

# **Local Plan Committee**

**Grand Jury Room, Town Hall  
3 June 2013 at 6.00pm**

**This committee deals with**

the Council's responsibilities relating to the Local Plan.

# Information for Members of the Public

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**COLCHESTER BOROUGH COUNCIL  
LOCAL PLAN COMMITTEE  
3 June 2013 at 6:00pm**

**Members**

Chairman : Councillor Bill Frame.  
Deputy Chairman : Councillor Martin Goss.  
Councillors Lyn Barton, Elizabeth Blundell, Andrew Ellis,  
John Jowers and Kim Naish.

**Substitute Members** : All members of the Council who are not members of the  
Planning Committee.

**Agenda - Part A**

(open to the public including the media)

**Pages**

**1. Welcome and Announcements**

(a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Chairman's discretion, to announce information on:

- action in the event of an emergency;
- mobile phones switched to silent;
- the audio-recording of meetings;
- location of toilets;
- introduction of members of the meeting.

**2. Substitutions**

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

**3. Urgent Items**

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent and to give reasons for the urgency.

**4. Declarations of Interest**

The Chairman to invite Councillors to declare individually any interests they may have in the items on the agenda. Councillors should consult Meetings General Procedure Rule 7 for full guidance on the registration

and declaration of interests. However Councillors may wish to note the following:-

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

## **5. Have Your Say!**

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

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

## **6. Minutes**

**1 - 6**

To confirm as a correct record the Minutes of the meeting held on 17 December 2012.

## **7. East Mersea Village Plan and Design Statement**

**7 - 57**

See the report from the Head of Commercial Services.

**8. Consultation on the Focused Review of the Adopted Colchester Borough Local Plan** **58 - 107**

See the report from the Head of Commercial Services.

**9. Exclusion of the Public**

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).



## LOCAL PLAN COMMITTEE 17 DECEMBER 2012

*Present :-* Councillor Bill Frame (Chairman)  
Councillors Elizabeth Blundell, Andrew Ellis,  
Martin Goss, John Jowers and Kim Naish

*Substitute Member :-* Councillor Nick Cope for Councillor Colin Sykes

### 16. Have Your Say!

Louisa White, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3) in respect of sustainable development. She was principally concerned about the development currently under construction on the Severalls site and the apparent lack of appropriate arrangements for drainage. She had also noted a large mound of earth which was nearly three quarters the height of the houses. She had contacted the Council about these matters but there did not appear to be any improvement in the situation.

Members of the Committee confirmed Mrs White's observation of the pile of earth which was located adjacent to residents' houses. It was understood that the earth would be moved by March 2013. In respect of the absence of drainage, members believed that it was rainwater which was being discharged into fields and not sewage and that relevant council officers were aware of the situation which was under investigation.

### 17. Minutes

The minutes of the meeting held on 8 October 2012 were confirmed as a correct record.

### 18. Tiptree Jam Factory Plan // Development Plan Document

**Councillor Jowers (in respect of being a member of Essex County Council with a Cabinet responsibility for Communities and Planning) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Head of Strategic Policy and Regeneration submitted a report on the draft Tiptree Jam Factory Plan Supplementary Planning Document together with the report on the examination into the Tiptree Jam Factory Plan and the draft Development Plan Document. The Committee was requested to agree to recommend to Council that the Tiptree Jam Factory Plan Development Plan Document be adopted in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended).

Laura Chase, Planning Policy Manager, and Karen Syrett, Spatial Policy Manager, attended to assist the Committee with its deliberations.

Paul Munson, Melville Dunbar Associates, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3) on behalf of Wilkins and Sons. He wished to thank members and council officers for their support, guidance and advice in enabling the company's proposals for a new factory in Tiptree to be supported through the Local Plan. The Inspector's report gave a resounding endorsement of the Council's approach and he urged the Committee to approve the officer recommendation for the Plan to be submitted for approval at the next Council meeting. The Council's approval would enable the company to bring forward its planning applications early in 2013.

The Planning Policy Manager explained that the ten main amendments to the Plan had come forward through the process. All the issues had received a thorough airing at the two-day examination including the financial justification and requirement for supporting infrastructure. The Plan would provide the Council with guidelines for conditions in any subsequent planning applications.

Members of the Committee fully endorsed both the process and the draft Development Plan Document. There were some concerns regarding whether the intended highways infrastructure would be appropriate for the levels of vehicle movements and it was hoped that council officers would have a dialogue with the Highway Authority to ensure the formulation of proper arrangements. In response to a query on whether there would be any charging schedule for the development, the Spatial Policy Manager explained that there was no charging schedule in place at the current time.

*RECOMMENDED to COUNCIL (UNANIMOUSLY) that –*

(a) The Tiptree Jam Factory Plan Development Plan Document be adopted as recommended by the Inspector in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended).

(b) The Spatial Policy Manager be authorised to deal with all the necessary adoption documentation and other consequential matters in accordance with the appropriate regulations.

## **19. Colchester Local List**

The Head of Strategic Policy and Regeneration submitted a report on a review of the Colchester Local List, together with proposed formal procedures in relation to making changes to the List, and whether any necessary changes were required to the Council's Constitution.

Karen Syrett, Spatial Policy Manager, attended to assist the Committee with its deliberations. She stated that it was intended that the term 'Colchester Local List' would encompass the whole geographical area within the Borough Council's area of responsibility. The List would be reviewed annually in March to determine the need to



add or delete properties or amend descriptions of properties. In response to queries she reminded members that whilst the document was a consideration in assessing planning applications, it had limited weight, although there had been examples where the weight had been significant enough to have had an impact on a planning decision. She also explained that the initial survey had been carried out by volunteers and any cost to the Council as a result of a review would be in terms of officer time required to make any changes to the list and to transfer the information onto the Council's Geographical Information System. She agreed to send a copy of the criteria used for determining which properties would be included on the list to the members of this Committee.

Members of the Committee noted that the website was not easy to navigate and it was hoped that improvements would be made in due course.

*RESOLVED* (UNANIMOUSLY) that –

(a) It be noted that in this review no buildings on the Colchester Local List had been altered to the point where its architectural or historic interest has been lost nor had any buildings been demolished, therefore no changes would be made to the Colchester Local List.

(b) The procedures to enable new assets to be added to the Colchester Local List and existing assets to be removed from the Colchester Local List be approved and any necessary changes be made to the Council's Constitution.

## 20. Better Town Centre Supplementary Planning Document

**Councillor Jowers (in respect of being a member of Essex County Council with a Cabinet responsibility for Communities and Planning) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Head of Strategic Policy and Regeneration submitted a report on the Better Town Centre Plan Supplementary Planning Document (SPD) together with the draft SPD for approval and adoption. The document was intended to set out the Council's aspirations and plans for the town centre and provide a guiding framework for a range of initiatives which were described within the document.

Laura Chase, Planning Policy Manager, attended to assist the Committee with its deliberations. She explained that the document before the Committee was substantially the version circulated at the meeting in June.

Members of the Committee made the following observations on the proposed document:-

- Some of the content represented a huge step change which many people may not like;
- Closing off the High Street could cause congestion elsewhere;

- The town needed a transport system that worked efficiently;
- People need to get into the town centre which would require somewhere to park their car;
- If people found it difficult to get near the town centre they may go elsewhere;
- Disappointment that no progress had been made on the Park and Ride facility;
- The prohibition of cars carrying disabled people to the High Street was an issue;
- The removal of Colchester Borough Council Customer Services Centre from the High Street may impact on footfall;
- The possible use of upper floors in buildings along the High Street for residential purposes was also discussed.

The Planning Policy Manager explained that this SPD expands on how existing Local Plan policies could be applied and explains the ambitions for the town to stay active, alive and important.

In response to a comment from the Committee that planning documents seem to focus on the central part of the town and something comparable was needed to address problems encountered by local centres in rural areas, the Spatial Policy Manager explained that documents tend to focus on growth which is located in the urban parts of the Borough . There are however other documents which relate specifically to the needs and aspirations of smaller settlements and the open countryside between those settlements. Examples include Parish Plans, Village Design Statements, Development Briefs and Rural Workers Guidance.

*RESOLVED* (UNANIMOUSLY) that the draft Better Town Centre Plan Supplementary Planning Document be approved and adopted.

## 21. Annual Monitoring Report

**Councillor Jowers (in respect of being a member of Essex County Council with a Cabinet responsibility for Communities and Planning) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Head of Strategic Policy and Regeneration submitted a report inviting the Committee to approve the 2011-2012 Annual Monitoring Report for publication on the Council's website.

Laura Chase, Planning Policy Manager, and Karen Syrett, Spatial Policy Manager, attended to assist the Committee with its deliberations.

Members of the Committee considered the Annual Monitoring Report to be a very useful document.

*RESOLVED* (UNANIMOUSLY) that the 2011-2012 Annual Monitoring Report be approved for publication on the Council's website.

## 22. Statement of Community Involvement

**Councillor Jowers (in respect of being a member of Essex County Council with a Cabinet responsibility for Communities and Planning) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Head of Strategic Policy and Regeneration submitted a report inviting the Committee to approve the draft Statement of Community Involvement (SCI) for publication for a six week consultation period.

Karen Syrett, Spatial Policy Manager, and Laura Chase, Planning Policy Manager, attended to assist the Committee with its deliberations. The Planning Policy Manager explained that the document submitted to the Committee was a draft for consultation. The original SCI document was published in 2005 and it had been updated regularly since then. It was last updated in 2011, but since then the National Planning Policy Framework had been introduced and the text had been shortened to make it easier to use.

Pete Hewitt, Myland Community Councillor, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). The objectives of the Statement of Community Involvement were clear. It was important to have a dialogue with community groups, some of which is under way and in Myland it is working in practice with monthly planning liaison meetings. He recognised that this Statement of Community Involvement was a draft in preparation for consultation. He commented that the Community Infrastructure Levy was vital for local communities, but the draft statement did not appear to involve parish or community councils at this stage. He believed that parish or community councils should be invited for discussions on the Community Infrastructure Levy and Section 106 Agreements. He was also of the opinion that the current public speaking arrangements at the Planning Committee permit one speaker in opposition to an application which was wholly impractical, especially for large applications. On occasions three speakers are permitted in support and in opposition to the application and this enables a greater range of speakers to have a voice. He suggested that paragraph 5.22 be amended to reflect the practice.

Members of the Committee supported Mr Hewitt's suggested amendment to paragraph 5.22 so that the Chairman's discretion was reflected in the text. They also requested that Vuncent Pearce, Development Services Manager, be invited to attend the next meeting to discuss the issue of member call-in of planning applications. Members also highlighted some of the organisations which appeared to be either irrelevant or non-existent– The Mayor of London or the Coal Board for example.

The Spatial Policy Manager updated the Committee on the situation with the Community Infrastructure Levy. Further regulations on CIL were still awaited although some had been published within the last week additional regulations were expected on the amount of the Levy which would be passed to Town and Parish Councils. Where there was no parish or community council, it would be possible for local residents to form themselves into a neighbourhood forum which could fulfil the same role as parish

or community councils for this purpose. The Planning Policy Manager explained that the list of consultees was prescribed and there was no alternative. The current list reflected the organisations that councils were currently required to consult.

*RESOLVED* (UNANIMOUSLY) that the Statement of Community Involvement be approved for publication for a six week consultation period.

<b>Report of</b>	<b>Head of Commercial Services</b>	<b>Author</b>	<b>Chris Downes</b> ☎01206 508401
<b>Title</b>	<b>East Mersea Village Plan and Design Statement</b>		
<b>Wards affected</b>	<b>East Mersea</b>		

**The Local Plan Committee is asked to agree the adoption of East Mersea's joint Village Plan and Design Statement as a Planning Guidance Note.**

**1. Decision(s) Required**

- 1.1 To agree the adoption of the East Mersea joint Village Plan and Design Statement as a Planning Guidance Note.

**2. Reasons for Decision(s)**

- 2.1 Parish Plans (although the name of this particular plan has been entitled East Mersea Village Plan the technical name is Parish Plan and this is how it is referred to hereafter) and Village Design Statements are broad-based community-led plans prepared by a locally constituted community group. When adopted as a Planning Guidance Note they can add local detail to policies already contained in the Local Plan and consequently help inform decision-making related to planning applications in that particular area.

**3. Alternative Options**

- 3.1 The alternative is to rely on the Local Plan to guide development and inform policy decisions without specific guidance relating to East Mersea. The result of this could be that development does not accommodate the specific needs and aspirations of the East Mersea community.

**4. Supporting Information**

- 4.1 Colchester Borough Council promotes the preparation of Parish Plans and Village Design Statements because it recognises the importance of giving communities a say in the future of their area. This commitment is formally expressed in Core Strategy policy ENV2. Village Design Statements and Parish Plans are normally produced as separate documents due their different objectives however in this instance East Mersea Parish Council has produced a joint Parish Plan and Village Design Statement.
- 4.2 A Village Design Statement is much more focused on issues that can be addressed by planning. It can include detailed information about a community's desire to accept new development or not, influence what new development should look like and provide information about new facilities needed in a specific parish. It also seeks to ensure that new development is sympathetic to the character and appearance of the settlement in which it is being built by identifying typical building designs and the types of materials that should be used in any new buildings or extensions to existing ones. The Design Statement may also indicate parts of a settlement that the local community believes should be protected or preserved in its current form.

- 4.3 The Parish Plan can also be used to highlight areas of concern that could be addressed through future development. Funding from new development could be used to bring new or improved facilities and infrastructure to the settlement.
- 4.4 Parish Plans are generally less focused on planning issues however they can be used to find out community thoughts for example on the need for new housing locally. Parish Plans provide an opportunity for a community to identify any social, economic or environmental issues that need to be addressed in their area. On the whole though they tend to focus more on social and community issues such as footpath clearance, ditch and verge management to resolve localised flooding or tackling speeding; these are issues that need to be addressed locally. The objectives of Village Design Statements and Parish Plans are complementary to each other.
- 4.5 The East Mersea Design Statement includes a detailed appraisal of the settlement including the prevalent architectural features and current land usage within different parts of the parish. It also describes what exists in terms of infrastructure, local businesses and local amenities. The Design Statement also highlights the environmental significance of East Mersea including the Special Protected Area, Site of Special Scientific Interest and National Nature Reserve.
- 4.6 Once adopted, Parish Plans and Village Design Statements become material considerations in the determination of planning applications located in that area.

## **5. Proposals**

- 5.1 The Design Statement includes a number of recommendations to be addressed through planning to help guide the future provision of new housing and businesses in the village whilst also protecting existing community facilities, the area's rural character and the environment around East Mersea. It also identifies a number of initiatives for the Parish Council to take forward with the local community or outside agencies. The full list of planning recommendations is set out on page 34 of the document in Appendix A.
- 5.2 There is support for new family and affordable housing in the area however any new housing should be small scale. The Parish Council has commissioned a Rural Housing Needs Survey and is working with the Rural Community Council of Essex's (RCCE) Rural Housing Enabler to deliver a site for the new housing scheme in the village.
- 5.3 The Design Statement recognises the valuable contribution that the caravan parks make to the local economy of Mersea Island. Local tourism businesses in East Mersea have expressed a desire for more sympathetic planning to allow the businesses to expand but this needs to be balanced against community concerns about the impact expansion of these businesses would have locally on the environment, rural character of the village and on residential amenity. The local community however also acknowledge that the caravans enhance the range of facilities available locally in East Mersea and are keen to see these protected along with the local shop and pub. There is also general support for the reuse of redundant farm buildings either for employment use or in appropriate cases for residential use.
- 5.4 The Parish Plan part of the document provides a framework for East Mersea Parish Council to use to start addressing locally identified problems. The key issues raised in the Parish Plan includes improving networking between businesses to help support the local economy, addressing speeding, addressing the lack of cycle paths, managing litter, and developing an events programme for local people including the younger sections of the community, improving broadband internet coverage and managing crime. The

resolution of such problems will involve joint working with a range of organisations. The document identifies the need to work with the Chamber of Commerce to help improve relations between existing businesses. The Parish Council hopes to resolve speeding issues through joint working with Essex County Council and in order to improve cycling facilities it recommends the creation of a Cycle Path Partnership with West Mersea Town Council. The Parish Council has identified a number of ways to tackle littering including organising volunteer litter picks, working with caravan parks to educate visitors about litter management and to be more proactive regarding enforcing litter fines. Broadband internet coverage is very poor in East Mersea so there is scope to improve this by joint working with Colchester Borough Council through its Digital Strategy to improve broadband coverage and access in rural areas. Finally to address crime the Parish Plan advocates establishing a Neighbourhood Watch Scheme and improving liaison with Essex Police.

## **6. Strategic Plan References**

- 6.1 Colchester Borough Council's Strategic Plan Action Plan includes a commitment to regenerate the Borough through buildings, employment, leisure and infrastructure, and enable local communities to help themselves. The adoption of the East Mersea Parish Plan and Design Statement will help the Council meet these objectives.

## **7. Consultation**

- 7.1 As part of the preparation for the Parish Plan and Design Statement East Mersea Parish Council carried out a survey of residents and businesses located in the area. The first such survey took the form of a questionnaire and asked residents about their views on future development, local infrastructure and the character of the village. The business survey was also a questionnaire but the questions were based on business development and local amenities.
- 7.2 Further consultation was also held by RCCE in 2010 to identify local housing need in East Mersea.
- 7.3 East Mersea Parish Council has liaised with West Mersea Parish Council, Colchester Borough Council and the RCCE in the preparation of this Parish Plan and Design Statement.

## **8. Publicity Considerations**

- 8.1 None.

## **9. Financial Implications**

- 9.1 The East Mersea Parish Plan and Design Statement was prepared by a Village Design Statement Working Group therefore there are no significant financial implications to consider.

## **10. Equality, Diversity and Human Rights implications**

- 10.1 An Equality Impact Assessment has been prepared for the Local Development Framework and is available to view on the Colchester Borough Council website by following this pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Equality and Diversity > Equality Impact Assessments > Strategic Policy and Regeneration > Development Plan.

10.2 There are no particular Human Rights implications.

## **11. Community Safety Implications**

11.1 None

## **12. Health and Safety Implications**

12.1 None

## **13. Risk Management Implications**

13.1 The adoption of East Mersea's Parish Plan and Village Design Statement is intended to reduce the risk of inappropriate development and ensure future development meets the needs of the East Mersea community. Adopted guidance provides the opportunity to offer consistent advice to landowners, developers, officers, councillors and members of the public.

## **14. Disclaimer**

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

## **15. Background documents**

Appendix A – East Mersea Village Plan and Design Statement.

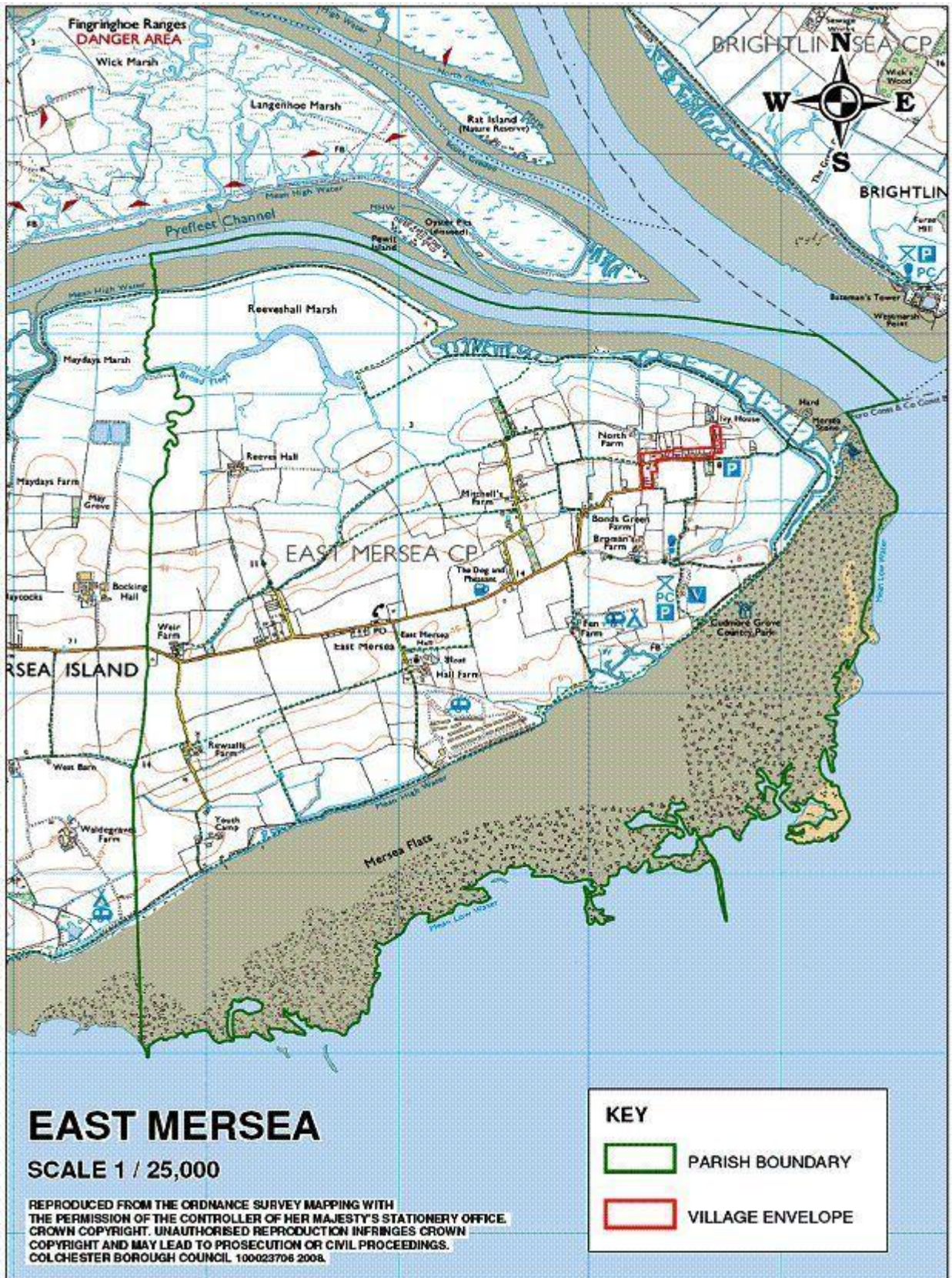




# **EAST MERSEA VILLAGE PLAN AND DESIGN STATEMENT**



**PUBLISHED BY EAST MERSEA PARISH COUNCIL  
ON BEHALF OF THE EAST MERSEA VILLAGE PLAN  
AND DESIGN STATEMENT WORKING PARTY**



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APPENDIX 1 - East Mersea Village Questionnaire

APPENDIX 2 - East Mersea Village Questionnaire Results

APPENDIX 3 - East Mersea Business Survey Summary

APPENDIX 4 - RCCE Housing Needs in East Mersea Survey.

This document and the above Appendices can be found on the East Mersea Parish Council website at <http://www.essexinfo.net/east-mersea-parish-council/>

## INTRODUCTION

### WHAT IS A VILLAGE DESIGN STATEMENT?

A Village Design Statement describes the distinctive character of a village and the surrounding countryside. It delves back into the past to give a historical perspective showing how the community has evolved over the centuries. It describes the current environment, including the prevailing architectural styles in evidence and the traditional building materials typically used. It is also an opportunity for local people to influence the planning process within their own area.

Local character could easily be threatened by unsympathetic development. The East Mersea Village Design Statement therefore aims to raise awareness of what is special about this area, and at the same time gives parish residents a say in the future of their village by producing guidance on respecting these qualities. Providing these views now in this format is a way of ensuring that the voice of the local community is heard before rather than after any major planning decisions are taken that may affect the essential character of East Mersea. The Village Design Statement is set out in Part 2.



Village Hall, Shop and Baring Gould Cottages

### Why produce one for East Mersea?

This Village Design Statement is intended to ensure that future development and change within the parish are based on an understanding of the area's history and present character. It draws attention to what is special about the community, buildings and countryside to be found within the East Mersea parish boundaries.

### How it was produced

All the residents and businesses of East Mersea were invited to contribute to the Design Statement through public meetings, workshops, and working groups. Survey forms were sent to every household and business. Part 2 of this document is a compilation of the many views expressed through the consultation process and has been written by the Design Statement team.

## **The Design Statement and the Planning Process**

The purpose of this Design Statement is to guide future development in East Mersea Parish in a way that is specific to the settlement and the wishes of its community. It is structured to provide a set of descriptions of the features that have helped to shape the village in its past, and which are important today and will be in the future. Developers, architects and builders, owners and tenants of land and buildings in the Parish, as well by the Parish and Borough Councils when evaluating planning applications, should refer to these views of its residents.

## **The Village Plan**

This design Statement is distinct from the East Mersea Village Plan, which is being developed in conjunction with the Design Statement. The Plan is set out in Part 3 and is an action plan addressing issues for the village for the future, to be recommended for adoption by East Mersea Parish Council for implementation.



## **HISTORY AND CHARACTER**

The name Mersea is shown in earlier historic spellings as Meres-ig (895), mereseye (950), maeres-ige, meresai and Meresaia (1086). The name could be derived from the Saxon name Meres-eg, the island of the mere. 'Mere' denotes a pool.

### **Celtic Mersea**

Mersea during Celtic times had a fairly stable population, living mainly but not entirely, by farming and fishing. Remains of Celtic salt workings have been found and pottery was also made in conjunction with the salt panning. It is believed that salt workings in East Mersea continued right up to late Tudor times as evidenced by the island's numerous 'red hills'. Mersea was at this time mainly wooded; Mountain Ash, Elder, Elm, Hazel and Willow flourished alongside more ancient tree varieties.

### **Roman Mersea**

The Romans established a Colonia (settlement) for retired veterans on land near to Camulodunum, and for a long time this was their capital in Britain. The Roman general Suetonius defeated Boadicea, rebuilt Colonia and began to settle his men peaceably in the district. They soon discovered Mersea, which they connected to Colonia by a road.

Mersea represented more to the Romans than a mere observation post: they appreciated its pleasant and at that time well-wooded slopes. It became a kind of seaside resort for the wealthy citizens of Colonia. From remains that have been excavated it is apparent there must have been a considerable settlement on the island.

## The Saxons, Danes and the Normans

No sooner had the Saxons begun to settle peaceably on Mersea than the Danes began their invasions. At first in 790 they raided just for booty but this incited them to conquest. In 878 by the pact of Chippenham made between King Alfred and Guthram, Essex and London became part of the Danelagh. The Danes used Essex more as a base for a settlement, so Mersea was of great value to them when they seized it in 893.

Mersea was not long left in peace; the Norman Invasion was the next event in its stormy history. The Normans quickly settled and it was under their direction that East Mersea Church was built. This was the beginning of a long period of peace and prosperity for the island. There are records of Meresai (East Mersea) in the Domesday Book, mentioning agriculture, woodland, sheep, swine and fisheries. The Parish was divided into two estates, East Mersea Manor and the smaller Bocking Hall.

## Medieval

Whereas in terms of population size East Mersea was half that of West Mersea in 1327, by 1524 they were almost equal in size. Fishing became very important with fish weirs being installed in the channels around the island.



**Oyster Fishery Today**

Colchester Borough granted oyster dredging and fishing licences to East Mersea men in the 1560's. Colchester Corporation subsequently leased its oyster fishery to two East Mersea Mariners in 1683.

In 1540 a military emplacement called the Blockhouse was built at the East Mersea point to help safeguard the entrance to the Colne estuary.

During the siege of Colchester the parliamentary forces captured the Blockhouse and garrisoned the island. During this period they used the Church as a barracks and stables and did much damage to the windows and interior. The Blockhouse itself was maintained until at least 1651 but by 1768 it was in ruins, having been used for some time as a private dwelling.

## The Twentieth Century

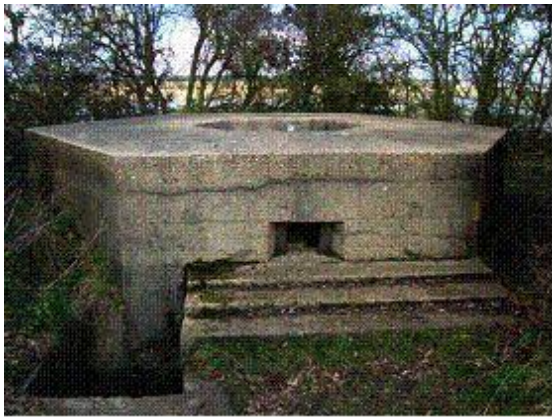
By 1901 the population of the village was 218, having fallen back from its high point of 331 in 1841. A golf course was started in 1901 when a nine-hole course was laid out and a clubhouse built. Several houses (known as the Dormy houses) were built for weekend golfing visitors. The course was closed during World War Two when the army took over the clubhouse as an Officer's Mess and Gun emplacements were built along the front up to and including what is now Cudmore Grove. The course and clubhouse (now Golf House) were finally sold as separate lots by auction in 1950.



**Cudmore Grove Beach**



Many defensive structures were built at East Mersea, both above and below ground, and these remained for a long time after the war. Most have now been demolished. An Admiralty owned underground structure still exists below the footpath at the end of Shop Lane and a Pill Box in good condition at Cudmore Grove. The remainder of the Cudmore Grove fortifications have been lost, along with much land, due to tidal erosion.



**Cudmore Grove Pill Box**

Since the early 1960s there has been a steady constant growth in the leisure industry with an expansion of the Camping and Caravanning business. There are now three major sites in East Mersea, Cooper's Beach, Fen Farm and Cosways. Coopers Beach is by far the largest with a summer population exceeding 3000 residents.



**Cooper's Beach**

## **Famous Residents**

One of the most famous residents of East Mersea was the Reverend Baring-Gould who was the Rector and writer of several well-known hymns; novels and a series of volumes (16 in all) entitled the Lives of the Saints. Dr Harnack one of the first workers with X-rays (who eventually lost both his hands) and the politician Anthony Greenwood who became Lord Greenwood of Rossendale both lived in East Mersea for many years.

## MAIN ARCHITECTURAL FEATURES

### East Mersea Parish Church

The parish church is dedicated to St Edmund King & Martyr a Saxon King of East Anglia. The earliest part of the church dates from the 12<sup>th</sup> Century with much being added later. The tower was built in the 15<sup>th</sup> Century and the turret surmounting it contained a beacon basket in which a bonfire could be kindled to warn inland areas of an enemy's approach.

The tower originally contained five bells but now there is only one survivor that was cast in 1439 by John Hille. The original medieval wooden frame that housed all five bells is still in existence but the surviving bell has been re-hung on modern metal beams (2010).



**St Edmund King & Martyr**

Internally much of the original interior was destroyed by parliamentarian troops during the Civil war when they used the church as a barracks and stables. The Jacobean Pulpit with iron hourglass holder and medieval early English stone font are noteworthy.

The church, adjacent hall and farm (about five acres in extent) were at one time all enclosed by a moat parts of which still remain.



**15<sup>th</sup> Century Bell**

## Traditional Essex Buildings

East Mersea has many examples of traditional Essex two storey houses and agricultural buildings. Materials include :

Roofs – Thatch, slate, small clay tiles, pan tiles. Corrugated iron has replaced the original covering on some agricultural buildings.

Walls – Timber boarding, commonly white painted on houses and black pitch, paint or stain, on outbuildings and agricultural buildings. Red brick. Rendered and painted. Some pargetting, though this is probably not original.

Windows – Timber sliding sash and casement style. Some have been replaced with steel and UPVC casement style windows with varying results.



**Bromans Farm – Grade 2 Listed**

## Jacobean, Georgian and Victorian Houses

We have some fine examples of old two and three storey houses including East Mersea Hall, Rewalls Farm, Reeves Hall and Bromans Farm. Materials include :

Roofs – Thatch, slate and small clay tiles.

Walls – Red brick. Rendered and painted.

Windows – Timber sliding sash and casement style.

### The Dormy Houses

As part of a development in the 1930s a number of two storey houses and a golf club bungalow were built which now form a significant part of the eastern end of East Road. Other bungalows were built in other locations in a similar style. Materials include :

Roofs – Small clay tiles. As part of a development in the 1930s a number of houses and a golf club house were built which now form a significant part of the eastern end of East Road.

Walls – Rendered and painted, some red brick.

Windows – Metal casement. Some have been replaced with UPVC casement style windows with varying results.



**Dormy House**

## Post War Period

Further infill housing, both two storey and bungalows, was constructed which introduced a further style, different but not unsympathetic with those that had preceded it. Materials include :

Roofs – Small clay tiles, larger concrete and clay interlocking tiles.

Walls –Red brick. Rendered and painted. Some timber boarding, commonly white painted or stained on houses and black on outbuildings and agricultural buildings.

Windows – Timber casement style. Some have been replaced with UPVC casement style windows with varying results.



## Commercial and Agricultural

The leisure, agricultural and other commercial premises are largely very functional in their construction and style, though see New Essex Style below. Materials include :

Roofs – Corrugated asbestos cement sheeting, profiled metal sheeting, roofing felt.

Walls – Corrugated asbestos cement sheeting, profiled metal sheeting. Rendered and painted. Some timber boarding, commonly white painted or stained and black on outbuildings and agricultural buildings.

Windows – Timber and steel casement style.

## New Essex Style

There are many examples of new mainly two storey buildings and extensive modernisations and extensions of older buildings in the “Essex Style” of houses and barns, including commercial buildings such as The Colchester Oystergage, Pittock Engineering, Mersea Vinyard and Ben’s Fish. Materials include :

Roofs – Thatch, slate, small clay tiles, pan tiles.

Walls – Timber boarding, commonly white painted or stained on houses and black on outbuildings and agricultural buildings. UPVC Boarding. Red brick. Rendered and painted. Some pargetting.

Windows – Timber and UPVC casement style.



## Modern Houses

More recently modern single, two and three storey houses have been constructed which are variations upon the established themes and some one offs, such as the “A Frame” in Shop Lane. Materials include :

Roofs – Slate, clay tiles and cedar shingles.

Walls – Timber boarding, white painted or stained on houses and black on outbuildings and agricultural buildings. UPVC Boarding. Red brick. Rendered and painted.

Windows – Timber and UPVC casement style.



## Frontages

Most houses are set back with hedges, fences or brick walls. Most agricultural, leisure and commercial buildings are surrounded by hedges, fences or brick walls with timber or metal gates.

## Sustainability

In recent years many buildings have been fitted with solar photo voltaic and hot water panels. We have two wind generators attached to houses. Some recent houses have been built to high sustainability standards with triple glazing, high levels of insulation and air-tightness. Many homes use wood burning stoves fuelled by local sustainable sources. There are examples of rainwater harvesting.

## Conclusion



As the foregoing demonstrates there is no preponderant architectural style in East Mersea. We have a comfortable mix of architecture which is mutually sympathetic and in keeping with the surroundings.

See section on Buildings in Part 2 for Planning Guidance.

## LANDSCAPE AND SURROUNDINGS

### Land Usage

Most of the land in East Mersea is agricultural but recreational use is also significant: holiday parks, country park and youth camp.

### Crops

The agriculture in East Mersea has a distinctive split between intensive arable cropping and low input, traditional grassland on the north side of the parish.

- Wheat
- Oil seed rape
- Peas
- Beans
- Oats
- Sugar beet



There are a number of agri-environmental schemes practiced on the arable land most notable being grass field margins, areas (away from the public) of small bird seed plots and newly planted small parcels of woodland.

There is also a vineyard, smallholdings growing fruit and vegetables and a nursery and pick your own.

### Livestock

Unlike many local parishes East Mersea still has a significant amount of livestock (although often not seen as they are located on the north side of the island which has limited public access).

The livestock include:

- A flock of rare-breed North Ronaldsway sheep.
- A commercial breeding flock of sheep
- A commercial suckler herd
- A number of cattle fattened from grass over the summer months
- A commercial pig breeding unit

There are also small numbers of chickens kept on smallholdings and horses kept in stables with paddocks.

### Changes in Land Use

There has been a small decrease in livestock farming but a significant decrease in the growing of flowers for seed – once an important land use in East Mersea.



Some land has been turned over to recreational use most notably the Country Park (Cudmore Grove). There is pressure to allow further change from agriculture to recreation but this is likely to be limited under present planning policy.

### Hedges and Verges

Despite some loss of hedgerows most fields still have hedges that are reasonably well kept. Road verges are adequately maintained, particularly adjacent to the holiday parks. Litter picking by local residents has helped to ease, but not cure, the litter problem.

## Coast and Sea

Mersea Island is bordered on the south by the Blackwater Estuary, to the West by a complex of channels at West Mersea, to the north by the Strood and Pyfleet channels and to the East by the Colne Estuary that runs north up to Colchester.

East Mersea's southern coast is bordered by the Mersea Flats, an area of shallow water that partly dries at low tide to reveal a mixture of mud and gravel. Holiday parks are on this part of the coast and some visitors take to the water swimming or in a mixture of leisure craft including wet bikes and small boats for fishing.



Cudmore Grove Country Park is at the east of this coast; it is slightly elevated and has a gravel cliff, popular for visitors in search of fossils but subject to erosion and unstable.

Mersea Stone is at the easternmost point of the island, a gravel promontory that runs into the deep part of the River Colne opposite the port of Brightlingsea from which there is a summer ferry service. This is a popular destination for visitors both from land and sea. However the fast flowing and deep tidal stream must be treated with respect and is dangerous for swimmers and small boats.

The northern coast as it runs east from the Colne becomes the Pyfleet Channel, a safe anchorage for yachts and small craft. There are two private slipways for launching small craft, one north of Ivy House and the other adjacent to the Colchester Oysterage.

The seawalls provide a coastal footpath of about 10 miles around East Mersea and pedestrian access to the East Mersea seashore is best achieved from Cudmore Grove.



The coastal habitat is important for a wide range of wildlife including overwintering Brent Geese that visit the island in their thousands, often roosting in the fields adjacent to the Pyfleet Channel, and coastal birds such as Oyster Catchers, Cormorants, ducks and gulls.

These used to be important fishing grounds for fish and shellfish but these are much depleted. There are various varieties of reeds and salt loving plants such as samphire growing in the saltings.

There has been continuous erosion of the island particularly on the south coast where the mud, once consolidated by beds of eel-grass, is continuously being washed away. Sections of coastline, particularly near Cudmore Grove, have been undermined by wave action with old pill boxes and trees falling onto the beach. Brushwood polders were installed in the 1990's on the mud off Cudmore Grove to limit erosion without any success. The current rate of erosion of the park's saltmarsh could begin to threaten the adjacent seawall within the next few years.

Any proposal which might exacerbate coastal erosion in East Mersea should include measures to counter erosion.

## ROADS AND BUILDINGS

East Mersea is a dispersed village set in agricultural land with diverse building types, styles and materials. Most buildings are houses with their associated out buildings, however there are also leisure industry, agricultural and other commercial buildings spread throughout East Mersea.

There are three main population areas. These are, from west to east, Rewsalls Lane/ Meeting Lane, Shop Lane and Ivy Lane. Each of these settlements incorporates part of East Road, which runs through the centre of the parish. It was once known as the 'High Road'.

### Rewsalls Lane/East Road/Meeting Lane

Rewsalls Lane is sparsely populated with large detached houses with appropriately large gardens. The area contains a number of businesses including a vineyard and cafe, an engineering company and a fish supplier. It also contains the Essex County Council Outdoor Centre



**D Pittock Engineering**



**Ben's Fish**



**Vineyard and Courtyard Café**



The area around the junction of Meeting Lane with East Road contains a number of the village facilities including the Post Office and Village Hall, as well as the Country Kitchen Restaurant and Jarman's Nursery. The Parish Council has indicated a strong desire for a 30 mph speed limit for East Road, as a lot of road traffic tends to travel at high speed particularly along the lengthy straight section past the Village Hall.

The housing in this sub-area is predominately semi-detached; examples of this are Baring-Gould Cottages and Hall Farm Cottages in East Road, Hillside Cottages and Reeves Hall Cottages in Meeting Lane. Hall Farm and Reeves Hall Cottages were originally Tied Agricultural Cottages that have now passed into private ownership.

There are, however a small group of larger detached properties located on the northern side of East Road (immediately west of the junction with meeting Lane). Both these and the semi-detached dwellings possess very generously sized gardens.



**Reeves Hall Cottages**



**Jarman's Nursery**



**Village Hall, Shop and Country Kitchen**



**Baring-Gould Cottages**



**Hillside Cottages**

## Church Lane

Further eastward along East Road is Church Lane, down which are the historic St Edmund's Church and East Mersea Hall. Both of these are located in a rustic setting. Further south is Coopers Beech Caravan Park.



**St Edmund's Church**



**East Mersea Hall**



**Cooper's Beach caravan Site**

## Shop Lane

A mixture of buildings straggles along Shop Lane. They range from attractive and more modest semi-detached houses at the southern end of the lane to more highly individual and architecturally interesting detached properties at its northern tip. In between, lie an assortment of bungalows, farmhouses and agricultural dwellings, as well as parcels of farmland and grazing land (e.g. for the use of horses). There are also areas of woodland at either end of the lane that covered by tree preservation orders (Manwood Grove being one).



**Shop Lane**

Next to the entrance to Shop lane from East Road is the Dog and Pheasant Public House. It serves food and is popular with locals and visitors to the island alike.



**Dog & Pheasant**

## Ivy Lane/ East Road

The area of the village consisting of the eastern section of East Road and Ivy Lane constitutes the village envelope and contains a wide variety of individual house and bungalow designs. These are largely characterised by attractive and well-maintained gardens separated from the road by hedgerows. The settlement is positioned on high ground that slopes downward towards the sea wall.

A group of six pre-world war 2 dormy houses were built for golfers wishing to stay overnight after a day out on the local golf course. The old club house (Golf House) still exists although the golf course has long since gone.



**The Dormy Houses**

Many people make the popular walk from Ivy Lane down to, and along, the sea wall and the Country Park pass Golf House. This route is particularly well used by dog walkers. Fine views can be had of Brightlingsea, Colne Point and the River Colne and its estuary. The settlement and sea wall are largely separated from one another by grazing land.



**The Golf House**

The overall character of the village envelope is based upon the presence of a wide range of rural housing styles that are largely sited within spacious gardens.

## ACCESS ROUTES AND TRAFFIC

### Roads and Traffic

East Mersea has one main road, East Road, running through the village. From this a number of minor roads lead to residential, business and farming areas. East Road is generally of a reasonable width; however, it narrows in places. Side roads are generally narrow with few passing places. The surface of all roads in East Mersea suffers continuous deterioration but does not receive very regular maintenance.

The village has heavy motor traffic varying from cars with caravans to heavy goods vehicles. Traffic emanates from private residents, agriculture and business deliveries and large numbers of visitors to the holiday parks and attractions such as Cudmore Grove and local events such as horse shows. This level of traffic places a heavy strain on our limited road network.

Other traffic includes walkers, cyclists, pedestrians, horses and horse drawn carts that have to share the roads with motorists. This leads to a significant risk of accidents particularly on summer weekends when the roads are busy with visitors' cars and caravans. Much greater care and consideration is required of both parties.

### Traffic Calming

Currently the only traffic calming measures are the speed limits of 40 mph generally on the island and 30 mph in some parts of the village. There are straight stretches of road, preceding and within the village, that lead to traffic travelling significantly faster than the 40 mph speed limit. Serious and fatal road accidents have occurred within the village in recent years.

### Street Furniture

Traffic signage in the village is limited and frequently overgrown by hedgerows. The village needs appropriate road signs to encourage safe and considerate driving taking into account walkers, cyclists and horses.

Other signage e.g. advertising local leisure sites is inconsistent and poorly designed. There should be well designed and consistent signposting to local leisure sites and businesses.

There is minimal street lighting in the village. However given the rural nature of the area there is no demand for an increase in light pollution from additional street lights.

### **Parking**

The only public parking in East Mersea is at Cudmore Grove, which is extensive when one takes into account the meadow which is used for overflow parking when needed. Visitors do park in other locations such as at the easternmost end of East Road which can be a nuisance and can cause obstruction.

### **Large and Heavy Vehicles**

The main and sides roads of the village are used by large and heavy vehicle accessing farms, industrial businesses and caravan sites. Damage caused by this traffic, particularly on side roads has been and still is extensive.

## **LOCAL BUSINESS**

### **Introduction**

East Mersea is a rural community accessed by a single road and so the number and variation of businesses could surprise an enquirer.

A survey was conducted in January 2010 to analyse the number and types of businesses within the parish along with employment, both full and part time.



## **Leisure Industry**

East Mersea is a popular destination and so the predominant business is tourism.

There are three caravan sites – Coopers Beach, Fen Farm and Cosways.

### **Cooper's Beach**

Other tourist-linked businesses include Mersea Outdoors (which runs outdoor activities for young people); Cudmore Grove Country Park; Mersea Island vineyard; East Mersea Hall, (a wedding venue) and Ivy Farm (which is used by the Scouts and for people with special needs)

The parish has three restaurants, the Courtyard Café, the Country Kitchen, and the Dog and Pheasant pub, and a village shop.

### **Businesses**

Due to its proximity to the sea an important type of business in East Mersea is that of fish supplies. Colchester Oyster Fisheries and Ben's Fish both specialize in supplying fresh fish to restaurants both locally and nationally with London being of particular importance.

East Mersea is a rural location and so as one would expect agriculture and horticulture remain significant businesses and account for the majority of the land area. As with the national trend the number of individual businesses has fallen in favour of fewer but larger businesses.

D Pittock Engineering is the only industrial business in East Mersea but remains a significant full time employer.

## **VILLAGE AMENITIES AND EVENTS**

### **Village Shop and Post Office**

This is Located in East Road, beside the Village Hall and close to the junction with Church Lane. It stocks a selection of groceries and fresh food, newspapers and magazine and various items for visitors from fishing gear to buckets and spades. Recently reinstated as a sub post office it is Open 7 days a week, 7.30 am to 5.00 pm.

### **Country Kitchen**

This is next door to the Village shop. It serves breakfast lunches, teas and Sunday and evening dinners. Normal opening hours are – Monday to Friday 10.0 am to 3.00 pm, Saturday 9.00 am to 9.00 pm and Sunday 9.00 am to 3.00 pm.

### **Courtyard Café**

This is situated at the Mersea Vineyard in East Mersea. It is open on Wednesday to Sunday, 10.30-4pm throughout the year. Seating is available both inside and out. Freshly made sandwiches, paninis, casseroles, pies and puddings. Real coffee and cakes a speciality, as well as local wines and beers.

### **Dog and Pheasant Public House**

A wide range of wines, beers and spirits are served here with lunches and dinners.

“A traditional style pub with patterned carpets and hearty pub grub. The separate restaurant and large, pretty grassed beer garden attract the holiday crowd and day-tripping families, while the bar chummy camaraderie brings in a scattering of locals who hold court in the bar area.”  
FancyaPint Review.



**Dog and Pheasant**

### **St Edmunds Church**

St Edmund King and Martyr, East Mersea, Services take place at 9.30 am and 6.30 pm every Sunday. On Festival and special weekdays (e.g. Ash Wednesday) there is normally a 9.30 am service.

### **Cudmore Grove Country Park**

Cudmore Grove is at the eastern end of Mersea Island with fine views across the Colne and Blackwater estuaries.

Here visitors walk the sea wall, explore the shore and watch for wildlife. Behind the sandy beach is an area of cliff top and grassland providing a tranquil open landscape for picnics, flying kites and other outdoor activities.

### **Opening Times**

8.00 am until dusk, daily.

### **Parking**

Pay and display; Cars: full day ticket £2;

tax exempt vehicles - no charge; motorcycles - no charge; coaches - £15. Season tickets available.

### **Facilities**

Bird Hide. Toilets. The information Room has recently been extended to offer refreshments at weekends and school holidays as well as housing displays and leaflets about the park.

### **Mersea Outdoors**

The Mersea Centre is Essex Outdoors' largest outdoor centre. With approximately 62 acres of well maintained grass fields it can accommodate up to 350 visitors in tents and 104 in cabins.

Facilities include toilets and shower, a laundry room, dining rooms, a main hall equipped with music and a big screen cinema.

Mersea Centre for Outdoor Learning  
Rewsalls Lane, East Mersea, CO5 8SX

Tel 01206 385598

info@merseaoutdoors.com

### **Mersea Rugby Club**

A small friendly club, based at Mersea Outdoors in Rewsalls Lane, currently playing in London Division 3 North East.

### **Other amenities**

At the three holiday parks there are activities such as:

Swimming

Golfing

Fishing

Club Entertainment

Coopers Beach, Church Lane – Wide range of facilities including accommodation in caravans and mobile homes, indoor and outdoor heated pools, café, bar and shop.

Fen Farm Caravan Site, Moore Lane – This is a quiet family run site close to sea and Country Park.

Cosway Park - The facilities on the park include: licensed clubhouse, heated swimming pool, tennis court, children's play area, boat launching and park, safe sandy beach.

### **Principal Village Events**

Village Fete – held in aid of the Church and Village Hall on the first Saturday in August at the Village Hall. A strongly supported community event that has stalls providing local produce, second hand books and clothes, jewellery and games. Other attractions include a band and displays such as owls and pony rides.

The Mersea Island Food, Drink & Leisure Festival is a celebration of local food and drink, supports good causes and provides fun for all the family.

Mersea Island Ploughing Match – a biennial event, held weather permitting, on a suitable field in East or West Mersea. Attractions include heavy horse and vintage tractor ploughing, display of vintage agricultural machinery, local beers and food.

Art Shows – the island is home to quite a few artists and several display their work in East Mersea Village Hall during the Fete weekend.

## **ENVIRONMENT AND CONSERVATION**

### **Introduction**

The landscape of the parish is predominantly rural with a mixture of arable fields, grazing marshes, hedgerows, copses and woodlands, seawalls, fleets, dykes, salt marshes, beaches and mudflats.

The importance of the coastal habitats for wildlife is reflected by the various designations on some of the land around the parish. All the adjacent mudflats that surround East Mersea, the salt marshes, beaches, most seawalls and dykes, as well as the grazing fields at the country park, are designated a Site of Special Scientific Interest (SSSI) and form part of the Colne Estuary National Nature Reserve.

In early 2000 all of this SSSI land became classified as a Special Protection Area, forming part of the Colne Estuary Special Protected Area (SPA) in the register of European sites under the Wild Birds Directive. The Colne Estuary is also a wetland of International Importance and qualifies as a special site under the Ramsar Convention for its numbers of wintering waders and wildfowl.

The Colne Estuary is also classified as a European Special Area of Conservation under the Habitats Directive because of the importance of the coastal habitats.



**East Mersea Flats**

## Cudmore Grove

Throughout the year a tremendous variety of wildlife can be found at Cudmore Grove Country Park, which is managed by Essex County Council. The importance of the country park for wildlife has led to it being designated a Local Wildlife Site.



### Borrowdyke

Coast – The three coastal habitats include the beaches along the southern shore, the salt marshes and also the inter-tidal mudflats that lie adjacent to the parish.

Thousands of waders and wildfowl gather each winter around the coast for the rich feeding the estuary provides. Those found in nationally important numbers include shelduck, ringed plover, grey plover, sanderling, dunlin, black-tailed godwit and curlew. Many of the adjacent fields are important roost sites during high tide, offering some additional feeding as well as somewhere without disturbance.

Waders that have bred around the parish coast in recent years include avocet, oystercatcher, redshank, ringed plover and lapwing.

The salt marshes provide vital feeding as well as refuges at high tide for many birds. They also support a variety of specialised plants such as sea lavender, sea aster and sea purslane. Many are well established around the Essex coast but several are nationally scarce such as the shrubby sea-blite and the golden samphire. The biggest threat to the salt marshes is the rising sea level that not only means the loss of a valuable habitat but also a natural defence against the wave action in front of the seawalls too.

The ongoing coastal erosion has resulted in changes to the beaches at the country park, Fen Farm and near the Youth Camp. At some of these sites plants such as sea holly and sea bindweed have been washed away in recent years with no sign of them being able to re-establish themselves here again.

In the summer months the beaches where ringed plovers sometimes nest are popular with visitors, both local walkers and holidaymakers too.

The seawalls have become more important for wildlife as other adjacent land has become more intensively managed. Many plants are allowed to flower, attracting many butterflies such as meadow browns and skippers in summer as well as reptiles such as adders and common lizards. The longer grass supports small mammals, which in turn attract barn owls and kestrels to feed.



### Seawall

## WILDLIFE

The borrowdykes provide an important aquatic habitat for parish wildlife, offering food, nesting sites and somewhere to bathe. The reedbeds in the dykes are also important, supporting insects and birds such as the reed warbler. Scarce water voles can be found along many dykes and nearby ditches. Birds such as swans, mallard, dabchick, coot, moorhen and sometimes pochard and tufted duck breed along the park dyke most years. The only fishes found in the dykes are sticklebacks, the goby and a decreasing population of eels. Several species of dragonfly enjoy hunting insects along the dykes.



### **Borrowdyke Reedbeds**

The coastal grazing marshes form a unique open landscape as well as being important for wildlife. Stretching from Reeves Hall towards Ivy Farm and round to the country park fields, as well as the Rewalls marshes, these areas combine grassland, creeks and ditches. Thousands of wildfowl such as Brent geese, widgeon and teal feed here in the winter along with many species of waders. In the summer the fields become important breeding grounds for wildfowl and waders especially lapwing and redshank. Marsh harriers have become a regular sight throughout the year on the north side of the Island.

There are several ponds across the parish that support dragonflies, water voles, nesting swans, dabchicks, mallard etc as well as feeding for many other wildfowl. The pond at the country park is probably the richest in the parish for wildlife and visitors can enjoy this area whilst sitting in the hide.

Much of East Mersea is still arable which generally supports less wildlife than the areas of grassland. However in winter flocks of waders roost and feed in some fields, brent geese damage the winter wheat crops and occasionally flocks of small birds such as linnets and skylarks feed in young rape crops. Game cover strips alongside arable crops often support small flocks of finches and buntings. Skylarks can still be heard above most arable fields although corn buntings have nearly disappeared from the parish.

Many fields still have hedgerows around them although many were taken out during the 1970's and 1980's. The devastating effect of Dutch elm disease altered the landscape dramatically as many of the copses and hedgerows were dominated by elm. Most hedges still have elm surviving in them along with hawthorn and blackthorn. These hedges support many insects such as the hedge brown butterfly and birds such as yellowhammers and common whitethroats. Various landowners have also planted several new hedges.

There are various woodlands in the parish although Manwood Grove near Shop Lane appears to be the oldest and only natural one still surviving. This wood with its old oaks and dying elms still supports a rookery of 40+ nests each year, who squawk in the spring above the carpet of bluebells beneath them. There has been much planting of spinneys and copses across the parish over the last 20 years, which is already enhancing the landscape both visually and for wildlife. Tawny owl, sparrowhawks, woodpeckers, turtle doves along with warblers such as blackcaps and chiffchaffs depend on these woods. Pipistrelle bats can often be seen hawking close to these wooded areas in the summer.

A final wildlife feature of the parish includes the houses and their gardens. Each garden with its variety of flowers, shrubs and trees provides a valuable habitat for insects, reptiles, mammals and birds.

Many of these gardens form a valuable wildlife reserve along some of the lanes, where some species can pass through neighbouring gardens in their search for food or acting as sites of refuge. There are several ponds in the parish that are located either within gardens or close to the old original farmyards. These provide food for some species, nest sites for others as well places to bathe and drink.



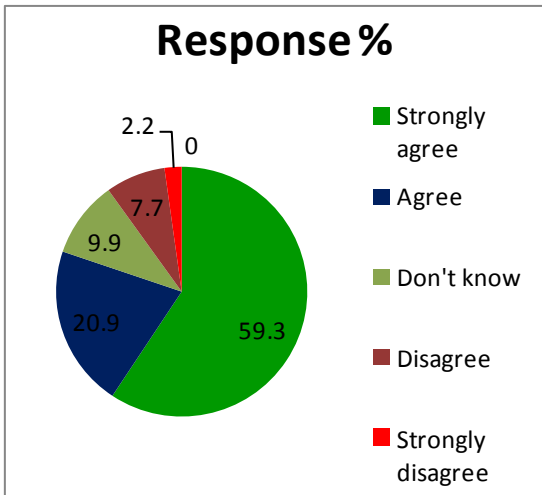
## DESIGN STATEMENT

### VILLAGE QUESTIONNAIRE

The following presents the significant findings from the Village Questionnaire related to the Design Statement under categories. Under each section is included our conclusions to be taken into account as Village Planning Guidance.

- Building form, Style & Layout
- Housing
- Access routes, Traffic & Surroundings
- Local Business & Amenities
- Environment and Conservation

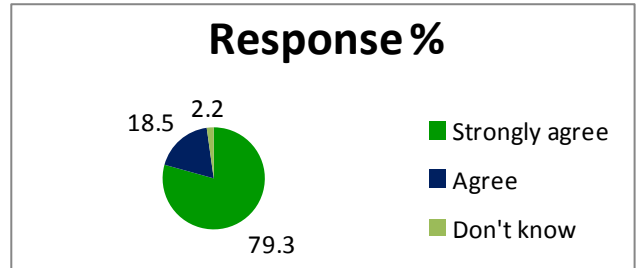
#### Questionnaire results :-



*It is important that the village retain its current character as a rural community*

- a very strong and clear response in favour

*The existing community would be damaged by substantial expansion of the village*



- a clear response in favour

### BUILDING FORM, STYLE AND LAYOUT

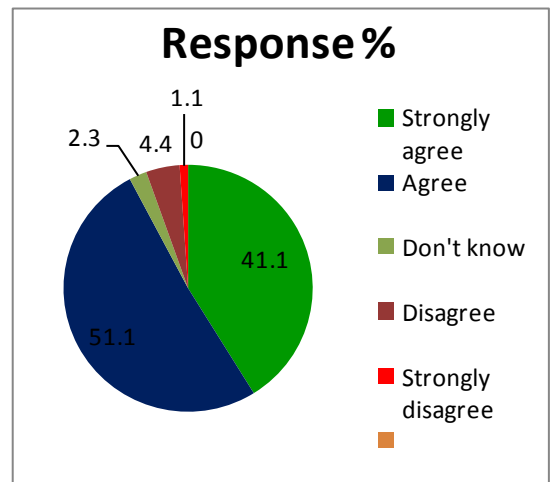
#### Questionnaire results :-

*Only infill development sympathetic in scale and design to surrounding buildings should be allowed*

Strongly Agree	34.8/%
Agree	30.4%
Don't Know	6.7%
Disagree	16.9%
Strongly disagree	11.2%

- a clear majority response in favour and a significant minority in disagreement.

*Extensions to existing buildings should be allowed as long as they are in scale and design to surrounding buildings*



- a clear response in favour.

*We should allow redundant farm buildings to be converted into :-*

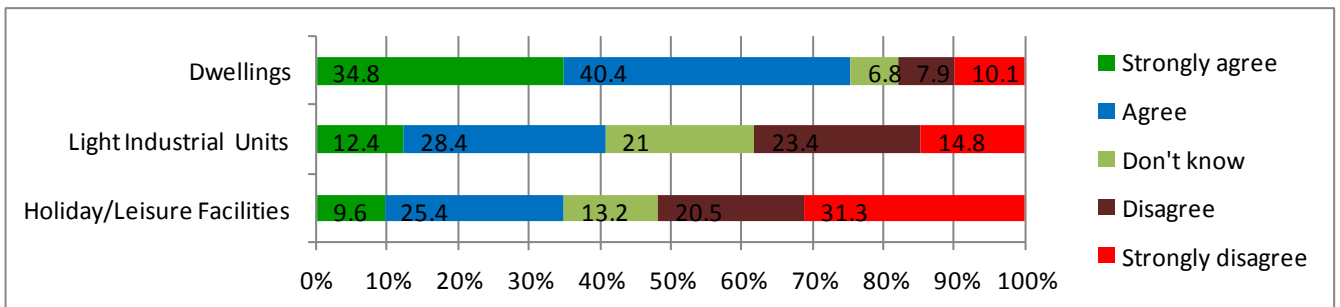
*Dwellings*

- a clear response in favour.

*Light industrial units*

- evenly divided opinions.

*Holiday / leisure facilities*



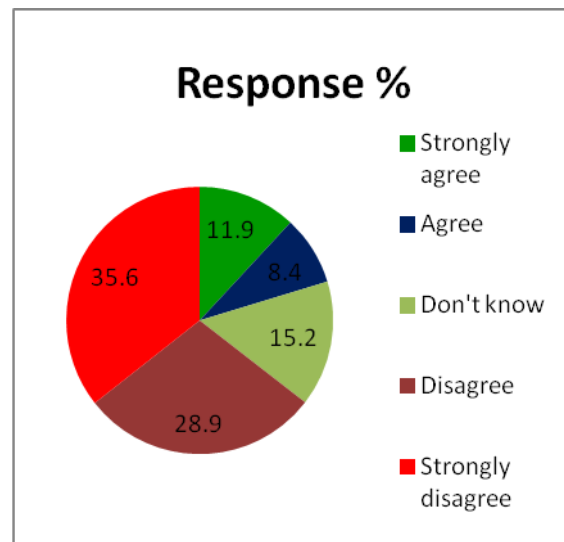
- a balance of opinion against.

*A member of our household / family needs alternative accommodation in the village*

*Changes to houses using modern materials, such as UPVC, to replace traditional materials are acceptable as long as the style and character of the building is retained*

Strongly Agree	34.9%
Agree	30.3%
Don't Know	6.7%
Disagree	16.9%
Strongly disagree	11.2%

- a clear response in favour.



*We need more housing in East Mersea*

Strongly Agree	12.4%
Agree	31.5%
Don't Know	16.9%
Disagree	13.5%
Strongly disagree	25.7%

- no clear balance of opinion.

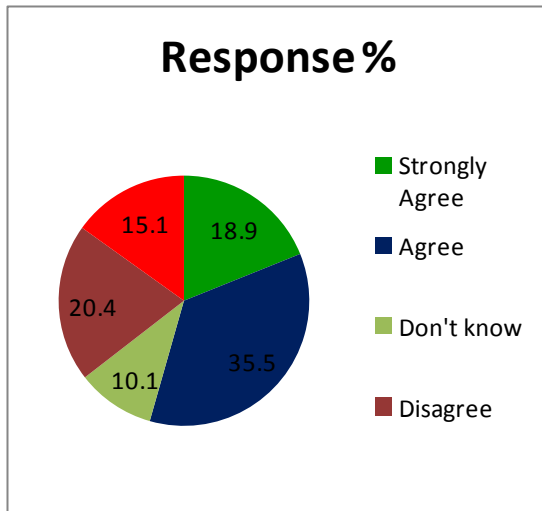
- a clear response against with a significant minority in favour.

*I would support an affordable housing development near our home*

Strongly Agree	10.2%
Agree	21.6%
Don't Know	18.2%
Disagree	18.2%
Strongly disagree	31.8%

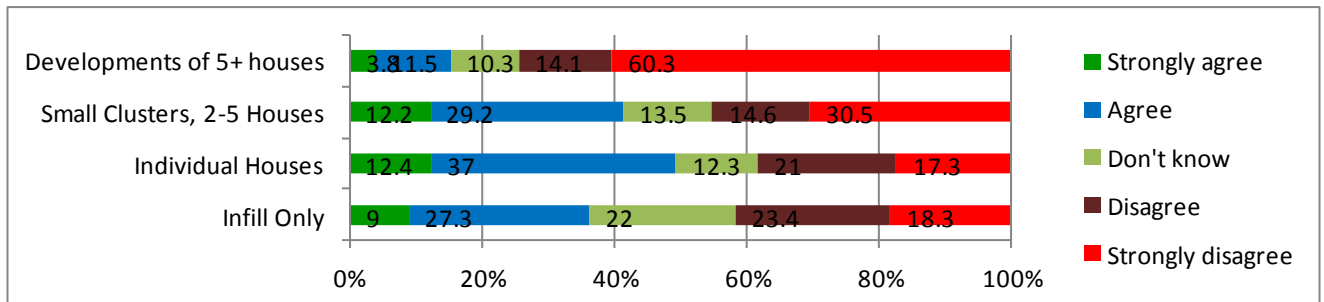
- a balanced response against with a significant minority in favour.

*New housing should be allowed as :-  
Replacement only*



- a balanced response in favour with a significant minority against.

*Developments*



- a clear response against larger developments with a significant minority in favour.

*The number of extra / new dwellings that East Mersea can absorb over a ten year period is :-*

*None*

Strongly Agree	31.7%
Agree	10%
Don't Know	8.3%
Disagree	18.3%
Strongly disagree	31.7%

- no clear balance of opinion.

*Over 25*

Strongly Agree	7.2%
Agree	1.8%
Don't Know	7.2%
Disagree	12.8%
Strongly disagree	71%

- a clear response against.

*The following types of housing should be allowed in East Mersea :-*

*First time buyers / low cost*

- a balance response in favour (55%) with a significant minority against (40%).

*Family housing*

- a significant response in favour (73%) with a notable minority (13%) against.

*Executive housing*

- a majority against (55%) with a significant minority (24%) in favour.

*Housing should be encouraged for :-*

*Existing residents or residents' families*

- a balance response in favour (64.5%) with a significant minority against (25%).

*Young people –*

a balance response in favour (63%) with a significant minority (24%) against.

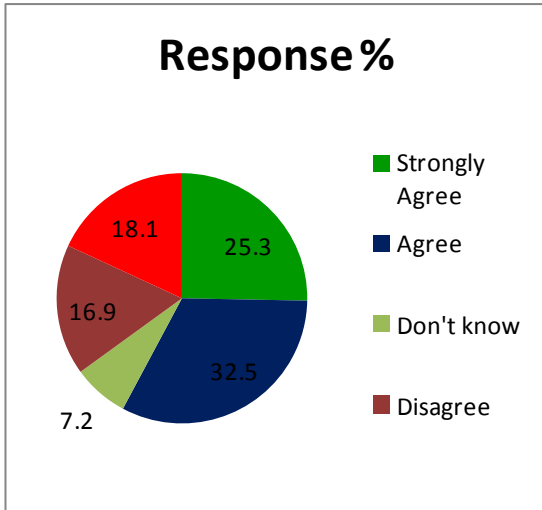
*Families –*

a balance response in favour (68%) with a significant minority against (18%).

*Key professions such as teachers or nurses*

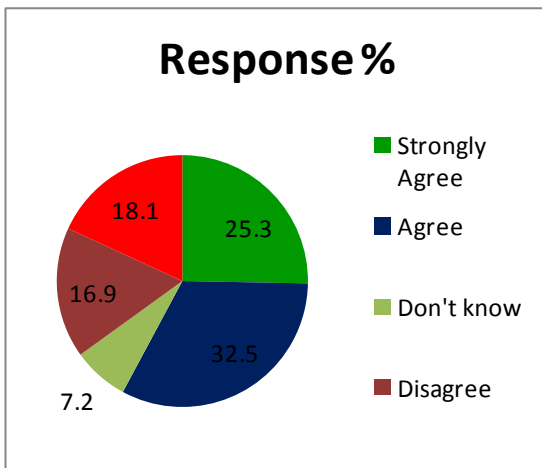
- a balance response in favour (47%) with a significant minority against (27%).

*I would support some development in East Mersea if this enabled improvements to the village, such as cycle paths and new footpaths. This could be achieved through Section 106 Planning Gains whereby developers would agree to make improvements to the village as a condition of their receiving Planning Permission.*



- a balance response in favour with a significant minority against.

*I would oppose any further developments in East Mersea*



- a balance response against with a significant minority in favour.

### Conclusions :-

Residents clearly value very highly the current rural character of our village and would only accept change and development that respected and enhanced this character.

Changes to housing using modern materials, such as UVPC, to replace traditional materials are acceptable as long as the style and character of the building is retained.

Conversions of redundant farm buildings into dwellings should be allowed but not into holiday / leisure use.

There is no clear balance of opinion on housing except that any developments should be small. If there were to be any housing development Residents would be in favour of families, young people and key professionals and against executive housing.

There is a majority opinion in favour of a development for affordable housing.

### BUILDINGS Addendum

#### Housing Survey 2010

Subsequent to the Village Design statement and Village Plan Survey the RCCE conducted a survey in 2010 to investigate the housing needs in East Mersea. Their report is included as an appendix to this Design Statement. Their findings included :-

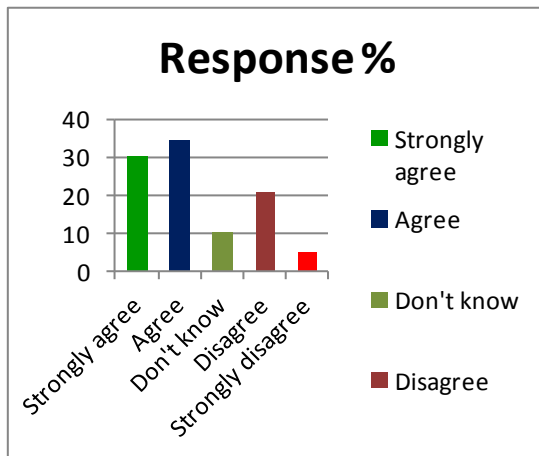
- Twenty seven (77%) households said that they would be in favour of a small amount of residential development in this parish which would help meet local needs for affordable housing. Eight (23%) households were not in favour.
- Eight forms were received and identified as having a need for affordable housing. Following general planning guidance this would lead to a recommendation of 4 units. Indications are that the need is for 1 x one bedroom, 2 x two bedroom and 1 x three bedroom recommended to serve not only the current needs of the community but provide suitable housing for the medium to longer term.

The Parish Council in meeting of 21 September 2010 resolved to support the Affordable Rural Housing Scheme in East Mersea.

## ACCESS ROUTES, TRAFFIC & SURROUNDINGS

### Questionnaire results :-

*The traffic on the roads in East Mersea is dangerous*



- a strong response in agreement with a significant minority against.

*Measures must be taken to reduce the speed and calm the traffic on East Mersea roads such as –*

*Fixed speed cameras*

Strongly Agree	6.8%
Agree	9.6%
Don't Know	8.1%
Disagree	36.4%
Strongly disagree	39.1%

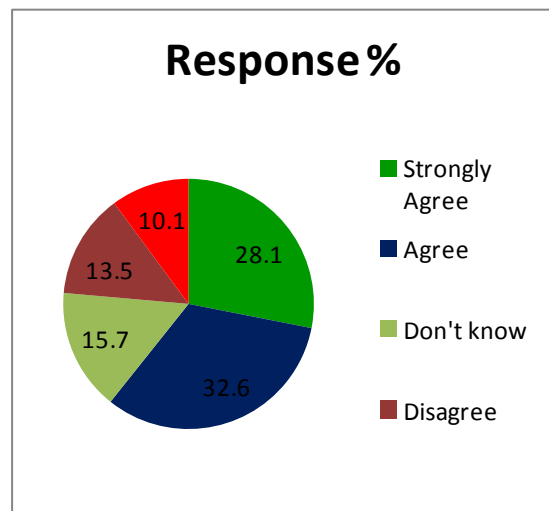
- a strong response against with a minority in favour.

*Traffic calming measures*

Strongly Agree	23.1%
Agree	30.8%
Don't Know	10.3%
Disagree	19.2%
Strongly disagree	16.6%

- a balance response in favour with a significant minority against.

*There are major danger spots on the roads in East Mersea*



- a balance response in favour with a significant minority against.

*There should be more passing places and appropriate road signs on our narrow roads*

- a balance response in favour (54.6%) with a significant minority against (37.2%).

*Roadside ditching and drains need to be improved or better maintained to reduce flooding*

- a strong response in favour (74.5%) with a notable minority against (14.5%).

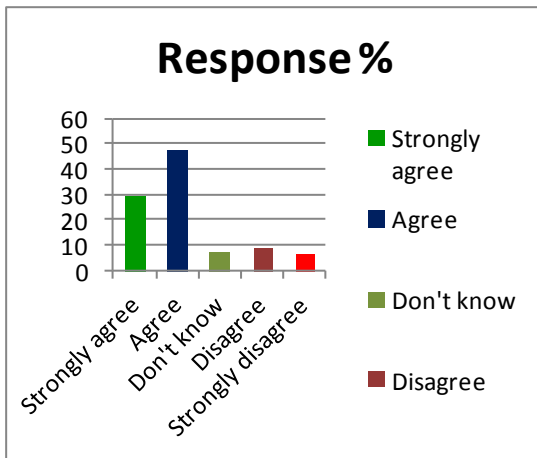
*There should be more designated parking for visitors*

- a balanced response against (67%) with a significant minority in favour (22%).

*There should be more street lighting*

- a balanced response against (77%) with a significant minority in favour (13%).

*There should be well designed and consistent signposting to local leisure sites and businesses*



- a clear response in favour.

*Footpaths should be well signposted and there should be maps at key locations showing footpaths and places of interest*

Strongly Agree	46.7%
Agree	44.6%
Don't Know	2.2%
Disagree	6.5%
Strongly disagree	0%

- a clear response in favour.

*East Mersea footpaths should be improved*

- a clear response in favour (81.5%).

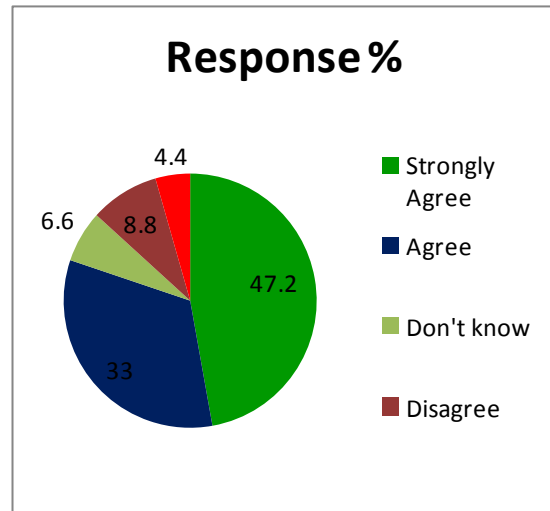
*Hedgerows should be well maintained and replanted where missing or damaged*

- a clear response in favour (95.7%).

*Projects that create natural habitats for wildlife should be encouraged*

- a very strong and clear response in favour (96.7%).

*Road signs should be provided to encourage safe and considerate driving taking into account walkers, cyclists and horses*



- a clear response in favour.

*There should be better access to the sea for :-*

*Wet bikes / jet skis*

- a clear response against (75%).

*Sailing dinghies*

- a balance of opinion in favour (51%).

*Motor boats*

- a balance of opinion against (54%).

*Walkers*

- a balance of opinion in favour (67%).

### Conclusions :-

There is a general feeling that traffic is a danger and that measures such as speed cameras and traffic calming should be adopted.

Many residents are in favour of more passing places and better drainage and are against more visitor parking and street lighting.

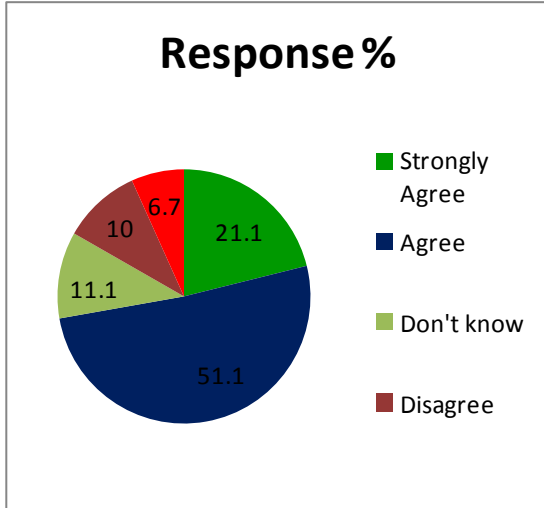
Residents would clearly like to see improvements in our signposting, footpaths, hedgerows and wildlife habitats.

They would also like to see better access for sailing and walkers but not wet bikes and motor boats.

## LOCAL BUSINESS & AMENITIES

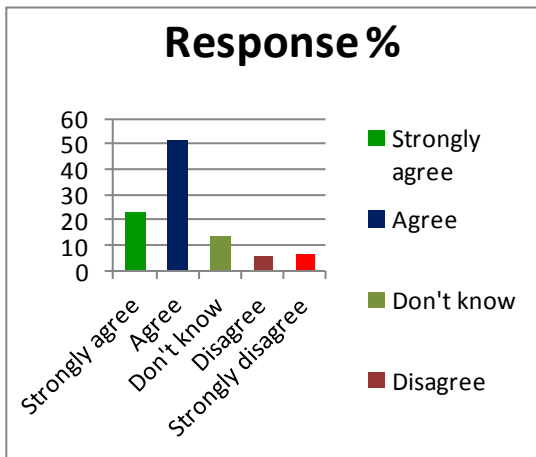
### Questionnaire results :-

*Local business development should be encouraged as long as it does not detract from the peaceful rural character of the village*



- a clear response in favour.

*Agricultural diversification schemes should be encouraged where they do not adversely effect private residents*



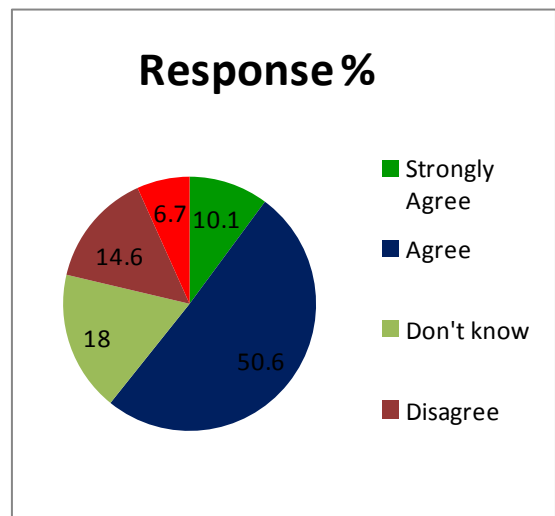
- a clear response in favour.

*We should allow expansion of the existing tourism / holiday / leisure sites.*

Strongly Agree	7.6%
Agree	5.4%
Don't Know	10.9%
Disagree	39.1%
Strongly disagree	37%

- a clear response against.

*Business expansion should only be encouraged where it will provide employment opportunities for local people*



- a clear response in favour with a significant minority against.

*Amenities such as the village shop and pub should be preserved*

Strongly Agree	60.9%
Agree	37.0%
Don't Know	2.1%
Disagree	0%
Strongly disagree	0%

- a very strong and clear response in favour.

## **Business Survey :-**

Total number of jobs in East Mersea is 226 of which 46% are full time and 54% are part time. Of the total number of employees, 14% live in East Mersea, 30% live in West Mersea and 56% live off the Island. The proportion living off the Island might be disproportionately high due to the large number of part time employees employed by Mersea Outdoors and Coopers Beach.

Tourism and leisure is the main employer in East Mersea (58%) followed by industrial (14%), fish supplies (13.7%) restaurant, shops & pub (9.3%) and agriculture & horticulture (5%).

All businesses that had facilities such as a swimming pool, restaurant, bar etc when asked said they are willing to let local people use such facilities (but at a charge). East Mersea has a lot of potential facilities such as a number of bars and restaurants, indoor and outdoor swimming pools, football pitch, netball etc. The area also has a number of educational and environmental attractions such as Mersea Outdoors, Cudmore Grove, Ivy Farm Jarmans Nursery.

All businesses surveyed were environmentally aware and had environmental policies especially recycling. Two out of the three caravan sites had David Bellamy conservation awards.

All businesses were asked what they would like included in the Village plan with regards to business. The most common replies were:

Better working relationships between businesses in order to support each other.

Better promotion of East Mersea, reopening the post office and more sympathetic planning allowing expansion of businesses.

## **Conclusions :-**

There is an active and valued business sector in our community which residents would like to encourage as long as the peaceful rural character of the village is maintained.

There are common aims in preserving village amenities and the environment and common opportunities in increased use of the facilities that local businesses can offer.

Residents are very strongly in favour of preserving the amenities we have such as the village shop and pub. There is support for events at the Village Hall along with a feeling that residents need better information on events, particularly in the Courier and on the village website.

As long as we are able to preserve and encourage the amenities that we have the village is not badly served. In fact there are more amenities available in the holiday parks and Mersea Outdoors than many villagers are probably aware of, which reinforces the need for improved communication to residents and others.

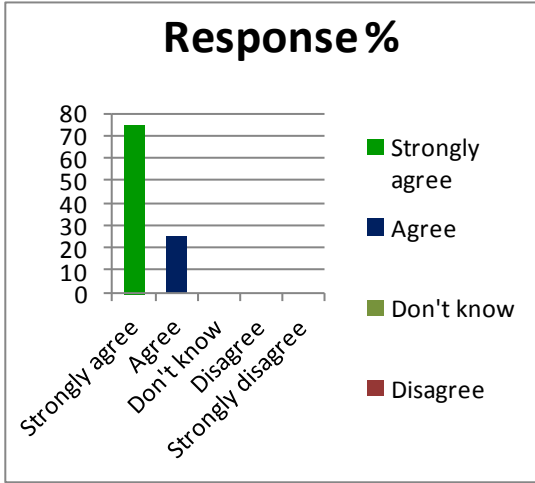
The Village Plan section of the questionnaire addressed the Village Amenities, the general conclusion of which is given following, full details and proposals will be given in the Village Plan document.



**ENVIRONMENT AND CONSERVATION**

**Questionnaire results :-**

*The existing environment and wildlife are very important and must be conserved*



- a very strong and clear response in favour.

*All new developments on East Mersea should have the minimum possible carbon footprint*

Strongly Agree	62.4%
Agree	29.4%
Don't Know	2.4%
Disagree	5.8%
Strongly disagree	0%

- a very strong and clear response in favour.

*Environmental improvements to homes and businesses should be encouraged and be made a requirement of permission to alter or extend a property*

Strongly Agree	37.6%
Agree	40.0%
Don't Know	11.8%
Disagree	9.4%
Strongly disagree	1.2%

- a balance response in favour with a significant minority against.

*There should be no discharge of waste from Bradwell power station*

- a balance response in favour (67.4%) with a significant minority against (20.2%).

*Street lighting / flood lighting of properties in East Mersea should be restricted to reduce light pollution*

- a balanced response in favour (73.4%) with a minority against (12.2%)

**Conclusions :-**

All of our consultations have demonstrated the very high importance residents put on our environment and wildlife and therefore all development in East Mersea should take this into account.

Developments should have a minimum impact on the environment and environmental improvements to existing properties should be encouraged.

A majority of residents do not want waste discharge from any new power station at Bradwell and want a reduction in light pollution.

## **PLANNING RECOMMENDATIONS**

The following is a resume of the conclusions of our questionnaire results as directly applicable to planning matters.

### **General**

The rural character of East Mersea must be protected and maintained through the prevention of substantial new development in the village.

### **Building Form, Style and Layout**

New development, infill, extension and restoration proposals should be sympathetic to the scale, design, layout and character of the existing residential areas in which they are being built in East Mersea.

Development of redundant farm buildings should be supported, where Cochester Borough Council planning requirements are met and where it is appropriate bearing in mind location and adjacent properties, into business premises that encourage local employment or into dwellings.

The use of modern materials such as PVC to replace traditional materials in older properties is acceptable as long as the style and character of the building is retained.

New housing development should be small scale and restricted to infill, single dwellings (replacement or new). Proposals for family housing and affordable housing schemes to meet local needs would generally be supported in the village, subject to further consultation as necessary.

### **Access Routes, Traffic & Surroundings**

Developments should not be allowed that significantly increases the level of traffic on East Mersea's narrow roads

Developments should incorporate, as applicable, well designed and consistent signposting to local leisure sites and businesses, and maintenance and improvement of footpaths and hedgerows.

Developments should seek to protect existing hedgerows or include new hedgerow planting to help maintain the rural character of East Mersea and provide new wildlife habitats in the village

## **Local Business & Amenities**

Local business developments that do not detract from the peaceful rural character of East Mersea should be supported

Agricultural diversification schemes should be allowed where they do not adversely affect private residents.

East Mersea residents generally feel that the development of any new or expansion of the existing tourism / holiday / leisure sites should not be allowed, therefore careful consideration must be given to any such proposals, bearing in mind local residents opinions, conservation of the rural and local environment and the adverse effects of any such developments.

Appropriate business expansion should be encouraged particularly where it provides employment opportunities that support the local economy and community in East Mersea.

Existing community facilities in East Mersea such as the village shop and pub should be protected. Development proposals that threaten the viability of key local amenities in the village should not be allowed.

### **Environment and Conservation**

Development proposals that include habitat improvement and creation proposals to help protect East Mersea's wildlife and biodiversity should be supported. Proposals that threaten existing wildlife habitats in and around East Mersea should not be allowed.

All new developments on East Mersea should have the minimum reasonably possible carbon footprint and generate the minimum pollution. Environmental improvements to homes and businesses should be encouraged and be made a requirement of permission to develop, alter or extend a property.

All development proposals should include measures to reduce flooding in East Mersea

Street and flood lighting included in development proposals must be required to minimise light pollution.

# THE VILLAGE PLAN

## GENERAL

The Village Plan is an action plan addressing issues for the village for the future, based on the opinions of residents, to be recommended for adoption by East Mersea Parish Council for implementation.

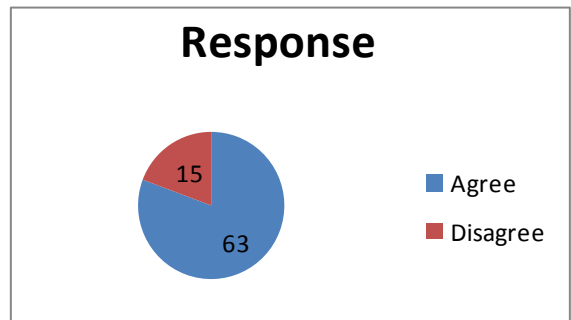
The Plan addresses the following issues –

- Village amenities and events
- Transport
- Services and supplies
- Environment
- Security
- Education and youth issues
- Business
- Housing

Under each of these headings we give the significant questionnaire results, full details of which can be seen in Appendix 1 East Mersea Village Questionnaire Results. Following this we set out proposals derived from these results that the Village Plan Steering Group have developed to take forward to the Parish Council, along with commentary on developments in the Village that have been taking place recently that relate to these issues.

## VILLAGE AMENITIES AND EVENTS

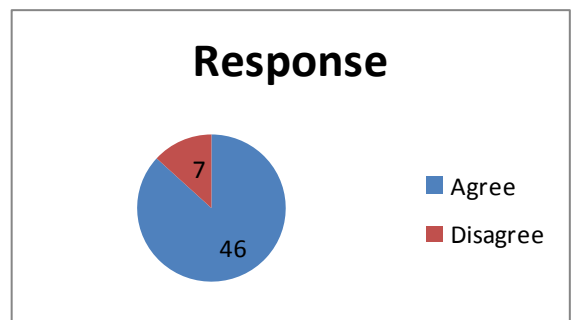
### Questionnaire Results:-



1 I use / attend events at the Village Hall.

**- a balanced response in favour with a significant minority against**

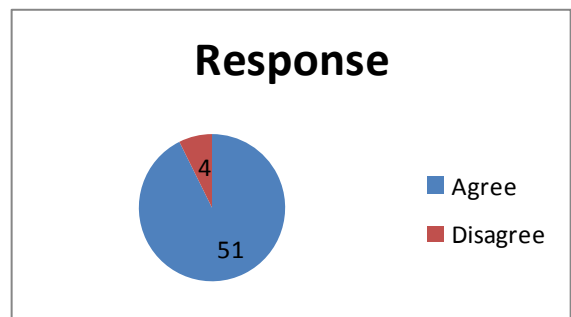
2 There should be more events in



the Village Hall.

**- a clear response in favour**

5 We need better information about



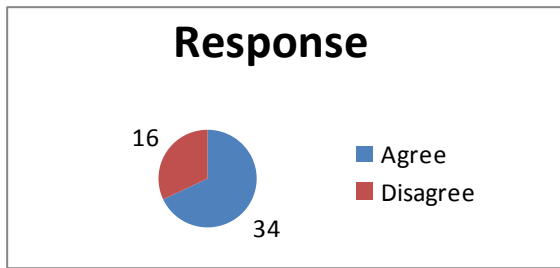
what is happening in the village.

**- a balance response in favour with a significant minority against.**

*I would like to be able to find information about village events and news in:*

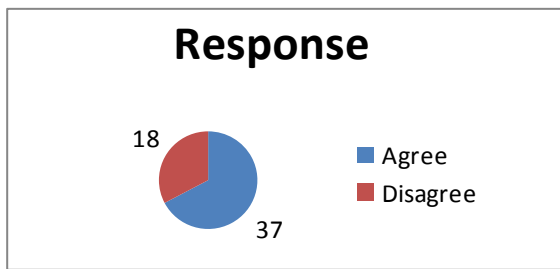
	Agree	Disagree
6 The Courier	76	2
<b>- a clear response in favour</b>		
7 The Community News	51	3
<b>- a clear response in favour</b>		
8 Essex Gazette	24	24
<b>- no clear balance of opinion</b>		
9 Local Radio	23	25
<b>- no clear balance of opinion</b>		
10 Parish Council Notice Boards	63	5
<b>- a clear response in favour</b>		
11 West Mersea Library	36	14
<b>- a balance response in favour with a significant minority against</b>		
12 The Mica Centre	29	16
<b>- a balance response in favour with a significant minority against</b>		
13 The Village website	51	5
<b>- a clear response in favour</b>		

14 We should arrange for a monthly surgery at the Village Hall dealing with local council, legal and consumer advice issues.



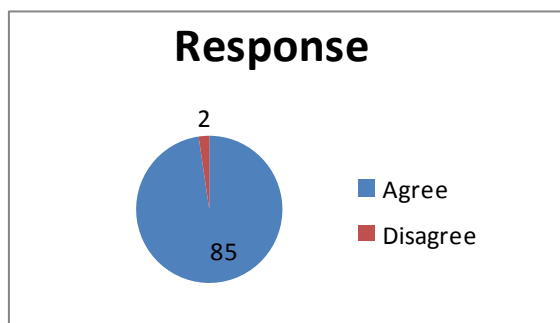
**- a balance response in favour with a significant minority against.**

17 We need better information about sports and recreational facilities that are available in the village and local area.



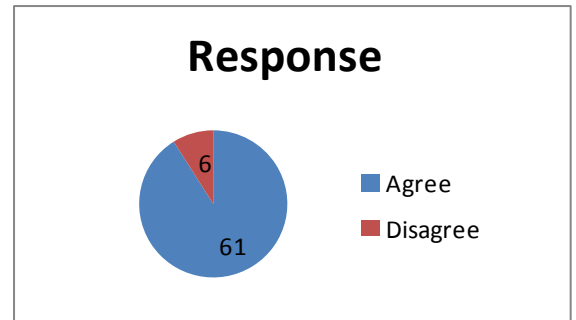
**- a balance response in favour with a significant minority against.**

18 We need to support the village shop.



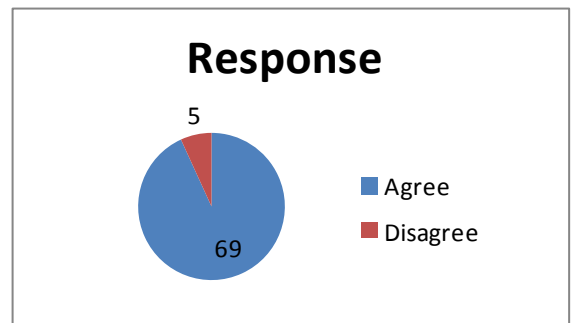
**- a very strong and clear response in favour.**

19 We need to support the church.



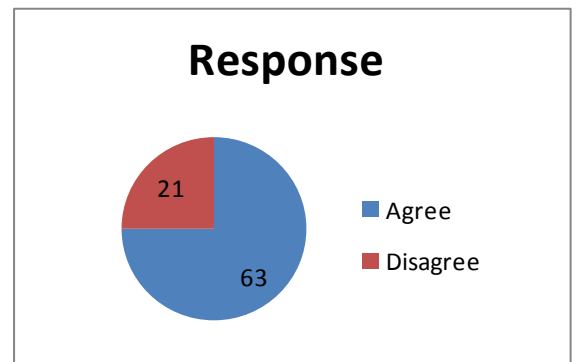
**- a very strong and clear response in favour.**

20 We need to support the pub.



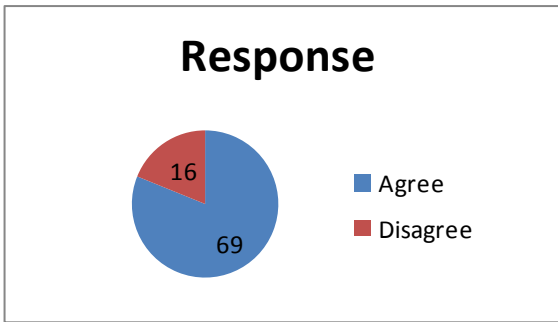
**- a clear response in favour.**

21 I regularly use Cudmore Grove Country Park



**- a balance response in favour with a significant minority against.**

22 Charges for parking at Cudmore Grove Country Park should be reduced for East Mersea residents.



**- a balance response in favour with a significant minority against.**

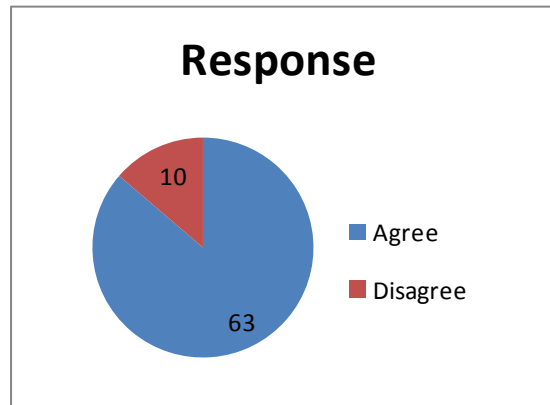
**Comments**

- Residents think that there should be more events in the Village Hall. There could be a further consultation with village residents to identify the type of events that would be of interest. The proposal in the question on monthly advice surgeries (Qu. 14) got some support (i.e. 34) it could be included in the consultation. There still remains the question of who would organise and get involved in such events, this is not the type of thing Parish Councils undertake and the Village Hall Committee is not an organiser of events.

**TRANSPORT**

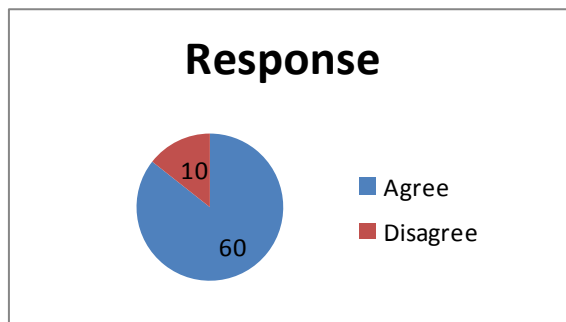
**Questionnaire Results:-**

27 There should be better public transport in East Mersea.



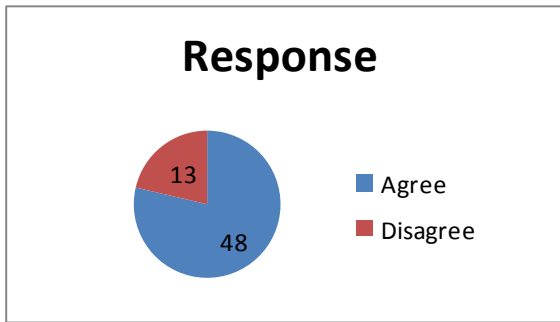
**- a balance response in favour with a significant minority against.**

28 We need better transport access to the Doctor's Surgery / pharmacy / hospital.



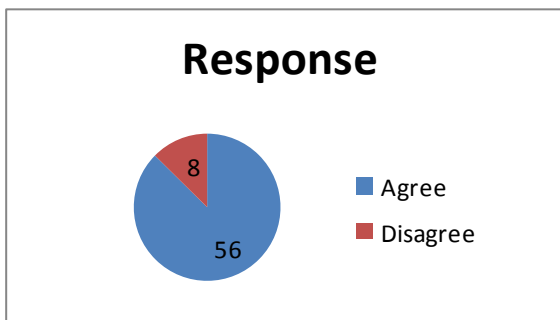
**- a balance response in favour with a significant minority against.**

29 We need better transport access to school / college.



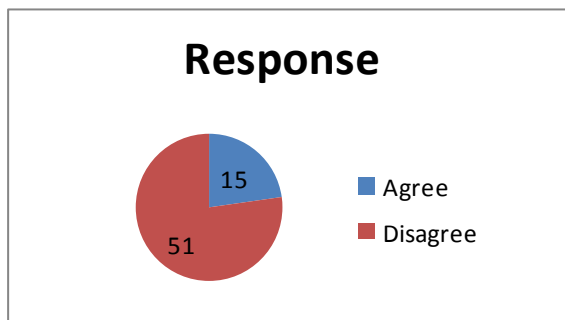
**- a balance response in favour with a significant minority against.**

30 The Community Bus should be made more available for any East Mersea resident to use.



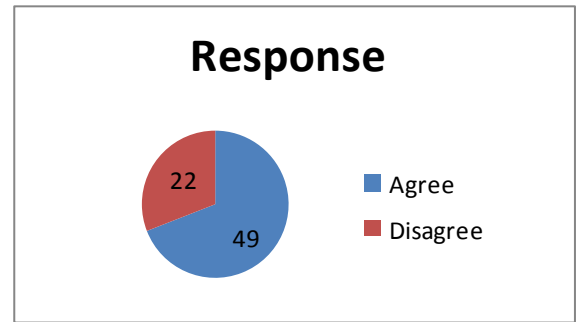
**- a clear response in favour.**

32 East Mersea roads are not sufficiently gritted in winter.



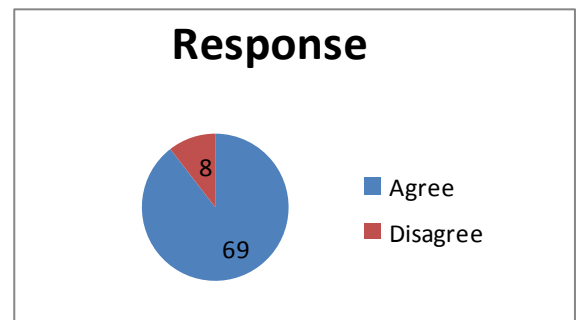
**- a balance response against with a significant minority in favour.**

33 East Mersea roads are not adequately maintained.



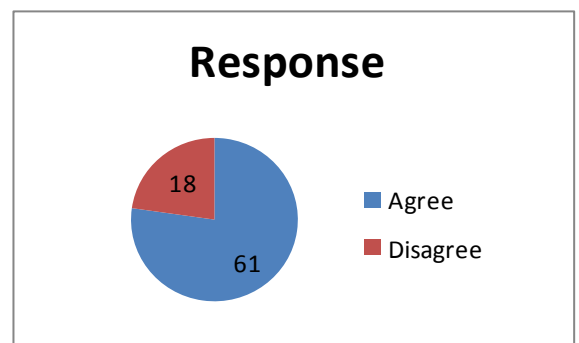
**- a majority response in favour with a significant minority against.**

35 There should be a safe cycle and pedestrian path to link East and West Mersea.



**- a clear response in favour.**

36 There should be a cycle and pedestrian path round the whole island.



**- a balance response in favour with a significant minority against.**

## Comments

- A petition was circulated by residents in 2011 seeking to reduce speed limits on our narrow lanes which got some 80 signatures – see statement following.

Speed limits should be reduced in built up areas of the village and in the narrow single track lanes attracted over 80 signatures. At present we have 40 mph throughout the village and 30 mph from Bonds Green through to Ivy Lane.

- Proposed speed limits – 30 mph from Snow Hill, on entering the village until past Glebe House entrance and Church Lane. This proposal would cover entrances to Meeting Lane, the Pick Your Own farm and village shop/restaurant forecourts and entrances, and Church Lane.
- Proposed 20 mph limit to be made for Meeting Lane, Church Lane, Shop Lane and Bromans Lane.

Current state of proposals: Councillor Kevin Bentley has had discussions with the Highways authority and a site visit has taken place. The Parish Council has endorsed these proposals.

Final comment: It is considered essential that these new limits are introduced as soon as possible to prevent pedestrians and others being involved in an accident.

Cyclists: More people are being encouraged to cycle; there are no cycle paths anywhere in the village and speeding motorists also present a danger here.

- This issue should form part of the Transport Study and specific proposal should be adopted by the Parish Council and recommended to Colchester Council for implementation.
- The Parish Council tells us that Essex County Council will try and progress the 30mph speed limit in East Mersea

The issue of the cycle path is to be taken up with West Mersea Council to see if they are in agreement. Current consultations indicate that there may be some support for this proposal from local landowners, particularly the holiday parks and caravan sites, as this may form an additional attraction to their visitors. Leisure cycling, as opposed to simply getting from A to B, is usually much more interesting when a different route can be taken for a return journey. A second cycle route between East and West Mersea would improve things greatly for both residents and visitors. .

Colchester Borough Council have suggested we contact West Mersea Town Council with a view to forming a cycle path partnership which may make funding easier to obtain when it becomes available.

There is the possibility of obtaining a grant from National England Coastal Access Route and it would be worth looking into this.

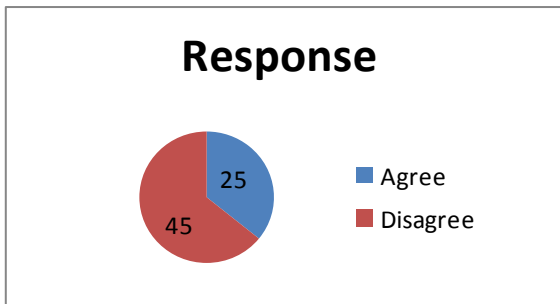
We need to agree a preferred cycle route to the West Mersea boundary, contact the landowners to see if they are prepared to accept the route and if accepted contact CBC who will look into the possibility of a legal adoption as a cycle way. West Mersea need to do the same within their boundary and the whole scheme then costed and grants sought from all possible sources.



## SERVICES AND SUPPLIES

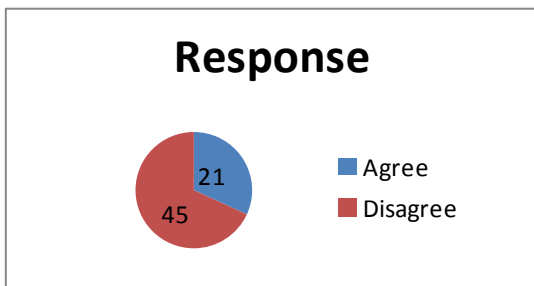
### Questionnaire Results -

37 The local electricity supply is unreliable / insufficient.



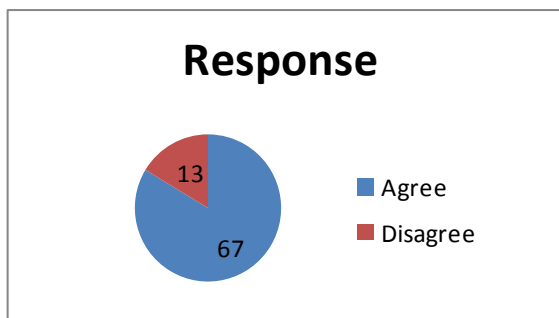
**- a balance response against with a significant minority in favour.**

38 The water pressure in East Mersea is insufficient.



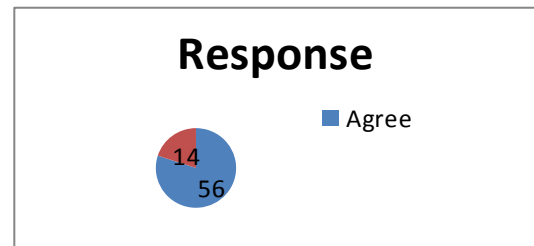
**- a balance response against with a significant minority in favour.**

39 The telephone system and internet connection in East Mersea is inadequate.



**- a balance response in favour with a significant minority against.**

40 The mobile phone connection in East Mersea is inadequate.



**- a balance response in favour with a significant minority against.**

### Comments:-

There have been letters in the local press and recent complaints from residents on the internet issue which adds to the importance of the council pursuing this issue.

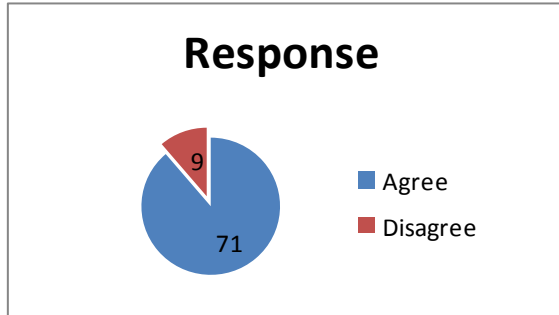
Since there is little chance of small Parishes like East Mersea obtaining a fast Broadband speed in the near future. DEFRA have set aside £20m pounds to enable the rural parishes, like East Mersea to obtain superfast Broadband within the next few years. This fund is being allocated mid 2012 and Essex County Council, RCCE and Essex Association of Local Councils have formed a group to organise the distribution of the proportion of that funding appropriate to Essex and to receive expressions of interest from qualifying Parish Councils. At our last Parish Council meeting it was agreed that an expression of East Mersea's interest in this scheme be given to that Group

At the April 2012 Parish Council meeting a presentation was given by Gary Disley from BuzCom, which is an innovative communications company supplying Fibre WIFI Broadband Network in the East of England. The system; with its guaranteed, broadband speed and monthly costs, was of considerable interest and the details will be sent to every East Mersea household by the Parish Council.

## ENVIRONMENT

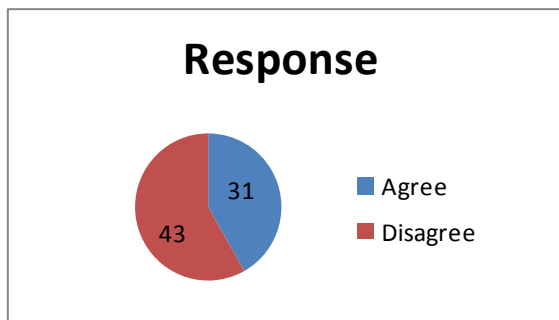
### Questionnaire Results:-

*42 Houses and business in East Mersea should be encouraged to reduce their energy use and impact on the environment.*



**- a clear response in favour with a significant minority against.**

*43 We need better facilities / collection services for waste recycling.*



**- a balance response against with a significant minority in favour.**

### Comments:-

The Village Design Statement questionnaire results also get some very strong feedback from residents including:-

The existing environment and wildlife are very important and must be conserved - a very strong and clear response in favour.

All new developments on East Mersea should have the minimum possible carbon footprint - a very strong and clear response in favour.

Environmental improvements to homes and businesses should be encouraged and be made a requirement of permission to alter or extend a property - a balance response in favour with a significant minority against.

There should be no discharge of waste from Bradwell power station - a balance response in favour with a significant minority against.

Street lighting / flood lighting of properties in East Mersea should be restricted to reduce light pollution - a balance response in favour with a significant minority against.

- The Village Design Statement has also addressed this issue – see Part 2 page 13 -
- All of our consultations have demonstrated the very high importance residents put on our environment and wildlife and therefore all development in East Mersea should take this into account.
- Developments should have a minimum impact on the environment and environmental improvements to existing properties should be encouraged.
- A majority of residents do not want waste discharge from any new power station at Bradwell and want a reduction in light pollution.

## LITTER AND THE ENVIRONMENT

The Local Authority is responsible for the removal of rubbish that is deposited on the roads and footpaths of East Mersea whereas landowners are responsible for the removal of rubbish deposited on their land. Local Authority input is infrequent and unlikely to improve.

The appearance of its own neighbourhood is a reflection of the standards set by its residents. Although it is a commonly held view that “outsiders and visitors” are the main source of litter, this is unproven; but if true, is also an area in which the local community can exert a strong influence.

The Village Plan would wish to address these issues by initiatives that could include the following:

- Motivate residents and businesses to take ownership of the problem.
- Seek more involvement from the Local Authority in the clearance of litter from roads, paths and roadside ditches.
- Encourage volunteers to participate in regular “litter picks.”
- Encourage holiday sites and other venues to educate visitors about the community litter free environment.
- Take proactive action to ensure prosecutions occur for littering, especially deliberate acts of dumping.
- Obtain support and sponsorship from local businesses.

**Maritime Conservation Area**

Currently the government is considering establishing a number of Maritime Conservation Areas including parts of the Thames Estuary.

Currently the Parish Council does not support Mersea Island becoming part such a conservation area as they felt this could be too restrictive in the future.

**Sustainability**

The Parish Council should publicise ways in which residents can reduce their energy use and impact on the environment. This could include an advice meeting at the Village Hall where residents could speak to experts to get advice and help.

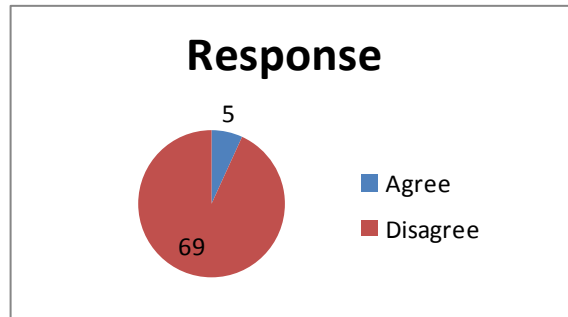
It is recognised that residents, both private and business, would benefit from more information and help on the options that exist for improving the sustainability of homes and business premises. The current situation can be very confusing and impartial advice is not readily available.

**SECURITY**

**Questionnaire Results:-**

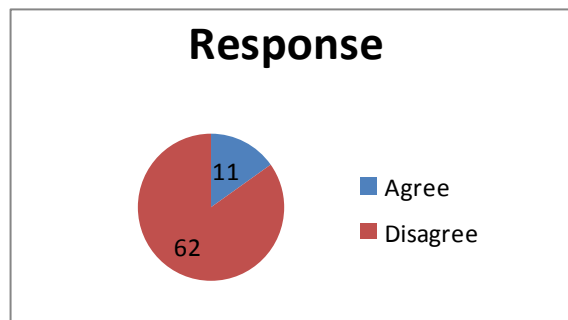
*I have been affected by the following in East Mersea –*

*44 personal intimidation*



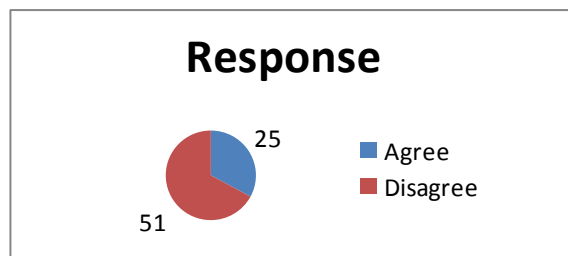
**- a balance response against with a minority in favour.**

*45 anti social behaviour*



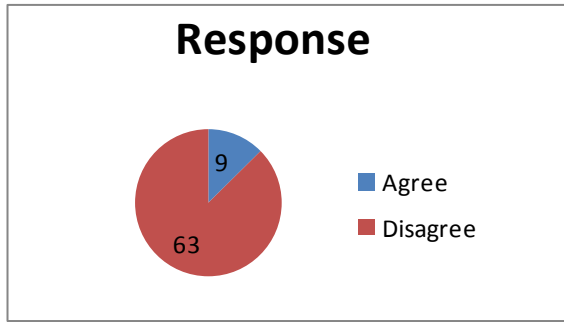
**- a balance response against with a significant minority in favour.**

*46 theft / burglary*



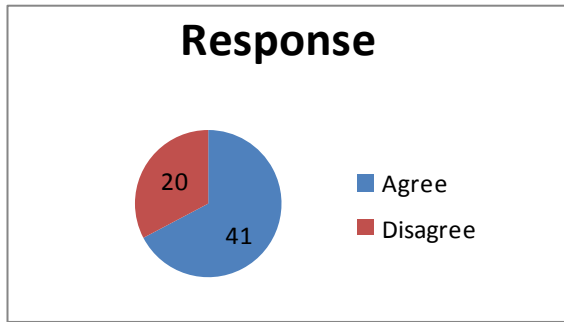
**- a balance response against with a significant minority in favour.**

47 vandalism / damage to my property



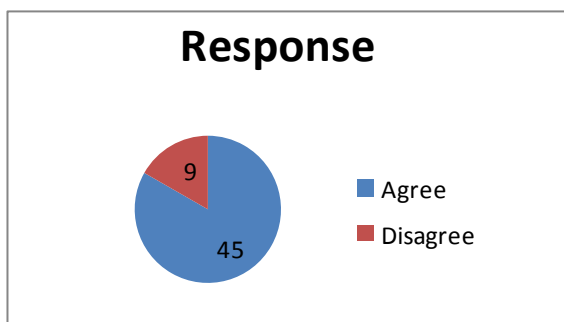
**- a balance response against with a significant minority in favour.**

49 There is a need for increased policing in East Mersea.



**- a balance response in favour with a significant minority against.**

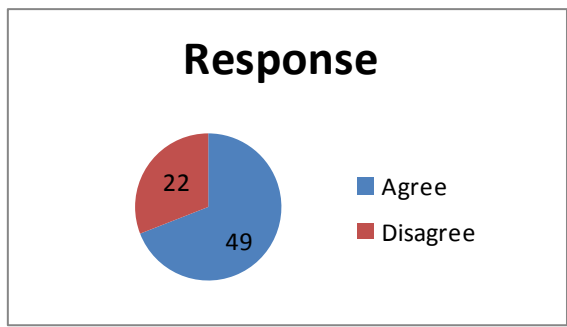
50 We need a good neighbour type



scheme in East Mersea.

**- a balance response in favour with a significant minority against.**

51 Criminal / antisocial behaviour is not a problem in East Mersea.



**- a balance response in favour with a significant minority against.**

Comments:-

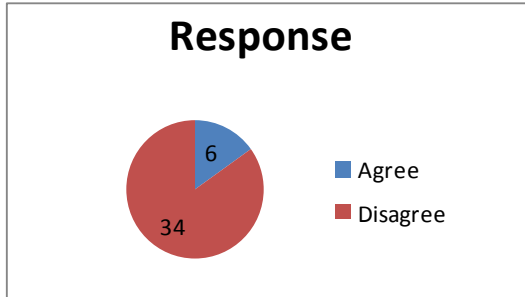
Whilst there was no perception of significant crime problems in East Mersea when the village questionnaire was circulated there have since been a number of local thefts of items and heating fuel.

The security and well being of the local community is an important part of the Village Plan since it is fundamental to the enjoyment by local residents of their environment. At the present time only informal links occur between neighbours and others, that aids the security of their homes, businesses and other premises. Knowledge of incidents of criminal activity are very limited within this relatively sparsely populated village and currently no formal network exists to inform residents of the occurrence of crimes and to enable them to take the necessary proactive actions to minimise the risk to themselves and their property.

## EDUCATION AND YOUTH ISSUES

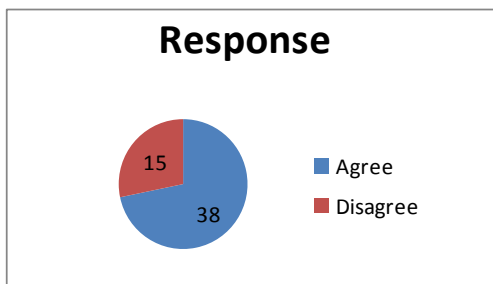
### Questionnaire Results:-

*52 A member of my family has had a problem getting a place at the school or college of their choice.*



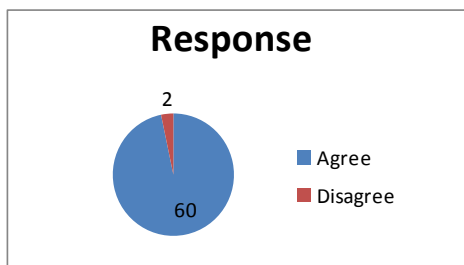
**- a balance response against with a significant minority in favour.**

*53 There should be more facilities for youth in East Mersea*



**- a balance response in favour with a significant minority against.**

*56 Mersea Outdoors should make facilities and activities available for East Mersea young people.*



**- a clear response in favour.**

### Comments:-

As stated previously we need to improve local communication on the resources that are available and carry out a further consultation with local residents, particularly our young people, on what events and additional facilities they would like to see.

## OTHER ISSUES

### Business –

#### Results of Business Survey

All businesses when asked that had facilities such as swimming pool, restaurant, bar etc are willing to let local people use such facilities (but at a charge).

East Mersea has a lot of potential facilities such as a number of bars and restaurants, indoor and outdoor swimming pools, football pitch, netball etc. The area also has a number of educational and environmental attractions such as Mersea Outdoors, Cudmore Grove, Ivy Farm and Jarman's Nursery.

All businesses surveyed were environmentally aware and had environmental policies especially recycling. Two out of the three caravan sites had a David Bellamy award.

All businesses were asked what they would like to be included in the Village plan with regards to business. The most common replies were: Better working relationships between businesses in order to support each other; better promotion of East Mersea, reopening the post office and more sympathetic planning allowing expansion of businesses

See Appendix 2 Summary of Business Survey Results

## **VILLAGE PLAN PROPOSALS**

This is a resume of the proposals from the Village Plan report incorporating elements from the Village Design Statement which are deemed to be Village Plan matters. These proposals have been adopted and will be implemented by The East Mersea parish Council (EMPC).

### **Village Amenities and Events**

Residents think that there should be more events in the Village Hall. There should be a further consultation to identify the type of events that would be of interest including monthly advice surgeries and to identify potential organisers of such events.

The Parish Council should strongly support current village facilities such as the shop, church, pub and village hall.

### **Transport and Traffic**

EMPC get Colchester Council to carry out a Transport Study to look into the public transport available to East Mersea Resident and the condition and safety of our roads.

We should reduce the speed limit to 30mph or less on our narrow lanes.

Establish a Cycle Path Partnership with CBC and West Mersea Town Council to develop safe cycling routes on Mersea Island.

Ensure that there is well designed and consistent signposting to local leisure sites and businesses

### **Services and Supplies**

The Parish Council should make representations to internet and mobile phone providers to improve their services and seek other interested parties who would support such improvements.

## **Environment**

All of our consultations have demonstrated the very high importance residents put on our environment and wildlife and therefore all development in East Mersea should take this into account. This is incorporated in the Village Design Statement Planning Recommendation which EMPC fully supports.

We should communicate the wishes of our residents who do not want waste discharge from any new power station at Bradwell to all relevant authorities.

We should encourage reduction in light pollution from homes and business in East Mersea.

EMPC to should publicise ways in which residents can reduce their energy use and impact on the environment, including a meeting at the Village Hall where residents could speak to experts to get advice and help.

We should seek ways to improve our footpaths and hedgerows.

EMPC to investigate ways to improve our litter situation by initiatives including:

Motivate residents and businesses to take ownership of the problem.

Seek more involvement from the Local Authority in the clearance of litter from roads, paths and roadside ditches.

Encourage volunteers to participate in regular "litter picks."

Encourage holiday sites and other venues to educate visitors about the community litter free environment.

Take proactive action to ensure prosecutions occur for littering, especially deliberate acts of dumping.

Obtain support and sponsorship from local businesses.

### **Security**

We propose a more formal but voluntary structure to security issues by the establishment of a Neighbourhood Watch scheme. The aims of such a scheme would be determined by its membership but could include:

Improved communication of criminal events to residents

Availability of crime prevention advice to all residents.

Publicity to visitors of Neighbourhood Watch status

The use of technology to monitor road movements.

Regular liaison meetings with Essex Police

Supporting the reporting of crime and anti-social behaviour

### **Education and Youth Issues**

We need to improve local communication on the resources that are available and carry out a further consultation with local residents, particularly our young people, on what events and additional facilities they would like to see.

### **Business**

The Parish Council should publicise facilities available to residents from local businesses

The Colchester Chamber of Commerce should be approached to investigate how they could assist with improving working relationships between businesses and promotion of businesses in East Mersea

### **Housing**

EMPC should continue with the proposed housing scheme taking into account the conclusions set out in Section 3 - Design Statement.

The Parish Council should publicise details of these proposals to residents as soon as they become available and carry out further consultation deemed appropriate.

### **ACKNOWLEDGEMENTS**

In preparing this **East Mersea Village Plan and Design Statement** we have had a great deal of valuable participation and assistance.

Our thanks to -

All Private and Business Residents who responded to the Village Plan and Village Design Statement Questionnaires.

All businesses who responded to our business questionnaire

All those villagers who attended and participated in our meetings.

Particular thanks go to the members of our Village Design Statement Working Group:

Tony Clifton                      David Parkins

David Sunnucks                 Peter Jones

Peter Inson                         Rob Sidgwick

Angela Payne                     Peter Mann

David Bullock                     Ruth Dence

Heather Corbett

We are very grateful for the sponsorship we have received from

The Rural Community Council of Essex

East Mersea Parish Council

Paul Merson

Our thanks for the support that we have received from –

The Rural Community Council of Essex

Colchester Borough Council

East Mersea Parish Council

West Mersea Town Council

**Harry Sharp**

**Chairman of the East Mersea Village Plan Steering Group**





## Local Plan Committee

Item  
**8**

3 June 2013

Report of	Head of Commercial Services	Author	Laura Chase ☎ 282473
Title	Consultation on the Focused Review of the Adopted Colchester Borough Local Plan		
Wards affected	All		

**The Local Plan Committee is asked to consider the responses received following the consultation on the focused review of the Local Plan.**

### 1. Decision(s) Required

- 1.1 To note the consultation responses received following a statutory six week publication consultation concerning proposals to carry out a focused review of the Borough's Local Plan.
- 1.2 To agree the proposed approach to the Focused Review set out in section 5 below.

### 2. Reasons for Decision(s)

- 2.1 At its 28 January 2013 meeting, the Local Plan Committee agreed in principle to undertake a focused review of its planning policies to ensure their compliance with the National Planning Policy Framework (NPPF). On 11 March 2013 the Local Plan Committee approved a public consultation about changes to a number of policies in the Core Strategy and Development Policies Development Plan Documents (DPD) as part of the focused review of the Local Plan to update it and ensure conformity with the National Planning Policy Framework. This report sets out the responses received to the consultation and how the Council intends to address the issues raised.

### 3. Alternative Options

- 3.1 Members need to be aware of the issues arising from the statutory consultation process and how the Council plans to respond to them. Members could however propose alternative ways of dealing with the specific policy issues raised in the consultation but these might generate potential conflicts and consistency issues in terms of developing the Focused Review of the Local Plan.



## 4. Supporting Information

- 4.1 In March 2012 the Government published the National Planning Policy Framework and the Town and Country Planning (Local Planning) (England) Regulations 2012. Each local planning authority is required to produce a Local Plan for its area which can be reviewed in whole or in part to respond flexibly to changing circumstances. The Government gave local authorities a twelve-month transition period during which non-compliant policies could continue to be given full weight but this deadline has now passed (March 2013) and authorities need to have regard to their increasing vulnerability to non-compliant policies.
- 4.2 The Council is in the fortunate position of having a full set of adopted policy documents that broadly accord with the principles of sustainable development in the NPPF, thus minimising the work needed to bring its policies into compliance. These include the Core Strategy adopted in December 2008, the Development Policies and Site Allocations in October 2010 and the associated Proposals Map. The January 2013 Local Plan Committee therefore agreed that a Focused Review would be sufficient to bring its plan into accord with the National Planning Policy Framework (NPPF).
- 4.3 Only those policies that clearly did not comply with the advice in the NPPF formed part of the scope of the Focused Review of the Local Plan. It did not include any amendments to the spatial strategy or housing and employment targets and site allocations.
- 4.4 As part of the Issues and Option public consultation the following policies were identified as requiring review;

**Sustainable development** – addition of model policy noting the presumption in favour of sustainable development contained in the NPPF (Core Strategy Policy SD1)

**Changes to the system of planning obligations and introduction of Community Infrastructure Levy** – modification of policies guiding obligations for development to contribute to both on-site and strategic infrastructure improvements (Core Strategy Policies SD2, SD3 and Development Policy DP3)

**Affordable housing** – modification of the policy on affordable housing to reflect changing economic circumstances since the policy was adopted in 2008 and the NPPF which requires the Council to pay careful attention to viability and costs in plan-making and decision-taking (Core Strategy Policy H4)

**Neighbourhood Planning** – introduction of references where appropriate to the new system of Neighbourhood Plans (Core Strategy Policy ENV2)

**Rural exception sites** – modification of Council policy to allow for a limited degree of market housing on rural exception sites to enable the delivery of affordable housing (Core Strategy Policy H4 and ENV2)

**Rural worker housing** – modification of Council policy to bring its policy on rural worker housing into line with policy in the NPPF (Development Policy DP24)

**Employment in the countryside** – modification of Council policies to reflect the increased emphasis in the NPPF of the benefits of supporting rural enterprise. (Development Policy DP9)

A number of references are made in the existing documents to Planning Policy Statements and other documents that have since been revoked and/or replaced. Where possible these references will be removed/updated in the Focused Review documents and the glossary amended accordingly.

4.5 The process of undertaking a Focused Review of the Local Plan was underpinned by a Sustainability Appraisal which enables the environmental, social and economic performance of the Focused Review policies to be assessed against a set of sustainability objectives. In addition, a Habitats Regulations Assessment (HRA) screening opinion was also prepared to assess the likely significant effects of the Focused Review policies on European Sites in the area. The Scoping Report for the SA and the HRA Screening opinion were published alongside the Focused Review of the Local Plan for comment as part of the Issues and Options consultation.

4.6 The Issues and Options consultation on the Focused Review of the Local Plan was held from 18 March – 29 April 2013. Respondents to the consultation were invited to comment on the plan using the following questions as a guide:

- Which policies in the Core Strategy and Development Policies require change to be in conformity with the NPPF?
- Is there a need for the deletion or addition of any policies to allow the wider plan to be in conformity with the NPPF?
- The consultation allowed for new ideas to be put forward.

They were also asked for their views on the scope of the Sustainability Appraisal, and the HRA screening opinion.

4.7 A total of 26 responses were received to the Issues and Options stage consultation and a number of the consultees raised more than one issue. 23 points related to the proposed changes to the Core Strategy policies, while 10 were concerned about proposed changes to the Development Policies and 5 were about the Sustainability Appraisal and Habitat Regulations Assessment screening opinion. A table incorporating all of the comments is attached as Appendix 1.

## 5. Proposals

5.1 The following section of the report sets out how officers propose to deal with the policy changes and in particular those issues raised in the consultation.

5.2 A few general comments were made about aspects of the review, including processes for involving local communities, co-operating with adjacent authorities and the need to delete references to superseded national and regional guidance.

CBC Response: The Council will develop appropriate mechanisms to satisfy the Duty to Cooperate obligations and to support local community engagement, although a suggestion for the creation of new panels is considered to lie outside the scope of the Focused Review. The need to update outdated references was agreed.

5.3 Some respondents felt that the scope of the review was too limited and a full review of all Local Plan documents was required, including the Spatial Strategy, housing and employment targets to ensure full compliance with the NPPF and in light of the revocation of the East of England Regional Spatial Strategy.

CBC Response: As previously agreed by the Committee, a Focused Review is considered appropriate given that the Council has capacity to meet housing and employment targets in accordance with the Framework. A Full Review has already been programmed to consider more fundamental changes.

### 5.4 Core Strategy - Sustainable Development Policies

Policy SD1 - The key issue highlighted was the need to amend policy SD1 to bring it into full conformity with the NPPF.

CBC Response: Agreed that the wording needs to be revised to incorporate the model policy from the NPPF about sustainable development.

Policy SD2 – The responses received about the proposed changes to this policy were generally supportive that developers should fund new infrastructure and facilities through a Community Infrastructure Levy.

CBC Response: It is considered that CBC policies, in tandem with national policies, provide adequate coverage on the areas mentioned. The Council will consult on a draft Community Infrastructure Levy Charging Schedule at the same time it consults on the Submission version of the Focused Review.

Policy SD3 – Two respondents identified the need to update Table SD3 (Delivery of Key Community Facilities).

CBC Response: It is intended to update Table SD3 as part of the Full Review.

## 5.5 Core Strategy - Centres and Employment Policies

CE1 & CE2 – Several respondents raised the need to review Centres and Employment policies to bring them into conformity with the NPPF definition of centres. Respondents also highlighted the need for policies to provide greater flexibility for employment-creating uses.

CBC Response: Officers agree that the Centres and Employment policies require review to ensure the NPPF definition of centres is adequately reflected and that policy provides greater flexibility for employment-creating uses. Revised policies will note that the new policies supersede those aspects of Site Allocations policies NGA3 and STA3 in so far as they relate to retail and employment to ensure there is no conflict with the NPPF.

## 5.6 Core Strategy - Housing Policies

H1 and H3 – One respondent raised the need for a new policy to deliver 6 forms of housing for the elderly in relation to future housing delivery.

CBC Response: Officers consider the introduction of a new policy on elderly housing lies outside the scope of the Focused Review, but this important emerging issue will be considered through the Strategic Housing Market Assessment and the Full Review.

H2 - Two respondents were critical that current densities set out in SD2 were too high and needed review.

CBC Response: Policy H2 will be reviewed to ensure it complies with the increased flexibility provided by the NPPF and any reference to minimum densities (which reflected previous Government policy) will be removed.

H4 – There was generally broad support for a review of policy H4 to help improve the delivery of affordable housing in the Borough. While there was support amongst some stakeholders for the NPPF guidance allowing market housing in rural areas to cross subsidise affordable housing provision caution was also urged about the risk of this approach becoming the norm due to the impact it could have on the delivery of schemes comprising only affordable housing. The other key issue raised was the need for flexibility in policy H4 to ensure that a balance could be reached following the introduction of CIL between continued future growth and the provision of adequate levels of affordable housing in the future.

CBC Response: Council policies on affordable housing will need to strike a balance between the deliverability of sites and the need to provide affordable units. The wording on rural exception sites will be revised to comply with NPPF policy, while ensuring the primacy of providing affordable housing on rural exception sites.

## 5.7 Core Strategy - Environment Policies

ENV1 – There was just one response in respect of this policy which suggested new wording to bring the policy into conformity with the NPPF with respect to development in the AONB and general countryside. The suggestion was to relax policy restrictions in AONB's where an overriding public need could be demonstrated and in the countryside generally.

CBC Response: Although minor rewording is appropriate the approach suggested is not considered to provide sufficient protection for countryside and designated landscapes.

ENV2 – There were mixed views about this policy – some consultees thought that the existing policy should be retained whilst others considered it too restrictive and contrary to the NPPF.

CBC Response: Wording will be revised to comply with NPPF policy, while ensuring the primacy of providing affordable housing on rural exception sites.

## 5.8 Core Strategy - Energy

ER1 - The Environment Agency noted that the Plan should identify suitable areas for renewable and low carbon energy schemes in plans and identify opportunities where developments could draw their energy supply from decentralised, renewable or low carbon supply systems.

CBC Response: Agreed some revision may be needed to ER1, but full analysis of opportunities for renewable energy will form part of the evidence base process for the Full Review.

## 5.9 The Implementation & Monitoring section in Chapter 6 of the Core Strategy will be updated to refer to the Duty to Cooperate.

## 5.10 Development Policies

A number of changes were proposed to development policies (DP5, DP6, DP7, DP8, DP9 DP10, DP13, DP14, DP17, DP22 and DP24) to bring them into conformity with the NPPF and to add greater flexibility to encourage growth.

CBC Response: All Development Policies and Core Strategy policies will be reviewed as part of the Focused Review and Sustainability Appraisal process to ensure that relevant issues are captured, including the need to ensure conformity with the NPPF. In most cases, further policies suggested for revision are already considered to assign appropriate weight to relevant environmental considerations and accord with the NPPF. Several policies are covered in more detail below;

DP5 Employment Uses– A change to policy DP5 was requested to allow land allocated for employment which is unlikely to come forward for this use to be used for other types of development including outdoor

recreation and leisure, sui generis uses associated with B1, B2 and B8 uses.

CBC Response: It is agreed that a review of Centres and Employment policies is required to ensure compliance with the NPPF by providing greater flexibility for different types of employment-creating development.

DP9 Rural Employment - A policy change was proposed to limit the size of rural enterprises to help protect landscape character in light of paragraph 28 of the NPPF which promotes all types of employment but also seeks to protect the countryside. Other respondents were opposed to the size restrictions on future rural employment uses.

CBC Response: The wording of DP9 will be reviewed to ensure its conformity with the NPPF, but it is considered appropriate to include criteria for the scale, type and extent of rural commercial buildings since the NPPF supports conserving and enhancing the natural environment in addition to supporting a prosperous rural economy.

DP21 Nature Conservation and Protected Lanes– A change to this policy was proposed to bring it back in line with the original intention about why some rural lanes are designated as Protected Lanes.

CBC Response: The policy is not considered to require revision as it assigns appropriate weight to relevant environmental considerations and accords with NPPF.

DP24 Equestrian Activities– Beyond conformity issues with the NPPF, a number of additional requests were made to review this policy to relax development limits on equestrian related developments where these relate to tourism, agricultural or research enterprises and to extend it to also include rural workers.

CBC Response: Policy review will seek to ensure an appropriate balance between providing greater flexibility as required by the NPPF and protecting/enhancing the countryside. It also provides the opportunity to amend the policy to fill any gaps left by the revocation of PPS7.

#### 5.11 Sustainability Appraisal

Respondents were generally supportive of the process proposed to carry out the next stages of the SA. However a number of new documents were identified for inclusion in the evidence base to support the development of the Focused Review. A number of changes were also proposed to the SA objectives against which future policies will be reviewed.

CBC Response: The additional documents identified will be used in the will be future SA stages.

#### 5.12 Habitats Regulation Assessment

Natural England raised concerns about the lack of a mechanism to measure the impacts of proposed growth on international sites and also identified the need to identify mitigation to address impacts.

CBC Response: The impacts of housing policies are already monitored through a programme which involves gathering baseline data on visitor numbers using designated International Sites .This can be used to monitor the impact of growth over time.

- 5.13 Planning policy officers will now proceed to redraft policies in light of consultation comments and ensuring compliance with the NPPF. In addition to redrafting policies in the Core Strategy and Development Policies, the process will include finalisation of the CIL Charging Schedule and development of a new Supplementary Planning Document, since these documents are critical to ensuring the overall deliverability of the Local Plan. All three documents will then be reported to committee for approval prior to publication for consultation and submission to Government.

## **6. Strategic Plan References**

- 6.1 The Strategic Plan Action Plan includes a commitment to regenerating the borough through buildings, employment, leisure and infrastructure. There are also commitments to attract investment and provide more affordable homes. The Focused Review of the Local Plan can help achieve these objectives.

## **7. Consultation**

- 7.1 Public consultation took place in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012.

## **8. Publicity Considerations**

- 8.1 There is likely to be continued interest as the Focused Review of the Local Plan progresses resulting in publicity for the Council.

## **9. Financial Implications**

- 9.1 A budget has been allocated for the review which funds the updating of evidence based documents, consultation and examination.

## **10. Equality, Diversity and Human Rights implications**

- 10.1 An Equality Impact Assessment has been prepared for the Local Development Framework and is available to view on the Colchester Borough Council website by following this pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Diversity and Equality > Equality Impact Assessments > Strategic Policy and Regeneration > Development Plan.

- 10.2 There are no particular Human Rights implications.

## **11. Community Safety Implications**

11.1 None

**12. Health and Safety Implications**

12.1 None

**13. Risk Management Implications**

13.1 Review of the Local Plan will reduce the risk of inappropriate development being permitted.

**14. Disclaimer**

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



## Appendix 1 - Local Plan Focused Review

### Summary of Responses – Consultation March/April 2013

Issue	Respondent Name	Comment	CBC Response
<b>CORE STRATEGY</b>			
General	<a href="#">Babergh District Council</a>	No particular cross-boundary concerns relating to the focused review at this stage.	Noted.
	<a href="#">Kelvedon Parish Council</a>	Before any new development is considered which may have traffic implications for Kelvedon and Feering, Kelvedon Parish Council would like to see consideration given to improving/upgrading existing road links, in particular the A12. The Parish Council would be resistant to any further large development in Tiptree whilst the current road issues and problems with the A12 still exist.	Noted. No new allocations are proposed as part of the focused review. As part of its Duty to Cooperate, the Council will work with adjoining authorities and statutory bodies to address longer term issues around road capacity and transport.
	<a href="#">Little Horkesley Parish Council</a>	LHPC would welcome visibly stronger application of the local considerations proposals inherent in Village Design Statements, including our own, when applications for development are received by the Planning Authority.	Noted. The introduction of Neighbourhood Plans has provided a stronger mechanism for ensuring that local views will be considered.
	<a href="#">Jean Dickinson</a>	New development policy is requested to introduce formal planning support for local charities in the allocation of sites for delivery of local services, under a right to buy at pre-development values, or under section 106 negotiations. This would widen the	Proposal lies outside scope of Focused Review.

		<p>arrangements already available under the NPPF to neighbourhoods with adopted plans. This is an urgent requirement before all major developments areas already identified around the borough are too far down the planning process.</p> <p>New independent panel should be formed as a formal planning consultee, drawn from a pool of approximately 12 local people with experience covering all current sustainability best practice and scoring systems in social, economic or environmental matters. This wouldn't preclude comment from similar current statutory consultees, but would provide evaluation of their contributions in a transparent, consistent and sustainable manner.</p>	<p>Not clear what extra value this would add to existing processes of sustainability appraisal, statutory consultation (with all local people), and member scrutiny.</p>
	<a href="#">Tending District Council</a>	<p>Happy to express agreement with Colchester Borough Council with regard to the policies from its Local Development Framework that need to be reviewed in order to ensure conformity with the National Planning Policy Framework. TDC look forward to assisting with comments on proposed changes as part of the next stage of the consultation process.</p>	Noted
Scope of Focused Review	<a href="#">Campaign for the Preservation of Rural Essex (CPRE)</a>	<p>Council urged to look both at how their plans as a whole comply and also the totality of the NPPF's policies. Concern that focusing too much on individual aspects of the NPPF could lead to a watering down of Council's overall approach towards sustainable and balanced growth.</p> <p>A full review of the Local Plan should be undertaken</p>	<p>Noted, but given that the overall focus of the NPPF is support for <i>sustainable</i> growth, ensuring compliance with it should not lead to a watering down of Colchester's approach.</p>
	<a href="#">Collins and Coward</a>		The rationale for a Focused

	<a href="#">on behalf of Bunting &amp; Sons</a>	<p>by the Council as a result of the publication of the NPPF and revocation of the East of England Regional Plan. Other policies in addition to these listed require review. The thrust of policy needs to be rebalanced between town and country. There is no direction from the NPPF that development in the countryside should be 'small-scale'. Some logic to this approach whilst the East of England Plan was extant, but not since its revocation. Impact from development must be properly assessed. Approach that any 'adverse impact' is not acceptable is not supported in the NPPF. If any threshold is introduced it should be based on significant adverse impact that cannot be ameliorated. The NPPF does not require the 'most' sustainable location but that a site should be or capable of being made sustainable.</p>	<p>Review is primarily based on the need to comply with the NPPF. The Council has capacity to meet housing and employment targets in accordance with the Framework. The Issues and Options consultation was intended to allow respondents to raise additional issues beyond those listed. Overall approach on sustainable development is considered to accord with NPPF definition of presumption in favour of sustainable development.</p>
	<a href="#">Colne Housing</a>	<p>No comment is proposed for the areas which are not mentioned.</p>	<p>Noted</p>
	<a href="#">English Heritage</a>	<p>Colchester has a strong policy commitment to the historic environment in its adopted Core Strategy and Development Policies documents. The evidence base in terms of analysis of the heritage assets and wider character of the Borough is strong. Present Local Plan policies considered compliant in relation to NPPF, however, consideration could be given to whether the NPPF's emphasis calls for anything further in terms of up-dating the locally held data and evidence for the historic environment to ensure that a proactive approach can be delivered. Clarity would</p>	<p>Noted. CBC will be developing further proactive policies, including guidance for conservation areas and will work closely with groups developing Neighbourhood Plans to ensure they are informed by historic environment policies. Further consideration will be given to clarifying the strategic nature of policies.</p>

		also be helpful in defining which policies are 'strategic' to ensure that appropriate historic environment policies are in place to guide Neighbourhood Plans.	
	<a href="#">Environment Agency</a>	Broad agreement with the text of policies, but comments on specific policies provided. (see below)	Noted
	<a href="#">Essex Chambers of Commerce</a>	Happy to support proposals contained in Focused Review documents.	Noted
	<a href="#">Essex County Council</a>	ECC welcomes the initiative of Colchester BC to pursue a focused review to secure consistency of policies with NPPF. General scope and extent of the policy review is supported in advance of conclusion of the comprehensive review of the Local Plan which is underway. ECC also supports CBC initiating the process of evidence base updating and policy review to address longer range issues.	Noted
	<a href="#">Jean Dickinson</a>	Disappointing that the review approach is purely in technical planning law terms. No Development Policies have been indicated as strategic or not, as defined by the NPPF. Current consultation doesn't reflect any of the radically different cultural objectives of the NPPF and the changes proposed appear to maintain and even increase the amount of CBC control over the development in this area, rather than to positively share it with competent community representatives. Supports the NPPF's more generous approach to housing, facilities and employment growth in the villages to meet the increasingly vibrant rural	The current review is intended to make the Council's planning policies fit for purpose for the short term, with a Full Review programmed to consider more fundamental changes. Focused Review changes are intended to reflect the NPPF's more flexible approach to growth. Further consideration will be given to clarifying the strategic nature of policies.

		<p>economy. CBC proposals do not reflect the spirit of the NPPF at all and seek to maintain the often reasonably challenged and overly restrictive current CBC planning policies. Rural communities should share a degree of the benefits and dis-benefits of more sub-regional growth; support a large rise in tourism; and introduce younger working families into rural areas. More flexible approach needed to growth and facilities in villages and extension to village boundaries and a presumption in favour of mandatory new footpaths and brideways to promote connectivity between town and rural areas.</p>	<p>Myland Community Council is undertaking preparation of a Neighbourhood Plan which will allow them to develop local approaches to proposed growth for the area.</p> <p>Village boundaries will be reviewed as part of the Site Allocations process and the Full Review of the Local Plan.</p>
	<p><a href="#">Joseph Greenhow, Planning Consultant</a></p>	<p>Age of the Development Plan is a misnomer in terms of determining the level of consistency with national policy. Concerned that scope of focused review excludes the spatial strategy, housing and employment targets and allocations. Council cannot be sure that its adopted requirements for housing and employment are consistent with NPPF policy since they were based on the now revoked East of England Plan. Updated SHMA required.</p> <p>Consultation document only summarises those policies which officers considered needed review,</p>	<p>The rationale for a Focused Review is primarily based on the need to comply with the NPPF. The Council has capacity to meet its locally agreed housing and employment targets. High levels of delivery and the continued supply of housing sites are evidenced in the Council's Housing Trajectory published each year in the Annual Monitoring Report (latest Dec. 2012). The Council is undertaking a revised SHMA in partnership with Braintree, Brentwood, Chelmsford and Maldon to inform its Full Review. Consultation questions made it</p>

		however, the document should summarise all adopted policies.	clear that respondents could suggest further areas of review. Further development of plan and associated Sustainability Appraisal will ensure full consideration of all policies.
	<a href="#"><u>Little Horshesley Parish Council</u></a>	The Planning Authority as an expert body should identify where the CBC policies are believed to be deficient with regard to the NPPF. It should NOT be the task of any respondent to undertake such an exercise of interrogation. Parish Council feels unfairly and highly constrained in how we can meaningfully respond.	Noted. The Council will hold a further round of consultation on suggested alterations to the Local Plan which will provide a clear picture of preferred changes, but the initial stage was open-ended to provide an opportunity for all aspects of the plan and the Focused Review approach to be considered.
	<a href="#"><u>Maldon District Council</u></a>	Maldon seeks to continue its active engagement with CBC on a broad range of issues including cross-boundary planning matters and the assembly/interpretation of a strategic/cross-boundary evidence base where appropriate. Acknowledges that the purpose of the Focused Review is to review and ensure CBCs adopted policies are in line with policy requirements set out in the NPPF. Timescales for a comprehensive review of Local Plan policies should be confirmed. Maldon's preferred locally derived housing target is significantly greater than that set out in the now revoked East of England Plan but it currently falls	Noted. Timescales for both the focused and full reviews of the Local Plan are set out in the LDS which has been adopted and published on the Councils website. The Council is undertaking a revised SHMA in partnership with Braintree, Brentwood, Chelmsford and Maldon which will inform both Colchester's Full Review and Maldon's Local Plan

		<p>short of the objectively assessed need for the District. Under the provisions of the Duty to Cooperate, the Council is exploring opportunities for meeting any unmet need beyond the district boundary.</p> <p>CBC should make clear that the NPPF is a material consideration in planning decisions.</p> <p>The absence of policies H1 Housing Delivery and CE1 Centres and Employment is a serious omission. Policy CE1 not extended to 2023 in line with extended figures for housing delivery. An extra 1900 homes were added in the absence of evidenced need. The site for the 1900 homes is the NGAUE and this has been added to the Site Allocations DPD to cater for the 2021-2023 extension. However, the NGAUE has been allowed to be brought forward in the original prescribed delivery period thereby displacing sites already earmarked for the 17,100 house build program up to 2021.</p> <p>The list of areas requiring amendment is not the same as the list in the Local Plan Committee Report of 11 March 2013.</p> <p>The absence of NPPF references does not facilitate cross-checking between information sources.</p>	<p>and approaches to housing distribution. It is premature to pre-empt the findings of this work.</p>
	<p><a href="#">Myland Community Council</a></p>		<p>Point about the NPPF is agreed and will be incorporated.</p> <p>The Core Strategy adopted in 2008 provided for the allocation of housing in the NGAUE as a broad location for growth, as part of a 15 year supply (2008 – 2023). The subsequent definition of boundaries for that site in the Site Allocations document was accordingly not a new allocation.</p> <p>The consultation is part of the initial stages of developing options for the Focused Review. Consultees were made aware that the list was not conclusive and were asked to respond with all policies that they considered required review to bring the plan into conformity with the NPPF. As noted above, the list was an initial list of suggestions rather than a comprehensive assessment of all particular</p>

				conflicts.
		No changes required.		Noted
	<a href="#">C. Narrainen</a> <a href="#">Natural England</a>	Generally welcome proposed policy amendments to ensure adopted policies are compliant with the NPPF.		Noted
	<a href="#">Strutt and Parker</a> on behalf of <a href="#">Daniel Watts</a>	<p>A more comprehensive review of the Local Plan is needed including consideration of housing/employment targets and identification of additional site allocations where necessary.</p> <p>Greater consideration should be given to the need to enhance and maintain the vitality of rural communities by increasing their levels of housing growth.</p> <p>Editing to remove revoked documents could create problems since the CS was based on figures from the East of England Plan.</p>	<p>The rationale for a Focused Review is primarily based on the need for compliance with the NPPF. The Council has capacity to meet its housing and employment targets.</p> <p>It is intended to revise policies on rural communities to provide greater flexibility for housing growth in line with the NPPF.</p> <p>Removal of references to superseded policy documents does not necessarily imply that the evidence included in them is in question, rather that they no longer form the basis for future policymaking.</p>	
	<a href="#">Barton Willmore</a> on behalf of <a href="#">Tollgate Partnership</a>	Full review is most appropriate. A number of key policies in the Site Allocations DPD are not consistent with NPPF and should be reviewed. Age or completeness of a Development Plan is not described in para 213 of the NPPF as a reason to justify only a partial review.		
	<a href="#">Wivenhoe Society</a>	Society wishes to draw attention to changes in the size of Wivenhoe's population in recent decades,		Colchester planning policies acknowledge the demands of



		<p>rising from 2,729 in 1961 to 7,221 in 2001 and 9,827 in 2011 (excluding the University). This is a 29% rise for the 2001-11 period. The steady increase in Wivenhoe's population was not acknowledged in the 2008 Core Strategy nor has it been acknowledged in the Focused Review. While 390 houses have been built on the former Wivenhoe Port and Cook's Shipyard sites, not one of the new or improved facilities envisaged in the 2008 Core Strategy has been provided. Society views the Focused Review with profound scepticism, given the lack of delivery of a new health centre; extra school buildings and places; and the provision by CBC of a modern Community Centre. The wording provided does not indicate any new approaches for Wivenhoe or provide assurances on delivery. The commitments made in the Core Strategy of 2008 are still outstanding. This document does not indicate that they will be met in the foreseeable future.</p>	<p>population growth in general and Wivenhoe in particular. Delays to infrastructure and facility delivery are considered to be primarily a function of funding and site issues rather than supportive planning policies. The policies attached to the document are the existing ones and are proposed to allow their consideration for review. The Wivenhoe Society will have the opportunity to comment on whether proposed Council alterations to the policies in the next round of consultation have addressed any of their concerns.</p>
Sustainable Development	<p><a href="#">Collins and Coward on behalf of Bunting &amp; Sons</a></p>	<p>SD1 – Needs revision to reflect para 28 of the NPPF to ensure jobs and employment are encouraged and located in the countryside. Wording changes suggested including allowing growth to be located in appropriate rural locations in addition to locations in accordance with the Settlement Hierarchy. Sentence directing development in Colchester Town to Town Centre and Growth Areas should be amended to read development <i>in urban area of Colchester Town</i></p>	<p>SD1 will be revised to provide compliance with the NPPF, but it is still intended that it will ensure that rural growth is balanced carefully with environmental considerations.</p>
	<p><a href="#">Environment</a></p>	<p>SD1 – Wording does not entirely accord with PINs</p>	<p>Agreed – policy will be revised to</p>

	<a href="#">Agency</a> <a href="#">Little Horkesley Parish Council</a>	model policy on sustainable development. SD1 – LHPC supports the current policy with its particular emphasis being placed on strengthening the hierarchy protection against Little or Great Horkesley being the subject of major development. The Planning Authority should define what constitutes ‘reasonably proximate’ with regard to the need for major developments to be at/near major transport junctions. Would welcome the addition of a limiting distance along each principal road artery from Colchester Town Centre for major developments of any use (eg 5km/ 3mi along the A134 from the High Street/Town Hall) OR a defined point along such arteries.	incorporate model policy. Noted. Definition of a limiting distance considered to be too prescriptive as impacts would need to be judged based on the specifics of each case.
	<a href="#">Mersea Homes</a>	SD1 -Agree the presumption in favour of sustainable development should be added, but should also be complimented with a commitment to ‘seek positively opportunities for development and approve proposals that accord with the development plan without delay.’ Policies that require phasing should be removed especially as such policies do not adequately take account of the increasingly long time it takes to bring a project through to delivery.	Policy wording will be revised in line with national guidance.  Phasing is sometimes appropriate – no change considered necessary.
	<a href="#">Myland Community Council</a>	SD1 – Selecting SD1 solely for purposes of picking up on the ‘presumption’ extract from the NPPF runs the danger of missing changed circumstances since 2008/10 and ignores the NPPF requirement to have an up-to-date Local Plan.	Limited changes are considered sufficient to make the Local Plan fit for purpose over the short term. The LDS shows that a longer term review of the Plan is underway.

	<a href="#">Natural England</a>	SD1 – Welcome inclusion in SD1 of requirements for proposals to seek to promote sustainability by minimising or mitigating pressure on natural environment. SD2 – Welcome requirements for new development to deliver facilities and infrastructure including open space, together with proposals to implement a Community Infrastructure Levy (CIL) to fund local and sub-regional infrastructure. Policies should also ensure that development contributes net gain for biodiversity, protects and enhances landscape, soils, geodiversity, access including Public Rights of Way, protected species and ecological networks in order to comply with the NPPF.	Noted
Delivering Facilities and Infrastructure	<a href="#">Natural England</a>	SD2 – Redefine the term ‘community needs’. NPPF is clear there should be a proportionate degree of benefit between the directly affected communities and the borough, on an agreed level within policy documents before planning applications are submitted.	Noted. It is considered that CBC policies, in tandem with national policies, provide adequate coverage on the areas mentioned.
	<a href="#">Jean Dickinson</a>	SD2 – Needs to include reference to waste water treatment plant and supporting sewer network since there may be instances where developers may be required to make contributions to such infrastructure.	CIL regulations provide mechanisms for directing strategic infrastructure. Local areas such as Myland which develop a Neighbourhood Plan will be entitled to higher shares of CIL funds.
	<a href="#">Environment Agency</a>	SD2, SD3, DP3 – LHPC supports the current policy on the principle that developers should pay for community/infrastructure costs which are due to their developments but reserves comment until the scale	Agreed.
	<a href="#">Little Horkesley Parish Council</a>		The Council intends to consult on a draft Community Infrastructure Levy Charging Schedule at the same time it consults on the

		of proposed charges is made known. LHPC would be interested to know how the scale of charges accommodates development at the small scale (eg house extensions), the level most applicable to our parishioners.	Submission version of the Focused Review. Contributions would be required for developments above a threshold of 100 sq m so a house extension would not normally be liable for CIL.
Community Facilities	<a href="#">Colne Housing</a>	SD3 – Table SD3 Delivery of Key Community Facilities is out of date and in need of updating.	Agreed, but revision will be part of Full Review.
	<a href="#">Jean Dickinson</a>	SD3 – Add statement that local community organisations will jointly work with CBC to resource, procure, plan and manage services and/or facilities for their communities. The list of Community Facilities (Table SD3) should be updated and analysed in terms of potential funding sources and providing authority. Indicative table supplied.	The policy already states that CBC will work with partners to deliver key community facilities. All the lists of infrastructure within the Core Strategy will be updated as part of the Full Review given that they will need to relate to proposals that extend into the post-2021 period.
Centres and Employment	<a href="#">GL Hearn on behalf of Culver Square leaseholders PRUPIM</a>	CE1 – Have reviewed Council Local Development Framework documents to identify whether policies are up-to-date, appropriate and comply with the NPPF. Reference to PPS6 on pg. 40 is out of date, changes should be made to CE1 so that retail planning policy definitions are consistent with the NPPF.	Agreed
	<a href="#">Barton Willmore on behalf of Tollgate Partnership</a>	CE1 and CE2 – Retail and employment use policies require assessment in light of NPPF (paras 23-27 and also 150 - 158 in terms of plan-making). Edge of centre locations definition as a centre type not	Agreed that Core Strategy and Development Policy retail policies require amendment to accord with NPPF definition of centres.

		<p>consistent with NPPF definitions of town centre and edge of centre. SA TC1 and SA STA3 also need review.</p>	<p>Site Allocations policies, however, are not considered to require review since the only area of potential conflict is the retail aspects of NGA3 (North Growth Area Employment) and STA3 (Stanway Employment). Revised policies will note they supersede these aspects of NGA3 and STA3. TC1 is not considered to conflict with the NPPF.</p>
	<p><a href="#">Collins and Coward on behalf of Bunting &amp; Sons</a></p>	<p>CE policies - The very limited review suggested by the Council does not meet the requirements to ensure compliance with the NPPF and revocation of the Regional Plan. Wording changes provided as follows:</p> <ul style="list-style-type: none"> <li>- add support for rural employment, tourism and leisure developments.</li> <li>- larger scale development should be focused on rural locations as well as the Town Centre, Urban Gateways and Strategic Employment Sites.</li> <li>- references to rural development being acceptable if small scale should be removed.</li> </ul>	<p>Agreed that some review of Centres and Employment policies will be required to bring them into accord with the NPPF but not necessarily all the wording proposed here.</p>
Housing	<p><a href="#">Jean Dickinson</a></p>	<p>CBC should introduce an additional policy, within the diversity context for housing, as a separate requirement for all the 6 forms of elderly housing supply. Colchester perfectly placed to be leading the way in the UK in facilitating a neighbourhood based</p>	<p>Lies outside the scope of this Focused Review. Council's approach to elderly housing will be considered through the Strategic Housing Market</p>

		care and affordable accommodation policy ensuring that land is made available at a fixed ratio.	Assessment, Housing Strategy, and Full Review.
	<a href="#">Colne Housing</a>	H2 - Only moderate and low densities are appropriate for Colchester.	Guidance on density will be reviewed to ensure it complies with national guidance.
	<a href="#">Campaign for the Preservation of Rural Essex (CPRE)</a>	H2 – Prefer to see a density range being included and note NPPF para 59 specifically mentions density as being an appropriate topic for inclusion in design policies.	Guidance on density will be reviewed to ensure it complies with national guidance.
	<a href="#">Mersea Homes</a>	H2 – Housing density policy needs amendment as they are currently recommended at too high a level. Deletion of Table H2a and H3a supported.	Guidance on density will be reviewed to ensure it complies with national guidance.
	<a href="#">Myland CC</a>	H3 – Exclusion of review of H3 misses the opportunity to address the urgent issue of suitable home provision for the increasing elderly population.	Lies outside the scope of a limited review. Council's approach to elderly housing will be considered through the Strategic Housing Market Assessment, Housing Strategy, and Full Review.
	<a href="#">Colne Housing</a>	H4 – Council's recognition of the severe need and demand for affordable housing is very welcome.	Noted
	<a href="#">Campaign for the Preservation of Rural Essex (CPRE)</a>	H4 – Accept that some flexibility is desirable, but it has to be recognised that the housing market will be subject to short term fluctuations and there is danger that the understandable desire to see sites come forward in a timely manner could compromise the equally important goal of providing adequate affordable housing. If agreements are to be relaxed, affordable housing requirements should be one of the	Noted

		<p>last matters to be reduced.</p> <p>Accept that NPPF has undermined previous policies not to permit market housing as a cross subsidy for social housing. Any new wording needs to be very carefully phrased otherwise there is a danger that such arrangements will become the norm. As soon as the Council allows cross subsidy arrangements, it is hard to see any landowner being willing to put their land forward on any other basis.</p>	Noted
	<a href="#">Jean Dickinson</a>	<p>H4 – Disagree with CBC statement that the deliverability of the affordable housing set in the Local Plan, relates to the level of the standing charge set by the CIL Charging Schedule and see this as a narrow approach to what is clearly an urgent and important issue. New housing is not the critical need at this time due to affordability constraints. Minimum levels of affordable housing needed now cannot happen due to the housing policy introduced in boom times. A new policy commitment should be made to provide 2500-3000 affordable homes by 2015/16 by –</p> <ul style="list-style-type: none"> <li>• Identifying and reserving public land assets</li> <li>• Undertaking detailed research, for elderly housing models appropriate to Colchester</li> <li>• Setting up flexible funding and procurement models, in collaboration with developers, Housing Associations and local communities.</li> </ul>	<p>Council policies on affordable housing seek to strike a balance between the deliverability of sites and the need to provide affordable units. CIL charges will need to reflect other policies.</p> <p>CBC works actively with housing associations and developers to maximise options for delivering affordable housing.</p>
	<a href="#">Little Horkesley Parish Council</a>	<p>H4 – LHPC supports the current policy as the Borough is still severely short of affordable housing and average house prices continue to exceed</p>	Noted

		<p>borrowing capabilities of many parts of society.</p> <p>H4 – Agree that affordable housing policy needs review along with updated evidence base that looks at the issue holistically. 35% affordable housing is too high to be deliverable in the majority of cases. Viability needs to be reviewed based on all current and emerging policies and set at a level that does not harm the deliverability of planned growth. As affordable housing is so important it may be prudent to test other obligations so that the level of AH is preserved as high as possible.</p>	Noted
	<p><a href="#">Mersea Homes</a></p>	<p>H4 - welcome review of relevant Local Plan policies to allow for market housing to support the delivery of affordable housing on rural exception sites. NPPF does not necessarily specify that the amount housing needs to be 'limited' as long as it would still help deliver a significant level of additional affordable housing. Proposed wording provided providing that rural exception sites may include market housing where this would allow for the provision of significant affordable housing in order to meet local needs.</p>	<p>Wording will be revised to comply with NPPF policy, while ensuring the primacy of providing affordable housing on rural exception sites.</p>
Environment	<p><a href="#">Strutt and Parker on behalf of D. Watts</a></p>	<p>ENV1 – Policy needs to reflect paras 28 and 116 of the NPPF to ensure appropriate development in the countryside and AONBs. The following amendments are proposed:</p> <ul style="list-style-type: none"> <li>• Qualify protection for Natura 2000 sites and Dedham Vale AONB by providing that major developments that have a significant adverse impact will not be supported unless they can</li> </ul>	<p>Proposed wording by respondent considered to retain insufficient protection for countryside assets and amenity.</p> <p>Agreed that the reference to PPS25 should be changed to 'NPPF Technical Guidance'.</p>
	<p><a href="#">Collins and Coward on behalf of Bunting &amp; Sons</a></p>		



		<p>be demonstrated to be in the public interest.</p> <ul style="list-style-type: none"> <li>• Coastal Protection Belt - proposed development should not have a <i>significant</i> adverse effect.</li> <li>• Delete reference to PPS25.</li> <li>• Land outside settlement boundaries should have less strict constraints on development if in accordance with other policies.</li> </ul>	
	<p><a href="#">Collins and Coward on behalf of Bunting &amp; Sons</a></p>	<p>ENV2 – Policy needs to reflect para 28 of the NPPF to ensure jobs and employment are encouraged and located in the countryside. Wording changes proposed which would delete references to small scale and limitations on development outside village settlement boundaries. First sentence should be amended to read: The Borough Council will enhance the vitality of rural communities by supporting appropriate development <i>including the expansion of all types of business and enterprise through both conversion of buildings and well-designed new buildings, the promotion and diversification of agriculture and other land-based rural businesses, sustainable tourism and leisure that benefits businesses in the rural area, communities and visitors, and the retention and development of local services in villages.</i></p>	<p>Proposed wording considered to retain insufficient protection for countryside assets and amenity, since NPPF supports conserving and enhancing the natural environment in addition to supporting a prosperous rural economy.</p>
	<p><a href="#">Jean Dickinson</a></p>	<p>ENV2 – The NPPF supports the relaxation of tight controls on village envelopes.</p>	<p>Policies on rural growth will be reviewed to ensure compliance with the NPPF.</p>
	<p><a href="#">Little Horkesley</a></p>	<p>ENV2 -LHPC supports the current policy as it enables</p>	<p>Noted</p>

	<a href="#">Parish Council</a>	small scale development in rural villages, including rural business, but <b>only</b> within our tight settlement boundary.	
	<a href="#">Strutt and Parker on behalf of D. Watts</a>	ENV2 – Colchester’s policies have focused growth on urban areas and restricted growth in larger sustainable villages such as Layer de la Haye. Opportunities to allow for sustainable growth to help enhance village vitality should be considered as part of Focused Review. The adoption of appropriate policies would allow for suitable sustainable sites such as our clients’ land in Layer-de-la-Haye to come forward through planning applications. Proposed wording provided noting that rural exception sites may include market housing where this would allow for significant affordable housing.	Wording will be revised to comply with NPPF policy, while ensuring the primacy of providing affordable housing on rural exception sites.
	<a href="#">Campaign for the Preservation of Rural Essex (CPRE)</a>	ENV2 -Accept that NPPF has undermined previous policies not to permit market housing as a cross subsidy for social housing. Any new wording needs to be very carefully phrased otherwise there is a danger that such arrangements will become the norm. As soon as the Council allows cross subsidy arrangements, hard to see any landowner being willing to put their land forward on any other basis.	Revised policy is intended to retain the focus on affordable housing for rural exception sites.
	<a href="#">Marine Management Organisation</a>	No comments raised with regards to the scope of the Focused Review, but response has highlighted the work and remit of the Marine Management Organisation.	Noted
Energy	<a href="#">Environment Agency</a>	ER1 – Incorporate references to third, fourth and fifth bullet points of para 97 of NPPF which make	Agreed some revision may be needed to ER1, but full analysis

		reference to the identification in plans of suitable areas for renewable and low carbon energy and identification of opportunities where developments can draw its energy supply from decentralised, renewable or low carbon supply systems.	of opportunities for renewable energy will form part of the evidence base process for the Full Review.
Other	<a href="#">Mersea Homes</a>	Chapter 6 Implementation and Monitoring – Working in Partnership section should be updated to reflect Duty to Co-operate with statutory consultees. Housing Delivery section needs review as it refers to the superseded PPS3 and does not take into account of NPPF requirement to increase supply.	Agreed.
<b>DEVELOPMENT POLICIES</b>			
Design and Amenity	<a href="#">Environment Agency</a>	DP1- amend to make reference to the requirement under 2 <sup>nd</sup> bullet point of para 96 of NPPF for new development to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.	Agreed
Planning Obligations and the Community Infrastructure Levy	<a href="#">Environment Agency</a>	DP3 - No comments on wording, but would recommend holding discussions with Essex Partnership and Strategic Overview team on drainage and flood mitigation schemes.	Noted
	<a href="#">Mersea Homes</a>	DP3 – Look forward to seeing the structure of revised CIL/planning obligation guidance as it is a critical issue that needs careful consideration.	Noted
Employment	<a href="#">Allies and Morrison</a>	DP5 – Proposal to amend the wording of DP5 is	Agreed that review of Centres

	<a href="#">on behalf of CBC as landowner</a>	<p>welcomed. Some allocated sites are unlikely to be required for employment use and some locations may be suitable for other forms of development. Northern Farmlands east of the football stadium can accommodate both new employment space and development which includes elements of sport, leisure, retail and housing. The potential for leisure and recreation facilities which relate to and extend the existing sporting activities is a unique opportunity for Colchester which should transcend the existing rigid employment designation. DP5 can be further expanded to include outdoor recreation and leisure.</p>	<p>and Employment policies is required to ensure compliance with NPPF by provision of greater flexibility for different types of employment-creating development.</p>
	<a href="#">RPS on behalf of Costco</a>	<p>DP5 - Criteria (a) Policy DP5 should be amended to include provision for sui generis uses that are closely related to B1, B2 and B8 uses to cater for emerging sectors, ie Costco member warehouse clubs. NPPF provides emphasis that local authorities should not be overly prescriptive regarding specific uses and should be seeking to positively promote economic growth.</p>	<p>Sui generis uses are already listed as secondary uses for Mixed use Centres and Employment Zones in Core Strategy Table CE1b.</p>
	<a href="#">Barton Willmore on behalf of Tollgate Partnership</a>	<p>DP5 – Requires review in light of NPPF para 22 and to avoid the long term protection of sites allocated for employment where there is no reasonable prospect of that use coming forward. Same principle should be applied to CE3 and SA STA3.</p>	<p>Agreed that DP5 and CE3 require review to comply with the NPPF. Site Allocations policies, however, are not considered to require review since the only area of potential conflict is the retail aspects of NGA3 (North Growth Area Employment) and STA3 (Stanway Employment). Revised policies will note they supersede</p>

		DP6 and DP7 -Retail policies require assessment in light of NPPF (paras 23-27 and also 150-158 in terms of plan-making).	these aspects of NGA3 and STA3. DP6 (Town Centre Uses) and DP7 (Local Centres) will be reviewed as part of the Full Review. Noted
<a href="#">Campaign for the Preservation of Rural Essex (CPRE)</a>		DP5 – Raises similar issues in respect of market fluctuations as relaxing affordable housing requirements. Important to ensure balanced communities and land allocated for employment should not be lightly released, unless it is unlikely the land would ever come forward. Marketing exercises can only ever reflect current market conditions. DP5 – Policy needs to reflect para 28 of the NPPF to ensure jobs and employment are encouraged and located in the countryside. Sentence providing that ‘rural business and tourism will be acceptable in the countryside’ should be added.	
<a href="#">Collins and Coward on behalf of Bunting &amp; Sons</a>		DP5 – Policy needs to reflect para 28 of the NPPF to ensure jobs and employment are encouraged and located in the countryside. Sentence providing that ‘rural business and tourism will be acceptable in the countryside’ should be added.	Appropriate to include criteria for the location of rural business and tourism since NPPF supports conserving and enhancing the natural environment in addition to supporting a prosperous rural economy.
<a href="#">Jean Dickinson</a>		DP5 – New clause requested – the Council will ensure that the employment area ‘land bank’ within the 2008 Core Strategy is not compromised by the relocation of businesses, where there is no significant increase in the number employed, by giving any planning approval to the applicant’s original premises for non-employment purposes.	The NPPF requires that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.
<a href="#">Collins and Coward on behalf of</a>		DP8 (Agricultural development and Diversity) – Policy needs to reflect para 28 of the NPPF to ensure jobs	Proposed wording considered to retain insufficient protection for

	<a href="#">Bunting &amp; Sons</a>	and employment are encouraged and located in the countryside. Wording changes supplied that removes criteria to constrain farm diversification proposals.	countryside assets and amenity.
	<a href="#">Campaign for the Preservation of Rural Essex (CPRE)</a>	DP9 (Employment Uses in Countryside) – Para 28 of NPPF talks about ‘all types’ of employment, and given statements elsewhere on the value of the countryside, it would seem reasonable to have a policy limiting the size of rural enterprises to being appropriate in terms of the character of the countryside and the impact of the business on the local environment in respect of traffic etc.	Noted.
	<a href="#">Collins and Coward on behalf Bunting &amp; Sons</a>	DP9 – Policy needs to reflect para 28 of the NPPF to ensure jobs and employment are encouraged and located in the countryside. Policy should be reworded to delete references to small scale and criteria for particular types of rural employment proposals.	Appropriate to include criteria for the scale, type and extent of rural commercial buildings since NPPF supports conserving and enhancing the natural environment in addition to supporting a prosperous rural economy.
	<a href="#">Jean Dickinson</a>	DP9 – Remove requirement that rural employment proposals will only be supported in ‘exceptional’ cases.	Proposed wording considered to retain insufficient protection for countryside assets and amenity.
	<a href="#">Little Horkesley Parish Council</a>	DP9 – LHPC supports the existing policy as it supports rural small scale business as long as harm is not done to rural character.	Noted.
	<a href="#">Collins and Coward on behalf of Bunting &amp; Sons</a>	DP10 (Tourism, Leisure and Culture) – Needs to reflect para 28 of the NPPF to ensure jobs and employment are encouraged and located in the countryside. Wording suggested that deletes criteria	Proposed wording considered to retain insufficient protection for countryside assets and amenity.

		constraining new tourism, leisure and culture developments.	
	<a href="#">Campaign for the Preservation of Rural Essex (CPRE)</a>	DP12 (Dwelling Standards) – accept there is a need for criteria in DP12 to address issue of residential conversions. Should be based around the principles of sustainable development with a cautious approach to residential conversions outside settlement boundaries unless there are clear benefits to safeguarding a building of value or a residence is considered essential for a rural business.	Noted
	<a href="#">Jean Dickinson</a>	DP 13 (Dwelling Alterations, Extensions and Replacement Dwellings) Policy should state precisely which extensions and alterations require permission or give a better link.	Policy continues to change in this area, so a definitive list is likely to become out of date. The link provided to the Government's Planning Portal is considered to provide the most authoritative source of advice.
	<a href="#">Little Horkesley Parish Council</a>	DP13 – LHPC supports the existing policy as it places defined limitations on alterations, extensions and replacement of dwellings, albeit larger extensions may soon be permitted development if Parliament so decides.	Noted
	<a href="#">Robinson and Hall Land and Property Consultants</a>	DP13 - Fails to comply with paras 51 & 55 of NPPF which offers a strong presumption towards re-use of commercial buildings for residential purposes whereas CBC policy retains total embargo. Policy is too restrictive in respect of extensions and replacement dwellings within the rural areas contrary to paras 50 & 55 of NPPF which indicate a desire to	Policy review will seek to ensure an appropriate balance between providing greater flexibility as required by the NPPF and protecting/enhancing the countryside.

		provide housing for all elements of the community. Aspirational housing is entirely excluded together with the government's presumption to allow homeowners the ability to extend their properties. Policy is too prescriptive towards design which is contrary to para 60 of NPPF	
<a href="#">Collins and Coward on behalf of Bunting &amp; Sons</a>	DP14 (Historic Environmental Assets) – Policy needs to reflect Section 12 of the NPPF. Wording change proposed to insert 'significantly' in front of 'adversely affect a listed building, a conservation area, historic park or garden or important archaeological remains'.	Changes to ensure policy on historic environment assets is compliant with the NPPF will be considered, but it is noted that the NPPF uses the term 'significant' to relate to the importance of assets and not to issues of harm.	
<a href="#">Collins and Coward on behalf of Bunting &amp; Sons</a>	DP17 (Accessibility and Access) – Policy needs to reflect Section 4 of the NPPF. Wording proposed to remove requirement to give priority to pedestrian cycling and public transport access. Access and any traffic generated should not 'significantly' rather than 'unreasonably' harm the surroundings.	Policy is not considered to require revision as it assigns appropriate weight to transport considerations and accords with NPPF.	
<a href="#">Collins and Coward on behalf of Bunting &amp; Sons</a>	DP21 (Nature Conservation and Protected Lanes) – Policy needs to reflect the original basis for the designation of Protected Lanes. Wording proposed to remove 'only' – development will only be supported where it meets a range of criteria. Proposals for development that would cause direct or indirect significant adverse harm to designated sites should only not be permitted if the harm is 'significant'. Wording on Protected Lanes should be deleted.	Policy is not considered to require revision as it assigns appropriate weight to relevant environmental considerations and accords with NPPF.	



	<a href="#">Collins and Coward on behalf of Bunting &amp; Sons</a>	DP22 (Dedham Vale AONB) – Policy needs to reflect Section 11 of the NPPF. Wording changes proposed to lessen constraints on development in the Dedham Vale AONB, including requiring that adverse affects be ‘significant’, and by deleting reference to the Dedham Vale AONB & Stour Valley Management Plan.	Policy is not considered to require revision as it assigns appropriate weight to relevant environmental considerations.
	<a href="#">Campaign for the Preservation of Rural Essex (CPRE)</a>	DP24 (Equestrian Activities) – Recognise the difficulty that the NPPF (as interpreted by one Inspector it should be emphasised) creates for the Council. The policy was not wholly compliant with PPS7 but was still allowed to remain following examination by another Inspector. Guidance in para 55 of the NPPF is very general. Equestrian activities have a significant impact on the rural landscape, in many instances for the worse, and impact on rural roads, again usually for the worse. It seems proper to have a policy dealing with this type of activity that balances the legitimate needs of the industry with wider countryside concerns.	Policy review will seek to ensure an appropriate balance between providing greater flexibility as required by the NPPF and protecting/enhancing the countryside.
	<a href="#">Collins and Coward on behalf of Bunting &amp; Sons</a>	DP24 – Policy needs to reflect para 28 of the NPPF to ensure jobs and employment are encouraged and located in the countryside. Policy should be amended to simply state that planning permission will be supported for equestrian related development, with all criteria for judging proposals to be deleted.	Policy review will seek to ensure an appropriate balance between providing greater flexibility as required by the NPPF and protecting/enhancing the countryside.
	<a href="#">Jean Dickinson</a>	DP24 – Policy should be revised to permit equestrian related development if it can be demonstrated that the proposal ‘will comply with other policies such as	Policy review will seek to ensure an appropriate balance between providing greater flexibility as

		local tourism, agricultural/scientific research facility, or other equestrian based rural enterprise’.	required by the NPPF and protecting/enhancing the countryside.
	<a href="#">Robinson and Hall Land and Property Consultants</a>	DP24 - Policy only refers to equestrian needs whereas para 55 of the NPPF makes no such qualification. Other rural workers should also be included.	Policy review will seek to ensure an appropriate balance between providing greater flexibility as required by the NPPF and protecting/enhancing the countryside.
Sustainability Appraisal and Habitats Regulation Assessment	<a href="#">Environment Agency</a>	Questions 2 & 3 omitted in the SA. EA identified a number of additional documents for use in the next SA stages: Anglia River Basin Management Plan ( ARBMP) (2009) Combined Essex Catchment Abstraction Management Strategy (CECAMS) (2013) North Essex Catchment Flood Management Plan ARBMP and CECAMS will provide current data about water quality and water availability. Up to date Water quality data available since publication of the ARBMP in 2009 is available from <a href="mailto:corporate.services@environment-agency.gov.uk">corporate.services@environment-agency.gov.uk</a>	Questions 2 & 3 were omitted by accident but this will not undermine the intent of the Scoping Report. Availability of documents noted for use in preparation of Focused Review of Local Plan and SA
	<a href="#">Essex County Council</a>	ECC generally supportive of the approach adopted to updating SA. Suggested changes include: <ul style="list-style-type: none"> <li>• Adding PPS10 Sustainable Waste Management to table 2</li> <li>• Removing PPS1 Planning and Climate</li> </ul>	Proposed changes noted.

		<p>Change, PPS25 Supplement Development and Coastal Change (Practice Guide (2010), PPS25 Supplement: Development and Flood Risk (Practice Guide (2009) and PPS22 Planning for Renewable Energy a Companion Guide (2004)</p> <p>Suggested amendments to SA framework –</p> <ul style="list-style-type: none"> <li>• Objective 7 – amend to include archaeology in light of Colchester’s rich archaeological heritage</li> <li>• Objective 8 - amend to include reference to brownfield sites to acknowledge their potential high biodiversity value.</li> </ul>	
	<p><a href="#">Jean Dickinson</a></p>	<p>Proposes establishing an independent panel of local experts with economic, social and environmental information expertise as a planning consultee</p>	<p>The Sustainability Appraisal process follows current best practice. Not clear what extra value this panel would add to existing processes of sustainability appraisal, statutory consultation, and member scrutiny.</p>
	<p><a href="#">Myland Community Council</a></p>	<p>Combining the SEA/SA potentially dilutes scope to have high regard for the protection of the environment as part of sustainable development. Supportive of review of policies SD2, SD3, H4, ENV2 and DP24.</p> <p>Suggest the inclusion of wording about ‘The</p>	<p>Combining SEA/SA processes as part of the SA process follows best practice. As part of this a process gives equal weighting to economic, social and environmental issues</p> <p>The text re ‘The Presumption in</p>

		<p>presumption in favour of Sustainable Development is used out of context.</p> <p>Proposal that policies ENV1, PR1, DP20, DP 10, DP16 should also be reviewed to ensure that climate change and environmental protection policies (brownfield sites) are properly considered.</p> <p>Generally Focused Review of the Local Plan places too much emphasis on house building and employment and not enough emphasis at the expense of other issues e.g. role of Colchester as an important tourist destination. Concern the Local Plan will become a developers charter</p>	<p>favour of sustainable development is taken from the NPPF.</p> <p>ENV1, PR1, DP20, DP 10, DP16 are currently considered to be in conformity with the NPPF. They will be reviewed as part of full Local Plan review.</p> <p>Only those policies not considered to be in conformity with the NPPF need to be reviewed. The remaining unchanged policies still form part of the Borough's Local Plan.</p>
	<p><a href="#">Natural England</a></p>	<p>Generally satisfied that the SA Scoping Report addresses the key sustainability issues to be addressed to satisfy NPPF. Changes to SA indicators Objective 8 are recommended to ensure that the impacts of policy changes for rural housing and employment can be assessed more rigorously. Mitigation measures to be explored. The HRA Screening Report identifies that changes could have an impact, but evidence is needed. CBC should provide additional details on monitoring and mitigation to ensure that impacts are not significant.</p>	<p>Noted. Impacts of housing policies already monitored through the HRA monitoring programme. This involves gathering baseline data on current levels of use which can be used to monitor the impact of growth over time.</p>

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29<sup>th</sup> April 2013

The Spatial Policy Team  
Strategic Policy and Regeneration  
Colchester Borough Council  
Rowan House  
33 Sheepen Road, Colchester  
Essex CO3 3WG

**MARTIN  
ROBESON**  
P L A N N I N G  
P R A C T I C E

*Town Planning Consultants  
Development Advocacy*

21 BUCKINGHAM STREET  
LONDON WC2N 6EF  
TELEPHONE: 020 7930 0007  
FACSIMILE: 020 7930 4049

**By Email: [Planning.Policy@Colchester.gov.uk](mailto:Planning.Policy@Colchester.gov.uk)**

Dear Sir / Madam

**COLCHESTER BOROUGH COUNCIL: REVIEW OF ADOPTED POLICY DOCUMENTS AGAINST THE REQUIREMENTS OF THE NATIONAL PLANNING POLICY FRAMEWORK (THE FRAMEWORK) INITIAL, ISSUES AND OPTIONS, CONSULTATION: 18 MARCH – 29 APRIL 2013**

On behalf of our client, The Churchmanor Estates Company plc, we welcome the opportunity of contributing to the Council's review of policy within its adopted Core Strategy and Development Policies Documents.

We wish to make several key overarching comments prior to making representations with regard to not only the policies identified for potential change by the Council, but identifying other policies that we consider are not consistent with the Framework and should be recorded as such by the Council.

**Overarching Comments**

The Framework has as one of its focuses that planning policies should meet the identified needs of their respective areas. Hence the Framework's "*presumption in favour of sustainable development*" being based on the requirement for local planning authorities to "*positively seek opportunities to meet the development needs of their area*", and that "*Local Plans should meet objectively assessed needs ...*". This is taken forward in the Framework's Core Planning Principles which include "... *to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth*". This is a consistent message throughout the Framework, see for instance references at paragraph 20 "... *local planning authorities should plan proactively to meet the development needs of business ...*", at paragraph 23, "*it is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability*". At paragraph 161 "... *to assess the*

*needs for land or floorspace for economic development, including both the quantitative and qualitative needs for all foreseeable types of economic activity over the plan period, including for retail and leisure development” and then to ensure the “... future supply of land available for economic development and its sufficiency and suitability to meet the identified needs”.*

The need for the Council’s review here is explained by the Framework’s text at paragraphs 212-215.

Paragraph 212 makes it clear that “... *the policies contained in this Framework are material considerations that local planning authorities should take into account ...*”. We are therefore concerned that paragraph 1.2 of the Introduction to the Council’s document refers to the Framework only as “*also provides guidance in the determination of planning applications*”.

Paragraph 215 explains that “... *due weight should be given to relevant policies in existing plans according to their degree of consistency with this Framework (the closer the policies in the Plan to the policies in the Framework, the greater the weight that may be given)*”. Thus, policies can be to varying extents inconsistent with the policies set out in the Framework and it is important that a thorough review of all relevant DPDs are carried out to ensure that the Council does not inadvertently place full weight on a policy that needs to be reviewed.

We are therefore concerned that the Council is suggesting (paragraph 1.3 of its Consultation Paper) that only a limited review is considered to be required and it relies on having a full set of recently adopted policy documents. However, the Core Strategy was adopted in 2008 and in any event it is not the passage of time that makes a planning policy inconsistent with the Framework, it is its content and approach.

It would seem inappropriate for the Council to state at paragraph 1.5 that the purpose of the review is for its policy to be “*judged valid at appeal*”. The purpose of the review should be to ensure the Council’s policies are effectively consistent with the approach in the Framework such that its “*presumption in favour of sustainable development*” is promoted locally. This includes the local planning authority being in a position to “*positively seek opportunities to meet the development needs of their area*” and “*approving development proposals that accord with the Development Plan without delay*” (paragraph 14 of the Framework).

It seems that the Council is undertaking this review against the Framework to inform early stages of the Focused Review of its forthcoming Local Plan rather than focusing on providing a schedule of Framework inconsistent policies.

Whilst paragraph 213 of the Framework explains that plans need “... *to be revised to take into account the policies in the Framework*” and it also explains that this should be progressed “*either through a partial review or by preparing a new plan*”, the opportunity must be taken in considering a Framework

compliant review to assess whether the existing Spatial Strategy itself remains Framework compliant in terms of its approach at paragraph 14 and through its Core Planning Principles. We consider that this is not the case.

As indicated above, and contrary to paragraph 1.6 of the Council's Paper, it is not only policies *"that clearly do not comply with the advice within the NPPF"* that need to be addressed. It is important to deal with all policies where there are elements of inconsistency contained within them or in associated justification or guidance.

Because of this and the quite extensive inconsistencies with the Framework, it is not safe to assume that Site Allocations are immune from being inconsistent with the Framework. Indeed, the contrary would appear to be the case and the Council's review of compliance is incomplete without addressing the content of the Site Allocations DPD.

There is also a specific issue with many of the Development Policies DPD. The Ministerial Forward to the Framework explains, *"in order to fulfil its purpose of helping achieve sustainable development, planning must not simply be about scrutiny. Planning must be a creative exercise in finding ways to enhance and improve the places in which we live our lives"*. Many Development Plan Documents have been drawn up in order to provide scrutiny of specific development proposals whilst not seeking means to promote schemes. The Borough Council's Development Policies (adopted October 2010) can, in part, now be seen to be non compliant because it has taken such an approach.

The Council asks two specific questions:

- *"Which policies in the Core Strategy and Development Policies require change to be in conformity with the NPPF?"*
- *Is there a need for the deletion or addition of any policies to allow the wider plan to be in conformity with the NPPF?"*

Our comments below now seek to deal with relevant individual policies but start by considering the need for a wider review embracing the existing Plan's Spatial Strategy.

## **Individual Policies**

### **Core Strategy**

#### The Spatial Strategy

The Spatial Strategy to the Core Strategy has taken a specific *"locational approach"* which has set out a range of places across Colchester seen by the Plan to be capable of and desirous of accommodating development or in need of redevelopment. The strategy is not clearly based on objective assessment of all development needs for all types of development which then uses sequential or other assessment devices to identify a series of appropriate locations.

The strategy by being *"location"*, rather than *"needs"* led, is inconsistent with the approach in the Framework which explains that the *"golden thread running*

*through both plan-making and decision-taking*” relates to meeting development needs across the area. Instead, the Core Strategy is more fundamentally based on its *“concept of the Town Centre to include these fringe areas and gateways”* (page 24).

Because of this a much more substantial review of the Council’s DPDs is required.

#### Sustainable Development Locations (SD1)

The points made immediately above are key to reviewing this policy.

In addition, the policy’s use of *“a sequential approach”* to give priority to previously developed land, is inconsistent with the Framework. Such an approach is not set out in respect of accommodating business, retail or housing land requirements. Indeed, the Secretary of State has confirmed this to be the case with regard to housing development in a recent decision.

#### Delivering Facilities and Infrastructure (SD2)

It is noted that the Council proposes a change to this and related policies in the context of the introduction of the Community Infrastructure Levy. The policy is currently inconsistent with the approach set out in the Framework and in the Regulations that support CIL.

#### Centres and Employment Classification and Hierarchy (CE1)

Our concern here arises again from the *“locational”* focus of the Core Strategy. The Framework requires development needs to be planned positively. In this regard, paragraphs 2 and 3 are incompatible with the Framework.

#### Mixed Use Centres (CE2)

Again, our concerns follow from those relating to the Spatial Strategy and Policy CE1. It appears to be *“locational”* factors that are primarily directing the accommodation of needs rather than the identification of the full scale of needs that are then directing the identification of sites to best accommodate them.

#### Town Centre (CE2a)

The approach set out, particularly in the first paragraph of this policy, is again fundamentally locationally led rather than focusing on the identification of the full development needs of the area and then seeking to plan positively to best accommodate them. In this regard, the sequential approach does not give *“priority to the regeneration of the town centre”*. The Framework makes it clear that such an approach provides a series of preferences in the accommodation of development across specific classes of location.

#### District Centres (CE2b)

This policy, particularly in respect of that for Urban District Centres, is driven by the identification of the place rather than seeking to accommodate needs within it (to the extent that this may be possible). That approach would then seek to accommodate needs around it in terms of, for example, edge of



centre locations. In this regard, the policy currently explains that expansion of “*urban district centres will not be supported*”. This is not Framework consistent.

#### Employment Zones (CE3)

The policy is too locationally specific to be in conformity with the Framework. The policy should look at the need to plan positively to address the provision of land for employment purposes and then to set out a regime for accommodating this by appropriate locations using criteria. In addition, the negative approach to other uses within employment zones is inconsistent with that set out in the Framework.

#### Housing Delivery (H1)

The Framework does not set a target for the provision of housing on previously developed land. Whilst the Framework seeks to encourage the effective use of land by re-using previously developed land, it does not encourage the kind of prescriptive approach contained within the penultimate paragraph.

#### Accessibility and Changing Travel Behaviour (TA1)

The approach in the Framework, ie. “*promoting sustainable transport*” sets out a more pro-active approach, for instance, the third paragraph of Policy TA1 is not consistent with paragraph 34 of the Framework.

#### Roads and Traffic (TA4)

The approach in the third bullet point at paragraph 32 of the Framework is that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are “*severe*”. In contrast the approach in TA4 is not consistent with the broader approach in the Framework and specifically in terms of demand for car travel being “*managed to prevent adverse impacts*”.

#### Parking (TA5)

The approach here is unduly prescriptive, contrary to the Framework, see, for instance, the text in the third paragraph as to where car parking should be located.

### **Development Policies**

#### Design and Amenity (DP1)

There are a range of significant differences now set by the approach in the Framework which make this policy inconsistent with it. The Framework, for instance, requires that planning seeks to “*optimise the potential of the site to accommodate development*”. This is part of the positive approach in the Framework which is, in contrast, lacking in this adopted policy.

#### Health Assessment (DP2)

The Framework now sets out at paragraphs 69-78 relevant text. Against this, Policy DP2 can be seen to be inconsistent.

### Planning Obligations and the Community Infrastructure Levy (DP3)

The Framework and the Regulations relating to CIL now provide an up to date basis such that the content of Policy DP3 is now inconsistent with the Framework.

### Appropriate Employment Uses and Protection of Employment Land in Existing Businesses (DP5)

It is noted that the Council accept that this policy needs to be amended to “*avoid the long term protection of sites allocated for employment use ...*”. The policy, as it stands, is wholly inconsistent with the Framework. This includes how the policy text is written not only to protect the status quo but in imposing wholly unacceptable and inappropriate burdens on the developer in respect of proposed marketing (see paragraph 4.4 of the Explanation) and in seeking alternative provision or other incentives to compensate for the loss of the existing land (see also Appendix 3). Both approaches are wholly inconsistent with the presumption in favour of sustainable development and the approach at paragraph 15 to approve sustainable development “*without delay*”.

### Local Centres and Individual Shops (DP7)

The Framework does not give protection to local shops that are not identified as centres in Local Plans, (see the definition of town centre in the Glossary of Terms to the Framework in the context of paragraph 26). In respect of paragraph 70, the protection of local shops is with regard to their loss through change of use or demolition and not through impact. The policy’s protection afforded to local shops is thus inconsistent with the Framework. In addition, “*scale*” is no longer a retail impact test in paragraph 26 of the Framework. (This was part of the earlier impact test in PPS4).

### Employment Uses in the Countryside (DP9)

The approach is not in accordance with the Framework’s paragraph 28 which sets out a wholly more positive policy.

### Accessibility and Access (DP17)

The approach is inconsistent with that taken by the Framework at paragraphs 29 to 41. In particular, the third bullet point at paragraph 32 makes it clear that development will only be resisted where there will be “*severe*” impacts.

### Parking Standards (DP9)

The approach in this policy is inconsistent with that taken by the Framework at paragraph 39. This includes reference to local planning authorities taking account of “*local car ownership levels*” in setting local parking standards. This factor was not taken into account in the Vehicle Parking Standards drafted by the Essex Planning Officers Association.

### Flood Risk and Management of Surface Water Drainage (DP20)

The approach in the Framework at paragraphs 99-104 changes the emphasis here. The approach in the Framework is to “*avoid*” areas where development will be at risk of flooding and its approach is generally more positive and less prescriptive than that set out in DP20.

Nature Conservation and Protected Lanes (DP21)

The Framework at paragraph 118 has a much more positive approach to the subject matter and thus Policy DP21 would appear to be inconsistent with the principles now set out.

Coastal Areas (DP23)

The Framework sets out relevant policy at paragraphs 105-108 and the approach there makes Policy DP21 inconsistent with the Framework

We trust that the above response is helpful in the Council's assessment of existing policies against compliance with the Framework.

We would welcome the opportunity to discuss the matters raised further with officers.

Yours faithfully



**Martin Robeson**

[MartinRobeson@martinrobesson.co.uk](mailto:MartinRobeson@martinrobesson.co.uk)

**Martin Robeson on behalf of Churchmanor Estates**  
**Representations in respect of Local Plan Focused Review**

**Addendum to Table Summarising Responses**

<b>Issue</b>	<b>Comment</b>	<b>CBC Response</b>
<b>CORE STRATEGY</b>	<p>It is important that a thorough review of all relevant DPDs are carried out to ensure that the Council does not inadvertently place full weight on a policy that needs to be reviewed. It is inappropriate for Council to state that the purpose of the review is for its policy to be judged 'valid at appeal'. The purpose of the review should be to ensure the Council's policies are effectively consistent with the approach in the NPPF such that its presumption in favour of sustainable development is promoted locally.</p> <p>Important to deal with all policies where there are elements of inconsistency contained within them or in associated justification or guidance.</p> <p>Not safe to assume Site Allocations are immune from being inconsistent with the Framework. Many Development Policies are also not proactive enough.</p>	<p>The Council's success in adopting planning policies and delivering growth to meet targets is testament to the effectiveness of its planning policy framework. It is not accordingly accepted that the Council's Spatial Strategy is at odds with the NPPF's focus on meeting identified local needs and positively seeking opportunities to meet development needs. The Council's adopted planning policies were based on an evidence base and local circumstances that in large measure continue to ensure their continuing appropriateness, as well as the appropriateness of the overall Spatial Strategy. A limited review is accordingly considered sufficient to address clear conflicts. Given that a positive approach to development underpins the plan as a whole, it is not considered that an extensive list of policies needs to be revised to re-state that message.</p> <p>The changes proposed to the overall policies are accordingly outside the scope of the current review. Changes to reflect variations in the national approach to promoting sustainable development will be incorporated as part of the full review of the Local</p>

		<p>Plan. Ensuring policies are judged valid at appeal is a sign that they are consistent with the Framework – the two purposes are not at odds.</p>
<p>Spatial Strategy</p>	<p>Spatial Strategy has taken a specific 'locational approach' which has set out a range of places capable of and desirous of accommodating development or in need of redevelopment. Strategy not clearly based on objective assessment of all development needs for all types of development which then uses sequential or other assessment devices to identify a series of appropriate locations. Locational rather than needs based approach is inconsistent with NPPF approach of 'golden thread' of meeting development needs across that area. Instead CS is more fundamentally based on its concept of the Town Centre to include fringe areas and gateways.</p>	<p>The Council's Spatial Strategy follows on from an evidence base which quantified the need for different types of development across the borough. It is accordingly considered that it is consistent with the NPPF. The distinction between a locational and a needs based approach isn't entirely clear, given that planning deals with matching development needs with sustainable locations. Policies dealing with centres will be revised to ensure consistency of Council policies with the NPPF's definition of centres.</p>
<p>SD1 – Sustainable Development</p>	<p>The policy's use of a sequential approach to give priority to previously developed land is inconsistent with the Framework.</p>	<p>Para 111 of the NPPF provides that 'planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value...and they may continue to consider the case for setting a locally appropriate target for the use of brownfield land.'</p>
<p>SD2 – Delivering Facilities and Infrastructure</p>	<p>Policy is currently inconsistent with the approach set out in the Framework and in the Regulations that support CIL.</p>	<p>Agreed that the policy requires revision to comply with latest national policy.</p>
<p>CE1 – Centres and Employment Classification</p>	<p>Concern arises from the 'locational' focus of the Core Strategy. Framework requires development needs to be planned positively. In this regard, paras 2 and 3</p>	<p>Policies are considered to be positive, but agreed that some revision is required to ensure NPPF definition of centres is reflected.</p>

and Hierarchy	are incompatible with the NPPF.	
CE2 -Mixed Use Centres	Concerns follow from those relating to the Spatial Strategy and CE1. Locational factors are primarily directing the accommodated of needs rather than the identification of the full scale of needs that are then directing the identification of sites to best accommodate them.	As noted above, it is considered reasonable for locational considerations such as access, infrastructure and sustainability to inform spatial strategies and preferred locations for different types of development.
CE2a – Town Centre	Approach is again locationally led rather than focusing on the identification of the full development needs of the area. In this regard, the sequential approach does not give 'priority to the regeneration of the town centre'. NPPF makes it clear that such an approach provides a series of preferences in the accommodation of development across specific classes of location.	Para 23 of the NPPF provides that policies should 'recognise town centres as the heart of their communities and pursue policies to support their viability and vitality.' as well as to 'define a network and hierarchy of centres that is resilient to anticipated future economic changes'
CE2b – District Centres	Policy driven by the identification of place rather than seeking to accommodate needs within it. Approach would then seek to accommodate needs around it in terms of edge of centre locations. Policy currently explains that expansion of urban district centres will not be supported, which is not NPPF consistent.	The policy is not considered to be deficient in its overall approach, but agreed that some revision is required to ensure NPPF definition of centres is reflected.
CE3 – Employment Zones	Policy is too locationally specific to be in conformity with the NPPF. Policy should plan positively to provide land for employment purposes and then set out a regime for accommodating this by appropriate locations using criteria. Negative approach to other uses within employment zones is inconsistent with that set out in the Framework.	The policy is not considered to be deficient in its overall approach, but agreed that some revision is required to introduce greater flexibility in employment zones.
H1 – Housing Delivery	NPPF doesn't set a target for housing on previously developed land, since overly prescriptive approach is not encouraged.	Agreed that policy is moving away from specific targets, so the current policy will be assessed to determine if 'seek to provide' adds sufficient flexibility.

		Para 111 of the NPPF states that LA's 'may continue to consider the case for setting a locally appropriate target for the use of brownfield land'	
TA1 – Accessibility and Changing Travel Behaviour	NPPF is more pro-active – 3 <sup>rd</sup> para of policy, including a focus on highly accessible locations and a prescription against developments that are car-dependent or promote unsustainable travel behaviour will not be supported, is not consistent with para 34.	Para 34 of the NPPF provides that 'plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised'. The objective of this paragraph is considered to be reflected in Policy TA1.	
TA4 – Roads and Traffic	Para 32 of the NPPF provides that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development area 'severe'. TA4 isn't consistent with this broader approach nor is it consistent in its specific provision that car travel should be 'managed to prevent adverse impacts'.	It is not considered that the policy conflicts with the NPPF which talks about maximising sustainable transport modes, encouraging solutions that reduce congestion, etc	
TA5 - Parking	Approach is unduly prescriptive, ie text in 3 <sup>rd</sup> para as to where car parking should be located.	Policy guidance is not unduly prescriptive given that it would be balanced with other material considerations.	
<b>Development Policies</b>			
DP1 – Design and Amenity	Positive approach in Framework – ie planning seeks to optimise the potential of the site to accommodate development. DP1 inconsistent with this.	Requiring high quality development is considered consistent with having a positive approach to sustainable development.	
DP2 – Health Assessments	DP2 inconsistent with paras 69-78	Policy will be reviewed further for consistency, but considered to be in general accord with the NPPF objective of creating health, inclusive communities and creating a shared vision with communities of the residential environment and facilities they wish to see.	
DP3 – Planning Obligations and CIL	DP3 inconsistent with the Framework.	Agreed that the policy requires revision to comply with latest national policy.	

<p>DP5 – Appropriate Employment Uses/Protection of Employment Land</p>	<p>Policy is inconsistent with the Framework ie protecting the status quo and imposing unacceptable and inappropriate burdens on the developer in respect of proposed marketing and in seeking alternative provision to compensate for the loss of existing land.</p>	<p>Review will cover all aspects of the policy.</p>
<p>DP7 – Local Centres and Individual Shops</p>	<p>Framework does not give protection to local shops that are not identified as centres in Local Plans. In addition, ‘scale’ is no longer a retail impact test in the NPPF.</p>	<p>The NPPF does not prevent the safeguarding of individual shop units; therefore, the protection afforded to individual shop units, within Policy DP7, does not conflict with the NPPF. The Policy is clear that the requirement to retain the A1 use is on the basis that it is viable to do so; where it is not viable to preserve the A1 use, other uses will be considered; consistent with the NPPF. While paragraph 26 of the NPPF does not make specific reference to ‘scale’, scale will inevitably be a factor in the impact of a development, and remains a valid planning consideration</p>
<p>DP9 – Employment Uses in the Countryside</p>	<p>Approach not in accordance with NPPF para 28 which sets out a more positive policy.</p>	<p>Agreed that policy requires review to ensure consistency with the NPPF.</p>
<p>DP17 – Accessibility and Access</p>	<p>Approach is inconsistent with paras 29-41 of NPPF. In particular, para 32 makes it clear that development will only be resisted where there will be ‘severe’ impacts.</p>	<p>Policy and explanatory text will be examined as part of Focused Review to ensure consistency with the NPPF</p>
<p>DP19 – Parking Standards</p>	<p>Approach is inconsistent with para 39 of the NPPF, including reference to local planning authorities taking account of local car ownership levels in setting local parking standards.</p>	<p>Policy is considered to reflect local car ownership levels, since the 2009 adopted Vehicle Parking Standards were revised to provide more capacity for residential parking in light of parking shortages on</p>



		<p>new developments in the borough resulting from the previous more restrictive approach. While Colchester households have slightly lower than average car or van access, compared to Essex, access figures are in line with overall averages for England and Wales. This accordingly does not support locally-specific parking policies on the basis of unique car ownership characteristics.</p>
<p>DP20 – Flood Risk and Management of Surface Water Drainage</p>	<p>NPPF paras 99-104 changes the emphasis to 'avoid' areas where development will be at risk of flooding, which is generally more positive and less prescriptive than DP20.</p>	<p>The NPPF (para's 99 -104 and the Technical Guidance) and development policy DP20 are considered to be consistent. Both emphasise the need to direct development to lowest flood risk areas, and promote the use of SUDS to management run off.</p> <p>The policy requires rewording to remove all references to PPS25 and replace them with reference to the NPPF and EA standing advice about flood risk for accuracy and consistency.</p>
<p>DP21 – Nature Conservation and Protected Lanes</p>	<p>Policy is inconsistent with para 188 of the NPPF which has a much more positive approach to the subject matter</p>	<p>Policy DP21 is considered to be on the whole consistent with the objectives of the NPPF but will be updated to recognise the opportunity to designate new Nature Improvement Areas which were introduced through the NPPF.</p>
<p>DP23 – Coastal Areas</p>	<p>Policy is inconsistent with the approach in paras 105-108 of the NPPF.</p>	<p>Policy DP21 will be updated to reflect that 4 sections of the coastline in the Borough have been identified as preferred managed realignment sites within the plan period. Reference to these as Coastal Change Management Areas would bring the policy into conformity with the NPPF.</p>

