

# **Local Development Framework Committee**

**Town Hall, Colchester  
29 September 2010 at 6.00pm**

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

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# Local Development Framework Committee

To deal with the Council's responsibilities relating to the Local Development Framework.

**COLCHESTER BOROUGH COUNCIL  
LOCAL DEVELOPMENT FRAMEWORK COMMITTEE  
29 September 2010 at 6:00pm**

**Members**

Chairman : Councillor Colin Sykes.  
Deputy Chairman : Councillor Martin Goss.  
Councillors John Jowers, Kim Naish, Elizabeth Blundell,  
Mark Cory, Beverly Davies, Christopher Garnett and  
Henry Spyvee.

**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 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**

**1 - 9**

To confirm as a correct record the minutes of the meeting held on 16 August 2010.

## **7. Adoption of Development Policies Development Plan Document**

**10 - 20**

See report by the Head of Environmental and Protective Services.

## **8. Adopton of Site Allocations Development Plan Document**

**21 - 49**

See report by the Head of Environmental and Protective Services.

**9. Issues covered by revoked Regional Spatial Strategy Policies 50 - 60**

See report by the Head of Environmental and Protective Services.

**10. Planning Policies and the Provision of Open Space in New Developments 61 - 65**

See report by the Head of Environmental and Protective Services.

**11. Myland Design Statement 66 - 120**

See report by the Head of Environmental and Protective Services.

**12. 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  
16 AUGUST 2010**

*Present :-* Councillor Colin Sykes (Chairman)  
Councillors Elizabeth Blundell, Mark Cory,  
Beverly Davies, Christopher Garnett, Martin Goss,  
John Jowers and Kim Naish

*Substitute Member :-* Councillor Nick Cope for Councillor Henry Spyvee

*Also in Attendance :-* Councillor Lyn Barton  
Councillor Andrew Ellis  
Councillor Ray Gamble  
Councillor Mike Hardy  
Councillor Sonia Lewis

**Councillor Elizabeth Blundell (in respect of her membership of Marks Tey Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

**Councillor John Jowers (in respect of his membership of Essex County Council, the Cabinet member for Planning, and memberships of the Local Government Association Rural Commission and of the UK National Rural Network) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

**Councillor Christopher Garnett (in respect of his membership of Langham Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

**Councillor Martin Goss (in respect of his membership of Myland Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

**Councillor Colin Sykes (in respect of his membership of Stanway Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

## **10. Have Your Say!**

Patrick Mills, Myland Parish Councillor, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He requested that a policy be formulated prevent the practice of reducing the required open space provision on a development site when there was significant open space provision nearby, for instance offsetting open space provision at Turner Rise and the NAR development to High Woods Country Park. He considered this to be an undesirable and anti-social practice because in some instances it necessitates crossing the NAR to access the Country Park which few responsible parents would allow their children to do without

supervision. He wanted the practice banned and the full entitlement of open space to be provided on the development site which generated the requirement.

In response Karen Syrett, Spatial Policy Manager, suggested that a report be prepared on the matter for the next meeting of this Committee. She explained that the Mile End chapter in the Local Plan made reference to agreeing the transfer of open space provision for sites to High Woods Country Park and this provision had been carried forward to the subsequent plan.

Mrs Louisa White addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). She was mainly concerned that only key players were involved in the negotiation of Section 106 Agreements and she considered that in the public interest and the right to access information, residents should be able to participate at all levels including the negotiation of Section 106 Agreements.

In response the Chairman referred to the ability for residents to have an input into what is provided in their parish through the development of a parish plan. Section 106 Agreements were a Planning Committee matter and the involvement of residents at that stage was not possible.

Nick Chilvers, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He considered that the Local Development Framework was probably the most important issue affecting Colchester and he supported a framework policy rather than a free for all. He was concerned at the high housing target and wanted a pause in the process to allow the provision of facilities in the town to catch up, and in this regard he requested information on any major infrastructure benefits which would be forthcoming. He did not believe that the Park and Ride facility would make a tangible difference to the congestion around the North Station roundabout.

David Clouston, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He referred to the planning delivery grant which he wanted to be spent wisely in whatever form it took and in respect of funds from Section 106 Agreements he wanted it all used for local facilities and infrastructure. He referred to the localism agenda and how local communities might be persuaded to accept more housing.

The Chairman responded that the planning delivery grant had now ceased and there would be another grant coming through.

Dan Caffin, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He had assisted in the collection of signatures to the petition presented to the previous meeting and he queried whether councillors were aware of how vehemently opposed people were to the North Colchester development. He referred to Councillor Naish as being the only member of the Committee who had voted against accepting the North Colchester Urban Extension and that he was surprised that other Liberal Democrat councillors had not voted likewise.

The Chairman responded that the petition asked for a particular document style to be



revoked and a different document style produced because petitioners believed that was more appropriate. It did not ask this Committee to abandon all housing on that land. Press reports had believed that this Committee had agreed to proceed with the development, but that was not the case; the Committee recognised the issues raised but there were some things that the Committee must continue with, for example education, highways, etc. because they impacted on the North Station Masterplan document as well as in the Colchester North Growth Area. The further consultation with Myland Parish Council will go ahead in any case. The outcome of the process was unknown but the Committee had not ignored what people have said. The petition will go to the Cabinet on 6 September 2010 and he urged Mr Caffin to attend and address that meeting.

## 11. Minutes

The minutes of the meeting held on 7 June 2010 were confirmed as a correct record subject to the deletion of the words 'Chairman of' and Patrick Mills being identified as a Myland Parish Councillor in the second paragraph of minute no. 3.

**Councillor Elizabeth Blundell (in respect of her membership of Marks Tey Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

**Councillor John Jowers (in respect of his membership of Essex County Council, the Cabinet member for Planning, and responsibility for the budget which provides funding to the Essex Association of Local Councils) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7 (3)**

**Councillor Christopher Garnett (in respect of his membership of Langham Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

**Councillor Martin Goss (in respect of his membership of Myland Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

**Councillor Colin Sykes (in respect of his membership of Stanway Parish Council with a representative role on the Colchester Association of Local Councils) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

## 12. Policy Review and Development Panel - Minute Reference

The Policy Development and Review Panel had submitted minute no. 28 of its meeting held on 1 March 2010 and minute no. 4 of its meeting held on 14 June 2010

concerning representations made by Parish Councillor John Gili-Ross on the consultation on the development of the North Station Supplementary Planning Document and implications of residential development in the North of Colchester. The Committee was asked to consider the referred minutes. It was suggested to members of the Committee that they should consider whether or not consultation could take place with individuals and groups on the work of the Local Development Framework Committee and that an invitation to participate in the development of Local Development Framework documents could be extended to the Colchester Association of Local Councils (CALC) and that in the interests of fairness consideration should be given to extending such an invitation to other such groups.

Mr Gili-Ross signalled his consent to the CALC being included as a consultee on issues likely to affect residents in parished areas within the Borough of Colchester.

*RESOLVED* (UNANIMOUSLY) that the Colchester Association of Local Councils be included as a consultee on Local Development Framework documents where the issue was likely to affect the residents in parished areas within the Borough of Colchester.

**Councillor John Jowers (in respect of his membership of Essex County Council, the Cabinet member for Planning and responsibility for the budget which funds measures within the scope of the Flood and Management Bill) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

### **13. Sustainable Design and Construction Supplementary Planning Document**

The Committee considered a report by the Head of Strategic Policy and Regeneration providing information on measures that are currently supported to mitigate and adapt to the effects of climate change. The Council had adopted a Sustainable Construction SPD in October 2007. Policy ER1 in the Core Strategy set out targets in terms of sustainable design and renewable energy which were currently not being implemented. Following on the recent revocation of the Regional Spatial Strategy which had resulted in the loss of regional policies relating to energy and water, the Spatial Policy team had identified a need for an update to the Sustainable Construction SPD.

Councillor Gamble attended and, with the consent of the Chairman, addressed the Committee. He had visited the BREEAM establishment some while ago. He wanted Colchester to reach the level 6 standard, but he recognised that because of the current economic climate that may not be possible but it might be possible to reach level 3 by 2014 and level 4/6 by 2016. He was aware that there was not a great deal of expertise in the planning department and considered training was equally important for officers and members. He also thought that a specialist within the unit would be useful and could form the basis of a consultation service. He supported the report and hoped that Colchester could achieve the targets which had been set.

Shelley Blackaby, Planning Policy Officer, attended to assist the Committee in its

deliberations. It was explained that Sustainable Urban Drainage System (SUDS) was a natural way for surface water to drain. There were a variety of different SUDS such as permeable paving and green roofs.

Whilst it was excellent that Colchester would be working towards attaining standards for sustainability, members of the Committee referred to the extra cost that sustainable measures added to dwellings and commented that anything that could be done to reduce the extra cost would be helpful. They were aware that Section 106 Agreements will need to encompass some of the standards required by BREEAM and the Code for Sustainable Homes, and that the energy category of level 3 of the Code for Sustainable Homes formed part of the 2010 improvements to building regulations. It was considered that SUDS was important because the Flood and Water Management Bill placed a responsibility upon local authorities to prevent surface water flooding. Local councils will be required to achieve levels 5 and 6 of the Code for Sustainable Homes by 2016 and buyers of homes within good developments which had achieved these levels would need to understand that it was a cost effective measure. Every house had a lifespan of 1000+ years and whilst level 6 would be extremely difficult to achieve the aim should be to provide good quality homes.

In response to a query regarding the conversion of the levels scale to the A to F scale with which the public were familiar, it was explained that the standards were set by the Government so this was not something the council could request. New homes will come with a certificate showing their energy rating. Good design was considered as important as good energy efficiency and it was regretted that the design of some new homes in the borough did not match their excellent energy efficient standards.

*RESOLVED* (UNANIMOUSLY) that the proposed Sustainable Design and Construction Supplementary Planning Document be supported and progress on its development be noted.

**Councillor Elizabeth Blundell (in respect of her membership of Marks Tey Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

**Councillor John Jowers (in respect of his membership of Essex County Council, the Cabinet member for Planning and memberships of the Local Government Association Rural Commission and of the UK National Rural Network) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

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**Councillor Colin Sykes (in respect of his membership of Stanway Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

#### **14. Little Horkesley Village Design Statement**

The Committee considered a report by the Head of Strategic Policy and Regeneration together with a draft of the Little Horkesley Village Design Statement. The aim of the Planning Guidance Note was to establish the principles of conservation, preservation and good design which the local community wish to see adopted within all new proposed developments within the parish. The adopted guidance document would influence how any new development would fit into the existing parish vernacular.

Karen Syrett, Spatial Policy Manager, attended to assist the Committee in its deliberations.

*RESOLVED* (UNANIMOUSLY) that the Little Horkesley Village Design Statement be adopted as a Planning Guidance Note.

**Councillor John Jowers (in respect of his membership of Essex County Council and the Cabinet member with responsibility for Planning) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

#### **15. Inclusive Design and Access**

The Committee considered a report by the Head of Strategic Policy and Regeneration in response to a request from the Equality and Diversity Members' Liaison Group.

James Firth, Planning Policy Officer, attended to assist the Committee in its deliberations. He explained that it provided information on the current procedures and policies on inclusive design and access and proposed that a Planning Guidance Note be produced to ensure that Colchester's policy requirements were better addressed in planning applications.

*RESOLVED* (UNANIMOUSLY) that the production of an Inclusive Design and Access Planning Guidance Note be supported.

**Councillor John Jowers (in respect of his membership of Essex County Council and the Cabinet member with responsibility for Planning) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

## **16. Impact of emerging Government Policy of 'localism' and the revocation of regional housing targets**

The Head of Strategic Policy and Regeneration submitted a report following the impact of emerging government policy of 'localism' and the revocation of regional housing targets and the implications for Colchester's Local Development Framework.

Karen Syrett, Spatial Policy Manager, attended to assist the Committee in its deliberations. She explained that any review of the Core Strategy or parts of it would need to be supported by new evidence, and targets would need to be justifiable and defensible at an Examination in Public. She confirmed that the documents were relevant and extant and she considered it difficult to see how a review would show that the background information had changed. She made reference to the housing needs register and the numbers of people on the register. She also referred to Government announcements which have been made recently such as the intention to reward authorities who deliver house building, and that there has been a legal challenge to the decision to revoke the Regional Spatial Strategies (RSS) and that the Communities and Local Government Committee was undertaking an enquiry into the RSS. She also mentioned the extra funding for councils who go for growth now with the prospect of extra funding in the future.

Peter Hewitt addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He believed that the report chose to ignore the impact of urbanisation and that the current infrastructure would be unable to cope if 4,000+ homes were required. He wanted the Core Strategy to be reviewed because circumstances had changed since it had been adopted and he asked the Committee not to succumb to threats that a higher housing target would be the outcome of a review. He considered that the greenfield land that had been included in the Core Strategy could be removed, preventing the irreversible loss of biodiversity.

Councillor Gamble attended and, with the consent of the Chairman, addressed the Committee on a number of concerns. He considered that should the Core Strategy be abandoned it could lead to a position of planning by appeal. He believed that the current infrastructure was inadequate to support more than 830 new homes a year; and he acknowledged the genuine concerns regarding the affordable housing situation but was concerned that a reassessment of housing need could lead to a higher target. He urged the Committee to support the retention of the Core Strategy without reviewing housing targets or any of the supporting documents.

In response, the Spatial Policy Manager referred to infrastructure being a key point. The Core Strategy was based on discussions held with key providers and a robust evidence base which was collected prior to the Examination in Public when the document was found sound.

The Chairman acknowledged the safeguard that the Core Strategy provided against unlimited development and that Colchester was fortunate in being one of a few authorities which had adopted a Core Strategy. Once adopted the Site Allocation Development Plan Document would also provide the authority with protection and firm guidance for developers and he referred to several parcels of land which could not be

developed until certain infrastructure was in place. The Committee could ask the Cabinet to authorise a review of the Strategic Housing Market Assessment (SHMA) but such a review may result in figures which were uncomfortable. He reminded the public in attendance that this was not a simple choice and a review may result in a higher target.

Members of the Committee made a number of observations:-

- the views of Mile End residents regarding the site allocations and the housing target figures had been put forward clearly and the Committee should take them on board, the rest of the Core Strategy was sound. New sites or the housing targets should be investigated;
- infrastructure needs to be improved and has not been given enough attention; Mile End and the whole of Colchester could come to a standstill;
- the new A12 junction will solve the problem of getting into Colchester;
- the Core Strategy must not be revoked because it has been found sound and any challenge would require proof that the evidence is now incorrect;
- the Office of National Statistics predictions would see Colchester take 28,000 new homes and a great deal of effort was put into getting this figure reduced; if the SHMA was reviewed it could result in a target of 1,400 per annum. The target is as low as can be achieved;
- a road from the Cowdray Centre through to Colchester North Station will cost £16million;
- the target of 17,200 new homes by 2023 was about right. If an allocation is in the wrong place an alternative location which is at least as sustainable elsewhere in the borough would need to be identified and supported with appropriate evidence;
- although the Secretary of State has indicated that communities do not have to take the previously imposed figures, any change would need to provide supporting evidence;
- an independent review was supported because it would provide confidence in the figures;
- the data on Registered Social Landlords' waiting lists may not be correct because it was believed that they may not undertake frequent reviews;
- some brownfield sites would come forward later in the timeframe whilst some greenfield sites would come forward earlier; a brownfield site in Brook Street was one such site and it was considered that brownfield sites should be built on before looking at greenfield sites;
- no affordable housing was provided from brownfield sites;
- there were no big employers coming to Colchester. It was believed that many jobs do not pay well and people have to commute;
- developers may be disinclined to seek planning permission on brownfield sites because of the requirement for 35% social housing;
- local enterprise partnerships is a funding source which only those with a policy could access.

In response, the Spatial Policy Manager made reference to the section on infrastructure in the Core Strategy document which had been based on information supplied by a number of statutory bodies and subject to examination: the Highways Agency, Highway Authority, Primary Care Trust, Anglian Water, Fire Service, etc. An

independent report on the SHMA was undertaken by independent consultants and was published in February 2008 with updates every year which take account of up to date housing projections, sales figures, etc. The viability of affordable housing was also tested, so there was no need for a further independent test. She confirmed that all the evidence base had been prepared at a local level. The SHMA and retail studies included adjoining authorities and each included a sub-section on Colchester.

In respect of brownfield sites, she referred to schemes in the pipeline with Section 106 agreements. The Severalls site had always been predicted to start delivering in 2012/13 and this was still achievable; there was an application for phase 1 which would deliver approximately 240 units and the scheme as a whole would deliver over a period of five to seven years. The remaining PCT land would be sold off when the price was acceptable. At Tollgate there was a speculative office development under construction and the largest Sainsburys store in the country. Colchester was very proud of having a significant number of small and medium sized businesses in the town. Colchester has a relatively low figure for out-commuting; 70% of people live and work in the borough. She confirmed that it would be possible to review the numbers in the SHMA and live with the consequences but it could result in a higher housing target. In respect of traffic and infrastructure, she was confident that the documents did not need to be reviewed because they related to the same scale of development. In response to suggestions that a decision be deferred until the Inspector's reports were available on the Site Allocations DPD, she confirmed that the Core Strategy and broad locations had already been through an Examination and the Inspector had stated that the Core Strategy provided the most appropriate and sustainable strategy for development in Colchester.

*RECOMMENDED* (MAJORITY voted FOR) to Cabinet that –

- (a) The adopted Core Strategy to remain on the basis that the development plan and the ability to retain control over the determination of planning applications would be seriously undermined without it;
- (b) David Couttie, Managing Director of DCA be invited to attend the Cabinet meeting to share his experience and expertise.



## Local Development Framework Committee

Item

7

29 September 2010

<b>Report of</b>	<b>Head of Strategic Policy and Regeneration</b>	<b>Author</b>	<b>Karen Syrett</b>
<b>Title</b>	<b>Adoption of Development Policies DPD</b>		<b>01206 506477</b>
<b>Wards affected</b>	All		

**The Local Development Framework Committee is asked to recommend to Council the adoption of the Development Policies Development Plan Document (DPD)**

### 1. Decision(s) Required

- 1.1 To recommend to Full Council that it adopts the Development Policies DPD at its meeting on 13<sup>th</sup> October 2010 as recommended by the Inspector in accordance with Section 23 (3) of the Planning and Compulsory Purchase Act 2004.
- 1.2 The Spatial Policy Manager be authorised to deal with all the necessary adoption documentation and other consequential matters in accordance with the appropriate Regulations.

### 2. Reasons for Decision(s)

- 2.1 The binding report of the Planning Inspector, following the Independent Examination in the spring, has been received by the Council. This report finds that the Development Policies DPD is 'Sound' and recommends that it be adopted in accordance with the legislative requirements.
- 2.2 In the absence of a clear national policy framework it is considered particularly important for the Council to have a comprehensive and effective local policy framework.

### 3. Alternative Options

- 3.1 The Planning Inspectors Report on the Development Policies DPD is binding on the Council. The adoption of a Development Plan Document is governed by Section 23(2) – (5) of the Planning and Compulsory Purchase Act, 2004.

### 4. Supporting Information

- 4.1 In 2004, Colchester Borough Council started work on the production of their Local Development Framework (LDF). The overarching Core Strategy Development Plan Document was the first document to be produced, in line with Government guidance on the priorities for the LDF. The Core Strategy is the most important element of the Council's LDF as it provides the long term vision and objectives for steering and shaping development growth in the Borough up to 2021 and beyond. The document was adopted by the Council in December 2008.
- 4.2 An Inspector, appointed by the Secretary of State, conducted an Examination in the spring to consider the 'soundness' of the Development Policies document. The Inspector



has subsequently produced a report with recommendations that are binding upon the Council.

- 4.3 The Inspector concludes that the Development Policies DPD provides an appropriate basis for managing development in the borough and that there is sufficient evidence to support the policies. The DPD is 'Sound' and the inspector recommends its adoption subject to minor changes. A full copy of the Inspector's binding report is set out in Appendix 1. The appendices to the report are available as background papers.
- 4.4 The Inspector does not recommend any changes other than the schedule of minor changes put forward by the Council in order to bring the document up to date factually, correcting minor errors, to add clarity or to improve consistency. The changes do not alter the thrust of the Council's development policies. No changes are required to meet legal and statutory requirements.
- 4.5 As soon as practicable after the Council adopts the Development Policies DPD it must comply with Regulations 35 and 36 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended by the 2008 Regulations). These relate to the deposit of documents and publication arrangements including the Adopted Development Policies, Sustainability Appraisal, public notice and adoption statements.
- 4.6 A Sustainability Appraisal adoption statement must be prepared as part of the adoption documentation. This will detail how the Development Policies DPD has been produced in accordance with the requirements of Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004. The statement will summarise how sustainability issues have been integrated into the DPD, how the sustainability appraisal and consultation has been taken into account, and the reasons for choosing the document as adopted in light of other reasonable alternatives.
- 4.7 Any person aggrieved by the Development Policies DPD may make an application to the High Court under section 113 of the Planning and Compulsory Purchase Act 2004, on the grounds that the document is not within the appropriate power or that a procedural requirement has not been complied with. Any applications must be made not later than the end of the period of six weeks starting on the day on which the Development Policies DPD is adopted by the Council.
- 4.8 Once adopted, the Development Policies DPD becomes part of the statutory development plan for the Borough and will be used in the determination of planning applications. Together with the Core Strategy and the Site Allocations document the Development Policies DPD, will replace the Local Plan.
- 4.9 The Colchester LDF will now comprise the following documents:
  - Adopted Statement of Community Involvement;
  - Approved Local Development Scheme;
  - Approved Annual Monitoring Report;
  - The adopted Core Strategy;
  - The adopted Site Allocations DPD;
  - The adopted Development Policies DPD
  - Supplementary Planning Documents on the Provision of Open Space, Sport and Recreation; Community Facilities; Backland and Infill Development; Sustainable Construction; Extending Your House; The Magdalen Street Development Brief and Colne Harbour Masterplan.

## **5. Proposals**

- 5.1 It is proposed that the Committee recommend to Full Council the adoption of the Development Policies DPD.

## **6. Strategic Plan References**

- 6.1 Effective strategic planning will be important in achieving all the priorities identified in the Strategic Plan but in particular those related to providing homes for all and enabling job creation.

## **7. Consultation**

- 7.1 Full consultation has taken place at various stages in the preparation of the Development Policies DPD. Those who made representations were also able to attend and take part in the examination hearing sessions which were held in the spring.

## **8. Publicity Considerations**

- 8.1 The regulations require the Council to publish details of the adoption process and give notice by way of a local advertisement that the Development Policies DPD will be adopted.

## **9. Financial Implications**

- 9.1 Hard copies of the final document will be kept to a minimum. Printing costs have been included in existing budgets.

## **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 > Local Development Framework.

## **11. Community Safety Implications**

- 11.1 None

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

- 12.1 None

## **13. Risk Management Implications**

- 13.1 The Development Policies DPD is intended to reduce the risk of inappropriate development. It will provide consistent advice to landowners, developers, officers, Councillors and members of the public.

## **Background Papers**

Development Policies DPD  
Inspectors Report and Appendices



# Report to Colchester Borough Council

by **Terrence Kemmann-Lane JP**  
DipTP FRTPI MCMI  
an Inspector appointed by the Secretary of State  
for Communities and Local Government

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Date 17<sup>th</sup> September 2010

PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

**REPORT ON THE EXAMINATION INTO THE  
COLCHESTER BOROUGH DEVELOPMENT POLICIES  
DEVELOPMENT PLAN DOCUMENT**

Document submitted for examination on 30 November 2009

Examination hearings held on 15 and 20 April 2010

File Ref(s): PINS/A1530/429/5

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Non-Technical Summary  
Legal Requirements  
Introduction & Overall Conclusions  
Assessment of Soundness  
Overall Conclusions

## **ABBREVIATIONS USED IN THIS REPORT**

AA	Appropriate Assessment
CIL	Community Infrastructure Levy
DPD	Development Plan Document
LDS	Local Development Scheme
LDF	Local Development Framework
PPS	Planning Policy Statement
s	Section
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy

## Non-Technical Summary

This report concludes that the Colchester Borough Development Policies Development Plan Document provides an appropriate basis for managing development in the borough. The Council has sufficient evidence to support the policies.

The Council has put forward a schedule of minor changes in order to bring the document up to date factually, correcting minor errors, to add clarity or to improve consistency, in part responding to points raised and suggestions discussed during the public examination. The changes do not alter the thrust of the Council's development policies. No changes are needed to meet legal and statutory requirements.

## Legal Requirements

Local Development Scheme (LDS)	The Development Policies DPD is contained within the Council's Local Development Scheme, the updated version being approved on 17 December 2008. There, it is shown as having a submission date of November 2009.
Statement of Community Involvement (SCI) and relevant regulations	It is evident from the documents submitted by the Council, including the Regulation 30(1)(d) and 30(1)(e) Statements and its Self Assessment Paper, that the Council has met the requirements as set out in the Regulations.
Sustainability Appraisal (SA)	Alongside the preparation of the DPD it is evident that the Council has carried out a parallel process of sustainability appraisal.
Appropriate Assessment (AA)	In accordance with the Habitats Directive, I am satisfied that as a result of the scoping exercise carried out at the SA Scoping stage, there is no need for an Appropriate Assessment.
National Policy	I am satisfied that the Development Policies DPD has had regard to national policy.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act and Regulations (as amended)	The Development Policies DPD complies with the Act and the Regulations.

## **Introduction and Overall Conclusion**

- 1.1 Under the terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a development plan document (DPD) is to determine:
- (a) whether it satisfies the requirements of s19 and s24(1) of the 2004 Act, the regulations under s17(7), and any regulations under s36 relating to the preparation of the document
  - (b) whether it is sound.
- 1.2 This report contains my assessment of the Development Policies DPD in terms of the above matters, as required by s20(7) of the 2004 Act. I am satisfied that the DPD meets the requirements of the Act and Regulations. My role is also to consider the soundness of the submitted Development Policies DPD against the three criteria of soundness set out in PPS12 paragraphs 4.51-4.52. In line with national policy, the starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan.
- 1.3 A schedule of minor changes has been put forward by the Council which are factual updates, corrections of minor errors or other minor amendments in the interests of clarity. As these changes do not relate to soundness they are generally not referred to in this report although I endorse the Council's view that they improve the plan. These are shown in the Annex to this report. I am content for the Council to make any additional minor changes to page, figure, paragraph numbering, etc and to correct any spelling errors prior to adoption.

## **2 Assessment of Soundness**

- 2.1 I consider that the policies of the Development Policies DPD are in conformity with the adopted Colchester Borough Core Strategy, and that they are consistent with national policy and advice as set out in Circulars, Planning Policy Statements and Planning Policy Guidance Notes.

### ***Issue – Whether the document provides an appropriate basis for managing development in the borough***

- 2.2 The policies stem from and elaborate on the Colchester Borough Core Strategy policies. There is occasional repetitiveness of these and national policies, but where this occurs they add clarity by bringing policies together in one document and generally bring local distinctiveness. The explanation of the policies provides more detail and guidance. I comment on individual policies only where necessary: all the other policies I conclude are sound.
- 2.3 Policy DP3 sets out the Council's approach to Planning Obligations and the Community Infrastructure Levy (CIL). The Community Infrastructure Levy Regulations 2010 brought this new planning

charge into force on 6 April 2010. It is therefore understandable that Policy DP3 sets out an intended approach rather than a more precise policy as to how the Community Infrastructure Levy will be implemented alongside the existing powers for planning obligations under section 106 of the Town & Country Planning Act 1990. In March 2010 the previous government produced 'An Overview note on the Community Infrastructure Levy' which foreshadowed a new policy for planning obligations and a replacement for Circular 5/05, together with new guidance and support for local authorities concerning the setting and operation of CIL, including the effective use of planning obligations alongside CIL. It remains to be seen what the new coalition government will do in this respect. I consider that it is helpful to have the Council's intentions stated in this way, and that it is the most appropriate strategy when considered against the reasonable alternatives.

- 2.4 Policy DP5 is a detailed policy, helping the delivery of 14,200 jobs required by the Core Strategy and the protection and enhancement of existing employment. I do not agree with representations that there is a need for the policy to provide for more mixed live-and-work opportunities within residential areas to reduce the need to travel. I consider that the policy is appropriate in focusing B1 office uses in the Town Centre and Mixed Use Centres. An addition to this policy which would permit employment opportunities in all existing and new residential communities would not be appropriate. It would fail to direct employment in accordance with the hierarchy, and would make it difficult for the Council to deal with proposals which would have negative impacts on residential amenity.
- 2.5 I consider that there is sufficient clarity with regard to the nature of business uses which are acceptable within the Employment Zones. As far as particular employment uses in rural Local Employment Zones are concerned, the Local Employment Zones table in the Site Allocations DPD provides the necessary site-specific requirements for individual zones.
- 2.6 I do not consider that Policy DP6 dealing with Colchester Town Centre uses should embrace Urban District Centres, including further support for retail uses and/or developing strategies for strengthening centres within the Borough. I consider that such an addition is unnecessary since the policy for Urban District Centres is sufficiently set out in Core Strategy policy CE2b. Of necessity these Urban District Centres are situated around the Town Centre and within Colchester town, and therefore the policy is resistive of new retail proposals as they are to meet identified local needs and do not compete with the town centre.
- 2.7 I consider that Policy DP7, dealing with local centres and individual shops, should not be made more flexible since the policy of the Core Strategy is that higher order retail facilities should be located in the town centre.

- 2.8 Policy DP13 supports the housing policies of the Core Strategy. I am not convinced by the arguments about difficulties in obtaining planning permission for replacement dwellings were a Lawful Use Certificate has been obtained, nor about separate residential annexes for the purposes of providing care.
- 2.9 Policy DP15 deals with the retention of open space and sports facilities. I consider that it would not be appropriate or necessary to change the policy so that it deals with other facilities. There is no need for this policy to cover the provision of major public open space, to make up for what is contended is a deficiency in the Council's plans for the development of new Housing Growth Areas. I consider the provision of open space to cater for a Growth Area is a matter for the Site Allocations DPD and the subsequent development management process. In addition, policy DP16 deals with Private Amenity Space and Open Space Provision for New Residential Development.
- 2.10 I consider that policy DP16 is flexible and effective in terms of the provision of private amenity space for various forms of dwelling, including the question of the extent to which overlooking is accessed with regard to shared communal space. I note that guidance on 'shared space streets' is provided in the Essex Design Guide Urban Place Supplement. It would be inappropriate to consider such places as an alternative to public areas of strategic or local open space. As noted in paragraph 7.7 of the explanation to this policy, there is further guidance on open space requirements provided in the Open Space, Sport and Recreational Facilities Supplementary Planning Document. In addition, the evidence base for this policy includes the Council's 'PPG17 Study'. It is unnecessary for this policy to include guidance on the provision of new sports facilities, including sports pitches, since other policies deal with such facilities.
- 2.11 The only contentious element of Policy DP18 is related to Park and Ride. I am satisfied that the policy includes a requirement for a full business case, including demand/need and economic sustainability, which covers Park and Ride schemes as well as other elements of transport infrastructure. Furthermore, as far as use of rail is concerned, the Council is part of the Essex and South Suffolk Community Rail Partnership, so that whilst 'Park and Rail' is not specifically mentioned in the policy, it is clear that it is not overlooked and can be accommodated within the policy and its explanation.
- 2.12 Representations have been made that policy DP25 will be ineffective, not making a significant impact on energy consumption and that it fails to make provision for innovation and does not account for the high energy requirements unique to Colchester. I cannot see that there is anything in the policy which suggests that innovative renewable energy technologies will not be supported.



Nor can I see that Colchester has uniquely high energy requirements which lead to a need for an individual local approach.

- 2.13 In this respect the prime responsibility for ensuring an adequate energy supply for the country rests with national government. It is unrealistic to expect an individual local authority to plan for renewable energy developments, and seek to ensure that they are carried out, which would meet its area's total needs or some proportion of them. The arguments put forward also ignore the huge development in offshore wind farms in the Thames Estuary and off the coasts of Essex, Suffolk and Norfolk, and plans for nuclear power station developments in Essex and Suffolk to take relatively local examples - plans which the new government seems set to retain. It appears to me that it is also likely that there might well be fairly rapid development of energy generation powered by tides and waves for which the sea areas close to Colchester might well provide suitable locations. Furthermore, I cannot see how the Borough Council could itself promote and fund renewable energy projects.
- 2.14 Thus I conclude that Policy DP25 follows an appropriate course of encouraging renewable energy developments, and is consistent with the Core Strategy and national guidance. Whilst I understand, in view of the need to maximise production of renewable energy, the suggestion that the policy might be worded to unconditionally support any proposals anywhere in the borough with this policy taking precedence over all other planning policies, I cannot agree that this would be acceptable in terms of national guidance and I doubt that the Courts would uphold such a policy in the event of challenge.
- 2.15 National guidance to local authorities with regard to combating climate change, reducing carbon emissions, and encouraging renewable energy sources has been emerging and developing in recent years, including during the time when Colchester's Local Development Framework (LDF) documents have been in the course of preparation. This remains a developing policy area, and one in which the new coalition government will no doubt be setting out its own policies in due course. The Development Policies DPD, and policy DP25 in particular, have to be seen in this context. It will be necessary for the Council to keep the LDF documents under review and to prepare revisions for public consultation at opportune moments.
- 2.16 I agree that the future work of the Council, in terms of taking forward policies for combating climate change, reducing carbon emissions, and encouraging renewable energy sources, requires consultation and collaborative working with interested parties. In this regard I have no doubt that the Council will seek constructive dialogue as time goes on, particularly with local people who have a specific interest and expertise in this field.

- 2.17 The desirability of reducing energy consumption rates from existing buildings raises perhaps intractable problems, particularly in respect of historic buildings, the nature of which and the desirability of preserving them, adds to the difficulty. Certainly national policy with regard to listed buildings and conservation areas would need to be changed if over-cladding were to be considered an available solution. In any event, policy DP25 does not seek to address measures for the reduction of energy consumption, although other policies seek to achieve this in other ways. There is no suggestion before me of a policy approach which would be acceptable in terms of overarching national guidance and policies.
- 2.18 The explanation for the policy makes clear that wind farms are covered and I see no need to refer specifically to offshore wind farms.
- 2.19 I have considered whether this document is unsound because it does not provide a policy explicitly relating to the provision of housing for older people in the form of Continuing Care Retirement Communities or retirement villages. Policy wording has been suggested, divided into two parts. The first part would deal with retirement living in the urban areas. I see no need for this, since other policies of the plan, and of the Core Strategy, would enable such a proposal to be considered. In particular policy H3 - Housing Diversity of the Core Strategy and policy DP 12 - Dwelling Standards of this document. The second part of the suggested policy would allow for large-scale Continuing Care Retirement Communities or retirement villages to be permitted on land beyond built-up areas and urban extension sites. A blanket policy of the kind suggested would not be justified, would not be consistent with national policy, and would not conform to Colchester's Spatial Strategy.
- 2.20 I conclude that the document provides an appropriate basis for managing development in the borough.

### **3 Overall Conclusions**

- 3.1 It is not for me to 'improve' the document, or make it 'more sound'. My task is simply to follow the criteria of soundness set out in Planning Policy Statement 12: "creating strong safe and prosperous communities through Local Spatial Planning". **I conclude that the document is sound: the Colchester Borough Development Policies DPD satisfies the requirements of s20(5) of the 2004 Act and meets the criteria for soundness in PPS12. For the avoidance of doubt, I endorse the Council's proposed minor changes, set out in the Annex to this report.**

*Terrence Kemmann-Lane*

Inspector



## Local Development Framework Committee

Item

8

29 September 2010

<b>Report of</b>	<b>Head of Strategic Policy and Regeneration</b>	<b>Author</b>	<b>Karen Syrett</b>
<b>Title</b>	<b>Adoption of Site Allocations DPD</b>		<b>01206 506477</b>
<b>Wards affected</b>	All		

**The Local Development Framework Committee is asked to recommend to Council the adoption of the Site Allocations Development Plan Document (DPD)**

### 1. Decision(s) Required

- 1.1 To recommend to Full Council that it adopts the Site Allocations DPD at its meeting on 13 October 2010 as recommended by the Inspector in accordance with Section 23 (3) of the Planning and Compulsory Purchase Act 2004.
- 1.2 The Spatial Policy Manager be authorised to deal with all the necessary adoption documentation and other consequential matters in accordance with the appropriate Regulations.

### 2. Reasons for Decision(s)

- 2.1 The binding report of the Planning Inspector, following the Independent Examination in the spring, has been received by the Council. This report finds that the Site Allocations Development Plan Document is 'Sound' and recommends that it be adopted in accordance with the legislative requirements.
- 2.2 In the absence of a clear national policy framework it is considered particularly important for the Council to have a comprehensive and effective local policy framework.

### 3. Alternative Options

- 3.1 The Planning Inspectors Report on the Site Allocations DPD is binding on the Council. The adoption of a Development Plan Document is governed by Section 23(2) – (5) of the Planning and Compulsory Purchase Act, 2004.

### 4. Supporting Information

- 4.1 In 2004, Colchester Borough Council started work on the production of their Local Development Framework (LDF). The overarching Core Strategy Development Plan Document was the first document to be produced, in line with Government guidance on the priorities for the LDF. The Core Strategy is the most important element of the Council's LDF as it provides the long term vision and objectives for steering and shaping development growth in the Borough up to 2021 and beyond. The document was adopted by the Council in December 2008.

- 4.2 An Inspector, appointed by the Secretary of State, conducted an Examination in the spring to consider the 'soundness' of the Site Allocations document. The Inspector has subsequently produced a report with recommendations that are binding upon the Council.
- 4.3 The Inspector concludes that the Site Allocations DPD is 'Sound' and recommends its adoption subject to minor changes. In his report, the Inspector concludes that the Colchester Borough Site Allocations Development Plan Document provides an appropriate basis for enabling development by the allocation of sites in the borough. The Council has sufficient evidence to support the policies. A full copy of the Inspector's binding report is set out in Appendix 1. The appendices to the report are available as background papers.
- 4.4 The Inspector has proposed that a limited number of changes are needed to meet the statutory requirements. These can be summarised as follows:
- The addition of 3 new Local Employment Zones which are currently in employment use and which the Council agrees, having now been subject to SA and consultation, meet the Council's selection criteria. These are at Oak Farm, Layer Marney, Holly Lodge, Great Horkesley, and Pattens Yard, Nayland Road, West Bergholt. The employment allocations only cover that part of the site currently in commercial use, and do not include any enlargement suggested by the applicant's agent.
  - Provide greater flexibility for bringing forward housing sites in the current economic climate, emphasising the importance of maintaining delivery during the years immediately following the adoption of the document. This does not remove the 2016 phasing requirement but monitoring will need to take account of the 'lead' time for development, brought about by the need for surveys, design, etc, and the processes of development management;
  - Making an element of the strategy more certain of delivery by increasing the size of a site in Tiptree from 70 dwellings to 140, and making it relate better to the existing settlement.
- 4.5 In addition to the Inspectors changes the Council put forward a schedule of minor changes to bring the document up to date factually, correct minor errors, add clarity or improve consistency. The changes do not alter the thrust of the overall strategy and have been subject to public consultation and sustainability appraisal where necessary.
- 4.6 As soon as practicable after the Council adopts the Site Allocations DPD it must comply with Regulations 35 and 36 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended by the 2008 Regulations). These relate to the deposit of documents and publication arrangements including the Adopted Site Allocations, Sustainability Appraisal, public notice and adoption statements.
- 4.7 A Sustainability Appraisal adoption statement must be prepared as part of the adoption documentation. This will detail how the Site Allocations DPD has been produced in accordance with the requirements of Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004. The statement will summarise how sustainability issues have been integrated into the DPD, how the sustainability appraisal and consultation has been taken into account, and the reasons for choosing the document as adopted in light of other reasonable alternatives.

- 4.8 Any person aggrieved by the Site Allocations DPD may make an application to the High Court under section 113 of the Planning and Compulsory Purchase Act 2004, on the grounds that the document is not within the appropriate power or that a procedural requirement has not been complied with. Any applications must be made not later than the end of the period of six weeks starting on the day on which the Site Allocations DPD is adopted by the Council.
- 4.9 Once adopted, the Site Allocations DPD becomes part of the statutory development plan for the Borough and will be used in the determination of planning applications. Together with the Core Strategy and the Development Policies, the Site Allocations DPD will replace the Local Plan.
- 4.10 The Colchester LDF will now comprise the following documents:
- Adopted Statement of Community Involvement;
  - Approved Local Development Scheme;
  - Approved Annual Monitoring Report;
  - The adopted Core Strategy;
  - The adopted Site Allocations DPD;
  - The adopted Development Policies DPD
  - Supplementary Planning Documents on the Provision of Open Space, Sport and Recreation; Community Facilities; Backland and Infill Development; Sustainable Construction; Extending Your House; The Magdalen Street Development Brief and Colne Harbour Masterplan.

## **5. Proposals**

- 5.1 It is proposed that the Committee recommend to Full Council the adoption of the Site Allocations DPD.

## **6. Strategic Plan References**

- 6.1 Effective strategic planning will be important in achieving all the priorities identified in the Strategic Plan but in particular those related to providing homes for all and enabling job creation.

## **7. Consultation**

- 7.1 Full consultation has taken place at various stages in the preparation of the Site Allocations DPD. Those who made representations were also able to attend and take part in the examination hearing sessions which were held in the spring.

## **8. Publicity Considerations**

- 8.1 The regulations require the Council to publish details of the adoption process and give notice by way of a local advertisement that the Site Allocations DPD will be adopted.

## **9. Financial Implications**

- 9.1 Hard copies of the final document will be kept to a minimum. Printing costs have been included in existing budgets.

## **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 > Local Development Framework.

## **11. Community Safety Implications**

- 11.1 None

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

- 12.1 None

## **13. Risk Management Implications**

- 13.1 The Site Allocations DPD is intended to reduce the risk of inappropriate development. It will provide consistent advice to landowners, developers, officers, Councillors and members of the public.

## **Background Papers**

Site Allocations DPD

Proposals Maps

Inspectors Report and Appendices



# Report to Colchester Borough Council

by **Terrence Kemmann-Lane JP**  
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for Communities and Local Government

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Date: 17<sup>th</sup> September 2010

PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

**REPORT ON THE EXAMINATION INTO THE  
COLCHESTER BOROUGH SITE ALLOCATIONS  
DEVELOPMENT PLAN DOCUMENT**

Document submitted for examination on 30 November 2009

Examination hearings held between 23 March and 15 April 2010

File Ref: PINS/A1530/429/4

## **CONTENTS**

Non-Technical Summary
Legal Requirements
Introduction
Assessment of Soundness
Overall Conclusions
Annex 1 - <i>Schedule of changes recommended by Inspector</i>

## **ABBREVIATIONS USED IN THIS REPORT**

AA	Appropriate Assessment
AMR	Annual Monitoring Report
CCRC	Continuing Care Retirement Community
CIL	Community Infrastructure Levy
CS	Core Strategy
DPD	Development Plan Document
LDF	Local Development Framework
LDS	Local Development Scheme
LEZ	Local Employment Zones
NGAUE	North Growth Area Urban Extension
PPS	Planning Policy Statement
s	Section
SA	Sustainability Appraisal
SA DPD	Site Allocations DPD
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SPD	Supplementary Planning Document
WMASC	West Mersea Area of Special Character



## **Non-Technical Summary**

This report concludes that the Colchester Borough Site Allocations Development Plan Document provides an appropriate basis for enabling development by the allocation of sites in the borough. The Council has sufficient evidence to support the policies.

A limited number of changes are needed to meet the statutory requirements. These can be summarised as follows:

- The addition of 3 new Local Employment Zones which are currently in employment use and which the Council agrees, having now been subject to SA and consultation, meet the Council's selection criteria;
- Provide greater flexibility for bringing forward housing sites in the current economic climate, emphasising the importance of maintaining delivery during the years immediately following the adoption of the document;
- Making an element of the strategy more certain of delivery by increasing the size of a site in Tiptree, and making it relate better to the existing settlement.

These changes that I recommend do not alter the thrust of the Council's overall strategy and have been subject to public consultation and sustainability appraisal where necessary.

The Council has put forward a schedule of minor changes in order to bring the document up to date factually, correct minor errors, add clarity or to improve consistency in part responding to points raised and suggestions discussed during the public examination. The minor changes do not materially alter the substance of the plan and its policies, or undermine the sustainability appraisal and participatory processes undertaken.

<b>Legal Requirements</b>	
Local Development Scheme (LDS)	The Site Allocations DPD is contained within the Council's Local Development Scheme, the updated version being approved on 17 December 2008. There, it is shown as having a submission date of November 2009.
Statement of Community Involvement (SCI) and relevant regulations	It is evident from the documents submitted by the Council, including the Regulation 30(1)(d) and 30(1)(e) Statements and its Self Assessment Paper, that the Council has met the requirements as set out in the Regulations.
Sustainability Appraisal (SA)	Alongside the preparation of the DPD it is evident that the Council has carried out a parallel process of sustainability appraisal.
Appropriate Assessment (AA)	In accordance with the Habitats Directive, I am satisfied an Appropriate Assessment has been undertaken and that there would be no significant harm to the conservation of any European sites as a result of the policies and proposals within this DPD.
National Policy	I am satisfied that the Site Allocations DPD has had regard to national policy.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act and Regulations (as amended)	The Site Allocations DPD complies with the Act and the Regulations.

## **1 Introduction**

- 1.1 Under the terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a development plan document (DPD) is to determine:
- (a) whether it satisfies the requirements of s19 and s24(1) of the 2004 Act, the regulations under s17(7), and any regulations under s36 relating to the preparation of the document;
  - (b) whether it is sound.
- 1.2 This report contains my assessment of the Site Allocations DPD in terms of the above matters, along with my recommendations and the reasons for them, as required by s20(7) of the 2004 Act.
- 1.3 I am satisfied that the DPD meets the requirements of the Act and Regulations. My role is also to consider the soundness of the submitted Site Allocations DPD against the three criteria of soundness set out in PPS12 paragraphs 4.51-4.52. In line with national policy, the starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The changes I have specified in this binding report are made only where there is a clear need to amend the document in the light of the legal requirements and/or the criteria of soundness in PPS12.
- 1.4 The changes that are needed to make the Site Allocations DPD sound are identified in bold in Annex 1 to this report. None of these changes should materially alter the substance of the plan and its policies, or undermine the sustainability appraisal and participatory processes undertaken.
- 1.5 The Council has put forward some changes which are factual updates, corrections of minor errors or other minor amendments in the interests of clarity, in part responding to points raised and suggestions discussed during the public examination. As these changes do not relate to soundness they are generally not referred to in this report although I endorse the Council's view that they improve the plan. These are shown in Annex 2. I am content for the Council to make any additional minor changes to page, figure, paragraph numbering, etc, and to correct any spelling errors prior to adoption: indeed any such amendments should be made.

## **2 Assessment of Soundness**

### ***Main Issues***

- 2.1 Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified five main issues upon which the soundness of the plan depends.

***Issue 1 – Whether the document makes appropriate provision for employment, having regard to the needs of the borough as a whole***

2.2 The Centres and Employment policies stem from, and are in conformity with, Core Strategy policies SD1 to SD3, and CE1 to CE3. The policies and allocations of the Site Allocations DPD provide for the delivery of at least 14,200 jobs between 2001 and 2021, in line with the now revoked Regional Strategy, contributing towards the requirements of the Essex part of the Haven Gateway Growth Point. Nothing has led me to consider that the document is unsound in this regard.

*Rural Local Employment Zones*

2.3 The majority of employment land allocated is within the urban area of Colchester, with its good transport infrastructure connections and large population. However, there are a number of Local Employment Zones (LEZ) allocated in rural areas which balance economic, social and environmental concerns in line with the provisions of policy EC6 in PPS4: Planning for Sustainable Economic Growth. These rural LEZs either carry forward similar allocations from the Local Plan or are new allocations based on existing rural employment sites where sustainability appraisal justifies the allocation. I consider that sustainability appraisal has been adequately carried out in respect of these sites, and that the allocations made are justified through a balancing exercise. Save for the sites I deal with in paragraph 2.7 below, I consider that the correct selection has been made, with respect to those sites put forward at Regulation 25 stage, when considered against reasonable alternatives, and the document is sound in that respect.

2.4 I consider that the general approach of the LEZ allocations being strictly tied to the extent of existing employment buildings is sound. Since these rural allocations are within the countryside, the Council is justified in drawing the boundaries tightly. Any specific proposals extending beyond the allocation can be considered against the criteria of policy DP9 of the Development Policies DPD.

2.5 A number of new LEZs have been put forward which had not been identified during the earlier plan making process. These new sites had not been subject to public consultation and Sustainability Appraisal, without which I would not be able to recommend new allocations. Steps have been taken to overcome this difficulty in respect of a number of the new sites, by seeking to undertake an SA on the same basis as the Council's comprehensive SA work, and by undertaking fresh public consultation.

2.6 The process of sustainability assessment is a comparative one, enabling reasonable options to be compared one with another so that the most appropriate outcome is achieved. There is a difficulty

in maintaining a uniform approach to SA when it is not undertaken as a continuous iterative process and when the assessments are carried out by a number of different individuals. For the most part therefore, I consider that the sustainability appraisals which have been carried out separately from the Council's own work need to be examined with particular care. The important point is that the SA of the new sites should not undermine the overall SA of the plan.

- 2.7 As a result of reviewing the outcome of the consultation and SA work just referred to, the Council accepted that three of these sites have met the criteria which it used in allocating LEZs at the earlier stage. The document would not be sound when considered against reasonable alternatives, if sites which meet the Council's criteria and were judged satisfactory within the SA process, were not allocated. I therefore set out in my **Recommendation No 1** below the inclusion of these sites as allocations, together with text which the Council has prepared as additions to the table below paragraph 3.14 of the DPD. These sites are Oak Farm, Layer Marney, Holly Lodge, Great Horkesley, and Pattens Yard, West Bergholt. Unless the Proposals Map is amended at adoption to identify these sites, the document will be unsound.
- 2.8 There is an existing LEZ at School Road, Langham. Representations have been made to extend the site, and also to replace it with a much larger LEZ to the west of the A12 Trunk Road. The latter proposal is associated with representations for a new residential allocation on School Road and Wick Road which I deal with under the Housing issue below.
- 2.9 The proposals in representations relating to an extension of the existing LEZ on School Road were subject to SA by the Council. Whilst some of the individual elements of the assessment were favourable, the conclusion reached was that only the 1.06 ha site currently in employment use should be allocated as an LEZ. I see nothing unsound in this conclusion. The existing LEZ, in pursuance of the policy objective, provides employment opportunities in this rural location, and in my opinion it is of a size commensurate with the scale and character of Langham. When existing businesses outgrow their existing sites, it is not always appropriate for an expansion to take place at the same location. I note that there has been a recent appeal relating to an application for a rear extension to the site which was dismissed. My colleague found that the extension would be visible and would be a damaging incursion into open countryside and his conclusion that the development would have an adverse effect on the character and appearance of the countryside echoes the conclusion of the Council in its sustainability appraisal. Reasonable alternatives have been considered, and the allocation in the plan is sound.
- 2.10 The proposal for a much larger LEZ to the west of the A12 Trunk Road which would replace the existing LEZ has been the subject of a sustainability appraisal. It has been put to me that, in addition,

full consultation was undertaken in November 2009 when a 'flyer' was circulated around the parish, and an exhibition held with comment forms available for completion. However, I have not been provided with any of the comments which were made. Public consultation cannot be claimed to have taken place unless the responses of the public are made available, analysed, and are taken into account. The more recent consultation carried out between 25 May and 6 July 2010 covered the residential development proposals but not the new LEZ. Furthermore, with the exception of the Highways Agency there does not appear to have been consultation with the specific consultation bodies. Since there has been no full consultation I am not able to make a recommendation in favour of this proposal. In any event, on the basis of the material which is before me, I am not convinced that a new 4 ha site for use as a business park adjacent to the A12 would be sustainable. Nothing put before me is persuasive that the Site Allocations DPD is unsound in respect of rural Local Employment Zones at Langham.

- 2.11 Representations have been made about the LEZ at West Mersey which is within the West Mersea Waterside Area of Special Character (WMASC). Whilst there is a mix of uses in the vicinity of this LEZ, including residential, I consider that it is important to maintain the character of WMASC by retaining a mix of maritime, fishing, leisure and boating related uses. I do not find that the evidence about the frontage building, unsupported by a structural survey report or marketing details, demonstrates that the only way to deal satisfactorily with the frontage of the site is by allowing residential development. Certainly nothing I heard leads me to conclude that the document is unsound in respect of the West Mersea LEZ.
- 2.12 All other sites put forward in representations have either not been subject to sustainability appraisal or public consultation or, taking into account the Council's SA assessment, I do not consider that they perform well when judged against sustainability appraisal criteria and policy EC6 of PPS4: Planning for Sustainable Economic Growth.
- 2.13 Nothing in the representation leads me to think that the document is unsound in respect of the Strategic Employment Zones or the Mixed Use Centres.

***Issue 2 – Whether the document makes sound provision for housing, in terms of the overall number of dwellings, their distribution and timing throughout the borough, and provision for particular types of dwellings, including sites for Gypsies, Travellers and Travelling Showpeople***

- 2.14 This issue encompasses consideration of the Annual Monitoring Report and the Housing Trajectory, whether the plan is flexible

enough to deal with results of the economic downturn, the extent to which there is adequate housing provision in villages, whether the provision for gypsy and traveller accommodation is appropriate, as well as consideration of sites which have been put forward for additional allocation.

- 2.15 The Site Allocations DPD does not contain a housing trajectory. I consider that this is not an omission requiring a change because any trajectory must be regularly monitored and setting one out in a document which will have a life span beyond a number of monitoring periods suggests unreal certainty. The Annual Monitoring Report (AMR) and the Housing Trajectory are the most appropriate methods of fulfilling the requirement. Whilst it was acknowledged by the Council at the hearing that there is a lack of immediate clarity about certain aspects of the AMR, that is a matter for the Council to address in future reviews, rather than a matter for a recommendation by me.
- 2.16 There has also been some criticism of the way in which residential allocations are shown on the proposals Map. The Proposals Map is a matter for the Council, but I will comment that I consider that the presentation of the allocations provides sufficient guidance as to the location and extent of the areas where new residential development will take place.
- 2.17 There has been little in the representations to suggest that there is an inadequate overall housing land supply in the Borough to meet the CS dwellings target. I conclude that the allocations in this DPD meet the requirement.
- 2.18 However, at a time of economic downturn, there is naturally a concern about maintaining an adequate housing build rate and about whether the policies of the document are flexible enough to respond to a changing situation. I have been pressed to consider the need to remove all phasing requirements from the document so as to allow greenfield allocations to begin development as soon as possible. Although the Housing Trajectory shows a 15 year supply, the evidence about the delivery of housing in the coming two 5-year periods shows a heavy reliance on delivery from brownfield sites. Whilst the emphasis must remain on prioritising development of brownfield sites, I accept the evidence that these are generally more expensive and more complex to deliver and that in times of economic uncertainty the situation needs to be kept under careful scrutiny, with the ability for the Council to act quickly as monitoring dictates the need for action. I conclude that it would not be appropriate to remove all reference in the document to phasing requirements; but to be sound, in particular to meet the test of effectiveness through deliverability and flexibility, I consider that there is a need for a change.
- 2.19 In my **Recommendation No 2** in Annex 1 to this report, I set out an additional paragraph under the heading 'Phasing and

Implementation' of the Housing chapter of the document. I consider that this is the appropriate point in the document, rather than in the Urban Renaissance chapter where each Growth Area is dealt with, because this is the first opportunity in the document to deal with the matter, and it is an overarching question of phasing. In addition, within the text for each Growth Area there is a reference to the monitoring of housing delivery, with recognition that "if necessary the sites will be brought forward earlier in response to changing market demands". This will be read with the contents of the new paragraph I recommend.

- 2.20 Much has been made in representations about the need for additional housing in villages, and the need to review village envelopes. However, Core Strategy (CS) policy ENV2 – Rural Communities provides that the vitality of rural communities will be enhanced by supporting appropriate development on infill sites and previously developed land. The explanation to this policy notes that evidence indicates that "villages in the catchment area of larger towns struggle to retain facilities, even when more housing is built". It goes on to say, in relation to Colchester Borough, that "In general, rural communities do not provide sufficient shops, services and facilities to support significant growth." The third paragraph under the policy notes that "The Site Allocations DPD will provide an opportunity to review the extent of village envelopes..." and that this "...will need to optimise the sustainability of villages by contributing towards community facilities, open space, and local employment." Save for mention of affordable housing on 'rural exception sites', there is no reference to facilitating new residential development through this exercise.
- 2.21 Nor do I find anything in the housing policies of the Core Strategy which sets a target for housing within villages. Policy H1 of the CS focuses housing development in the key areas listed which are the Town Centre and the Growth Areas. Table H1a lists a number of villages with a figure given for the number of dwellings, with an entry for 'Other Villages'. I see nothing in this which justifies a comprehensive review of village boundaries to identify additional housing development opportunities. As alluded to in paragraph 2.20 above, villages within the Borough will struggle to retain facilities, and I am clear that even significant growth in the villages would be very unlikely to add significant support to local services. Such significant growth would be against the settlement hierarchy of the CS, and indeed is not suggested in the representations.
- 2.22 The Council has carried out a 'Settlement Boundary Review and Village Survey' which I consider meets the need foreshadowed by the Explanation under CS policy ENV2. In this connection, my attention has been drawn to a comment of the Inspector who examined the CS. She stated (paragraph 7.6 of her report) that "...The CS lacks analysis of the rural District Centres and Villages...and does not seem to look beyond carrying forward existing permissions and allocations. Allowing for a very limited



amount of further growth in certain rural District Centres or villages might be possible without undermining the overall strategy. However, it would need to be supported by robust and credible evidence relating to CS objectives." This comment was not a binding recommendation and is open to interpretation. I consider that it is a matter which the Council is entitled to determine. I conclude that adequate provision has been made for residential development, and nothing that I have heard or read persuades me that the document is unsound in this regard; it is a strategy with a credible evidence base and is most appropriate when considered against reasonable alternatives.

- 2.23 I therefore conclude that there is no justification for the provision of additional housing sites in villages, or for a further review of village settlement boundaries at this time. In the light of these conclusions there are just a few sites which require further comment. For the rest, my reasoning for finding the document sound in respect of this issue should be clear.

#### Langham

- 2.24 My conclusions on the need for additional housing allocations by way of a review of the village settlement boundaries generally applies to Langham. A proposal has been made for a substantial allocation of housing on three parcels in Langham which is tied to the proposal for a substantial new LEZ which I have dealt with at paragraph 2.10 above. It has been put to me that full consultation on the combined proposal was undertaken in November 2009 when a 'flyer' was circulated around the parish, and an exhibition held with comment forms available for completion. However, I have not been provided with any of the comments which were made. Public consultation cannot be claimed to have taken place unless the responses of the public are made available, analysed, and are taken into account.
- 2.25 The more recent consultation carried out between 25 May and 6 July 2010 covered these residential development proposals and a sustainability appraisal has been undertaken. However, I repeat what I said at paragraph 2.06 above, the process of sustainability assessment is a comparative one, enabling reasonable options to be compared one with another so that the most appropriate outcome is achieved. There is a difficulty in maintaining a uniform approach to SA when it is undertaken as a separate process, with the assessments carried out by a number of different individuals. The Council's officer who carried out its own SA has serious disagreements with a number of the conclusions in the separate assessment of the proposed three parcels at Langham. I conclude that the SA of the Langham housing proposals cannot be relied upon.
- 2.26 In any event, the material which is before me leads me to conclude that there is no justification for the allocation proposed, which

would not conform to the pattern of development set out in the Core Strategy. Nothing put before me is persuasive that the Site Allocations DPD is unsound in respect of allocations at Langham.

- 2.27 There is a proposal for a Continuing Care Retirement Community (CCRC) on land at London Road, Copford made by Hanover Bloc. Hanover Bloc is a public/private joint venture vehicle recently established by Hanover Housing Association. I understand that Hanover Housing Association is one of the largest providers of Extra Care retirement housing in the UK, and owns and operates a site at London Road, Copford. It proposes the establishment of a retirement village, or CCRC, based on the existing Willow Park Care Home, Dorothy Curtis Court retirement apartments, and Copford Place – a currently vacant Regency listed building. The frontage of the site is clearly previously developed land, but development at the rear would be on greenfield land as an extension to Copford, albeit that it would not extend further back from London Road than the existing development around Queensberry Avenue, from which it could gain access. The development would enable the refurbishment of Copford Place.
- 2.28 At the hearing I interpreted statements made as indicating that consultation and sustainability appraisal had taken place. However, in writing this report I sought to establish that this indeed was the case from the evidence base. In the absence of finding what I was looking for, I asked for the Council's understanding of the situation, and for the Representor's comments on this. It is now apparent that there has been no consultation with general or specific consultation bodies, nor has the proposal been subject to SA. Whilst the site has been submitted at every stage of consultation during the preparation of the DPD, because the Council never supported it as a 'reasonable option', considering that it did not conform to the pattern of growth set out in the Core Strategy and that it is in a high flood risk zone, it was not included in the Council's SA work. Since this is the case, I am not able to form any conclusion which could lead to a recommendation for a change to the document.
- 2.29 I make the following comments on the clear understanding that they do not amount to any finding by me in the absence of consultation and SA appraisal.
- 2.30 On the material which is before me it is apparent that Hanover Bloc is a not-for-profit organisation with expertise in the development of CCRCs. It is common ground that there is a need to address the housing requirements of the aged in the Borough, including those over 75 and those wishing to live as independently as possible, but with extra support being available to enable them to do so. The document "Continuing Care Retirement Communities" (document CBC/EB/117) published by the Joseph Rowntree Foundation in association with the Planning Officers Society offers support for the CCRC approach to providing an integrated form of care and community building. It would be a borough-wide provision,

apparently within the ability of Hanover Bloc to deliver, and it may well be a development form of housing for the elderly which is not easy to promote or integrate into a general housing allocation.

- 2.31 As I have indicated in paragraph 2.28 above, I am not able to take the matter further. It may be that an outcome could be achieved through the development management process, or that the Council would wish to give further consideration to this form of development in its future plan-making work. What I can be clear about, however, is that the Site Allocations DPD cannot be said to be unsound for the lack of an allocation for a CCRC at Copford.
- 2.32 Ashcroft Care Home, Eight Ash Green caters for people with severe dementia and behavioural problems. The existing accommodation is not up to modern standards, but there is, nevertheless, a waiting list. The proposal by the owner is to extend the home at the rear beyond the village envelope. The representation that has been made is that the site should be allocated for housing. In line with my view that additional housing is not justified by enlarging village settlement boundaries, I consider that this proposal is ill-founded. Nor would it be appropriate to make a one-off allocation for a care home. The proposal for an extension to the care home is one that needs to be judged on its individual merits within the development management process. In the event that planning permission were granted for the extension to the home, it would still not be appropriate to allocate the site because this would imply that the land is suitable for development, and would open the way, in due course, for normal residential development.
- 2.33 Turning briefly to the matter of sites within the urban area, as I have concluded at paragraph 2.17 above, overall this DPD makes allocations sufficient to meet the CS dwellings requirement. Therefore there is no need to allocate additional sites within the urban area which are currently in another use. This applies to sites which are in an open space use, such as the Bromley Road Sports Ground, including where it is suggested that there is an over-supply in a particular area. Existing open space should be protected in the absence of a compelling need for an alternative use, in line with Development Policy DP15.
- 2.34 I am satisfied that the document makes adequate provision at the present time for sites for Gypsies and Travellers in policy H2. The Council has suggested minor changes to the text of this part of the document to take into account the formal revocation of the East of England Plan, and to clarify the evidence base, and to set out the need to review post-2011 requirements for pitches in the light of further government guidance that may follow as a consequence of the intention to revoke Circular 01/2006.
- 2.35 The one allocated site under Policy H2 which calls for comment is that at Orchard Place, Vernons Road, Chappel, shown for 3 pitches. A previous planning application for 6 pitches on this site was

refused permission on amenity and traffic grounds, having been faced with considerable local opposition. It has been suggested that the same grounds for objection hold good for a site with 3 pitches. I consider that the reduced number of pitches does not necessarily raise the same amenity issues, whilst the highway authority has clearly stated that the allocated development can be accessed safely with reduced sight lines which are achievable. I support the balanced decision of the Council. I conclude that policy H2 is justified and sound.

***Issue 3 – Whether policies for Urban Renaissance are soundly based***

- 2.36 With respect to retail uses, the Site Allocations DPD follows the Core Strategy policy which specifies shops as one of the 'Primary Land Uses' within Mixed Use Centres (Table CE1b). Thus, taking for example Turner Rise within policy SA TC1, a Mixed Use Centre the subject of representations, the policy seeks, among other objectives, "a more diverse mix of uses". The constraint on new retail development in such a centre is that it should meet local needs and not adversely impact on the vitality and viability of the town centre. I consider that this accords with national policy and is a sound strategy. Similar considerations apply to the Tollgate Urban District Centre which is also listed as a Mixed Use Centre.
- 2.37 I consider that the document is sound in the way in which it deals with suitable locations for hotel development. It is in conformity with the Core Strategy, and there is no conflict with policy DP10 of the Development Policies DPD. It is not necessary for the Site Allocations document to allocate sites for hotels, since the policies make clear the general locations where hotels are an acceptable form of development. The site put forward for allocation for hotel development is not within a location where hotel development is shown to be an acceptable form of development. On a similar basis, I see no sound reason for including hotel use in policy SA STA3.
- 2.38 Policy SA EC7 of the Site Allocations DPD makes provision for the expansion of the University of Essex. Most of the matters relating to soundness of this policy, suggested in representations, have been resolved within a statement of common ground (document CBC/EB/188). It is necessary for me to deal only with one or two matters. I am satisfied that there is no other reasonable alternative strategy for the expansion of the University and that the measures for additional landscaping and biodiversity will minimise impact on nature conservation and landscape impact. Furthermore, the proposals protect the open countryside gap between the University and Wivenhoe. Representations suggest that there is a need for enabling development in the form of a mixed use housing allocation on the edge of Wivenhoe. However, no evidence to justify the need for enabling development has been produced, and there is no basis for a finding that the policy is unsound.

- 2.39 With regard to policy SA EC8, I consider that there is no need for any amendment to protect the Wivenhoe Trail because it is adequately protected by other policies, in the Core Strategy and Site Allocations document. I note that there is a mapping error on the submission Proposals Map which omitted the Wivenhoe Trail which the Council is rectifying.
- 2.40 The proposals for the North Growth Area arise from Core Strategy policies which identify it as a Growth Area in a sustainable location (policy SD1), which would deliver Key Community Facilities (SD3), strategic levels of employment (CE1 and CE3), and be a focus for housing, including a substantial amount (2200 dwellings) on greenfield land (H1 and Table H1a). The Site Allocations proposals for the North Growth Area are in conformity with, and in furtherance of these CS policies. In the light of the adopted Core Strategy, there is no basis for reducing the amount of development planned for this area, or delaying its delivery to a later period. The matter of community development is one for the emerging SPD, master planning and the development management process. Furthermore, I regard this DPD as a satisfactory approach to planning for the North Growth Area: the preparation of an Area Action Plan might have been an alternative, but is not necessary.
- 2.41 Opposition has been expressed to the fact that the North Growth Area Urban Extension (NGAUE) (policy SA NGA2) in part covers land which was previously allocated as Proposed Public Open Space in the Adopted Review Colchester Borough Local Plan March 2004 (document CBC/EB/011). However, this land has remained in private ownership, and there has never been any proposal for public acquisition which would make the Local Plan proposal a reality. Nor is there any realistic likelihood of that occurring in the absence of the NGAUE allocation. The emerging SA DPD has clearly identified this area for development, and there has been adequate consultation on the proposal. The evidence base supports the North Growth Area policies. I do not regard the fact that Strategic Open Space within the area has not been identified on the Proposals Map justifies a conclusion that the document is unsound. Policy DP16 in the Development Policies DPD includes requirements for accessible strategic and local open space within new residential areas. This is a matter which can be left for the emerging SPD, master planning and the development management process. With regard to these existing open areas, I am also satisfied that there is adequate safeguarding for wildlife, provided for in particular by Development Policies DPD policy DP21.
- 2.42 At paragraph 2.18 above I deal with contentions about the economic downturn, the effect on housing delivery and the need to introduce additional flexibility into the document with respect to the timing of the release of greenfield sites for housing development. The same arguments have been raised in connection with the delivery of the required amount of housing in the North Growth Area. I consider that my Recommendation no 2, referred to in

paragraph 2.19 is the appropriate answer to the situation and that no change is required to this part of the document to make it sound.

- 2.43 I do not agree that there is a need for the policy to provide for more mixed live-and-work opportunities within new residential areas of the North Growth Area to produce a more sustainable community and to reduce the need to travel. I consider that the approach of the document which is to focus B1 office uses in the Town Centre and Mixed Use Centres is appropriate. A policy which would permit employment opportunities in new residential communities would not be appropriate: it would fail to direct employment in accordance with the hierarchy, and would make it difficult for the Council to deal with proposals which would have negative impacts on residential amenity. Many employment opportunities within residential areas do not need planning permission or can be accommodated by the development management process. In addition, the area is well connected to existing and proposed employment provision.
- 2.44 Concern has been expressed about the adequacy of transport infrastructure to deal with the extent of new development. However, the policies require infrastructure to be provided, and each development proposal will have to be accompanied by a Transport Assessment. I am satisfied that the Council, working with the Highway Authority, has an adequate evidence base to underpin the decisions which have been made as to the allocations and the transport infrastructure required.
- 2.45 Another concern raised is in relation to the way in which infrastructure already committed through existing legal obligations will be related to new development in the NGAUE, and whether the Council will seek requirements which go beyond the terms of Circular 05/2005. Any contributions sought by the Council in respect of new infrastructure required as a direct result of a new development application will have to be justified on a rational basis. In this regard, from 6 April 2010 Regulations make it unlawful for a planning obligation to be taken into account in determining a planning application for a development, or part of a development, that is capable of being charged Community Infrastructure Levy (CIL), whether there is a local CIL in operation or not, unless it meets three tests: (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and, (c) fairly and reasonably related in scale and kind to the development. It is unlikely that it would be possible for non-CIL development to be treated any differently in respect of planning obligations. I consider that policies SA NGA4 and NGA5 dealing with transport infrastructure are sound.
- 2.46 The necessity for an SPD to be prepared as a Master Plan for the Stanway Growth Area has been questioned, primarily on the basis that it will slow progress on residential development. There are

important infrastructure considerations across this Growth Area which a Master Plan can address, with the added benefit of consultation taking place at the Growth Area level. The SPD is set out in the LDS for current preparation: I am told that the same approach was taken to the Garrison Area, and that no delay resulted. I conclude that master planning by way of the preparation of SPD is sound. The content of paragraph 2.19 above concerning greenfield sites is relevant to the Stanway Growth Area.

- 2.47 Tiptree is a Rural District Centre as defined in the adopted Core Strategy Table CE1a. Table H1a, under policy H1 of the Core Strategy, shows a requirement of 680 dwellings, with a footnote explaining that the figures in this table are minimum numbers. I am not persuaded that the CS intentions for Tiptree, as needing to be fulfilled through the SA DPD, are excessive and out of scale with this sizeable settlement with a good town centre, albeit that there are shortcomings in the existing community infrastructure that are identified by the Parish Council.
- 2.48 It is clear from the discussion at the hearing that dwelling completion numbers change over time and it is not always straightforward to understand what is the net outcome. However, I am clear that the CS Table H1a figures subsumed a specific figure of 140 dwellings on a site at Grange Road, and that subsequent preparation of the SA DPD was based, until just before the publication of the submission document, on this intended allocation. This intention was supported by the Council's housing evidence base. Importantly, the figure of 140 dwellings, and the overall site within which they would be provided, justified an expectation of a mixed-use development comprising sports facilities, housing and employment land, recognising the potential for securing community benefits from the comprehensive development of a relatively large greenfield site, rather than several smaller sites. In addition to community benefits from the site itself and required infrastructure previously expected, there is now the prospect of the Warriors Rest Sports Ground being reconfigured to provide local youth sports development, assisting in addressing the identified playing pitch deficit.
- 2.49 The submission SA DPD reduced the extent of the Predominantly Residential allocation at Grange Road, whilst significantly increasing the Public Open Space notation (to include part of what had been shown as Predominantly Residential). I consider that this change from what had previously been envisaged is not credible, not supported by the evidence and is not the most appropriate strategy when considered against reasonable alternatives. What remains as 'Predominantly Residential' is not well related to the settlement and is unlikely to provide the expected community benefits. My **Recommendation No 3** sets out what is required to make policy SA TIP1 sound, incorporating minor changes which the Council has already promulgated. For the avoidance of doubt, the allocation subject to this recommendation encompasses the areas of land

annotated Phases 1 & 3, 2 and, separately, 3, together with 'Village Green' on drawing C8120\_L012, dated Feb 2009 submitted to the examination by Lawson Planning Partnership Ltd. Unless the Proposals Map is amended at adoption in the way described the policy will be unsound.

- 2.50 I have considered the other sites in Tiptree put forward for residential development. There is no justification for any additional residential allocation in Tiptree. My conclusions in paragraphs 2.20 - 2.23 above are relevant. Nothing in the written representations or those made at the hearing lead me to consider that the document is unsound by omitting settlement boundary extensions and the greenfield sites put forward.
- 2.51 With regard to the allocation of the Employment Zone to enable Wilkin and Sons Ltd to expand, I am satisfied that an appropriate balance has been arrived at, taking into account the need for modernisation by a company with an iconic brand which is important for both Tiptree and the Borough, and the need to carefully consider the physical relationship of Tiptree with the neighbouring village of Tolleshunt Knights. With respect to the latter, I am satisfied that the remaining gap is sufficient to maintain a clear separation, although the detail to be considered in the development management process will be important. A minor change has been suggested by the Council to make clear the reason for this allocation. In respect of the site proposed by Wilkin and Sons Ltd to the east of Factory Hill for residential development, I am not persuaded that the need for additional funding for the new factory outweighs the general public need to carefully control additional development in Tiptree, and encroachment into the countryside. Furthermore, I consider that the Council's judgements in its SA are appropriate.

***Issue 4 – Whether the policies will achieve adequate Strategic Areas of Open Space***

- 2.52 The question raised is whether Strategic Areas of Open Space should be shown as allocations on the Proposals Map, it being argued that the extent of such open space should be open for public comment and that since it can be identified in later SPD, there is no reason why it should not be identified within the Site Allocations DPD. This issue arises from concerns raised about the soundness of the document in relation to the proposals for the North Growth Area, which I have dealt with at paragraph 2.41 above.
- 2.53 Paragraph 6.14 of the DPD sets out the definition of Strategic Areas of Open Space, where it is pointed out that, in Growth Areas, delivery is expected to coincide with the development timetable. I consider that there is no unsoundness in the document's approach to this, since the detailed definition of this space will come about through SPD, master planning or the development management process, all of which have provision for public consultation.



***Issue 5 – Whether the document is sound in relation to phasing of greenfield residential allocations.***

2.54 This issue has been addressed when dealing with housing at paragraphs 2.18 and 2.19 above. In that section of my report I found the document unsound in this regard without a change which I set out in my Recommendation No 2 in Annex 1.

**3 Consequential changes**

3.1 As a result of the recommendations which I have made, as explained above, it is necessary for one consequential change to be made to Chapter 1 of the document - Executive Summary. I set this out in my **Recommendation No 4** in Annex 1.

**4 Overall Conclusions and Recommendation**

4.1 There are no other matters raised which persuade me that the document is unsound and which warrant mention in this report.

4.2 It is not for me to 'improve' the document, or make it 'more sound'. My task is simply to follow the soundness criteria set out in Planning Policy Statement 12: "creating strong safe and prosperous communities through Local Spatial Planning".

4.3 **I conclude that, with the changes that I recommend, set out in Annex 1, the Colchester Borough Site Allocations DPD satisfies the requirements of s20(5) of the 2004 Act and meets the criteria for soundness in PPS12. For the avoidance of doubt, I endorse the Council's proposed minor changes, set out in the Annex 2 to this report.**

*Terrence Kemmann-Lane*

INSPECTOR

**Annex 1****Changes that the Inspector considers are needed to make the plan sound**

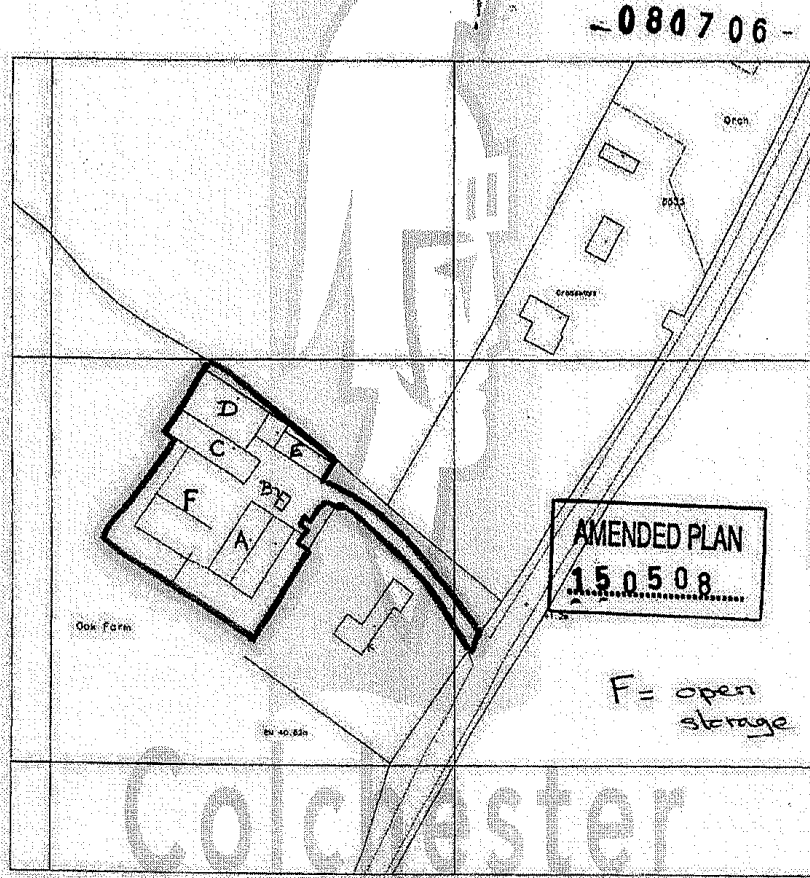
<b>Inspector Change No. 1</b>		
<b>Policy/Paragraph:</b>		<b>Within the table after paragraph 3.14</b>
<b>Change:</b>		
<b>Site</b>	<b>Area in Ha</b>	<b>Comments</b>
<b>Oak Farm, Layer Marney</b>	<b>0.23</b>	<ul style="list-style-type: none"> <li>• <b>New allocation – to be limited to the lawful use of the site</b></li> <li>• <b>B8 distribution uses not considered appropriate</b></li> <li>• <b>Site should be well screened to reduce the impact on the landscape</b></li> <li>• <b>An ecological survey will be required as part of any future proposals for the site</b></li> </ul>
<b>Holly Lodge, Great Horkesley</b>	<b>0.21</b>	<ul style="list-style-type: none"> <li>• <b>New allocation – to be limited to existing buildings on the site</b></li> <li>• <b>Site should be well screened to reduce the impact on the landscape</b></li> </ul>
<b>Pattens Yard, Nayland Road, West Bergholt</b>	<b>0.43</b>	<ul style="list-style-type: none"> <li>• <b>New allocation – to be limited to the lawful use of the site</b></li> <li>• <b>Site should be well screened to reduce the impact on the landscape</b></li> <li>• <b>Landscaping, including improved hard surfacing, required as part of any redevelopment</b></li> <li>• <b>There is a population of great crested newts close to the site; an ecological survey will be required as part of any future proposals for the site</b></li> </ul>

**Note**

The following plans supplied by the Council indicate the extent of these sites. Unless the Proposals Map is amended at adoption to identify these sites, the document will be unsound.



# Siteplan<sup>®</sup> 1:1250



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Centre Coordinates: 591590 217273

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OAK FARM  
LAYER MARNEY  
CO5 9XU



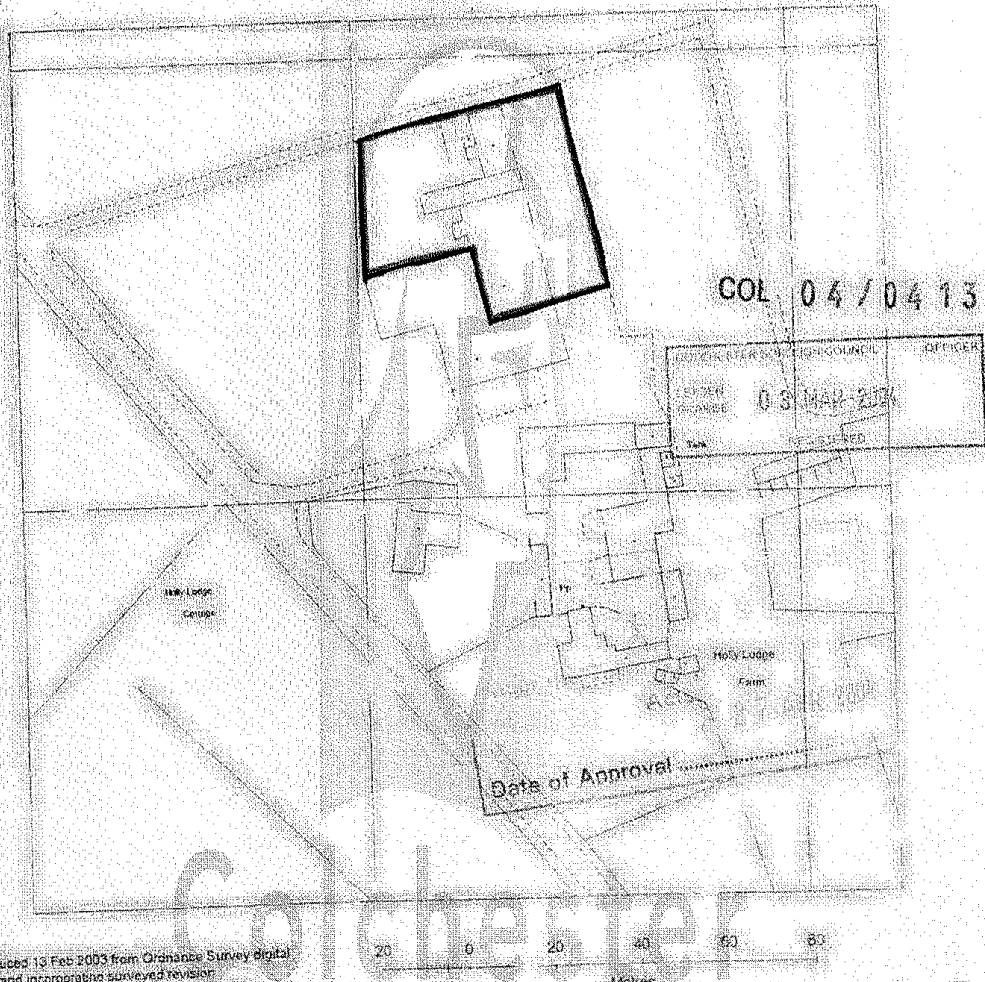
DRAWING



Holly Lodge,  
Great Horkesley

# Siteplan

1:1250 Scale



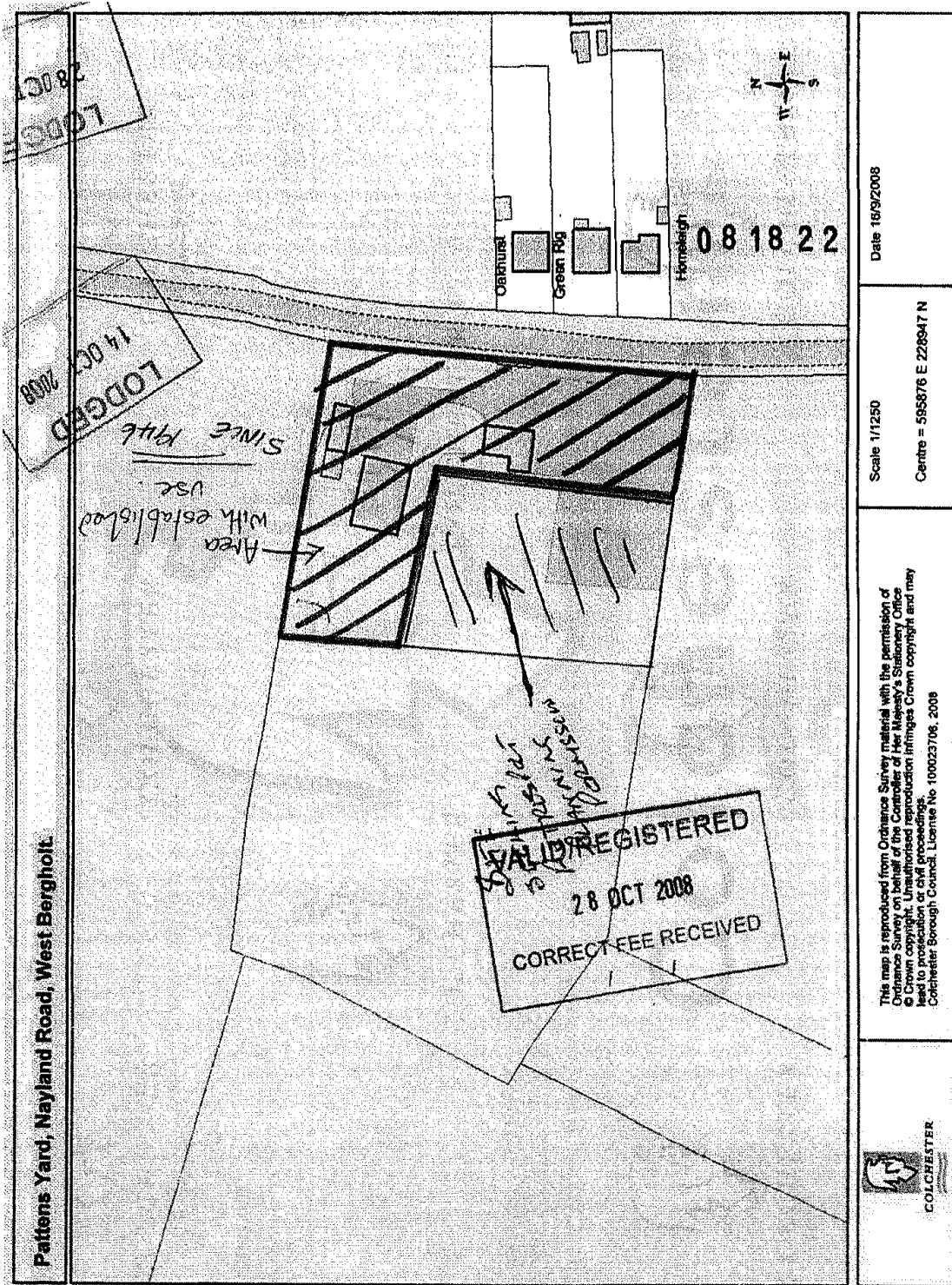
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HOLLY LODGE, HOLLY LANE  
GREAT HORKESLEY  
COLCHESTER  
CO6 4AW



<b>Inspector Change No. 2</b>	
<b>Policy/Paragraph:</b>	<b>After paragraph 4.21</b>
<b>Change:</b>	
<p><b>New paragraph</b></p> <p><b>In the period leading up to the submission of this document there was a downturn in the UK economy reflecting a general global financial problem. Whilst, at the point of adoption of the document, it appears that a recovery is underway, there remains uncertainty, and difficulty for businesses to obtain necessary finance. This uncertainty and difficulty perhaps affects the housing market more than some others. It is therefore essential that the Council can act quickly to ensure the continued delivery of an adequate number of housing units in the Borough, certainly in advance of any necessary general review of the document. In the policies of this document there is generally an expectation that greenfield sites will not come forward until after 2016, which is subject to the caveat that sites will be brought forward if monitoring shows this to be necessary. This monitoring will need to take account of the 'lead' time for development, brought about by the need for surveys, design, etc, and the processes of development management. The Council intends to use all appropriate flexibility, particularly in the years immediately following adoption, to seek to ensure that the 5 year supply of housing, and its delivery, is not interrupted by general adverse economic circumstances.</b></p>	

<b>Inspector Change No. 3</b>	
<b>Policy/Paragraph:</b>	<b>Policy SA TIP1 Residential Sites in Tiptree</b>
<b>Change:</b>	
<p><b>Replace the text with the following:</b></p> <p><b>Policy SA TIP1 Residential sites in Tiptree</b>  <b>Within Tiptree a number of small sites have been identified within areas allocated predominately residential on the Proposals Map which will contribute to the delivery of the housing targets identified in the Adopted Colchester Borough Core Strategy.</b></p> <p><b>In addition to this a site at Grange Road is allocated to deliver approximately 140 homes. Development of this site is not expected to commence until 2016. Development cannot take place until there is capacity at the Tiptree Sewage Treatment</b></p>	

**Works. Development of the site will also be expected to deliver the following infrastructure;**

- **Transport improvements (see policy SA TIP2)**
- **Open space, allotments, sport and recreational facilities in Grange Road.**

<b>Inspector Change No. 4</b>	
<b>Paragraph:</b>	<b>1.9</b>
<b>Change:</b>	
<p><b>Amend the text of the second sentence of paragraph 1.9 to read as follows:</b></p> <p><b>Additional land has been allocated to provide for approximately 140 new dwellings.</b></p>	



## Local Development Framework Committee

Item

9

29 September 2010

Report of	Head of Strategic Policy and Regeneration	Author	James Firth 01206 508639
Title	Issues covered by revoked Regional Spatial Strategy (RSS) policies		
Wards affected	All		

**The Local Development Framework Committee is asked to note the issues which were previously covered by the now revoked Regional Spatial Strategy (RSS) and agree that additional local policy or guidance is developed to fill any gaps in Colchester's Development Plan**

### 1. Decision(s) Required

- 1.1 To note the RSS policies which previously applied to Colchester and note any potential gaps in Colchester's Development Plan as a result of the revocation of the RSS.
- 1.2 To agree that additional local policies or guidance should be developed where appropriate and that joint working should be carried out with other local authorities and partners as necessary in order to fill any such policy gaps.

### 2. Reasons for Decision(s)

- 2.1 To help ensure that Colchester has an effective Development Plan in place to assist decision making on planning applications and future local policy. The loss of RSS policies provides an opportunity for Colchester to develop a locally distinctive approach on a number of issues which were previously covered at the regional level.

### 3. Alternative Options

- 3.1 The Committee could decide not to note the issues which were previously covered by the Regional Spatial Strategy (RSS). Although the housing numbers contained in the RSS were perhaps the most high profile element of the plan, the RSS also contained a wide range of other policies which formed part of Colchester's Development Plan and could be used in local decision making. Failing to note the policies which have now been lost may result in Colchester having a policy gap where the Council does not have a full range of effective policies in place in order to make policy decisions and determine planning applications.
- 3.2 The Committee could decide not to develop additional local policies or guidance to fill any identified policy gap. The absence of effective policy guidance may make future decisions on planning applications or local policy difficult to justify and lead to planning applications being allowed on appeal.

### 4. Supporting Information

- 4.1 The Regional Spatial Strategy (RSS), also known as the East of England Plan, included a wide range of policies which formed part of Colchester's Development Plan and could be used to assist in determining planning applications and developing local planning



policy. On the 6 July 2010 the Secretary of State for Communities and Local Government (Eric Pickles MP) announced the revocation of Regional Strategies with immediate effect. As a result the RSS no longer forms part of Colchester's Development Plan and RSS policies cannot be used when determining planning applications. The evidence behind the RSS, however, is still a material consideration and can be used to assist decision making where relevant. Local planning documents were not permitted to duplicate anything that was already covered in the RSS and there may therefore be gaps where the Council were reliant on policies contained in the regional level document.

- 4.2 This report considers if the revocation of these RSS policies has left any gaps in Colchester's Development Plan where further local guidance or policies may need to be produced. The loss of RSS policies provides an opportunity for Colchester to develop a locally distinctive approach on a number of issues previously covered regionally. It also, however, is likely to place a stronger emphasis on effective joint-working with other authorities in the area given that the overall approach to growth in the Haven Gateway, Essex and the East of England more generally is no longer guided by regional policies. Such joint working will be important to effectively deliver strategic scale infrastructure in the area and support the sustainable development of Colchester.
- 4.3 Pages 10 - 11 of Colchester's adopted Core Strategy outline the regional policies and targets that were most relevant to spatial planning in Colchester. These are listed as:
- Identification of Colchester as a Key Centre of Development and Change (Policy SS3)
  - Identification of Colchester as a priority area for regeneration (Policy SS5)
  - The need to facilitate the provision of 20,000 new jobs in the Essex Haven Gateway including approximately 14,200 new jobs in Colchester as specified in earlier drafts of the East of England plan (Policy E1 and HG2)
  - The need to identify Strategic Employment Sites in Colchester (Policy E3)
  - Identification of Colchester's Town Centre as a Regional Centre for retail and other town centre purposes (Policy E5)
  - The need to provide a minimum of 17,100 new homes between 2001 and 2021, and at least 1710 additional homes by 2023 (Policy H1 and HG1)
  - Identification of Colchester as a Regional Transport Node (Policy T5)
- 4.4 The table attached as an appendix to this report attempts to identify if the issues covered by the revoked RSS policies are covered elsewhere in national or local policies and if any further action is necessary to address policy gaps and ensure the sustainable development of Colchester. In general the broad coverage of national policy and Colchester's adopted Core Strategy means there are few identified gaps in policy. The table does, however, highlight the need for continued joint-working with other local authorities on issues that need to be addressed at a wider level such as strategic transport infrastructure or water resources.
- 4.5 The main issues identified in the table include the following which have been grouped into themes:

#### Overall Strategy

- Removal of guidance on the level of growth (housing and employment) that Colchester should accommodate compared with other areas of the region. Cabinet decided at their meeting on 8<sup>th</sup> September to commence a review of the Core Strategy in 2012. Effective joint working with other authorities will be needed when deciding on future housing and employment targets.

- The removal of RSS policies increases uncertainty about the levels of future growth in other districts. Adjoining districts may decide to adopt different job or housing targets which may have implications for Colchester. Extra monitoring and partnership working may be needed with other local authorities.
- Continuing need to address wider strategic level issues when deciding on future levels and locations of growth. This will need to include co-ordination of strategic and local infrastructure.
- The RSS contained a number of Haven Gateway policies which directed growth and investment to the area. There will be a need for joint-working to continue to attract investment, jobs, and deliver strategic infrastructure.

### Economic Development

- There is a potential need for further policies on economic development.
- Removal of RSS policies that direct major retail and town centre uses towards large centres such as Colchester may increase the likelihood of such investment being directed towards other towns and districts. Joint working with other authorities may be needed.

### Housing

- Joint-working is likely to be needed on any future reviews of affordable housing policy. If neighbouring authorities adopt widely varying targets this could have unintended consequences on the local housing market.
- Removal of RSS policy places renewed emphasis on the requirements for local evidence on the need for Gypsy and Traveller accommodation. Essex has an up-to-date Gypsy and Traveller Accommodation Assessment which can currently provide this.

### Transport

- The RSS contained commitments to increase passenger and freight movement by sustainable modes within the Regional Transport Strategy. Local policy contains strong emphasis on sustainable transport but less on strategic freight movement. Achieving objectives such as more freight movement by rail will require joint-working and cannot be achieved by Colchester alone.
- The RSS identified Colchester (urban area) as a Regional Transport Node which gave Colchester greater status in terms of allocation of funding, especially when linked to growth. The Core Strategy identified a number of infrastructure schemes where funding would have in part come through the RSS process, including park and ride.
- The Regional Transport Strategy section included investment priorities for major schemes for the allocation of funding. There will still be a need for co-ordinate action with transport providers and other delivery agencies and those who will allocate future infrastructure funding.
- RSS policies helped provide justification for inter urban and strategic transport improvements to be directed to Colchester and/or the Haven Gateway. Joint working with other authorities and organisations will be important to deliver strategic infrastructure improvements. Similar co-ordination is needed on cross-boundary projects such as improvements to the A12, the A120, the Great Eastern Mainline, and the National Cycle Network.

## Environment

- Possible need for further local policy guidance on detailed environmental matters where they are not fully addressed by Core Strategy Policy.
- Removal of regional requirements for renewable energy in large non-residential developments. Core Strategy policy already contains local requirements but implementation of this policy will need to be carefully monitored and additional policy guidance produced if necessary.
- The RSS contained policies to help co-ordinate the delivery of strategic water infrastructure. In the absence of regional policy there will be a need for joint-working with other authorities and partners to ensure strategic water infrastructure is delivered alongside future development.

### **5. Proposals**

- 5.1 As set out above, the revocation of the RSS raises a need to consider potential policy gaps in Colchester's planning policies. The table attached as an appendix shows that in general most issues are covered by existing local or national policies. The co-ordination and relative certainty that the RSS offered in terms of future growth levels around the area does however no longer exist. There are therefore a number of strategic issues identified above and in the table where the Council will need to work with other authorities and partners to ensure any future development is sustainable.
- 5.2 A revised national planning framework and a Transport White Paper are expected to be published shortly. Essex County Council will develop and publish a new transport strategy by the end of March 2011. Any decisions made now may have to be revised in light of any changes resulting.

### **6. Strategic Plan References**

- 6.1 The revocation of the RSS should provide greater local flexibility and help the Council to listen and respond effectively. It may also provide opportunities to further locally specific objectives such as the Council's strategic objectives. Successfully addressing any policy gaps and working effectively with other authorities and partners will be key in addressing the Council's priorities. Effective strategic planning will be important in achieving the homes for all and enabling job creation priorities in particular.

### **7. Consultation**

- 7.1 Colchester's adopted Core Strategy and other Development Plan Documents have been subjected to a number of different stages of consultation including examination in public by an independent planning inspector.
- 7.2 Where additional local policy or guidance is needed to address a policy gap appropriate consultation would need to be undertaken. The level of consultation undertaken would depend on the status of the proposed policy or guidance and is set out in Regulations.

### **8. Publicity Considerations**

- 8.1 Noting the revoked RSS policies which affected Colchester and agreeing to produce local policies or guidance to address any policy gaps is not expected to have any publicity implications at this stage.

## **9. Financial Implications**

- 9.1 It is proposed that the production of any additional policy or guidance and the undertaking of any joint-working required can be carried out in-house. There are therefore expected to be no financial implications.

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

- 10.1 An Equality Impact Assessment has been prepared for the Local Development Framework and is available to view 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 > Local Development Framework. The impact of any proposed additional policy or guidance on equality, diversity or human rights will need to be considered as part of its production.

## **11. Community Safety Implications**

- 11.1 None

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

- 12.1 None

## **13. Risk Management Implications**

- 13.1 A decision to agree that additional local policies or guidance should be developed where appropriate will help ensure the Council has an effective Development Plan and policy framework in place to determine planning applications and base future policy decisions. This will minimise the risk of planning by appeal.

## **Background Papers**

None

Revoked RSS Policy	Relevant National or Local Policies	Need for additional Local Policy or Guidance
SS1 (Achieving Sustainable Development)	Issues covered by PPS1 and reflected in Core Strategy Policies.	N/A
SS2 (Overall Spatial Strategy)	At a Colchester level issues covered by Core Strategy (CS) SD1 and PPS3 (60% PDL target).	Potential policy gap in terms of the level of growth that Colchester should accommodate compared with other areas of the region. Effective joint working with other authorities will be needed to address this.
SS3 (Key Centres for Development and Change)	CS Spatial Strategy and CS SD1 directs growth within the Borough to Colchester Town.	Potential policy gap in terms of the level of growth that Colchester should accommodate compared with other areas of the region. Effective joint working with other authorities will be needed to address this.
SS4 (Towns other than Key Centres and Rural Areas)	Policy SS4 covers the role of key service centres (large villages). The issues covered are therefore largely addressed by Core Strategy Policies.	N/A
SS5 (Priority Areas for Regeneration)	To some extent covered by national policy. CS also contains a focus on regeneration. Potential policy gap in terms of identifying priority areas for regeneration ie within the Haven Gateway.	Potential need to justify any continued focus on regeneration in Colchester compared to other parts of the Haven Gateway and Essex.
SS6 (City and Town Centres)	Focus on town centres is reflected in CS.	N/A
SS7 (Green Belt)	Not applicable. Colchester has no designated Green Belt.	N/A
SS8 (The Urban Fringe)	Policy sets out requirements for Local Development Documents (LDDs). Reflected in the CS – eg. green links etc.	Further work being undertaken on green infrastructure which could result in a need for a single issue DPD/SPD. Master plans should set out the requirements for urban extensions.
SS9 (The Coast)	Policy sets out requirements for Local Development Documents (LDDs) – these should therefore already be covered in adopted local policy such as CS ENV1 and Development Policy DP23.	N/A
E1 (Job Growth)	Jobs target is covered in CS SD1 and CS CE1.	No action required at present. Other areas/adjoining districts may adopt different job targets which would have implications for Colchester. Extra monitoring and partnership working may be needed with other local authorities.
E2 (Provision of Land for Employment)	List of key considerations when identifying sites. Guidance on these issues provided by national policy and is reflected in Site Allocations.	N/A

Revoked RSS Policy	Relevant National or Local Policies	Need for additional Local Policy or Guidance
E3 (Strategic Employment Sites)	RSS Policy E3 provides support for Strategic Sites in the Haven Gateway. CS includes 3 strategic sites.	Potential policy gap in terms of level of future employment growth that Colchester should accommodate compared with other areas of the region. Joint working with other authorities may be needed to address this.
E4 (Clusters)	RSS Policy E4 sets out the need to develop locally important clusters – incubator space, universities etc. There is some coverage of this in the Core Strategy.	Core Strategy already covers issues related to the University. Could possibly have further policies on economic development.
E5 (Regional Structure of Town Centres)	RSS Policy E5 identifies Colchester as a regional centre for retail and other town centre purposes. Core Strategy promotes Colchester town as a regional centre.	Lack of RSS policy may increase the potential for major retail and town centre uses to be located in other towns/districts rather than in larger centres such as Colchester. Joint working with other authorities may be needed.
E6 (Tourism)	RSS policy supports tourism based on local assets such as historic features and the coast. The need to support and promote tourism is covered in many parts of the Core Strategy.	N/A
E7 (The Region's Airports)	Policy relates to potential future development at the airports and so is not applicable to Colchester.	N/A
H1 (Regional Housing Provision 2001 to 2021)	Core Strategy Policy H1 covers housing provision.	No action required at present. There will be a need in future to address regional/sub-regional issues when deciding on levels and locations for housing growth. The lack of RSS policy raises uncertainty about levels of growth in other districts.
H2 (Affordable Housing)	Loss of regional 35% target. CS Policy H4 sets out a local 35% target.	The Core Strategy currently addresses the issue but in any future review updated evidence will be required to justify local targets. In the absence of any guidance from the RSS there will also be a need for joint-working to co-ordinate targets with neighbouring authorities. If neighbouring authorities adopt widely varying targets this can have unintended consequences on the local housing market.
H3 (Provision for Gypsies and Travellers)	CS Policy H5 and emerging Site Allocations policy (SA H2)	No action required - evidence on local level of provision is based on the Essex GTAA. Need for co-ordinating work between local authorities on issues such as longer-term provision and transit sites.

Revoked RSS Policy	Relevant National or Local Policies	Need for additional Local Policy or Guidance
H4 (Provision for Travelling Showpeople)	CS Policy H5 says matter will be kept under review.	Evidence on need in GTAA. May be a requirement to update this evidence. Co-ordinated work needed with other authorities to agree how any need should be addressed.
C1 (Cultural Development)	RSS Policy C1 sets out requirements for Local Development Documents. The Core Strategy already includes reference to cultural issues.	N/A
C2 (Provision and Location of Strategic Cultural Facilities)	RSS Policy C2 directs regionally or nationally significant leisure, sport, recreation, arts, tourism and other cultural facilities to sites where they would enhance existing facilities of regional or national significance or to town centres. CS Policies promote the town centre as a centre for leisure and cultural facilities.	Removal of the RSS policy may result in less policy support for directing larger cultural facilities to Colchester rather than other towns in the area. Joint working with other authorities may be required.
T1 (Regional Transport Strategy Objectives and Outcomes)	RSS Policy refers to commitment to increase passenger and freight movement by sustainable modes. Consistent with national policy.	Potential need for Colchester to establish this commitment. Achieving objectives such as more freight movement by rail will require joint-working and cannot be achieved within Colchester alone.
T2 (Changing Travel Behaviour)	Issues covered by CS TA Policies.	RSS Policy also included transport providers and other delivery agencies. There will still be a need for co-ordinate action from these organisations in absence of RSS policy.
T3 (Managing Traffic Demand)	Adequately coverage by CS TA policies.	Lack of RSS policy may provide more local flexibility. There will however still be a need to consider the issues covered by the policy such as ensuring any future demand management scheme avoids disadvantaging rural communities and regeneration areas that depend on road access.
T4 (Urban Transport)	RSS policy covers key transport measures for urban development. CS TA policies already reflect this. RSS policy was more use in setting spatial strategy and agreeing vision. Regional Transport Node status lost.	N/A
T5 (Inter Urban Public Transport)	RSS policy identifies Colchester as a Regional Transport Node where improvements to inter-urban public transport should be focused. CS focus on Colchester town but less on strategic or regional level infrastructure.	Less justification for strategic transport improvements and funding to be directed to Colchester. Joint working with other authorities and organisations to ensure delivery of strategic infrastructure improvements will be important.

Revoked RSS Policy	Relevant National or Local Policies	Need for additional Local Policy or Guidance
T6 (Strategic and Regional Road Networks)	RSS Policy T6 sets out important strategic and regional roads. Not appropriate for Colchester to have policies on this. Lack of RSS policy may result in less certainty on strategic road improvements.	Less justification for strategic transport improvements and funding to be directed to Colchester. Joint working with other authorities and organisations to ensure delivery of strategic infrastructure improvements will be important.
T7 (Transport in Rural Areas)	CS Policies TA1 and TA3 in particular already cover sustainable transport in rural areas of the Borough.	Further direction to be given through ECC Local Transport Plan
T8 (Local Roads)	Issues covered in CS TA Policies and Local Transport Plan (LTP).	N/A
T9 (Walking, Cycling and other Non-Motorised Transport)	Walking and cycling covered by CS Policy TA2.	Joint working with other authorities needed to ensure delivery of National Cycle Network in the region and links into the local networks
T10 (Freight Movement)	CS Policy TA4 supports the accommodation of facilities for road/rail freight interchange and servicing.	Provision of infrastructure and safeguarding of sites for freight movement (rail and water) in the region requires co-ordination and joint working.
T11 (Access to Ports)	Not directly applicable. Strategic infrastructure raises same issues as T10.	N/A
T12 (Access to Airports)	Not directly applicable. Strategic infrastructure raises same issues as T10.	N/A
T13 (Public Transport Accessibility)	Issues covered by CS Policy TA3. RSS expected accessibility indicators to be set through Local Transport Plan	N/A
T14 (Parking)	Issues covered by CS Policy TA5. Adopted ECC Parking Standards Document as SPD	N/A
T15 (Transport Investment Priorities)	RSS Policy T15 identifies the Haven Gateway as one of the regions where evidence should be established to support interventions.	Lack of policy means the Haven Gateway is not identified as a priority. Potential for lack of co-ordination in delivery of strategic transport projects. Need for joint-working and lobbying of future bodies with responsibility for allocation of funding.
ENV1 (Green Infrastructure)	Local issues such as green links covered in CS Policy ENV1. Potential policy gap in terms of co-ordination of wider green infrastructure.	Potential need for a more general guiding policy once study results are known.
ENV2 (Landscape Conservation)	Area of Outstanding Natural Beauty (AONB) is already covered by designation, national and local policies apply.	N/A
ENV3 (Biodiversity and Earth Heritage)	Reflected in Core Strategy Policies	Potential need for further local requirements for protection and management of habitats (eg. local wildlife sites).



Revoked RSS Policy	Relevant National or Local Policies	Need for additional Local Policy or Guidance
ENV4 (Agriculture, Land and Soils)	Some of issues covered by CS ENV1.	Potential need for further local requirements. The RSS policy also placed requirements on other agencies. There will be a need for joint-working to ensure objectives are still delivered.
ENV5 (Woodlands)	Some of issues covered by CS ENV1.	Potential need for further local requirements
ENV6 (Historic Environment)	Issues covered by CS and PPS5 (Planning for the Historic Environment).	N/A
ENV7 (Quality in the Built Environment)	Covered by CS Policies UR2, PR1, PR2.	N/A
ENG1 (Carbon Dioxide Emissions and Energy Performance)	CS Policy ER1 sets local targets for renewable energy and carbon emissions.	Revocation of RSS policy means loss of regional requirements for renewable energy in large non-residential developments. CS policy contains local requirements but there may be a need to ensure these are sufficiently robust.
ENG2 (Renewable Energy Targets)	Support for renewable energy facilities covered by CS Policy ER1 and emerging DP25.	Revocation of RSS policy means loss of long term regional targets for renewable energy. There will be a need for joint-working with other local authorities and organisations in order to promote renewable energy.
WAT1 (Water Efficiency)	Locally covered by CS ER1.	Potential loss of co-ordination of future development to match water availability. In the absence of regional policy there will be a need for joint-working with other authorities and partners to co-ordinate strategic water infrastructure with development.
WAT2 (Water Infrastructure)	Site specific infrastructure covered in Site Allocations DPD.	Cross-boundary issues. In the absence of regional policy there will be a need for joint-working with other authorities and partners to co-ordinate strategic water infrastructure with development.
WAT3 (Integrated Water Management)	Some issues covered by CS ENV1 and ER1.	Need for joint-working with others on plans and policies still needed in the absence of the RSS policy.
WAT4 (Flood Risk Management)	Covered by CS ENV1; emerging DP20 & DP23 and PPS25.	Need for joint-working with others on plans and policies still needed in the absence of the RSS policy.
Waste Policies WM1 – WM8	Not directly applicable. County Council function.	N/A
Haven Gateway HG1 (Strategy for the Sub-Region)	Issues of support for tourism, the university, regeneration and housing growth are covered by the Core Strategy.	Loss of strategic level co-ordination and commitment to development and change. Potential need to agree approach in terms of future development.

Revoked RSS Policy	Relevant National or Local Policies	Need for additional Local Policy or Guidance
HG2 (Employment Generating Development)	Focus on Colchester town and on regeneration is reflected in the Core Strategy.	Loss of co-ordination on employment generating development in the sub-region. Continued need for joint-working.
HG3 (Transport Infrastructure)	Core Strategy identifies Colchester town as a priority for transport improvements.	No longer an RSS policy directing sub-regional transport funding towards the urban area of Colchester. There will be a need for joint-working to agree priorities for strategic level infrastructure.
HG4 (Implementation and Delivery)	Colchester's local policies current work towards implementation. Loss of RSS policy raises potential for authorities to adopt different approaches to growth.	Lack of certainty over the levels of growth that will occur in the wider area. Difficulties co-ordinating delivery, particularly that of infrastructure with other partners. Continued need for joint-working and establishment of shared priorities.
Implementing, monitoring and review IMP1 – IMP3	Core Strategy covers local implementation including necessary infrastructure.	Difficulties co-ordinating delivery, particularly that of infrastructure with other partners. Continued need for joint-working.



## Local Development Framework Committee

Item  
**10**

29 September 2010

Report of	Head of Strategic Policy and Regeneration	Author	Karen Syrett 01206 506477
Title	Planning Policies and the Provision of Open Space in New Developments		
Wards affected	All		

**The Local Development Framework Committee is asked to note the existing and proposed policy framework for the provision of open space in new developments.**

### 1. Decision(s) Required

- 1.1 To note the current and emerging policy framework in respect of open space provided as part of new developments.

### 2. Reasons for Decision(s)

- 2.1 The Committee have listened to the concerns of local residents about the matter and have asked that the matter is clarified.

### 3. Alternative Options

- 3.1 The Committee could decide that further work is required to update the policies through the production of a Single Issue Development Plan Document.

### 4. Supporting Information

#### 4.1 The Adopted Review Colchester Borough Local Plan

The Local Plan was adopted in 2004 and currently contains the policies used for securing open space provision within developments. Policy L5 is of particular importance and states;

*Within any area of new residential development, the following open space provision will be required:*

*(a) Where the site area is 2ha (5 acres) or over:*

- (i) at least 10% of the area will be reserved for open space purposes, including children's play spaces, kick about areas for older children, and amenity/landscaping;*
- (ii) such open space provision is concentrated in as large parcels as possible, and no less than 0.2ha (0.5 acres).*

*(b) Where the site area is under 2ha (5 acres), the developer will:*

- (i) either make a 10% contribution of site area as an addition to any abutting open space provision; or*
- (ii) allocate 10% of the site area itself for avenue planting along the principal roads.*

*Where open space is to be dedicated to the Council, a commuted payment will be required from the developer to provide for future maintenance. Developers will also be required to provide play equipment to the Council's satisfaction in order to meet the needs of the particular housing scheme.*

- 4.2 The provision of 10% open space within new residential areas is a long-established standard which was adopted in 1974 by this Council and reflected similar standards operated by the County Council within Essex as a whole. Thus, in assessing the overall open space requirements for the Borough, and in making new allocations, the anticipated contribution from the "10% policy" for individual sites was taken into account.
- 4.3 The explanatory text in the Local Plan states that whilst the Council would normally expect the 10% open-space provision to be included in a new development, it may not be necessary or feasible to require this, in whole or in part, on all sites. The following are offered, by way of examples, of possible alternative provision:
- (a) In areas of very low housing density (2/3 dwellings per acre) where public amenity space would be of less value to residents;
  - (b) Where provision is made elsewhere locally as part of an agreed scheme;
  - (c) Where other land is secured to provide alternative amenity benefits, such as woodland or nature reserves.
- 4.4 An important reason for seeking open space allocations in new residential developments is the need to meet the immediate needs of residents in the new development itself, such as those of young children. It is recognised that such provision for residents on smaller housing developments needs to be allocated on a different, somewhat more flexible basis. In addition, in respect of new development providing specialised accommodation for the elderly, such as sheltered housing, the Council will require the provision of suitable and adequate amenity space as part of the scheme.
- 4.5 When considering specific proposals for open space provision within new residential development, the Local Plan sets out that the following factors will be taken into account:
- (a) The amount and location of existing local provision;
  - (b) The topography and other physical characteristics of the site;
  - (c) The form and density of layout proposed;
  - (d) Scope for integration into the Borough's greenlinks network.

#### 4.6 Mile End

Of particular relevance to this report is the paragraph in the Local Plan which states that in appropriate circumstances, applicants will be permitted to provide open space off site, subject to it being convenient and accessible to the new development and of an equivalent or greater benefit. In addition the Mile End chapter of the plan (paragraphs 18.8 and 18.11) state

*'... benefits may be secured from the development of any one site, which will be applied elsewhere within Mile End. A particular example is the "transfer" of part of the open space provision from some major housing sites towards the extension of the Country Park. This approach rolls forward that set out in the 1995 Adopted Plan and which has been accepted by the Secretary of State in respect of the recent permission for housing land west of the District General Hospital and on the former Myland Hospital site.'*

*'Although the existing Country Park is a substantial area of open space, there is a danger that, as further built development proceeds in Mile End, it will become increasingly hemmed in. The Council therefore considers that there is merit in increasing its size and is managing its own land within the proposed extension accordingly. To advance this aim, the standard requirement that 10% of major housing developments be allocated for open space will be entirely or partially suspended in the case of Turner Village, the former Myland Hospital site and land west of the District General Hospital. These allocations will be "transferred" to benefit the Country Park extension.*

4.7 As a result of the policies and approach detailed above, there are new developments in Mile End where open space has not been provided within individual developments. This coupled with the high densities that some schemes have incorporated has led to dissatisfaction from residents and the Parish Council.

#### 4.8 The Local Development Framework

The Local Plan will be replaced by the Local Development Framework (as soon as October 13<sup>th</sup>) and therefore an opportunity exists to remove this long standing policy. The adopted Core Strategy already recognises that it is important that all residents have access to open space within walking distance of their home. Policy PR1 states;

*The Borough Council aims to provide a network of open spaces, sports facilities and recreational opportunities that meet local community needs and facilitate active lifestyles by providing leisure spaces within walking distance of people's home, school and work. The Council will also aim to provide a network of strategic green links between the rural hinterland, river corridors, and key green spaces within Colchester Town. The Council will protect and enhance the existing network of green links, open spaces, and sports facilities, and secure additional areas where deficiencies are identified.*

*The provision of public open space in developments should be informed by an appraisal of local context and community need, with a particular regard to the impact of site development on biodiversity. New development must provide for the recreational needs of new communities and mitigate impacts on existing communities. This open space provision also needs to alleviate recreational pressure on sites of high nature conservation value (e.g. Natura 2000 sites) from the growing population.*

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

4.9 The explanatory text states that all housing developments, including higher density development, should provide new residents with access to private and/or communal open space, in addition to public open space requirements. At least 25sqm per dwelling of private/communal open space will be sought for flats and maisonettes, whilst houses should provide larger private gardens. Higher density schemes will be encouraged to utilise innovative design solutions to provide open space on difficult sites.

4.11 More details have been included in the Development Policies DPD. Policy DP16 includes the following requirement;

*'In addition to private amenity space, all new residential development will be expected to provide new public areas of accessible strategic or local open space. Precise levels of provision will depend on the location of the proposal and the nature of open space needs in the area but as a guideline, at least 10% of the gross site area should be provided as useable open space. Where the Council accepts commuted sums in lieu of open space, the commuted sums will be used to provide additional open space or to improve existing open space in the locality of the development. Contributions may be pooled to provide larger areas of strategic open space where a need has been identified.*

*A commuted sum is only likely to be acceptable in the following circumstances:*

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

#### 4.12 Development Proposals

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

4.13 Exceptions to the policy have been kept to a minimum but reflect the need for some flexibility. There will always be sites where there are special circumstances such as the town centre where it is not possible to provide open space on site. There have been recent examples of sites in the High Street where development has taken place above shops, which have introduced a better mix of uses to the town centre, but where there is no opportunity to provide open space. It is generally accepted in those locations that residents will not have open space within their development. The flexibility is therefore required for individual planning applications. A recent appeal elsewhere in Essex was allowed despite amenity space falling 17% below adopted standards. The Inspector considered the configuration and usability of the space would ensure qualitative standards were met. This in combination with a financial contribution to off-site open space and sports facilities should in his opinion not preclude development taking place that would make efficient use of a vacant site.

4.14 The LDF has removed the policy exception on open space provided for Mile End within the Local Plan. The Core Strategy and the Site Allocations DPD both set out that a range of infrastructure is expected to be provided including strategic open space, green links and allotments. Only those sites where planning permission has already been granted using the Local Plan policies will open space be provided off site. Any new development proposals in Mile End will be expected to provide open space within the site.

## **5. Proposals**

- 5.1 The Council have recognised the need to provide open space within new developments and the new policies referred to above seek to achieve this. It is therefore recommended that no further action is required at this time.

## **6. Strategic Plan References**

- 6.1 Effective strategic planning and in particular the policies referred to above will be important in achieving the healthy living and community development priorities identified in the Strategic Plan.

## **7. Consultation**

- 7.1 Colchester's adopted Core Strategy and other Development Plan Documents have been subjected to a number of different stages of consultation including examination in public by an independent planning inspector.
- 7.2 Where additional local policy or guidance is needed to address a policy gap appropriate consultation would need to be undertaken. The level of consultation undertaken would depend on the status of the proposed policy or guidance and is set out in Regulations.

## **8. Publicity Considerations**

- 8.1 N/A

## **9. Financial Implications**

- 9.1 There are no financial implications unless further policy work is required involving 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 > Local Development Framework. The impact of any proposed additional policy or guidance on equality, diversity or human rights will need to be considered as part of its production.

## **11. Community Safety Implications**

- 11.1 None

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

- 12.1 None

## **13. Risk Management Implications**

- 13.1 A decision to agree that additional local policies or guidance should be developed where appropriate will help ensure the Council has an effective Development Plan and policy framework in place to determine planning applications and base future policy decisions. This will minimise the risk of planning by appeal.



## Local Development Framework Committee

Item  
**11**

29 September 2010

Report of	Head of Strategic Policy and Regeneration	Author	Beverley McClean 282480
Title	Myland Design Statement		
Wards affected	Mile End		

**This report seeks the approval of the Local Development Framework Committee to agree the adoption of the Myland Design Statement as a Planning Guidance Note.**

### 1. Decision(s) Required

- 1.1 To agree the adoption of the Myland Design Statement as a Planning Guidance Note.

### 2. Reasons for Decision

- 2.1 A Design Statement sets out clear and simple guidance for the design of all future development in a parish, based upon its character and identifies what is special, unique and distinctive about the character of an area. The Design Statement also includes design guidance to influence change and improve the physical qualities of the area. Design Statements are produced by the parish or community group and provide an excellent mechanism for local communities to engage in the planning process.
- 2.2 Adoption of community led planning documents, particularly Design Statements, provide up to date planning information and recommendations for anyone making a planning application, in this instance in Myland Parish. The recommendations covering issues such as housing styles and building materials are included to help ensure that important features or characteristics in an area valued by the local community are retained while still allowing the area to develop. Once adopted Design Statements are material considerations when planning applications are being determined

### 3. Alternative Options

- 3.1 The alternative is to rely solely on development plan documents within the Local Development Framework to guide development and operate without the additional guidance.

### 4. Supporting Information

- 4.1 Policy ENV2 of the Council's adopted Core Strategy promotes the preparation and adoption (as guidance) of Village Design Statements and Parish Plans to plan for the specific needs of local communities. It is important that developers and members of the public are provided with good quality, relevant and up to date information before they submit a planning application. Planning Guidance adds detail to policies already contained within the Local Plan/Local Development Framework and helps fill the gap between the plan framework and the planning application process.



- 4.2 Myland Parish is earmarked for significant levels of growth including the provision of 2,200 new residential properties on greenfield land between the west of Mile End Road and to the east of Colchester Golf Club. There is strong opposition locally by some parts of the community to the growth set out in the adopted Core Strategy. However, the Myland Design Statement has been developed by a voluntary steering group of local residents with the support and assistance of Myland Parish Council who are keen to have some influence over how their area does develop in the future. They have prepared a Design Statement for Myland Parish to guide any development that does get permission. The Myland Design Statement aims to establish the principles of conservation, preservation and good design which the local community in Myland would wish to see integrated into all new proposed developments within the parish. The document is not intended to, nor will it stop change from happening, but as adopted guidance it is intended to influence any new development. Design Statements as adopted guidance are intended to influence the planning system, so that new development is in keeping with its surroundings while conserving and where appropriate enhancing the immediate environment. Local residents are keen to ensure that any new development, infill, renovations or alterations to existing properties respect the character and the dominant built characteristics of Myland.
- 4.3 The development of the Myland Design Statement has been driven principally by a panel of Mile End residents however Council Spatial Policy and Development Management planners have provided considerable support during the development of the Design Statement.
- 4.4 A copy of the Design Statement for Myland is attached as an Appendix.

## **5. Proposals**

- 5.1 To complement the Local Development Framework it is expected that a comprehensive set of supplementary documents will be produced. The Myland Design Statement is one of those documents and once adopted will provide guidance to assist developers and the general public prepare planning applications and aid councillors and planning officers at the decision making stage.

## **6. Strategic Plan References**

- 6.1 Colchester's three corporate objectives are:

- to listen and respond
- shift resources to deliver priorities
- to be cleaner and greener.

There are also nine priorities for action covering a range of issues including addressing people's needs, community development & safety, enabling job creation, homes for all, healthy living and recycling.

- 6.2 The Myland Design Statement has enabled local residents to engage with local planning issues and influence how their Parish develops in the future. This approach supports the new Localism agenda being promoted by Central Government. In doing so they will also be instrumental in helping the Council progress its strategic priorities. As the Design Statement covers many of the actions underlying the three objectives it will also be a useful tool in the realisation of these goals.

## **7. Consultation**

- 7.1 No additional consultation is proposed before the Myland Design Statement is adopted as a Guidance Note.
- 7.2 During the production of the document several consultation exercises and events were held. This enabled the Design Statement Steering Group to gather views from local residents which helped influenced the content of the final document. An explanation of the various consultation exercises undertaken is discussed on page 6 of the Myland Design Statement.

## **8. Publicity Considerations**

- 8.1 None

## **9. Financial Implications**

- 9.1 None

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

- 10.1 The document was produced using a range of methods in order to enable as many people as possible to respond regardless of gender, gender reassignment, disability, sexual orientation, religion or belief, age and race/ethnicity.
  - 10.1.1 This document will work to increase individual human rights by increasing involvement in the planning process. An Equality Impact Assessment has been prepared for the Local Development Framework which is available following this pathway from the homepage: - Council and Democracy > Policies, Strategies and Performance > Diversity and Equality > Equality Impact Assessments > Strategic Policy and Regeneration > Local Development Framework.

## **11. Community Safety Implications**

- 11.1 None

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

- 12.1 None

## **13. Risk Management Implications**

- 13.1 The adoption of guidance notes is intended to reduce the risk of inappropriate development. It provides the opportunity to offer consistent advice to landowners, developers, officers, councillors and members of the public.

## **Background Papers**

No additional documents



# Myland

## Design Statement

A local influence over planning and design

*Your neighbourhood, your voice, your say*

*Your neighbourhood, your voice, your say*





# Myland

## Design Statement

A local influence over planning and design

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# Myland

## Design Statement

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## 1. Introduction

The parish of **Myland** lies to the north of Colchester Town. It has an area of 667.7 hectares and, following recent sustained housing development, now has a population of 11,500. If proposed additional development goes ahead this population figure will double in the next 10–15 years.

This intense development of a previously semi-rural neighbourhood prompted a group of residents to meet in late 2008 and agree to produce a Design Statement and a Parish Plan. This is the first of those two documents. Apart from being a useful document in its own right, the engagement with residents and the research required for its preparation proved to be interesting and beneficial for all those who participated. Most would agree they now know much more about the area they inhabit and have met more of the local residents than would otherwise have been the case.

All the work on this document was carried out by volunteers. Help and advice provided by Myland Parish Council and Colchester Borough Council (CBC) is appreciated but special thanks are due to Helen Harris, Clerk to Myland Parish Council, and to Beverley McClean from CBC's Strategic Policy and Regeneration Spatial Policy Team for their help and support.

## 2. Scope of the document

This document is the **Myland Design Statement** (MDS).

The **MDS** provides a means by which the community can participate in and influence the way the planning system operates locally.

To achieve this, the document needs to:

- be developed , researched, written and edited by local people;
- be representative of the views of the community as a whole:

To be effective the **MDS** needs to:

- describe the visual character of the Parish;
- demonstrate how local character and distinctiveness can be protected and enhanced in new development.

To fulfill its role it needs to:

- be compatible with the statutory planning system and the local planning context;
- be suitable for approval as a guidance adopted note;
- be applicable to all forms and scale of development.

We believe this document meets all of the above requirements.

It has to be recognized that the **MDS** is about helping to manage change, not prevent it and that some of the recommendations are aspirational at the present time.

The **MDS** has been developed by a voluntary steering group of local residents with the support and assistance of Myland Parish Council. Workshops and exhibitions have been held to explain the purpose of the **MDS** and to capture community views and feedback.

Once accepted by Colchester Borough Council as adopted planning guidance, the **MDS** will be a material consideration in the decision making process for planning applications and will apply to extensions and renovations as well as new builds.

## 2a. Consultation

The work of the MDS Steering Group started in 2009 with the results of a survey of all residents carried out in 2008. This survey took the form of a detailed questionnaire which was available to every household, either via the two public events held in May and July 2008, the MPC website, email or in the Parish office. It endeavoured to determine what residents thought about living in the area, the facilities they used, additional facilities they would like, the features they valued and the issues and difficulties they experienced.

Also taken into account was the feedback from an earlier Youth Consultation carried out at the end of 2006. Although some of the specific issues have subsequently been addressed, their longer term aspirations have been incorporated in this document.



The Steering Group arranged two further public events, using maps and photographs of the area to encourage further views and comments. These took place during March 2009, one on a Saturday morning and the other on a Wednesday evening. This was a time of significant new and proposed developments in Myland which resulted in comments being somewhat biased towards that topic but also ensured a high footfall at the events. All comments received were recorded and analysed.

The opportunity was taken at the 2009 August Bank Holiday Myland fete to organise a marquee showing a photo montage of each neighbourhood area. This proved to be very popular and prompted many residents to complete a form giving their views on what they like about their neighbourhood and what needed changing.

The original survey results and the additional comments form the basis of the content of this document.

At the initial public meeting to set up a MDS group, many residents expressed a wish to be involved although other commitments prevented them from playing an active role.

These individuals have been kept informed of progress via email and have had the opportunity to comment on all activities undertaken by the Steering Group, including the preparation of this document.

The draft document was available for viewing at the Myland Parish Council offices and on the MPC website for a month prior to publication. Residents were informed of this in the parish magazine, 'The Mylander'.



## 2b. Document Status

The draft document was reviewed and agreed by Myland Parish Council and Colchester Borough Council and the expectation is that it will be formally adopted in due course.

The document will inform and guide property owners and developers intending to carry out

physical works in Myland. Once adopted, it will complement the suite of planning policies and guidance that make up Colchester Borough Council's Local Development Framework (LDF).

## 2c. Planning Policy Context

Planning policy at a national level is covered in a suite of Planning Policy Guidance documents (PPGs) and Planning Policy Statements (PPSs). These are interpreted at a regional level into Regional Spatial Strategies (RSS). Colchester falls within the Haven Gateway sub-region of the area covered by the East of England Regional Spatial Strategy. The regional policies have been translated into local planning policies.

The key local planning policies guiding development in and around Myland are currently contained in:

- the Colchester Borough Local Plan
- the Core Strategy
- the emerging Local Development Documents
- the Site Allocations and Development Policies
- Affordable Housing Supplementary Planning Document (SPD)
- Community Facilities SPD
- Open Space, Sport and Recreation Facilities SPD
- Parks and Green Spaces Strategy
- the draft SPD for Colchester's North Growth Area Urban Extension (effectively West Myland). <sup>(1)</sup>

The Severalls Masterplan/Development Brief, prepared in 2001, is also relevant to the future development of the Myland area.

Colchester's Core Strategy was adopted in 2008. This document sets the strategic context for development in the Borough and includes information on the strategic vision, objectives and policies for development in Colchester Borough up to 2021 (2023 for housing).

Following adoption, CBC commenced production of the Site Allocations and Development Policies. These, along with local recommendations for necessary changes, have recently been submitted to the Planning Inspectorate for Independent Assessment in March 2010.

Policies in the Core Strategy and DPDs most relevant to this Design Statement are referenced in the boxes in each section of the document.

(1) At the time of writing this MDS the draft SPD is at the public consultation stage and its adoption is being strongly contested by residents and Myland Parish Council.



# Myland

## Design Statement

A local influence over planning and design

### 3. Topology

The land upon which Myland Parish sits rises from approximately 15 metres above sea level in the south to more than 50 metres for much of the northern part of the Parish, falling away to the east and west. This slight elevation affords fine views of the rural hinterland to the north and the town to the south.

The soil in the area is mainly silty and sandy clay, with some gravel and sand in the north-west corner and some London clay in the south and east. The presence of clay has traditionally supported related commercial activities (see History at Section 4).

Much of the northern aspect of the Parish was once forested and later cleared to heathland (see History Section 4).

The Parish boundary to the east dissects High Woods Country Park (see Open Space and the Environment at Section 5e) which comprises the majority of remaining woodland. To the south the boundary is formed by the London to East Anglia railway lines, to the west by Braiswick Golf Club and to the north it criss-crosses the A12 trunk road.

Context map showing Myland in relation to Colchester





Neighbourhoods

- |   |                            |   |                |       |                  |
|---|----------------------------|---|----------------|-------|------------------|
| 1 | Mile End Village           | 5 | North Station  | 8     | Braiswick        |
| 2 | Severalls Development Area | 6 | Turner Road    | 9     | Little Rome      |
| 3 | Turner Rise                | 7 | Braiswick Park | 10/11 | Chesterwell Wood |
| 4 | Northern Approaches        |   |                |       |                  |





# Myland

## Design Statement

A local influence over planning and design

## 4. History of Myland

Mile End was part of St. Peter's parish in the early 13th century, but became a separate parish by 1254 when the original St. Michael's Church was recorded, some remains of which can still be found in Rectory Close today. It is assumed that the presence of a church means that a settlement was present at that time. The name Mile End is thought to have derived from being a mile north of Colchester town and by the late 13th century it was sometimes recorded as Myland.

In the middle ages much of Myland was woodland and heath with settlement scattered over the un-wooded areas, although much of the woodland had been cleared by the end of the 16th century. The main wooded areas had been Kingswood and the ancient wood of Cestrewald,

or, Chesterwell (see Section 5e). The Kingswood area later became Mile End Heath and the Severalls. There was a horse racing course on the Heath in the 1750's but this had gone by 1821. At this time there was a windmill in Mill Road and there had been an earlier one close to the site of the Dog and Pheasant pub but this seems to have disappeared by the end of the 18th century.

A medieval manor house, Mile End Hall, now lies just outside the current parish boundary. Notable buildings within the boundary include Tubswick which dates from the 13th century and which connected Daniel Defoe to Myland as his daughter is said to have lived at the house.



St Michael's Church

Little Braiswick



Sadly, Tubswick was seriously damaged by fire in 2009. It is also recorded that in 1722 Severalls was leased to Daniel Defoe for 99 years. A surviving 17th century house is Little Braiswick at Braiswick Farm which stands proudly amid the remaining agricultural site in the parish (see Section 5e).

Boxted Airfield opened in May 1943 and for the rest of the war the American airman based there were frequent visitors to the Dog and Pheasant and Travellers Friend (on the site of Estuary Close). Residents recall the outside of the Dog and Pheasant being thick with airmen's bicycles.

In the late 12th and through the 13th century potters were working their trade, attracted by the clay predominant in the area and a ready market for their wares in the town. Local clay was also the source for bricks and tiles in the 15th century and a brickworks was in operation in the parish throughout the 19th century. There is evidence of domestic weaving in mid-16th century and nursery gardening, particularly rose-growing became important from the 19th century.



Until the 1980s Myland was still a village with a very strong sense of identity, separate from but close to Colchester. It had four pubs, various small shops and local services and ample sport and leisure facilities. The four hospitals (Essex Hall, Myland, Severalls and Turner Village), Woods Fans and British Rail provided excellent employment opportunities.

Myland's history since the 1980's is one of extensive housing development and this continues...

A village focus developed in the 19th century around the new parish church which was built in 1854-5, a half mile north of the old one. A strong sense of identity was established, separate from but close to Colchester. A school was built next to the church in 1871 until replaced in 1907 when the current primary school opened in Mill Road. Church of England, Catholic and Methodist churches exist as focal community and social sites promoting Myland as a pleasant place to live.

Left: Map of Mile End 1805  
Below: Dog & Pheasant





# Myland

## Design Statement

A local influence over planning and design

## 5. Myland Design Assessment

The parish rises gently from its southern-most point. The skyline is typically residential with no strategic high-rise focal points. The views looking north from Colchester Town centre are dominated by the Yellow Storage Company and Asda Supermarket buildings whereas the area is not visible at all when looking south from the A12. Although they are not a strong feature on the skyline, the Severalls and Mill Road water towers are valued as local landmarks.

The area comprises discrete neighbourhoods with distinct characteristics. For the purposes of this document we have grouped neighbourhoods which display similar characteristics and have termed them 'Modern' 'Mid' and 'Old' neighbourhoods. Modern neighbourhoods are those developed after 1970 although nearly all were actually built after 1990.

Mid neighbourhoods are those where the majority of properties were built between 1930 and 1970 while the Old neighbourhoods tend to have properties constructed prior to 1930.



## 5a. Building styles and designs

Houses in the 'Modern' neighbourhoods (Turner Rise, Little Rome, Northern Approaches and New Braiswick Park areas) have all been developed during the last 15 years to acceptable and non-controversial 'modern' design standards. The properties in each of these neighbourhoods include 2, 3, 4 and 5 bedroom detached and terraced houses. There are flats/ apartments in the Northern Approaches, New Braiswick Park and Little Rome developments but none in Turner Rise.

Most properties in the Modern neighbourhoods have very small front gardens which, combined with the high housing density and minimum width roads, gives a rather claustrophobic appearance. Of the four neighbourhoods, the attractively designed houses in the Northern Approach development are blighted by very narrow roads and inadequate off-road parking

such that a visitor's initial impression is of a high density, cramped environment. Turner Rise is the oldest and benefits from lower density housing while more mature tree and vegetation growth gives a softer and more established feel to the area. In all neighbourhoods there is limited parking provision which leads to on-road car parking dominating the visual appearance at weekends and evenings.

The 'Old' neighbourhoods (North Station and Mile End Village areas) have been established for the longest period, with Bergholt Road and Mile End Road featuring many properties developed in the Victorian period. These are predominantly small terraced properties interspersed with some large family 'mansions'. The remaining properties were built in small developments up to the 1920's.





Victorian housing in Three Crowns Road

In keeping with most Victorian and early 20th century housing, few properties have parking facilities and the majority of car-parking is on-road. This causes aesthetic and access issues where the roads are narrow.

The rest of the Myland area comprises low density housing built between 1930 and 1970, the 'Mid' neighbourhoods. These are a mix of detached and semi detached two-storey houses and detached bungalows. Most have generous gardens, off-road parking and are well maintained.

The 'Mid' areas tend to be well provided with grass verges, green open space and trees and shrubs giving a pleasant, people-friendly appearance.

There are two obvious features in the Myland area, a modern busy hospital site containing functional but not particularly attractive buildings and large car parks and the old, disused Severalls Hospital site. The latter contains some fine examples of Edwardian architecture and it is hoped some of these buildings can be retained when the site is redeveloped for residential use.



Spacious, attractive 'Mid' period environment. Mile End Road

## Recommendations

- The 'Mid' period neighbourhoods are the most desirable, offering a variety of property types and styles with adequate green space and parking. New developments should make every effort to recreate this environment.
- The predominant style for houses and flats in Myland is to have pitched roofs. New developments should only include flat roofs where they are in context with surrounding properties.





- New developments should blend with the existing skyline. There should be no exceptionally high buildings that are likely to dominate the area.
- All new properties must have appropriate off-road parking and/or garages of adequate dimensions (1). Every opportunity must be taken to avoid the visual appearance of the area as a linear car-park.
- Extensions to existing properties must enhance and be sympathetic to the character of the surrounding properties.
- New developments should be sympathetic in scale, mass and character to the surrounding buildings.
- Mile End Village and the crescent of villas in Turner Village should be considered for designation as Areas of Special Interest (2). There is nowhere else like Mile End Village in the Borough and it has important features - the housing mix, the three churches, especially St Michael's, Myland Primary School, the Dog and Pheasant, the local shops and the fact that everywhere is walkable are important social and focal points. Development should take care not to affect the character of these areas.



On-road parking in the Northern Approach area.

#### Relevant Planning Policies

Core Strategy sections:

- H2 (Housing Density)
- H3 (Housing Diversity)
- H4 (Affordable Housing)
- UR2 (Build Design & Character)

DPD sections:

- DP1 (Design & Amenity)
- DP12 (Dwelling Standards)
- DP13 (Dwelling Alterations, Extensions & Replacement Dwellings)
- DP14 (Historic Environment Assets)

(1) Refer to Essex County Council Parking Standards

(2) As described in the Adopted Local Plan (Chapter 6, para 6.77 to end. Relevant policy is UEA21)



# Myland

## Design Statement

A local influence over planning and design

## 5b. Materials

The materials utilised throughout Myland tend to reflect the time when the property was built. Old properties are constructed of red-brick and tile or slate roofs typical of Victorian property everywhere. 'Mid' period properties are brick-built, many with cement rendering and some with pebbledash finishes. Most roofs are red tile. Modern developments are generally brick skinned with red tile roofs and some with decorative flourishes on the walls or roof-line.

Many front gardens have been converted to parking space using tarmac, block paving or concrete slabs/gravel.

Pavements are predominantly sealed with tarmac although traditional paving slabs can be found in a few older roads.

All but a handful of roads in Myland are surfaced with tarmac.



Typical modern brick and tile properties



## Recommendations

- Properties throughout Myland overwhelmingly use brick and tile construction. New developments should be empathetic to this, for example using brick/gault or render for walls and plain clay or slate tiles for roofs. The use of high maintenance wood cladding and coloured plastic wall panels should be avoided
- The introduction of environmentally friendly and carbon-footprint reduction initiatives should be sympathetic to the general design and characteristics of the area. They must not impact on existing residents.
- While always striving to create an improvement to the Myland street scene, materials should be chosen to blend, as far as possible, with the existing building(s) and immediate neighbours in order to maintain both harmony and diversity of styles (1).

## Planning Policies

Core Strategy sections:

- H2 (Housing Density)
- H3 (Housing Diversity)
- H4 (Affordable Housing)
- UR2 (Build Design & Character)

DPD sections:

- DP1 (Design & Amenity)
- DP12 (Dwelling Standards)
- DP13 (Dwelling Alterations, Extensions & Replacement Dwellings)
- DP14 (Historic Environment Assets)

(1) Refer to the Essex Design Guide for acceptable palettes and materials

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## 5c Roads, pavements and footpaths

The populated part of Myland is bounded to the north by the A12, the main north/south access for this region. At the time of writing there is no direct connection with the A12, all traffic having to exit the parish either via the extremely congested road system around and under the railway at North Station or via Severalls Lane. The area is divided in two by the recently completed Northern Approach Road which will ultimately end in an interchange with the A12.



Prior to the Northern Approach Road the main artery to the north was Mile End Road, a wide and pleasant suburban thoroughfare. This is now blocked by a 'bus gate' at its northern extent to prevent it being used as an alternative 'rat run'. Myland is a large area and residents driving from one part to another are obliged to negotiate the congested pinch-points, particularly at the North Station Junction.

The 'Modern' neighbourhoods tend to have limited access to deter through-traffic. Several roads have still to be adopted by the Highway



Authority but those that have been are well maintained and tend to have blanket 20mph speed limits. While successfully preventing through traffic this design also tends to make the developments somewhat isolated and discourages parish-wide community engagement.

All roads apart from the Northern Approach Road have extensive on-road parking, in some cases making access for commercial and emergency vehicles difficult.

The majority of roads have pavements on both sides and these are generally well maintained. It is common for cars to be parked with two wheels on the pavement and, while easing road access, can make it difficult for the elderly or those with prams or pushchairs to pass.

The area has several footpaths, although they tend to be uncoordinated. Footpaths in the east of Myland connect to Highwoods Country Park whereas those in the west connect to a well used network of paths criss-crossing the farmland at Chesterwell Wood. In the south there is a



Green footpaths at Chesterwell Wood



Unadopted road behind Tufnel Way



Multi-purpose footpath/cycle path in Turner Rise

footpath giving access under the railway and another giving access to the Asda supermarket and retail park. Both are poorly lit and use reduces significantly during darkness in the winter months. The only east-west footpath links the Northern Approach development with the General Hospital. An improved and inter-linked network of footpaths is seen as one of the drivers for improving community engagement.

The area has some designated cycle-paths. They are not purpose built, just pavements that have been enhanced by a dividing white line. It is obvious that there are safety issues because



cyclists and pedestrians are often confused about which side of the line they are supposed to be using. Many residents requested purpose built cycle-paths, separate from footpaths, especially at major road junctions, as a feature that would encourage more of them to cycle.

## Recommendations

- Transport policies should promote easy and direct access around Myland by car, cycle, foot or public transport. All modes should be considered of equal importance.
- Shared space (pedestrians, cyclists and motor traffic) should be provided within developments where safe and appropriate.
- Footpaths providing access should be inter-connected, hard-surfaced and well lit.
- Some green footpaths (grass surface) should be provided for exercise and leisure walking.
- Cycle-paths should be separate from footpaths and should continue across road junctions. Dead end cycle-paths should be avoided.

Two topics generated the most comments from residents, one being concern about the traffic bottleneck at North Station and the effect that further development will have. Most residents want this resolved before any additional development is approved.

### Relevant Planning Policies

Core Strategy sections:

- TA2 (Walking & Cycling)
- TA4 (Roads & Traffic)
- TA5 (Parking)

DPD sections:

- DP17 (Accessibility & Access)
- DP19 (Parking Standards)



# Myland

## Design Statement

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## 5d Community Facilities

Previous studies (1) of the area have shown 'a deficit of the infrastructure that enables community cohesion. Whilst the area accommodates many large scale assets, for example the hospital, the new Community Stadium, High Woods Country Park and so on, it is the smaller scale facilities and amenities that have fallen behind or through the net – the community halls, local playgroups and shops.'

This lack of small scale amenities is most noticeable in the modern neighbourhoods. These are completely dominated by high-density housing and, even if funding was available, the space needed to reduce the deficit is not.

Most of the available common amenities are located in the centre of Myland. Here can be found various small retail units (see section 5f), C of E, Methodist and RC churches, church halls, dance studio, the parish council offices and one of the area's two public houses. Notably, all these facilities are provided and operated by the private or third sector.

Close to the centre is the Mile End Recreation Ground with brick built changing facilities and excellent football pitches. However this is a Colchester Borough asset and, while providing a pleasant green space, is not readily available for ad-hoc use by local residents. There are small recreation grounds with play equipment at Mill Road Little Rec and Bergholt Road Rec.

Mill Road has a very small community garden and a larger one is located by the access path to Highwoods Country Park. Allotments can be found behind Defoe Crescent and Bergholt Road. There are various, small, play areas equipped with

the usual hardware but there are very few larger green spaces where ad-hoc games of football or cricket can be safely played.

Myland has some private amenities, key among them are: the Community Stadium (Colchester United FC's ground), Colchester Rugby Club, Severalls Bowls Club, Fitness First gym, the Bricklayers Arms and the Dog and Pheasant (both public houses).

At various open meetings and feedback events residents have expressed a desire for the following additional amenities:

- Community halls and centres – sited to serve current and new neighbourhoods.
- Young people's facilities - a dedicated youth centre, linked to the community centre(s).
- Multi-use games area and skateboarding/BMX bike facilities.
- Outdoor facilities for all age groups e.g. climbing wall, end wall, basket ball, tennis courts, outdoor gym.
- Public toilets
- More allotments
- More open spaces and more local/neighbourhood playgrounds.



The Bricklayers, winner of ' Colchester Pub of the Year' awards



Colchester Borough Recreation Ground

The Mill Road Little Rec was the main area for youths to 'hang out' but the key issues raised by them were: bullying, anti-social and generally intimidating behaviour coupled with a lack of 'things for older kids to do'. Engagement with young people in the area highlighted that 'residents aged 10 to 16 are particularly vulnerable in this community. Mile End is growing at an enormous rate with no associated social infrastructural development. With very little to do, severely limited safe spaces to congregate and no clubs or activities targeted at their age groups.' (2).

- (1) Community Facilities Assessment 2008, written for Community Action in Mile End (CAM)
- (2) Mile End Youth Consultation Dec 2006

## Recommendations

- New development should deliver usable and accessible community facilities to support local needs. Even where community facilities cannot be initially provided, space should be set aside so they can be developed at a later date.
- Bus stops should have shelters and seating for waiting passengers.
- Sheltered housing for the elderly should be integrated with any new property development in order to achieve a good demographic mix.



Children's Play Area, Recreation Ground

### Relevant Planning Policies

Core Strategy sections:

- SD2 (Delivering Facilities & Infrastructure,
- SD3 (Community Facilities),

DPD sections:

- DP1 (Design & Amenity),
- DP15 (Retention of Open Space & Indoor Sports Facilities).

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## 5e Open space and the environment

Myland Parish could once be described as semi-rural; that description can now only be applied to the old Mile End village. To the north of the village the A12 forms a barrier to the green agricultural hinterland of the Essex/Suffolk border. To the west of the village, bordered by Bergholt Road, Braiswick Golf Course, Mile End Road and Nayland Road, lie the last vestiges of natural open greenfield space within the Parish. Where, in the mid-19th century, three quarters of the parish was arable land these fields are what remains of that legacy.

This area has become known as Chesterwell Wood in recognition of an ancient wood that once stood at the northern reaches of the site and forms part of the heritage of northern Colchester. It has recently been designated, against the wishes of residents, as the Northern Growth Area Urban Extension (NGAUE) and thus is due for development. Chesterwell Wood is criss-crossed by a network of well-used, much-loved footpaths providing the many users with the opportunity to enjoy a rich and varied habitat: hedge-lined paths; open fields; mature

hedgerows; and dozens of majestic oaks bordering the neighbouring Mile End Recreation Ground.

Such a mixed habitat is able to support significant bio-diversity that embraces important local flora and fauna. Recent 'light-touch' surveys have recorded over 25 bird species, including at least three (skylark, yellowhammer, song thrush) on the RSPB's published 'Red List', 17 different tree and shrub species, over 50 plants and grasses as well as varieties of butterfly, moth, dragonfly, grasshopper, cricket and others.

This habitat also provides one of the vital links in the green corridor from Colchester Town via the Hilly Fields, through Cymbeline Meadows and Chesterwell Wood to the Essex/Suffolk green hinterland. This is in harmony with and assists Colchester Borough Council in meeting its own Core Strategy policy to provide 'Strategic green breaks between Colchester Town and the rural hinterland' which 'will be protected and enhanced'.

Footpath, Chesterwell Wood



Highwoods Country Park







Also partially captured within the Myland Parish boundary is High Woods Country Park. This is a Borough Council managed site that covers a rich and diverse range of habitats. It is now virtually encircled by development and therefore has multiple pedestrian access points that enable ready access for much of the local community. It has designated cycle paths, including a stretch of the national cycle path, and has a car park and visitor centre facilities for participants from further afield. The park has developed and matured over the last 20 years and presents a mix of conservation, recreation and education within natural and urban park environments.

The 'modern' neighbourhoods in the parish are distinctly lacking in green space; the ambience being predominantly brick, hard surfaces and parked vehicles. This makes the two green lungs even more important as most residents are currently within walking distance of some natural space for exercise, recreation or simple relaxation, a fact which is strongly endorsed, as evidenced by the large number of comments received from residents supporting the retention of the existing natural environment in the area.

Collectively, these green open spaces provide the people of Colchester, and beyond, ready access to the natural environments that the Borough Council seek in its Parks and Green Spaces Strategy, *'Parks and green spaces are essential to our towns and cities. They breathe life into communities, adding charm, beauty, character, wild life and promoting a sense of place and identity.'* The community of Myland is proud that its remaining natural green space not only enables that strategy to be met but that it also plays a vital role in climate change concerns and sees it as essential that as much as possible is 'protected and enhanced'.

## Recommendations

- Mature trees, shrubs and historical hedgerows (or important features that define the local landscape character) should be protected as an integral part of new developments.
- Additional trees should be planted whenever the opportunity exists.
- Light maintenance planting should be carried out wherever feasible to 'soften' the ambience of recent developments.
- Landscape and biodiversity enhancements should be designed into new development proposals to complement the existing landscape character and to provide new habitats for wildlife.

The overwhelming recommendation from residents is that the 100+ hectare rural Chesterwell Wood area should be protected from development. It is acknowledged that this is contrary to the current CBC Core Strategy.

### Relevant Planning Policies

Core Strategy sections:

- PR1 (Open Space)
- ENV1 (Environment)

DPD sections:

- DP1 (Design & Amenity)
- DP15 (Retention of Open Space & Indoor Sports Facilities)
- DP16 (Private Amenity & Open Space Provision for New Residential Development)
- DP21 (Nature Conservation & Protected Lanes)

Haven Gateway Green Infrastructure policy 2009  
CBC Tree Policy 2009

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## 5f Sport and Recreation

Current facilities appropriate to this section gain mention in other parts of this document but a general overview of past and present sporting and recreation opportunities is provided below.

In respect of what may be classified as 'organised' sports these were largely centred around:

- **Mile End Recreation Ground** - football, cricket
- **Severalls** - football, cricket, tennis, netball, green bowls, badminton
- **Turner Village** - football, cricket, green bowls, badminton
- **Royal London Sports Centre** - football, cricket, 5-a-side football, badminton, netball
- **Colchester Rugby Club** - rugby, cricket.

Following recent and planned housing development in the parish this impressive list is reduced to football and cricket at Mile End Recreation Ground, green bowls at Severalls, and rugby, football, archery and cricket at Colchester Rugby Club. A re-balancing towards previous opportunities is very much required.

For all other sporting activities residents can avail themselves of the facilities at Colchester Leisure World on Cowdray Avenue. Travel to this excellent resource is awkward for all except Turner Rise residents, who can use the pedestrian footpath under the railway, and the majority resort to their car to access the facilities.

Informal recreation, for example, walking, cycling and jogging, is available across the parish with particularly good walking areas at Chesterwell

Wood and the Country Park (see section 5e Open Space and the Environment). The latter also includes a section of the National Cycle Route. There is a basketball net at Mill Road Little Rec but, as mentioned in previous sections, there is a lack of safe green space, especially in the Modern neighbourhoods, to encourage young people to engage in ad-hoc games of football, cricket, rounders etc.

There is an important public footpath (No 39) currently crossing the A12 trunk road to link Myland to the Essex Way (westwards) and to West Bergholt. Traffic volumes and high speeds have rendered this foot crossing unsafe and it is now little used. A pedestrian bridge over the A12 would resolve this and restore foot access to the Essex Way.





Highwoods Country Park

Highwoods Country Park



## Recommendations

- CBC should support the need for a footbridge over the A12 linking Myland footpath No. 39 to the Essex Way, the Dedham to Harwich section of which is part of European Footpath E2 from Galway to Nice. The bridge is currently high on Essex County Council's priority list, ranking second overall for footpaths affected by the A12.
- New developments in Myland should incorporate accessible, varied sport and leisure facilities for residents.

### Relevant Planning Policies

Core Strategy sections:

ENV1 (Environment),  
SD2 (Delivering facilities and Infrastructure),  
SD3 (Community Facilities)

DPD sections:

DP15 (Retention of Open Space and Indoor Sports Facilities),  
DP16 (Private Amenity & Open Space Provision for New Residential Development)

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## 5g Business, Commerce and Employment

Although most residents would probably describe Myland as predominantly residential the parish does support a surprising number of commercial ventures. As with green space and community facilities, these are not evenly distributed. Some neighbourhoods have a good, integrated business community whereas others have none. Indeed, an oft-heard comment at our public sessions was the need for a local post office, shop or pub.

The characteristics of the current business properties vary according to age and location. Mile End village has a number of accessible and much used retail outlets (Co-op, fish shop, estate agent, Chinese take-away, public house, hairdresser etc). They tend to be small scale conversions of residential properties and therefore integrate well with other properties in the locality. Many of their customers visit these premises on foot.



In the south of the parish is the Turner Rise Retail Park. This contains large stores such as Asda, Dunelm, Carpet Right, Fitness First and Bennetts Electrical. They are designed to the typical

modern warehouse style but the site is below the level of the rest of the parish and does not dominate the area. These stores are only easily accessible on foot for Turner Rise residents so the majority of shoppers arrive by car from a Borough-wide catchment area. Congestion on entering or leaving is a common occurrence.

Myland contains numerous small businesses run from their residential address, such as electricians, heating engineers, aerial fitters, builders, therapists and various consultants. There is a small private hospital in Mile End Road and, of course, the huge General Hospital on a site between the Northern Approach Road and Turner Road.

The hospital provides employment for local residents but causes traffic and parking problems from employees arriving from further afield. It was constructed in the 1980's and the ugly (now faded) green cladding does not complement other property in the parish. Recent additions on the site have been handled more sensitively. The site incorporates the landing pad for the Essex Air Ambulance which, combined with the frequent use of sirens by road-based ambulances, tends to make the hospital a somewhat noisy neighbour.

To the south of the hospital is the Primary Care Trust (PCT) building and associated car park. Apart from PCT staff, this building contains various clinics, the Colchester Walk-In Centre and a local health centre.

The southern entry route for Myland is dominated by the Big Yellow Storage building, a warehouse shaped design that mimics the adjacent Asda store. It was constructed against vocal local opposition as it was felt this important gateway location deserved better.



Colchester General Hospital

The area's close proximity to North Station makes it a popular location for commuters. While no precise figures for the number of commuters is available, the average for the whole of Colchester is around 10.5% and it can be expected that the percentage for Myland is significantly higher.

Future employment growth is expected to the north of the area, along Axial Way by the Community Stadium. There are proposals to encourage more commercial activities in a regenerated North Station zone but access difficulties may inhibit these ideas. Increases in commuting to London would be restricted by the lack of capacity on the rail network and the main A12 route to the south.

It is acknowledged that many people are in 'informal employment', based at home or even in their vehicle. Small scale facilities, available on a short term (even hourly) basis, should be available to assist such employment.



## Recommendations

- Every opportunity should be taken to promote the introduction and support the use of local shops, particularly in the north of the parish. Local retail facilities should be a feature of all new developments.
- Parking controls should be managed so as to encourage the use of local businesses.
- Planning regulations should promote the integration of small (non-intrusive) commercial ventures within residential areas.
- The growth of unstructured employment should be encouraged by the provision of flexible, sustainable environments, for example: small workshops, office accommodation for short term (hourly) hire and business incubator units.

### Relevant Planning Policies

Core Strategy sections:

- CE1 (Centres & Employment Classification & Hierarchy),
- C2 (Mixed Use Centres),
- C3 (Employment Zones).

DPD sections:

- DP1 (Design & Amenity),



# Myland Design Statement

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## 6 Future Development

Colchester Borough Council's Core Strategy has identified Myland as an area for extensive housing development. Planning permissions have already been granted for additional housing in:

- Turner Road (Northfields) - 480 properties
- New Braiswick Park - 400 properties
- Severalls hospital site - 1500 properties

The existing rural area bordered by Mile End Road and Bergholt Road has been identified for an additional 2200+ houses by 2023. Residents, Myland Parish Council and local Councillors are objecting strongly to the latter development,

arguing that the infrastructure is unable to support it, it is not in line with CBC's own environmental policies and residents will lose yet another valuable and well used community amenity.

Where residents' views and recommendations differ from CBC's policy, a suitable acknowledgment of the fact has been shown in the document.

## 7 Acknowledgements

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Essex

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Pete Hewitt	(MDS)
Julia Davey	(MDS)
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Beverley McClean	(CBC)
Gareth Francis	(MDS)
Patrick Mills	(MPC)
the Revd. Ray Gibbs	(MDS)
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Fleur Parks	(MDS)
Lee Smith	(MDS)
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Carolynne Such	(MPC)
Helen Harris	(MPC)
Phil Wolski	(MDS)
Martin Goss (Myland Councillor)	

We would also like to thank all the other individuals who had a hand in helping, guiding and supporting the MDS group in any way during the course of this project.

# Appendix





# Myland Design Statement

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## Appendix A

### Myland Design Statement Group – Members

**Chair:**

Andrew Kierby /  
Gareth Francis

**Vice Chair:**

Carolyne Such

**Treasurer:**

Pete Hewitt

**Secretary:**

Ken Aldred

**Members:**

Paul Hearn

Jim Mulcahy

Greg Miller

Jean Dickinson

Chris Newell

Robert Johnstone

Andrew Conway

Helen Harris

Elaine Marshall

Trish Preddy

Beverley McClean

Mark Cole

Stephen Pitt

Fleur Parks

Paul Bartholomew-

Keane

Sir Tom Lucas

Ernest Theron

Greg Miller

Revd Ray Gibbs

Jessica Lockett

Alison McGuire

Liz Gray

Lee Smith

Rachel Goodwin

Patrick Mills

Mark Williams

Julia Davey

Jon Morris

Steve Roberts-Mee

Pat Simpson

David Cook

Simon Gilhooly

Julie Potter

Phil Wolski





# Appendix B

## Myland 2008 resident's survey - Summary (top 3 in each category)

- Most important to residents:
  1. Surrounding countryside
  2. Sense of community
  3. Near to Colchester
- Of most importance to the residents
  1. Reducing litter
  2. Reducing traffic
  3. Improving public transport
- Traffic - what could improve Myland most?
  1. Improving public transport
  2. 20mph speed limit in new developments
  3. Better/more cycle paths
- Local shops needed?
  1. Post office
  2. Butcher
  3. Baker
- Most popular Sports facilities
  1. Tennis
  2. Swimming
  3. Cycling
- Cultural facilities preferred \*
  1. Music
  2. Village Fete
  3. Dancing
- Educational activities preferred \*
  1. Computer classes
  2. Evening classes
  3. Local history
- Educational facilities required
  1. More primary school places
  2. Adult education classes
  3. Holiday play scheme for children
- Housing
  1. Too much new housing\*\*
  2. Houses are too densely built
  3. Lack of infrastructure to support the houses
- Accommodation acceptable in Myland
  1. Family homes
  2. Affordable homes for local people
  3. Sheltered homes for older people

(\* low response totals)  
(\*\*very high response)



# Myland

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## Appendix C

Myland Design Statement  
March 2009 Public Comments - sorted by topic

Topic	Comment
<b>Character &amp; Design</b>	<b>Village</b> <ul style="list-style-type: none"><li>• Maintain Village feel.</li><li>• Myland village is currently quiet and safe (2)</li></ul>
<b>Character &amp; Design</b>	<b>Density</b> <ul style="list-style-type: none"><li>• Less Houses</li><li>• Prevent building on the view next to Chesterfield wood</li><li>• Only low density development and no flats</li><li>• Low density housing (restrict to 2 storeys) with gardens and car parking and open spaces</li><li>• Low densities</li><li>• Keep green areas around housing in addition to gardens.</li><li>• No more buildings over three-storeys high. (7)</li></ul>
<b>Community</b>	<b>Schools</b> <ul style="list-style-type: none"><li>• Primary schools already over subscribed, how will this development help this?</li><li>• Schools in walking distance</li><li>• School with attached community centre</li><li>• Need to rethink positioning of secondary school or/with park &amp; ride site, thus removed from local community and local housing, potentially this will become a 'ghetto' as no local sense of community. How would pupils access this, far more sensible to place in a housing location - developing sense of community, essential to forge local links, especially in new development.</li><li>• What about community use of school outside education hours?</li><li>• Consider use of schools for community use/adult education</li><li>• Extra schooling will be needed</li><li>• Schools, primary and secondary</li><li>• What about educational groups?</li><li>• Need more school places</li><li>• Secondary school</li><li>• Another school for 2200 homes</li><li>• More school places (13)</li></ul>

Topic	Comment
Community - Sports/Leisure	<p data-bbox="478 562 671 595"><b>Sports facilities</b></p> <ul data-bbox="478 629 1501 958" style="list-style-type: none"> <li>• More indoor and all-weather sports facilities, not just private health clubs</li> <li>• What happened to walking?</li> <li>• Myland needs dedicated buildings for leisure, adult education, indoor sports, childcare, drama groups, meetings etc.</li> <li>• Plenty of sport</li> <li>• Encourage Community Stadium to be more of a part of the • community - perhaps opening up facilities for local residents</li> <li>• Myland needs more pubs</li> <li>• Myland needs facilities for local clubs to meet (8)</li> </ul>
Community - Libraries	<p data-bbox="478 992 683 1025"><b>Library facilities</b></p> <ul data-bbox="478 1059 1318 1361" style="list-style-type: none"> <li>• We need public library, post office, banking facilities</li> <li>• Library and post office</li> <li>• Library and shops would be good in the size of development proposed</li> <li>• Build a branch library, bit like Prettygate</li> <li>• A branch library is a priority</li> <li>• Yes to library, local shops</li> <li>• Library with lots of books for children</li> <li>• We need a library in Myland area (9)</li> </ul>
Community -	<p data-bbox="478 1395 564 1429"><b>Health</b></p> <ul data-bbox="478 1440 1517 1496" style="list-style-type: none"> <li>• More doctors surgeries</li> <li>• Local health infrastructure needs to be a priority - acute and primary health provision (2)</li> </ul>
Community -	<p data-bbox="478 1529 691 1563"><b>Shops / Pubs etc</b></p> <ul data-bbox="478 1574 1477 2045" style="list-style-type: none"> <li>• Insufficient local shops in Braiswick</li> <li>• Need a post office</li> <li>• More shops</li> <li>• 'Village' shops - newsagents, Post Office etc.</li> <li>• Need to develop sense of community with local services not just multinational supermarkets etc.</li> <li>• Myland badly needs local shops</li> <li>• The whole area needs more amenities; community centre/local shops/pub/post office (not just for new homes)</li> <li>• Local shops</li> <li>• New pub and local shops</li> <li>• Tea room, café for older people and youngsters to meet</li> <li>• Post office, more shops on new developments (11)</li> </ul>



# Myland

## Design Statement

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Topic	Comment
Community -	<p><b>Facilities</b></p> <ul style="list-style-type: none"><li>• More community facilities, everything is already oversubscribed</li><li>• More community facilities.</li><li>• Annual Fair for local clubs, societies etc to sell themselves for new members and volunteers</li><li>• Myland has village community feeling and character of this area needs to be retained within any future development</li><li>• We like the community</li><li>• Myland has no community facilities. Facilities are badly needed</li><li>• Better utilization of existing facilities</li><li>• Myland needs a defined centre and focus, not just a sprawling mass of houses</li><li>• Churches add value to a community and often provide community services for young and old. What space is being planned for such church groups to move into new communities?</li><li>• What Myland community facilities - need more, more appropriate, old/young</li><li>• Community centre</li><li>• More play areas</li><li>• More play areas and open spaces (13)</li></ul>
Community -	<p><b>Misc</b></p> <ul style="list-style-type: none"><li>• Public toilets</li><li>• Map of St James estate so people don't keep getting lost</li><li>• Local notices to advertise events in public places, eg, bus shelters, signage (highways)</li><li>• I feel that due to the price of most of the houses in this area most people will work in London and use the present transport, so if not improved the present residents will be unable to afford the rise in year on year charges.</li><li>• More nursery facilities will be needed</li><li>• Myland urgently need performance space music, drama etc (6)</li></ul>
Employment -	<p><b>Business Facilities</b></p> <ul style="list-style-type: none"><li>• Perhaps build (serviced) offices - we are a local small business and currently travel to the Hythe for good facilities which are affordable. This will encourage local employment</li><li>• New schools, shops, bank, community centre will create employment opportunities</li><li>• Need to preserve employment land for job creation</li><li>• Benefits agency</li><li>• Myland needs employment land for local jobs - offices/work units/starter units/workshops</li><li>• Creating an attractive business environment is better than more housing (6)</li></ul>
Character & Design -	<p><b>Business</b></p> <ul style="list-style-type: none"><li>• Need to ensure employment buildings fit within local design (1)</li></ul>

Topic	Comment
Footpaths -	<p><b>Urban</b></p> <ul style="list-style-type: none"> <li>• Existing ROWs to be maintained and more walking paths created and signposted</li> <li>• Ensure footpaths + ROWs are maintained</li> <li>• Urban ROW/ footpaths not to be duplicated with cycle paths</li> <li>• It should be easy to access everywhere by foot, Mile end road, Braiswick, North Station etc. Not all being funnelled down the same narrow paths</li> <li>• Footpaths: New estates need a network of footpaths off-road, not just pavements</li> <li>• More (safe) footpaths (6)</li> </ul>
Footpaths -	<p><b>Rural</b></p> <ul style="list-style-type: none"> <li>• Traffic free green corridors with benches requested,</li> <li>• New development must have green footpath network</li> <li>• Preserve and expand existing footpaths, ie as Myland/Bergholt path</li> <li>• Keep footpaths and cycle paths</li> <li>• keep footpaths and encourage public use</li> <li>• Protect existing footpaths</li> <li>• Retain and extend public footpath network (7)</li> </ul>
Footpaths -	<p><b>Signage</b></p> <ul style="list-style-type: none"> <li>• More signage on footpaths (1)</li> </ul>
Sustainability -	<p><b>Energy/Water</b></p> <ul style="list-style-type: none"> <li>• Sustainability attributes requested geothermal sourcing + rainwater harvesting</li> <li>• New developments to be as eco-friendly as possible, lower density housing, more green space.</li> <li>• Better drainage of new yellow site (between Mile End Road and golf club so we don't get a repeat of the problems on the Northern Approach Road. (3)</li> </ul>
Sustainability -	<p><b>Suds</b></p> <ul style="list-style-type: none"> <li>• Currently problem with land drainage, ? Impact of new development</li> <li>• What about drainage? Colin Teale of Essex County Council Engineering said ditches should not be filled in.</li> <li>• Clay subsoil could mean SUDS may not be achievable. (3)</li> </ul>
Sustainability -	<p><b>Bins</b></p> <ul style="list-style-type: none"> <li>• More litter bins</li> <li>• Need more recycle bins</li> <li>• Local recycling facilities for all residents. (3)</li> </ul>



# Myland

## Design Statement

### A local influence over planning and design

Topic	Comment
Housing -	<b>Flats</b> <ul style="list-style-type: none"><li>• No more flats or apartments! All newly-built housing to be CFSH, level 6. Post 2016 how will this be delivered in the Borough plans.</li><li>• No more flats and high-density building. We'd like to see smaller houses with gardens.</li><li>• No more flats/apartments please.</li><li>• No more flats/apartments and projects must have sufficient open spaces.</li><li>• I would like to see varieties in style of buildings as too many are the same at present. Myland would be better served with better quality housing with gardens.</li><li>• Do not build any more flats in Colchester as the more we have the less there is of individual properties. It is worth going forward with the Design Statement.</li><li>• No more rabbit-hutch flats. Preferably no more flats anyway.</li><li>• No more eyesore flats.</li><li>• Less flats more homes.</li><li>• No flats, please!!</li><li>• There are too many tall flats.</li><li>• Fewer blocks of flats</li><li>• Myland is not a suitable location for blocks of flats.</li><li>• Stop high-rise - it becomes untenable accommodation for families. (14)</li></ul>
Housing -	<b>Gardens</b> <ul style="list-style-type: none"><li>• We need low to moderate density housing. No more three-storey town houses with no gardens, parking and thin walls.</li><li>• Gardens in most new developments are too small and offer no privacy.</li><li>• Need more garden space, wider access and wider footpaths.</li><li>• Move away from overcrowded developments; provide better garden spaces.</li><li>• Gardens should be larger than postage-stamp size. (5)</li></ul>
Housing -	<b>Design</b> <ul style="list-style-type: none"><li>• New developments must be sympathetic to existing housing and include gardens and green areas.</li><li>• Keep the individuality of current houses on Mile End Road.</li><li>• Some good design but also some dreadful design for example the hospital.</li><li>• More family-friendly developments with gardens and play areas.</li><li>• I want to see design used to encourage sustainable and self-supporting small communities within various types of complexes. This would encourage families to move to the area.</li><li>• Traditional housing and gardens would be best for the area.</li><li>• More design variety and more greenery around developments.</li><li>• Greater diversity of design</li><li>• The town centre needs to be a catalyst for the local communities. Need to create 'centres'.</li><li>• Individual plots for self-builds.</li><li>• Large houses, 3 or 4 bedrooms and garages (11)</li></ul>

Topic	Comment
Housing -	<p><b>Parking</b></p> <ul style="list-style-type: none"> <li>• If there are to be flats/apartments there should be more parking.</li> <li>• Provide proper parking facilities for every property</li> <li>• At least two parking spaces per dwelling. If this is not allowed under Government guidelines then insist on roads being wide enough so people can park in the road and still leave enough room for emergency vehicles and dustcarts.</li> <li>• In future, we need houses with decent-sized gardens and parking for TWO cars.</li> <li>• New housing to have garages which are actually large enough to put a family car in.</li> <li>• Provide enough parking for new homes to avoid the problem of people parking on pavements.</li> <li>• Housing is generally OK but there is too little parking.</li> <li>• Side roads are too narrow, gardens are too small for families, car parking is made deliberately difficult.</li> <li>• All new developments must have adequate off-road parking</li> <li>• Enough parking on the development for all residents to avoid illegal and inconsiderate parking. Placing communal parking areas out front rather than through inaccessible arched access road.</li> <li>• Stop cars parking on cycles paths and crossing</li> <li>• Allow adequate parking on new estates ie two spaces per home. (12)</li> </ul>
Housing -	<p><b>Sheltered</b></p> <ul style="list-style-type: none"> <li>• There is a need for bespoke sheltered housing close to facilities like shops and community centre. (1)</li> </ul>
Other -	<p><b>Recreation</b></p> <ul style="list-style-type: none"> <li>• Severalls, develop part for parkland and community recreation</li> <li>• We like the recreation area on Mill Rd and all the trees</li> <li>• Leave Highwoods Park alone</li> <li>• Encourage childrens' activities ih Highwoods Park (4)</li> </ul>
Open Space -	<p><b>General</b></p> <ul style="list-style-type: none"> <li>• Open spaces and woodland should be preserved for exercise and reducing levels of obesity</li> <li>• There is too little open space (in new developments).</li> <li>• Too little easily accessible open space</li> <li>• More Open space</li> <li>• Open space must be retained for community use/ recreation</li> <li>• Include. Parks, gardens, open space in new development</li> <li>• Keep the current open space</li> <li>• Keep as much existng open space as possible</li> <li>• Open space should not include private gardens other gardens, verges, footpaths etc</li> <li>• Make sure open space is kept open/fully accessible <span style="float: right;">continued</span></li> </ul>



# Myland

## Design Statement

### A local influence over planning and design

Topic	Comment
	<ul style="list-style-type: none"><li>• We need to advertise and use open space</li><li>• Retain open space, we regularly walk around this area</li><li>• Best left alone ( whole area!)</li><li>• Green space is required (14)</li></ul>
Open Space -	<b>Children's space</b> <ul style="list-style-type: none"><li>• Ensure open space/play areas and kick a ball for children in new development</li><li>• Preserve play areas in playing fields</li><li>• We need more open play areas</li><li>• Safe playgrounds</li><li>• More safe spaces for children to play that are walkable from the new housing. (5)</li></ul>
Open Space -	<b>Playing fields</b> <ul style="list-style-type: none"><li>• Playing fields to be preserved</li><li>• Need to double extent of playing fields and include an indoor sports facility that can also be used as a community centre</li><li>• Sports facilities/playing fields needed (3)</li></ul>
Open Space -	<b>Woodlands/Wildlife</b> <ul style="list-style-type: none"><li>• Existing footpaths and woodland must be preserved.</li><li>• Parts of Myland countryside must be retained for conservation + public open space</li><li>• Retain a wild area for birds and local wildlife</li><li>• Natural open spaces to be provided</li><li>• Keep woodland and open space</li><li>• Keep open space woodland and trees</li><li>• Retain hedgerows, woodland</li><li>• Local distributor routes should beavenued with trees centrally or in verges</li><li>• Has an environmental impact survey been undertaken? (9)</li></ul>
Trees	<b>Trees</b> <ul style="list-style-type: none"><li>• More Trees</li><li>• More Trees</li><li>• Include. trees in new development</li><li>• More trees as they enhance look of area</li><li>• We like the trees and green areas (5)</li></ul>
Trees -	<b>Tree Preservation Orders (TPOs)</b> <ul style="list-style-type: none"><li>• TPOs must not be removed</li><li>• Preserve ancient wood</li><li>• Have existing trees got TPOs? (3)</li></ul>



Topic	Comment
Open Space -	<p data-bbox="470 560 614 593"><b>Allotments</b></p> <ul data-bbox="470 593 798 660" style="list-style-type: none"> <li data-bbox="470 593 758 627">• Need more allotments</li> <li data-bbox="470 627 798 660">• Free up allotment land (2)</li> </ul>
Transport -	<p data-bbox="470 694 686 728"><b>Public Transport</b></p> <ul data-bbox="470 728 1522 1366" style="list-style-type: none"> <li data-bbox="470 728 1522 795">• Proper transport links for the football stadium. At the moment they are forced to walk in from one direction only.</li> <li data-bbox="470 795 885 828">• Benches by bus-stops are needed</li> <li data-bbox="470 828 1077 862">• A better service for the number 2 bus on Sundays</li> <li data-bbox="470 862 1348 896">• Public transport needs expanding to take account of future development.</li> <li data-bbox="470 896 949 929">• Need for public transport to rural areas</li> <li data-bbox="470 929 1165 963">• Need good service to town and smaller buses more often</li> <li data-bbox="470 963 901 996">• Poor bus service in much of parish</li> <li data-bbox="470 996 1522 1030">• We require another bus stop heading towards town outside the Bricklayers for rail users</li> <li data-bbox="470 1030 1372 1097">• Access to town - where is all traffic going to go? Good bus services to new developemnt might reduce traffic especially if the price is right</li> <li data-bbox="470 1097 805 1131">• Seating at more bus stops</li> <li data-bbox="470 1131 981 1164">• Better evening and weekend bus services</li> <li data-bbox="470 1164 901 1198">• Transport provision to get to work</li> <li data-bbox="470 1198 1236 1232">• Public transport is too expensive and not enough buses to work</li> <li data-bbox="470 1232 1522 1299">• Important to have input on redevelopment of North railway stations esp regarding disabled facilities and bus stops (14)</li> </ul>
Transport -	<p data-bbox="470 1411 614 1444"><b>A12 Access</b></p> <ul data-bbox="470 1444 1522 1892" style="list-style-type: none"> <li data-bbox="470 1444 1522 1512">• If promises are made by authorities developers don't renege on these later. When we moved to Mill Road we were given traffic studies showing reduction in use of Mill Road due to proposed A12 junction. 6 months later, after we moved in, we were told plans had changed</li> <li data-bbox="470 1512 1522 1579">• Good park and ride out of town. Not at North Station with access from A12 rather than traffic having to go through town</li> <li data-bbox="470 1579 1021 1612">• A12 access road needs to be completed asap</li> <li data-bbox="470 1612 678 1646">• Access to A12.</li> <li data-bbox="470 1646 1522 1713">• Although a new A12 interchange is planned the new developments between Mile End and Braiswick also need access directly on to the A12. Suggest another link road and junction north of the Golf club</li> <li data-bbox="470 1713 1522 1780">• Access to A12 before any more development. Bergholt Road cannot take any more traffic - so no exit from the new development (7)</li> </ul>
Transport -	<p data-bbox="470 1937 574 1971"><b>Cycling</b></p> <ul data-bbox="470 1971 1522 2110" style="list-style-type: none"> <li data-bbox="470 1971 1522 2038">• If possible stop cyclists using pavements other than defined cycle paths. The speeds used are quite frightening.</li> <li data-bbox="470 2038 1522 2110">• Cycles paths that access places people want to get to so that they provide an alternative access route to the car. <span data-bbox="821 2072 949 2110">continued</span></li> </ul>



# Myland

## Design Statement

### A local influence over planning and design

#### Topic

#### Comment

- Better cycles routes; get bicycles off pavements
- Proper cycle paths
- Dedicated cycle path linking Myland to facilities like Leisure world, cinema etc
- Improve cycle paths and road surfaces for cyclists. They are potholed and dangerous at present
- Off road cycle paths - half the pavement isn't safe for pedestrians (although a good start)
- More cycle paths
- Need more cycle paths. (9)

#### Transport -

#### North Station

- North Station and Bergholt Road is already too congested so any new developments must have access provided elsewhere
- Improve bottleneck into town by getting rid of the North Station Road bus lane
- North Station
- Road system needs bottleneck removed
- Better facilities for passengers
- Parking
- Keep bus links
- North Station bottleneck
- Northern growth area: the problem at North Station bridge have to be resolved before any development takes place.
- Sort out North Station roundabout
- We need more pedestrian crossings as traffic flow will increase. Road system round North Station is awful currently
- Continue road past Asda etc. create a new underpass (existing walkway) road coming out by Cowdray Centre
- Gridlock at North Station - what can be done?
- Infrastructure of roads especially round North Station needs to be sorted out before houses built
- Roads!! Access!!
- There is already a problem with traffic at North Station and Turner Road, Bergholt road and roads at and around already existing roundabouts.
- Already a very congested area as all traffic filters into North Station area. This area cannot take any more. Talk/proposals to improve this have to date not had any positive effect, just more and more building providing more traffic. Cannot see any way this area can take more traffic.
- Traffic is already a problem, with vehicles funnelled through the railway bridge at North Station. How are existing roads going to support increased traffic movements? (14)

Topic	Comment
<p><b>Transport -</b></p>	<p><b>Roads &amp; facilities</b></p> <ul style="list-style-type: none"> <li>• Estate roads have become far too narrow.</li> <li>• Quality access for the traffic for existing and new homes. New homes need better roads.</li> <li>• The road infrastructure needs to be in place before development. North Station area is already chaotic.</li> <li>• If you don't have the transport services in place before the houses are built the area from North Station upwards will end up one big car park.</li> <li>• Travel conditions in Myland are poor</li> <li>• Estate roads too narrow</li> <li>• Northern growth area - where are the access points going to be? What supporting road structure is there to be?</li> <li>• Speed restrictions on Braiswick/Bergholt Road (7)</li> </ul>
<p><b>Character &amp; Design -</b></p>	<p><b>Traffic</b></p> <ul style="list-style-type: none"> <li>• No motor bikes on cycle path</li> <li>• Because of wider traffic issues choose sustainable design of facilities, all year, all ages recreation and workplaces to minimise car movements outside the area</li> <li>• The development should be designed for people activities and not around the car</li> <li>• Cars, parking, garages are necessary but should be discreetly provided</li> <li>• Security by design to include passive policing by the residents</li> <li>• Biggest concern - where does all the extra traffic exit the new development and what can be done to prevent gridlock?</li> <li>• No more developments with single road access. These form isolated ghettos and discourage community spirit</li> <li>• Transport to get to work - what provision? (works buses/public transport/special buses)</li> <li>• The transport infrastructure problem should be addressed before large developments proceed. A full study should be undertaken to see just where the traffic comes from and then devise a road system to accommodate it.</li> <li>• Traffic infrastructure needs to be addressed before any more developments.</li> <li>• It is imperative that road structures with new developments be adequate to allow a free flow of traffic - and new road taken under the railway line to take pressure off the new yellow-marked site. (11)</li> </ul>

# Appendix D

## Myland Design Statement

August 2009 Fete - Comments from public exhibition

### 1 - Mile End Village

What is good		What needs changing	
In the area	In Mile End	In the area	In Mile End
Near town but semi-rural (at the moment)	Community	Better shops (eg. post office)	No more development
The remaining green space - very important - vital that this is retained. Please call a halt to the destruction of our precious green space.	Good community outlook and churches	Improvement of Co-op	Access to A12
Field	Field	Need further green space	Better planning consideration when 'infilling' behind current houses (eg. behind Littlecoter)
Playgrounds	Playgrounds	The Gilbert School is overcrowded - huge.	Congestion, especially around the station.
Fields, open space for children and dog-walkers, with lots of dog bins.	Church/Youth club + other teams/clubs	More recreation for kids	There needs to be a halt in the constant house building. Enough is enough. The area simply cannot support continued house/flat building.
Feel of community - fete, garden and church	Lots of dentists	Need to keep playing area + area for dogs. This is a big community and kids will need areas for functions and fitness	Safe open space for sports etc (ie. field area.)

## 1 - Mile End Village / continued

What is good		What needs changing	
In the area	In Mile End	In the area	In Mile End
Excellent school	Friendliness	More, or regular yearly, community events, such as the fete.	Poor bus service
Views	Local pub	No post office or bank	Not enough primary schools
Open Space	Still has a village atmosphere	Litter	No cycle paths
Childrens play park	Quiet, residential - not over commercialised	Dog fouling	Better quality buses
Dog walking areas	Easy access to town centre, station, countryside, A12	Post office needed	No more housing
Sense of community	relatively open area	Nothing	Access to North Station
Control of football fans on matchdays	Village feel		More sports clubs (tennis, badminton, table tennis)
Doctors surgery	Relatively quiet area		In any new '2200 home' development it is essential to maintain a country/village feel. I believe therefore that the existing playing fields beside Fords Lane should remain as a key buffer between existing and new houses. Also walk/ pathways and existing tree line should be maintained where possible.
Pathways	Green fields		
Farmers fields			
Quite unique area within Colchester			

## 2 - Severalls

What is good		What needs changing	
In the area	In Mile End	In the area	In Mile End
Nice & quiet	Good community spirit (school, church, shop etc.)	No more new homes. Traffic congestion at North Station can't take any more.	Greater use of Mile End playing fields - more publicity
Parking not a problem	Good schools	No more new homes. Traffic congestion at North Station can't take any more.	Greater use of Mile End playing fields - more publicity
Close access to Co-op/pub etc		New houses with own drives, not shared parking.	
Good communication from parish counsellors		Need a community centre	
Play area and large football pitch			
Hospital			
Country park			

## 4 - NAR

What is good		What needs changing	
In the area	In Mile End	In the area	In Mile End
Access to local facilities/services (eg. train station, local schools)	Local facilities	Rented properties	Local post office
Playing facilities for children	Good community feel	Safer crossing for school	
Lots of cycle paths			

## 6 - Turner Road / Hospital

What is good		What needs changing	
In the area	In Mile End	In the area	In Mile End
Greenery/open areas/Highwoods country park	Community	Road surfacing	Traffic reducing
New school facility	Sports facilities	PCT lighting/light pollution	Fewer new housing developments



# Myland

## Design Statement

### A local influence over planning and design

#### 6 - Turner Road / Hospital / continued

#### What is good

#### What needs changing

What is good		What needs changing	
In the area	In Mile End	In the area	In Mile End
Bus service	Parish council	New development on Turner Village - too many houses/not enough parking	No more new housing - the area is already over-developed
Very close to bus routes to city centre and schools	There is still a good community feel - this needs to be maintained.	We need a playing area as the nearest is on the other side (near Dickenson Road)	A good community centre. We have lost two social clubs in the area.
The Country park - a brilliant facility for all ages including disabled.	There is still a good community feel - this needs to be maintained.	The front entrance to Primary Health Care building	Disability Clubs - mental health etc.
		Where is the sympathetic planting for people who are living in this area? Trees and plants are disappearing.	We need clubs locally that are not all linked to the church.
		Better signage around the whole area. A lot of people get lost.	Community transport for the elderly.

## 8 - Braiswick

What is good		What needs changing	
In the area	In Mile End	In the area	In Mile End
Lots of greenery and easy access to nice walks	Good schools	More recycling facilities needed (eg bottle banks at supermarket)	Needs more cycle paths
Open spaces	Supermarket	A local shop would be nice but no more supermarkets	A new playground
Street lights	Local pubs are nice and child friendly	Bakers lane entrance - it's hard to cross the road there because it's a blind corner.	Parking
Parking		Litter	
Bus stops		No more building	
Pavements all the way			
Post boxes are everywhere			
Golf club			
Park			
Footpaths			
Open spaces			

## 9 - Little Rome

What is good		What needs changing	
In the area	In Mile End	In the area	In Mile End
Community centre	Good schools	Parking	No more new buildings
Provision of schools/shops/post office all within walking/cycling distance	Access to Country park/cycle ways (new routes great despite trees which need cutting back)	Parking on cycle ways	
		Improved play facilities for children - opposite Brinkley Grove could be so much better	





# Myland

## Design Statement

A local influence over planning and design

### Unknown

#### What is good

#### What needs changing

What is good		What needs changing	
In the area	In Mile End	In the area	In Mile End
Co-op	Play park	Double yellow lines on Nayland Road	The football travel routes (eg. buses up new road and not Nayland Rd)
Fish shop	Dog walking space	Post office needed	No more new houses
School	Low crime	Improved kerbside recycling - more helpful dustmen	More cycleways
The Mylander	Good primary school	More street flowers & floral displays	Decreased security intrusion on match days
Local shops	Close to station	Improve parking near fish & chip shop & co-op	Increase number of cycling lanes
Footpaths & open spaces	Pub is community orientated	Bus routes	Increase presence of community police officers
Lots of things going on	Friendly people	Better schooling plans (eg. places and catchment areas)	Bus routes
The Mylander	Still open spaces	Preserving Severalls Hospital before vandalised further	More community buildings and facilities
Good place to live - enough local amenities: pub, shop, school.	Local shops (ie. Co-op well used)	Bigger car park needed at Colchester United	No more housing developments needed locally - this area is too built up now
It has a village feel, good community atmosphere	Pub etc)	A youth club or similar for teenagers	Footpath area between Cowdray Ave and Wicks - footpath needs to be regularly cleared of litter
I enjoy going walking and jogging around the fields that are due to be developed.	Excellent schools	Uneven paths regularly checked	

## Unknown / continued

What is good		What needs changing	
In the area	In Mile End	In the area	In Mile End
In the new design statement it would be great if the footpaths were retained (not tarmac'd - its much less impact to run on grass rather than tarmac	Good amenities	More litter picks	
I meet many other joggers, walkers and dog walkers on this route, even early in the morning. The fields provide a wonderful place to exercise and a sense of community.	Two pubs	Very concerned about the new development planned between Mile End Road and Bergholt Road	
In the new design could the woodland be retained?	Co-op		
The people	Two take-aways		
Lots of things to belong to	Pharmacy		
Playing/sports fields			
Lots of space			
Safe to walk around the area during dark evenings			
Lots of open green areas			
Most shops needed are available			
Field and countryside views			



# Myland

## Design Statement

A local influence over planning and design

## Notes







