Colchester City Council Local Plan Review – Regulation 19 Consultation

Soundness Representations concerning Draft Policy PP37: Land north of Park Lane, Langham

DVNL Impact Statement for Langham Parish Council (Report SR6)

1. Executive Summary & Core Intent

This detailed planning and environmental representation is formally submitted by **Langham Parish Council** under the Regulation 19 Consultation framework. The Parish Council strongly contests the soundness of **Policy PP37** within the Colchester Local Plan. The current allocation framework, which introduces a major strategic housing target of 850 (plus an additional 90 dwellings that have stalled permissions) and associated commercial envelopes directly on the edge of the settlement boundary, represents an unsustainable and heavily disruptive encroachment into the sensitive rural fringe and setting of the **Dedham Vale National Landscape (DVNL)**.

The submission demonstrates that the plan fails all four statutory Soundness Tests. The allocation lacks an appropriate evidence base, fails to evaluate cross-boundary impacts, ignores critical wastewater infrastructure bottlenecks, and introduces severe vehicular, socio-demographic, and environmental pressures that directly undermine both national planning guidelines and statutory landscape protection duties.

2. Detailed Planning & Environmental Assessment

2.1 Socio-Demographic Shift and Massive Vehicular Pressures

The assignment of **850 new homes** under Policy PP37 constitutes a disproportionate, high-density growth mandate that fundamentally alters the rural baseline of Langham. Applying standard planning metrics, this scale of housing (added to stalled permissions and PP38) will translate into an influx of around **2,500 new residents** and **1,800 additional motor vehicles** concentrated within a localised, historic rural settlement corridor.

The surrounding highway asset—characterized by narrow rural lanes, lack of pedestrian walkways, and highly constrained historic junctions—is structurally and geometrically incapable of absorbing this intense volume. Forcing 1,800 additional vehicles onto these narrow rural approaches will trigger severe operational congestion, rapid physical degradation of protected wayside verges, and unprecedented road safety conflicts on the critical gateway lanes that serve the DVNL.

2.2 Overwhelming of Protected Visitor Infrastructure (Flatford & Dedham)

Beyond the localised road network, the introduction of 2,500 new residents within direct proximity to the DVNL will cause unsustainable recreation and visitor pressures on highly sensitive heritage and ecological zones. The National Trust presence at Flatford and the historic public spaces, infrastructure, and amenities within Dedham village are already under acute, peak-period operational strain.

The plan provides no strategy or funding framework to protect these iconic national assets from being completely engulfed by localised vehicle journeys and foot traffic. The influx will result in the physical erosion of protected riverside footpaths, severe parking over-capacity across Dedham and operational gridlock, creating a severe detriment to the experience of visitors and the protection of the built environment.

2.3 Irreversible Destruction of Landscape Tranquility and Dark Skies

Tranquility and dark skies are formal, legally protected qualities of the Dedham Vale National Landscape designation. The cumulative pressure of 1,800 additional vehicles—combined with the unavoidable light spill from high-density residential windows, commercial security lighting under Policy PEP10, and vehicle headlights—will result in the permanent, irreversible fracturing of the area's wilderness character.

The introduction of urbanised illumination profiles and constant acoustic disturbance directly violates the core statutory objective of the designation, converting a highly valued national visual asset into an urban-spillover buffer zone.

2.4 Critical Hydrological Capacity Failures and Downstream Flooding

The infrastructural evidence base supporting the plan is flawed regarding the **Langham Water Recycling Centre (WRC)**. The Environment Agency and Anglian Water have previously confirmed that the Langham WRC operates under severe operational constraints, running near its maximum hydraulic allowance and suffering from high clear-water infiltration during wet weather.

Absorbing the heavy wastewater load of 850 (+ 90 stalled delivery) homes will necessitate continuous, high-volume final effluent discharges into the **Black Brook** catchment corridor. The Black Brook is a narrow, sensitive rural watercourse lacking the cross-sectional capacity to manage artificial volumetric surges. As a direct consequence, this sustained high-velocity output will cause frequent, out-of-bank fluvial flooding across downstream agricultural perimeters and local highway approaches.

Furthermore, the Black Brook flows directly into the **River Stour** at a vital ecological nexus within the heart of the **DVNL at Dedham**. The high concentration of nutrients (nitrogen and phosphates) in the massive wastewater surge will trigger rapid eutrophication in the River Stour. This nutrient loading will strip dissolved oxygen from the water, destroying protected fish spawning grounds and degrading the fragile aquatic ecosystem, in direct violation of statutory environmental objectives.

3. Explicit Areas of Document & Legal Non-Compliance

The plan's current drafting stands in direct non-compliance with the following statutory frameworks and national guidelines:

- **NPPF Paragraph 182 & 183 (Landscape Conservation):** The 2024 National Planning Policy Framework mandates that 'great weight should be given to conserving and enhancing landscape and scenic beauty' in National Landscapes. The Council's high-density allocations represent a major development inside the visual and sensory envelope of the DVNL, completely failing the mandatory Exceptional Circumstances and Public Interest tests required by national policy.
- **NPPF Paragraph 165 & 173 (Flood Risk Management):** The plan fails to correctly execute the Sequential and Exception Tests by introducing allocations that directly trigger downstream fluvial flood generation (Black Brook) and environmental deterioration outside the immediate boundaries of the site.

- **Section 85 of the Countryside and Rights of Way (CRoW) Act 2000:** The Council has an active statutory duty to 'further the purpose of conserving and enhancing the natural beauty' of the designated landscape. Pushing forward massive population and vehicle numbers without site-specific landscape and visual impact assessments represents a severe breach of this statutory duty.
- **The Dedham Vale National Landscape and Stour Valley Management Plan:** The plan actively breaches Theme 1 (Landscape Character) and Theme 2 (Development and Infrastructure) by failing to protect the dark skies, tranquil soundscapes, and sensitive ecological catchments from structural and demographic overloading.

4. Evidentiary Deficits in the Regulation 19 Pack

A procedural flaw of the Colchester Regulation 19 information pack is the complete absence of independent, site-specific landscape or visitor impact assessments for the Langham allocations. While the Council commissioned detailed landscape and ecology reviews by *The Landscape Partnership* to validate other major growth areas—such as Policy PP9 (North East Colchester) and Policy PP32a (Eight Ash Green)—**no site-specific Landscape and Visual Impact Assessment (LVIA) or setting appraisal has been provided for the 850-dwelling Langham allocation (PP37) or the Lodge Lane commercial expansion (PEP10)**.

This omission means the Council is attempting to enforce a massive urban-spillover target on a highly sensitive rural edge completely blind to the visual, traffic, and environmental consequences, rendering the entire site-selection methodology arbitrary, erratic, and legally unsound.

5. Soundness Assessment

Positively Prepared: Unsound. The plan fails to account for cross-boundary cumulative impacts on the designated protected landscape. It forces an unsustainable influx of approximately 2,500 new residents and 1,800 motor vehicles directly onto the delicate ecosystems of the DVNL and its sensitive rural edge, affecting vulnerable focal points like the River Stour at the Dedham/Stratford St Mary border and the National Trust setting at Flatford. This top-down quota is an artificial urban spillover that is completely disconnected from any actual localised rural housing needs assessment, ignoring severe infrastructural constraints.

Justified: Unsound. The Council's evidence base contains a flaw. While comprehensive landscape and ecology reviews were provided within the Regulation 19 pack for other strategic growth nodes (e.g., PP9 & PP32a), zero site-specific Landscape Assessment or setting appraisals have been provided for Langham's allocations. The allocation of 860 homes (PP37 + PP38) immediately adjacent to protected national asset has been put forward without a formal Landscape and Visual Impact Assessment (LVIA). Pushing major developments adjacent to the DVNL without an empirical baseline is entirely arbitrary and legally unsubstantiated. Also the central farmland sites function as a vital transitional landscape leading into the DVNL. The council has provided no evidence assessing how replacing this open, undeveloped character with a dominant, intrusive urban block impacts the setting and rural approaches valued by the Dedham Vale Management Plan.

Effective: Unsound. The plan is fundamentally undeliverable due to critical utilities constraints. Overloads at the Langham WRC drive continuous high-volume effluent surges into the Black Brook, triggering winter downstream fluvial flooding and ecological eutrophication within the River Stour at Dedham. This will be magnified by 1,100 new connections (includes 150 homes at Boxted and stalled existing applications) all connecting to Langham Water Recycling Centre. Also, 2,500 cars will cause total gridlock across narrow lane approaches, completely engulfing the historic DVNL infrastructure and visitor assets. Furthermore, there is an unresolved major funding issue for Infrastructure projects.

Consistent with National Policy: Unsound. The allocations create a direct, unresolvable conflict with national policy framework tenets. It breaches 2024 NPPF Paragraphs 182 and 183 by failing to apply 'great weight' to conserving scenic beauty and omitting the mandatory Exceptional Circumstances test. It breaks Paragraphs 165 and 173 by generating downstream flooding, violates Paragraphs 108 and 114 regarding rural lane transport failure, and violates Section 85 of the statutory Countryside & Rights of Way (CRoW) Act 2000. The loss of tranquility and the Dark Skies initiative are key topics associated with the DVNL. The accompanying traffic increases (“rat running”) through Boxted, Langham and Dedham will permanently shatter the areas ambient tranquility and an urban expansion of this scale introduces pervasive light pollution that undermines the regions Dark Skies Initiative. While the sites sit just outside of the DVNL boundary line, their scale constitutes a major development that compromises the integrity of the protected area. In line with national policy, small-scale cumulative changes – and certainly a singular massive intervention of this scale – result in piecemeal degradation and permanent urban sprawl.

6. Requested Modifications

To provide the Planning Inspector with clear, actionable solutions to make the Local Plan legally compliant and sound, Langham Parish Council requests the following modifications:

6.1 Policy PP37 (Langham Housing Allocation) — Edit

The strategic allocation of 850 dwellings at Langham is hereby DELETED from the Local Plan to prevent the unsustainable generation of an estimated 2,500 new residents and 1,800 motor vehicles onto the fragile rural road network. Any future infill housing proposals within the defined settlement boundary of Langham shall be restricted to localised scales and shall be strictly conditional upon:

(i) A comprehensive Transport and Cumulative Impact Assessment proving zero negative impact, severe congestion, or safety conflicts on the rural lanes and approaches leading into the Dedham Vale National Landscape (DVNL);

ii) A site-specific Landscape and Visual Impact Assessment (LVIA) being provided for the development;

(iii) Written confirmation from the Environment Agency and the Lead Local Flood Authority that the Langham Water Recycling Centre has undergone mechanical expansion and capacity upgrades sufficient to eliminate any risk of downstream fluvial flooding along the Black Brook corridor or ecological deterioration within the River Stour catchment; and

iv) Compliance with Paragraph 182 of the National Planning Policy Framework. Development proposals within the vicinity of the DVNL must protect its unique landscape features. To ensure compliance with Paragraph 182 of the National Planning Policy Framework, a mandatory visual, sensory, and structural

buffer zone should be established extending outwards from the boundary of the Dedham Vale National to preserve the tranquility, visual landscape character, and dark skies asset of the National Landscape.