

# AMENDMENT SHEET

Planning Committee  
24<sup>th</sup> November 2016

## AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

### 7.1 160868 - Tollgate Village, Land North and South of Tollgate West, Stanway

#### RETAIL ADVICE

- Members' attention is drawn to the fact that the advice from Cushman & Wakefield contained in APPENDIX 2 is a slightly amended version to that presented from paragraph 15.109 in that the text in the report was a draft version whereas that at appendix 2 is Cushman & Wakefield's final version.

They are identical except the final paragraph before the conclusion section of the advice quoted in the main body of the report has been amended to read as follows.

**“At this scale we would accept that the proposed development cannot be accommodated in or on the edge of Colchester Town centre, or any other existing centres. However we consider that the site parameters (including a site measuring 10.5ha) adopted by BW for the purpose of identifying and assessing alternative sites are flawed; they fail to demonstrate any real degree of flexibility on the part of the applicant. For example, if the development proposed were to be directed towards Colchester Town centre in accordance with the Borough's retail hierarchy, there would be no requirement for up to 1523 parking spaces [given the Town centres relative accessibility by a choice of modes of transport and adequate supply of town centre car parks].**

**Further, BW's Retail & leisure Assessment promotes the development as “two constituent parts” (ie Class A retail and Class D2 leisure) while, perhaps more significantly, the Parameter Plans dated March 2015 submitted in support of the application clearly define 3no. separate Development Zones. On this basis, and bearing in mind that this outline application is speculative with no identified end occupiers, it is our view that there is no commercial requirement for ‘the proposal’ to be situated on the same site and in the arrangement envisaged by the applicant. It would be entirely reasonable, we consider, for the applicant to explore the scope for accommodating the proposal in a different scale and format on more than one site in and/or on the edge of Colchester Town centre (including Vineyard gate). Having failed to do so, we take the view that the applicant has not demonstrated compliance with the sequential test set out in paragraph 24 of the NPPF”**

- CORRECTION

Reference to “Code of Conduct” in paragraphs 17.8 and 17.9 of the report should read “Code of Practice”