

Report of	Head of Commercial Services	Author	Beverley McClean ☎ 282480
Title	Protected Lanes		
Wards affected	Marks Tey and Layer, Mersea and Pyefleet, Old Heath and Hythe and Wivenhoe Wards		

The Local Plan Committee is asked to note the content of Colchester Borough Protected Lanes Assessment document and revisions to the Protected Lane network in the Borough.

1. Decision(s) Required

- 1.1 The Local Plan Committee is asked to note the content Colchester Borough Protected Lanes Assessment document and revisions to the Protected Lane network in the Borough. The revised Colchester Borough Protected Lanes Assessment report will form part of the evidence base for the emerging Local Plan for Colchester.

2. Reasons for Decision(s)

- 2.1 To ensure that the evidence base for the Local Plan provides a robust basis to support decisions on future planning applications affecting coastal wards of the Borough.

3. Alternative Options

- 3.1 The alternative would be rely on the current Protected Lane information which is not underpinned by objective robust evidence. The original Protected Lanes Network was designated by Essex County Council approximately 25 years ago. And the original criteria used for designation is no longer available. ECC developed new criteria which was used to review and identify a revised Protected Lanes network across Essex including in Colchester. Planning decisions based on the original Protected Lane information would not be made on the most up to date evidence and could be challenged.

4. Supporting Information

- 4.1 The original Protected Lanes Policy was originally developed in the late 1980's/early 1990'S by Essex County Council. Colchester Borough Council incorporated policies to protect the Borough's network of Protected Lanes in previous Local Plans. A number of historic lanes are currently protected through Development Management Policy DM21, however the evidence on which the lanes are designated is obsolete as it is no longer available. Chelmsford Borough

Council (now City) commissioned the County Council's Historic Environment team to develop and test new robust and defensible criteria to enable Protected Lanes to be designated in the Local Development Framework for Chelmsford.

- 4.2 The approach worked well and the Historic Environment team used the new criteria to review all the Protected Lanes across Essex including in Colchester. A draft review of the Protected Lanes network in Colchester was completed in December 2015 however the draft report was only issued recently to Colchester Borough Council.
- 4.3 The overall aim of the original Protected Lanes initiative was to protect the integrity of historic lanes across the County of Essex from inappropriate development and urbanisation. The objectives of the project have not changed.
- 4.4 As part of the review a desk top assessment and field assessments were carried out. New criteria were also drawn up and a new scoring system developed to designate a revised list of Protected Lanes in Colchester. The new criteria are set out below:
 - (i) Diversity – consideration of lane form, carriageway surface, verges, banks and ditches, associated vegetation and biodiversity
 - (ii) Historic Integrity – extent of erosion, extent of improvements
 - (iii) Archaeological potential of the lane to contain important archaeological remains
 - (iv) Aesthetic Value - notable views.
- 4.5 The scoring system used in the assessment is set out on pages 18 -19 of the Protected Lanes document.
- 4.6 After completion of the assessment and scoring, the final stage of the project involved applying a threshold score to each historic lane to identify which lanes were suitable for designation as a Protected Lane. The threshold for the Chelmsford study had been set at 14 therefore for consistency the same threshold was also adopted for the Colchester/Essex wide Protected Lanes assessments.
- 4.7 The threshold score was determined by the following method:
 - Stage 1 – The lane must score a minimum of 2 for integrity. Lanes failing to score 2 for integrity were not taken to the next stage.
 - Stage 2 – The combined score for integrity and diversity must be 5 or more. Lanes failing to score 5 for combined integrity and diversity scores were not taken forward to the next stage of the assessment.
 - Stage 3 – The sub total for integrity and diversity (5 or more) from Stage 2, when combined with the scores for group value,

archaeological association, archaeological potential, aesthetic value and biodiversity value must be 14 or more.

- 4.8 The threshold score of 14 was achieved by adding the minimum score of 5 points from Stage 2 to a score of 9 which is equal to the combined total of the second highest scores attainable for each of the remaining criteria i.e. Group Value score of 2, Archaeological Association score of 1, Archaeological Potential score of 2, Aesthetic Value score of 2 and Biodiversity score of 2. Lanes scoring the maximum score of 10 during Stage 2, from a combination of the maximum integrity and diversity scores, had to also score the second highest score on at least one of the remaining criteria to qualify to qualify for designation as a Protected Lane.

5. Proposals

- 5.1 There are currently 31 Protected Lanes designated across Colchester Borough. Following assessment against the new criteria and scoring, a total of 24 lanes scored above the threshold and have been deemed suitable for designation as Protected Lanes. 7 of the existing Protected Lanes failed to meet the threshold score and do not qualify for Protected Lane status. The lanes proposed for designation as Protected Lanes and those that are no longer being proposed for designation are listed on pages 26 and 27 of the Colchester Borough Protected Lane Assessment report. The list has been attached as an appendix to this report.
- 5.2 The Historic Environment policy in the emerging Local Plan will be amended to identify the need to protect the Protected Lanes in the Borough as part of the wider historic environment against inappropriate development that would lead to urbanisation and adversely affect the overall integrity of the Protected Lanes.

6. Strategic Plan References

- 6.1 The Strategic Plan Action Plan 2015-2018 includes a commitment to promote Colchester's heritage and wide ranging tourism attractions to enhance our reputation as a destination and to make more of Colchester's great heritage and culture so that people can enjoy them. The will help deliver these objectives.

7. Consultation

- 7.1 The revised Colchester Protected Lanes document has not been issued for public consultation. The revised report is a technical document that will form part of the Local Plan evidence base once approved. The Colchester Protected Lanes document will be publically available on the Council's website under the new evidence base webpage. The Protected Lanes once approved will also be mapped on c-maps and as a constraints layer on CIVICA.

8. Publicity Considerations

- 8.1 The Colchester Protected Lanes Assessment is not expected to generate publicity.

9. Financial Implications

9.1 None

10. Equality, Diversity and Human Rights implications

10.1 An Equality Impact Assessment has been prepared for the Local Plan and is available to view by clicking on [this link](#) or go to the Colchester Borough Council website www.colchester.gov.uk and follow the pathway from the homepage: Your Council > How the Council works > Equality and Diversity > Equality Impact Assessments > Commercial Services > Planning Policy > Local Plan.

10.2 There are no particular Human Rights implications.

11. Community Safety Implications

11.1 None identified.

12. Health and Safety Implications

12.1 None identified.

13. Risk Management Implications

13.1 The updated Protected Lanes Assessment will help ensure that the Council's planning policies are based on up-to-date and robust evidence. This will help prevent inappropriate development being permitted along the Borough's more historic and sensitive rural lanes.

14. Disclaimer

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

Supporting Papers

Colchester Draft Protected Lanes Assessment Report 2015

Appendix 1 Scores for all Assessed Lanes December 2015 (The rows shaded grey failed the criteria)

	Location	Nsg_name1	Nsg_name 2	Diversity	Integrity	Potential	Aesthetic	Biodiversity	Group value	Archaeol association	Total	Stage 2 total
COLLANE1	Wormingford Bridge	Mill Hill		2	2	1	1	2	2	0	0	4
COLLANE2	Fingringhoe	Furneaux Lane		1	1	1	1	1	1	0	0	0
COLLANE3	Wormingford	Church Road		4	4	2	3	3	1	1	18	8
COLLANE4	Wormingford	Church Road		4	4	2	2	2	1	0	15	8
COLLANE5	Little Horkesley	Fishponds Hill		3	4	2	2	3	1	0	15	7
COLLANE6	Fordham	Penlan Hall Lane		4	4	2	3	2	2	0	17	8
COLLANE7	Little Horkesley	Workhouse Road		3	4	2	2	2	2	1	16	7
COLLANE8	Church End	Fossetts Lane		4	4	2	3	2	2	2	19	8
COLLANE9	Church End	Fossetts Lane		3	4	2	2	2	2	0	15	7
COLLANE10	Green Acres	Foxes Lane	Daisy Green	4	2	2	2	3	2	2	17	6
COLLANE11	Copford Hall	Aldercar Road		4	6	2	2	4	1	1	20	10
COLLANE12	Easthorpe	Porters Green Road		2	4	1	1	1	1	1	11	6
COLLANE13	Birch Green	Garlands Road		3	2	2	3	2	2	1	15	5
COLLANE14	Great Tey	East Gores Road		3	4	2	2	2	3	1	17	7
COLLANE15	Chappel	Oak Road		4	4	2	3	2	1	1	17	8
COLLANE16	Laver-de-la-Haye	Birch Park		3	2	1	1	1	1	1	10	5
COLLANE17	Langham	Coles Oak Lane		2	2	1	1	4	1	0	0	4
COLLANE18	Langham	Water Lane		3	4	1	2	2	1	4	17	7

COLLANE19	Langham	Low Lift Cottage Road		3	6	1	2	1	1	4	18	9
COLLANE20	Boxted	Cage Lane		3	2	2	2	4	2	2	17	5
	Location	Nsg_name1	Nsg_name 2	Diversity	Integrity	Potential	Aesthetic	Biodiversity	Group value	Archaeol association	Total	Stage 2 total
COLLANE21	Fingringhoe	Upper Hay Lane		4	6	2	2	2	2	0	18	10
COLLANE22	Mount Bures	Peartree Hill	Bells Hill, Dowling Road	4	2	2	3	2	3	1	17	6
COLLANE23	Fordham	Creeping Hall Road		2	4	2	2	2	1	1	14	6
COLLANE24	Little Horkesley	Holts Road	Crabtree Lane	4	6	2	2	2	2	2	20	10
COLLANE25	Copford	Hall Road		2	2	1	1	4	1	0	0	4
COLLANE26	Heckfordbridge	Birch Park		4	4	3	3	4	4	2	24	8
COLLANE27	Wakes Colne	Brookfield Road		2	4	2	1	2	2	0	13	6
COLLANE28	Fingringhoe	South Green Road		4	4	2	3	4	2	2	21	8
COLLANE29	Great Tey	Burnthouse Road		2	4	3	2	2	2	1	16	6
COLLANE30	Janke's Green	Boarded Barn Road		4	4	3	2	2	2	0	17	8
COLLANE31	Mount Bures	Janke's Green Road	Fordham Road	3	4	2	2	2	2	1	16	7