

From: Cllr Michael Lilley
Sent: 31 January 2023 08:45
To: Simon Cairns; Karen Syrett; Eleanor Moss; Robert Carmichael
Subject: Fwd: Planning Application: 213086
Attachments: Planning Application 213086 Response (221205).docx

Hi another email

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From: Matt Free <[REDACTED]>
Sent: Tuesday, January 31, 2023 8:52:56 AM
To: Cllr Michael Lilley <Michael.Lilley@colchester.gov.uk>; Cllr Lyn Barton <Lyn.Barton@colchester.gov.uk>; Cllr Nigel Chapman <Nigel.Chapman@colchester.gov.uk>; Cllr Helen Chuah <Helen.Chuah@colchester.gov.uk>; Cllr Roger Mannion <Roger.Mannion@colchester.gov.uk>; Cllr Sam McCarthy <Sam.McCarthy@colchester.gov.uk>; Cllr Chris Pearson <Chris.Pearson@colchester.gov.uk>; Cllr Leigh Tate <Leigh.Tate@colchester.gov.uk>; Cllr Martyn Warnes <Martyn.Warnes@colchester.gov.uk>
Cc: Cllr Kevin Bentley <Kevin.Bentley@colchester.gov.uk>; Daniel Markham <d_markham@hotmail.co.uk>
Subject: RE: Planning Application: 213086

This email was sent to you from **outside** of our organisation.

Hi All,

Good morning, sorry it's me again but as I mentioned yesterday, I want you all to have enough information to make an informed decision.

I have had email correspondence with the case officer, and I have been informed that the Planning Committee has access to all objections and are able to review them. They also have access to all the documentation available online and therefore it is not only the Committee Report they review.

I would be amazed if you had the time to read through the 53 objections, so please find attached another objection with material considerations for refusal of the proposed planning application.

The case officer's report is not factually correct, unless they have different information to that shown on the website. They mention that 53 objections and 9 letters of support have been received. I have looked at the website and since the revised plans have been submitted there are actually 42 objections and only 2 letters of support.

As the case officer points out in point 7.5; 'There is an emerging Neighbourhood Plan for Copford. This is currently at examination and therefore limited weight is attached to this. If the Examiner's Report concludes the Copford Neighbourhood Plan can proceed to referendum, then further weight can be attached.' The neighbourhood plan was submitted in October 2022, and I have asked the planning department on numerous occasions on when they think this can proceed to referendum, but as yet, I have not received a response.

Although the neighbourhood plan is yet to proceed to referendum, I don't think it can be ignored. The adopted Plan will have the same weight as planning policy documents prepared by Colchester Borough Council.

As you are all aware, the concept of neighbourhood planning was introduced by the Localism Act 2011 with the purpose of empowering local communities with greater control over the planning of their areas.

According to the government's online Planning Practice Guidance, 'neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood ... they are able to choose where they want new homes,

shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided, and grant planning permission for the new buildings they want to see go ahead.'

At the end of the day, Copford is a village, with a village look and feel. As I pointed out in my email yesterday, the link to the 'Copford with Easthorpe Neighbourhood Plan', clearly states that Pits Wood and surrounding open aspect views have high local value and contribute to the nature of the Parish. The proposed Neighbourhood Plan has been devised to protect the village and its surrounding environment and that's why it carries the gravitas of such importance. The 2011 Localism Act has also been written to strengthen society and give the community the right to challenge.

I am also mindful that the applicant for the proposed development, Mr Peter O'Donnell, was in the core group for the Neighbourhood Plan. I am amazed that Mr Peter O'Donnell, having been an architect of the Neighbourhood Plan can submit a planning application which contravenes so many statements in this document. It could be easy to conclude that Mr Peter O'Donnell had the power to slow down the submission of the neighbourhood plan to the examiner as he knew, that once adopted, it would prevent this application from going ahead. Surely there is a conflict of interest!

If the housing survey sent out by the Parish Council asked the right questions, then this application would not be at this stage. All the residents want is a level playing field. If the housing survey was sent out again (it is now 3 years old) and there was a strong feeling to allow affordable homes on open countryside, then who could argue against this? Can this happen before you make your final decision? Can the date for this application be pushed back for 2 reasons: -

1. Wait for the Copford Neighbourhood Plan to proceed to referendum
2. Send out another housing survey with the correct questions to understand the response

One final point.

The case officer points out in point 8.2; 'Contrary to the findings of the Landscape & Visual Statement (LVS) the proposal would appear to run contrary to Core Policy ENV1. This as it potentially does not conserve the character of CBLCA B2 in that it fails to 'Conserve the mostly rural character of the area' through the removal of a very visually prominent section of arable field which forms part of the framework of agricultural farmland within which the settlement of Copford sits, and its replacement with urban development. This loss of characteristic 'arable land' is a factor which it would appear, on the face of it, cannot be mitigated against as, although the LVS has guided the proposed scheme so that it is fairly sensitive to 'the mostly rural character of the area', development by its nature changes rather than conserves fully intact that 'rural character'.

Surely this statement which is a Core Policy, along with an emerging neighbourhood plan, an overwhelming percentage of objections vs support, an out of date housing needs survey that didn't ask the correct questions and a conflict of interest with the applicant, leads to a refusal of this planning application.

I hope that when you visit the site you will appreciate the land that has such high local value and contributes to the nature of the Parish.

Thanks again for taking the time to read my long winded email.

Kind regards,
Matt

Matt Free MSL

Director



From: Matt Free

Sent: 30 January 2023 09:46

To: 'cllr.michael.lilley@colchester.gov.uk' <cllr.michael.lilley@colchester.gov.uk>; 'cllr.lyn.barton@colchester.gov.uk' <cllr.lyn.barton@colchester.gov.uk>; 'cllr.nigel.chapman@colchester.gov.uk' <cllr.nigel.chapman@colchester.gov.uk>; 'cllr.helen.chuah@colchester.gov.uk' <cllr.helen.chuah@colchester.gov.uk>; 'Cllr.roger.mannion@colchester.gov.uk' <Cllr.roger.mannion@colchester.gov.uk>; 'cllr.sam.mccarthy@colchester.gov.uk' <cllr.sam.mccarthy@colchester.gov.uk>; 'cllr.chris.pearson@colchester.gov.uk' <cllr.chris.pearson@colchester.gov.uk>; 'cllr.leigh.tate@colchester.gov.uk' <cllr.leigh.tate@colchester.gov.uk>; 'cllr.martyn.warnes@colchester.gov.uk' <cllr.martyn.warnes@colchester.gov.uk>
Cc: cllr.kevin.bentley@colchester.gov.uk; Daniel Markham <d_markham@hotmail.co.uk>
Subject: Planning Application: 213086

Hi All,

I'm sorry for reaching out to you all, but I don't know where else to turn.

Can I please ask that you take the time to read this email as I, along with the residents of Copford, feel that the case officer for Planning Application 213086 has provided you with a Committee Report, which is not factual correct and is missing some key questions which I would like to share with you so that you can all make an informed partial decision based on having all the evidence at your disposal.

The case officer has recommended the application for approval, but I understand it will be up to Planning Committee to determine the application.

There are elements of the attached objection that have been brushed over in favour of the need for affordable housing approval on a proposed rural exception site. I would really appreciate it if you could take the time to read this objection so that you are getting the full picture and not just a biased view.

I have emailed the case officer and asked,

'why isn't the text, as shown below, part of your report? The full objection, dated 15/12/22, needs to be shared with all councillors making the decision about this planning application so that they are not prejudiced. Is this something that can happen? If not, then can you explain why not?'

2. Over-reliance on outdated and misleading data from Local Housing Needs Survey

Another key element of a rural exception site is that the proposed development must meet a clearly identified local housing need. The Proposal fails to provide sufficient evidence of a clear local need.

The Proposal refers to a Housing Needs Survey (HNS) that was performed in early 2020. This will soon be three years old and is therefore simply too old to use as a basis for assessing local housing needs and views of local residents. Nevertheless, I have reviewed the 2020 HNS, noting that it only had a response rate of 25% and therefore represents the views of a minority of residents.

Of the 25% of residents that responded, the HNS found that there was some support (69%) for a small development of 4-8 homes primarily for affordable housing where one or two open market houses were to be included. Note that this is 69% of the 25% of respondents, making up only 17.25% of residents. More importantly, this question lacks sufficient detail to be relevant to a rural exception site. The question does not ask whether residents would be in support of a small development that is to be built outside of the identified village settlement boundary on green open space.

If respondents were asked about building a development of 4-8 homes on green open space in the heart of the village outside of the settlement boundary, the support would plummet. Furthermore, if it was made clear that these new homes will not count towards the CBCs target of new homes in Copford and Easthorpe (and therefore will be additional homes on top of what local residents already feel is a large increase), support for the site would drop further still to the point where I suspect none would remain.

It is clear from the HNS that the main reason respondents had a desire to move to alternative accommodation was to set up their first / independent home, with 68% of households citing this option. There was a strong desire from those in need to own their own property with 82% preferring to own part or all of their property. I understand that the proposed properties for local residents under the Proposal are rental properties. If the majority of the individuals identified have a desire to own their own property, the housing in the Proposal will be useless.

Furthermore, the HNS indicates that there are seven applicants on the CBC housing register who have stated a local connection to Copford. There is no information as to the needs and desires of those people, who may have no interest whatsoever in moving into the proposed accommodation. It is impossible to confirm without further information and there is clearly a risk that these properties do not meet the needs or desires of the very people it claims to be for. Further information should be sought as to the appropriateness and effectiveness of the site in meeting the referenced local housing need.

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I would like to feel that CBC planning department are fully transparent and would provide all the key information to ensure that councillors are not biased in any way.

Please see the link to the 'Copford with Easthorpe Neighbourhood Plan', which clearly states that Pits Wood and surrounding open aspect views have high local value and contribute to the nature of the Parish.

<https://colchester.oc2.uk/document/30/2396#topofdoc>

Local views, fieldscapes and sites which have high local value and contribute to the nature of the Parish

Copford green

Copford Green Pond by the Cart Lodge

Copford Cricket Club pitch its location and looking towards Copford Hall

Pits Wood and surrounding open aspect views

I agree that there are needs to affordable housing, but not in the heart of our community and in an area that is held in such a high regard that it is shown on the website and within the emerging local plan.

Once again, I am so sorry for having to reach out, but there must be alternative sites in Copford for this type of development.

Kind regards,
Matt

