

Local Development Framework Committee

**Grand Jury Room, Town Hall
11 August 2008 at 6:00pm**

**The Local Development Framework Committee
deals with**
the Council's responsibilities relating to the Local
Development Framework.

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**COLCHESTER BOROUGH COUNCIL
LOCAL DEVELOPMENT FRAMEWORK COMMITTEE
11 August 2008 at 6:00pm**

Members

Chairman : Councillor Cope.
Deputy Chairman : Councillor Spyvee.
Councillors Jowers, Davidson, Garnett, Goss, Naish and Sutton.

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 off or to silent;
- 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 personal interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership

of or position of control or management on:

- any body to which the Councillor has been appointed or nominated by the Council; or
- another public body

then the interest need only be declared if the Councillor intends to speak on that item.

If a Councillor declares a personal interest they must also consider whether they have a prejudicial interest. If they have a prejudicial interest they must leave the room for that item.

If a Councillor wishes to make representations on an item on which they have a prejudicial interest they may do so if members of the public are allowed to make representations. In such circumstances a Councillor must leave the room immediately once they have finished speaking.

An interest is considered to be prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Councillors should consult paragraph 7 of the Meetings General Procedure Rules for further guidance.

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

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To confirm as a correct record the minutes of the meetings held on 17 March 2008 and 14 May 2008

7. Local Development Framework - Update

7 - 12

See report by the Head of Strategic Policy and Regeneration

8. East of England Plan

13 - 17

See report by the Head of Strategic Policy and Regeneration

9. Sustainability Appraisal

18 - 25

See report by the Head of Strategic Policy and Regeneration

10. 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 DEVELOPMENT FRAMEWORK COMMITTEE

17 MARCH 2008

Present:- Councillor Jowers (Chairman)
Councillors Cope, Garnett, T.Sutton, Turrell and J.Young.

Substitute Members:- Councillor Chapman for Councillor Arnold
Councillor Hazell for Councillor Davidson
Councillor Smith for Councillor Spyvee

19. Minutes

The minutes of the meeting held on 4 February 2008 were confirmed as a correct record.

Councillors Garnett (in respect of his membership of Langham Parish Council and a comment he made in one of the items in the agenda), Jowers (in respect of his membership of Essex County Council and his association with the former owner of Stane Park), Turrell (in respect of her memberships of Essex County Council and Myland Parish Council) and J. Young (in respect of her membership of Essex County Council) each declared their individual personal interests in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3).

20. LDF Site Allocations Issues and Options

The Committee considered a report by the Head of Housing and Environmental Policy on the results of the public consultation on the Site Allocations Issues and Options document which ran from 19 November 2007 to 4 January 2008. Appended to the report was a summary of representations received as at 25 February 2008, Appendix A; a summary of the comments made against each question posed, Appendix B; a schedule of details for each site by ward including a reference number for each site, Appendix C; and a set of location maps for sites submitted, Appendix D. Also circulated at the meeting was an addendum sheet containing additional material received following the publication of the report. The sites put forward during the consultation would assist the Council during the production of the Site Allocations Preferred Options document, scheduled for public consultation in January 2009.

Frances Kent, Irvine Road Area Residents Association, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3) in respect of a parcel of land listed as recreation land between Landseer Road and Irvine Road. She wanted this land to be retained as residential open space and designated as such in the Local Plan and in the Green Link Network. The area had been used by local residents for over 40 years for leisure activities and it acted as a traffic-free route for children travelling to and from schools. It was an important open space for future generations of the area without which people would need to drive a distance away to exercise their dogs or allow children to play in the current climate of reducing carbon emissions and promoting health through exercise, an objective of Colchester2020. The area of land was in a heavily populated urban area and letters of support had been received to keep it as public open space.

Councillor Lewis attended and, with the consent of the Chairman, addressed the Committee in respect of a parcel of land Landseer Road which was noted as being in Lexden Ward in the agenda whereas it should be recorded as being in Christ Church Ward.

In response the Chairman commented that it was possible that some sites submitted would be excluded at the next stage in 2009 and that there could be too many new dwellings if all the sites were approved. He referred to the site mentioned by Mrs Kent which was a parcel of land with two public bodies involved, both of whom had a statutory role to make the best value of its assets but where the ambitions of each were in conflict. One Council might take maximum value as meaning the provision of housing, whilst the other Council would regard deriving maximum value as its retention for community open space. He encouraged people with a view to submit their comments on any parcels of land included in the schedule.

Laura Chase, Principal Planning Officer, Mark Edgerley, Planning Policy Officer, and George Phillips, Planning Policy Officer, attended to assist the Committee in its deliberations. Laura Chase referred to the large strategic sites which had not been included at the Core Strategy stage. In these cases it would be necessary for people to provide a sustainability appraisal in support of the site and also attend to address the Inspector directly to make a case for why the Core Strategy should be revised to include them. Eleven alternative strategic sites identified through this process were currently out for consultation and would then be considered at the Examination of the Core Strategy in June. The deadline for written comments on the alternative sites, either objections to or support for, was 28 March. These comments will be sent to the Inspector for consideration prior to the Examination.

Patrick Mills, Chairman of Myland Parish Council, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He congratulated the team who put all the data together but conveyed some anomalies:-

- a number of proposals submitted by Myland Parish Council were listed separately in Appendix A,
- Myland Parish Council submitted a site plan with each proposal but some (Mill Road Recreation Ground, Bergholt Road Recreation Ground, East of Myland, Land West of Mile End Road and Bergholt Road Allotments, plus others) had not been marked on the map and he wanted to know why,
- he also wanted to know why there were significant differences between site allocations and options report in November and the map at Appendix D,
- he wanted to know why the proposal concerning Squirrels Field, off Mill Road, Myland, was not listed,
- Site S189, above the new bridge over the A12, footpath 69 – the listing should be to improve the crossing.

Myland Parish Council would value the opportunity for their clerk to talk to someone in the Planning Policy team to clarify these points. There were sites on the map which improve the quality of life for residents, e.g. Chesterwell Wood – protection of historic woodland, and he considered that the Bergholt Road allotments should be in the list for similar reasons. He considered that more detail should be provided against the creation and protection of allotments. They were going to be shown on the CBC website and those who have been put forward will be put on but on the map it only shows the first number, i.e. SO44. Mr Mills considered that responses from parish councils should be identified as such so that readers could take on board the quality of the response.

Mark Edgerley explained that the reason for the list on page 9 of the report was to avoid omissions but apparently there were some. A wide range of facilities were put forward by Myland Parish Council, not just land for housing. The site map that accompanied the site allocations and options report in November was different because it was specifically for the consultation in November, whereas the site map on page 42 of the report shows the sites which have been put forward. None from the issues and options report have been included. The reference to a footbridge, S189, should refer to a footway and is an error from the original submission which was a request for a bridge. He agreed to investigate the omission of Squirrels Field.

The Chairman explained that the report was to inform the Committee of the responses to an initial consultation on sites to be included in the Site Allocations Preferred Options document and a number of community groups and residents have objected to various sites put forward from the November consultation. He drew attention to Colne Terrace, Wivenhoe, which was the subject of a significant number of objections as was the parcel of land mentioned by Mr Kent. Since completion of the report another nine sites had been put forward. The issues and options stage was intended to be an on-going engagement process and representations had been accepted as part of this process leading towards the public consultation in January 2009. In respect of people making representations, to be on the safe side they should submit comments straight away, but there would also be an opportunity in January 2009 during the consultation period for the Site Allocations Preferred Options which was a key stage in the process.

There was some discussion regarding the Betts site in Ipswich Road which was partly in Tendring District Council and partly in Colchester Borough Council. There was also some discussion regarding whether the originator of the objection should be made clear, that is whether the objection was from a parish council or from individuals. The view was that the originator of the objection was irrelevant. However it was suggested that the number of letters received be noted and a comment that parish councils were speaking as representatives of residents not on their own behalf.

There was some concern that the document did not indicate that there had been any consultation with Leisure Services in respect of public open spaces which had been submitted as potential development sites. It was explained that Leisure Services would be consulted and the information they provided would be taken into account; an assumption would be made for each ward about public open spaces. Planning Policy had looked at the existing provision and would be including this information at the preferred options stage. It was noted that there were aspirations for green links and open space. A similar audit would be undertaken for community facilities to ensure they were identified.

Further information was sought on how members of the public would be notified of the sites identified in Appendix C and the key dates for the consultation process for the Site Allocations Development Plan Document. It was explained that the list of stakeholders on the consultation list ran to several hundred all of whom would receive this information. Alternative Sites would be considered at the examination on 24 June 2008 and representations received up to 28 March 2008 would be included. The Inspector would decide whether or not to include a Park and Ride facility at Langham. The Park and Ride site had been discounted by the Inspector and Planning Policy would not recommend it to be put forward but any supporters could still ask for it to be included.

Any existing village appraisals and those produced during 2008 would be used in the development of the site allocations document. All parishes were encouraged to produce a parish plan and village appraisal. A village appraisal could be given the status of a Supplementary Planning Document (SPD) but to achieve this status it would need to go through the process for SPDs. A village appraisal which had not gone through that process could be less constrained but would not carry as much weight as an SPD during the planning process.

RESOLVED that the outcome of the Site Allocations Issues and Options consultation be noted.

Councillors Jowers (in respect of his membership of Essex County Council), Turrell (in respect of her memberships of Essex County Council and Myland Parish Council) and J. Young (in respect of her membership of Essex County Council) each declared their individual personal interests in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3).

21. LDF Development Policies Issues and Options

The Committee considered a report by the Head of Housing and Environmental Policy on the outcome of the public consultation on the Development Policies Issues and Options which ran from 19 November 2007 to 4 January 2008. The issues and options stage was intended to be an on-going engagement process. Appendix A to the report outlined the questions posed in the consultation document and the comments received. The views put forward would assist the Council during the production of the Development Policies Preferred Options document, scheduled for public consultation in January 2009, but the Committee were disappointed that of all those who had been consulted, set out in paragraph 4.5 of the report, only 29 responses had been received. The Committee wanted to identify a means of highlighting the importance of the document.

George Phillips, Planning Policy Officer, and Laura Chase, Principal Planning Officer, attended to assist the Committee in its deliberations.

It was explained that Development Policies were now the planning tool to guide the determination of applications. The responses formed part of the research that had been undertaken. Whilst the low level of response was disappointing, all responses received were valid. This was an early stage in the process and this consultation may have suffered because there were two other documents out for consultation at the same time, but it was considered that the number of responses would improve over time as the process developed.

Councillor Chillingworth, Chairman of the Planning Committee, attended and with the consent of the Chairman addressed the Committee. Members of the Planning Committee were very concerned about Town Centre policies. He asked for confirmation of information he had received at a previous meeting of the Committee which suggested that there would be an action plan for the Town Centre. He had assumed that this would remove the need for any development control policies, for example location of entertainment outlets. At the Appeal Hearing on a decision to refuse a planning application at The Odeon, Crouch Street, the Inspector had commented that the Council did not appear to have any appropriate policies against which the Committee could make a judgment on whether or not the proposal complied with such policies. Councillor Chillingworth was of the view that the Council should take steps to ensure that there were appropriate policies in the Local Development Framework. The

Chairman was of the view that he would not want an action plan to remove the application of planning policy and considered that the night time economy was a cross cutting issue. The Planning Committee had the ability to interpret planning policy.

It was explained that Planning Policy had been working closely with development control officers to develop such policies. They would expect to bring something to the Local Development Framework Committee as soon as more detailed policies had been developed. As to how this would relate to applications in the site allocations was as yet uncertain. They were also looking at designations for areas in the site allocations document and there were questions in there about how to protect retail frontage, the mix of residential and business use, and mixed use areas. This was an issue of which they were aware and a meeting had been held recently in respect of town centre issues, particularly regarding the historic core albeit substantially from a transport point of view.

There was a concern about the ability of residents in an area to express a view, particularly in an urban ward where there was no mechanism for processing consultations in the way that parish councils are used to do in respect of planning applications. This was particularly relevant where areas of urban open space had been put forward as potential development land which would undoubtedly cause an outcry amongst the local population. A means of conveying this sort of information to neighbourhoods needed to be identified; schools and community groups were mentioned as possible forums. It was explained that proposals for an existing public open space would be subjected to scrutiny through the assessment process and the view could be taken that there would be little likelihood of being successful. During the later stages efforts should be made to alert those who were likely to be affected by particular proposals. Whilst the appropriate processes were in place people should be made aware of the key dates.

A number of other issues were raised by members of the Committee including:-

- the apparent omission of any questions relating to the night time economy, night clubs, stress areas,
- whether parish councils may not have understood that the Development Policies was a spatial strategy rather than a community strategy,
- the likelihood that residents are only prompted to respond when there is a possibility that they will be affected by a particular development.

In respect of the latter point the list of consultees could be provided to members of the Committee.

RESOLVED that –

(a) The outcome of the public consultation on the Core Strategy Submission Document pursuant to Regulation 31 of the Town and Country Planning (Local Development) (England) Regulations 2004 be noted.

(b) The Spatial Policy Manager be authorised to agree to any amendments which may be required at the examination stage.

LOCAL DEVELOPMENT FRAMEWORK COMMITTEE

14 MAY 2008

Present:- Councillors Cope, Davidson, Garnett, Goss, Jowers, Naish, Spyvee and Sutton

1. Chairman

RESOLVED that Councillor Cope be appointed Chairman for the ensuing Municipal Year.

2. Deputy Chairman

RESOLVED that Councillor Spyvee be appointed Deputy Chairman for the ensuing Municipal Year.



Local Development Framework Committee

Item

7

11 August 2008

Report of	Head of Strategic Policy & Regeneration	Author	Karen Syrett ☎ 506477
Title	Local Development Framework - Update		
Wards affected	All		

The purpose of this report is to update members in respect of the Local Development Framework

1. Decision(s) Required

- 1.1 Members are asked to note the progress of the Council's Local Development Framework, which provides the planning framework for the future development of Colchester.

2. Reasons for Decision(s)

- 2.1 To ensure Members are fully updated on the progress of the Council's Local Development Framework.

3. Alternative Options

- 3.1 None

4. Supporting Information

- 4.1 **Local Development Scheme (LDS):** The LDS provides the overall scope and timetable for the Development Plan Documents included in Colchester's Local Development Framework. The Council has successfully met the targets for delivery of the Core Strategy, Site Allocations and Development Policies Development Plan Documents (DPDs) set in the LDS approved by GO-East in November 2007. Work on the North Station Development Brief discussed below has slipped somewhat, but it is considered that the extra time allowed is needed to ensure effective consultation and integration of several related projects. The latest Project Chart is attached as Appendix 1.
- 4.2 **Core Strategy:** An Examination into Colchester's Core Strategy, containing strategic policies for Colchester for the period 2001-2024, ran from 24 June – 10 July 2008. The Examination was led by a Government-appointed Planning Inspector, and she will issue a report on the soundness of the Plan by the end of October. Its recommendations will be binding on the Council. Assuming that the Core Strategy is found sound, it will then be put forward for adoption by the full Council on the 11th December 2008. The final version will include a number of minor changes made to the Core Strategy since its submission to the Government in November 2007. All documents relating to the Core Strategy are detailed on a separate page of the Council's website entitled Core Strategy Examination.

- 4.3 **Site Allocations and Development Policies DPDs:** Consultation on the submission Core Strategy at the end of 2007 was run in conjunction with consultation on the initial Issues and Options consultation stage of the Site Allocations and Development Policies Development Plan Documents (DPDs). 295 representations were received on the Site Allocations DPD. This number included 215 suggested sites for future development, with the remainder of representations concerning objections to sites or comments on how sites should be selected. All of the sites received so far have been plotted onto c-maps and are available on the Internet for people to view. The sites put forward at the Issues and Options stage are now being considered for their suitability along with sites previously put forward by developers or considered in earlier housing land studies. This evaluation will allow the sites to be categorised on the basis of their compatibility with national, regional and Core Strategy policies. Sites that are judged to be compatible with these policies will be put forward as 'preferred options' for the next stage of consultation in January.

The consultation in January will also include further consideration of the Development Policies DPD, which will provide detailed policies to aid the consideration of planning applications and to manage future development in Colchester. These policies are being developed jointly by Planning Policy and Development Control officers to ensure that they address both policy concerns and the need for an effective and efficient process for determining planning applications. The new DPD will need to reflect the change from a detailed rule-based planning system with lots of policies to a more generalised criteria-based system with only a few policies. The Local Plan, for example, contains 164 policies, while the Issues and Options report proposed 31 topics.

- 4.4 **North Station Development Brief:** The North Station Development Brief will provide a masterplan for the development of the new Regeneration Area proposed in the Core Strategy for an area including North Station, North Station Road, and the Cowdray Centre. The Development Brief will look at traffic congestion and improving the public realm in the area. A study is currently being commissioned to provide baseline data on movement patterns in the North Station area and options for improvement. The work will inform consultation on public realm and circulation options for the area to be carried out beginning in late 2008. Funding for the study includes £85,000 in Haven Gateway Growth Point money. This work will be integrated with two other projects for which the Council has successfully bid – the Cycle Town Demonstration Project and the Station Travel Plan project.

5 Strategic Plan References

- 5.1 The LDF deals with all aspects of the Strategic Plan.

6 Consultation

- 6.1 Consultation on the Local Development Framework (LDF) has been carried out in line with government requirements and the consultation procedures set out in the Council's Statement of Community Involvement, which forms part of the LDF.

7 Publicity Considerations

- 7.1 Noting the implications of the LDF's progress is expected to raise no publicity issues.

8. Financial Implications

8.1 No financial implications.

9. Equality, Diversity and Human Rights Implications

9.1 Noting the progress of the LDF raises no equality, diversity or human rights implications.

10. Community Safety Implications

10.1 No community safety implications.

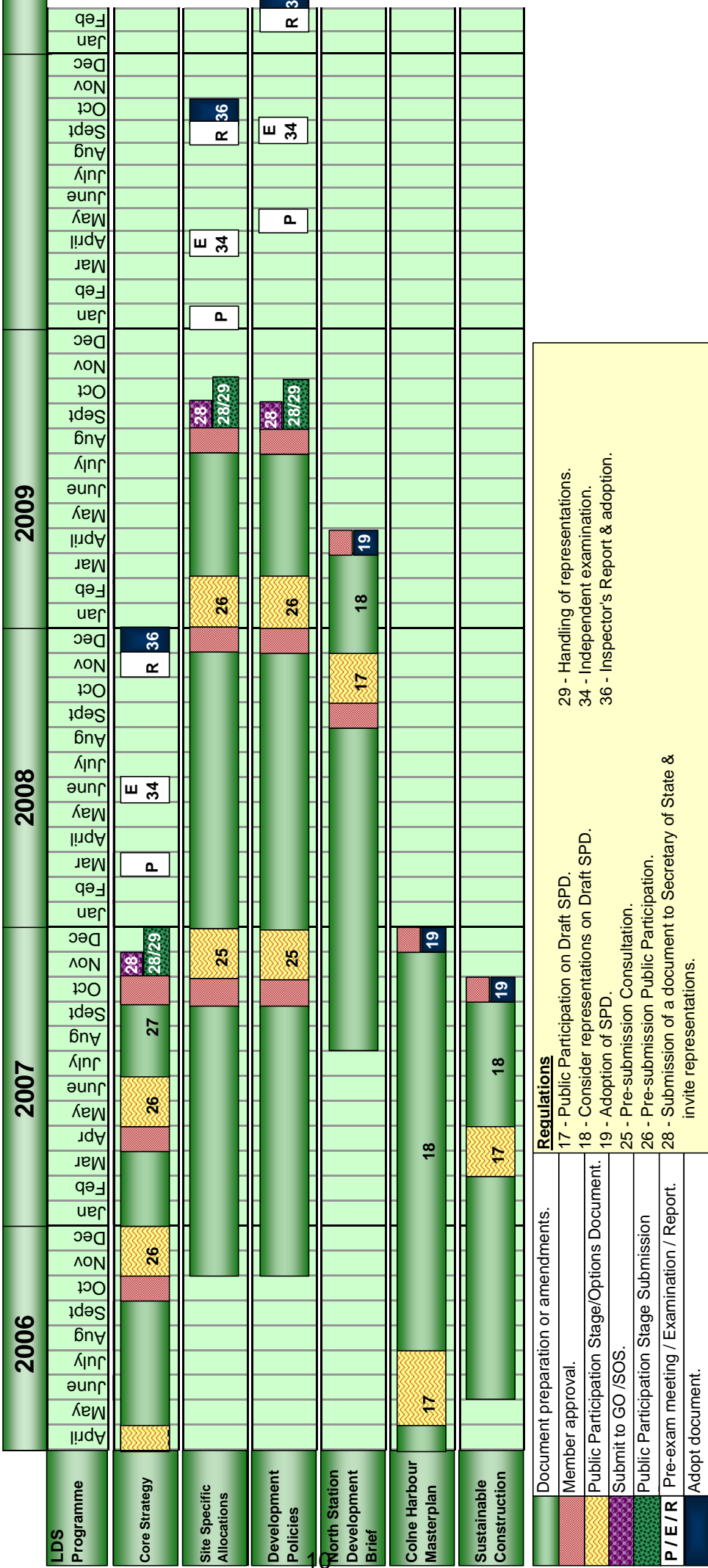
11. Health and Safety Implications

11.1 No health and safety implications.

12. Risk Management Implications

12.1 No risk management implications.

Local Development Framework Project Chart 2007



Regulations

- 17 - Public Participation on Draft SPD.
- 18 - Consider representations on Draft SPD.
- 19 - Adoption of SPD.
- 25 - Pre-submission Consultation.
- 26 - Pre-submission Public Participation.
- 28 - Submission of a document to Secretary of State & invite representations.

29 - Handling of representations.
 34 - Independent examination.
 36 - Inspector's Report & adoption.

P / E / R Pre-exam meeting / Examination / Report.
 Adopt document.





Local Development Framework Committee

Item

8

11 August 2008

Report of	Head of Strategic Policy & Regeneration	Author	James Firth
Title	Publication of the final East of England Plan		
Wards affected	All		

This report concerns the implications of the publication of the final East of England Plan.

1. Decision(s) Required

- 1.1 Members are asked to note the implications of the publication of the final East of England Plan as set out in the attached briefing note (Appendix 1).

2. Reasons for Decision(s)

- 2.1 The East of England Plan (otherwise known as the Regional Spatial Strategy) sets out the regional planning policies for the East of England region. Colchester's Local Development Framework is required to be in general conformity with the East of England Plan, and the plan forms a material consideration in the determination of planning applications.

3. Alternative Options

- 3.1 None

4. Supporting Information

- 4.1 The final version of the East of England plan was published in May 2008. Copies of the published East of England Plan, the publication statement, and the supporting statement detailing changes to the plan, are all available on the Go-East website (http://www.goeast.gov.uk/goeast/planning/regional_planning).
- 4.2 A briefing note concerning the implications of the publication of the East of England Plan for the Colchester Borough has been produced and is attached as an appendix to this report.

5. Proposals

- 5.1 Members are asked to note the implications of the publication of the East of England Plan set out in the briefing note.
- 5.2 The briefing note sets out the status of former structure plan policies, and considers issues of conformity with Haven Gateway, Local Plan (2004), and emerging Core Strategy policies.

6. Strategic Plan References

- 6.1 The strategic plan supports the sustainable growth of Colchester and seeks to deliver the levels of housing and job growth set out in the East of England Plan.

7. Consultation

- 7.1 Public consultation was carried out by the East of England Regional Assembly (EERA) at various stages during the production of the East of England plan. Both Colchester Borough Council and the general public were consulted as part of this process.

8. Publicity Considerations

- 8.1 The final publication of the East of England Plan has been advertised by the East of England Regional Assembly (EERA) in accordance with the Town and Country Planning (Regional Planning) (England) Regulations 2004. Copies of the publication statement and the East of England Plan are available from the EERA website (www.eera.gov.uk).
- 8.2 Noting the implications of the Plan's publication is expected to raise no publicity issues.

9. Financial Implications

- 9.1 The East of England plan sets out the requirements for numbers of new homes in Colchester Borough. Meeting these requirements is likely to have implications for the award of Housing and Planning Delivery Grant.
- 9.2 Noting the implications of the Plan's publication raises no financial implications.

10. Equality, Diversity and Human Rights Implications

- 10.1 The East of England plan attempts to deliver sustainable development and provide homes and employment opportunities for all people within the region. A single issue review into the plan is currently underway to consider how to provide for Gypsy and Travellers within the region.
- 10.2 Noting the implications of the Plan's publication will have no equality, diversity or human rights implications.

11. Community Safety Implications

- 11.1 No community safety implications.

12. Health and Safety Implications

- 12.1 No health and safety implications.

13. Risk Management Implications

- 13.1 Failing to adequately consider the implications of the East of England plan may result in elements of Colchester's Local Development Framework failing to conform with the general approach of the East of England Plan. Conformity with the East of England Plan is a requirement of soundness for Colchester's Local Development Framework. Similarly failing to adequately consider the East of England Plan in the determination of planning applications may increase the risk of decisions being overturned on appeal.

East of England Plan Briefing Note

This briefing note provides an update on the final publication of the East of England Plan and highlights any sections particularly relevant to Colchester.

The East of England Plan was formally published on the 12th May 2008 and is the first region-wide RSS revision to be completed. Copies of the published East of England Plan, the publication statement, and the supporting statement detailing changes to the plan, are all available on the Go-East website (http://www.goeast.gov.uk/goeast/planning/regional_planning).

Structure Plan Superseded Policies

Two of the eight saved Essex and Southend-on-Sea Structure Plan (2001) structure plan policies are superseded by the East of England plan. These two policies can no longer be used in decision making. They are:

- T2 – Transport Investment Priorities
- T4 – Passenger Transport

If it is necessary to make reference to transport investment priorities Policy T15 (Transport Investment Priorities) of the East of England plan should now be used. For the consideration of passenger transport the East of England plan contains policies on Public Transport Accessibility (Policy T13), Urban Transport (Policy T4), Inter Urban Public Transport (Policy T5), Transport in Rural Areas (Policy T7) and walking cycling and other non-motorised transport (Policy T9).

Six structure plan policies continue to be 'saved' for the time being and are a material consideration for the purposes of local planning and development control. The approved East of England Plan does not contain equivalent policies to these policies, and to ensure continuity and stability in the plan-led system they have been 'saved' for the time being under the transitional arrangements. The saved structure plan policies are:

- NR3 – Extension of Suffolk Coast/Heaths AONB (in Tendring district)
- CC1 – Undeveloped Coast: Coastal Protection Belt
- BIW9 – Airport Development
- LRT6 – Coastal Water Recreation
- EG1 – Proposals for New Power Stations
- MIN4 – Sterilisation & Safeguarding of Minerals Sites

Policy CC1 will be carried forward through the designation of the Coastal Protection Belt in the Colchester Core Strategy. Policy MIN4 will be carried forward in Essex County Council's Minerals Development Document (MDD): Core Strategy and Development Control Policies. The other policies are not directly relevant to the Colchester Borough Council area.

Haven Gateway

The Haven Gateway is recognised throughout the East of England Plan as a Priority Area for Regeneration (Policy SS5), an area where strategic employment sites should be provided (Policy E3) and an area of Transport Investment Priority (Policy T15). The plan includes a specific section on the Haven Gateway sub-region with policies setting out the overall strategy for the sub-region, the importance of employment generating development, transport infrastructure, and implementation and delivery (Policies HG1-4).

The submission Core Strategy has been prepared with regard to the emerging East of England Plan and is consistent with this approach. The production of other aspects of the Local Development Framework will need to reflect and conform with the approach outlined for the Haven Gateway.

Colchester Borough Local Plan (2004) Saved Policies and Colchester Submission Core Strategy

Most of the policies contained within the Colchester Borough Local Plan (2004) have been saved as required by the Planning and Compulsory Purchase Act 2004 to ensure they can still be used in decision making after 27th September 2007. It is intended that some of these policies will be superseded by the Core Strategy upon its adoption, but others will remain saved until they are superseded by the Development Control Policies DPD or other local development documents.

It is therefore necessary to consider how these saved policies relate to the East of England plan. As the policies contained within the East of England plan generally set out strategic objectives on a regional level there is in the main a good level of conformity between the saved Local Plan policies and the published East of England plan.

The policies within the East of England are generally of a strategic and regional nature and the approach contained within the Colchester Local Plan 2004 is generally consistent with that in the East of England plan.

Employment and Job Growth

The East of England plan sets a target for job growth (policy E1) of 20,000 new jobs in the Essex Haven Gateway between 2001-2021 which combines totals of 14,000 jobs in Colchester and 6000 in Tendering as specified in earlier drafts of the plan.

Housing Provision

East of England plan policy H1 was reworded by the Secretary of State to clarify the requirements for new dwellings beyond 2021. The total requirement for Colchester to provide before 2023 will still be within the target of at least 19,000 new homes set out by Core Strategy policy H1.

Affordable Housing

Policy H4 and paragraph 13.30 of the Colchester Local Plan (2004) set out that 25% of the agreed total number of units on site will be required to be affordable housing and that this will apply to schemes involving 25 or more houses or sites covering more than 1ha in line with Circular 6/98. Policy H2 (Affordable Housing) of the East of

England plan sets out a target that 35% of housing coming forward after the publication of the RSS should be affordable. The Core Strategy has been prepared with regard to the emerging East of England Plan and Core Strategy Policy H4 sets out an affordable housing target of 35% along with lower site size thresholds in line with Planning Policy Statement 3 (PPS3). Upon the adoption of the Core Strategy, Core Strategy policy H4 will replace Local Plan policy H4 on affordable housing. In the interim period significant weight should be given to the 35% target in the published East of England plan and the 15 unit minimum site size threshold for affordable housing in PPS3.



Local Development Framework Committee

Item

9

11 August 2008

Report of	Head of Strategic Policy & Regeneration	Author	Shelley Blackaby (01206) 282709
Title	Sustainability Appraisal		
Wards affected	N/A		

**The Panel is asked to note the explanation of Sustainability Appraisal
of Local Development Documents**

1. Decision(s) Required

- 1.1 Members are asked to note the explanation of Sustainability Appraisal (SA) of Local Development Documents (LDDs).

2. Reasons for Decision(s)

- 2.1 The panel has previously considered the need to increase capacity on SA to help ensure a firm evidence base for the Local Development Framework (LDF). In April 2008 a Sustainability Officer joined the Spatial Policy Team with the principal task of carrying out SAs for all LDDs. This report provides an explanation of SA and briefly describes how it has informed the Core Strategy and how it will contribute to the Site Allocations DPD and Development Policies DPD.

3. Alternative Options

- 3.1 None, this report is for information purposes.

4. Supporting Information

- 4.1 One of the most widely used definitions of sustainable development comes from the report of the World Commission on Environment and Development (the Brundtland Commission), 'Our Common Future' (1987), which defines it as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs". A more detailed definition is offered in the government's strategy for sustainable development, 'Securing the Future' (2005), which includes five guiding principles for sustainable development, set out below.

- Ensuring A Strong, Healthy And Just Society - Meeting the diverse needs of all people in existing and future communities, promoting personal wellbeing, social cohesion and inclusion and creating equal opportunity for all.
- Using Sound Science Responsibly - Ensuring policy is developed and implemented on the basis of strong scientific evidence, whilst taking into account scientific uncertainty (through the precautionary principle) as well as public attitudes and values.

- Promoting Good Governance - Actively promoting effective participative systems of levels of society – engaging people’s creativity and diversity.
 - Achieving a Sustainable Economy - Building a strong, stable and sustainable economy which provides prosperity and governance in all opportunities for all, and in which environmental and social costs fall on those who impose them (polluter pays) and efficient resource use is incentivised.
 - Living within Environmental Limits - Respecting the limits of the planet’s environment, resources and biodiversity – to improve our environment and ensure that the natural resources needed for life are unimpaired and remain so for future generations.
- 4.2 SA is a continuous process which assesses LDDs against a series of sustainability objectives, these sustainability objectives are wider than the plan objectives and collectively define what the Council and relevant stakeholders would ideally like to achieve in terms of sustainable development. SA helps Local Planning Authorities (LPAs) identify the relevant economic, social and environmental performance of possible options and policies and evaluate which are the most sustainable. It essentially involves asking at key intervals in plan preparation “how sustainable is my plan?”
- 4.3 SA should be undertaken for three main reasons; firstly SA is a statutory requirement for all LDDs. Secondly, they contribute to ensuring that the plan is sound by virtue of it being ‘justified’ in terms of being founded on a robust and credible evidence base and being the most appropriate strategy when considered against the reasonable alternatives. Finally, carrying out a SA ensures that LPAs are complying with their duty under the Planning and Compulsory Purchase Act 2004 to contribute to sustainable development.
- 4.4 The majority of LPAs commission consultants to carry out SA, however, it is considered more valuable to carry it out in-house, this ensures local knowledge and that the SA can genuinely influence the LDD. However, it is important that the SA remains a technical and independent piece of work.
- 4.5 The Environmental Assessment of Plans and Programmes Regulations 2004 gives effect to EU Directive 2001/42/EC on the ‘assessment of the effects of certain plans and programmes on the environment’ [the Strategic Environmental Assessment (SEA) Directive] and places an obligation on LPAs to carry out a SEA on land use and spatial plans. Clearly there is some overlap with the requirement for an environmental assessment under these Regulations and the requirement to carry out a SA. It is therefore best practice to incorporate the requirements of the SEA Directive into the SA process, which the Council have done.
- 4.6 SA involves five stages, which link in with LDD preparation and are as follows:
- Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope.
 - Stage B: Developing and refining options and assessing effects.
 - Stage C: Preparing the Sustainability Appraisal Report.
 - Stage D: Consulting on the preferred options of the DPD (or draft SPD) and SA Report.
 - Stage E: Monitoring the significant effects of implementing the LDD.

- 4.7 The SA of the Core Strategy identified the key sustainability issues facing the Borough, assessed genuine options against the sustainability objectives, determined the likely effects of the preferred strategy and made recommendations for improvement. The aim was to ensure that the Core Strategy promoted sustainable development and that any potential negative impacts of the strategy could be mitigated against. The SA has helped the Council to defend the submission Core Strategy at the Examination by demonstrating to the Inspector that the Council has considered alternative options for development and that the Council's preferred options are the most sustainable.
- 4.8 Appended to this report is an extract from the Core Strategy Sustainability Appraisal report, it shows how the SA framework has been used to appraise options, in this case the options for the strategic direction for growth and change in the Borough.
- 4.9 As you are aware the Council has consulted on Issues and Options Papers for the Site Allocations DPD and Development Policies DPD. Alongside these Issues and Options Papers a SA Scoping Report for each DPD was prepared and consulted upon. The SA Scoping Report includes a review of relevant policies, plans and programmes, baseline data, sustainability issues facing the Borough and the SA framework, which includes the objectives and assessment criteria that options will be assessed against. In line with national guidance these Scoping Reports have been informed by the SA of the Core Strategy.
- 4.10 The SA of the Site Allocations DPD will appraise all genuine sites identified in the Housing Land Availability Assessment and those sites put forward by interested parties against the established sustainability objectives. This will provide the Spatial Policy Team with a view as to how sustainable each site is. Once the preferred sites have been selected, using the SA to inform this selection, the SA will predict and evaluate the effects of these sites on the sustainability objectives, which will effectively double check that they will indeed contribute to sustainable development, suggest any mitigation measures if adverse effects are predicted, make recommendations as to how the site can be environmentally enhanced and make recommendations of any issues that need to be covered in the Development Policies DPD. Importantly, once the Examination stage is reached the SA will assist the Council in demonstrating to the Inspector that the sites selected are the most sustainable and that the DPD is sound.
- 4.11 The SA of the Development Policies DPD will principally assist in the preparation of this DPD by assessing different options for each policy in order to select the most sustainable option and make recommendations as to how policies can incorporate environmental mitigation and enhancement measures.
- 4.12 In conclusion, the Spatial Policy Team has compiled and consulted upon a comprehensive set of sustainability objectives based on the review of relevant policies, plans and programmes, collection of baseline information and identification of sustainability issues facing the district, which will be used to test the sustainability of all LDDs and therefore ensure that future development in the Borough contributes to sustainable development.

5. Financial implications

- 5.1 The appointment of a Sustainability Officer in a job share with Tendring District Council will result in savings for the Council because the SA work will no longer need to be outsourced to consultants.

6. Strategic Plan References

6.1 None

7. Publicity Considerations

7.1 All SA reports will be publicised at the same time as the relevant LDD.

8. Human Rights Implications

8.1 None

9. Community Safety Implications

9.1 None

10. Health and Safety Implications

10.1 None

11. Risk Management Implications

11.1 Carrying out a SA of all DPDs and having regard to the findings of the SA will minimise the risk of the documents in the LDF being found unsound.

12. Consultation

12.1 All SA reports will be consulted at the same time as the relevant LDD.

Sustainability Appraisal - Assessment of Options

Option 1

This option emphasises the importance of the Town Centre and the regeneration of previously developed land. It directs development towards the most accessible and sustainable locations, and plans for the provision of transport, employment and community facilities to support the following growth areas. The majority of employment and economic development during the plan period will be focused on the Town Centre. The housing provision will be delivered in the following areas:

- Town Centre (2000)
- North Growth Area (6200)
- East Growth Area (2600)
- South Growth Area. (3000)
- Stanway Growth Area (1800)

This option identifies Tiptree, Wivenhoe and West Mersea as key district settlements accommodating about 1600 housing and providing shops and services for the surrounding rural hinterland.

This option will support the housing and employment development with sustainable transport infrastructure/connections (e.g. Transit Corridors) that will link the growth areas with the Town Centre, and provide Park and Ride and enhanced gateways for rural and regional residents.

Option 2

This option could allocate additional greenfield land to accommodate future housing, retail and business development, rather than seeking to regenerate previously developed land. This option would allow new economic and employment development to locate west of Stanway, to provide good access to the A12, rather than seeking to further regenerate the Town Centre. Additional greenfield land could be allocated to accommodate roughly 5000 homes around Stanway, and in villages such as Marks Tey and Tiptree.

This option for accommodating growth up to 2021 would involve substantial development along a western corridor from Colchester Town to Marks Tey. This housing and employment development would need to be supported by new transport infrastructure and connections. These locations do not have good access to the Town Centre or key public transport interchanges, therefore significant investment in road infrastructure along this western corridor will be needed to accommodate this growth.

Sustainability Appraisal – Comparative Effects

Overall, the Sustainability Appraisal determined that strategic option 1 and the related policy options were more sustainable than the strategic option 2 and other alternative policies.

Option 1 will improve the vitality and viability of the Town Centre and promote the regeneration of established communities and rundown areas, including North Station, St Botolphs and East Colchester. This option will also promote more sustainable travel behaviour and minimise impacts on the countryside.

Strategic option 2 may improve the viability of delivering affordable housing and open space, by supporting greenfield development. However, option 2 would have more adverse impacts on the countryside, congestion and climate change, and would be less likely to improve accessibility, regeneration and built character. Option 2 would also be less likely to create a prestigious regional centre.

Policy SD1: Sustainable Development

Objectives	Assessment Criteria	Options		General Evaluation
		Opt 1	Opt 2	
1. To ensure that everyone has the opportunity to live in a decent and affordable home.	- Will the delivery of affordable housing increase?	+	++	Both options will deliver the minimum housing provision of 17,100 homes by 2021, plus 1660 homes by 2023, in accordance with the East of England Plan. Option 1 will deliver over 80% of this housing on previously developed land and identifies additional greenfield sites to accommodate 3000 homes. Option 2 will support more greenfield development (perhaps up to 5000 homes) and reduce the reliance on regeneration to achieve the minimum housing provision. This approach may improve the viability of delivering affordable housing, but it may not provide a good diversity of housing options in terms of accessibility. Option 2 may also improve the viability of sustainable construction, but would locate development at less sustainable locations. Overall, the options do not differ substantially in the achievement of housing objectives.
	- Will it deliver the number of houses needed to support the growing population?	++	++	
	- Will it deliver a range of housing to meet the diverse needs of the Borough?	+	O	
	- Will it provide good quality and sustainable housing?	+	+	
2. To ensure that development is located sustainably and makes efficient use of land	- Will it promote regeneration?	++	-	Option 1 will optimise regeneration opportunities and minimise the development of greenfield land, by focusing about 80% of growth on previously developed land. Option 1 also promotes economic regeneration of the town centre, whilst option 2 could direct new economic development towards Stanway etc. Option 2 will support more greenfield development, which would fail to promote regeneration and make the most efficient use of land. Option 1 would focus growth on accessible locations (e.g. North Station), whilst the alternative would support more dispersed development. Option 1 supports the regeneration of East Colchester, which has flood issues that need to be addressed. Option 2 would not support new development in areas with flood risk. Overall, option 1 locates development more sustainably, although flooding issues in East Colchester need to be addressed.
	Will it reduce the need for development on greenfield land?	+	--	
	- Will it provide people with good access to their needs?	++	-	
	- Will it help make efficient use of land?	+	-	
3. To achieve a prosperous and sustainable economy and improve the vitality	- Will it reduce the risk of flooding?	O	+	The East of England Plan requires Colchester to provide approximately 14,000 jobs to support the growing population and economy. Both policy options will accommodate employment developments and economic growth to provide over 14,000 jobs for the growing population. Option 1 will focus this growth on the Town Centre and encourage
	- Will it improve the delivery of employment to support the growing population?	+	+	
	- Will it support the vitality and viability of town centres?	++	-	

of town centres	-Will it provide a good range of shops, services and facilities?					regeneration in accordance with PPS6: Planning for Town Centres. New economic opportunities in the Town Centre are more accessible to a wider range of potential employees, customers and visitors and promote sustainable travel. There is sufficient land with redevelopment potential in existing centres to accommodate the majority of economic development during the plan period. There is also sufficient undeveloped employment land to accommodate development which cannot be located on previously developed land. Option 2 would, overall, reduce accessibility to employment, shopping and services, although it may help stimulate economies in rural and edge of town locations. This approach could, however, undermine the vitality of the Town Centre.
	-Will it help sustain the rural economy?					Option 1 will reduce the need to travel by encouraging compact and mixed use development at accessible locations. This will also support sustainable travel behaviour, investment in sustainable transport infrastructure and reduce car dependence. Option 2 is comparatively poor in achieving the objective. Dispersed development increases trip lengths, reduces walking and cycling opportunities, reduces the viability of public transport and the viability of providing of local shops and services.
4. To achieve more sustainable travel behaviour and reduce the need to travel.	- Will it reduce the need to travel?					Option 1 will reduce the need to travel by encouraging compact and mixed use development at accessible locations. This will also support sustainable travel behaviour, investment in sustainable transport infrastructure and reduce car dependence. Option 2 is comparatively poor in achieving the objective. Dispersed development increases trip lengths, reduces walking and cycling opportunities, reduces the viability of public transport and the viability of providing of local shops and services.
	- Will the levels of sustainable travel increase?					Option 1 will reduce the need to travel by encouraging compact and mixed use development at accessible locations. This will also support sustainable travel behaviour, investment in sustainable transport infrastructure and reduce car dependence. Option 2 is comparatively poor in achieving the objective. Dispersed development increases trip lengths, reduces walking and cycling opportunities, reduces the viability of public transport and the viability of providing of local shops and services.
	- Will it improve sustainable transport infrastructure and linkages?					Option 1 will reduce the need to travel by encouraging compact and mixed use development at accessible locations. This will also support sustainable travel behaviour, investment in sustainable transport infrastructure and reduce car dependence. Option 2 is comparatively poor in achieving the objective. Dispersed development increases trip lengths, reduces walking and cycling opportunities, reduces the viability of public transport and the viability of providing of local shops and services.
	- Will it reduce dependence on car travel?					Option 1 will reduce the need to travel by encouraging compact and mixed use development at accessible locations. This will also support sustainable travel behaviour, investment in sustainable transport infrastructure and reduce car dependence. Option 2 is comparatively poor in achieving the objective. Dispersed development increases trip lengths, reduces walking and cycling opportunities, reduces the viability of public transport and the viability of providing of local shops and services.
5. To improve the education, skills and health of the Borough's population	- To provide more quality and accessible education, health, recreation and community facilities?					Both options will deliver new community facilities to support development. Option 1 will also improve the access that existing communities have to community facilities, through the regeneration of previously developed land. This policy does not have substantial implications for this objective.
	- Will attractive and safe public spaces be created?					Both options will need to provide good quality public spaces in developments, although option 1 will seek to improve public spaces in existing communities. This policy does not have substantial implications for this objective.
6. To create safe and attractive public spaces and reduce crime.	- Will the fear of crime and actual crime be reduced?					Both options will need to provide good quality public spaces in developments, although option 1 will seek to improve public spaces in existing communities. This policy does not have substantial implications for this objective.
	- Will it enhance the historic and cultural assets of the Borough?					Option 1 will encourage new development in established urban areas and will help to regenerate the townscape character of some areas, although new development will inevitably alter the established character. Option 2 will focus more development on greenfield land which will affect the landscape context of settlements. Option 2 will not alter the character of existing areas as much as option 1, but it will not seek to promote additional regeneration either. All new development, whether greenfield or brown field, will have significant implications for the townscape and landscape and need to achieve a high quality design. This policy will have significant implications for achieving the objective, but the difference between the options is not substantial.
7. To conserve and enhance the townscape character, historic and cultural assets of the District.	- Will it enhance the character and attractiveness of the Borough's settlements?					Option 1 will encourage new development in established urban areas and will help to regenerate the townscape character of some areas, although new development will inevitably alter the established character. Option 2 will focus more development on greenfield land which will affect the landscape context of settlements. Option 2 will not alter the character of existing areas as much as option 1, but it will not seek to promote additional regeneration either. All new development, whether greenfield or brown field, will have significant implications for the townscape and landscape and need to achieve a high quality design. This policy will have significant implications for achieving the objective, but the difference between the options is not substantial.
	- Will it protect and improve biodiversity?					Option 2 seeks to direct more development towards greenfield sites which will inevitably impact upon the landscape and biodiversity. Option 1 will also impact upon the landscape and biodiversity although comparatively less than the alternative. Both options will direct development away from sensitive environmental areas and development should seek to make enhancements to the landscape and mitigate environmental impacts where possible. There is not a substantial difference between the options in regard to the impacts on designated areas. The dispersed development proposed by option 2 would consume more agricultural land and increased car travel resulting additional air pollution.
8. To conserve and enhance the natural environment, natural resources and the biodiversity of the District.	- Will it improve environmental quality in terms of water air and soil quality?					The increased car travel resulting from dispersed development indicates that option 2 would exacerbate climate change. Greenfield development may however increase the viability of delivering zero carbon homes. The policy options are unlikely to have different effects on renewable energy and recycling, although overall the regeneration
	- Will it reduce pollution and greenhouse gas emissions?					The increased car travel resulting from dispersed development indicates that option 2 would exacerbate climate change. Greenfield development may however increase the viability of delivering zero carbon homes. The policy options are unlikely to have different effects on renewable energy and recycling, although overall the regeneration
9. To make efficient use of energy and resources, and reduce waste and our	- Will it increase the use of renewable energy and reduce the use of fossil fuels?					The increased car travel resulting from dispersed development indicates that option 2 would exacerbate climate change. Greenfield development may however increase the viability of delivering zero carbon homes. The policy options are unlikely to have different effects on renewable energy and recycling, although overall the regeneration

contribution to climate change.	- Will it reduce, reuse and recycling resources and minimise waste?	+	O	focus of option 1 should promote the efficient use of resources.
Key				
<p>++ Clear and substantive positive effect in response to criteria</p> <p>+ Some positive effect in response to criteria</p> <p>-- Clear and substantive negative effect in response to criteria</p> <p>- Some negative effect in response to criteria</p> <p>I Effect depends upon implementation</p> <p>O No effect in response to criteria</p> <p>? Effect uncertain</p> <p>n/a Not applicable</p>				

Our vision is for Colchester to develop as a prestigious regional centre

Our goal is to be a high performing Council

Our corporate objectives for 2006-2009 are:



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