

Local Plan Committee Meeting

**Moot Hall, Town Hall, High Street,
Colchester, CO1 1PJ**

Monday, 13 December 2021 at 18:00

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

Information for Members of the Public

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<https://colchester.cmis.uk.com/colchester/MeetingCalendar.aspx>.

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- Hand sanitiser, wipes and masks will be available.
- Do not attend if you feel unwell with a temperature or cough, or you have come in to contact with someone who is unwell with a temperature or cough.
- Masks should be worn whilst arriving and moving round the meeting room, unless you have a medical exemption.
- All seating will be socially distanced with 2 metres between each seat. Please do not move the chairs. Masks can be removed when seated.
- Please follow any floor signs and any queue markers.
- Try to arrive at the meeting slightly early to avoid a last minute rush.
- A risk assessment, including Covid 19 risks, has been undertaken for this meeting.

COLCHESTER BOROUGH COUNCIL
Local Plan Committee
Monday, 13 December 2021 at 18:00

The Local Plan Committee Members are:

Councillor Gerard Oxford	Chairman
Councillor Lewis Barber	Deputy Chairman
Councillor Phil Coleman	
Councillor Adam Fox	
Councillor Jeremy Hagon	
Councillor Derek Loveland	
Councillor Andrea Luxford Vaughan	
Councillor Patricia Moore	
Councillor Julie Young	

The Local Plan Committee Substitute Members are:

Other than the Local Plan Committee members, all members of the Council who are not members of the Planning Committee.

AGENDA
THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING
(Part A - open to the public)

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

Live Broadcast

Please follow this link to watch the meeting live on YouTube:

[\(107\) ColchesterCBC - YouTube](#)

1 Welcome and Announcements

The Chairman will welcome members of the public and Councillors to the meeting and remind those participating to mute their microphones when not talking. The Chairman will invite all Councillors and Officers participating in the meeting to introduce themselves.

2 Substitutions

Councillors will be asked to say if they are attending on behalf of a Committee member who is absent.

3 Urgent Items

The Chairman will announce if there is any item not on the published agenda which will be considered because it is urgent and will explain the reason for the urgency.

4 Declarations of Interest

Councillors will be asked to say if there are any items on the agenda about which they have a disclosable pecuniary interest which would prevent them from participating in any discussion of the item or participating in any vote upon the item, or any other pecuniary interest or non-pecuniary interest.

5 Minutes of Previous Meeting

The Committee will be invited to confirm that the minutes of the meetings held on 2 August 2021 and 21 September 2021 are a correct record.

Local Plan Committee Minutes 020821

9 - 14

Local Plan Committee Minutes 210921

15 - 24

6 Have Your Say! (Hybrid meetings)

Members of the public may make representations to the meeting. This can be made either in person at the meeting or by joining the meeting remotely and addressing the Council via Zoom. Each representation may be no longer than three minutes. Members of the public wishing to address the Council remotely may register their wish to address the meeting by e-mailing democratic.services@colchester.gov.uk by 12.00 noon on the working day before the meeting date. In addition a written copy of the representation will need to be supplied for use in the event of unforeseen technical difficulties preventing participation at the meeting itself.

There is no requirement to pre register for those attending the meeting in person.

7 Supplementary Planning Document for the ABRO Site

25 - 64

The Committee will consider a report proposing the adoption of the ABRO Development Brief as a Supplementary Planning Document.

8 Colchester Local Plan Section 2 Modifications/Examination Update

65 - 96

The Committee will consider a report providing an update on the latest position on the suggested modifications to Section 2 of the Local Plan.

9 Tendring Colchester Borders Garden Community Development Plan Document Update 97 - 100

The Committee will consider a report providing an update on the Tendring Colchester Borders Garden Community Development Plan Document (DPD).

10 The Environment Act 101 - 108
The Committee will consider a report providing an overview of the recently published Environment Act.

11 Dedham Vale AONB and Stour Valley Project Management Plan 2021-2026 109 - 112

The Committee will consider a report on the requirement to compile and agree a Management Plan for the Dedham Vale Area of Outstanding Natural Beauty (AONB) for the Dedham Vale AONB & Stour Valley Project.

12 Infrastructure Funding Statement 113 - 136
The Committee will consider a report providing a summary of the amount of developer contributions obtained, allocated and spent in the previous financial year.

13 Authority Monitoring Report 137 - 206
The Committee will consider a report on the Authority Monitoring Report which provides an annual summary of key statistics that allow the Council to monitor the effectiveness of its Local Plan.

Local Plan Committee information sheet 207 - 210

14 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

2 August 2021

Present: - Councillors G. Oxford. (Chairman) Barber*, Fox, Hagon, Luxford Vaughan, and J. Young

Substitutes: - Councillor Tate for Councillor Moore

***Cllr Barber attended remotely and therefore did not vote on any items.**

220. Minutes of the Previous Meeting

RESOLVED that the minutes of the meeting held on 10 June 2021 be confirmed as a correct record subject to the amendment of the first sentence of the sixth paragraph of minute 214 (Local Plan Update) to read as follows:-

“The Council had sent a draft modification schedule to the Inspector for comment”.

221. Tendring Colchester Borders Garden Community Development Plan Document

The Committee considered a report providing an update on the Tendring Colchester Borders Garden Community Development Plan Document. Shelley Blackaby, Planning Policy Officer, presented the report and together with Karen Syrett, Lead Officer, Planning, Housing and Economic Growth, assisted the Committee in its deliberations.

The Chair invited Councillor Dundas, Leader of the Council, to address the Committee and respond to questions. He confirmed that together with Councillor Ellis (Portfolio Holder for Housing and Planning) and Councillor Cory he had met with senior representatives of Clarion, who had been appointed as Lead Developer for the Garden Community, at their launch event. First impressions were positive and the involvement of Mersea Homes as a local developer was welcomed.

In Committee discussion it was suggested that community engagement would be helped if there was greater clarity of the extent of the development and the location of the buffers. It would also be helpful if the community could be given a name by the Liaison Committee. Now that the Lead Developer had been appointed would a Development Corporation be set up and would the developers be asked to look again at viability?

In response the Planning Policy Officer advised that whilst there not a plan showing the location of the buffers, the adopted Section 1 of the Local Plan that the DPD would need to conform with did make clear that there would be buffers and also set maximum numbers for the development. Now that the Lead Developer had been appointed discussions could begin about a potential name. In terms of viability, this was an issue for the Councils rather than the developer.

In respect of the Development Corporation Councillor Dundas confirmed that no formal decision had been made, and it was an issue that the Council would need to consider with partners. If the project was to meet its key targets in 2024 he considered that the pace of the project needed to accelerate. There had only been one meeting of the Steering Group since May, and there were a number of new people involved.

Members of the Committee sought further clarification about governance around decision making on the Garden Community and whether joint Planning Committee and Joint Local Plan Committees were being explored. It was vital that there was proper democratic accountability. It was important for there to be clarity on whether a Development Corporation would be pursued as the previous advice received was that ministers were unlikely to approve a Development Corporation for one Garden Community.

Councillor Dundas explained that he was unaware of proposals for a Joint Local Plan Committee. The position on the Development Corporation was not clear at this time and he did not believe that it had been definitively ruled out, but the key issue was to ensure that the Council retained influence and remained heavily involved in decision making, no matter what the structures were. He would be working with partners to ensure this.

Members of the Committee stressed the need for the Council to be heavily involved in the development of the Masterplan and to ensure the local communities and partners were properly engaged and listened too. The Council needed to ensure that the consultation was broad enough and took in outlying villages north of Colchester and also reached new residents in order to learn from their experiences. In terms of the Link Road, the need to ensure that it dovetailed with other relevant developments and initiatives was stressed, and members queried who would be responsible for any increase in costs of the road.

The Lead Officer, Planning, Housing and Economic Growth, indicated that there would be an improved engagement process and the project had a dedicated Communications Officer, who had made a real difference. The level of engagement had been constrained until Section 1 had been adopted. It was important that engagement focused on the strategic issues.

Members of the Committee also sought clarification on who had appointed the Lead Developer as the communications on the issue had suggested that this had been done by the Council. The Planning Policy Officer confirmed that Clarion Housing Group and Mersea Homes had agreed to work together as the Lead Developer. The Council had not been involved in their appointment. The importance of regular feedback to the Local Plan Committee on meetings of the Steering Group was stressed.

Councillor Dundas explained that he believed that the cost of the Link Road was estimated between £65-£70 million and that Essex County Council had indicated that they would be responsible for meeting any shortfall in funding. The next meeting of the Steering Group was scheduled for 13 August and he would report regularly to the Local Plan Committee.

RESOLVED that the update on the Tendring Colchester Borders Garden Community Development Plan Document be noted.

222. Development Brief for the ABRO Site

The Committee considered a report on the Development Brief for the ABRO site and inviting it to adopt it as a supplementary planning guidance document. Alistair Day, Planning Specialists Manager, presented the report and assisted the Committee in its deliberations. He explained that the Ministry of Defence had made it known it considered that site was surplus to requirements, and it was therefore open to sale and development. The purpose of the Brief was to guide any future development. The Brief had been subject to extensive consultation. The possibility of the Council purchasing the site was being explored.

Sir Bob Russell addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He believed this was another positive step forward and offered his congratulations to all involved. It was recognised that the recommendation at the last Committee that the Cabinet explore the purchase of the site, would involve capital expenditure. It should be possible for two public bodies to work together to facilitate the purchase and he urged the Committee to ask the MP to encourage the MOD to engage with a sale to the Borough Council. If this was done so that payment was only made once the site was developed this would allow the Council to retain control of the development. There were concerns that despite the Brief a developer may find ways round the restrictions in the Brief, but if the Council was the owner of the site it could ensure a high quality development that respected the history of the site. The protection offered by the Development Brief could only be guaranteed if the Council owned the site.

The Committee welcomed the Development Brief and thanked offices for the work involved. It would help protect the site and would provide a framework for unifying the Roman Circus and making the most of it as a visitor attraction. It was hoped that the administration was working to purchase the site. The Committee explored whether the guidance should be adopted as a Supplementary Planning Document which would give it further weight in planning terms.

The Planning Specialists Manager explained that this would involve more extensive process such as a sustainability audit and further consultation. It was suggested that if the Committee adopted it as Supplementary Planning Guidance now to ensure that some protection for the site was in place now, then officers could undertake further work to explore what was necessary for it to be adopted as a Supplementary Planning Document in due course.

RESOLVED (UNANIMOUSLY) that the Development Brief for the ABRO site be

adopted as a planning guidance document.

223. Net Gain

The Committee considered a report that provided a summary of the Government's approach to biodiversity 'net gain' which was due to be introduced as a national policy through the Government's Environment Bill. Catherine Bailey, Planning Policy Officer, introduced the report and assisted the Committee in its deliberations.

The Committee expressed some concerns about the proposals. It was suggested by one member that the proposals were not sufficient to address the Climate Emergency and did not take sufficient account of the net loss arising from a development. The proposals were opposed by Friends of the Earth on the basis that it had little effect in countries which had adopted similar policies. In addition the off-setting pilots had been inconclusive at best. It was suggested that it was a policy that provided cover for politicians and developers to carry on developing.

Councillor Ellis, Portfolio for Housing and Planning was invited by the Chair to address the Committee. Whilst he welcomed the concept of Net Gain, there were concerns as to these particular proposals. It was a system that was open to "gaming" and abuse and further work was required. The issues around Middlewick had shown how inefficient metrics could be.

In further discussion, the value of a Natural Asset Register for the borough was highlighted. The Environment and Sustainability Panel had explored this idea in response to the new planning legislation so that sites could be protected before zoning was introduced. Such a Register would also link into discussions around Net Gain by providing clarity around the borough's natural assets. Clarification was also sought as to how the decisions were made as to which metric would be used for particular developments and as to how the policy on Net Gain linked to Section 2 of the Local Plan and how it would therefore be applied to the Master Plan for the Garden Community.

The Planning Policy Officer explained that the national metric would come with detailed guidance and it was important that in due course the Council introduced its own guidance as a Supplementary Planning Document. This would identify key assets and enable the Council to specify how and where the gain to offset development should be delivered, and that social as well as environmental factors should be considered. The Local Plan did not specify particular versions of the metric but developers should use the metric that was current at the time of submission. In terms of Section 2 of the Local Plan, the policy on Net Gain was identified as a modification and would be consulted on for a period of six weeks if accepted by the Inspector.

RESOLVED that the report be noted.

224. First Homes Government Initiative

The Committee considered a report summarising the First Homes programme and outlining it in the context of Colchester. Bethany Jones, Planning Policy Officer, presented the report to the Committee and together with Karen Syrett, Lead Officer,

Planning, Housing and Economic Growth, assisted the Committee in its deliberations.

In discussion the Committee expressed some concerns about the First Homes Programme. It would only benefit a very small proportion of those who needed help in buying a first home and it was likely to have very little impact on the housing crisis. The particular issues around affordability in Colchester as set out in the report were highlighted. The costs involved for the Council were noted, and it was unlikely that it would receive any support to help with this. It was noted that Shelter did not support it. It limited the market and those that bought a home under the scheme would likely find that it was difficult to sell the property and would become trapped. If the saving on the homes was met by the developer or landowner this would have an impact on the viability of schemes, and could lead to less planning gain being delivered.

It was noted by officers that it would not apply to Colchester's Local Plan as it was submitted before 2021. However, the Committee raised concerns that the Council's SPD on affordable housing reduced the rented social housing for the Garden Community on the basis that the First Homes policy was being introduced. Therefore, the SPD on affordable housing should be revisited.

The Planning Policy Officer explained that whilst the government recognised that there would be a cost to Councils from managing the scheme, it had not indicated whether it would be providing additional support to Councils to help with these costs. The SPD on affordable housing would be looked at again following the adoption of the emerging Local Plan. However, the current policy was for 30%. The Lead Officer, Planning, Housing and Economic Growth, confirmed that the costs of the discount would fall to the developer or landowner. The Council had consulted on a revision to the SPD in 2020 but this had not been taken forward due to progression on the Local Plan. The Evidence Base needed to be updated to take account of changing government policy and the SPD would be brought back to the Committee for further consideration in due course. The SPD had not been adopted so it was not policy or guidance at this point. Members of the Committee expressed the view that social rented was the favoured tenure type.

It was noted that previous schemes set up by the government to deliver starter homes for first time buyers had been unsuccessful, although there were other schemes such as the 95% mortgage guarantee scheme which was still available. Further information was sought as to when the Local Plan might be reviewed, which may necessitate the inclusion of First Homes within the Plan. Officers explained that this would depend on the views of the Inspector, who could suggest an early review of the Plan, and all Plans needed to be reviewed within 5 years of adoption. When reviewing a Plan, the Council would need to look at the methodology on housing growth and targets. Members expressed concern that this may lead to imposition of the higher housing targets at an earlier point.

Concern was also expressed about the impact of First Homes on the more longstanding planning gain tools such as section 106, which in turn would have an impact on the Council's ability to deliver affordable housing with the preferred tenure types. Officers confirmed that the policy requirement was for 30% affordable housing. Some of that would be met by First Homes and the remainder would be made up by the tenures specified in the Council's policy so there would be an impact

on the delivery of preferred tenures.

RESOLVED that the report be noted.

LOCAL PLAN COMMITTEE

21 SEPTEMBER 2021

Present: - Councillors G. Oxford (Chair) Barber, Fox, Hagon, Loveland, Luxford Vaughan, and J. Young

Substitutes: - Councillor Cope for Councillor Coleman

Also in attendance Councillors Cox, Dundas and Ellis

225. Have Your Say!

Councillor Cox attended and with the consent of the Chair addressed the Committee in respect of the former ABRO site. It was anticipated that the site would be put on sale by the Ministry of Defence shortly. The site included a significant portion of the buried Roman Circus. The Council should purchase the ABRO site and turn it into a flagship development that would combine heritage and housing. The following questions were raised:-

- How could the discussions on the purchase of the site be progressed?
- How can the current development brief be upgraded to a Supplementary Planning Document (SPD) to ensure that housing was affordable, sustainable and in keeping with the site's heritage?
- Could the section 106 arrangements for the site be clarified and could they include landscaping to reveal the line of the circus track, extended visitor parking and arrangements for an enhanced visitor centre?

Karen Syrett, Lead Officer, Planning, Housing and Economic Growth, was invited to respond. At the last meeting it had been agreed that the development brief be adopted as Supplementary Planning Guidance, with a view it being adopted as an SPD in due course. This was a longer process as it involved public consultation. Section 106 obligations would be determined when an application was made but strategic policies on issues such as affordable housing would apply at that point. It was also likely that any development agreement would include a requirement to lay out the Roman Circus and for it to be interpreted, and for this work to be undertaken by the developer. The Development Brief did provide for the expansion of the Roman Circus visitor centre but was not precise on details.

Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy was invited to respond on the issue relating to the purchase of the site and explained that officers had been asked to explore the feasibility of the purchase of the site and Cabinet would carefully consider their advice.

Councillor Harris attended remotely and with the consent of the Chair addressed the Committee on issues relating to digital connectivity on older estates. The default method of accessing many services was now online and residents on older estates had often had to wait the necessary infrastructure to be put in place. The Government had announced in 2020, following a consultation, that all new housing should have gigabit broadband as standard. The legislation and guidance that would implement this should be monitored to ensure that developments in Colchester had the best possible high quality communications infrastructure. Clarification was also sought as to whether the MP had been in communication with the Committee about withdrawing Middlewick from sale and whether there was any dialogue ongoing on the issue.

Karen Syrett, Lead Officer, Planning , Housing and Economic Growth, indicated that she supported the comments made in respect of the need to ensure high quality digital infrastructure.

226. Colchester Local Plan Section 2 Examination

The Committee considered a report setting out the main modifications to the section 2 Local Plan recommended by the Planning Inspector following the examination hearings, together with additional modifications prepared by officers as consequential amendments from the main modifications or factual changes.

Statements from the following members of the public were read to the Committee pursuant to the provisions of paragraph 5(1) of the Remote Meeting Procedure Rules:-

Nick Chilvers who raised issues about the provision of employment opportunities in respect of Middlewick and what employment opportunities would be available to residents of the development of Middlewick without creating further pollution and congestion.

In response the Chair explained that whilst the policy did not expressly require the allocation of businesses on Middlewick. It was a mixed use development and it was necessary for the plan to be viewed as a whole. Economic opportunities for the site were covered by a number of policies, Middlewick was situated on the edge of urban Colchester which gave access to a wealth of job opportunities in proposed growth areas. Infrastructure improvements from the Plan as a whole would give access to job opportunities in the wider region. The modifications to the Plan had raised the bar in terms of transport and sustainable travel. Whilst homeworking was not a solution in itself, it would continue and would impact on employment opportunities and on how and when residents travelled to work.

Richard Martin who expressed concern about how developers might seek to overturn legal obligations recommended by the Inspector. Middlewick was unique and it was unlikely that the acid grassland could be replaced on untested arable land a few hundred metres away. It should be removed from the Local Plan. The increase in traffic would create additional pollution and the existing infrastructure was already struggling to cope.

Richard Kilshaw who argued that the Inspectors extensive modifications to policy SC2 Middlewick Ranges demonstrated that the allocation of this site for development was not sound, and reflected the community's objections to the development and the increasing reliance on the questionable reliability of Biodiversity Net Gain (BNG). The modifications would make the site less attractive to developers and possibly economically unviable. Concerns on the lack of a realistic time frame to recreate the acid grassland to be lost, and how the dependant wildlife is expected to survive until this matures needed to be addressed. BNG was designed to support ecological expertise and assessment, not replace it nor viewed in isolation. There were alternative courses of action, including to start again, which would not be as onerous if Middlewick was removed.

Belinda Baker who raised issues about what information would be used for Habitat Regulations Assessments, the impact on Birch Brook, how would the Council ensure engagement with residents and which areas would be covered and where would the Council provide a country park for residents in south east Colchester, should the development go ahead.

Andrew Wilkinson, who sought confirmation as to the meaning of section MM5 in the Inspector's report. Did this mean the Council was proposing to build 1299 homes above what was required by government housing targets, and if so why? The housing allocation in the Local Plan should be reduced to the minimum by reducing the allocation of housing in the Local Plan by 1299. This could be by removing highly contentious developments such as Middlewick Ranges which would leave just 299 homes to be removed from the housing allocation. Could this be done and if not, why not?

Grace Darke, who explained that as a result of Brexit and Covid the population of the UK was falling and there were fundamental changes taking place regarding the need for retail and office space. Therefore were the allocations for both retail and office space detailed in the Local Plan still valid in the light of changing circumstances with increasing amounts of vacant retail and office space in the town. The current Local plan had allocated 1299 more houses than was required by Government housing targets and therefore should the housing allocation under this Local Plan be reduced by at least 1299 houses to make the Plan sound?

Lisa Cross who drew attention to MM37 and that Middlewick was the only significant, large wildlife area in this part of Colchester offering a buffer and green lungs from the heavily congested estates of the Willows, Abbots Road, Barn Hall, Old Heath, Monkwick and Birch Glen. In addition it acted as a major wildlife corridor. How would the Council ensure that the residents of this area continue to have easy local access to a large wildlife area in common with other areas of Colchester?

Sandra Scott, Place Strategy Manager, responded to the Have Your Say! comments and explained that the evidence that was submitted to the examination was prepared by technical ecological experts on behalf of the Defence Infrastructure Organisation (DIO) and supported by ECOS, who were representing the Council. This included a bespoke metric. A number of mitigating measures based on the metric had been suggested. This was an allocation proposal and therefore was at an early stage and

further detail and evidence would be submitted at Masterplan and planning application stages. All reports would be required to comply with Habitats Regulation Assessments and agreed by an independent ecologist. A legal requirement to consider BNG was being introduced through the Environment Bill so the requirement for this could not be negotiated away.

The proposed modifications recognised the importance of open space and green infrastructure. The Masterplan would ensure the site was well planned with improved access and whilst policy supported the delivery of housing this was with the benefit of managed and enhanced space for a range of uses including wildlife and public access. The Masterplan would define more clearly the public accessible space and how it would be used and managed. Issues around flooding at Birch Brook and other environmental impacts would be considered and assessed transparently through the Masterplan and planning application process. In terms of viability the policies contained a strong and detailed framework that developers would need to comply with, but it should not render the site unviable.

Karen Syrett, Lead Officer for Housing, Planning and Economic Growth, responded and stressed that whilst examples could always be found of where developers had not complied with policies, for the most part compliance was good and the most effective way of ensuring compliance was to have an adopted Local Plan. An independent advisor would be used for future ecology work, rather than ECOS. A new bespoke metric would be reconsulted on by Natural England. To restart the Local Plan would be costly. In terms of housing numbers, there was a surplus. However, that would only materialise if every single unit on every single site was fully built by 2033 and experience had shown this was highly unlikely. It was unrealistic to base plans on the minimum number. If sites were deallocated, that would involve a further process and it was unreasonable to single out individual sites at this stage of the process. The Inspector's Modifications could not be cherry picked and had to be accepted as a whole, and the Middlewick site had been considered sound when it was submitted.

Sir Bob Russell addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(1). He had attended the hearings and he believed that the arguments put forward by experts in support of the development had been exposed by those representing Essex Wildlife Trust and the Natural History Society. The coalescence of Berechurch and Old Heath should be resisted at all costs. On Middlewick the Council had failed the people of Colchester. Whilst the decision to close the ranges and put forward the land for development had been taken by the DIO, the Council should have refused to include it in the Local Plan. The new administration should see how it could stop the development of Middlewick. The MP should be called in and asked to apply pressure to the Ministry of Defence to stop the sale.

William Joliffe addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(1). He had lived on Mersea Road all his life and believed that the development of Middlewick would be a catastrophe. It had become even more popular through the pandemic. The roads struggled to cope with existing traffic levels. The development was not supported by local residents and Middlewick should be removed from the Local Plan.

Karen Syrett, Lead Officer for Housing, Planning and Economic Growth, responded and explained that there were constraints and opposition to nearly all developments. The Local Plan process did focus on housing numbers. The alternative to an adopted Local Plan would be a free for all which not be in anyone's interest. As the local planning authority, the Council was responsible for the allocation of sites: decisions about the sale and disposal of individual sites were for the landowners.

Bethany Jones, Planning Policy Officer, introduced the report to the Committee. Section 1 of the Local Plan had been adopted in February 2021 and was the overarching strategy for North Essex. Section 2 of the Local Plan contained policies and allocations for Colchester Borough. It had been examined by a government appointed Inspector to determine if it was legally compliant and meets the four soundness criteria in the National Planning Policy Framework. The Inspector had held hearings in April and had now confirmed the modifications he felt were necessary for it to be considered sound. He had not requested any additional sites be included in the Plan or the removal of any sites. However, he had proposed significant changes to the policy and supporting text on Middlewick. The changes would ensure local communities engaged with the Masterplan process and thereby influence the development. Many of the modifications built on changes suggested by officers in response to consultation or reflected changes necessary through the passage of time. The main modifications would be subject to a six week public consultation, and an update to the Sustainability Appraisal and the Habitats Regulations Assessment would be undertaken by consultants to assess the social, environmental and economic impact of Section 2 as modified by the proposed modifications. The additional minor modifications would also be published alongside the main modifications. All comments received via the consultation would be referred to the Inspector who would then decide whether the final Section 2 with the modifications was sound and could be adopted by the Council.

In discussion, it was suggested by a member of the Committee that the modifications proposed by the Inspector could make the development of Middlewick unviable. The requirement for a Transport Assessment was crucial as the road network in the area struggled to cope with existing traffic levels. It was noted that the Committee was being invited to agree the public consultation on the modifications, and that there would be a further vote on whether to approve Section 2 in due course. A view was expressed that it did not reflect what local residents wanted and if approved it should be reviewed at the earliest possible opportunity. The importance of Neighbourhood Plans in setting out and protecting the views of communities was emphasised.

Clarification was sought as to which organisation the independent ecological assessment came from, whether Middlewick could be removed from the Local Plan and if so, whether the Ministry of Defence made an application and it was refused, could the MOD appeal and what the likely success of that appeal, whether there was £50,000 for a feasibility study for a country parks at Middlewick and other sites in the borough and whether the MP could be invited to attend a future meeting of the Committee, so the Committee could express its views on the sale of the site and the potential development of Middlewick?

The Chair indicated he would be content to invite the MP to attend the next meeting of the Committee.

In response, the Lead Officer for Housing, Planning and Economic Growth, confirmed that ECOS, who were the commercial arm of Essex Wildlife Trust, had acted as independent ecologist for the Council on Middlewick and a number of other schemes. Middlewick could not be removed from the Local Plan in isolation. The likelihood of a successful appeal could not be quantified as it was dependent on many factors, but the fact that an Independent Inspector had agreed to the allocation, with modifications, would weigh in its favour. £50,000 had been allocated to carry out Masterplan work on Middlewick and it was hoped that the development would include a country park or some form of strategic open space.

In discussion, it was noted that the responses to the consultation had led to a tougher policy in respect of Middlewick and in other areas of the borough such as Wivenhoe. It was highlighted that at Wivenhoe there were four independent development sites coming in at the same time, three of which did not comply with the Neighbourhood Plan, or were contrary to the policies suggested by the Inspector. However, officers did not appear to apply sufficient weight to these policies. Given the resources involved in producing a Neighbourhood Plan, why were these policies not given sufficient weight in the planning system.

The Place Strategy Manager indicated that she would circulate information to Councillors about the status of emerging policies. It was explained that the weight put on emerging policies would depend on the point in the process the modification emerged, and whether it had been through consultation, and whether the policies were entirely new or were modifications to existing policy. Once a modification had been through the public consultation, the weight that could be attached to them may increase if there are no objections. This approach was consistent with the advice given in the National Planning Policy Framework.

In further discussion by the Committee, it was emphasised that the Council had a legal duty to adopt a Local Plan. It was for major landowners to bring forward sites to meet the housing targets within the Plan. Middlewick had been bought forward by the Ministry of Defence, and a number of Ministry of Defence sites had been developed in Colchester over the years. There was considerable support for the Armed Forces in Colchester, as was indicated by the Armed Forces Covenant, but there was a feeling that residents were not being repaid for that support. It was suggested that the Armed Forces Covenant should be assessed to see if there were commitments to the maintenance of open space for use by veterans. Over time the NPPF was being watered down reducing the influence local authorities and communities had over development, and there was increasing power in the hands of landowners and developers. The only solution in respect of Middlewick was to persuade the Ministry of Defence not to sell the site, and it was noted that not every site included in a Local Plan was developed. Strong evidence had been submitted to the hearings about the complexity of the Middlewick site and it had been hoped that the Inspector may have protected the site more strongly, which again was evidence that the system favoured developers.

A contrary view was put that the Committee needed to take responsibility for its decision to include Middlewick within the Local Plan, rather than seeking to put responsibility on the Ministry of Defence for seeking to sell the site. It was noted that the sale of government land for development had occurred under successive

governments of all political persuasions.

Clarification was also sought as to the likelihood of sites not included within the Plan being developed. The Lead Officer for Housing, Planning and Economic Growth explained that a Local Plan was kept under review. When the current Plan had been brought forward it had included several undeveloped sites from the previous Plan. The deliverability of undeveloped sites would be assessed and if it was considered they could not be delivered they could be removed from the Plan at that point. When the emerging Plan was reviewed in future, each site would be looked at on its merits. However, the maintenance of a 5 year housing supply was also crucial in protecting unallocated sites and this was best secured through an adopted Local Plan.

RESOLVED that

- (a) The Planning Inspector's recommended main modifications for the purposes of soundness (attached as Appendix A to the Assistant Director's report) be noted.
- (b) It be noted that public consultation will be undertaken on all the main modifications recommended by the Planning Inspector to make the Local Plan sound.
- (c) It be noted that an update to the Sustainability Appraisal (SA) incorporating a Strategic Environmental Assessment (SEA) and the Habitats Regulations Assessment (HRA) for the Modified Section 2 Local Plan are required to be produced and published for consultation alongside the Inspector's main modifications and that consultants LUC are already instructed to undertake this work.
- (d) Will Quince MP be invited to attend the next meeting of the Local Plan Committee in order that the Committee could express its views on the sale of the site and the potential development of Middlewick.

227. Tendring Colchester Borders Garden Community Development Plan Document

The Committee considered a report providing an update on the Tendring Colchester Borders Garden Community Development Plan Document (DPD). Shelley Blackaby, Garden Community Planner, introduced the report and assisted the Committee in its deliberations. The report provided an update of work since the last report to the Committee. A series of engagement workshops were planned, which included a workshop for Local Plan Committee members in conjunction with Tendring Local Plan Committee. These would be run by the Masterplanners and engagement specialists. They had been widely publicised and seldom heard groups had been approached. Statutory consultees would also be involved. There were a number of engagement tools on the website, and these would close on 8 October to allow the submissions to be assessed and taken into consideration for the draft Masterplan. Officers had also met with the Community Liaison Group and undertaken a site walk with them. The Garden Community was a National Model Design Code pilot and officers were preparing to bid that it also be included in the stage 2 pilot which would lead to longer term support from the Office of Place. The Evidence Base for the DPD continued to be developed.

Members of the Committee suggested that it was important that the Committee was kept up to date with developments in respect of the Garden Community and requested that representatives of Essex County Council and from the Steering Group be invited to a future separate public meeting of the Committee to answer questions about the Link Road and the Rapid Transit System, which were key to the future of the Garden Community.

Members stressed the need for the pace of the project to pick up and sought clarification on the governance arrangements for the Garden Committee and whether a Joint Committee would be established. The Planning Policy Officer confirmed that discussions on governance were ongoing but that no final decision had yet been taken.

A number of detailed questions and points were raised by Councillor Luxford Vaughan as follows:-

- The creative ways to engage with residents were appreciated.
- Insufficient places were being made available for Wivenhoe Parish Council at the Masterplan workshop and could the programme be extended to facilitate greater participation?
- Why had an engagement meeting with the parish been cancelled at short notice?
- Many residents questioned the value of the survey on Facebook.
- Would Colchester Borough Council make representations on the planning application for the Link Road that it did not comply with the Climate Emergency declared by the Council and Tendring District Council?
- The Garden Community did not have a name nor had the buffer zones been confirmed. These issues were a barrier to effective engagement. When would the buffer zones be confirmed?
- A Joint Planning Committee was unlikely to work, particularly if Essex County Council were involved.
- A plan for a green cordon as an alternative for the Link Road that encouraged use of the Rapid Transit System had been sent to the Leader of the Council and representatives of Essex County Council. Could the Leader justify ECC's decision not to model the plan?
- A further series of questions had been sent to Essex County Council on the Link Road. There was no explanation as to why the planning application for the Link Road had been delayed and there no information available about the Rapid Transit System. There were concerns about the adequacy of the budget and the appointment of the contract without a tender process. If there was a problem with the Link Road or the Rapid Transit System this would jeopardise the policy of infrastructure first and it would also have an impact on the housing numbers.

Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy, was invited to respond to the points made. Steering Group meetings had been increased to one a month. The Engagement Meeting had been cancelled due to officer availability. At its last meeting the Steering Group had been through the Masterplanning engagement exercise that would be undertaken by other groups and

stakeholders such as Parish Councils. He shared concern about the number of places allocated to Parish Councils and would look into that further.

A Group Leaders meeting would be set up to discuss issues relating to governance and the possibility of a Joint Planning Committee. If ECC were involved, Colchester and Tendring would still have a majority. ECC did have planning powers and Tendring and Colchester could have more input and control if these were delegated to the Joint Committee. He had asked that a detailed response would be sent to letter raising issues on the Link Road.

The Garden Community Planner indicated she would look into the issues around the representation at the workshops. There was a balance to be struck between ensuring representation of all interested groups whilst ensuring the sessions were manageable and productive. The Council had submitted a representation to the planning application on the Link Road earlier in the year. Discussions on how the name would be generated were underway. In respect of the buffer zones, the Section 1 Adopted Local Plan referred to landscape buffers, although there was no map defining them. Details of the RTS may be included when the draft DPD and Masterplan were published for consultation.

The Chair requested that further questions from Councillor Luxford Vaughan would be sent into officers to reply to and a copy of the response would be forwarded to the Panel and appended to the minutes of the meetings.

RESOLVED that:-

- (a) The contents of the report be noted.
- (b) Representatives of Essex County Council and from the Steering Group be invited to a future separate public meeting of the Committee to answer questions about the Link Road and the Rapid Transit System.

13th December 2021

Report of	Assistant Director of Place and Client Services	Sandra Scott ☎ 282975
Title	Supplementary Planning Document for the ABRO Site	
Wards affected	New Town and Christchurch	

1. Executive Summary

- 1.1 The DSG site (formerly known as ABRO) forms part of the Defence Estate and was previously used for army vehicle servicing. A decision has been made to dispose of the site as it is no longer required for military purposes and marketing began in November. The site is located in an historically sensitive location, and, for this reason, a development brief has been prepared to provide planning guidance on the issues and opportunities associated with the site and to provide a clear and robust development framework to aid the future smooth delivery of a suitable development scheme. At the Local Plan Committee on 2nd August 2021 Members agreed to adopt the development brief as adopted a planning guidance document, but also requested that the Development Brief be upgraded to a Supplementary Planning Document which will be afforded more weight than planning guidance. The additional requirements for a Supplementary Planning Document (SPD) include the need for a Strategic Environmental Assessment, screening and further consultation. These have now been carried out and the Committee are being asked to formally adopt the Development Brief as a Supplementary Planning Document.
- 1.2 The ABRO Supplementary Planning Document was one of the last significant pieces of work which Alistair Day undertook, and it is a reflection of both his knowledge and commitment to preserving and enhancing the heritage of Colchester. If members see fit a tribute will be included in the SPD.

2. Recommended Decision

- 2.1 To adopt the ABRO Development Brief as a Supplementary Planning Document.

3. Reason for Recommended Decision

- 3.1 The adoption of the ABRO Development Brief as a Supplementary Planning Document will set out key parameters of how this site should be developed; once adopted, the brief will inform the key planning policy requirements for consideration when determining planning applications.

4. Alternative Options

- 4.1 Members could decide not to adopt the ABRO Development Brief as a Supplementary Planning Document. It would remain adopted guidance. If this option is chosen, it would weaken the weight afforded to the development brief when considering future planning applications and thereby potentially reduce the ability of the Council to shape the redevelopment of this important site.

- 4.2 Alternatively, Members could decide to revise the ABRO Development Brief.

5. Background Information

- 5.1 The ABRO site was used as a military vehicle repair facility. The site was vacated in about 2019 and has not been used since that time. It is understood that Defence Estates intend to dispose of the site in the very near future for redevelopment.
- 5.2 The site is within an historically sensitive location. Along the southern edge of the site lies the Roman Circus Scheduled Ancient Monument (SM). Discovered in 2005, it is the only known Roman Circus in Britain. The Benedictine Abbey of St John, which is also scheduled, is located to the east of the site. The site is thus located within an area of archaeological importance and there is high potential for encountering (unknown) below-ground archaeological remains of significance. The site was previously part of the Royal Artillery Barracks (later known as Le Cateau Barracks) which was initially constructed in 1874 - 75. The barracks complex featured stable blocks, living quarters, gun sheds, offices, a water tower, coal yard and guard house, along with schools, stores and recreational areas. The barracks were enclosed by a high brick boundary wall, part of which runs along the northern boundary of the ABRO site. Artillery Barracks Folley runs along the outer edge of the wall and appears to date back to this time. The Officers' Quarters - which adjoins the site to the southeast is listed Grade II listed and has recently been converted into housing. Within the site, most of the original barracks' buildings have been demolished. There are however two buildings of potential historic or architectural value; these are the Infirmary Stables and the Carpenters and Telecommunications Shop, both of which are built onto the boundary wall along the northern edge of the site. The Garrison Conservation Area has recently been extended to include the ABRO site. The Town Centre Conservation Area (Colchester Conservation No.1) adjoins the north eastern corner of the site.
- 5.3 The site is some 300m to the south of Colchester town centre and is situated in an accessible location. The redevelopment of this site has the potential to provide high quality housing that is befitting the rich architectural heritage of Colchester. The site occupies approximately 4.3 hectares of land, 3.8 hectares of which has been allocated for residential use within the Emerging Local Plan. The Roman Circus Scheduled Ancient Monument extends over the southern part of the site and forms the remaining 0.5 hectares of land, which is allocated as open space in the Emerging Local Plan. The purpose of preparing a development brief as a Supplementary Planning Document for this site is to provide guidance on issues and opportunities and to set out the Council's aspirations for the redevelopment of this important site. The document provides a clear and robust development framework, which is intended to help for the smooth delivery of a suitable scheme.
- 5.4 As reported in August an informal 'light touch' consultation exercise was initially undertaken with Members, the landowner, Colchester Archaeological Trust, the Civic Society, Historic England, the Highway Authority and Essex Police in March / April 2020. The comments made by these organisations and interest groups were taken into account in drafting the development brief that was subject to a formal public consultation exercise between 8 February 2021 to 8 March 2021. This was reported on in August 2021.
- 5.5 In accordance with the Planning Regulations for a Supplementary Planning Document there was further public consultation on the Development Brief. This ran for 4 weeks from 22nd October until Friday 19th November 2021 and was available on the Council's website. All statutory consultees were notified together with anyone who has engaged in the earlier consultation. In total 12 responses were received and a summary of the representations

received together with the officer response is set out in Appendix 1. In addition to the amendments made in relation to comments received on the draft brief, officers have also amended the text of the brief to reflect the updated local plan position and to recognise the change to a Supplementary Planning Document.

- 5.6 In accordance with the relevant regulations the Supplementary Planning Document has been assessed against the criteria set out in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004, or Annex II of the SEA Directive 2001/42/EC. The local planning authority has concluded that the Supplementary Planning Document is not likely to have significant environmental effects and consequently a Strategic Environmental Assessment (SEA) is not required. The criteria specified in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 has been taken into account in reaching this conclusion. As required under regulation 9(2)(b) the necessary consultation bodies (Historic England, Natural England and the Environment Agency) have been consulted and all concur with this conclusion, enabling the local planning authority to formally determine that an SEA is not required. The screening opinion will be updated as required.

6. Equality, Diversity and Human Rights implications

- 6.1 None directly arising from this report.

7. Strategic Plan References

- 7.1 The Supplementary Planning Document - Development Brief for the ABRO site accords with the objectives of the Strategic Plan to:
- Strengthen Colchester's tourism sector and welcome more visitors each year; and
 - Protect, enhance and celebrate Colchester's unique heritage.

8. Consultation

- 8.1 The Supplementary Planning Document has been the subject of a public consultation exercise in accordance with the requirements of the Planning Regulations. A number of comments and support have been received with no objections in principle raised. Where appropriate comments have been incorporated into the brief.

9. Publicity Considerations

- 9.1 The Supplementary Planning Document has been subject to publicity as a part of the public consultation exercise; any further publicity associated with the adoption of the development brief should be seen in a positive light.

10. Financial implications

- 10.1 Appeals against a planning refusal can expose the Council to significant expense and costs where the Local Planning Authority is seen to have acted unreasonably. The provision of the Development Brief as a Supplementary Planning Document will increase developer certainty and will become a key policy consideration in the determination of planning application, thereby reducing risk of an appeal.
- 10.2 Work to produce the SPD and carry out consultation was undertaken by officers and within existing budgets.

11. Health, Wellbeing and Community Safety Implications

11.1 None identified.

12. Health and Safety Implications

12.1 None directly arising from this report.

13. Risk Management Implications

13.1 The provision of a Development Brief as a Supplementary Planning Document for the DSG site will serve to inform planning decisions and is based on policies within the Local Plan which will help to reduce the risk of inappropriate development being permitted.

14. Environmental and Sustainability Implications

14.1 In order to support the achievement of sustainable development, the Supplementary Planning Document recommends that new development is undertaken in the most sustainable way possible, delivering the Council's social and economic aspirations without compromising the environmental limits of the area for current and future generations. The brief recommends that new buildings seek to fully integrate sustainable design and construction with urban design to ensure the delivery of a high-quality new development and to maximise the opportunities to enhance the environmental performance of new development. The Brief relates to the reuse of previously developed land in a highly sustainable location. A screening opinion carried out under the Environmental regulations 2004 has been carried out and concluded that the Supplementary Planning Document is not likely to have significant environmental effects and consequently a Strategic Environmental Assessment (SEA) is not required.

Appendices

Appendix 1: Summary of comments received and Officer response.

Appendix 2: Final Draft Supplementary Planning Document ABRO Development Brief

Background Papers

The Emerging Local Plan

Appendix 1:

Summary of comments received to the additional consultation October 22nd / 19th November 2021 and Officer response.

Comment source	Representation	Officer comment
Anglian Water	<p>Correct the 'Anglia' typo in the final bullet point in section 2.15</p> <p>To follow up the points in the SPD to engage early with Anglian Water and specifically the recommendation that the site promoter engage with the Developer Services team at planningliaison@anglianwater.co.uk to consider the water supply and waste water network options. This would also assist the site promoter in being able to advise the Council whether the site can be brought forward utilising connections to the existing water supply and waste water network. Or alternatively whether the ABRO site will require investment in the Colchester Waste Recycling Centre similar to the capacity requirement identified in the Infrastructure Delivery Plan for the Garden Community.</p> <p>As indicated by the SuDS sections in the SPD that no surface or rainwater drainage is directed to the public sewer network as these are managed via SuDS solutions. In addition that flood risk mitigation, including making a proportionate contribution to off-site drainage improvements and biodiversity enhancement and net gain, are part of the design.</p> <p>The SPD should include a requirement to consider rainwater harvesting and use of greywater for non-potable domestic water uses such as WC flushing and garden watering to achieve higher levels of water efficiency.</p>	<p>Corrected</p> <p>Noted</p> <p>Noted</p> <p>Noted – Picked up in DM25 Local Plan Policy</p>
Historic England	<p><i>General comments:</i> We support the preparation of this Supplementary Planning Document (SPD), and are pleased to see the numerous references to the historic environment within the SPD, including acknowledgement of the important role that the local historic environment plays in place-making. The SPD makes numerous references to the special qualities of the ABRO site and its surroundings - the Roman Circus Scheduled Monument (SM), the Garrison Conservation Area, the Colchester Conservation Area No.1 (which includes numerous listed and locally listed buildings) and St John's Abbey SM - which we support.</p> <p>With regards to the screening for a Strategic Environmental Assessment, we support the conclusion that neither an SEA nor an HRA are required for the ABRO Development Brief Supplementary Planning Document.</p>	<p>Noted</p> <p>Confirms SEA screening opinion which will be updated.</p>

	<p>We note that in general, design will be informed by the Essex Design Guide and will complement and reinforce the best elements of the built and natural environment. In particular, reflecting the Garrison setting, we note that layout will be predominantly regimented into distinct lines of buildings, rather than rely on organic layouts. We are also encouraged to see that the historic Garrison boundary wall will be preserved where possible and recognition that the Infirmary Stables (IC3), the Carpenters and Telecommunications Shop (IC4) and The Restaurant/Canteen (IC7) constitute non-designated heritage assets.</p> <p><i>Timescales for technical evidence:</i> Notwithstanding the above, our main concern relates to the lack of clarity regarding the timescales for the preparation of technical evidence. Although archaeology is adequately addressed by the SPD (the Roman Circus SM and its setting are discussed throughout the report), there is little analysis with regards the potential impacts of development upon the significance of built heritage, including impacts resulting from a changing in their setting. We note that a desk-based assessment will be required prior to the determination of any planning application for the site (paragraph 3.12), but consider that this is too late in the process, and that a Heritage Impact Assessment (HIA) should be prepared now so that it can inform the SPD, including any specific development criteria required. Our Advice Note 3 'The Historic Environment and Site Allocations in Local Plans sets out a suggested approach to assessing development proposals and their impact on heritage assets. It advocates a number of steps, including understanding what contribution a site, in its current form, makes to the significance of the heritage asset/s, and identifying what impact development might have on significance. This could be applied to the assessment of the ABRO site. In essence, it is important that you: 1. Identify the heritage assets on or within the vicinity of the ABRO site at an appropriate scale; 2. Assess the contribution of the ABRO site (in its present state) to the significance of heritage assets on or within its vicinity; 3. Identify the potential impacts of development upon the significance of heritage asset including impacts resulting from a changing in setting; 4. Consider how any harm might be removed or reduced; 5. Consider how any enhancements could be achieved and maximised; and 6. Consider and set out the public benefits where harm cannot be removed or reduced Looking at the above, it can be seen that the draft SPD only really deals with the first step of the 5-step process (in relation built heritage) and does not comprise a full heritage impact assessment. Given the sensitivity of the site we consider that a (proportionate) Heritage Impact Assessments (HIA) should be prepared now. This front-loading of evidence will mean that the appropriate design principles can be integrated into the SPD providing a clear design vision and will ensure that development will be sympathetic to local character and the historic environment. It will also reduce uncertainty for developers, minimising abortive work and the amount of negotiation required over any subsequent planning applications. Notwithstanding the above, should you wish to proceed with the SPD in the absence of an HIA, then we strongly advise this evidence is prepared at the earliest possible stage in the process, and that you review the draft SPD to ensure that it is sufficiently flexible to</p>	<p>Noted</p> <p>The reference to the need for an HIA at this stage was not referred to in previous responses from HE.</p> <p>The Brief is based on a good understanding of the heritage assets and provides a sound basis for the SPD. An HIA at this stage is not considered to add anything further. It will however be a requirement to support a Planning Application with a proposed scheme.</p> <p>It is Suggested that Paragraph 3.12 be amended to refer to "Any application will require the submission of a comprehensive HIA as a basic requirement for validation in order to capture potential impacts on designated and non-designated heritage assets in conformity with para. 194 of the NPPF 2021."</p> <p>Noted</p>
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	allow proposals to respond to any opportunities or constraints identified by this work, rather than becoming a tick box exercise.	
Natural England	This consultation relates solely to your Authority's Strategic Environmental Assessment (SEA) screening opinion. We concur with your conclusion that the implementation of the ABRO Development Brief Supplementary Planning Document is not likely to give rise to any significant environmental effects. We therefore agree with your conclusion that SEA would not be required in this case.	Confirms SEA screening opinion which will be updated
Environment Agency	We have reviewed the report dated October 2021 as submitted and can confirm that we do not disagree with the conclusion reached within the report. The SPD will not create new policy but will rather follow policy as outlined in the Local Plan. Due to this we agree that the SPD will not result in Environmental Harm. If however, a SEA is screened in, we would advised that contamination to groundwater should be reviewed with the SEA report.	Confirms SEA screening opinion which will be updated
NHS North East Essex Clinical Commissioning Group	<p>The CCG has several primary care facilities within a 2km radius of the ABRO site and these are listed in the table below. The surgeries are collectively under capacity and the proposed residential part of the development will definitely put more pressure on the services in the area. We currently don't know the strategies for the surgeries but we will be requesting S106 to mitigate the impact of the development.</p> <p>The CCG is aware of the level of development in Colchester and has begun discussions with the planners to explore possible strategies for health dealing with the development. The ABRO site will be included as part of this future work.</p> <p>The CCG would like to reiterate the importance of Health Impact Assessments (HIA's) and understanding health impacts in all developments but this is particularly critical in town centre developments where the physical estate can be constrained more than more rural locations. It might be useful to request an HIA for this development irrespective of the number of dwellings in the final masterplan and the CCG would be happy to discuss this matter further.</p> <p>DM2 Community Facilities – new development will be required to provide or contribute towards the provision of community facilities including education. Can we just confirm that health contributions are covered in this policy please?</p> <p>Development Framework Sustainability is key to the NHS as we aim to meet Carbon Net Zero and a huge amount of work is being done with local planners to make sure that new developments can be as environmentally friendly as possible.</p>	<p>Noted</p> <p>Noted</p> <p>Noted. It is likely that the number of dwellings proposed for the site will be in excess of the threshold of 100 which triggers the requirement for an HIA.</p> <p>DM2 includes health facilities.</p> <p>Noted</p>

	<p>Local open space is a key attribute in peoples physical and mental health so the CCG is glad to see that green space is a high priority for the site. As a CCG we have access to multiple service providers that might like to make innovative use of some of this space and we will be able to introduce them to the scheme when appropriate if you wish? The link between ill health and obesity with lack of exercise is well known and the easy access to green space where someone can walk quietly or jog is key to getting more people active.</p> <p>The CCG would like to reiterate that developments like this have more health impact than just primary care and our colleagues in NHS Trusts will continue to be consulted. As this process progresses the NHS Trusts will be more involved and this should hopefully provide you with much broader view of the health infrastructure needs and the impact of the development. The CCG would not have any issues supporting the ABRO Site Development Brief and looks forward to working with the local authorities and planners on this very exciting project.</p>	<p>Noted</p> <p>Noted</p>
Colchester Civic Society	<p>The Colchester Civic Society welcomes the ABRO site development brief, the next step in the regeneration of former Garrison land in Colchester.</p> <p>We appreciate that;</p> <ul style="list-style-type: none"> • Current open space and footpaths will be preserved • The existing Roman Circus Ancient Monument site will be protected and extended into the Abro site • Historic Buildings within the site will be retained and sympathetically converted for other purposes • The Artillery Folley will also be retained although it not clear if access through it will be provided. <p>The development and display of the Roman Circus site would be assisted with better access and signage.</p> <p>The Supplementary Document makes it clear that the ABRO site has not been properly investigated yet and that once trial excavations have been carried out, exact findings could change the future development of the site, as the extent and importance of any archaeological remains cannot be predicted.</p> <p>Housing is intended for much of the ABRO site but the exact form and extent will depend on the results of the investigations. For this reason, there no point in thoroughly examining the sample designs included in the Document at this stage, but these will need to be sympathetic to existing housing and other properties, both modern and nineteenth century. There needs to be landscaping and "barrack-like" structures should be avoided.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>

	Apart from the Borough Council's potential interest in the Roman Circus and the results of archaeological investigations, other unknowns include a proposal for a Military Museum, possibly on or adjacent to the area, details of which are unclear.	Noted
Friends of Colchester Archaeological Trust	<p>We support the Council's vision for the development of the ABRO site in the context that it recognises the outstanding historic importance of the Roman Circus whose preservation, public accessibility and interpretation need to be ensured, both in relation to other surviving remains of Colchester's historic importance and for local public benefit, as well as in the wider national and international interest.</p> <p>The ABRO site is likely to prove an important link, at present missing, in the major route for those walking from the town centre via Scheregate, Abbeygate Street and St. John's Green to the Roman Circus and the Roman Circus Centre. (Direction signs are needed.)</p> <p>We wish to stress the essential relationship of an interpretation centre (in this case the Roman Circus Centre) to the public understanding, enjoyment, education and tourist activity of archaeological remains like those of the Colchester Roman Circus.</p> <p>Townscape. Outside the old Garrison, a major historic feature that is lacking and should be mentioned in the document is the original Abbey Wall. Substantial sections survive around its whole circuit, which encompassed the grounds of St. John's Abbey. The longest and most highly visible section still stands marking the east side, alongside which Mersea Road runs from St Botolph's roundabout. Another section can be seen on the north side next to the Abbey Gate, while significant smaller portions still stand on the south and west sides. The Abbey Wall is a scheduled monument (SAM) and dates from the 12th century.</p> <p>Roman Circus Centre. The rear façade and approach to the Centre will come into greater focus with the development of the ABRO site and the sympathetically designed relationship of certain essential improvements and additions to the RCC should assessed at the outset to mutual advantage.</p> <p>These matters must be considered at the outset as stated. Any proposal for delay would immediately put the Roman Circus Centre's future viability in jeopardy.</p> <p>Historic Buildings. The peripheral historic buildings could be used for appropriate purposes without any unnecessary alteration. For example, the infirmary stables (IC3) could house a 'Museum of Colchester's Military History' if a properly constituted and viable group of supporters were to be forthcoming. Likewise, another of these buildings could serve as a 'Museum of Engineering in Colchester' if its supporters were able to take on a lease. Both of these subjects are of constant local interest and, if properly organised, would add substantially to Colchester's tourist attraction.</p> <p>Landscape and Trees. Planting and maintenance of trees and other natural features, both inside and outside the scheduled area of the monument, should be</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted but ownership and cost will need to be considered</p> <p>Noted</p>

	<p>undertaken with due care to ensure that good sight lines along the full length of the circus are provided so that public understanding of the circus's overall size can be properly appreciated.</p> <p>Planning Obligations. The financial contributions and other obligations as mentioned will materially help to ensure that the outline of the circus, its interpretation and public enjoyment serve as a unique focal point for the new development and Colchester as a whole. This includes the Roman Circus Centre as an integral element of this historic public facility.</p> <p>Conclusion. We believe that from recent experience the Council and its chosen associates would be entirely able to undertake the successful completion of the ABRO site development themselves in full accordance with the Brief's requirements (Cf. No. 60 Beverley Road).</p> <p>If CBC were to purchase and develop the site itself, this would send out a positive signal not only to show what is needed and can be done on such a site as this, but also as a strong mark of respect and intent for the future of Colchester's valuable historic past which is at the heart of the town's special identity and will put tourism, culture and the economy on an increasingly firmer basis for the future.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>
Colchester Cycling Campaign	<p>This document is substantially the same as our response to the previous ABRO consultation. Additions are in <i>italics</i>, and deletions are in strike through.</p> <p>Colchester Cycling Campaign welcomes aspects of the document [1] but requests that it unambiguously and fully complies with the Government's Local Transport Note 1/20 [2].</p> <p>i.e.</p> <p>1. The list of policies to consider should include LTN 1/20 [2] and the Essex Cycling Strategy [3], <i>the error (2.18 [1])</i>,</p> <p><i>"LTN 1 /2 /20", should be fixed, and LTN 1/20 needn't share a bullet with Manual for Streets 2</i></p> <p>2. We welcome the use of filtered permeability and home zones and we support the continuation of the Flagstaff Rd. filter.</p> <p>3. Several of the diagrams lump pedestrian and cycle routes together, with "& cycles" in parentheses, c.f. Figure 1. Cycles must be treated as vehicles and not as pedestrians (1.6.1.2 [2]) so any combined routes must be handled carefully. Cyclists should be happy to cycle in the road of suitably calmed streets (S7.5 [2])</p> <p>4. Car parking is discussed but cycle parking is only mentioned in passing.</p> <p>Secure cycle parking should be provided,</p>	<p>Noted</p> <p>Agree change incorporated</p> <p>Noted</p> <p>Noted</p>

	<p>c.f. 4.21 [1], in line with [2], e.g. with one space per bedroom. <i>NB space left over in garages or the cheapest available shed is rarely suitable. Cycle lockers and hangars are widely available [4] for home storage, as well as communal schemes [5]. 4.18 [1] mentions “model shift” which should probably be “modal shift”</i></p> <p>5. Notwithstanding the proximity to the Town Centre and travel hubs, significant gaps in cycle infrastructure hinder their accessibility from the site by bike. <i>It is stretch to say that “The area generally benefits from a good local cycle network” (3.18 [1]), however much worse it may be elsewhere in Colchester.</i> These gaps should be addressed, which include, but are not limited to: the Abbeygate St. underpass, the East-West cycle route along Southway, and St. Botolph’s Circus.</p> <p>(a) NB Given that an at grade crossing of Southway was specified in the Garrison masterplan, the underpass should be a high priority</p> <p>6. While the proposed renovation of Artillery Folley is welcomed, it is questionable whether it could ever be wide enough for use as a shared use path. Replacement of the steps at the Western end is clearly a pre-requisite. <i>If impossible, an alternative East-West route should be provided, c.f. 4.18 [1])</i></p> <p>7. Any improvements to the junction of Flagstaff Road and Circular Roads North and East, <i>as well as the site access (4.17 [1]),</i> should improve facilities for cyclists on what is an important junction in the cycle network. Improving cycle infrastructure will ease problems around vehicular access <i>and increased vehicular movements around Flagstaff Rd./ the access will increase pressure on existing, sub-LTN 1/20, cycling infrastructure</i></p> <p>8. Further mitigations of the constraints around access could include:</p> <p>(a) using both Flagstaff Road and Roman Circus Walk but preventing a through route with a modal filter</p> <p>(b) providing parking for St. John’s Green School at nearby car parks, e.g. Napier Road</p> <p>References</p> <p>[1] “ABRO site Development Brief SPD, Colchester,” tech. rep., CBC, October 2021.</p> <p>[2] WSP and Phil Jones Associates, Local Transport Note 1/20: Cycle Infrastructure Design. Department for Transport, July 2020.</p> <p>[3] Essex County Council, “Essex Cycling Strategy,” November 2016.</p> <p>[4] www.cyclehoop.com/.</p> <p>[5] Lambeth Borough Council: Cycle hangars—for residential use .</p>	<p>Agree add further reference to cycle parking and correct modal shift reference</p> <p>Noted – improvements will be determined through any planning application</p> <p>Agree change incorporated</p> <p>Noted</p> <p>Noted</p>
Local Residents	Various comments listed below	

	<p>There should first be a Geophysical survey of the whole site to see sites of archaeological interest. Then a plan to investigate these sites. The original buildings of the headquarters have been refurbished very well, and the surrounding area has been landscaped with sympathy to the Roman Circus. The new buildings also fit in well with the area. Any development on the new site should reflect and enhance that sympathy with landscaping and notice boards to inform on the circus. I also think it would be good to have signs, on the new development guiding people to the circus. This could be straight forward sign or inlaid chariot in the path</p>	Noted
	<p>Currently I have vehicle access and parking in my back garden. I am very pleased the Folley is being redeveloped but want to retain access as my partner has his workshop at the back of our house and requires access plus we are considering an electric car and feel this would be an available place to charge our car. Please can any plans ensure continued access.</p>	Noted
	<p>While overall the Draft Planning Document sets out a sensitive development strategy, to be in keeping with both historic buildings nearby that have already been converted into residential accommodation, as well as new buildings along Circular Road North, I believe the height of the new construction should be limited to no more than 3 stories. I also believe that any new residential construction should have a pitched or sloping roof, like that indicated in the picture of Accordia, Cambridge. While a lot of the new construction in the area near St Johns Green and the Officers Club includes apartment blocks with flat roofs, these look totally out of character with the Victorian former garrison buildings nearby. Thus even though they have used good materials, the development stands out like a 'sore thumb', and in my opinion is not sensitive to the area.</p>	<p>Noted. The more sensitive areas of the site are limited to 3 stories. There will be a need for any higher stories across the site to demonstrate that they do not have detrimental impact on the setting. Detailed design will be considered at the planning application stage.</p>
	<p>The site is indeed an absolutely crucial asset and should be at the very centre of efforts to enhance the town's heritage economy. However, I suggest below a number of aspects requiring modification:</p> <ul style="list-style-type: none"> - (3.13) The proposed 'Buffer Zone' around the Circus site is welcome, but a concern is that this could be open to challenge in the light of precedent. In the earlier development of the Arena Place site this principle did not apply: there is new building within ten metres of the Cavea on that site. The rationale for the buffer needs amplification in the SPD. - (3.17) The enhanced presentation and signposting of the site is greatly appreciated, but access to the site needs further consideration. A visitor attraction of national significance would clearly require not only additional coach and car parking space but easy access from Colchester Town station. In this regard, the proposed development of the St Botolph's Circus area by ECC is of great relevance and the Council should seek to ensure that these plans allow ready access to the new visitor attraction on foot from that station. 	<p>Noted</p> <p>Noted- The requirement included in the SPD can be applied to future proposals.</p> <p>Noted</p>

	<p>- (3.1) The intimation that the Council and the CAT would favour the establishment of a significant visitor attraction there, accompanying the proposed changes to the management of the Roman Circus, is especially welcome (see 3.1). I understand that the CAT once sought to acquire the Sergeant's Mess building for their own centre and to establish a military museum. Given the army's historical connection with the town, I believe this would now be an entirely suitable purpose for the important site.</p> <p>- (3.20) A concern relates to vehicle congestion, pollution, and road safety particularly on Flagstaff Road – if this were to be the sole point of entry to the new site. There is a particular issue because of the large number of children that use that route to get to the two schools. During school 'rush hour' periods (between @8.15 - 9.00 and @3 - 4.15), there is a substantial build-up of traffic on Flagstaff. Parents and children travel to and from the school on foot, in large numbers. Cars often block Flagstaff and the private road (Londinium, part of the Arena Place development, on land owned by Taylor Wimpey) and the car parking spaces of residents have been blocked or used by non - residents. There have been altercations with residents on the Arena Place development and, despite raising the issue with the School, a solution has yet to be found. Flagstaff should not be the single point of access.</p> <p>- (3.20) Further attention needs to be given to the effects of the proposed development on the wider transport network. There is a clear recognition that the proposed site is close to an AQMA (Mersea Road) in the SPD but a concern is that the flow of traffic from the proposed Middlewick site will exacerbate the problem. The joint effect of the proposed development of the ABRO site and Middlewick will need attention to control traffic flow, congestion, and pollution (3.16), to the south of the town centre. As a minimum requirement, all established trees on or proximate to the site must be protected, whether or not they are now subject to a preservation order.</p> <p>(4.9) The commitment to the enhancement of biodiversity on - site is most welcome. In this respect, I note that the car parking area to the north of the site was once green space and suggest strongly that it should now be returned to its former state (1.7). There is much wildlife in the area, including red listed birds, numerous foxes and Muntjacs. The importance of 'connecting' spaces for nature is often highlighted by Natural England - and the ABRO is clearly of value in this regard. In addition, the proximity of the area to two schools should be noted. The value here is in encouraging connection with nature among the young in a Town setting, again a theme often highlighted by RSPB and the leadership of Natural England as critical as recovery of nature.</p>	<p>Noted</p> <p>Noted all necessary Highways and Transport Assessments will be required to support any planning application and will consider these matters</p> <p>Noted</p> <p>Noted</p>
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ABRO Site Development Brief, Colchester Supplementary Planning Document

Colchester Borough Council

Adopted December 2021



GROWTH
RESPONSIBILITY
OPPORTUNITY
WELLBEING

CONTENTS

- 1 Introduction
- 2 Policy Context
- 3 Site and Context Analysis
- 4 Development Framework
- 5 Development Process

DRAFT

1 INTRODUCTION

The Vision

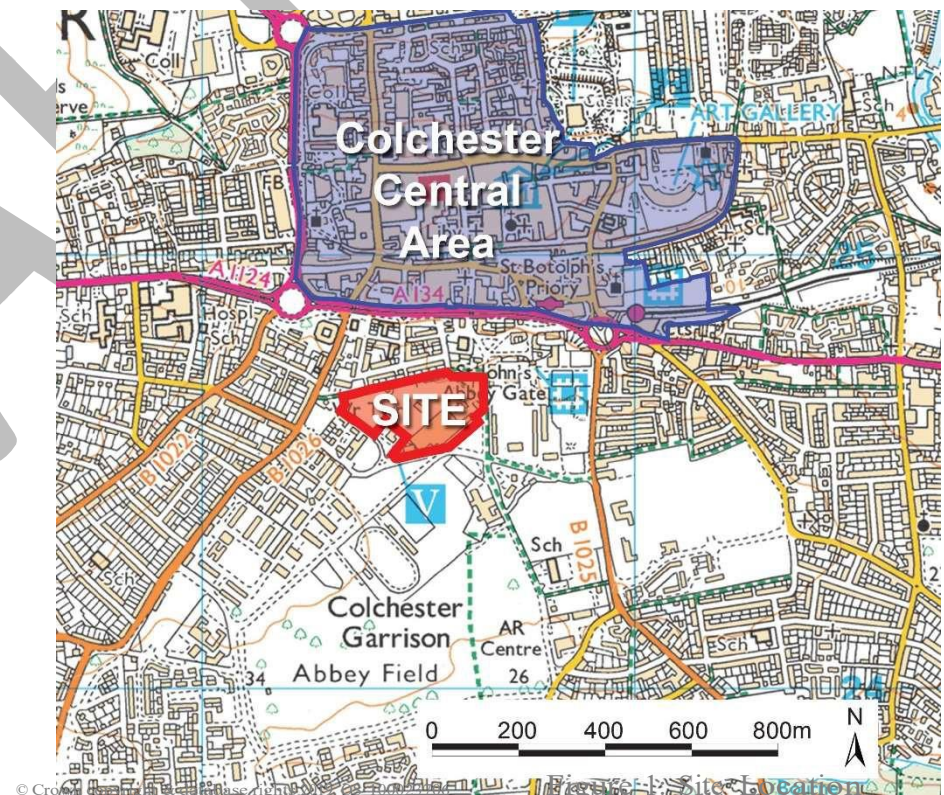
- 1.1 The Council's vision for the site is for a genuinely high-quality residential scheme which is clearly of the 21st century, complementing the area's rich heritage, strong in urban and landscape character, and promoting sustainable travel.

Background & Purpose

- 1.2 The ABRO site forms part of the Defence Estate albeit was previously leased to Babcock International under a contract with the Ministry of Defence relating to its army vehicle servicing. The site is currently held by Defence Equipment and Support (DE&S).
- 1.3 This development brief has been produced by the Planning Team at Colchester Borough Council, as a Supplementary Planning Document (SPD), working in consultation with key stakeholders and has been the subject of a public consultation exercise.
- 1.4 The purpose of this document is to provide guidance on issues and opportunities and sets out the Council's aspirations for the redevelopment of this important site. The document provides a clear and robust development framework, which is intended to help for the smooth delivery of a suitable scheme. As SPD it will be relevant to the consideration of planning applications.
- 1.5 The brief does not provide a full assessment of all the potential site constraints. It does, however, provide a framework for the site's redevelopment whilst identifying areas that would benefit from further investigation.

- 1.6 The brief is structured as follows: The planning policy context is set out in Section 2, which is followed by the site and context analysis (Section 3). Section 4 describes and illustrates key principles in response to identified issues and opportunities. The document concludes with Section 5 which considers development delivery.

Location & Study Area



- 1.7 The site is 4.26 hectares, including a 3.80 hectare area allocated for residential use in Section 2 of the Local Plan. Now vacant, the site was previously part of the Royal Artillery Barracks (latterly known as Le Cateau Barracks), forming a northern most part of the old Colchester Garrison. The site comprises large areas of flattened hard surfacing, with some buildings of mixed size and architectural/historic significance. The northeast corner of the site is former green space converted to car parking in recent times. The Roman Circus Scheduled Ancient Monument (SAM) extends over the 0.46 hectare southern part of the site and is allocated as open space in the Section 2 Colchester Local Plan.

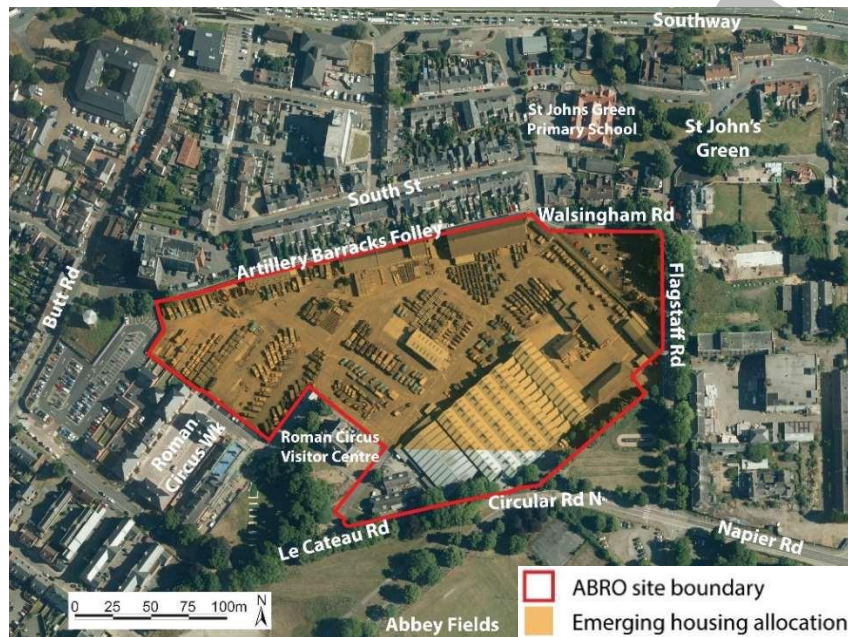


Figure 2: Aerial Photograph

- 1.8 There is a predominantly Victorian urban residential area to the north and west of the site. The more historic St John's Green area lies to the north-east. To the east of the site is the Arena Place development that includes restored Garrison buildings and is covered in part by the remains of St John's Abbey. Both the St John's Green and Arena Place benefit from generous landscaping, including greens and tree-lined avenues. To the south of the site lies the Roman Circus SAM alongside Abbey Field which is the focal green space in the area. A public car park adjoins the site to the south-west, beyond which is Butt Road, a major route leading to the town centre.
- 1.9 The site is well located in terms of its proximity to the town centre and is therefore able to take advantage of the local services and facilities found within the central area of Colchester.



Examples of developments on the old Garrison:
Former Sergeants Mess (left) and Circular Road North (right)

2 POLICY CONTEXT

- 2.1 In accordance with the requirements of the section 38(6) of the Planning and Compulsory Purchase Act 2004 any planning application for the redevelopment of this site will be determined in accordance with planning policies set out in the adopted local plan unless material considerations indicate otherwise. The following highlights key local policies and guidance relevant to the site's development in addition to this SPD which itself provides a key policy framework for the site:

Adopted Local Plan

Core Strategy (amended 2014)

- 2.2 The site is within the Garrison Growth Area and Regeneration Area. Redevelopment of the Garrison is identified as a key project and reference is made to the approved masterplan. The most relevant policies are:

- ☐ SD1: Sustainable Development Locations
- ☐ SD2: Delivering Facilities and Infrastructure
- ☐ SD3: Community Facilities
- ☐ CE1: Centres and Employment Classification and Hierarchy
- ☐ H1: Housing Delivery
- ☐ UR1: Regeneration Areas

Site Allocations DPD

- 2.3 Policy SA GAR1: Development in the Garrison Area advises on land uses having reference to the Garrison Masterplan. It also identifies the need for a north-south green link, which, as

shown on the proposals map, includes Flagstaff Road adjoining the site.

- 2.4 Land to the east and south-east of the site is identified as a Mixed Use Redevelopment allocation named Napier Road (including the former Arena site). Within this area, 'Arena Place' to the east been developed, but the former vacant Arena site (off Circular Road East) remains to be redeveloped.

- 2.5 Paragraphs 5.10 and 5.102 of the Site Allocations DPD discuss the need to protect and preserve the Roman Circus SAM.

Development Policies SPD (amended 2014)

- 2.6 The most relevant policies are:

- ☐ DP1: Design and Amenity
- ☐ DP3: Planning Obligations and Community Infrastructure
- ☐ DP5: Community Facilities
- ☐ DP12: Dwelling Standards
- ☐ DP14: Historic Building Assets
- ☐ DP16: Private Amenity Space and Open Space Provision for New Residential Development
- ☐ DP17: Accessibility and Access
- ☐ DP19: Parking Standards

New / Emerging Section 2 Local Plan.

- 2.7 The Council is developing a new local plan (Submission Colchester Borough Local Plan 2017-2033). The whole of the emerging Local Plan was submitted to the Secretary of State in October 2017; however, the examination of the two

sections has taken place separately. Section 1 of this Plan has been found sound and was adopted by the Council on 1 Feb 2021. The examination of Section 2 of the emerging Local Plan was undertaken in spring 2021 and the Council is now waiting for the Inspector's final report.

Section 2 Local Plan (Strategic Policies)

2.8 The most relevant policies are:

- ☐ SP6: Place Shaping Principles – encourages development briefs, promotes the highest standards of design and outlines a range of key principles;
- ☐ ENV3: Green Infrastructure - supports the Colchester Orbital initiative which identifies Flagstaff Road as a key 'spoke' to the town centre;
- ☐ ENV5: Pollution and Contaminated Land – outlines requirements covering assessment and mitigation;
- ☐ PP1: Generic Infrastructure and Mitigation Requirements – requires financial contributions for appropriate infrastructure and/or community facilities, and issues and opportunities to be addressed;
- ☐ TC4: Transport in Colchester Town Centre – contributions will be sought for the enhancement of Southway / St Botolph's Roundabout and
- SC1: Allocates the site and requires compliance with the SPD.

Section 2 Local Plan (Development Management Policies)

2.9 The Local Plan Policies Map identified the majority of the Site for residential use. The southern part of the site is covered by the Roman Circus SAM and is allocated for open space.

2.10 The most relevant policies in the emerging plan are:

- ☐ DM1: Health and Wellbeing – developments need to promote healthy lifestyles and avoid adverse impact on public health, with Health Impact Assessments (HIA) required for development in excess of 100 units;
- ☐ DM2: Community Facilities - new development will be required to provide or contribute towards the provision of community facilities including education;
- ☐ DM8: Affordable Housing - 30% of new dwellings should be provided as affordable housing (normally on site);
- ☐ DM9: Development Density – promotes densities which support sustainable transport and helps sustain local amenities, though having regard to existing built and landscape character, accessibility, parking, housing mix and residential quality;
- ☐ DM10: Housing Diversity – seeks an appropriate range of housing types and tenures, whilst realising opportunities presented by accessible locations;
- ☐ DM12: Housing Standards – promotes liveability through a range of standards, including the Nationally Described Space Standards (DCLG, 2015);
- ☐ DM15: Design and Amenity – the key urban design policy covering process, functionality, context responsiveness, characterisation, community liveability and sustainability;
- ☐ DM16: Historic Environment – expects new development to understand, enhance and help reveal historic assets, remove detrimental features and provide interpretation where appropriate.
- ☐ DM17: Retention of Open Space and Recreation Facilities – seeks to protect and enhance the existing network of green links and open spaces, and secure additional areas where deficiencies are identified;

- DM18: Provision of Public Open Space – requires at least 10% of the gross site area to be provided as useable open space;
- DM19: Private Amenity Space – outlines default minimum usable space requirements, and possible exceptions relating to accessible locations and where higher densities may be appropriate;
- DM20: Promoting Sustainable Transport and Changing Travel Behaviour – seeks to increase modal shift towards sustainable modes including through improved walking and cycling accessibility and traffic management;
- DM21: Sustainable Access to Development – seeks to encourage walking, cycling and public transport through improved networks and public realm, increased prioritisation, and facilities to support electric and other ultra-low emission vehicles;
- DM22: Parking – parking requirements will consider the Essex Parking Standards alongside levels of local accessibility, car ownership levels, housing mix and types of parking (possibly including car-sharing, a car club and car-free development if appropriate);
- DM24: Sustainable Urban Drainage Systems – requires development to incorporate SuDs in accordance with the Essex Sustainable Drainage Systems Design Guide (2016); and
- DM25: Renewable Energy, Water, Waste and Recycling – encourages development which helps reduce carbon emissions, uses sustainable construction techniques, increases water efficiencies and promotes recycling.

Statutory Legislation

- 2.11 The Ancient Monument and Archaeological Areas Act (1979) provides statutory protection to monuments that are designated as a Scheduled Ancient Monument (SAM). All works affecting a SAM require the consent of the Secretary of State, which is issued through Historic England.

The 1990 Planning (Listed Buildings and Conservations Area) Act (1990) provides statutory protection to listed building and their setting and requires new development to preserve or enhance the character and appearance of a designated conservation area.

Local and National Planning Policy Guidance

- 2.12 Proposals for the redevelopment of site will also need to have regard to the following local and national planning policy guidance:

- 2.13 The National Planning Policy Framework (NPPF) and associated Planning Practice Guidance (PPG)

Colchester Garrison Urban Village Master Plan (2001)

- 2.14 The Garrison Master Plan, although now nearly 20 years old nevertheless still contains useful background information and many principles inform the new brief including:
- An attractive and sustainable mixed-use urban community;
 - Highest densities and finer urban grain nearest the town centre;
 - Using historic buildings and landscape features to help instill character;

- Enhancement of Abbey Field at the heart of a green link and open space network, and including a north-south link (involving Flagstaff Road) with the town centre;
- Continuous frontage to enclose and self-police the public realm.
- Designs informed by the Essex Design Guide and offering opportunities for good modern innovative design;
- Traditional materials, though consideration will be given to other high-quality materials on contemporary designs;
- Enhanced walking and cycling networks and priority, including carfree development nearest the town centre and some home zones;
- Improvements and repair to barrack folleys to enhance safety and permeability; and
- Preservation of archaeological remains (in-situ where possible).

Colchester Garrison Development Brief: Le Cateau and Cavalry Barracks SPG (2002)

2.15 Following on from the Garrison Master Plan, this site-specific brief provides more detailed guidance on how these former Barracks should be redeveloped. Like the Master Plan, the SPG provides useful background information and some principles inform the new brief including:

- Densities of 45-50 dwellings per hectare;
- Domestic scale - predominantly 2-3 storeys;
- Buildings overlooking Abbey Field to be served by rear parking;
- For the ABRO site, a home zone with pocket park including LEAP at the heart;

- Diversion of the Public Right of Way currently cutting diagonally across corner of Walsingham Road and Flagstaff Road;
- Public art in key locations.
- Reuse of Infirmary Stables.
- Preservation of the Garrison boundary wall where possible, though breached by new gateways to improve access and safety; and
- Compliance with Anglian Water requirements for the 'camp sewer' ensuring, if it is retained, no buildings are constructed within 3m either side of the outside face.

This SPD/ brief supersedes the guidance set out in the SPG in respect of the ABRO site.

Colchester Roman Circus Management Plan (2021)

2.16 This management plan has recently been updated and adopted as a planning guidance document. The aim of the plan is to ensure the appropriate conservation and interpretation of the Colchester Roman Circus. It seeks to inform development proposals, establish a process for interpretation, enhance understanding of the circus and encourage learning.

2.17 Key principles in relation to the ABRO site (referred to as 'Site LEC' in the management plan) are:

- No new development or tree planting of any kind on top of the remains of the Roman circus (with the potential exception of a purpose-built cover building and / or associated interpretation items);
- A buffer zone of 10m from an invisible line from the edge of the monument (across the ends of circus

- buttresses) to ensure no new development including service trenches and vehicle movements;
- ☐ Future proposals for new development in the vicinity will be subject to requests for Section 106 agreements to enable the proper public presentation of the circus remains;
- ☐ The site of the circus and buffer zones shall be either grassed (in public or private ownership) or existing adopted roads needing to be retained: and
- ☐ A detailed interpretation scheme will be drawn up which may include a cover building over part of the exposed remains, interpretation boards, and marking out of as much of the circus course as possible.

Other Relevant Policies and Guidance

2.18 Other relevant policies and guidance include:

- ☐ Essex Design Guide (1997);
- ☐ The Essex Design Guide (concurrent) – this new internet-based guide launched in 2018 is not adopted though is referred to in the Emerging Local Plan and includes up-to-date Highway Authority design standards;
- ☐ Essex Parking Standards (2009);
- ☐ Essex Coast RAMS (2020)
- ☐ Essex Sustainable Drainage Systems Design Guide (2016);
- ☐ Colchester Affordable Housing SPD (2011);
- ☐ Colchester Cycling Strategy SPD (2012);
- ☐ Provision of Open Space, Sport and Recreational Facilities SPD (2006);
- ☐ Provision of Community Facilities (2013)
- ☐ Street Services Delivery Strategy (2016)

- ☐ Managing Archaeology in Development (2015)
- ☐ Colchester Green Infrastructure Strategy (2010) - not adopted though referred to in the Emerging Local Plan; and
- ☐ Townscape Character Assessment of Colchester,
- ☐ Land Affected by Contamination Technical Guidance for Applicants & Developers;
- ☐ Colchester Air Quality Action Plan 2016-2021

Other Documents

- ☐ National Design Guide
- ☐ Manual for Streets
- ☐ Manual for Streets 2 LTN 1/2 /20
- ☐ Cycle Infrastructure Design LTN 1/20
- ☐ The Essex County Council Developers' Guide to Infrastructure Contributions (2020)

3 SITE & CONTEXT ANALYSIS

Heritage

- 3.1 In 2005, the only known Roman circus in Britain was discovered on the southern outskirts of Colchester town centre. Now a protected Scheduled Ancient Monument (SAM), part of its remains lie at the southern edge of the ABRO site. The circus dates from the early 2nd century. It was about 450 metres in length, with eight starting gates and could accommodate some 8,000 spectators. The long-term plan for the SAM is to mark-out (as far as possible), open-up and interpret the circus as part of a key visitor attraction for the town. The delivery of this is ongoing and is informed by Roman Circus Management Plan (outlined in Section 2).



CGI of Colchester Roman Circus

(source: <https://www.youtube.com/watch?v=4Yl6vnmWAjs>)

- 3.2 A Historic Building Assessment Report was produced by Ingram Consultancy in 2000 as part of the now approved outline planning application for the redevelopment of the old Garrison (planning ref: O/COL/01/0009).

- 3.3 The Ingram Report and historic mapping forms the basis for the following analysis; building reference numbers in brackets refers to those in the Ingram report:

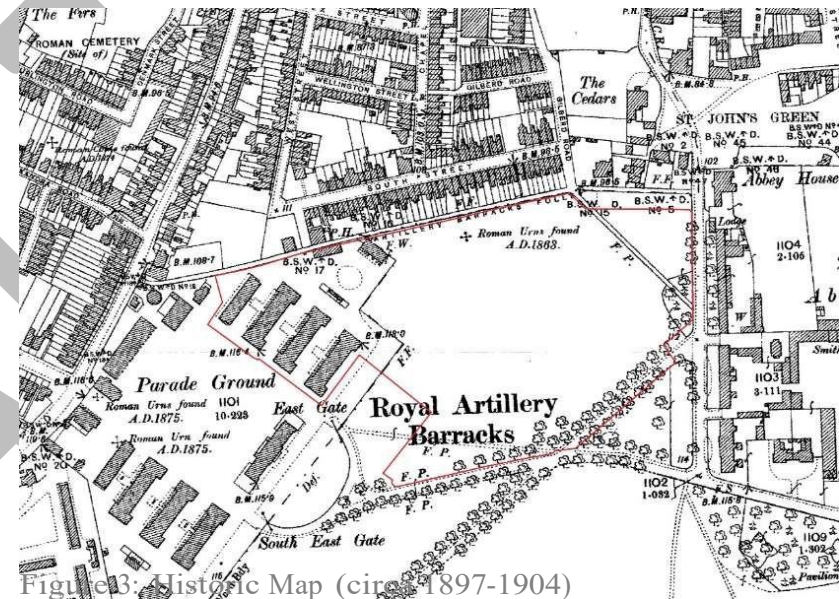


Figure 13: Historic Map (circa 1897-1904)

- 3.4 Royal Artillery Barracks (later known as Le Cateau Barracks) was initially constructed in 1874-75 and enclosed by a 9-10 feet high brick boundary wall with entrance gates on Butt Road and on the south-east side by an iron paling fence with two pairs of gates opening to Abbey Field. One of these gates (East Gate) was located at the end of the existing road serving the Roman Circus Visitor Centre. This initial phase of construction still left much of the ABRO site as part of Abbey Field. The Royal Artillery Barracks centred on a parade ground and included: stable blocks with living quarters

above; officers' quarters; gun sheds; a canteen; a guard house; offices; and a water tower.



seven open boxes with entrances and masonry detailing that reflects the other original Royal Artillery buildings.



3.5 Immediately outside the iron paling fence and facing the main façade of the landmark Officers' Quarters was a semi-circular lawn (originally for tennis) and carriageway road. To the north-east were two maneges and lunging circles. The Officers' Quarters which was central and prominent to the barracks complex, adjoins the current ABRO site (to the south-east). The Officers' Quarters is listed grade II and has recently been converted into housing. The semi-circular garden area to the front this building is being retained as amenity space and for the interpretation of the circus.

3.6 Within the ABRO site, from the first phase of the garrison development, the Infirmary Stables (IC3), on the northern site edge survives along with the boundary wall to the folley which is distinguished by a white brick semi-circular coping. Artillery Barracks Folley also appears to date from this time and the original paving survives, albeit in a poor condition. The Infirmary Stables, which sits on the boundary wall, shows

3.7

The barracks were subsequently expanded to cover the remainder of the main ABRO site. Remaining buildings on or adjoining the site from this period include:

- The Carpenters and Telecommunications Shop (IC4), dating from c.1900, which was built onto the boundary wall and divided by two party walls to form three spaces, with the front elevation rebuilt except to the eastern 2- storey space which includes architectural detailing similar to that found on the Barracks' initial period of construction;
- The Store (IC5), dating from c.1904, is a large open plan building built on the boundary wall. It appears to offer scant architectural value;

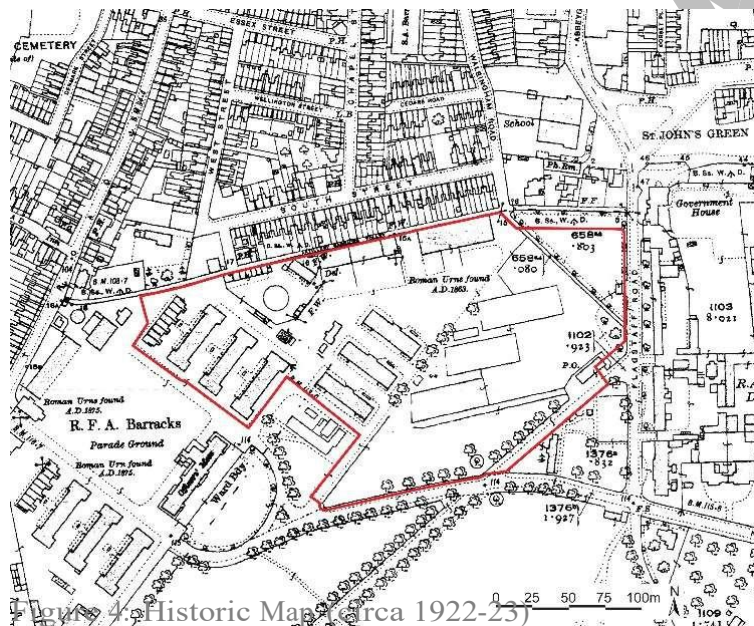
- ❑ The Dining Room and Cook House (IC6), dating from c.1935. This building has been modified, with modern extensions on the north elevation.
- ❑ The Restaurant/Canteen (IC7) is of the same date (1937) and design as the Regimental Institute of the Cavalry Barracks. It is a strongly formed building and it exhibits a design that is typical of a building from this period. Building IC7 houses the Colchester Archaeological Trust and Roman Circus Visitor Centre.

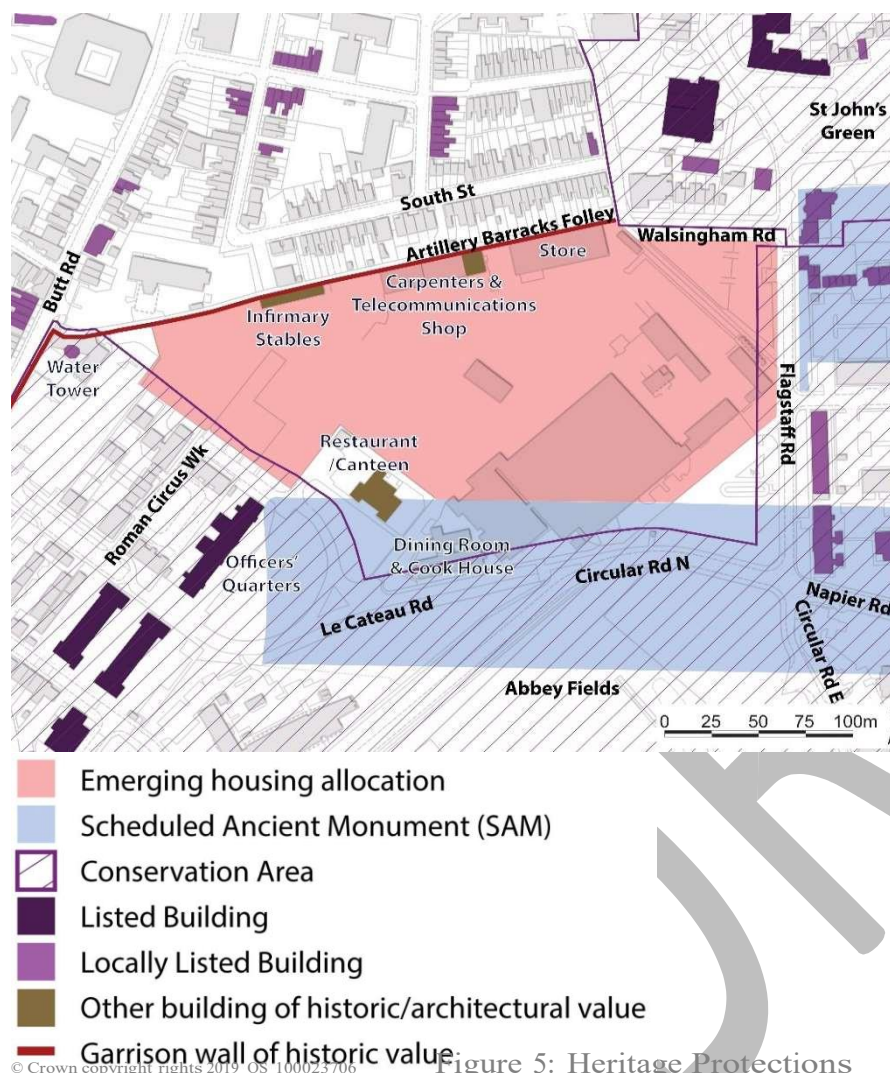
Buildings IC3, IC4 and IC7 together with the boundary wall and folley are considered to constitute non designated heritage assets.



Protected Historic Assets

- 3.8 The site lies in a historically sensitive area. Following a public consultation exercise the Garrison Conservation Area has been extended (June 2021) to include the ABRO site, the Roman Circus Visitor Centre and Artillery Barracks Folley. The Roman Circus is a SAM. To the north / east of the site is Colchester Conservation Area No.1 which includes numerous listed and locally listed buildings. St John's Abbey (to the east of the site) and its precinct is a SAM.





Archaeology

- 3.9 The site is within an area of high archaeological importance. The buried remains of the Roman Circus SAM cross the southern part of the site. Scheduled Ancient Monuments are protected under the Ancient Monuments and Archaeological Areas Act 1979. Consent is required from Historic England for all works affecting a SAM. Early consultation is advised with Historic England on any proposals for the future redevelopment of this site.
- 3.10 The Colchester Roman Circus Management Plan (2021) provides details on how the development needs to complement and support preservation and enhancement of the Roman Circus and its setting. This document has been adopted as a planning guidance documents.
- 3.11 The site itself has not been the subject of previous archaeological investigation. There is high potential for encountering (previously unknown) important below-ground archaeological remains across this site, which could not only affect the layout of any development proposals but could also be very costly and time-consuming to deal with.
- 3.12 The following reports will be required prior to determination of any planning application:
- ☐ a comprehensive HIA as a basic requirement for validation in order to capture potential impacts on designated and non-designated heritage assets in conformity with para. 194 of the NPPF 2021;
 - ☐ A geophysical survey, comprising ground penetrating radar; and
 - ☐ A trial-trenched evaluation. The extent of the trial-trenched evaluation will be determined by the results of the radar survey, although a 5% sample would normally

be expected. This should lead to an archaeological deposit model for the development site.

- 3.13 No development will be permitted within the area of the Roman Circus, or the buffer zone referred to in the Management Plan. In other parts of the site, any developer should be aware that extensive archaeological investigation is likely to be required. Such investigations will ensure that any archaeological assets within the site are safeguarded from impacts relating to any groundworks associated with the development scheme. A decision on the extent of this investigation will be based on the results of the archaeological evaluation and deposit model combined with the level and extent of the new development. As a part of any planning application, proposals should be included for the enhancement, display/presentation, promotion and beneficial management of the circus and any previously unknown archaeological discoveries on the site.
- 3.14 It is advised that the archaeological evaluation is undertaken as soon as possible and should form part of the developer's risk assessment. The evaluation work will establish the archaeological potential / constraints and will inform potential development opportunities.

Land Use

- 3.15 The ABRO site was formerly part of the Royal Artillery Barracks. It is surrounded by a predominantly residential area offering a mix of house types and tenures. A small range of local shops and services can be found within the immediate walkable neighbourhood, mainly attached to Butt Road and Southway (a major road to the south of the town centre). Other neighbourhood amenities within 400m walking distance

include the neighbouring Roman Circus Visitor Centre, the sports facilities on Abbey Field, The Colchester Officers Club, St John's Green Primary School (split over two sites) and St John's Abbey Gate (visitor attraction). The nearest designated centre is the town centre just 250m from the site's northern edge.

Accessibility

- 3.16 The surrounding area has good pedestrian accessibility, albeit there is currently no permeability through the ABRO site due to its former military use. Improving the site's permeability is hindered by the historic Garrison wall that runs along the north boundary of the site. Some existing routes such as Le Cateau Road and, in particular, Artillery Barracks Folley suffer from a lack of self-policing from overlooking by existing properties.
- 3.17 There are two Public Rights of Ways (PROWs) that cross the site - Artillery Barracks Folley and a path between Walsingham Road and Flagstaff Road sandwiched between the main site enclosure and separate car park. The Artillery Barracks Folley is in a poor state of repair hindering its accessibility and use. As a part of the redevelopment proposals, the folley (including the historic surfacing) will need to be repaired and enhanced.
- 3.18 The area generally benefits from a good local cycle network, including the 'Garrison Cycle Route', referred to in the emerging local plan, which provides a predominantly off-road link through South Colchester to the town centre.
- 3.19 The site is about 450m walking distance from Colchester Bus Station and 675m from Colchester Town Railway Station. Bus stops can also be found on nearby Butt Road and Mersea

Road. The site is therefore well located to take advantage of services and facilities in the town centre.

3.20 The existing main access into the site is off Flagstaff Road and crosses a combined footpath / cycleway. Access from St John's Green is filtered allowing pedestrian and cycle access only. This restriction is designed to prevent car traffic 'rat-running' through onto Southway. Access to Flagstaff Road from the south is from Circular Road North. It is understood that there may be capacity issues at this junction, with limited scope for improvement due to the need to protect the Roman Circus SAM, the constraints of landownership and trees protected by Tree Preservation Order (TPO). The potential scope for the improvement of this junction together with the need to safe pedestrian and cycle movements will need to be explored as a part of any future planning application.

3.21 A secondary right of vehicular access exists off Le Cateau Road, though part of this route is an adopted foot and cycle way which only allows for restricted vehicular access. There is an expectation that as part of the site's redevelopment, the existing road section will be removed and the Roman Circus SAM enhanced. The need to protect the SAM means direct vehicular access to the site cannot be provided from Circular Road North or Le Cateau Road.

3.22 There is the potential to create a new access point from Roman Circus Walk, though this is complicated by ownership, existing car parking and capacity issues.

3.23 Given access constraints it is strongly recommended that the developer contacts the Highways Authority at Essex County Council at the earliest opportunity.

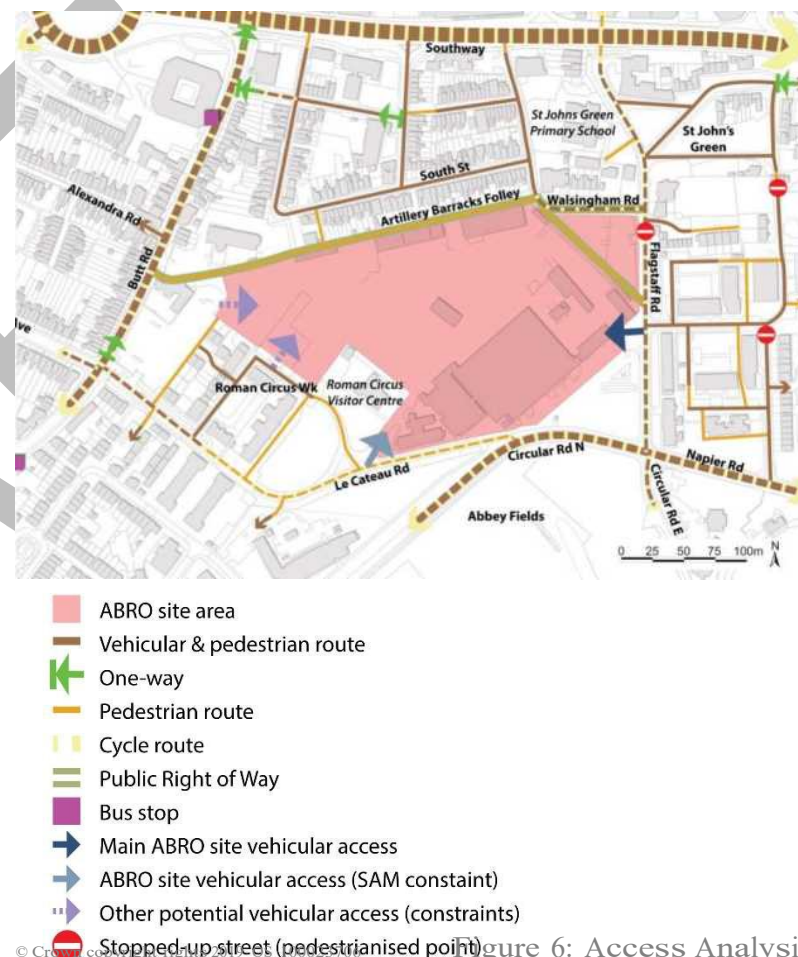


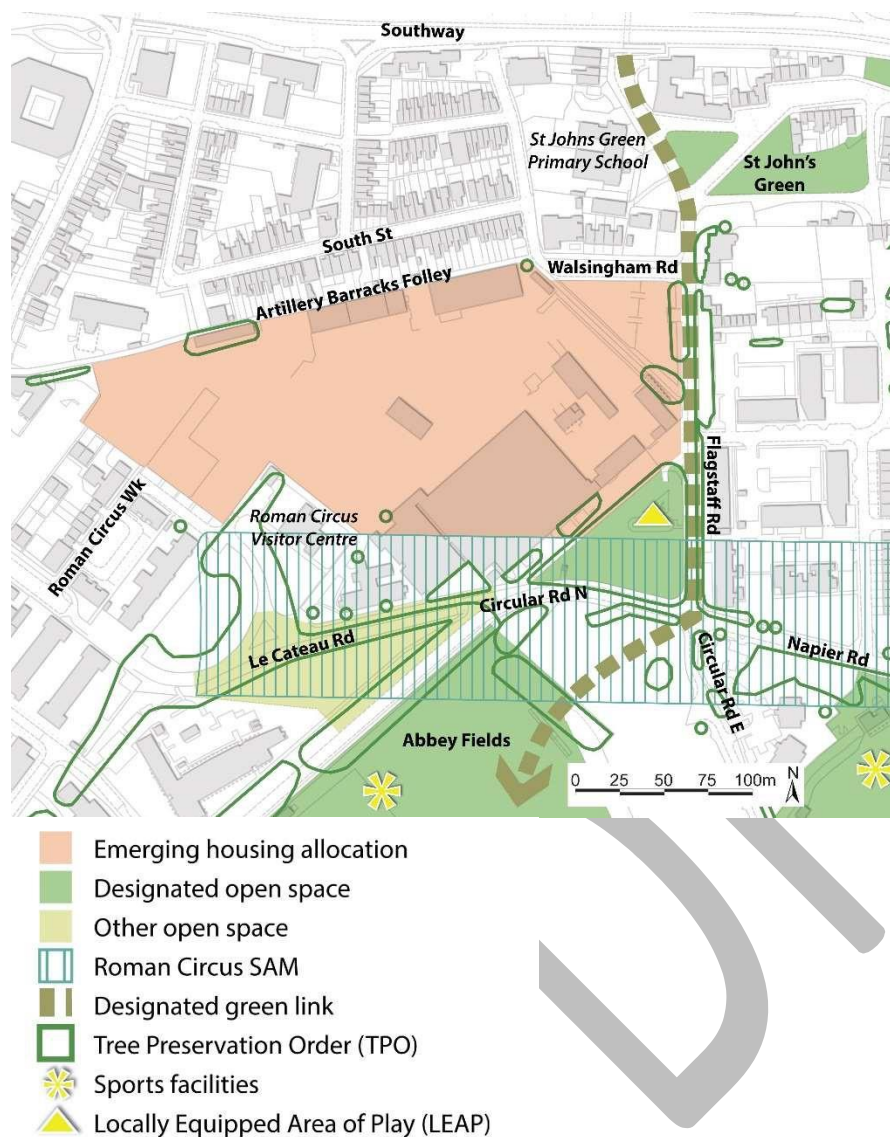
Figure 6: Access Analysis

Townscape

- 3.24 The main part of the site is currently dominated by hard-standing and large and unattractive vehicle storage/repair 'sheds'. The site has scant townscape qualities, except for remaining small-scale historic buildings (namely the Infirmary Stables, and Carpenters and Telecommunications Block), a strong northern edge in the form of the historic Garrison Wall and perimeter mature tree planting.
- 3.25 Surrounding development is a mix of old and new development. Areas to the south-west and east benefit from the retention of a significant number of listed and locally listed former Garrison buildings. New development within the former Garrison site has adopted both traditional and contemporary styles.
- 3.26 All recent developments have been positively informed by the historic setting, for example relating to the regimented layout and/or use of materials. A common trait in both new and old is the continuity of built frontage with few breaks for car parking, which instils a pleasing sense of spatial enclosure, legibility and activity to the public realm. Building heights within this part of the former Garrison are typically 2-3 storeys, with some discreet 3rd floor penthouses to new apartment blocks.
- 3.27 Outside the old Garrison, the local area is predominantly characterised by early-mid 19th terraced housing. Notable exceptions include some surviving earlier development in the St John's Green area including the landmark Abbey Gate. Two post-war office blocks (Crown Office Buildings at 6 storeys and Wellington House at 8 storeys) appear as unfortunate anomalies amidst the fine-grain low-rise local townscape.

Landscape and Landform

- 3.28 The landscape context is heavily influenced by Abbey Field which the site abuts to the south. Abbey Field is enclosed principally by remnants of Victorian tree planting laid out as avenues and linear features. Given the former use of the ABRO site (essentially larger scale functional buildings enclosing a large hard landscaped vehicle storage compound), the site has retained an openness when viewed from within and the perimeter tree planting helps the site integrate with the surrounding area and reinforce the site's historic setting. From Circular Road East, there is a view of Jumbo, the town centre water tower (listed grade II *).
- 3.29 Some of the Victorian tree planting around the site edges has been lost over time and where possible this should be replaced. The majority of the existing tree planting is protected by Tree Preservation Order (TPO) and there will be a strong presumption in favour of retaining the existing trees.
- 3.30 The site naturally gently slopes, most noticeably towards to the north. The site also appears to have been levelled in the past to suit the former military use. This results in some moderate changes in level change, particularly with Artillery Barracks Folley to the north.



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Figure 7: Landscape Analysis

Other Possible Constraints

3.31 The site is likely to be subject to other constraints that have not been highlighted in the brief and these may affect detailed design, costings and delivery of any future scheme. Other constraints that will require further investigation include:

- ☐ Contamination – given the former use of the site, there is potential for the site to contain levels of contamination that will require mitigation.
- ☐ Air Quality – The site is located near an Air Quality Management Area; measures are therefore likely to be required to mitigate impact on air quality.
- ☐ Anglian Water has advised that there are several foul sewers in the vicinity of the site and a water main run parallel to Circular Road North (outside of the road). Anglian Water has recommended that they are consulted early on any proposals that affect their assets.
- ☐ Other Underground Utilities – it is not known whether the site is affected by other service runs; and
- ☐ Ecology

4 DEVELOPMENT FRAMEWORK

Site Area and Principle of Use

- 4.1 The northern main portion of the site is 3.80 hectares and allocated for residential use in the Section 2 Local Plan. The redevelopment of the ABRO site also provides a unique opportunity to expand the offer at the Roman Circus Visitor Centre and which will assist with the desire of the Council and Colchester Archaeological Trust to create a significant visitor attraction. The aspirations for the expansion and enhancement of the facilities associated with the Roman Circus are not seen as being prejudicial to the delivery of housing on this ABRO site and it is considered important that any new development integrates well with the existing surrounding uses. Early engagement with the Council and Trust is recommended to ensure that the respective proposals are mutually compatible.

- 4.2 The 0.46 hectare southern portion of the site, which is covered by the Roman Circus Scheduled Ancient Monument (SAM), is allocated for open space in the Section 2 Local Plan. The allocation of this land (which includes the buffer zone of the SAM) as open space will assist with the desire to develop the SAM as an important visitor attraction.

Quantum of Development

- 4.3 It is envisaged a net residential density area of between 45-80 dwellings per hectare (equating to 171-304 dwellings) could be accommodated; this is a reflection of the site's

urban context and its close proximity to the town centre and public transport hubs. Densities will however need to be moderated by the specific local context including the site's heritage (above and below ground), potential highway constraints (including the need to safeguard and enhance adjoining pedestrian and cycle routes) and the need for the development to be of a high-quality design and adherence other adopted policies and guidance. A mix of dwelling types (size and format) must be provided in line with housing need, including a good proportion of family homes, homes that are suitable for people with disabilities and capable of adaption over the long term.

Sustainability

- 4.4 Good urban design and sustainable design and construction are mutually inclusive. Integrating the two concepts will maximise the opportunities for creating sustainable forms of development.

- 4.5 To support the achievement of sustainable development, the redevelopment of the ABRO site must be undertaken in the most sustainable way possible, delivering the Council's social and economic aspirations without compromising the environmental limits of the area for current and future generations. The development should seek to fully integrate sustainable design and construction with urban design to ensure the delivery of a high-quality new development and maximise the opportunities to enhance the environmental performance of new development, including through the use of micro generation equipment (solar panels, heat pumps), and by increasing water efficiency.

Key Principles

4.6 The following plan, text and imagery explain the key principles needed for the site's redevelopment:

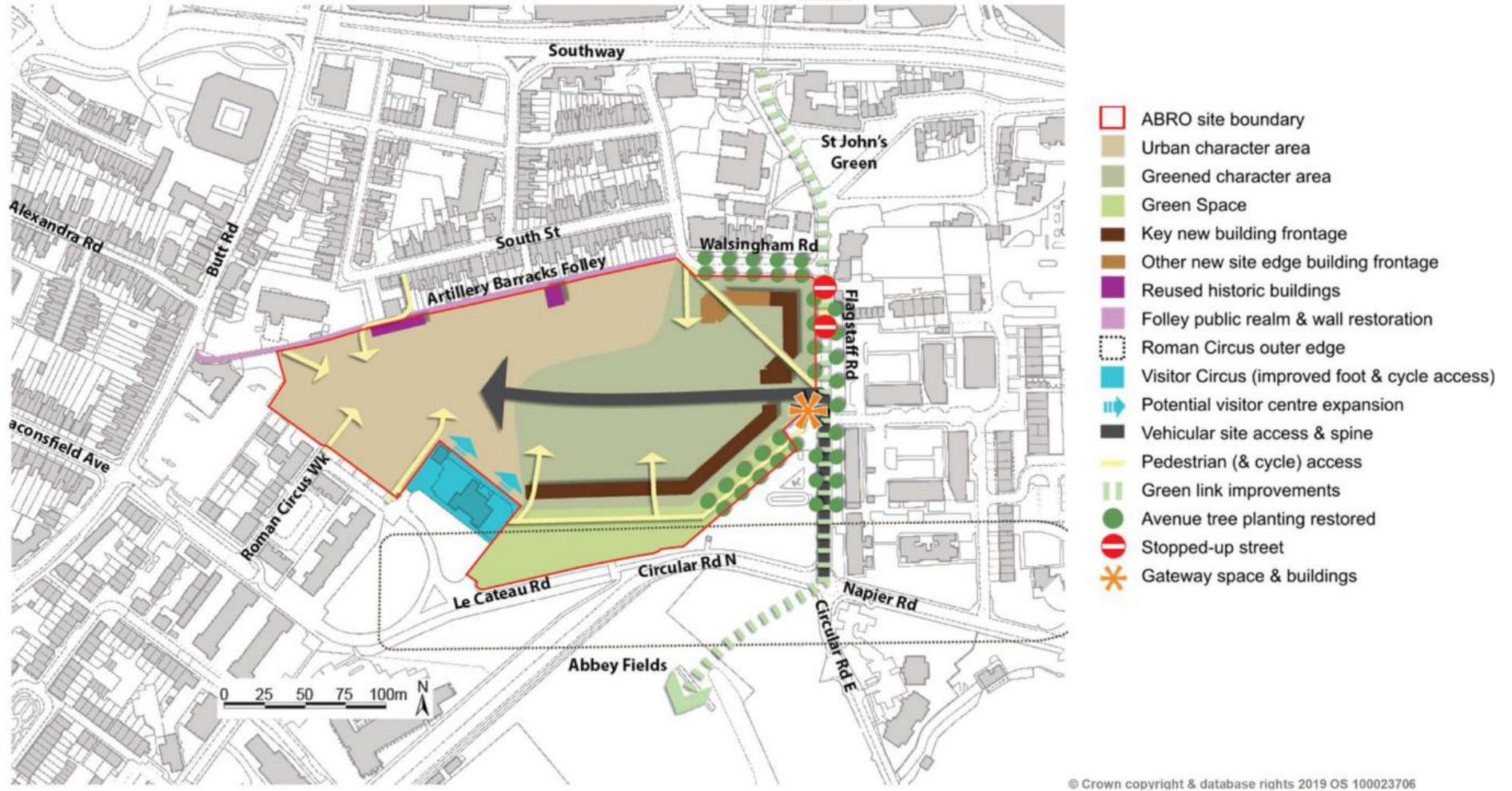


Figure 8: Key Principles Plan

Roman Circus Setting

- 4.7 In accordance with the Section 2 Local Plan allocation and as a condition for any housing development on the former ABRO site, public parkland will extend into the site to incorporate the Roman Circus SAM and 10m minimum buffer zone from the Circus's outer buttresses. This means no new development within the SAM or its buffer zone and the removal of all existing built form including roads from within this area. The resulting new open space will contribute towards the requirement for a minimum of 10% (gross) of the residential development area to be open space.



Roussillion Barracks, Chichester – attractive development frontage onto green space

- 4.8 The southern development edge to the SAM will be entirely pedestrianised to protect its setting and a new path networks

to the southern edge of the 'parkland' development should be provided to serve and to improve foot and cycle access to the Roman Circus Visitor Centre (and beyond). The development proposals must also seek to maximise the potential of the Roman Circus as a heritage attraction in line with and complementing the Colchester Roman Circus Management Plan.

Local Open Space

- 4.9 The development proposals must provide functional open space (greenspace and/or public realm) within the residential areas that allows for and facilitate outdoor social space and connectivity as part of the green infrastructure network. Open spaces should maximise opportunities for the integration of drainage (SuDs), ecology and shading as well as biodiversity net gain. Adequate provision must also be made for local areas for play within 100m of each dwelling and that a Locally Equipped Area for Play (LEAP) within 400m of each dwelling. In addition to public areas of open space, new street and parkland trees should be planted to articulate space, frame views, soften built form and provide air quality mitigation. The Garrison Green Link must be retained and enhanced as a part of the proposed development. Open spaces must be of a high-quality design and be robust and adaptable so that they can be managed and maintained for continual use.

Contributing to Local Character

- 4.10 Development needs to have design integrity that complements and reinforces the best elements of the Colchester's built and natural environment to provide a distinctive development that contributes positively towards local character. The new development must be carefully sited

and designed and be demonstrably based on an understanding of the townscape of the existing area. The form, scale appearance, details and materials of the new development must be informed by, though not necessarily replicate, local characteristics, including patterns of built form, fenestration, detailing, materials, landscaping, history and contemporary living. Befitting the Garrison setting, the layout will be predominantly regimented into distinct continuous lines of buildings, rather than rely on organic layouts. Housing development in the southern and eastern parts of the site must have a verdant (parkland) character so that it integrates with the surrounding landscape and creates an increased sense of landscape buffering between the Roman Circus and built development.

- 4.11 Building frontages will generally be uninterrupted by allocated side parking which should instead be predominantly provided to the rear, with landscaped parking squares being another option where this is not possible. Where on-street parking is provided for visitors, measures will need to be taken to mitigate impact of the parked car on the street scene. The interface between building and public space (the street) must be carefully designed so that it is positive and appropriate to its context.
- 4.12 The redevelopment proposals must be informed by townscape and landscape assessment; any redevelopment proposal should seek to retain the view of Jumbo from Circular Road East. The development should also seek to integrate Crime Prevention Through Environment Enhancement Design (CPTED) and to this end, early engagement with Essex Police is recommended.



Brentwood School, Essex – contemporary architecture relating to historic buildings.

Sustainable Densities

- 4.13 In accordance with Policy DM9: Development Densities in the Section 2 Local Plan, higher densities are promoted within walking distance of the town centre and public transport hubs, subject in this instance to meeting design requirements, heritage considerations and possible highway constraints (see Site and Context Analysis – Accessibility). Densities might be maximised in various ways, including through roof gardens and balconies, efficiently integrated parking in response to the

‘urban context’, and reduced private amenity space if mitigated by adjoining spaces and pedestrianised streets offering equivalent compensatory spill-out amenity.



Accordia, Cambridge - Compact townhouses

Context Responsive Building Heights and Forms

- 4.14 In response to the historic setting and local character, building heights should be a mix of 1-4 storeys, unless townscape and visual impact analysis demonstrates that taller buildings would not cause harm to the character of the area and any such building(s) is of an exceptional design. Buildings above three storeys in height should however be used in moderation and positively contribute to townscape punctuation. Buildings fronting the circus parkland should be 3 storeys in height to help strongly define the space and relate to the surrounding built form, notably the listed Officers' Quarters. The

development proposals must, in terms of their scale, height, mass, siting and design, be sensitive to and complement heritage assets both designated and non-designated. Building forms must also positively contribute to the historic setting, including the roofscape and skyline.



Timekeepers Square, Salford - roof forms contributing to local character

Historic Building Retained and Restored

- 4.15 Buildings (IC3 – Infirmary Stables and IC4 – Carpenters and Telecommunications Shop) and the former garrison wall are considered to constitute non designated heritage asset. The two buildings should be retained and fully integrated into the development proposals for this site. Possible uses include residential or commercial uses that are compatible with the residential setting.



Moray Mews, London – Part of Artillery Barracks Folley with obscured glazing protecting neighbour privacy

Artillery Barracks Folley Enhancements

- 4.16 The Artillery Barracks Folley provides an important local connection route however its current condition detracts from its use. As a part of the redevelopment of the ABRO site, the folley must be improved and enhanced (including the repair of the wall and the locally distinctive paving). Consideration should be given to opportunities to improve pedestrian connectivity between the ABRO site itself and the folley. Any alteration to the wall should not however undermine the perception of the wall forming a robust barrier between the former barracks and the residential areas of the town.

Promoting Walking and Cycling

- 4.17 Priority must be given to pedestrian and cyclists movements and opportunities taken to improve accessibility as this will allow pedestrians and cyclists to directly access local amenities and freely move through the area in a way that offers a choice of routes.



Goldsmith Street, Norwich – pedestrianised street offering communal amenity.

Filtered permeability (selective pedestrianisation / cycleways supported by rear/remote parking) and homezone measures, coupled with high quality usable landscaping, must be used to ensure pedestrians and cyclists are afforded priority over cars; this includes the design of the site access on Flagstaff Road.

- 4.18 Artillery Barracks Folley is not currently formally designated as a cycleway. The feasibility of upgrading the folley to an

adoptable cycleway should be explored as a part of the redevelopment of the ABRO site. In the event that it is demonstrated that this is not feasible, a cycle link should be created through the site that provides for a similar east / west connection to the folley.

Car Parking

- 4.19 The development will be expected to provide an appropriate level of car parking and this should reflect the guidance as set out in the Council's adopted Parking Standards. The precise parking provision will need to be informed by a clear evidence base (e.g. local car ownership census data etc), a convincing parking strategy and maximising opportunities for sharing and modal shift. Should a car free development (with or without secure remote parking) be promoted or a development with a reduced parking allocation (i.e. lower than levels suggested by the adopted parking standards) measures to minimise overspill parking in neighbouring communities will need to be provided. Such measures could include car clubs, shared mobility hubs, increased cycle parking and proposals to guard against new residents using existing residential streets for car parking. All car parking must be designed so that it is attractive, overlooked, well landscaped and sensitively integrated into the proposed built form so that it does not dominate the development or the street scene. The incorporation of tree planting into parking area will also help to improve air quality and biodiversity.
- 4.20 Electric charging points must be provided throughout the development (including within communal parking areas) and should be sited and designed to avoid street clutter.



Roussillion Barracks, Chichester – Rear mews street with flats above car parking.

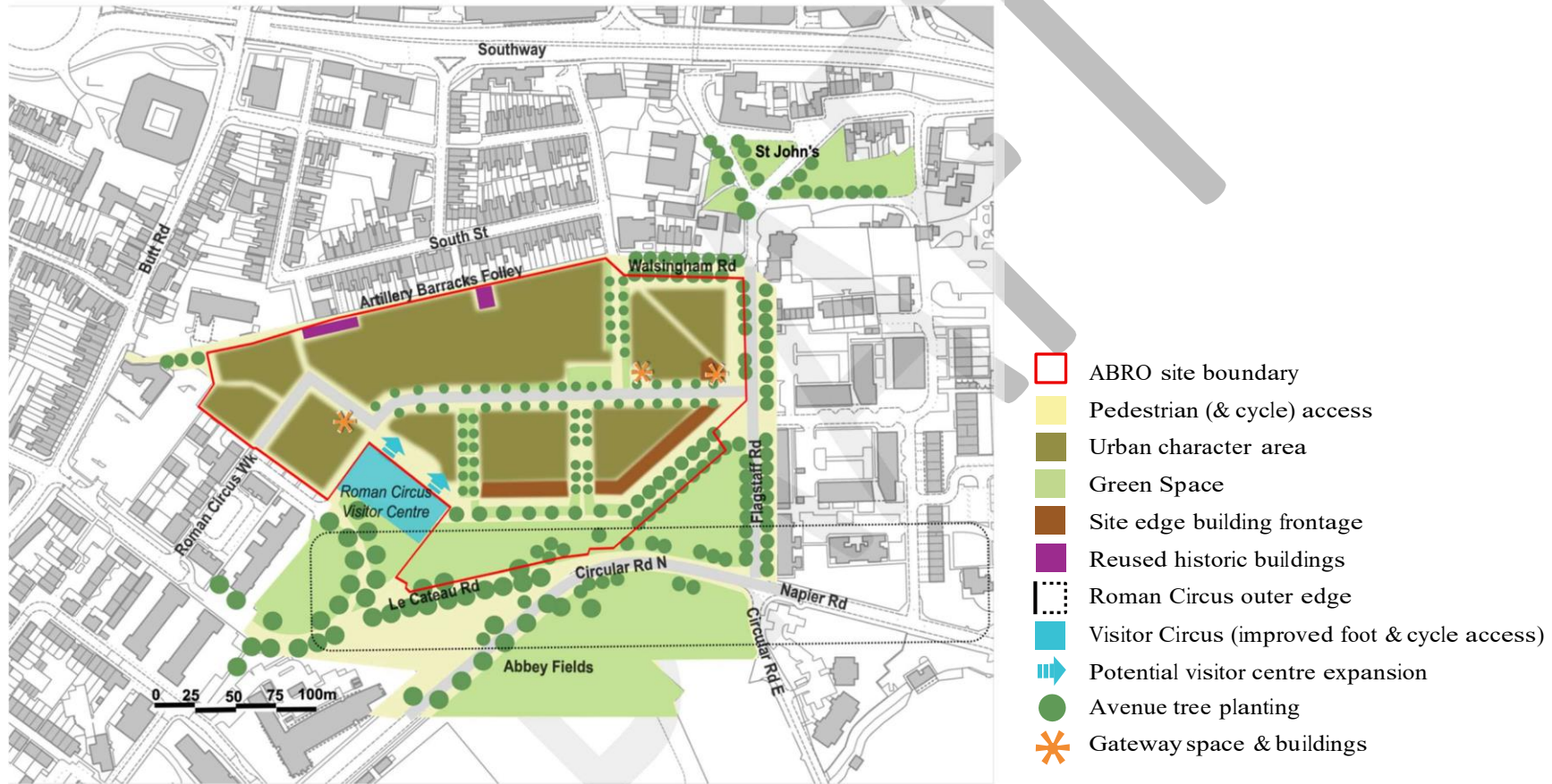
- 4.21 All dwellings must be provided with an appropriate level of cycle parking that is both secure, covered and convenient to use, such cycle lockers and hangars which are widely available for home storage, as well as communal schemes.

Landscape, Biodiversity and Trees

- 4.22 The development proposal must integrate existing trees (on or adjoining the site) and ensure that they are provided with sufficient space to ensure their protection and long-term survival. The development must also incorporate new natural features (including the reinstatement of the Victorian landscape of tree-lined routes outside the Roman Circus SAM and buffer zone) to create a multifunction network of spaces that adds to biodiversity, water management and addresses climate change mitigation and resilience. This could also be delivered through the use of features such as roof gardens, green and blue roofs and green walls.

Indicative Layout

4.23 The following illustrative plan shows how previously outlined key principles might, as an example, suitably translate to a site layout, subject to further consideration of issues and opportunities. It lays down a design quality benchmark for considering future developer proposals even if designs creatively differ in translation and/or in response to further emerging factors.



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Figure 9: Illustrative Plan

5 Development Process

Application Process

- 5.1 The Council encourages early engagement by submission of Preliminary Enquiry (PE) and Planning Performance Agreement (PPA) to discuss the detailed proposals, the scope of the application as well as contributions towards social and physical. Pre-application advice will confirm the documents required for any application submission, but these are likely to include:

- ☐ Design and Access Statement (DAS);
- ☐ Air Quality Assessment;
- ☐ Affordable Housing Statement;
- ☐ Transportation Assessment and Travel Plan;
- ☐ Archaeological Assessment and Heritage Statement - see Site and Context: Heritage: Archaeology for further details;
- ☐ Townscape / Landscape Visual Impact Assessment
- ☐ Sustainable Drainage and Foul Drainage Statement;
- ☐ Biodiversity Survey and Report;
- ☐ Daylight and Sunlight Assessment;
- ☐ Contamination Survey; and
- ☐ Health Impact Assessment

- 5.3 Please refer to the local validation check list at: [Validation List 2017.pdf \(windows.net\)](#)

Planning Obligations

- 5.4 Future developments will be required to make a financial contribution or other obligations towards additional infrastructure facilities to appropriately mitigate the impacts of development. The precise details will be negotiated between the future developer/applicant and the Council. The contributions and/or obligations are contributions a are likely to include:

- ☐ Affordable Housing – 30% affordable housing and provide inclusive access;
- ☐ Education;
- ☐ Sports, Recreation and Open Space;
- ☐ The Roman Circus - specific regard needs to be had to the adjacent scheduled monument and appropriate mitigation will be sought in accordance with the Roman Circus Management Strategy;
- ☐ Community Facilities;
- ☐ Highways and Transportation;
- ☐ Health (NHS);
- ☐ RAMs (Natural England) – to mitigate impact on the protected coastline; plus
- ☐ All other policy requirements

Contacts

- 5.5 For further information and advice please contact:

Planning Services, Colchester Borough Council, Rowan House, Sheepen Road, Colchester CO3 3WG | tel: 01206 282424 | email: planning.services@colchester.gov.uk .

13 December 2021

Report of	Assistant Director of Place and Client Services	Author	Sandra Scott
Title	Colchester Local Plan Section 2 Modifications / Examination - Update		
Wards affected	All		

1. Executive Summary

- 1.1 Following virtual examination hearings in April 2021, the Planning Inspector has confirmed his recommended 'main modifications' for the Section 2 Local Plan.
- 1.2 The main modifications which are considered necessary by the Inspector for the Plan to be found sound, were subject to public consultation together with the accompanying Sustainability Appraisal and Habitats Regulation Assessment, which ran from 4th October to 1pm 18th November 2021. A short extension was added to the six week period to compensate for some disruption to the consultation portal.
- 1.3 The schedule of 'additional modifications' and modifications to the Policies Maps as consequential changes from the main modifications, to provide factual updates or to correct spelling/grammar errors were also subject to consultation at the same time.
- 1.4 All of the valid representations received are being passed to the Inspector for him to consider, to enable him to write his final report and subject to his recommendation the Plan can be adopted.

2. Recommended Decision

- 2.1 It is recommended that the Local Plan Committee:
 - Notes the information in the report summarising the response to consultation on the main modifications (attached as Appendix A).
 - Note the information in the report summarising responses to the consultation on the updates to the Sustainability Appraisal (SA) incorporating a Strategic Environmental Assessment (SEA) and a Habitats Regulations Assessment (HRA) for the Modified Section 2 Local Plan (attached as Appendix B).
 - Notes the information in the report summarising the response to consultation on the additional modifications and Policies Maps (attached as Appendix C).

3. Reason for Recommended Decision

- 3.1 To facilitate adoption of a Local Plan for the Borough in order to provide a robust and sustainable basis for guiding future growth and development across the Borough.

4. Alternative Options

- 4.1 The Council cannot adopt the Local Plan contrary to the Inspectors findings. Therefore, the Council would need to consider an alternative approach to challenge the findings or withdraw the Section 2 Plan. It should be noted that the main modifications schedule currently received is not his formal recommendation nor a decision, it would not be itself challengeable by judicial review.
- 4.2 The alternative options available to the Council at this point would be:
- Withdraw the plan and start again.
 - Lobby the Secretary of State to direct that the Plan is submitted for him to consider.
- 4.3 Both options would involve further cost and delay to the Local Plan process and may leave the Council open to speculative development. There is no guarantee the second option would be successful.
- 4.4 Having considered the costs and benefits of these options, officers recommend that the Council continue with the Plan process and await the final report from the Inspector with a view to progressing to the Adoption of the Plan subject to him finding the Plan sound.

5. Background Information

- 5.1 Following the Examination Hearing sessions in April 2021, the Inspector recommended a schedule of recommended Modifications which he considers are necessary for the soundness of the Plan.
- 5.2 These Main Modifications were subject to consultation for a period of just over 6 weeks, as required by and in accordance with, the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012. An accompanying Sustainability Appraisal (update) and Habitats Regulations Assessment (update) were also subject to consultation over the same period. Alongside these the Council also prepared the consequential changes required to the Policies Maps to reflect the Main Modifications and any corrections necessary as well as a schedule of Additional Modifications which were very minor in nature / factual corrections. These were also subject to consultation.
- 5.3 The consultation was limited to the recommended Modifications to the Plan only. Any representations received to matters which are not subject to a recommended Modification are not considered to be valid, since the Inspector has already reached a view which suggests no amendment is necessary in order to address the soundness of the Plan.
- 5.4 Following the 6 week consultation, valid representations have been received as follows;
- 1192 Representations of Objection to the Main Modifications
 - 29 Representations of Support to the Main Modifications
 - 9 Representations in respect of the Sustainability Appraisal and 2 to the Habitats Regulations Assessment;
 - 8 representations to the Policies Maps
 - 10 representations to the Additional Modifications
- 5.5 A further breakdown of the representations received show that 91% were in relation to the Main Modifications linked to the Middlewick policy or supporting text. The Modifications proposed the wording of Policy SC2 and relevant supporting text be modified in a number of ways. This includes clarification of transport assessment and mitigation measures, biodiversity net gain requirements, and wording to ensure the evidence base and Masterplanning work adequately reflects the full range of environmental considerations, heritage assets, landscape considerations, contamination, developer contributions and timing /phasing in relation to biodiversity net gain, as well as the opportunity for effective engagement with the community through masterplanning for the site. The representations received cover a number of issues and concerns related to the loss of open space, traffic impacts, the loss of a Local Wildlife site, the implications for wildlife and habitats and the ability to achieve Biodiversity Net Gain. Many of the representations object to the principle of the allocation and request it is removed from the Plan or argue that it is not needed.
- 5.6 To highlight a few other issues receiving representations these include the modifications related to Tiptree, the changes in relation to Marks Tey following the Adoption of Section 1 and detailed wording on some environmental matters including Biodiversity and tree canopy cover. Many representations seek wording changes to add clarity or consistency with other policies such as those related to made neighbourhood Plans. The full summary is in Appendix A.

- 5.7 The representations range from suggested further refinement, alternative wording, a request to revert back to the former wording or objections in principle to the intention of the policy or the proposed modification
- 5.8 A number of Main Modifications did not attract any representations or only received Support. The policies which as Modified did not receive objections are listed below in Appendix A;
- 5.9 The Inspector is being passed all of the valid representations received to the Main Modifications and those to the Sustainability Appraisal and Habitats Regulations for him to consider further, prior to him issuing his Final Report or advising of any further matters for consideration.
- 5.10 The responses to the Policies Maps and Additional Modifications are for the Council to consider because of their minor nature. These are summarised in the schedule attached as Appendix C.
- 5.11 The consultation was publicised via the Council's website, through social media, by notification directly to all on the Local Plan database including Statutory Consultees (including Parish/ Town Councils) and through Ward Councillors. The level of response suggests a good level of awareness of the consultation.
- 5.12 As with all of the Local Plan Consultations respondents were encouraged to respond using the online Consultation Portal where possible. Alternatively people could respond via email, or by post to Rowan House. This consultation generated an unprecedented high proportion of responses being received via the portal with 74% of all representations received this way. 20% of representations were received by email and a minority of 6% by post. It is acknowledged that on the weekend of 13th/ 14th November there was some disruption to the online consultation portal. Although the software company attempted to resolve this during the weekend, the system was not fully functional again until Monday 15th just after 9am. For this reason and in the interests of fairness, an extension of time was agreed to compensate for the disruption and to ensure no one was disadvantaged. Receiving a high proportion of representations via the consultation portal has enabled them to be processed, published and sent to the Inspector expediently, so as not to cause any delay in his final reporting.

Next Steps

- 5.13 The next stage is for the Inspector to consider the representations received to the Main Modifications before he comes to a final decision on whether the Section 2 Local Plan with those modifications, is sound and can be formally adopted.
- 5.14 It is anticipated that the Inspector will consider the representations during December 2021 / January 2022 enabling him to issue his final Report January / February 2022. Subject to his final recommendations this will allow the Council to proceed to Adoption of the Section 2 Colchester Local Plan soon after.
- 5.15 As with Section 1, the decision to formally adopt the Section 2 Plan at the end of the process will be made by a meeting of the Full Council. This will result in the Colchester Local Plan as a whole being adopted.

6. Legal Implications

- 6.1 The planning legislation and the National Planning Policy Framework (NPPF) (both the 2012 version applicable to this Local Plan and the new 2021 version) place Local Plans at the heart of the planning system, so it is essential that they are in place and kept up to date. The NPPF expects Local Plans to set out a vision and a framework for the future development of the area, addressing the needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for safeguarding the environment.
- 6.2 The NPPF states that where the development plan is out of date permission should be granted for sustainable development unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits or other policies indicate otherwise. It is therefore important to progress the Section 2 Local Plan through the remaining stages of the plan making process and ensure it meets the requirements of national planning policy so that, together with Section 1, it can become the new statutory development plan and be relied upon by the Council acting as the Local Planning Authority. It will replace the current Local Plan (comprising The Core Strategy, Site Allocations DPD and Development Management Policies and various site specific DPDs which will become increasingly out of date (these documents are available on the [CBC website](#)).
- 6.3 The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 place certain provisions on the Local Planning Authority in complying with the plan making process, which are also tested at Examination. These include;
- a legal duty upon local authorities and other public bodies to engage constructively, actively and on an on-going basis to maximise the effectiveness of Local Plan preparation, this is known as the 'Duty to Cooperate' on strategic matters of cross-boundary significance, which includes housing supply;
 - provision for regulations relating to the preparation, publication and representations relating to a local plan and the independent examination;
 - requirement for a local planning authority to carry out a Sustainability Appraisal of each of the proposals in a Local Plan and the consequence of reasonable alternatives, during its preparation and in addition prepare a report of the findings of the Sustainability Appraisal;
 - requirement for a local planning authority to submit a plan for examination which it considers to be "sound" meaning that it is: positively prepared, justified and effective. The job of the Planning Inspector is to test that the Local Plan meets legal and procedural requirements and the above tests of soundness.
 - provides that the Inspectors must, if asked to do so by the local planning authority, recommend modifications to the local plan that would satisfy the requirements mentioned in subsection 20(5)(a) to make it sound
- 6.4 The job of the Planning Inspector is to test that the Local Plan meets legal and procedural requirements and the above tests of soundness. The Inspector has already confirmed that legal and procedural requirements have been met but that the Section 2 Local Plan will require modifications to ensure that it is sound. These modifications were published for consultation in their own right, alongside an updated Sustainability Appraisal and an update to the Habitat Regulations Assessment (HRA) which considers the impact of the

modifications on international wildlife sites. The Inspector must consider the representations to these before he prepares his final report and the Council can proceed to the adoption of Section 2

7 Equality, Diversity and Human Rights implications

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

<https://cbccrmdata.blob.core.windows.net/noteattachment/Equality%20Impact%20Assessment%20June%202017.pdf>

8 Strategic Plan References

- 8.1 All themes in the Strategic Plan are relevant, in particular: Delivering homes for people who need them. 'Create new communities and adopt a new Local Plan that delivers jobs, homes and the infrastructure to meet the borough's future needs' is a priority under this theme.

9 Consultation

- 9.1 The Council proceeded with the recommended modifications to the Section 2 Local Plan, along the lines indicated by the Planning Inspector, which were subject to a six week public consultation inviting any final comments for the Inspector to consider before he can come to a decision on the soundness of the plan. This consultation ran from 4th October to 1pm on 18th November 2021.
- 9.2 The consultation was confined to the recommended modifications. Comments have not been accepted on other elements of the plan not recommended for modification (and which are therefore presumed to be sound). The updated Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) were also published alongside the modifications and comments on those documents were invited. The Council also published the schedule of Additional Modifications and consequential changes / corrections to the Policies Maps. All of the relevant documents were published on the Council's website and hard copies made available to view at the Colchester main library subject to their opening hours and arrangements in light of the coronavirus pandemic. Consultees and those on the Council's respective databases were notified and there was publicity via a number of media channels. The nature of the consultation exercise did not necessitate any public meetings, exhibitions or other face to face events.
- 9.3 Following the consultation, officers have processed all representations received and submitted them (alongside the documents subject to the consultation) to the Inspector's Programme Officer.

10 Publicity Considerations

- 10.1 All documents are available on the examination website hosted by the Council. The Local Plan is likely to generate significant publicity for the Council as it has done previously.

11 Financial implications

- 11.1 The production and examination of the Local Plan has been undertaken within an allocated budget, including evidence base preparation, consultation and examination.

12 Health, Wellbeing and Community Safety Implications

- 12.1 Adoption of a new Local Plan will address the health, wellbeing and community safety implications of creating sustainable communities.

13 Health and Safety implications

- 13.1 No direct implications.

14 Risk Management Implications

- 14.1 Any consultation on the main modifications recommended by the Inspector may result in further objections; however, unless they raise fundamental issues which require re-examination, they are unlikely to result in further significant changes. This will be for the Inspector to judge and indicate in his reporting.
- 14.2 The Inspector has given clear advice on how the Section 2 Local Plan ought to be modified in order to meet the government's tests of soundness and for the Council to proceed to the next stage of the plan making process.

15 Environmental and Sustainability Implications

- 15.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. The purpose of the planning system is to contribute to the achievement of sustainable development as defined in the National Planning Policy Framework. Achieving sustainable development means that the planning system has three overarching objectives, economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways through the plan making process. Accordingly, the preparation of the Section 2 of the Local Plan has taken these objectives as its starting point.
- 15.2 This report has taken into account the Climate Emergency and the sustainable development objectives set out in the NPPF. It is considered that the report demonstrates that adoption of Section 2 of the Local Plan can contribute to achieving sustainable development.

Appendices

Appendix A –Summary of representations received to Proposed Main Modifications

Appendix B – Summary of representations received to updates to the Sustainability Appraisal and the Habitats Regulations Assessment

Appendix C –Proposed Modifications to Policies Maps and Proposed Additional Modifications

Appendix A summary of the responses to consultation on the Main Modifications to Section 2 Colchester Local Plan (04/10/2021-18/11/2021)

MM Ref (Policy / Para)	Number of Reps	Summary of Objections issues / comments raised
MM1 (Whole Plan)	1	Insufficient revisions made to take account of the final adoption of Section 1 and the removal of the CBBGC.
MM3 (SG1)	1	Object to the removal of the word “highly” in front of accessible locations” and request it is re-instated
MM4 (SG2)	2	<ul style="list-style-type: none"> Housing numbers and timescale for Copford with Easthorpe are not appropriate given the limited facilities in the Parish Indefensible use of greenfield site ref Hall Road Copford
MM5 SG2 Table- appendix 1)	13	<ul style="list-style-type: none"> Housing provision Number for Copford with Easthorpe is disproportionate to neighbouring areas elsewhere in Colchester Should be a provision for housing made in Marks Tey- the Plan has consider 24,000 or 0 houses Further assessment of smaller scale development at Marks Tey is required Increased numbers at Stanway should be reconsidered due to limited capacity for further growth Further clarification required on the numbers referring to Tiptree (allocations and existing commitments) Reduction of numbers at Tiptree is unjustified Impact on climate change and pollution of building more houses Houses at Middlewick will not be delivered in the timescale indicated- need alternative sites to ensure numbers are met- (Marks Tey referenced)
MM7 SG3 (and appendix 2)	2	<ul style="list-style-type: none"> Concern about the reduction in the employment provision particularly in Stanway and the impact on ability to create sustainable neighbourhoods. Request this is reconsidered and the mixed use allocation at Stanway is re-instated. Reinstate the employment land at Marks Tey previously omitted- correct map to illustrate area accurately (Relates to Policy Map)
MM8 (SG4)	2	<ul style="list-style-type: none"> Constraints to Local Employment area in Tiptree are no recognised in the Modification
MM10 (SG6)	2	<ul style="list-style-type: none"> Modification MM10 is not consistent with National Policy nor justified by any exceptional circumstances. References to proposals (either in or edge of centre) being of an appropriate scale and type and maintaining or adding to the viability and vitality of the centre should be removed.

		<ul style="list-style-type: none"> Further clarification required regarding which elements apply to in, edge or out of centre (Tollgate District centre)
MM11 (SG6)	1	Seek clarification of application of impact thresholds set out in Table 6
MM12 (SG7)	1	Policy SG7 omits a main modification that was agreed between Colchester Borough Council and Essex County Council as outlined in the Statement of Common Ground signed 9 April 2021 and published on the Section 2 Local Plan webpage. The agreed, but omitted modification to Policy SG7, is outlined in the SoCG under 'CBC Rep number 6203'. This would include additional text to the policy at the end of the 4th paragraph, and will provide a clear reference to CIL (ECC)
MM13 (SG8)	3	<ul style="list-style-type: none"> Revised wording is not supported and should be amended as follows- <i>"Once a Neighbourhood Plan is made, this becomes part of the Development Plan. In cases where a Neighbourhood Plan has not been made, responsibility for all planning matters within that area will revert to the Local Planning Authority."</i> Policy no longer clear what happens if NHP fails revised wording proposed to provide certainty / clarity Over reliance on the NHP to deliver homes – specifically in relation to Tiptree
MM14 (para 13.3- Habitats Regs)	1	The Habitats Regulations requirements need to be applies to Middlewick Ranges (comments also made to MM37)
MM17 (para 13.8)	1	Further clarity required regarding Biodiversity Net Gain requirement should not be as absolute as worded
MM18 (para 13.9)	2	<ul style="list-style-type: none"> Paragraph 13.9 omits a modification agreed between Colchester Borough Council and Essex County Council as outlined in the signed Statement of Common Ground (SoCG) between the two authorities on 9 April 2021. The agreed, but omitted modification is outlined in the SoCG under 'CBC Rep number 6207'. This is a factual change to ensure consistency with legislation and the representation was made by ECC in 2017 at the Regulation 19 stage. The text should similarly acknowledge that the large swathes of Lowland Dry Acid Grassland at Middlewick Ranges is also difficult to recreate and loss would impact severely on the habitats supported- add reference to this point in para 13.9 referring to lowland acid grassland at Middlewick
MM20 (ENV1)	4	<ul style="list-style-type: none"> Seeks clarification in the wording relating to criterion (iii) and (v) in the modification in relation to Biodiversity Net Gain- also to confirm that both BNG and Mitigation are required rather than or (NE) Lowland acid grassland should be recognised as an irreplaceable habitat and ref to this added to the policy in section D Flexibility should be required around Biodiversity Net Gain
MM23 (ENV5)	1	There is no reference to light pollution which is necessary to determine what is acceptable

MM24 (para 13.49)	3	<ul style="list-style-type: none"> • Modifications do not include the third element in the cited canopy-cover study: 'targets and strategies for increasing tree cover should be set according to species, size and age composition of the existing urban forest, based upon a ward/district level and land-use assessment' We propose inclusion of the cited extract from the Canopy-cover study. • The proposed requirement for a canopy cover assessment is ineffectual as: <ul style="list-style-type: none"> • Additional burden to a planning application submission • NPPF continue to evolve in regard to this topic • Rigid and broad 10% quantitative increase in tree cover is ineffective <p>Suggested policy amended to refer to exploration through landscaping whilst taking into account the sites characteristics</p>
MM25 (CC1)	4	<ul style="list-style-type: none"> • Modifications do not include the third element in the cited canopy-cover study: 'targets and strategies for increasing tree cover should be set according to species, size and age composition of the existing urban forest, based upon a ward/district level and land-use assessment' We propose inclusion of the cited extract from the Canopy-cover study. • The proposed requirement for a canopy cover assessment is ineffectual as: <ul style="list-style-type: none"> • Additional burden to a planning application submission • NPPF continue to evolve in regard to this topic • Rigid and broad 10% quantitative increase in tree cover is ineffective <p>Suggested policy amended to refer to exploration through landscaping whilst taking into account the sites characteristics</p> <ul style="list-style-type: none"> • Urge early plan review to ensure climate change challenges can be met
MM26 (PP1)	2	Mitigation to include requirements for contributions to the cost of infrastructure and/or community facilities should not be negotiable. Include installation of potentially life-saving publicly accessible defibrillators to all major developments of more than 10 dwellings.
MM27 (TC1)	2	<p>Policy TC1 should include shared mixed-use spaces and short-term uses should also include outdoor or outdoor covered spaces to provide wider range of diverse mix of uses.</p> <p>Add wording between "mix of uses" and "and extend"- <i>including shared mixed-use spaces and short-term uses including festival, arts and other events which encourage visitors and enhance tourism</i></p>
MM29 (TC3)	1	<p>Vineyard gate Delete "" provide a residential-led "</p> <p>Replace with: "provide affordable homes, and an extension to the bus interchange,</p> <p>Reason: The original text is too prescriptive and will not permit changes of direction in the near future</p> <p>St Botolphs - Delete "Mixed use scheme providing cinema, hotel; restaurants cluster; retail; student accommodation; Creative Business Centre (1.86 ha)</p> <p>And replace with "Mixed use scheme including leisure, tourist and cultural facilities"</p>

		Reason: The original text is too prescriptive ADD under "requirements" Retain existing public rights of access to homes and businesses to the north of the site less
MM35- MM47 all relate to Middlewick Ranges		
MM35 (para 14.54)	284	<p>Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory Consultees indicated for reference);</p> <ul style="list-style-type: none"> • Inadequate Infrastructure including impact of additional traffic- capacity / congestion; • Traffic impact on the wider network • Impact on the biodiversity and local wildlife site- it is not possible to create Biodiversity Net Gain required or to mitigate ecological habitats; • Incompatible with the ecological evidence base • Conflict with Boris Johnson's recent statement regarding building on greenfield sites; • Loss of open space / it should be a country park green infrastructure evidence is out of date • Lack of nearby employment • Impact on pollution • The houses are unnecessary • Inadequate capacity at foul sewer and treatment plant • Impact on Flood risk / surface water flooding from Birch Brook • Impact on historic / heritage of the area <p>Will Quince MP- Housing is not needed, there is no justification of "opportunities" and concern over the potential wildlife and ecological damage caused by the proposals</p> <p>EWT – Justification is not provided for destroying a nationally rare ecological habitat. The houses are not necessary therefore is no exceptional need to justify the damage</p> <p>Comments- if the Site is to be developed the points below to be considered / addressed;</p> <ul style="list-style-type: none"> • Infrastructure to be put in place before the houses are built; • Homes to be carbon neutral and include measure to off set climate impacts; • Create a southern bypass • Ensure consultation and early involvement of natural England in Masterplanning for the site

MM36 (para 14.55)	136	<p>Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees indicated for reference);</p> <ul style="list-style-type: none"> • Diverse environment should be preserved for future generations • Loss of wildlife and habitats (including irreplaceable habitats) • Infrastructure is inadequate • Traffic congestion / capacity impacts locally and wider network • Impact on air quality and pollution- Middlewick currently provides a buffer to adjoining AQMAs • Lack of an overall masterplan for South Colchester and managing traffic impacts • Impact on the open space which should be retained for local enjoyment • Will increase CO2 emissions • <p>Will Quince MP-Despite the drive towards increased sustainable transport infrastructure and the active travel agenda the increase in traffic is a concern particularly the impact on air pollution in an area which is already exceeding the legal limits</p> <p>Comments- if the Site is to be developed the points below to be considered / addressed;</p> <ul style="list-style-type: none"> • Acknowledge installation of cycle lanes is impractical along some parts of routes • Assessments and Road infrastructure must take account of other developments in the area (eg Willows Estate and Berechurch). • Ensure CO2 emissions do not exceed the recommended levels • Any permission for development must be conditional on the road network being capable of the accommodating the additional traffic, and be masterplanned • Need to be realistic about modes of travel and modal shift • Modification to go further and indicate that that if the traffic constraints cannot be adequately addressed then the number of houses is not just scaled down but the site potentially removed altogether. • Mitigation will need to form part of the Transport Assessment to manage impact on air pollution and flood risk as well as congestion • Investigate the feasibility of a bridge for cyclists and pedestrians across the River Colne to help reduce the impact of development at Middlewick
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MM37 (para 14.56)	213	<p>Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees indicated for reference);</p> <ul style="list-style-type: none"> • Impact on the wildlife species and habitats including rare species (UK Biodiversity Action Plan habitat 1) many of irreplaceable • Loss of LWS • Biodiversity net gain is not achievable • Take account of the expert ecology advice provided to EiP by objectors and not just rely on the Stantec evidence • Loss of open space / Green Infrastructure strategy is out of date • Loss of historic grassland and woodland / damage heritage and archaeology • The area should have SSSI status. Recent survey evidence has been submitted to NE who have advised it is “scientifically interesting” “has merit in being considered...” • Should be a nature reserve / country park (managed by egs- EWT / RSPB / CBC) • Inadequate infrastructure to support the development • Flood risk in the area • Loosing Middlewick will set a precedent to loosing other important open spaces in Colchester and elsewhere • Has been no consultation with residents • Houses are not needed <p>Will Quince MP-Concerned that he ecology / wildlife reports prepared by Objectors for the EiP have been ignored. Concern whether the Inspector understands that the acid grassland is a nationally significant habitat</p> <p>EWT- The wording of the Main Modifications lacks clarity due to the conflation of the terms ‘mitigation’ and ‘compensation’. The Main Modifications also fail to adhere to the good practice principles for the application of Biodiversity Net Gain</p> <p><i>Comments- if the Site is to be developed the points below to be considered / addressed;</i></p> <ul style="list-style-type: none"> • Reduce the allocation area to the area currently fenced off to prevent over building on the larger allocation • Wait for the replacement habitat (acid soil / grassland) has worked before allowing building to take place
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		<ul style="list-style-type: none"> • should the site remain in the plan, the following additional modification is required: “No development can commence on Middlewick Ranges (SC2) until a team of independent ecologists & wildlife experts, funded (but not managed) by the developer, are satisfied that the new acid grassland mitigation habitat has established to a satisfactory level.” • If development is agreed, it must be environmentally-led. The least and most minimal damage, and this damage be properly mitigated in a proven way and before development occurs. • Avoid building on the acid grassland as much as possible • Further protection offered - more than the wording affords here. We should also make specific reference to ensuring the highest protected areas are not built on and safe. A country park and wildlife corridor should be a minimum expectation for the area.
MM38 (para 14.57)	119	<p>Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees indicated for reference);</p> <ul style="list-style-type: none"> • Loss of only remaining green lung / buffer in this area of Colchester • Loss of open space / should be a country park • Traffic impacts and capacity of network to take additional traffic • Impact on LWS and biodiversity and habitats and protected species • Contradicts Government drive to move away from greenfield developments • Impact on CO2 emissions • Conflicts with the Climate Change agenda • Impact on pollution and air quality • New open space will not meet the needs of the residents whose interest is nature and this will be at the expense of existing habitats and wildlife • New open space is not needed if the site is left undeveloped • Implications arising from the burial of cows following foot and mouth and associated contamination <p>Will Quince MP - concerned the type of green space areas instructed by the Inspector fall short of replacing the ecological and environmental diversity on the Middlewick Ranges. I'm also concerned these alternatives do little to replace the natural habitats of 600 rare species residing on-site.</p> <p><i>Comments- if the Site is to be developed the points below to be considered / addressed;</i></p> <ul style="list-style-type: none"> • Ensure evidence base and masterplanning work adequately reflects full range of environmental considerations.' The Green Infrastructure Strategy 2011 is out-of-date, being ten years old. It refers to the Middlewick Ranges as a farmland plateau, not acid grassland.

		<ul style="list-style-type: none"> • Strengthen the wording to protect / enhance the existing dog walking • To maintain the Local Wildlife value of the site, no development should take place on the area of acid grassland that connects to the Colchester Orbital. Alternative green spaces that degrade the natural habitat should not be allowed. • The plans need to state that "The range of typologies must include accessible natural greenspace, formal playing pitches, parks and play space, green corridors and land for future cemetery use (including potential for a woodland cemetery), if suitable and required." The word 'may' in the plan, needs to be changed to 'must'. Also, some commitment to the actual percentage of these different areas need to be stated in the plans. • Add the following words to paragraph 14.58 Anthropogenic pressures could additionally harm the quality of the habitat at the Birch Brook Wood LoWs. The developer will be required to address those impact as part of the mitigation strategy.
MM39 (para 14.58)	7	<p>Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees indicated for reference);</p> <ul style="list-style-type: none"> • Ensure that the site is fully investigated (archaeology) in accordance with all appropriate requirements. • The archeological report ignores the historical social use of the Wick, which can be seen as old footpaths (some without numbers) crossing to lost places like Old Heath Port. Eg from Cherry Tree, Cabbage Hall Lane, across the Wick to Wick Rd of Speedwell, down a track to the Colne. • This is a site of historic interest. • Why would management be required for the redoubt. • No trees should be touched there are many ancient trees which can't be touched. <p><i>Comments- if the Site is to be developed the points below to be considered / addressed;</i></p> <ul style="list-style-type: none"> • The assurance that if any 'heritage assets' are found then this will not involve building a visitor centre over more valuable green land to attract a few visitors a year.
MM40 (new para)	56	<p>Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees indicated for reference);</p> <ul style="list-style-type: none"> • High voltage cables overhead and potential impact on health within specific proximity of power line, also are an intrusion in the landscape • Concerns about run-off pollution into Birch Brook and wider flood risk concerns • Ecological mitigation is not achievable

		<ul style="list-style-type: none"> • Green Infrastructure strategy is out of date and wrongly refers to Middlewick Rages as a farmland plateau, not acid grassland. • Inadequate infrastructure • Loss of open space • Loss of LWS and impact on habitats and wildlife • Constraints will result in housing being concentrated in a small area of the site making it unsuitable for the area • Landscape impact • <p><i>Comments- if the Site is to be developed the points below to be considered / addressed;</i></p> <ul style="list-style-type: none"> • A full safety check to ensure that this area is safe to house 1,000 houses. To me, screening visual intrusion's would mean large areas of trees, not fields and large gardens to ensure as much greenery is kept as is possible. Also, developments taking place over a long period of time to avoid disruption. • Any future housing should move it as far South as possible and enclose it so it cannot be seen surrounded by a Country Park. (Proposal referred to by Sir Bob Russell) • This modification needs to be strengthened – Conserve and manage existing woodland and hedgerows needs 'and adjacent buffer zone to preserve existing biodiversity' needs to be added.
MM41 (para 14.59)	5	<p>Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees indicated for reference);</p> <ul style="list-style-type: none"> • There is no mention of use of UXDs on the site and mention of of BSE contamination • Concern about fly-tipping will increase • The excavation of the buried contaminated cows will be admitted to and looked into / concern this could present a health risk • Inadequate policies on contamination <p><i>Comments- if the Site is to be developed the points below to be considered / addressed;</i></p> <ul style="list-style-type: none"> • The LP should include the specifics of contamination and that a risk assessments will be needed in respect of UXDs and BSE contamination not just desk top surveys. • a clause needs to be added to ensure the MOD remains liable for future contamination issues for the next 30 years.
MM42 (para 14.60 & 14.62)	14	<p>Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees indicated for reference);</p>

		<ul style="list-style-type: none"> • Concern about serious road flooding along major network roads; • Concern about the Brook and also underground springs and flooding • Existing drainage system is inadequate for additional development • Impact of building on water filtering into the brook • Create a cemetery extension <p>AW- Support the changes to the wording in the Modification</p> <p><i>Comments- if the Site is to be developed the points below to be considered / addressed;</i></p> <ul style="list-style-type: none"> • Should be modified to say all areas around the Middlewick Ranges including the status of the Hythe were the water pipes will come from and sewage. • The developer must determine the additional impacts that will arise from any proposed development on Middlewick, and commit to a legal mechanism to ensure financial contributions commensurate with resolving these are determined at time of application. • On site flood management provisions need to be part of the proposed development.
MM43 (new para)	8	<p>Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees indicated for reference);</p> <ul style="list-style-type: none"> • Lack of confidence about adequate community engagement • Communication to date very poor • Should not rely on all having access to a computer • Expect sustainable construction of any houses • Engagement needs to go beyond website and ensure wider community is engaged with <p><i>Comments- if the Site is to be developed the points below to be considered / addressed;</i></p> <ul style="list-style-type: none"> • Masterplan should include highways networks upgrades • Wider public consultation is required that extends across the whole of Colchester as a minimum and be more widely accessible to the public than the previous public engagement exercises. Given the ecological significance of this site, the masterplan will be supported, as appropriate, with site wide parameter plans, design codes or design guidance, and detailed, i.e. phase 2 ecological assessment. • The masterplan process MUST include engagement of the local community.
MM44 (para 4.61)	9	<p>Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees indicated for reference);</p>

		<ul style="list-style-type: none"> • Lack of confidence that developers will come through with the necessary contributions • Wording should refer to a legal requirement rather than stating ..."will be sought..." • Infrastructure should include potentially life saving defibrillators • Importance of open space for enjoyment and health benefits • All references to ecology, habitat, education, community infrastructure, accessible green space appear to have been removed • Concern about contamination and verification of evidence • Concern that costs associated with this development are met by the developer and not the Tax Payer <p><i>Comments- if the Site is to be developed the points below to be considered / addressed;</i></p> <ul style="list-style-type: none"> • Staged payments and complete funding before start of last phase • Developer contributions will be a legal requirement for mitigation.... including ecological mitigation to ensure protected and section 41 species of flora and fauna present at Middlewick colonise the compensatory habitats successfully • Include requirement for the inclusion of potentially life saving defibrillators • The developer will be required to pay in full for the extra costs of this development including ecological mitigation etc and flood management and sewage infrastructure. It should also be a condition that adequate accessible green space and public open space is made available to existing residents in the surrounding housing estates and should never have existing access reduced
MM45 (para 14.63)	77	<p>Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees indicated for reference);</p> <ul style="list-style-type: none"> • Inadequate evidence was available on Biodiversity Net Gain which should have been requested at EiP- The ecological assessment underpinning Policy SC2 is fundamentally deficient and does not advance biodiversity objectives. The errors are so central to the site allocation that Policy SC2 is not supported by a robust and credible evidence base • Green Infrastructure Strategy is out of Date- inadequate assessment • Lack of reference to Habitat loss • Should be protected as open space / country park for benefit of wildlife and local residents • Mitigation cannot be achieved and if left alone would not be necessary • Mitigation hierarchy has not been followed logically • Impact on the LWS • evidence is needed now to help inform the masterplan work, not in the middle of the next plan period. • Concern about more details re the removal of turves

		<p>Will Quince MP- concerned the Inspector's modifications don't acknowledge the risk and difficulty of replacing the current grassland, and they seemingly ignore submissions throughout the Local Plan process from ecologists, who highlighted extreme concern at the loss of this habitat and the high risk of the mitigation proposed. There's no guarantee this acid grassland can be replaced.</p> <p>EWT- the application of the Defra Metric is underpinned by a series of principles. Principle 2 states the following: Avoid impacts on irreplaceable biodiversity - these impacts cannot be offset to achieve No Net Loss or Net Gain. Bespoke compensation is required when development destroys such a habitat. The land to the south, where it is proposed to recreate acid grassland, cannot be included in the net gain calculation. It must be treated as bespoke compensation and delivered separately from the net gain calculation. The mandatory 10% net gain must be delivered on the remainder of the site, which is unachievable</p> <p><i>Comments- if the Site is to be developed the points below to be considered / addressed;</i></p> <ul style="list-style-type: none"> • firm guarantees should be in place that demand mitigation is successfully completed (as verified by independent conservation experts) before any development is allowed to begin. • Allow the work to start at the beginning at the period to feed into any Masterplan work
MM46 (new para)	76	<p>Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees indicated for reference);</p> <ul style="list-style-type: none"> • Flawed Defra metric 2.0 does not include irreplaceable distinctive habitats • There is concern by ecologists that the use of sulphur along with any other chemicals to do this will have an effect on Birch Brook and the wildlife around this area. • Should demonstrate acid grassland can be replaced before any development • Concern if management company folds or does not act appropriately • 30 years is not sufficiently long term • Mitigation will not be effective • Irreplaceable damage to the LWS • Needs to be 5 years of monitoring habitats before decision to build is made • Environmental partner to manage areas to be chosen by independent agency- Not CBC or MOD • Concern about use of sulfur affecting birch brook and wildlife <p>CPRE (Essex)- 1. Middlewick Ranges provide such a rare and precious habitat, the proposed mitigation measures to replicate this off-site are critical in meeting the biodiversity net-gain. 2. no guarantees that an acid grassland can be successfully re-created.</p>

		<p>3.The Inspector's modifications are to be welcomed in respect - requirement for a management company to look after the establishment of acid grassland at an alternative site.</p> <p>The timing of this will be crucial in relation to the development of the site.</p> <p>successful implementation of the mitigation measures and prevents premature destruction</p> <p><i>Comments- if the Site is to be developed the points below to be considered / addressed;</i></p> <ul style="list-style-type: none"> • The Council will require the developer to enter into an appropriate legal agreement to secure the long term (minimum 100-year) management and monitoring of retained protected habitats, the biodiversity mitigation, compensation and net gain land, by the nature conservation organisation, including a mechanism for funding and governance that ensures both the nature conservation value and local community interest. The landowner of the mitigation land will need to be party to such an agreement. • State that the partner agency will be independently appointed. • the acid grassland creation should first be undertaken and proven that it works before any master plan is put in place.
MM47 (SC2)	82	<p>Objections / concerns raised cover the following issues as well as some requesting that the allocation at Middlewick be removed from the Plan. (Comments from Statutory / specific Consultees indicated for reference);</p> <ul style="list-style-type: none"> • This is not viable • Need to provide local employment • The classification as acid grassland has been overlooked • The site includes protected species under the Wildlife and Countryside Act • Modification re part vi) is incorrect. The built footprint has been sited on habitat areas that have not been adequately assessed • Ecological evidence has not demonstrated effective mitigation can be achieved • Loss of LWS • Surveys are out of date • Impact on air quality, water supply and management • Policy aims are not achievable • Concern about traffic impact • Loss of open space • No mention of the latest cycling standards LTN1/20(2) • Allocation is inconsistent with the LP ENV1 Policy of national policy • Concern about inadequate travel connectivity

		<ul style="list-style-type: none"> • Wording to be stronger to protect or enhance exiting habitat including a country park • Stronger wording regarding community led to develop better confidence • Houses are not needed at Middlewick • Contrary to the declared policy of Government <p>EWT- this is patently not sustainable and does not conform to the guidelines in the NPPF. The Main Modifications pertaining to Middlewick Ranges lack clarity, have misapplied Biodiversity Net Gain, and are unjustified</p> <p>DIO- Support the Modifications related to Middlewick but request a modification to policy in respect of timing of a masterplan- the DIO considers the wording to both should be amended to read: - <i>“A Masterplan for the whole site is to be agreed with the Council prior to approval of any planning application.” (Our emphasis) The proposed change to the wording would increase the effectiveness of the policy.</i> It currently refers to prior to submission of a planning application. Also seeks clarification on wording in criteria vi <i>“The built footprint of the development has been sited to minimise the effects on protected habitats and species, within the context of the wider strategy of ecological mitigation and bio-diversity net gain.”</i></p> <p>Natural England- Middlewick Ranges not a nationally designated site, NE did not previously comment. Site is designated a Local Wildlife Site and the LPA will need to demonstrate it has had regard to statutory duty to conserve biodiversity when it develops masterplan and determines any planning application. Consideration to NPPF and relevant Local Plan policy including ENV1. Further comments include;</p> <ul style="list-style-type: none"> • Ensure consistency of wording in the term used to describe compensation/mitigation land, mitigation land and net gain land required.- define this area on the Policies Map • Consistency with wording around BNG- clarify to avoid ambiguity and confusion • Include preamble text about Mitigation hierarchy in the policy • Ensure sufficient evidence to support acid grassland turf can successfully be translocated • Update para 15.58 to reflect royal assent of Environment Bill <p><i>Comments- if the Site is to be developed the points below to be considered / addressed;</i></p> <ul style="list-style-type: none"> • Tackle the issue of no local employment in the masterplan • should be made clear in the definitions that where improvements to cycling are referred to later, these improvements should follow the spirit and letter of LTN 1/20,or its successor documents • Management company should be indefinitely and not 30 years
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		<ul style="list-style-type: none"> Amend the wording of the policy requiring a masterplan prior to approval in place of prior to submission Amend criteria vi to add emboldened wording- criteria vi “The built footprint of the development has been sited to minimise the effects on protected habitats and species, within the context of the wider strategy of ecological mitigation and bio-diversity net gain.” NE comments reflect in policy amendments
MM48 (SC3)	1	Time for Highways to examine and progress a dedicated southern circular route linking Stanway with the eastern garden community to address the current dire situation. Development such as at Middlewick will worsen the situation suggest a need to build a dedicated southern circular road.
MM54 (WC2)	3	<ul style="list-style-type: none"> The change from a mixed-use sustainable development at Lakelands West to a housing only development is a backwards step and does not support or promote sustainable living- Re-instate an element of employment use allocation at this site. Confirm delivery of infrastructure in Stanway including primary school and highways improvements ahead of any planning consent. <p>question the need for such Wintering Bird Surveys in relation to land to the West of Lakelands as the Site is unsuitable for wintering birds and thus would not result in the loss of functionally linked land. The HRA should be revisited and the requirement for wintering bird surveys in Draft Policy WC2 for the Site removed</p>
MM56 (WC3)	1	The site incorporates Gosbecks Scheduled Monument as well as archaeological remains. Expect to see significant public benefit for historic environment in any proposed scheme, informed by Heritage Impact Assessment (HIA). Area under intensive cultivation, keen to see this taken out of cultivation and incorporated in adjacent Gosbecks Archaeological Park and within integrated conservation management plan. Expect to see this in Policy WC3 the same Scheduled Monument), and within an integrated conservation management plan that preserves, interprets, promotes and makes accessible this important site as a whole. We would expected to see this stipulated in Policy WC3
MM58 (SS4)	4	<ul style="list-style-type: none"> Failure to consider the setting of listed buildings in relation to the allocation at Copford Refers to additional heritage assets to be included in the policy and further reference to the setting (PC)
MM59 (SS5)	1	The Neighbourhood Plan has been made and it identifies the settlement boundary for the village and identifies specific sites for housing allocations. To bring the policy into consistency and to ensure certainty for the role of the Neighbourhood Plan, the relevant modification should be amended and added to so that it is clear that proposals for development outside of the settlement boundary will not be supported unless the NP or other Local Plan policy specifically allows for it. This would bring the policy into line with that of the modification for Wivenhoe.

MM62 (SS8)	1	Great Tey is not sustainable for the housing numbers indicated. Comments also ref a planning application which is not relevant to this consultation
MM65 (SS11)	2	<ul style="list-style-type: none"> The wording of LP Policy SS11 does not therefore convey the NP policy provisions for larger as well as smaller schemes to also come forward as exceptions on the edge of the village Suggest that the word “small” should be deleted from the modification referring to allocation of sites in the Marks Tey NHP
MM66 (SS12b)	3	<ul style="list-style-type: none"> This policy (SS12b) applies to proposals for development on the seaward and landward side of Coast Road, West Mersea and sets out the criteria that such proposals would need to comply with. Criterion (iii) relates to the consideration of effects on adjacent Habitats sites and references the Essex Coast RAMS. As worded in the main modification, this policy would require that development either has no likely significant effect on the adjacent Habitats Site or that it provides mitigation in accordance with the Essex Coast RAMS. As these development proposals could include residential development, there is the potential for both direct impacts as well as in-combination impacts and it is recommended that the modified wording is amended <i>by the deletion of “or” and insertion in its place of the words “and, where appropriate,”</i>. (NE) The “exceptional circumstances” paragraph in the Coast Road section should either be deleted or modified so the exceptional circumstances “OVERWHELMINGLY outweigh all other material considerations” In connection with Houseboats it should be made clear that any new or replacement houseboat or any modification to an existing Houseboat needs Planning Permission
MM69 (new para 14.219& para 14.221)	7	<ul style="list-style-type: none"> Further modifications must be included to alleviate the current absence of a reasonable range of new housing sites in Tiptree and the dearth of available land generally. Modifications are required to reflect the absence of a NP and to address the deficiencies identified by the NP Inspector. The plan should clarify how cross boundary issues such as road building will be managed. Whilst generally supportive of this modification I am suggesting a few minor changes to more clearly express what the Neighbourhood Plan should be expected to achieve. <p>Changes to plan: To 'consider' (rather than 'address') cross boundary issues (paragraph 1, line 1) This will include 'acknowledgement of' (inserted words) the additional traffic forecasts.... (paragraph 1, line 2) To support the delivery of 'at least' (inserted words) 400 houses (TPC)</p> <ul style="list-style-type: none"> Update text to read: Infrastructure necessary to deliver the growth up to 2033 will need to consider cross boundary issues with neighbouring Local Planning Authorities and neighbouring Parishes. This

		<p>will include acknowledgement of the additional traffic generation forecasts for the proposed new junction 24 onto the A12 as well as from the growth locations. With the northern growth location there is potential for a new road which would ultimately link the B1022 and B1023. The Tiptree Neighbourhood Plan will be expected to deliver the first phases of the road through a design which allows future completion/linkage</p> <ul style="list-style-type: none"> • Refer to housing numbers as “at least” / a minimum • No adequate evidence to confirm that a link road is the only appropriate strategy or if it is deliverable
MM71 (SS14)		<ul style="list-style-type: none"> • Essex County Council as the Highway Authority, request that the second sentence of part iv) to Policy SS14 is amended to clarify that the neighbourhood plan does not need to undertake a “detailed transport assessment”, but rather a "strategic transport appraisal" is required and considered more appropriate. (ECC) • Paragraph 113 of the NPPF explains that detailed transport assessments are required to assess planning application submission. It does not mention development plan documents- suggest the requirement be changed to “strategic transport appraisal” • Support but suggest a few further changes: <ol style="list-style-type: none"> 1. Removal of the preferred direction of growth arrow to the south-west. Changes to text: Policies Map change requested 2. Within the preferred directions of growth shown on the Tiptree policies map, to the 'north and north west' (rather than 'south west and north/north west), subject to existing constraints.... (line 2). 3. This will include a 'strategic transport appraisal' (rather than a 'detailed transport assessment'). (point (iv), lines 4 & 5) (TPC) • Further modifications must be included to alleviate the current absence of a reasonable range of new housing sites in Tiptree and the dearth of available land generally. Modifications are required to reflect the absence of a NP and to address the deficiencies identified by the NP Inspector. • object to part of Policy SS14 amended within Main Modification 71, that identifies that development outside of either the settlement boundary or the Tiptree Neighbourhood Plan will not be supported • Over reliance on NHP in the delivery of homes in Tiptree • Object to the reduction of the number of homes in Tiptree from 600 to 400 it is not adequately justified

MM72 (SS15)	3	A further modification to MM72, Colchester's Policy SS15, would strengthen West Bergholt's Neighbourhood Plan. It will also provide an approach consistent with other made Neighbourhood Plans in the existing Local Plan and provide greater clarity of the policy context for West Bergholt. A change is suggested to bring the wording into line with the wording for other made Neighbourhood Plans- specifically Wivenhoe. (WBPC)
MM75 (OV2)	2	The words Small and Appropriate should be defined objectively to avoid confusion with potential future applications regarding other Council policies on this matter
MM76 (DM1)	2	No provision is made for increased Health Provision and this will have a damaging effect on both Physical and mental well-being. Also refers to transport assessments and Travel Plans (CwETPC)
MM80 (DM5)	1	Tourism etc Developments should of course be subject to the Relevant areas' Planning Policy
MM81 (DM6)	1	Whilst noting that this main modification (to move the text from preamble to Policy) responds to one of our previous recommendations, a further minor modification might give more clarity to the meaning of the statement. This would be achieved by moving the second sentence to the end so that it would read as follows: Proposals in close proximity to a habitats site must demonstrate through HRA screening that the scheme will not lead to likely significant effects to the integrity of the habitats site. Where this cannot be ruled out a full appropriate assessment will be required to be undertaken. Additionally, any planning application within 400 metres of a habitats site must provide mechanisms to prevent fly tipping, the introduction of invasive species and vandalism (NE)
MM91 (DM22)	1	There needs to be a policy for dealing with parking , not only at any new development but also in the locality
MM92 (15.133)	1	Concerns raised about the impact of building on open land in the vicinity of Birch Brook on flooding. Conflicts with the declaration of a Climate Emergency.
Appendix 1 SG2 table		See comments above under MM5
Appendix 2 SG3 table		See comments above under MM7
Main Modifications (Policy / Paras) receiving no objections / representations or only Support.		
MM references	MM2, MM6, MM9, MM15, MM16, MM19, MM21, MM22, MM28, MM30, MM31, MM32, MM33, MM34, MM49, MM50, MM51, MM52, MM53, MM55, , MM57, MM60, MM61,MM63, MM64, MM67, MM68, MM70, MM73, MM74, MM77, MM78, MM79, , MM82, MM83, MM84, MM85, MM86, MM87, MM88, MM89, MM90, , MM93, MM94, Appendix 3, Appendix 4	

Appendix B Summary of responses to the consultation on the updates to the Sustainability Appraisal (SA) incorporating a Strategic Environmental Assessment (SEA) and a Habitats Regulations Assessment (HRA) for the Modified Section 2 Local Plan (04/10/2021-18/11/2021)

SA / HRA Ref (Policy / Para)	Summary of Objections issues / comments raised
SA - SG2 and SS14	SA does not appraise the impact of reduced number of new homes at Tiptree nor explained why this is the preferred approach
SA - SS14 (Tiptree)	Sa des not appraise impact of new link road in Tiptree, there is no explanation of why the approach is preferred when compared to alternatives
SA – SG2	No robust evidence to justify reduction from 600 to 400 dwellings in Tiptree. SA appears to have not considered this change at all, let alone appraise it against alternatives and explain its reason for selection
SA - SS14 (Tiptree)	SA fails to register reduction of dwelling numbers from 600 to 400 in Policy SS14 assessment. SA has not recognised provision of link road and explained the reason for requiring this as opposed to alternative options. SA has failed to recognise what MM71 entails and what is proposed clearly has environmental, economic and social impacts.
SA – SC2 (Middlewick)	SA did not highlight Middlewick Ranges is a Local Wildlife Site
SA – SC2 (Middlewick)	Appraisal of Policy SC2 (Table 31) includes desire to avoid development on greenfield land. Amber designation with question mark awarded to the question 'Will it reduce the need for development on greenfield land' indicates that inclusion of this greenfield site is an anomaly that contradicts the aims of Local Plan
SA – SC2 (Middlewick)	SA failed to highlight Local Wildlife Sites
SA –SC2 (Middlewick)	SA lacks any background detail and makes assumptions which are not backed up SC2 Middlewick various statements not substantiated and open to dispute
SA - General	<ul style="list-style-type: none"> • SLAA not prepared according to NPPG and used as a document taken into consideration for the SA • Negative impacts of development at Middlewick hugely underestimated in New Sustainability Matrix • No mention of Green Infrastructure as monitoring indicator for Climate Change Policies • Monitoring indications for SA8 too vague and should be qualitative as well as quantitative

	<ul style="list-style-type: none"> • Mitigation and requirements for long term management of ecological areas and habitats (MM35-47) has only included an appraisal of the outcome which assumes mitigation measures to replace irreplaceable habitats are successful • SC2 modifications assume recreation of acid grassland habitat must be successful • SA does not adequately assess or update the negative impact on Health and Wellbeing
HRA	Roman River including SSSI region and Essex Wildlife Trust Nature Reserves are not mentioned or considered. Impact on wildlife corridor leading to coast continuous with Middlewick is not considered
HRA	<p>Middlewick is not included within HRA</p> <p>HRA fails to identify that if Middlewick is built on, the Local Wildlife Site will be lost which puts the allocation in direct conflict with one of Plans key Environmental Policy Targets for 'Zero percent loss of Local Wildlife Sites, Ancient Woodland and Priority Habitats and Species</p>

Appendix C summary of the responses to consultation on the Additional Modifications and Policies Maps – Section 2 Colchester Local Plan (04/10/2021-18/11/2021)

AM / PM Ref (Policy / Para)	Summary of Objections issues / comments raised
SS11	MM7 'Reinstatement of Employment Land at Marks Tey' is supported, however this needs to be reflected on the policy map
Omission	Registered Parks and Gardens are missing from Castle Park and Layer Marney Tower.
WC1-5	The LWS on Land to the south of Tollgate West (DZ3) designation should be removed Key to West Colchester Policies WC1-5 should be amended to refer to 'District Centre' Removal of Retail Frontage
PM6	Support for changes to the employment boundary and District Centre
PM6	Object to the change to the West Colchester Proposals Map that removes Stane Leisure Park from the defined Tollgate District Centre
PM13	Modification PM13 states that Policy Map SS9: Langham will be modified to 'Add Employment' allocation at Lodge Lane as previously omitted but noted in Policy SS9'. Notwithstanding this, the Policies Map has not been updated to indicate this. It currently omits the allocated site at Lodge Lane and does not indicate the entirety of the existing Business Centre. In order therefore for the Policies Map (for Langham and also that for North Colchester) to be consistent with Policy SS9, the Map needs to include additional purple shading around Lodge Park Business Centre and the adjacent parcel of land to the East
PM17	Removal of the preferred direction of growth arrow to the south-west
PM19	The adopted Wivenhoe Neighbourhood Plan (WNP) contains a Proposals map. The suggested amendments to the Local Plan Wivenhoe map do not cover all the land use policies presented in the WNP Map. Given the new wording for policy SS16 'All development proposals in Wivenhoe parish will be determined against and be required to comply with policies in the Wivenhoe Neighbourhood Plan' the land use shown in the WNP proposals map should be used rather than the version put forward in this consultation or there should at least be a reference to the WNP proposals map as a footnote to the consultation version. There are policies in the WNP which impose restrictions on development - WIV4 Settlement Coalescence, WIV5 Protecting the setting of the River (River Colne Special Character Area) and WIV10 Local Green Spaces The consultation version does not show these areas. There are other policies which allow development which are also not mapped in the consultation version. The employment

	<p>land allocated in the WNP adjacent to Keelars Lane (Policy WIV 22) is not included, nor is the land allocated for a care home adjacent to the land allocated for housing behind the Fire Station. Other allocations – for a cemetery and for additional allotments at two sites are not shown</p> <p>While the key to the various maps shows a Conservation Area designation the Conservation Area does not seem to be shown on the Wivenhoe map nor, I think, generally on the proposals maps. (This is not shown on the Wivenhoe Neighbourhood Plan Proposals Map as this is a Borough designation)</p>
AM14	<p>note the inclusion at AM14 of the requirement for retail assessments to be carried out in accordance with “the Councils” updated main town centre Uses Assessment Specification (March 2021). This document itself states that it does not purport to replace national policy and guidance but to provide further detail on how sequential and impact assessments should be undertaken (paragraph 1.3). As such, we would suggest that the wording here is altered as follows (changes shown in bold):</p> <p>Where a retail assessment is required this should include an assessment of be carried out in accordance with having regard to the guidance set out in the Assessment Specification 2021 or any updated guidance which applies at the time.</p>
AM15	<p>AM15 – “For the purposes of this policy the widest reasonable definition of infrastructure and infrastructure providers will be applied. Examples of types of infrastructure are provided in the glossary appended to this plan. Regard should be had to the latest version of the ECC Developers' Guide to Infrastructure Contributions (2016) as well as Council Guidance.”</p>
AM19 Clause 13.2	<p>Amend sentence first line, add after particularly, “significant and established” sea level rise....</p> <p>Reason</p> <p>Data earlier this year about projected rise in sea levels. Confirmed by UN. “Between 2013 and 2021 sea levels have doubled compared with the rise from 1993 to 2002. There have been 4.4mm rises every year in the last eight years due to loss of ice mass from glaciers and ice sheets - and it continues to rise.”</p> <p>Source COP26 the World Meteorological Organisation (WMO).</p>
AM21 Clause 13.19	<p>Amend</p> <p>Word “irreplaceable” should be retained. Therefore should read “The Coastal Protection Belt has a unique and irreplaceable character, which should be strongly protected and enhanced.”</p>
Am19 &23	<p>Replacement para. 13.11 with</p> <p>Climate change resulting in sea level rise which is likely to regularly impact on access, or flooding resulting from seawall breaching or topping, should be taken into consideration when development is being considered</p>
AM23	<p>Specific targets for increasing tree canopy cover as this nature based solutions are one element of Anglian Water’s own pathway to get to net zero by 2030</p>

AM23 Para 13.50	Amend At end add “ Recognition is given to the concern expressed about sea levels and impact it will have of coastal communities and areas such as the Hythe. Appropriate account will be taken of rising sea levels and impact.”
AM59 New Para 15.4	Amend Add at end. “Ensure within this that patients should be offered a face-to- face consultation if that is their wish. It should also not diminish the need for new doctor’s premises where there has been a well established need.”

13 December 2021

Report of	Assistant Director of Place and Client Services	Author	Shelley Blackaby 508635
Title	Tendring Colchester Borders Garden Community Development Plan Document Update		
Wards affected	All		

1. Executive Summary

- 1.1 This report is for Members' information and provides an update on the Tendring Colchester Borders Garden Community Development Plan Document (DPD).
- 1.2 The establishment of a joint committee will be discussed at the Full Council meeting on 2 December.
- 1.3 All engagement tools closed in October and two engagement reports will be prepared summarising the feedback from all engagement activities.
- 1.4 The evidence base continues to be developed. LUC are working on the Sustainability Appraisal and a brief for an open space and sports study is out to tender.
- 1.5 Consultation on a Draft Plan is expected to commence early in 2022.
- 1.6 On 1 November, Essex County Council approved the planning application for the A120/A133 Link Road.

2. Recommended Decision

- 2.1 To note the contents of the report. No decision is required since the report is for information only.

3. Reason for Recommended Decision

- 3.1 The report provides an update on the ongoing project and no decision is required.

4. Alternative Options

- 4.1 The option of not updating Members was rejected given the importance of Members needing to understand the latest position on Local Plan issues.

5. Background Information

- 5.1 Members are aware that the Planning Policy Team are working with Officers from Tendring District Council and Essex County Council on a Development Plan Document (DPD) to guide development for the Tendring Colchester Borders (TCB) Garden Community. The adopted Section 1 Local Plan states that no planning consent for development forming part of the garden community will be granted until the DPD has been adopted.
- 5.2 The last progress update was provided in September and this report provides an update on work underway since then.

Joint Committee

- 5.3 Because of the joint nature of Section 1 there is a case to be made for a Joint Committee for Colchester and Tendring, which includes members from Essex County Council, formalising the existing partnership working on the project. This format has been adopted elsewhere and links into decisions around infrastructure and possibly other County matters. The establishment of a joint committee will be discussed at the Full Council meeting on 2 December and a verbal update can be provided.

Engagement

- 5.4 Numerous engagement activities have taken place this year and in October all engagement tools closed to give time to review and summarise comments received. Two engagement reports will be prepared. One summarising the engagement workshops, street interviews and survey undertaken by the engagement consultants, and another summarising the engagement tools led by the Councils through the engagement website.
- 5.5 The engagement website includes information about the forthcoming Draft Plan consultation, including a short video to explain the planning process: [What is the 'Regulation 18' Consultation? | Creating a Place for Life \(tcbgardencommunity.co.uk\)](https://tcbgardencommunity.co.uk/What-is-the-Regulation-18-Consultation-creating-a-place-for-life).

Evidence base

- 5.6 The evidence base for the Plan continues to be developed. LUC is carrying out a Sustainability Appraisal of the Draft Plan, which will assess the environmental, economic and social impacts of the Draft Plan and reasonable alternatives. A brief for an Open Space, Sport and Recreation study is out to tender. This will cover the whole of Colchester borough and Tendring district and will include open space and sports and recreation requirements for the Garden Community.

Draft Plan and masterplan

- 5.7 Officers and masterplanning consultants, Prior+Partners, are using the engagement feedback and evidence base to prepare a Draft Plan, which will include an illustrative masterplan, for public consultation. Public consultation is expected to commence early in 2022.
- 5.8 Officers are structuring the Draft Plan around the five themes used in the engagement workshops: Nature, Buildings, Place and Character, Community and Social Infrastructure, Movement and Connections and Sustainable Infrastructure.
- 5.9 The Nature policy is likely to cover green infrastructure, integrating green/blue spaces, biodiversity protection and net gain, tree planting, and sustainable drainage. The Buildings, Places and Character policy is likely to cover distinction of place, density,

housing mix and employment. The Community and Social Infrastructure policy is likely to cover centres, community buildings, education, sports and recreation, health and stewardship. The Movement and Connections policy is likely to cover active/healthy travel, Rapid Transit System, parking, travel demand, connectivity, and modal splits. The Sustainable Infrastructure policy is likely to cover design and construction, renewable energy, water conservation, sustainable waste management, and ultra-fast broadband.

Link Road application

- 5.10 On 1 November, Essex County Council approved the planning application for the A120/A133 Link Road. At the September meeting, this Committee asked for representatives from Essex County Council to be invited to talk to the Local Plan Committee about the link road proposals. Democratic Services Officers are liaising with Essex County Council to arrange a date for a meeting.

6. Equality, Diversity and Human Rights implications

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

<https://cbccrmdata.blob.core.windows.net/noteattachment/Equality%20Impact%20Assessment%20June%202017.pdf>

7. Strategic Plan References

- 7.1 All themes in the Strategic Plan are relevant, in particular: Delivering homes for people who need them. 'Create new communities and adopt a new Local Plan that delivers jobs, homes and the infrastructure to meet the borough's future needs' is a priority under this theme and the Garden Community DPD is referred to.

8. Consultation

- 8.1 Consultation on the Local Plan is governed by a comprehensive consultation programme as set out in the Council's Statement of Community Involvement (SCI) and reflecting national regulations. Consultation and engagement for the TCB Garden Community is included in the Consultation and Engagement Strategy (December 2020).

9. Publicity Considerations

- 9.1 The Council ensures a coordinated and proactive approach to press releases on Local Plan issues given their high level of importance for guiding the future of the Borough and consequential high level of press attention. The Programme Team for the TCB Garden Community includes a cross council project Communications Manager.

10. Financial implications

- 10.1 Staffing, consultation/engagement and evidence base consultant resources for Local Plan work are provided in the Council's budget. Costs for the preparation of the Tendring Colchester Borders Development Plan Document are being shared with Tendring District Council.

11. Health, Wellbeing and Community Safety Implications

- 11.1 Local Plan policies provide a basis for future development that is intended to support the health, wellbeing and community safety of Borough residents.

12. Health and Safety Implications

12.1 No direct implications.

13. Risk Management Implications

13.1 Development of policies to guide future development in the Borough is intended to reduce the risk of inappropriate development. It will provide consistent advice to landowners, developers, officers, Councillors and members of the public.

14. Environmental and Sustainability Implications

- 14.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. The purpose of the planning system is to contribute to the achievement of sustainable development as defined in the National Planning Policy Framework. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives.
- 14.2 The Council's Climate Emergency Action Plan recognises that the Garden Community provides opportunities to become an exemplar of sustainable building and carbon neutrality.

13 December 2021

Report of	Assistant Director of Place and Client Services	Author	Karen Syrett
			506477
Title	The Environment Act		
Wards affected	All		

1. Executive Summary

- 1.1 This report is for Members' information and provides an overview of the recently published Environment Act.
- 1.2 Legislation that is intended to protect and enhance our environment for future generations has now passed into UK law. Through the Act, the Government proposes to 'clean up the country's air, restore natural habitats, increase biodiversity, reduce waste and make better use of our resources. It will halt the decline in species by 2030, require new developments to improve or create habitats for nature, and tackle deforestation overseas. It will help us transition to a more circular economy, incentivising people to recycle more, encouraging businesses to create sustainable packaging, making household recycling easier and stopping the export of polluting plastic waste to developing countries.'
- 1.3 These changes will be driven by new legally binding environmental targets, and enforced by a new, independent Office for Environmental Protection (OEP) which will hold government and public bodies to account on their environmental obligations.
- 1.4 The following are particularly relevant under the nature heading;
 - Strengthened biodiversity duty
 - Biodiversity net gain to ensure developments deliver at least 10% increase in biodiversity
 - Local Nature Recovery Strategies to support a Nature Recovery Network
 - Duty upon Local Authorities to consult on street tree felling
 - Strengthen woodland protection enforcement measures
 - Conservation Covenants
 - Protected Site Strategies and Species Conservation Strategies to support the design and delivery of strategic approaches to deliver better outcomes for nature
 - Prohibit larger UK businesses from using commodities associated with wide-scale deforestation

2. Recommended Decision

- 2.1 No decision is required since the report is for information and noting only.

3. Reason for Recommended Decision

- 3.1 The report provides an update on national policy.

4. Alternative Options

- 4.1 The option of not updating Members was rejected given the importance of Members needing to understand the planning implications of the Environment Act.

5. Background Information

- 5.1 Legislation that is intended to protect and enhance our environment for future generations has now passed into UK law. The Environment Act received Royal Assent on 9 November 2021. A 234 page Explanatory Notes document was published alongside the Act [Environment \(legislation.gov.uk\)](https://www.legislation.gov.uk)
- 5.2 Work on implementing Environment Act policies is well underway. Work has started on developing legally binding environmental targets, and the government have launched [consultations on the deposit return schemes for drinks containers](#), [extended producer responsibility for packaging](#) and [consistent recycling collections](#) which will change how rubbish is dealt with.
- 5.3 A [draft Principles Policy Statement](#) has also been published.
- 5.4 The [Office for Environmental Protection was set up in an interim, non-statutory form in July](#), providing independent oversight of the Government's environmental progress and accelerating the foundation of the full body. The OEP will formally commence its statutory functions shortly.
- 5.5 The Environment Act is intended to deliver:
- Long-term targets to improve air quality, biodiversity, water, and waste reduction and resource efficiency
 - A target on ambient PM2.5 concentrations, the most harmful pollutant to human health
 - A target to halt the decline of nature by 2030
 - Environmental Improvement Plans, including interim targets
 - A cycle of environmental monitoring and reporting
 - Environmental Principles embedded in domestic policy making
 - Office for Environmental Protection to uphold environmental law
- 5.6 There are a number of implications arising from the Act for the Planning Service;
1. All new developments will be required to deliver a ten per cent increase in biodiversity. Over the course of the bill's passage, the act was strengthened so that a ten per cent biodiversity net gain requirement on developers would extend to nationally significant infrastructure projects, such as major energy developments.
 2. The 30-year minimum biodiversity net gain duration can be reviewed by the secretary of state. The bill introduces a ten per cent biodiversity net gain requirement for all new developments. On sites where these biodiversity gains are secured, they would have to be managed for at least 30 years. A government amendment, introduced in September, would create a duty and power to allow the secretary of state to review, and increase if appropriate, this minimum duration period. According to Defra (Department for Environment, Food and Rural Affairs), the change "will allow this important aspect of the policy to be reviewed after government has evaluated the early years of mandatory biodiversity net gain practice, to understand how developers can make a positive impact on nature from their work".
 3. The new biodiversity metric, used by planners and developers to calculate their net gain requirement, would be subject to Parliamentary approval. Another government amendment would require the secretary of state to "lay the biodiversity metric and any revised biodiversity metric before Parliament".

4. Ministers would have to review the amount of land being entered onto new biodiversity gain site registers.

Under the bill, a publicly-available "biodiversity gain site register" must be set up for each development site, which must be maintained for at least 30 years after the scheme has completed. There is no clarity as to how this will be done but it is implied elsewhere that this will be detailed in secondary legislation in the next two years. A government amendment specified that the secretary of state must "keep under review [...] the supply of land for registration in the biodiversity gain site register". He must also review "whether the period for which habitat enhancement must be maintained could be increased", though any changes to this timescale must be done "without adversely affecting" the land supply in the register.

5. The act introduces a new system of spatial plans aiming to boost biodiversity and protect valuable habitats.

Local Nature Recovery Strategies (LNRs) are a new system of spatial strategies for nature, and will cover the whole of England – with no gaps. The environment secretary will appoint a 'responsible authority' to lead each LNR area, and this authority will have to map the most valuable existing habitat for nature, map specific proposals for creating or improving habitat, and agree priorities for nature's recovery. These responsible authorities are assumed to be county level and above partnerships e.g. Local Nature Partnerships. It is intended to help developers avoid the most valuable existing habitat and focus habitat creation where most appropriate. However, a recent consultation mooted a landowner opt-out from LNRs. A government amendment would introduce a requirement for the secretary of state to give statutory guidance to local planning authorities explaining "how they should take into account new Local Nature Recovery Strategies. Officers are a little sceptical that this will provide any more detail than already exists through Local Plan mapping of LoWS, SSSIs, SPAs etc, plus the readily available protected habitat data on Magic Maps, along with up to date Green Infrastructure strategies.

6. Species conservation and protected site strategies will be part of LNRs

Feeding into LNRs, the act introduces a "species conservation strategy" as a new mechanism to safeguard the future of particular species at greatest risk, and a "protected site strategy", which will seek to achieve a similar purpose in respect of protected sites. The measures will place a new duty on local planning authorities to cooperate with Natural England and other local planning authorities and public bodies in their establishment and operation. However, green groups expressed significant concerns with the strategies last year.

7. The act introduces the power for the Habitats Regulations to be amended by the government

Earlier this year George Eustice announced his plan to "refocus" the Habitats Regulations to deliver creative public policy thinking that delivers results, "rather than relying on change being set principally by litigation and case law". This prompted concern from green groups who fear the new power will be used to water down the regulations, which contain some of the UK's strongest legal protections for rare habitats and species, and which have also been known to scupper the plans of developers.

8. Local authorities will have to produce a biodiversity report every five years

Local authorities will be required by the act to produce a 'Biodiversity Report' every five years. They will need to describe action taken and its impact, and a summary of action taken under the BNG policy. The reports will also provide valuable information to update Local Nature Recovery Strategies.

9. The act created a new green watchdog for England and Northern Ireland to uphold environmental laws

The Environment Act establishes the Office for Environmental Protection (OEP), the new green watchdog for England and Northern Ireland - subject to the Northern Ireland Assembly approving it. It is intended to hold public authorities, including ministers, to account if they fail to comply with environmental law.

10. The government gave some slight ground in a new amendment which concerns the court's ability to grant legal remedies where environmental laws have been breached. Peers had argued that earlier wording in the Environment Bill restricted this power. The new amendment acknowledged that in some circumstances granting a remedy to address behaviour or damage will be necessary even if it may cause substantial hardship to the rights of a third party – something peers had argued for.
11. The act requires organisations to 'pay regard to' environmental principles – with some crucial exceptions.

The five principles comprise the integration principle, prevention principle, precautionary principle, rectification at source principle, and the polluter pays principle. However, the Ministry of Defence and the Treasury are both exempt from this part of the bill. The principles are for guidance and tax and spend and defence policy are exempted. The first advice to the government from the OEP was on this issue and they strongly articulated the value of all government departments fully taking account of the statement on environmental principles.

12. The environment secretary will be required to set legally binding targets - but not interim ones.

The act requires the secretary of state for Defra to set long-term legally binding targets on air quality, biodiversity, water, resource efficiency, and waste reduction. These targets must be of at least 15 years in duration and be proposed by late 2022. However, despite lengthy debates arguing for the introduction of legally binding interim-targets to ensure the long-term targets are met, the government did not adopt them.

13. But non-legally binding interim targets will be monitored as part of the government's Environment Improvement Plan

The Environment Bill requires the government to publish an Environmental Improvement Plan (EIP). The government has pledged to set interim targets for each five-year period and lay out the steps it intends to take to improve the natural environment. The 25-Year Environment Plan will be adopted as the first EIP. The OEP is intended to hold the government to account for meeting these targets.

14. However, air quality targets will be set in the future

The act introduces a duty on the government to bring forward at least two air quality targets by October 2022 for consultation that will be set in secondary legislation. The first will aim to reduce the annual average level of fine particulate matter (PM2.5) in ambient air. The second will be a long-term target (set a

minimum of 15 years in the future), which the government says “will encourage long-term investment and provide certainty for businesses and other stakeholders”. An environmental targets policy paper published in August 2020 states that a target on reducing population exposure to PM2.5 would be put in place. The government says the “principle of a population exposure reduction target is to prioritise action that is most beneficial for public health and drive continuous improvement”.

15. The Environment Act 2021 amends the Environment Act 1995

The new legislation amends the Environment Act 1995 to “strengthen the local air quality management (LAQM) framework to enable greater cooperation at local level and broaden the range of organisations that play a role in improving local air quality”, says Defra. “Responsibility for tackling local air pollution will now be shared with designated relevant public authorities, all tiers of local government and neighbouring authorities.” The environment secretary will be required to review the Air Quality Strategy at least every five years, and to publish an annual progress report to parliament.

16. The act also amends the Clean Air Act 1993 to give local authorities more power

The amendments are aimed at helping local authorities reduce pollution from domestic burning, which contributed 38 per cent of PM2.5 emissions in 2019. It replaces the criminal offence of emitting smoke from a chimney in a smoke control area with a civil penalty regime to “enable quicker, simpler and more proportionate enforcement at a local level against the emissions of smoke within a smoke control area (SCA)”. It also strengthens the offences in relation to the sale of certain solid fuels for use in smoke control areas, by “removing the limit on the fine for delivering unapproved solid fuels to a building in a smoke control area, and requiring retailers of solid fuels to notify customers that that it is illegal to buy unapproved fuel for use in a smoke control area unless burning in an approved appliance”.

5.7 Other key measures in the Act:

Trees at home and abroad – have gained some protection. The act requires local highway authorities to consult with communities before felling street trees - unless the trees qualify for certain exemptions. This could have resource and financial implications for LA's. The act also contains a whole section on deforestation abroad.

The Act committed to halt species decline by 2030. Campaigners fought hard for the government to include a target to halt species decline by 2030 on the face of the bill, as opposed to the original wording of simply “furthering the objective” to halt declines. This is in addition to the requirement to set at least one long-term legally binding target for biodiversity.

Conservation covenants have been formalised. A conservation covenant is an agreement between a landowner and a body such as a charity or public body to do or not do something on their land for a conservation purpose. Conservation covenant agreements will now need to be executed as deeds, rather than just “in writing signed”.

6. Equality, Diversity and Human Rights implications

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

7. Strategic Plan References

- 7.1 The most relevant theme in the Strategic Plan is concerned with tackling the climate challenge and leading sustainability.

8. Consultation

- 8.1 N/A

9. Publicity Considerations

- 9.1 The Council

10. Financial implications

- 10.1 There are financial implications resulting from the provisions of the Environment Act. The full extent of these is still to be seen but additional expertise either in house or via consultants is likely to be required.

11. Health, Wellbeing and Community Safety Implications

- 11.1 Local Plan policies provide a basis for future development that is intended to support the health, wellbeing and community safety of Borough residents.

12. Health and Safety Implications

- 12.1 No direct implications.

13. Risk Management Implications

- 13.1 An understanding of the implications of the Act is likely to reduce the risk of inappropriate development being permitted and ensure the new measures are implemented.

14. Environmental and Sustainability Implications

- 14.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. The purpose of the planning system is to contribute to the achievement of sustainable development as defined in the National Planning Policy Framework. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives.
- 14.2 The Environment Act is intended to clean up the country's air, restore natural habitats, increase biodiversity, reduce waste and make better use of our resources

13th December 2021

Report of	Assistant Director of Place & Client Services	Author	Adam John ☎ 282472
Title	Dedham Vale AONB & Stour Valley Project Management Plan 2021-2026		
Wards affected	Rural North		

1. Executive Summary

- 1.1 This report concerns a requirement to compile and agree a Management Plan for the Dedham Vale Area of Outstanding Natural Beauty (AONB) for the Dedham Vale AONB & Stour Valley Project.

2. Recommended Decision

- 2.1 That the Local Plan Committee notes its obligation under Section 89 of Part IV of the Countryside and Rights of Way (CROW) Act 2000, approves the Dedham Vale AONB and Stour Valley Management Plan covering the period 2021 to 2026

3. Reason for Recommended Decision

- 3.1 This report brings to the Local Plan Committee's attention the Council's responsibility as required under the Countryside and Rights of Way Act (CROW) 2000 to prepare, publish and regularly review a Management Plan for the Dedham Vale AONB. Thereby demonstrating they "have regard" to the purpose of conserving and enhancing the natural beauty of the AONB and have taken account of the AONB in their actions and decision making.

4. Alternative Options

- 4.1 Members may consider not agreeing to the Memorandum of Understanding, thereby forfeiting the Council's membership of the Project. However, this option would have considerable financial implication to the Council, both when terminating our membership of the Project and when independently meeting our statutory obligations to independently produce a Management Plan for the AONB under the CROW Act.

5. Background Information

- 5.1 The Dedham Vale AONB & Stour Valley Project was instigated following designation of the AONB by Central Government in 1970. Local Authorities, including Colchester Borough Council, set up the Project in partnership with the then Countryside Commission to work with local bodies to address local concerns in order to help maintain the distinctive character and beauty of the area. A statutory duty exists for the council in the discharge of its planning functions to “have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty” (s.85(1) CROW Act 2000).
- 5.2 The project has been in operation since 1981 in the Dedham Vale and was extended to include the entire area of the Stour Valley in 1992.
- 5.3 The Project area covers the Dedham Vale Area of Outstanding Natural Beauty, of 90 km², and includes the majority of the rest of the Stour Valley upstream of the AONB - giving a total project area of 300km². Under the requirements of the CROW Act 2000, local authorities that are within the AONB, including Colchester Borough Council, have charged the Project’s Joint Advisory Committee to produce a management strategy for the AONB. The resulting Dedham Vale (AONB) and Stour Valley Management Plan acts as a guiding framework for the partnership and stakeholders in maintaining the special qualities of the area, and its annual action plan sets targets for achievement.
- 5.4 On behalf of its local authority partners the Dedham Vale AONB and Stour Valley Project’s Joint Advisory Committee/Partnership have prepared a Management Plan to replace the current one; it will have a lifetime of five years from 2021 to 2026.
- 5.5 The prepared Management Plan builds upon the success of the previous plan and includes a delivery plan of co-ordinated activity to maintain and enhance the quality of the area. It sits within and seeks to fit into the Council’s own framework of strategies and policies that impact on the AONB, being both informed by these and seeking to influence them, particularly the bespoke Dedham Vale Area of Outstanding Natural Beauty’s Local Development Policy DP22.
- 5.6 Colchester’s contribution to the Dedham Vale AONB & Stour Valley Project is maintained at £5,175 per annum, whilst the Project has a projected budget of £247,000 for this financial year 2021/22. A cost ratio set against the requirement upon the Council to produce a Management Plan for the AONB, the liability for redundancies should the Project fail and the considerable success of the Project in attracting external funding. It should be noted that two of the Local Authorities within the upper reaches of the Stour Vale contribute to the Project but are located outside of the AONB, so do not have specific obligations to produce Management Plans for the area and could therefore consider withdrawal from the Partnership, but, following agreement of all its Members, the Project has submitted a formal application to Natural England to extend the area of the AONB to include these Authorities.

6. Equality, Diversity and Human Rights implications

- 6.1 An Equalities Impact Assessment (EIA) has been carried out for the Dedham Vale AONB in accordance with the Council’s guidelines and no adverse effect concluded; a copy of the EIA has been uploaded onto the Council’s website at [CBC - How The Council Works - Policy and Corporate Equality Impact Assessments - Dedham Vale AONB and Stour Valley Management Plan.pdf \(windows.net\)](#)

7. Standard References

- 7.1 There are no particular references to the Strategic Plan; consultation or publicity considerations or financial; community safety; health and safety or risk management implications.

Background Papers

The Dedham Vale AONB and Stour Valley Management Plan @ [Management-Plan-2021-26-Public-Consultation-Draft.pdf \(dedhamvalestourvalley.org\)](#)

Note: The style and layout of the final printed Management Plan document will echo the style of the consultation draft albeit in full colour this time, with high quality mapping and varied photography.

13 December 2021

Report of	Assistant Director of Place and Client Services	Author	Karen Syrett Yana Saxby 506477 & 282403
Title	Infrastructure Funding Statement (IFS)		
Wards affected	All		

1. Executive Summary

- 1.1 This report is for Members' information and provides a summary of the amount of developer contributions obtained, allocated and spent in the previous financial year.
- 1.2 In the IFS for the period between the 1st April 2020 and 31st March 2021 the following information is presented;
 - ££5,962,697.34 was agreed by the Council through S106 obligations
 - £3,730,194.04 was received in S106 receipts
 - £1,489.19 of S106 receipts was spent
 - £316,058.32 was held by the Council in contributions which were allocated to a project but not yet spent
 - £7,700,548.22 was held by the Council which was yet to be allocated to a specific project
 - 40 affordable homes were delivered as a result of previous S106 agreements
 - 160 affordable homes were secured through S106 agreements finalised during the year
 - In addition to financial contributions and affordable housing, some non monetary contributions were secured.

2. Recommended Decision

- 2.1 No decision is required since the report is for information and noting only. The information contained within the statement is factual and the statement must be published before the 31st December.

3. Reason for Recommended Decision

- 3.1 To ensure members are aware of the amount of developer contributions obtained, allocated and spent in the previous financial year.

4. Alternative Options

- 4.1 There are no alternative options as the Council is required to publish an Infrastructure Funding Statement (IFS) in accordance with the Community Infrastructure Levy (CIL) Regulations.

5. Background Information

- 5.1 Since December 2020, planning authorities have been required to publish an Infrastructure Funding Statement (IFS) in accordance with the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019: "Part 10a Reporting and monitoring on CIL and planning obligations; paragraph 121A. The purpose of an IFS is to give communities a better understanding of how developer contributions have been or are planned to be used to deliver infrastructure in their area.
- 5.2 Infrastructure Funding Statements must be published annually, before 31 December, and cover the previous financial year running from 1 April to 31 March.
- 5.3 Developer contributions in the Borough of Colchester include section 106 planning obligations and unilateral agreements secured as part of the planning application process. Planning Obligations (also known as S106 Agreements) are legal agreements which can be attached to a planning permission to mitigate the impact of development.
- 5.4 Obligations can only be sought where they are directly related to the development, fairly and reasonably related in scale and kind to the development, and necessary to make the development acceptable in planning terms. S106 obligations include:
- Site specific financial contributions- these are secured and must be used for defined purposes; for instance, the provision of community facilities, sport provision, open space contributions and affordable housing contributions (when accepted in lieu of on-site provision)
 - Provision of on-site affordable housing; and
 - Non-financial obligations, including requirements such as employment and skills strategies, construction management plans and travel plans.
- 5.5 Colchester Borough Council is responsible for securing funding and the delivery of affordable homes, community facilities, sport and recreation including public open space. The IFS provides details of how funds have been spent in these service areas. The CBC Infrastructure Funding Statement does not include details of contributions secured for Education, Highways and Transportation. Essex County Council are responsible for these matters and details of planning obligations to provide things like additional school places and highway improvements can be found by referring to the [Essex County Council Infrastructure Funding Statement 2019 - 2020 \(ctfassets.net\)](https://ctfassets.net) as they are the responsible authority.
- 5.6 The data collected is split into three files;
1. Developer Agreements 2020/21
 2. Developer Agreement Contributions 2020/21
 3. Developer Agreement Transactions 2020/21
- 5.7 The IFS should include a register in a format provided by the Government (a CSV file) and an explanatory report which identifies infrastructure needs, the total cost of this infrastructure, anticipated funding from developer contributions, and the choices the authority has made about how these contributions will be used.
- 5.8 The Department for Levelling Up, Housing and Communities (DLUHC) recommends that local planning authorities follow their specification on how to format, label and publish their development contributions data. DLUHC recommend publishing infrastructure contributions in three steps:

1. Create three developer contribution CSV files to store the data: one showing developer agreements; one showing the amount and purpose of the contributions; and a third one showing the transactions and their current status ('secured', 'received', 'allocated', 'transferred', 'spent' and 'returned')*.
2. Publish the CSV files and a short, written report illustrating the data.
3. Submit the data to the national register of developer contributions; set up and maintained by MHCLG.

5.9 The Infrastructure Funding Statement is attached as an Appendix. This will be published on the website following the committee meeting. Please note the links in the document do not work but will be added when the Statement is published.

6. Equality, Diversity and Human Rights implications

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

<https://cbccrmdata.blob.core.windows.net/noteattachment/Equality%20Impact%20Assessment%20June%202017.pdf>

7. Strategic Plan References

7.1 All themes in the Strategic Plan are relevant, in particular: Delivering homes for people who need them; creating safe, healthy and active communities and tackling the climate challenge.

8. Consultation

8.1 N/A

9. Publicity Considerations

9.1 The publication of information in relation to S106 agreements may generate publicity for the Council. Although it should be seen in a positive light there will always be criticism that not enough infrastructure is provided to support new development.

10. Financial implications

10.1 S106 funding is used to mitigate the impact of new development.

11. Health, Wellbeing and Community Safety Implications/ Health and Safety Implications/ Risk Management Implications

11.1 No direct implications.

12. Environmental and Sustainability Implications

12.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. The purpose of the planning system is to contribute to the achievement of sustainable development as defined in the National Planning Policy Framework. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives.

12.2 S106 agreements have been used specifically to deliver green infrastructure, electric charging points and sustainable travel measures.

Appendices

1. Infrastructure Funding Statement 2020/21

Infrastructure Funding Statement



2020/2021

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LEVY (AMENDMENT) (ENGLAND) (NO.2) REGULATIONS 2019**

1. INTRODUCTION

Welcome to Colchester Borough Council's Infrastructure Funding Statement 2020/2021.

The Statement sets out income and expenditure relating to contributions secured with s106 Agreements on developments throughout Colchester. Councils are now required to produce an Infrastructure Funding Statement (IFS) on an annual basis.

S.106 agreements are used to mitigate the impacts of development and ensure that Colchester Borough Council's planning policy requirements are fully met.

Planning obligations or 'developer contributions' are used to help fund:

- The provision of, or improvements to, open space provision, community facilities and affordable housing contributions accepted in lieu of on-site provision.
- Provision of on-site affordable housing; and
- Non-financial obligations, including requirements such as travel plans.

The information included in this statement will be updated annually and published on the Council's website. The statement does not include information on open space provision delivered on-site as part of new development in the Borough.

The data on contributions is imperfect as it represents estimates at a given point in time and can be subject to change. However, it is the most robust available at the time of publication.

Infrastructure Funding Statements are required to comply with regulations published by the Government and are only concerned with financial and non-financial obligations secured through S106 agreements. Financial developer contributions are always secured through S106 agreements but there are occasions where some non-financial obligations are secured through planning conditions. These obligations are not listed within this statement. This Statement only relates to S106 obligations for which Colchester Borough Council is legally responsible for ensuring compliance. The data in this IFS therefore does not cover S106 obligations applying to land in the Borough in the following cases:

- (A) Where the S106 obligation is given to Essex County Council and where the County Council are signatory to the legal agreement (e.g., Education; highway works; sustainable transport; Public Rights of Way)
- (B) Where Essex County Council is the Local Planning Authority and is responsible for determining the application (e.g. mineral and waste applications)
- (C) Section 278 Highways works agreements between the developer and Essex County Council
- (D) Where Colchester Borough Council determined a planning application, but where Essex County Council is signatory of the S106 to the effect that it is directly responsible for compliance — this mainly relates to certain highway payments.

Therefore, this Infrastructure Funding Statement should be read in conjunction with the IFS produced by Essex County Council to obtain the complete picture of all financial and non-financial developer contributions originating from developments in Colchester. The Essex County Council IFS will be made available on their website: <https://www.essex.gov.uk/>

2. INFRASTRUCTURE FUNDING STATEMENT 2020/2021

S106 Contributions Summary

For the financial year 2020/21 the Council received a total of £3,730,194.04 in financial contributions with £1,489,107.19 spent across the Borough. The contributions received can be spent over a number of years and this enables the Council to plan ahead for the growth and future needs of the Borough and budget for larger scale, or more expensive, projects.

2020/2021	
Infrastructure Type	S106 Contributions Received
Archaeology	£3,837.79
CCTV and/or upgrading buses	£174,592.98
Community	£928,342.56

Footpath Improvements	£3,030.20
Highways Bus Service Contribution	£1,334,800.00
Travel Plan/Club	£6,175.01
Transport and Sustainability	£66,324.69
Health	£36,705.90
Infrastructure Improvements	£4,222.62
Leisure/Open Space	£1,092,254.32
RAMS	£79,907.97
<u>Total</u>	<u>£3,730,194.04</u>

2020/2021	
Infrastructure Type	S106 Contributions spent
Business Enterprise	£5,000.00
CCTV	£79,650.00
Community	£281,322.80
Foot/Cycle Bridge	£9,725.00
Footpath Improvement	£7,740.00
Travel Plan/Student Travel	£15,489.92
Transport & Sustainability	£10,394
Leisure/Open Space	£1,013,701.65
Public Art	£3,319.44
RAMS	£62,763.58
<u>Total</u>	<u>£1,489,107.19</u>

Section 106 agreements signed

Developments with notable s106 agreements signed in the last financial year 2020/21 include:

- 191830 - Land South of School Road, Langham, Colchester – Full Application for erection of 46 dwellings, public open space and associated infrastructure.
- 192828 - "Essex County Hospital", Lexden Road, Colchester – Full Application for redevelopment of the former Essex County Hospital to provide 120 homes. Residential conversion of Main Hospital Building, Nurses Home, Kitchen Store, G.U. Medicine Building and North East Block to provide 70 apartments and houses, and demolition of additional outbuildings and replacement with 50 new apartments and houses. Associated enabling works including public open space, landscaping, parking, and access. New electricity substation and relocation of existing gas governor. *** (also includes Listed Building application) - 192829 ***
- 190043 - Colchester (Phase 2)", Land West of Brook Street – Full Application amended proposal for creation of 119 no. one and two-bedroom apartments in five blocks plus associated roads, landscaping and open space.
- 190302 - Land to the east of Nayland Road, Great Horkesley, Colchester – Outline Application for 80 no. dwellings, new access and A134 crossings, land for allotments, provision of a Scout and Girl Guiding Hut with associated car park, public open space and associated works.
- 192090 - Western Knowledge Gateway Site; Land Adj Capon & Annan Road, Colchester – Full Application for the construction of five buildings to provide 1204 new student bedrooms arranged as cluster flats and 58 studios, with social and administrative facilities, associated hard and soft landscaping, cycle parking, bin stores and vehicle access and turning.
- 192136 - Land at Brierley Paddocks, West Mersea – Outline Application for Demolition of 1 dwelling (No. 43 Seaview Avenue) and erection of up to 101 dwellings and up to 0.5ha of D1/B1 commercial use with associated parking, public open space, landscaping, sustainable urban drainage system (SUDs), vehicular access from East Road and pedestrian/cycle access from Seaview Avenue.
- 190424 - Land at "East Bay Mill", 19 East Bay, Colchester - Full Application for Construction of 20 residential units together with parking, landscaping & associated works, including refurbishment of the existing Grade II Listed Granary Barn.
- 190522 - Land west of Gosbecks Road & south of Cunobelin Way, Gosbecks Road, Colchester - Full planning permission for the development of the site to provide 144 new residential units (including affordable homes) with associated on-site electricity and drainage infrastructure, open space, landscaping, access roads, parking and turning areas, all with a new vehicular access point from the Gosbecks Road roundabout.
- 191414 - Wilkin And Sons Ltd", Factory Hill, Tiptree, Colchester - Full Application for erection of 49 dwellings and associated parking and landscaping (Modifications and reduction in built footprint of last phase for 40 units of approved planning application 130245).
- 200351 - Land at Dawes Lane, West Mersea, Colchester – Outline Application for 100 dwellings and land for community uses, public open space and landscaping: and access from Dawes Lane.
- 181458 - 32 Colchester Road, West Bergholt, Colchester - Outline application for the erection of 13 dwellings with vehicular access, landscaping, footpath links and other related infrastructure.
- 190699 - AGM House, 83A London Road, Copford, Colchester - Full Application for erection of Business Park, comprising 3,009 sqm of B1(a) Offices in Three Two-Storey Blocks with associated Parking.

- 191997 - Land Adj West Bergholt CC & "Stable Cottage", Colchester Road, West Bergholt, Colchester - Full planning permission for site clearance and redevelopment to provide 41 new homes with a new access from Colchester Road and associated landscaping, open space, drainage, foul pumping station and parking; provision of 1.189 hectares of land reserved for sports and recreational use.
- 191522 - Land Adjacent To 67, Braiswick, Colchester – Outline Application for the erection of up to a total of 27 dwellings (including affordable homes) and associated development, with site access to be considered and all other matters reserved for future consideration

3. OUR PROCESSES

The Planning Application:

S.106 Agreements are a mechanism that makes a development proposal, that would not otherwise be, acceptable in planning terms.

The tests for when a S.106 Agreement can be used, are:

- a) necessary to make the development acceptable in planning terms
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Once signed, the S.106 Agreement is binding on successive owners of the land.

The Obligations:

Details of the obligations, and the point at which they become due, are detailed within the Agreement. This may, for example, be on commencement of development or after a certain number, or percentage, of properties are built or sold.

Collection of Monies Due:

Where the obligation is financial, the amount due will be calculated and the developer invoiced. The sum due is index linked and given a specific budget code to allow us to monitor spend and balance.

Requests to Spend:

Many S.106 Agreements contain specific covenants that detail where the monies must be spent or provision of housing, located.

For open space and community facilities monies, Town & Parish Councils may be able to utilise S.106 contributions for the provision or upgrade of open space, play areas and community facilities in accordance with Council policy.

When a request is received from the Town or Parish Council, it is checked to ensure it meets the appropriate criteria before being agreed.

Once a payment has been made, the financial database is updated to show the amount now available to spend.

The S.106 financial report is available by following this [link S.106 Financial Report](#)

4. MONITORING FEES

The Community Infrastructure Levy (Amendment)(England)(No.2) Regulations 2019 allow Local Authorities to charge a monitoring fee through section 106 agreements, to cover the cost of the monitoring and reporting on delivery of the section 106 obligations it contains. Monitoring fees can be used to monitor and report on any type of planning obligation, for the lifetime of that obligation.

The regulations allow monitoring fees to be either a fixed percentage of the total value of the section 106 agreement or individual obligation; or could be a fixed monetary amount. Monitoring fees must be proportionate and reasonable and reflect the actual cost of monitoring and authorities are required to report on monitoring fees in their Infrastructure Funding Statements.

Colchester Borough Council set monitoring fees at £400 per trigger for financial contribution clauses and £570 for all other clauses per trigger.

£66,211.58 was received in monitoring fees during the period 2020/21.

5. OPEN SPACE

In 2020/21, £1,013,701.65 of S.106 monies were spent on open space provision or improvement across the Borough.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Below we have detailed six of the off-site open space projects delivered in 2020/21

Open Space projects delivered off-site by S106 Contributions in 2020/21		
Development Site	Amount	Project Delivery
121444/145131 - 505 Ipswich Road, Colchester 071184/100041 - 11 Spring Road, Tiptree Colchester 080665 - Maldon Road, Tiptree Colchester	£26,600.05 £3,176.32 £15,473.63	Various improvements to Thurstable Sports Centre, Tiptree
121444/145131 - 505 Ipswich Road, Colchester	£45,000.00	New Cricket Pavilion at Mile End Sports Ground
121444/145131 - 505 Ipswich Road, Colchester	£30,000.00	New archery pavilion at the Northern Gateway Sports Park
121444/145131 - 505 Ipswich Road, Colchester	£298,000.00	To enable a cycle route to be established along Severalls Lane through Salary Brook across Northern Gateway Sports Park
112447 - 107 London Road, Copford Colchester	£11,986.28	Contribution to Copford Parish Council for improvement works, notice board, seating, basketball post and ariel runway
110937 - Tubswick, Mill Road, Colchester	£9,164.80	Improvement works to the footpath at Highwoods Country Park.

**please note – spend may be over more than one financial year*

6. Public Art

In 2020/21, £3,319.44 of S.106 monies were spent on Public Art across the Borough.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Below we have detailed the off-site open space project delivered in 2020/21

Public Art projects delivered by S106 Contributions in 2020/21		
Development Site	Amount	Project Delivery
O/COL/04/1513 090752 - St Botolphs Car Park, St Botolphs Circus, Colchester	£3,319.44	Wayfinding Artwork

**please note – spend may be over more than one financial year*

7. COMMUNITY

In 2020/21, £281,322.80 of S.106 monies were spent on Community projects across the Borough.

Below we have detailed five of the off-site community projects delivered in 2020/21.

Community projects delivered off-site by S106 Contributions in 2020/21		
Development Site	Amount	Project Delivery
120848 - Stanway Railway Depot, Halstead Road, Stanway Colchester	£2,459.01	Redevelopment and refurbishment of Collingwood Road Scout Hut.
144693, 162467 - "Rowhedge Wharf", Former Rowhedge Port, Rowhedge, Colchester, Essex	£60,000	Extension works to Rowhedge Village Hall
160551 - Rowhedge Wharf Phase 2, High Street, Rowhedge, Colchester,	£65,762.71	Refurbishment of Rowhedge Social Club
111741 - 6 Ponders Road, Fordham Colchester	£748.88	Bus Shelter survey/repairs
COL/94/0304/O/COL/02/0980 - ARC s Pit Church Lane, Stanway, Lakelands.	£142,747.18	Towards construction of New Stanway Community Centre

**please note – spend may be over more than one financial year*

8. AFFORDABLE HOUSING

The Strategic Housing Market Assessment updated Dec 2015 summarised that there is a requirement in Colchester to deliver 920 homes per annum, of which 278 should be affordable homes. These numbers have been incorporated into the Council's emerging Local Plan 2013-2033.

In 2020/21, 40 affordable units were delivered via S.106 Agreements

Examples of Affordable Housing delivered On Site by S106 Contributions 2020/2021	
Development Site	Project Delivered
Chesterwell Phases 3&4	17 affordable rent homes and 2 shared ownership homes delivered by Colne Housing in partnership with Mersea Homes. Chesterwell forms part of the Northern Gateway Growth Area and will deliver a total of 1600 homes with a minimum of 15% affordable housing.
Land North of Dyers Road	4 affordable rent and 1 shared ownership delivered by Colne Housing in partnership with Mersea Homes.
Severalls	7 affordable rent homes delivered by Eastlight Housing in partnership with Bloor Homes. Severalls is a former hospital site adjacent to the Northern Gateway Growth Area which will deliver a total of 730 homes with a minimum of 15% affordable housing
Field House, Stanway	5 affordable rent Homes and 2 shared ownership Homes delivered by Chelmer Housing in partnership with Taylor Wimpey.
Hampton Park, Stanway	2 affordable rent Homes delivered by Chelmer Housing in partnership with Persimmon Homes.

9. NON-MONETARY OBLIGATIONS

A few examples of non-monetary obligations secured are detailed below;

Non-Monetary S106 Obligations Secured in 2020/21	
Development Site	
190043 - Colchester (Phase 2)", Land West of Brook Street	George Williams Way Link, ECRTTR Link
190302 - Land to the east of Nayland Road, Great Horkesley, Colchester	Scout Hut, if not provided a financial contribution has been secured to provide a Community building. Allotment Land
192090 - Western Knowledge Gateway Site; Land Adj Capon & Annan Road, Colchester	University Travel Plan
190424 - Land at "East Bay Mill", 19 East Bay, Colchester	Car Club Scheme
191414 - Wilkin And Sons Ltd", Factory Hill, Tiptree, Colchester	Allotment Land

10. HEALTHCARE

In 2020/21, £36,705.90 of S.106 monies were received for primary Healthcare projects across the Borough delivered by the NECCG.

Healthcare Contributions in 2020/21	
Development Site	Contribution Received
181859 - Land North of Wyvern Farm", London Road, Stanway, Colchester	£36,705.90

11. STUDENT TRAVEL/TRAVEL PLAN

In 2020/21, £15,489.92 of S.106 monies were spent on Student Travel/Travel Plan in the Borough.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Below we have detailed four of the projects delivered in 2020/21

Student Travel/Travel Plan projects delivered by S106 Contributions in 2020/21		
Development Site	Amount	Project Delivered
120380/145328 – The Maltings, King Edward Quay, Colchester	£13,650.00	Software development work to extend the Finding Your Way App
171646/181096 - Aim Hire Site, Hawkins Road, Colchester	£400.00	Student Travel Plan
181309/202038 - "Land to North of", Elmstead Road/East of Swan Close, Colchester	£400.00	Travel Club Membership
181907 - Avon Way House, Avon Way, Colchester	£1,039.92	Travel Club Membership

**please note – spend may be over more than one financial year*

12. FOOTPATH IMPROVEMENTS

In 2020/21, £7,740.00 of S.106 monies were spent on Footpath Improvements in the Borough.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Below we have detailed the off-site projects delivered in 2020/21

Footpath Improvement projects delivered by S106 Contributions in 2020/21		
Development Site	Amount	Project Delivered
144693 - Rowhedge Wharf, Former Rowhedge Port, Rowhedge, Colchester, Essex	£4,140.00	Upgrade to Rowhedge Trail
171646 - Aim Hire Site, Hawkins Road, Colchester	£3,600.00	Legal Costs for Deed of Variation

**please note – spend may be over more than one financial year*

13. TRANSPORT AND SUSTAINABILITY

In 2020/21, £10,394.80 of S.106 monies were spent on Transport and Sustainability projects in the Borough.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Transport and Sustainability delivered by S106 Contributions in 2020/21		
Development Site	Amount	Project Delivered
171646/181096 - Aim Hire Site, Hawkins Road, Colchester	£10,000.00	CCTV provision to encourage walking and improve safety
131935 - Area B1b, Flagstaff Road, Colchester Garrison, Colchester	£394.80	Air Quality Monitoring

**please note – spend may be over more than one financial year*

14. CCTV

In 2020/21, £79,650.00 of S.106 monies were spent on CCTV Improvements in the Borough.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

CCTV projects delivered by S106 Contributions in 2020/21		
Development Site	Amount	Project Delivered
121290 - Colnebank House, 30 St. Peters Street,	£14,305.14	Installation of digitised CCTV to provide full coverage of St Peters Street
181281 - Former Bus Depot Magdalen Street, Colchester	£66,000.00	Provision of CCTV cameras and associated works.

**please note – spend may be over more than one financial year*

15. BUSINESS ENTERPRISE

In 2020/21, £5,000.00 of S.106 monies were spent on Business Enterprise projects in the Borough.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Business Enterprise projects delivered by S106 Contributions in 2020/21

Development Site	Amount	Project Delivered
121444 - Betts UK Limited, 505 Ipswich Road, Colchester	£5,000.00	Colbea Business Centre additional support and advice from its business advisors

**please note – spend may be over more than one financial year*

16. FOOT/CYLE BRIDGE

In 2020/21, £9,725.00 of S.106 monies were spent on Foot/Cycle Bridge projects in the Borough.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Foot/Cycle Bridge projects delivered by S106 Contributions in 2020/21		
Development Site	Amount	Project Delivered
120380/145328 – The Maltings, King Edward Quay, Colchester	£9,725.00	Wayfinding Study

**please note – spend may be over more than one financial year*

17. RECREATIONAL DISTURBANCE AVOIDANCE MITIGATION STRATEGY (RAMS)

The Essex coast Recreational disturbance Avoidance and Mitigation Strategy (the 'Essex coast RAMS') aims to deliver the mitigation necessary to avoid significant adverse effects from 'in-combination' impacts of residential development that is anticipated across Essex; thus protecting the Habitats (European) sites on the Essex coast from adverse effect on site integrity.

The whole of Colchester Borough is within the Zone of Influence. All residential proposals within the borough should make a contribution towards the measures in the RAMS to avoid and mitigate adverse effects from increased recreational disturbance to ensure that Habitat Sites are not adversely affected, and the proposal complies with the Habitat Regulations.

RAMS Contributions in 2020/21		
Development Site		Contribution Received
180873 - Land North of Dyers Road, Stanway, Colchester		£5,849.95
181281 - Former Bus Depot, Magdalen Street, Colchester		£6,113.84
181309/202038 - Land to North of, Elmstead Road/East of Swan Close, Colchester		£517.12
190522 - Land west of Gosbecks Road & south of Cunobelin Way, Gosbecks Road, Colchester		£17,683.13
190753 - Rowhedge Wharf, Former Rowhedge Port, Rowhedge, Colchester, Essex		£2,320.52
192249 - Land at Brook Road, Great Tey, Colchester		£1,855.86
192219 - Wakes Hall, Colchester Road, Wakes Colne, Colchester		£2,706.23
Unilateral Undertakings from a range of schemes		£42,861.32

<u>Total</u>		<u>£79,907.97</u>
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18. Summary of Information to comply with Schedule 2 of The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019

The matters to be included in the section 106 report for each reported year are —

- a) the total amount of money to be provided under any planning obligations which were entered into during the reported year; **£5,962,697.34**
- b) the total amount of money under any planning obligations which was received during the reported year; **£3,730,194.04**
- c) the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority; **£7,700,548.22**
- d) summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of—
 - (i) in relation to affordable housing, the total number of units which will be provided; **160**
 - (ii) in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided; N/A – Essex County Council are the Education Authority, and they have responsibility for Education related planning obligations. Refer to Essex County Council IFS for details.
- e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure; **£316,058.32**
- f) the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend); **£1,489,107.19**
- g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item;

Infrastructure Item	Amount Allocated
CCTV	£15,077.07
Community	£91,113.82
Cycle Training	£2,457.21
Footpath Improvements	£5,184.45
Leisure	£144,751.24
Public Realm & Transport	£41,686.53
RAMS	£15,788.00

h) in relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of;

(i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item;

2020/2021	
Infrastructure Type	S106 Contributions spent
Business Enterprise	£5,000.00
CCTV	£79,650.00
Community	£281,322.80
Foot/Cycle Bridge	£9,725.00
Footpath Improvement	£7,740.00
Travel Plan	£1,439.92
Transport & Sustainability	£10,394.80
Leisure/Open Space	£1,017,021.09
RAMS	£62,763.58

Student Travel	£14,050.00
<u>TOTAL</u>	<u>£1,489,107.19</u>

(ii) the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part); **N/A**

(iii) the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations; **£66,211.58** was received in monitoring fees during the period 2020/21 and used to fund the costs directly associated with the monitoring of s.106 clauses.

i) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer-term maintenance ("commuted sums"), also identify separately the total amount of commuted sums held. **Total amount of commuted sum retained £2,504,508.00. Total amount allocated for longer term maintenance £1,700,42.00**



13 December 2021

Report of	Assistant Director of Place and Client Services	Author	Bethany Jones
Title	Authority Monitoring Report		☎ 282451
Wards affected	All wards affected		

1. Executive Summary

1.1 The Authority Monitoring Report provides an annual summary of key statistics that allow the Council to monitor the effectiveness of its Local Plan.

1.2 Key statistics for the monitoring period 1 April 2020 to 31 March 2021 include:

- The Section 1 Local Plan was adopted by Full Council on 1 February 2021
- 1,535 planning applications received
- 741 homes completed
- 40 new build affordable units delivered
- Tiptree Neighbourhood Plan Examination commenced in August 2020 with the Examiner issuing his report in October 2020 recommending that the plan cannot proceed to referendum. West Mersea Neighbourhood Plan Regulation 14 consultation was held in Autumn/Winter 2020. Marks Tey Neighbourhood Plan was submitted to the Council in December 2020 with the Regulation 16 consultation held in Spring 2021. Progress has continued for a number of other neighbourhood plans during the monitoring period
- 14,000 trees planted across the Borough as part of the Colchester Woodland Project
- Colchester has been awarded £19.2m from the Government's Town Deal Fund
- In November 2020, the Department for Transport announced Essex County Council were successful in its bid and awarded funding to improve walking and cycling in towns in Essex including Colchester, known as the Active Travel Fund
- The Council's No Idling Campaign - CAREless Pollution - was launched in October 2020. A Schools Toolkit has been developed and trailed with four schools in March 2021. A partnership has been formed with McDonalds who now have No Idling signage up in all car parks and drive-thrus across Colchester

2. Recommended Decision

2.1 To approve the 2020-21 Authority Monitoring Report (AMR) for publication on the Council's website.

3. Reason for Recommended Decision

- 3.1 Until the Localism Act came into effect in April 2012, Section 35 of the Planning and Compulsory Purchase Act required that every Local Planning Authority (LPA) should prepare and publicise an Annual Monitoring Report containing information on the implementation of the Local Development Scheme (LDS) and the extent to which the policies set out in Local Development Documents (LDDs) and Local Plans are being achieved.
- 3.2 The Localism Act removed the requirement for local authorities to submit their Annual Monitoring Report to Government but retains a duty for local authorities to monitor policies. The Council accordingly still needs to demonstrate the effects of its policies in what is, as of 2015, termed an Authority Monitoring Report (AMR) providing the opportunity for updates as and when data is available.

4. Alternative Options

- 4.1 There are no alternatives as the Council needs to provide a monitoring source of information on the delivery of its planning functions.

5. Background Information

- 5.1 The AMR provides key information that helps the Borough Council and its partners to evaluate planning policies in the context of current trends and delivery levels. The full report covering the period 1 April 2020 to 31 March 2021 is attached as Appendix 1 and will be available to view on the Council's website, and upon request to the Planning Policy team.
- 5.2 As part of the Localism Act, authorities can now choose which targets and indicators to include in their monitoring reports as long as they are in line with the relevant UK and EU legislation. Their primary purpose is to share the performance and achievements of the Council's planning service with the local community. The format of this AMR accordingly is designed to clearly demonstrate how the Council is meeting targets and indicators arising from the adopted policies in the Local Plan and provides information that can be used in reviewing the Plan.
- 5.3 Although the Section 1 Local Plan was adopted in February 2021, there was not sufficient data available to cover the one month during this monitoring period. Upon adoption of the Emerging Local Plan, the monitoring indicators will require review in order to reflect the policies and targets within the new Local Plan. This is likely to occur in the AMR 2022.
- 5.4 The AMR also includes information on how the Council is working with partners to meet the duty to co-operate on cross-boundary strategic matters.
- 5.5 The AMR is divided into a number of key themes covering progress in meeting Local Plan policy aspirations across a variety of areas.
- 5.6 The Housing section documents historic delivery rates and provides a detailed list of housing units delivered in the last financial year. The requirement for the Council to demonstrate how it intends to meet the five year housing land supply requirement has been addressed by the publication of a separate Housing Land Position Statement which was last published in August 2021 and demonstrated that the Council has a five year land supply.

5.7 Other key findings include:

- The total number of applications (major, minor and others i.e., change of use and listed building consent) received between 1 April 2020 and 31 March 2021 of 1,535 shows a slight decrease on last year's total of 1,594. This figure however does not include all applications i.e., discharge of condition and preliminary inquiries. When these are added the total for the year is 2,673 which is higher than all applications figure of 2,475 last year.
- A net of 741 dwellings were built between 1 April 2020 and 31 March 2021. This is lower than the previous year's total of 1,124 and below the Objectively Assessed Need target of 920 dwellings a year for Colchester. However there has been much uncertainty surrounding the housing market as a result of Covid 19. Despite a slow start to 2020/21 monitoring period, construction resumed, and sales have been strong.
- During the monitoring period 40 new build affordable housing units were delivered consisting of 35 affordable rent, and 5 Shared Ownership. No new build social rent properties were delivered in this monitoring period. The total of 40 units represents 5.4% of all new homes delivered. The comparable figures for the previous three years were 202 (18%) in 19/20, 110 (9.4%) in 18/19 and 132 (12.5%) in 17/18. This demonstrates the lowest number of new build affordable housing units delivered in the last four years, the main reason for this being the Covid-19 pandemic.
- All 40 of the new build affordable homes were delivered through Section 106 obligations. No commuted sums were received for affordable housing in this monitoring period.
- Tiptree Neighbourhood Plan Examination commenced in August 2020 with the Examiner issuing his report in October 2020 recommending that the plan cannot proceed to referendum. The Tiptree Neighbourhood Plan has now returned to the Regulation 14 stage of the plan making process. West Mersea Neighbourhood Plan Regulation 14 consultation was held in Winter 2020. Marks Tey Neighbourhood Plan was submitted to the Council in December 2020 with the Regulation 16 consultation held in Spring 2021. Other neighbourhood plans have continued to progress during the monitoring period. Although outside of the monitoring period, the Marks Tey Examination commenced in August 2021 and the West Mersea examination commenced in October 2021. Both examinations are currently ongoing.
- The Colchester Travel Plan Club has continued to work with existing members during the monitoring period, and Essex County Council to further develop their travel plans, and to begin the process of gaining Modeshift STARS accreditations.
- A total of 122 Residential Travel Information Packs have been provided to new residents across 5 residential developments in Colchester in 2020/21.
- The AMR shows that there was no loss/damage to Scheduled Monuments, Designated Sites (including SSSI, SAC, SPA, SINC and RAMSAR) or key community facilities in 2020/21.

- The Council have taken on an additional area of 21,972m² of open space during the monitoring year 2020/21. The adoption of this area is in the process of being legally formalised.
- A four week consultation was held from 8 February to 8 March 2021 to extend the Garrison Conservation Area to include the ABRO Site, Roman Circus House, adjacent open space and Artillery Folley. Following consultation, the Garrison Conservation Area was extended at Local Plan Committee in June 2021.
- At Local Plan Committee August 2020, 64 additions were made to the Colchester Borough Local List, bringing the total number of assets to 780.
- The Council's No Idling Campaign CAREless Pollution was launched in October 2020. A Schools Toolkit has been developed and trailed with four schools in March 2021. A partnership has been formed with McDonalds who now have No Idling signage up in all car parks and drive-thrus across Colchester.
- The Council have also been awarded further funding (£59,785) from DEFRA to undertake a feasibility study into driver facing traffic signal countdown timers and signage to encourage drivers to switch off their engines when stationary at traffic lights and rail crossings. Planning permission was granted in late 2020 for 9 signs positioned on Brook Street and East Gates, two of the most polluted parts of the borough. The signage was introduced in February 2021. The feasibility work found that a timer could not be integrated with the traffic light management system currently in operation in Colchester.
- A third bid to DEFRA was submitted in October 2020 for £248,700 in funding to run the CAREless Pollution campaign for another 12 months, to deliver a winter home-burning campaign and for the development of two shared transport hubs which will include electric bikes, electric cargo bikes and ecarclubs. The Council, where successful in its bid and work has begun in Summer 2021.
- In August 2020, Essex County Council submitted a bid for funding from the Department for Transport (DfT) Active Travel Fund to create safe walking and cycling routes in Essex. The proposals built upon experience gained from emergency measures set up in 2020 to facilitate social distancing and as part of the safe reopening of the town centre. In November 2020, the DfT announced ECC was successful in its bid and was awarded funding to improve walking and cycling in towns in Essex including Colchester.
- The Council updates the Climate Emergency Action Plan in June 2021 which covers the period 2021 to 2023 and sets out the Council's strategy for how to be carbon neutral in all its operations by 2030
- Since the Council declared a climate emergency in July 2019, 4,486 trees have been planted and 10,000 trees given to the public as part of the Colchester Woodland Project. 14,000 trees were planted across the borough in 2020/21. The Woodland Project has also been expanded to ensure tree planting and management of green space conserves and enhances biodiversity. The Council have also received funding to purchase 25 electric cargo (eCargo) bikes and 5 electric trailers which are being used for Council fleet operations and local businesses.

6. Equality, Diversity and Human Rights implications

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

<https://cbccrmdata.blob.core.windows.net/noteattachment/Equality%20Impact%20Assessment%20June%202017.pdf>

7. Strategic Plan References

- 7.1 The Strategic Plan is relevant in particular contributing to priorities under the themes:
- Delivering homes for people who need them; and
 - Growing a fair economy so everyone benefits.

8. Consultation

- 8.1 The AMR considers the effectiveness of Local Plan policies which have been through a comprehensive consultation programme as set out in the Council's Statement of Community Involvement (SCI).

9. Publicity Considerations

- 9.1 The AMR provides a wealth of statistical information on the Borough which may warrant press attention.

10. Financial implications

- 10.1 There are no direct financial implications. The AMR however, provides evidence to evaluate the effect of wider economic influences on Council planning policies and highlights the potential for the Council to benefit from Government funding linked to housing delivery.

11. Health, Wellbeing and Community Safety Implications

- 11.1 There are no health, wellbeing or community safety implications for the Council.

12. Health and Safety Implications

- 12.1 There are no health and safety implications for the Council.

13. Risk Management Implications

- 13.1 Monitoring policies to ensure their effectiveness is intended to reduce the risk of inappropriate development. It will provide consistent advice to landowners, developers, officers, Councillors and members of the public.

14. Environmental and Sustainability Implications

- 14.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. The purpose of the planning system is to contribute to the achievement of sustainable development as defined in the National Planning Policy Framework. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives.

14.2 The AMR includes a chapter titled 'Climate Change' which highlights the Council's latest initiatives in relation to reducing the impacts of climate change across the Borough.

Appendices

Appendix A – Authority Monitoring Report 2021



AUTHORITY MONITORING REPORT 2021

December 2021



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All references to the county of Essex are to Essex as it is currently constituted i.e., without the unitary authorities of Southend-on-Sea and Thurrock unless stated otherwise.

All references to 'Colchester' refer to Colchester Borough unless stated otherwise, e.g., Colchester town.

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Key Headlines from the 2020 – 2021 AMR
<p>Section 1 Local Plan Main Modifications Consultation 27 August to 9 October 2020</p> <p>Section 1 Local Plan Inspector's Final Report issued on 10 December 2020, recommending subject to his modifications the Section 1 Local Plan is sound and legally compliant</p> <p>Section 1 Local Plan adopted by Full Council 1 February 2021</p>
<p>Tiptree Neighbourhood Plan Examination commenced in August 2020. The Examiner issued his report recommending the plan cannot proceed to referendum in October 2020</p> <p>West Mersea Neighbourhood Plan Regulation 14 Consultation held from 23 October to 11 December 2020</p> <p>Marks Tey Neighbourhood Plan submitted to CBC in accordance with Regulation 15 in December 2020</p> <p>Marks Tey Neighbourhood Plan Regulation 16 Consultation held from 22 February to 5 April 2021</p>
<p>741 new dwellings were built in Colchester Borough</p>
<p>40 new build affordable units were delivered across the Borough</p>
<p>Colchester has been awarded £19.2m from the Government's Town Deal Fund</p>
<p>A Climate Emergency was declared by the Council in July 2019. 14,000 trees have been planted during this monitoring period by the Council as part of the Colchester Woodland Project. The Council also received funding to purchase 25 electric cargo (eCargo) bikes and 5 electric trailers to be used for Council fleet operation and local businesses in the previous monitoring period and these continue to be successfully used.</p>
<p>64 additions were made to the Colchester Borough Local List in August 2020, bringing the total number of assets to 780</p>
<p>The Council's No Idling Campaign – CAREless Pollution – was launched in October 2020</p>

1. Introduction

Background to the Report

- 1.1 This Authority Monitoring Report (AMR) contains information about the extent to which the Council's planning policy objectives are being achieved. The monitoring indicators and monitoring of policies cover the period from 1 April 2020 to 31 March 2021. However, further information from outside of this period is included, particularly within the overview and context sections, to reflect the latest information.
- 1.2 The Localism Act removed the requirement for Local Planning Authorities (LPAs) to produce an annual monitoring report for Government, but it did retain an overall duty to monitor planning policies. Authorities can now choose which targets and indicators to include in their monitoring reports as long as they are in line with the relevant UK legislation. Their primary purpose is to share the performance and achievements of the Council's planning service with the local community. The monitoring report also needs to demonstrate how councils are meeting the requirement to cooperate with other authorities on strategic issues.

Monitoring Information

- 1.3 The AMR includes information on the progress the Council is making on a number of key areas. The information provided reflects the monitoring requirements set forth in the Localism Act 2010, the National Planning Policy Framework (NPPF) and associated regulations and guidance. The format focuses on key areas of delivery, including monitoring progress in plan making and in assessing the success of policies concerned with delivery of housing and employment development.
- 1.4 Additionally, the AMR includes relevant measurable indicators for the thematic areas covered by the Local Plan of transport and accessibility; environment and rural communities; and energy, resources, waste water and recycling.
- 1.5 Changes have been made to Use Classes from 1 September 2020. This includes use class A1/2/3 and B1 now being treated as Class E. As a result, Class A, Class B1 and Class D have all been revoked. In April and August 2021, new permitted development rights were introduced to reflect the revised use classes.

Local Plan Progress

- 1.6 Information on the timetable for preparation and adoption of the Development Plan Documents is contained in the Local Development Scheme (LDS) which is updated on a regular basis, most recently June 2021. While the Council is in the process of examining a new Local Plan, the AMR measures progress on the adopted Local Plan. Although the Section 1 Local Plan has been adopted in February 2021, there is not sufficient data available to cover the one month period that the Plan has been adopted for during this monitoring period. Upon adoption of the Emerging Local Plan, the monitoring indicators will require review in order to reflect the policies and targets within the new Local Plan. This is likely to occur in the AMR 2022.

- 1.7 The overall strategic policies for Colchester contained in the Core Strategy were found to be 'sound' by a government appointed Inspector and the Document was adopted by the Council in December 2008. Two further Local Development Documents; Development Policies and Site Allocations were found sound and adopted in October 2010. Selected Core Strategy and Development Policies were modified by a Focused Review in July 2014.
- 1.8 The development of a new Local Plan has involved an initial Issues and Options consultation, carried out in January/February 2015; a Preferred Options document consultation, carried out from 9 July - 16 September 2016; and a Publication Draft Consultation carried out from 16 June – 11 August 2017. The plan is comprised of a strategic Section 1 which provides policies shared by Braintree, Colchester and Tendring Councils along with a locally specific Section 2 which contains policies and allocations specific to Colchester. Both sections of the Local Plan were submitted to the Planning Inspectorate in October 2017.
- 1.9 The Shared Strategic Section 1 Local Plan 2013 to 2033 was adopted in February 2021.
- 1.10 The Section 2 Local Plan is currently being examined by a government appointed Inspector. Examination Hearing Sessions were held over a two week period in April 2021. The Inspector has recommended the modifications to the Section 2 Local Plan he considers necessary for the plan to be considered 'sound'. These modifications were subject to public consultation for six weeks from 4 October to 18 November 2021. The Council are now awaiting the Final Report from the Inspector.
- 1.11 Further information regarding the progress of the Section 2 Local Plan can be found in Chapter 4.

2. Statistical Profile of Colchester

2.1 The Borough of Colchester is located in the north east of Essex, bordered by Braintree District, Tendring District, Maldon District and Babergh District Councils. The borough is diverse with the main town being Colchester, other large settlements include Stanway, Tiptree, West Mersea and Wivenhoe, and large areas of countryside. Table 1 below summaries key statistics for the Borough of Colchester.

Table 1: Statistical Profile of Colchester

Indicator	Data	Source
Total Population (2020)	197,200	Population estimates, ONS
HOUSING		
Number of dwellings	82,527 as at 1 st April 2020	Department of Levelling Up Housing and Communities (DLUHC) live tables
Total new homes delivered for the year 2020-21	741	Colchester Borough Council
Affordable Homes delivered for the year 2019 - 20	101 (of which 59 homes were acquired by the Council).	Registered Providers Returns
Average household size (persons)	2.33	2011 Census
Average household price (£)	£338,193 as at April 2021	Hometrack
Lower quartile house/flat price (£)	£230,000 as at April 2021	Hometrack
Total Empty Properties ¹ (classified as empty for Council Tax purposes)	There were 1,851 empty properties as at April 2021 (1,734 privately owned or owned by Registered Providers and 117 owned by CBC)	Colchester Borough Council

¹ These figures also include properties that fall under the exemption categories. Empty properties may be exempt if they:

- are owned by a charity (these are exempt for up to 6 months)
- are left empty by someone who has gone into prison
- are left empty by someone who has moved to give personal care, or who has moved to receive personal care
- are waiting for probate or letters of administration to be granted (after someone has died) and for up to six months after
- have been repossessed
- are the responsibility of a trustee on behalf of someone who is bankrupt
- have no-one allowed to live in them by law
- are waiting to be lived in by a minister of religion.

Indicator	Data	Source
Length of time Total Empty Properties have been empty	0 – 6 months 899 7 – 12 months 360 1 – 2 years 365 2 – 5 years 147 5+ years 80	Colchester Borough Council
Households on the Housing Register	As at 31 st March 2021 there were 3,009 households	Gateway to Homechoice
Homelessness households	For the year 2020-21 CBC accepted a full homeless duty for 185 households. Action was taken to prevent homelessness for 187 households and relieved homelessness for 136 households.	Colchester Borough Council
Households in temporary accommodation	As at 31 st March 2021 there were 209 households in temporary accommodation.	Colchester Borough Council
Further information on housing in Colchester	Colchester Housing Strategy	https://www.colchester.gov.uk/info/cbc-article/?catid=strategies-and-statistics&id=KA-01436
EMPLOYMENT		
Economically active population	101,900 (June 2021)	Annual population survey, ONS
In employment	97,100	As above
Total employees	86,100	As above
Self-employed	10,500	As above
Unemployed (model-based)	4,200	As above
Universal Credit (including Job Seekers Allowance)	4,750 (3.8% of individuals aged 16-64) (September 2021)	Claimant count, ONS
Economically inactive population	24,900	Annual Population Survey, ONS
Full-time employees	52,000 (2020)	Business Register and Employment Survey, ONS
Part-time employees	31,000 (2020)	As above
Number of businesses (total)	7,515 Enterprises (2021), accounting for 8,795 “Local units”	Inter Departmental Business Register (ONS)

Indicator	Data	Source
Visitor trips numbers	3,276,000 Day trips; 107,000 Staying visitor trips; 346,000 Staying visitor nights.	Cambridge Model to measure Economic Impact of Tourism on Colchester Borough 2020
Visitor spend/value	£171.6 million	Cambridge Model to measure Economic Impact of Tourism on Colchester Borough 2020
Tourism related employment	4,612	Cambridge Model to measure Economic Impact of Tourism on Colchester Borough 2020
Further information on Colchester's economy	Colchester Economic Strategy Annual Economic Report 2019/20	https://www.colchester.gov.uk/info/cbc-article/?catid=our-council-strategies&id=KA-01485 FC59322 CAER 2019 20.indd (colchesterultraready.co.uk)
ENVIRONMENT		
Area of Ancient Woodland	573 ha	Ancient Woodland Inventory
Number of houses at risk from surface water flooding within Critical Drainage Areas	418 (1 in 100 years event risk level)	Surface Water Management Plan Action Plan Update 2018
Number of Neighbourhood Plans	5 adopted (Myland and Braiswick, Boxted, Wivenhoe, West Bergholt and Eight Ash Green) 5 being prepared	Colchester Borough Council
Number of Air Quality Management Areas	3 (Central Corridors, East Street and Lucy Lane North, Stanway)	Colchester Borough Council
Number of Conservation Areas	24	Colchester Borough Council
Number of Listed Buildings and Scheduled Monuments	1,608	Historic England
Number of listings on Heritage at Risk Register	8	Historic England

Indicator	Data	Source
Number of Historic Parks & Gardens	3	Historic England
Nationally designated sites Special Sites of Scientific Interest (SSSIs)	8 SSSIs- Marks Tey Brickpit, Upper Colne Marshes, Roman River, Abberton Reservoir, Blackwater Estuary, Tiptree Heath, Bullock Wood and Cattawade Marshes	Natural England
Areas of Outstanding Natural Beauty (AONB)	1 (Dedham Vale AONB)	Colchester Borough Council
Internationally Designated Sites (Special Areas of Conservation – SAC and Special Protection Area – SPA)	Essex Estuaries SAC	Environment Agency
	Colne Estuary SPA	
	Abberton Reservoir SPA	
	Blackwater Estuary SPA	

3. Duty to Cooperate

- 3.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 require that the LPA's monitoring report must give details of what action has been taken during the monitoring year to satisfy the duty to cooperate. CBC has met this requirement by holding a number of meetings on cross-border, sub-regional and regional issues with relevant stakeholders.

Colchester Local Plan

- 3.2 The [Duty to Cooperate Statement \(October 2017\)](#) details the measures the Council has undertaken to co-operate with relevant public sector bodies on strategic matters. While the format of the statement primarily considers the Duty to Co-operate in the context of the joint approach to strategic plan-making found in Section 1, the statement also fully addresses the requirement for the Council to demonstrate cooperation in its own right in relation to Section 2. Partners include but are not limited to district/borough/city councils, the County Council, Essex-wide bodies such as the Essex Planning Officers' Association and Essex Chief Executives' Association, North Essex Garden Communities Ltd. Board and the Haven Gateway Partnership covering north-east Essex and south-west Suffolk.
- 3.3 In November 2016, Colchester Borough Council signed a Memorandum of Cooperation with Braintree and Tendring District Councils and Essex County Council confirming that the Councils are collaborating on joint Local Plan work to identify an agreed strategic approach to the allocation and distribution of large scale housing led, mixed use development, including employment opportunities and infrastructure provision, in the form of Garden Communities.
- 3.4 As part of the evidence gathering work for the Local Plan, the Council has met with providers of key infrastructure to identify any major constraints or issues to consider in the generation of growth options and the identification of a preferred option. The Council has spoken to providers of roads, rail network and rail services, bus services, education, health, water and sewerage, environmental protection, electricity, and gas.
- 3.5 Cooperation around the production of an evidence base has also included the Council's participation in Essex-wide work on population forecasts and on a Gypsy and Traveller Accommodation Assessment. The Council jointly commissioned work to establish an [Objectively Assessed Housing Need](#) target along with Braintree, Chelmsford and Tendring to provide a consistent approach to the development of identifying housing need across local authority boundaries.
- 3.6 Various updates to the evidence base documents including those jointly commissioned, have occurred throughout the Local Plan process. A collaborative approach by Colchester Borough Council, Braintree District Council and Tendring District Council known as the North Essex Authorities (NEAs) continued throughout the examination of the Section 1 Local Plan.
- 3.7 The Inspector of the Section 1 Local Plan wrote to the NEAs on [8 June 2018](#) outlining areas of future work required to progress the emerging Local Plan and

three options for the NEAs to consider. The Inspector concluded in his letter that each of the NEAs had met the duty to cooperate in the preparation of the Section 1 Local Plan.

3.8 The NEAs decided to undertake additional work including an update to the Sustainability Appraisal; and continue the examination of the Local Plan, as outlined in a letter to the Inspector [19 October 2018](#). The NEAs continued to work in partnership during this process and published a number of additional evidence base documents to address the concerns outlined by the Inspector.

3.9 The Inspector held additional hearing sessions from 14 January to 30 January 2020. The collaborative approach engrained in the Section 1 Local Plan process continued throughout the examination with the NEAs continuing to work together during the additional hearing sessions.

3.10 In his letter dated [15 May 2020](#), the Inspector reaffirmed that the NEAs have met the Duty to Cooperate. The Inspector also concluded that no one's interests were materially prejudiced by the way in which the additional evidence base consultation was undertaken in Summer 2019.

3.11 In the Section 1 [Inspector's Final Report](#) (10 December 2020) he concluded that each of the NEAs has met the duty to cooperate in preparation of the Section 1 Local Plan. The Section 2 Local Plan Examination is currently ongoing as outlined in more detail in Section 4 below.

3.12 During the Section 2 Local Plan Examination, several [Statements of Common Ground \(SoCG\)](#) have been agreed between the Council and various stakeholders. During this monitoring period, a SoCG has been agreed between Colchester and the following:

- Environment Agency – March 2021;
- Historic England – March 2021;
- Natural England – March 2021;
- Essex County Council – April 2021;
- North Essex CCG, Essex Partnership University Trust and East of England Ambulance Trust - April 2021;
- Defence Infrastructure Organisation (DIO) and Essex County Council – April 2021;
- O&H Properties – April 2021; and
- Tollgate Partnership – April 2021 ²

3.13 Further information regarding the Section 2 Local Plan Examination can be found via the [Examination website](#) and in Section 4 below.

² Two separate SoCG have been signed with the Tollgate Partnership as these relate to two separate site allocations in the Section 2 Local Plan.

Tendring Colchester Borders Garden Community DPD

- 3.14 Joint planning work is continuing with the preparation of Development Plan Document (DPD) for the Tendring Colchester Borders Garden Community which will provide detail on location and design. An Issues and Options consultation for the DPD was held from 13 November 2017 to 2 February 2018. The study work and responses from that consultation form a starting point for the next phase of work, bearing in mind the changes during the intervening period.
- 3.15 Tendring and Colchester Councils have been working together to commission further evidence base and masterplanning work required to support the DPD. As with masterplanning work carried out for the Issues and Options stage, work has included focused consultation with stakeholders and existing communities in the vicinity of Tendring Colchester Borders Garden Community. Local Plan Committee were presented with a proposal for the preparation of the DPD in July 2020. Regular updates are provided on the progression of the DPD as a standing item for Local Plan Committee.

4. 2020-21 Progress on Plan Preparation

4.1 The current Local Development Scheme (LDS) sets out the programme for plan preparation from 20221 to 2024. This is available on the [Council's website](#), see Appendix C – Local Development Scheme 2021-2024 for a summary chart. The LDS has not been revised during this monitoring period; however it was updated in June 2021. To reflect the most update to edition of the LDS, the table below summarises the progress of the documents in the June 2021 LDS and identifies key milestones.

Table 2: Local Development Scheme Progress

Development Plan Document	Progress / Current stage Comments	Target Date/ Key Milestones
New Local Plan	<p>Issues & Options Consultation Feb/March 2015</p> <p>Preferred Options Draft and Consultation July-September 2016</p> <p>Submission Plan Consultation June- August 2017</p> <p>Submission to PINs 9 October 2017</p> <p>Section 1</p> <p>Examination Hearing Sessions from 16 January to 25 January 2018</p> <p>Additional Hearing Session 9 May 2018</p> <p>Letters from Inspector received 8 June 2018, 27 June 2018 and 2 August 2018</p> <p>Technical Public Consultation on updated evidence base documents 19 August - 30 September 2019</p> <p>Further Examination Hearings Sessions (Section One) from 14 - 30 January 2020</p> <p>Letter from Inspector 15 May 2020</p> <p>Main Modifications Consultation 27 August to 9 October 2020</p>	Section 2 Local Plan Adoption Winter 2021/22

Development Plan Document	Progress / Current stage Comments	Target Date/ Key Milestones
	<p>Inspectors Final Report received 10 December 2020</p> <p>Adoption by Full Council 1 February 2021</p> <p>Section 2</p> <p>Examination Hearing Sessions from 20 April to 30 April 2021</p> <p>Main Modifications Consultation from 4 October to 18 November 2021</p>	
Joint Strategic Growth DPD	<p>Planning Framework Document related to strategic allocation for new development at the Tendring Colchester Borders Garden Community. Will need to be aligned with Section 1 Local Plan and comply with Duty to Co-operate with neighbouring authorities.</p> <p>Issues and Options Consultation November 2017 to February 2018</p> <p>Ongoing engagement, evidence gathering and draft document preparation</p>	<p>Member approval for draft DPD Consultation (Regulation 18) Winter 2021/22</p> <p>Adoption Summer/Autumn 2023</p>
Planning Obligations SPD	<p>Initial draft prepared for member approval for public consultation</p> <p>Presentation at Local Plan Committee December 2019</p> <p>Consultation 24 January to 9 March 2020</p>	<p>Following consultation, decision made to review and reconsult once Section 2 Local Plan adopted</p>
Affordable Housing SPD	<p>Initial draft prepared for member approval for public consultation</p> <p>Presentation at Local Plan Committee December 2019</p> <p>Consultation 24 January to 9 March 2020</p>	<p>Following consultation, decision made to review and reconsult once Section 2 Local Plan adopted</p>

Development Plan Document	Progress / Current stage Comments	Target Date/ Key Milestones
Self and Custom Build and Specialist Housing SPD	Initial draft prepared for member approval for public consultation Presentation at Local Plan Committee December 2019 Consultation 24 January to 9 March 2020	Following consultation, decision made to review and reconsult once Section 2 Local Plan adopted
Climate Change SPD	Initial evidence gathering	Work to formally commence once Section 2 Local Plan adopted
Biodiversity SPD	Initial evidence gathering	Work to formally commence once Section 2 Local Plan adopted
Statement of Community Involvement (SCI)	Statement of Community Involvement Updated in July 2020 to reflect specific requirements arising from national guidance and procedures on dealing with Covid-19 implications. Subject to review following government regulation changes or new examples of best practise introduced.	No update currently required. Position to be reviewed annually or in line with national policy and guidance changes in relation to Covid-19.

Section 1 Colchester Local Plan

- 4.2 As outlined above, The North Essex Authorities (NEAs) received a letter from the Section 1 Inspector on [15 May 2020](#). The Planning Inspector concluded that the Plan had been deemed to be legally compliant, the Sustainability Appraisal, subject to some issues on deliverability, had been accepted and he concluded that the Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) had been assessed correctly. The Inspector also reconfirmed his original position on housing numbers with a requirement of 920 houses per annum for Colchester, although this would need to be reviewed in the light of the 2018 household projections. The Inspector was also content with the range of delivery mechanisms and with road links and other infrastructure issues and with employment contributions.
- 4.3 However, there were significant issues on which he had not been convinced. He had not been satisfied that routes three and four of the Rapid Transit System were deliverable and he had expressed concern about the proposed annual rate of housebuilding. He had not accepted some of the work done by the NEAs on land values which had implications for his view on the viability of garden communities at Colchester Braintree Borders and West of Braintree. The Inspector therefore concluded that neither of these garden communities were likely to be delivered. However, he had concluded that the Section 1 Plan could be sound if those garden

communities were removed and the Tendring Colchester Borders Garden Community only was included.

- 4.4 The Inspector also stated that the Local Plan has met the legal requirements including the Duty to Co-operate. Local Plan Committee confirmed their position with regard to the Section 1 Emerging Local Plan, which is to proceed and consult on Modifications. This position was also confirmed at Braintree and Tendring District Councils.
- 4.5 The Inspector also asked for comments in relation to housing in light of the 2018 based household projections. The NEA's have submitted their response to this which is available on the [Examination website](#). This demonstrates that there is no meaningful change for Colchester.
- 4.6 The Inspector published the formal modifications and consultation was undertaken alongside the revised SA and HRA for a six-week period from 27 August to 9 October 2020.
- 4.7 Following the close of the main modifications consultation, the NEAs sent all valid representations received to the Inspector for his consideration. The Inspector issued his final report on the soundness and legal compliance of the Section 1 Local Plan on 10 December 2020. With the incorporation of the Inspector's final set of recommended Main Modifications (which include the removal of the Colchester Braintree Borders Garden Community and West of Braintree Garden Community), the Section 1 Local is sound and legally compliant.
- 4.8 Local Plan Committee on 14 December 2020, recommended to Full Council that the modified Section 1 Local Plan is adopted.
- 4.9 Full Council formally adopted the Colchester Borough Local Plan 2013 to 2033 North Essex Authorities Shared Strategic Section 1 Plan on 1 February 2021.
- 4.10 All correspondence mentioned above between the NEAs and the Inspector is available on the [Examination website](#).

Section 2 Colchester Local Plan

- 4.11 Following the Section 1 Inspectors Letter of May 2020, the Planning Inspectorate appointed two Inspectors to examine the Section 2 Emerging Local Plan. The Inspectors are Jameson Bridgwater PGDiTP MRTPI and Anne Jordan BA (Hons) MRTPI.
- 4.12 Following conclusion of the Section 1 Examination. The Section 2 Examination commenced. The Inspector issued Matters, Issues and Questions on 15 March 2021 to set out the topic of the hearing sessions, the issues of consideration and the questions which require further information. The Inspector requested hearing statements were received via the Programme Officer by 6 April 2021.

- 4.13 Hearing sessions were held for 6 days virtually via Zoom between Tuesday 20 April and Thursday 29 April 2021. Each hearing session was live streamed on the Council's YouTube channel, in a similar to the Council's virtual committee meetings.
- 4.14 The Inspector confirmed his recommended 'Main Modifications' he considers necessary for soundness to the Section 2 Local Plan in September 2021.
- 4.15 The Main Modifications recommended by the Inspector have been published for a six week public consultation from 4 October to 18 November 2021.
- 4.16 Officers have sent all valid representations to the Inspector for his consideration. The Council are currently awaiting the Inspector's Final Report.
- 4.17 Further information can be found on the Council's [Examination Website](#).

Neighbourhood Plans

4.18 Neighbourhood planning has remained high on the national government's agenda since regulations were introduced in 2012. Revisions to the Neighbourhood Planning Regulations in January 2018, the revised NPPF (July 2021) and changes to the National planning practice guidance in May 2019 continue to demonstrate the importance of Neighbourhood Plans (NPs) for housing provision and local planning matters.

4.19 A number of Neighbourhood Plans have progressed during the monitoring period. Table 3 summarises the current position of NPs within the Borough.

4.20 During the 2020-21 monitoring period the following has occurred:

- Tiptree Neighbourhood Plan Regulation 16 Consultation held from 22 June to 10 August 2020;
- Tiptree Neighbourhood Plan Examination commenced in August 2020. The Examiner issued his report recommending the plan cannot proceed to referendum in October 2020;
- West Mersea Neighbourhood Plan Regulation 14 Consultation held from 23 October to 11 December 2020;
- Great Tey Neighbourhood Plan Update and Consultation following 'Call for Sites' November 2020;
- Marks Tey Neighbourhood Plan submitted to CBC in accordance with Regulation 15 in December 2020;
- Marks Tey Neighbourhood Plan Regulation 16 Consultation held from 22 February to 5 April 2021; and
- Continued work for a number of other Neighbourhood Plans.

4.21 The following key milestones have occurred in the next monitoring period (2021/22) but for completeness have also been recorded in this report:

- West Mersea Neighbourhood Plan submitted to CBC in accordance with Regulation 15 in April 2021;
- West Mersea Neighbourhood Plan Regulation 16 Consultation held from 20 July to 3 September 2021;
- Marks Tey Neighbourhood Plan Examination commenced in August 2021; and
- West Mersea Neighbourhood Plan Examination commenced in October 2021.

Table 3: Neighbourhood Plans Progress

Neighbourhood Plan	Area Designated	Current Stage
Boxted	October 2012	Adopted December 2016, part of the Development Plan used for decision making.
Myland and Braiswick	January 2013	Adopted December 2016, part of the Development Plan used for decision making. Considering options for undertaking a plan review.
Wivenhoe	July 2013	Adopted May 2019, part of the Development Plan used for decision making.
West Bergholt	July 2013	Adopted October 2019, part of the Development Plan used for decision making.
Eight Ash Green	June 2015	Adopted December 2019, part of the Development Plan used for decision making.
Tiptree	February 2015	Examiner's Report issued October 2020 recommending the Plan cannot proceed to referendum. The Tiptree Neighbourhood Plan recommenced work at the Regulation 14 stage. Consultation anticipated Winter 2020/21
Copford with Easthorpe	May 2015	Regulation 14 Consultation anticipated Winter 2020/21
Marks Tey	September 2015	Plan submitted to CBC in December 2020 Regulation 16 Consultation held from 22 February to 5 April 2021 Examination commenced August 2021
West Mersea	November 2016	Regulation 14 Consultation held from 23 October to 11 December 2020 Plan submitted April 2021 Regulation 16 Consultation held from 20 July to 3 September 2021 Examination commenced October 2021
Great Tey	June 2017	Evidence gathering and plan preparation Update and Consultation with Residents following Call for Sites - November 2020
Messing	July 2013	Work abandoned. No active NHP group currently.
Stanway	June 2014	Work abandoned. No active NHP group currently.

5. Planning Applications

5.1 The level of planning applications provides a useful backdrop against which the effects of policies can be considered. Table 4 below summarises planning applications determined in this monitoring period.

Table 4: Planning Applications Summary 1 April 2020 to 31 March 2021

Planning Applications from 1 April 2020 to 31 March 2021	
The number of applications received (major, minor and other)	1,535
The number of applications approved	1,193
The number of applications refused	131
The number of appeals made	38
The number of appeals allowed	7 (0 Partial, 0 Withdrawn & 21 Dismissed)
The number of departures	1 (for determinations within the period)
Minor applications decided within 8 weeks	94%
Major applications decided within 13 weeks	98%

5.2 The total number of applications (major, minor and others i.e. change of use and listed building consent) received between 1 April 2020 and 31 March 2021 of 1,535 shows a slight decrease on last year's total of 1,594. This figure however does not include all applications i.e. discharge of condition and preliminary inquiries. When these are added the total for the year is 2,673. This is higher than the figure of 2,475 for 2019/20.

5.3 Decision rates remain high with 94% of minor applications decided within 8 weeks; a slight increase from the previous figure of 93% as recorded in the previous three years (2019/20, 2018/19 and 2017/18).

5.4 Performance in the major applications category has increased from 95% in 2019/20 to 98% in this monitoring period. This is higher than the previous two monitoring years (2018/19 and 2017/18) of 93% and demonstrates that majority of applications are being determined within the specified decision time limits.

5.5 Overall, it can be seen that the Council's implementation of project management measures for applications, including pre-application advice and Planning Performance Agreements have and continue to enhance consistency and quality in processing applications.

6. Key Theme: Housing Indicators

Overview

6.1 In line with the NPPF, the Council is required to ensure sufficient housing land is supplied to meet local housing needs. The Council has developed an Objectively Assessed Need (OAN) target for the new Colchester Local Plan of 920 houses a year which takes into account the requirements of the NPPF 2012; and will ensure the Borough provides a 5 year supply of specific deliverable sites and identifies a supply of specific developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15.

6.2 The target of 920 homes a year reflects a comprehensive evidence base which includes the following:

- Objectively Assessed Housing Need Study produced by Peter Brett Associates (PBA) in July 2015 and updated November 2016 for Braintree, Chelmsford, Colchester and Tendring Councils:
- Review of the Strategic Housing Market Assessment (SHMA) work in Chelmsford, Colchester, Braintree and Tendring to bring it into compliance with the NPPF and PPG - HDH Planning and Development Ltd, December 2015.

6.3 In February 2021, Section 1 of the Local Plan was adopted. This included Policy SP4 which confirms the objectively assessed need for housing as 920 dwellings per annum.

6.4 The Council has published an updated [Housing Land Supply Annual Position Statement \(August 2021\)](#) for the current 5 year period. This demonstrates that Colchester has a sufficient supply of deliverable housing sites against the Local Plan target (920 dwellings per annum). A total of 5.75 years is deliverable within the period 2021/22 to 2025/26.

Housing Indicator 1	Housing Delivery	Indicator for Core Strategy Policy H1
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6.5 Most of the housing programmed for delivery in the 2001-2023 period has already been accounted for by previous Local Plan allocations, housing completions and planning permissions. Colchester delivered 18,783 new homes between 2001/02 and 2020/21 at an average rate of 939 dwellings per year. During the last monitoring period, a total of 741 units were delivered within the Borough. See Table 5 and Figure 1 below.

Table 5: New Dwelling Completions in Colchester 2001/2 to 2020/21

Year	Total Units
2001/2002	566
2002/2003	980
2003/2004	916
2004/2005	1,277
2005/2006	896
2006/2007	1,250
2007/2008	1,243
2008/2009	1,028
2009/2010	518
2010/2011	673
2011/2012	1,012
2012/2013	617
2013/2014	725
2014/2015	943
2015/2016	1,149
2016/2017	912
2017/2018	1,048
2018/2019	1,165
2019/2018	1,124
2020/2021	741
Total from 2001/02 to 2020/21	18,783

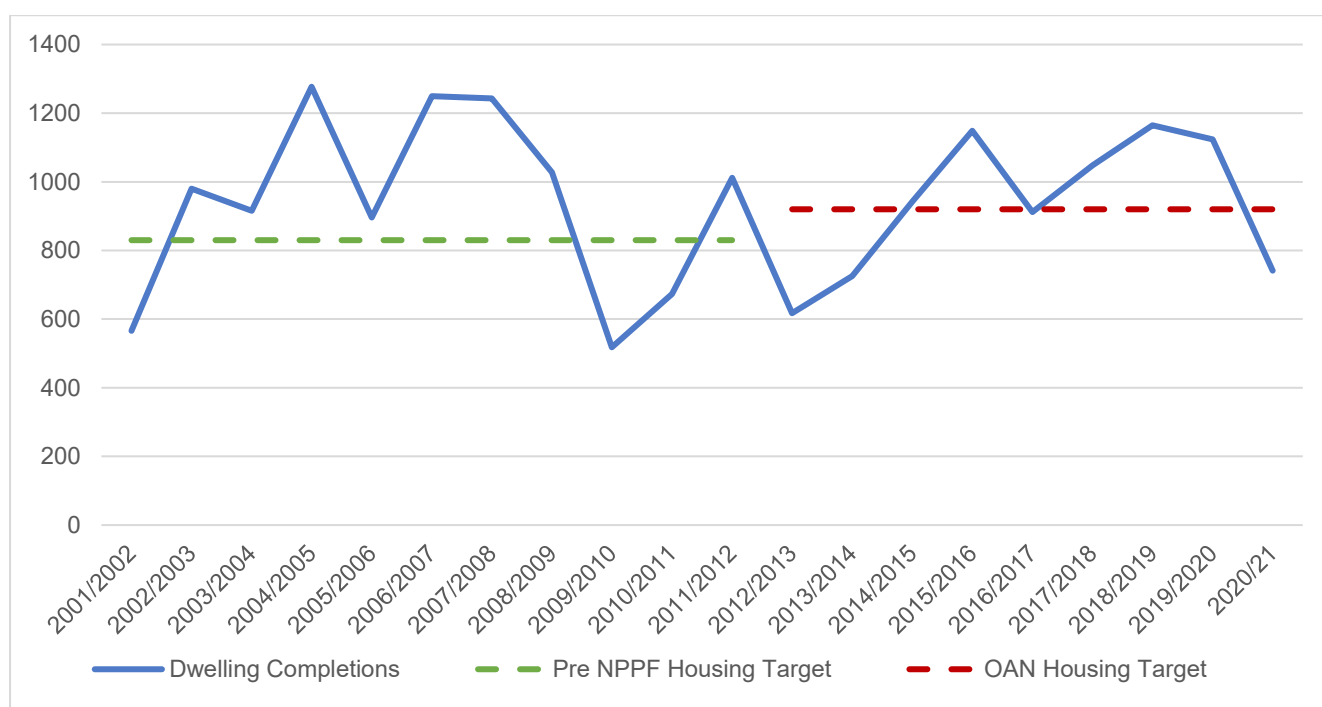


Figure 1: New Dwelling Completions in Colchester 2001/02 to 2020/21

6.6 Table 6 illustrates the context of delivery rates across other Essex authorities, Colchester continues to demonstrate a good track record against housing requirement.

Table 6: Essex Local Authority Housing Delivery

Authority	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	Total Units
Basildon	678	816	412	341	340	471	356	3,414
Braintree	409	523	291	491	555	883	874	4,026
Brentwood	159	111	150	213	246	200	168	1,247
Castle Point	202	123	114	150	200	71	70	930
Chelmsford	826	792	1,002	1,008	1,256	832	829	6,545
Colchester	943	1,149	912	1,048	1,165	1,124	741	7,082
Epping Forest	229	267	157	526	426	223	TBC	TBC
Harlow	201	225	340	347	676	725	664	3,178
Maldon	68	230	243	166	306	462	426	1,901
Rochford	167	148	117	299	262	347	TBC	TBC
Tendring	267	245	658	565	915	784	574	4,008
Uttlesford	463	554	722	966	983	485	417	4,590
Essex Total	4,612	5,183	5,118	6,120	7,330	6,571	5,468	40,438

Source: Essex County Council, District/Borough and Unitary Councils

6.7 Colchester's build rate has been on target in recent years with the global pandemic causing a slight drop for this monitoring period. When taking an average of the past three years Colchester has provided a net additional 971 new homes per year, which provides reassurance on future target delivery. In addition to locational and market factors, this reflects the Council's willingness to work with developers to bring schemes forward. The Council accordingly expects to be able to continue a sufficient rate of delivery.

6.8 Of the 741 dwellings completed in this monitoring period, 377 units were from windfall sites. This is a high proportion of the overall units in comparison to previous years and is higher than the average delivery rate of 295 windfall units over a five-year period. See Figure 2 and table 7 below.

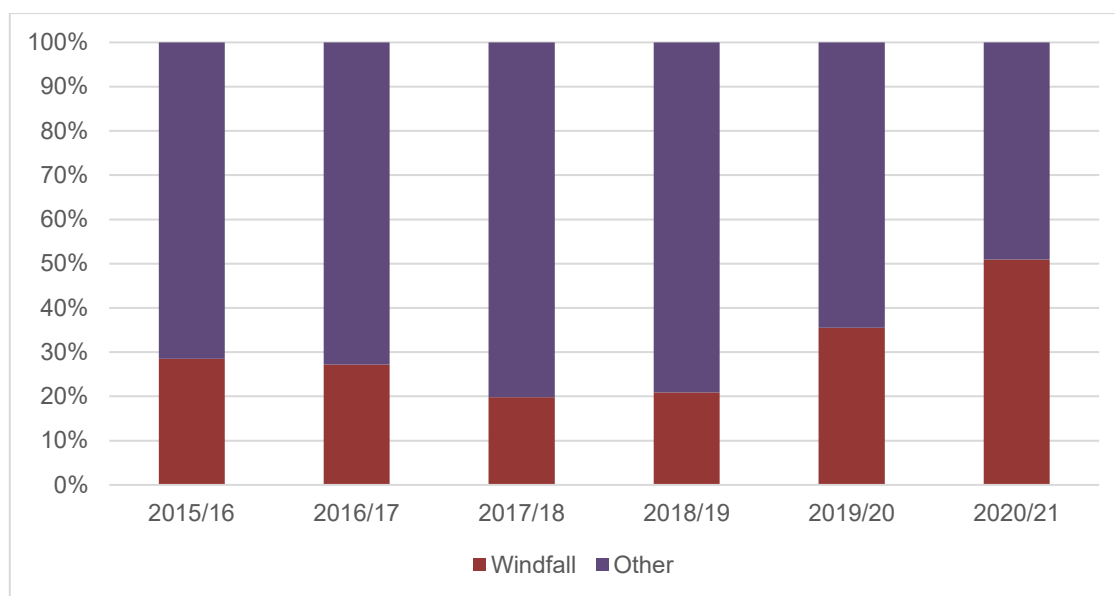


Figure 2: Percentage of Windfall Site Completions 2015/16 to 2020/21

Table 7: Colchester Historic Windfall Completions

Year	2016/2017	2017/18	2018/19	2019/20	2020/21	Average
Number of Dwellings from Windfall	248	207	243	399	377	295

6.9 The housing completions included in this report shows that a net of 741 homes were built between 1 April 2020 and 31 March 2021. This is lower than the previous years' total of 1,124 homes but reflects a difficult year due to the pandemic. See Table 8 below.

Table 8: Housing Completions (site by site basis) 1 April 2020 to 31 March 2021

PLANNING REFERENCE	SITE LOCATION	2020/21
BERECHURCH		
187460	11-19 BLACKHEATH	9
CASTLE		
180045	COWDRAY CENTRE, MASON ROAD, COLCHESTER	12
145687	1-3 QUEEN STREET, COLCHESTER	1
172767	3 EAST STREET, COLCHESTER	1
180546	CASTLE COURT, ST PETERS STREET, COLCHESTER	10
170844	99 HIGH STREET, COLCHESTER	7
188823	THE CORNER SHOP, 59 BARRACK STREET, COLCHESTER	1
190809	1 TRINITY STREET, COLCHESTER	13
192230	SEATRADE HOUSE, NORTH STATION ROAD	27
191216	21 MAIDENBURGH STREET, COLCHESTER	3
GREENSTEAD		
181309	ELMSTEAD RD/ SWAN CLOSE, COLCHESTER	62
160224	SPORTS GROUND, BROMLEY ROAD, COLCHESTER	4
180529	148 ST ANDREWS AVENUE, COLCHESTER	1
181289	160 ST ANDREWS AVENUE	1
202772	AVON WAY HOUSE, AVON WAY, COLCHESTER	60
LEXDEN & BRAISWICK		
172305	3 SPRING LANE WEST BERGHOLT	3
193493	RIDGEWAY, WEST BERGHOLT	1
MILE END		
100502	FORMER SEVERALLS HOSPITAL PHASE 2, COLCHESTER	61
150473	CHESTERWELL, (Both Outlets)	56
150600	LAND ADJ 89 NAYLAND RD, COLCHESTER	3
NEW TOWN & CHRISTCHURCH		
170621	GARRISON DEVELOPMENT - K1 (ASSITED LIVING)	10
181281	FMR BUS DEPOT, MAGDALEN STREET, COLCHESTER	104
182528	LAND R/O 9-23 IRVINE RD, COLCHESTER	6

Authority Monitoring Report 1 April 2020 to 31 March 2021

170331 / 171316	22-30 SOUTHWAY, COLCHESTER	15
OLD HEATH & HYTHE		
181552	LAND ADJ 35 ABBOTS ROAD COLCHESTER	1
150492	CANNOCK MILL, OLD HEATH ROAD	19
172355	19A DARCY ROAD, COLCHESTER	1
181552	L/A 33 ABBOTS ROAD, COLCHESTER	1
182582	6 ARTILLERY STREET, COLCHESTER	1
190255	45 WINCHESTER ROAD, COLCHESTER	2
192635	15A ABBOTS ROAD, COLCHESTER	1
ST JOHNS & ST ANNES		
187739	L/A 42 PARSONS HEATH, COLCHETSER	3
191774	60 COMPTON ROAD	1
172057	FORMER M & F WATTS	3
STANWAY		
VARIOUS	LAKELANDS	16
180873	DYERS ROAD , COLCHESTER (MERSEA HOMES)	45
171569	DUGARD HOUSE, PEARTREE ROAD	34
172272	LAND R/O FIELD HOUSE, DYERS ROAD	32
160696	WYVERN FARM, LONDON ROAD, STANWAY	2
181859	WYVERN FARM, LONDON ROAD, STANWAY	14
MARKS TEY & LAYER		
195671	40 MALTING GREEN ROAD, LAYER DE LA HAYE	1
152626	L/A 172 OLD LONDON ROAD, MARKS TEY (NOT DUPLICATE)	1
180042	CHESTNUT FARM, ABBERTON ROAD, LAYER DE LA HAYE	3
180759	LAND OFF CLEARS ROAD, LAYER MARNEY	2
182308	"PHIPPS FARM" LOWER ROAD, LAYER BRETON, COLCHESTER	1
171984	"BIRCHWOOD" BIRCH STREET, BIRCH, COLCHESTER	1
190963	CLEARS FARM, LAYER MARNEY	1
MERSEA & PYEFLEET		
145978	24 OAKWOOD AVENUE, WEST MERSEA	1
160149	FORMER LION PUBLIC HOUSE, MERSEA ROAD, LANGENHOE	3
163155	PLANE HALL FARM, SOUTH GREEN ROAD, FINGRINGHOE	1

Authority Monitoring Report 1 April 2020 to 31 March 2021

172601	TWO BARFIELD ROAD, WEST MERSEA	1
196524	6 UPLAND ROAD, WEST MERSEA	3
190864	55 EMPRESS AVENUE, WEST MERSEA	1
190010	95 FAIRHAVEN, WEST MERSEA	1
204556	49 HIGH STREET, WEST MERSEA	1
ROWHEDGE		
144693	ROWHEDGE WHARF (Bloor)	13
RURAL NORTH		
170997	HILL FARM, BOXTED	18
171595	"HIGHBURY", EAST LANE, DEDHAM, COLCHESTER.	1
118874	LONG ACRE BUNGALOW, WAKES COLNE	1
192220	WAKES HALL, WAKES COLNE	5
203902	POST OFFICE, WORMINGFORD	2
TIPTREE		
122134	GRANGE ROAD, TIPTREE	8
130245/191414	LAND ON NORTH EAST SIDE OF FACTORY HILL, TIPTREE	12
161171	L/A 58-60 MALDON ROAD, TIPTREE	1
170292	84 MALDON ROAD, TIPTREE	4
171250	63 NEWBRIDGE ROAD, TIPTREE	2
191343	10 SELDON ROAD	1
200733	FACTORY HILL, TIPTREE	1
WIVENHOE		
180137	6 - 8 ANCHOR HILL, WIVENHOE	1
190876	1 VALFREDA WAY	2
TOTAL NUMBER OF UNITS COMPLETED		741

Housing Indicator 2	Percentage of new and converted dwellings on previously developed land (brownfield)	Indicator for Core Strategy Policies SD1, H1 and UR1
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6.10 This indicator has been removed from the AMR. The Council have defended a number of planning appeals over the last couple of years, which have been in conflict with key Policies SD1, H1 and ENV1 of the Adopted Local Plan in addition to other site-specific policies which may apply to each case. Regardless of the outcome of the appeal decision, a consistent conclusion of the extent to which elements of these key policies are up to date and consistent with the NPPF has emerged.

6.11 Policy SD1 is considered out of date in respect of the housing and job requirement figures and by requiring a sequential approach that gives priority to previously developed land (PDL). As a result, this portion of the policy is no longer required to be monitored. It should be noted that the remaining elements of the policy are considered up to date and consistent with the NPPF.

Brownfield Register

6.12 The Council has a statutory requirement to publish and maintain a Brownfield Land Register. The Council has published a register which provides up-to-date and consistent information on brownfield sites that local authorities consider to be appropriate for residential led development. The register is in two parts, Part 1 comprises all brownfield sites appropriate for residential development and Part 2 outlines those sites granted permission in principle.

6.13 The Council has granted planning permission on a number of brownfield sites via the traditional planning application process only. There a number of brownfield sites across the borough where building works have now commenced. No new sites have been submitted to the register in this monitoring period. The register is live and is published on the Council website and provides transparent information about sites within the register. The Council continues to have an open call for sites for the register as advertised on the Council website.

6.14 There are 27 sites on the current register and several sites are currently going through the planning application process. If applications are successful, these sites will be removed from the register as and when building works have commenced and progressed. The former Essex County Council Lexden Road hospital site was removed from the register during this period because building works have commenced for 118 units.

6.15 Further information can be found [online](#).

Housing Indicator 3	Affordable housing completions	Indicator for Core Strategy Policies H4
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6.16 During this monitoring year 40 new build affordable housing units were delivered, 35 were affordable rent, and 5 were Shared Ownership. This amounts to 5.4% of all

new homes delivered. No new build social rent properties were delivered. The comparable figures for the previous three years were 202 (18%) in 19/20, 110 (9.4%) in 18/19, and 132 (12.5%) in 17/18. This demonstrates the lowest number of new build affordable housing units delivered in the last four years, the main reason for this being the Covid-19 pandemic.

6.17 All 40 of the new build affordable homes were delivered through section 106 obligations.

6.18 For the year 2020/21, no commuted sums were received for affordable housing.

Housing Indicator 4	Percentage of affordable housing in rural areas	Indicator for Core Strategy Policies H4 and ENV2
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6.19 Zero new build affordable homes were delivered in rural areas during this monitoring period.

Housing Indicator 5	Gypsy and Travellers Provision	Indicator for Core Strategy Policy H5
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6.20 The Council worked with other districts to produce an Essex Gypsy and Traveller Accommodation Assessment (GTAA) to help provide an assessment of current provision and future need for pitches (Published in July 2014, with September 2014 revisions and a Colchester specific report in June 2017). The 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.

6.21 Council monitoring established that in 2021 there were 47 caravan/mobile units across 10 sites within the Borough. This includes 20 on the Local Authority Site at Severalls Lane. The actual number of caravans present in the Borough may vary at any point in time and explain any differences between the number of caravans permitted by planning applications and the number of caravans recorded in the caravan count.

6.22 The Council amended Core Strategy Policy H5 (Gypsies and Travellers) in its Focused Review (July 2014) to clarify that it will use national policies to help determine planning applications for gypsy and traveller sites prior to the adoption of a new Local Plan.

6.23 The development of new policies and allocations for gypsies, travellers and travelling show people has been guided by the Gypsy and Traveller Accommodation Assessment work noted above, which found that the Council will need to provide an overall total of 15 further pitches to meet demand to 2033, including 2 pitches for nomadic travellers, and 13 pitches for those identifying as gypsies and travellers. This is outlined in Emerging Local Plan policy DM11.

7. Key Theme: Economic Growth

Overview

7.1 Colchester has a diverse and relatively resilient economy. This combined with significant investments from the Government's Town Deal (£19.2m) and private sector investments in Ultrafast Broadband and 5G, means that Colchester is well placed to support economic recovery. Complementary to this growth is a steadily growing population, estimated to be at 197,200 in 2020.

7.2 Future economic growth through job and business creation is outlined in the [Colchester Economic Growth Strategy \(2015-2021\)](#). A mid-term review of the strategy (2019) has highlighted the following priority sectors, classified as such due to high growth potential and high numbers of jobs:

- **Creative, Digital and Tech:** Publishing, software and games development and digital marketing enabled further by Ultrafast Gigabit broadband connectivity
- **Care:** The concentration of NHS and allied services and care homes together with demographic trends across North Essex offers opportunity for innovation and growth in the sector
- **Energy:** Colchester is well-positioned to benefit from the major projects coming on stream in the region including wind, nuclear and heat networks
- **Construction:** The North Essex construction pipeline is significant, including infrastructure projects, schools' expansion, major residential and associated commercial development. This will ensure growth in this sector for decades to come.

7.3 Other sectors are classified as 'core' to the local economy to support growth opportunities for the Borough and include the financial and business services, retail, tourism and advanced manufacturing sectors.

7.4 The North Essex Economic Strategy (NEES) 2040 has been developed in partnership with Braintree District, Colchester Borough, Essex County, Tendring District and Uttlesford District Councils. This provides a platform for strategic intervention at a scale which will achieve transformation in the overall economic prosperity of the North Essex area and compliment local economic activity delivered by the partners. The overall vision of the strategy is as follows:

"North Essex is a high-value, productive and sustainable economy. People choose to live and work locally, in new and established communities that are well connected and inspire innovation and creativity."

7.5 To deliver this vision, four key missions have been identified that will focus the partners shared activity over the next five years:

- Driving innovation and technology adoption;

- Developing a skilled and resilient workforce;
- Creating a network of distinctive and cohesive places; and
- Growing a greener, more sustainable economy.

7.6 The North Essex Economic Strategy was recently approved by Cabinet on 20 November 2019. The Strategy can be viewed [online](#).

Business and Demography Growth

7.7 As of March 2021, Colchester had 7,515 enterprises consisting of 8,795 local units. The type of enterprise is defined by the number of employees. A micro enterprise would have 0-9 employees, small 10-49, medium 50-249 and large being above 250. Figure 3 below shows the type of enterprises in Colchester.

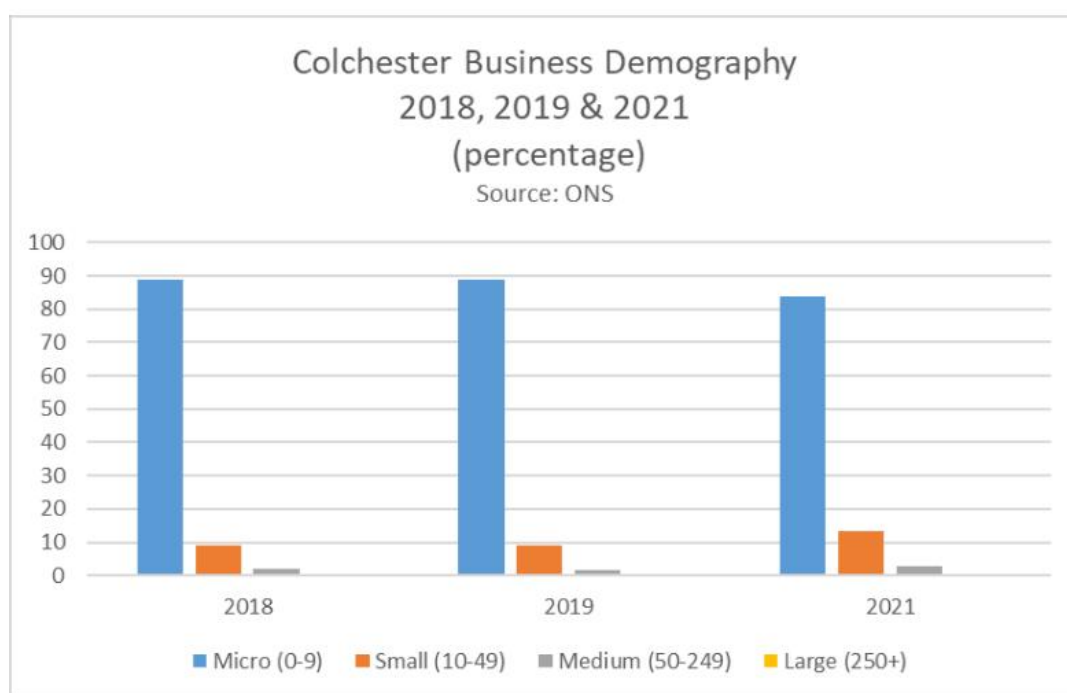


Figure 3: Types of Enterprises in Colchester

Micro enterprises are the most dominant across Colchester, making up 89% of total enterprises in 2021, and remaining largely the same as the 2019 figure of 88.8%. There is significant growth in the number of small businesses over the past year from 9% to 13.2%. The number of large enterprises continues to be below 1% of the total.

Employment Growth

7.8 The latest figures available from the ONS demonstrate that 101,900 people in Colchester were in employment, which included 52,000 (62.7%) full time workers and 31,000 (37.3%) part time workers.

7.9 In 2020, there were 126,200 people within the Borough considered as working age (age 16-64). This included 97,100 of this population in employment, with self-

employment comprising 10,500 people. Within the working age population, 24,900 people are economically inactive which includes students, sick, retired or homemakers and there are a further estimated 4,200 unemployed.

- 7.10 Although the number of people registered as claimants for out of work benefits appears high at 4,565 people (3.6% of the total working age population in Colchester), as Universal Credit is rolled out across the Country, the number of people recorded as being on the Claimant Count is likely to rise due to the broader span of claimants who are required to look for work than previously required under Jobseekers Allowance. However, the Colchester figure of 3.6% of the total population, does compare favourably with the eastern region figure of 4% and the Great Britain figure of 4.8%.
- 7.11 The total number of people unemployed has risen, from 3,600 in 2020 to 4,200 in this monitoring period. This represents 4.1% of the Colchester population and is below both the Regional and National averages of 4.3% and 5% respectively.
- 7.12 In 2020, 42,700 people aged 16-64 had achieved an NVQ Level 4+ qualification (degree or higher-level) representing 34.6% of the working age population in Colchester. Although, a decline in comparison to 2018 (38%). This is also lower than the regional average of 39.3% for the East of England and also significantly lower than the Great Britain figure of 43.1%.
- 7.13 In 2020/21, 800 apprenticeships were started; ranging from intermediate (280), advanced (320) and higher (200) levels. The apprenticeships also cover a wide age range with 200 apprentices aged 19, 220 aged 19-24 and 380 aged over 25.
- 7.14 In 2020/21 in Colchester 3,330 people were studying a course in a Further Education College, with a training provider, within their local community or are employees undertaking an Apprenticeship or other qualification in the workplace.

Key Programmes Update

- 7.15 Colchester Borough Council's commercial arm Colchester Amphora Trading is driving the development of the £200m Northern Gateway development which surrounds the Community Stadium, home of Colchester United FC. This landmark development is themed around health and leisure reflecting the need to keep the area's rapidly ageing population fit, active and healthy and encouraging participation in sport and leisure activities. Construction completed in Spring 2020, bringing 76 acres of new sport and leisure facilities to Colchester's booming population including a new cycling track, a new sports centre with café, gym, studio and sports hall and a new Club House for Colchester Rugby Club. New homes, a healthcare campus and potentially 500,000sq ft of new office space will also be developed to the south of the A12.
- 7.16 Such developments offer great opportunities to rethink supporting infrastructure and the Northern Gateway development is leading the way on the installation of a pioneering new heat network which is one of only nine flagship schemes in the UK to be funded by the Government. The network will significantly reduce carbon

emissions from heating buildings and is the largest scale project of its kind in the country.

- 7.17 Government funding has also been secured to install Gigabit fibre broadband to the development which is adding 1gb simultaneous connectivity to the town centre's existing gigabit fibre network. This connectivity is proving to be very attractive to existing Colchester businesses and new businesses seeking improved connectivity. Full fibre Ultrafast Broadband is critical to attract new businesses into Colchester for a growing population. It's also vital to help existing businesses looking to expand and grow, and is key to getting Colchester recognised as a hub for technology and digital businesses.
- 7.18 The University of Essex's £250m expansion plan is also spearheading local growth, which is well under way, servicing a double-digit rise in student population as well as the University's global ambitions.
- 7.19 2021 has seen the completion of the £11m Mercury Rising expansion project which has completely renovated, improved and extended The Mercury's theatre space, production and workshop facilities as well as building a new business incubation space to support local creative talent which complements the new creative business centre in Queen Street run by SPACE Studios.
- 7.20 Colchester has been awarded £19.2m from the Government's Town Deal fund. This will deliver a boost to economic growth through supporting a variety of improvement projects. Colchester is one of 101 places across the UK which have been awarded funding from this programme.
- 7.21 In September 2020 Colchester was awarded £1m to kickstart town centre improvements. This will be spent transforming St Nicholas Square (bounded by Three Wise Monkeys, the rear of the new St Nicholas Hotel and the former Co-op building). It will also complement the area around The Mercury Theatre and Balcerne Gate by redesigning space there also. This will provide a much better first impression coming over the bridge from St Mary's car park.
- 7.22 The £19.2m Town Deal fund will see Colchester becoming a healthier, greener place. A place which celebrates and respects its history and heritage. A place which is more equal than before and is actively recovering from the economic impact of Covid-19.

Economic Growth Indicator 1	Amount of floorspace developed for employment by type (sqm)	Indicator for Core Strategy Policies CE1, CE2 and CE3
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7.23 For this monitoring period, data relating to employment uses across the Borough have not been reported as this not considered to provide a true and accurate representation. This is due to revisions to use classes introduced in September 2020 (Town and Country Planning (Use Classes) (Amendment)(England) Regulations 2020) and the impact to employment and businesses due to Covid 19 and the temporary measures which have been introduced to enable local economies and businesses to adapt during these unprecedented times i.e., street furniture, outdoor seating, pavement diversions and extension of markets.

Economic Growth Indicator 2	Amount of floorspace developed for employment by type, which is on previously developed land (PDL) (sqm).	Indicator for Core Strategy Policies SD1, CE1, CE2, CE3, UR1
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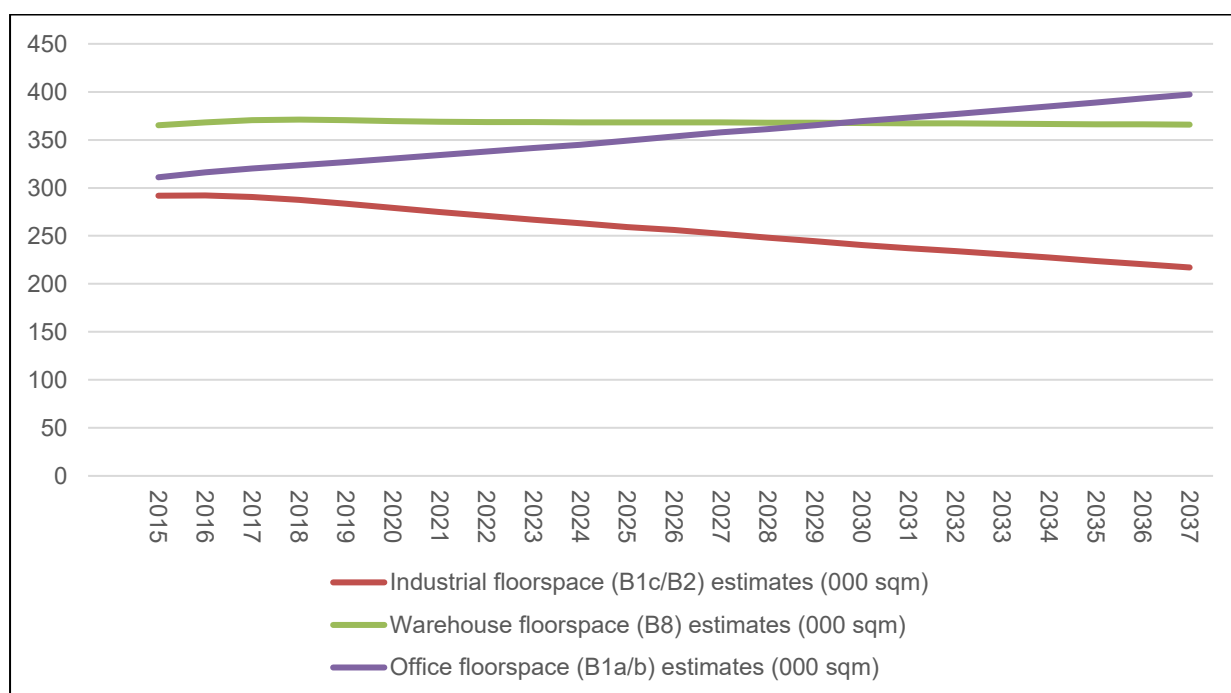
7.24 For this monitoring period, data relating to employment uses across the Borough have not been reported as this not considered to provide a true and accurate representation. This is due to revisions to use classes introduced in September 2020 (Town and Country Planning (Use Classes) (Amendment)(England) Regulations 2020) and the impact to employment and businesses due to Covid 19 and the temporary measures which have been introduced to enable local economies and businesses to adapt during these unprecedented times i.e., street furniture, outdoor seating, pavement diversions and extension of markets.

Economic Growth Indicator 3	Employment land available	Indicator for Core Strategy Policies CE1, CE2 and CE3
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7.25 Demand for commercial space is largely a derived demand from the levels of business formation and expansion in the economy. It is also subject to wider changes in working practices, such as flexible and homeworking in jobs leading to changes in the use of existing space.

7.26 The Council's [May 2017 Employment Land Supply Delivery Trajectory Report](#) provides an assessment of the availability and deliverability of sites identified by the council as having the potential to contribute towards meeting future office and industrial floorspace requirements identified in the Local Plan currently under examination, which covers the period to 2033. The report concludes that Colchester has sufficient employment space in overall quantitative terms to meet the needs associated with growth over the Plan period. The report considers 15 identified sites

in detail but also notes that there will be other sites that make some contribution to meeting future needs including emerging proposals for new Garden Communities.



Source: EEFM, January 2016

Figure 4: Projected Employment Land Use in Colchester 2015 – 2037

- 7.27 The Council's evidence base for employment land is from three sources; 2015 Colchester Employment Land Needs Assessment, 2017 Employment Land Trajectory by NLP and North Essex Garden Communities Employment and Demographic Study April 2017. The range of hectares of employment land to be provided in the Joint Strategic Section 1 and then carried forward Section 2; was based on two of the four scenarios developed by NLP to consider future need for employment land.
- 7.28 The Section 1 Local Plan Policy SP5 (Employment) sets the overall range of employment land to be delivered within Colchester during the plan period as 22-30ha.
- 7.29 Policy SP9 of the Section 1 Local Plan outlines that the Tendring Colchester Borders Garden Community will allocate approximately 25ha of B use employment land, through the Development Plan Document (DPD). This is being further developed through detailed masterplanning work and additional evidence to support and inform the DPD.
- 7.30 In order to support the Section 2 Local Plan examination, the Council prepared a specific [Topic Paper](#) on economic growth policies to explain how and why the Council is suggesting amendments to certain policies in response to changes in national policy and legislation, recent planning permissions and comments received in representations. A further [Topic Paper](#) on Consequential Changes arising from

national legislation also explores the implications to employment policies arising from the changes in Use Classes Order.

- 7.31 Appendix 1 of the Economic Growth Topic Paper provides an updated analysis of Colchester economic growth statistics to add to the Local Plan evidence base. This review of employment growth patterns and resulting demand for land allocations produced figures which broadly align with the Council's revised employment land allocations.
- 7.32 An additional [Topic Paper](#) and [Appendix](#) (Retail and Town Centre Uses) has also been prepared to support the Section 2 Local Plan examination, in particular the policies SG5, SG6 and SG6a. This includes an update to the 2016 Retail Study.
- 7.33 This confirmed that Colchester Town Centre is the Borough's most significant centre in relation to the scale and mix of retail and non-retail uses, retailer representation, and its market shares of expenditure (particularly 'high street' comparison goods retail expenditure) secured from a sub-regional catchment. It further confirmed that the District Centres, whilst varying in terms of their scale and nature, each perform an important role serving their local populations as well as providing access to shops and services for a wider than local catchment (but not to a level comparable with Colchester Town Centre).
- 7.34 As a result of all of the above, the Inspector has proposed modifications to Section 2 Local Plan Policy SG3: Colchester Employment. This includes updating the figures to reflect the reduction in Stanway allocations, deletion of the Colchester Braintree Borders Garden Community and Reinstatement of employment land at Marks Tey. The Inspector will provide his final thoughts on this issue in his Final Report.

Economic Growth Indicator 4	Total amount of floorspace for 'town centre uses' (sqm)	Indicator for Core Strategy Policy CE2a
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- 7.35 For this monitoring period, data relating to employment uses across the Borough have not been reported as this not considered to provide a true and accurate representation. This is due to revisions to use classes introduced in September 2020 (Town and Country Planning (Use Classes) (Amendment)(England) Regulations 2020) and the impact to employment and businesses due to Covid 19 and the temporary measures which have been introduced to enable local economies and businesses to adapt during these unprecedented times i.e., street furniture, outdoor seating, pavement diversions and extension of markets.

8. Key Theme: Transport

Overview

- 8.1 Continued engagement with the community has illustrated that transportation and traffic issues are still very high up on the public's list of priorities. The Core Strategy sets out the Borough Council's approach to transport, which seeks to change travel behaviour to manage demand, especially of peak hour car traffic.
- 8.2 The Borough Council worked with Essex County Council and others to produce the draft Colchester Future Transport Strategy. The Strategy's vision is to 'transform Colchester into a place which prioritises active and safe sustainable travel to bring about health, environmental and economic benefits'. Following the consultation the Strategy is now being used to help prioritise investment in the borough.
- 8.3 The Council continues to work with developers to ensure walking and cycling infrastructure is included within planned developments as well as linking them to destinations.

Walking and Cycling in Colchester

- 8.4 Following the adoption of the Essex Cycling Strategy, Colchester Borough Council continues to work with Essex County Council on the Colchester Cycling Action Plan and the Walking Strategy and as part of the Government's Local Cycling and Walking Investment Plan. A bid was successfully made to the Department for Transport for Active Travel investment and plans were drawn up to implement improved walking and cycling routes in line with LCWIP proposals.
- 8.5 In addition to this one to one Learn to Ride, Advanced Cycle Skills and Cycle Confidence sessions have been offered to adults and groups, and Bikeability to children during school holidays. A regular e-newsletter updating on local cycling matters is also sent out.
- 8.6 In August 2020, Essex County Council submitted a bid for funding from the Department for Transport (DfT) Active Travel Fund to create safe walking and cycling routes in Essex. The proposals built upon experience gained from emergency measures set up in 2020 to facilitate social distancing and as part of the safe reopening of the town centre. In November 2020, the DfT announced ECC was successful in its bid and was awarded funding to improve walking and cycling in towns in Essex including Colchester. In March 2021, ECC undertook consultation on the Local Cycling and Walking Infrastructure (LCWIP) Plan network proposals for the towns. Consultation on the Active Travel Fund schemes was undertaken in May to July 2021.

E-Scooters

- 8.7 In February 2021 e-scooters were launched in Colchester with the aim to reduce the number of short car journeys made. This initiative is a joint collaboration with Essex

County Council, Spin, Colchester Borough Council and Essex Police which is being trialled until March 2022.

E-Carclub

- 8.8 A requirement to provide an electric car club vehicle on a pay as you go basis has been built into the Section 106 agreement for three developments in and close to the town centre; where there are already good public transport links and walking and cycling infrastructure to help support reduced car ownership and a less car dependent lifestyle. Colchester's car club network will be kick started with the provision of two eCarClub vehicles in the town centre funded by a successful bid to Defra that was awarded in March 2021. The network will then expand with the Section 106 funded car club cars as the developments are built over the next three years.

Transport Infrastructure

- 8.9 Construction was completed on the A133 Ipswich Road/Harwich Road improvement scheme. The scheme sees the replacement of the double roundabouts located at Ipswich Road and Harwich Road with a single roundabout at each location. The carriageway between Ipswich Road and Harwich Road junctions is also being widened to accommodate two formal lanes in each direction, and the scheme included upgrading existing pedestrian crossings and general improvements to the current off-carriageway cycle and footway provisions. The scheme improves the performance of the two key intersections on the A133.
- 8.10 The Borough Council lobbies for investment in St Botolphs roundabout to allow better walking and cycling environment and access from the east of the town centre.
- 8.11 The Borough Council worked with Greater Anglia, the rail operator, to help promote investment in the Colchester, Wivenhoe, Marks Tey, Hythe rail stations, allowing better access for all and encouraging rail use instead of the private car.

Air Quality

- 8.12 In 2020/21 Colchester Borough Council continued work in implementing the Air Quality Action Plan (AQAP) 2016-2021. The AQAP was produced in partnership with Essex County Council and outlines the ambitious set of measures the Council proposes to take to improve air quality in Colchester between 2016 and 2021.

Defra Funded Air Quality Project

- 8.13 In April 2019, the Council was awarded £249,100 to deliver an air quality behaviour change project aimed at reducing air pollution in Colchester's Air Quality Management Areas (AQMA)'s.
- 8.14 The project started with three months of community engagement which ran from October 2019 to January 2020. During this time the Council spoke to over 3,000 residents, schools and businesses to get a better understanding of what they knew

about air quality and the impact it has on health, whilst also exploring driving habits and how people could be encouraged to take action to lower pollution levels. The findings from the engagement were used to shape the project and saw the development of a no-idling campaign, targeted behaviour change work with residents and schools, the introduction of roadside signage and a review of the Bikeability cycling training.

- 8.15 Colchester Borough Council's No Idling Campaign, CAREless Pollution, was developed with local people in August and September 2020 before launching in October 2020. The campaign used insight from CBC's public engagement which found that 87% of respondents were concerned about pollution in Colchester. Yet only 15% of respondents regularly switched their engine off when stationary. The most common reason given for not switching off was '*not thinking about it*' (15% of respondents) with drivers not making the connection between their driving choices and the wider impacts.
- 8.16 A CAREless Pollution Campaign Advisory Group has been set up to facilitate sharing intelligence and resources. It includes representatives from Breathe Easy Colchester, the Business Improvement District, Colchester Mosque, Clean Air Colchester and EnForm. A 50 strong stakeholder group has also been established to help widen the reach of the campaign by sharing communication and resources amongst their networks.
- 8.17 Following the launch in October 2020, a community toolkit with resources including posters, myths and facts postcards, car stickers and frequently asked questions document has been produced. All campaign resources are available at www.colchester.gov.uk/cleanair. A Schools Toolkit has been developed throughout January 2021 and was trialled with four schools in February and March 2021.
- 8.18 Businesses with high vehicle usage such as utilities companies and delivery firms have been offered support to develop no idling policies. Drive Thrus have also been approached and in March 2021 Colchester Borough Council formed a partnership with McDonalds who have No Idling signage up in all car parks and drive-thrus across Colchester.
- 8.19 In March 2020, the Council received £59,785 in funding from DEFRA for a feasibility study into driver facing traffic light countdown timers and signage to encourage drivers to switch off their engines when stationary at traffic lights and rail crossings. These were two of the top interventions identified by the community engagement that would help residents get into the habit of switching off their engine when stationary. To deliver the signage project, the Council procured the services of the University of Essex who became the research partner on the project.
- 8.20 Planning permission was granted towards the end of 2020 for 9 signs positioned on Brook Street and East Gates, two of the most polluted parts of the borough. The messages on the signage built on findings from studies carried out in Norwich and Canterbury and were psychological messages devised to encourage behaviour change. The signage was introduced in February 2021. During this time a feasibility study into driver facing countdowns timers on traffic lights was conducted. The feasibility work found that a timer could not be integrated with the traffic light

management system currently in operation in Colchester.

8.21 A key objective of this project is to identify a resident area in Colchester that has a good walking and cycling route into the town centre, that we could work closely with to encourage and increase take up of walking and cycling instead of driving. CBC have used feedback from the initial community engagement to map responses against our cycle network and from this have identified Monkwick as a viable area to target. Stakeholder mapping and focussed research on travel behaviour is now underway.

8.22 The Council has partnered with Anglia Ruskin University and Essex County Council to undertake a review of the Bikeability Training currently delivered in schools. Feedback from parents and pupils will be used to identify suitable sustainable interventions that would encourage a bigger take up of cycling post training.

8.23 A third bid to DEFRA was submitted in October 2020 for £248,700 in funding to run the CAREless Pollution campaign for another 12 months, to deliver a winter home-burning campaign and for the development of two shared transport hubs which will include electric bikes, electric cargo bikes and ecarclubs. The Council, were successful in its bid and work has begun in Summer 2021.

Transport Indicator 1	To obtain an agreed Travel Plan for all major commercial/community developments	Core Strategy Indicator for Policy TA1
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8.24 The Colchester Travel Plan Club (CTPC) has continued to work closely with CTPC members and Essex County Council to further develop their travel plans, and to begin the process of gaining Modeshift STARS accreditations.

8.25 CTPC has continued to work closely with existing members, including Colchester Institute and The Maltings student accommodation. CTPC and CBC have also worked closely with East Suffolk and North Essex Foundation Trust and the University of Essex who have both had further development on their sites that have resulted in Travel Plan reviews. New developments including Elmstead Road, Avon Way and Hawkins Road student accommodations have joined CTPC as full members, and CTPC has been working with them and the University to create a joined-up approach to travel change behaviour at the University.

8.26 CTPC has continued to work with Colchester Borough Council officers to develop and facilitate CBC active and sustainable travel projects to benefit CTPC members. A Travel Plan has been requested for all major developments and Travel Plan's provided have been reviewed to ensure they are robust.

8.27 The Borough Council continues to work closely with the train operating company under the Station Travel Plan. The Borough continues to be an active partner in the Community Rail Partnership scheme.

8.28 A total of 122 Residential Travel Information Packs have been provided to new residents of residential developments in Colchester in 2020/21 as detailed below:

Table 9: Residential Travel Information Packs Issued 2020/21

Developer	Number of packs provided	Development name
Hills Residential Construction	20	King George's Park
Granville Developments	15	Parsonage Court
Bellway Homes Essex	50	Harvard Place
Persimmon Homes Essex	15	Castellum Grange
Rose Builders	22	Wakes Hall Park

9. Key Theme: Environment and Heritage

Overview

- 9.1 The natural environment of the Borough has been shaped by both physical process and land management over time. These processes have created the high quality landscapes and diverse habitats and biodiversity/geodiversity found throughout the Borough. These include internationally significant areas of coastal and intertidal habitats, mudflats and salt marsh and shell banks, which constitute some of the features of interest within the Essex Estuaries Special Area of Conservation (SAC).
- 9.2 New development has the potential to fragment or lead to the loss of habitat. The Council seeks to conserve and enhance Colchester's natural environment, countryside and coastline as well as preserving its archaeological and built heritage through the protection and enhancement of sites of international, national, regional and local importance.
- 9.3 The Borough Council continues to direct development away from land at risk from all types of flooding and will also seek to ensure that new development does not increase the risk of flooding either on or off site through the increased use of Sustainable Urban Drainage Systems (SuDS).

Environment Indicator 1	Number of planning applications approved contrary to Environment Agency advice on flood defence or water quality grounds	Core Strategy Indicator for Policy ENV1
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- 9.4 No applications were granted contrary to Environment Agency advice during the monitoring period.

- 9.5 A new indicator monitoring the number of SuDS schemes will be developed for the new Local Plan.

Environment Indicator 2	Number and area of Local Nature Reserves (LNRs) Local Sites (LoWs) within Colchester	Core Strategy Indicator for Policy ENV1
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- 9.6 No new Local Nature Reserves (LNRs) or Local Wildlife Sites (LoWs) were designated during the monitoring period.

Environment Indicator 3	Amount of development in designated areas (SSSI, AONB)	Core Strategy Indicator for Policy ENV1
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- 9.7 Policy ENV1 of the Core Strategy seeks to protect the Borough's biodiversity within designated sites. During this monitoring period, 33 applications have been approved in the Dedham Vale Area of Outstanding Natural Beauty and a further 58 applications within other designated sites (SSSIs (5), SAC (5), SPA (5), SINC (38), RAMSAR (5) sites.

Environment Indicator 4	Increase in areas of public open space	Core Strategy Indicator for Policy PR1
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9.8 The Council have taken on an additional area of 21,972m² of open space during the monitoring year 2020/21. The adoption of this area is in the process of being legally formalised.

9.9 As of April 2018, across the borough 1.8% of land is used for outdoor recreational, and a further 7.6% of land is residential gardens. Of the total land within Colchester Borough, 10% of all land is developed, 89.5% of land is undeveloped and 0.5% is vacant.³

Environment Indicator 5	Recorded loss of listed buildings Grade I and II+ (by demolition), Scheduled Monuments or nationally important archaeological sites and assets on the Colchester Local List to development	Core Strategy Indicator for Policy UR2
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9.10 In the 2020/21 monitoring period, no Listed Buildings (Grade I & II) were lost due to demolition, development or dereliction.

9.11 No Scheduled Monuments were lost as part of development proposals in the monitoring period.

9.12 At Local Plan Committee August 2020, it was agreed that the approach for additions to be made to the Local List be delegated to the Lead Officer: Planning, Housing and Economic Growth for an interim period prior to ratification by Committee. This is to enable heritage assets to be added to the Local List with immediate effect, which is especially important for heritage assets under immediate threat of damage.

9.13 It was also agreed that Colchester Local List should be renamed to the Colchester Borough Local List to reflect that the Local List relates to the entire Borough. There is currently a total of 780 heritage asset included on the Colchester Borough Local List.

9.14 In February 2021, Local Plan Committee confirmed that an Article 4 Direction be made for Mill Field Estate Conservation Area, this formally completes the Article 4 Direction procedure. An Article 4 Direction means that permitted development in longer automatically permitted (by Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015) and must instead be subject to a planning application.

9.15 Although outside the monitoring period, A Roman Circus Management Plan has also been adopted as planning guidance document in June 2021. This provides an overarching strategy for the management of Colchester's Roman Circus including defining the roles and responsibilities of the Council and key stakeholders. The Plan

³ Land Use Statistics England 2018 – Live Table P400a – Ministry of Housing, Communities and Local Government. July 2020.

also sets out a framework for the conservation, enhancement, interpretation, presentation and celebration of the Colchester Roman Circus for the next five years.

9.16 Similarly, a Development Brief for the Abro site has been adopted as a planning guidance document in August 2021. The Development Brief provides planning guidance on the issues and opportunities associated with the site and provide a clear and robust development framework to aid the future delivery of a suitable development scheme at the site. The Council are currently undertaking further work for this to be upgraded to a Supplementary Planning Document (SPD) to increase the weight to be afforded to the brief in decision making.

Table 10: Colchester Heritage Assets

Heritage Asset	2020/21	Comment
Grade I, II and II* Listed Buildings (National Heritage List for England)	1,560	No changes during the monitoring period.
Scheduled Monuments (National Heritage List for England)	48	A group of barrows at Annan Road were listed in August 2020 and remains of an apsidal Roman building at Butt Road and Southway were listed in October 2020.
Number of heritage assets on the National Heritage at Risk Register	8	Includes 1 Conservation Area (Birch), 3 Archaeological Sites, 3 Buildings/Structures and 1 Place of Worship.
Number of assets on Colchester's Borough's Local List	780	At Local Plan Committee August 2020, 64 additions were made to the Local List.
Number of Conservation Areas	24	A four week consultation was held from 8 February 2021 to 8 March 2021 to extend the Garrison Conservation Area to include the Abro Site, Roman Circus House, adjacent open space and Artillery Folley. Following the consultation, Local Plan Committee agreed to extend the Garrison Conservation Area in June 2021.

Environment Indicator 6	Percentage of household waste recycled and composted	Core Strategy Indicator for Policy ER1
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9.17 This indicator enables the identification of how much waste is being generated by households in the Borough, and how much of this is collected, recycled or composed. Table 11 below summaries the household waste activity for this monitoring period.

9.18 Due to the COVID 19 pandemic, the waste service was severely disrupted towards the beginning of the financial year which has been reflected in the increase in amount of waste produced per household and a decrease in household waste reused, recycled, and composted.

Table 11: Household Waste Activity

Activity	Achieved 2018/19	Achieved 2019/20	Achieved 2020/21
Residual waste produced per household	346kg	351kg	385kg
Household waste reused, recycled and composted	53.71%	53.34%	51.67%

Environment Indicator 7	Essex Coast RAMS	Compliance with Habitat Regulations
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9.19 Twelve Essex LPAs have been working together, for several years, on a mitigation strategy to protect the internationally designated Essex Coast from the effects of increased recreational disturbance as a result of population growth throughout Essex.

9.20 The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) sets out the necessary measures to avoid and mitigate the effects from increased recreational disturbance. The RAMS sets a tariff of £127.30 per dwelling as of 2021/22. This is indexed linked, with a base date of 2019 (£122.30 in 2019/20). The tariff will be reviewed periodically and published accordingly. This tariff will apply to all residential proposals, even proposals for one dwelling. This is because the whole of the Borough is within the Zone of Influence and the RAMS seeks to avoid and mitigate the in-combination effects from all new dwellings.

9.21 In September 2019, the project became part of the 'Bird Aware' brand and launched a website: Bird Aware Essex Coast - [Home - Essex Bird Aware](#). The Bird Aware brand was developed by a mitigation partnership on the south coast (Bird Aware Solent) to communicate the importance of the birds and their habitats that breed and winter at the coast. Joining the Bird Aware brand and launching the website is an early avoidance measure and will help to spread the message of the importance of the Essex coast and the need to protect the birds in a positive way.

9.22 Chelmsford City Council (CCC) became the Accountable Body for the project on 1 November 2020. CCC will hold all contributions from the 12 LPA partners and employ the project Delivery Officer. The Delivery Officer manages and co-ordinates the project. The Delivery Officer started in November 2021, and this launches the project into the delivery and implementation stage.

9.23 Contributions have been collected since December 2018 and in November 2020, the Council transferred contributions to CCC for the first time, where it had confirmed that development had commenced. In 2021, £75,738.73 of RAMS contributions was transferred to CCC. The Council has secured a further £155,291.87 of RAMS contributions, which will be transferred to CCC to spend on the project once development has commenced.

9.24 The Essex Planning Officers Association (EPOA) Chief Officer's group are the Project Board, with the role of governing and overseeing the project. The Essex Coastal Forum form part of the governance arrangements and provide a high-level elected member oversight into the project. A steering group of Officers is responsible for managing the project.

9.25 More information regarding RAMS, is available on our [website](#).

10. Key Theme: Accessible Services and Community Facilities

Overview

- 10.1 Accessible services and facilities are vital to the development and maintenance of communities. Community facilities should be located within or near centres and other accessible locations to maximise community access and build a sense of local community identity. The Council supports the retention and enhancement of existing community facilities that can provide a range of services to the community at one accessible location. In addition, the Council will work with local partners, such as Parish and Town Councils to plan and manage community facilities.
- 10.2 The Council will safeguard existing facilities where appropriate and will work with partners including the local community to bring together funding from a variety of public and private sources to improve existing facilities and deliver new community facilities where needed. Development proposals will be required to review community needs (e.g., through a Health Impact Assessment) and provide community facilities or contributions towards them to meet the needs of the new population and mitigate impacts on existing communities.

Community Indicator 1	Recorded losses of community facilities as a result of development	Core Strategy Indicator for Policies SD1, SD2, UR1, PR1, TA3, and TA4
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- 10.3 No community facilities were lost as a result of new developments during this monitoring period.

Community Indicator 2	Key infrastructure projects delivered (SD)	Core Strategy Indicator for Policies SD1, SD2, UR1, PR1, TA3, and TA4
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Infrastructure and Community Project Delivery

- 10.4 Table 6d in Section 6 of the revised 2014 Core Strategy identifies a number of key infrastructure and community projects which have been subdivided into the categories 'necessary' and 'local and wider benefit'. Although a number of these have already been completed during the Plan period, Table 12 below provides a progress update of remaining projects during the monitoring period.

Table 12: Project Delivery Update

Project	Progress
Collingwood Road Scout Hut	Covid has delayed some of the works/updates to the Scout Hut and these are still being completed. Budget is on task and there is no permanent delay, although these works/updates will now run into 2022.
St Cedds Church Hall	They have various projects of works/updates needed to improve the facility and this is for future S106 consideration.

Contributions secured towards Community, Leisure & Recreation

- 10.5 Core Strategy Policy PR1 seeks to ensure the protection and enhancement of Open Space, Sport and Recreational Facilities and Community Facilities. Contributions are being collected, monitored and allocated to local projects for the benefit of the increasing residential numbers.
- 10.6 Over this monitoring period, a total of £117,541.04 has been received for leisure services maintenances, £1,092,254.32 for public open spaces and a Local Equipped Area of Play (LEAP). A further £928,342.56 has been received for community facilities.

11. Key Theme: Climate Change

Overview

- 11.1 Colchester Borough Council declared a Climate Emergency in July 2019, committing the organisation to become carbon neutral in all its operations by 2030. The Council have been working with the Carbon Trust to measure the emissions from its operations, and those of related organisations, such as its wholly owned companies Colchester Borough Homes and Colchester Commercial Holdings Limited. In January 2020, the Council published its Climate Emergency Action Plan which sets out a strategy for how to reach the carbon neutral target. This can be viewed on our [website](#). In June 2021, the Council updated the Climate Emergency Action Plan and this version can be viewed [here](#).
- 11.2 Several actions have already been achieved since the climate emergency declaration. 4,486 trees were planted in the first year, and 10,000 trees were given to the public as part of the Colchester Woodland Project (a project to plant 200,000 trees between 2019-2024). In 2020/21, 14,000 trees were planted across the borough. The project has since expanded to ensure tree planting and management of green space is done in a way that conserves existing biodiversity and also looks to enhance biodiversity through approaches to reduce mowing and phasing out the use of glyphosate pesticide. The Council also received funding to purchase 25 electric cargo (eCargo) bikes and 5 electric trailers, which are being used for Council fleet operations and local businesses, to reduce emissions from travel. Further actions responding to the climate emergency, can be viewed in the Council's [Climate Emergency Action Plan 2021-23](#).
- 11.3 For information regarding a Defra funded project regarding air quality, please see Chapter 8 above.

Climate Change Indicator 1	Carbon emissions and Climate Change	Supporting Indicator for Policy SD1
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- 11.4 In 2018/19 the Council calculated a new carbon footprint baseline for the Council of 6004 tCO₂e (tonnes of carbon dioxide equivalent) emissions, a 40% reduction on emissions relative to 2008 levels, meeting the 40% emission reduction target set for 2020 one year early.
- 11.5 In 2019/20, emissions had reduced by 6% relative to the 2018/19 baseline. As part of setting the carbon neutral target, the Council will be measuring emissions from its waste production, water consumption and employee commuting, which will be included in the Council's carbon neutral target. In 2020/21, emissions decreased by 12.8% relative to 2019/20. However, this was a year where Council operations and activities were heavily impacted by Covid-19, with many buildings being closed during the 2020/21 financial year.
- 11.6 On the back of pathway modelling of the Council's emissions to 2030, the Council will be working to create a new Local Authority Carbon Management Plan to set out in detail new projects that could be carried out to reduce the Council's emissions to

carbon neutral by 2030. The Carbon Management Plan, alongside the Climate Emergency Action Plan will be our two main areas of work to deliver our zero net carbon target in a decade. Where possible, community engagement is carried out to help inform and involve the community in the development of our actions in response to the climate emergency.

Climate Change Indicator 2	Climate Change Adaptation	Supporting Indicator for Policies SD1, ENV1 and ER1
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11.7 The Council's wholly owned Energy Company (Colchester Amphora Energy Limited) promotes the use of more low carbon sources of heat and power through a range of projects and initiatives, delivering new energy choices for people in Colchester.

11.8 Working with the Council, CAEL is developing a low carbon District Heating scheme at the Northern Gateway and has so far installed and tested five boreholes from which water will be abstracted to be the heat source for a 800 kW heat pump which will deliver domestic hot water and space heating to offices, housing and healthcare facilities in the development. CAEL is also working on the feasibility of developing a micro grid for the development using solar PV to generate electricity for use in the development.

Climate Change Indicator 3	Renewable energy installed by type	Core Strategy Indicator for Policy ER1
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11.9 Part 40 of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 gives permitted development rights to the installation of domestic microgeneration equipment. Planning permission is only required for a limited number of renewable energy technologies. This means that the number of renewable energy installations may be higher than that indicated by the number of planning applications.

11.10 During the monitoring period, one application has been granted relating to renewable energy. This includes one solar application at Quaker Meeting House (201762).

11.11 This is a decrease of one application from 2019/20 where two applications were granted but continues to show an increase from no applications during the 2017/18 monitoring period. Although this remains below the 10 applications (9 solar and 1 biomass) approved in 2015/16, this does demonstrate a limited demand for renewable energy despite government reductions in tariff payments for energy produced from renewable sources. There is a potential for applications to increase in the future as Government spearheads a green recovery to the Covid-19 pandemic, and climate change continues to climb the national and international government agenda.

- 11.12 BRE has developed the Home Quality Mark (HQM) as part of the BREEAM family of quality and sustainability standards. HQM will enable developers to showcase the quality of their new homes and identify them as having the added benefits of being likely to need less maintenance, cheaper to run, better located, and more able to cope with the demands of a changing climate. The HQM demonstrates a home's environmental footprint and its resilience to flooding and overheating in a changing climate, highlights the impact of a home on the occupant's health and wellbeing, and evaluates the digital connectivity and performance of the home. This is a new scheme and the Council will support developers who choose to register under this scheme. Reference is made to the Home Quality Mark in Section 2 Local Plan Policy DM25.
- 11.13 Two schemes in the development planning phase, have completed Certified BREEAM assessments during this monitoring period. The Elmstead Road Student Accommodation was rated very good (68%) in November 2020 and Unit A1-A6, Unit C, Unit D and Kiosks as part of the Stane Park development were rated very good (57.5%) in April 2021.

Appendix A – Local Plan Policies

Core Strategy Policies

Sustainable Development Policies	
SD1	Sustainable Development Locations
SD2	Delivering Facilities & Infrastructure
SD3	Community Facilities
Centres and Employment Policies	
CE1	Centres and Employment Classification and Hierarchy
CE2	Mixed Use Centres
CE2a	Town Centre
CE2b	District Centres
CE2c	Local Centres
CE3	Employment Centres
Housing Policies	
H1	Housing Delivery
H2	Housing Density
H3	Housing Diversity
H4	Affordable Housing
H5	Gypsies, Travellers and Travelling Showpeople
H6	Rural Workers Dwellings
Urban Renaissance Policies	
U1	Regeneration Areas
U2	Built Design and Character
Public Realm Policies	
PR1	Open Space and Recreational Facilities
PR2	People Friendly Streets
Transport and Accessibility Policies	
TA1	Accessibility and Changing Travel Behaviour
TA2	Walking and Cycling
TA3	Public Transport
TA4	Roads and Traffic
TA5	Parking
Environment and Rural Communities Policies	
ENV1	Environment
ENV2	Rural Communities
Energy, Resources, Waste, Water & Recycling Policy	
ER1	Energy, Resources, Waste, Water and Recycling

Development Management Policies

DP1	Design and Amenity
DP2	Health Assessments
DP3	Planning Obligations and the Community Infrastructure Levy
DP4	Community Facilities
Centres and Employment	
DP5	Appropriate Employment Uses and Protection of Employment Land and Existing Businesses
DP6	Colchester Town Centre Uses
DP7	Local Centres and Individual Shops
DP8	Agricultural Development and Diversification
DP9	Employment Uses in the Countryside
DP10	Tourism, Leisure and Culture
Housing	
DP11	Flat Conversions
DP12	Dwelling Standards
DP13	Dwelling Alterations, Extensions and Replacement Dwellings
Urban Renaissance	
DP14	DP14 Historic Environment Assets
Public Realm	
DP15	Retention of Open Space and Indoor Sports
DP16	Private Amenity Space and Open Space Provision for New Residential Development
Transport and Accessibility	
DP17	Accessibility and Access
DP18	Transport Infrastructure Proposals
DP19	Parking Standards
Environment and Rural Communities	
DP20	Flood Risk and Management of Surface Water Drainage
DP21	Nature Conservation and Protected Lanes
DP22	Dedham Vale Area of Outstanding Natural Beauty
DP23	Coastal Areas
Energy, Resources, Waste, Water and Recycling	
DP25	Renewable Energy

Site Allocations Policies

SA CE1	Mixed Use Sites
Housing	
SA H1	Housing Allocations
SA H2	Gypsy and Traveller Accommodation
Urban Renaissance	
Town Centre and North Station	Town Centre and North Station
SA TC1	Appropriate Uses within the Town Centre and North Station Regeneration Area
East Colchester	
SA EC1	Residential development in East Colchester
SA EC2	Development in East Colchester
SA EC3	Area 1: Former Timber Dock
SA EC4	Area 2: King Edward Quay
SA EC5	Area 3: Magdalen Street
SA EC6	Area 4: Hawkins Road
SA EC7	University of Essex Expansion
SA EC8	Transportation in East Colchester
Garrison	
SA GAR1	Development in the Garrison Area
North Growth Area	
SA NGA1	Appropriate Uses within the North Growth Area
SA NGA2	Greenfield Sites in the North Growth Area
SA NGA3	Employment Uses in the North Growth Area
SA NGA4	Transport measures in North Growth Area
SA NGA5	Transport Infrastructure related to the NGAUE
Stanway Growth Area	
SA STA1	Appropriate Uses within the Stanway Growth Area
SA STA2	Phasing of Greenfield sites in Stanway Growth Area
SA STA3	Employment and Retail Uses in Stanway Growth Area
SA STA4	Transportation in Stanway Growth Area
SA STA5	Open Space in Stanway Growth Area
Tiptree	
SA TIP1	Residential sites in Tiptree
SA TIP2	Transport in Tiptree
SA GAR1	Development in the Garrison Area

Section 1 Local Plan Policies

SP1	Presumption in Favour of Sustainable Development
SP2	Recreational disturbance Avoidance and Mitigation Strategy (RAMS)
SP3	Spatial Strategy for North Essex
SP4	Meeting Housing Needs
SP5	Employment
SP6	Infrastructure & Connectivity
SP7	Place Shaping Principles
SP8	Development & Delivery of a New Garden Community in North Essex
SP9	Tendring/Colchester Borders Garden Community

Appendix B – Glossary

Affordable Housing – housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

- **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).
- **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.
- **Discounted market sales housing:** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.
- **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision or refunded to Government or the relevant authority specified in the funding agreement.

Authority Monitoring Report (AMR) – The Authority Monitoring Report sets out how well the Council is performing in delivering the objectives of its Local Development Framework. It was previously called the Annual Monitoring Report.

Brownfield (also known as Previously Developed Land (PDL)) – Previously developed land that is unused or may be available for development. It includes both vacant and derelict land and land currently in use with known potential for

redevelopment. It excludes land that was previously developed where the remains have blended into the landscape over time.

Community Facilities – Buildings, which enable a variety of local activity to take place

including, but not limited to, the following:

- Schools, Universities and other educational facilities
- Libraries and community centres
- Doctors surgeries, medical centres and hospitals
- Museums and art galleries
- Child care centres
- Sport and recreational facilities
- Youth clubs
- Playgrounds
- Places of worship
- Emergency services

Some community activities can also be provided via privately run facilities (e.g. pubs and village shops).

Community Infrastructure Levy (CIL) – The Community Infrastructure Levy is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area.

Core Strategy – The Core Strategy sets out the long-term vision for the sustainable development of Colchester and the strategic policies required to deliver that vision. It provides for the enhancement of the environment, as well and defines the general locations for delivering strategic development including housing, employment, retail, leisure, community and transport, which are then given precise boundaries in the Proposals Map. The Colchester Borough Core Strategy was adopted by the Council in 2008, and a focused review in 2014 following publication of the NPPF in 2012.

Development Policies – A document that the council have produced alongside the Site Allocations document to guide future development within the Borough. The Policies contained within this Development Plan Document, along with other relevant national and Core Strategy Policies, replaced the 2004 Local Plan policies in the determination of planning applications.

Emerging Local Plan - The Emerging Local Plan will include all major planning policy for the District in a single document. Once adopted, this will replace the Core Strategy, Development Policies and Site Allocations. This is in two sections with the Section One of the Local Plan including policies on strategic cross boundary issues including infrastructure and housing numbers including proposals for a new Garden Community, in partnership with Braintree District Council and Tendring District Council. Section two of each Local Plan considers the individual local authority policies and allocations.

Evidence Base – The evidence base for Colchester's Local Plan includes all the documents used to inform its policies and allocations, including studies, strategies,

and national, regional and local policies. Evidence Base documents can be viewed via links on the Council's website.

Flood Risk Assessment – An assessment of the likelihood of flooding in a particular area so that development needs and mitigation measures can be carefully considered.

Greenfield – Land which has never been built on before or where the remains of any structure or activity have blended into the landscape over time.

Local Development Scheme (LDS) – This is the project plan for a three year period for the production of documents including the Local Plan, Supplementary Planning Documents and Neighbourhood Plans.

Natura 2000 – The European network of protected sites established under the Birds Directive and Habitats Directive (SPA, SAC).

Neighbourhood Planning - Neighbourhood planning is a way for communities to decide the future of the places where they live and work. The government introduced this new tier of planning through the Localism Act 2011.

North Essex Authorities (NEAs) – joint authorities working to progress large scale strategic development known as Garden Communities in North Essex. This includes Braintree District Council, Colchester Borough Council and Tendring District Council.

Planning Contributions – the principle of a developer agreeing to provide additional benefits or safeguards, often for the benefit of the community, usually in the form of related development supplied at the developer's expense.

Previously Developed Land (PDL) – See Brownfield.

Private Open Space – Open spaces usually in private ownership that can fulfil similar functions as public open spaces, but which tend to have significant access restrictions to the members of the public imposed through ownership rights or a requirement to pay to use facilities.

Proposals Map – The Proposals Map shows all boundaries and designations specified in a Development Plan Document (DPD) such as the Core Strategy, Site Allocations or Development Policies. The Colchester Borough Proposals Map was adopted by the Council in 2010.

Public Open Space – includes all spaces of public value, usually in public ownership, which are generally accessible to the public and which provide important opportunities for sport, outdoor recreation as well as fulfilling an amenity function.

Public Realm – Public realm relates to all those parts of the built environment where the public has free access. It encompasses all streets, square and other rights of way, whether predominantly in residential, commercial or community/civic uses; open spaces and parks; and the public/private spaces where public access is

unrestricted (at least during daylight hours). It includes the interfaces with key internal and private spaces to which the public has normally has free access.

Ramsar Site – An area identified by an international agreement which supports endangered habitats.

Town and Country Planning Regulations ('The Regulations') – The identification of a consultation stage in relation to a Regulation, i.e. Regulation 25, 27, etc. refers to the relevant section of the June 2008 amendments to the Town and Country Planning (Local Development) (England) Regulations 2004. The Regulations cover the various stages in preparing and consulting on Local Plan documents.

Travel Plan – These provide information and incentives for new residential and employment sites to use public transport. Travel Plans typically include the issuing of travel pack to new residents and businesses which may include vouchers for 12 months free or discounted travel on public transport.

Site Allocations – The Site Allocations document sets out the criteria for the boundaries shown on the Proposals Map and provides area and use specific allocations. The Site Allocations DPD was adopted by the Council in 2010.

Site of Special Scientific Interest (SSSI) – A SSSI is an area that has been notified as being of special interest under the Wildlife and Countryside Act 1981. They include the best examples of the Country's wildlife habitats, geological features and landforms.

Special Area of Conservation (SAC) – A site of European Community importance designated by the member states, where necessary conservation measures are applied for the maintenance or restoration, at favourable conservation status, of the habitats and/or species for which the site is designated.

Special Protection Area (SPA) – A site designated under the Birds Directive by the member states where appropriate steps are taken to protect the bird species for which the site is designated.

Statement of Community Involvement (SCI) – This document sets out the standards that the Council intend to achieve in relation to involving the community and stakeholders in the preparation, alteration and continuing review of the Local Plan in the determination of significant planning applications.

Strategic Housing Market Assessment (SHMA) – The SHMA is a study carried out every few years to appraise the local housing market area and identify the need and demand for different housing types and tenures within that area.

Strategic Land Availability Assessment (SLAA) – The SLAA is a collective term for housing and employment land availability assessments. This is a process carried out as part of Local Plan preparation to identify new sites for housing and employment uses, required by national policy.

Supplementary Planning Document (SPD) – A document produced by the Council to add further detailed guidance and information on a particular subject. An SPD is subject to a formal consultation period and then is used as a material consideration when determining planning applications.

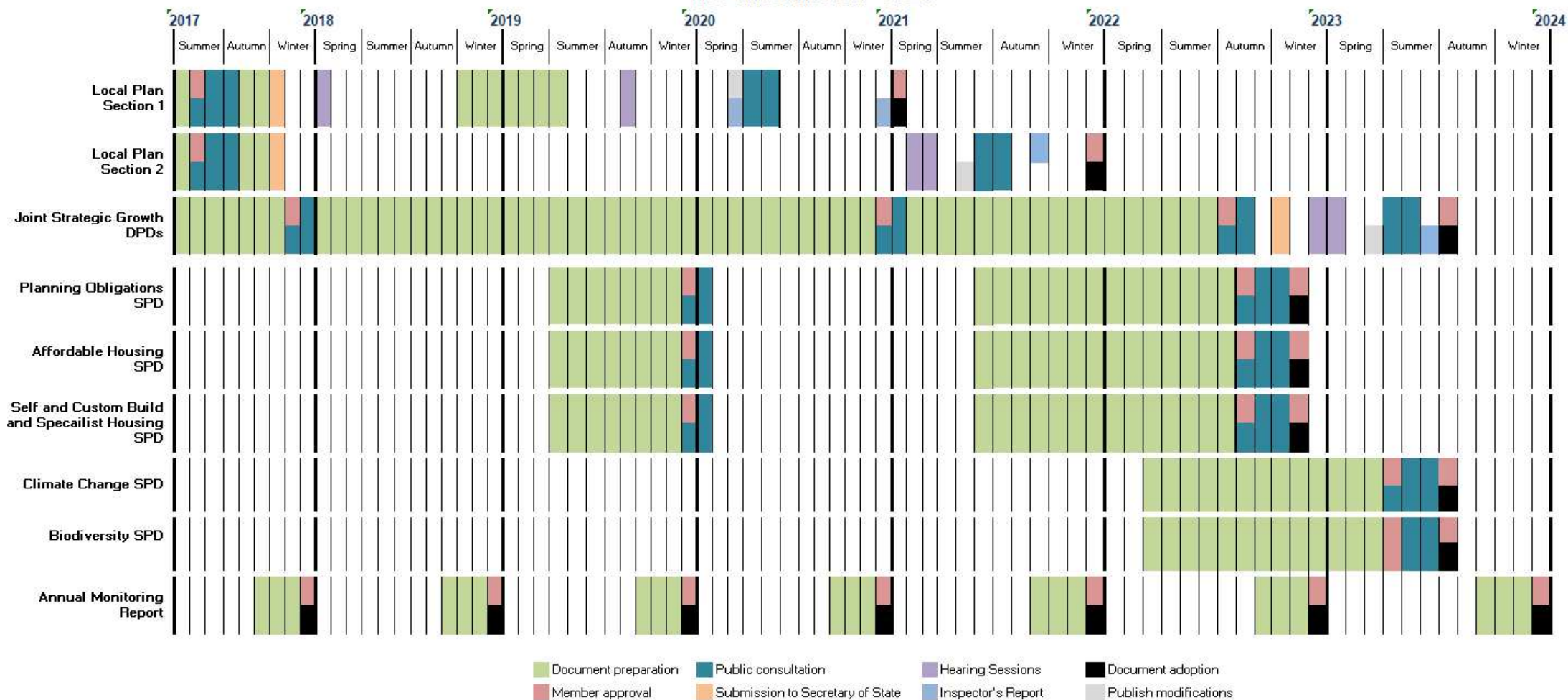
Sustainable Drainage Systems (SuDS) – A range of techniques for managing the runoff of water from a site. They can reduce the total amount, flow and rate of surface water that runs directly to rivers through storm water systems.

Sustainability Appraisal (SA) – An appraisal of the economic, social and environmental effects of a plan from the outset of the preparation process, so that decisions can be made that accord with sustainable development.

Sustainable Development – Development which meets the needs of the present without compromising the ability of future generations to meet their own needs.

Appendix C – Local Development Scheme 2021-2024

LDS Timetable 2017 - 2024



Local Plan Committee - Background Information

What is a Local Plan?

A Local Plan is the strategy for the future development of a local area, drawn up by the Local Planning Authority (LPA) in consultation with the community. The Local Plan sets out the vision, objectives, spatial strategy and planning policies for the entire Colchester Borough over a 15-year period. The Plan provides the overall framework for the borough in terms of how much employment land and how many new homes are required as well as where they should be located. It also identifies infrastructure needs and things that require protection i.e., open space and community buildings.

In law, this is described as the Development Plan Documents adopted under the Planning and Compulsory Purchase Act 2004. A Local Plan must be prepared in accordance with national policy and guidance.

Planning involves making decisions about the future of borough which are vital to balance the need to develop areas where we live and work with ensuring the surrounding environment is not negatively affected for everyone. It includes considering the sustainable needs of future communities.

An independent Planning Inspector is appointed to examine all Local Plans. The Plan can only be adopted by the Council if the Inspector thinks it is sound and meets all the statutory requirements.

Why is a Local Plan important?

Without a Local Plan to identify where and how the borough should develop, planning applications are determined in accordance with national policy which does not reflect the local context. Without a Local Plan, the borough would be at significant risk from speculative development. A Local Plan provides certainty of where development can be delivered sustainably across the Borough.

What is a Neighbourhood Plan?

A Neighbourhood Plan is a planning document that communities can prepare to set out how they would like their town, parish or village to develop. The Neighbourhood Plan is prepared by the local community (usually this is undertaken by the Parish/Town Council) for a designated neighbourhood area. A Neighbourhood Plan Development Forum can be established for areas without a parish/town council.

A Neighbourhood Plan enables communities to identify where new homes and other development can be built and enables them to have their say on what those new buildings should look like and what infrastructure should be provided. This provides local people the ability to plan for the types of development to meet their community's needs.

A Neighbourhood Plan must undergo a number of formal processes to ensure it is robust and well-evidenced. This includes two formal consultation periods, independent examination and a public referendum.

If a Neighbourhood Plan passes the referendum, this becomes part of the Statutory Development Plan for that area. It is then used when determining planning applications alongside the local plan and national policy.

What is included in the Development Plan for Colchester?

The Development Plan is a suite of documents that set out the Council's planning policies and proposals for the development and use of land and buildings in the authority's area. This includes Local Plans, Neighbourhood Plans and is defined in section 38 of the Planning and Compulsory Purchase Act 2004.

Within Colchester Borough this currently includes:

- Section 1 Local Plan (2021)
- Emerging Section 2 Local Plan (Submitted October 2017) – currently subject to Examination
- Core Strategy (2008) as amended by the Focused Review (2014)
- Site Allocations Policies (2010)
- Development Policies (2010) amended by Focused Review (2014)
- Proposals Maps (2010) and
- Neighbourhood Plans;
 - Myland and Braiswick
 - Boxted
 - Wivenhoe
 - West Bergholt and
 - Eight Ash Green.

When Section 2 of the Local Plan is adopted it will supersede the Core Strategy, Site Allocations Policies, Development Policies and Proposals Maps.

Section 1 of the Colchester Local Plan sets out the overarching strategy for future growth across Braintree, Colchester and Tendring, as well as including policies setting the overall housing and employment requirements for North Essex up to 2033. Section 2 of each of the three Local Plans contain more specific local policies and allocations relevant to each individual area.

In Partnership with Tendring District Council, a Development Plan Document (DPD) is being prepared to further guide development on the Tendring Colchester Borders Garden Community.

Supplementary Planning Documents (SPD)

An SPD is a document produced to add further detailed guidance and information on a particular subject or area. It is subject to a formal consultation period but there is no independent examination. Once adopted it can be used as a material consideration when determining planning applications. An SPD cannot create new policy, only add detail to a policy established in a local plan.

The following SPD's have been adopted in Colchester:

- Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) – August 2020
- Affordable Housing – August 2011
- Backland and Infill – December 2010
- Better Town Centre – December 2012
- Cycling Delivery Strategy – January 2012
- Provision of Community Facilities – July 2013
- Provision of Open Space, Sport and Recreational Facilities – July 2006, updated April 2019
- Shopfront Design Guide – June 2011
- Street Services Delivery Strategy – October 2012
- Sustainable Design and Construction – June 2011
- Sustainable Drainage Systems Design Guide – December 2014
- Vehicle Parking Standards – September 2009
- North Colchester Growth Area – June 2012
- Colne Harbour Masterplan – January 2011
- Garrison Masterplan – November 2002
- St Botolphs Masterplan – June 2005

Statement of Community Involvement (SCI)

The SCI sets out the standards that the Council applies in relation to involving the community and stakeholders in the preparation of Local Plan documents and in determining planning applications.

Local Development Scheme (LDS)

The LDS is a project plan for a three-year period setting out what documents will be produced and a timescale for preparing each.

Annual Monitoring Report (AMR)

The AMR is a report published annually by the Council containing information on the implementation of the Local Development Scheme and the extent to which planning policies set out in the Council's adopted Local Plan are being achieved.

What are housing targets and why do we have them?

The Government have committed to delivering 300,000 new homes per year across England to significantly boost the supply of homes.

The Local Plan identifies the minimum number of homes needed through policies which are informed by a local housing need assessment produced in accordance with national planning policy and guidance. An approach known as the Standard Methodology is used unless exceptional circumstances justify an alternative approach.

For Colchester, the minimum housing requirement is 920 new dwellings per year or 14,720 new homes for the plan period (2017 to 2033). The Council must identify sufficient sites in the Local Plan to accommodate these new homes.

As well identifying sites to meet the requirements across the whole plan period, the Council are also required to identify and update annually, a five year supply of specific, deliverable sites, this is often referred to as the five year housing land supply (5YHLS).

The Council publish annually a Housing Land Supply Position Statement which sets out the housing land supply position over a rolling five-year period. The Statement explains how this position complies with the stringent requirements of national policy and guidance. It is prepared by the LPA with engagement from developers and agents regarding expected delivery of new homes.

What happens if the borough does not meet their housing target?

If a Local Planning Authority cannot demonstrate a five-year supply of housing, national planning policy takes precedence over the Local Plan. The '*presumption in favour of sustainable development*' as outlined in national policy will be triggered.

This means that if a planning application is considered to deliver sustainable development, then planning permission should be granted, even if the site is not identified for development in the Local Plan. In effect, the Council would have little control over where new homes are built. Speculative applications can be submitted, and the authority may have limited grounds on which to refuse them. Even where schemes are refused they may be challenged and planning permission granted on appeal.