by CBC to consider the Horkesley Park Application in the context of matters relating to transportation planning policy, access and access by non-car modes. It takes into account the Nathaniel Lichfield report and responses from the Highways Agency, Suffolk and Essex County Councils.

The report needs to be read in full and is available on the CBC web site. In its final Conclusion it states in paragraph 5.2.1

“ The proposed development does not support the aims of National or Local Policy.”

The rationale for this conclusion is given in the Report.

In the Summary of findings it makes a number of points including the view that the development will primarily be accessed by private car and that the assumptions of 14% access by coach services are overstated and do not accord with evidence from other locations and surveys. It also makes the point that the requirements for free public transport imposed by the Essex County Council report could cost Buntings up to £500,000 per annum. Many of these services would have to be provided in perpetuity. *(There is no evidence that this has been costed into the Business Plan and would impact directly on the ‘bottom line’ of an already fragile plan in our view).*

The Report is not helpful to Buntings.

3. Natural England letter to CBC dated 17th January 2011.

The Natural England Letter is a supplement to their original Letter of 22 April 2009. The letter is not yet on the CBC web site. In their letter they refer to Local Policy DP22 which sets out the policy relating to the AONB. They then say that:

“Following receipt of further information Natural England believes it may be possible to design appropriate mitigation into the proposal to sufficiently ensure that there would no adverse effects on the features of interest for which the Dedham Vale AONB is designated. However until it can be demonstrated that the proposed mitigation measures can be formalised and secured as planning conditions we sustain our objection of 22nd April 2009.”

They then set out all the reasons for their views which need to be read in detail. Two of these are of particular interest:

- 1 They make the strong point that they are disappointed that the Transport Assessment has not been revised to include an investigation of impacts upon the AONB and specifically the narrow lanes, rather than solely the impacts on highways capacity i.e. ‘A’ roads as is currently the case. They express concern that the proposal will result in increased use of the ‘sunken rural lanes’ roads around the development site i.e. Bosted Church Road, Park Road, Water Lane etc, which are within the AONB and often represent the most direct routes between the proposed Heritage Centre and other attractions in the area. They would want to see the impact on these roads assessed in the Transport Assessment.

2 They state that nearly two years have passed since previous consultation on the application. As a result, they consider the protected species surveys within the EIA to be out of date and they recommend that re-surveys are provide **prior to determination** of the application. They are concerned in particular about the Great Crested Newts survey which was only just in date when the application was submitted in 2009. It appears that someone has indicated that that there may be a population adjacent to the proposed site.

4 Other matters:

There is no indication yet of a date for the Council hearing. We are in regular touch with the Planning Office and will advise you as soon as we have more definite information. We will need all the help and support we can get when this does come up.

Will Pavry

January 27th 2011