

Local Development Framework Committee

Town Hall, Colchester
13 June 2011 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
13 June 2011 at 6:00pm**

Members

Chairman : Councillor Colin Sykes.
Deputy Chairman : Councillor Martin Goss.
Councillors John Jowers, Kim Naish, Elizabeth Blundell,
Mark Cory, Beverly Davies, Andrew Ellis 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

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To confirm as a correct record the minutes of the meeting held on 15 March 2011.

7. Supplementary Planning Document // Sustainable Design and Construction

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See report by the Head of Strategic Policy and Regeneration.

8. Supplementary Planning Document // Shopfront Design Guide

55 - 94

See report by the Head of Strategic Policy and Regeneration.

9. Planning Policy Guidance // Public Realm Strategy 95 - 129

See report by the Head of Strategic Policy and Regeneration.

10. Community Infrastructure Levy - Frontrunner Project 130 - 133

See report by the Head of Strategic Policy and Regeneration.

11. 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

15 MARCH 2011

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

Also in Attendance :- Councillor Andrew Ellis
Councillor Theresa Higgins
Councillor Laura Sykes

36. Have Your Say! - General

Mrs Louisa White addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). She referred to a number of issues in connection with a planning application on the Severalls site, recently considered by the Planning Committee. She was concerned about sustainability, drainage, sewers and ditches, density of housing, and compliance with the Essex Design Guide. She was also concerned that consideration of the application had been deferred for an improved visual presentation rather than the application content. She also mentioned that the new A12 junction had had an impact on Mile End.

The Chairman responded to Mrs White to the effect that most, if not all, of Mrs White's representations related to a particular planning application and such representations were outside the terms of reference of the Local Development Framework Committee. He advised Mrs White to make her representations to the Planning Committee.

Mr Ken Roberts addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He referred to the modern method of dealing with surface water by utilising drainage ditches, originally used for farm drainage, instead of piping water away. He asked if any consideration had been given to the public health hazard of mosquitos. He was opposed to moving public right of way no. 69 from one side of the stream to the other, bringing the footpath nearer to his property. He asked about the policy on providing street lighting for footpaths; his expectation was that footpaths would be lit.

In response, the Chairman explained to Mr Roberts the process for the diversion of footpaths, and that it would not be usual practice to have lighting on public footpaths, but some of the urban footpaths may be lit depending on the circumstances. The Spatial Policy Manager explained that the Council had recently adopted three Essex County Council documents on footpaths which may be useful in regard to the detailed matters. A member of the Committee commented that Anglian Water did not look favourably at any new dwellings where it was proposed to pipe rainwater into the drainage system; they preferred that any water run off be dealt with by a sustainable urban drainage system (SUDS).

37. Minutes

The minutes of the meeting held on 31 January 2011 were confirmed as a correct record.

38. Planning Guidance Note // Design and Access

The Committee considered a report by the Head of Strategic Policy and Regeneration on a revised version of Colchester's Design and Access Statements Guidance Note. Additional documentation was also submitted comprising an addendum to the report, a proposed Appendix 2 to the Guidance Note, and a note on the Equality and Diversity Member Liaison Group's meeting for the Committee's consideration.

Karen Syrett, Spatial Policy Manager, and James Firth, Planning Policy Officer, attended to assist the Committee in its deliberations. The Planning Policy Officer explained that Design and Access Statements were required as part of many planning applications and any application that failed to include Design and Access Statements would be regarded as invalid. Furthermore, if Design and Access Statements did not comply with planning policy the planning application would be refused. He explained that the assessment based approach was the most appropriate method of compiling Design and Access Statements because planning appeals were often determined on the circumstances of the case. He referred to the changes to the revised Design and Access Statements Guidance Note and that it now included information on how layout of a site provided the optimal level of accessibility. He also referred to the additional documents which included Appendix 2 setting out examples of best practice for inclusive design.

Councillor Theresa Higgins attended and, with the consent of the Chairman, addressed the Committee on behalf of the Council's Equality and Diversity Member Liaison Group. She confirmed that the Planning Policy Officer had attended the Liaison Group's meeting and whilst most of the Group's issues had been taken into account in Appendix 2 in the supplementary information in respect to mobility, the Design and Access Statements Guidance Note did not go far enough in respect to adaptations for those with hearing or sight impairment. She gave examples of induction loops for community spaces and good lighting to assist people with impaired sight. The Liaison Group had also been disappointed to hear of a recently built supermarket having installed a disabled toilet which did not have sufficient space to permit people to transfer from wheelchairs, despite the existence of websites which provided specific guidance for disabled toilets. The Liaison Group would have preferred a comprehensive Guidance Note which included best practice for all disabilities so that the Council's requirements were clear to developers.

Members of the Committee raised the following issues:- whether the situation regarding the inadequate disabled toilet could have been avoided if the Guidance Note had been in place and whether a standard for disabled toilets could be included in the document; whether the provision of induction loops for community spaces were governed by the Disability Discrimination Act (DDA); and whether it would be useful to

have a template for developers to use. The document was welcomed and although considerable progress had been made, it appeared that a little more work was required. An explanation was requested for the reason why Design and Access Statements were not required for a material change of use of land application.

The Planning Policy Officer explained the assessment based approach and in developing Appendix 2, officers had looked at best practice from other authorities. He made reference to the overlap between building regulations, the DDA and the new Equality Act with regard to internal adjustments, and emphasised that there were no conditions applicable for internal works, nor was it possible for the Council to develop a policy which ran counter to building regulations, nor was there any capacity for the Council to amend building regulations which were a national approval process. In respect of the query regarding a material change of use of land, he confirmed that Design and Access Statements were required if any physical changes were made and the Guidance Note could be amended to make this point clearer. The Spatial Policy Manager requested that she be informed by members if they were aware of any best practice documents. However, she also cautioned that whilst there was nothing wrong in setting out the Council's ambitions there was no capacity to repeat standards which were part of building regulations. It was acknowledged that as there was a cost issue in making adjustments for disabilities each application should be determined on its own merits.

The Chairman referred to an email he had received from Councillor Gamble, the Design Champion, to the effect that he had been unable to identify any errors or omissions and it was therefore concluded that the Design Champion was content with the document.

RESOLVED that the draft revised version of Colchester's Design and Access Statements Guidance Note, including the submitted Appendix 2, be agreed, subject to clarification of the situation where there were physical changes on a change of use application and the inclusion of any examples of best practice provided by the Equality and Diversity Member Liaison Group.

Councillor John Jowers (in respect of being a member of Essex County Council with responsibility for the funding of the Rural Community Council of Essex) 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's Parish Plan Steering Group and his spouse being Chairman of the Parish Plan Steering Group) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

39. Planning Guidance Note // Stanway Parish Plan and Design Statement

The Committee considered a report by the Head of Strategic Policy and Regeneration

together with the draft Stanway Parish Plan and Design Statement.

Karen Syrett, Spatial Policy Manager, and Beverley McClean, Coast and Countryside Planner, attended to assist the Committee in its deliberations. The Coast and Countryside Planner explained that the Rural Community Council of Essex had been involved from the start of the process. Clear recommendations for planning were located at the back of the document. The Committee were invited to support and adopt the Guidance Note as material planning consideration.

Mrs Laura Sykes, Chairman of the Stanway Parish Plan Steering Group, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3) to present the Stanway Parish Plan and Design Statement to the Committee for adoption. She made reference to the amount of work which had gone into production of the Guidance Note and she paid tribute to the responses from residents and young people who had indicated their views. They were willing to accept development in Stanway but they wanted clear information throughout the process. They also wanted to know that the infrastructure would be safeguarded with trigger points for the provision of community facilities. The Steering Group had listened and responded to residents' comments and she requested that the Committee adopt the document. In response to a question from the Committee, Mrs Sykes explained the involvement of Stanway School in the process which included the design of a questionnaire and analysis of the results by year 9 as part of their maths project throughout the year. She also thanked Beverley McClean, Coast and Countryside Officer, Vincent Pearce, Planning Service Manager, and John More, Planning Officer, for their support.

The Coast and Countryside Planner explained that the document complied with guidance for consulting but Stanway had gone further with proper engagement which had resulted in a very good document.

Members of the Committee were supportive of the document which would be very important for the future. The infrastructure levy would be spent and delivered through documents such as this and they hoped it would stand Stanway in good stead.

RESOLVED that the Stanway Parish Plan and Design Statement be approved and adopted as a Planning Guidance Note.

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

40. Affordable Housing Supplementary Planning Document // Update

The Spatial Policy Manager, Karen Syrett, gave the Committee an update on the latest position in respect of the revision of the Affordable Housing Supplementary Planning Document (SPD). She provided background information on how the current economic climate had impacted on the housing market and she then referred to the draft SPD

which had been submitted to the Committee's December meeting but due to the prospect of further government advice becoming available the Committee had deferred the matter to allow the additional guidance to be included. Details of the Affordable Rent scheme had been published in February 2011 and the definition would form part of Planning Policy Statement 3: Housing. She explained that social landlords would be able to charge 80% for affordable rented properties.

Following the guidance on affordable housing being published, a further round of consultation had been undertaken and comments taken into account. It was proposed that the way forward would be to strike a balance between collecting sufficient revenue to provide affordable housing units and setting the contributions at a level which would avoid putting development at risk. Work has been undertaken to determine a unit based contribution that can be applied to small developments in order to avoid having to undertake a financial appraisal on every small development. It was considered that the contribution should be broadly equivalent to that which a developer would have made had the provision been on site. The SPD would be updated to include appropriate levels of commuted sums. It was likely that the draft revised SPD would be submitted to the meeting in June 2011.

In response to a query regarding the percentage affordable housing requirement on a development site, the Spatial Policy Officer confirmed that 35% was the figure set out in the Core Strategy and the figure which the Council would seek to achieve, but there may be instances where it could not be achieved. She also confirmed that Colchester had a full set of Local Development Framework (LDF) documents which not many other authorities had achieved and referred to the amount of work required to achieve the Community Infrastructure Levy (CIL) project timetable. The Planning Advisory Service had supported local authorities with the CIL work. Although some detail was still to emerge there would be an element of the CIL to go to the local neighbourhood where development was taking place.

Members of the Committee referred to the CIL and in particular that Colchester was a front runner for the CIL project and Colchester's progress with the LDF was one reason for this. The result was that not only did this put Colchester in a better position to defend appeals against planning decisions, Colchester had become one of the flagships for the CIL. There would be significant sums available and much of it would come to the local planning authority. The only slight concern was that of Colchester being one of the front runners on its own, and that the funding for infrastructure could be problematic.

RESOLVED that the update on the position in respect of affordable housing be noted.



Local Development Framework Committee

Item
7

13 June 2011

Report of	Head of Strategic Policy and Regeneration	Author	Shelley Blackaby ☎ 282709
Title	Adoption of Colchester's Sustainable Design and Construction Supplementary Planning Document		
Wards affected	All		

The Local Development Framework Committee is asked to agree the adoption of the Sustainable Design and Construction Supplementary Planning Document

1. Decision(s) Required

- 1.1 To agree the adoption of the Sustainable Design and Construction Supplementary Planning Document (SPD).
- 1.2 To note the Statement of Consultation resulting from the public consultation exercise on the SPD.

2. Reasons for Decision(s)

- 2.1 To enable Colchester to move forward with the production of the Local Development Framework directing future development in Colchester.

3. Alternative Options

- 3.1 The Committee could decide to significantly revise or delay the adoption of the Sustainable Design and Construction SPD. This would fail to secure more sustainable buildings throughout the Borough.

4. Supporting Information

- 4.1 The Committee will recall that the draft Sustainable Design and Construction SPD was presented in January 2011, prior to the public consultation. Public consultation took place between 1 March 2011 and 1 April 2011.
- 4.2 The public consultation raised a number of different issues and the Statement of Consultation, which the Committee is asked to note, is appended to this report. In total 18 representations were received; 4 were in support of the SPD, 4 objected to it and 10 were general comments. A total of 25 different issues were raised.
- 4.3 The key issues raised can be summarised as:
 - The Code for Sustainable Homes and BREEAM targets do not go far enough.
 - The Code for Sustainable Homes and BREEAM targets are too onerous.
 - The Code for Sustainable Homes cost assumptions are incorrect.
 - A consequential improvement of energy efficiency infrastructure wherever retrofit requires planning permission should be implemented.
 - The SPD omits important issues such as renewable energy, SuDS, air tightness and pollution potential of materials.

- 4.4 The SPD sets out the Council's expectations in relation to the Code for Sustainable Homes and BREEAM, which are national standards for the design and construction of sustainable new buildings. It is considered that the correct balance has been struck between the delivery of more sustainable buildings and the need to ensure that development is able to come forward. At the present time expecting Code level 4 or higher, which exceeds current building regulations, could render many developments unviable. The energy efficiency category of Code level 3, which is widely acknowledged as the most expensive area to achieve, is equal to current building regulations. The SPD plans higher Code levels to match improvements to building regulations.
- 4.5 As a result of the public consultation several amendments have been made to the SPD. Firstly, an Executive Summary has been included, which makes it clearer to readers what the purpose of the SPD is and what the Council's expectations are. Secondly, numerous changes have been made as a result of representations and comments received. Thirdly, the case studies have been removed. They were included with the intention of helping developers, however the consultation highlighted that inclusion has led to some confusion. Lastly, the detailed Code for Sustainable Homes cost information, which was obtained from a national cost review carried out on behalf of DCLG, has been removed. A local developer and Code Assessor both identified concerns with the cost data based on their own experiences. Further, it is acknowledged that over time cost will change and cost is also subject to wide variation based on the size, type and location of development. It is suggested that the detailed cost information is replaced with the following average cost increase above base build costs (based on a 2006 building regulations compliant dwelling):
- <1% level 1
 - 1-2% level 2
 - 3-4% level 3
 - 6-8% level 4
 - 25-30% level 5
 - 30-40% level 6.
- 4.6 Energy and water efficiency improvements to the existing dwelling stock has been considered as part of the preparation of this SPD. It is important to encourage energy efficiency improvements to the existing building stock and it is sensible to make energy efficiency improvements as part of extensions/improvements to buildings. However, it is not considered that the Council should demand that householders improve the energy efficiency of their dwellings and indeed we do not have policies in Development Plan Documents to support this. An informative will be attached to all householder applications advising householders to obtain a free home energy check from the Energy Saving Trust and implement the recommended measures. A note on the various energy and water efficiency measures that householders can take has also been published on the Planning pages of the Council's website.
- 4.7 The SPD focuses on the Code for Sustainable Homes and BREEAM as these are national standards, which consider the whole building. It is hoped that this will be less of a regulatory burden on developers than setting local standards. Some of the representations request that other topics are included in the SPD. However, it is considered that the SPD should solely look at the Code for Sustainable Homes and BREEAM. The inclusion of too much information on a range of topics could dilute the SPD and at the same time increase 'regulatory burdens' which the Government are keen to reduce. Further, some issues such as SuDS would benefit from a separate guidance document.

5. Proposals

- 5.1 The revised Sustainable Design and Construction Supplementary Planning Document and Statement of Consultation are appended to this report. It is proposed that the SPD is adopted.

6. Strategic Plan References

- 6.1 The Sustainable Design and Construction Supplementary Planning Document will contribute to the Council's corporate objective to be cleaner and greener.

7. Consultation

- 7.1 In accordance with Regulation 17 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) the draft SPD was published for public consultation. The consultation ran from 1 March 2011 to 1 April 2011.
- 7.2 All organisations and individuals on the Council's Local Development Framework consultation database were consulted on this SPD. They were contacted informing them that the SPD was published for consultation. An electronic link to the SPD was sent to them and consultees were informed where hard copies of the SPD were available. A statutory advert was placed in the Evening Gazette on Tuesday 1 March 2011. The full draft of the SPD was made available in the Council's offices, Colchester library and on the Council's website.
- 7.3 As stated in paragraph 4.2, 18 representations were received. 4 were in support of the SPD, 4 objected to it and 10 were general comments. 25 different issues were raised. Consultees included developers, individuals, the University of Essex and non-statutory organisations.

8. Publicity Considerations

- 8.1 The consultation demonstrated that there are many different views on the document. Adoption of the document could therefore generate publicity that the document does not go far enough in promoting sustainable construction or the publicity could focus on the extra cost to developers. The SPD has been worded to try and ensure an appropriate balance has been struck and makes clear that both the Code and BREEAM are voluntary standards.

9. Financial Implications

- 9.1 The public consultation and the production of the revised SPD has been carried out in-house using existing resources.

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 Both the Code for Sustainable Homes and BREEAM include a category on health and wellbeing. The implementation of this SPD will therefore help to ensure that new buildings in the Borough consider health aspects such as increased daylight, sound insulation and amenity space.

13. Risk Management Implications

- 13.1 None

Background Papers

Appendix A – Sustainable Design and Construction Supplementary Planning Document

Appendix B – Statement of Consultation

Appendix A – Sustainable Design and Construction Supplementary Planning Document

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Executive Summary

Colchester Borough Council is committed to mitigating and adapting to climate change and planning has a key role to play. The Council is seeking to improve the sustainability of new buildings through the Code for Sustainable Homes and BREEAM, which are national standards to guide the development industry in the design and construction of sustainable new buildings. This Supplementary Planning Document includes information about the Code for Sustainable Homes and BREEAM and sets out the Council's expectations for development.

The Council's expectations are set out in the table over the page. Expectations are phased and tie in with planned changes to building regulations. The Council recognise the increased construction cost of more energy efficient buildings and is thus not requiring new development to exceed building regulations requirements. Notwithstanding this however major development will be encouraged to take the lead and deliver more sustainable buildings in advance of changes to building regulations.

Colchester Borough Council recommends that sustainability issues are addressed as early as possible in the development process and that an accredited assessor is brought onto the project team at the design stage. Sustainability information should be provided with the planning application and it may be useful to carry out a design stage assessment¹, although this is not essential.

Provision of the Code for Sustainable Homes/ BREEAM post-completion certificate will be a condition of approval, as will achieving the standards themselves. Where it can be demonstrated that compliance with the Code or BREEAM would not be practicable due to unique site constraints applicants must include a section in the design and access statement explaining how sustainability considerations have been incorporated into the development.

¹ A design stage assessment shows the Code/ BREEAM level that the development is predicted to achieve.

Date	2010	2013	2016
Carbon improvement over Part L (conservation of fuel & power) Building Regulations 2006	25%	44%	100% (Zero carbon ²)
Equivalent Code for Sustainable Homes standard	Level 3	Level 4	Level 6
Colchester Borough Council Code expectations	Will expect all residential development to attain a minimum rating of level 3 from 2010	Will encourage major ³ residential development from 2010 & expect all residential development from 2013 to attain a minimum rating of level 4	Will encourage major residential development from 2015 & expect all residential development from 2016 to attain a minimum rating of level 6
Colchester Borough Council BREEAM expectations	Major ⁴ development expected to attain a minimum rating of 'very good'	All development expected to attain a minimum rating of 'very good'	All development expected to attain a minimum rating of 'excellent'

² In May 2011 the government announced a definition for zero carbon homes, which will be included in future changes to building regulations.

³ Major residential development is development of 10 or more dwellings.

⁴ Major development is defined as development with a floorspace of over 1,000 sqm.

1. Introduction

Colchester Borough Council is committed to mitigating and adapting to climate change. Whilst international and national action is required to tackle climate change local authorities can make a real difference. Local authorities have a duty to take action for the wellbeing of its citizens and have the opportunity to take the lead in terms of climate change. Colchester Borough Council signed the Nottingham Declaration in 2007 and wants to continue taking steps to ensure that carbon emissions across the Borough are reduced. One of the Council's corporate objectives is to be cleaner and greener and through this Supplementary Planning Document this objective can be contributed to by ensuring that new development in the Borough is cleaner and greener.

This Supplementary Planning Document (SPD) provides guidance and advice for those involved in development in Colchester to help them deliver sustainable design. It adds more detail to the Core Strategy and Development Policies Development Plan Documents (DPDs) policies relating to sustainable design. The SPD will help applicants by setting out what the Council expects from development and will help development management officers discuss the sustainability issues at an early stage and assess the sustainability of a proposal. More sustainable buildings will help to reduce fuel poverty⁵, which nationally has risen since 2004. One of the three main causes of fuel poverty is poor energy efficiency in the home.

This SPD will be a material consideration in the determination of planning applications. Experience has shown that SPDs are being used as evidence by planning inspectors at appeal. Inspectors have dismissed appeals for proposals that did not meet requirements outlined in sustainability SPDs in Three Rivers, Hertfordshire and Chelmsford Borough's⁶.

Section 2 of the SPD sets the context; it refers to relevant national and local policy and Colchester Borough's climate and future climate projections. Section 3 outlines Colchester Borough Council's expectations for development. Section 4 briefly summarises the Code for Sustainable Homes; information is included on typical costs and policy support for each of the categories. Section 5 summarises BREEAM and is presented in the same format as section 4. Section 6 discusses the implementation of the SPD. The previous Sustainable Design SPD included a section on Sustainable Drainage Systems (SuDS). This has not been taken forward

⁵ Fuel poverty means being unable to afford to keep warm. A household is considered to be in fuel poverty if it spends more than 10% of its income on fuel for adequate heating.

⁶ Planning Advisory Service, 2010, Using supplementary planning documents to address climate change locally.

in this SPD as a separate advice note on SuDS will be prepared by Colchester Borough Council in the future.

2. Context

Planning has a key role to play in tackling climate change. 44% of UK CO₂ emissions are from the use of buildings and if emissions from the construction and maintenance of buildings are also taken into account the figure rises to 64%⁷.

The key planning objectives of the Planning Policy Statement: Planning and Climate Change Supplement are to make a full contribution to national climate change and energy policies and programmes; secure energy efficiency and a reduction in emissions through development; deliver patterns of urban growth that secure the fullest possible use of sustainable transport and reduce the need to travel; shape places that minimise vulnerability and provide resilience to climate change; conserve and enhance biodiversity; engage communities; and respond to the concerns of business whilst also encouraging technological innovation in mitigating and adapting to climate change⁸.

At the local level, climate change and the delivery of quality sustainable places is a central part of the vision of the Core Strategy, Site Allocations and Development Policies Development Plan Documents. There are many local policies, which relate to sustainable design and construction and these are set out in the Code for Sustainable Homes and BREEAM sections of this SPD.

The two Core Strategy objectives of most relevance to this SPD are:

- Reduce the Borough's carbon footprint and respond to the effects of climate change; and
- Encourage renewable energy and the efficient use of scarce resources.

Colchester currently has one of the highest average temperatures and lowest levels of rainfall in the East of England as shown in figures 1 and 2, below. It is reasonable to assume therefore that Colchester is likely to be more affected than other areas of the region and country by a changing climate.

Figure 1. Data from the Met Office, which shows that the mean temperature annual average for Colchester 1971 – 2000 is 10 – 11.2°C.

⁷ Zero Carbon Britain Project, 2010, pp.80-1.

Figure 2. Data from the Met Office, which shows that the rainfall amount annual average for Colchester 1971 – 2000 is 460 – 600 mm.

Box 3, below, which is taken from Colchester Borough Council's Climate Risk Assessment, outlines the short term (2010-2039) climate change projections for Colchester.

The short term climate change projections for Colchester are:

- Milder, wetter winters (central estimate shows an increase in mean winter temperature of 1.3°C and 6% increase in winter precipitation);
- Hotter, drier summers (central estimate shows an increase in mean summer temperature of 1.3°C and 7% decrease in summer precipitation);
- More frequent extreme high temperatures (central estimate shows an increase in the mean temperature of the warmest day of 0.9°C);
- More frequent downpours of rain (central estimate shows an increase of 5% precipitation on the wettest day);
- Significant decrease in soil moisture content in summer;
- Sea level rise and increases in storm surge height (central estimate for sea level rise in the East of England shows a 9.7cm increase under the medium emissions scenario and a 11.5cm increase under the high emissions scenario); and
- Possible higher wind speeds.

Box 3. Short term climate change projections for Colchester taken from Colchester Borough Council's Climate Risk Assessment. The data comes from UKCP09, which is the working name for the UK climate projections, which predict the future climate of the UK under three different emissions scenarios (high, medium and low). The three different scenarios are associated with different storylines about how the world may change and therefore how greenhouse gas emissions may change. It is good practice to consider all three scenarios, although differences between the scenarios do not start to become significant until around 2040. The UKCP09 key findings and published material report cumulative probabilities at the 10% (very unlikely to be less than), 50% (central estimate), and 90% (very unlikely to be greater than) probability levels.

Planning can facilitate high standards of development by raising awareness and standards. All development within the Borough should seek to respect and enhance the landscape, local character and the natural ecosystem. Development should be sympathetic to existing buildings, settlement patterns and land-form and should seek to retain, and enhance if possible, the existing ecosystem by returning surface water to the soil, protecting soil from erosion, respecting geo-diversity, retaining hedges and trees and other natural features, recycling wastes and avoiding pollutants. Design should allow for adaptation to climate change, for example including trees for shade and wind attenuation and green space to ameliorate temperatures.

⁸ PPS1 Supplement, 2007, p.10.

Core Strategy policy ER1 is set out in box 4. This policy recognises the Council's commitment to carbon reduction and states that new dwellings will be encouraged to be built to a minimum of level 3 under the Code for Sustainable Homes and non-residential buildings will be encouraged to be built to a minimum BREEAM rating of 'very good'. Whilst a renewable energy target is also included in the policy the Council consider that it is more important that the Code for Sustainable Homes and BREEAM targets are met as these address a range of sustainability issues, including energy and CO₂ emissions. Nevertheless, the Council will continue to expect developers to consider the use of renewable or low carbon technologies, particularly as part of major development.

ER1 Energy, Resources, Waste, Water and Recycling

The Council's commitment to carbon reduction includes the promotion of efficient use of energy and resources, alongside waste minimisation and recycling.

The Council will encourage the delivery of renewable energy projects, including microgeneration, in the Borough to reduce Colchester's carbon footprint. New developments will be encouraged to provide over 15% of energy demand through local renewable and low carbon technology (LCT) sources.

Sustainable construction techniques will also need to be employed in tandem with high quality design and materials to reduce energy demand, waste and the use of natural resources, including the sustainable management of the Borough's water resources.

Residential dwellings will be encouraged to achieve a minimum 3 star rating in accordance with the Code for Sustainable Homes. Non-residential developments will be encouraged to achieve a minimum BREEAM rating of 'Very Good'.

The Council will support housing developments that reduce carbon emissions by 25% from 2010, 44% from 2013 and zero carbon homes from 2016 in accordance with national building regulations.

The Council is seeking to minimise waste and improve reuse and recycling rates through better recycling services and public awareness programs. To assist this aim, new developments will be expected to provide facilities and employ best practice technology to optimise the opportunities for recycling and minimising waste.

3. Requirements

This SPD makes the case for development meeting a minimum of level 3 of the Code for Sustainable Homes and minimum of ‘very good’ under BREEAM.

It shows that meeting these standards has many benefits and is not perhaps as expensive as people may think. The assessment of developments under the Code for Sustainable Homes and BREEAM is voluntary but the government and Colchester Borough Council encourages developers to have their development proposals assessed and to exceed the minimum performance standards required under Building Regulations. Colchester Borough Council, like many other local planning authorities, will use these assessments to understand the environmental performance of proposals in a manner that is quick, comprehensive and relevant to the determination of planning applications.

Table 5, below, outlines what the Council will expect in terms of compliance with the various levels under the Code for Sustainable Homes and BREEAM in accordance with policy ER1 of the Core Strategy.

Date	2010	2013	2016
Carbon improvement over Part L (conservation of fuel & power) Building Regulations 2006	25%	44%	100% (Zero carbon ⁹)
Equivalent Code for Sustainable Homes standard	Level 3	Level 4	Level 6
Colchester Borough Council Code expectations	Will expect all residential development to attain a minimum rating of level 3 from 2010	Will encourage major ¹⁰ residential development from 2010 & expect all residential development from 2013 to attain a minimum rating of level	Will encourage major residential development from 2015 & expect all residential development from 2016 to attain a minimum rating of level

⁹ In May 2011 the government announced a definition for zero carbon homes, which will be included in future changes to building regulations.

¹⁰ Major residential development is development of 10 or more dwellings.

		4	6
Colchester Borough Council BREEAM expectations	Major ¹¹ development expected to attain a minimum rating of 'very good'	All development expected to attain a minimum rating of 'very good'	All development expected to attain a minimum rating of 'excellent'

Table 5. Phased implementation of the Code for Sustainable Homes and BREEAM

For outline planning applications, where it is very likely that development will come forward several years after outline planning consent is granted, the Code and BREEAM targets will reflect the requirement at the time the development is likely to come forward.

Whilst Core Strategy policy ER1 encourages development to provide over 15% of energy from renewable energy or low carbon technologies the Council considers it is more effective to take a holistic approach and consider the whole building. Notwithstanding this however, renewable energy will be necessary for some schemes to meet the energy category. Where renewable energy is included within a scheme this should be the most effective types of technology and future occupants should be provided with manuals/guidance

4. Code for Sustainable Homes

The Code for Sustainable Homes is a national standard, which is used to assess the sustainability of new dwellings. This section summarises the nine different categories of the Code for Sustainable Homes. Table 6 lists all of the credits. Policy support is included for each category and some detail on cost are included. According to the DCLG document: Code for Sustainable Homes, A Cost Review (2010) the typical extra over costs from a baseline of building a 2006 building regulations compliant dwelling are as follows:

- <1% level 1
- 1-2% level 2
- 3-4% level 3
- 6-8% level 4
- 25-30% level 5
- 30-40% level 6.

There is significant variation at each Code level between dwelling types and across development scenarios. However, the figures use a 2006 building regulations compliant dwelling as the baseline and the October 2010 building regulations are more stringent.

¹¹ Major development is defined as development with a floorspace of over 1,000 sqm.

Therefore the extra over costs of building to a building regulations compliant dwelling should now be less.

<p><u>Energy/ CO₂</u> Dwelling Emission Rate Building Fabric Energy Display Devices Drying Space Eco-labelled White Goods External Lighting Low or Zero Carbon Energy Technologies Cycle Home Office</p>
<p><u>Water</u> Internal Water Consumption External Water Consumption</p>
<p><u>Materials</u> Environmental Impact Sourcing – Basic Elements Sourcing – Finishing Elements</p>
<p><u>Surface Water</u> Surface Water Run-Off Management Flood Risk</p>
<p><u>Waste</u> Waste Storage Construction Waste Management Composting Facilities</p>
<p><u>Pollution</u> Insulant Global Warming Potential (GWP) NO_x Emissions</p>
<p><u>Health and Well-Being</u> Daylight Sound Insulation Private Space Lifetime Homes</p>
<p><u>Management</u> Home User Guide Considerate Constructors Scheme Construction Site Impacts Security</p>
<p><u>Ecology</u> Ecological Value of Site Ecological Enhancement Protection of Ecological Features Change in Ecological Value Building Footprint</p>

Table 6. Code for Sustainable Homes categories.

The reduction in CO₂ emissions is the most critical factor in determining the total cost of building to the Code. Up to level 3 of the Code for Sustainable Homes it is possible in theory to meet the mandatory CO₂ reduction through fabric improvement measures; although in the vast majority of cases some element of renewable energy technology is required. However, from level 4 low/zero carbon technologies are required to meet some or all of the dwellings thermal and/or electrical demands. After the energy category water and health are the categories with the highest costs.

Costs of meeting code levels will reduce over time due to technology cost curves, innovation, learning effects and changing Building Regulations as most of the extra cost of achieving the code for sustainable homes (hereafter the Code) will become the cost of building a Building Regulations compliant dwelling.¹²

Many of the credits available under the Code for Sustainable Homes are measures that are already required or encouraged by Colchester Borough Council's planning policies. There is flexibility within the Code for Sustainable Homes, which allows developers to maximise credits from categories that are easily achieved based on the individual site.

Category 1: Energy and CO₂ Emissions

The Energy category is a major source of Code credits, with an overall weighting of 36.4%. There are nine issues under this category; with two mandatory issues: Ene 1 – Dwelling Emission Rate and Ene 2 – Fabric Energy Efficiency.

The October 2010 amendments to Building Regulations mean that the mandatory requirement under Ene 1 is equal to Code level 3 as the amendments improve the Target Emission Rate by 25% from the 2006 Target Emission Rate (maximum CO₂ emissions rate in kg per m² per annum arising from energy use for heating, hot water and lighting for the actual dwelling). Level 4 is a 25% improvement (44% improvement from 2006 regulations), level 5 is a 100% improvement (from 2006 regulations) and level 6 dwellings are required to be zero carbon.

Other issues in this category are:

- Ene 3 – Energy Display Devices
- Ene 4 – Drying space
- Ene 5 – Eco-labelled white goods

- Ene 6 – External lighting
- Ene 7 – Low and zero carbon technologies
- Ene 8 – Cycle storage
- Ene 9 – Home office

Many of the credits can be gained at little extra cost, for example the provision of private gardens will ensure that external drying space is available.

There are a number of local policies which support the actions required to achieve credits under this category. In particular policy ER1 of the Core Strategy states that “sustainable construction techniques will also need to be employed in tandem with high quality design and materials to reduce energy demand... residential dwellings will be encouraged to achieve a minimum 3 star rating in accordance with the code for sustainable homes”. Criterion (vii) of policy DP12 of the Development Policies DPD requires the provision of ‘external drying areas’ as part of residential development. Credits can be gained for this under Ene 4. Policy ER1 of the Core Strategy states that “new developments will be encouraged to provide over 15% of energy demand through local renewable and low carbon technology sources”. One credit is awarded under Ene 7 for a reduction in CO₂ emissions of 10% and two credits are awarded for a reduction of 15%. This issue also linked to Ene 1, providing the opportunity to maximise credits. Policy DP17 of the Development Policies requires proposals for development to “incorporate satisfactory and appropriate provision for (ii) cyclists, including routes, secure cycle parking and changing facilities where appropriate”. Further, the Parking Standards SPD requires the provision of at least one cycle parking space as part of new dwellings; with credits available for this under Ene 8.

Category 2: Water

This category has a weighting of 9% and includes a mandatory requirement in relation to indoor water consumption. As with the dwelling emission rate issue the reduction in water consumption increases with each Code level. The only other issue in this category is external water use (Wat 2).

At Code level 3/4 the costs under this category are fairly low with the average cost of meeting the internal water consumption target being £200 and with volume house builders reporting that based on volume orders level 3 can be achieved at no extra cost. In 2010 Part G of the

¹² Department of Communities and Local Government (2010) Code for Sustainable Homes: A Cost Review, p. 67.

Building Regulations was amended to include a requirement for water use to be limited to 125 litres per person, per day, which will further reduce the costs of meeting this category. A credit can be achieved under the external water use category at a cost of just £40-50 per dwelling by providing a water butt.

The achievement of credits under this category is supported by policy DP20 of the Development Policies DPD, which requires all development proposals to “incorporate measures for the conservation and sustainable use of water”. The use of sustainable drainage systems and measures to conserve water within individual buildings are referred to in the policy.

Colchester Borough Council is entirely justified in seeking water efficiency levels which are tighter than Building Regulations. Climate change is leading to more frequent droughts, with consequent reduced water availability. Climate change projections for Colchester suggest that summer precipitation could decrease by 7% in the short term and 15% in the medium-long term¹³. In addition to a reduction in summer precipitation changing precipitation patterns, in particular more frequent downpours of heavy rain will affect the capture of rainwater and therefore the availability of water resources. The Environment Agency has identified that the catchment area of Anglian Water Services, which provides water to the Borough, is seriously water stressed. In their Water Resource Management Plan Anglian Water Services state that they can supply water to the Borough up to at least 2035. However, there are potential supply deficits against dry year averages or critical peak period forecasts. Various measures are identified as necessary to ensure water supply, including the implementation of demand management measures (leakage control, household metering and the promotion of water efficiency), education around reduced usage, increased supply networks from external sources and transfer schemes.¹⁴ The implementation of the Code for Sustainable Homes will thus help to reduce the water usage in the Borough; helping to secure supply.

Category 3: Materials

There are numerous credits available under this category, including some mandatory requirements. The weighting factor is 7.2%. As achieving maximum credits under this category would involve a drastic change in specifications it is likely that under Code levels 3 and 4 the maximum credits will not be sought.

¹³ Climate change projections for Colchester Borough are set out in Colchester Borough Council’s Climate Risk Assessment.

¹⁴ Royal Haskoning, Haven Gateway Water Cycle Study Phase 2, December 2009.

There is policy support for the use of materials with lower environmental impacts, Policy ER1 of the Core Strategy states “sustainable construction techniques will also need to be employed in tandem with high quality design and materials” and policy DP1 of the Development Policies DPD states “all development must be designed to a high standard, avoid unacceptable impacts on ... environmental sustainability”.

Category 4: Surface Water Run-off

There are mandatory requirements under this category in relation to the peak rate of run-off and volume of run-off. Credits are also available if the site is located within flood zone 1 or if mitigation measures are incorporated into development on sites at medium or high risk of flooding.

The Council already require development to avoid areas of flood risk and reduce the rate of discharge. This is supported by Policy DP20 of the Development Policies DPD, which states that: “development proposals shall incorporate measures for the conservation and sustainable use of water. These issues shall include ... appropriate SuDS for managing surface water runoff ...the use of SuDS will be particularly important as part of greenfield developments”. Policy DP1 of the Development Policies DPD states that development proposals must demonstrate that they will “incorporate... where appropriate, sustainable drainage systems”. Additionally, policy ENV1 of the Core Strategy states that “the Council will seek to direct development away from land at risk of fluvial or coastal flooding in accordance with PPS25, including areas where the risk of flooding is likely to increase as a result of climate change”.

Category 5: Waste

There is a mandatory requirement under this category in relation to the storage of non-recyclable waste and recyclable household waste (Was 1). Was 2 gives credits for a Site Waste Management Plan and these are mandatory for projects over £300,000. There is also a category on composting (Was 3). The costs of achieving credits under this category are fairly low, for example credits can be achieved if the local authority has a recycling collection scheme in place and in terms of construction waste it is in the developers’ interest to reduce waste generated on site.

In terms of policy support, Policy ER1 of the Core Strategy states that “new developments will be expected to provide facilities and employ best practice technology to optimise the opportunities for recycling and minimising waste”. Further, Policy DP12 of the Development Policies DPD states that the Council will have regard to the provision of “an accessible bin and

recycling storage area” and Policy DP1 of the Development Policies DPD states that development proposals must demonstrate that they will “incorporate any necessary infrastructure and services including recycling and waste facilities”.

Category 6: Pollution

There are two issues in this category which cover the global warming potential (GWP) of insulants and NO_x emissions from the heating system. Compliance with the GWP requirement for insulation materials can be achieved at no extra cost¹⁵. However if biomass boilers or heatpumps are used no credits under the NO_x issue can be achieved as biomass boilers emit NO_x.

Category 7: Health and Well-Being

There are four issues under this category: daylighting (Hea 1), sound insulation (Hea 2), private space (Hea 3) and lifetime homes (Hea 4). This category has a rating of 14%. With the exception of private space there are a number of credits available under each category. With the exception of the lifetime homes issue, which is mandatory under Code level 6, the cost of achieving the credits is fairly low and some credits can be achieved by default. For example, a detached dwelling achieves four credits under the sound insulation issue.

There are a number of policies, which support the issues in this category. Policy DP12 of the Development Policies DPD states that the Council will have regard to “acceptable levels of daylight to all habitable rooms and no single aspect north-facing homes” (Hea 1). Policy DP1 of the Development Policies DPD states that development proposals must “protect existing public and residential amenity, particularly with regard to ... noise and disturbance” (Hea 2). Policy DP16 of the Development Policies DPD sets out requirements for the provision of private open space and public open space for dwellings (Hea 3). Policy DP12 of the Development Policies DPD states that “residential development will be guided by high standards for design, construction and layout” and the Council will have regard to “flexibility in the internal layout of dwellings to allow adaptability to difference lifestyles” (Hea 4). The supporting text to the policy states that “it is expected that new residential development will address the requirements of Lifetime Homes standards” (paragraph 5.6).

Category 8: Management

There are four issues under this category, which concern the reduction of the impact of the construction site and the provision of information to allow future residents to operate their home efficiently. These issues are: home user guide (Man 1), considerate constructors scheme (Man 2), construction site impacts (Man 3) and security (Man 4). The considerate constructors scheme is now widely used by the construction industry and credits are available for committing to meet best practice and by going beyond best practice.

In terms of policy support Policy DP1 of the Development Policies DPD requires development proposals to demonstrate that they will “create a safe and secure environment” (Man 4).

Category 9: Ecology

There are five issues under this category, which has a weighting of 12%: ecological value of site (Eco 1), ecological enhancement (Eco 2), protection of ecological features (Eco 3), change in ecological value (Eco 4) and building footprint (Eco 5). Many of the nine credits available under this category can be met by carrying out an ecological survey and by incorporating the recommendations for ecological enhancement into the design of the development.

The Core Strategy seeks to direct development to previously developed land and protect nature conservation assets. Policy SD1 states that “development proposals will be expected to make efficient use of land and take a sequential approach that gives priority to accessible locations and previously developed land”. Policy ENV1 states that “unallocated greenfield land outside of settlement boundaries will be protected and where possible enhanced” and “the Borough Council will conserve and enhance Colchester’s natural and historic environment, countryside and coastline”. Policy DP21 of the Development Policies DPD states that “development will only be supported where it ... will conserve or enhance the biodiversity value ... maximises opportunities for the restoration, enhancement and connection of natural habitats in accordance with the Essex Biodiversity Action Plan ... and incorporates beneficial biodiversity conservation features and habitat creation where appropriate”. In relation to the building footprint issue (Eco 5) Policy H2 of the Core Strategy states that the Council “will seek housing densities that make efficient use of land”.

¹⁵ Department of Communities and Local Government (2010) Code for Sustainable Homes: A Cost Review, p. 39.

6. BREEAM

BREEAM is the world’s leading and most widely used environmental assessment method for buildings. BREEAM stands for Building Research Establishment Environmental Assessment Method. The aims of BREEAM are to:

- Mitigate the impacts of building on the environment.
- Enable buildings to be recognised according to their environmental benefits.
- Provide a credible, environmental label for buildings.
- Stimulate demand for sustainable buildings.

As with the Code for Sustainable Homes BREEAM is flexible, although there are some mandatory requirements. Schemes achieve a rating from pass to excellent. The table, below, lists the issues common to all BREEAM schemes. It is important to note that different uses have different credits available¹⁶ and so this section of the SPD is less detailed than the Code section as not all credits are available to all uses.

<p>Management</p> <p>Commissioning</p> <p>Considerate Constructors Scheme</p> <p>Construction site impacts</p> <p>Building Users Guide</p> <p>Security</p>	<p>Land Use and Ecology</p> <p>Reuse of land</p> <p>Contaminated land</p> <p>Ecological value of land & protection of ecological features</p> <p>Mitigating ecological impact</p> <p>Enhancing site ecology</p> <p>Long term impact on biodiversity</p>
<p>Waste</p> <p>Construction site waste management</p> <p>Recycled aggregates</p>	<p>Transport</p> <p>Provision of public transport</p> <p>Proximity to amenities</p> <p>Travel plan</p>
<p>Health and Wellbeing</p> <p>Glare control</p> <p>High frequency lighting</p> <p>Internal & external lighting levels</p> <p>Lighting zones & controls</p> <p>Potential for natural ventilation</p> <p>Thermal comfort</p> <p>Thermal zoning</p> <p>Indoor air quality</p> <p>Volatile organic compounds</p>	<p>Materials</p> <p>Materials Specification – major building elements</p> <p>Hard landscaping & boundary protection</p> <p>Reuse of building façade</p> <p>Reuse of building structure</p> <p>Responsible sourcing</p> <p>Insulation</p> <p>Designing for robustness</p>

¹⁶ BREEAM is currently working on the production of one BREEAM scheme to replace the various schemes for different uses.

Microbial contamination	
Pollution Refrigerant GWP – building services Preventing refrigerant leaks NOx emissions of heating source Flood risk Minimising watercourse pollution Reduction of night time light pollution Noise attenuation	Water Water consumption Water meter Major leak detection Sanitary supply shut off
Energy Reduction of CO ₂ emissions Sub-metering of substantial energy uses External lighting Low or zero carbon technologies Lifts	Innovation Exemplary performance levels Use of BREEAM Accredited Professionals New technologies and building processes

Table 7. BREEAM Categories

The Department for Education and Skills commissioned a report looking into the costs of schools achieving BREEAM. The findings of this report are useful in terms of identifying what credits can be achieved at little extra cost.

The report found that achieving a rating of ‘good’ can be done at very little extra cost and ‘very good’ can be achieved at an extra cost of £18/m². A rating of ‘excellent’ is difficult to achieve without renewables and is onerous for small developments. The average cost of achieving an ‘excellent’ rating is £60/m².

As with the Code for Sustainable Homes the energy credits are the most expensive to achieve and the size of the development is important in determining cost.

The following credits are examples of issues that are given or accommodated at little or no additional cost:

- Seasonal commissioning after occupation;
- Considerate constructors scheme;
- Monitoring of construction site impacts including waste segregation;
- Consultation with local community and building occupiers, including Crime Reduction Advisor;
- Whole life costing;
- Design of materials for robustness;
- Review of furnishings and fittings for VOCs;

- Building thermal simulation at design stage to ensure thermal comfort;
- Provision of cyclist facilities;
- Water conservation credits;
- Dedicated storage of segregated recyclable materials; and
- Enhancing site ecology.

Management

The management category includes a number of issues, with the aim of ensuring that the construction and user impacts are managed in an environmentally sound way in terms of resource use, energy consumption and pollution. It includes minimum standards for commissioning, considerate constructor's scheme and building users guide. The category has a weighting of 12%.

Policy DP1 of the Development Policies DPD provides policy support for the implementation of issues in this category.

Health and Wellbeing

This category seeks to ensure that adverse health risks for users of the building are minimised and wellbeing is maximised. Issues covered include ensuring that users of the building have adequate levels of daylight, can enjoy an outdoor view, are able to control lighting and temperature within the building, and there is the potential for natural ventilation. There are two minimum standards under this category; high frequency lighting, which will reduce health problems from the flicker of fluorescent lights and microbial contamination, which will reduce risk of legionellosis in operation. The category has a weighting of 15%.

Energy

This category aims to reduce CO₂ emissions from the building, including the building fabric, lighting and lifts, and provide a proportion of the energy use from low or zero carbon technologies. Minimum standards are required under the following issues: reduction of CO₂ emissions, sub-metering of high energy load and tenancy areas, and low or zero carbon technologies. This category has the highest weighting of all categories at 19%.

Policy ER1 of the Core Strategy provides policy support for the implementation of issues in this category.

Transport

This category seeks to reduce the need to travel and promote sustainable modes of travel by locating development in close proximity to public transport and amenities, providing safe facilities for cyclists and pedestrians and limiting the amount of car parking. The category has a weighting of 8%.

Policies TA1 and TA2 of the Core Strategy and DP1 and DP17 of the Development Policies DPD provide policy support for the implementation of issues in this category. Policy TA1 states that development will be “focused on highly accessible locations to reduce the need to travel” and policy TA2 states that development shall contribute towards excellent walking and cycling connections. Policy DP1 states that development must “provide a design and layout that takes into account the potential users of the site including giving priority to pedestrian, cycling and public transport access” and policy DP17 states that “all developments should seek to enhance accessibility for sustainable modes of transport”. The Council has adopted the Essex Vehicle Parking Standards document, which includes maximum car parking spaces for all non-residential uses.

Water

This category seeks to reduce water consumption through the installation of flush volumes and flow rates for installed sanitary fittings, a water meter and leak detection systems. There are two minimum standards under this category: water consumption and water meter. There are three credits available under the water consumption issue depending on the reduction in water consumption achieved. The category has the lowest weighting at 6%.

Policy DP20 of the Development Policies DPD provides policy support for the implementation of issues in this category.

Materials

This category recognises and encourages the specification of building, landscaping and boundary materials with a lower environmental impact over the full lifecycle of the building. Credits are awarded according to the Green Guide rating and an exemplary credit is awarded under the first issue. Credits can be gained if the façade and structure are re-used. Credits are

also available for the responsible sourcing of materials and for designing for robustness. The category has a weighting of 12.5%.

Policies ER1 of the Core Strategy and DP1 of the Development Policies DPD provide policy support for the implementation of issues in this category.

Waste

This category promotes resource efficiency and seeks to minimise waste at source and ensure that waste is re-used or recycled. There is one mandatory issue: recyclable waste storage, which requires dedicated recyclable storage areas. The category has a weighting of 7.5%.

Policies ER1 of the Core Strategy and DP1 of the Development Policies DPD provide policy support for the implementation of issues in this category.

Land Use and Ecology

The purpose of this category is to minimise the impacts of development on biodiversity and enhance the ecological value of a site. Credits are awarded for the re-use of previously developed land, re-use of contaminated land, use of land with low ecological value, maintaining and enhancing ecological value, and securing long term maintenance and enhancement of biodiversity. There is one mandatory issue, which is mitigating ecological impact. Two credits are available under this issue, which covers minimising the impact of building on existing site ecology and change in ecological value. The category has a weighting of 10%.

Policies SD1 and ENV1 of the Core Strategy and DP21 of the Development Policies DPD provide policy support for the implementation of issues in this category.

Pollution

A variety of issues are covered in this category. Three issues cover refrigerant global warming potential and leaks. Credits are awarded for a reduction in NO_x emissions from heating sources, which will reduce pollution of the local environment. Credits are available if development is located in an area of low flood risk or if mitigation measures are included in areas of medium/ high flood risk and sustainable drainage systems ensure that the peak run-off from the site to the watercourses is no greater for the developed site than it was for the pre-development site. Night time light pollution and noise pollution are also issues. Concentrating

lighting in appropriate areas and minimising upward lighting will reduce light pollution, energy consumption and nuisance to neighbours. The category has a weighting of 10%.

Policies ENV1 of the Core Strategy and DP20 of the Development Policies DPD provide policy support for minimising flood risk and the provision of sustainable drainage systems.

Innovation

Under this category a maximum of 10 credits are available as additional recognition for a procurement strategy, design feature, management process or technological development that innovates in the field of sustainability above and beyond the level currently recognised and rewarded within BREEAM issues.

7. Implementation

The Code for Sustainable Homes and BREEAM must be carried out by an accredited assessor. The BREEAM website¹⁷ includes a directory of accredited Code for Sustainable Homes and BREEAM assessors. Colchester Borough Council recommends that sustainability issues be addressed as early as possible in the development process and that an assessor is brought onto the project team at the design stage. Sustainability information provided with the planning application should be included in the design and access statement or as a separate report, and if no information is submitted, the applicant may be asked for further details. It may be useful to carry out a design stage assessment and include this as part of the planning application, although this is not essential.

Provision of the post-completion certificate will be a condition of planning approval, as will achieving the standards themselves. As with other policies, non-compliance with the standards or failure to provide adequate information is grounds for refusing planning permission or enforcement.

Where it can be demonstrated that compliance with the Code or BREEAM would not be practicable applicants must include a section in the design and access statement explaining how sustainability considerations have been incorporated into the development. Reference should be made to:

- How the design contributes to reducing energy use.
- Any renewable or low carbon energy technologies incorporated into the development.

¹⁷ <http://www.breeam.org/>

- The provision of open space and the opportunities this provides for biodiversity, flood storage and people.
- Sustainable drainage systems.
- Sustainable waste management such as provision of space for recycling and composting.
- How the development promotes sustainable modes of travel.

Appendix B – Statement of Consultation

Colchester's Local Development Framework Sustainable Design and Construction Supplementary Planning Document (SPD)

Statement of Consultation

Spatial Policy
Strategic Policy and Regeneration
Colchester Borough Council
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Introduction

The Sustainable Design and Construction Supplementary Planning Document (SPD) is one of the planning documents that make up Colchester's Local Development Framework (LDF). The overarching Core Strategy DPD was the first document to be produced, in line with Government guidance on priorities for the LDF. The Core Strategy sets out the spatial vision, strategic objectives and policies for the Borough up to 2021. The Core Strategy was declared 'sound' by a Government-appointed Planning Inspector and was adopted by the Council on 11 December 2008. The Site Allocations and Development Policy documents were subsequently adopted in October 2010. The policy direction set in these Development Plan Documents has been used as the cornerstone for the production of subsequent planning policy documents including this SPD.

Colchester Borough Council published the draft Sustainable Design and Construction Supplementary Planning Document (SPD) for public consultation on Tuesday 1 March 2011. The consultation period ran until Friday 1 April 2011.

This statement of consultation is required under regulation 17(1)(b) of the Town and Country Planning (Local Development) Regulations (as amended) 2004. This statement sets out:

- (i) the names of the organisations the authority consulted in connection with the preparation of the SPD;
- (ii) how those persons were consulted;
- (iii) a summary of the main issues raised in the representations received; and
- (iv) how those issues have been addressed in the SPD.

Consultation

All organisations and individuals on the Council's Local Development Framework consultation database were consulted on this SPD. They were contacted informing them that the SPD was published for consultation. An electronic link to the SPD was sent to them and consultees were informed where hard copies of the SPD were available. Appendix C lists the consultees and appendix D includes a copy of the email sent to all consultees.

A statutory advert was placed in the Evening Gazette on Tuesday 1 March 2011 (see appendix E).

In total 18 representations were received raising a number of issues. 4 were in support of the SPD, 4 objected to it and 10 were general comments. A list of respondents is included in appendix A. The representations received are summarised in this statement and a response is included. A more detailed summary of each individual/organisations representation is included in appendix B. Where necessary a change to the SPD is suggested. Where more than one person submitted a similar representation a single response has been drafted, which seeks to address the key points from all of the relevant representations.

They key issues raised during the consultation were:

- Welcome Council's commitment to reducing carbon emissions within the Borough
- Strongly support sustainable development and believe that the Code and BREEAM are the best way of achieving this. What will happen if developers fail to achieve targets?
- The SPD will help to focus developers' attention on the evidence-based options to make their proposals more adaptable and resilient to the challenges of climate change
- Colchester Borough Council should set higher targets
- Targets are too onerous and will affect viability of development; the Council should not try to lead national policy on construction techniques

- The cost assumptions in the SPD have been underestimated
- Dwellings built after 2016 may fall short of Code level 6 if they have received planning consent before 2016
- The Lexden Restoration case study misses the point in that it is the fabric and design of buildings that will be far more important in the future than renewable energy technologies
- The Flagship housing scheme is not a viable scheme but a subsidised experiment
- For a large urban development Colchester Borough Council suggest 'best fabric + community biomass CHP + PV'. The SPD therefore exposes a lack of technical expertise by CBC and if adopted will result in significant additional costs for developers
- The Council should consider a consequential improvement policy requiring the installation of energy efficiency infrastructure whenever refurbishments require planning permission
- Clear guidance on renewable energy should be prepared
- There are problems with imposing low carbon technologies on the house building industry at this stage
- SuDS is omitted from the SPD
- Building testing for air tightness should be integrated into the planning system and enforced
- The SPD does not place sufficient emphasis on the pollution potential of the construction of a project
- SPD will undermine wider objectives of the Core Strategy
- The Code for Sustainable Homes was not mentioned in the Plan for Growth
- The 'drip drip' effect of regulatory burden is a significant issue
- Introducing policy after policy will affect the overall quality of development
- References to carbon reductions only really mean that measures taken in this SPD will reduce impact, not reduce current levels
- It may be worth considering the BREEAM very good/ excellent standard for housing beyond level 4
- No communication has been received on this SPD
- Theatres can provide a valuable opportunity to demonstrate ways in which local people can act in their own homes to help mitigate the effects of climate change
- Not clear what additional impact/ assistance will be given by the accredited Sustainable Homes & BREEAM assessors

University of Essex, Twenty 16 Design, CBC Climate Change Officer, Myland Community Council

Welcome Council's commitment to reducing carbon emissions within the Borough and are encouraged that the Council is addressing the issue of sustainable design and construction in buildings

Support noted.

Ingleton Wood

Strongly support sustainable development and believe that the Code and BREEAM are the best way of achieving this. What will happen if developers fail to achieve targets?

Support noted. A condition will be attached to planning consents requiring the Code for Sustainable Homes/ BREEAM target to be met. As part of the condition applicants will be required to submit a post-completion certificate. Non-compliance with planning conditions is grounds for enforcement.

Tendring District Council

A Sustainable Design and Construction SPD will help to focus developers' attention on the evidence-based options to make their proposals more adaptable and resilient to the challenges of climate change.

Support noted.

University of Essex, Myland Community Council, Twenty16Design, Laura Mansel-Thomas, CBC Climate Change Officer

Colchester Borough Council should set higher targets

The Code for Sustainable Homes includes nine categories and so whilst the energy category of level 3 is equal to current building regulations the eight other categories will ensure that more sustainable buildings are delivered in Colchester. For example, the water consumption requirement in the Code is more stringent than building regulations. Further, the SPD paves the way for the Council requiring higher Code levels in the future.

It is important to strike a balance between the delivery of more sustainable buildings and ensuring that development comes forward. At the present time requesting Code level 4 or higher and BREEAM 'excellent' could render many developments unviable. Indeed representations have been submitted as part of this consultation expressing concern over the Council's requirement for Code level 3 and BREEAM 'very good'. Whilst the Council wants to deliver more sustainable buildings it is important that development is able to come forward to meet the Core Strategy housing and employment targets and other policy requirements.

The SPD states that major development will be encouraged to achieve higher standards. Using stronger wording such as 'expected where viable' would place a burden on developers to demonstrate in every case that higher levels cannot be met. It is considered that it is instead better to encourage higher levels but to expect reductions in carbon emissions inline with building regulations.

Capstan Homes, Mersea Homes, Rose Builders, Lexden Restorations

Targets are too onerous and will affect viability of development; the Council should not try to lead national policy on construction techniques

Colchester Borough Council is not leading on national policy on sustainable construction techniques. Indeed some of the representations to this SPD have requested that the Council set higher targets. The Council recognises that at the current time requesting higher levels of energy efficiency than set out in building regulations could affect the viability of development. The Council is therefore not setting higher standards and, as set out in the Core Strategy, is supporting the phased improvements to building regulations in terms of reduced carbon emissions.

The government has signalled a radical shift of responsibility to local authorities and communities and good design is at the heart of the localism agenda. Colchester Borough Council is entirely justified in implementing requirements for the Code for Sustainable Homes and BREEAM. Other local authorities, including Braintree and Chelmsford, have been requiring development to be built to Code level 3 and BREEAM 'very good' for several years now. Colchester Borough Council will not, therefore be raising the bar or setting an unlevel playing field and so it is not considered that development is likely to go elsewhere purely based on the targets in this SPD.

Colchester Borough Council has decided to improve the sustainability of development in the Borough through the Code for Sustainable Homes and BREEAM as these are national standards, which are verified by an independent body. Some other local authorities have set local standards and/or asked developers to fill out sustainability checklists. However, research

commissioned by DCLG has shown that local authorities should be clear about the targets they are setting as vague targets are difficult for developers. Colchester Borough Council has tried to ensure that the sustainability of new development is improved in a way that developers are familiar with and have been tested and set nationally.

The Code for Sustainable Homes cost review commissioned by DCLG found that the average costs, above base build costs of building to level 3 is 3-4%. Twenty organisations were credited with contributing to the cost review, including the Home Builders Federation. This cost review was undertaken before the October 2010 improvements to building regulations, which are equal to level 3 of the Code and so the costs above base build costs will now be even lower (the cost review was published in 2010).

It is clearly stated in the SPD that if the application of the Code and BREEAM targets would render development unviable the Council will not impose these targets. Sustainable design and construction measures will still be expected, however if the developer can demonstrate that building to the Code/ BREEAM would make the development unviable it will be up to them how to improve the sustainability of new buildings.

It is accepted that current schemes that have achieved high Code levels, such as the Code level 6 Greenspace project, may not be viable. However, Code level 3 can be achieved and there are numerous examples throughout the region of market housing built to Code level 3. The medium-longer term targets set out in the SPD correspond to the national timetable for improvements to building regulations. If these are changed by government they will be reviewed by the Council.

Mersea Homes, Twenty 16 Design

The cost assumptions in the SPD have been underestimated. A recent scheme in Great Horkesley, which is built to Code level 3 resulted in a 14% increase on current build costs & there are numerous errors within the SPD

The details on the costs of the Code for Sustainable Homes were taken from the document 'Code for Sustainable Homes: A Cost Review'. This research was carried out on behalf of the Department for Communities and Local Government in 2010. Twenty organisations were credited with contributing to the research, including the Home Builders Federation. The cost review is an up to date document and cost data was obtained through a direct consultation with the house building industry. It looks at average costs of meeting the Code rather than the cost of just one development meeting the Code. The typical cost of building to Code level 3 was found to be 3-4% over the base build cost.

It is clearly explained in the SPD that the cost relates to cost above base build cost. Some of the categories within the Code for Sustainable Homes are already required by national or local planning policies and so the Code for Sustainable Homes will not therefore increase the base build cost for some categories. The Council is entirely justified in using this national cost review as evidence in support of the SPD.

Further, it is widely recognised that the most costly element of the Code for Sustainable Homes is the energy requirement. The development referred to in the representation from Mersea Homes was built before the amendments to building regulations came into force in October 2010. These amendments bring the energy category of Code level 3 in line with building regulations, which will reduce the cost of building to Code level 3 above base build costs.

Suggested change

Notwithstanding the response to these representations, it is considered that table 7 in the SPD should be deleted and replaced with text that describes the typical costs above base built costs in percentage terms.

“According to the DCLG document: Code for Sustainable Homes, A Cost Review (2010) the typical extra over costs from a baseline of building a 2006 building regulations compliant dwelling are as follows:

- < 1% level 1
- 1-2% level 2
- 3-4% level 3
- 6-8% level 4
- 25-30% level 5
- 30-40% level 6.

There is significant variation at each Code level between dwelling types and across development scenarios. However, the figures use a 2006 building regulations compliant dwelling as the baseline and the October 2010 building regulations are more stringent. Therefore the extra over costs of building to a building regulations compliant dwelling will now be less.”

University of Essex, Myland Community Council

Dwellings built after 2016 may fall short of Code level 6 if they have received planning consent before 2016

In the first instance buildings are required to be built to the building regulations at time of construction, regardless of when planning permission is granted. If planning permission is granted prior to 2016 but not built until after this date zero carbon homes will still be delivered as this will be the Part L building regulations requirement from 2016.

However, the other categories of the Code for Sustainable Homes are very important. Table 6, which sets out phased requirements, states that from 2015 all major development will be encouraged to achieve level 6. This allows the Council to negotiate with developers as part of pre-application discussions to help ensure that development coming forward after 2016, but granted consent prior to 2016 will be built to Code level 6.

Finally, this SPD relates to the Code for Sustainable Homes and BREEAM and the suggestion from Myland Community Council for an initial chapter defining the inclusion, options, character, social infrastructure and consultation methodology is considered to be outside of the scope of this SPD.

Suggested change

To ensure that homes and commercial buildings are built to the appropriate Code and BREEAM level it is recommended that the following sentence be inserted after table 6:

“For outline planning applications, where it is very likely that development will come forward several years after outline planning consent is granted, the Code and BREEAM targets will reflect the requirement at the time the development is likely to come forward.”

Mersea Homes

The Lexden Restoration case study misses the point in that it is the fabric and design of buildings that will be far more important in the future than renewable energy technologies. If this case study is to be used the quantum of carbon reduction and Code for Sustainable Homes rating should be explained

This case study was included in the SPD to show that it is possible to successfully integrate renewable energy systems into houses of traditional design without compromising on the design, appearance and functionality of the property (as stated in the SPD). Whilst the objector may have criticisms of the Green Edge development it has won and been nominated for green design awards and shows that building more sustainable homes in historic areas can be done. It is however accepted that it may have been more appropriate to include a case study of a Code for Sustainable Homes development.

The Council understands that improving building fabric is more effective, both in terms of cost and CO₂ reduction, than installing renewable energy technologies. Indeed the SPD states that up to Code level 3 it is possible to meet the mandatory CO₂ reduction through fabric improvement measures. Unlike many other local authorities Colchester Borough Council is not intending to require a percentage of development to come from renewable or low carbon energy. The Council is focussing on improving the sustainability of the whole building through the Code for Sustainable Homes and BREEAM.

Mersea Homes

The Flagship housing scheme is not a viable scheme but a subsidised experiment

This comment is noted and the Council is not suggesting that developers build to Code level 6 at the present time. The SPD explains that this case study has been included to demonstrate that the construction and renewable energy technologies are available to achieve level 6 of the Code.

Suggested change to SPD

It is recommended that the two case studies are removed from the SPD. They were included with the intention of helping developers; however, this consultation has shown that they have led to confusion.

Mersea Homes

For a large urban development Colchester Borough Council suggest 'best fabric + community biomass CHP + PV'. The SPD therefore exposes a lack of technical expertise by CBC and if adopted will result in significant additional costs for developers. From 2013 there will simply be insufficient heat demand to warrant the investment in CHP

Table 8 in the SPD was taken from the DCLG document 'Code for Sustainable Homes: A Cost Review'. It was intended to help developers think about the different options for achieving the Code energy category under different development scenarios and locations based on cost data from numerous house builders throughout the country. Whilst it is accepted that from 2013 (due to improvements to building regulations) there may be insufficient heat demand to warrant investment in CHP this table represents the case at the time the cost review was undertaken. The table is included as an aid; the SPD does not suggest in any way that this is what the Council requires. The SPD is very clear that the achievement of the Code for Sustainable Homes and BREEAM standards are flexible. Rather than be draconian the Council wants the market to decide how to build more sustainably.

Suggested changes to SPD

It is recommended that table 8, which summarises the lowest cost energy strategy at each Code level, is removed from the SPD. It was included with the intention of helping developers; however, this consultation has shown that it has led to confusion and furthermore as building regulations improve it may become obsolete.

University of Essex

The Council should consider a consequential improvement policy requiring the installation of energy efficiency infrastructure whenever refurbishments require planning permission

The issue raised by the university was considered in detail by the Council as part of the preparation of this SPD. The Council considers that it is important to encourage energy efficiency improvements to the existing building stock and that it is sensible to make energy efficiency improvements as part of extensions/improvements to buildings. The Uttlesford Rule was considered, however it was concluded that this would be too resource intensive to implement. As an alternative the Council will add an informative to householder applications advising householders to obtain a free home energy check from the Energy Saving Trust and implement the recommended measures. The Council does not want to demand that householders improve the energy efficiency of their dwellings and does not have policies in Development Plan Documents to support this. Instead the Council wants to encourage householders to improve the energy efficiency of their dwellings and anticipates that householders will appreciate the benefits of improvements in terms of cost savings and improved comfort. The Council has also published information on the Planning pages of the website on the various energy and water efficiency measures that householders can take. Information is included on the likely cost of measures, payback period and average annual energy/water savings. Finally, the Council's Climate Change Officer and Warm Homes Project seek to increase the uptake of retro-fitting measures in existing properties and carry out various initiatives to do this including the promotion of incentives for renewable technologies such as the new feed in tariff and proposed renewable heat incentives.

University of Essex, Lexden Restorations

Clear guidance on renewable energy should be prepared

Owing to the wealth of information available on renewable energy technologies and the continued progress being made it is not considered that there is a need for the Council to produce guidance on renewable energy technologies. Policy DP25 of the Development Policies DPD sets out the criteria that will be used by the Council to determine planning applications for renewable energy schemes. As part of the drafting of this policy the spatial policy team considered whether it would be appropriate to allocate land that is suitable for renewable energy. However, it was considered that it is preferable to let the market decide the best locations for renewable energy schemes. Allocating land for renewable energy schemes could lead to a situation whereby a planning application for land elsewhere could be refused purely on the basis of the land not being allocated. Allocating land suitable for renewable energy schemes would also be a time consuming and expensive exercise and could cause anxiety for local communities. When consulting them as part of drafting policy DP25 the British Wind Energy Association (BWEA) advised that the market will identify suitable sites.

Lexden Restorations

There are problems with imposing low carbon technologies on the house building industry at this stage

The objector has identified the following three problems with imposing low carbon technologies: cost, house buyers do not understand nor have the appetite to understand how these technologies work, and the major house builders will install whatever technology is the cheapest and simplest to install rather than the most effective.

Firstly, the Council are not requiring development to include renewable energy technologies. Whilst renewable energy technologies will be required to meet higher levels of energy efficiency in accordance with changes to building regulations the Council is not implementing the Merton rule. Secondly, the Council is not imposing a particular type of renewable energy technology. The Council has tried to ensure that the SPD will result in more sustainable buildings, but that housebuilders will have a degree of flexibility of how this is achieved.

The issue of the householders and housebuilders not understanding technologies is a national problem and it is agreed that it is one that needs to be addressed. The Council's Climate Change Officer and Warm Homes Team help to educate the public on issues relating to energy efficiency and renewable energy. A change is suggested to the SPD to help to address this problem.

Suggested change

The following is suggested as an addition to the 'requirements' section, after table 6:

"Whilst Core Strategy policy ER1 encourages development to provide over 15% of energy from renewable or low carbon sources the Council considers that it is more effective to focus on a holistic approach and consider the whole building. Notwithstanding this however, renewable energy will be necessary for some schemes to meet the Code/ BREEAM energy category. Where renewable energy is included within a scheme this should be the most effective type of technology for the scheme. The Council will expect the developer to provide manuals/guidance for future occupants to ensure that they can effectively use the technology."

Myland Community Council *SuDS is omitted from the SPD*

Under the Flood Risk Regulations (2009) and the Flood and Water Management Act 2010 Essex County Council is the Lead Local Flood Authority for Essex (LLFA). The LLFA is required to prepare a preliminary flood risk assessment, flood hazard maps and flood risk maps, and flood risk management plans. The preliminary flood risk assessment will include information on the risk of various forms of flooding, including surface water. The flood hazard maps are due to be published by 2013.

The Council considers that it is appropriate to prepare a guidance note on SuDS once there is more information about the risk of surface water flooding in Colchester from the work that the LLFA is doing. This will ensure that the guidance is up to date, based on a credible evidence base and very specific to Colchester Borough.

In the interim period, until such guidance is produced by the Council, there is a wealth of information available nationally about SuDS and the Council will have regard to this.

University of Essex

Building testing for air tightness should be integrated into the planning system and enforced

Denis Palmer

The SPD does not place sufficient emphasis on the pollution potential of the construction of a project

Colchester Borough Council has chosen to improve the sustainability of new buildings through the Code for Sustainable Homes and BREEAM as these are national standards. It is thus hoped that this will be less of a regulatory burden on developers than setting local standards, such as a local requirement for air tightness, whilst still improving the sustainability of new buildings.

Standards of air tightness is a requirement under building regulations (Parts L1A L2A). The achievement of these standards must be proven by means of air leakage testing. It is therefore not considered that building testing for air tightness should be included in the SPD.

One of the Code for Sustainable Homes categories relates to the environmental impact of materials. Credits are awarded based on The Green Guide rating for elements of the building

envelope. The Green Guide is a rating system for the embodied environmental impacts of construction products and materials, which assess the life cycle environmental impact.

Mersea Homes

SPD will undermine wider objectives of the Core Strategy

The requirements for the Code for Sustainable Homes and BREEAM, which are set out in the Core Strategy and expanded upon in this SPD, do not undermine the Core Strategy. The achievement of 'high standard of sustainable design and construction' is part of the vision of the Core Strategy and two of the objectives relate to reducing the Borough's carbon footprint and renewable energy. Further, the SPD fits in with the Sustainable Community Strategy (SCS), which the Local Development Framework reflects. Part of the vision of the SCS is reducing carbon emissions and the SCS states that one of aims of the Local Strategic Partnership is to improve the sustainability and reduce the carbon emissions of our housing by encouraging new developments to meet high standards of sustainability and energy efficiency.

Mersea Homes

The Code for Sustainable Homes was not mentioned in the Plan for Growth

The government has signalled in the Plan for Growth that there is a clear expectation that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy. National policy set out in the PPS Planning and Climate Change supplement to PPS1 requires development in terms of its spatial distribution, location and design to limit carbon dioxide emissions and to be planned to make good use of the opportunities for decentralised, low carbon and renewable energy (paragraph 10).

Whilst the government has indicated that the definition of zero carbon homes will be less onerous than previously thought it remains the case that the government continues to recognise the importance of reduced carbon emissions in new homes. It is stated on the DCLG website that the Code for Sustainable Homes is the national standard for the sustainable design and construction of new homes.

The Plan for Growth states that the UK needs to deliver carbon savings in order to meet the Carbon Budgets to which the government is committed and the carbon footprint of new homes cannot be allowed to add to overall carbon reduction burdens. It is considered that the SPD is not an unnecessary burden but complies with national planning and economic policy by reducing carbon emissions from new buildings.

Mersea Homes

The 'drip drip' effect of regulatory burden is a significant issue. Colchester Borough Council should undertake an assessment of the cumulative effect before proceeding.

Through this SPD the Council is giving effect to policy ER1 of the Core Strategy and also numerous other adopted Core Strategy and Development Policies which require sustainable design and construction measures.

Lexden Restorations

Introducing policy after policy will affect the overall quality of development

The Council expects high quality development within the Borough and it is accepted that some considerations are more important than others. The Council balances the various considerations on a case by case basis and it is considered that this is the correct approach and a hierarchy does not need to be set.

Myland Community Council

References to carbon reductions only really mean that measures taken in this SPD will reduce impact, not reduce current levels

Table 5 of the SPD shows regulated CO₂ emissions for new dwellings to be built in the period 2010-2016 under the scenarios of baseline, Code level 3 and Code level 4. As changes to building regulations implemented in October 2010 now make Code level 3 the baseline this section no longer reflects the current situation.

Suggested change

It is recommended that the paragraph after box 4 and table 5 are deleted.

Myland Community Council

It may be worth considering the BREEAM very good/ excellent standard for housing beyond level 4

There are many different versions of BREEAM, which apply to different development types. BREEAM therefore cannot easily be applied to new dwellings. BREEAM did have a version for dwellings (Ecohomes) however this was cancelled in favour of the Code for Sustainable Homes, which was developed by BRE.

The SPD should state the importance of new build being sustainable to prevent fuel poverty in future years

It is agreed that fuel poverty should be referred to in the SPD.

Suggested change

The following is suggested as an addition to the second paragraph of the introduction (page 3):

“More sustainable design will help to reduce fuel poverty, which has been rising nationally since 2004. One of the three main causes of fuel poverty is poor energy efficiency in the home.”

The following definition of fuel poverty is suggested as a footnote to the above sentence:

“Fuel poverty means being unable to afford to keep warm. A household is considered to be in fuel poverty if it spends more than 10% of its income on fuel for adequate heating.”

Lexden Restorations

No communication has been received on this SPD

The Council emailed all consultees on the LDF consultation database advising them of the consultation on the SPD. The objector is included on the consultation database. Action has been taken to improve IT communication to Lexden Restorations. As explained in this consultation statement the relevant regulations were adhered to. Furthermore, The Green Edge, which is a sister company to Lexden Restorations, were contacted whilst the SPD was being drafted regarding the Essex Energy Village case study. The Green Edge was also sent a draft copy of the SPD at the time the SPD was presented to LDF Committee in January 2011.

The Theatres Trust

Theatres can provide a valuable opportunity to demonstrate ways in which local people can act in their own homes to help mitigate the effects of climate change

Comment noted.

Jehovah's Witnesses

Not clear what additional impact/ assistance will be given by the accredited Sustainable Homes & BREEAM assessors

Code for Sustainable Homes & BREEAM assessors will assess new buildings & work out the Code/BREEAM level. As stated in the SPD the Council recommends that an accredited assessor is brought onto the design team at an early stage.

Appendix A. List of SPD respondents

Support

Ingleton Wood
Laura Mansel-Thomas
Tendring District Council
Colchester Borough Council Climate Change Officer

Object

Mersea Homes
Capstan Homes
Rose Builders
Harding Homes

General comment

University of Essex
Myland Community Council
Twenty 16 Design
Lexden Restorations & Development
The Theatres Trust
Denis Palmer
Jehovah's Witnesses
The Coal Authority
East of England Development Agency
Anon

Appendix B. Summary of representations

Name	Summary of rep
Ingleton Wood (Robert Diamond)	Strongly support sustainable development & believes that the Code for Sustainable Homes & BREEAM will be the best way to achieve this. What will happen if builders fail to achieve targets?
Colchester Borough Council Climate Change Officer	CBC is fully committed to tackling the causes & effects of climate change. This SPD will set in place the necessary groundwork to ensure that development in Colchester is fit for purpose in relation to national & local carbon reduction targets. The SPD states that major development will be 'encouraged' to achieve higher standards, to ensure that developers are seeking to achieve the higher targets it is suggested that the word 'encouraged' is replaced with 'expected where viable'.
Laura Mansel-Thomas	The Council should push for level 4 rather than 3. The jump from level 4 to 6 is massive & bringing level 4 forward earlier would ease the transition. Concerned that the BREEAM 'very good' target is only encouraged.
Mersea Homes (Stuart Cock)	<ol style="list-style-type: none"> 1. SPD will undermine wider objectives of the Core Strategy. 2. The Code for Sustainable Homes was not mentioned in the Plan for Growth. 3. The cost assumptions in the SPD have been underestimated. 4. The Council should not try to lead national policy on construction techniques. 5. The 'drip drip' effect of regulatory burden is a significant issue. Colchester Borough Council should undertake an assessment of the cumulative effect before proceeding. 6. The Lexden Restoration case study misses the point in that it is the fabric and design of buildings that will be far more important in the future than renewable energy technologies. 7. The Flagship housing scheme is not a viable scheme but a subsidised experiment. 8. For a large urban development Colchester Borough Council suggest 'best fabric + community biomass CHP + PV'. The SPD therefore exposes a lack of technical expertise by CBC and if adopted will result in significant additional costs for developers. From 2013 there will simply be insufficient heat demand to warrant the investment in CHP
Capstan Homes	The cumulative effect of all these policies is making it too hard to build homes. There is no need for it, building regulations and the policy in the Core Strategy should be stuck to.
Rose Builders Ltd (Steven Rose)	The implementation of this at this stage of the economic cycle will inhibit developments from commencing & may render many schemes unviable. The targets proposed are too great & too soon.
Harding Homes	No comment
University of Essex (Daniel Dempsey)	<ol style="list-style-type: none"> 1. The University welcomes CBCs commitment to reducing carbon emissions through sustainable design & construction in buildings 2. There is concern that the SPD only reflects what has been signalled by national government. 3. Homes built after 2016 will fall short of Code level 6 if they have received planning consent before 2016. 4. Building testing for air tightness should be integrated into the planning system. 5. Energy efficiency infrastructure should be undertaken as part of refurbishment. 6. Clear guidance on renewable energy & a statement f where in the Borough developers can assume planning permission should be provided.
Myland Community Council	<ol style="list-style-type: none"> 1. Myland Community Council would like to commend CBC for a clear, concise & helpful document 2. The excellent design & construction guidance starts too late & can only be applied after the brief for any development has been agreed. 3. An initial chapter should be included defining the inclusion, options, character, social infrastructure and consultation methodology. 4. References to reductions only really mean that measures taken in this SPD will reduce impact, not reduce current levels. 5. The omission of SuDS is a serious flaw. 6. It may be worth considering the BREEAM very good/ excellent standard for housing beyond level 4.

Twenty16Design (Ollie Westover)	<ol style="list-style-type: none"> 1. Generally support the implementation of the revised SPD, and the requirement for new developments to meet Code or BREEAM levels. However, it is a real shame that firstly the council has taken so long to get to this point. 2. The requirements (for housing at least) do not go beyond the regulatory minimum for energy and CO₂ emissions. 3. The document is riddled with factual errors. 4. No credit or reference is given for the photo of Mendip Place (aka Green Space) in Chelmsford.
Lexden Restorations & Development	<ol style="list-style-type: none"> 1. Lexden Restorations has not received any form of communication about this consultation process from the Borough Council. 2. Whilst the introduction of this proposed policy in isolation is unlikely to make a site uneconomic this combined with all the other requirements now being asked for by the Council mean that the small to medium sized developer is being squeezed to the point where many are no longer able to continue to operate. 3. There are three main problems with imposing low carbon technologies on the house building industry at this stage: cost, house buyers do not understand nor have the appetite to understand how these technologies work, and the major house builders will install whatever technology is the cheapest and simplest to install rather than the most effective. 4. Introducing policy after policy will affect the overall quality of development.
The Theatres Trust (Rose Freeman)	Theatres can provide a valuable opportunity to demonstrate ways in which local people can act in their own homes to become more environmentally efficient and reduce carbon emissions.
Denis Palmer	The SPD does not place sufficient emphasis on the pollution potential of the construction of a project.
Anonymous	The SPD should state the importance of new build being sustainable to prevent fuel poverty in future years.
Jehovah's Witnesses (Lee Ramsey)	The proposal to enhance sustainability by reducing waste & seeking environmentally friendly alternatives is in principle good. However, what additional impact/ assistance will be given by the accredited Sustainable Homes & BREEAM assessors.
The Coal Authority	We have no comments to make.
EEDA	EEDA has no comments to make on the document.

Appendix C. List of Consultees

Statutory Consultees	
Alresford Parish Council	Lancaster University Network Services Ltd
Anglian Water Services Ltd	Maldon District Council
Anglian Water Services Ltd.	Natural England
Ardleigh Parish Council	Nayland with Wissington Parish Council
Babergh District Council	Neos Networks Ltd
Bradford Cable Communications Ltd	Network Rail
Braintree District Council	North Essex PCT
Brightlingsea Town Council	NTL Group Ltd
British Gas Connections Ltd	NWP Spectrum Ltd
British Telecom	Omne Telecommunications Ltd
Bures St Mary Parish Council	Opal Telecom Ltd
Colchester STW	Orange Personal Communications Ltd
Colt Telecommunications	Regional Communications Team O2 Airwave
Doncaster Cable Communications Ltd	Sheffield Canal Company Ltd
East of England Development Agency (EEDA)	South East Water Plc
Easynet Telecommunications Ltd	Sport England (East Region)
EDF Energy	SSE Telecommunications Ltd
Eircom UK Ltd	Stoke By Nayland Parish Council
Energis Communications	Stratford St Mary Parish Council
English Heritage	Suffolk Constabulary
Environment Agency	Suffolk County Council
Essex & Suffolk Water	Telia Sonera International Carrier Ltd
Essex County Council	Tendring District Council
Essex Police	Tendring Hundred Water Services Ltd
Essex University	Thames Water Utilities Ltd
Essex Wildlife Trust	The Coal Authority
Feering Parish Council	The Highways Agency
Fibernet Ltd	The Historic Buildings and Monuments Commission for England
Gamma Telecom Holding Ltd	The National Trust
Gemini Submarine Cable System Ltd	The Planning Inspectorate
Global Crossing	The Secretary of State for Transport
Great Braxted Parish Council	T-Mobile (UK) Ltd
Haven Gateway Partnership	Tollesbury Parish Council
Hutchison Network Services UK Ltd	Tolleshunt D'Arcy Parish Council
Kelvedon Parish Council	Tolleshunt Major Parish Council
Kingston Communications (Hull) Plc	Tolleshunt Nights Parish Council
	Vtesse Networkds Ltd
	Wireless World Forum Headquarters

Other Stakeholders	
1st Church of Christ, Scientist, Colchester	Januarys
A S Planning Ltd	Jaygate Homes Ltd
Abberton & Langenhoe Parish Council	John Grooms H.A Ltd
Addendum Ltd	Keith Mitchell Building Consultancy Ltd
ADP	Kendall C E Primary School
AERC	Kent Blaxill & Co Ltd
Age Concern Colchester	Knowles Associates Ltd
Aldham Parish Council	La Farge Aggregates Ltd
Allegro Music	Langham Parish Council
Allen & Son, St Botolph's Butchery	Lawson Planning Partnership Ltd
AMA Planning	Layer Breton Parish Council
Andrew Martin Associates	Layer de la Haye Parish Council
Anglian Pumping Services Ltd	Layer Marney Parish Meeting
Army	Layer Road Surgery
Army Welfare Services	LCO Consulting Ltd
Ashwell Property Group Plc	Learning & Skills Council
ASM Logistics	Leith Planning
Atisreal UK	Level Ltd
Atkins Telecom	Lexden Restorations Ltd
Bags o Fun	Lind Automotive Group
Balkerne Gardens Trust	Little Horkesley Parish Council
Banner Homes	Living Streets, Colchester
BAP Transport Ltd	Long Tall Sally
Barratt Eastern Counties	Loofers Food & Coffee Place
Barton Willmore	Malcolm Judd & Partners
Barton Willmore	Malting Green Surgery
Bavestocks Chartered Accountants	Man B & W Diesel Ltd
BDG Design (South) Ltd	Marguerite Livingstone Associates
BDO Stoy Hayward LLP	Marks Tey Parish Council
Beaumont Seymour & Co	Mayfair Investments
Bidwells	McDonald's Colchester
Bidwells	McLean Design Services Ltd
Birch Parish Council	Merchant Projects
Birkett Long	Merrills Electrical
bloc Kilmartin/Hanover bloc LLP	Mersea Island Society
Bowhill Planning Partnership	Messing cum Inworth Parish Council
Boxted Parish Council	Mite Property Services Ltd
Boxted Village Hall	MOD - Estates
Boydens	MOD (Colchester Garrison)
Braiswick Resident Association	Morley Richards & Ablewhite
Britannia Storage Systems Ltd	Motorcycle Action Group
British Telecom	Mount Bures Parish Council
Broadfield Planning	Bob Russell MP for Colchester
Brown & Co	Bernard Jenkin MP for North Essex
C H Lindsey & Sons Ltd	Mumford & Wood Ltd
C2 Fire Protection	Myland Parish Council
CABE	Nathaniel Lichfield & Partners
Cadman Contracts	National Grid
CAPITA	National Playing Fields
Catten College	Naylor Property Ltd
CF Anderson & Son Ltd	NCP Ltd
Chairman Mersea Island Trust	Newman Commercials
J Sainsbury Veterans Colchester Local Association Voluntary	Nicholas Percival
Chappel Parish Council	North Essex PCT

Chartered Surveyors	Old Heath County Primary School
Childrens Day Care Centre Charity	Orchard Baptist Church
Colchester & District Jewish Community	Ormiston Trust
Colchester & Tendring Women's Refuge	Owen Partnerships
Colchester and North East Essex Building Preservation Trust	P Tuckwell Ltd
Colchester Access Group	Painters Corner Residents Association
Colchester Archaeological Group	Paragon Legal Services Ltd
Colchester Archaeological Trust	Parliamentary Spokesman for Colchester
Colchester Area Community church	Parsons Heath Residents Association
Colchester Arts Centre	Paul & Company
Colchester Buddhist Centre	Peacock & Smith
Colchester Bus Users Support Group	Peldon Village Hall Management Committee
Colchester Chamber of Commerce	Pertwee Estate ltd
Colchester Civic Society	Peyton Tyler Mears
Colchester Conservative Club	Philip Morant School
Colchester Credit Union Ltd	Planning and Regeneration Consultant
Colchester Croquet Club	Planning Design Building Consultant
Colchester CVS	Planning Potential
Colchester Cycling Campaign	Planware
Colchester Dental Care	Plater Claiborne Architecture & Design & Royal Institute of British Architects Colchester Charter of chartered Architects
Colchester Friends of the Earth	PMR Electrical Ltd
Colchester Furniture Project (The Shake Trust)	Post Office Property Holdings
Colchester Institute	Prettygate Dental Practice
Colchester Learning Shop	Prettygate Library
Colchester Mind	Priory Residents Association
Colchester PCT	Purcell Miller Tritton
Colchester PCT	Queen Elizabeth Hall
Colchester PCT	R & P Taylor Carpets
Colchester Retail Business Association (CORBA)	R G Carter Colchester
Colchester Quaker Housing	R H M Joinery
Colchester Rural Age Concern	Ramblers Association - Colchester
Colchester United FC	Rapid Electronics Ltd
Colchester Zoo	Rennison Consultants
Colne Harbour Project Group	Richard Fordham Tree Surgeons
Colne Housing Society	Ringway Group Ltd
Commission for New Towns and English Partnerships	Riverside Residents Association
Consensus Planning Ltd	Road Haulage Association
Copford with Easthorpe Parish Council	Robinson and Hall
Corporate Associates Ltd	Rollerworld
Countryside Properties	Rose of Colchester Ltd
Countryside Properties	Royal London
CPREssex	Royal Society for the protection of Birds
CRCL	Royal Yachting Association (Eastern Region)
D F Clark Contractors Ltd	Rural Community Council of Essex
David Wilson Estates	RWCL
Dedham Parish Council	Rydon Homes Ltd
Dedham Vale AONB Project	Sales Manager
Dedham Village Design	Saxon House Ltd
Defence Estates	Scott Wilson
Defence Estates	Seatrade
Dentistry	Secretary, The Strood WI

Diocese of Chelmsford Colchester Area team	Sexton Construction Ltd
Disability East (EDPA)	Shea Properties
DPDS Consulting Group	Shelter
Dr D Bateman & Partners	Sloppy Joes
Driver Jonas	Smith Stuart Reynolds
Dudley Anderson Ltd	Smythies Avenue Residents Association
East Anglian Chambers	Soroptimist International
East Donyland Parish Council	St Anne's Church
East Mersea Parish Council	St Georges New Town Junior School
East of England Tourism	St James C of E V A Primary School
Edward Gittins & Associates	St Johns & Highwoods Community Association Ltd
EEDA	St Johns Ambulance
Eight Ash Green Parish Council	St Johns Church
Emmaus Colchester	St Johns Residents Association
English Partnerships	St Mary Residents Association
Equality Estates	St Mary's Church
Essex & Suffolk Gliding Club	Stanley Bragg Partnership
Essex & Suffolk Water	Stanway Library
Essex Army Cadet Force	Stanway Parish Council
Essex Chambers of Commerce	Stanway Residents Association
Essex County Cricket Club	Stephen Egerton Associates
Essex County Youth Service	Stephen Hayhurst Chartered Town Planner
Essex Fire & Rescue Services	Strutt & Parker
Essex Fire & Rescue Services	Sustainable Environment Consultants Ltd
Essex Rivers Healthcare NHS Trust, Colchester General Hospital	T J Evers Ltd
Essex Roofing Company Ltd	Taylor Woodrow Developments
Essex Strategic Health Authority	Tesco
Estuary Housing Ltd	Tesco Stores Ltd
Etiss Ltd	The Barton Willmore Planning Partnership
Evening Gazette/Essex County Standard	The British Wind Energy Association
F & C Commercial Property Holdings Ltd	The C M Cadman Group Ltd
Facility Development Manager	The Craftsman
Federation of Small Businesses	The Food Company
Fenn Wright	The Guinness Trust
Fenn Wright	The Gypsy Council
Fingringhoe Parish Council	The Inland Waterways Association
First Essex Buses Ltd	The JTS Partnership
Fisher Jones Greenwood	The Philip Morant School
Fitness First	The Planning Bureau Ltd
Five Poets Residents Association	The Planning Bureau Ltd
Flagship Housing Group	The Rose and Crown Hotel
Flakt Woods Ltd	The Royal Association For Deaf People
FMA Ltd	The Sixth Form College, Colchester
Fordham Parish Council	The Stanway School
Forestry Commission	The Theatres Trust
Freight Transport Association, HR Department	The Thomas Lord Audley School & Language College
Friends of the Minories	The Wine Centre
G P Practice	Thompson Smith & Puxon
George Wimpey UK Ltd	Thurstable School
Gilberd School	Tiptree Library
Gladdale Group	Tiptree Parish Council
Godden & Rudling Building Services	Transco
Great Horkesley Parish Council	Transport for London

Great Tey Parish Council	Turley Associates
Greenstead & St Andrews Nursery & Infants	Turners for Men & Women Ltd
Greenstead Library	Underwoods of Colchester
Gypsy & Traveller Law Reform Coalition	University of Essex
Hall Duncan Associates	University of Essex Dept of Biological Sciences
Hamilton Lodge Trust	University of Essex Students Union
Harwich International Port	Vaughan & Blythe (Construction) Ltd
Hazlemere Infants School & Nursery	Volunteer for Mind
Health & Safety Exec	W A Hills
Help the Aged	Wakes Colne Parish Council
Higgins Construction Plc	Warden Housing
Hills Residential Ltd	Warren Insulation
HLL Humberts Leisure	Welshwood Park Residents Association
Holiday Inn	West Bergholt Parish Council
Holmwood House School	West Bergholt Parish Planning Group
Hornburys	West Mersea Library
Housing Corporation	West Mersea Town Council
Hutton Construction Ltd	Whybrow Chartered Surveyors
Hythe Community Centre Association	Wildlife and Countryside Link
Hythe Residents Association	Wilkin & Sons Ltd
Hythe Residents Association & Colne Harbour Group	Winstred Hundred Parish Council
Ian R Matthers B.S & D	Wivenhoe Dental Practice
Iceni Homes	Wivenhoe Sailing Club
Iceni Projects Ltd	Wivenhoe Town Council
Indasa Abrasives (UK)Ltd	Womens National Commission
Indigo Planning	Wordwrite Associates
Inntel	Wormingford Parish Council
Jacks Famous Supplies Ltd	Young Essex Assembly
James & Lindsay Life & Pensions Ltd	Youth Enquiry Service
Jamesons Residential Care Home Ltd	

Appendix D. Text of e-mail sent to consultees:

Colchester Borough Council has prepared a draft Sustainable Design and Construction Supplementary Planning Document (SPD) for public consultation.

The draft Sustainable Design and Construction SPD provides guidance for those involved in development in Colchester to help them deliver a high quality built environment. The SPD sets the case for development meeting minimum levels under the Code for Sustainable Homes and BREEAM, thereby minimising the detrimental social and environmental impacts of new development and bringing about enhancements. When adopted, it will form part of the Local Development Framework for Colchester Borough.

Please take the time to read the draft SPD and let us know what you think. The draft SPD can be accessed via the following link: www.colchester.gov.uk/planningconsult

Hard copies of the draft SPD will be made available at Colchester Library and in the Customer Service Centre. Colchester Library is open Monday – Friday 8.30am - 7.30pm, 8.30am – 5.00pm Saturday and 12.30pm – 4.30pm Sunday. The Customer Service Centre is open Monday – Friday 9am - 5pm.

The consultation period on the draft SPD will run from 1 March 2011 – 1 April 2011. Representations can be made online or can be emailed to planning.policy@colchester.gov.uk. Please let us know if you would like to be informed of the adoption of the SPD.

Further information can be obtained from the Spatial Policy team on (01206) 282709 or planning.policy@colchester.gov.uk.

Appendix E. Statutory Advert published in Evening Gazette, Tuesday 1 March 2011

COLCHESTER BOROUGH COUNCIL

Notice of Consultation on Colchester's Draft Sustainable Design and Construction Supplementary Planning Document Under Regulation 17 of the Town & Country Planning (Local Development) (England) Regulations 2004 (as amended)

Colchester Borough Council has prepared consultation drafts of two Supplementary Planning Documents:

Sustainable Design and Construction Supplementary Planning Document (SPD). The draft SPD provides guidance for those involved in development in Colchester to help them deliver a high quality built environment. The document sets the case for development meeting minimum levels under the Code for Sustainable Homes and BREEAM. The consultation period will run from 1 March – 1 April 2011.

Shopfront Guidance Supplementary Planning Document (SPD). Its purpose is to provide design guidance on the alteration or installation of shopfronts and shop signs in order to maintain or raise the design quality of these features of the townscape. The consultation period will run from 21 March – 15 April 2011.

Copies of the SPDs are available for inspection during the above periods at the following locations:

- Colchester Borough Council Customer Service Centre, High Street, Colchester. Monday – Friday 9am - 5pm.
- Colchester Central Library, Trinity Square, Colchester. Monday – Friday 8.30am - 7.30pm, 8.30am – 5.00pm Saturday and 12.30pm – 4.30pm Sunday

Copies of all consultation material can also be downloaded from www.colchester.gov.uk/planningconsult

Representations on the two SPDs should be made online or by email to planning.policy@colchester.gov.uk

Further information can be obtained from the Spatial Policy team on (01206) 282709/282473 or planning.policy@colchester.gov.uk



Local Development Framework Committee

Item
8

13 June 2011

Report of	Head of Strategic Policy and Regeneration	Author	Laura Chase
Title	Shopfront Design Guide SPD		01206 282473
Wards affected	All wards		

The Local Development Framework Committee is asked to agree the adoption of the Shopfront Design Guide Supplementary Planning Document

1. Decision(s) Required

- 1.1 To agree to adopt the Shopfront Design Guide Supplementary Planning Document.
- 1.2 To note the Statement of Consultation resulting from the public consultation exercise on the SPD.

2. Reasons for Decision(s)

- 2.1 To enable Colchester to move forward with the production of the Local Development Framework directing future development in Colchester.

3. Alternative Options

- 3.1 The Council could decide to significantly revise the document or to delay adoption. The continued absence of planning guidance on this topic could also result in shopfronts with a poor standard of design securing planning approval. The other option would be not to adopt the document at all. A lack of guidance for shopfront schemes may result in inappropriate development or schemes being permitted with a low standard of design.

4. Supporting Information

- 4.1 The Shopfront Design Guide SPD is intended to supplement existing policies in the Core Strategy and Development Policies DPDs by providing detailed guidance. It also reinforces the Better Town Centre programme of improvements for the Town Centre. The draft SPD has been prepared as a joint exercise between officers in Planning Policy and Development Management in association with the North East Essex Building Preservation Trust. The document has been endorsed by Cllr Gamble, the Council's Design Champion. The adoption of this SPD will promote high-quality shopfront design throughout the Borough and will help officers and members of the Planning Committee make decisions on proposals for shopfronts and shop signs.

- 4.2 The Guide highlights the importance of good shopfront design to the appearance and image of Colchester's retail areas and then provides clear criteria for ensuring new development maintains high quality. Section 1 explains that the shopfront design guide will apply to the design and assessment by Colchester Borough Council of alterations to shopfronts and signs in regard to all buildings throughout the Borough in Use Classes A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (drinking establishments) and A5 (hot food take-aways).
- 4.3 Section 2 recognises that the starting point for design is to appreciate the unique characteristics of different building styles with particular regard to their incorporation of shopfronts and discusses the various architectural styles within the Borough.
- 4.4 Section 3 sets out the Council's 13 key design principles:
- 1 – Shopfronts of historic interest should be retained
 - 2 – In most cases, each shopfront should look unique – purpose designed for each building
 - 3 – Establish the architectural rhythm of the street and describe and illustrate this within your Design and Access Statement
 - 4 – Shopfronts and signs should not extend across the fronts of different, adjacent buildings
 - 5 – Shopfronts and signs should be in scale with the host building – neither over nor under-scaled.
 - 6 – The symmetry of a strong building ought to be repeated in the design of its shopfront but otherwise, care and confidence is needed in bringing a façade down to ground level
 - 7 – Entrances to the upper floors of buildings within a faced should always be retained.
 - 8 – Ensure the base of the building is visually connected to the upper floors.
 - 9 – Think in 3 dimensions!
 - 10 – The use of toughened or laminated glass is the preferred, supplemental method of securing shop premises.
 - 11 – Metal, external shutters will no longer be permitted.
 - 12 – Fixed canopies will be discouraged
 - 13 – Signs should be designed with the same care and attention to detail as the shopfront.
- 4.5 Section 4 includes illustrations advising on traditional detailing. Section 5 sets out the information the Council will expect in support of planning applications for all shopfronts and signs. The Council is keen to work with applicants to ensure appropriate and cost-effective solutions to design and security.

5. Proposals

- 5.1 It is proposed that the Shopfront Design Guide SPD is adopted as part of the Colchester Local Development Framework.

6. Strategic Plan References

- 6.1 This SPD will contribute to the Council's vision to be a place where people want to live, work and visit. It will also contribute to the Council's priority for action to enable job creation and the Council's Better Town Centre Programme.

7. Consultation

- 7.1 In line with Government regulations, the Council consulted on the Shopfront Design Guide SPD for a four week period from 21 March – 18 April 2011. The consultation provided the public and stakeholders with the opportunity to comment on the draft SPD. The results of the consultation exercises have been collated and analysed in the Statement of Consultation and, alongside the sustainability appraisal, have informed the production of the final document.
- 7.2 A further opportunity for comment following the statutory consultation period was provided by a public meeting held on 16 May at the offices of Fenn Wright. 20 people attended, including architect/planners, estate agents, developers, North East Building Trust members and a representative from the Colchester Retail Business Association (CORBA). Feedback from the meeting was positive, with those in attendance noting that the document provided shopowners, designers and agents with clear standards that would over time help improve the look of the Town Centre and other retail parades in the Borough. CORBA's main concern was the impact on existing shopkeepers, and they were reassured that the document was intended to guide new development only.

8. Publicity Considerations

- 8.1 Improvements to the distinctiveness and quality of the town's shopfronts will contribute to the Council's Better Town Centre publicity initiative to inform and consult on the range of actions and plans underway to improve the Town Centre.

9. Financial Implications

- 9.1 None

10. Equality, Diversity and Human Rights implications

- 10.1 The Shopfront Design Guide SPD 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
- 10.2 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 The Shopfront Design Guide SPD contains a section on shopfront security which is intended to ensure that retail areas create a more welcoming night time environment by restricting solid roller shutters while providing for good security through other options such as toughened glass and internal grilles.

12. Health and Safety Implications

12.1 None

13. Risk Management Implications

13.1 The adoption of Supplementary Guidance documents is intended to reduce the risk of inappropriate development. Adopted guidance also provides the opportunity to offer consistent advice to landowners, developers, officers, councillors and members of the public.

Background Papers

No additional documents

Colchester Borough Council

Shopfront Design Guide

1. INTRODUCTION

The purpose and status of the guidance

This document has been prepared by Colchester Borough Council in association with the Colchester and North East Essex Building Preservation Trust. Its purpose is provide design guidance on the alteration or installation of shopfronts and shop signs in order to maintain or raise the design quality of these features of the townscape.

The guidance will be used by Colchester Borough Council in assessing planning applications for shopfronts and shop signs and the council and the trust will promote its use as a guide for shop owners, designers and planning agents.

Planning policy context

This guidance will be adopted as a Supplementary Planning Document (SPD) within the Council's adopted Local Development Framework. SPD's provide detail on the interpretation and delivery of national and local planning policies. At the national level, this includes the principles of sustainable development contained in PPS1 (Delivering Sustainable Development) and enhancing the historic environment contained in PPS5 (Planning for the Historic Environment) At the local level, this includes policies in the Council's adopted Local Development Framework to secure high quality design and enhance Colchester's unique historic character. (See Appendix I for the text of Core Strategy Policy UR2 Built Design and Character and Development Policy DP1 Design and Amenity.)

Scope of this guidance

The shopfront design guide will apply to the design and assessment by Colchester Borough Council of alterations to shopfronts and signs in regard to all buildings in Use Classes A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (drinking establishments) and A5 (hot food take-aways).

The guidance will apply across the Borough.

The importance of shopfronts

Colchester's shopfronts provide visual interest and activity to the town's varied commercial areas, in particular its historic Town Centre. They play a key role in establishing scale and a sense of place. Their quality is a barometer for the relative economic health of an area, and attractive shopfronts are often a consequence of a vibrant, sustainable community. Design guidance and the vigilant application of it can help re-enforce this. Equally however, a preponderance of ill-advised design decisions can have a cumulative, harmful effect on the overall character of a street.

A well designed shopfront will enhance the quality of the street whilst a poor shopfront has the opposite effect and if a street contains more poor examples than good ones the impact can be pernicious. Thus, shopfronts tend to display a 'collective character' that has a compelling effect upon the perception of a town.

Finally, the design and illumination of shopfronts can either help secure or undermine the safety of streets at night. Well lit and attractive window displays encourage people to 'window shop' after hours, perhaps on the way to a local restaurant. This maintains a level of night-time pedestrian footfall within town centres in particular that helps to discourage unsociable behaviour and theft.

2. BUILDINGS AND RETAIL USES

Architectural styles

The majority of town, neighbourhood and village centres are an agglomeration of buildings from different, historic and architectural periods. It is the juxtaposition of these and the architectural styles they project that often produces an aesthetic richness that is unique to the East Anglia region. Consequently, many streets contain buildings that are listed as being of Special Architectural or Historic Interest and the 'group value' of buildings within a street is often specifically noted. In addition, the borough contains 22 Conservation Areas – the largest of which is Colchester town centre – where special planning controls exist to preserve and enhance the special character of these places.

This guidance promotes good design which is a combination of large scale and small scale solutions that properly takes account of the often, subtle differences between buildings and streets. Therefore, the starting point for design is to appreciate the morphology of building styles with particular regard to their incorporation of shopfronts.

- **pre-18th Century**

Towns were built on trade and for centuries, market stalls were the principal places where goods were bought and sold. In Roman Colchester, it is likely that the main streets were cluttered with trading activities of every sort. It was then not until medieval times that shops began to re-appear and initially they were little more than shuttered openings in the homes of traders. It was common for these traders to occupy premises close to each other and these were the first 'shopping streets' that would be recognisable to us today.

- **Georgian**

Glazed shop windows gradually took over from open ones during the 18th century often in the form of square bays or bow windows. Small panes of glass were set in a grid of glazing bars and detailing invariably followed a Classical style, as was the fashion at the time. *The Classical 'entablature' was particularly well suited to shop fronts, as it provided an ideal place to write a sign - later evolving into the 'fascia'.*

- **Victorian and Edwardian**

The 19th century saw the rapid expansion of town and neighbourhood centre retailing and heralded in the Department Store. Improved roads and public transport fuelled the popularity of shopping and the Victorians introduced the archetypal shopfront with loosely classical pilasters and console brackets that framed a display window.

Plate glass gradually superseded small panes, particularly after window tax was abolished in 1861.

Throughout the Victorian period more prominence was given to the name of the shop by emphasising the fascia and using the building as a background on which to either attach or paint signs. Blinds were common, and the fascia was tilted forward to accommodate the blind box at the top and give further prominence to the name.

The more exclusive shops often projected their superiority by the use of more elaborate materials such as terracotta, stone, brass, bronze and cast iron on their facades and signs became an art form in their own right. The emphasis was upon decorative exuberance.

- **early 20th Century**

Except for some notable modernist exceptions in the 1920s and 1930s, the established elements of shop front design remained. Detailing was generally simpler than the flashiness of Victorian taste but there were a variety of styles, each of which was considered appropriate for particular type of shop. For example glazed tiling was often used for butchers shops as it portrayed an image of good hygiene. Burtons tailors is one example of a large retailer that promoted a particular 'house style' to both their buildings and their shopfronts.

- **post 1940 buildings**

Change was slow during the austerity of the 1950's but the economic and social confidence of the 1960's brought with it a new brashness to our shopping streets. For many, the heritage of the past was irrelevant and shop fronts became a free-for-all in a more relaxed, commercial context. This invariably led to crude design, over-dominant fascias and internally illuminated box signs. The emphasis was upon trading and competition with neighbouring shops at the expense of retaining good design from the past. Thankfully, the conservation movement within the UK gained support from 1970 onwards and this has led to a more considered approach to shopfront design which includes the desirability to retain historic features and respect the surrounding context.

Redevelopment within Colchester town centre during the 1970's and 1980's has left a legacy of numerous, neo-classical buildings. In these and other cases it is important to be guided by the style of the architecture rather than the age of the building alone when making design decisions on replacement shopfronts and signs.

3. DESIGN PRINCIPLES

Shop fronts - *the primary design rules*

repair or replace?

It is not always desirable to replace an existing shopfront, particularly if it is part of an historic building or is well designed. The Council can advise if this is the case as part of a preliminary enquiry. If the shopfront is of historic significance you will be asked to retain and perhaps restore it to its' original form. Any disfiguring later additions should be removed and repairs undertaken with materials which are the same as, or match, the original.

Conversely, owners will be encouraged to replace ugly signs and shopfronts and should use this guidance for the design of any replacement.

Design note 1:

Shopfronts of historic interest should be retained

the host building

A shopfront should be considered as a part of the building. Like other alterations or extensions, the starting point in design is an assessment of the existing character and features of the building in order to appreciate the opportunities and constraints for design. The important considerations are:

- the architectural style of the building
- the arrangement of the fenestration and decorative features
- the intuitive 'structural elements' of the elevation

The shopfront should form an integral part of the elevation rather than an isolated element on the ground floor and needs to exhibit a perception of structural support to the building above (see Design note 8). This more comprehensive, design approach that takes account of the character and architecture of the host building is not difficult to resolve but it does require care and proper analysis.

Thereby, the design of a shopfront in a street with a mixture of buildings styles will be unique. **It follows that corporately styled shopfronts applied to a building without regard to such an assessment will be resisted by the council.**

Design note 2:

In most cases, each shopfront should look unique – purpose designed for each building.

rhythm within the street

Consideration of the character of the area is no less important. It is insufficient to look at the host building in isolation as this is just one component of the street scene. The scale and rhythm of the street is dictated by the sum of the individual parts, accepting that there will always be exceptions (buildings that are either wildly over or under-scaled) in an otherwise, balanced and consistent townscape.

In the majority of cases, rhythm will be established by the 'party walls' of the buildings. Widths will vary but unless there has been major redevelopment where several buildings have been agglomerated into one new plot, the rhythm within the street will be fairly obvious. It is this rhythm that needs to be complemented in any shopfront proposal.

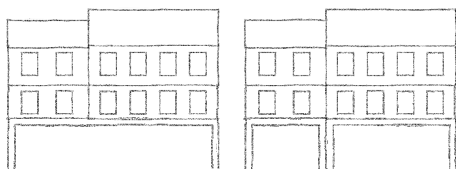
Design note 3:

Establish the architectural rhythm of the street and describe and illustrate this within your Design and Access Statement.

The width of a shopfront or sign should not extend beyond the width of the building as indicated by the position of the 'party walls' in the elevation. Sometimes, internal alterations merge one retail unit into another and these must be ignored for the purposes of this guidance. The primary consideration is the original form of the host building.



If a shop occupies adjacent buildings of different origin, respect to the rhythm of the street will require that each building has its' own shopfront. Signs should also not carry across adjacent premises but should be broken at the original, party wall.



Design note 4:
Shopfronts and signs should not extend across the fronts of different, adjacent buildings.

scale

Scale is the relationship of parts with particular reference to the human proportion. Many streets contain buildings of different scales and design solutions should always be in scale with the host building. For example, the scale of the entrance to Barclays Bank in the High Street is entirely appropriate in relation to the scale of the building façade. But the same doorway put into a smaller scaled building would look incongruous and out of balance.

Therefore, the scale of each shopfront and the scale of the signs need to be carefully considered. Do not imitate those nearby – they may be wrong! Design skill is needed to get this right but when scale is correctly interpreted and followed the end result will look harmonious and comfortable.



Design note 5:

Shopfronts and signs should be in scale with the host building – neither over nor under-scaled.

symmetry

Whilst some buildings are entirely symmetrical and have great presence as a consequence to this the majority of buildings in a typical street are asymmetrical. Occasionally, the architecture of the building will suggest where the ground level entrance needs to be for it to complement the façade above but in many instances,

achieving symmetry is less important than achieving appropriate scale, rhythm and the other Primary Design Rules.



symmetrical shopfronts can be produced from different elements of the building structure.

Design note 6:

The symmetry of a strong building ought to be repeated in the design of its shopfront but otherwise, care and confidence is needed in bringing a façade down to ground level.

Where an entrance door exists to the upper floors within the facade it should always be retained and amalgamated into the ground level and shop front design. The style of the building will largely dictate how these additional entrances need to be treated but they must never be ignored and should always appear an integral part of the ground floor elevation.

Design note 7:

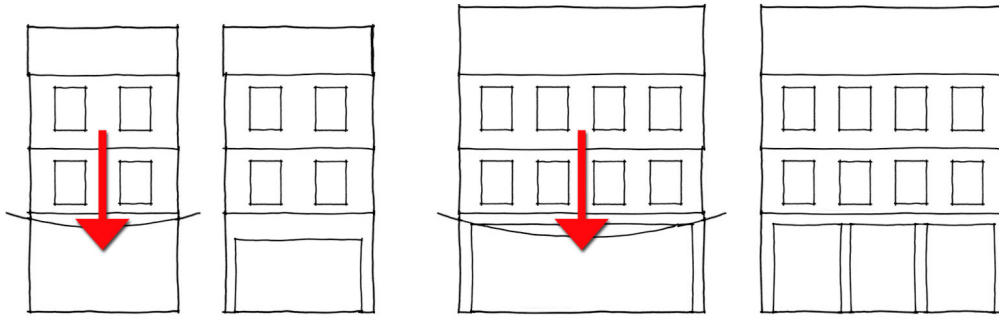
Entrances to the upper floors of buildings within a façade should always be retained.



visual support



All buildings need to have a proper, 'visual base' to connect them to the ground. Shopfronts that contain too great an expanse of glass without an obvious means of support for the upper storey can look unbalanced with the upper façade 'floating' above the window. Pilasters, areas of walling or other structural supports that seemingly carry the 'weight' of the building above can eliminate this effect. This support is best arranged abutting the adjoining buildings and on a long frontage, with intermediate supports between.



the structural elements of a shop front must visually support the building

Design note 8:

Ensure the base of the building is visually connected to the upper floors.



Some buildings express the weight bearing elements in the architectural design and do not require a traditional shopfront.

modelling

This is a term used to describe the degree of depth within an elevation of a building. Just as Georgian shopfronts tended to be well modelled with projecting bow windows and upper floor bays shop fronts from the 1960's tend to be very flat and uninteresting. Modelling produces visual interest for the shop and the street. It helps if shopfronts are thought as three-dimensional. This seems obvious but too many planners and designers fail to see beyond the flat illustration on a plan. When looking at individual components of a shopfront, always think about their relative depth and cross section and their relationship with each other.



Design note 9: *Think in 3 dimensions!*

Shop fronts - *supplementary considerations*

materials

Preference should be given to materials that have an affinity with the host building and with the local area. Traditional materials of good quality, such as close-grained timber, stone, brick, coloured glass and metalwork can offer a wide variety of profiles, textures and finishes, which maintain their appearance better than many man-made materials.

doorways, thresholds and private forecourts

Not every shop abuts a public, maintainable highway. Even in town centres, small strips of private land can separate the shop from the footway and it is important for these to be considered along with entrance thresholds when proposing a new shopfront. Every scheme submitted for planning permission will need to show:

- entrance threshold levels in relation to the public footway and the shop floor level (please refer to the Building Control office for further advice).
- the material and design to be used on any forecourt land, no matter how narrow this is.

Private forecourts rarely look appropriate if treated in an individual style. Using the same materials as the public realm generally makes for a more harmonious streetscape.

Recessing the entrance doorway back from the shopfront has several advantages:

- it allows a change of level to be more easily accommodated
- it introduces additional 'modelling' of the elevation that can help to maintain or reinforce the architectural rhythm of the street and,
- it provides an opportunity to introduce a detailed mosaic or other decorative floor feature that adds further 'visual richness' to the street experience.



security

The security of shops can be achieved in a variety of ways, in addition to intruder alarms and adequate locks. Planning permission will be required when a new security measure materially affects the external appearance of the shop. Removable grilles that are taken away during business hours do not require planning permission. In most cases, shops will be located in streets where a reasonable degree of surveillance could be expected outside of trading hours from adjacent housing and business premises that stay open late. Some shops may be at a higher risk of

vandalism or burglary and in these situations a greater degree of physical security may be required. Solutions for achieving adequate security are:

glass

For all shops, additional security should be achieved by the use of toughened or laminated glass. This will be the 'default requirement' for all shops and restaurants in main streets and within Colchester town centre.

Design note 10:

The use of toughened or laminated glass is the preferred, supplemental method of securing shop premises.

security screens

Mesh or other opaque screens that are located behind the shop window are acceptable where a case can be made for additional security that cannot be achieved by toughened or laminated glass. These screens are best located behind the shop window display, rather than hard up against the back of the window.

lighting

A good level of illumination within the shop and outside in the street is an effective deterrent when supported by communal CCTV. Of course, the need to save energy must be balanced against this but each shop occupier will be able to determine their own, specific requirements.

Permanent external security shutters

These types of shutters are unacceptable as they have a detrimental effect upon the appearance of the area and unnecessarily aggravate a perception of danger within the public realm.

Design note 11:

Permanent, external metal shutters will no longer be permitted.

awnings and canopies

Fabric awnings offer shoppers shelter from inclement weather and protect display goods from deterioration from sunlight. Our increasingly milder and wetter climate with more sunshine now justifies a return to these features of the High Street. Traditionally, these awnings often had the name of the shop printed on them to compensate for the awning hiding the fascia sign when it was open. Very few of these early-type awnings now remain but the use of their modern equivalents is encouraged.



The outer edge of the awning must be set back at least 1 metre from the upstand edge of the roadside kerb and no overhanging part of the awning should be less than 2.1 metres high. Fixed canopies and 'Dutch blinds' will rarely be approved and never in materials that are shiny and jarring to the eye. Inevitably, these canopies quickly deteriorate in sunlight and will soon look shabby.

NB. The Highway Authority will require a licence to be obtained for any sign or structure that overhangs the public highway

Design note 12:

Fixed canopies will be discouraged within the Borough.

access

Shops must be accessible for all customers, including people with disabilities, parents with children in prams and buggies and for elderly, less agile people. The following features should therefore be considered:-

- Entrances must comply with Part M of the Building Regulations which sets out statutory access requirements unless there are particular circumstances why this is not possible or desirable.
- Stepped thresholds should be avoided. External ramps will rarely be possible within main streets but internal ramps and recessed doorways should be considered.
- Entrance doors should have a minimum clear opening of at least 800mm. Handles should be no higher than waist height and a glazed panel should be provided to aid visibility.

Conversion of shops to other uses

The loss of retail premises is restricted by policies DP6 and DP7. Planning permission is required to convert a shop to another use and whilst each case is taken on its own, specific merits and as a general principle, shopfronts should be retained where:

- there is a reasonable possibility of a shop use being viable in the future or,

- the shopfront makes a positive contribution to the character of the building or street scene.

Special considerations apply for changing the use and alteration of a listed building and the advice of the borough council must be sought.

Signs and advertising

Shop signs and advertising can be considered as distracting clutter when designed and made badly or conversely, can be dynamic and interesting when executed well. This guidance cannot specify or codify how signs should be designed due to the infinite variety of design possibilities and it is not the intention of the borough council to stifle innovation and expression. However, some basic design rules are desirable not least of which, are those thought necessary to gradually realise the removal of the worst and most visually-offensive shop signs within the borough.

Above all, it is vital that signs are regarded as part of the building frontage and the street and that the same care is taken over their design as applied to the shopfront itself. For this reason, the council will expect applications for advertisement consent and planning applications for shopfronts relating to the same site to be submitted and considered concurrently.

Design note 13:

Signs should be designed with the same care and attention to detail as the shopfront.

fascias

The primary shop sign should be located on the fascia of the shopfront. On a traditional, timber shopfront (either Georgian or Victorian in style) the fascia sign should be designed to be an integral part of the shopfront itself. Here, the lettering or script will be confined to the background frame dictated by the distance between and height of the console brackets or entablature.



A sign in this position could be painted or raised by individual letters. However, a wide variety of graphic techniques are possible and provided the height of the fascia is kept narrow, shop owners will be allowed a substantial degree of design freedom in expressing the name of the shop upon this type of fascia.

Shopfronts of other designs that do not follow the classical idiom will be allowed signs that complement the character and architecture of the host building. The existence of an existing fascia sign on a building does not necessarily mean that a new sign of similar design will be acceptable. Every new sign must be designed with reference to the Design Notes in this guidance.

Design note 14:

Internally illuminated box signs will no longer be permitted on any shop.

hanging signs

Hanging signs have existed since shops first appeared and have helped pedestrians navigate a shopping street. Their use is to be encouraged provided they are well-designed and use materials that are compatible to the shopfront and fascia. For example, a painted timber hanging sign fixed on forged metal brackets is very appropriate in conjunction with a traditional-style, Victorian or neo-Victorian shopfront.

On other buildings, a hanging sign will need to be designed and manufactured in a manner that was compatible with the building architecture and shopfront design.

In all cases, hanging signs must:

- be sited no lower than 2.4 metres above the public footway and at least 1 metre from the upstand edge of the roadside kerb.
- be designed to be fixed and not allowed to swing

window signs

Signs located within shops behind window areas do not require Advertisement Consent but unless care is taken, a random mess of posters and product advertising can soon create a down-market impression. This can happen by accident and the council recommend that shop windows and displays are regularly 'de-cluttered' to ensure that they are not promoting a charitable event that occurred last year or helping to find a cat that has now returned home.



The practice of 'blacking out' entire windows as a way in which to obscure the shop interior has a negative effect on the public realm similar to the effect of using solid, external shutters. In all cases, it is preferable to promote visual vitality and pedestrian safety by avoiding 'blacked out' windows. However, where this is unavoidable, exceptionally, the council may accept the introduction of vinyl, etched or other quality screen of attractive design (but not advertising) as a minor proportion of the total street frontage glazing.

The design principle is like elsewhere in this guidance; ensure the shop displays a high quality image that creates a positive impression on customers and people passing by.

forecourt signs

The Council will discourage the display of “A- boards” outside shops. Any advertisements displayed on the highway (which includes the publicly adopted footway), will need both advertisement consent and also the consent of the highway authority. These applications in the future are likely to be refused.

illumination

Where required, the illumination of signs should generally be achieved either by external fittings or backlit or halo lettering. The siting and specification of these fittings must be such that they avoid over-illumination and glare.

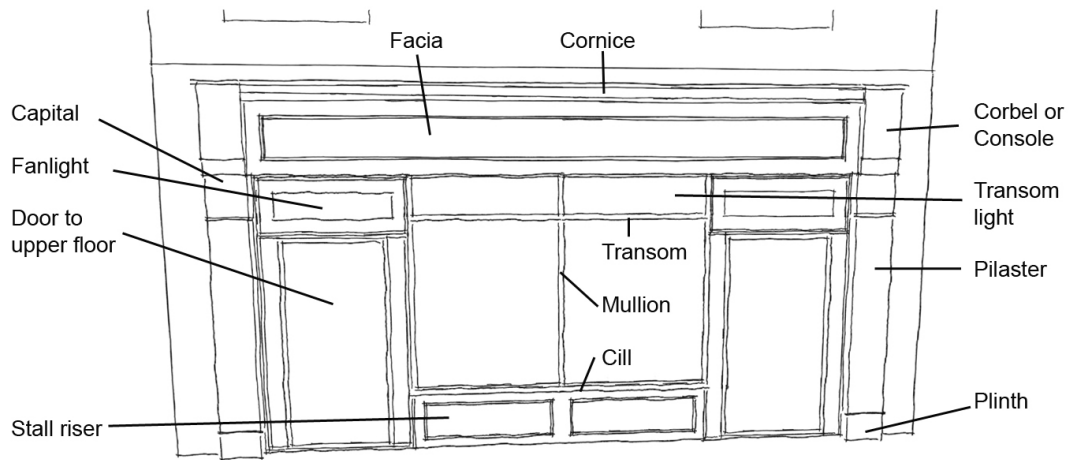
Bespoke designs that break the rules

There will always be circumstances where a proposal is of such integrity, quality and artistic merit that, despite its apparent non-compliance with this guidance, planning permission may be granted as an exceptional scheme. There has not yet been an instance where a shopfront or sign of this category has been installed within the borough but this does not preclude the possibility of one coming forward in the future.

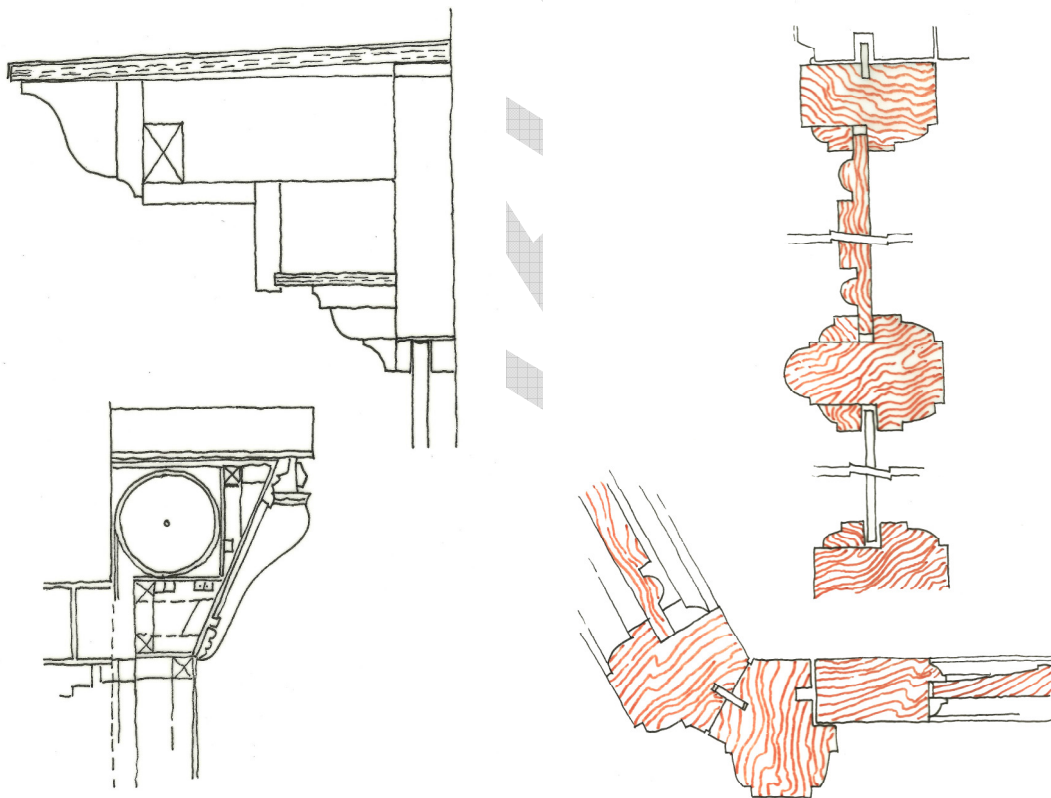


Written signs on rendered walls can add to the character but must never dominate.

4. TRADITIONAL DETAILING



The Basic elements of a traditional shopfront



These images of construction detail show how to achieve modelling depth in shopfronts. Some details shown may not comply with current building regulations

5. APPLYING FOR PERMISSION

planning permission and the Design and Access Statement

Planning applications are required for all new shopfronts, or alterations to existing shop fronts, that materially affect the external appearance of a building.

Applicants are strongly recommended to consult the Planning Department for advice on the design approach to be taken (with particular reference to this guidance) and the drawings that will be required before commissioning design work or placing orders for installations. It is also advisable to appoint a qualified Architect to undertake design work. If the works involve the alteration of a listed building the Architect will need to have specialist knowledge and experience.

A Design and Access Statement is required to be submitted with any planning application for a new shopfront. The draft document would be a useful discussion tool when engaging the council in a pre-application enquiry and in any event, these statements must be completed prior to the commencement of detailed design work.

In addition, any application must include:

- an elevation of the shop front and the building in which it is located, together with the adjoining parts of neighbouring properties at least 2 metres on either side, at 1:50 scale
- an elevation of the shop front itself at 1:20 scale
- cross-sections (which also show the positions of floors and ceilings) at 1:20 scale
- key details (such as joinery profiles, and signs etc.) at 1:5 scale
- information on the materials, fittings and colours.
- details of access into the premises, taking into account the requirements for compliance with the Equalities Act 2010

listed building consent

Works of alteration to a Building of Special Architectural or Historic Interest must have regard to the requirement to preserve its fabric, character and any features of importance. Undertaking such an assessment requires specialist knowledge and any planning application for the insertion of a new shopfront, alteration of an existing one or the erection of new signs will be expected to be supplemented by detailed information on the impact of these works on the fabric and character of the building. The techniques required to convey this information will vary and may include an agreement to open up sample areas of fabric to confirm the existence (or otherwise) of historic timber framing or brickwork. **No such works of investigation should be undertaken without the express, written consent of the council.**

advertisement consent

Detailed drawings at a scale of 1:5 will be required that clearly show the construction, lettering, colour and materials of each sign.

building regulations

The replacement of a shopfront requires Building Regulations approval and a Full Plans application is required prior to the commencement of works. There are several parts of the regulations which will need to be taken into consideration and the associated provisions must be incorporated in your design. These include:

Part A Structure.

Part B Fire Safety.

Part L2B Conservation of fuel and power

Part M Access and the Equalities Act 2010.

Part N Glazing

Further information is provided within Appendix II

special licensing conditions for sex shops and betting shops (schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982)

APPENDICES

- I) Relevant Colchester Local Development Framework policies
- II) Building Regulations
- III) contacts
- IV) Acknowledgements and further info.

Appendix I

Relevant Colchester Local Development Framework policies

Core Strategy

Policy UR2 – Built Design and Character

The Borough Council will promote and secure high quality and inclusive design in all developments to make better places for both residents and visitors. The design of development should be informed by context appraisals and should create places that are locally distinctive, people-friendly, provide natural surveillance to design out crime, and which enhance the built character and public realm of the area. High-quality design should also create well-integrated places that are usable, accessible, durable and adaptable. Creative design will be encouraged to inject fresh visual interest into the public realm and to showcase innovative sustainable construction methods. Developments that are discordant with their context and fail to enhance the character, quality and function of an area will not be supported.

The Council is committed to enhancing Colchester's unique historic character which is highly valued by residents and an important tourist attraction. Buildings, Conservation Areas, archaeological sites, parklands, views, the river and other features that contribute positively to the character of the built environment shall be protected from demolition or inappropriate development.

Development Policies

Policy DP1 – Design and Amenity

All development must be designed to a high standard, avoid unacceptable impacts on amenity, and demonstrate social, economic and environmental sustainability. Development proposals must demonstrate that they, and any ancillary activities associated with them, will:

- (i) Respect and enhance the character of the site, its context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, proportions, materials, townscape and/or landscape setting and detailed design features. Wherever possible development should remove existing unsightly features as part of the overall development proposal.*
- (ii) Provide a design and layout that takes into account the potential users of the site including giving priority to pedestrian, cycling and public transport access, and the provision of satisfactory access provision for disabled people and those with restricted mobility;*
- (iii) Protect existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance, pollution (including light and odour pollution), daylight and sunlight;*
- (iv) Create a safe and secure environment;*
- (v) Respect or enhance the landscape and other assets that contribute positively to the site and the surrounding areas; and*
- (vi) Incorporate any necessary infrastructure and services including recycling and waste facilities and, where appropriate, Sustainable Drainage*

Systems (SuDS), and undertake appropriate remediation of contaminated land.

DRAFT

Appendix II Building Regulations

The replacement of a shop front constitutes a material alteration under the Building Regulations and therefore necessitates the submission of a full plans application prior to commencement of the works.

There are several parts of the regulations which will need to be taken into consideration and the associated provisions must be incorporated in your design.

Part A Structure – If the opening is being made wider or load bearing elements are being removed the support to the structure above must be considered. In the case of a replacement it is not unusual for old 'window frames' to be performing a structural function.

Part B Fire Safety – Any supporting structural member must be provided with the required degree of fire protection. Consideration should also be given to any potential increase in unprotected area presented to a boundary or notional boundary. This may occur where an increase in the area non fire resisting construction is proposed. The means of escape in case of fire provisions should not be reduced or adversely affected by the proposed shop front.

Part L2B Conservation of fuel and power- The U Value provided by the shop front should meet the minimum $1.8 \text{ W/m}^2\cdot\text{K}$ unless used for display purposes. There are certain exemptions to this requirement for historic buildings and the Conservation officer should be able to advise on this issue.

Part M Access to and the use of Buildings – Consideration must be given to the provision of access to all users of the building together with manifestation as detailed within the provisions of Approved Document M. As a Service Provider your attention is also drawn to the requirement to make reasonable provision for users of that service under the Equalities Act 2010.

Part N Glazing- safety in relation to impact ,opening and cleaning – the design should incorporate the appropriate type of glass for its location and again manifestation must be taken into consideration.

Should you or your designer require any clarification of the specific requirements relating to the above please contact the Colchester Borough Building Control.

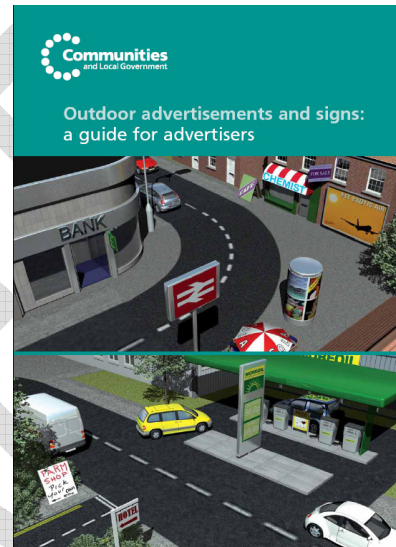
Appendix III

Contacts and further information

Colchester Borough Council Planning Department can be contacted for general enquires via the Customer Service Centre on 01206 282424

We can also be contacted via email: planning.services@colchester.gov.uk

The Advertisement Regulations can be found at:
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/326679.pdf>



The Colchester and North East Essex Building Preservation Trust
Registered office: 4 North Hill, Colchester Essex CO1 1EB
Registered Charity No. 1044514 Company Limited by Guarantee,
registered in England No. 3020005



**Colchester's Local Development Framework
Shopfront Guidance
Supplementary Planning Document (SPD)**

Statement of Consultation

Spatial Policy
Strategic Policy and Regeneration
Colchester Borough Council
PO Box 995
Town Hall
Colchester
Essex CO1 1ZE
01206 282473
planning.policy@colchester.gov.uk

Introduction

The Shopfront Guidance Supplementary Planning Document (SPD) is one of the planning documents that make up Colchester's Local Development Framework. The overarching Core Strategy DPD was the first document to be produced, in line with Government guidance on priorities for the LDF. The Core Strategy sets out the spatial vision, strategic objectives and policies for the Borough up to 2021. The Core Strategy was declared 'sound' by a Government-appointed Planning Inspector and was adopted by the Council on 11 December 2008. The Site Allocations and Development Policy documents were subsequently adopted in October 2010. The policy direction set in these Development Plan Documents has been used as the cornerstone for the production of subsequent planning policy documents including this SPD.

In preparing the Shopfront Guidance SPD for adoption, we are required to comply with the Town and Country Planning (Local Development) (England) Regulations 2004 and 2008 amendments. Regulations 18 and 19 of the 2008 amendments provide that the Council should not adopt a SPD until they have prepared and published a statement setting out:

- who was invited to be involved in the plan preparation
- how they were invited to be involved in the plan preparation
- a summary of the main issues raised and how they have been addressed

The following statement addresses these points and also is in accordance with Colchester's Adopted Statement of Community Involvement (SCI). The SCI stipulates the level of consultation to be undertaken, which includes a wide range of media and publicity to engage the general public, hard-to-reach-groups, community groups, councillors, businesses and governmental bodies.

Consultation Process

In line with Government regulations, the Council consulted on the Shopfront Guidance SPD from 21 March – 18 April 2011. The consultation provided the public and stakeholders with the opportunity to comment on the Council's preferred approach to securing planning contributions for community facilities.

Letters and/or emails were also sent to more than 450 individuals recorded on the Local Development Framework List of Consultees compiled by Colchester Borough Council. The list was drawn up in accordance with the Town and Country Planning (Local Development) Regulations 2004 and therefore included "specific consultation bodies" such as Government agencies like Natural England and the Highways Agency. In addition, in line with the Council's Statement of Community Involvement, a large number of "general consultation bodies" were consulted representing voluntary groups, ethnic minorities, religious groups, disabled persons and business community

representatives. The list of stakeholders is attached as Appendix 1 and the letter sent to stakeholders is attached as Appendix 2.

In accordance with regulations, a statutory advert was posted in the Borough's weekly newspaper (The Essex Gazette) on 1 March 2011 notifying people of the consultation details. A copy is attached as Appendix 3.

8 organisations and individuals responded to the Shopfront Guidance SPD consultation. The views received reflect general support for consistent guidance to ensure high quality shopfronts and are summarised in Table 2. The Table also contains two further comments in support of the document received following a meeting organised by CBC and the North East Essex Buildings Trust on 16 May 2011. 20 people attended, including architect/planners, estate agents, developers, North East Building Trust members and a representative from the Colchester Retail Business Association (CORBA).

Given the positive nature of the comments, there was no need to amend the SPD in response to any concerns raised during the consultation.

Your Name	Are you responding	Organisation/ Business Name	Is your representation: (please tick one)	Please outline your comments on the Shopfront Design Guid...	Changes suggested?	Council Response
Jess Jephcott	As an individual		support	Thoroughly agree with the content of the document although the comment about A boards is very weak. I would like to see you taking into account the horrible street furniture that obscures some of our wonderful shop fronts. Bus shelters, signs of no particular importance, pillar boxes, etc. I support getting rid of traffic from the town centre so guess the signs would go too.		The Council is developing a Public Realm Strategy as part of a Town Centre Area Action Plan which will provide for co-ordinated public realm improvements to the Town Centre.
Howard Lake	As an individual		support	Thank you. Looks very reasonable, with respect for Colchester's history, needs of modern shops, and a sense of the overall impression of buildings and streets.	None.	NA
Howard Lake	As an individual		support	It's a great document, well done.	None	NA

Your Name	Are you responding	Organisation/ Business Name	Is your representation: (please tick one)	Please outline your comments on the Shopfront Design Guid...	Changes suggested?	Council Response
Natalie Blaken	On behalf of an organisation	East of England Development Agency	general comment	EEDA has no comments to make.	No comment	NA
Rose Freeman	On behalf of an organisation	The Theatres Trust	general comment	No comment	No comment	NA
Carolyn McSweeney	On behalf of an organisation	Tiptree Parish Council	general comment	In general the Council was in agreement with the proposals, however Cllrs felt that retailers should also be consulted.	None	Retailers were consulted, including both a number of individual retailers and CORBA (Colchester Retail Business Association)
Bill Hayton	On behalf of an organisation	Destination Colchester	support	This is a great initiative and I thoroughly approve.	None	NA
Francis Terry	On behalf of an organisation	Quinlan & Francis Terry Architects	support	The guidance is an excellent document. It addresses all the concerns I have about shopfronts in a clear and rationale way. Unsympathetic signage has blighted the quality of the town for many years and I feel that this document will make a substantial difference not	None	NA

Your Name	Are you responding	Organisation/ Business Name	Is your representation: (please tick one)	Please outline your comments on the Shopfront Design Guid...	Changes suggested?	Council Response
				only to the aesthetics of the town but also help to increase trade.		

Comments Received following 16 May 2011 Meeting

Your Name	Are you responding	Organisation/ Business Name	Is your representation: (please tick one)	Please outline your comments on the Shopfront Design Guid..	Changes suggested?	Council Response
Mark Perkins	As an individual	Mark Perkins RIBA	Support	I believe the new guidance will help empower Planning Officers to ensure that new shopfronts are sensitively designed and thus make a positive contribution to the built environment. It's clear looking around the Borough that there are many unfortunate alterations that have taken place in the past. Shopfronts are rarely altered and it's important that they are carefully	None	NA

Your Name	Are you responding	Organisation /Business Name	Is your representation: (please tick one)	Please outline your comments on the Shopfront Design Guid..	Changes suggested?	Council Response
Michael Bowler	As an individual	Michael Bowler Architectural Services	General comment	<p>designed and implemented.</p> <p>There should be a total ban on the use of highly coloured Perspex type signage within the Borough and especially within Conservation Areas. The LPA should be more pro-active in their enforcement of unauthorised shopfronts of which I suspect that there many within the Town Centre. The LPA should again enforce current legislation concerning the renewing of applications for shopfront signage; I believe that this may be the catalyst for shop owners to update their shop fronts. The LPA should police the Town Centre to prevent such unauthorised works. The LPA should provide a</p>		<p>The Council will pursue selective enforcement action against unauthorised shopfronts as necessary, but its prime focus will be on raising the quality of new shopfront development. The Council does not currently have funds to support assistance for new shopfronts, but will pursue additional funding for public realm improvements through European and national funding mechanisms which could include targeted programmes for shopfront improvements..</p>

Your Name	Are you responding	Organisation /Business Name	Is your representation: (please tick one)	Please outline your comments on the Shopfront Design Guid..	Changes suggested?	Council Response
Ron Levy	On behalf of an organisation	Colchester Retail Business Association (CORBA)		<p>financial incentive to shop owners where new shopfronts are provided; I would suggest this be a 'top-up grant' based on the difference in cost between a 'normal' shopfront and something a bit more special! This could be done by say an equivalent financial reduction in the business rate over a 12 month term. In real terms this would only amount to a few thousand pounds.</p> <p>I think the proposals/suggestions contained in the Guide are highly commendable and will, ultimately, enhance the town's appearance and appeal. However, I am concerned about the wording in the section <i>security</i> on page 9 under <i>glass</i>. Whilst I was given assurance that my wire security screens would be</p>	<p>Under the paragraph <i>external security shutters</i> it says "These type of shutters (either roller or sectional types that are lifted in and out of fixed frames) are</p>	<p>Wording has been changed to clarify that the guidance applies to external roller shutter requiring planning permission.</p>

Your Name	Are you responding	Organisation /Business Name	Is your representation: (please tick one)	Please outline your comments on the Shopfront Design Guid..	Changes suggested?	Council Response
				<p>acceptable the paragraph clearly says '... security screens or shutters will be unacceptable...'. I think this could be confusing and needs to be more specific.</p>	<p>unacceptable. I think that this further confuses the guidance requirements. May I suggest that describing 'screens' and 'shutters' seperately could eliminate confusion or misunderstanding.</p>	

Appendix 1
List of Consultees

Statutory Consultees	
Alresford Parish Council	Lancaster University Network Services Ltd
Anglian Water Services Ltd	Maldon District Council
Anglian Water Services Ltd.	Natural England
Ardleigh Parish Council	Nayland with Wissington Parish Council
Babergh District Council	Neos Networks Ltd
Bradford Cable Communications Ltd	Network Rail
Braintree District Council	North Essex PCT
Brightlingsea Town Council	NTL Group Ltd
British Gas Connections Ltd	NWP Spectrum Ltd
British Telecom	Omne Telecommunications Ltd
Bures St Mary Parish Council	Opal Telecom Ltd
Colchester STW	Orange Personal Communications Ltd
Colt Telecommunications	Regional Communications Team O2 Airwave
Doncaster Cable Communications Ltd	Sheffield Canal Company Ltd
East of England Development Agency (EEDA)	South East Water Plc
Easynet Telecommunications Ltd	Sport England (East Region)
EDF Energy	SSE Telecommunications Ltd
Eircom UK Ltd	Stoke By Nayland Parish Council
Energis Communications	Stratford St Mary Parish Council
English Heritage	Suffolk Constabulary
Environment Agency	Suffolk County Council
Essex & Suffolk Water	Telia Sonera International Carrier Ltd
Essex County Council	Tendring District Council
Essex Police	Tendring Hundred Water Services Ltd
Essex University	Thames Water Utilities Ltd
Essex Wildlife Trust	The Coal Authority
Feering Parish Council	The Highways Agency
Fibernet Ltd	The Historic Buildings and Monuments Commission for England
Gamma Telecom Holding Ltd	The National Trust
Gemini Submarine Cable System Ltd	The Planning Inspectorate
Global Crossing	The Secretary of State for Transport
Great Braxted Parish Council	T-Mobile (UK) Ltd
Haven Gateway Partnership	Tollesbury Parish Council
Hutchison Network Services UK Ltd	Tolleshunt D'Arcy Parish Council
Kelvedon Parish Council	Tolleshunt Major Parish Council
Kingston Communications (Hull) Plc	Tolleshunt Nights Parish Council
	Vtesse Networks Ltd
	Wireless World Forum Headquarters

Other Stakeholders	
1st Church of Christ, Scientist, Colchester	Januarys
A S Planning Ltd	Jaygate Homes Ltd
Abberton & Langenhoe Parish Council	John Grooms H.A Ltd
Addendum Ltd	Keith Mitchell Building Consultancy Ltd
ADP	Kendall C E Primary School
AERC	Kent Blaxill & Co Ltd
Age Concern Colchester	Knowles Associates Ltd
Aldham Parish Council	La Farge Aggregates Ltd
Allegro Music	Langham Parish Council
Allen & Son, St Botolph's Butchery	Lawson Planning Partnership Ltd
AMA Planning	Layer Breton Parish Council
Andrew Martin Associates	Layer de la Haye Parish Council
Anglian Pumping Services Ltd	Layer Marney Parish Meeting
Army	Layer Road Surgery
Army Welfare Services	LCO Consulting Ltd
Ashwell Property Group Plc	Learning & Skills Council
ASM Logistics	Leith Planning
Atisreal UK	Levvel Ltd
Atkins Telecom	Lexden Restorations Ltd
Bags o Fun	Lind Automotive Group
Balkerne Gardens Trust	Little Horkesley Parish Council
Banner Homes	Living Streets, Colchester
BAP Transport Ltd	Long Tall Sally
Barratt Eastern Counties	Loofers Food & Coffee Place
Barton Willmore	Malcolm Judd & Partners
Barton Willmore	Malting Green Surgery
Bavestocks Chartered Accountants	Man B & W Diesel Ltd
BDG Design (South) Ltd	Marguerite Livingstone Associates
BDO Stoy Hayward LLP	Marks Tey Parish Council
Beaumont Seymour & Co	Mayfair Investments
Bidwells	McDonald's Colchester
Bidwells	McLean Design Services Ltd
Birch Parish Council	Merchant Projects
Birkett Long	Merrills Electrical
bloc Kilmartin/Hanover bloc LLP	Mersea Island Society
Bowhill Planning Partnership	Messing cum Inworth Parish Council
Boxted Parish Council	Mite Property Services Ltd
Boxted Village Hall	MOD - Estates
Boydens	MOD (Colchester Garrison)
Braswick Resident Association	Morley Richards & Ablewhite
Britannia Storage Systems Ltd	Motorcycle Action Group
British Telecom	Mount Bures Parish Council
Broadfield Planning	Bob Russell MP for Colchester
Brown & Co	Bernard Jenkin MP for North Essex
C H Lindsey & Sons Ltd	Mumford & Wood Ltd
C2 Fire Protection	Myland Parish Council
CABE	Nathaniel Lichfield & Partners
Cadman Contracts	National Grid
CAPITA	National Playing Fields
Catten College	Naylor Property Ltd

CF Anderson & Son Ltd	NCP Ltd
Chairman Mersea Island Trust	Newman Commercials
J Sainsbury Veterans Colchester Local Association Voluntary	Nicholas Percival
Chappel Parish Council	North Essex PCT
Chartered Surveyors	Old Heath County Primary School
Childrens Day Care Centre Charity	Orchard Baptist Church
Colchester & District Jewish Community	Ormiston Trust
Colchester & Tendring Women's Refuge	Owen Partnerships
Colchester and North East Essex Building Preservation Trust	P Tuckwell Ltd
Colchester Access Group	Painters Corner Residents Association
Colchester Archaeological Group	Paragon Legal Services Ltd
Colchester Archaeological Trust	Parliamentary Spokesman for Colchester
Colchester Area Community church	Parsons Heath Residents Association
Colchester Arts Centre	Paul & Company
Colchester Buddhist Centre	Peacock & Smith
Colchester Bus Users Support Group	Peldon Village Hall Management Committee
Colchester Chamber of Commerce	Pertwee Estate Ltd
Colchester Civic Society	Peyton Tyler Mears
Colchester Conservative Club	Philip Morant School
Colchester Credit Union Ltd	Planning and Regeneration Consultant
Colchester Croquet Club	Planning Design Building Consultant
Colchester CVS	Planning Potential
Colchester Cycling Campaign	Planware
Colchester Dental Care	Plater Claiborne Architecture & Design & Royal Institute of British Architects Colchester Charter of chartered Architects
Colchester Friends of the Earth	PMR Electrical Ltd
Colchester Furniture Project (The Shake Trust)	Post Office Property Holdings
Colchester Institute	Prettygate Dental Practice
Colchester Learning Shop	Prettygate Library
Colchester Mind	Priory Residents Association
Colchester PCT	Purcell Miller Tritton
Colchester PCT	Queen Elizabeth Hall
Colchester PCT	R & P Taylor Carpets
Colchester Retail Business Association (CORBA)	R G Carter Colchester
Colchester Quaker Housing	R H M Joinery
Colchester Rural Age Concern	Ramblers Association - Colchester
Colchester United FC	Rapid Electronics Ltd
Colchester Zoo	Rennison Consultants
Colne Harbour Project Group	Richard Fordham Tree Surgeons
Colne Housing Society	Ringway Group Ltd
Commission for New Towns and English Partnerships	Riverside Residents Association
Consensus Planning Ltd	Road Haulage Association
Copford with Easthorpe Parish Council	Robinson and Hall
Corporate Associates Ltd	Rollerworld
Countryside Properties	Rose of Colchester Ltd
Countryside Properties	Royal London

CPREssex	Royal Society for the protection of Birds
CRCL	Royal Yachting Association (Eastern Region)
D F Clark Contractors Ltd	Rural Community Council of Essex
David Wilson Estates	RWCL
Dedham Parish Council	Rydon Homes Ltd
Dedham Vale AONB Project	Sales Manager
Dedham Village Design	Saxon House Ltd
Defence Estates	Scott Wilson
Defence Estates	Seatrade
Dentistry	Secretary, The Strood WI
Diocese of Chelmsford Colchester Area team	Sexton Construction Ltd
Disability East (EDPA)	Shea Properties
DPDS Consulting Group	Shelter
Dr D Bateman & Partners	Sloppy Joes
Driver Jonas	Smith Stuart Reynolds
Dudley Anderson Ltd	Smythies Avenue Residents Association
East Anglian Chambers	Soroptimist International
East Donyland Parish Council	St Anne's Church
East Mersea Parish Council	St Georges New Town Junior School
East of England Tourism	St James C of E V A Primary School
Edward Gittins & Associates	St Johns & Highwoods Community Association Ltd
EEDA	St Johns Ambulance
Eight Ash Green Parish Council	St Johns Church
Emmaus Colchester	St Johns Residents Association
English Partnerships	St Mary Residents Association
Equality Estates	St Mary's Church
Essex & Suffolk Gliding Club	Stanley Bragg Partnership
Essex & Suffolk Water	Stanway Library
Essex Army Cadet Force	Stanway Parish Council
Essex Chambers of Commerce	Stanway Residents Association
Essex County Cricket Club	Stephen Egerton Associates
Essex County Youth Service	Stephen Hayhurst Chartered Town Planner
Essex Fire & Rescue Services	Strutt & Parker
Essex Fire & Rescue Services	Sustainable Environment Consultants Ltd
Essex Rivers Healthcare NHS Trust, Colchester General Hospital	T J Evers Ltd
Essex Roofing Company Ltd	Taylor Woodrow Developments
Essex Strategic Health Authority	Tesco
Estuary Housing Ltd	Tesco Stores Ltd
Etiss Ltd	The Barton Willmore Planning Partnership
Evening Gazette/Essex County Standard	The British Wind Energy Association
F & C Commercial Property Holdings Ltd	The C M Cadman Group Ltd
Facility Development Manager	The Craftsman
Federation of Small Businesses	The Food Company
Fenn Wright	The Guinness Trust
Fenn Wright	The Gypsy Council
Fingringhoe Parish Council	The Inland Waterways Association
First Essex Buses Ltd	The JTS Partnership
Fisher Jones Greenwood	The Philip Morant School
Fitness First	The Planning Bureau Ltd
Five Poets Residents Association	The Planning Bureau Ltd

Flagship Housing Group	The Rose and Crown Hotel
Flakt Woods Ltd	The Royal Association For Deaf People
FMA Ltd	The Sixth Form College, Colchester
Fordham Parish Council	The Stanway School
Forestry Commission	The Theatres Trust
Freight Transport Association, HR Department	The Thomas Lord Audley School & Language College
Friends of the Minorities	The Wine Centre
G P Practice	Thompson Smith & Puxon
George Wimpey UK Ltd	Thurstable School
Gilberd School	Tiptree Library
Gladdale Group	Tiptree Parish Council
Godden & Rudling Building Services	Transco
Great Horkesley Parish Council	Transport for London
Great Tey Parish Council	Turley Associates
Greenstead & St Andrews Nursery & Infants	Turners for Men & Women Ltd
Greenstead Library	Underwoods of Colchester
Gypsy & Traveller Law Reform Coalition	University of Essex
Hall Duncan Associates	University of Essex Dept of Biological Sciences
Hamilton Lodge Trust	University of Essex Students Union
Harwich International Port	Vaughan & Blythe (Construction) Ltd
Hazlemere Infants School & Nursery	Volunteer for Mind
Health & Safety Exec	W A Hills
Help the Aged	Wakes Colne Parish Council
Higgins Construction Plc	Warden Housing
Hills Residential Ltd	Warren Insulation
HLL Humberts Leisure	Welshwood Park Residents Association
Holiday Inn	West Bergholt Parish Council
Holmwood House School	West Bergholt Parish Planning Group
Hornburys	West Mersea Library
Housing Corporation	West Mersea Town Council
Hutton Construction Ltd	Whybrow Chartered Surveyors
Hythe Community Centre Association	Wildlife and Countryside Link
Hythe Residents Association	Wilkin & Sons Ltd
Hythe Residents Association & Colne Harbour Group	Winstred Hundred Parish Council
Ian R Matthers B.S & D	Wivenhoe Dental Practice
Iceni Homes	Wivenhoe Sailing Club
Iceni Projects Ltd	Wivenhoe Town Council
Indasa Abrasives (UK)Ltd	Womens National Commission
Indigo Planning	Wordwrite Associates
Inntel	Wormingford Parish Council
Jacks Famous Supplies Ltd	Young Essex Assembly
James & Lindsay Life & Pensions Ltd	Youth Enquiry Service
Jamesons Residential Care Home Ltd	

Appendix 2

Text of e-mail and letter sent to consultees:

Colchester Borough Council and the Colchester and North East Essex Building Preservation Trust has prepared a draft Shopfront Design Guide Supplementary Planning Document (SPD) for public consultation.

The draft Shopfront Design Guide SPD is intended to supplement existing policies in the Core Strategy and Development Policies DPDs by providing detailed guidance. The eventual adoption of this SPD will promote high-quality shopfront design and will help officers and members of the Planning Committee make decisions on proposals for shopfronts and shop signs.

Please take the time to read the draft SPD and let us know what you think. The draft SPD can be accessed via the following link:
www.colchester.gov.uk/planningconsult

Hard copies of the draft SPD will be made available at Colchester Library and in the Customer Service Centre. Colchester Library is open Monday – Friday 8.30am - 7.30pm, 8.30am – 5.00pm Saturday and 12.30pm – 4.30pm Sunday. The Customer Service Centre is open Monday – Friday 9am - 5pm.

The consultation period on the draft SPD will run from 21 March 2011 – 18 April 2011. Representations can be made online or can be emailed to planning.policy@colchester.gov.uk. Please let us know if you would like to be informed of the adoption of the SPD.

Further information can be obtained from the Spatial Policy team on (01206) 282473 or planning.policy@colchester.gov.uk.

Appendix 3
Statutory Advert published in Evening Gazette, Tuesday 1 March 2011

COLCHESTER BOROUGH COUNCIL

**Notice of Consultation on Colchester's
Draft Sustainable Design and Construction
Supplementary Planning Document Under
Regulation 17 of the Town & Country
Planning (Local Development) (England)
Regulations 2004 (as amended)**

Colchester Borough Council has prepared consultation drafts of two Supplementary Planning Documents:

Sustainable Design and Construction Supplementary Planning Document (SPD). The draft SPD provides guidance for those involved in development in Colchester to help them deliver a high quality built environment. The document sets the case for development meeting minimum levels under the Code for Sustainable Homes and BREEAM. The consultation period will run from 1 March – 1 April 2011.

Shopfront Guidance Supplementary Planning Document (SPD). Its purpose is to provide design guidance on the alteration or installation of shopfronts and shop signs in order to maintain or raise the design quality of these features of the townscape. The consultation period will run from 21 March – 15 April 2011.

Copies of the SPDs are available for inspection during the above periods at the following locations:

- Colchester Borough Council Customer Service Centre, High Street, Colchester. Monday – Friday 9am - 5pm.
- Colchester Central Library, Trinity Square, Colchester. Monday – Friday 8.30am - 7.30pm, 8.30am – 5.00pm Saturday and 12.30pm – 4.30pm Sunday

Copies of all consultation material can also be downloaded from www.colchester.gov.uk/planningconsult

Representations on the two SPDs should be made online or by email to planning.policy@colchester.gov.uk

Further information can be obtained from the Spatial Policy team on (01206) 282709/282473 or planning.policy@colchester.gov.uk



Local Development Framework Committee

Item
9

13 June 2011

Report of	Head of Strategic Policy and Regeneration	Author	Laura Chase 01206 282473
Title	Public Realm Strategy		
Wards affected	Castle		

The Local Development Framework Committee is asked to agree the adoption of the Public Realm Strategy as a guidance note.

1. Decision(s) Required

- 1.1 To agree to adopt the Public Realm Strategy as planning policy guidance.

2. Reasons for Decision(s)

- 2.1 To provide guidance directing future development in Colchester.

3. Alternative Options

- 3.1 The Council could decide to not adopt the document, to delay adoption or to significantly revise the document. The continued absence of planning guidance on this topic could result in inappropriate development or schemes being permitted with a low standard of design.

4. Supporting Information

- 4.1 The Public Realm Strategy has been developed to set forth a clear set of guidelines for Town Centre improvements, providing developers and public bodies with the necessary design principles and material guides to implement and maintain a high quality environment.
- 4.2 The planning framework for Colchester, the Local Development Framework (LDF), supports the need to define a consistent, high quality approach to Colchester Town Centre's public realm. The LDF includes strategic policies in the Core Strategy as well as more detailed policies for the Borough in the Development Policies document and in area-specific plans. The strategic policies in the Core Strategy place the Town Centre at the top of the hierarchy for sustainable development and prioritise the conservation of its rich heritage and the provision of people-friendly streets. The Development Policies document provides a policy guiding the mix of uses in the Town Centre to ensure an appropriate balance between retail and non-retail uses.

- 4.3 The Public Realm Strategy is accordingly based on these adopted LDF policies. Its key aspiration is to provide the design framework and criteria to ensure that the quality of Colchester Town Centre's public realm is as high as the standard of its individual landmark buildings and features. The Strategy is also compatible with the Street Materials Guide prepared by Essex County Council, which provides general guidance for street materials throughout the County.
- 4.4 The detail within the Strategy can be further refined since it will be absorbed over time into the wider remit of a Town Centre Area Action Plan (AAP). The AAP will contain detailed guidance for spatial options, design, uses, and transport for the Town Centre and is programmed for adoption in 2013. The development of the AAP will include the review of the principles and criteria included in the Public Realm Strategy, so any revisions found necessary can be incorporated into the version of the Public Realm Strategy included as a part of the AAP.
- 4.5 The document sets forth the following 3 overall principles for guiding the public realm:
- Identity
 - Amenity
 - Quality

These principles are then applied to the analysis and proposals for the eight different character areas of the Town Centre. The Strategy also focuses on underused spaces, regeneration areas and key entry points into the town. Maintenance and management is acknowledged as key to the long-term success of any public realm improvements, and the Strategy provides criteria to ensure that high quality materials are used and that relevant bodies assume responsibility for maintaining improvements over the long-term.

5. Proposals

- 5.1 It is proposed that the Public Realm Strategy is adopted as planning guidance.

6. Strategic Plan References

- 6.1 This Strategy will contribute to the Council's vision to be a place where people want to live, work and visit. It will also contribute to the Council's priority for action to enable job creation and the Council's Better Town Centre Programme.

7. Consultation

- 7.1 The document reflects consultation and feedback from a number of internal and external stakeholders including the Colchester Retail Business Association (CORBA) and Essex County Council Highways East Area Office (who are responsible for installing and maintaining many key elements of the public realm). The document has been endorsed by Cllr Gamble, the Council's Design Champion. Further consultation on the document will occur as part of the Town Centre Area Action Plan production which will provide the overarching framework for the Public Realm Strategy.

8. Publicity Considerations

- 8.1 The Public Realm Strategy contributes to the Council's Better Town Centre publicity initiative to inform and consult on the range of actions and plans underway to improve the Town Centre.

9. Financial Implications

- 9.1 None

10. Equality, Diversity and Human Rights implications

- 10.1 The Public Realm Strategy 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
- 10.2 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 The Public Realm Strategy is intended to increase the attractiveness of the public realm in the Town Centre, thereby creating safer, well-used environments.

12. Health and Safety Implications

- 12.1 Public realm enhancements will incorporate measures to improve accessibility and safety.

13. Risk Management Implications

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

Background Papers

No additional documents

Colchester Town Centre Public Realm Strategy

1. Introduction

The public realm is the space between buildings. It is the materials and furniture of each street and open area and its character defines the overall experience of an area. It plays a key role in defining a town's wider image and in setting a welcoming or neglected tone for particular areas.

Investment in the public realm reaps returns in improved quality of the environment, but also in more measurable economic benefits to local businesses. For example, a CABI Report on street design quality in London found that improvements added an average of 4.9 per cent to retail rents.¹

The Public Realm Strategy has been developed to set forth a clear set of guidelines for Town Centre improvements, providing developers, managers and public bodies with the necessary design principles and material guides to implement and maintain a high quality environment.

The planning framework for Colchester, the Local Development Framework (LDF), supports the need to define a consistent, high quality approach to Colchester Town Centre's public realm. The LDF includes strategic policies in the Core Strategy as well as more detailed policies for the Borough in the Development Policies document and in area-specific plans. The strategic policies in the Core Strategy place the Town Centre at the top of the hierarchy for sustainable development and prioritise the conservation of its rich heritage and the provision of people-friendly streets. The Development Policies document provides a policy guiding the mix of uses in the Town Centre. (See appendix 1 for detailed list of relevant LDF policies)

The Public Realm Strategy is accordingly based on these adopted LDF policies. Its key aspiration is to provide the design framework and criteria to ensure that the quality of Colchester Town Centre's public realm is as high as the standard of its individual landmark buildings and features.

The detail within the Strategy can be further refined since it will be absorbed over time into the wider remit of a Town Centre Area Action Plan. The AAP will contain detailed guidance for spatial options, design, uses, and transport for the Town Centre and is programmed for adoption in 2013. The development of the AAP will include the review of the principles and criteria included in the Public Realm Strategy, so any revisions found necessary can be incorporated into the version of the Public Realm Strategy included as a part of the AAP.

This strategy is compatible with the Essex County Council Street Materials Guide, which provides a further source of guidance for the public realm in general.

¹ Commission for Architecture and the Built Environment (CABI) *Paved with gold – the real value of good street design*, 2007. See also Places Matter *Economic Value of Urban Design* 2007 and 2009 update

2. Overall Guiding Principles for the Public Realm

The following three principles are considered to capture the essence of good stewardship and design for the public realm:

Identity – enhancing and reinforcing the distinctive character and identity of Colchester and its rich heritage.

(In line with Core Strategy policies SD1 Sustainable Development Locations, CE1 Centres and Employment Classification and Hierarchy, CE2a Town Centre, UR1 Urban Regeneration Areas, UR2 Built Design and Character and PR2 People-friendly Streets and Development Policies DP6 Colchester Town Centre Uses, , DP10 Tourism, Leisure and Culture and DP14 Historic Environment Assets)

Amenity – providing a safe, attractive and accessible town centre that is well maintained.

(In line with Core Strategy policies UR2 Built Design and Character, PR2 People-friendly Streets, TA1 Accessibility and Changing Travel Behaviour, TA2 Walking and Cycling, TA3 Public Transport, TA4 Roads and Traffic and TA5 Parking)

Quality – a set of design principles for all streets and spaces within the town centre to provide a continuous and consistent high quality well-maintained environment and clear interpretation of the town's features and stories.

(In line with Core Strategy policy UR2 Built Design and Character and PR2 People-friendly Streets and Development Policies DP1 Design and Amenity and DP14 Historic Environment Assets)

The principles will be used to guide the analysis for the different character areas within the Town Centre which follows. The analysis will have regard to specific opportunities in the following areas:

Spaces that need rejuvenating – There are a number of underused spaces in the town centre, some of very poor quality. Many are gated churchyards, with restricted hours of opening. But all have the potential make a better contribution to amenity in the town centre. The Council will work with landowners and stakeholders to make the most of spaces in the town, including the spaces managed by the Council. The rejuvenation of public spaces requires a series of linked designs that reflect the historic ties between spaces and yet gives each space a special, unique identity.

Enlivening use of public spaces – Spaces are distinct from pavements and movement corridors and provide the opportunity to stop and enjoy the surrounding activities and environments. Interest can be generated through the quality of the landscaping, public art; interpretation of heritage features as well as commercial opportunities for cafes and restaurants. Spaces should be available for all people and by providing more choice of spaces, the strategy can support widening the opportunities for interaction.

Enhancing the historic environment – The Council will work with Town Centre businesses and residents as well as statutory bodies and interest groups to secure preservation and enhancement of the wide range of the Town Centre’s rich historic and archaeological heritage, including the Town Walls, numerous listed buildings, Scheduled Ancient Monuments and landscape/streetscape features. The Council will pursue a co-ordinated and innovative approach to the interpretation of the historic environment.

Town Centre movement – The Council is developing integrated solutions to access to the Town Centre to reduce congestion and facilitate access by public transport and cyclists. Within the historic core, access and movement by pedestrians will be prioritised. Any additional waymarking signs will be evaluated in terms of their appropriateness to the existing system. By adopting a strategy for sharing space in the town centre people will have more freedom to enjoy their activities without the domination of the car.

Reducing clutter – All schemes affecting the public realm will be reviewed to ensure they maximise opportunities to reduce clutter. A rationalisation of the town’s signage and street furniture will add to the quality of the environment by reducing pavement clutter and freeing up space for movement.

Incorporation of public art – Key opportunities and locations for public art will be identified for appropriate town centre locations. Art projects will provide visual interest; stories about people and places; and prompts for contemplation or conversation. The Council will seek contributions for public art through the Community Infrastructure Levy and through other funding sources.

Maintaining quality – Colchester’s Street Services Town Centre team will work to ensure clean, safe and well-managed streets and spaces. New public realm improvements will be designed for ease of maintenance and longevity, and the responsibility for maintenance will be clearly delegated to the appropriate body.

High-quality shopfronts – Shopfronts are a key feature of the public realm in retail areas and play a critical role in defining the quality and character of these areas. Greater emphasis will be placed on securing shop front designs and alterations that are sympathetic to the locality and enhance the building and street scene to which they relate. The Council will adopt guidance for the detailing of shop fronts and the use of appropriate materials.

Improving lighting – Improved lighting in the public realm has great potential to improve the after hours experience of the town centre. The Council’s Town Centre Lighting Strategy (attached as Appendix?) provides for a hierarchy of external lighting fixtures, with brightness and colour used to signpost key routes and buildings.

Integrating new developments into the town

New developments in the town centre should be designed to integrate seamlessly into the existing fabric. They will contribute new public spaces to add to the variety of environments on offer in the Town Centre and the ability to support a range of events and exhibitions available to all.

3. Character areas

Character areas are defined as areas of specific function and/or character within the town centre. The Public Realm Strategy defines their unique characteristics and proposes how to build upon their identity, aesthetic and/or function. Some of the areas identified have a strong boundary. In some cases, a single street or route is defined because of how it functions or because of its aesthetic qualities. The strengths and weaknesses of each area form the basis of enhancement proposals.

The public realm for each area should be designed to emphasis and enhance the identity of the location but also to respond to the impacts that its function places upon the public realm. For some areas or streets the degree of intervention suggested is much more than others, but this tends to be in cases where the current character is seen as having a negative impact on the town centre as a whole.

The character areas are:

Geographic areas

- 1 Shopping core
- 2 Dutch Quarter
- 3 Head Street/North Hill
- 4 Balcerne Gardens
- 5 East Hill
- 6 Queen's Street/St Botolph's Street
- 7 St Johns Street/Crouch Street East
- 8 Crouch Street West

Specific designations

- 9 Underused spaces in the centre. (As these have a common theme they are dealt with in a single section to show how to achieve a series of spaces that are connected by their context but individual in their design).
- 10 Regeneration Areas – The St. Botolph's and Vineyard Gate Regeneration Areas
- 11 Thresholds – Historic gates and entrances to the Town Centre

3.1 The Shopping Core

Character

The Shopping Core is at the very heart of the town, in both a functional and geographic manner. Its mix of old and new buildings lie atop a footprint established during the Roman period. The High Street at the north of the area is the largest scale street in the Shopping Core, but its pre-eminence as the retail heart of the area has slipped over time, following construction of the Lion Walk precinct in the 1970s and Culver Square in the 1980s. The High Street was upgraded to a York stone surface in the early 1990s, which is sympathetic to the fine built form of the High Street. While the southern side of the street is predominantly retail, the northern side includes a more diverse range of uses including bars and restaurants. This latter dual role for both day and evening uses is pertinent to most of the streets

outside the core, whereas in the shopping core itself there are fewer establishments catering for the night time economy.

The Town Centre Area Action Plan will provide for a comprehensive approach to the planning and management of access to and within this key area. The High Street is heavily used by vehicles; both private cars and public transport are highly dominant. The single town centre taxi rank with its central High Street location often appears inadequate for the number of taxis waiting for business yet, parking two abreast; the taxis have a strong visual impact.

Cyclist are well catered for in the High Street with good parking facilities in well observed places but the single traffic direction is disadvantageous to cyclists wishing to travel east to west.

South of the High Street the principle shopping core is a series of smaller scale streets in which vehicular access has been restricted to avoid conflicts with the primary function. The character of these areas is fine-grained, with a mix of architectural styles from different historic periods. The area contains a number of Listed Buildings and a section of the Town Walls. The public realm of these streets is a mix of budget conscious refurbishment and, in certain places, very patchy lengths of uncoordinated pavement materials. There is little by the way of street furniture which is a positive, especially on the narrower pavements but the functionality of high kerbs and narrow pavements is not good. Street lighting throughout the core is utilitarian at best with only the Town Hall given architectural illumination.

Also within the shopping core are three private centres. Culver Square, Lion Walk and Priory Walk. All three make important contributions and connections within the core, linking the public streets and in the case of Culver Square providing the town with its most vibrant and active public square. Each of the private arcades remains open to the public at night and therefore has all the functions and perception of true public realm.

Vision

The High Street will become more pedestrian oriented with traffic, highway furniture and parking rationalised to provide a better quality experience for all. Restricted access for through traffic will enable greater freedom for pedestrians during the day. The pre-eminence of the Shopping Core in the Town Centre should be reinforced by continuity and the high quality of materials used for street furniture, signage, and road treatments. A single, high quality material should be used for road surfaces to provide identity and continuity, with variations in gauge and bond used to denote different scales of street. The Council will work with landowners to deliver consistent enhancement of the public realm. Street cafes bringing vitality to the public realm will be encouraged in appropriate zones, with licensing and planning enforcement used to control the safe and appropriate use of public space

Specific Requirements –

High street

- **Movement** - A greater pedestrian priority will be established with the restriction of the private car during shop opening times. Taxi ranks should be distributed in other streets to provide less dominant yet more reachable facilities for people. Traffic impacts of both parked and through going vehicles will be addressed as part of ongoing work with Essex County Council and others on Town Centre transport management.
- **Street furniture and signage** -Street clutter is to be reduced by rationalising highway and other signage in conjunction with changes to traffic movements. Street furniture should be of a single colour and design and to a suitable conservation area standard. Public transport facilities are to be rationalised to provide less dominant shelters (remove advertising) both visually and physically within street café zones
- **Streets and surfaces** – Historic pavement definitions should be retained but redesigns should achieve ease of movement across carriageways by adopting shared surface principles and associated vehicle speed restrictions. The High Street surfacing requires relaying to the appropriate British Standard.
- **.Activity** - The Council, through its planning and licensing functions, will support applications for pavement cafes operating in appropriate zones and at appropriate times. The Council will work with operators to provide an effective cleaning and maintenance regime and will work with the police to create a welcoming and safe street environment around the clock.
- **Lighting** – The Council's Lighting Strategy (attached as Annex 2) includes a high quality lighting scheme for architectural landmarks; appropriate levels of lighting for different areas of activity; and guidelines for appropriate fixtures and fittings to ensure that lighting has a positive effect on the night time economy.

Other streets

- **Streets and surfaces** - A simple and functional public realm is to be created that enables the free movement of pedestrians. The use of single surfaces or minimal upstands on kerbs will be acceptable to all users because of the existing traffic restrictions. In other streets within the core a stone finish as in the High Street should be used in grades and bonds that respond to scale and character of individual streets.
- **Street furniture** - A simple and robust range of furniture for the core zone and all streets is to be provided that will provide continuity and ease of maintenance.

- **Materials** - The central area of small streets and the High Street is the major retail hub and is relatively free of vehicles for its most active periods. Its importance and historic character demands the highest quality surface materials of all the town centre. For all the streets in the core York Stone in a matching appearance to the High Street will be used. The differing scale and character of each street will require an individual bond and layout of natural stone to enhance the architectural character and ambience. The smallest and solely pedestrian streets will have a pattern of small 100mm to 160mm sets arranged in a layout sympathetic to the overall character. Wider streets will have a larger gauge of York stone pavements with Granite kerbs. The carriageways used by service vehicles will have York stone laid in small sets in fan pattern or small straight gauges for robustness. An alternative to York stone in the carriageway may be considered but a natural stone product, complementary in colour must be used.

3.2 The Dutch Quarter

Character

The historic Dutch quarter was first settled by Dutch refugees in around 1570. Later settlers came in the 17th century and added much to the prosperity of the town through their trade and skills in fabrics. The quarter has a significant number of fine buildings with the main character established by 17th and 18th century residential timber framed buildings. Residential buildings dominate the streets apart from the 20th century interventions of the BT tower and Nunns Road car park. There have been some sensitive 20th century interventions where highly sympathetic housing has been introduced to match the historic character of narrow streets and courts. The quality of the buildings, however, is not matched by the quality of the public realm, which is a patchwork of unsympathetic materials laid without a plan or contextual references. The one way system and parking restrictions have been implemented through the use of unsympathetic signage and yellow lines.

Vision

The Dutch Quarter needs a considered and coordinated approach to the public realm, one that is highly sympathetic to the fine historic character. Historic materials should be retained and enhanced where possible.

The area does not have the attractions and footfall of the shopping core and does not justify an expensive carriageway transformation. It does, however, warrant a continuous and good quality paving material and a well chosen single surface for all the carriageways.

This is a small, sensitive area where the tourism impacts will be balanced between the following:

- Community - ensuring that a sense of community identity is maintained rather than overwhelmed by tourism
- Environment - ensuring that the essential elements of what visitors come to see are preserved.
- Economy - ensuring that businesses stay in business (including those which do not depend on tourism) and are not disadvantaged by tourism.

Ultimately, this means balancing the impact of tourism so that these essential elements are there for future generations to enjoy and maximising the benefits of tourism for supporting local businesses and local employment.

It is necessary to establish a simple and subtle method of delineating on street parking and parking restrictions with a stone or conservation set as opposed to yellow and white lines. Signage should be minimal and fixed upon buildings where possible. Rationalising the arrangement of all street furniture will reduce much of the clutter adversely affecting the area.

The area has a good proportion of natural stone kerb and this should be retained. It may be that matching stone gullies are concealed under the contemporary carriageway surfaces and when resurfacing takes place these should be uncovered, cleaned and replaced. Where historic patterns of materials exist these features should remain and enhanced where possible.

Specific Requirements

- **Streets and surfaces** -A simple continuous treatment for the carriageway and a separate continuous material for all paved areas will be provided. The visual complications of islands and contrast areas of paving will be abandoned. Elements of historic paving will be preserved and enhanced where existing. A high quality, natural aggregate rolled finish will be applied to all carriageway surfaces. Small gauged, robust paving material are appropriate and can be a cement based product. Natural granite kerbs should be used to match existing. Materials higher in quality than standard materials used in the highway do attract the need for the provider to pay a contribution (commuted sum) to cover the cost of future maintenance
- **Parking** - Parking bays and areas identified with stone or conservation sets. 20 mph and restricted parking zone are to be established that negate the need for yellow lines.
- **Street furniture and signage** –A minimum of street furniture and signage will be provided to avoid visual clutter. ‘Colchester badged’ bollards and a single lamp column design, approved by Essex County Council will be used exclusively where those elements are required.
- **Materials** - There is a need for simple uniformity of the public realm in this area. A rectangular natural concrete flag should be used for all pavement surfaces; the inappropriate square flag must not be used. In the smaller streets, that are currently laid as a shared surface, a similar concrete flag can be used with the historic carriage tracks reinstated in granite kerb stones laid sideways and flush. The surfaces for vehicles must be laid with an aggregate chippings surface finish. Elements of paving and furniture used as traffic control must be minimal and integrated with simple measures, avoiding islands and contrasting materials.

Where possible small unadopted areas aside the pavement should be laid in the same material as the pavement with minimal delineation of ownership. Alternatively the use of cobbles can be similarly negotiated with land owners to enhance the simple continuity required. Granite kerbs should be used for all raised and flush applications.

3.3 Head Street/North Hill

Character –

Both Head street and North Hill have a large percentage of listed buildings that define a wide street. The procession of fine buildings up North Hill provides a quality aesthetic to the street which has St Peters Church as a dominant landmark at the top of the hill.

Head Street has a mixed use of shops and eating/drinking establishments as well as the only cinema of the town. North Hill has a mix of uses with a prevalence of restaurants over secondary retail and office uses. Both streets therefore have an evening function and together with the High Street provide the focus for the evening and night time economy.

Bus stops crowd parts of Head street where other substantial pedestrian movements compete for space. This pedestrian congestion is undesirable on such a wide street and could be resolved through a combination of pavement widening, carriageway narrowing with a rationalisation of parking on the opposite side of the street. Advertising on the bus stops which detracts from visual amenity is an additional undesirable feature of the current arrangements.

Vision

Materials on North Hill and Head Street should have a continuous pavement treatment. It need not be the same as the High Street but should retain large scale rectangular flag style where overriding is not an issue. Street clutter will be reduced to a minimum and clear pedestrian desire lines will be given priority over the positioning of all furniture.

Taxi provision should be made in Head Street for the night time economy providing a variety of ranks for taxis at night, which are better related to demand than a single central rank. Bus stops should also be reconsidered where spatial conflicts occur on pavements.

Lighting can play a role in legibility of the route from the north through the illumination of landmark buildings at the top of North Hill. The ambience for the night time economy can be enhanced through lighting these streets in appropriate ways. Defining the night time realm can give users a sense of place and also define its extent so when moving into a different lighting scenario the change enforces the end of the zone both physically and socially.

Specific characteristics

- **Street furniture** - An uncluttered and minimalistic approach to street furniture is required. A single surface material for all pavements will be used, with lesser side junctions bridged by pavement to establish greater pedestrian priority. Some seating on the hill should be provided for anyone struggling to walk up. The same furniture as for the High Street is to be utilised throughout. Advert free bus stops should be installed where changes to physical layout are established. Speed and parking zone should be established with corresponding reduction of highway signage and furniture.

- **Lighting** - Lighting design should provide for the illumination of landmarks buildings and ambience for night time economy. (See Lighting Strategy, Annex 2)
- **Streets and surfaces** - A robust and large scale flag paving material should be used continuously. Where side junctions are bridged by pavement an overridable material of the same colour will be used.
- **Materials** - In these wider scaled streets the 3 by 2 natural concrete flag has been established as an appropriate traditional surface material. This material should be used consistently for all pavements with small regular mortar joints. The pedestrian route should be established across all minor accesses and side roads by using natural concrete pavers where vehicle overriding would damage flag paving. It is vital that the chosen manufacturer supplies both flags and pavers in a matching colour that avoids the variation caused by different sands used in production. A good number of granite kerbs still remain in situ and these should be retained with additional stocks obtained for consistency in both streets.

3.4 Balkerne Gardens

Character

This part of the town plays host to a mix of cultural and residential uses. It has a well established landscape value from the many mature trees and green spaces. The Arts Centre in St Mary's church and the Mercury Theatre are significant attractions within the town centre and together with the Victorian water tower, known as Jumbo' create a unique place of striking architecture in a series of spaces. There are also fine houses enclosing the green spaces which are connected to the town via three very narrow streets; Church Street, Church Walk and Balkerne Passage. This space is bounded to the west by the historic town wall and Balkerne Gate, an original Roman feature which continues to function as a striking entrance to the town for pedestrians ascending Balkerne Hill or crossing the bridge from the residential area of St Mary's. The area, however, suffers from haphazard and visually dominating parking arrangements.

Vision

The role of this part of the town as a cultural quarter makes lighting and ambience improvements key priorities. This will not only enhance the characteristics and buildings of the area but also provide a stronger perception of safety for the patrons of the culture venues. There is much green space that can be further utilised for recreational space including St Mary's church yard and incidental spaces which should be reconsidered for their contribution to the daytime use of this area.

There is potential for the creation of a shared space thoroughfare combined with open access to the adjoining green spaces. This would allow for events and organised activities as well as providing opportunities for people to sit and enjoy a quite haven away from the bustle of main Town Centre streets.

Specific Requirements

- **Public Spaces** – Improve existing open space in the area to provide gathering and sitting out space to complement the pedestrian-friendly streets and paths and adjacent cultural/leisure uses. The spaces adjacent to uses associated with the night time economy should also be welcoming after hours. - Incidental spaces should be reconsidered to allow people to utilise the setting as public space.
- **Street furniture** Materials and furniture will be unique to this area and therefore distinct from the materials used in the central streets
- **Movement** – A shared space surface for pedestrians and vehicles will be created in which the pedestrians have greater freedom and priority of movement. Servicing times should be managed to enhance the pedestrian priority and public space function. Private areas should be clearly defined, especially parking courts, with gates and enclosures.
- **Streets and surfaces** - The lanes should be given an historical surface treatment similar to that surviving in Balkerne Passage. Shared space surfacing should be robust for service vehicles yet sympathetic to the desired character.
- **Threshold** - Around the Roman gate a sympathetic floor material should be considered to enhance the setting of the monument and express the threshold of the town centre.
- **Lighting** - Lighting should exploit landmark buildings and look to enhance the green space. The perception of a safe and high quality environment must prevail.
- **Public Art** - This area can be further enhanced as a cultural quarter and a recreational area through public art embedded into the location as functional elements of furniture and as individual sculptural pieces.
- **Materials** -The three lanes that provide access to this important cultural quarter will be used by less vehicular traffic but may still need to be designed for large service vehicles and the emergency services. Balkerne Passage currently has a typical historic treatment still visible in parts, although badly maintained.



The visual character and pedestrian movement through these lanes will be enhanced by reproducing the historic surfacing. This is to be a single, level surface without raised kerbs but using large granite kerbs, laid on the side

that would have been spaced for carriage wheels. Between and outside the granite tracks should be laid in small sets either in a small gauge or as regular squares. The three lanes should not be laid exactly the same and the variation of gauged or square form sets will provide suitable variation. The junction between these lanes and Head Street, North Hill will require careful consideration. It is preferable to lose the carriageway junction in favour of establishing pedestrian priority across minor side streets. Therefore the terminus of the main street pavement and the beginning of the lane layout must be elegant and logical.

The more open area around the Mercury Theatre and Jumbo has a very different character than that of the lanes from which it is accessed. The open and green nature of this space should be the dominant feature and for this reason the hard landscape will be minimised in scale and a shared surface of neutral coloured paving will be laid. The material can be a tumbled concrete block with drainage channels in the same material although a natural stone surface would be a more traditional and aesthetically pleasing choice.

Thresholds and private delineations should be made with granite kerbs or string courses.

Hard standings around seating and other furniture should be in the same material but can be laid in ornate bonds such as circles or fan patterns.

3.5 High Street/East Hill

Character

This continuation of the High Street into East Hill has a grand appearance created by fine two and three storey listed buildings which include the former college of Greyfriars and East Hill House. On the edge of the centre and without the central retail and evening uses it has contained office and educational uses until their closure in the last two years. There are now plans to introduce new hotel/restaurant uses into the two major buildings on the street and these will add further diversity and vitality to the end of the town centre and will complement the adjacent new Visual Arts Facility.

The street has well proportioned pavements and only one area of significant clutter at the castle junction. The pedestrian island there is overloaded with a combination of lighting columns, highway and way finder signage and a heavy duty CCTV column, and these impact negatively on views in all directions.

Vision

The stone surfacing from the main part of the High Street should be extended down East Hill to provide continuity and to designate a key entrance route to the Town Centre. Appropriate road surfacing and crossings are further indicators which can establish a stronger sense of place. Increasing pedestrian priority at the Queen Street junction will make a significant enhancement making the quarter better connected to the central area. The Town Centre Area Action Plan will provide a co-ordinated approach to transport management in the Town Centre, including the key access route of East Hill.

Specific Requirements

- **Design and movement**- An appropriate setting for the listed buildings is to be established with suitably calmed traffic and strong pedestrian priority where desire lines cross the carriageway, in particular, at the crossing between the new Visual Art Facility, East Hill House and future uses of Greyfriars. The castle junction should be de-cluttered to improve the general setting and aesthetic.
- **Lighting** - Architectural lighting can be considered for the better quality buildings of this street and to provide a unique highlight for cultural facilities.
- **Street furniture** - The furniture and materials of the High Street should continue through this part of the street.
- **Threshold** - A threshold feature may be created at the war memorial or park gates to give this entrance to the town the same artistic value as the other designated thresholds.
- **Materials** - It is logical that the York stone of the High Street should continue through this street. The sizes and edge details to buildings and other furniture should also be carried through to achieve continuity. The threshold marker for East Hill will need act as a termination of the York stone and the design of the threshold must detail the transition appropriately

3.6 Queen Street/St Botolphs Street

Character

Architecturally, these streets contain both gems and unsympathetic additions. This mix, combined with a traffic dominated narrow street, means that the overall visual character is poor. There is a variety of uses including some long established shops and night time venues. There are many fast food outlets which although also well established add to the poor perception of the street, especially in the evenings and night time.

While the street is a key route for pedestrians into the town from the south, the experience for pedestrians is marred by high levels of traffic during the day, behaviour and litter issues at night, and the dominance of traffic and pedestrian control furniture. Although the carriage way has been visually narrowed by white lining the pavements remain narrow in places. Elsewhere the introduction of kerbside barriers has added to the traffic domination and confinement of pedestrians. Private cars often use the vacant highway edge between the carriage way lines for drop off and illicit parking which adds to the many functional and aesthetic problems of the street.

Vision

Much of this street will be remodelled as part of the St Botolph's regeneration program and the public realm will be enhanced in response to the uses and functions that emerge. The character and function of this street will change dramatically and a streetscape upgrade will be an integral part of the regeneration. The Town Centre Area Action Plan will provide a co-ordinated approach to transport management in the Town Centre, including a regenerated St. Botolphs area.

It will be important to provide good access and movement for cyclists and pedestrians using the street as both a destination and a thoroughfare. Bus stops will also be required for this end of the town and opportunities to establish better facilities adjacent to new developments should be considered.

Specific Requirements

- **Pedestrian Priority** - A strong pedestrian priority will be established desire lines. This will be facilitated by parking and speed restrictions. Legibility and desire lines will be established by surface design and lighting for the nighttime.
- **Street furniture** - A clutter free street scene will be established with minimal highway furniture.
- **Landscaping** - Where it is acceptable with regard to utilities and archaeology, tree planting will be included in the new developments. Where space permits large planters can be used for trees if constraints do not allow ground planting.with easy and unrestricted crossing of the carriageway on all significant
- **Materials** - Much of the pedestrian realm in these streets will be substantially remodelled when the St Botolph's regeneration schemes are implemented. For the main, north/south street pattern the concrete flag as specified for Head Street and St John's Street will be used for all paving. Granite kerbs should be reinstated where concrete ones have been previously allowed. Overridable sections at minor accesses to be laid in colour matched concrete pavers to establish pedestrian priority where necessary.

Where new pedestrian desire lines are established across Queens Street a careful consideration of materials should seek to provide strong routes to primary attractions and generators of movement that are directly fronting the street. The route to the Visual Arts Facility, for instance, demands good legibility.

As a priority the current highway dominated scheme of pedestrian control that utilises extensive railing should be reconsidered at the earliest opportunity.

3.7 St Johns Street/Crouch Street East

Character - These two streets have a secondary role with regard to shopping although they have many individual shops that add to the uniqueness of Colchester. They are both dominated by traffic or parking with pavements that are often narrow and feel cramped at busy times or by parked cars in the case of Crouch Street. The predominance of the small independent retail sector has led to a higher turnover in shop units and a greater vulnerability during periods of economic downturn. An improved and more spacious pedestrian environment would be of benefit to the market attractiveness of these streets.

St Johns Street has a major town car park which provides pedestrian access to the core but the arrival from the car park is poor due to unattractive buildings and street furniture and noise from the air system of the car park. The St Johns shopping complex provides a large and well used multi route bus stop. Movement for all these car park and bus users is however restricted by a limited pavement area, which is further constrained by unsympathetic railings.

Vision

The area will benefit from co-ordinated improvements to the wider area, including Vineyard Gate. Extensive pedestrianisation may be possible and a logical enhancement to new retail schemes. The movement and stops for buses could also have opportunities for improvement and relocation as part of wider transport improvements programmed in the Town Centre Area Action Plan.

In the short term an enhancement of these streets must deliver wider pavements where necessary to improve the accessibility and appearance. This street design gives an overbearing priority to motorised vehicles and this should be addressed through speed restrictions and redesign to enable crossings of the carriageway at desire lines and the removal of railings and barriers.

Specific Requirements

- **Streets and Pavements** - Pavements in these streets should be made wider to facilitate pedestrians and exchange activities. Establish single surface treatment for pavements in St Johns and Crouch Street. Materials need not be the same as the High Street but should retain large scale rectangular flag style where overriding is not an issue. Remodel crossings and space at the foot of Sheregate Steps and Head Street junction. Carry pedestrian priority and surfacing over secondary junctions to increase pedestrian priority and functionality for daytime users.
- **Street furniture, equipment and signage**- Street clutter will be reduced to a minimum and clear pedestrian desire lines will be given priority over the positioning of all furniture. Way finder signage should be repositioned in several places where it comprises views of the historic built townscape. The same simple set of street furniture should be used that is specified for the Shopping Core and North Hill. The ambience of St Johns Street will be improved by quietening the air system on the car park.

- **Materials** - The existing design and modifications of these streets avoids overriding by vehicles. This makes the use of large, traditional concrete flags an appropriately robust material for the pavements. The layout and design should be the same as that used in Head Street to establish continuity of the streets outside the shopping core. Minor accesses and side streets will lose the vehicle priority by taking the colour of the pavement across the junction in natural concrete pavers. Granite kerbs should be used throughout with an up-stand of constant size throughout. Bus stops may require the high 160mm up-stand for passenger convenience. The location of bus stops must not prejudice the setting of listed buildings.

3.8 Crouch Street West

Character –

Crouch Street has a charming and elegant street scene on the north side. The quality of buildings justifies the area's inclusion in the Lexden Conservation Area. The much younger south side redevelopments provide a larger scale of architecture. The street has a lively character arising from the mix of uses and remains active into the evening.

The busy Balkerne Hill road cuts this part of Crouch Street off from the rest of the Town Centre. Crossings are provided either via an underpass or at a surface crossing with a central island. Restrictive furniture makes this pedestrian route less than ideal.

The current angled parking arrangement provides a dominant feature and gives little opportunity for pedestrians to cross the street. Although the pavements are generally of good width, street furniture and A boards create a cramped appearance. This can be exacerbated by long vehicles overhanging the pavement of the north side from the angled parking bays.

At the western end of the street is a small landscaped space for sitting and bicycle parking. This is a popular space in good weather but it could be further enhanced with more practical bicycle stands and a revamped design.

Vision

Pedestrian improvements at the Balkerne Hill crossing will better connect this street to the centre. Signage and street furniture should be reduced where possible to create better visual amenity and assist the free movement of people. The parking arrangement is to be reconsidered to provide more opportunities to cross the street.

Although recently upgraded the square paving and pavers have a less than sympathetic relationship to the many fine buildings and shop fronts. A more traditional rectangular flag should be considered for future schemes. The west end of the highway should also be reconsidered to create a shared surface, allowing pedestrians more space and priority where there are only service vehicles and access allowed.

The space at the west end should be redesigned to provide better facilities and soft landscape. This space is an ideal opportunity for embedding public art into the streetscape thus providing a far better place for the people that use it and the overall experience of the town.

Specific Requirements

- **Parking** -Parking will be redesigned to provide crossings. There is a significant amount of illegitimate parking that takes place on the opposite side of the carriageway to the legitimate parking spaces and this should be addressed as part of the street management.
- **Street furniture** - The pedestrian realm should be de-clutter, including and control of A boards. The street furniture chosen for the town centre should be used in this street
- **Landscaping** - Soften the street scene with the introduction of new street trees, in raised planters at new crossing points on the north side.
- **Public Space** - The space and turning head at the west end should be redesigned with high quality materials to an individual specification. Public art can be embedded into the space.
- **Pavements** –A pavement surface of robust quality and traditional appearance, suitable and sympathetic to the conservation area.
- **Materials** - This attractive street of fine period buildings requires a sympathetic public realm. Although this street is severed from the centre by Balcerne Hill and its underpass the treatment of the eastern part of the street should extend to this western side. Large scale natural concrete flags and colour matched pavers are to be used on the pavements on the north side. A granite kerb would be an appropriate detail within the Lexden Conservation Area. On the south side cycling is permitted on the pavement. This new scheme forms part of the Cycle Town Strategy and will be monitored over its initial period. Should illicit car parking on the pavement persist a scheme of physical restriction to cars may be required.

3.9 Public Spaces

Colchester has relatively few public spaces or squares and the only central functioning public square is Culver Square. Around the town, however, are many spaces with the potential to make a similar contribution to the social and functional aspects of the town centre by providing opportunities for people to meet and step out of the hustle and bustle on the street. To have more than one space for such activities gives people choice and adds the vitality of the town. There are other spaces in the town that are not suitable for public access. This is mainly because they lack natural surveillance and could therefore encourage antisocial behaviour. These spaces could, however, be utilised as additional opportunities to enhance the biodiversity and green links within the town centre.

Spaces suitable for public access

Two significant spaces are the church yard to Lion Walk URC church and the adjacent forecourt of Eld Lane Baptist church. These underutilised spaces have the potential to hold events and organised activities but at the current time suffer from poor design and underuse.

The Trinity Church Yard was unenclosed for many years but was subject to antisocial behaviour from a neighbouring public house, now a shop. The church yard would provide a quiet, tranquil space if reopened either permanently or for a limited period during the day in association with its new use as a youth centre.

St Nicholas Church Yard is now barely recognisable, since the church was pulled down all that remains are two walled patches of ground containing horizontal graves stones and two Yew trees. Much of the land around this space is dedicated to highway and yet the potential for this area to function as a square is great.

The Priory is a schedule Ancient Monument and has open, grassed space to the east and south with a graveyard to the north. In the St Botolph's Masterplan this important space will have the Heritage Trail passing through it. The space lacks natural surveillance and has been subject to antisocial behaviour. Better management and new developments will provide a better environment here and allow more people the opportunity to enjoy this valuable site.

To realise the potential for more open spaces landowners of the spaces will need to work with the borough council to rejuvenate the spaces. Some like St Nicholas's have great potential to be integrated into new schemes for adjacent buildings and become vital spaces for people.

Spaces for limited access and biodiversity

There are several other church and grave yards, including several in the Dutch Quarter, that are closed or have limited access. Generally they all lack adequate natural surveillance therefore utilising them as public open space may not be desirable but they will make valuable contributions to the town's biodiversity and green link network with considered planting and design.

Vision

Spaces that will have public access should be designed for relaxing and provide a place of different qualities than the busy surrounding streets. Large spaces must also be able to hold events such as a market or exhibition. Public spaces should have a different set of materials from the streets and contain furniture that is of individual design and bespoke where possible. The integration of public art is important and the inclusion can be made by embedding artist work in the materials and furniture or with individual pieces of sculpture, lighting or other decorative measures. Cafes and street performers will be encouraged where appropriate to add to the diversity of attraction.

Specific Requirements

- **Landscaping** - Trees and other soft landscape will enhance the natural heritage of the site. The Yew tree has a long established relationship with burial spaces and church yards. Where possible the existing trees should be utilised as a feature of each space and its heritage. This will provide a common theme between the spaces, particularly those that have lost the appearance of their original use. A clear aspect should be maintained to deter anti-social behaviour, e.g. the crowns of trees raised, the shrub layer minimised and hard cut back and herb layer well maintained. Spaces not suitable for public access will have soft landscaping that maximises the potential for biodiversity and should be identified and promoted accordingly.
- **Furniture and Materials**- A common theme of materials and furniture should link the spaces. Seating within grave yards should for the most part be avoided as it potentially attracts anti-social behaviour. Seating should rather be set outside the space but focus on it (these particularly focused on any main access points/vistas through the site), this approach helping with passive surveillance of the site. The spaces for public use will be defined by a set of surface materials that are different to the streets.
- **Public Art and Interpretation** - Public art should be a significant element of each public space. Within graveyard sites, where appropriate, the historic element can be emphasised by superimposing a ghosted outline of the church stencilled in as part of the hard landscape layout, supported where possible with an inset interpretation plaque.
- **Materials** - The churchyard spaces and the new spaces within regenerated areas are to be designed so as to create an individual and different experience from that of the streets. In public spaces materials that are unique to the series of churchyards or an individual space must be used. Where a strong desire line passes through a space the street material can be used for this path but predominantly the spaces will be designed to be significant investments in the physical and social infrastructure of the town centre that can be seen as a series of oasis outside the bustle of the exchange space in the street.

The materials chosen for each space should form part of the linkages between the series of related spaces to be used as public open space.

3.10 New Regeneration Areas

The Town Centre Area Action Plan will provide a co-ordinated vision and delivery plan for a range of new developments and projects that will enhance the overall quality of the town centre public realm. New attractors will extend the activities of the town centre, establishing extensions of the shopping core and a new cultural quarter, with the Visual Arts Facility at its centre. The Magistrates Court creates a public new space fronting the Town Station. This space will provide a formal entrance to both the station and the Court buildings.

Vision

New developments need to enhance the strategic green links. Whilst additional trees are not appropriate in the established street pattern of the historic core, new developments can create opportunities for a softer, green public realm. These development sites are the only large sites where the public desire for more trees in the town centre can be realised.

Priory Street car park will be redesigned. The imposing town wall to the rear of the car park will be given a more sympathetic treatment at its base and the car park will be softened with tree planting. Improvements to lighting for security and illuminating the wall will be incorporated.

Station Square will be designed to accommodate the movements of commuters and provide a sense of arrival at Colchester from the station platform. This space must also provide an appropriate forecourt for the Magistrates Court, sympathetic to the architecture and the court function.

Specific Requirements

- **Public Spaces** Public Spaces will be designed to a high quality and be of materials unique to the space. Designs must consider the full range of functions and activities possible to provide Colchester with unique and exciting opportunities.
- **Public Art** - Opportunities for new public art as individual pieces, temporary displays and embedded art in furniture will be expected in new public spaces.
- **Landscaping** - The enhancement of green links and planting of new street trees will be required in appropriate areas of new developments. Opportunities for street trees and other soft landscaping, where appropriate, must be fully explored with regard to archaeology and other constraints. New trees and plant material can be placed in containers.
- **Streets and movement** - Street connections and new streets must provide continuity and legibility for desire lines from existing quarters whilst expressing the significance of new primary attractors.
- **Street Furniture** The materials and approach to the public realm will be consistent with the surrounding network as detailed in this strategy.

3.11 Thresholds

Historically, a town gateway served as both a physical and symbolic announcement of entry to a town and the movement from open countryside to a controlled urban environment. In today's less tightly bounded town centres, historic gateways still retain a residual element of their former significance and provide a sense of arrival to opportunities for trade, activity and socialising.

Although Colchester's gateways have differing characters they need to be considered as a group because they mark the thresholds of the town centre. As

demarcations of the town centre boundaries these are landmark locations that should announce the arrival at the centre.

Threshold Locations

St. Botolphs

The major roundabout of St Botolph's is a contemporary gateway to the town centre. Although it is heavily trafficked it does provide a point of definition that has strong legibility if only because of the scale of the engineering. The roundabout also has a long underpass providing pedestrians with a disjointed approach to the centre. There are pedestrian crossings as an alternative to the underpasses but the pedestrian is faced with little priority, poor legibility and travelling far from an obvious desire line. The pavement on the north side of the roundabout is the actual threshold but the area is highly cluttered and has a poor sense of place.

Abbey Gate Street.

The street is an isolated residential enclave adjacent to the Town Centre, with fine period terraces and mature trees. An underpass of the arterial route Southway links it to the St John's area. Access to private parking is over paved areas. There is potential for a homezone design approach to reinforce the perception of shared space for vehicles and pedestrians.

North Station Road, North Bridge

The river is a strong landmark and creates a boundary between the North Station Road local centre and the North Hill ascent into the town centre. This area has a poor public realm created partly by the highway clutter and partly by the unkempt appearance of other parts. The important legibility of a route from the north to the town breaks down in this section of street between the bridge and the base of North Hill.

Middle Mill

The bridge over the sluice gates, on the site of the old mill, marks the transition in to the town centre from Lower Castle Park. Once over the bridge there is a small stretch of street called Middle Mill. This space has poor public realm which detracts from its significance. The large and dominant carriageway once served a local authority depot but now the site has been sold the need for carriageway has lessened.

Headgate

The junction of Southway and Head Street defines the beginning of the town centre. It provides an obvious change from the virtually pedestrian free Southway where the pedestrian has a subordinate and highly controlled experience. Currently the only way into the town across the arterial road is via an underpass. Given the growth of population on the garrison and its access via Butt Road works on this junction should seek to rebalance the priorities by providing at grade crossings over Southway. This would enable a better distinction of threshold than the current exit of the underpass.

East Hill

The grand buildings at the top of East Hill where it becomes the High Street mark this gateway. The change in character defines the change in function but a specific boundary threshold is not legible. Given that the Roman wall would be crossing carriageway around the Priory Street junction it would be appropriate to establish the threshold at this point and extend the public realm improvements.

Balkerne Gate

The historic and evocative Roman gateway through the wall promotes a sense of expectation approached from the west, but the sense of arrival once through is compromised by the layout of the pavement and carriageway. Whilst the landmarks of the Mercury Theatre and water tower are impressive in the scene the route through is dominated by the carriageway and the pedestrian realm has a distinctly subordinate feel.

Crouch Street West

The west end of Crouch Street defines the beginning of the town centre at its western edge. Although, like Middle Mill, this threshold has no relationship with the town wall the changes in activity and use of buildings make an obvious statement. This threshold is a pedestrian only and may therefore only require delineation on the pavement.

Vision

Thresholds provide a marker and definition of the town centre and can be unified through a series of public art works designed for each location. Whilst particular to each location they should have a unified theme. These pieces need not be free standing but could be embedded into the location as floorscape (literally a threshold), with lighting or street furniture.

Specific Requirements

- **Public Art** - A series of public art works will be provided that demarcate the boundaries of the town centre and interpret aspects of Colchester's rich heritage.
- **Materials** – a concept for the general principles and selection of materials will be prepared once an artist has been commissioned for the project.

4 Materials and Details

The choice of materials in the public realm and the way in which they detailed has a great affect on people's perception of Colchester. It is vital that these materials are robust and relevant so that the streets remain attractive and can be maintained to high standards. New schemes will be carefully costed and planned o ensure that all relevant ongoing maintenance costs are accounted for and that an appropriate organisation is designated to ensure ongoing maintenance.

The choice of materials must respond to the built form of the town and enhance the character. They must provide a coherent sequence of streets and spaces from a limited palette and be of high quality so that the public realm contributes to the richness and visual wealth of the town centre. Good quality streets and spaces should be designed to enhance the uniqueness and prestigious heritage of Colchester.

Historic Materials

Evidence of historic materials in the streets of Colchester is limited. Although evidence of Roman archaeology provides good detail of their streets evidence of later periods is minimal.

The Septaria stone and flint are the only really vernacular stones. Both are evident in the churches, castle and Roman wall around the town but there is no evidence to suggest they were used in surfacing and road finishes. Post Roman era historic evidence is negligible and it is not until the 19th century that is possible to find stone sets and other stone surfaces that were brought to Colchester by train or boat in Victorian times. Maidenburgh Street to the north of the High Street has the Victorian surface remaining with evidence of tracks worn by cart wheels. Other examples exist in Church Street and off North Hill.



The small section of historic surfacing of the High Street showing the large granite runs for carriage wheels.

From early photographic images it is possible to establish a tradition of flag stones used within the major streets of the town centre, a type of material of size and shape that has created an appropriate perception and formality in the wide civic Victorian pavements.

Early examples of lamp columns and other furniture do exist and should be kept where possible.

Surface Materials Principles

The choice of surface materials should be limited to a small palette of quality finishes. By selecting a small palette the pedestrian will experience continuity through the streets and spaces. By using the palette in ways that respond to the scale and built form a sympathetic richness and variation will add to the overall experience of the town centre whilst emphasising the hierarchy of streets and their functions.

Detailing of materials is crucial to the elegance and beauty of the public realm. Within the design process accurate detailing of junctions with buildings and vertical elements as well as drainage points and access covers must be specific and clear. Paving and all multi piece layouts must be fully considered at the design stage to reduce on site cutting and improvised on site accuracy.

All jointing must be detailed at the design stage to achieve narrow and even joints so that a consistent and safe surface is created.

Any design process for the public realm in the town centre must have the involvement of an urban designer or landscape architect from the Design and Heritage Unit from Colchester Borough Council in association with members of the Highway Authority design team. A series of comprehensive designs should be produced in advance of any works that follow and support this strategy.

Codes, Standards and workmanship

All materials must be installed to the appropriate codes and British Standards. On site handling and health and safety procedures should be observed together with workmanship standards by the design team throughout implementation. Sample panels should be produced prior to full implementation to ensure that the overall scheme will achieve the desired standard and quality.

Contractors should demonstrate that their gangs have been selected for their experience of town centre environments and their ability to manage a project appropriately. Equally the contractor should demonstrate their experience and qualification with the chosen materials, specifications and standards.

Street furniture

Colchester town centre is a relatively small, compact area. The furniture within it should be simple, robust and appropriate to the conservation area status and its built heritage. For these reasons there should be a single type of each element of furniture for the whole town centre. Litter and recycling bins should be sourced from one manufacturer. In consultation the public perception is that litter bins are required. It will be possible to accommodate more bins providing that they are placed considerately, where they will not be an obstacle.

One type of bollard should be used and the unique bollard with the Colchester insignia is the most appropriate. Lamp columns should be plain simple and black. Posts for signage should also be black but only used when a wall fixing cannot be accommodated or negotiated. Some small signs can be on shared posts of lamp columns. A single style of bench and seat should be used on the streets where a vista can be taken or where adequate space allows. North Hill should have some strategically placed seating for people who may tire walking up the hill.

Colchester Borough Council and Essex County Council will work together to ensure that bus shelters will not dominate the pavement area. A clearway of 2.4 m for pedestrian movement should not be compromised by shelters. Advertising must be restricted to a single poster per shelter, preferably placed behind the timetable information. The associated signage and information provided at bus stops must be condensed with regard to clutter and obstruction where possible. Signage and adverts that negatively affect the setting of listed buildings will not be acceptable. All bus shelter details to be agreed with Essex County Council.

Highway furniture must be minimised throughout the town. Yellow lines must not be used on stone surfaces and a zone control approach will be established in the core. There will be a presumption against use of guard railing as a pedestrian control within the town centre, in accordance with the Government endorsed Manual for Streets 2 which notes that they 'should only be used when no other solution to a significant safety problem is practically possible, and the adverse effects on amenity, capacity and safety have been fully evaluated and recognised.' (p. 88) Cycle parking should be simple stainless Sheffield Stands. Manual for Streets 2 supports these measures and has guidance for implementation and design. A strategy for reducing clutter must be produced for the town centre. This will include removing yellow lines and signage, adopting zones of parking control and removing redundant furniture.

The furniture in static spaces as opposed to that used in the streets should be of bespoke design and individual to the space. The theme of churchyard spaces can allow for common features of furniture and materials in these spaces but variations for each space must exist. The intended use of the space will dictate what type of furniture will be required. The spaces that will act as public squares will require a co-ordinated set of furniture to meet the needs of all users.

Trees / Planting

Trees are important to the public realm for several reasons. They provide shade, are a significant vertical element in the streetscape, provide a focal point and connectivity throughout the town and also screen pedestrian areas from the surrounding roads.

The principle green space of the town centre is Upper and Lower Castle Park. This area contains numerous fully mature trees that were planted during the Victorian period. It is also evident throughout the town that there are remnants of other tree plantings from the same period, defined quite strongly by the large Oaks, Holm Oaks, Beech, London Plane and Horse Chestnut in various positions. These trees form key arboricultural and landscape features of Colchester and everything possible should be done to retain these key features in good condition.

In general trees are scattered across the 'shopping and pedestrian' areas of Colchester and are few and far between. Principally they are contained within old church yards and the remains of the gardens of large feature properties. At present these areas are relatively unused as public amenity space and are usually isolated from each other. Whilst these 'green oasis' are important in their own right further effort is required to connect these areas and as a consequence improve connectivity throughout the town as a whole.

It is noted that a large number of the trees that do affect the public realm are contained within privately owned land. It is vitally important that these trees are cared for in the same vein as those within publicly owned land as, to a larger extent, it is these trees that will provide the large trees within the streetscape given the fact that there is only limited availability of public owned space for this size trees to be provided.

Therefore the following should be considered:

- Existing trees in public spaces should be monitored and consideration given to succession planting and/or re-planting where they no longer provide high amenity value.
- Existing trees, including those within private land, within 15m of proposed changes to the public realm i.e. installation of street furniture, changes of paving/curbing etc, require due consideration in the form of an arboricultural impact assessment to limit the loss of feature trees that influence the public realm.
- Due consideration will be given to trees that influence and are visible from the public realm prior to any changes to the public realm.
- Where services will be installed by statutory undertakers or agents working on their behalf the above point will be considered and the guidance contained within NJUG 4 used.

- Tree planting should be considered for public space to provide visual interest, shade and connectivity.
- Consideration should be given to introducing tree planting as a unifying element and to define routes and spaces.
- Tree planting should be used to create focal points within the streetscape.
- Where possible all trees should be planted at the natural ground level. Trees behind retaining walls should be avoided given that they will be lost in the long term.
- Appropriate species should be used both in terms of mature size, natural growth habit and origin/provenance.
- The choice of tree should reflect the scale of the space.
- The appropriate size of stock should be used when planting new trees i.e. if immediate impact is required an extra-heavy standard should be used instead of a standard tree.
- New planting should be sited in such a way that they do not conflict with services.

Shrub and Herb Layers

Views across the key spaces, roads and lanes need to be secured by ensuring tree canopies are maintained with a clear stem at no less than 2.5m high. Allowance should also be made for CCTV surveillance; however tree cover should not be compromised for lack of sufficient numbers of cameras.

A clear hierarchy of planting needs to be appropriately established, as outlined above forming the principal structural elements, and in some case, e.g. the yews emphasised as principal features, all bringing character and structure to individual spaces. Beneath this the shrub and herb layer, at a more human perspective should be far more eclectic and flexible in their composition and usage, being used to bring seasonal vibrancy and colour to individual areas, their structure in most cases defined by the layout of the planters, hanging baskets, etc, whilst as with the trees allowing for free pedestrian movement and surveillance.

Shrub and herb layer planting should be robust and well coordinated. Blocks of planting should be used to complement the scale of individual areas and planting pallets should reflect local and climatic conditions, e.g. through the use of swaths of grasses and sedges and introduction of drought tolerant species.

Subtle lighting should be used to highlight/up-light planting to making individual spaces more usable after dark whilst still highlighting the planting.

Lighting

Colchester Borough Council has developed a lighting strategy for the town centre based on work carried out by Sutton Vane Associates which contains criteria for lighting and proposals for the introduction of lighting for landmark buildings and zones. The Strategy is attached as Annex B.

Way finder signing

The signing for local heritage, attractions and visitor facilities should be clear and unambiguous. The locations of signs and their design should not add to street clutter or detract from the street scene. Way finder furniture should have an appropriate aesthetic and design that people associate with visitor information. Visitor information, however, can often be integrated with other related information such as highways information, and consolidation of different types of signage will be sought where appropriate.

Heritage interpretation need no longer be confined to physical display boards and signage and has been greatly enhanced by the ever expanding potential of digital media. The Council will work with digital providers and businesses to introduce innovative new digital-based forms of interpretation which link mobile phone/computer users to electronic information sources.

Public Art

Art in the Town Centre public realm

Art can be integrated into the public realm in many ways; a key factor of successful integration is the involvement of an artist in the design process at the earliest opportunity. Similarly, the involvement of stakeholders and the public, where possible, give a good sense of ownership and pride, both are key elements the success of a town centre. Public art can take many forms and the diversity of public art is a great asset when building on local distinctiveness and heritage.

Within the open spaces network we will seek to embed the work of artists into the street furniture, creating bespoke designs unique to Colchester and its public spaces. The main focus for new works of public art will be the thresholds and public spaces identified in Section 3. These areas provide the best opportunities for appropriate siting and contemplation of artworks, in contrast to streets where movement and activity is the main focus. Any public art that is placed in the highway will need to be licensed.



The diversity of public art must be taken into account when designing the public realm so that opportunities for lighting, exhibitions and performances can be accommodated. These can be associated with large spaces but intimate, smaller spaces can be successful hosts to all types of art.



Shop fronts

The design and visual richness of shop fronts makes a significant contribution to the public realm. For Colchester's historic centre there are many contextual constraints on design and whilst there is a case for modern, contemporary design where appropriate, the traditional design and proportions are the most dominant and relevant style for the town. Guidance for shopfront design is contained in a Supplementary Planning Document which will be available on the Colchester Borough Council website following adoption in June 2011.

Licensing and zoning Street Cafes

The places for pavement cafes should not conflict with movements of pedestrians or simply be a smoking area outside a bar. The Borough Council has a licensing procedure for pavement cafes and has designated zones where this use of the public realm is appropriate. The Borough Council will be adopting a licensing policy to control activities on the pavements of the town centre. This will seek to control pavement cafes, sitting out areas and the use of 'A' boards as advertisements. These elements of activity will be required to achieve three basic principles:

Not obstruct the public highway
Not encourage antisocial behaviour
Provide an appropriate appearance and design within the town centre

5 Maintenance and Management

Maintenance

Maintenance has a far reaching effect on the appearance of any streetscape project. The lifetime of a scheme has to be carefully considered, costed and approved in advance of implementation. Without a full understanding of the level of maintenance required, the costs associated with this and also a firm commitment to carry this work out, the investment in improvements is severely undermined and compromised.

Modern cleaning methods and current specification can sometimes be in conflict and design and maintenance therefore need to come together on a range of issues that includes cleaning, security, litter collection and de-icing. The improved streetscape environment will require ongoing management if the contribution it is going to make to town centre life in Colchester is to be sustained. A critical objective to the ongoing maintenance is both retaining the visual appearance and sense of quality and to ensure that surfaces and features remain safe and useable. This in particular relates to surface finishes with regular checking of paved finishes to ensure that trip hazards are not created through the settlement or displacement of paving units. Such ongoing work relates to providing a town centre useable by all and relates to the need to comply with the Disability Discrimination Act and other relevant guidance.

Under the provisions of the Construction (Design and Management) Regulations 2007, a Health and Safety file is required to be prepared and held available permanently. The file must contain information on any future work required after the completion of the project. This would normally include: 'As built' drawings and important production information. Construction details, materials and street furniture schedules and specification reinstatement procedures maintenance requirements apparatus or equipment manuals public utilities drawings.

Maintenance Manual

To ensure that reinstatement is carried out to the same specification as the original works a maintenance manual should be prepared by the original designer before works are completed. This should incorporate;- 'as built' drawings - procedures for maintenance works - the exact materials used - the names and contact information of all suppliers - procedures and specification for reinstatement. The maintenance manual should be distributed to all Colchester Borough and Essex County Council departments and those Public Utilities that wish to carry out their own reinstatement. Through negotiation, the Council will seek to achieve agreement with public utilities whereby those that choose not to carry out their own reinstatement works to the standards specified in the manual should reimburse the Councils for the cost of reinstatement to the requisite standard.

Maintenance of Specialist Elements

Maintenance agreements for any specialist items, such as water features, may need to be drawn up and should be informed by input and maintenance schedules and instructions provided by the relevant consultant and contractor. This will be necessary to ensure these features remain the dramatic focus envisaged.

Training

People involved in the maintenance of the public realm may not have experience or training in specialist, high quality workmanship. Many workers may not appreciate the importance of quality detailing. A skills audit should be carried out to determine where training and recruitment will need to be focused to ensure the appropriate maintenance of the public realm. A training programme should be developed that is specifically tailored to meeting the requirements of Colchester's high quality public realm.

Materials Stockpile

For paving materials not readily available, a reserve of materials used in the scheme should be set aside. This can be stockpiled or laid in storage by the Borough Council for lifting and re-laying when required for repair and larger reinstatement work.

Environmental Education

While there is an increasing intolerance of poor surfaces and uneven paving the awareness of public spaces as an important and valued aspect of our towns and cities is generally still quite low. Even in Colchester, which has an effective streetscape management regime for its existing spaces, the extent of litter and staining, particularly through chewing gum, are persistent problems. The careful siting and adequate provision of litter bins and drainage channels is an important aspect for tackling the problem. The level of investment and frequency given to street cleaning is also important.

A litter free environment can positively influence behaviour. The preponderance of chewing gum staining in the town centre's streets and spaces indicates that there is a central role for education in raising awareness of the public realm as something of value within the community. Hopefully as the role of the public realm continues to expand into providing a venue for events and civic life then respect for its fabric will increase.



Local Development Framework Committee

Item
10

13 June 2011

Report of	Head of Strategic Policy and Regeneration	Author	Karen Syrett
Title	Community Infrastructure Levy – Frontrunner Project		☎ 506477
Wards affected	All		

The Local Development Framework Committee is asked to note the background paper on the Community Infrastructure Levy and to delegate authority to publish the draft Charging Schedule.

1. Decision(s) Required

- 1.1 To note the background information on the Community Infrastructure Levy (CIL) and the Councils progress on the Governments Frontrunners project.
- 1.2 To delegate to the Spatial Policy Manager in agreement with the Chairman of the LDF Committee and group spokespersons, authorisation to publish the draft CIL Charging Schedule for public consultation.

2. Reasons for Decision(s)

- 2.1 The Community Infrastructure Levy is an important source of future infrastructure funding. The Charging Schedule will be subject to examination and it is considered important that the LDF committee are kept up to date with the process and with progress being made by the Council in implementing CIL. The Frontrunner Project requires the Council to meet very strict timescales.

3. Alternative Options

- 3.1 The committee could delay publication of the Charging Schedule until after the next Committee in August. To avoid school holidays this would mean the consultation could not commence until September which would conflict with the timescales set out in the bid to be a Frontrunner. The good reputation which contributed to our selection could then be tarnished.

4. Supporting Information

- 4.1 The Community Infrastructure Levy is a new levy that local authorities can choose to charge on new developments in their area. The levy is intended to provide infrastructure to support the development of an area rather than to make individual planning applications acceptable in planning terms.

- 4.2 Local authorities are required to spend the levy's revenue on the infrastructure needed to support the development of their area and they will decide what infrastructure is needed ie roads, community facilities and open space. The levy is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies in infrastructure provision unless those deficiencies will be made more severe by new development. The levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support development.
- 4.3 The idea is that the system is very simple in that it applies to most new buildings and charges are based on the size and type of the new development.
- 4.4 In December 2010 the Government invited local authorities to be "front runners," developing innovative approaches to implementing the levy and giving local residents choice and control. The Planning Advisory Service and Planning Inspectorate provide tailored support and advice to up to eight authorities who wish to lead the way. The Council in partnership with Essex County Council expressed an interest in being a Frontrunner and were confirmed as one of the eight in February. Work commenced immediately to progress the Levy.
- 4.5 As part of the selection process it was confirmed that a Charging Schedule could be produced and submitted by the Autumn of this year. It was always known to be a challenging timescale but what couldn't be taken into account at the time the bid was made was the timing of LDF committee's. Ideally the draft CIL report and charging schedule would be reported to the Committee who would agree the consultation process. However, these documents are not yet available and if it is left until the next meeting we would be unable to complete the project as agreed with the Department of Communities and Local Government. Although the Constitution (Meetings General Procedure Rule 12 – Matters of Urgency) allows for items to be considered outside of the committee forum the delegation option is considered to be a better approach which the whole committee can endorse. The consultation is just the first phase of participation and all the results will be reported back to the Committee who will also agree the next stage of consultation.
- 4.6 There are three main elements to the work which seek to achieve the following:
1. To update the infrastructure evidence used to inform the Core Strategy, which was examined and declared sound in 2008.
 2. To assess the potential level of CIL charge, by type of development class, which could be borne by development.
 3. To produce a CIL charging schedule and supporting evidence base which could be submitted for examination and ultimately declared sound and then adopted.
- 4.7 Once a draft Charging Schedule has been published we are required to consult local communities – including local businesses and neighbouring authorities – regarding the proposed rates for the levy. The first consultation on the Colchester CIL is intended to take place in July.
- 4.8 Following the consultation we will review all responses received and prepare the Submission version of the document for public consultation ahead of submission to Government. This is intended for the Autumn. The charging schedule will then undergo a public examination by an independent person (such as a planning inspector, or a chartered surveyor) before we can formally approve it.

- 4.9 When the Council adopts and implements CIL it is also necessary to publish what is known as the 123 List. This lists all the infrastructure to be funded through CIL. CIL money can only be put towards items on this list and S106 contributions cannot be used towards anything on the list (there can be no doubling up.) The 123 list can be changed by the Council at anytime without the need for examination or any publicity.
- 4.9 The Government will require the Council to allocate a meaningful proportion of levy revenues raised in each neighbourhood back to that neighbourhood. This will ensure that where a neighbourhood bears the brunt of a new development, it receives sufficient money to help it manage those impacts. What isn't yet clear is how much a 'meaningful proportion' is and if it has to be spent on items on the 123 List.
- 4.10 The Governments intention to scale back the use of S106 Agreements makes it even more important to progress the Levy. Once CIL is adopted or in April 2014 the use of tariffs and standard charges will be severely restricted and securing funding for big items of infrastructure could become increasingly difficult.
- 4.11 Further regulations are expected in the summer which will hopefully provide more clarity.

5. Proposals

- 5.1 Members are requested to note the content of this report and delegate authorisation to publish the draft Charging Schedule for public consultation.

6. Strategic Plan References

- 6.1 The Council's vision is for Colchester to be a place where people want to live, work and visit. The provision of infrastructure through the CIL will provide resources to deliver priorities and in particular those objectives concerned with community development and congestion busting.

7. Consultation

- 7.1 It is proposed that public consultation will be undertaken in June/July 2011. The consultation will be publicised by way of press release and by sending notification to people and companies on the Council's LDF consultation database.
- 7.2 Copies of the consultation document and supporting information will be made available on the Council's website, Colchester Library and in the Customer Service Centre.
- 7.3 Representations will be accepted electronically through the website or in hard copy.
- 7.4 All representations received will be taken into account when the charging schedule is reviewed and republished for submission.

8. Publicity Considerations

- 8.1 Attention could well be focused on the Community Infrastructure Levy Frontrunners, resulting in publicity for the Council.

9. Financial Implications

- 9.1 The costs of progressing the CIL have to date been funded from previous years Housing and Planning Delivery Grant. The examination will necessitate additional resources but it is considered appropriate to invest to secure better returns through implementation of the levy.

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 Implementation of the Community Infrastructure Levy will minimise the risk of there not being enough funding for infrastructure.

Background Papers

The Community Infrastructure Levy - An overview

The Community Infrastructure Levy - Summary

Community Infrastructure Levy Guidance - Charge setting and charging schedule procedures

