



Your Ref: Ardleigh Neighbourhood Plan Reg 14
Our Ref: Ardleigh NPlan Reg 14

Dr Shamsul Hoque
National Highways
Operations - East
Woodlands
Manton Lane
Bedford MK41 7LW

Ardleigh Parish Council
PO Box 12685
Colchester CO7 7EZ

Date: 23 September 2022

Sent via email: ardleighnp@gmail.com

Dear Sir/Madam,

**Ardleigh Parish Council Neighbourhood Plan
Pre-submission Consultation (Regulation 14)**

Thank you for your correspondence, dated 10 August 2022, for inviting National Highways' comments on the subject mentioned above. After completion of our review of the supporting documents, now sending my comments below:

National Highways is responsible for the operation, maintenance, and improvement of the Strategic Road Network (SRN) in England on behalf of the Secretary of the State. In the proposed Ardleigh Neighbourhood Plan for the period between 2020 and 2033, the land is located within the Tendring District Council.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system and as a statutory consultee, we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

With respect to the adopted Section 1 of the Local Plan, the proposed new Tendring/Colchester Borders Garden Community (TCBGC) is to be sited on the Tendring and Colchester border, extending into the southernmost portion of Ardleigh

Parish. It is expected that this Tendring/Colchester Borders Garden Community will deliver a very substantial number (for example, *2000 total homes up to 2033 and a further 5500 homes post 2033*) of new homes throughout and beyond the current plan period; (para 11.11).

Tendring District Council Policy CP2 Transport Network stated that to serve this Tendring/Colchester Borders Garden Community (TCBGC), a new strategic link road between the A120 and A133 and a Rapid Transit System will be required. A planning permission for this new strategic A120/A133 link road was granted by Essex County Council in November 2021. This is part of a packaged bid including funding for the provision of a Bus Rapid Transit (BRT) scheme which will be essential if a severe impact from the development is to be avoided on the highway network.

Therefore, such as the 'Policy TP – Transport and Parking' which identifies opportunities for any traffic mitigation measures and public realm improvements, including road junctions' improvement and implementation of sustainable transport measures, and traffic calming measures will be acceptable in principle.

We welcome any initiative which leads to introduce of walking, cycling, and any other sustainable scope of travel, following the Policy CP1 and traffic mitigation in line with the policy intended to enhance the active travel environment where appropriate.

National Highways offers No Objection to this Neighbourhood Plan.

If you require any clarification on the points raised, please let me know at PlanningEE@nationalhighways.co.uk

Yours faithfully

S. H.

Dr Shamsul Hoque
Assistant Spatial Planner
PlanningEE@nationalhighways.co.uk

Ardleigh Parish Council
PO Box 12865
Colchester
CO7 7EZ

FAO: Rachel Fletcher, Parish Clerk

Sent via email: ardleighnp@gmail.com

Date: 23 September 2022
Our ref: 62189/01/PR/CW/25801416v4
Your ref:

Dear Sir/Madam,

Ardleigh Neighbourhood Plan Regulation 14 Consultation – September 2022

We write on behalf of our client, Latimer (Tendring Colchester Borders Garden Community “TCBGC”) Developments Limited, hereon in referred to as ‘Latimer’, in response to the above consultation. Latimer and its team welcome the opportunity to engage with Ardleigh Parish Council on its emerging Neighbourhood Plan (NP) and would welcome a meeting over the coming weeks to introduce ourselves and discuss how we can best work together to create a 21st-century garden community.

This letter provides Latimer’s response to the Regulation 14 version of the Ardleigh NP dated August 2022, organised under relevant headings.

Introduction and context

Latimer, partnering with Mersea Homes, is the master developer bringing forward the TCBGC and controls most of the land allocated for the new garden community. This is the largest strategic allocation in the North Essex Authorities’ Shared Strategic Section 1 Plan (hereon in referred to as the Section 1 Plan). Adopted Policy SP 8 and SP 9 of the Section 1 Plan allocates the area for between 7,000 and 9,000 new homes, 25 hectares of employment land, university land, community, leisure, retail and other associated uses. Policy SP 8 sets the Broad Location for the garden community and requires a Development Plan Document (DPD) to be prepared, including policies setting out how the new community will be designed, developed, and delivered. It is an important, strategic allocation for both Tendering and Colchester Councils to enable them to accommodate their required and planned growth. Failure to do so will result in unplanned, speculative developments which is not in the interests of either local planning authority or the Parish Councils.

We note that the northwest corner of the garden community lies within the Ardleigh Draft Neighbourhood Plan (NP) Area.

The Councils are currently preparing this DPD, with its Regulation 19 consultation scheduled for end 2022/early 2023. To inform the DPD, the Councils are

preparing a strategic masterplan for the garden community, which will be consulted upon alongside the DPD.

The Neighbourhood Plan Regulations (2012) require that NPs meet a number of basic conditions, which importantly includes a requirement to be in general conformity with strategic policies. Latimer is keen to emphasise to the Parish Council that the emerging and draft Ardleigh NP must conform with the adopted and examined Section 1 Plan, including Policy SP 8 and SP 9. It must not (and cannot) prejudice the delivery of this important strategic allocation and the ability of this garden community to deliver between 7,000 – 9,000 homes.

Paragraph 4.6 of the draft NP explains that the Parish Council intends to work closely and proactively with the Councils to progress the design and development of the garden community, which we fully support. It goes on to explain that the delivery of homes within the TCBGC will not take place until the NP period has expired (up to 2033), which is incorrect. The delivery of homes is currently scheduled to commence as early as 2025/2026 within the garden community allocation.

It is important therefore that policies in the emerging draft NP do not attempt to undermine the delivery of the garden community. To minimise this risk, and the risk of draft NP being rejected at examination stage, we would strongly encourage the Parish Council to progress its draft NP alongside the Councils emerging DPD, with a view to creating a complementary plan, rather than advancing it prior to adoption of the DPD.

We fully appreciate and understand that a new garden community of 7,500+ homes and all associated infrastructure and supporting uses will represent a significant change to the area. However, the area has been allocated in the Section 1 Plan and the Councils consider this is best way to accommodate growth and the increasing demand for new homes.

Latimer, in partnership with Mersea Homes, are wholly dedicated to delivering an exemplary new garden community over the coming decades. This change can therefore be seen as a positive and planned, and over the next 18+ months we look forward to positive engagement on shaping the detail of these proposals.

Response to emerging policies

Within this section we provide our response to specific policies under relevant headings.

Regarding Crockleford Heath, we understand the desires of some people within the community for no development to occur in its vicinity. However, this is in direct conflict with the strategic allocation in the Section 1 Plan, which anticipates Crockleford Heath forming part of the garden community and as such, change and appropriate development is anticipated. It is Latimer's aspiration that its proposals respect, enhance and reinforce the character of the existing area and strengthen the existing community in Crockleford Heath, and we look forward to ongoing discussions over the coming years as proposals are worked up.

Policy GDP: General Approach to Development

Latimer welcomes confirmation at paragraph 9.8 in that the NP does not seek to prevent or discourage any development that is permitted by the Local Plan (i.e. including the TCBGC), however, this is not reflected in the wording of Policy GDP, which does seek to restrict development outside of the settlement boundary. Such policy wording would limit the extent of developable land within the allocated garden community, which would undermine the ability for the allocated garden community to deliver between 7,000 and 9,000 homes. To avoid conflict with the Section 1 Plan, policy should only relate to land both outside of the settlement boundary and outside of the Broad Location for the TCBGC already allocated in the Section 1 Plan.

Policy CFP: Community Facilities

Latimer generally supports the aims of this policy. In relation to criterion 4, relating to proposals resulting in a net addition of housing being required to provide evidence that there is sufficient GP and/or primary school capacity, Latimer confirms that proposals within the garden community will ensure sufficient health, education and other community provision is provided to meet the needs of the new community. This will be a requirement of the DPD in any event and something Latimer is seeking to ensure from the outset to create a successful and thriving place.

Policy HP: Housing

Latimer objects to criterion 1, which conflicts with Section 1 Plan, Policy SP 8 and SP 9. To remedy this, this aspect of the policy should only relate to land both outside of the settlement boundary and outside of the Broad Location for the TCBGC. Latimer additionally object to criterion 3 as the housing mix for the garden community will be informed by the DPD and subsequent planning applications. Latimer is committed to delivering 30% affordable housing provision across the garden community, as required by the adopted Section 1 Plan.

Policy EP: Natural, Built & Historic Environment

We object to the inclusion of the TCBGC within this policy and respectfully request that it is specifically excluded from this policy as it directly conflicts with the Section 1 Plan, particularly as all related matters will be addressed within the DPD. Furthermore, detailed design codes will be developed by Latimer in consultation with the Councils, community and other stakeholders to inform future planning applications, all set within the framework of the Councils emerging DPD. Notwithstanding, having reviewed the Village Design Statement (VDS), there are many which are not appropriate for the TCBGC.

In relation to the natural environment, Latimer's intention is to protect and incorporate Public Rights of Ways, hedgerows and mature trees and ancient woodland where practical and appropriate to help integrate the new garden community with the existing area. We look forward to discussing this and other aspects of our proposals in due course.

Policy LGP: Local Green Spaces

As above, the TCBGC should be excluded from this policy as it directly conflicts with the Section 1 Plan and in any event these aspects will be addressed within the DPD and associated strategic masterplan.

Policy TP: Transport & Parking

Transport and parking are important considerations; however, the Councils may wish to adopt a bespoke approach within the TCBGC to minimise car travel and encourage a modal shift towards more sustainable travel patterns. This will be embedded within the ethos of the new garden community. We therefore object to this policy and respectfully request that the TCBGC is excluded to allow these important matters to be given due consideration as part of the DPD and development management process.

Conclusion

Latimer welcomes the opportunity to engage with Ardleigh Parish Council on its emerging Neighbourhood Plan (NP).

Whilst we support some aspects of the emerging NP, we are concerned that other aspects are not in conformity with the Section 1 Plan, namely Policies SP 8 and SP 9, and could prejudice the delivery of this important allocation. We would therefore encourage the Parish Council to advance its NP in parallel with the DPD, with a view to creating a complementary plan. Alternatively, the area covered by the draft NP could be limited to all areas outside of the allocated TCBGC Broad Location to allow the Councils emerging DPD to set the framework for this important strategic site allocation.

We would very much welcome a meeting to introduce ourselves, outline our aspirations, discuss our representations with you and explore how we can best work together to ensure appropriate foundations are laid to allow the creation of a successful, thriving exemplary 21st century garden community that we can all be proud of. We will be in touch shortly to arrange this.

Yours sincerely



Pauline Roberts
Senior Director

Copy Russ Edwards and Luke Cadman – Latimer by Clarion Housing Group
 Gary Guiver and William Fuller – Tendring District Council

Date: 17 August 2022
Our ref: 403582
Your ref: Ardleigh Neighbourhood Plan



Ardleigh Parish Council

BY EMAIL ONLY

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
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T 0300 060 3900

Dear Sir or Madam

Neighbourhood Plan Pre-submission Consultation (Regulation 14)

Thank you for your consultation on the above dated 10 August 2022 which was received by Natural England on 10 August 2022

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on this draft neighbourhood plan.

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours faithfully

Corben Hastings
Consultations Team

Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The [Magic](#)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)³. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)⁴.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty (AONB)**, the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)⁵ website and also from the [LandIS website](#)⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](#)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)⁸ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

¹ <http://magic.defra.gov.uk/>

² <http://www.nbn-nfbr.org.uk/nfbr.php>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

⁴ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

⁵ <http://magic.defra.gov.uk/>

⁶ <http://www.landis.org.uk/index.cfm>

⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807247/NPPF_Feb_2019_revised.pdf

⁸ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 171. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)¹³.

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

¹¹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <http://publications.naturalengland.org.uk/publication/35012>

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#) ¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

¹⁴ <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

Ardleigh Neighbourhood Plan Regulation 14 Consultation Response – Sep 2022

General Comments

There are a number of insert maps within the Neighbourhood Plan (NP), however it would be useful to have an overarching Policy Map which brings these all together.

Tendring Colchester Borders Garden Community

This is a major development which straddles the Ardleigh NP boundary. This will include additional housing stock within the Ardleigh NP boundary and a network of footpaths, cycleways and bridleways to enhance accessibility within the site and to the adjoining areas including Ardleigh. The Ardleigh Neighbourhood plan group are encouraged to engage with the Councils working on the plan for the Garden Community.

For context it would be helpful to see a map identifying where the new Garden Community is to be located and showing where it overlaps with the Ardleigh NP area. It may be beneficial to highlight existing routes between the two communities and also consider potential new routes (especially routes that encourage non-vehicular use such as bridleways/cyclepaths).

Paragraph 4.12

4.12 states that over the plan period, housing growth in Ardleigh is expected to be limited to small-scale “infill” developments of 10 houses or fewer to be located within the defined Settlement Development Boundaries. There is very little opportunity within the defined Settlement Development Boundaries for infill developments so on this basis little to no development will occur.

Paragraph 5.56

It should be noted that part of Spring Valley Lane, a protected lane, falls within the boundary of the Garden Community draft plans.

Policy GDP

Fig 28 Settlement Boundary Map doesn't reflect the current housing within the boundary. Map 2 in Appendix A reflects the current development level much more accurately and should be used as the basis of all similar maps within the NP.

Policy CFP – Community Facilities

4. As stated in the explanatory text, Ardleigh Surgery does not have spare capacity and the school is over capacity and likely to remain in the near future therefore it is likely a financial contribution for all housing applications will be requested.

Policy HP Housing

Ardleigh Neighbourhood Plan Regulation 14 Consultation Response – Sep 2022

4. The creation of ancillary accommodation (such as Granny Annexes) does not count as additional housing stock so should not be contained within the housing policy.

Paragraph 11.11

Conflicts with paragraph 4.6 which states no housing from the Garden Community is expected to be delivered within the Ardleigh NP plan area within the plan period.

Policy TP – Transport and Parking

The key objectives and principles for the Garden Community are to ensure neighbourhoods are walkable, low traffic and liveable, where residents can access most of their daily needs within a 15-20 minute walk or bike ride from their home. The Garden Community will be designed and built in a way that reduces the need to travel, especially by car. With this in mind the Garden Community should not result in increased traffic congestion on existing roads into Ardleigh.

Crockleford Heath and Elmstead Action Group (CEAG)

Comments on Ardleigh Parish Council
Neighbourhood Plan

Pg 11 Section 4.6

Ardleigh Parish Council intends to work closely and proactively with the partner councils to progress the design and development of the Garden Community. This major project is still in its earliest phases and is not anticipated to start delivering new homes in Ardleigh Parish until after the current Local and Neighbourhood Plan period (to 2033) has expired. However, it is important that this Neighbourhood plan makes reference to the Garden Community and aims to meet the requirements of the Garden Community whilst taking note of the views of current residents of the Garden Community area withing Ardleigh Parish Council, and in particular in Crockleford Heath.

Pg 39 Section 5.73

The new link road is likely to improve parishioners' ease of access into the urban centre of Colchester but may also increase pressures for future development. It will be important to ensure that Colchester's urban sprawl remains reasonably well-contained and Ardleigh's rural character is safeguarded. In particular the hamlet of Crockleford Heath, the only community within the Garden Community masterplan, should be considered carefully in relation to any proposed development. [ADD a broad outline of Crockleford Heath to Fig 27]

Pg 65 Section 11.11

Additionally, the Tendring/Colchester Borders Garden Community (part of which is located in Ardleigh) is expected to deliver a very substantial number of new homes throughout and beyond the current plan period²². No matter where these new houses are delivered in Ardleigh, they will have considerable impacts on the Parish's rural character, infrastructure, sense of community and, of course, its overall housing stock. In particular, the hamlet of Crockleford Heath, the only community within the Garden Community, should retain its rural hamlet character, through the Garden Community masterplan stage.

Pg 103 Section 15.8

The Parish Council will also pay close attention to the progress of the Tendring/ Colchester Borders Garden Community. In particular, they will work alongside the partner councils to identify any changes to the Neighbourhood Plan that might be necessary or appropriate in the light of advancements made. In particular, the Parish Council will work to ensure that the rural hamlet of Crockleford Heath, identified in Figure 27, should maintain its rural hamlet character whilst being associated with the developing Garden Community.

23 September 2022

Spatial Planning
Essex County Council
County Hall
Market Road
CM1 1QH

Parish Clerk
Ardleigh Parish Council
PO Box 12865
CO7 7EZ

By email: ardleighnp@gmail.com

Dear Parish Clerk,

**RE: ARDLEIGH NEIGHBOURHOOD PLAN PRE-SUBMISSION CONSULTATION
(REGULATON 14)**

Thank you for consulting Essex County Council (ECC) on the abovementioned Ardleigh Neighbourhood Plan (NP). ECC provides the following response, which reflects ECC's role as the Minerals and Waste Planning Authority, the Highway Authority, the Transportation Authority, the lead authority for education (including early years and childcare), the Lead Local Flood Authority and our responsibility for providing and delivering adult social care (ASC) and public health services.

The ECC response outlines where changes need to be made to ensure ECC can deliver its statutory responsibilities and recommends other changes for your consideration. Although the NP does not make any site allocations, any growth through windfall development will need to be assessed, including infrastructure requirements, any mitigation, and how they will be funded and delivered.

The response reflects the order of the NP.

Essex County Council's Neighbourhood Planning Guide (2019)

This document provides information on the services within ECC that may need to be considered when completing a NP and provides relevant weblinks to policy and guidance. Essex County Council's Neighbourhood Planning Guide can be found [here](#).

1. Planning policy context

ECC as the Minerals and Waste Planning Authority (MWPA) welcome appropriate reference to the [Essex Minerals Local Plan 2014 \(MLP\)](#) and [the Essex and Southend-on-Sea Waste Local Plan 2017 \(WLP\)](#) which together accurately reflect the Development Plan within Tendring District.

Map 1 of this response shows that almost all of the NP area is covered by a Minerals Safeguarding Area (MSA) designation. Proposals for non-mineral development coming forward in land designated as a MSA must demonstrate compliance with Policy S8 of the MLP. Accordingly, the following wording should be an addition to the planning context section.

“Most areas of the Neighbourhood Plan area are within a Mineral Safeguarding Area due to the presence of sand and gravel deposits beneath the ground. These areas are subject to a minerals safeguarding policy (Policy S8 of the Essex Minerals Local Plan), which seeks to prevent deposits being unnecessarily sterilised by non-mineral development. However, the housing allocations contained in the Neighbourhood Plan fall below the site size threshold at which the provisions of Policy S8 are engaged.”

There are currently minerals and waste infrastructure existing, allocated or permitted in the NP area. Detailed information around these sites can be found in Appendix 1 of this response.

Policy S8 of the MLP establishes Mineral Consultation Areas (MCA) at a distance of 250m around permitted, allocated and existing mineral infrastructure, including extraction sites. ECC as the MWPA must be consulted on all applications for non-mineral development proposed within these areas.

Policy 2 of the WLP establishes Waste Consultation Areas at a distance of 250m (400m in the case of Water Recycling Centres) around permitted, allocated and existing waste infrastructure. ECC as the MWPA must be consulted on all applications for non-waste development proposed within these areas.

Accordingly, the following wording should be an addition to the planning context section.

“Within the Neighbourhood Plan Area there are Mineral and/ or Waste Consultation Areas in relation to Crown Quarry, Martells Quarry, Slough Farm and Ardleigh Waste Transfer Station. These areas are subject to Policy S8 of the MLP which establishes Mineral Consultation Areas at a distance of 250m around permitted, allocated and existing mineral infrastructure, and/ or Policy 2 of the Waste Local Plan which establishes Waste Consultation Areas at a distance of 250m (400m in the case of Water Recycling Centres) around permitted, allocated and existing waste infrastructure. Essex County Council as the Minerals and Waste Planning Authority must be consulted on all applications for non-minerals and non-waste development proposed within these areas.”

2. Policy GDP: General Approach to Development

ECC as the MWPA welcome reference to the importance of sustainability throughout the NP, however it is recommended that Policy GPD, which addresses the general approach to development, should support a wider understanding of sustainability by requiring development proposals to make reference to the sustainable use of building materials.

It is recommended that this policy (or perhaps another suitable policy in the NP) includes reference to promoting waste reduction, re-use and recycling, sustainable building design and the use of sustainable materials, including in relation to their procurement, in the construction of new development or redevelopment in line with Policy S4 of the MLP.

3. Policy HP: Housing

ECC are the Adult Social Care (ASC) authority and must ensure that the needs of older adults and adults with a disability are reflected in line with our duty under the [Care Act 2014](#) and the wider prevention and maximising independence agendas. This includes reviewing both general needs housing, and any specialist housing provision.

ECC are supportive of Policy HP 3b which states housing applications that include accessibility features will be looked at more favourably than those that do not. To support ageing in place, the needs of adults and children with disabilities and the prevention and maximising independence ambitions, ECC recommend that the NP strengthens its position in part 3b of the policy by making specific reference to both the Building Regulations Part M4 (2) and M4 (3) and the Tendring Local Plan Housing Standards Policy:

“On housing developments of 10 or more dwellings, 10% of market housing should be to Building Regulations Part M4(2) ‘adaptable and accessible’ standard. For affordable homes, 10% should be to Building Regulations Part M4(2) and 5% should be to Part M4(3) ‘wheelchair-user’ standards (Ref. Tendring District Housing Viability Assessment 12 May 2017).”

It is also recommended, given the requirements around parking in Policy TP, this policy sets out a requirement that for any Part M4(3) homes parking also needs to be Part M compliant, i.e., 3.3m or capable of being widened. As a minimum, the number of spaces provided to this standard should reflect the number of Part M4(3) dwellings provided at any development.

ECC as the lead authority on education make the following points. Paragraph 11.8 states that the primary school is “unable to withstand any further material expansion of [the] housing stock”. Similarly, paragraph 11.13 describes Ardleigh St Mary’s Primary School as “being at breaking point”. These statements contradict paragraph 10.14 which correctly states that the primary school is “likely to remain at or close to capacity”. The primary school has an excellent record of meeting the needs of the local population in high birth years and, as of May 2022, 47.8% of the pupils on roll lived closer to other schools i.e., the result of new housing would likely be that fewer pupils from outside the

Priority Admission Area would gain a place. ECC recommend that the aforementioned wording is omitted from paragraph 11.8 and 11.13.

ECC as the Lead Local Flood Authority (LLFA) recommends that Policy HP reference the issue of sustainable drainage systems (SuDS). All new developments should incorporate SuDS, including rainwater harvesting, grey-water recycling etc to mitigate surface water flood risk. Further, all minor developments should manage runoff off using porous surfaces or otherwise discharge from the site should be limited to 1-year greenfield rates or 1 l/s, whichever is greater. There should also be the inclusion of SuDS drainage solutions to provide treatment to runoff generation from all new developments. Reference could also be made to relevant policy in the Tendring District Council Section 2 Local Plan.

ECC recommend the promotion of multifunctional space, biodiversity and amenity space with a combination of blue and green features. All new developments should comply with the [Essex SuDS Design Guide](#). The SuDS [Discharge Hierarchy](#) should also be considered where onsite infiltration or hybrid infiltration would be preferred discharge method, for sites where onsite infiltration is not viable first discharge to watercourse and then sewer would be considered. Further, all SuDS design proposals should incorporate source control and conveyance SuDS features prior to large attenuating feature. Sustainable ways of surface water management where above ground storage is preferred option when considering drainage strategies for new developments

4. Policy EP: Natural, Built and Historic Environment

The NP should consider, apply and reference the [Essex Green Infrastructure Strategy](#) (2020) and the [Essex Green Infrastructure Standards](#) (2022), which are relevant to all Essex local authorities. These documents champion the enhancement, protection, and creation of an inclusive and integrated network of green spaces. Applying Essex’s nine Green Infrastructure (GI) principles will help to ensure quality and consistency in the provision, management, and stewardship of GI an essential part of place-making and place-keeping for the benefit of people and wildlife.

It is recommended that the NP include reference to the Environment Act (2021) and the requirements for “applicable development” to deliver a biodiversity net gain (BNG). The delivery of BNG is expected to take place on-site where possible, via the protection and retention of existing GI and provision of new features. However, it is recognised that this might not always be conceivable, and that off-site delivery could provide additional benefits and be used to protect areas of land that are of local natural and wildlife value.

It is recommended that the following points (underlined> are included as part of Policy EP.

- 1. *Development that is consistent with all other relevant Neighbourhood Plan policies will be supported provided:*
 - a. *Its design pays due regard to the contents of the Village Design Statement, including by way of its:*
 - i. *Sitting*

- ii. *Layout;*
 - iii. *Form and scale;*
 - iv. *Architectural style;*
 - v. *Materials;*
 - vi. *Relationship to surrounding development;*
 - vii. *Impact on built/landscape features;*
 - viii. *Landscaping and boundary treatments;*
 - ix. *Car parking;*
 - x. *Accessibility; and*
 - xi. *Biodiversity efforts (including tree planting);*
- b. *No urbanising effect is had on a rural lane or street (for example, as a result of resurfacing, hedgerow removals or loss of an open landscape view). There should also be no loss of biodiversity.*
- e. *Appropriate opportunities are incorporated to support local biodiversity wildlife; this includes 10% biodiversity net gain for applicable new developments in line with the Environment Act 2021.*
- i. *Multifunctional green space should be incorporated throughout the area, where appropriate, and be evenly distributed in order to offer maximum benefit to the community.*

5. Policy LGP: Local Green Spaces

The wording of Part 2 of the policy is considered ambiguous and it is recommended for review to ensure it achieves its intended outcome. The explanatory text provides some clarity of what is intended and relevant points should be included in the policy itself, otherwise 'development' could be open to interpretation.

6. Policy TP: Transport & Parking

ECC as the Highway Authority and the Transportation Authority welcome the NP's policy ambitions to support road safety and encourage/provide more active travel measures to mitigate congestion and adapt to climate change. ECC welcomes the NP's strong support to safeguard and enhance pedestrian and cycling connections.

It is noted that the NP makes little/no reference to the promotion of improved bus services and infrastructure. Additionally, the NP makes no reference to electric vehicle charging (EVC) points alongside parking. ECC suggests reference is included regarding the provision of EVC infrastructure. Provision for electric charging points should be provided for all proposed car parking spaces, associated within residential development proposals as set out in the latest government guidance and standards.

ECC welcome that the NP reflects aspects consistent with Essex [Parking Standards](#).

ECC recommends reference is made safe direct walking and cycling routes to Ardleigh St Mary's Primary School since it fronts the A137. Further guidance is provided within the ECC [Local and Neighbourhood Planners' Guide to School Organisation](#) (January 2018), Section 6 (page 12) including establishing and improving walking and cycling routes to schools; reducing school run traffic and dispersing it away from school entrances; enforcing low traffic speeds around schools and the walking routes pupils use; ensuring pavements around schools are clear and wide enough for parents with pushchairs to pass; providing public art, nature areas and local history information boards, in the immediate area, to offer learning opportunities; planting of trees and / or hedges to enhance air quality / reduce exposure to poor air quality; and the use of landscaping and carefully selected street materials to reduce noise

Suggested additional policy matters

ECC provides the following comments in an advisory capacity for consideration by Ardleigh Parish Council as it continues to prepare the NP.

Green Infrastructure (GI)

GI is a network of multi-functional high-quality green spaces and other environmental features (such as footpaths, street trees, play parks and village green) which together delivers multiple environmental, social and economic benefits, by:

- contributing to the quality and distinctiveness of the local environment and landscape character,
- ensuring opportunities for community socialisation to promote community cohesion and increase community safety,
- creating a green wedge and buffer,
- providing opportunities for physical activity, improving health and wellbeing and generally adding to quality of life,
- adapting and mitigating against a changing climate and severe weather through the management and enhancement of existing habitats and the creation of new ones to assist with species migration, to provide shade during higher temperatures, reduce air pollution and for flood mitigation, an
- encouraging a modal shift from car to walking and cycling by linking publicly accessible green space wherever possible (including through tree lined streets) to
- form walking and cycling routes,
- Biodiversity net gain should be achieved in line with the Environment Act 2021,
- Street tree planting is also required in line with the most recent updates to the NPPF.

A new policy could be included recognising the value of wider multi-functional GI for both people and wildlife, which can improve connectivity to existing and new green spaces, and which provide new open space.

Policy X: Green infrastructure and development

Proposals will be encouraged that seek to conserve, and where appropriate enhance the green infrastructure of the parish, demonstrating how they:

- *Conserve and where appropriate enhance designated green spaces and/or create new green/open spaces where appropriate.*

- *Improve the connectivity between wildlife areas and green spaces through green corridors and/or improvements to the Public Rights of Way (PRoW) and cycle and footpath networks.*
- *Enhance the visual characteristics and biodiversity of green spaces in close proximity to the development through biodiversity/environment net gain.*
- *Ensure their landscape schemes, layouts, access and public open space provision and other amenity requirements contribute to the connectivity, maintenance and improvement of the Green Infrastructure Network.*
- *Take into consideration the principles of Sustainable Drainage (SuDS) and natural flood management techniques, which will enhance biodiversity and ecosystems.*
- *Consider the multi-functional use and benefits of local green spaces as part of the Green Infrastructure network.*

Climate change

The NP does not include a policy on climate change. NPPF (2021), paragraph 153 requires Plans to take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. NPs provide communities with an opportunity to address climate related issues and improve the local environment.

A policy should include reference to the [Essex Climate Action Commission](#) (ECAC), which is a [formal independent cross-party commission](#) established in October 2019. The ECAC's formal role is to:

- identify ways where we can mitigate the effects of climate change, improve air quality, reduce waste across Essex and increase the amount of green infrastructure and biodiversity in the county; and
- explore how we attract investment in natural capital and low carbon growth.

The Commission published its recommendations in [Net Zero: Making Essex Carbon Neutral](#). The recommended text for inclusion is provide below.

“In 2019, Tendring District Council declared a climate emergency acknowledging that urgent action is required to limit the environmental impacts produced by the climate crisis. The Council aims to achieve carbon neutrality by 2030. This is supported by ECC who established the Essex Climate Action Commission in 2020 to promote and guide climate action in the county and move Essex to net zero by 2050. It is an independent, voluntary, and cross-party body bringing together groups from the public and private sector, as well as individuals from other organisations. The Commission published its report Net Zero: Making Essex Carbon Neutral in July 2021 and its recommendations are relevant to all Essex local authorities, parish and town councils, as well as Essex businesses, residents, and community groups. The report sets out a comprehensive plan for Essex to: reduce its greenhouse gas emissions to net zero by 2050 in line with UK statutory commitments; and to make Essex more resilient to climate impacts such as flooding, water shortages and overheating. The report covers

a wide range of topic areas including land use, energy, waste, transport, plus the built and natural environments. The report's recommendations are now incorporated into a Climate Action Plan and a focused work programme over the coming years to ensure the effects of climate change can be mitigated."

[The Centre for Sustainable Energy](#) (CSE) have produced guidance to support neighbourhood planning groups in implementing climate change policies within their Neighbourhood Plans. It includes guidance on a range of climate change topics, including renewable energy and sustainable buildings. The guidance may provide further information for the Parish Council when reviewing the NP following this round of consultation.

Conclusion:

Please contact me if you require further information or would like to discuss this response in more detail.

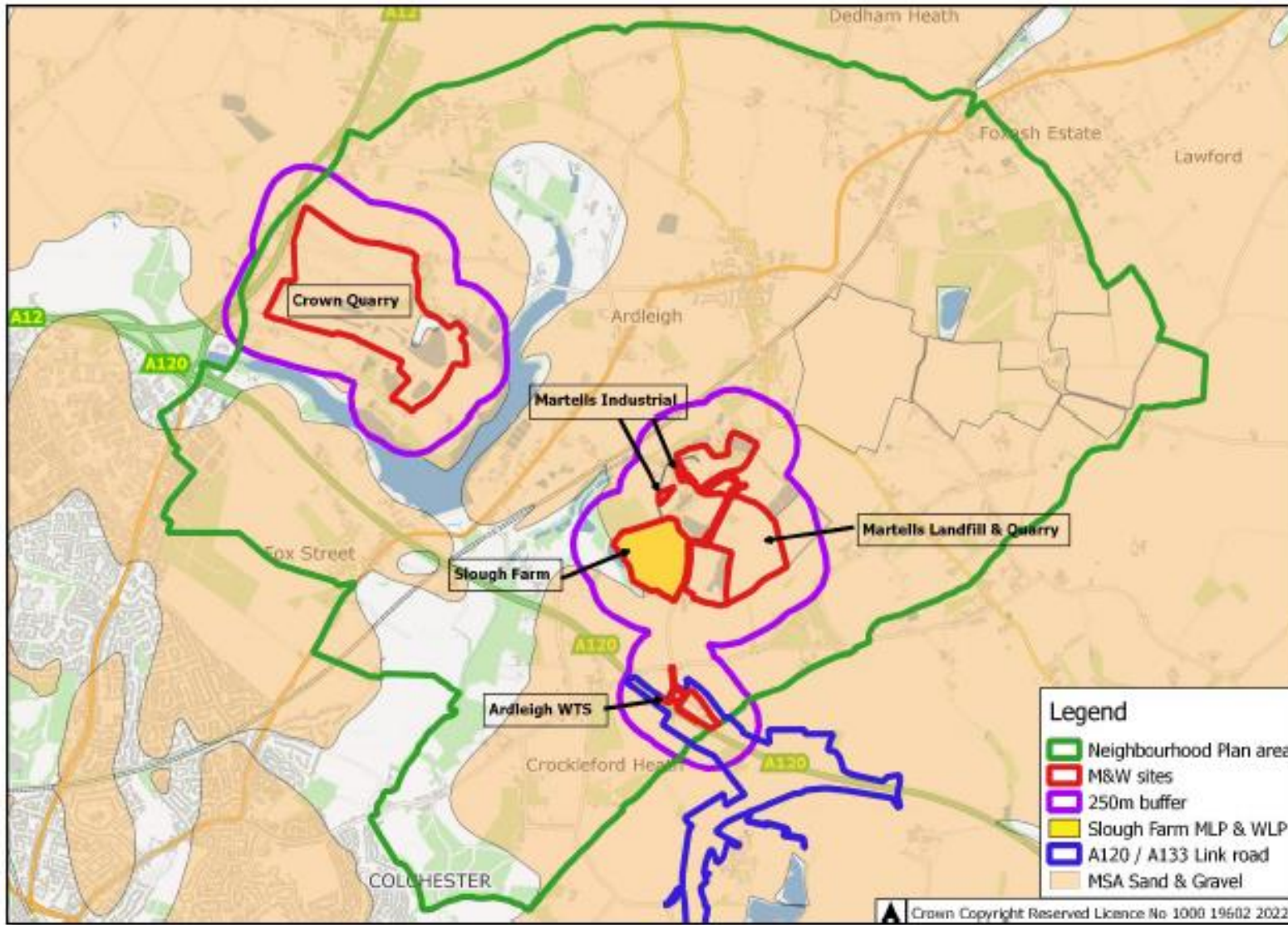
Yours sincerely,

Matthew Jericho
Spatial Planning and Local Plan Manager

Email: matthew.jericho@essex.gov.uk

Ph: 0333 01 30557

Map 1 – MSAs, MCAs and WCAs in relation to Ardleigh Neighbourhood Plan Area



Appendix 1 – Safeguarding Designations and Safeguarded Minerals and Waste Infrastructure relevant to the NP area

Details of planning applications can be viewed on the ECC website, by accepting the disclaimer and then searching on the planning reference.

Schedule of Mineral Infrastructure and Designations Within the NP area

Site type	Site name	Planning application number	Further Details
Mineral Safeguarding Areas	Sand and Gravel	N/A	Subject to MSA designation – Policy 8 of the Essex Minerals Local Plan 2014 Spatial extent shown in Map 1
Mineral Consultation Area Subject to MCA designations – Policy 8 of Essex Minerals Local Plan 2014. Spatial extent shown in Map 1	Crown Quarry	ESS/57/04/TEN – Permission Expiry – 30/12/2026	Winning and working of minerals, removal of surplus soils and erection of a low profile processing plant concrete batching plant and ancillary buildings
	Martells Quarry	ESS/53/17/TEN - Extant Permission - Extraction of minerals shall cease south of Slough Lane by 30 December 2026. Restoration shall be completed by 30 June 2033. Current permission is ESS/61/19/TEN. Pending legal agreement ESS/27/20/TEN - Continuation of permitted developments until 30 September 2040. ESS/29/20/TEN (MLP Site B1 – Slough Farm) - Proposed western extension to Martells Quarry.	N/A

Schedule of Waste Infrastructure and Designations within the NP area

Site type	Site name	Planning application number	Further details
Waste management infrastructure. Subject to WCA designations – Policy 2 of Essex and Southend-on-Sea Waste Local Plan)	Ardleigh Waste Transfer Station	ESS/16/13/TEN - Proposed development of a new waste management facility, with associated change of use of land.	N/A
	Martells Landfill	ESS/30/16/TEN - Application for the continued restoration of former quarry void by means of landfill - site restored by 31st December 2023. Slough Farm, Ardleigh, Tendring (WLP Site - (L(n)1R)).	N/A
	Martells Industrial Estate	ESS/08/08/TEN - Reception and decontamination of ferrous and non-ferrous metal goods (Mainly Vehicles). Preparation and processing of metal for export. Erection of new buildings associated with the proposed use. Provision of sealed working floor areas, associated drainage. Provision of weighbridge, parking and fencing. ESS/31/14/TEN - Erection of a storage building for mechanical plant and machinery.	N/A



Essex County
Fire & Rescue Service

Essex County Fire and Rescue Service Initial Response to Ardleigh Parish Neighbourhood Plan

About

This document outlines Essex Fire and Rescue Service's initial response to the consultation for the proposed development.

Essex County Fire and Rescue Service has a statutory duty to provide Response, Prevention and Protection functions within the community. Therefore, we would welcome any opportunities to enable further development and enhancement of these provisions.

If further information or clarification on any of the points presented is required to support the developers, please contact the Service via future.infrastructure.risk@essex-fire.gov.uk.

National Fire and Rescue Priorities – Home Office

The priorities for fire and rescue authorities set out in the National Fire and Rescue Framework for England July 2018 are to:

- Make appropriate provision for fire prevention and protection activities and response to fire and rescue related incidents
- Identify and assess the full range of foreseeable fire and rescue related risks their areas face
- Collaborate with emergency services and other local and national partners to increase the efficiency and effectiveness of the service they provide
- Be accountable to communities for the service they provide
- Develop and maintain a workforce that is professional, resilient, skilled, flexible and diverse

The Fire and Rescue Plan – Essex County Fire and Rescue Service

The Fire and Rescue Plan sets out the priorities for fire and rescue services in Essex and a series of strong, tangible commitments to how we will help keep our communities safe.

The plan brings together the Service, partners and the public to build safe and secure communities and other efficient and effective prevention, protection and response activity.

The activities in this plan set out a clear direction for development of the Service and how, by working closer together with other emergency services and wider partners, we can deliver a better service while being closer to the communities we serve.

Our priorities are:

- Prevention, protection and response
- Improve safety on our roads
- Help the vulnerable to stay safe
- Promote a positive culture in the workplace
- Develop and broaden the roles and range of activities undertaken by the Service
- Be transparent, open and accessible
- Collaborate with our partners
- Make best use of our resources

Essex Design Guide

The Essex Design Guide provides high level direction for new developments which we would like to draw your attention to:

- Continuation of road design to ensure safe and timely access and egress to and from new developments.
- Continuation of road design to include turning circle provision plus future consideration to appliance sizes to ensure adequate space to manoeuvre on a development.
- Consideration for installation of an approved suppression system with better safety and more design freedom. Sprinkler considerations would help to isolate fire to the source and to ensure better safety for occupants / emergency services / reduce insurance costs. This may also afford developers more design freedom and scope for capacity in respect of distance from buildings to fire appliance access points.
- Continued consultation with Water Authorities for fire hydrant / water main provisions and consideration to ensure sufficient strategically placed resources are made available for operational firefighting and with appropriate water pressure considerations.
- Ensure new fire hydrant installations are fully operational before permitting residents to occupy dwellings.
- Ensuring new fire hydrants are not installed within private driveways / gardens.
- Continuation of at least 3 forms of fire hydrant asset indication. Hydrant indicator plate / post, painted FH cover and painted adjacent kerb. In the absence of a kerb then a thermoplastic yellow road 'H' applied to the road surface.
- Section 106 agreement at planning application stage to ensure that the developer will bear the costs for any new fire hydrant installations deemed necessary by the Fire Authority where the new development exceeds 10 dwellings.
- Where applicable door sets to carry dual certification ensuring compliance with fire and security regulations. Such recommendations align with both the [Independent Review of Building Regulations and Fire Safety](#) in the wake of and the review and recommendations resulting from the Grenfell Fire tragedy of 2017.
- Fire resistant cladding considerations that may fall outside of Building Control matters.

Initial Response to Consultation Document

Having reviewed the consultation document, at this time Essex County Fire and Rescue Service would ask that the following are considered during the continued development of the Ardleigh Parish Neighbourhood Plan:

- Use of community spaces as a hub for our Prevention teams to deliver Fire Safety and Education visits, with the shared use of an electric charging point.

- Adherence to the requirements of the Fire Safety Order and relevant building regulations, especially approved document B.
- Installation of smoke alarms and/or sprinkler systems at suitably spaced locations throughout each building.
- Implementation of [vision zero](#) principles where there are introductions of or changes to the road network.
- Appropriate planning and mitigations to reduce risks around outdoor water sources.
- Suitable principles in design to avoid deliberate fire setting.
- Consideration for road widths to be accessible whilst not impeding emergency service vehicle response through safe access routes for fire appliances including room to manoeuvre (such as turning circles).
- Implementation of a transport strategy to minimise the impact of construction and prevent an increase in the number of road traffic collisions. Any development should not negatively impact on the Service's ability to respond to an incident in the local area.
- A risk reduction strategy to cover the construction and completion phases of the project.

Essex County Fire and Rescue Service welcomes the opportunity to continue these conversations as the development progresses to ensure opportunities to reduce risk and improve the emergency service provision are realised.

Future Infrastructure Risk Team: future.infrastructure.risk@essex-fire.gov.uk



From: [REDACTED]
Sent: 05 September 2022 16:57
To: Rachel Fletcher <Clerk@ardleigh-pc.gov.uk>
Subject: Open Green space

Dear Rachael

Good to see you the other day at the village hall.

I shall not be able to be at the Parish Council meeting on Monday so I would be grateful if you could read this out at that time.

The area of land that is part of the "Wooden Fender Field" that I have cultivated grass on that the council have decided to change its designation by making it a green open space is flawed.

Firstly, the report states that there is no designation on the land - this is wrong, it is part of a licenced premises, the rest of which is known as Prettyfields vineyard, and to state that it is anything else would effect my third party insurance.

Secondly, encouraging the public to come to what is a wedding venue to enjoy the view could be a bit provocative!

Thirdly the wording in the description that you can access this area "VIA" the footpath insinuates that the area is a destination - which it only is when there are paying customers there!

Fourthly the Colchester Aero modellers fly regularly from this area and encouraging members of the public to venture fort at the grassy area would be contrary to the thoughts of the council when they refused the club permission to use the public playing fields as it was thought back then that their model aircraft (that put on an excellent display for the millennium day celebrations) could be a danger to others on the playing field!

I ask that you now delete this particular area from your plans before usage gets worse than it is now, especially as the Ardleigh Reservoir Committee have now put a car park in (without any planning permission) right next to it on the route of the footpath!

We don't want to get the sort of numbers of water users that Dedham is getting!

Kind regards

[REDACTED]

[REDACTED]



SENT BY EMAIL

Town Hall
Station Road
Clacton on Sea
Essex CO15 1SE

Tel: (01255) 686177
Email: planning.policy@tendringdc.gov.uk
Please ask for :

17th October 2022

Our Ref : ARDNP/REG14

For the attention of Ardleigh Parish Council,

Ardleigh Neighbourhood Development Plan (Regulation 14) Consultation

Thank you for consulting Tendring District Council on the above mentioned Neighbourhood Development Plan (NDP).

General Comments

The Neighbourhood Planning Regulations require that Neighbourhood Plans meet a number of 'Basic Conditions'. One of these is that the NDP is in general conformity with the strategic policies contained within the Adopted Development Plan. For Tendring the Development Plan includes the Tendring District Local Plan 2013 – 2033 and Beyond: Section 2 (adopted January 2022) as well as the Tendring District Local Plan 2013 – 2033 and beyond: North East Authorities' Shared Strategic Section 1 (adopted January 2021).

The District Council continues to raise concerns that the emerging Ardleigh NDP would not be in general conformity with Strategic Policies contained within the adopted Development Plan. In particular policies SP6 and SP9 of the Section 1 Local Plan in relation to the Tendring Colchester Borders Garden Community.

Prior to Regulation 16 stage, the District Council would need assurance that the emerging policies within the NDP would not conflict with the Strategic Policies contained within the adopted Development Plan.

Other Comments

We are pleased to see a clear understanding of the progression of the work on the Garden Community as well as the associated Development Plan Document (DPD). Paragraphs 4.2 – 4.6 detail this relationship when they state:

4.2. Section 1 of the 2013-2033 Local Plan was jointly prepared by Braintree, Colchester, Essex and Tendring Councils (known collectively as the North Essex Authorities) and covers broad strategic matters. It was adopted on 26/01/2021.

4.3. Section 1 of the Local Plan takes bold steps to provide for the housing, employment and social needs of existing and future residents up to and beyond the plan period. A key focus of this part of the Plan is the creation of a new garden community.

4.4. This is the Tendring/Colchester Borders Garden Community which is intended to deliver 2,500 homes and 7 hectares of employment land over the plan period (and 7,000 - 9,000 homes and 25 hectares of employment land in total). The new community is proposed to be sited on the Tendring/Colchester border, extending into the southernmost portion of Ardleigh Parish where the small historic hamlet of Crockleford Heath is located.

4.5. The design of the Tendring/Colchester Borders Garden Community - including its nature, form, boundaries and exact housing numbers - will be the subject of a Strategic Growth Development Plan Document (DPD), prepared jointly by Colchester and Tendring Councils. This DPD, currently in draft form, was subject to public consultation between March and April of 2022. At the time of writing, the partner councils were in the process of reviewing the consultation responses and evidence base and making amendments to the draft plan, with a final version anticipated for further public consultation in late 2022 - early 2023. Formal adoption of the DPD is on track to take place in 2023.

4.6. Ardleigh Parish Council intends to work closely and proactively with the partner councils to progress the design and development of the Garden Community. However, this major project is still in its earliest phases and is not anticipated to start delivering new homes in Ardleigh Parish until after the current Local and Neighbourhood Plan period (to 2033) has expired.

This section would benefit from additional clarity on the remit of the neighbourhood Plan where it intersects with the DPD. A paragraph explaining that the Policies within this Neighbourhood Plan do not relate to development within the DPD would suffice.

Policy GDP (General Approach to Development) and Policy HP (Housing) could be interpreted as not allowing any development outside of defined settlement boundaries in the Neighbourhood Plan Area – notwithstanding the fact that the Garden Community will be developed partly in the Neighbourhood Plan Area, albeit in accordance with parameters to be set by the Development Plan Document (DPD) being prepared by Tendring, Colchester and Essex Councils. The emerging Neighbourhood Plan should be in general conformity with the Development Plan, it needs to clearly and explicitly acknowledge the Garden Community development. The NDP must also explain that a separate policy document (i.e. the DPD) will apply to that development, the emerging Plan is close to achieving this in the above mentioned text. The current wording of the emerging Policies are ambiguous at best and could be read as restrictive at worse; and therefore would not, on a strict reading, be in conformity with the adopted Development Plan. These emerging Policies should be amended to address the above concerns.

Similarly with Policies EP (Natural, Built and Historic Environment) and LGP (Local Green Spaces), whilst it is not clear, these Policies should not aim to prejudice or run counter to the adopted Development Plan and Emerging DPD. The preparation of the DPD is an evolving process working at some speed. We would recommend that the Parish Council fully engage with the joint Councils during this preparation process before the Neighbourhood Plan proceeds to the next stage.

It is also unclear if Policy TP (Transport and Parking) is intended to apply to development within the Garden Community. If this is the case, it is considered that this policy would not accord with the adopted Development Plan and will need clarification.

The Council has started work on defining a character area for Crockleford Heath. This work will feed into the next iteration of the DPD. The Parish Council is encouraged to engage in this work and help with the shaping of this unique area.

There is a presentation issue on page 32 where the list of green spaces is split over two pages. Throughout a number of Policies it is required that new development accord with all Policies in the Neighbourhood Plan. As we have mentioned before, this is an unreasonable request and should be amended.

I trust that this helps in the progression of the emerging Neighbourhood Development Plan. If you require any clarification from us, please do not hesitate to contact me.

With kind regards,

William Fuller BA (Hons) MSc (He/Him)
Planning Officer

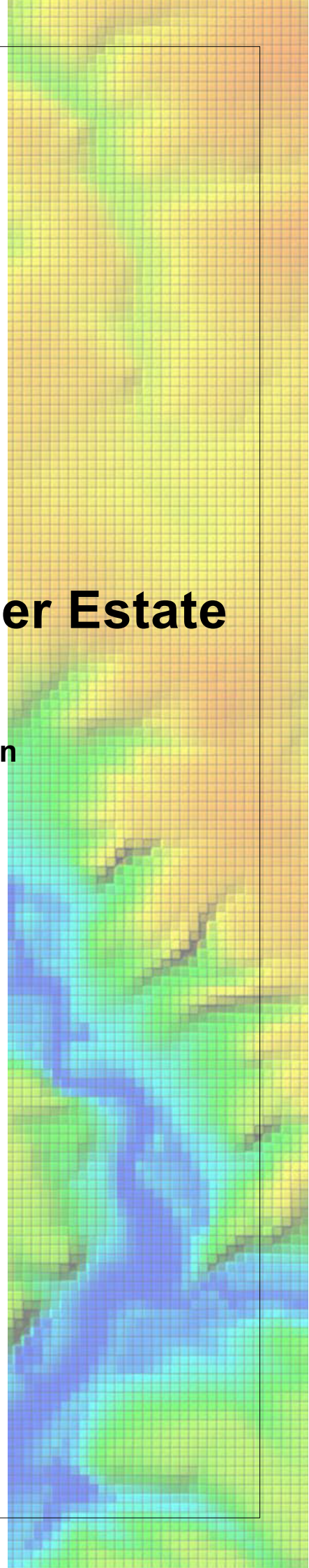
Landowner of space 4	Space 4	Object	<ul style="list-style-type: none"> • The space is not special for its richness of wildlife • There is no evidence of archaeological, historical or cultural interests • Recreational use of the land is limited to public footpaths and unofficial walking routes (unsanctioned by the landowner) that are well used. However, the nature/level of activity is typical of farmland on the edges of settlements. It is not sufficient to meet the test of being “demonstrably special” to the local community • In terms of beauty, it has the ordinary appeal of open countryside • Views across the site to the village are not unpleasant but are without particular merit • There is no notable interaction or outlook from any civic space within the settlement, suggesting the area does not have a valued relationship with the settlement • The Millennium Green and Recreation Ground [...] 	<ul style="list-style-type: none"> • The site provides a beautiful green backdrop to some important civic/residential parts of the main village, emphasising the village’s (historic and ongoing) physical and functional connection to the adjacent working countryside • The parish council does consider that the site has a valuable relationship with the settlement, especially the areas of modern housing to its north and the recreational facilities to its east. It very positively contributes to the beauty and rural qualities of the settlement both when viewed from within the village and elsewhere • It provides critical visual/rural relief from the more suburban character of the modern housing estate to its north - ensuring that in spite of this modern intrusion, this important part of the main village retains - for the most part - its working rural character
			<p>do not engage with the space - they are enclosed by hedging and inward looking</p> <ul style="list-style-type: none"> • There is little sense of tranquility due in part to the presence of estate housing to the north and the railway to the south • The area is not distinguishable from the wider rural landscape and so should be considered an extensive tract of land • No permission has ever been given by the landowner to allow public access away from the official footpaths 	<ul style="list-style-type: none"> • The field boundary is evident in aerial views. It is also its spatial relationship to the village (preserving its historic nuclear format) and proximity/inter-relationship with the important recreational green spaces to its east that distinguishes it from the wider landscape • Designation of the space would not confer any rights of public access over those that already exist

REVIEW OF PROPOSED LOCAL GREEN SPACE DESIGNATION

Field South of Mary Warner Estate

Ardleigh

Ardleigh Parish Council proposed Local Green
Space 4



DOCUMENT DETAILS

Document type: Review of proposed Local Green Space designation
Reference: NC19.570-lgs01
Publish date: 17/12/2021
Client: M Scott Properties Ltd
Site location: Field South of Mary Warner Estate
Ardleigh
Site identifier: Ardleigh Parish Council proposed Local Green Space 4

Document version record

version	notes	written by	date	checked by	date
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Appendices

Appendix A	Ardleigh Parish Council notification letter to Mr & Mrs Harris
Appendix B	Ardleigh Parish Council Green Spaces Assessments (Space 4)

Appendices have colour coded footers.

1. Introduction

- 1.1 Ardleigh Parish Council has notified the landowner that a parcel of their farmland has been shortlisted for designation as 'Local Green Space' within the drafting of the Ardleigh Neighbourhood Plan (see copy of notification letter provided as Appendix A). The Parish Council has provided explanation and justification for this proposal within its Green Spaces Assessments and Consultation Document (relevant extract provided as Appendix B). The basis for the use of the Local Green Space designation, within Local and Neighbourhood Plans, is set out in the National Planning Policy Framework 2021 (NPPF) at paragraphs 101, 102 & 103. In particular, NPPF paragraph 102 sets out criteria for the characteristics and qualities of land for which such a designation may be appropriate.
- 1.2 This report provides a review of the merits of this land for Local Green Space designation, with reference to the Parish Council's justification and in light of the NPPF criteria. It has been informed by:
- Review of local landscape character publications and any attributed value/quality for the local landscape setting;
 - Review of local planning policy context checking for statutory and local planning designations regarding protection of the landscape;
 - Review of nearby heritage assets such as Parks & Gardens, Listed Buildings and Scheduled Monuments; and
 - Site visit to confirm form and features of site and relationship to its context.

2. Local Green Space policy

2.1 Relevant NPPF 2021 paragraphs are duplicated below.

2.2 Paragraph 101

'The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.'

2.3 Paragraph 102

'The Local Green Space designation should only be used where the green space is:

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land.*

2.4 Paragraph 103

'Policies for managing development within a Local Green Space should be consistent with those for Green Belts.'

3. Description of the land & context

- 3.1 The Ardleigh Parish Council Green Spaces Assessments identifies this land as the field south of Mary Warner Estate (Space 4). It is part of a largely self-contained and readily identifiable area of open land adjacent to the south-western edges of the village. This wider area measures approximately 16 Ha and is largely featureless and flat. The majority of it is in arable farming use, divided into two fields, with a separate portion to the south that has been left fallow for a number of years. The northern edge of this land has an open border with Colchester Road, as it enters the western edge of the village. The opposite side of the road is developed with a line of houses fronting the road. The north-eastern edges border onto houses on Colchester Road, Aveline Road and Gernon Road. Aveline and Gernon Roads are a post war, council type, housing estate backing onto the land. Aveline Road terminates with an open farm access into the northern field. The eastern edge is borders two public open spaces. These are enclosed by strongly hedged and tree lined boundaries. One is the Ardleigh Millennium Green and the other is Ardleigh Recreation Ground. They are set behind properties along north-south alignment of Station Road. The south-east edge has quite an open, but fenced boundary with the Great Eastern Mainline railway. Woodland and tree cover beyond the railway line also provide enclosure to this aspect. The south-western edge borders a vegetated corridor along Green Lane and Ardleigh Footpath 7. The north-western edge is enclosed by vegetation in the edges of a small cluster of properties at the start of Green Lane, separate to the main village area.
- 3.2 This land is crossed by Ardleigh Footpath 5, which emerges from the village in the north-east corner, near to the entrance to the Millennium Green off Mary Warner Road. It links back to Colchester Road, around 175m to the north, near to the centre of the village. After emerging in the countryside edge, it then traces west along the back garden edges of the first houses on Gernon Road, before diagonally crossing the open field in a south-westerly direction to join Ardleigh Footpath 7 on Green Lane. In addition to this formal public right of way, casual walking routes with trodden paths circle around the edges of all parts of this area.
- 3.3 This area lies within the Tendring Plain / Bromley Heaths local landscape character area. This is a relatively flat, plateau farmland landscape. It has varied enclosure levels, with some large-scale prairie field patterns, but elsewhere frequent woodland and tighter enclosure with tall hedges. The settlement pattern is quite varied, including industrial clusters and there are extensive areas of glass houses. There is also some quarrying activity.
- 3.4 The village Conservation Area is away from this area, in the centre of the village and extending south along Station Road. There is an isolated Grade II Listed Building (Tudor House and Well House) on Green Lane, nearby to the west. There are two other Grade II Listed Buildings within the Conservation Area along Station Road, next to the recreation ground. These are Phoenix Steam Mill and Engine House and the adjacent Mill House. These Listed Buildings are sometimes visible from within this area of open land, as is the tower of the Grade II* Listed St Marys Church, in the village centre to the north-west.
- 3.5 The shortlisted Local Green Space 4 is the eastern portion of the above described wider area. It is the arable field directly alongside the Millennium Green and Recreation Ground, and the bordering area of

fallow land to the south of this. It is separated from the remaining arable field, to the west, by a rough margin containing a ditch. To the north it adjoins the edges of Gernon Road, where Footpath 5 skirts the edge of the land along the back of rear gardens. The diagonal route of the footpath, crossing the area, is away to the west of Space 4, but the southern edge of Space 4 does border with Footpath 7, before it crosses the railway line. A smaller triangular area of fallow land, to the south of the recreation ground, is not included within Space 4.

4. Appraisal against Local Green Space criteria

- 4.1 The NPPF sets out criteria for the appropriate selection of land for the Local Green Space designation (NPPF paragraph 102). The following headings and sub-headings reflect those criteria and analysis is provided under each heading.

REASONABLY CLOSE PROXIMITY

- 4.2 Space 4 is within easy walking distance of the local community within the Ardleigh village. Space 4 readily complies with this requirement.

SPECIAL AND OF PARTICULAR LOCAL SIGNIFICANCE

- 4.3 The NPPF requires the Local Green Space designation to be used only for land which is '*demonstrably special to a local community and holds a particular local significance*'. It provides some examples to help understand how this might apply: '*beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife*'. These examples follow the principles applied by Landscape Architects in determining the relative value of a local landscape area for the purposes of Landscape and Visual Appraisal or Landscape and Visual Impact Assessment. The Landscape Institute has recently published guidelines to assist practitioners in this aspect of their work. This is Landscape Institute Technical Guidance Note 02/21 'Assessing landscape value outside of national designations' (LI TGN 02/21). It provides a more comprehensive range of indicative factors. These have also been reviewed and are included below, where relevant.

Richness of wildlife / natural heritage interests:

- 4.4 No evidence of ecological, geological, geomorphological or physiographic interest has been found for Space 4. In ordinary terms Space 4 has no natural heritage, or ecological/wildlife interests above and beyond ordinary arable farmland. As such this space is not special or of particular local significance for its richness of wildlife. The Ardleigh Parish Council Green Spaces Assessment for Space 4 also does not suggest that this area is valued for its natural heritage.

Historic significance / cultural heritage interests:

- 4.5 There is no evidence of archaeological, historical or cultural interest for Space 4. There is also no known connection with notable people, events or the arts for this location. The Ardleigh Parish Council Green Spaces Assessment for Space 4 also does not suggest that this area is valued for its historic significance.

Recreational value:

- 4.6 Recreational use of the land is limited to public footpath routes along two edges and unofficial walking routes (unsanctioned by the

landowner) around other edges of Space 4. These routes are well used, and the Ardleigh Parish Council Green Spaces Assessment talks of evidence of children playing in the area (geocaching and similar games). This nature and level of activity is typical of farmland on the edges of settlements. It is not sufficient for the area to meet the criteria that it is 'demonstrably special to the local community' and of 'particular local significance' in terms of recreational value.

Beauty or scenic appeal

- 4.7 The wider area, as described in Section 3 above, has basic scenic appeal as open farmland adjacent to a settlement. When walking through it there is the ordinary appeal of open countryside and the area benefits from trees and woodland around the outlying edges. However, the interior of the area is rather featureless and flat, and there is no particular vista or outlook into any wider countryside. Views back to the village are not unpleasant, but also are without particular merit. The church tower can be picked out above the rooftops of the village from locations towards the western edges of the area, particularly around the junction of Footpaths 5 & 7. From the west of the area, the Listed Mill and Mill House can be seen through the trees in the Millennium Green and Recreation Ground. These are of some interest, but are not on their own determinative of any special scenic value. They are also not particular characteristics of Space 4, where the angle of view and proximity to the tree lined edges of the adjacent Millennium Green and Recreation Ground generally block these views. In more general views back to the village edge, the view is to the rear of post war housing, with typically mixed enclosure including close boarded fences and some unkempt boundaries. There is no notable interaction or outlook from any civic spaces within the settlement, suggestive that this area has any valued relationship with the settlement. The settlement largely turns its back onto this area. The presentation of the Millennium Green and Recreation Ground is also such that they do not engage with this space; they are enclosed by hedging and largely inward looking. The characteristics of Space 4 are of insufficient scenic appeal for it to meet the criteria of being 'special' or of 'particular local significance'.
- 4.8 In contrast, the Ardleigh Parish Council Green Spaces Assessment talks about the attractiveness of the views back to the village, and its role in providing an important rural backdrop to the Millennium Green and Recreation Ground. It uses phrases such as *'from the south of the area, the built form of the village appears as a pleasant and incidental feature peering out of a lush landscape'* and *'it enables picturesque views to be had of Ardleigh from as far south as the train tracks'*. Yet it also notes *'the nondescript, hard-edged suburban nature'* of the adjacent housing estate areas. It also suggests that *'it provides an invaluable rural outlook from the southern edge of the village and from two of its most valuable and well-used community facilities'* (The Millennium Green and Recreation Ground). However, as illustration of this it offers photos looking towards the hedge and tree lined enclosure to these spaces, with only glimpsed views out via incidental gaps, and no notable views out to Space 4. Space 4 does not feature as any positive attribute in these views.

Wildness and/or tranquillity:

- 4.9 This location offers little perception of wildness and no notable degrees of tranquillity. The productive farmed landscape is clearly not of a wild nature. The fallow areas have some degree of wild character, but this is peripheral and of no great influence on the overall character of the area. The constant presence of the estate housing to the north and the trainline to the south also interfere with any feelings of isolation or tranquillity. The Ardleigh Parish Council Green Spaces Assessment for

Space 4 also does not suggest that this area is valued for its wildness or tranquillity.

LOCAL IN CHARACTER AND NOT AN EXTENSIVE TRACT OF LAND

- 4.10 The wider area between Colchester Road, Green Lane, the railway line and the edges of Ardleigh village would clearly be classed as an extensive tract of land. The portion of this that is Space 4 is smaller than this, but it is not readily distinguishable and separate to the wider area in any material way. This whole area would ordinarily be characterised simply as open countryside on the edge of the settlement. It is not a piece of land that is performing any properly recognisable green space function above and beyond that. As such, it is not clear how this area is the sort of local open space facility that the Local Green Space designation is intended to capture. The Ardleigh Parish Council Green Spaces Assessment for Space 4 is not clear about how this space satisfies this criteria, except that it is the land bordering the Millennium Green and Recreation Ground. These two public open spaces function properly irrespective of the nature of the bordering area and presence of Space 4. Therefore this justification is not well founded.

5. Conclusions

- 5.1 The NPPF lists three criteria for the appropriate use of the Local Green Space designation (NPPF paragraph 102). All three of these criteria should be met, in one form or another. The Ardleigh Parish Council shortlisted Space 4 fails to meet two of these criteria. It is in *'reasonable close proximity to the community'*, but it is not *'demonstrably special'* and *'of particular local significance'*. It is also unclear how it is *'local in character'* and is not more related to *'an extensive tract of land'*. Ardleigh Parish Council shortlisted Space 4 is not an appropriate piece of land for the Local Green Space designation.

APPENDIX A

**Ardleigh Parish Council notification
letter to [REDACTED]**



Ardleigh Parish Council
PO Box 12865
COLCHESTER
CO7 7EZ

Tel: [REDACTED]
Email: [REDACTED]
Website: www.ardleigh.website

ARDLEIGH PARISH COUNCIL

[REDACTED]

Dear Mr & Mrs [REDACTED]

IMPORTANT: This letter concerns land we believe is in your ownership

I am writing to you on behalf of Ardleigh Parish Council, as on-going preparation of Ardleigh's Neighbourhood Plan may affect land in your ownership or in which you have an interest.

It is intended that Ardleigh's Neighbourhood Plan will designate a number of Local Green Spaces and provide policies for their protection and enhancement.

These policies will not prevent any new development on a site but they will require that new development does not compromise its special value. Developments that would enhance a Space's special value will be encouraged.

Some Background, Local Green Spaces are designated because of their special value to the local community. They must be in reasonably close proximity to the community they serve and they cannot be an extensive tract of land.

Sites may have special value to the community because of their: beauty; historic significance; recreational value; tranquility; wildlife and/or landscape value.

Sites do not necessarily have to be accessible by the local community to be considered of special value. However, public access is one relevant factor.

Ardleigh Parish Council Neighbourhood Plan Steering Group has already invited Local Green Spaces nominations from the community and has subsequently conducted a thorough desktop and field assessment of all sites nominated.

Following these investigations, 11 sites throughout the Parish of Ardleigh have been shortlisted due to their special community value. A comprehensive description, rationale and list of all shortlisted sites can be found on the Ardleigh Parish Council website <https://bit.ly/ArdleighGreenSpaces>

We believe that you may have an interest in the shortlisted site described below:

- Field south of Mary Warner Estate, west of Millennium Green. Land on south side of Dedham Road, Ardleigh. (Space 4) TM053292, FOOTPATH PROW158_5 Overview: agricultural field on the southern edge of the village, bordered by official and unofficial walking routes.

If you are the landowner of this space or have any other interest in the land, we would welcome your written response by no later than **1st January 2022**.

Please respond to the following:

- What is your interest in the land (e.g., owner/leaseholder)?
- Do you understand the proposal to designate your land as a Local Green Space?
- Do you support or object to the proposal to designate your land as a Local Green Space?
- Is the land the subject of an on-going planning application?
- Is the land the subject of any existing or emerging allocations in the Local Plan?

When considering Local Green Spaces these factors were considered. You may wish to comment on:

- Is the land local in character?
- Is the land within close proximity of the local community?
- Is there any public access to the land (formally or otherwise)?
- The land's beauty, historic significance, recreational value, tranquility, wildlife value, landscape value.

Your response will be taken into careful consideration by Ardleigh Parish Council's Working Group and will be used to inform the final list of Local Green Spaces to be designated in the Neighbourhood Plan.

Your response can be emailed or posted to Ardleigh Parish Council at the following:

ardleighpc@gmail.com

Ardleigh Parish Council, PO Box 12865, Colchester CO7 7EZ.

Do not hesitate to contact the Ardleigh Parish Council if you require further clarification or assistance.

We look forward to hearing from you.

Yours sincerely



Tim Barrott

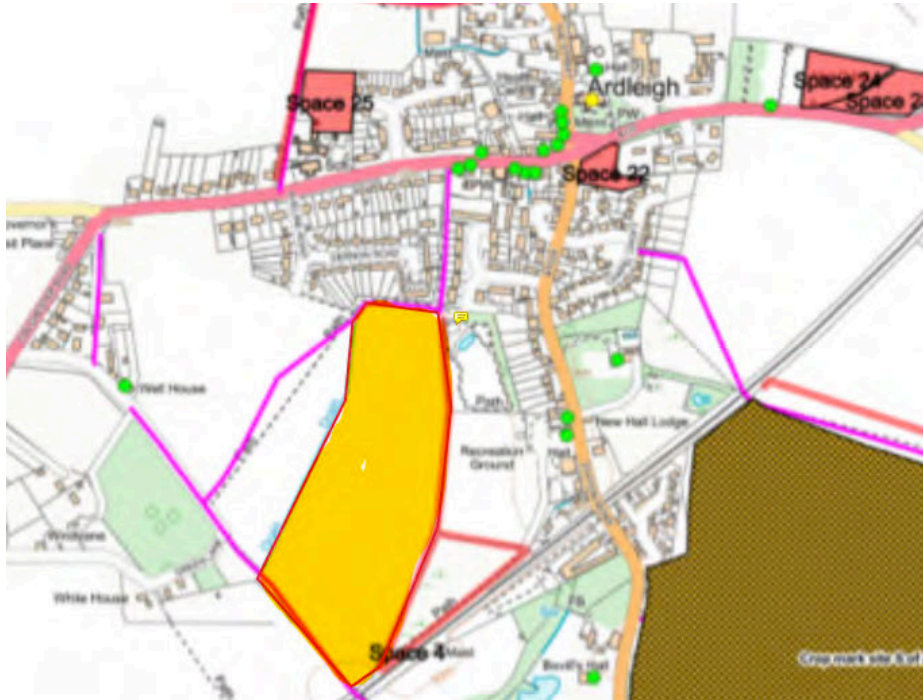
Chair of Ardleigh Parish Council

APPENDIX B

**Ardleigh Parish Council Green Spaces
Assessments (Space 4)**

Field south of Mary Warner Estate (Space 4) TM053292, FOOTPATH PROW158 5

Overview: agricultural field on the southern edge of the village, bordered by official and unofficial walking routes.



Size: approx. 7.7 ha

Proximity: The site lies in exceptionally convenient proximity of the village centre, with connecting footpaths available. It is also accessible from the recreation ground/ children's play area.

Ownership: It is believed that the working agricultural field is in private ownership. An unofficial footpath runs along its eastern boundary and is well-trodden. Its daily use by the public appears to have been kindly permitted by the landowner over multiple decades. A public right of way extends along its northern and southern boundaries, skirting off to the west.

Use: The field provides an idyllic rural backdrop to one of the village's main built-up residential areas (Mary Warner Estate) as well as some of its important community facilities (Millennium Green and children's play area/playing fields). Its unofficial walking track is very well-used by villagers, mainly walkers and local children.

It also forms part of a pleasant and well-used circular walking route that takes you across the train tracks and through ancient woodlands before returning to the village.

Existing designations: None known.

Allocations or planning consents: None.

Assessment: This field provides a very pleasant rural backdrop to some important village amenities and (relatively) densely occupied parts of the village. It enables far-reaching views both from and towards open countryside. From the south of the area, the built form of the village appears as a pleasant and incidental feature peering out of a lush landscape. There was evidence of children playing in this area (geocaching and similar games).

The presence of high quality, mature trees along the site's eastern perimeter adds considerably to the character and amenity of the village recreation grounds.

Despite the nondescript, hard-edged suburban nature of the Mary Warner Estate, the presence of this open tract of land ensures the overall retention of the rural character and setting of this part of the village.

Photos 02/11/2021:



View from the south - built edge of Ardleigh just visible on the horizon

	
<p>View from site through perimeter trees towards recreation ground</p>	<p>View from children's play area through to site</p>
	
<p>Trees alongside children's play area</p>	<p>Assisting to soften and situate the Mary Warner Estate</p>

Conclusion: The value of this site to the local community is significant. It is located in exceptionally close proximity of the main built-up part of the village. It provides an invaluable rural outlook from the southern edge of the village and from two of its most valuable and well-used community facilities. It enables picturesque views to be had of Ardleigh from as far south as the train tracks. It is used on a daily basis by a wide variety of villagers for a number of recreational purposes.

CARRY FORWARD AS A LOCAL GREEN SPACE.