



Historic England

Simon Cairns  
Major Projects Manager  
Colchester Borough Council

Our ref:  
Your ref:  
Date: 29 Jan 2016  
Direct Dial: 01223 582717

By e-mail to [simon.cairns@colchester.gov.uk](mailto:simon.cairns@colchester.gov.uk)

Dear Simon

**Application Ref: 150239 Outline Application for Mixed Use Development Leisure and Retail) and Associated Car Parking, on Land North and South of Tollgate West, Stanway**

This proposed out-of-centre retail and cinema development has been brought to the attention of Historic England. Whilst the development will not directly impact on any designated heritage asset, Historic England is concerned over the implications that this development might have on the long-term vitality and wellbeing of the historic town centre, and the consequential increased risk of vacancy and lack of maintenance amongst the many historic buildings that can be found in that part of the town. In order to ensure historic buildings survive for the benefit of future generations it is important that they remain in appropriate beneficial use, and for many of these buildings that will be as part of a vibrant and commercially successful town centre.

Historic England is also aware that the town centre includes some negative elements that currently detract from the character and appearance of the conservation area. Removing these negative elements is only likely to take place as part of commercial redevelopment and refurbishment projects, but again these are less likely to be forthcoming if the longer term vitality of the town centre is made less certain through the location of town-centre functions to out-of-centre locations.

Historic England therefore supports a plan-led approach to the management of development in any given area, and proposals that are contrary to an adopted plan should only be approved in exceptional circumstances, and where they would result in a clear, discernible public benefit that demonstrably outweighs any consequential harm. In this instance we are not aware of any such public benefits that would justify town centre uses (including a cinema) in this location.



Historic England, Brooklands, 24 Brooklands Avenue, Cambridge CB2 8BU  
Telephone 01223 58 2749 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available.



Yours sincerely



**David Grech**

Historic Places Adviser

e-mail: [david.grech@HistoricEngland.org.uk](mailto:david.grech@HistoricEngland.org.uk)



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Mr I Vipond  
Strategic Director – Commercial & Place  
Rowan House  
33 Sheepen Road  
Colchester  
CO3 3WG

29 January 2016

Dear Mr Vipond

**Land To North/South of Tollgate West. Application no.150239**

I write in relation to the above application , which I understand is due to be considered again by your planning committee in the near future and which evidently remains open for debate notwithstanding a previous firm officer recommendation for planning refusal .

As you will doubtless be aware, my Company have extensive development and property investment interests in South Essex and in recognition of this we have been monitoring this proposal as a scheme which will have effects over a wide area. Whilst we have not raised an objection to date we are dismayed that the scheme which is so clearly at odds with the 'town centre first ' approach to retailing has not been rejected in short order and accordingly now wish to express our significant concern .

Our current development in Chelmsford City Centre provides an excellent example of the benefits of strong policy support for town centre investment and I can say with some confidence that this simply would not have been deliverable in the absence of strong reassurance from the Council that it would resist any inappropriate out of centre development.

I would urge your members to consider very seriously the effects on Colchester Town centre of this very damaging scheme at Tollgate, which goes so far beyond what should reasonably be permitted at a 'District Centre as to represent a real challenge to the existing retail order. Whilst I have no doubt that its impact may have been 'modelled ' by consultants, whatever the results of this I have no doubt that in the real world it represents a real threat to existing , committed and planned town centre investment . Certainly from my Company's standpoint , in the event that it were to be permitted I can confirm that we would not actively seek development opportunities in Colchester town centre for the foreseeable future.

The development industry is on occasion happy to challenge planning policy where it is seen to be unduly rigid but it also requires a degree of certainty and consistency in decision making to underpin investment decisions. The proper application of national and local retail policies is a prime example of this and in this situation we would urge the Council to reject a proposal which so manifestly offends these.

Yours Sincerely



**A D Chambers**  
Chairman