

Local Plan Committee Meeting

**Grand Jury Room, Town Hall, High Street,
Colchester, CO1 1PJ
Monday, 04 April 2016 at 18:00**

The Local Plan Committee deals with the Council's responsibilities relating to the Local Plan

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COLCHESTER BOROUGH COUNCIL
Local Plan Committee
Monday, 04 April 2016 at 18:00

Member:

Councillor Martin Goss
Councillor Lyn Barton
Councillor Christopher Arnold
Councillor Elizabeth Blundell
Councillor Barrie Cook
Councillor Andrew Ellis
Councillor John Jowers
Councillor Kim Naish
Councillor Gerard Oxford

Chairman
Deputy Chairman

Substitutes:

All members of the Council who are not Cabinet members or members of this Panel.

AGENDA - Part A
(open to the public including the press)

Members of the public may wish to note that Agenda items 1 to 5 are normally brief.

1 Welcome and Announcements

- a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.
- (b) At the Chairman's discretion, to announce information on:
 - action in the event of an emergency;
 - mobile phones switched to silent;
 - the audio-recording of meetings;
 - location of toilets;
 - introduction of members of the meeting.

2 Substitutions

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.

3 Urgent Items

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent, to give reasons for the urgency and to indicate where in the order of business the item will be considered.

4 **Declarations of Interest**

The Chairman to invite Councillors to declare individually any interests they may have in the items on the agenda. Councillors should consult Meetings General Procedure Rule 7 for full guidance on the registration and declaration of interests. However Councillors may wish to note the following:-

- Where a Councillor has a disclosable pecuniary interest, other pecuniary interest or a non-pecuniary interest in any business of the authority and he/she is present at a meeting of the authority at which the business is considered, the Councillor must disclose to that meeting the existence and nature of that interest, whether or not such interest is registered on his/her register of Interests or if he/she has made a pending notification.
- If a Councillor has a disclosable pecuniary interest in a matter being considered at a meeting, he/she must not participate in any discussion or vote on the matter at the meeting. The Councillor must withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Where a Councillor has another pecuniary interest in a matter being considered at a meeting and where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Councillor's judgement of the public interest, the Councillor must disclose the existence and nature of the interest and withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Failure to comply with the arrangements regarding disclosable pecuniary interests without reasonable excuse is a criminal offence, with a penalty of up to £5,000 and disqualification from office for up to 5 years.

5 **Have Your Say!**

a) The Chairman to invite members of the public to indicate if they wish to speak or present a petition at this meeting – either on an item on the agenda or on a general matter relating to the terms of reference of the Committee/Panel not on this agenda. You should indicate your wish to speak at this point if your name has not been noted by Council staff.

(b) The Chairman to invite contributions from members of the public who wish to Have Your Say! on a general matter relating to the terms of reference of the Committee/Panel not on this agenda.

6b	Minutes of 2 February 2016	17 - 24
7	Colchester Local List See report by the Head of Commercial Services	25 - 34
8	Strategic Housing Market Assessment - Update See report by the Head of Commercial Services	35 - 70
9	Brownfield Land Pilot See report by the Head of Commercial Services	71 - 92
10	Settlement Boundary Review See report by the Head of Commercial Services	93 - 100
11	Local Plan Draft Policies See report by the Head of Commercial Services	101 - 164
12	Memorandum of Understanding See report by the Head of Commercial Services	165 - 172
13	Exclusion of the Public (not Scrutiny or Executive) In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).	

Part B

(not open to the public including the press)

Local Plan Committee

Monday, 14 December 2015

Attendees: Councillor Elizabeth Blundell (Member), Councillor Andrew Ellis (Member), Councillor John Jowers (Group Spokesperson), Councillor Kim Naish (Group Spokesperson), Councillor Lyn Barton (Deputy Chairman), Councillor Martin Goss (Chairman), Councillor Christopher Arnold (Member), Councillor Barrie Cook (Member)

Substitutes: Councillor Philip Oxford (for Councillor Gerard Oxford)

55 Minutes of 5 October 2015

The minutes of the meeting held on 5 October 2015 were confirmed as a correct record.

56 Garden Settlements

Councillor Jowers (in respect of his membership of the Essex County Council and his involvement with the work of the Historic and Built Environment Team) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Committee considered a report by the Head of Commercial Services giving details of the progress made in relation to the consideration and assessment of Garden Settlements as part of the Local Plan process.

Chris Outtersides, Project Manager (Major Growth), presented the report and responded to Councillors questions.

Chris explained that as part of the Local Plan process, the Objectively Assessment of Need (OAN) prepared by Peter Brett Associates suggested that Council needed to allocate land for approximately 13,800 houses (920 a year) to meet housing needs up to 2032, i.e. within the next plan period. To address this need, and in accordance with the Duty to Cooperate, the Council was working closely with Braintree District Council (BDC) and Tendring District Council (TDC), who were at similar stages in their respective Local Plan preparation, to plan effectively for the long term. As part of this process, the Councils (with assistance from Essex County Council) were thinking strategically, were not being restricted by current plan making time horizons and were considering whether Garden Settlements could address some of this long term need both within the plan period and beyond.

The Colchester Issues and Options Report, published in 2015, also included several

growth strategy options including new settlements to the east and west of Colchester and a possible urban extension to the north of Colchester. This report also outlined that *“The Town and Country Planning Association’s Garden City principles provide a useful framework for achieving this.”*

Garden Cities were underpinned by a set of principles evolved from Ebenezer Howard’s original vision in 1898. Whilst, in terms of scale, the Government has indicated that Garden Cities should comprise approximately 15,000 dwellings and above, as well as associated employment, green space and infrastructure, with the expectation that it would take longer than one plan period to deliver these new communities. Additionally, there could be scope to apply Garden City Principles including land value capture to smaller settlements.

Following the Issues and Options Report and the Call for Sites exercise, the Council, in conjunction with BDC and TDC had jointly appointed Garden City Developments CIC (GCD), a not for profit community interest company, to promote and establish partnerships with local landowners and option holders to investigate the feasibility of the proposed Garden Cities.

GCD has met members from each Council, held numerous meetings with key landowners and was currently undertaking discussions with these landowners and option holders. John Walker from GCD and former Chief Executive of the Commission for New Towns, attended the meeting to assist the Committee members in their discussions

The three Councils were also actively seeking to evolve the Local Plan policy process to endorse the emerging concepts should any decision be made to identify a Garden Settlement as a broad location for growth in the Local Plan Preferred Options.

Councillor Smith, Leader of the Council, attended and, with the consent of the Chairman, addressed the Committee. He explained that work with Braintree District, Essex County and Tendring District Councils was continuing, the project was showing great potential and he was hopeful that the project may lead to interesting solutions. There was a strong commitment to work towards an increased job offer for the areas as well as the provision of mixed tenure housing.

In discussion, Members of the Committee commented, in particular, in relation to:

- Whether particular criteria needed to be adhered to as part of the components of Garden Settlements generally;
- The solution provided, in terms of house numbers, was welcomed however there were numerous concerns and questions to be resolved in terms of location for a settlement, the benefits and drawbacks, the nature of employment opportunities and whether an historic town like Colchester could cope with this form of development;
- The relationship between contemporary Garden Settlement development and the early Essex New Town developments in Harlow and Basildon;

- The need to work with another Local Authority in order to deliver a Garden Settlement of the optimum size of at least 15,000 dwellings;
- The mechanism to be used in order to start the process to develop a Garden Settlement;
- Difficulties associated with community benefits being delivered towards the end of a development and the mechanism to provide for benefits to come within the plan period;
- Concern about not having a nucleus when developing a Garden Settlement concept and whether it was necessary to work towards multiple rather than single sites and whether this might lead to competition between different locations and the ultimate development of more than one major settlement;
- The risks involved in successfully securing forward funding for infrastructure improvements and whether there were any others;
- Whether it was possible for Garden Settlements to be developed on greenfield sites;
- The challenge of providing affordable property options for first time buyers particularly given the problems of affordability in the South East and, increasingly in Colchester itself;
- When a decision on the principle of providing a Garden Settlement would need to be taken and by which body of the Council
- Potential risks to the deliverability of this type of long term project in the light of, for example, another economic recession and a future decision on devolution.

In response to questions from the Committee members, John Walker, together with Karen Syrett, Place Strategy Manager, explained that:

- The Garden Cities principles were a good starting point but it was for each Local Authority to put their own stamp on each project and for all partners to be in agreement in order to successfully deliver the outcomes. However, he acknowledged that Garden Settlements typically took 50 years to come to full maturity;
- It was important to find a way to work in partnership with landowners, enabling Local Authorities to be part of the delivery;
- The New Towns of Harlow and Basildon were government sponsored developments which generated around £2b revenue once initially loan funding had been paid off;
- Councils were correct to be cautious but it was important to acknowledge the benefits to be gained for local landowners. In turn, if the agreement of various local landowners could be achieved this would greatly assist in the delivery of the aspirations set out in the Local Plan;
- It was important to adhere to the Garden Settlement principles but each area would need to decide for itself what was best;
- The initial development of a Garden Settlement required the people living in the neighbouring areas to be fully engaged with the process in order to identify what was wanted and what was intended to be achieved. Many of the aspirations were likely to be predictable but not all would be so;
- A settlement with a population in the order of 15,000 was much more likely to be a self-contained community rather than a commuter suburb with capacity to deliver, for example, a greater number of schools. As such it was important for Local Authorities to be prepared to have a bold vision for the future, especially if it

- was thought that a larger community would be required at a later stage;
- Developers tended to work on relatively short term goals meaning that Local Authorities needed to take responsibility for securing a longer term or patient investment approach, for which there were financial models that were useful to follow;
- Government had asked Local Authorities to present their proposals to address the national housing crisis. John Walker suggested it was important for Local Authorities to avoid the previous New Town concept whereby the Government had taken all the profit from the developments;
- He was currently with the Council to help in making informed decision and not to struggle in the delivery. A number of landowners and developers had been involved in discussions and agreement had been forthcoming in principle to work in partnership rather than the adversarial approach adopted in the past;
- The risks were likely to depend on the attitudes of the developers and the relationships which existed with the various partners although any significant development would require the assistance of a commercially minded organisation in order to achieve the stated objectives;
- The use of greenfield sites for the development of Garden Settlements was possible particularly given the amount of brownfield development which had already been achieved in Colchester and the increasing scarcity of brownfield options in this area;
- It was important in terms of the delivery of infrastructure and the timing of that delivery for Local Authorities to act as the developer of the project which provides for the local Council to make judgements about the nature and timing of infrastructure delivery;
- A lot of thought had already gone into the problems around affordability for first time buyers but it was important to remember that Councils, as the determiners of planning policy, were able to decide how housing was to be delivered and the options of what was wanted to be included in its developments. So although Councils did not control the investment and the landownership they did have the ability to persuade developers to provide what the Council wanted for its residents;
- The decision on the potential provision of a Garden Settlement would form part of the ongoing Local Plan process which currently involved looking into the assessment of land as a result of the submissions under the Call for Sites. A decision on preferred options would be made by the Local Plan Committee in June 2016, which would be subject to consultation and potentially further revisions, meaning that there would be a number of opportunities for the matter to be considered and debated upon, prior to any ultimate decision making in the form of a recommendation to the Council;
- Considerable feasibility work was also required in order to determine whether a Garden Settlement proposal would be viable, together with consideration in relation to the level of resources required. As such planning policy decisions by the Local Plan Committee would be considered in the context of decisions made by Cabinet in relation to resources.

RESOLVED that John Walker be thanked for his assistance in the Committee's discussions and the progress made in relation to the consideration and assessment of Garden Settlements as part of the Local Plan process be noted.

57 Affordable Housing Delivery

The Committee considered a report by the Head of Commercial Services giving details of the current level of Affordable Housing delivery within Colchester Borough and inviting the Committee to provide feedback in terms of information provided and frequency of future reports on this issue.

Daniel Cameron, Planning and Contributions Officer, presented the report, responded to questions and, together with Eddie Bacon, Affordable Housing Development Officer, assisted the members in their discussions.

Daniel explained that the current Core Strategy document set out the Council's approach to securing affordable housing, stating a target of 20% of new dwellings as affordable housing and proposals below the target would need to be supported by a viability appraisal. However, the Council's ability to extract affordable housing in line with its policy was significantly restricted where it could be demonstrated that the cost to the developer would harm the viability of the project. The current adopted policy required provision on-site for sites over 10 units in urban parts of the borough and larger villages and over 5 units elsewhere. The housing to be scattered ('pepper potting') in a tenure-blind manner and the mix of properties to be delivered to be reflective of the overall mix of properties being built. Additionally, where developers were unable to deliver on site, commuted sums were sought to enable delivery of elsewhere in the borough so that housing need could still be addressed.

Over the past 18 years a total of 2,380 Affordable Homes had been provided, an average of 132 units per year. Whilst in the last three years a total of 495 Affordable Homes had been provided at an average of 165 units per year. Details were also provided of the predicted levels of delivery over the next three years. However, fluctuations in delivery from year to year were inevitable due to a number of factors such as poor weather and provision of servicing to sites. In addition it was explained that the forthcoming Housing and Planning Bill 2015 and Welfare and Work Bill 2015/16 had created uncertainty in relation to the ability of Registered Providers of social housing to take on the delivery or management of Affordable Housing.

In discussion members of the Committee referred to:

- The Council's track record on the delivery of brownfield development had been very good however this had resulted in a negative impact of the number of Affordable Units being achieved;
- Greater scope to be found in the consideration of Exception Sites, self-build opportunities and Shared Equity schemes and the importance of arranging for the formulation of detailed Guidance on these options to assist local communities in understanding what might be viable;
- How the New Homes Bonus was being utilised to assist in the delivery of Affordable units;
- Whether the level of homelessness in Colchester was increasing and to what

extent.

In response to questions from the Committee members Daniel and Eddie explained that:

- Funding available from the New Homes Bonus was made available to the registered housing providers in the local area in order to deliver affordable units in the Borough;
- The current position regarding the level and extent of homelessness in the Borough would be circulated by email to the Committee members after the meeting.

RESOLVED that the details of the current level of Affordable Housing delivery within Colchester Borough be noted.

58 Local Development Scheme - Revision

The Committee considered a report by the Head of Commercial Services setting out the revised Local Development Scheme (LDS) detailing the programme of work and documents to be produced as part of the Local Plan up to December 2019.

Laura Chase, Planning Policy Manager presented the report and assisted the Committee members in their discussions.

Laura explained that, the LDS set out which documents would form part of the Colchester Local Plan along with the timetable for the preparation and review of each document. The LDS was also reviewed annually as part of the Council's Authority Monitoring Report. A new LDS was now required to extend the timetable beyond 2016 and to reflect the latest developments in Colchester's plan-making. It was explained that the following documents would be prepared and in what time frame:

- Local Plan Review

Preferred Options consultation June/July 2016

Submission Draft consultation Jan/February 2017

Examination June 2017

Adoption October 2017

- Community Infrastructure Levy Charging Schedule, to be prepared in tandem with the Local Plan
- Neighbourhood Planning

Boxted – Plan Area adopted in October 2012

Myland – Plan Area adopted in January 2013

West Bergholt – Plan Area adopted in July 2013

Wivenhoe – Plan Area adopted in July 2013

Stanway – Plan Area adopted in June 2014

Tiptree – Plan Area adopted in February 2015

Eight Ash Green – Plan Area adopted in June 2015

Copford – Plan Area adopted in August 2015

Marks Tey – Plan Area adopted in September 2015

- Revised timetable for the preparation of the Planning Obligations Supplementary Planning Document to be prepared in tandem with the Local Plan and Community Infrastructure Levy
- Evidence base documents and updates which will be necessary to support the Local Plan Review
- Changes to the text of the LDS to reflect the range of documents outlined above.

In earlier versions of the LDS, the Council had been required to specify details of each Supplementary Planning Document (SPD) intended to be produced. Although no longer required there was one SPD programmed for the next three year period on Planning Obligations. Future additional SPDs as well as further guidance notes and development brief documents may however be produced by the Spatial Policy Team without formal modification of the LDS because of their non-statutory status in the decision making process.

In discussion members of the Committee referred to:

- Myland Community Council Neighbourhood Plan had now been submitted to the Council;
- Whether the timetable was likely to require additional staffing resources to ensure delivery as set out;
- Whether any further Neighbourhood Plans would be forthcoming beyond those already identified;
- Clarification on the level of risk identified in the Scheme document in relation to public opposition to plan proposals.

In response to questions from the Committee members Laura explained that:

- The timetable had been devised based upon the current level of resources within the Spatial Policy Team;
- The formulation and submission of Neighbourhood Plans was identified within the Localism Act and, as such, the Council had a duty to respond to any further submissions as might come forward;
- The assessment of risk in relation to the amount of public opposition to the plan proposals was considered to be high whilst the impact of that opposition was

likely to be of medium risk.

RESOLVED that the revised timetable in the Local Development Scheme (LDS) for the period 2016-2019, together with the programme of work and documents to be produced as part of the Local Plan up to December 2019, be agreed.

59 Authority Monitoring Report

The Committee considered a report by the Head of Commercial Services giving details of the 2014-15 Authority Monitoring Report (AMR) for publication on the Council's website.

Laura Chase, Planning Policy Manager presented the report and assisted the Committee members in their discussions.

Laura explained that, the Authority Monitoring Report (AMR) provided key information that helped the Council and its partners to evaluate planning policies in the context of current trends and delivery levels.

The AMR was divided into a number of Key Themes covering progress in meeting Local Plan policy aspirations across a variety of areas. Key findings included:

- The total number of applications received between 1 April 2014 and 31 March 2015 was 1,548 compared to the previous year's total of 1,521. 86% of minor applications had been decided within 8 weeks and 88% of major applications within the national target
- 943 homes were built between 1 April 2014 and 31 March 2015, representing an increase of 725
- The net housing completion figures demonstrated that Colchester had outperformed all other Essex authorities in recent years
- Initial work that would inform the Council's new Objectively Assessed Need target indicated 920 new dwellings per annum over 20 years would be required across the Borough
- 259 affordable housing units were delivered during 2014-15; 248 of these were affordable rent and 11 were intermediate tenure or shared ownership, which amounted to 35.4% of all new homes delivered
- Approximately 93% of new and converted dwellings were on previously developed land
- The Essex Gypsy and Traveller Accommodation Assessment (GTAA) established that Colchester had 12 local authority pitches at Severalls Lane, 15 private pitches, and one site where the use was tolerated and considered lawful due to the length of time it had occurred. The 2014 Gypsy and Traveller Accommodation Assessment found that the Council would need to provide 15 further pitches to meet demand to 2033.
- There has been a net loss of 10,938 square metres of employment floorspace from planning permissions issued in the monitoring period, of which 5,269 square metres of office floorspace was permitted to change to residential use
- Transportation issues were being tackled through a number of approaches including new transport infrastructure as well as behavioural change measures

such as travel plans, which supported shifts away from car-based means of transport.

- A new carbon management plan was to be formulated to identify more innovative and creative ways to continue to reduce carbon emissions by 2020, while factoring in the effects on emissions of predicted population growth in the Borough over the same period.
- There was no loss/damage to Scheduled Monuments, Sites of Special Scientific Interest or (SSSIs), Local Wildlife Sites, key community facilities or loss of designated allotment sites.

In response to comments made by Committee members in discussion, Laura also confirmed that although the covering report referred to the key findings in relation to applications being for the year 2013-14, these were for the year 2014-15, as correctly identified in the AMR itself.

RESOLVED that the 2014-15 Authority Monitoring Report (AMR) be adopted and approved for publication on the Council's website.

60 Consultation on the Strategic Land Availability Assessment, Sustainability Appraisal and Garden Settlement Framework

The Committee considered a report by the Head of Commercial Services giving details of the summary of the consultation responses and the proposed amendments to the Strategic Land Availability Assessment (SLAA) and Sustainability Assessment Frameworks.

Sandra Scott, Planning Officer presented the report and assisted the Committee members in their discussions.

Sandra explained that, as part of the process of developing the evidence to support the production of the Local Plan, the Council was required to carry out a Strategic Land Availability Assessment and a Sustainability Appraisal. In order to ensure a fair and comprehensive approach and to be clear in the process of developing the Plan, Colchester Borough Council had carried out a consultation on draft frameworks for these two processes, to be used in the assessment of sites being considered for allocation.

A six week consultation period for both consultations ran from Monday 27 July to 5pm on Monday 7 September. A small number of responses to the consultation were received on both these documents which had been unsurprising given the technical nature of the Sustainability Appraisal and Strategic Land Availability Assessment (SLAA).

A number of issues raised merited further consideration, including:

- Additional criteria to assess deliverability
- Clarification in respect of reference to "publicly accessible open space" and the relevance of open space without public access
- Confirmation in respect of suggested additional sources of information

- Additional criteria related to an increase in community facilities, visual impact on the settlement and surrounding countryside and impacts on the distinctive setting of the settlement
- Amendment to wording in relation impacts and assessment criteria on heritage assets to provide clarity avoid ambiguity

The changes to the assessment criteria would be made to the SLAA assessment framework and all relevant Sustainability Appraisal Frameworks and the updated wording would be reflected in all assessments including those already subject to initial work. The implications of the changes were limited since they primarily added clarity to existing wording rather than raising new elements and reflected the iterative process of the SLAA and Sustainability Appraisal Methodology.

In response to comments made by Committee members in discussion, Sandra acknowledged the need for the SLAA and Sustainability Appraisal Methodology to be further amended to ensure Colchester was referred to as a Borough rather than a town and for the emphasis on an urban assessment to be modified to include the need for a village related approach as well.

RESOLVED that the summary of the consultation responses be noted and the proposed amendments to the Strategic Land Availability Assessment (SLAA) and Sustainability Assessment Frameworks be approved.

Local Plan Committee

Monday, 08 February 2016

Attendees: Councillor Christopher Arnold (Member), Councillor Lyn Barton (Deputy Chairman), Councillor Elizabeth Blundell (Member), Councillor Barrie Cook (Member), Councillor Andrew Ellis (Member), Councillor Martin Goss (Chairman), Councillor John Jowers (Group Spokesperson), Councillor Kim Naish (Group Spokesperson), Councillor Gerard Oxford (Group Spokesperson)

Substitutes: No substitutes were recorded at the meeting

61 Have Your Say!

Louisa White addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). She referred to the legislative framework around the work of the Local Plan Committee and the professional work carried out by the Local Plan Committee officers and members. This was in relation to the National Planning Policy Framework (NPPF), the Core Strategy and the various policies adopted by the Council. However, she was of the view that it was when the policies were implemented that there was a problem in terms of enforcement. She was aware that, for the public, it could be difficult to understand the necessary processes which the Council was required to follow but there was a mandatory framework which needed to be enforced so far as was possible and she was of the opinion that this should be pursued and monitored.

Committee members sympathised with Mrs White's views, acknowledging that there was flexibility within the NPPF but it would be beneficial to receive guidance as to when this was applicable.

Councillor Naish referred to articles in the local media criticising the policies of the Local Plan Committee. He explained that previously members of the Planning Committee had attended meetings of the Local Plan Committee in order to raise issues which they considered needed to be amended or updated and he was of the view that this type of interaction between Committees had worked successfully.

62 Street based Services Delivery Strategy - Update

Councillor Jowers (in respect of his membership of the Essex County Council) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Committee considered a report by the Head of Commercial Services giving details

of the changes required to update the adopted Street-based Services Delivery Strategy as a Supplementary Planning Document.

Laura Chase, Planning Policy Manager introduced the report and together with Chris Dowsing, Group Manager – Recycling, Waste and Fleet, responded to Councillors questions.

It was explained that the adopted Core Strategy and Development Policy documents set out the need to consider design and amenity, as well as to safeguard people friendly streets, improvements to roads and traffic and the need to meet carbon targets and be mindful of energy, resources, waste and recycling needs. In line with these policies, the Council had adopted the Street Services Supplementary Planning Document (SPD) in October 2012 to achieve the following objectives:

- Support sustainable growth ;
- Highlight the importance of street service facilities and infrastructure;
- Ensure adequate provision of the service;
- Inform developers and other interested parties about what the Council expects in new developments;
- Protect and improve existing street facilities;
- Enable a more strategic approach to the provision of Street Services facilities in new developments .

The adopted SPD, which had been used in negotiations to secure the delivery of street infrastructure and waste and recycling containers, now required minor updates to reflect recent service restructures and responsibilities of service provision within the Council, including the following:

- Changing the name from Street Services to Street-based Services, reflecting the new remit of the service, along with additional text on the service arrangements;
- Updating the table of background statistics; • Reduction in the distance from storage areas to collection vehicles from 25 to 15 metres;
- Addition of food waste containers;
- Changes to costs associated with the bins and containers.

In discussion, Members of the Committee commented, in particular, in relation to:

- Where the Council was ranked in terms of efficiency and cost of waste and recycling collection in the County;
- How the change in the Waste Levy would affect the County;

- Essex County Council had recently identified sites in Fingringhoe and in Stanway as potential locations for recycling plants in the County;

- The need for additional contextual information such as the distance travelled by waste vehicles during the course of the waste collections and the damage being caused to kerbstones by refuse freighters due to reduced road widths on newer developments;

- The greater long term merits of retaining cast iron waste bins in preference to plastic varieties and the possibility of undertaking a cost benefit analysis to support this view;

- The potential for parking standards to be reviewed in relation to the height of car ports in order to take account of an increased level of ownership of larger vehicles, such as for commercial and disabled uses;

- Whether it was possible to require contributions for special collection arrangements to be for periods longer than five years.

In response to questions from the Committee members, the Group Manager – Recycling, Waste and Fleet, explained that:

- The Council was currently ranked 10th out of 12 in the County on a measure of recycling amounts whilst from the aspect of waste generated, the Council was the highest ranked in the County;

- Since the introduction of the Mechanical Biological Treatment (MTB) site, the Waste Levy would be much less of an issue for the Council.

The Place Strategy Manager confirmed that it was not usual for financial contributions from developers to be made in perpetuity and that it was only considered reasonable for mitigation measures to be for fixed periods of time.

RESOLVED that changes required to update the adopted Street-based Services Delivery Strategy as a Supplementary Planning Document be approved.

63 Community Infrastructure Levy - Consultation on Viability

Councillor Jowers (in respect of his membership of the Essex County Council) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Committee considered a report by the Head of Commercial Services giving details of the updates made to the Council's Community Infrastructure Levy Viability Evidence Base and the associated public consultation.

Daniel Cameron, Planning and Contributions Officer, presented the report, responded to questions and assisted the members in their discussions.

Daniel explained that in 2011 work commenced on implementing the Council's Community Infrastructure Levy (CIL). In November 2011 the Draft Charging Schedule proposed the following charges:

- Residential development - £120/m²;
- Comparison retail - £90/m²;
- Convenience retailing - £240/m²;
- All other uses were exempt.

At this time a number of Inspector decisions were released which had a bearing on the how the Levy was applied. The most relevant required CIL to be viable at the same time as delivering policy compliant affordable housing. The Council's policy at the time was 35% affordable housing but this was rarely being delivered because of viability concerns. It was therefore considered that the policy needed to be reviewed as part of the Core Strategy Focussed Review with the result that the Affordable Housing target was set at 20%. At the same time the Local Plan Committee was concerned about the impact of CIL on viability, especially with regard to small builders and, accordingly, it was decided to review the viability evidence base. These two processes have taken time to complete and in the meantime the Council has continued using Section 106 agreements to secure infrastructure contributions.

There had been recent changes to the planning system which curtailed Local Authorities ability to fund infrastructure from small sites through Section 106 Agreements. In April 2015 the CIL Regulations came into effect as statutory policy, meaning that all Councils, regardless of whether or not they had adopted CIL were bound by its Section 106 pooling limit. Councils cannot now take five or more pooled contributions towards an infrastructure type or project. Recent consultation by the Government has raised issues regarding the speed by which Section 106 agreements are completed and the impact that any delay in negotiating the agreement may have on the development process. A Government response to this consultation is expected which may limit the amount of time to negotiate a Section 106 agreement with a developer and, consequently, it has become more important that the Council progresses its intention to implement CIL.

BPS Chartered Surveyors had been instructed by the Council to update the evidence base used to test the viability of development and to advise on the charging schedule for the CIL and it was now proposed to undertake a six week web-based consultation on BPS' findings which suggested the following charges:

- Residential development outside of Colchester urban area (Greenfield) - £150/m²;
- Residential development within Colchester urban area (Brownfield) - £0/ m²;

- All other uses would be CIL exempt.

In discussion members of the Committee referred to:

- The provision of comparative CIL charges, such as for Chelmsford City Council together with an explanation regarding the different charge thresholds for brownfield and greenfield sites and how charges are calculated where sites are partly brownfield and partly greenfield;

- Whether developers were likely to opt to develop in Local Authority areas whose charging regime was lower;

- The removal from planning policy of the Ministerial Statement on small sites;

- The situation at Grange Road Tiptree, the use of the CIL Regulations and whether this approach could be adopted elsewhere;

- Whether Parish Councils could continue to generate ideas for local community projects to be funded through CIL and how will the CIL funding would be apportioned between the local area and the Borough as a whole;

- The Council's current target for achieving Affordable Housing within developments.

In response to questions from the Committee members the Planning and Contributions Officer, together with the Place Strategy Manager, explained that:

- The charges set out in the report were in draft form on which consultation would be conducted and, as part of the process of adopting the CIL, comparisons would be made with other Authorities such as Chelmsford City and Babergh and Mid Suffolk;

- The calculation of the charge for sites on differently designated land was undertaken on a pro-rata basis according to postcodes;

- It may prove more beneficial to calculate charges in accordance with the Zonal split for the Borough which allowed for higher sales values in rural areas to be taken into account;

- The different Local Authority charging regimes tended to provide 'winners' and 'losers' between Local Authorities meaning that one Local Authority may be more cost effective for certain categories of sites while being less so in relation to another category;

- The need for an evidence base to be provided in order to quantify the funding of infrastructure through developments;

- The CIL Regulations outlined how the funding would be apportioned and that it was a fairer mechanism to collect funding;

- The Council's current target for delivery of Affordable Housing was 20%.

RESOLVED that –

- (i) The viability evidence compiled by BPS Chartered Surveyors in October 2015 which served to update the Roger Tym and Partners Community Infrastructure Levy viability evidence base document of October 2011 be noted
- (ii) The proposals to go out to public consultation on the updated viability evidence in advance of progressing with a more complete Community Infrastructure Levy draft charging schedule alongside the emergent Local Plan be approved.

64 Broadband Guidance

The Committee considered a report by the Head of Commercial Services giving details of new guidance on the provision of high speed broadband in new developments.

Karen Syrett, Place Strategy Manager, presented the report and assisted the Committee members in their discussions.

Karen explained that the National Planning Policy Framework (NPPF) stated that advanced, high quality communications infrastructure was essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also played a vital role in enhancing the provision of local community facilities and services. The Council's proposed Guidance on the provision and benefits of high speed broadband in new developments would add detail and set out the benefits to this national policy objective.

The Guidance stated that Local Planning Authorities have a pivotal role to play in encouraging developers to 'future-proof' their developments by installing high speed broadband infrastructure. In addition to the reputational and wider economic benefits of ensuring that residents are able to access high speed broadband when they move into new developments, there is also the issue of avoiding the costs and frustrations to occupiers of future retro-fitting if the infrastructure is not fit for purpose. Although the Government and the NPPF both support and encourage the inclusion of high speed broadband, there is no statutory requirement which supports this aspiration.

The key benefits were outlined, including:

- Superfast speeds were increasingly important to prospective home buyers;
- Costs per unit for larger sites were usually cost neutral;
- Options such as satellite broadband for rural or isolated developments to address financial viability concerns.

In discussion members of the Committee generally welcomed the guidance and specifically referred to:

- The many benefits to the public not only in respect of the access to broadband but also in terms of the avoidance of installation work after the development s had

- been completed;
- The fact that fibre broadband was being installed in all new roads and schools as a matter of routine but this practice was not being replicated in respect of new homes;
 - The assistance provided by the Guidance in terms of simply identifying the fast track access to various broadband providers;
 - Personal experiences of ward councillors when attempting to secure the co-operation of BT Openreach who were unwilling to fund the infrastructure and were of the view that the cost should rest with the Government or the individual developers;
 - The problem was often seen as one for those living in rural areas but this was not necessarily a question of a more isolated geographic location;
 - The very positive assistance being provided by County Broadband in providing alternative solutions for those in poorly connected locations;
 - The difference in technology between broadband provided via the telephone connection to a house and the technology providing mobile phone online access.

RESOLVED that the guidance on the provision of broadband in new developments be adopted as Supplementary Planning Guidance.

4 April 2016

Report of	Head of Commercial Services	Author	Beverley McClean 01206 282480
Title	Colchester Local List		
Wards affected	Urban Colchester wards, Wivenhoe Quay, Mile End and Langham		

The Local Plan Committee is asked to agree the proposed amendments to the adopted Colchester Local List

1. Decision(s) Required

- 1.1 The Committee is asked to agree the proposed amendments to the adopted Colchester Local List.

2. Reasons for Decision

- 2.1 The Local List for Colchester includes buildings, architectural features and historic assets that, while not of national significance, are considered to be locally significant for their architectural or historic value. It is not a static list which will change over time in response to planning decisions or as a result of new buildings being proposed for inclusion on it. When the Local List for Colchester was approved by the Local Development Framework Committee in December 2011, it was agreed that it would be reviewed annually.
- 2.2 Procedures for amending Colchester's Local List were agreed at the Local Plan Committee on 28 January 2013. The Local List which covers urban Colchester, Langham and Wivenhoe is now due for its 4th annual review. A number of amendments have been put forward which the Committee is being asked to review and agree the suggested changes.

3. Alternative Options

- 3.1 The alternative option is to not review the Local List. Without a regular review, the information on the Local List would become out of date and inaccurate. The inclusion of a heritage asset on the Local List is a material consideration when determining planning applications affecting them. The lack of a properly maintained Local List would reduce the Council's ability to make informed decisions when assessing development proposals affecting buildings or historic assets that are architecturally or historically significant in the Borough. This in turn would make the conservation of these buildings and assets more difficult.

4. Supporting Information

- 4.1 National Planning Policy Framework (paragraph 129) states that Local Authorities should identify and assess the significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking

account of available evidence and any necessary expertise. This includes buildings or assets that are locally listed.

- 4.2 A Local List is essentially a list of heritage assets that although not suitable for designation as Listed Buildings are considered historically or architecturally important at a local level. The List can include a range of historic assets including individual buildings or whole streetscapes. It can also include individual features on buildings such as railings, lamp posts or post boxes as well as locally valued archaeological features i.e. crop marks. The important factor is that the assets included on the Local List are of historic interest locally and/or make a significant contribution to the character and setting of the area in which they are located and are valued by the local community. Inclusion on a Local List is a material consideration when planning applications affecting such buildings or features are being considered. Similarly, Planning Inspectors will have due regard for buildings or assets on a Local List as part of appeals as in the case of the Bovis Homes challenge on part of the Calvary Barrack site.
- 4.3 Colchester Borough Council set out their intention to prepare and adopt a Local List in Development Policy DP14 (Historic Environment Assets). The first List for Colchester was adopted by the Local Development Framework (LDF) Committee in December 2011.
- 4.4 A survey of the built historic assets in and around urban Colchester resulted in 665 buildings/features being identified for inclusion on the draft Local List. A further 76 assets were added to the Local List following approval of buildings and assets in Wivenhoe in March 2012. All references to the Colchester Local List include the Wivenhoe information and now also an asset in Langham. In 2015 there were 744 buildings/assets on the Colchester Local List. If the current changes are approved, the total number of buildings and assets will increase to 758.
- 4.5 The original Colchester Local List information is stored on the Colchester's Historic Buildings Forum website (www.colchesterhistoricbuildingsforum.org.uk) and on the Council's C-MAP system.
<https://stratus.pbondemand.eu/connect/colchesterborough/?mapcfg=planningservices>
The approved changes will be added to the existing Local List information on Colchester Borough Council's C-MAP system and to the Civica database.

5. Proposals

5.1 2016 Review

In January 2016, a press release was issued inviting members of the public and local groups to nominate buildings or historic/architectural features for consideration for either inclusion or removal from Colchester's Local List. The Spatial Policy team also consulted colleagues in Development Management to gather information about any planning applications that had resulted in the loss of or alteration of buildings or historic/architectural features on the Local List. Representatives from the Colchester Historic Buildings Forum, who drew up the original Local List, were also consulted for advice.

- 5.2 In response to the press release and internal consultation a total of 21 changes have been proposed to the Local List. 7 of the 20 proposed additions are not considered suitable for inclusion on the Local List and these are set out in Table 1 below along with a justification supporting this recommendation. One suggestion is for a number of streets

to be included on the list in their entirety but a split decision has been recommended as detailed below.

Table 1 Buildings/assets not recommended for inclusion on the Colchester Local List.

Building	Information	Recommended Action
Methodist Chapel, Nayland Road	Built in 1985 on a lot of lands bought in 1894 for £38. It was designed and built by Mr T Locke after the Corinthian style of architecture. There was a good well of water on the premises. Construction is Flemish Bond Corbelling with decorative brick work to windows and verge	Do not add to Local List - despite retaining attractive brick detailing, the fabric of the original chapel has been much altered.
Catholic Church, Mill Road	Catholic Church of St Joseph built in 1947 entirely by local parishioners for their workshop. It is therefore highly valued.	Do not add to Local List - despite a strong local & historical connection the architectural quality of this chapel is low
The Cricketers, Fordham Heath	Last Pub in Eight Ash Green No further information provided but probably not a suitable candidate for the Local List	Do not add to Local List - this pub was proposed as it is the last remaining pub in Eight Ash Green which does not satisfy the Local List selection criteria
1 The Avenue, Wivenhoe	<p>The cottage is obviously architect designed (not many C19th Wivenhoe houses or cottages seem to be) and has a 1840s dated plaque. Its detailing is good. It looks across diagonally to the corner of the CA (the former Park Hotel) and a case could be made that its demolition should require CA consent as the building contributes to the amenity of the CA itself.</p> <p>Following the recent vandal fire which penetrated the slate roof, the (then) owners, the Coop, repaired the roof, suggesting their intention to keep the building as part of their housing scheme. The land was recently up for sale Local Listing would be significant in saving this unlisted and non-CA building of unusual quality and interest for its Wivenhoe</p>	Do not add to Local List - this building is not considered suitable for addition to the Local List because of extant planning permission on the site. This is consistent with previous Local List decisions

	setting. BUT planning permission granted in 2010-11 ref 100213 for Demolition of existing garages and workshops and construction of 24	
North and south Lodges, Turner Village Turner Road	1930's detached buildings facing the entrance to Turner Village	Do not add to Local List - more information is needed about these buildings to support their inclusion on the Local List
Crescent of villas, Turner Village Turner Road	Former 2 storey ward blocks for patients of Turner Village hospital.	Do not add to Local List - more information is needed about these buildings to support their inclusion on the Local List
Half Moon Farm, Fordham Heath	This building has been a farm, pub, and dwelling over the years and is a historical building within the Eight Ash Green Parish.	Do not add to Local List - more information is needed about this building to support including it on the Local List
See also Streetscapes of the ladder roads below (split decision)		

- 5.3 For the reasons stated it is recommended that the above buildings are not given further consideration in the context of the 2016 Local List review. Further information will be sought about the North & South Lodges and the Crescent of villas, Turner Road and Half Moon Farm for further consideration in the 2017 review.
- 5.4 The remaining 14 buildings/assets which are considered suitable for inclusion on the Local List are detailed in table 2 along with reasons to support their inclusion.

Table 2- buildings/assets recommended for inclusion on the Colchester Local List.

Building/asset	Information	Action
Mile End		
Statue of Boudica, North Station roundabout	Representational statue in metal of Boudica with shield by Jonathan Clarke	Add to Local List. This a quirky iconic statue that is now part of the identify and branding of Colchester
The Bricklayers, Bergholt Road	Victorian Public House	Add to Local List – The Bricklayers Public House is a relatively unaltered and good example of late 19 th century architecture
Original St Michaels Church Rectory Close	Stones and gravestone marking the site of St Mary's earlier churches the first recoded in 1254. The original church was much larger than later records show. The nave was 32ft 9ins long and 18ft 9ins wide with walls 2ft 6ins thick. From this extended a chancel with a width of 15ft and 9ins. The south wall was traced for 23ft of its length and the east end lay at some point beyond. In 1660 the church was rebuilt using materials from the original church . The chancel of the new church was only 6ft 10ins long and this is the building depicted in the old drawings and by a model made by Miss A P Strong which is in Hollytrees Museum	Add to Local List- important cultural and archaeological asset. It is highly likely that there are surviving below ground archaeological remains on this site.
War Memorial Nayland Road/Braiswick Lane	The war memorial is in the style of but not identical to the Cross of Sacrifice designed at the end of the First War by Sir Reginald Blomfield. The site was donated by Mr Edward Cant the owner of Blue Gates. The unveiling and dedication of the war memorial took place in the afternoon of 2 nd January 1921. The memorial is thought to be constructed of Devonshire granite.	Add to the Local List. This war memorial is designed by a prominent architect As well as having strong cultural links back to the Cant family, the memorial is an important cultural heritage asset
Cast iron Lamp Post, 14/16 Studds Lane	Lamppost by Stanford & Co Colchester and therefore part of Myland's and Colchester's heritage	Add to Local List - this is a rare surviving example of 19 th century street

		furniture produced by a local Colchester foundry, Stanford & Co
Air Raid Shelter, Defoe Crescent	Probably built in 1940 this is the last surviving air raid shelter in Myland. It is made from reinforced concrete and is likely to have been one of a number in serving Colchester	Add to Local List - this is rare surviving asset from WW2. It is culturally and historically important
Dog & Pheasant Public House,	This is an important local landmark with a striking and attractive view from Mill Road. Frontage and roofline is very pleasing with the large roof overhang more typical of Suffolk pubs than Colchester. The visible structure thought to date from 1850'S although other parts are thought to be 18th century. Flemish bond. Ground floor frontage painted over dark brown glazed brick. Original slate roof. Window frames upstairs and downstairs are original. Greene King ceramic plaque next to door. Rear extension is unsympathetic to main building.	Add to Local List - a good example of reasonably unaltered 19 th century architecture
Dance School, Mile End Road	Former offices of the B R Cant & Sons Rose growers designed by EE May in 1911. Detached Red brick single story building. Central entrance has lunette window over doorway, and Dutch gable. Original windows. The original Cant Offices inscription replaced by NFU Insurance Company signage. More recently used by NFU Mutual and Lorraine George School of Dance.	Add to Local List. The building has very good composition and important historical links back to Cants Rose Growers
Myland Primary School, Mill Road	Edwardian building built in 1905-06 by C.E Butcher from red brick with half hipped gables and dormers and bellcote. The school has a number of pleasing features particularly the roofline which conveys a distinctive impression of lightness.	Add to Local List - Myland Primary School is a good unaltered example of Edwardian architecture in the Queen Anne Revival style.
Water Tower, Turner Village Turner Road		Add to Local List – the architectural quality of the Water Tower is high and the fabric of the building is intact.
Water Tower Mill Lane	A Local landmark built circa 1901 BY Architect N Goodyear to supply water to the Borough isolation hospital , later Myland Hospital	Add to Local List – the architectural quality of the Water Tower is high and the fabric of the building

		is intact.
The Cloisters, 94 Maldon Road	This house was built circa 1880 from material from the demolished St Runwald's Church that stood on the High Street. The windows are not original but the property still retains a number of attractive features such as the front porch.	Add to Local List. The building has been constructed from unusual materials (Septaria) and despite the addition of modern windows it still retains some interesting architectural features. Given its prominent location on Maldon Road this building makes an important contribution to the local streetscene.
Streetscape(s) of the 'Ladder Roads' (Beaconsfield Rd, Salisbury Avenue, Wickham Rd, Errington Road, Constantine Rd, Hamilton Rd, St Helena Rd)	These streets have suffered from some inappropriate development as they have no formal protection which is potentially eroding local character.	Salisbury Avenue was added to the Local List in 2011 but was then removed pending the completion of a Conservation Area Appraisal and designation of a new Conservation Area. The Conservation Area Appraisal has not been completed and the street remains unprotected. Re -add Salisbury Avenue back onto the Local List with a recommendation that it is removed again once the Conservation Area is designated. It is recommended that the other roads proposed are not added to the Local List because of the size of the area proposed and because alterations that have already been undertaken to some buildings on these streets could weaken the importance of the

		Local List if added.
Langham War Memorial	<p>Langham War Memorial - USAAF monument, constructed in white brick, with the coat-of-arms of the RAF and crests of USAAF groups based at RAF Boxted (in the parish of Langham) set in black marble. A black marble plinth, flanked by landing lights from the airfield, shows an outline map of the airfield and on its face sets out its history.</p> <p>HISTORY AND CONNECTIONS: This monument commemorates the USAAF groups and RAF squadrons which were based at this important World War 2 Airfield. The original monument was dedicated in 1994 and was extended, renovated and re-dedicated in 2008. It was unveiled by the Air Attaché, United States Embassy.</p>	Add to local list because of important historic and cultural links to WW2 and USA involvement.

5.5 The committee is asked to review and agree the proposed changes which would result in the addition of 13 new buildings/assets to Colchester's Local List.

5.6 The approved changes will be added to the existing Local List information on Colchester Borough Council's C-MAP system and Civica database. The Local List will next be reviewed in March 2017.

6. Strategic Plan References

6.1 The Local List provides evidence to help the Council deliver its strategic priorities to make more of Colchester's great heritage and culture so that people can enjoy them and draw inspiration for their creative talents, promote Colchester to attract further inward investment and additional businesses, providing greater and more diverse employment and tourism opportunities, promote Colchester's heritage and wide ranging tourism attractions to enhance our reputation as a destination and make Colchester confident about its own abilities, to compete with the best of the towns in the region to generate a sense of pride.

7. Consultation

7.1 All those who proposed additions or deletions to and from the Colchester Local List will be notified of the decision of the committee.

8.0 Publicity Considerations

8.1 None

9. Financial Implications

9.1 None

10. Equality, Diversity and Human Rights implications

- 10.1 An Equality Impact Assessment has been prepared for the Local Development Framework and is available to view by clicking on this link:-
<http://www.colchester.gov.uk/article/4962/Strategic-Policy-and-Regeneration>
Or go to the Colchester Borough Council website www.colchester.gov.uk and follow the pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Equality and Diversity > Equality Impact Assessments > Strategic Policy and Regeneration and select Local Development Framework from the Strategic Planning and Research section.
- 10.2 There are no particular Human Rights implications.

11. Community Safety Implications

- 11.1 None.

12. Health and Safety Implications

- 12.1 None

13. Risk Management Implications

- 13.1 Reviewing the Local List will help ensure that planning decisions are based on the most current built heritage data available for the Borough. This will help ensure that locally important or distinctive buildings and historic assets are better protected for the future.

Local Plan Committee

4th April 2016

Item
8

Report of	Head of Commercial Services	Author	Laura Chase 01206 282473
Title	Strategic Housing Market Assessment Update		
Wards affected	All		

The Local Plan Committee is asked to note the Strategic Housing Market Assessment Update to be added to the Council's Local Plan Evidence Base

1. Decision(s) Required

- 1.1 To note the Strategic Housing Market Assessment Update for publication on the Council's website and addition to the Local Plan Evidence Base.

2. Reasons for Decision(s)

- 2.1 An up-to-date Strategic Housing Market Assessment (SHMA) is required by Government to support the implementation of current adopted policies and underpin the development of a new Local Plan by providing a robust and credible evidence base.

3. Alternative Options

- 3.1 The Council could choose not to include the SHMA in its evidence base, but as the report is considered to be sound this is not an acceptable option since the Council needs to demonstrate that its Local Plan housing policies are founded on a solid evidence base.

4. Supporting Information

- 4.1 The SHMA update was prepared for Braintree, Chelmsford, Colchester and Tendring Councils by consultants HDH Planning and Development Ltd. The full study will be published on the Council's Evidence Base webpage and the Executive Summary report is attached as Appendix 1. It follows the Objectively Assessed Housing Needs Study (OAHN) (July 2015) which identified that the four council areas comprised a Strategic Housing Market Area (HMA). The Committee considered the findings of the OAHN study at its 20 August 2015 meeting.
- 4.2 The SHMA update report follows the guidance in the latest published National Planning Practice Guidance (NPPG) to calculate the level of affordable housing need and the size and tenure of all dwellings required within the OAHN Study.

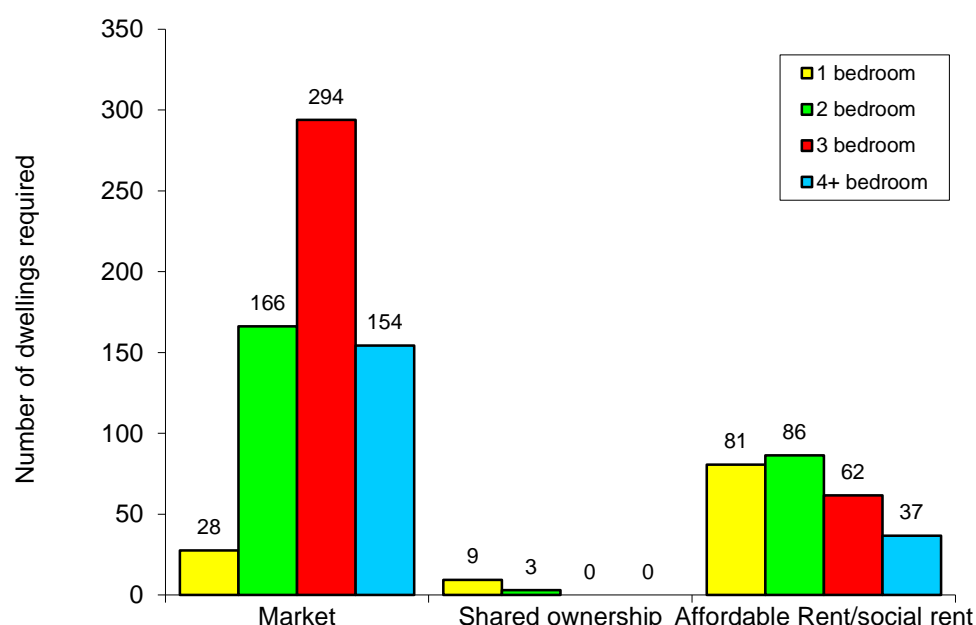
- 4.3 Previous SHMA work, published in 2014 by David Couttie Associates, reflected earlier Government guidance, which has since been revoked. Its geographical scope was also different as it included Maldon and Brentwood, but not Tendring. The Update report replaces this work and, together with the OAHN Study, provides the Council with Government guidance compliant evidence on housing requirements.
- 4.4 Paragraph 159 of the National Planning Policy Framework (NPPF) sets out the role of a SHMA, which is to demonstrate that local planning authorities have a clear understanding of the housing requirement of their area. It states that local planning authorities should work with neighbouring authorities where housing market areas cross administrative boundaries, to identify the scale and mix of housing, and the range of tenures that the local population is likely to require over the plan period which:
- meets household and population projections, taking account of migration and demographic change;
 - addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and
 - caters for housing demand and the scale of housing supply necessary to meet this demand.
- 4.5 The first and third bullet points are addressed in the OAHN Study and the second bullet point is addressed in the Update report. The NPPF outlines how a SHMA fits into the wider housing policy framework and the more specific guidance contained in NPPG sets out how the various elements of a SHMA should be undertaken, including a detailed model for the assessment of affordable housing need.
- 4.6 An effective housing requirements study is based on a thorough understanding of what local housing costs and how it varies. The SHMA update report describes the changes in the housing market that have been recorded in the HMA and provides a comparison of the cost of different tenures to identify the housing market gaps that exist (Chapter 3).
- 4.7 The SHMA sets out variations between authorities and provides information for each authority to provide specific local evidence. For example, the average price of dwellings in Chelmsford is higher than both the county and national average, whilst the average price of homes in Colchester and Braintree is just below the national average. Average prices in Tendring are notably lower than all other areas. The report also shows that between 2010 and 2015 mean property prices have increased fastest in Colchester (17.9%), with price rises in Braintree (13.5%) and Chelmsford (12.4%) being below the county-

wide average (16.5%), but above the national average (10.4%). The increase in Tendring of 9.5% was lower than both the national average as well as the county-wide average (Table S.1, page 9).

- 4.8 The SHMA update report focuses principally on the size and tenure of all dwellings required within the OAHN Study (Chapter 4) and the calculation of the level of affordable housing need (Chapter 5). The SHMA Update report also provides information on the accommodation requirements of certain household groups as set out in the NPPG and which have an appreciable impact on the housing market within the HMA (Chapter 6).
- 4.9 It is important to note that the affordable housing need figure is not derived directly from the housing target (OAHN). The housing target provides an overall number of units required, but does not dictate their level of affordability. The affordable housing need figure is an unconstrained figure that reflects the current housing market situation. It is not a component of the OAHN but is calculated using a completely different approach and different data sources.
- 4.10 The affordable housing need figure only becomes relevant to the OAHN if it is so high it dictates an upward adjustment to the OAHN to increase the overall supply of housing. In Colchester, the report concluded that the affordable housing requirement of 30.2% could be met by the OAHN identified and no adjustment would be required to this figure. It is noted that while the evidence supports a target of 30-35%, other evidence such as the Council's viability assessment will also need to be considered and allowance will need to be taken of the fact that some sites may not deliver affordable housing for example, due to government policy thresholds.
- 4.11 The SHMA update report uses a Long Term Balancing Housing Market (LTBHM) model in accordance with the NPPG to break down the OAHN to identify the tenure and size of housing required for each authority within the SHMA. This model uses secondary data to determine the future demand for housing by size and tenure based on the profile of households expected to be resident in each authority area in 2037. The 2037 households are then compared to the current stock profile and gaps identified to determine any new accommodation required. (see S.26, p.13 in Executive Summary) NPPG indicates that over-crowding should be addressed so the model is adjusted to reflect this along with an assessment of future occupation and tenure patterns. The information from the affordable housing needs model and the LTBHM model allows the 920 dwellings per annum OAHN target number to be broken down in the figure below to show the size of housing required within different tenures in Colchester.
- 4.12 The affordable housing need is calculated in accordance with the NPPG using a four stage model which assesses unmet need, newly

arising need, current affordable housing supply and future affordable housing supply.

Annual Requirement for all new housing in Colchester



Source: Braintree, Chelmsford, Colchester and Tendring Councils 2015 Strategic Housing Market Assessment Executive Summary Table S17, p. 27

- 4.13 Chapter 6 of the report considered the impact of subgroups of the population on the housing target. In terms of specialist accommodation for older persons, in the overall HMA there is a requirement for 7,746 additional specialist units, of which 7,157 should be sheltered housing and 319 should be extracare housing. The requirement for 7,746 additional specialist units for older people represents 10.4% of the total Objectively Assessed Need for the period to 2037. Further information will be gathered on the specific housing requirements generated by the University of Essex and the Colchester Garrison and by those wishing to build their own homes. This will be used to update the evidence base once available.
- 4.14 The private rented sector is becoming increasingly important in the HMA, increasing by 93.9% between 2001 and 2011 to 19.5% of the population. 17,877 private rented households were estimated to live currently in Colchester (para 6.34 and 6.35, p. 77 of main report Background Paper).
- 4.15 The Update report seeks to establish the potential demand for discounted market housing (including Starter Homes) and shared ownership. It concludes that there is a potential annual demand from

all age groups for 48 discounted home ownership dwellings and 224 shared ownership dwellings in Colchester (Table 3.7 and 3.8, p. 44 of main report Background Paper). (The shared ownership figures include households able to afford discounted home ownership). The low level of demand for discounted new home ownership reflects the fact that it is more expensive than entry-level home ownership (which includes both new and existing houses), with the exception of three bedroom homes in Colchester, and accordingly cannot be considered to address local affordable housing needs. It is important to note that numbers also represent just the potential demand and not the tenure preferences of these households.

5. Proposals

- 5.1 It is proposed that the Committee note the findings of the Strategic Housing Market Assessment Update.

6. Strategic Plan References

- 6.1 Effective strategic planning supports the Strategic Plan Action Plan which includes a commitment to make Colchester a vibrant, prosperous, thriving and welcoming place.

7. Consultation

- 7.1 The Strategic Housing Market Assessment will form part of the evidence base supporting the Council's Local Plan. The Local Plan is covered by a comprehensive consultation programme as set forth in the Council's Statement of Community Involvement (SCI).

8. Publicity Considerations

- 8.1 The information on affordable housing demand could warrant press attention and may influence the size and tenure of dwellings offered by developers under S106 agreements.

9. Financial Implications

- 9.1 There are no direct financial implications.

10. Equality, Diversity and Human Rights Implications

- 10.1 An Equality Impact Assessment has been prepared for the Local Development Framework and is available to view by clicking on this link:-

<http://www.colchester.gov.uk/article/4962/Strategic-Policy-and-Regeneration>

or go to the Colchester Borough Council website www.colchester.gov.uk and follow the pathway from the homepage: Council and Democracy > Policies, Strategies and

Performance > Equality and Diversity > Equality Impact Assessments > Strategic Policy and Regeneration and select Local Development Framework from the Strategic Planning and Research section.

10.2 There are no particular Human Rights implications.

11. Community Safety Implications

11.1 None

12. Health and Safety Implications

12.1 None

13. Risk Management Implications

13.1 Provision of a robust evidence base to inform planning policies is intended to reduce the risk of inappropriate development. It will provide consistent advice to landowners, developers, officers, Councillors and members of the public. Timely production of a Local Plan will avoid the potential risk of Government intervention to take over plan production.

14. Disclaimer

14.1 The information in this report was, as far as is known, correct at the date of publication. Colchester Borough Council cannot accept responsibility for any error or omission.

Background Papers

Full Report – Strategic Housing Market Update



Strategic Housing Market Assessment Update – Executive Summary

December 2015

Important Notice

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Introduction

- S.1 This report follows from the Objectively Assessed Housing Needs Study (OAHN) (Peter Brett Associates, July 2015) for Braintree, Chelmsford, Colchester and Tendring and forms part of the overall Strategic Housing Market Assessment (SHMA). The OAHN Study identified the Housing Market Area (HMA) as incorporating the aforementioned Council areas and calculates the Objectively Assessed Need for housing across the HMA¹. This report is focused on detailing the future type and tenure of housing needed in the HMA. This report is therefore limited to:
- Examination of the latest data on the labour market and the resident population and a profile of the housing stock in the HMA and the changes that have occurred to it.
 - Analysis of the price of property in the HMA and the affordability of housing for residents.
 - Production of an analysis of the entire housing market within the long-term balancing housing markets model (LTBHM).
 - Calculation of outputs for the affordable housing needs model strictly in accordance with the Planning Practice Guidance (PPG) approach.
 - An analysis of the specific housing situation of the particular sub-groups of the population identified within the National Planning Policy Framework (NPPF).
 - A conclusion summarising the implications of these results.
- S.2 To help disseminate the purpose of this work and ensure the accuracy of this report (and the assumptions used) stakeholders' views have been sought through the development of this study. An informal consultation event was held on the 28th September, after which written comments were invited.

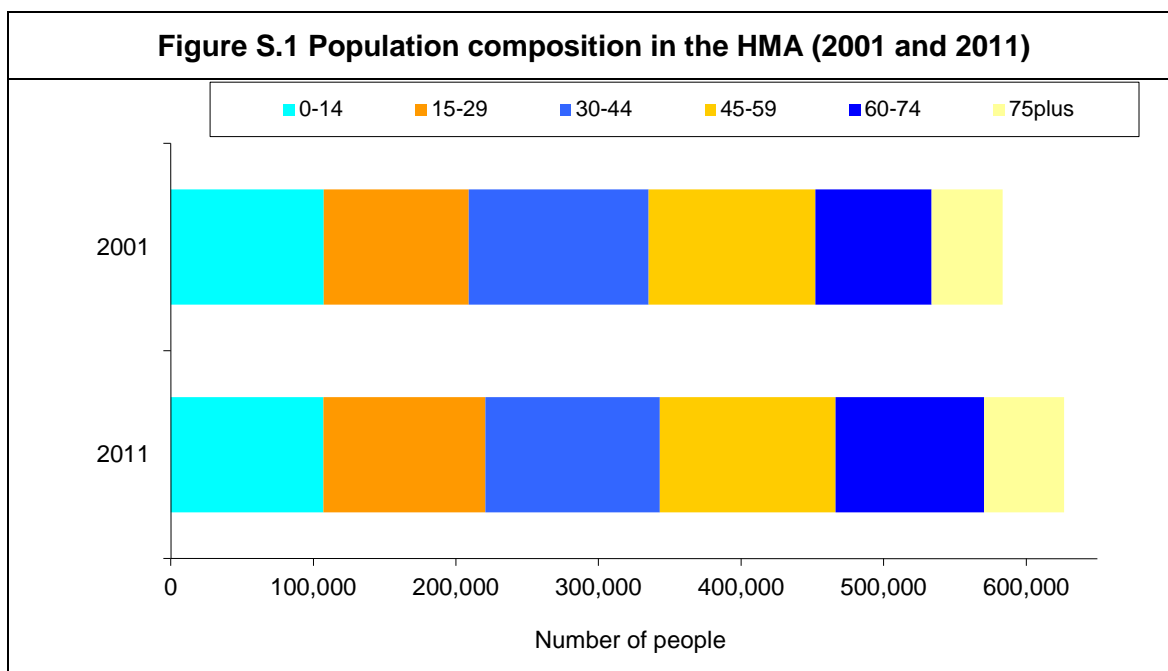
Socio-economic context

Demography

- S.3 The Census indicates that the resident population in the HMA in 2011 was 626,516 and that since 2001 the population had increased by 7.4%, just under 43,000 people. The size of the household population has increased at a faster rate between 2001 and 2011 (8.4%).
- S.4 Figure S.1 illustrates the age composition of the population in the HMA in 2001 and 2011 according to the Census. It shows that since 2001 the number of people aged 60 to 74 has

¹ At the time of this report, Tendring Council are further reviewing the OAHN for Tendring District. This is likely to result in a different OAHN figure. This change may have an impact on those parts of this report that relate to Tendring, but will not impact the results that relate to the three other Councils. The catalyst for this review was the release of the 2012 projections and concerns around the treatment of 'unattributable population change' (UPC).

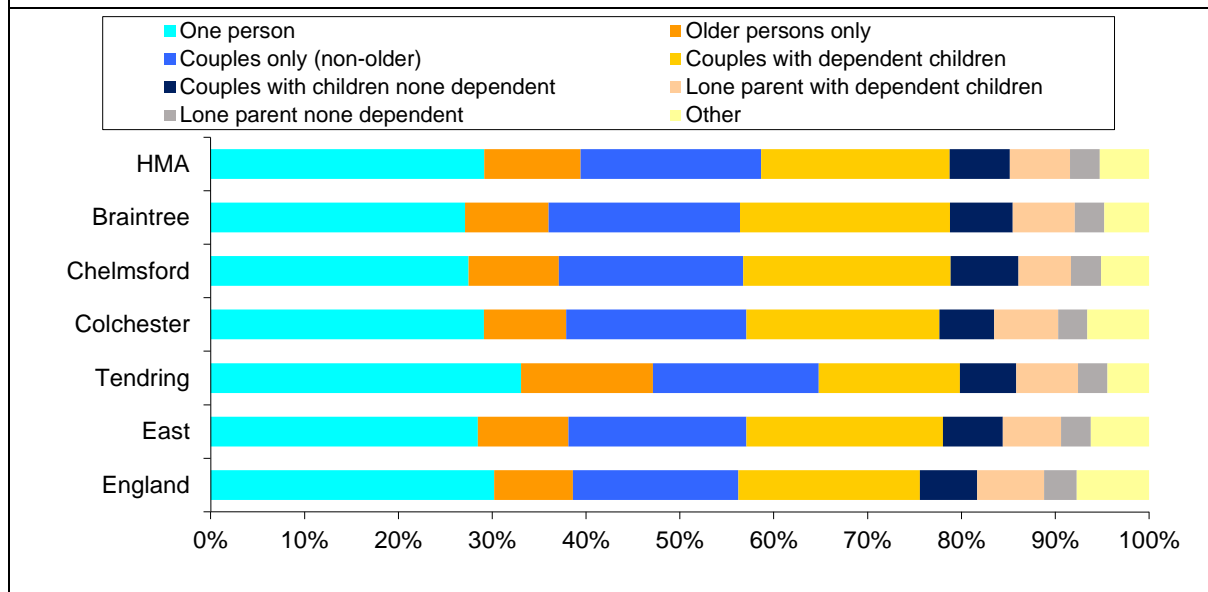
markedly increased as has population in the HMA aged 15 to 29, and 75 and over. In contrast the number of people aged between 30 and 44 has decreased.



Source: 2001 & 2011 Census

- S.5 The 2011 Census suggests that the Black, Asian and Minority Ethnic (BAME) population constitutes 5.2% of the total population in the HMA, which continues to be notably smaller than the regional and national figures (9.1% in the East and 14.5% in England). The 'Asian or Asian British' represents the largest BAME group in the HMA area (comprising 2.3% of total population).
- S.6 Figure S.2 compares the household composition in the HMA in 2011 with that recorded for the East region and England. The overall household distribution across the HMA area does not differ notably from the regional and national averages. Tendring records the most distinctive profile, with high levels of single person and older person only households.

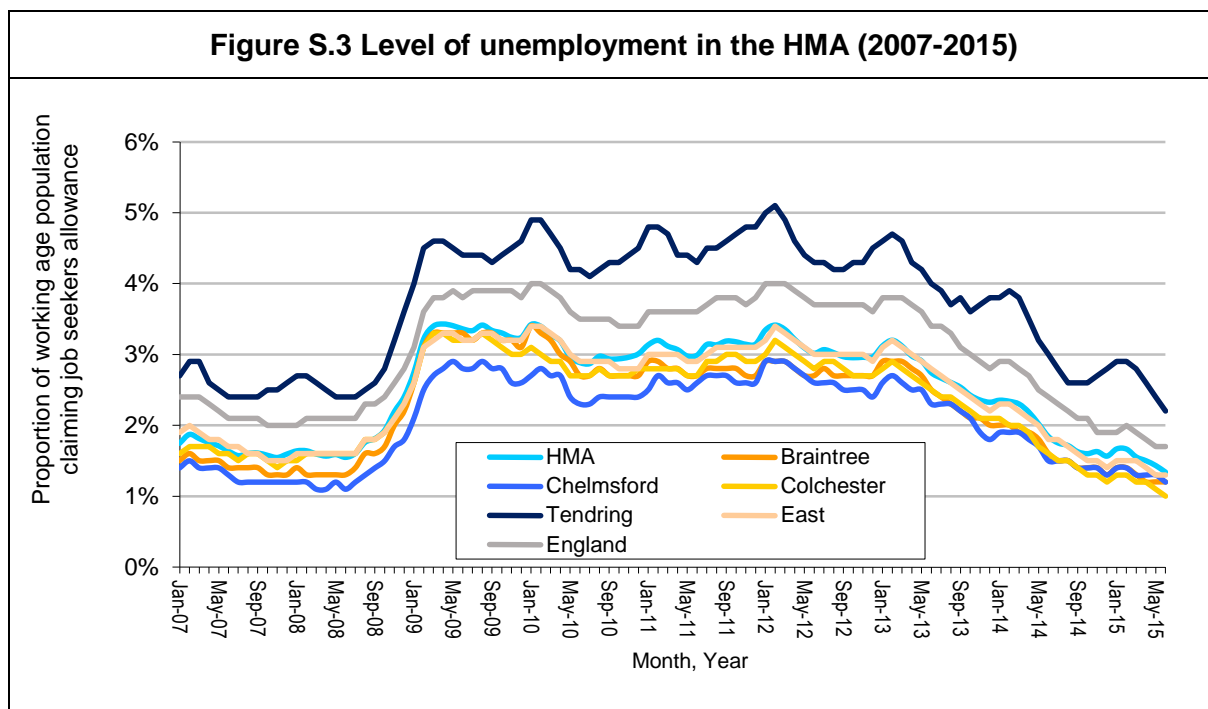
Figure S.2 Household composition in the HMA, the East region and England, 2011



Source: 2011 Census

Employment profile of residents in the HMA

- S.7 The Census provides an overview of the employment situation in the HMA in 2011. It shows that of all residents in work in the HMA (excluding those who are also students), 16.9% are self-employed, with 60.8% full-time employees and 22.9% part-time employees. Since the 2001 Census the number of part-time employees in the HMA has increased by 25.4%, and the number of full-time employees has risen by 1.3%. The number of self-employed residents in the HMA has increased by 20.6%.
- S.8 Figure S.3 shows the change in the proportion of the working age population claiming Job Seekers Allowance in the HMA, since January 2007. Over the last three years unemployment has fallen dramatically in all areas and currently the rate of unemployment is 1.0% in Colchester, 1.2% Braintree and Chelmsford and 2.1% in Tendring.

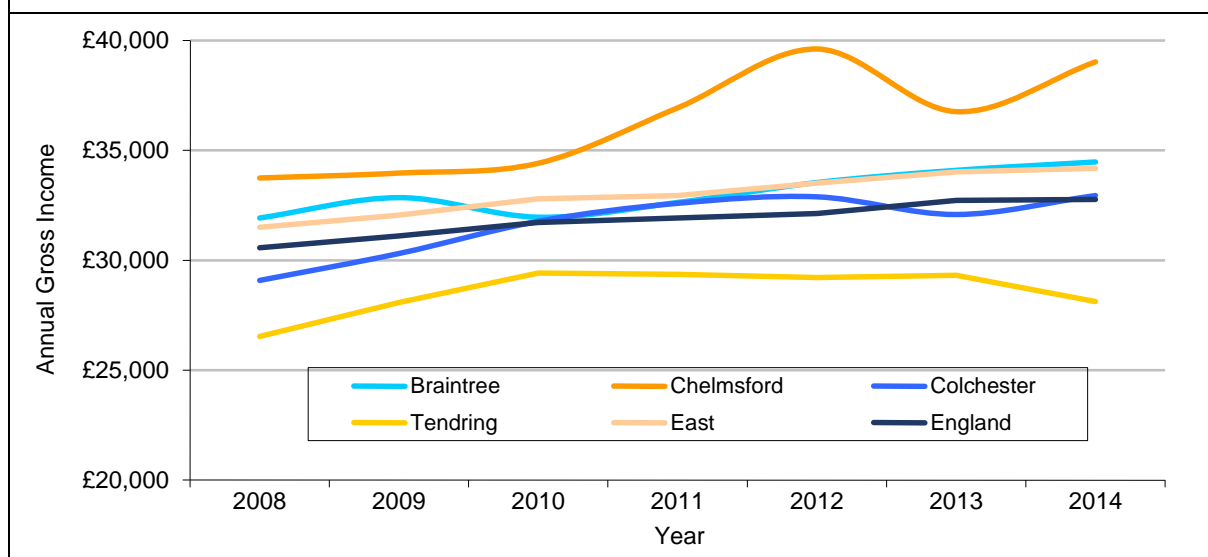


- S.9 Some 40.9% of employed residents in the HMA work in professional or technical jobs and just 16.6% work as operatives or in elementary occupations. The Census data indicates that under a quarter (23.4%) of working-age residents in the HMA have no qualifications, similar to the figure for the East region and England (both 22.5%).

Income

- S.10 Figure S.4 shows the change in the mean income of full-time employees resident in each authority in the HMA, the East region and England since 2008. Chelmsford has recorded the highest increase since 2008 within the HMA (at 15.7%) followed by Colchester (13.3%), Braintree (8.0%) and then Tendring (6.0%). The comparative regional and national figures are 8.5% across the East and 7.2% for England. It is important to note that these figures assess individual incomes rather than household incomes.

Figure S.4 Change in mean annual income of full-time employed residents 2008-2014

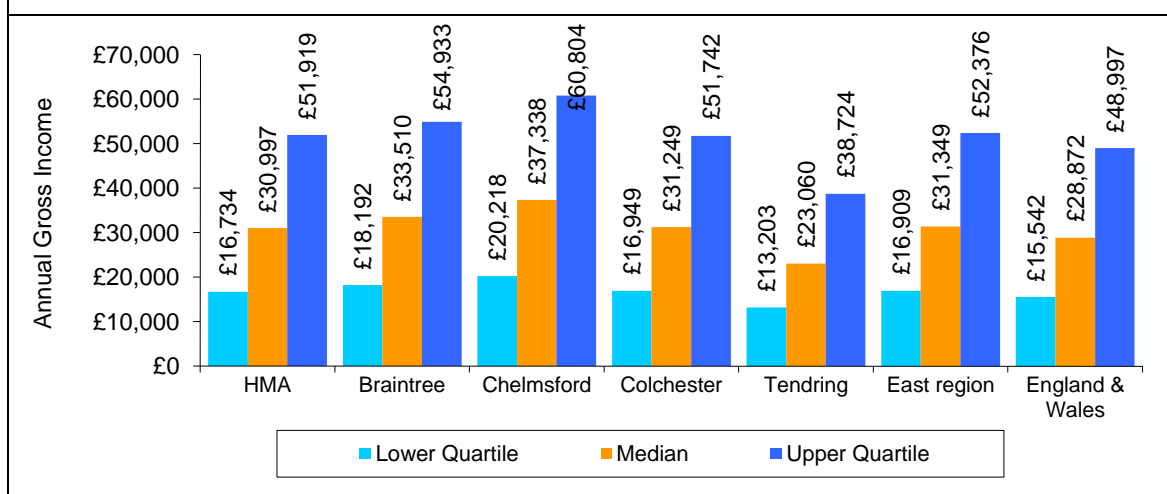


Source: ONS Annual Survey of Hours and Earnings (2008-2014)

S.11 CACI Paycheck estimates that the mean gross annual household income in the HMA is £38,688, which is 1.0% below the regional equivalent (£39,071) and 5.6% above the England & Wales figure (£36,636). The same data source indicates that the mean gross annual household income in Braintree is £41,078, whilst it is £45,204 in Chelmsford, £38,588 in Colchester and £29,071 in Tendring.

S.12 Figure S.5 shows how household income at various points on the income distribution for each local authority. The data indicates that households in Chelmsford are the most affluent in the HMA, followed by households in Braintree and then Colchester. Household incomes in Tendring are not only notably lower than the other authorities in the HMA but also lower than the national and regional averages.

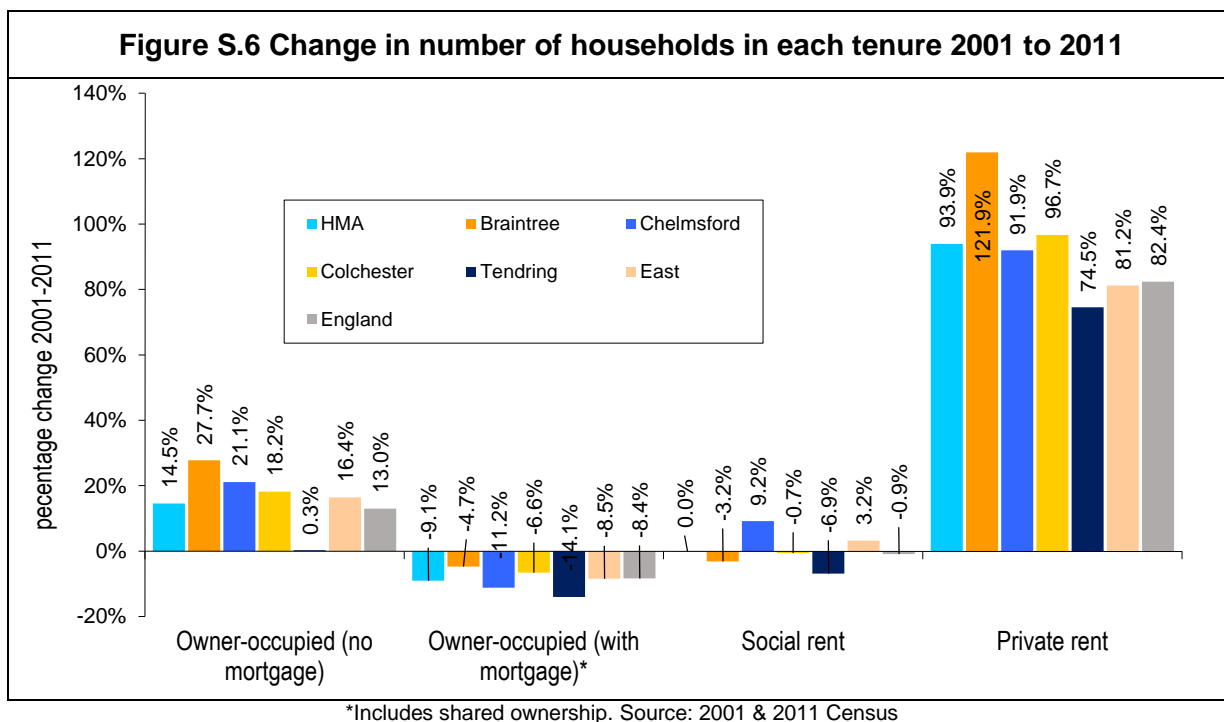
Figure S.5 Distribution of annual gross household income



Source: CACI Paycheck, 2015

Dwelling profile

- S.13 The Census indicates that there were 275,417 dwellings in the HMA in 2011, and that since 2001 the number of dwellings has increased by 9.3%, over 23,300 properties. The most common property type across the HMA is detached houses followed by semi-detached dwellings.
- S.14 The Census indicates that 35.1% of households in the HMA are owner-occupiers without a mortgage, 35.8% are owner-occupiers with a mortgage, 12.9% of households are resident in the social rented sector and some 15.1% of households live in private rented accommodation. Figure S.6 shows the change in the size of each tenure between the 2001 and 2011 Census. The figure shows that in all areas the private rented sector has increased dramatically and the number of owner-occupiers with no mortgage has also grown. In comparison the number of owner-occupiers with a mortgage has decreased. The social rented sector has generally shown the smallest change. It should be noted that whilst the owner-occupied (with mortgage) sector has decreased, the number of shared ownership properties has increased.



The cost and affordability of housing

- S.15 Recent house price data from the Land Registry, from the second quarter of 2015, is presented for the four authorities in the HMA, Essex and England & Wales as a whole in Table S.1. The prices recorded for the second quarter of 2010 are also presented and the change in mean price over the last five years is shown.
- S.16 The table indicates that the average price of dwellings in Chelmsford in Quarter 2 2015 is higher than both the County and national average, whilst the average price of homes in

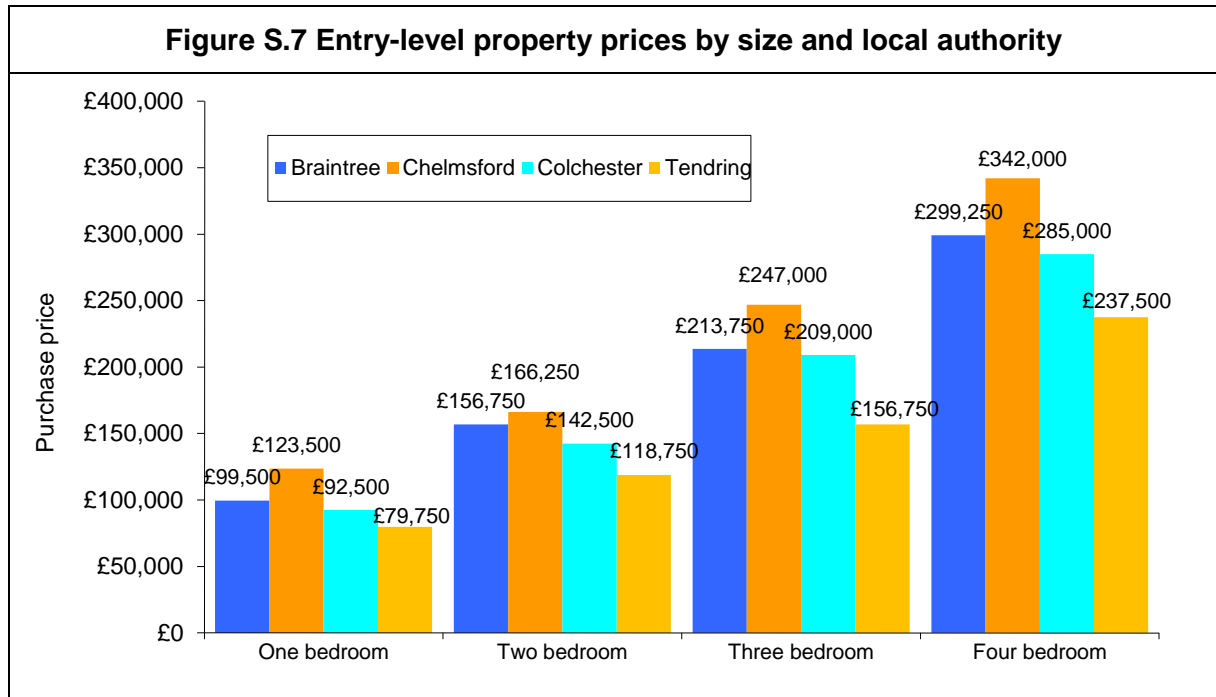
Colchester and Braintree is just below the national average. Average prices in Tendring are notably lower than all other areas presented. The table also shows that between 2010 and 2015 average prices have increased fastest in Colchester, with price rises in Braintree and Chelmsford being below the County-wide average, but above the national figure. The increase in Tendring of 9.5% was lower than both the national average of 10.4% as well as the figure for Essex as a whole.

Table S.1 Change in mean property prices 2010-2015			
<i>Location</i>	<i>Mean price Apr- Jun 2010</i>	<i>Mean price Apr- Jun 2015</i>	<i>Percentage change recorded 2010-2015</i>
Braintree	£216,582	£245,839	13.5%
Chelmsford	£265,444	£298,242	12.4%
Colchester	£204,097	£240,690	17.9%
Tendring	£173,337	£189,733	9.5%
Essex	£243,155	£283,301	16.5%
England & Wales	£230,940	£255,051	10.4%

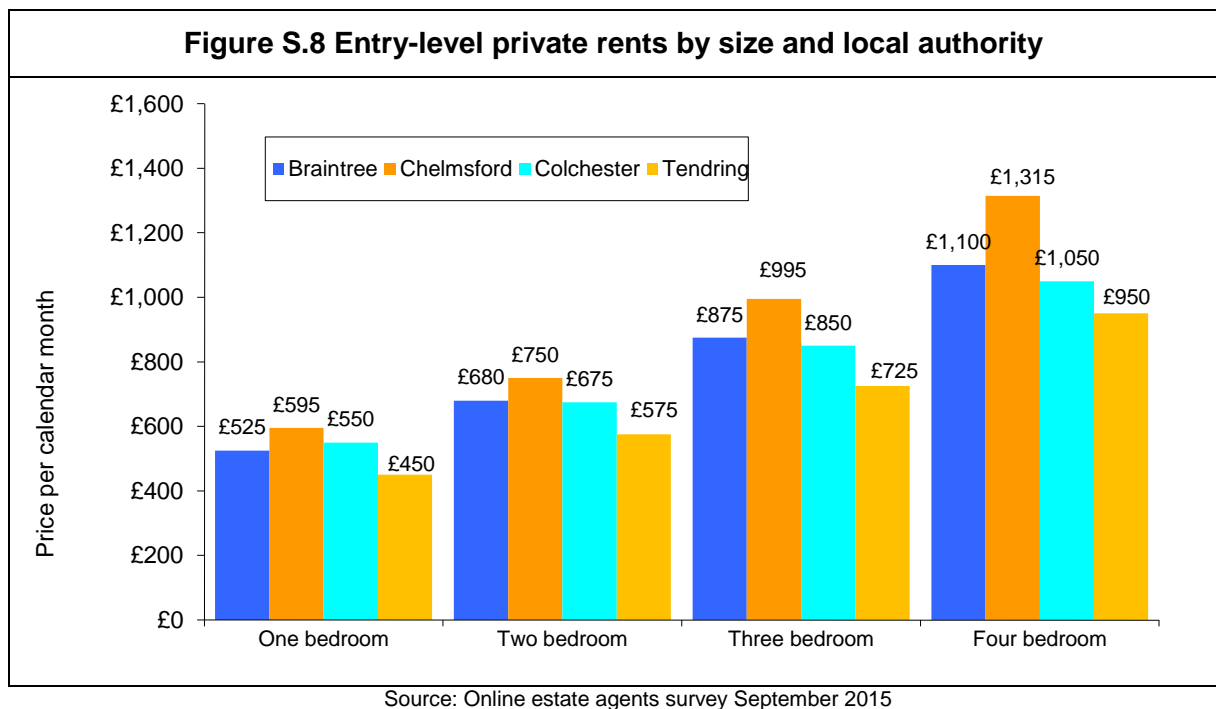
Source: Land Registry

Entry-level market accommodation

- S.17 To fully understand the affordability of housing within an area, it is necessary to collect data on the cost of housing by number of bedrooms. This ensures that it is possible to assess the ability of households to afford market housing of the size required by that particular household. However, no secondary data contains this information. As part of this study we have therefore undertaken a price survey to assess the current cost of market (owner-occupied and private rented) and affordable housing in the HMA area.
- S.18 Entry-level property prices by number of bedrooms were obtained in each local authority via an online search of properties advertised for sale during September 2015. The results of this online price survey are presented in Figure S.7. In accordance with the PPG, entry-level prices are based on lower quartile prices (paragraph 025 Reference ID: 2a-025-20140306). There was almost universal agreement amongst stakeholders that the lower quartile was the appropriate point on the distribution to represent the entry-level cost in the HMA. The prices recorded include a discount to reflect that the full asking price is not usually achieved (with sales values typically 5% lower in Tendring and 3% lower in the rest of the HMA). The figure indicates that entry-level prices range from £79,750 for a one bedroom home in Tendring, up to £342,000 for a four bedroom property in Chelmsford.



S.19 Whilst private rent levels vary by local authority across the HMA, the distinction between the areas is less marked than with owner-occupation, reflecting that location is not as important a determinant in rent levels as condition and situation (i.e. the neighbourhood, the access and other very local factors) of the property. Entry-level private rents for each price market are presented in Figure S.8. The figure indicates that entry-level rents in the HMA range from £450 per month for a one bedroom home in Tendring up to £1,315 per month for a four bedroom property in Chelmsford.



Affordable sector

- S.20 Table S.2 below illustrates the cost of social rented dwellings across each local authority in the HMA. As can be seen, the costs are significantly below those for private rented housing, particularly for larger homes, indicating a significant potential gap between the social rented and market sectors.

Table S.2 Social rented costs (per month)				
<i>Bedrooms</i>	<i>Braintree</i>	<i>Chelmsford</i>	<i>Colchester</i>	<i>Tendring</i>
One bedroom	£338	£386	£334	£346
Two bedrooms	£396	£452	£391	£391
Three bedrooms	£431	£510	£448	£443
Four bedrooms	£500	£594	£524	£520

Source: HCA's Statistical Data Return 2014, Councils' LAHS 2015

- S.21 Affordable Rent is a relatively new product that has been introduced to reduce the requirement for capital subsidy for affordable accommodation. It is within the definition of affordable housing in the NPPF and is intended to house households on the Housing Register. It is not an intermediate product, but a new form of affordable housing for rent that coexists with the existing Social Rent tenure. Whilst there remain long-standing tenancies on social rent, the majority of new rented affordable accommodation in the HMA is as affordable rent; both re-lets from the existing stock and new affordable rented accommodation added to the stock. The Affordable Rent levels charged in each local authority within the HMA are set out in Table S.3. A comparison with median market rents indicates that Affordable Rent levels are around 65% to 75% of market rents in the HMA.

Table S.3 Affordable Rent costs (per month)				
<i>Bedrooms</i>	<i>Braintree</i>	<i>Chelmsford</i>	<i>Colchester</i>	<i>Tendring</i>
One bedroom	£416	£468	£384	£370
Two bedrooms	£511	£563	£496	£474
Three bedrooms	£673	£606	£641	£580
Four bedrooms	£731	£642	£758	£747

Source: HCA's Statistical Data Return 2014

Intermediate products

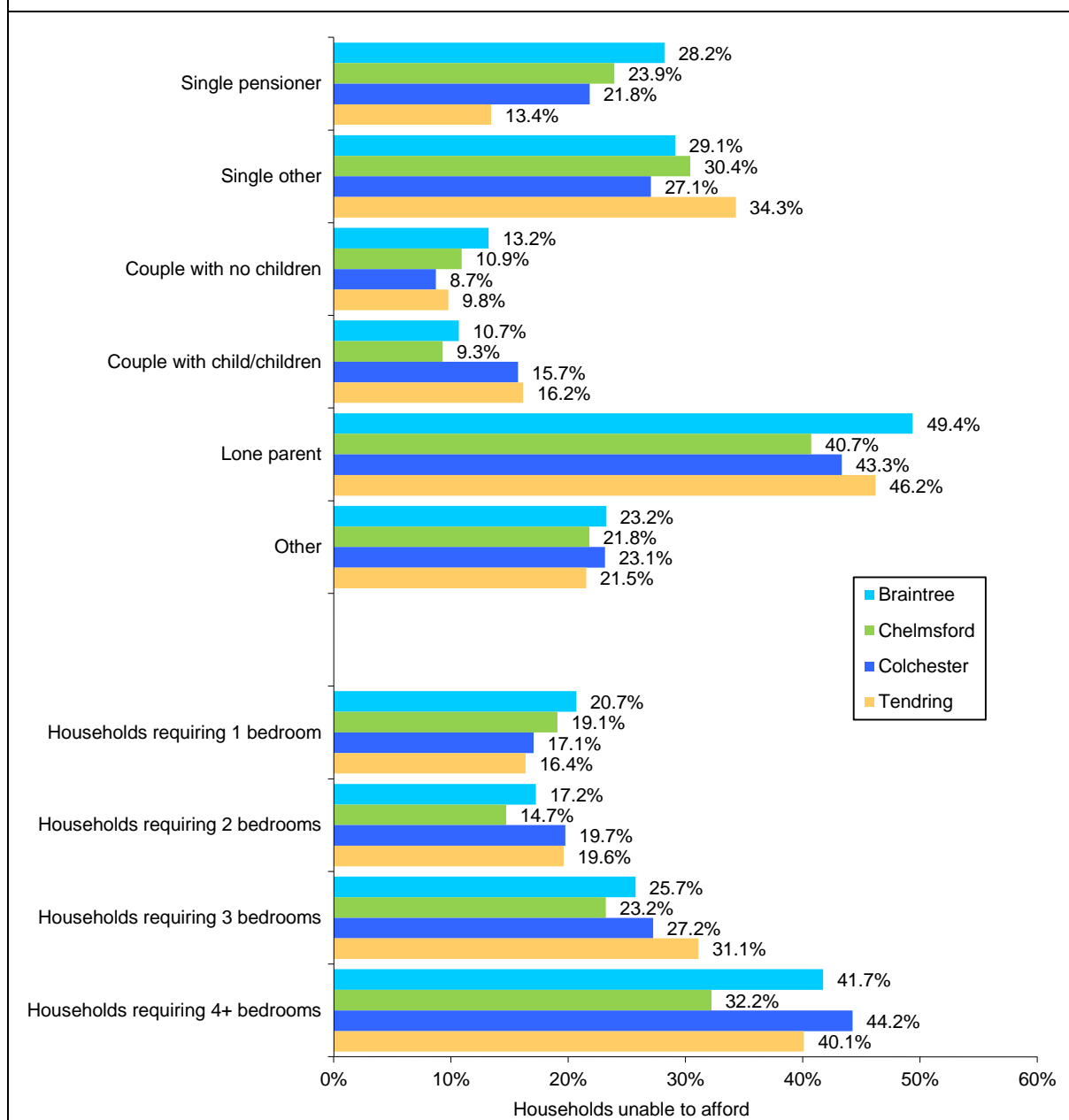
- S.22 A range of intermediate options are available for households in the HMA and the costs of these are profiled. Shared ownership is more expensive than market entry housing for three and four bedroom homes in Braintree and Tendring, more expensive than four bedroom homes in Colchester and more expensive than two, three and four bedroom homes in Chelmsford. In the other instances it is cheaper than market housing and can be considered an affordable product.

- S.23 Discounted home ownership is based on selling a home for a proportion of the market value with no residual rent to pay. Discounted home ownership with an 80% share is more expensive than entry-level market accommodation (generally private rent) and shared ownership accommodation. It is also more expensive than entry-level home ownership, with the exception of three bedroom homes in Colchester.

Affordability of housing

- S.24 Assessing the affordability of market housing in an area is crucial to understanding the sustainability of the housing market. The household income distribution differentiated by household type can be used to assess the ability of households in each authority to afford the size of market home that they require (according to the bedroom standard) as set out above. Figure S.9 shows the current affordability of households in each local authority area by household type and number of bedrooms required. This is the theoretical affordability of households, as the analysis considers all households regardless of whether the household intends to move.
- S.25 The data indicates that 49.4% of lone parent households in Braintree would be unable to afford market housing (if they were to move home now), as would 40.7% of lone parent households in Chelmsford, 43.3% of lone parent households in Colchester and 46.2% of lone parent households in Tendring. Single non-pensioner households are also relatively unlikely to be able to afford, whilst couple households without children are most likely to be able to afford market housing in Colchester and Tendring, with couple households with children most likely to be able to afford in Chelmsford and Braintree. Households requiring a four bedroom home are least likely to be able to afford this size of market housing in all parts of the HMA.

Figure S.9 Theoretical affordability of market housing in the HMA

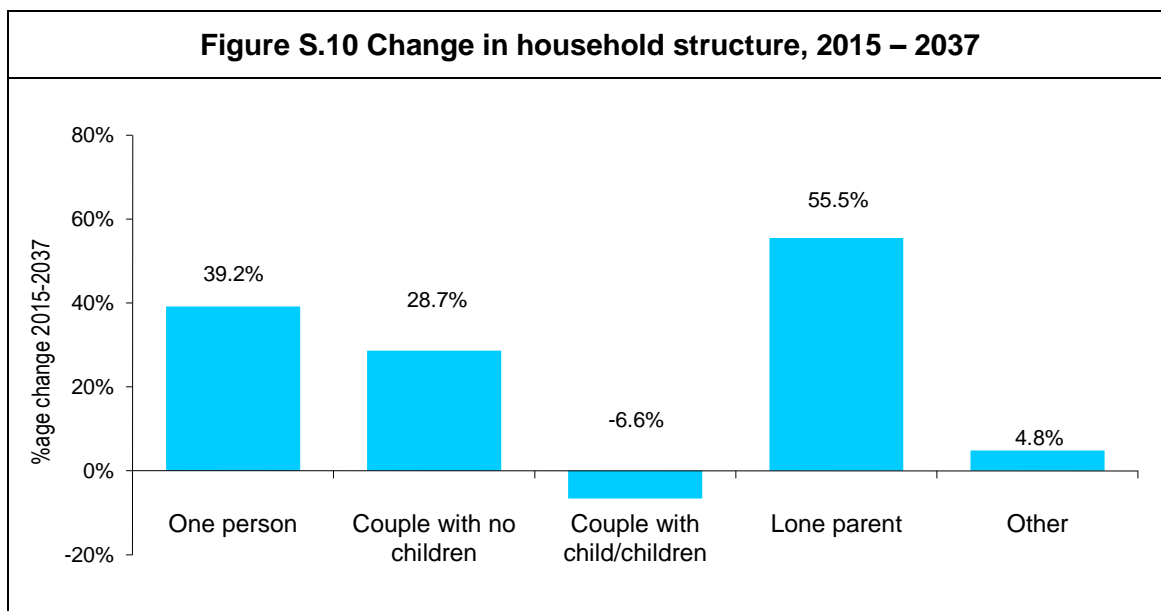


Source: Braintree, Chelmsford, Colchester & Tendring Councils 2015 Strategic Housing Market Assessment

Type and tenure of future housing needed

- S.26 Paragraph 021 of the PPG is clear that '*once an overall housing figure has been identified, plan makers will need to break this down by tenure, household type (singles, couples and families) and household size*'. The long-term balancing housing markets (LTBHM) model uses secondary data to determine the future demand for housing by size and tenure based on the profile of households resident in each authority area in 2037. This is then compared to the current housing stock and a profile of new accommodation required is determined.
- S.27 The household and population projections associated with the Objectively Assessed Need calculation presented in the OAHN Study have been provided by Edge Analytics. The

change in the household composition in each area indicated within these projections drives the size and tenure demand profiles generated by the model. Figure S.10 indicates the change in these household types that will occur between 2015 and 2037. The figure indicates that the number of lone parent households are expected to increase the most in the HMA, followed by one person households. Couples with children are projected to fall in number.



Source: Braintree, Chelmsford, Colchester & Tendring Councils 2015 Strategic Housing Market Assessment

- S.28 The 2011 Census provides detail on the occupational patterns of different household groups in each authority, which means that the profile of housing occupied by each household type can be determined. Rather than assuming the current usage patterns for each household type will apply to the future population of that household group, the model assesses the current trends in occupation patterns (recorded by the change in the tenure profile of each household type between the 2001 and 2011 Census in the each council area alongside the changes in the size of accommodation occupied within each tenure) and models their continuation through to 2037. In addition a further adjustment is made to counter the existence of overcrowding, which the PPG indicates should be addressed. Households currently overcrowded will therefore be housed in adequately sized accommodation within the model. This means that the future housing stock will better reflect the requirements of the future population in the area.
- S.29 This profile of suitable accommodation for each household type is applied to the size of the household group in 22 years' time. The accommodation profile required in 2037 is then compared to the current tenure profile and the nature of additional housing required is derived. It should be noted that the model works by matching dwellings to households so the figures are based on the change in number of households identified within the OAN calculations as provided by Edge Analytics.

Tenure of housing required

- S.30 Table S.4 shows the tenure profile required by households resident in the HMA in 22 years' time in comparison to the tenure profile recorded currently. The difference between these two distributions is the change required to the housing stock over this period. The results show that 48.7% of new housing should be owner-occupied, 27.4% private rented, 1.8% should be shared ownership and 22.1% Social Rent/Affordable Rent.

Table S.4 Tenure of new accommodation required in the HMA over the next 22 years				
<i>Tenure</i>	<i>Current tenure profile</i>	<i>Tenure profile 2037</i>	<i>Change required</i>	<i>% of change required</i>
Owner-occupied	185,091	217,735	32,644	48.7%
Private rent	53,713	72,043	18,330	27.4%
Shared ownership	962	2,133	1,171	1.8%
Social Rent/Affordable Rent	35,163	49,990	14,827	22.1%
Total	274,929	341,901	66,972	100.0%

Source: Braintree, Chelmsford, Colchester & Tendring Councils 2015 Strategic Housing Market Assessment

Size of housing required within each market tenure

- S.31 Table S.5 presents the size of owner-occupied accommodation required in the HMA in 22 years' time in comparison to the size profile recorded in the sector currently. The table shows that some 42.2% of new owner-occupied dwellings should be three bedroom properties, with 32.4% containing two bedrooms, 18.5% having four or more bedrooms and 6.9% having one bedroom.

Table S.5 Size of new owner-occupied accommodation required in the HMA over the next 22 years				
<i>Dwelling size</i>	<i>Current size profile</i>	<i>Size profile 2037</i>	<i>Change required</i>	<i>% of change required</i>
One bedroom	7,270	9,511	2,241	6.9%
Two bedrooms	41,000	51,574	10,574	32.4%
Three bedrooms	79,544	93,329	13,784	42.2%
Four or more bedrooms	57,277	63,321	6,045	18.5%
Total	185,091	217,735	32,644	100.0%

Source: Braintree, Chelmsford, Colchester & Tendring Councils 2015 Strategic Housing Market Assessment

- S.32 This analysis can be repeated for private rented housing and is presented in Table S.6. The data indicates that of the 18,330 private rented dwellings required within the HMA, 48.8% should be three bedroom properties, a further 26.8% should have four bedrooms. Some 20.7% of dwellings should have two bedrooms and 3.7% one bedroom homes.

Table S.6 Size of new private rented accommodation required in the HMA over the next 22 years				
<i>Dwelling size</i>	<i>Current size profile</i>	<i>Size profile 2037</i>	<i>Change required</i>	<i>% of change required</i>
One bedroom	10,956	11,618	662	3.7%
Two bedrooms	23,632	27,428	3,796	20.7%
Three bedrooms	14,034	22,987	8,953	48.8%
Four or more bedrooms	5,091	10,009	4,918	26.8%
Total	53,713	72,043	18,330	100.0%

Source: Braintree, Chelmsford, Colchester & Tendring Councils 2015 Strategic Housing Market Assessment

Further detail on the affordable sector

S.33 As is noted within the PPG, it is necessary to use an alternative model to establish the absolute need for affordable housing (as well as to detail the tenure and size of accommodation required within this sector). This is because this model does not test the affordability of the recommended housing for local households and there is a danger that unsustainable income to housing cost ratios could be projected forward. The PPG clearly sets out the approach used for calculating the affordable housing need and the results of this process for the HMA are presented below.

Affordable housing need

S.34 It is necessary to undertake a separate calculation of affordable housing. Paragraph 22 (Reference ID: 2a-022-20140306) to Paragraph 29 (Reference ID: 2a-029-20140306) of the *Housing and economic development needs assessments* section of the PPG details how affordable housing need should be calculated. It defines affordable housing need as 'number of households and projected households who lack their own housing or live in unsuitable housing and who cannot afford to meet their housing needs in the market'.

S.35 The PPG goes on to set out the types of households to be considered in housing need:

- *'homeless households or insecure tenure (e.g. housing that is too expensive compared to disposable income);*
- *households where there is a mismatch between the housing needed and the actual dwelling (e.g. overcrowded households);*
- *households containing people with social or physical impairment or other specific needs living in unsuitable dwellings (e.g. accessed via steps) which cannot be made suitable in-situ*
- *households that lack basic facilities (e.g. a bathroom or kitchen) and those subject to major disrepair or that are unfit for habitation;*
- *households containing people with particular social needs (e.g. escaping harassment) which cannot be resolved except through a move.'*

- S.36 Each stage of the model is calculated separately using locally available data for each individual local authority. The PPG states that the figures in the model need to be converted to annual flows to establish the total need for affordable housing. Table S.7 sets summarises the outputs of each stage of the model and the derivation of the total need for affordable housing of 1,360 per year in the HMA.

Table S.7 Results of the affordable housing needs model	
<i>Stage in calculation</i>	<i>HMA</i>
Stage 1: Current unmet gross need for affordable housing (Total) (Table 5.3)	6,254
Stage 2: Newly arising affordable housing need (Annual) (Table 5.5)	3,461
Stage 3: Current affordable housing supply (Total) (Table 5.6)	4,705
Stage 4: Future housing supply (Annual) (Table 5.9)	2,171
Stage 5.1 Net current need (Stage 1- Stage 3) (Total)	1,549
Stage 5.2 Annualise net current need (Stage 5.1/22) (Annual)	70
Stage 5.3 Total need for affordable housing (Stage 2+ Stage 5.2 – Stage 4) (Annual)	1,360
Total gross annual need (Stage 1/22 + Stage 2) (Annual)	3,745
Total gross annual supply (Stage 3/22 + Stage 4) (Annual)	2,385

Source: Braintree, Chelmsford, Colchester & Tendring Councils 2015 Strategic Housing Market Assessment

- S.37 The model contains detail of the type of households in affordable housing need. This includes the number of single person households aged under 35. These individuals are deemed suitable to potentially meet their housing needs within the market as part of a shared household. This is implied by the Local Housing Allowance regulations, which indicate that single people under 35 are only entitled to the shared accommodation rate rather than the rate for a one bedroom home. Single person households aged under 35 are not deemed to be in housing need if they can afford the LHA shared room rate and they are excluded from the revised calculation of the total need for affordable housing. In the HMA this accounts for 556 households per year. Removing these households adjusts the need for new affordable units to 804 (1,360-556) per year in the HMA. The gross need (set out in the second last row of the table above) also reduces to 3,189.
- S.38 The suitability of this assumption was discussed at some length at the stakeholder consultation event and within the consultation responses submitted. Whilst there was broad agreement that it was logical to rationalise the model outputs using this group, there were differences of opinions as to whether this should be done and how. The sensitivity testing appendix therefore considers this issue in more detail, providing further clarity on this group and considering the impact of varying this assumption on the overall requirement for affordable housing.

Size of accommodation required

- S.39 Table S.8 shows the size of accommodation required by households in housing need in the HMA (after the refinement of the model). The table suggests that there is a net need

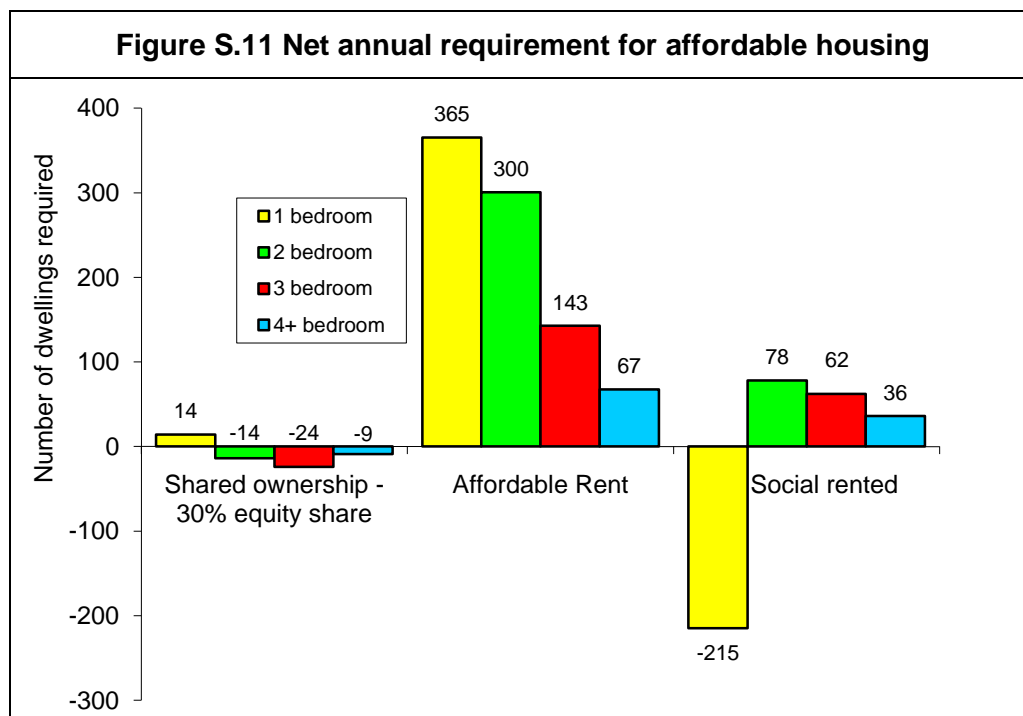
for all sizes of affordable housing. The largest net need is for two bedroom accommodation, followed by three bedroom homes. The final column shows that the need relative to supply is the greatest for four bedroom homes, followed by three bedroom accommodation. Households in need requiring one bedroom accommodation are most likely to have their need met from the current supply.

Table S.8 Size of additional units required to meet housing need					
<i>Size of home</i>	<i>Need requirement</i>				
	<i>Gross annual need</i>	<i>Gross annual supply</i>	<i>Net annual need</i>	<i>As a % of total net annual need</i>	<i>Supply as a % of gross need</i>
One bedroom	1,277	1,112	165	20.5%	87.1%
Two bedrooms	1,217	853	364	45.3%	70.1%
Three bedrooms	550	369	181	22.5%	67.1%
Four or more bedrooms	145	51	94	11.7%	35.1%
Total	3,189	2,385	804	100.0%	74.8%

Source: Braintree, Chelmsford, Colchester & Tendring Councils 2015 Strategic Housing Market Assessment

Type of affordable home required

- S.40 As discussed above, a range of affordable products are available to meet affordable housing need in the HMA. How many households in affordable housing need in the HMA able to afford these different affordable products has been assessed. The likely supply of these dwelling is then calculated. Figure S.11 shows the overall net annual requirement for affordable housing in the HMA once the likely supply of affordable accommodation has been deducted from the gross need. The figure shows that across the HMA there is a requirement for a range of different new affordable rented accommodation, with the exception of one bedroom social rented homes, where there is likely to be a surplus. It is therefore suggested that a significant number of one bedroom social rented homes could be re-let as Affordable Rented accommodation once they become vacant through natural churn.



Source: Braintree, Chelmsford, Colchester & Tendring Councils 2015 Strategic Housing Market Assessment

Requirements of specific groups of the population

S.41 The NPPF indicates that a SHMA should ensure all subgroups of the population are addressed. The following groups of the population, which are suggested in the PPG and have an appreciable impact on the housing market within the HMA, are analysed in detail:

- Older persons
- People with disabilities
- Family households
- Students
- Service families

Housing Needs of Older People

S.42 The Census indicates that 23.5% of households in the HMA were older person only households (households where all members are 65 or over), compared to 22.3% regionally and 20.5% nationally. Of these older person only households in the HMA in 2011, 56.2% contained only one person. Older person households show a higher level of owner-occupation than other households and they are more likely than average to have multiple spare bedrooms in their home.

S.43 The Objectively Assessed Need projections supplied by Edge Analytics indicate that the population aged 65 or over is going to increase dramatically over the plan period from 134,682 in 2015 to 205,906 in 2037, a rise of 52.9%. Within the HMA, Colchester is

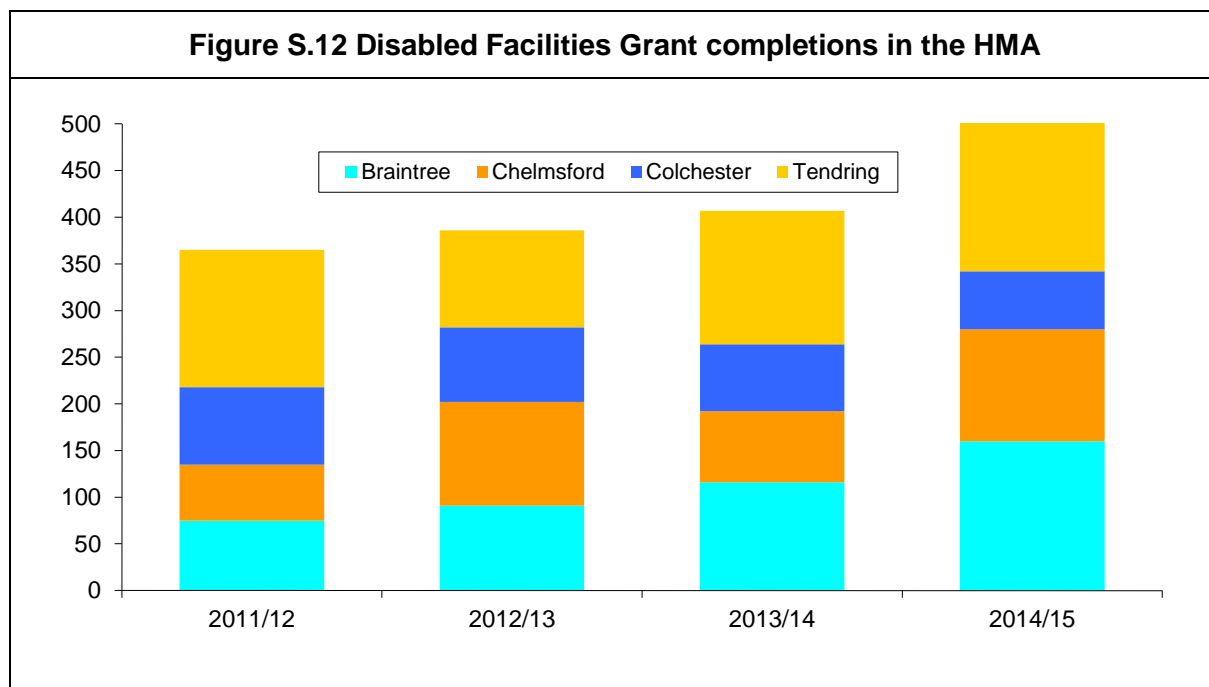
projected to record the biggest growth in its older person population, (60.6%), followed by Chelmsford (57.5%), Braintree (51.0%) and Tendring (44.5%).

- S.44 Given the dramatic growth in the older population and the higher levels of disability and health problems amongst older people there is likely to be an increased requirement for specialist housing options in the future. We have used the Strategic Housing for Older People tool developed by the Housing Learning and Improvement Network² to consider the future requirement for specialist accommodation arising from this group. If it is presumed that occupation patterns remain at current levels then there is a requirement for 7,746 additional specialist units, of which 7,157 should be sheltered housing and 319 should be extracare housing. The requirement for 7,746 additional specialist units for older people represents 10.4% of the total Objectively Assessed Need for the period to 2037.
- S.45 As well as the need for specialist housing for older people there will also be an additional requirement for Registered Care. Presuming the current occupation rate by age across the area is continued forward, the Strategic Housing for Older People tool indicates there will be an additional 6,601 spaces that will be required over the next 23 years. This additional accommodation is required to meet the future institutional population and therefore does not form part of the new housing to meet the Objectively Assessed Need.

Households with specific needs

- S.46 Some 17.7% of the resident population in the HMA have a long-term health problem or disability. Some 45.3% of all residents with a long-term health problem or disability in the HMA had a condition that limited day-to-day activities a lot, with 54.7% having a condition that limited activities a little.
- S.47 In addition to specialist accommodation, the Councils help people to remain in their current home by providing support and assistance. Figure S.12 shows the number of Disabled Facilities Grants that have been completed between 2011/12 and 2014/15 in each authority within the HMA. The figure shows that the requirement for these services has increased over this period, most notably in Braintree and Tendring.

² <http://www.housinglin.org.uk/>

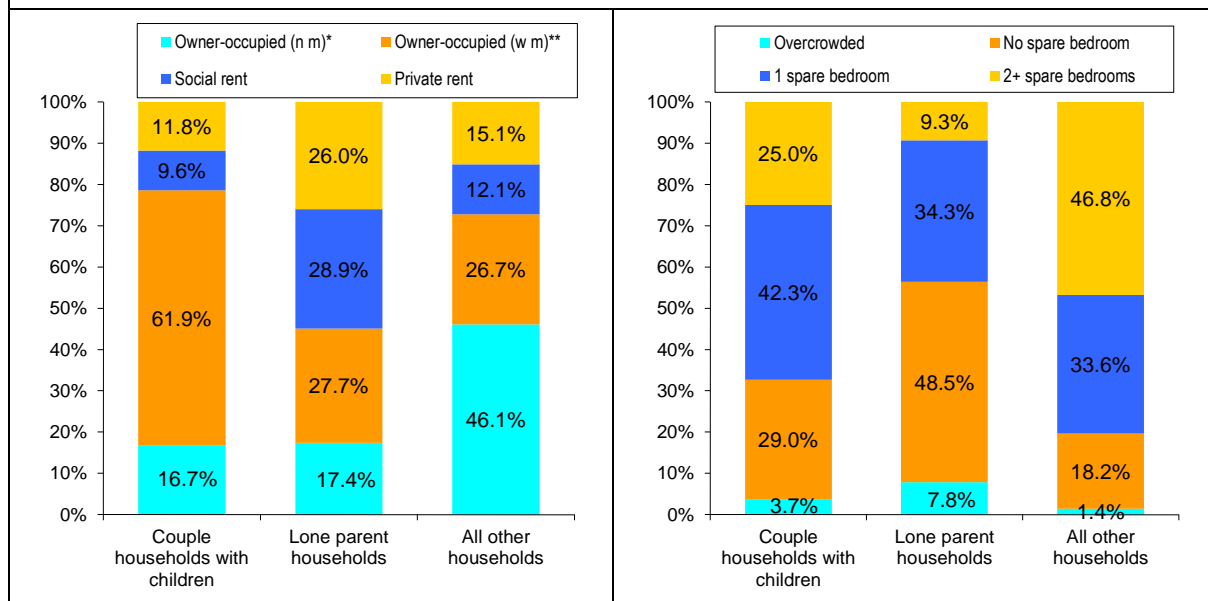


Source: HMA Councils, 2015

Families with children

- S.48 The Census indicated that 36.1% of the household population were families with children, a figure lower than the regional figure (36.7%) but slightly higher than the national average (36.0%). Figure S.13 shows the tenure profile of the two main types of 'family with children' households in the HMA in 2011 compared to the remainder of the household population. The figure also sets out the occupancy level of these groups. The data shows that whilst there are notably fewer owner-occupiers with no-mortgage amongst couple households with children than amongst other households in the HMA, the proportion of this group in the social and private rented sector is not dissimilar. Lone parents however are notably more likely than other households to be in both social rented and private rented accommodation. Family households with children are also more likely to be overcrowded and less likely to be under-occupied than other households in the HMA.

Figure S.13 Profile of accommodation for family households in the HMA



*Owner-occupied no mortgage ** Owner-occupied with mortgage, includes shared ownership. Source: 2011 Census

S.49 The Objectively Assessed Need projections indicate that the total population of families with children in the HMA is going to rise from 94,413 in 2015 to 100,481 by 2037 and the proportion of lone parent families within this group will grow from 28.1% in 2015 to 37.6% in 2037. Table S.9 shows the projected accommodation profile for family households in the HMA in 2037 derived from the LTBHM model, presuming that households do not have to reside in overcrowded accommodation.

Table S.9 Type of accommodation required for households with dependent children in 2037

Dwelling size	Owner-occupation	Private rented	Shared ownership	Social rent/Affordable Rented	Total
One bedroom	0.0%	0.0%	0.0%	0.0%	0.0%
Two bedrooms	5.1%	2.7%	0.2%	8.0%	16.0%
Three bedrooms	31.2%	4.5%	0.3%	12.3%	48.3%
Four or more bedrooms	30.3%	3.4%	0.2%	1.9%	35.7%
Total	66.6%	10.6%	0.6%	22.2%	100.0%

Source: Braintree, Chelmsford, Colchester & Tendring Councils 2015 Strategic Housing Market Assessment

Students

S.50 There are two universities situated in the HMA: University of Essex, located principally in Colchester, and Anglia Ruskin University which has a campus in Chelmsford. Both of these organisations were contacted and asked about the current accommodation provision for their students, what expectations they have for future growth and where this growth will be

accommodated. At the time of this report, only Anglia Ruskin University have provided a response.

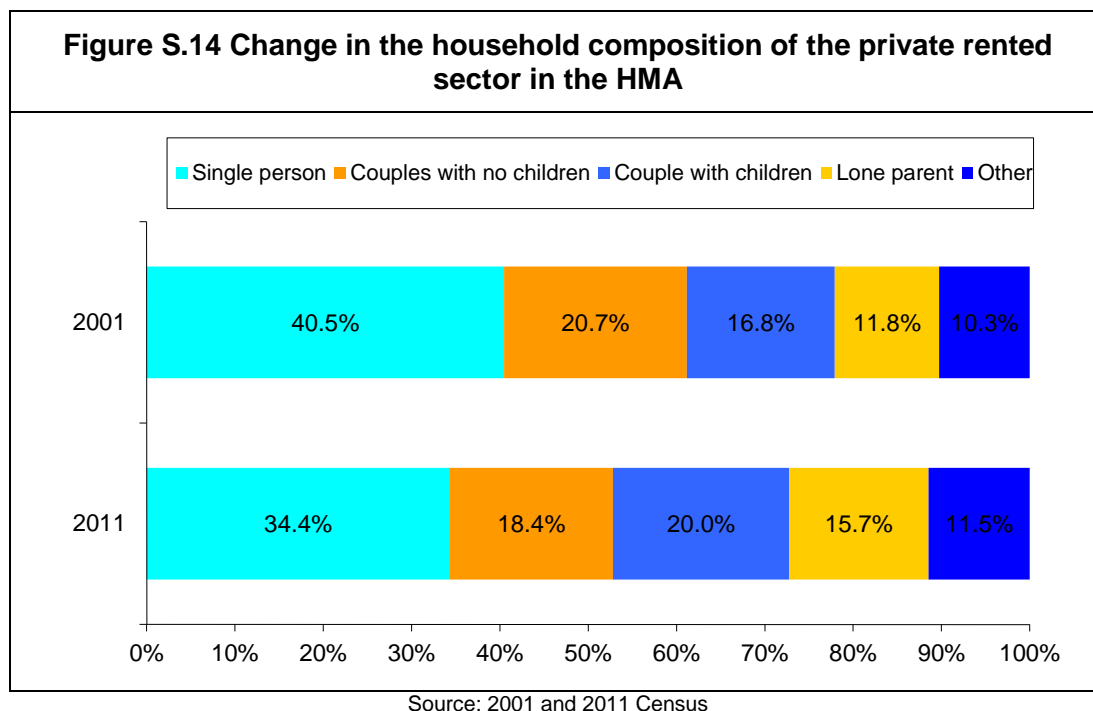
- S.51 Anglia Ruskin University currently has 7,250 students based in Chelmsford. The University estimates that there are around 1,000 student households in private rented housing in Chelmsford, with accommodation concentrated in particular areas including Rectory Lane and Henry Road. The University's Corporate Plan aims towards increasing the student population at the Chelmsford campus to 8,600 by 2017 with the University planning to add an extra 100 bedrooms of student accommodation within the next three years to help meet this demand.
- S.52 This means that there will be an additional 1,250 students attending university in Chelmsford without accommodation. If it is presumed that 40% of these students reside at home, then there will be approximately 750 additional students looking for accommodation within the private rented sector. Typical occupation levels amongst students in private sector multiple occupancy housing would suggest that this would equate to around 175 new dwellings within the private rented sector. Whilst a growth of 175 private rented households in Chelmsford appears fairly large, the increase would represent an average annual growth of the private rented sector of just 0.8%. The average annual increase in the private rented sector between 2001 and 2011 was 9.2% in Chelmsford, which suggests that the housing market should be able to absorb the growth required in the private rented sector to house the expanding student population comfortably.

Service Families

- S.53 The main Ministry of Defence (MoD) site in the HMA is Colchester Garrison in the north east of Colchester. At the time of this report the MoD have not responded to the Councils' recent enquiries with regard to future changes in the Garrison. The Census indicates that in 2011 there were 2,501 residents in Colchester employed in the Armed Forces, of which 1,455 people lived in a communal establishment and 1,046 within a household.

The private rented sector

- S.54 The private rented sector is becoming increasingly important in the HMA; the Census indicates that it increased by 93.9% in the HMA between 2001 and 2011. Figure S.14 compares the household composition of the private rented sector in the HMA in 2001 to the profile of households resident in this tenure in the HMA in 2011. The data shows that the households in the sector have diversified.



S.55 To assess the stability of the sector currently it is useful to consider how the private rent levels charged vary over time. Overall data suggests that the private rented sector is fairly stable, with rents changing only marginally over the two year period. The data does suggest that three and four bedroom rents are the most volatile in the market and that rents in Chelmsford have changed the most with rents in Tendring varying the least.

S.56 The report '*Who Lives in the Private Rented Sector*' published in January 2013 by the British and Social Housing Foundation estimates that nationally around a quarter of private tenants are in receipt of Local Housing Allowance. In the HMA the figure is 20.8% (excluding Tendring for which data is not available). Further analysis shows that the number of private rented tenants in receipt of Local Housing Allowance across the HMA has increased by only 0.8% between April 2011 and April 2015.

People wishing to build their own homes

S.57 It should be noted that the NPPF specifically refers to people wishing to build their own homes within the examples cited in paragraph 159. The Councils have collated this information outside this report.

Conclusion

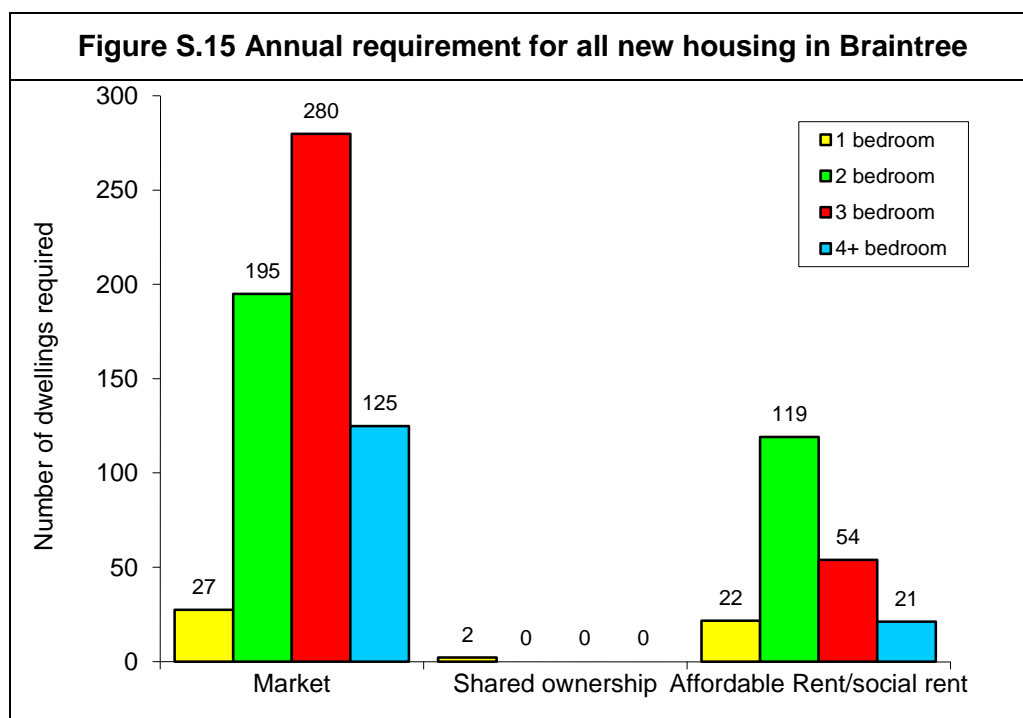
S.58 On completion of the calculation of the need for affordable housing the PPG says at Reference ID: 2a-029-20140306:

The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.

- S.59 It is clear that Planning Authorities should consider whether or not the housing target in the Local Plan should be increased to assist with meeting the need for affordable housing.

Braintree

- S.60 The total annual affordable housing need in Braintree of 212 represents 25.8% of the annual projected household growth in the District between 2013 and 2037 (822 households per year as identified within the OAHN calculations as provided by Edge Analytics). It is clear that the Council can be confident that the affordable housing requirement can be met by the OAHN identified and no adjustment is required to this figure.
- S.61 To profile the overall dwelling requirements, the household totals presented in this report will be converted to dwelling figures by applying the overall vacancy rate of 2.7% that was used by Edge Analytics in their work on the OAHN calculation. Therefore of the 845 dwellings required per year in Braintree between 2013 and 2037, 218 (25.8%) should be affordable, as this is the requirement derived from the affordable housing need model. The residual dwellings within the OAHN estimate are market accommodation. The size of housing required within these tenures is presented in Figure S.15. The affordable sector is informed by the affordable housing needs model. The market profile is informed from the LTBHM model; the overall profile of market housing required is then distributed across the new market housing requirement total.



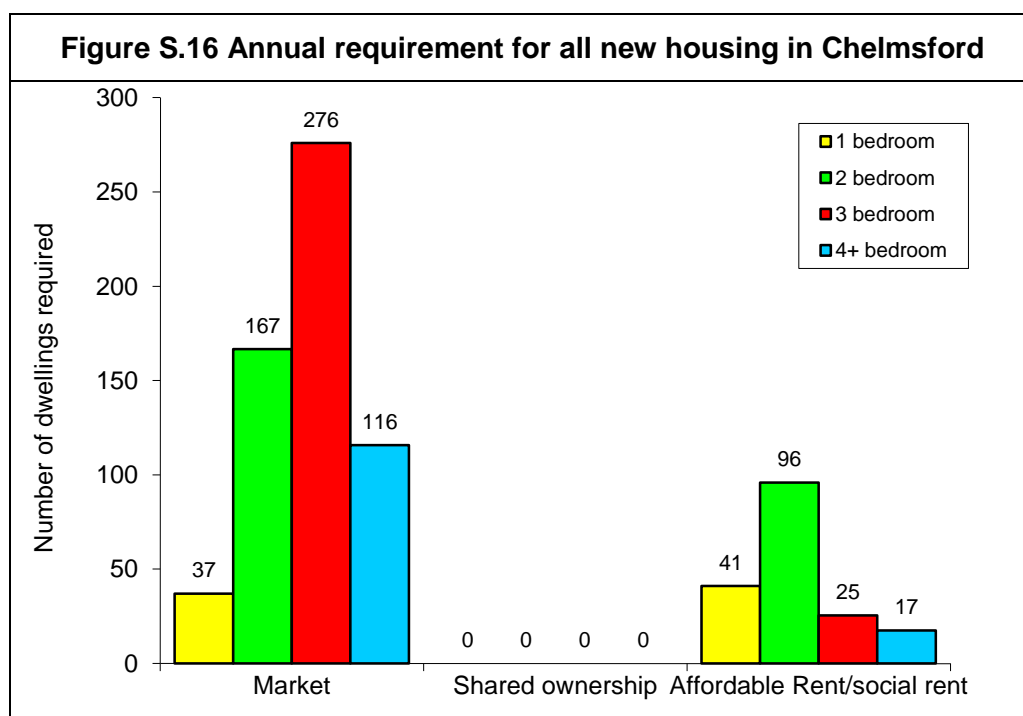
Source: Braintree, Chelmsford, Colchester & Tendring Councils 2015 Strategic Housing Market Assessment

Chelmsford

- S.62 The total annual affordable housing need in Chelmsford of 175 represents 23.1% of the annual projected household growth in the City between 2013 and 2037 (758 households per year as identified within the OAHN calculations as provided by Edge Analytics). It is

clear that the Council can be confident that the affordable housing requirement can be met by the OAHN identified and no adjustment is required to this figure.

- S.63 To profile the overall dwelling requirements, the household totals presented in this report will be converted to dwelling figures by applying the overall vacancy rate of 2.2% that was used by Edge Analytics in their work on the OAHN calculation. Therefore of the 775 dwellings required per year in Chelmsford between 2013 and 2037, 179 (23.1%) should be affordable, as this is the requirement derived from the affordable housing need model. The residual dwellings within the OAHN estimate are market accommodation. The size of housing required within these tenures is presented in Figure S.16. The affordable sector is informed by the affordable housing needs model. The market profile is informed from the LTBHM model; the overall profile of market housing required is then distributed across the new market housing requirement total.

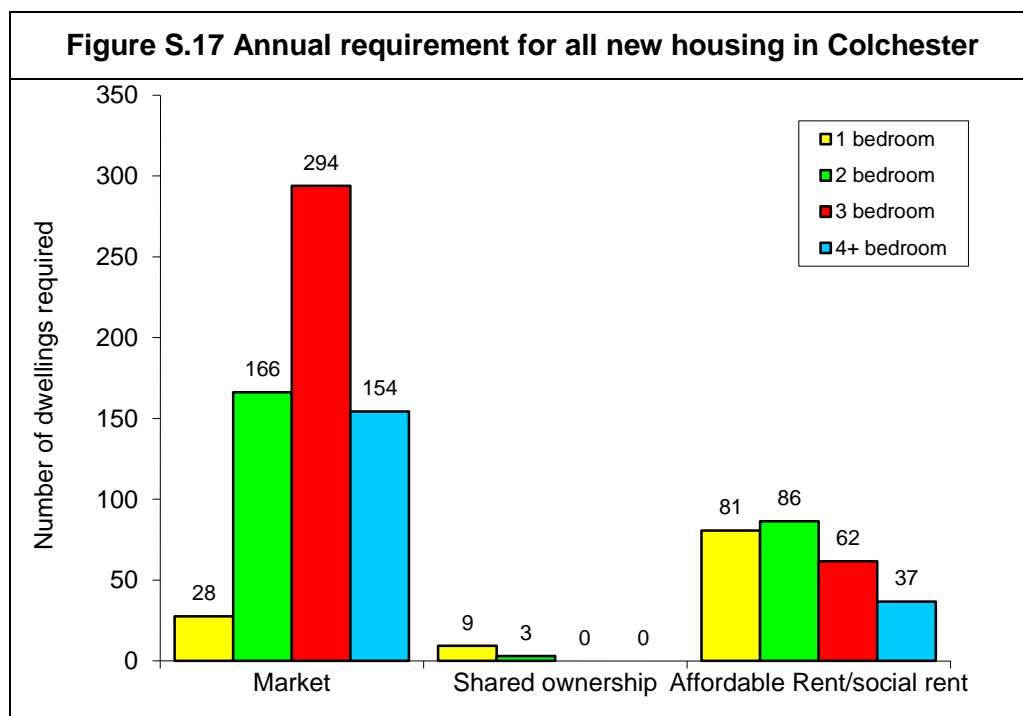


Source: Braintree, Chelmsford, Colchester & Tendring Councils 2015 Strategic Housing Market Assessment

Colchester

- S.64 The total annual affordable housing need in Colchester of 267 represents 30.2% of the annual projected household growth in the Borough between 2013 and 2037 (855 households per year as identified within the OAHN calculations as provided by Edge Analytics). It is clear that the Council can be confident that the affordable housing requirement can be met by the OAHN identified and no adjustment is required to this figure.
- S.65 To profile the overall dwelling requirements, the household totals presented in this report will be converted to dwelling figures by applying the overall vacancy rate 3.8% that was used by Edge Analytics in their work on the OAHN calculation. Therefore of the 920 dwellings required per year in Colchester between 2013 and 2037, 278 (30.2%) should be affordable, as this is the requirement derived from the affordable housing need model. The

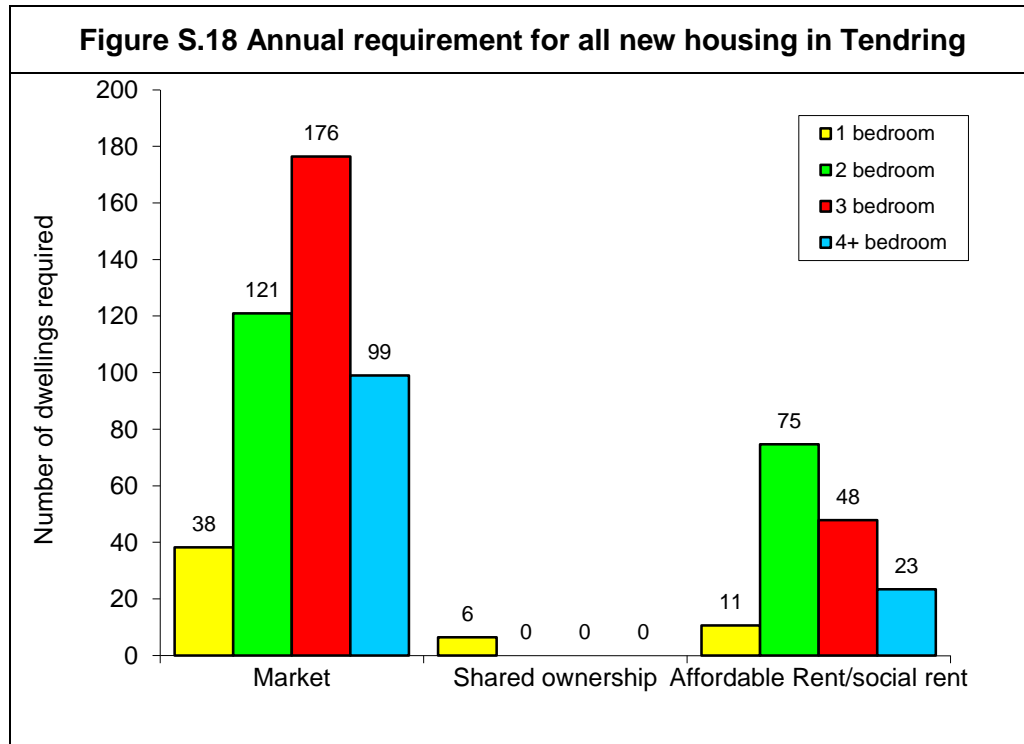
residual dwellings within the OAHN estimate are market accommodation. The size of housing required within these tenures is presented in Figure S.17. The affordable sector is informed by the affordable housing needs model. The market profile is informed from the LTBHM model; the overall profile of market housing required is then distributed across the new market housing requirement total.



Source: Braintree, Chelmsford, Colchester & Tendring Councils 2015 Strategic Housing Market Assessment

Tendring

- S.66 The total annual affordable housing need in Tendring of 151 represents 27.3% of the annual projected household growth in the District between 2013 and 2037 (554 households per year as identified within the OAHN calculations as provided by Edge Analytics). It is clear that the Council can be confident that the affordable housing requirement can be met by the OAHN identified and no adjustment is required to this figure.
- S.67 To profile the overall dwelling requirements, the household totals presented in this report will be converted to dwelling figures by applying the overall vacancy rate of 7.2% that was used by Edge Analytics in their work on the OAHN calculation. Therefore of the 597 dwellings required per year in Tendring between 2013 and 2037, 163 (27.3%) should be affordable, as this is the requirement derived from the affordable housing need model. The residual dwellings within the OAHN estimate are market accommodation. The size of housing required within these tenures is presented in Figure S.18. The affordable sector is informed by the affordable housing needs model. The market profile is informed from the LTBHM model; the overall profile of market housing required is then distributed across the new market housing requirement total.



Source: Braintree, Chelmsford, Colchester & Tendring Councils 2015 Strategic Housing Market Assessment

HDH Planning and Development Ltd is a specialist planning consultancy providing evidence to support planning authorities, land owners and developers.

The firm is led by Simon Drummond-Hay who is a Chartered Surveyor, Associate of Chartered Institute of Housing and senior development professional with a wide experience of both development and professional practice. The firm is regulated by the RICS.

The main areas of expertise are:

- Community Infrastructure Levy (CIL)
- District wide and site specific Viability Analysis
- Local and Strategic Housing Market Assessments and Housing Needs Assessments
- Future Housing Numbers Analysis (post RSS target setting)

HDH Planning and Development have clients throughout England and Wales.

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Local Plan Committee

Item
9

4th April 2016

Report of	Head of Commercial Services	Author	Karen Syrett 01206 506477
Title	Brownfield Land Pilot		
Wards affected	All		

The Local Plan Committee is asked to note that Colchester Borough Council has been selected to be a Brownfield Land Register Pilot.

1. Decision(s) Required

- 1.1 To note the requirements of the Brownfield Land Register Pilot.

2. Reasons for Decision(s)

- 2.1 To make members aware of the Brownfield Land project and how it will help provide evidence to inform the Local Plan.

3. Alternative Options

- 3.1 There are no alternative options – the report is for information only.

4. Supporting Information

- 4.1 Government announced on the 10th March that 73 councils across England will pilot one of the new brownfield land registers, which will provide house builders with up-to-date and publicly available information on all brownfield sites available for housing locally. Colchester Borough has been identified as one of those pilot Councils.
- 4.2 The intention is that the registers will help housebuilders identify suitable sites quickly, speeding up the construction of new homes. They will also allow communities to draw attention to local sites for adding to the register, including in some cases derelict buildings and eyesores that are primed for redevelopment and that could attract investment to the area.
- 4.3 The government is seeking to get planning permission in place on 90% of suitable brownfield sites for housing by 2020. The Registers are one way it has identified to do this. The government stated intention is to give sites on the register 'Permission in Principle' for housing, see below, but that is not part of this pilot scheme.
- 4.4 Invitations to take part in the Pilot were sent to all councils. Although it is an additional piece of work for the Planning Policy team at an

already busy time it was considered to be good timing for a number of reasons;

- The Councils evidence to inform the Register is as up to date as it can be
- The team have an additional resource for a month to assist with the project
- The register will have to be produced when legislation is in place (expected to be later this year) and that will be another busy period
- The Government will pay each authority £10,000 for taking part in the Pilot. This funding may not be available to all Councils at a later stage when the Register becomes a statutory requirement.
- The register will provide evidence for officers, developers and the general public as to how much brownfield land there is in the borough.

4.5 The councils taking part in the brownfield pilots will inform future government guidance on the operation of the brownfield registers. Registers will eventually become mandatory for all councils under proposals going through Parliament in the Housing and Planning Bill. By being part of the Pilot it is hoped we will be ahead of the game.

4.6 For information Housing Minister Brandon Lewis visited Colchester on the day of the announcement and visited a brownfield site in Ipswich Road.

4.7 Brownfield Registers – Key Principles

- Based on Strategic Land Availability Assessment (SLAA) process, including annual reviews of potentially suitable sites. Will also expect authorities to look at other relevant sources and ask landowners and others to volunteer sites for consideration
- Potential brownfield sites should comply with the NPPF definition of previously developed land
- To be regarded as suitable for housing potential sites must be:
 - Available – Deliverable or Developable
 - Capable of supporting 5 or more dwellings or more than 0.25ha
 - Capable of Development – free from constraints or constraints exist but can be mitigated.
- Sites that meet these criteria will be placed on the register. This will include sites which already have planning permission.
- Registers to be kept under review, regularly updated and made publicly available
- Data on each site to be in a consistent standard format and published to Open Data standards

4.8 Key Stages in the Pilot

- Stage 1 – Identifying provisional brownfield sites. Councils will identify provisional brownfield sites from the existing evidence base

and consider what other relevant sources could be used to identify further suitable brownfield sites.

- Stage 2 – Assessing the suitability of provisional brownfield sites. The suitability of the provisional sites will be assessed against the criteria specified in the draft manual. Decisions about whether to include a site on the register will be for local authorities. There will be no right of appeal because there is always the option of submitting a planning application.
- Stage 3 – Compiling a pilot register including the required information for suitable sites. The Government plan to make consultation discretionary when including land on a register.
- Stage 4 – Publishing a pilot register by the end of June 2016.

- 4.9 There will be an expectation throughout the Pilot that local authorities will share views on the whole process. This will include the data required in the register for each site; the consultation authorities would be minded to undertake, once the legislation comes into force, for sites included on the statutory brownfield register; and the suitability of the criteria. The draft manual is attached as appendix 1.

4.10 Permission in Principle (PiP)

The Productivity Plan 2015 set out the Government's intention to legislate to grant automatic permission in principle on brownfield sites identified in new brownfield registers, subject to the approval of a limited number of technical details. This measure features in the Housing and Planning Bill and will enable 'permission in principle' to be granted for housing-led development sites listed on the new brownfield registers or allocated in Local Plans.

- 4.11 There will be a statutory requirement to consult on sites granted PiP. If a site is very complex, very contaminated, etc, it would not be suitable for PiP. Technical details will need to be approved and at that stage a local authority can seek mitigation and contributions. The Government see this process as the way to ensure 90% of brownfield land or sites – still to be determined – will have permission by 2020.

- 4.12 Permission in principle does not form part of the Brownfield Land Register Pilot and further details are awaited on this aspect.

5. Proposals

- 5.1 The Local Plan Committee is asked to note the requirements of the Brownfield Land Register and to identify sites that might be suitable for inclusion.

6. Strategic Plan References

- 6.1 Effective strategic planning supports the Strategic Plan Action Plan which includes a commitment to make Colchester a vibrant, prosperous, thriving and welcoming place.

7. Consultation and Publicity

- 7.1 Consultation will be discretionary and for each local authority to decide how and if it is undertaken. No consultation is required as part of the Pilot but it is considered that by bringing the report to Committee some publicity will be generated and it will be useful to see how much feedback there is.

8. Financial Implications

- 8.1 The Council will be awarded £10,000 government funding to help the establishment of the brownfield register.

9. Equality, Diversity and Human Rights Implications

- 9.1 An Equality Impact Assessment has been prepared for the Local Plan and is available to view by clicking on this link:-

<http://www.colchester.gov.uk/article/4962/Strategic-Policy-and-Regeneration>

or go to the Colchester Borough Council website www.colchester.gov.uk and follow the pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Equality and Diversity > Equality Impact Assessments > Strategic Policy and Regeneration and select Local Development Framework from the Strategic Planning and Research section.

- 9.2 There are no particular Human Rights implications.

10. Community Safety Implications

- 10.1 None

11. Health and Safety Implications

- 11.1 None

12. Risk Management Implications

- 12.1 Taking part in the Pilot will ensure the Council is fully informed of national policy and will minimise the risk of challenge for not having an appropriate Register.

13. Disclaimer

- 13.1 The information in this report was, as far as is known, correct at the date of publication. Colchester Borough Council cannot accept responsibility for any error or omission.

Pilot Brownfield Register Manual

Introduction

This manual has been prepared by DCLG to assist local planning authorities participating in the pilot brownfield register project. It provides information on the aims of the project, the process of compiling a pilot brownfield register, and the expectations on pilot authorities.

The Department has undertaken a two phase approach to the pilot project. For the first phase we selected the 20 authorities in England with the most brownfield land in their areas, as identified in the National Land Use Database in 2010 and invited them to participate. For the second phase, we invited all other authorities in England to apply to pilot a brownfield register and selected 36 bids covering 58 authorities. To help authorities share best practice we have included in Annex A a list of all local planning authorities that are taking part in the project.

The manual is intended to provide sufficient information for authorities to complete the pilot project. We have also issued a [public consultation document](#) seeking views on our proposed approach, this document provides further information on the policy and we would welcome responses from pilot authorities. Support for pilot authorities is available via brownfieldpilots@communities.gsi.gov.uk should authorities have detailed questions on the project.

Background

The Government has set out its commitment to introduce a statutory brownfield register and ensure that 90% of suitable brownfield sites have planning permission for housing by 2020. Through brownfield registers, a standard set of information will be kept up-to date and made publicly available to help provide certainty for developers and communities and encourage investment in local areas.

This project provides an exciting opportunity for local planning authorities to work together and with the Department to shape and develop this policy. The experiences of pilot authorities will feed into the development of secondary legislation and guidance to support local planning authorities more widely. By participating in the project, pilot authorities will gain early experience of preparing brownfield registers, and have some early data on the amount of brownfield land in their area that is suitable for housing.

Project Expectations

We have identified four stages for the preparation of a pilot brownfield register and would like your authority to help test the process by completing each stage and compiling a pilot brownfield register for publication. The four stages are:

- **Identifying provisional sites** – Pilot authorities should consider their existing evidence base, including Strategic Housing Land Availability Assessments, and identify provisional brownfield sites that may be suitable for housing.
- **Assessing site suitability** – Pilot authorities should assess the suitability of their provisional brownfield sites against the specific criteria set out in the manual.
- **Compiling a pilot register** – We want pilot authorities to work with us to establish a national data standard for the data held in brownfield registers. This should meet Open Data principles and allow interested persons to reliably combine and compare different authorities' registers. Once the data standard is established pilot authorities should gather information for each site included on their pilot register.
- **Publishing a pilot register** – Pilot authorities should assist the Department in testing the process for aggregating the data nationally by publishing their pilot register locally on their own website and offer views on the future updating and maintenance of brownfield registers.

Pilot authorities will not be expected to grant permission in principle as part of this project. However, when the statutory requirement for preparing brownfield registers comes into force we will expect local planning authorities to take a positive and proactive approach when considering granting permission in principle for sites included on their registers. We expect that the large majority of sites on registers that do not already have an extant planning permission will be granted permission in principle for housing. We would therefore encourage pilot authorities to consider the suitability of sites for a future grant of permission in principle and any related issues as part of this project,

We expect pilot authorities to share their experiences and provide feedback to the Department as each stage is concluded by completing the standard feedback form for each stage of the pilot project in Annex A that will be distributed. This information will be valuable in informing the development of the secondary legislation and guidance for brownfield registers.

At this stage we are not setting specific deadlines for the completion of specific stage, however, as the secondary legislation needs to be finalised during Summer 2016, pilot brownfield registers will need to be published locally by the **end of June 2016**.

We appreciate that this is an ambitious timescale for the project but hope that the manual sets out clearly what is required for each stage of the process, so pilot authorities can prepare and plan effectively to meet the project expectations.

We will also offer support via regular contact with pilot authorities and establish a dedicated forum on the Knowledge Hub website for authorities to discuss progress with each other and DCLG officials.

STAGE 1 - Identifying provisional brownfield sites

Pilot authorities are expected to identify provisional brownfield sites from their existing evidence base and consider what other relevant sources could be used to identify further suitable brownfield sites.

The first stage requires pilot authorities to identify provisional sites for their pilot register from the existing evidence base. The evidence base will include sites in an up-to date Strategic Housing Land Availability Assessment or up-to date Local Plan, sites with an extant planning permission for housing and any other relevant windfall sites. Sites that in the opinion of the local planning authority are suitable for housing led development should also be identified as a provisional brownfield site.

We would expect all provisional brownfield sites to meet the definition of “previously developed land” in Annex 2¹ of the National Planning Policy Framework²

We would also encourage pilot authorities to consider other relevant sources and share with us their views on what would be useful in identifying provisional sites for inclusion in registers.

Once the statutory requirement comes into force it is our intention that local planning authorities will undertake a call for sites, unless a full SHLAA has been recently undertaken. Annual call for sites should be undertaken by all local planning authorities subsequently reviewing their registers annually. This will ensure that new sites are introduced into the evidence base to keep registers up-to date. Pilot authorities are not required to undertake a call for sites as part of this project; however, we welcome feedback on how our proposed approach would work in practice.

¹ See <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

² The detailed assessment of their suitability for housing and inclusion on the pilot register is carried out at Stage 2.

STAGE 2 – Assessing the suitability of the provisional brownfield sites

Pilot authorities should assess the suitability of their provisional sites against the criteria below and share their views on the consultation they would be minded to undertake, once the legislation comes into force, for sites included on the statutory register.

At stage 2 pilot authorities should determine whether their provisional brownfield sites are suitable for housing by assessing them against specific criteria that have been drawn from policy in the National Planning Policy Framework.

Sites that have an extant planning permission for housing do not need to be assessed against the criteria as they have already been considered suitable for housing and can therefore be included on the pilot register without further assessment.

To be regarded as suitable for housing our proposed criteria are that sites must be:

- **Available.** This means that sites should be either deliverable or developable.³ Sites that are **deliverable** should be available and offer a suitable location for development now and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. To be considered **developable**, sites are likely to come forward later on (e.g. between six and ten years). They should be in a suitable location for housing development and there should be a reasonable prospect the site will be available and that it could be viably developed at the point envisaged. Consideration about site viability should be proportionate having regard to the particular circumstances of the site and any other relevant factors. Sites that are not allocated in the local plan should be included in local brownfield registers where they meet the relevant criteria and pilot authorities conclude that they will come forward over a reasonable period of time.
- **Capable of supporting five or more dwellings or more than 0.25 hectares.** This approach to defining a minimum site size threshold is intended to be proportionate and is in line with Planning Practice Guidance on conducting Strategic Housing Land Availability Assessments. To meet the statutory requirement, local planning

³ See National Planning Policy Framework footnotes 11 and 12.

authorities should also aim to seek suggestions for smaller sites from the public and other interested parties and include these sites in their registers whenever possible because of their valuable contribution to overall housing supply; however this is not a mandatory part of pilot register.

- **Capable of development.** Pilot authorities should ensure that sites are suitable for residential use and free from constraints *that cannot be mitigated*. The National Planning Policy Framework has strong policies for conserving and enhancing both the natural and the historic environment which should be taken into account, together with other specific policies in the Framework that indicate development should be restricted. Pilot authorities will need to support decisions about potential constraints with strong evidence and appropriate mitigations should be considered wherever possible to enable sites to be included on the register.

Pilot authorities should note that where a brownfield site is subject to an allocation for a use other than housing in an up to date local plan and there is compelling evidence supporting that allocation, it is unlikely that the site would be regarded as being suitable for housing.

Where an authority decides a site is not suitable for housing and should not be included in a register, we are proposing to follow the existing SHLAA process and the landowner will not have the opportunity to appeal the authority's decision. If a landowner is aggrieved by a decision taken by an authority they would have the option to make an application for planning permission.

Once the statutory requirement comes into force, it is our intention that local planning authorities will have discretion over the level of consultation they undertake for sites included on brownfield registers as being suitable for housing (consultation on sites where the authority proposes to grant permission in principle will be mandatory).

We do not expect pilot authorities to undertake consultation as part of this project; however, we are mindful that a number of authorities in both phases have suggested they will undertake consultation on their pilot register and we would be interested in issues and suggestions arising from their experience. Likewise, for authorities that do not undertake consultation as part of the pilot project we would still welcome views on the level of consultation that authorities would be minded to undertake for sites included on registers.

After applying the criteria to their provisional sites, pilot authorities should have a list of brownfield sites suitable for housing that are ready for inclusion on their pilot register. A number of pilot authorities have suggested they would also like to include

the sites that they have decided are not suitable, to ensure transparency in the decisions taken by the authority. We are therefore working to ensure that it is possible for these sites to be included in an Annex to the register if councils wish.

Stage 3 provides instructions for compiling the pilot register and sets out what information should be included for each site.

STAGE 3 - Compiling a Pilot Register

Pilot Authorities should engage/participate in the discussion to establish the national data standard and complete the pilot register including the required information for their suitable sites.

Once pilot authorities have a list of brownfield sites that are suitable for housing, they should include them on their pilot register (for transparency reasons, an annex to the register should also include those provisional brownfield sites considered not suitable). The key objective of the brownfield register is to improve the availability and transparency of information on brownfield land that is suitable for housing, therefore ensuring consistency in approach across local authority areas is essential.

To help us achieve this goal and ensure that the usefulness of local brownfield registers is maximised we are working with iStand UK (formerly the Local Government E- Standards Body) as they have experience of working with local authorities to establish similar national data standards. We are currently working with representatives of phase 1 authorities on a detailed data schema for pilot authorities and hope to share this with all pilot authorities by the **end of March 2016**. This will include a template to complete and guidance on the data that will be required for each site.

This work will result in a national standard for the data that should be included for each site on the register; to help pilot authorities prepare we are currently proposing that local planning authorities should include:

- site reference - Unique Property Reference Number (UPRN)
- site name and address
- centroid point
- extent of the site
- size (in hectares)
- an estimate of the number of homes that the site would likely to be support, preferably a range of provision
- planning status (including link to details held elsewhere of planning permissions, permission in principle/associated technical details consents, and local development orders)
- ownership (if known and in public ownership)

Pilot authorities will be required to follow the national data standard and provide the information for each site included on the register by completing a standard template for spreadsheet style data in 'csv'⁴ form that the Department will share.

However, we appreciate that there may be circumstances where a local planning authority would like to publish additional information beyond what is statutorily

⁴ Further information on CSV can be found at <http://csvlint.io/about>

required, we welcome innovative thinking from pilots and intend to ensure this is technically possible.

STAGE 4 - Publishing a Pilot Register

Pilot authorities should publish their completed pilot register on their own website.

Once pilot authorities have a completed register, we would expect it to be published on their own website. Pilot authorities should then provide the Department with this address as the Department will extract the file and aggregate the data for all authorities in the pilot project. This will test the process that we expect to establish for all pilot authorities once the statutory requirement for brownfield registers is in force.

We propose to require local planning authorities to meet 'Open Data' standards so the data held in registers is freely available for use by everyone with an interest in brownfield land. To achieve this, links to the local registers will be recorded via established data portals⁵, so that there are opportunities for users to discover and re-use the data held in registers from multiple authorities.

⁵ Examples of potential data portals for recording links to local registers are data.gov.uk and the LGA's Local Open Data site.

Next Steps

Phase 1 authorities should receive their grant payment imminently and begin work on the pilot project following receipt of this manual. Phase 2 authorities should attend the engagement sessions in the week commencing 7 March and start working on the project following receipt of the £10k grant funding which will be made as soon as possible following the sessions.

The pilot project will be operated as a closed working group; therefore information should only be shared between authorities that are participating (other than the publication of a pilot register at the end of the process). Understanding the experiences of pilot authorities in completing the process in practice is a key objective for this project. As a result, we are very keen to hear views from pilot authorities throughout the project and have included the standard feedback forms that we are expecting authorities to complete for each stage of the process in Annex B.

We will provide support via regular contact and have established a dedicated email address BrownfieldPilots@communities.gsi.gov.uk for any queries that pilot authorities may have during the project. The Department and iStand UK have also established a smaller technical working group with representatives of phase 1 authorities that we are using to guide the development of the national data schema.

DCLG
March2016

Annex A - Local planning authorities taking part in the project

Local planning authorities taking part in 1st phase of brownfield pilots project

Cherwell

County Durham

Huntingdonshire

Leeds

Liverpool

Manchester

Medway

Newcastle upon Tyne

Peterborough

Selby

Sheffield

South Cambridgeshire

Sunderland

Tonbridge and Malling

Wigan

Local planning authorities selected to take part in 2nd phase of brownfield pilots project

Bassetlaw

Nottingham

Bath and North East
Somerset

Oldham

Blackpool

Oxford

Bolton

Pendle

Bristol City

Preston City

Broxtowe

Rochdale

Bury	Rossendale
Central Bedfordshire	Rotherham
Colchester	Runnymede
Corby	Rushcliffe
Cornwall	Salford
Dover	Sandwell
Dudley	South Gloucestershire
East Devon	South Ribble
East Northamptonshire	South Tyneside
East Riding	Stockport
Exeter City	Stroud
Gateshead	Swindon
Gedling	Tameside
Hart	Teignbridge
Hyndburn	Telford & Wrekin
Kettering	Thurrock
Kingston upon Hull	Torbay
Mid Devon	Trafford
Milton Keynes	Walsall
NE Lincolnshire	Waverley
North Somerset	Wellingborough
Northampton	West Oxfordshire
Northumberland	Wolverhampton

Annex B – Feedback forms

STAGE 1 FEEDBACK FORM - Identifying provisional brownfield sites

Pilot authorities are expected to identify provisional brownfield sites from their existing evidence base and consider what other relevant sources could be used to identify further suitable brownfield sites.

Authority:

What issues did you face in completing this stage of the process?

What would you have done differently if you were to complete this stage again?

Outside of the existing evidence base (SHLAA, up-to date local plan, sites with extant planning permission) what other sources did you find useful in identifying provisional brownfield sites?

How would you expect to operate a call for sites on an annual basis to identify provisional brownfield sites?

Any other comments:

STAGE 2 FEEDBACK FORM – Assessing the suitability of the provisional brownfield sites

Pilot authorities should assess the suitability of their provisional sites against the criteria below and share their views on the consultation they would be minded to undertake, once the legislation comes into force, for sites included on the statutory register.

Authority:

What issues did you face in completing this stage of the process?

What would you have done differently if you were to complete this stage again?

What approach would your authority take to public consultation on the brownfield register?

Any other comments:

STAGE 3 FEEDBACK FORM – Compiling a Pilot Register

Pilot Authorities should engage/participate in the discussion to establish the national data standard and complete the pilot register including the required information for their suitable sites.

Authority:

We will share an updated Feedback Form for this stage of the project once we have issued the national data scheme currently being prepared by the department and iStand UK.

STAGE 4 FEEDBACK FORM - Publishing a Pilot Register

Pilot authorities should publish their completed pilot register on their own website.

Authority:

What issues did you face in completing this stage of the process?

What would you have done differently if you were to complete this stage again?

Where is your pilot register published?

Any other comments:

4th April 2016

Report of	Head of Commercial Services	Author	Karen Syrett 01206 506477
Title	Settlement Boundary Review		
Wards affected	All		

The Local Plan Committee is asked to approve the approach to a review of settlement boundaries in the rural parts of the Borough.

1. Decision(s) Required

- 1.1 To agree an approach to be adopted by officers when reviewing existing village settlement boundaries.

2. Reasons for Decision(s)

- 2.1 It is necessary as part of the production of the new local plan to consider the approach taken to the use of settlement boundaries, otherwise known as village envelopes.

3. Alternative Options

- 3.1 The Committee could decide not to review settlement boundaries but this would be contrary to Paragraphs 14 and 15 of the National Planning Policy Framework which indicates that Local Plans should be based upon and reflect the presumption in favour of sustainable development. This should be done by identifying and providing for objectively assessed needs and by indicating how the presumption will be applied locally.

4. Supporting Information

- 4.1 To inform the preparation of the Local Plan the Council undertook two formal Call for Sites consultations. Many proposals were put forward including sites outside of Colchester in the rural parts of the borough. All these are being assessed along with other sites identified as part of the Strategic Land Availability Assessment. As a result of this it is likely that there will be changes to the existing settlement boundaries in some towns and villages.
- 4.2 To inform this process and as part of the evidence base for the settlement boundary review an assessment of the comparative sustainability of all settlements has been carried out. This can be used to define the most sustainable settlements and inform the hierarchy

and approach to the spatial strategy, particularly for planning growth beyond the urban edge of Colchester.

- 4.3 Officers have begun this work and the following criteria have been included for assessment of each settlement (and part of settlement where separate settlement boundaries exist):
- Access to sustainable transport (Railway station; bus stop - including crude consideration of quality of service);
 - Environmental constraints;
 - Proximity to community facilities including;
 - Primary School;
 - Public open space;
 - Community / village Hall;
 - Doctors Surgery
 - Proximity to Secondary School;
 - % of people who travel less than 2km to work (RCCE Profile);
 - Total Population;
 - Total Households.
- 4.4 Having summarised the data for each settlement under each criteria it is necessary to make judgements and draw conclusions from it. As the underlying principle of the NPPF and therefore the new Local Plan is to support the principle of sustainable development, it is important that the settlement boundaries and any new allocations for growth relate to sustainable locations. With this in mind, it is considered that the Local Plan should define those settlements which are “sustainable” using evidence to justify this. By implication any other settlements (or parts of settlements currently defined by a settlement boundary) are unsustainable (or less sustainable). There are some villages where there is currently more than one defined settlement boundary (SB), for example Aldham, where despite there being just 120 dwellings there are three SB’s. Consideration has to be given to what purpose the settlement boundaries serve and if it is still appropriate or necessary to have so many.
- 4.5 The approach officers are suggesting assumes that only the settlements which can be justified as being sustainable should be defined by settlement boundaries in future. Furthermore, if this approach is adopted, new allocations would only be appropriate within the new sustainable settlements.
- 4.6 An example of a Sustainable Settlement is Wivenhoe. This is one of the largest settlements in the borough and is supported by a good range of services and facilities, including a train station, primary schools, shops and restaurants. It is therefore appropriate to retain and review the settlement boundary and allocate sites for future growth. This process is being undertaken by the Wivenhoe neighbourhood plan Group. A copy of the existing settlement boundary is attached as Appendix 1 to aid discussion on the principles in this report.

4.7 Implications of definition as 'Other Villages'

Those villages which are not considered to be sustainable settlements would be known as Other Settlements and would not have village envelopes. The initial reaction to removing village envelopes is one of concern for fear that it will lead to less protection and more development. In fact the opposite is likely. By definition these areas will be defined as countryside in planning policy terms and having identified them as unsustainable locations they would not generally benefit from the presumption in favour of sustainable development.

4.8 An example of an Unsustainable Settlement would be Little Horkesley. There are just 190 residents living in 75 households in the whole parish. Approximately 40 of the dwellings are currently within the village envelope. It lacks services and facilities and is not well served by public transport so accessing these services elsewhere is difficult. It is also located within the Dedham vale AONB. It will be unsustainable whether or not there is a village envelope. A copy of the existing village envelope is attached as Appendix 2 to aid discussion on the principles in this report.

4.9 Policies for the countryside areas would however need to be clear about how proposals within small hamlets / clusters which are essentially countryside will be dealt with. The Rural Exception Site policy would also need to be clear that sites may be acceptable adjacent to a hamlet rather than just adjacent to a settlement boundary. This may be less important given the Government approach to affordable housing, starter homes and rural exception sites.

4.10 Villages with more than one Settlement Boundary

There are a number of settlements where there is more than one settlement boundary defined. Aldham was given as an example above and Boxted is another. In accordance with the criteria above it may be that one settlement remains based on the biggest concentration of dwellings and facilities, more than one remains or in future there are none.

4.11 Proportional Growth

If Members agree the approach outlined above and in accordance with the Options agreed for future growth last year, officers will be seeking to identify sites to accommodate proportional growth to those settlements identified as sustainable. There is no "one size fits all" approach such as a specified % growth or x number per settlement. There is instead a need to have a robust justification for the proportion taken forward for each settlement. It was therefore agreed that the following key considerations should inform "proportionate growth" and appropriate capacity on a settlement by settlement basis;

- Environmental Constraints/environmental capacity;
- Physical Constraints/capacity - including immovable/ absolute constraints (such as railway lines / rivers, etc);

- Capacity of physical and social infrastructure and tipping point for requirements/likely viability implications - eg school capacity/ physical capacity for expansion / cost and trigger points;
- Current population and households for whole parish – this would be used to arrive at potential growth proportions and test various levels, but if environmental/physical and infrastructure capacity issues are evident a high / low proportion of growth may be justified
- Parish Council views / support.

5. Proposals

- 5.1 Members are asked to agree the following approach to settlement boundaries;
- Only Sustainable Settlements should in future have settlement boundaries defined.
 - All other areas including Other Settlements will be classified as countryside.
 - Proportional Growth in those Sustainable Settlements will be based on the criteria identified above at para. 4.11
 - Changes will be made to existing settlement boundaries where new allocations are proposed.

6. Strategic Plan References

- 6.1 Effective strategic planning supports the Strategic Plan Action Plan which includes a commitment to make Colchester a vibrant, prosperous, thriving and welcoming place.

7. Consultation

- 7.1 Consultation will take place on the Local plan preferred Options in the summer.

8. Publicity Considerations

- 8.1 This report and discussion is intended to address and prevent any negative publicity by setting out the reasoning for any changes in the approach to settlement boundaries.

9. Financial Implications

- 9.1 There are no direct financial implications.

10. Equality, Diversity and Human Rights Implications

- 10.1 An Equality Impact Assessment has been prepared for the Local Plan and is available to view by clicking on this link:-
<http://www.colchester.gov.uk/article/4962/Strategic-Policy-and-Regeneration>

or go to the Colchester Borough Council website www.colchester.gov.uk and follow the pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Equality and Diversity > Equality Impact Assessments > Strategic Policy and Regeneration and select Local Development Framework from the Strategic Planning and Research section.

10.2 There are no particular Human Rights implications.

11. Community Safety Implications

11.1 None

12. Health and Safety Implications

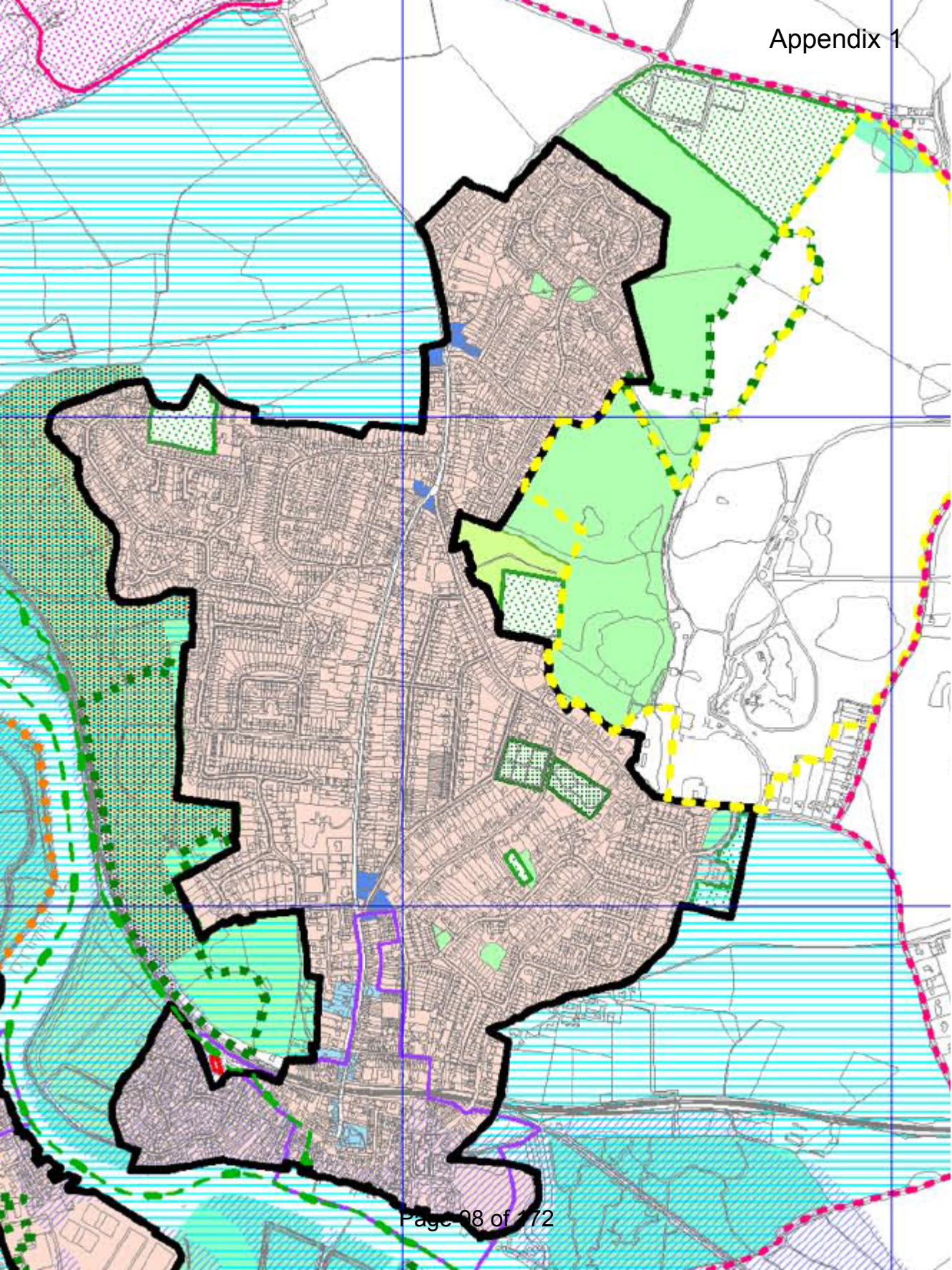
12.1 None

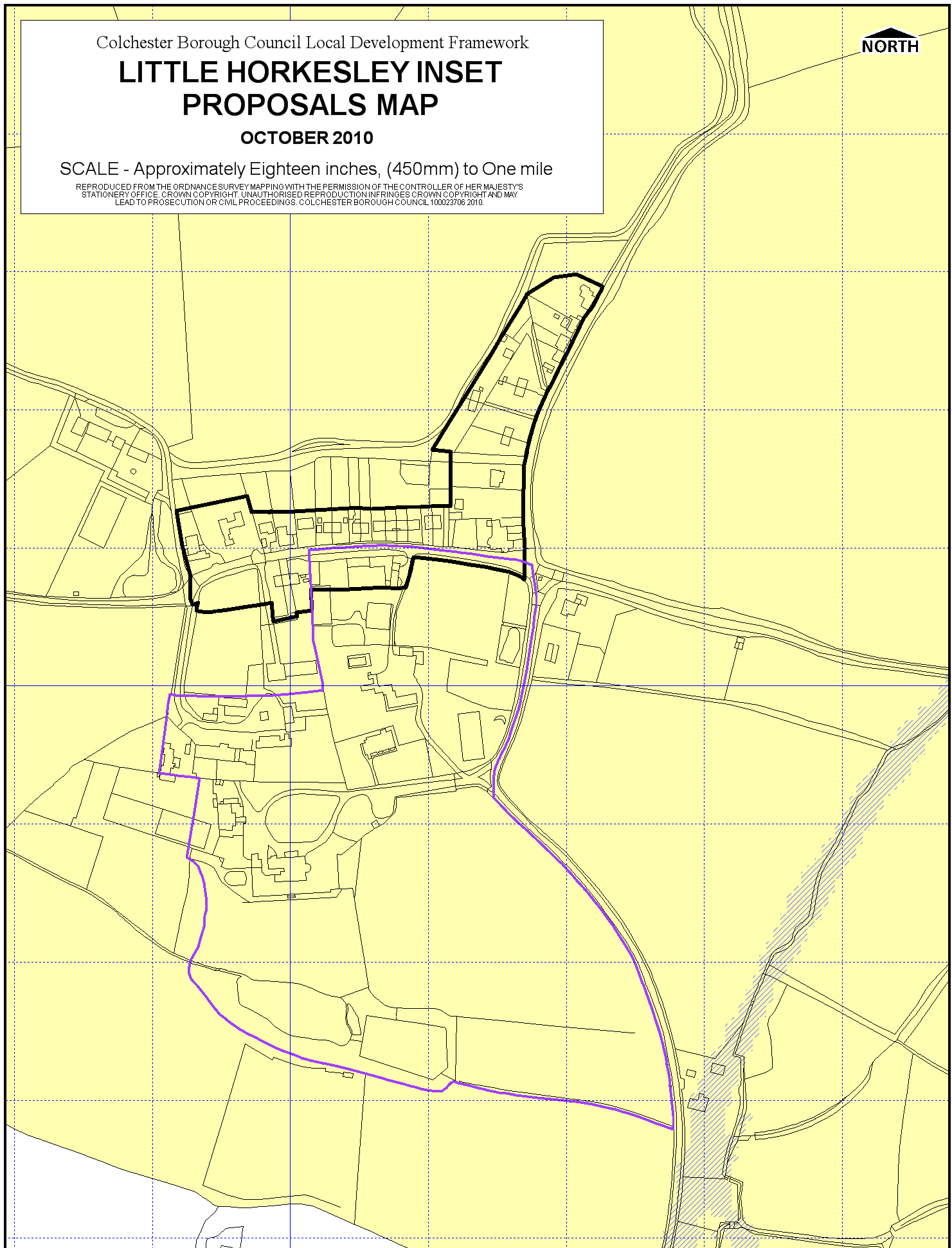
13. Risk Management Implications

13.1 This report is intended to set out the Council's approach to development in the rural parts of the borough and minimise the risk of the Local Plan being found unsound.

14. Disclaimer

14.1 The information in this report was, as far as is known, correct at the date of publication. Colchester Borough Council cannot accept responsibility for any error or omission.





Local Plan Committee

4th April 2016

Item
11

Report of	Head of Commercial Services	Author	Karen Syrett 01206 506477
Title	Local Plan – Draft Policies		
Wards affected	All		

The Local Plan Committee is asked to approve a limited number of draft policies for inclusion in the Local Plan Preferred Options.

1. Decision(s) Required

- 1.1 To approve the first tranche of policies which will form part of the Local Plan Preferred Options document which is scheduled for public consultation in the summer.

2. Reasons for Decision(s)

- 2.1 The Committee are asked to review and approve those policies which do not relate to site specific allocations for land as this will allow for a detailed discussion and consideration of those policies in June.

3. Alternative Options

- 3.1 The Committee could choose to amend the policies and explanatory text or could defer a decision until the whole Local Plan is presented to the Committee in June.

4. Supporting Information

- 4.1 The Council is working on a new Local Plan which will guide development in the Borough between 2017 and 2032 or even beyond. Once adopted this will replace the 2008 Core Strategy (amended 2014), the Development Policies (adopted 2010 and amended 2014), the 2010 Site Allocations and the Tiptree Jam Development Plan Document 2013.
- 4.2 As well as providing allocations for new development, an essential part of the Local Plan will be to provide the strategic and detailed policies on which all planning applications in the Borough are considered against.
- 4.3 National guidance in the Planning Practice Guidance (PPG) sets out what Local Plans should contain at paragraph 10 "While the content of Local Plans will vary depending on the nature of the area and issues to

be addressed, all Local Plans should be as focused, concise and accessible as possible. They should concentrate on the critical issues facing the area – including its development needs – and the strategy and opportunities for addressing them, paying careful attention to both deliverability and viability.....In drafting policies the local planning authority should avoid undue repetition, for example by using generic policies to set out principles that may be common to different types of development. There should be no need to reiterate policies that are already set out in the National Planning Policy Framework”. Policies in the Local Plan should therefore cover the main issues in a concise way that does not repeat national government policy or other policies within the Plan.

- 4.4 The draft Local Plan will follow the layout of the Issues and Options document, consultation on which took place in 2015. There will be chapters covering the following;
- Sustainable Development
 - Housing
 - Centres and Employment
 - Rural Colchester
 - The Environment
 - Healthy Communities
 - Transport and Accessibility
 - Heritage and Townscape.
- 4.5 The Draft Local Plan will be much larger than previous documents because it will incorporate the Core Strategy, Development Policies and Site Allocations. There will also be a Sustainability Appraisal. The new local plan will incorporate policies for the whole Borough including site allocations and development management policies. Due to the range and complexity of issues it will be a comprehensive and detailed document. To assist with the process of considering the full plan, there are advantages to reviewing some policies in advance of the full preferred options plan.
- 4.6 Only those policies which do not have consequential implications on other generic or strategic policies, and are likely to be non-contentious can be considered in advance of the full plan. These are generally the more operational policies which deal with specific detailed matters as listed below.
- 4.7 The starting point for the formation of the new policies is to look at the existing policies which are set out in the existing Local Plan documents detailed above. This exercise has identified the need for the retention and review of policies, as well as the need for any additional policies if any gaps are identified. Some of the policies listed were subject to the Focussed Review (FR) in 2014, but are reviewed again here to ensure they remain fit for purpose. The policies have been updated as appropriate to take into account changing local evidence and circumstances such as planning approvals and appeals, any changes

to national government policy or guidance and comments received during the Issues and Scoping consultation. Policies have also been the subject of consultation with appropriate internal stakeholders.

- 4.8 All policies and the alternative options of policy formation are currently subject to a Sustainability Appraisal. The results of this appraisal will be reported to Members before the final draft Preferred Options Local Plan is agreed for consultation in June 2016.
- 4.9 The policies as set out in this report are subject to minor changes by officers to ensure legibility and accuracy. The supporting text which sits alongside the policy is provided as background information for members and may be subject to additional revisions before the final draft Preferred Options Local Plan is published.
- 4.10 It should be noted that no policies which relate to site specific allocations for land for a specific purpose are included within the chapters at present. These will be subject to detailed consideration in June when specific sites are considered.
- 4.11 The table below summarises when policies will be reported and the main changes;

Policy Ref / topic	Policy gaps – new policy needed
DP2 Health assessments	Amended policy to add clarity and broaden scope
DP4 community facilities	Consolidate policy with SD3 and amend to add clarity. New policy on education provision
SD3 Community Facilities	Consolidate policy with DP4 and amend to add clarity
DP12 Dwelling standards	Minor amendments and updating
H2 Housing Density	Minor amendments update and improve clarity
DP14 Historic Environment assets	Amendments to update and improve clarity
DP15 retention of open space and indoor facilities	Amendments to update and improve clarity
DP16 private amenity	Retain policy wording for Amenity space and update and improve clarity.

space and open space provision for new residential development	Consolidate open space provision with other policy
PR1 Open Space	Consolidate existing policy and incorporate into policies cover protection and provision of open space
PR2 people friendly streets	Consolidate with other policies- principally transport and design (covered in the full plan)
TA1 Accessibility and changing travel behaviour	Consolidate with Walking and Cycling, Public Transport and Roads and Traffic policies.
TA2 Walking and cycling	Consolidate with Accessibility and changing travel behaviour, Public Transport and Roads and Traffic policies.
TA3 Public Transport	Consolidate with Accessibility and changing travel behaviour, Walking and Cycling and Roads and Traffic policies.
TA4 Roads and Traffic	Consolidate with Accessibility and changing travel behaviour, Walking and Cycling and Public Transport policies.
DP17 accessibility and access	Amendments to update and improve clarity and reflect current guidance.
ENV1 Environment and rural communities	Consolidate with other topic specific policies. Rural communities element to be reviewed in the full plan
DP20 Flood Risk and management of surface water drainage	Amendments to update and improve clarity and reflect current evidence and guidance. New policy providing detailed guidance on SuDs
DP21 nature conservation and protected lanes	Amendments to update and improve clarity
DP22 Dedham Vale Area of Outstanding Natural Beauty	Amendments to update and improve clarity

DP23 coastal areas	Amendments to update and improve clarity and reflect current evidence and guidance
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5. Proposals

- 5.1 It is proposed that the Committee agree the draft policies set out in Appendix 1 and agree that they form part of the Draft Local Plan – Preferred Options document which will be subject to public consultation in the summer.

6. Strategic Plan References

- 6.1 Effective strategic planning supports the Strategic Plan Action Plan which includes a commitment to make Colchester a vibrant, prosperous, thriving and welcoming place.

7. Consultation

- 7.1 The draft Policies will form part of the Local Plan – Preferred Options, which will be consulted on in the summer. The Local Plan is covered by a comprehensive consultation programme as set forth in the Council's Statement of Community Involvement (SCI).

8. Publicity Considerations

- 8.1 The information contained in some of the policies may warrant press attention but the policies contained in this report are those considered to be more straightforward.

9. Financial Implications

- 9.1 There are no direct financial implications.

10. Equality, Diversity and Human Rights Implications

- 10.1 An Equality Impact Assessment has been prepared for the Local Plan and is available to view by clicking on this link:-
<http://www.colchester.gov.uk/article/4962/Strategic-Policy-and-Regeneration>
or go to the Colchester Borough Council website www.colchester.gov.uk and follow the pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Equality and Diversity > Equality Impact Assessments > Strategic Policy and Regeneration and select Local Development Framework from the Strategic Planning and Research section.
- 10.2 There are no particular Human Rights implications.

11. Community Safety Implications

11.1 None

12. Health and Safety Implications

12.1 None

13. Risk Management Implications

13.1 Timely production of a Local Plan will avoid the potential risk of Government intervention to take over plan production.

14. Disclaimer

14.1 The information in this report was, as far as is known, correct at the date of publication. Colchester Borough Council cannot accept responsibility for any error or omission.

Appendix 1 – Draft Policies

Appendix 1

Review of Development Policies – Approach

The new local plan will incorporate policies for the whole Borough including site allocations and development management policies. Due to the range and complexity of issues it will be a comprehensive and detailed document. To assist with the process of considering the full plan, there are advantages to reviewing some policies in advance of the full preferred options plan.

Only those policies which do not have consequential implications on other generic or strategic policies, and are likely to be non-contentious can be considered in advance of the full plan. These are generally the more operational policies which deal with specific detailed matters as listed below.

As part of the new local plan it is necessary to check against any relevant updates, in respect of the NPPF, planning decisions (and appeals) and other evidence prepared since the focused review. This exercise will identify the need for the retention and review of policies, as well as the need for any additional policies if any gaps are identified. Some of the policies listed were subject to the Focussed Review in 2014, but are reviewed again here to ensure they remain fit for purpose.

Policy Ref / topic	Policy gaps – new policy needed
DP2 Health assessments	Amended policy to add clarity and broaden scope
DP4 community facilities	Consolidate policy with SD3 and amend to add clarity. New policy on education provision
SD3 Community Facilities	Consolidate policy with DP4 and amend to add clarity
DP12 Dwelling standards	Minor amendments and updating
H2 Housing Density	Minor amendments update and improve clarity
DP14 Historic Environment assets	Amendments to update and improve clarity
DP15 retention of open space and indoor facilities	Amendments to update and improve clarity
DP16 private amenity	Retain policy wording for Amenity space and update and improve clarity. Consolidate open space

space and open space provision for new residential development	provision with other policy
PR1 Open Space	Consolidate existing policy and incorporate into policies cover protection and provision of open space
PR2 people friendly streets	Consolidate with other policies- principally transport and design (covered in the full plan)
TA1 Accessibility and changing travel behaviour	Consolidate with Walking and Cycling, Public Transport and Roads and Traffic policies.
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TA3 Public Transport	Consolidate with Accessibility and changing travel behaviour, Walking and Cycling and Roads and Traffic policies.
TA4 Roads and Traffic	Consolidate with Accessibility and changing travel behaviour, Walking and Cycling and Public Transport policies.
DP17 accessibility and access	Amendments to update and improve clarity and reflect current guidance.
ENV1 Environment and rural communities	Consolidate with other topic specific policies. Rural communities element to be reviewed in the full plan
DP20 Flood Risk and management of surface water drainage	Amendments to update and improve clarity and reflect current evidence and guidance. New policy providing detailed guidance on SuDs
DP21 nature conservation and protected lanes	Amendments to update and improve clarity
DP22 Dedham Vale Area of Outstanding Natural Beauty	Amendments to update and improve clarity
DP23 coastal areas	Amendments to update and improve clarity and reflect current evidence and guidance

Policy Review (4th April 2016 Local Plan Committee)

Health Impact assessments and health and well being

Topic Area	What are the key national policy requirements to address?	Other Guidance / Evidence and Priorities	Policy Objectives based on guidance / Evidence	Relevant Policy in Current Local Plan
Health and Wellbeing / Health Impact Assessments	<p>NPPF/PPG</p> <p>Paragraph 69 sets out the need for planning policies to help facilitate healthy life styles through promoting walking and cycling, open spaces and safe well connected and integrated communities. The importance of open spaces is further recognised in paragraph 73</p> <p>Pollution / air quality requiring management and mitigation where adverse impacts on health are evidenced at Paragraph 120</p> <p>Community cohesion Paragraph 171 refers to the need for Local Authorities to work together with public health leads and health organisations.</p> <p>PPG States A health impact assessment may be a useful tool to use where there are expected to be significant impacts.</p> <ul style="list-style-type: none"> •the local plan should promotes health, social and cultural wellbeing and supports the reduction of health inequalities; •the local plan should consider the local health and wellbeing strategy and other relevant health improvement strategies in the area; 	<p>Evidence and technical supporting information update</p> <p>Joint Health and Wellbeing Strategy</p> <p>Essex Guidance on HIA 2008</p> <p>Corporate priorities/other corporate objectives</p> <p>Under the key aim “Thriving”;</p> <p>Cultivate Colchester's green spaces and opportunities for health, wellbeing and the enjoyment of all.</p> <p>Development Management – effectiveness and use of policy</p>	<p>Work together with health providers and organisations to minimise, manage and mitigate any adverse impacts of development on health;</p> <p>Promote opportunities for healthy lifestyles in new developments through facilitating good connectivity, open space and safe environments which support sustainable movement options;</p> <p>Enable development to help create healthy living environments which should, where possible, include making physical activity easy to do and create places and spaces to meet to support community engagement and social capital;</p> <p>Prevent development which is likely to have adverse impacts on the health and wellbeing of communities</p>	<p>DP 2 Health Impact Assessments</p>

Review of Existing Policy DP2

The current Local Plan Policy is generally compliant but clarity and guidance could be added with some amendments. Reflecting on the use of the policy it is considered that the requirement threshold could be increased, with an exception proviso as some small scale proposals may have higher impact.

It is also considered that although the policy refers to Planning Obligations to secure mitigation where necessary, it does not relate outputs of HIA to the planning decision. Rewording the policy will add clarity and provide a more definitive decision advice in cases where unacceptable impacts could result.

New Local Plan Policy

Health and Wellbeing

All development should be designed to help promote healthy lifestyles and avoid causing adverse impacts on public health through;

- **Ensuring good access to health facilities and services;**
- **Providing a healthy living environment where healthy lifestyles can be promoted including green space and creating attractive opportunities for activities including walking and cycling;**

Health Impact Assessments (HIA) will be required for all residential development in excess of 100 units and non-residential development in excess of 2500 square metres and for other developments where the proposal is likely to have a significant impact on health and wellbeing. The purpose of the HIA will be to identify the potential health consequences of a proposal on a given population, maximise the positive health benefits and minimise potential adverse effects on health and inequalities. Any HIA must be prepared in accordance with the advice and best practice for such assessments.

Measures to mitigate any adverse impacts of the development will be provided and / or secured by planning obligations, Section 106 contributions or CIL.

Development which will have an unacceptable significant impact on health and wellbeing which cannot be mitigated will not be permitted.

Explanation

In recent years there has been a growing acknowledgement that the quality of the built environment and its sustainability are key factors in both the direct health of and the life style choices affecting the health of residents, workers and visitors of new developments.

Most development has a potential impact upon the health services and facilities that are provided in the Borough. Likewise, through the design of new development, healthy living can be promoted. The extent of these impacts needs to be assessed to ensure that adequate health services continue to be provided for the community as a whole. For developments which have relatively little impact upon health services, an initial assessment may be sufficient to satisfy the requirements of this policy. For developments where an initial assessment indicates more significant health impacts, a comprehensive Health Impact Assessment will be required. The Borough Council will liaise with the East of England NHS and Local Primary Care Trust when assessing the scope and scale of likely impacts. HIA should be prepared following the current best practice advice and reflect the most up to date evidence. Further details on preparing Health Impact Assessments can be found in the Guidance Note on HIAs produced by the Essex Planning Officers Association (March 2008).

Alternative Options considered

No change to existing policy - Whilst the policy may be adequate, reviewing the wording enables a clearer steer against which to determine applications where there are adverse impacts on the health and wellbeing of the community.

Relate requirement for HIA to EIA development - It may emerge in the future that an HIA is incorporated into Environmental Health Impact Assessment (EIA) so by implication will be required only when an EIA is triggered. The revised EU EIA Directive provides an opportunity for an integrated impact assessment to be undertaken, incorporating HIA within the EIA process. Provided this is undertaken thoroughly, then the EIA may be an adequate vehicle for consideration of the effects of projects on human health. However, the mechanisms for dealing more comprehensively with health in EIA have not been tested through practitioners' best practice, public consultation, the decision-making processes, or the courts. HIA is much more of a subjective and qualitative process and currently does not lend itself well to specific predicted outcomes or levels of significance in terms of community health impacts. It is therefore considered premature for the requirement for an HIA to be linked to an EIA, furthermore there may still be

smaller proposals which do not trigger the requirement for an EIA, but that there is justification to assess the health impacts and therefore require an HIA.

No requirement for HIA - This would leave the Council open to challenge since it would not have any means to seek supporting information to measure the potential impacts of proposed development on health and wellbeing which in turn may lead to non-compliance with national policy

Community Facilities

Topic Area	What are the key national policy requirements to address?	Other Guidance / Evidence and Priorities	Policy Objectives based on guidance / Evidence	Relevant Policy in Current Local Plan
Community Facilities including education.	<p><i>NPPF/PPG</i></p> <p>Paragraph 70 requires LPA to plan positively for provision and use of community facilities, to safeguard against unnecessary loss of existing community facilities that such facilities are sustained and modernised. It also requires an integrated approach to new development delivering new housing employment and community facilities.</p> <p>In Paragraph 72 the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:</p> <ul style="list-style-type: none"> • give great weight to the need to create, expand or alter schools; and • work with schools promoters to identify and resolve key planning issues before applications are submitted. <p>Planning For Schools Policy Statement</p>	<p><i>Evidence and technical supporting information update</i></p> <p>Parish Profiles for all parishes outside the Urban area of Colchester provide an account of current level of provision of community facilities as well as information about the profile of the existing settlements.</p> <p>Infrastructure Delivery Plan will set out infrastructure requirements to support proposals for growth at a strategic level which will include key community facilities.</p> <p>The Essex County Council Developers' Guide to Infrastructure Contributions (Revised Edition 2015) Provides guidance in respect of requirements and costs related to</p>	<p>Ensure existing community facilities are safeguarded and if exceptional circumstance lead to a loss that replacement provision is secured;</p> <p>Enable new development to be well integrated with the delivery of new housing and employment development;</p> <p>Require new development to provide for a range of community facilities where a need is evidenced and to mitigate the impacts of the development.</p> <p>Facilitate community partners to plan and manage community facilities and encourage ownership of the quality of life of the local community.</p> <p>Safeguard existing school sites and ensure that a sufficient choice of school places is available to meet the needs of existing and new communities.</p>	<p>SD3 Community Facilities</p> <p>DP4 Community Facilities</p>

Topic Area	What are the key national policy requirements to address?	Other Guidance / Evidence and Priorities	Policy Objectives based on guidance / Evidence	Relevant Policy in Current Local Plan
	<p>(DCLG 2011) states; There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.</p> <p>Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.</p> <p>Significant weight should be attached to the need to establish and develop state-funded schools when determining applications</p>	<p>various community facilities.</p> <p>Corporate priorities/other corporate objectives</p> <p>Develop a strong sense of community across the Borough by enabling people and groups to take more ownership and responsibility for their quality of life;</p> <p>Be clear about the major opportunities to work in partnership with public, private and voluntary sectors to achieve more for Colchester than we could on our own;</p> <p>Improve sustainability, cleanliness and health of the place by supporting events that promote fun and wellbeing.</p>		

Review of Existing Policies SD3 and DP4

The current Local Plan has two policies covering community facilities which could be rationalised and combined as one policy to reduce repetition and add clarity. The key objectives which the policy is required to fulfil in order to be compliant with national policy are generally covered in the existing policies (Policy SD3 was subject to the Focused review and revised in 2014) however, consolidation of the policies will provide the opportunity to improve the clarity of wording and ensure it reflects the most up to date position. Policy SD3 also incorporates a table of specific community facilities to be delivered. It is suggested that key delivery projects will continue to be identified and tied to policy, but that this will be provided in the later policies which include more location / site specific topics. The type of facilities which are referred to as community facilities includes schools which will continue to be the case in respect of protection / enhancement of existing facilities. A new additional policy specifically covering new education provision is also considered necessary in order to cover the Government requirements as set out in paragraph 72 of the NPPF which seeks a presumption in favour of proposals to meet an identified need for new state-funded schools. Although covered in the NPPF, a local plan policy on this matter is helpful; particularly as the NPPF sets a permissive context further guidance in relation to applying this locally is important.

New Local Plan Policies – Community Facilities

Community Facilities

The Council will seek the retention of all existing community facilities and services and allocations for such uses shown on the proposals map, or identified in other policies in the Local Plan, where they meet / will meet an identified local need.

Any proposal that would result in the loss of a site or building currently or last used for the provision of facilities, services, leisure or cultural activities for the community, will only be supported in cases where the Council is satisfied that:

- (i) An alternative community facility to meet local needs is, or will be, provided in an equally or more accessible location within walking distance of the locality (800 m); or**
- (ii) It has been proven that it would not be economically viable to retain the site/building for a community use; and**
- (iii) The community facility could not be provided or operated by either the current occupier or by any alternative occupier, and it has been marketed to the satisfaction of the Local Planning Authority in order to confirm that there is no interest and the site or building is genuinely redundant; and**

(iv) A satisfactory assessment has taken place that proves that there is an excess of such provision and the site or building is not needed for any other community facility or use.

New development will be required to provide, or contribute towards the provision of community facilities including education to meet the needs of new and expanded communities and mitigate impacts on existing communities, which will be secured by planning obligations, section 106 contributions or CIL. Safe, direct routes for walking and cycling and appropriate bus services will be established to serve existing and new pre-school, primary, and secondary school sites.

Where existing facilities can be enhanced to serve new development, the Council will work with developers and local partners to audit existing facilities and assess the requirement for additional facilities to deliver comprehensive provision of services to serve these extended communities.

The Council will work with local partners, such as Parish Councils or Community Associations, to plan and manage community facilities.

Explanation

Community facilities are an essential element of sustainable communities providing for education, child care, health, culture, recreation, religion and policing (see Glossary). Policies elsewhere in the plan also cover protection and provision of open space and recreation facilities.

The Council needs to deliver a comprehensive range of high quality and accessible community facilities to meet the needs of new and existing communities in Colchester. Community projects which have been delivered, such as the Community Stadium and Firstsite, have regional and national significance. Local facilities such as schools and health centres also need to be delivered to support new and existing communities. Table xx (*included in the full plan*) sets out key community facilities to be delivered in Colchester during the plan period; additional facilities will also be delivered as part of new developments and to meet existing deficiencies.

The Borough Council will safeguard existing facilities and will work with partners including the local community to bring together funding from a variety of public and private sources to deliver new community facilities. Development proposals will be required to

review community needs and provide community facilities to meet the needs of the new population and mitigate impacts on existing communities.

The Council wishes to protect viable community facilities and services that play an important role in the social infrastructure of the area and support sustainable communities. In communities where access to alternatives may be very limited, the presence of key facilities may be very important in maintaining the quality of life. Examples of community sites and buildings include amenity open space, children's play areas, sports fields, village halls, local shops, leisure and cultural centres, public houses, community centres, churches, allotments, post offices, petrol stations, doctor's surgeries, libraries and schools, etc. In line with the NPPF (paragraph 70) the Council will guard against unnecessary loss of important facilities using processes such as listing / registering facilities as Assets of Community Value where appropriate (under the provisions the Localism Act 2011).

The release of any community facilities must be fully justified. The Council will require any application involving the loss of a facility to be supported by written evidence and applicants should contact the Council at the earliest stage to discuss the details. The level of detail to be submitted will vary according to the level of access to alternative facilities and the extent to which the facility contributes towards sustainable communities but could be expected to include such evidence as:

- (i) In the case of a business, the current and projected trading performance;
- (ii) In the case of a community facility, the current and projected patterns of use;
- (iii) The nature and condition of the building and the cost of repairs, renovations or improvements needed to allow the facility to continue in operation;
- (iv) The extent of the local catchment including the location of the premises in relation to local settlement pattern and accessibility;
- (v) The nature and location of comparable facilities;
- (vi) The potential to relocate the use into other premises in the community;
- (vii) In respect of public houses, the approaches and attempts to transfer from a chain of tied pubs to a free house;

- (viii) In the case of a business, evidence that it has been offered on the open market as a whole (parts having not been identified for separate sale) and at a realistic market value. This should be for a period of not less than six months by a competent agent. Evidence should include sales literature, details of approaches, and details of offers; and
- (ix) Evidence that the local community has been notified in writing of the intention to close the facility and has not, within a period of six months come forward with a realistic proposal to assume operation of the facility, including its proposals to finance and operate the facility.

The importance of particular facilities will vary between communities, and it is essential that the community is involved in considering the importance of any facility and the suitability of any proposals for alternative forms (and locations) of provision, and in developing means of retaining facilities, should their continued viability of operation be in doubt. Applicants proposing to redevelop or convert facilities valued by the community will be expected to consult local communities about the relative importance of the facilities which could be lost. Not all facilities satisfactorily meet the needs of local communities, and it may be that combining or rationalising facilities might be appropriate. This will be informed by the most up to date relevant evidence such as the Community Facilities Audit and Open Space, Sport and Recreation Facilities.

Support will be given to the provision of additional facilities where this will enhance the sustainability of community life and will meet the anticipated needs of a growing and changing population. The use of developer contributions and/or the Community Infrastructure Levy may well be appropriate in this respect. Further details of appropriate contributions can be found in the Community Facilities SPD and the Provision of Open Space, Sports and Recreation Facilities SPD.

New Education Provision

Sites proposed, or in current educational use, are protected on the Proposals Map for that use. The change of use, or re-development of educational establishments and their grounds, will not be permitted unless:

- It can be clearly demonstrated that the use of the site is genuinely redundant and no other alternative educational, or community use can be found;
- Satisfactory alternative and improved facilities will be provided;
- The area of the site to be redeveloped is genuinely in excess of Government guidelines for playing field provision, taking into account future educational projections.

The Council will respond positively to and support appropriate and well-designed applications regarding the creation of

new school and education facilities. As expressed in the NPPF, the Council will use a presumption in favour of the development of state-funded schools and educational uses. The Council will engage in pre-application discussions with promoters to develop a collaborative approach to suitable applications. Where necessary, the Council will utilise planning obligations to help to mitigate any adverse impacts of an educational development and assist in delivering development that has a positive impact on the community.

The Council recognises the differences in location and design requirements between rural and urban based education proposals in the District, and will assess applications accordingly. For example, a rural based school application in particular must promote adequate and reliable public transport provision for its students.

Explanation

Expansion to existing as well as new primary schools, secondary schools and early years provision will be needed in the Borough to support the new homes and communities that are being created. The NPPF (paragraph 72) sets out that great importance should be placed on the need to provide new school places. It also states that local planning authorities such take a proactive, positive and collaborative approach to meeting this requirement, giving great weight to the need to create, expand or alter schools. Land for education is allocated on the proposals map, and the amounts of land required is noted in site specific policies. These designations will be subject to further design and master planning to locate the schools in the best positions for new communities.

Existing schools and education facilities, including early years, higher and further education will be supported to ensure they are able to deliver high quality educational provision and act as hubs for their local community. Remodelling and expansion of schools and education facilities will be supported wherever possible. The loss of school grounds or school buildings themselves will only be supported where it has been proven that there is no longer an educational need for the site, now or in the future, or that improved accommodation is being provided in an alternative location. Applications for existing schools are often dealt with by the County Council, but in some circumstances the Borough Council will be the relevant local planning authority. The new policy will apply for decisions made by Colchester Borough Council, and will be used to inform any consultation responses submitted to applications which are determined by Essex County Council, or any other appropriate agency.

Alternative options considered

No Policy / Rely on the NPPF - Whilst the NPPF provides support for the principles set out in the policy it is necessary to add more specific guidance to enable policy guidance to respond to the local priorities and context. In respect of policy on education, a strong permissive steer is to support new academies and free schools in the NPPF, so it is therefore important that a policy provides further guidance to provide the opportunity to inform proposals and seek appropriate mitigation if required.

Housing

Topic Area	What are the key national policy requirements to address?	Other Guidance / Evidence and Priorities	Policy Objectives based on guidance / Evidence	Relevant Policy in Current Local Plan
Housing density and housing standards	<p>NPPF/PPG</p> <p>Paragraph 47 LPAs should set out their own approach to housing density to reflect local circumstances.</p> <p>Paragraph 53 - Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.</p>	<p><i>Evidence and technical supporting information update</i></p> <p>Technical housing standards – nationally described space standard (DCLG March 2015)</p> <p>The Town and Country Planning (General Permitted Development) (England) Order 2015</p> <p><i>Corporate priorities/other corporate objectives</i></p> <p>Provide opportunities to increase the number of homes available including those that are affordable for local people and to build and refurbish our own Council houses for people in significant need</p>	<p>To provide locally set densities for housing developments</p> <p>To ensure that new housing is delivered in accordance with the most up to date standards.</p> <p>To provide clear guidance for applicants wishing to extend, alter or convert dwellings for proposals which require planning permission.</p> <p>To provide an appropriate development management framework to ensure that proposals affecting existing residential dwellings does not cause harm to the local area.</p>	<p>DP12 Dwelling standards</p> <p>H2 Housing Density</p>

Review of Existing Policy H2

The NPPF requires that Local Authorities set their own densities for housing developments to reflect local circumstances in Local Plans. In considering what densities may be appropriate to the Colchester Borough area it is necessary to have regard to other influencing factors including sustainability, accessibility, travel behaviour, local character, development land take and residential amenity. Although policy H2 goes some way to informing appropriate density influenced by these factors, it is suggested that the policy could provide further guidance and add clarity in respect of other key principles set out in the NPPF. Later policies covering site allocations and specific proposals may include further site specific guidance in relation to densities. Where this is the case the overall principles indicated in the policy drafted below will be adhered to.

New Local Plan Policy

Housing Density

The Borough Council will seek housing densities that make efficient use of land and relate to the context. All residential development will need to be at an appropriate density and massing for the area having regard to;

- **The character of the site and its immediate surroundings, as well as the wider locality**
- **The adequacy of the access and the local road network to accommodate the traffic likely to be generated by the proposed development as well as the level of access to sustainable modes of transport;**
- **The existing landscaping, trees and hedgerows on the site and the need for further landscaping;**
- **Provision of appropriate on site amenity to serve the development in accordance with Policy xx and any relevant adopted guidance;**
- **Provision of appropriate parking to serve the development in accordance with relevant standards and Policy xx**

The density of the residential development also needs to ensure an adequate standard of residential accommodation is provided for the occupants which is appropriate to the mix and type of housing provided informed by Policy xx

Explanation

The density of housing development can have significant implications for sustainability, local character, travel behaviour, development land take, and residential amenity.

New developments must enhance local character and optimise the capacity of accessible locations. Locations with good access to centres, particularly the Town Centre, are more suited to higher density development, although a flexible approach will be important to ensure that densities are compatible with the surrounding townscape. Higher density developments in these locations can accommodate more people at locations with good access to employment, shops and education, and allow residents to easily access their needs by walking, cycling and public transport. This in turn supports the provision of local business, services and infrastructure. However, high density development that is poorly located or poorly designed can have adverse impacts on the local community, built character, traffic and sustainability. High density developments need to have regard to biodiversity and open spaces provided within urban areas and on brownfield sites.

Densities therefore may need to be moderated at less accessible locations and to reflect local character. The provision of open space, parking and a mix of housing will also have moderating affect on densities. The density of developments also needs to be informed by the provision of open space and parking, the character of the area, and the mix of housing.

Alternative options considered

Set Minimum / Maximum Densities - The policy could specify a minimum or maximum density for all sites in the Borough. This may address the efficient use of land, however, it will not allow for the density to have regard to the character of the area and respond directly to site specific characteristics.

Leave to NPPF - This would not be a compliant approach as the NPPF requires LPAs to set their own densities which reflect local circumstances

Review of Existing Policy DP12

The existing Policy DP12 provides guidance which goes beyond housing standards as it also covers design considerations which influence the standard of new residential development. The new policy below is largely unchanged since the principles it is seeking to cover remain relevant. Amendments which reflect the most up to date position with regard to regulations, advice and guidance are required, but this does not change the intention of the policy.

The issue of requiring residential development to be provided to a higher standard than the statutory minimum as currently required by the Building Regulations Part M (revised 2015), is reliant on provision of sufficient evidence in the first instance which may not be readily available. Furthermore there is difficulty in enforcing planning conditions which specify a certain standard of internal requirements, particularly over the long term as this would mean that alterations which change these requirements are not permitted in the future. The difficulties in implementing and enforcing such an approach are evident.

There may be specific types of housing developments which justify seeking a higher standard. If this is the case this will be covered in other policies referring to specific housing types/ developments if appropriate, which will be included in the full plan.

New Local Plan Policy

Housing Standards

Residential development will be guided by high standards of design, construction and layout. In considering proposals for new residential development, the Council will have regard to the following:

- (i) The avoidance of adverse overshadowing between buildings or over neighbouring land uses, and of other adverse microclimatic effects resulting from medium and high rise buildings at a high density;**
- (ii) Acceptable levels of daylight to all habitable rooms and no single aspect north-facing homes;**
- (iii) Acceptable levels of privacy for rear-facing habitable rooms and sitting-out areas;**
- (iv) A management and maintenance plan to be prepared for multi occupancy buildings and implemented via planning conditions to ensure the future maintenance of the building and external spaces;**
- (v) Flexibility in the internal layout of dwellings to allow adaptability to different lifestyles incorporating the design principles of Lifetime Homes wherever appropriate to do so;**
- (vi) Internal space standards to be in accordance with the National described space standard (DCLG 2015) or any future replacement of this**
- (vii) Vehicle parking (including secure cycle and motorcycle parking) to an appropriate standard, as set by Essex County**

Council and policy (or replacement guidance if appropriate) and provided in a visually acceptable manner. In the case of flats, secure cycle storage should be incorporated into flat blocks and readily located at the building entrances;
(viii) An accessible bin and recycling storage area, and external drying areas, and;
(ix) Electric car charging points.

Explanation It is important to strike an appropriate balance between providing freedom and flexibility for the housing market to operate and ensuring that a range of sites are available for different areas of the housing market. However, the different types of dwelling should be suitably designed to consider the potential needs of their perspective occupiers and the Design and Access statements submitted with planning permissions should cover this point. It is expected that new residential development will address the requirements of Lifetime Homes standards, which incorporate 16 design features providing a flexible blueprint for accessible and adaptable housing to meet the needs of people at all stages of life. While Lifetime Homes can be converted to full wheelchair accessibility, there is a particular need for housing that is wheelchair accessible from the outset. The revised Part M building regulations require the minimum standard for all new dwellings which makes them suitable to be visited by a wheelchair user. Anything over and above this baseline standard will only be permitted where the council has demonstrated a clearly evidenced need, and where their impact on viability has been considered, in accordance with the National Planning Policy Framework and Planning Guidance.

Accessible, well-designed and easy to use waste and recycling facilities will be needed in new developments to help the Council meet its recycling targets. High quality sustainable development also includes adequate arrangements for servicing and refuse vehicles, storage, and parking for cars and cycles. Development at any scale and location should make a positive contribution to making places better for people. This should include adequate internal space which is now guided by the Government's National described space standard.

Alternative options considered

No Policy / Rely on National Guidance - If there was no policy included in the Local Plan there would be a reliance on the NPPF and Building Regulations which at best will only enable the "minimum" standard to be achieved. Although implementation of a policy requiring a standard which may strive for above the minimum in some cases relies on evidence, where this is available and appropriate a Local Plan Policy is required to seek to secure this.

Historic Environment Assets

Topic Area	What are the key national policy requirements to address?	Other Guidance / Evidence and Priorities	Policy Objectives based on guidance / Evidence	Relevant Policy in Current Local Plan
Historic environment assets	<p><i>NPPF/PPG</i></p> <p>Paragraph 126. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.</p> <p>Local planning authorities should take into account:</p> <ul style="list-style-type: none"> • the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; • the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; • the desirability of new development making a positive contribution to local character and distinctiveness; and • opportunities to draw on the contribution made by the historic environment to the character of a place. 	<p><i>Evidence and technical supporting information update</i></p> <p>Historic Environment Characterisation Project Report (2009)</p> <p>Townscape Character Assessment (2006)</p> <p>Colchester's Archaeology and Development Strategy</p> <p>Colchester Local Development Framework Supplementary Planning Document Adopted 2015 and Archaeology and Planning in Colchester A guide for planning applicants (2015)</p> <p><i>Corporate priorities/other corporate objectives</i></p> <p>Make more of Colchester's great heritage and culture so that people can enjoy</p>	<p>Conserve and enhance heritage assets and their settings appropriate to their significance;</p> <p>Prepare a positive strategy for the conservation and enjoyment of the assets within the historic environment</p> <p>Manage development positively to make a positive contribution to the historic environment.</p> <p>Ensure significant irreplaceable historic assets are not lost through neglect, decay or development.</p>	DP14 Historic Environment Assets

Topic Area	What are the key national policy requirements to address?	Other Guidance / Evidence and Priorities	Policy Objectives based on guidance / Evidence	Relevant Policy in Current Local Plan
	<p>Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.</p> <p>Heritage in local plans: how to create a sound plan under the NPPF (Guide by English Heritage (Historic England))</p>	<p>them and draw inspiration for their creative talents</p> <p>Promote Colchester's heritage and wide ranging tourism attractions to enhance our reputation as a destination</p>		

Review of Existing Policy DP14

The existing policy is generally compliant with the NPPF and the requirements for planning policies in Local Plans. The Council has updated its evidence and approach in respect of some heritage assets including adopting SPD on Archaeology and introducing a planning guidance note and charging schedule to support proposals which may have a potential impact on heritage assets. This recent evidence enables the policy to be enhanced and made more robust. Amendments to the policy are therefore suggested which reflects this and ensures clarity in respect of the consideration of proposals in relation to the significance of the heritage asset. They will also ensure proposals can be adequately assessed.

New Local Plan Policy

Historic Environment

Development will not be permitted that will adversely affect a listed building, a conservation area, historic park or garden or important archaeological remains (including development that adversely affects the setting of heritage assets).

Development affecting the historic environment should seek to conserve and enhance the significance of the heritage asset and any features of specific historic, archaeological, architectural or artistic interest. In all cases there will be an expectation that any new development will enhance the historic environment or better reveal the significance of the heritage asset, in the first instance, unless there are no identifiable opportunities available. In instances where existing features have a negative impact on the historic environment, as identified through character appraisals, the Local Planning Authority will request the removal of the features that undermine the historic environment as part of any proposed development. The Local Planning Authority will request the provision of creative and accessible interpretations of heritage assets impacted by development.

Conservation of the historic environment will also be ensured by:

- (i) Identifying, characterising, protecting and enhancing Conservation Areas;**
- (ii) Protection and enhancement of existing buildings and built areas which do not have Listed Building or Conservation Area status but have a particular local importance or character which it is desirable to keep. Such buildings or groups of buildings will be identified through a Local List which will be adopted by the Council;**
- (iii) Preserving and enhancing Listed Buildings, Scheduled Monuments, Historic Parks and Gardens, including their respective settings, and other features which contribute to the heritage of the Borough; and**
- (iv) Sites of archaeological interest will be clearly identified and protected, and sites that become known, whether through formal evaluation as part of a Planning Application or otherwise, will similarly be protected according to their importance.**

Heritage Statements and/or Archaeological Evaluations will be required for proposals related to or impacting on the setting of heritage assets and/or known or possible archaeological sites, and where there is potential for encountering archaeological sites so that sufficient information is provided to assess the significance of the heritage assets and to assess the impacts of development on historic assets together with any proposed mitigation measures.

Explanation

Colchester's importance as a historic town warrants a policy detailing and reinforcing the need to protect and enhance the historic environment. The policy is also applicable to heritage assets in rural areas of the Borough and will help to protect and enhance assets in these areas. In the local area there are a number of buildings which detract from the appearance of heritage assets and the opportunities for redevelopment should be encouraged.

There will be a presumption in favour of the physical preservation *in situ* of nationally important archaeological remains (whether scheduled or not). The more important the asset, the greater the weight will be for preservation *in situ*. In accordance with national legislation, preservation of remains may require the refusal of development that could be detrimental.

Developers will be required to make provision for the recording of any heritage assets adversely impacted by development and to make provision for full analysis and reporting, and to ensure this, and any archive generated, this is publically accessible. Provision will be required to enhance the Urban Archaeological Database and to provide for the long term curation of the archive.

Where appropriate, provision will be required for interpretation and access *in situ*, where public access is possible without detriment to the site, or at a suitable off-site location, and for realising the social, cultural, economic and environment benefits of the historic environment.

There are a number of existing buildings and built environments within the Borough, which do not have a statutory basis for protection, but which nevertheless retain a distinctive historical or architectural character that it is considered desirable to keep. The Council, working with local experts, will prepare a Local List of buildings and groups of buildings, which are considered to be of particular historic or architectural merit; this will be used to ensure that when assessing applications for planning permission their particular character is considered. Conditions will be applied to allow for the inspection and recording of buildings on the Local List.

There are also a number of neighbourhoods within the Borough that are characterised by spacious properties built at low density within a well treed setting, or else that retain a particular "period" character. Context appraisals will be required for all development and where a proposal is within a neighbourhood with a distinctive character which it is desirable to keep, the proposal will need to demonstrate that it protects and enhances the special qualities of the area.

Alternative options considered

No Change to Policy - The policy would not reflect the most up to date position regarding available evidence and also would not provide clarity in relation to the importance of the significance of the heritage asset as required by the NPPF.

Public Realm

Topic Area	What are the key national policy requirements to address?	Other Guidance / Evidence and Priorities	Policy Objectives based on guidance / Evidence	Relevant Policy in Current Local Plan
Public Realm	<p>NPPF/PPG</p> <p>Paragraph 70 under Planning for Health and wellbeing requires Local Plans to plan positively to deliver the social, recreational and cultural facilities and services the community needs. This includes the protection of existing provision, the sustainability and enhancement of the quality and the integrated approach for planning for new provision in accordance with development growth.</p> <p>Paragraph 73 refers to the need for an up to date assessment of needs for open space, sport and recreation to enable comprehensive planning and safeguarding of provision for the benefit of the local communities;</p> <p>Paragraph 74 specifies that existing open space, sport and recreation facilities should not be lost to development unless they are;</p> <ul style="list-style-type: none"> • Proven to be surplus to requirements or; • the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable 	<p><i>Evidence and technical supporting information update</i></p> <p>Indoor Sports Facilities Strategy and Action Plan (2015)</p> <p>Playing Pitch Strategy and Action Plan (2015)</p> <p>PPG17 Sport and Recreation Study (2007)</p> <p>Colchester Parks and Green Space Strategy</p> <p>Colchester Play Strategy</p> <p>Playing Pitch Strategy and Action Plan (2015)</p> <p>Backland and infill guidance SPD (revised 2010)</p> <p>Manual for streets</p> <p>Essex Design Guide</p>	<p>To protect existing provision for open space, sport and recreation and maintain and enhance the quality of facilities and space for the benefit of the community;</p> <p>To ensure new provision for open space, sport and recreation facilities keeps pace with growth of development to ensure communities are well balanced and integrated in a way to promote healthy lifestyles;</p> <p>To ensure that any justified loss of facility is replaced by alternative provision as good or better than the facility lost, unless there is clear evidence which demonstrates that the space / facility is not needed.</p> <p>Use quantitative and qualitative evidence to support enhancement / new provision from all development and to ensure communities are well balanced and integrated in a way to promote healthy lifestyles.</p>	<p>DP15 Retention of open space and indoor sports facilities</p> <p>DP 16 Private amenity space and open space provision for new residential development</p> <p>PR1 Open space</p> <p>PR2 people friendly streets</p>

Topic Area	What are the key national policy requirements to address?	Other Guidance / Evidence and Priorities	Policy Objectives based on guidance / Evidence	Relevant Policy in Current Local Plan
	<ul style="list-style-type: none"> location; or the development is for an alternative sports and recreational provision which clearly outweigh the loss. 	<p>Corporate priorities/other corporate objectives</p> <p>Cultivate Colchester's green spaces and opportunities for health, wellbeing and the enjoyment of all.</p> <p>Develop a strong sense of community across the Borough by enabling people and groups to take more ownership and responsibility for their quality of life</p> <p>Generating opportunities for growth and supporting infrastructure.</p>	<p>Ensure adequate amenity space for public and private enjoyment is provided and designed into the layout of new developments optimising the use of space and serving the needs of the community it serves.</p>	

Review of Existing Public Realm Policies

There is scope to consolidate these 4 policies into fewer policies as there is currently an element of repetition. Policy PR2 also crosses over other topics including design and traffic management which also results in some further repetition in these other policy topics. It is suggested that these elements of policy are incorporated into other relevant transport or design policies. Policy PR1 includes a table listing specific facilities and locations for delivery of new sport, recreation and open space provision. It is intended that site specific proposals or projects remain part of the policy in the new local plan, but these will be set out elsewhere in the plan

other than as part of the generic policy which is set out here. In consolidating these policies to add clarity, there are a number of amendments which don't alter the intention of the original policy, but will enable an easier understanding and application in the new plan. Further amendments are necessary in relation to the reference currently set out in policy DP16 regarding specific amenity space and density requirements to ensure consistency with the housing density policy contained in this document which resists specifying a number, but rather uses criteria to ensure the density is appropriate to the surrounding character of the area.

The public realm policies for the new local plan are illustrated below. The variations from existing policy are summarised as follows;

- Consolidate Policy PR1 together with relevant public realm policies as appropriate and amend to update and remove repetition;
- Identify site specific proposals and public realm projects elsewhere in local plan policy;
- Incorporate Policy PR2 with other policies in the Plan as relevant to other topics;
- Retain and amend Policy DP16 in relation to open space provision and update as required. Amend the section on Private amenity space and retain the elements relating to provision in this policy and incorporate wording relating to design and layout elsewhere within other relevant policies.
- Further policy guidance relating to the impacts on the character on the surrounding area of infill and backland development will be provided in countryside policy which will be set out in the full plan.

New Local Plan Public Realm Policies

Retention of Open Space and outdoor and indoor sport and recreation facilities

The Council will protect and enhance the existing network of green links open space and-sports facilities and secure additional areas and facilities where deficiencies are identified. The provision of public open space in developments should be informed by an appraisal of local context and community need and up to date evidence, with a particular regard to the impact of site development on biodiversity.

Development, including change of use, of any existing or proposed public or private open space, outdoor sports ground,

school playing field forming part of an educational establishment and allotments (as identified on the Proposals Map) will not be supported unless it can be demonstrated that:

- (i) Alternative and improved provision will be created in a location well related to the functional requirements of the relocated use and its existing and future users;**
- (ii) The proposal would not result in the loss of an area important for its amenity or contribution to the green infrastructure network or to the character of the area in general; and**
- (iii) It achieves the aims of any relevant prevailing strategy relating to open space, sport and / or recreation**

Development proposals resulting in a loss of indoor recreation or sporting facilities must additionally demonstrate that:

- (iv) There is an identified excess provision within the catchment of the facility and no likely shortfall is expected within the plan period; or**
- (v) Alternative and improved recreational provision will be supplied in a location well-related to the functional requirements of the relocated use and its existing and future users. In all cases, development will not be permitted that would result in any deficiencies in public open space requirements or increase existing deficiencies in the area either at the time of the proposal or be likely to result in a shortfall within the plan period. Additionally, development that would result in the loss of any small incidental areas of open space, not specifically identified on the Proposals Map but which contribute to the character of existing residential neighbourhoods, and any registered common, heathland or village green or which contribute to green infrastructure will not be permitted.**

Provision for Public Open Space, sport and recreation

New development must provide for the recreational needs of new communities and mitigate impacts on existing communities. This open space provision as well as alleviating recreational pressure on sites of high nature conservation value (e.g. Natura 2000) from the growing population will also increase opportunities for participation in healthy lifestyles.

All new residential development will be expected to provide new public areas of accessible strategic or local open space. Precise levels of provision will depend on the location of the proposal and the nature of open space needs in the area but as a guideline, at least 10% of the gross site area should be provided as useable open space. This will be secured through planning obligations, section 106 or CIL. Where the Council accepts commuted sums in lieu of open space, the

commuted sums will be used to provide additional open space or to improve existing open space in the locality of the development. Contributions may be pooled (within pooling restrictions that apply at the time) to provide larger areas of strategic open space where a need has been identified. A commuted sum is only likely to be acceptable in the following circumstances:

- (i) smaller developments of less than 0.5 ha, or where for some other reason strategic open space requirements cannot be met within the site;
- (ii) developments of dwellings for the elderly (where some compensating increase in private amenity space may be required);
- (iii) in a town centre location or where it is justified by an outstanding urban design approach based on site constraints and opportunities.

Private Amenity Space

The Borough Council will expect all new homes to provide easy access to private/communal open space. The area of open space should be informed by the needs of residents and the accessibility of the location. Private/communal open space must be designed to optimise its use and meet the recreational needs of residents.

All new residential development shall provide private amenity space to a high standard, where the siting, orientation, size and layout make for a secure and usable space, which has an inviting appearance for residents and is appropriate to the surrounding context. All private amenity spaces shall be designed so as to avoid significant overlooking. For the most accessible developments where, in accordance with Policy xx, a higher density may often be appropriate, a minimum of 25m² of useable private amenity space shall be provided for each home (either as gardens, balconies or roof gardens/terraces). Elsewhere, the following standards shall apply:

For houses:

- One or two bedroom houses – a minimum of 50m²
- Three bedroom houses – a minimum of 60m²

- **Four bedroom houses – a minimum of 100m²**

For flats:

- **a minimum of 25m² per flat provided communally (where balconies are provided the space provided may be taken off the communal requirement)**

A higher standard of private amenity space may be required for small infill (including backland) schemes, to reflect the character of the surrounding area, further guidance is contained in policy xx.. Development will not be permitted if it unacceptably reduces the level of existing private amenity space provision for existing buildings, particularly dwellings.

Explanation

Existing open spaces, sports facilities and green link networks provide the people of Colchester with opportunities for passive and active recreation and encourage healthy and active lifestyles. It is important that all residents have access to open space within walking distance of their home. Strategic green links provide valuable corridors for the movement of people. The green spaces along the Colne River, for example, connect the town centre, suburbs, countryside, villages and the coast. These corridors provide alternative means for people making journeys into and across Colchester. The Council will therefore seek to protect and enhance these important links. The boundaries of strategic green links are identified in relation to allocated sites as appropriate. (ref xx)

The Council has undertaken an Open Space Study in accordance with the NPPF to identify areas with deficiencies of open space and recreational facilities. Development will be required to make contributions towards meeting these deficiencies in accordance with Council's adopted SPD for Open Space, Sport and Recreation (updated as required). This guidance document sets specific targets to guide the provision of different types of open space / recreation facilities across the borough. Any needs identified in the Appropriate Assessment, for this open space provision to alleviate the growing recreational pressures on Natura 2000 sites are also reflected in specific site allocation policies as required xx. Impacts on these sites will also need to be monitored and further site management measures will be employed by the Council as necessary.

All housing developments, including higher density development, should provide new residents with access to private and/or communal open space, in addition to public open space requirements. At least 25sqm per dwelling of private/communal open

space will be sought for flats and maisonettes, whilst houses should provide larger private garden. Higher density schemes will be encouraged to utilise innovative design solutions to provide open space on difficult sites.

The existing sport, leisure, public and private open spaces including allotments within the Borough, represent important assets serving the communities in which they are located (or in some instances wider areas). This importance can relate not only to their function, but also to the amenity value and contribution to the character of an area in general in providing 'green lung', opportunities for a well-designed and inclusive public realm, and visual breaks in the built environment. If such provisions are lost to other uses it can be extremely difficult to find alternative locations particularly as open land is scarce and, therefore, at a premium.

Against this background, it is intended to secure the retention of existing facilities unless a case can be made that alternative provision will be provided in a wholly acceptable manner. Alternative provision could comprise existing provision in the locality of the type of open space as defined by the National Planning Policy Framework, providing there is not a deficiency in that type of open space in the locality. A number of documents including the PPG17 Audit and Assessment of the Borough's public open space and sports and recreational facilities (2007); Colchester Parks and Green Spaces Strategy (2008); Colchester Green Infrastructure Strategy (2011); and Playing Pitch Strategy (2008) and any updated evidence as appropriate will be used by the Council when assessing planning applications relating to proposed development of open space and sports facilities. Sport England should be consulted on any application that is likely to prejudice the use of or lead to the loss of use of land used as a playing field (whether presently used, or used within the last 5 years, or allocated for such use).

Well designed open spaces can deliver multiple functions. As well as their value for wildlife, quality of life, health and recreation, they also provide opportunities for Sustainable Drainage Systems (SuDs) for surface water runoff management.

The Essex Design Guide sets standards for amenity space provision for new residential developments. The Urban Place Supplement recognised these standards were not always helpful for producing good quality development in compact urban developments and this evaluation has informed the requirement of this policy that generally seeks the provision of 25m² of high quality, private amenity space for each dwelling. It is important that new developments avoid the piecemeal provision of small areas of open space and instead provide sufficiently large areas of open space to serve as accessible and attractive zones for residents' leisure activity and recreation. Green links alongside existing hedgerows and tree lines can also have high amenity value.

New development can place increasing pressure on existing open spaces. Developments therefore will be expected to deliver areas of either local or strategic open space to meet the varying needs of residents for recreation and leisure and also deliver attractive high quality neighbourhoods for people to live in. At least 10% of the total gross site area should be provided as local open space as an integral part of new development proposals. Where this is not possible, particularly where a development site is small, the site developer will be expected to provide a commuted sum towards the provision of open space off site subject to this being within any pooling restrictions which apply at the time. As a guideline, local open space comprises accessible parcels of land 2.0 ha and under, while strategic open space comprises larger parcels of over 2.0 ha and tend to serve a wider catchment area.

Developments should help contribute to the accessibility, quantity and quality standards set out in Appendices N, P and Q in the Borough Council's PPG17 Open Space, Sport and Recreation study (or updates as required).. All open space shall be provided in a timely manner (so as to enable reasonable and appropriate access by new residents to this facility); should be fully equipped in a satisfactory manner as agreed by the Local Planning Authority; and, laid out at the expense of the developer and where appropriate, dedicated to the Council with suitable provision for ongoing maintenance. Further guidance on the level of contributions for commuted sums and the methodology for their calculation is set out in the Supplementary Planning Document on Provision of Open Space, Sports and Recreation Facilities, (or update as required).

Alternative options considered

No Change to Policies - This would retain elements of unnecessary repetition and also include some references which are no longer relevant;

No policies and Rely on NPPF - This would not be compliant with national policy as there is a requirement for Local Plans to cover the local application of evidence to ensure adequate protection and provision of open space, sport and recreation to meet the needs of the local community.

Transport

Topic Area	What are the key national policy requirements to address?	Other Guidance and Priorities	Policy Objectives based on guidance	Relevant Policy in Current Local Plan
Promoting Sustainable Transport	NPPF para 29 <ul style="list-style-type: none"> • Smarter use of technologies can reduce the need to travel • Giving people a choice about how they travel • Encourage solutions which support reductions in greenhouse gas emissions and reduce congestion 	Strategic Plan: Allocate developer funding to sustainable transport projects in the borough which improve the balance between different modes of transport. ECC Cycling Strategy	The spatial strategy should be aimed at making the most of sustainable modes of transport that exist and focussing development in areas where sustainable modes could be enhanced. Transport policies can be used to encourage smarter use of technologies.	TA1, TA2, TA3, TA4
Air Quality: Reduce greenhouse gas (Carbon?) emissions and reduce congestion	NPPF para 30 <ul style="list-style-type: none"> • Support pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport. 	ECC Walking and Cycling Strategies	As above, the spatial strategy and policies relating to development should be aimed at making the most of sustainable modes of transport that exist and focussing development in areas where sustainable modes can be enhanced.	SD1, TA1
Sustainable Access for All: New Developments	NPPF paras 32, 34, 35, 36, 37, 38 <ul style="list-style-type: none"> • All developments that generate significant amounts of movement should be supported by a Transport Assessment or Statement. • Plans should take account of whether the opportunities for sustainable transport modes have 	ECC Development Management Guidance	These issues need to be addressed as they are fundamental to sustainable development. The requirement for travel plans and assessments is covered in ECC development management policies. The spatial strategy should be aimed at making the most of	SD1, TA1, DP17

Topic Area	What are the key national policy requirements to address?	Other Guidance and Priorities	Policy Objectives based on guidance	Relevant Policy in Current Local Plan
	<p>been taken up; ensure safe and suitable access to the site can be achieved by all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.</p> <ul style="list-style-type: none"> Plans should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. This should take account of other policies particularly in rural areas. Developments should be located and designed where practical to accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements and have access to high quality public transport facilities; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians; incorporate facilities for charging plug-in and other ultra-low emission vehicles; consider the needs of people with disabilities by all modes of transport. Planning policies should aim for a balance of uses within their area so that people can be encouraged to 		<p>sustainable modes of transport that exist and focussing development in areas where sustainable modes could be enhanced.</p> <p>Opportunities to mix land uses will also be promoted through the spatial strategy.</p> <p>All developments should seek to enhance sustainable modes of transport for everyone.</p>	

Topic Area	What are the key national policy requirements to address?	Other Guidance and Priorities	Policy Objectives based on guidance	Relevant Policy in Current Local Plan
	<p>minimise journey lengths for employment, shopping, leisure, education and other activities.</p> <ul style="list-style-type: none"> Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties. 			
Parking	<p>NPPF para 39, 40 and Planning Update 25/03/15</p> <ul style="list-style-type: none"> Maximum parking standards abolished in 2011. If setting local parking standards for residential and non-residential development, local planning authorities should take into account: accessibility of the development; the type, mix and use; the availability of public transport; local car ownership levels; and an overall need to reduce the use of high-emission vehicles. POLICY AMENDMENT March 2015 to further support provision of car parking spaces: LPA's should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is 	ECC Parking Guidance – Vehicle Parking Standards	Refer to Essex Vehicle Parking Standards. Policy DP19 refers to existing standards adopted as SPD in 2009. ECC are revising the vehicle parking standards.	TA5, DP19

Topic Area	What are the key national policy requirements to address?	Other Guidance and Priorities	Policy Objectives based on guidance	Relevant Policy in Current Local Plan
	<p>necessary to manage their local road network.</p> <ul style="list-style-type: none"> Seek to improve the quality of parking in town centres so that it is convenient, safe and secure, including appropriate provision for motorcycles. 			
Provision of viable infrastructure to support sustainable development	<p>NPPF para 31</p> <ul style="list-style-type: none"> Develop strategies for the provision of viable infrastructure necessary to support sustainable development <p>NPPF para 41</p> <ul style="list-style-type: none"> Identify and protect where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice. 		The Infrastructure Delivery Plan will prioritise projects including transport infrastructure requirements for new developments.	TA4, DP18

Review of Existing Transport Policies TA1, TA2, TA3 and TA4

NPPF guidance requires policies to support patterns of development which, where reasonable to do so, facilitate the use of sustainable modes of transport and give people a choice about how they travel. Existing policies TA1, TA2, TA3 and TA4 are all generally compliant with NPPF and other requirements to promote sustainable modes of transport. However, it is felt that they can be consolidated into one policy which promotes sustainable travel and reduces carbon emissions.

Parts of policies TA2, TA3 and TA4 which refer to infrastructure requirements will be contained in other policies in the Local Plan. Tables TA3 and TA4 will be updated and moved where relevant into the detailed site allocations sections of the Local Plan and into the Infrastructure Delivery Plan.

Reference needs to be added to include smarter use of technologies to promote sustainable travel and reduce the need to travel and to solutions which support reductions in carbon emissions.

New Local Plan Transport Policy

Promoting Sustainable Transport

The Council will work with developers and other partners to increase modal shift towards sustainable modes by improving accessibility of development through the promotion of walking and cycling as an integral part of development and further improving public transport. We will encourage forms of development that reduce the need to travel. Sustainable transport will be improved to provide better connections between the community and their needs. This will be achieved by:

- (i) Safeguarding existing and proposed routes for walking, cycling and public transport, including rapid transit and park and ride, from development. New development will be expected to contribute towards maintaining and enhancing these connections where appropriate.**
- (ii) Focusing new walking and cycling improvements on areas of employment, education and health facilities, and on public transport interchanges.**
- (iii) Ensuring new developments are supported by quality public transport linking them to the main urban areas and major centres of employment, health and education. Access to public transport should be within walking or cycling distance of any new development.**
- (iv) Enhancing public transport gateways to Colchester to provide attractive entry points to, and excellent onward connections from, the rail stations in urban Colchester and Marks Tey and Colchester Bus Station.**

The Borough Council will also work with partners to accommodate necessary car travel making the best use of the existing network and managing the demand for road traffic. The Council will support improvements to the strategic road, rail and cycle network where appropriate evidence is provided and local consultation undertaken.

Improvements will be made to the road network to support sustainable development and to reduce the impact of congestion. The demand for car travel will be managed to prevent adverse impacts on sustainable transportation, air quality, safety, local amenity and built character by:

- (v) Encouraging a reduction in through traffic in the town centre to encourage trips to be undertaken by more sustainable modes;**
- (vi) Encourage use of new technology to better manage traffic, provide alternatives and reduce the need to travel, particularly at peak times.**

We will encourage where appropriate the use of sustainable travel in rural areas to minimise the impact of transport on sensitive rural areas.

Explanation

The Local Plan Strategy ensures that development is located to reduce the need to travel or development is of a scale that promotes sustainable transport that is accessible for all.

The NPPF requires the transport system to be balanced in favour of sustainable transport modes while recognising that different policies and solutions will be necessary in different areas. 2011 Census data shows that car ownership is highest in the rural areas of the Borough and lower in urban areas. However, the car is still the highest mode of travel used for journeys to work, even in urban areas, and congestion and air quality affect many of the roads within the urban areas. Therefore sustainable transport will continue to be encouraged where possible, particularly where growth is planned.

Good accessibility and access to a high quality and efficient transport network is essential to support new development and ensure that it is sustainable, enabling the community to access their needs (eg employment, shopping, schools) easily and without always needing a car. The Council will continue to work closely with Essex County Council, as the highway authority, Highways England, public transport infrastructure providers and operators to deliver projects in the Borough.

Active modes such as walking and cycling are a high priority, being an essential and highly sustainable means of transport which also support a healthy lifestyle. Census data shows that 69% of people who live within Colchester borough work within the borough. The majority of Colchester residents live within 5km of the town centre and therefore walking and cycling have great potential. To encourage walking and cycling within Colchester, and to the town centre, the Council will seek to make improvements

to the network to remove barriers to pedestrians and cyclists and enhancing the environment to provide people-friendly streets which give priority to sustainable modes of transport. Priority, safety and convenience for walking and cycling should be ensured at the design stage of any road schemes and all users should be considered.

Public transport has a crucial role to play in Colchester. Providing a quality public transport network that offers a genuinely attractive alternative to the car is vital. Transit corridors that prioritise public transport over other traffic will attract people to use public transport. Park and Ride facilities that offer easy access to the town via transit corridors will also help reduce congestion. For this reason it is important to safeguard land for new public transport infrastructure, such as bus lanes, interchange facilities and junction improvements.

The Council will also seek to deliver improvements to transport interchanges and public transport gateways. At present there are over 5million passenger movements at Colchester's railway stations each year. Enhancing transport interchanges such as the railway and bus stations will present a more attractive gateway to businesses, commuters, tourists and local residents. The Colchester Station Travel Plan aims to manage congestion in the area by investing in infrastructure; increasing accessibility; encouraging access by sustainable travel and encouraging a high level of connectivity linking the station to the town centre and other key destinations.

The private car will continue to be a major mode of transport. However, growth in car travel and traffic needs to be managed to reduce congestion, improve air quality and promote a high quality of life and economic growth in Colchester. Car travel demand can be more carefully managed in urban areas through the use of alternatives and new technologies. Combining demand management of car traffic with improvements to sustainable alternatives and improved street design can greatly benefit the local community, businesses and the environment.

Road freight and servicing will be facilitated where appropriate to promote economic and employment growth. Support will be given for improvements to the strategic road and rail network to accommodate growth.

Alternative Options considered

Retain existing policies as separate policies.

Review of Existing Policy DP17: Accessibility and Access

This policy is generally compliant with NPPF guidance. It is suggested it is updated to include reference to plug-in and other ultra-low emission vehicles and to update ECC guidance references. The policy should be retained in an updated form to provide specific criteria against which access and accessibility implications of proposals for development can be considered.

Sustainable Access to Development

All new developments should seek to enhance accessibility for sustainable modes of transport, by giving priority to people walking, cycling and accessing public transport, to ensure routes are safe, convenient and attractive and linked to existing networks. Proposals for development should:

- (i) Give priority to the movement of people walking and cycling;**
- (ii) Create safe and secure layouts which minimise conflicts between traffic, cyclists and pedestrians;**
- (iii) Link the development to the surrounding walking, cycling and public transport networks taking into consideration the Cycle Strategy SPD;**
- (iv) Provide and give access to quality public transport facilities;**
- (v) Ensure streets and junctions are designed to provide people-friendly street environments and to give priority to sustainable transport;**
- (vi) Incorporate charging facilities for electric and other ultra-low emission vehicles;**
- (vii) Ensuring accessibility for those with impaired mobility;**
- (viii) Accommodate the efficient delivery of goods and services.**

Access to all development should be created in a manner which maintains the right and safe passage of all highway users. Where development requires a new road or road access it should be designed to give high priority to the needs of pedestrians and cyclists.

Development will only be allowed where there is physical and environmental capacity to accommodate the type and amount of traffic generated in a safe manner. Developments that generate significant amounts of movement will require a Transport Statement or Transport Assessment in line with the thresholds set in the latest Essex County Council Development Management Policies and guidance. A masterplan approach to assess cumulative impacts maybe required in complex locations with closely related developments.

All commercial developments that generate significant amounts of movement i.e. where there are 50 or more employee's, will also be required to produce a Travel Plan or Residential Travel Pack in accordance with Essex County Council Travel Plan Framework guidance and become members of the Colchester Travel Plan Club.

Explanation

Good easy access to a high quality and efficient transport network is essential to support new development and ensure that it is sustainable. The NPPF sets out the Government's approach to the location and design of developments to ensure that plans protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. The Council will work closely with Essex County Council as the highways authority to help promote good access to high quality, sustainable modes of travel within and from new developments.

One of the best ways to encourage sustainable modes is to fully consider them at design stage. Public transport has a crucial role to play in encouraging sustainable travel patterns at an early stage from new developments. Walking and cycling are also a high priority being healthy, affordable sustainable modes of travel and priority, convenience and safety for both modes should be ensured through design layout and the provision of on-site facilities. The needs of all users should be considered as part of a planned approach to inclusive design. The Colchester Cycling Delivery Strategy was adopted as SPD in January 2012. This should be taken account in the design stage of new development to ensure cyclists and cycling facilities are taken into consideration through the provision of quality infrastructure and funding promotion and cycle training to increase levels of cycling and create more sustainable and healthy travel patterns. The infrastructure appendix to the SPD illustrates the network of existing and planned routes in Colchester.

Electric vehicle charging points and facilities for other ultra-low emission vehicles, or the infrastructure to ensure their future provision, should be provided within a development where appropriate to help reduce carbon emissions from transport.

Any proposals must include sufficient information to assess the likely impact of the development. Transport Assessments or Transport Statements will be required for all development likely to generate significant amounts of movement. The Essex County Council Development Management Policies and Guidance provide further detail on the thresholds for Transport Assessments and Statements. Developers will need to demonstrate that the opportunities for sustainable transport modes have been taken up, safe

and suitable access for all can be achieved and the impacts can be effectively mitigated within the transport network. Where significant impacts are identified, development will not be permitted when the residual cumulative impacts are severe.

Developers will also be required to provide a Travel Plan for developments that generate significant amounts of movement in accordance with Essex County Council Travel Plan guidelines. Developments that generate significant amounts of movement will also be required to become members of the Colchester Travel Plan Club which provides a range of resources to promote travel behaviour change for local business and organisations in Colchester.

Alternative Options Considered Retain existing policy

Review of Existing Policies TA5 Parking and DP19 Parking Standards

Existing policies TA5 and DP19 cover issues relating to parking standards, car parking and car parks in the Borough. The general aims of the existing Local Plan policies are consistent with NPPF guidance but the standards may need reviewing in line with guidance. Both policies relate to parking and it is therefore suggested to avoid repetition in the Local Plan that these policies are combined to form one Parking Policy.

ECC are currently reviewing the Essex Parking Standards and it is anticipated that these will be published for consultation towards the end of March 2016. It is therefore suggested that these policies are reviewed following consideration of the draft Essex Parking Standards and considered in the full plan. Issues including the increase in sales of electric vehicles requiring greater direction to the provision of electric vehicle charging in developments and a policy context for the consideration of expansion of car parks and the need for evidence and whether this need could be addressed through greater take up of sustainable travel will be considered at that time.

Environment

Topic Area	What are the key national policy requirements to address?	Other Guidance / Evidence and Priorities	Policy Objectives based on guidance / Evidence	Relevant Policy in Current Local Plan
Environment, including landscape and coastal areas.	<p><i>NPPF/PPG</i> Paragraph 17 sets out a set of core land-use planning principles should underpin both plan-making and decision-taking. This includes, contributing to conserving and enhancing the natural environment and reducing pollution.</p> <p>Paragraphs 109 – 119 are concerned with the natural environment, AONB's, biodiversity etc.</p> <p>Paragraph 157 requires local plans to contain a clear strategy for enhancing the natural, built and historic environment, and supporting Nature Improvement Areas where they have been identified.</p> <p>Paragraph 170 refers to landscape character indicating where appropriate; landscape character assessments should also be prepared, integrated with assessment of historic landscape character, and for areas where there are major expansion options assessments of landscape sensitivity.</p>	<p><i>Evidence and technical supporting information update</i></p> <p>Draft Review of the Coastal Protection Belt (Chris Blandford Associates) Feb 2016</p> <p>Developing a Landscape for the Future- A Strategy for Landscape Planning of Development Sites within (Colchester Borough Major Developments Team Commercial Services September 2013).</p> <p>Landscape Character Assessment (2005)</p> <p>Review of Local Wildlife Sites (Feb 2016) EECOS</p> <p>UK Biodiversity Action Plan</p> <p>Essex Biodiversity Action Plan (updates if</p>	<p>The natural environment should be protected and enhanced wherever possible.</p> <p>Areas identified by evidence as being of significant environmental value for their landscape, ecological or nature conservation value, should not be favoured for development other than in exceptional circumstances.</p> <p>Proposals for development should be supported by assessments which enable consideration of potential impacts on the environment appropriate mitigate measure to be secured if required.</p>	<p>ENV1 Environment</p> <p>DP21 Nature Conservation and Protected Lanes</p> <p>DP22 Dedham Vale Area of Outstanding Natural Beauty</p> <p>DP23 Coastal Areas</p>

Topic Area	What are the key national policy requirements to address?	Other Guidance / Evidence and Priorities	Policy Objectives based on guidance / Evidence	Relevant Policy in Current Local Plan
		<p>appropriate)</p> <p>Assessment of open countryside between settlements in the Borough of Colchester - Final Report November 2009.</p> <p>Colchester Green Infrastructure Strategy</p> <p>Dedham Vale Management Plan</p> <p>Corporate priorities/other corporate objectives</p> <p>Create the right environment for people to develop and flourish in all aspects of life both business and pleasure.</p> <p>Cultivate Colchester's green spaces and opportunities for health, wellbeing and the enjoyment of all.</p>		

Review of Existing Environment Policies

ENV1 Environment – It is suggested that the current policy ENV1 covers a generic overarching position for a number of key environmental policy considerations. This results in some repetition which can be removed by incorporating the relevant elements into each of the specific policies on the landscape, coast and areas of flood risk. The second half of the current policy relates to development in the countryside outside of settlement boundaries. It is suggested that this will sit best within a countryside policy which addresses a range of issues in relation to development outside of defined settlement boundaries,. Amendments to take account of the above are suggested to the current policy wording.

DP21 Nature Conservation and Protected Lanes - The current policy requires little review other than to incorporate the generic element from Policy ENV1. In addition it is suggested that the part of the existing policy which refers to Protected Lanes would be best covered in the countryside policies which will be included in the full plan. The new policy relating to nature conservation is indicated below.

DP22 Dedham Vale Area of Outstanding Natural Beauty– this policy needs to have a section added in about the need to consider to development proposals in terms of their impact(s) on the setting of the AONB. The need to strengthen the policy wording to cover this arose during the consideration of Horkesley Park proposals. Amended wording to reflect this is provided in the new local plan policy set out below.

DP23 Coastal Areas As part of the updated evidence base for the local plan a review of the coastal protection belt has been carried out by Chris Blandford Associates. This has highlighted the opportunity to update the policy wording which is included in the new local plan policy set out below. It also incorporates the generic elements from the current policy ENV1 which relate to the Coastal Protection Belt. Further consideration of site specific issues within coastal areas will be required which will be reflected in the full plan.

New Local Plan Environment Policies

Natural Environment

The Borough Council will conserve and enhance Colchester's natural and historic environment, countryside and coastline. The Council will safeguard the Borough's biodiversity, geology, history and archaeology through the protection and enhancement of sites of international, national, regional and local importance. In particular, developments that have an adverse impact on Natura 2000 sites or the Dedham Vale Area of Outstanding Natural Beauty will not be supported. Development proposals within designated areas or the Coastal Protection Belt will also need to comply with Policies xx

Development proposals where the principal objective is to conserve or enhance biodiversity and geodiversity interests will be supported in principle. For all proposals, development will only be supported where it:

- (i) Is supported with acceptable ecological surveys where appropriate. Where there is reason to suspect the presence of protected species, applications should be accompanied by a survey assessing their presence and, if present, the proposal must be sensitive to, and make provision for, their needs;**
- (ii) Will conserve or enhance the biodiversity value of greenfield and brownfield sites and minimise fragmentation of habitats;**
- (iii) Maximises opportunities for the restoration, enhancement and connection of natural habitats in accordance with the Essex Biodiversity Action Plan or future replacement; and**
- (iv) Incorporates beneficial biodiversity conservation features and habitat creation where appropriate.**

Additionally, proposals for development that would cause direct or indirect adverse harm to nationally designated sites or other designated areas or protected species will not be permitted unless:

- (a) They cannot be located on alternative sites that would cause less harm;**
- (b) The benefits of the development clearly outweigh the impacts on the features of the site and the wider network of natural habitats; and**
- (c) Satisfactory prevention, mitigation and compensation measures are provided.**

Explanation

Colchester's countryside and coastline is extremely diverse and important in terms of its natural environment, biodiversity, landscape character, archaeology and cultural heritage. The countryside provides the attractive landscape setting that defines and characterises the villages and rural communities of Colchester Borough. The countryside and coastal areas also provide important agricultural, tourism and recreational opportunities that support local economies and communities. The Dedham Vale Area of Outstanding Natural Beauty extends into the northern part of the Borough and has the highest status of protection in relation to landscape and scenic beauty.

The Council has statutory obligations under the Habitats Directive to protect important habitats and species designated as Natura 2000 sites. This policy aims to protect the undeveloped areas of the Colne Estuary and coast and support regeneration that enhances the river's recreation and nature conservation values.

The Coastal Protection Belt is a county-wide designation that protects the sensitive character of the undeveloped coastline which could be harmed by development that might otherwise be acceptable in a countryside area. The original designation of 1984 has been reviewed with some amendment. The revised boundary based on 2016 evidence will be shown on the Proposals Map.

The green infrastructure network of open spaces and links is important in providing alternative areas of accessible natural green space to alleviate pressure on Natura 2000 sites as well as contributing to the landscape character of Colchester Borough. The Local Plan will make a major contribution towards achieving the objectives of the Essex Biodiversity Action Plan (BAP) (or any future replacement).

A major threat to these low lying coastal and estuary areas is rising sea levels as a result of climate change. This will be addressed through increasing the network of green corridors and sites to aid the dispersal of species that will need to move as climate change renders their existing habitat unsuitable. Climate change will also be addressed by accommodating future flood waters without harm to the built environment.

The risk from flooding to property and people will be minimised by applying the sequential test in accordance with the NPPF and National Technical Guidance. New developments will be directed away from areas at risk from fluvial and coastal flooding, as identified in the Strategic Flood Risk Assessment (SFRA). Where development occurs in areas with a known flood risk, practical and safe mitigation measures will need to be adopted to alleviate risk to people and property.

The policy aims to control development outside settlement boundaries to protect open stretches of countryside around and between existing settlements to prevent coalescence and retain settlement identity. The Landscape Character Assessment (updated as required) will inform the detailed application of the relevant policy criteria.

The historic environment will be protected across the Borough with reference to studies including the Townscape Character Assessment, the Urban Archaeological Database and Historic Environment Characterisation Study and updated evidence as required.

Dedham Vale Area of Outstanding Natural Beauty

Development will only be supported in or near to the Dedham Vale Area of Outstanding Natural Beauty (AONB) that:

- (i) Makes a positive contribution to the special landscape character and qualities of the AONB, including tranquillity;**
- (ii) Does not adversely affect the character, quality views and distinctiveness of the AONB or threaten public enjoyment of these areas, including by increased vehicle movement;**
- (iii) That there are no adverse impacts on the setting of the AONB which cannot reasonably be mitigated against and,**
- (iv) Supports the wider environmental, social and economic objectives as set out in the Dedham Vale AONB & Stour Valley Management Plan.**

Where exceptionally development is essential, landscape enhancements, mitigation or compensation measures must be provided to the Local Planning Authority's satisfaction. Any proposals affecting existing development that adversely affects the landscape qualities of the AONB, or its setting will be expected to satisfactorily mitigate this impact as part of any new development proposals.

Explanation

The Dedham Vale AONB has been designated for its national importance in terms of landscape quality, and is further enhanced through its close association with the works of artist John Constable. The quality of the landscape is defined by its natural beauty

and the integration of the man-made elements within it, and the primary aim of the designation is to conserve and enhance this character.

It is essential that AONBs and their setting are conserved and enhanced. However it is acknowledged that the Dedham Vale is a 'living' landscape which needs to be able to adapt, change and respond positively to changing social, economic and environmental issues (climate change, declining agricultural sector, recreational pressures) to meet the needs of the local community and visitors to the area. In exceptional cases development proposals that help maintain the economic and social wellbeing of the AONB will be supported where these do not detract from the special character/quality of the AONB or its setting. Minor house extensions may have little opportunity to enhance the landscape qualities of the AONB and accordingly will not be exclusively rejected on this basis where otherwise acceptable. Proposals outside of the AONB will not be supported where, in the opinion of the Local Planning Authority, they will have an impact on the public enjoyment of the AONB.

Coastal Areas

Within the Coastal Protection Belt and along the undeveloped coast an integrated approach to coastal management will be promoted and development will only be supported where it can be demonstrated that it:

- (i) Requires a coastal location and is located within the developed area of the coast;**
- (ii) Will be safe from flooding over its planned lifetime and will not have an unacceptable impact on coastal change;**
- (iii) Will not be significantly detrimental to conserving important nature conservation, historic environment assets, maritime uses and the landscape character of the coast;**
- (iv) Will deliver or sustain social and economic sustainability benefits considered important to the well-being of the coastal communities; and**
- (v) Provides opportunities and scope for adaptation to climate change; and**
- (vi) Will not hinder the potential future creation and maintenance of a continuous signed and managed coastal access route.**

In exceptional circumstances, development may be permitted where it is proven that the proposal provides an overwhelming public or community benefit that outweighs all other material considerations. In such instances applications must demonstrate that the site is the only available option and be acceptable in terms of its other planning

merits.

Explanation

The open, undeveloped and rural landscape character of the coastal area of Colchester Borough is an extremely rich, diverse and irreplaceable natural asset in terms of its natural and cultural features. It includes substantial parts of the Colne and Blackwater Estuaries. The ecological importance of the Colne and Blackwater Estuaries is reflected by the variety of international and European designations covering them i.e. Ramsar sites, Special Protection Areas (Birds Directive), and the Essex Estuaries Special Area of Conservation (SAC) designated under the Habitats Directive. There are also a number of Sites of Special Scientific Interest and Local Wildlife Sites designated around the estuaries.

The Borough's coastline is also home to a number of sizeable communities in West Mersea, Rowhedge, and Wivenhoe. As a consequence there are a number of diverse and competing interests which all need to be managed in an integrated way within the Borough's coastal belt. These include internationally important habitats, land and water-based recreation, fishing, archaeological and historic environment assets. Obligations to protect the important natural and cultural assets have to be balanced against the wider socio-economic needs of the Borough's coastal communities. Climate change including sea level rise is likely to present increasing pressure on the management of coastal habitats and coastal communities along Colchester's coastal fringe. The National Planning Policy Framework highlights the need to identify 'Coastal Change Management Areas'. The Essex and South Suffolk Shoreline Management Plan (October 2010) has shown that the coastal frontage within the Borough is highly vulnerable to the effects of climate change and coastal processes. It will be important that future land uses and developments along this frontage, in particular built-up frontages, can demonstrate a high level of resilience in response to changing local climatic conditions.

In 1984, Essex County Council produced the Essex Coast Protection Subject Plan. This defined a Coastal Protection Belt, which was reviewed and updated in 2016 by the Borough Council. The Coastal Protection Belt aims to protect the rural and undeveloped coastline from inappropriate development that would adversely affect its rural, undeveloped and open character and irreplaceable assets, landward and marine sites of nature conservation importance, and buildings and areas of special architectural, historic or archaeological importance. The Belt's rural and undeveloped coastline is of international, national and regional significance for its historic environment assets, and nature conservation interest. These multiple assets are strongly focussed and interrelated within the defined area, including between the coastline and adjoining inland areas. The Belt has a unique and irreplaceable character which should be strongly protected and enhanced.

Because the Coastal Protection Belt has a unique and irreplaceable character, there is a local need for greater priority to be given to the restraint of potentially damaging development than is normally possible under national planning policies. The Coastal Protection Belt adopts the precautionary principle and seeks to restrict development to within the built up areas of the coast. Some developments however require a coastal location and cannot be located elsewhere or are needed to help sustain the socio-economic base of a coastal area or serve the needs of the local coastal community. This may include sustainable tourism or leisure related developments, where they meet the requirements of policies elsewhere in the Plan.

Alternative Options Considered

No Policy/Rely on the NPPF - The NPPF provides the high level protection but Local Plan policies are required in respect of all the identified environmental issues to provide the appropriate local context and detailed policy guidance against which proposals for development should be considered.

Flood Risk and water management

Topic Area	What are the key national policy requirements to address?	Other Guidance / Evidence and Priorities	Policy Objectives based on guidance / Evidence	Relevant Policy in Current Local Plan
Flood risk and water management	<p>NPPF/PPG NPPF, NPPG and Technical Guidance to NPPF (2015)</p> <p>Ministerial Statement December 2014 (Sustainable Drainage Systems)</p> <p>National Guidance summary of approach;</p> <p>The National Planning Policy Framework sets strict tests to protect people and property from flooding which all local planning authorities are expected to follow. Where these tests are not met, national policy is clear that new development should not be allowed.</p> <p>In plan-making, local planning authorities apply a sequential approach to site selection so that development is, as far as reasonably possible, located where the risk of flooding (from all sources) is lowest, taking account of climate change and the vulnerability of future uses to flood risk.</p> <p>Paragraph 100 of the National Planning Policy Framework states that local</p>	<p>Evidence and technical supporting information update Surface Water Management Plan (2013)</p> <p>Colchester Strategic Flood Risk Assessment (2015)</p> <p>Water Cycle Study (2016)</p> <p>Corporate priorities/other corporate objectives Create the right environment for people to develop and flourish in all aspects of life both business and pleasure.</p>	<p>Assess flood risk in plan making and decision making;</p> <p>Apply a sequential test to development in flood risk areas, avoiding locating the most vulnerable development in highest areas of flood risk;</p> <p>Manage and mitigate to reduce the causes and impacts of flooding including through the use of Sustainable Drainage Systems where ever possible.</p> <p>(Simplified objectives; Assess. Avoid, Manage and Mitigate)</p>	<p>ENV1 Environment</p> <p>DP 20 Flood Risk and Management of Surface Water Drainage</p>

Topic Area	What are the key national policy requirements to address?	Other Guidance / Evidence and Priorities	Policy Objectives based on guidance / Evidence	Relevant Policy in Current Local Plan
	<p>planning authorities should take advice from the Environment Agency and other relevant flood risk management bodies such as lead local flood authorities and internal drainage boards.</p> <p>Required to seek flood risk management opportunities (e.g. safeguarding land), and to reduce the causes and impacts of flooding (e.g. through the use of sustainable drainage systems in developments).</p> <p>Where development needs to be in locations where there is a risk of flooding as alternative sites are not available, local planning authorities and developers ensure development is appropriately flood resilient and resistant safe for its users for the development's lifetime, and will not increase flood risk overall.</p>			

Review of Existing Local Plan Policies ENV1 and DP20

It is suggested that the relevant part of Policy ENV1 is incorporated into the topic specific policies and that the sentence relating to flood risk be included in a new policy addressing this issue. The current policy DP20 dedicated to Flood Risk and Management of Surface Water Drainage is now informed by a number of updated evidence documents which require the policy to be amended to

reflect the current position. The policy below has also been written to refer to the updated advice contained in the NPPF, Technical Guidance and Ministerial Statement of the 18th December 2014. It also takes account of the fact that The Lead Local Flood Authority has prepared a Surface Water Management Plan for Colchester.

New Local Plan Policies

Flood Risk and Water Management

The Council will seek to direct development away from land at risk of flooding in accordance with the National Planning Policy Framework and Technical Guidance (or any future national policy /guidance), including areas where the risk of flooding is likely to increase as a result of climate change. The sequential test as set out in this national guidance has informed the allocation of sites in the Local Plan and will also be applied in determining planning applications on new sites coming forward outside of those allocated.

Development will only be supported where it can be demonstrated that the proposal meets requirements set out in the NPPF and most recent Technical Guidance; recommendations in Colchester's Strategic Flood Risk Assessment, and includes satisfactory flood defence measures or flood mitigation measures such as Sustainable Drainage Systems (SuDS) to minimise the risk of increased flooding both within the development boundary and off site in Flood Zones 2 and 3. Proposals that include measures to enhance the flood resilience of new or renovated buildings will be encouraged, particularly in areas with a history of local flooding.

All development proposals shall incorporate measures for the conservation and sustainable use of water. These measures shall include appropriate SuDS for managing surface water runoff within the overall design and layout of the site and measures to conserve water within individual building designs. The use of SuDS will be particularly important as part of green field developments (but not exclusively).

Where Proposals which require planning permission include driveways / hardstanding or paving, the use of permeable materials and landscaping will be sought to minimise the cumulative impacts of flooding from such developments.

Developments are required to comply with the following as indicated in the Surface Water Management Plan (or updates if appropriate);

- All developments across the catchment (excluding minor house extensions less than 50m²) which result in a net**

increase in impermeable area are to include at least one 'at source' SuDS measure (e.g. water butt, rainwater harvesting tank, bioretention planter box etc). This is to assist in reducing the peak volume of runoff discharging from the site.

- Proposed 'brownfield' redevelopments of more than one property or area greater than 0.1 hectare are required to reduce post-development runoff rates for events up to and including the 1 in 100 year return period event with an allowance for climate change (in line with NPPF and UKCIP guidance) to that of its greenfield condition.
- Developments located in Critical Drainage Areas (CDAs), Local Flood Risk Zones (LFRZs) and for redevelopments of more than one property or area greater than 0.1 hectare should seek betterment to a greenfield runoff rate. It is recommended that a SuDS treatment train is utilised to assist in this reduction.

Sustainable Urban Drainage Systems

All new development of 10 dwellings or more and major commercial development, car parks and hard standings should incorporate Sustainable Drainage Systems (SUDs) appropriate to the nature of the site. Such systems shall provide optimum water runoff rates and volumes taking into account relevant local or national standards and the impact of the Water Framework Directive on flood risk issues. SUDs design quality will be expected to conform with standards encompassed in the relevant BRE, CIRIA standards and Essex County Council SUDs Design Guide (and as updated) to the satisfaction of the Lead Local Flood Authority.

Maximum use should be made of low land take drainage measures such as rain water recycling, green roofs, permeable surfaces and water butts. Appropriate pollution control measures shall be incorporated where necessary to manage surface water run-off rates, and in areas close to underground aquifers and landfill sites to reduce the risk of pollution. Surface water should be managed as close to its source as possible and on the surface where practicable to do so.

Opportunities shall be taken to integrate sustainable drainage with the development, creating amenity and enhancing biodiversity.

Only where there is a significant risk of pollution to the water environment, inappropriate soil conditions and/or engineering difficulties, should alternative methods of drainage be considered. It will be necessary to demonstrate why it is not achievable. If alternative methods are to be considered, adequate assessment and justification should be provided

and consideration should still be given to pre and post runoff rates.

SUDS design should be an integral part of design proposals and clear details of proposed SuDS together with how they will be managed and maintained will be required as part of any planning application. Only proposals which clearly demonstrate that a satisfactory SUDs layout with appropriate maintenance is possible, or compelling justification as to why SUDs should not be incorporated into a scheme, or are unviable, are likely to be successful. Contributions in the form of commuted sums may be sought in legal agreements to ensure that the drainage systems can be adequately maintained into the future. The sustainable urban drainage system should be designed to ensure that the maintenance and operation requirements are economically proportionate.

Explanation

National policy categorises zones of flood risk as Zone 1 (low probability), Zone 2 (medium probability), Zone 3a (high probability) and Zone 3b (functional floodplain). These flood zones are defined in Table 1 of the Technical Guidance to the National Planning Policy Framework and are illustrated by the flood maps produced by the Environment Agency (EA) and available from their website.

The national guidance states that the overall aim should be to steer new development to Flood Zone 1 (low risk), however it does set out a flood risk vulnerability classification for different land uses and provides a 'compatibility' table for allowing particular land uses in the different flood zones (including 3a and 3b in certain circumstances). It identifies the importance of assessing flood risk early in the planning process. It requires the production of Strategic Flood Risk Assessments to assess flood risk at a strategic level and individual Flood Risk Assessments in certain circumstances to assess flood risk at the site specific level. Accordingly Colchester Borough Council commissioned a Strategic Flood Risk Assessment to support the development of the Local Plan.

The national guidance stipulates that site specific Flood Risk Assessments should be submitted with planning applications for development proposals on sites of 1ha or more in Flood Zone 1 or for all development proposals in Flood Zone 2 or 3. It also sets out the requirements for the use for Sustainable Drainage Systems (SuDS) to minimise the risk of flooding from new development. These and the Council's most up to date SFRA will be used to consider planning applications where relevant.

Development in higher risk flood zones will be restricted to certain categories where an identified need for that type of development in that location exists. The Exception Test allows for development in high risk areas but is only to be applied where there is no other option i.e. where there are large areas of land in Flood Zones 2 and 3 and the Sequential Test cannot deliver acceptable alternative sites, but where some continuing development is necessary. Advice on the Exception test is included in the Technical Guidance to the National Planning Policy Framework.

Small sites (less than 1ha) in Flood Zone 1 that are surrounded by Flood Zone 2 or 3 land, i.e. dry islands, are likely to be treated in the same way as the surrounding land. Each area will have its unique characteristics and a site specific Flood Risk Assessment may be required even for those sites less than 1ha to ensure that safe access / egress exists for the development and that the land will be sustainable for the duration of the flood period.

The use of SuDS to manage water run-off can be an important tool in minimising flooding by increasing permeable surfaces in an area that allows water to seep gradually into the ground rather than running directly into a drainage network, thereby reducing the risk of overloading the system.. SuDS can also help reduce the impact of diffuse pollution from run-off and flooding. The effective use of permeable surfaces, soakaways and water storage areas or SuDS should be incorporated in all new development where technically possible. Early consideration should be given to the potential to use SuDS to identify when/where the use of such technologies is feasible and to also identify which type of SuDS is most appropriate to local site conditions. Developers will be encouraged to enter into early discussions with the Council and the Lead Local Flood Authority and as part of discussions maintenance and long term adoption responsibilities should be explored and agreed where possible as part of the the SuDS approval process, prior to the start of development.

The Colchester Surface Water Management Plan (Urban Colchester) has identified Critical Drainage Areas (CDAs) and Local Flood Risk Zones (LFRZs). This delineates the areas where the impact of surface water flooding is expected to be greatest, although it is acknowledged that the CDAs (and LFRZs) do not account for all the areas that could be affected by surface water flooding. It is therefore important that the policies seek to reduce the risk from surface water flooding throughout the whole Borough. The SWMP also encourages Essex County Council also to implement similar policies, so that both authorities promote and apply Best Management Practises to the implementation of SuDS and the reduction of runoff volumes.

Ensuring a continual supply of water in the Borough is likely to become increasingly important in light of climate change. It will be important that water resources continue to be protected for present and future generations. They should be used efficiently to make the maximum use of the resource and to reduce the need for major new water storage facilities and related infrastructure.

New development should be directed to locations where adequate water resources already exist, or where the provision of new water resources can be made without adversely affecting the environment, and where it coincides with the timing of the development. Every opportunity should be taken to build water efficiency measures into new developments, and innovative approaches should be encouraged. This can range from low flow taps and water butts to advance rainwater harvesting for larger developments and the Council will support developments incorporating the use of such features.

Minor developments such as driveways and the paving of front gardens can increase flooding. However, this can also contribute towards sustainable drainage where permeable materials are used. Further guidance on permeable surfacing of front gardens can be found on the Communities and Local Government website www.communities.gov.uk. The Council will seek the use of permeable materials and soft landscaping to minimise the cumulative impact of flooding as well as creating better streetscapes.

4th April 2016

Report of	Head of Commercial Services	Author	Karen Syrett 01206 506477
Title	Duty to Co-operate – Memorandum of Co-operation		
Wards affected	All		

The Local Plan Committee is asked to consider the Memorandum of Co-operation with Braintree, Chelmsford, and Tendring District Councils and Essex County Council.

1. Decision(s) Required

- 1.1 To recommend that the Portfolio Holder for Economic Growth and Planning signs the Memorandum of Co-operation: Collaboration on Strategic Priorities in North and Central Essex on behalf of Colchester Borough Council.

2. Reasons for Decision(s)

- 2.1 Colchester Borough Council signing a Memorandum of Co-operation (MoC) with a selection of neighbouring Councils and the County Council would provide a framework in which future collaborative working will take place and provide strong evidence of Duty to Co-operate.
- 2.2 The MoC does not attempt itself to set planning policy (that would be a matter for this Committee) instead it is concerned with committing the Council to joint working on planning issues to improve the overall performance of local planning which is a Portfolio Holder matter. Hence the relevant Portfolio Holder is being asked to sign off this decision. It should be noted that any product of this joint working would form part of the Local Plan and would be for this Committee to deal with in the normal way.

3. Alternative Options

- 3.1 To not recommend that CBC sign the MoC which would miss the opportunity for CBC to provide strong evidence of its compliance with the statutory Duty to Co-operate and for CBC to participate in a framework in which future collaborative working will take place.

4. Supporting Information

- 4.1 As part of the work on the new Local Plan, officers and Members as appropriate have been working with our neighbouring local authorities, particularly those within our identified strategic housing market area

(Chelmsford, Braintree and Tendring) and Essex County Council, as well as Maldon District Council on key cross border issues.

- 4.2 Chelmsford, Colchester, Tendring and Braintree have worked together to commission a number of pieces of evidence base to support the new Local Plans, particularly in relation to housing need across the strategic market area. Work has also been undertaken with Braintree, Tendring and Essex County Council on the exploration of the potential for new garden communities across the area.
- 4.3 A group of senior officers and leaders of the authorities met several times in late 2014 and 2015 with a view to ensuring closer working across the locality on planning matters. At these meetings it was agreed to produce a Memorandum of Co-operation (MoC) which could be signed by all the authorities and provide a framework within which individual Local Plans could be progressed. An officer working group was set up, with support from John Williamson, the manager of the Cambridgeshire and Peterborough Joint Planning Unit, to undertake this piece of work.
- 4.4 As part of work on their Local Plans, local authorities have a Duty to Co-operate with others on cross border strategic issues. This is a legal duty which must be demonstrated at the examination into the Local Plan, or it is not able to succeed. This MOC will help to demonstrate that this duty has been met and provide a framework for future co-operation.
- 4.5 Maldon District Council have been engaged in this process and have attended both Member and officer groups. However given the current stage of preparation of their Local Plan, officers have suggested at this time that they will not be a signatory to the MoC.
- 4.6 Content of the MoC
The MOC is titled Collaborative Working on Strategic Priorities in North and Central Essex. It starts with a general introduction and context of the location of the authorities involved and why they have chosen to carry out this piece of work.
- 4.7 The MoC then goes on to identify 4 key objectives of the MOC which are to provide evidence on the Duty to Co-operate, to identify major strategic issues, to articulate the process and outcomes from the collaboration and to ensure the alignment of strategic investment priorities and work together on the funding for such projects.
- 4.8 The MoC identifies the key strategic issues that need to be tackled across the local authority area, grouped into themes around transport, infrastructure and connectivity, providing sufficient new homes, providing employment, addressing education and healthcare needs and ensuring high quality outcomes.

- 4.9 The MoC also identifies the governance arrangements for the monitoring of the document, through a joint Member Group and that the MoC should be in place until the final Local Plan has been adopted, or if it is replaced by a new version. A full copy of the MOC is set out in Appendix 1.

4.10 Local Plan 'Part 1'

Within the MoC there is reference to the production of some strategic cross border policies which would build from the issues and objectives identified in the MOC. This is being called a 'Part 1' of a Local Plan by officers, although there is no formal name for this part of the process.

- 4.11 The Local Plan Part 1 is expected to include a small number of strategic policies such as housing numbers, strategic employment and infrastructure which are cross boundary issues. Each local authority will produce its own Local Plan but it is intended that each Plan will have the same part 1 section within it. A draft of this 'Part 1' is currently being finalised by the officer working group and John Williamson with a view to it being part of the draft Local Plans when they are published in June.

5. Proposals

- 5.1 The MoC: Collaborative Working on Strategic Priorities in North and Central Essex, is a strong piece of collaborative working which demonstrates the Council's ongoing commitment to working together and meeting the Duty to Co-operate and it is therefore recommended that this Committee recommends that the Portfolio Holder for Economic Growth and Planning, sign it on behalf of Colchester Borough Council.
- 5.2 The other local authorities in the group are also considering the MoC in the coming weeks. A completed and signed document will be published on the website.

6. Strategic Plan References

- 6.1 Effective strategic planning supports the Strategic Plan Action Plan which includes a commitment to make Colchester a vibrant, prosperous, thriving and welcoming place.

7. Consultation

- 7.1 There will be no consultation on the MoC. The joint Part 1 to the Local Plan will be consulted on later this year.

8. Publicity Considerations

- 8.1 The Duty to Co-operate is a statutory requirement and therefore the MoC is not likely to generate publicity.

9. Financial Implications

9.1 There are no direct financial implications.

10. Equality, Diversity and Human Rights Implications

10.1 An Equality Impact Assessment has been prepared for the Local Plan and is available to view by clicking on this link:-

<http://www.colchester.gov.uk/article/4962/Strategic-Policy-and-Regeneration>

or go to the Colchester Borough Council website

www.colchester.gov.uk and follow the pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Equality and Diversity > Equality Impact Assessments > Strategic Policy and Regeneration and select Local Development Framework from the Strategic Planning and Research section.

10.2 There are no particular Human Rights implications.

11. Community Safety Implications

11.1 None

12. Health and Safety Implications

12.1 None

13. Risk Management Implications

13.1 Formalisation of arrangements to ensure the Council complies with its Duty to Co-operate is intended to minimise the risk of the Local Plan being found unsound.

14. Disclaimer

14.1 The information in this report was, as far as is known, correct at the date of publication. Colchester Borough Council cannot accept responsibility for any error or omission.

Appendix 1 – MoC

A Memorandum of Co-operation: Collaborative Working on Strategic Growth Priorities in North and Central Essex

Introduction

Essex is a large county made up of some 12 city and district authorities together with the county council. Despite its size the authorities have a strong track record of working collaboratively on growth issues through regional and structure plans; and, more recently, as part of the South East Local Enterprise Partnership.

In Essex as elsewhere, economic and demographic growth pressures cut across administrative boundaries, reflecting functional and spatial geographies. Settlement patterns, migration flows, commuting and strategic infrastructure needs all have significant influences within and between local authority areas.

The Localism Act 2011 places a Duty to Co-operate on local planning authorities and county councils¹, requiring them to engage constructively, actively and on an on-going basis in the preparation of plans where this involves strategic matters. The National Planning Policy Framework encourages authorities to prepare joint, non-statutory documents, particularly where this provides evidence of having effectively cooperated to plan for issues with cross-boundary impacts².

This Memorandum of Co-operation (MOC) seeks to meet this purpose and to go further in setting out a range of common challenges and opportunities across the area and how these will be addressed.

Parties to the Memorandum

This Memorandum is agreed by the following Local Authorities:

- Braintree District Council
- Chelmsford City Council
- Colchester Borough Council
- Essex County Council
- Tendring District Council

This group of neighbouring authorities historically have made a significant contribution to Essex's growth. They have agreed to come together because of their shared desire to

¹ Localism Act 2011, section 110.

² National Planning Policy Framework, paragraph 181.

continue to promote sustainable growth; and the particular need to articulate the strategic priorities within the wider area and how these will be addressed. Central to this is the effective delivery of planned strategic growth, particularly housing and employment development, with the necessary supporting infrastructure. The authorities will continue to engage with the South East Local Enterprise Partnership in developing their growth priorities.

Objectives

Against this background, the main aims of this MOC are to:

- provide a high level statement of intent under the Duty to Co-operate to collaborate on strategic issues;
- to identify the key strategic issues that will have a bearing across the wider geographic area;
- to articulate the process for and outcomes from this collaboration, principally through the statutory planning process; and
- to ensure appropriate integration and alignment of strategic investment priorities in support of sustainable growth, and to use this to make the case collectively for the necessary funding.

Strategic Issues

Future population growth will be driven largely by net migration rather than natural change. This will require an appropriate response from the local authorities to ensure that sufficient houses, employment premises and supporting social and other infrastructure are provided. The ageing profile of residents also requires a proactive response to provide the right type of housing and supporting facilities.

Past under-investment in transport infrastructure and increased demand for road and rail use has placed significant strain on the network. Future planned growth provides the opportunity to address these infrastructure needs as well as to ensure that sustainable travel modes are promoted, although there will be significant challenges in funding what is required.

Against this background, the key strategic issues the authorities need to address collaboratively are:

- **Transport Infrastructure and Connectivity** – Focused on addressing capacity constraints on the A12, A120, A130 and A414; together with upgrades to the Great Eastern Main Line rail line and services; and provision of upgraded broadband infrastructure and services.

- **Providing Sufficient New Homes** - To meet the needs of a growing and ageing population; through ensuring the availability of developable land in appropriate locations and that the market delivers a suitable mix of housing types.
- **Providing for Employment** - To strengthen and diversify local economies to provide more jobs; and to achieve a better balance between the location of jobs and housing, which will reduce the need to travel and promote sustainable growth.
- **Addressing Education and Healthcare Needs** - A range of good quality educational opportunities will need to be addressed as part of a sustainable growth strategy, including practical vocational training and apprenticeships linked to local job opportunities. The authorities will need to work with the NHS and local health partnerships to ensure adequate provision of healthcare facilities to support new and growing communities.
- **Ensuring High Quality Outcomes** – Strategic collaboration provides the opportunity for greater ambition in planning and delivering high quality sustainable new communities; particularly, for example, through new garden communities. More generally, new development must be functional and viable, but also reflect high standards of urban and architectural design. Major new developments will be planned carefully with the use of masterplans and design codes where appropriate.

Collaborative approach and outcomes

With the removal of the statutory requirement to produce a strategic plan, Local Plans are the main vehicle for delivering an area's growth requirements and how these will be accommodated. However, as these are necessarily limited in their geographic scope, individual local authorities cannot fully reflect strategic influences and issues within them.

The authorities' agreed response to this is to produce a common strategic section for the current reviews of each of their Local Plans. This 'Part 1' of their Plans will provide the evidence to support their strategic approach to the key issues outlined above, and a spatial strategy and policies responding to these issues in a proactive manner. The separate 'Part 2' for each plan will then address local issues and policies within each authorities' area.

Governance

The work required to deliver the necessary outcomes from this strategic collaboration will be overseen by a Joint Member Group with representation from each of the participating authorities. This will be supported by an Officer Group which will report to the Joint Member Group. Terms of Reference for these Groups will be developed and agreed. Other sub-regional groupings and partners will be engaged as necessary as work progresses.

Timing

This Memorandum has immediate effect and will remain in place until adoption of the last of the authorities' local plans, unless this version is reviewed and replaced before this.

Signature	Role	Authority